

MINUTES
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, April 8, 2025 at 7:00 PM
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Acting Chairperson Jones called the meeting to order at 7:00 PM. Acting Chairperson Jones explained the advisory nature of the Zoning Board of Appeals (ZBA) and its process for deliberation and recommendation. He described the Public Hearing protocols and announced that the meeting was being recorded.

Roll was called.

Present: Acting Chairperson Matthew Jones and Board Members, Peter Kelly, Craig Pavlich, Noureen Lakhani and Christiane McKnight

Absent: Board Member Todd Buckton

Also in attendance: Daniel Harper, Planning Manager; Donna Jean Simon, Acting Village President and Adriana Ohl Zamora, Recording Secretary.

B. Public Comment (non-agenda items)

None

C. Approval of Minutes

1. Review and Approval of the February 11, 2025, Zoning Board of Appeals meeting minutes

Motion to approve- Pavlich, Member Kelly Seconded the motion. Approval of the minutes was passed by a unanimous voice vote.

Member McKnight moved to open the Public Hearing. Member Pavlich seconded the motion and the motion passed by voice vote.

D. New Business

1. Public Hearing – 861 Bloomingdale Road, Fence Height Variation

Sworn in, Daniel Harper, Planning Manager for the Village of Glen Ellyn, introduced the following variation request:

This is a request for zoning variation of maximum fence height construct an 8ft fence in lieu of required 6ft maximum. The purpose of this is that the petitioner is requesting this zoning variation as a result of the construction of the neighboring property to the north and east of the property as part of the Church Hill Elementary School expansion project. All other zoning lots surrounding this lot are all zoned R2 single family residential.

The location of 861 shown on the screen by Mr. Harper to provide an idea of what is being constructed to the north and east of the property with elementary school expansion.

Mr. Harper described a new parking lot is being constructed on property, with a new access on Bloomingdale Road. He explained how as part of construction the grading of the site will actually be raised approximately 5 feet from current grade. He showed the landscape plan of Elementary School expansion and described how the elevation is also being raised on eastern part of property line. The plat of survey was shown with proposed location of fence on the property. The location of fence was shown, purpose that this is to act as buffer from the new addition and parking lot and to account for the raised bed and new elevation of the overall lot grading of the Church Hill Elementary site; the maximum that fence code allows is 6ft in height, petitioner is requesting 8ft in height to compensate for some of that change. The most impacted area, which is along the Northern side of the property, picture of elevation grade change of 1 foot on new access on Bloomingdale Road. Mr. Harper described how the ground is being raised to accommodate for a level entry surface for the new driveway; that counts for part of what the applicant is asking for to compensate for that change.

The proposed fence material was shown; the applicant is proposing a White Vinyl Fence, an allowable material by our fence code. He explained that if petitioner would have come in to get a 6ft fence approved, it would have been approved per fence code. Mr. Harper explained that the consideration of the petition tonight and the request, was for the Zoning Board of Appeals to

examine request based on the findings of fact and the standards presented in the Glen Ellyn Zoning Code and make a recommendation to the Village Board of Trustees.

Member Questions

Commissioner McKnight- Did the Village receive any objections?

Daniel Harper, Planning Manager, Village of Glen Ellyn-We did not receive any rejections, the applicant did submit a letter recommending approval from the School District in support. The School District has been working with their neighbors' requests and has been working hand in hand with them.

Seeing no further questions for Village staff from the Board, Acting Chairperson Jones motioned for the applicant to provide testimony.

Public Comment

Sworn in Petitioner, Ed Ryan- He stated that because of the 5ft raise, he is looking for additional safety and security. Higher raise, it will be taller than most of people and from a distance it will provide more safety and security to our yard.

Chairman Jones-Did the school district work with you at all as the possibility of them putting up a fence? Is the school board paying for the fence on their property and where does that stand right now?

Petitioner Ed Ryan- They are putting up my fence and the fence is going to be on my property

Commissioner Pavlich- So they (School District) are paying for this fence?

Petitioner Ed Ryan- yes, they are.

Chairman Jones announced that he had no further questions, asked if anyone else in audience had any further questions.

Sworn in Paul Gonzalez- My backyard is where the new school is being built, stated that the elevation is literally, I need like a 15ft fence if I want privacy, you could look directly into me and my wife's bedroom, because it's that height looking into my window. You get a clear view of my backyard, I was just curious because nobody ever told me if they would put a fence because I just have a chain-link fence that they had put their years ago so I didn't know what to do until I found out what was going on with the school, and a 6ft or 8ft fence would not do anything for me but I want to know if I would be capable of getting that too or what could be done?

Chairman Jones- Are you to the north or the south

Paul Gonzalez- I am to the south

Commissioner Pavlich- you are in the village, correct?

Paul Gonzalez- Yes, because of the elevation, from my back yard I am looking up to where they are putting the sidewalk where you go down the stairs and into the school.

Daniel Harper, Planning Manager, Village of Glen Ellyn – stated that the approved school district plan for their landscaping, they have a 6ft white vinyl fence, similar to what is being proposed here but it is only for 6ft along the entire perimeter of that eastern property line, expressed that Mr. Gonzalez would need to coordinate with school district just like our applicant here tonight. Reiterated that he could not provide any advice on height of fence but did reinforce that he knew that as part of the school's plan, they would be constructing a 6ft high fence and anything else would have to be coordinated with the school district and come to the village as part of Zoning.

Commissioner Pavlich- Donna Jean perhaps that is an option that Trustees can undertake for the impact of properties?

Donna Jean, Village Trustee- I will make a note of that.

Commissioner Kelly-Daniel there is no de minimis rule that would apply in this case is there? Is there a de minimis rule that we could apply?

Daniel Harper, Planning Manager, Village of Glen Ellyn- I don't believe so based on how code is written. The School District applied for a suite of variations as part of their original construction plans for the addition, if they had added that as part of the

variation, then it would be a different story, as part of their plan they submitted a 6ft fence which is maximum allowed per our code.

Seeing no further questions from the Board, Acting Chairman Jones asked a motion to close the public hearing.

Member McKnight made a motion to close the public hearing and approve the Finding of Facts as presented. Member Kelly seconded the motion and the motion passed by voice vote.

Deliberation

Commissioner Kelly- stated that he went out and took a peek and grade change is significant, I can't imagine that there is any adverse impact from allowing an addition 2ft on the fence and not allowing an additional 2ft. There are privacy issues, so I am entirely in favor of this variation.

Commissioner Lakhani- I am in favor.

Commissioner Pavlich- I am in favor as well; the zoning code does not make any provisions for properties that back up into commercial or non-residential properties unfortunately.

Commissioner McKnight- I am in favor as well, this is kind of a no brainer, we have had a fence variation in the past that came before us which was a lot harder than this, obviously a hardship being caused by the construction going on with the school and you also have an interest with the privacy and it makes a lot of sense to approve it.

Chairman Jones- I am in favor as well, it is unique, you don't usually have properties that are impacted like you are and the hardship was not created by you, it was created by the school district working within code so I am in favor of providing the relief that you need to have this variance approved.

The members of the Board agreed to the merits of the application and found that the application met the standards for approval for a zoning variation. Member Pavlich motioned to approve the findings of fact as presented. Acting Chairperson Jones seconded. Motion passed unanimously with four (4) votes yes and zero (0) votes no.

A motion to approve the application was made by Member McKnight and seconded by Member Lakhani. The motion passed unanimously with four (4) votes yes and zero (0) votes no.

E. Other Business

F. Chairperson's Statement

No statement was provided by Acting Chairperson Jones.

G. Trustee Liaison Report

Trustee Donna Jean Simon reported the following:

No board meetings for the last 3 weeks, not a lot of new information to report but we did just have an election and we have a New Village President Jim Burket, 2 new Trustees Sonya Bhagwakar and Steve Szymanski , a re-elected Village Trustee- Kelly Kalinich stated they all bring lots of new perspectives to the board and a lot of expertise. We are all looking forward to working together.

H. Staff Report

Planning Manager Daniel Harper- Stated the following:

1. Zoning variations working with 2 applicants right now; 1 had zoning variation approved in the past, for an addition to the house that made a 1 story home as a 2-story home. As part of that request, they were allowed to maintain a non-conforming garage, now they want to build a new garage and connect to the house. We also have an application for a shade structure gazebo that is larger than the maximum 250 sq ft allowed, working to try to convince to make a porch instead of a detached gazebo.
2. From March 10, Village Board Mtg. we had the Downtown event park given an approval from Village board for the zoning changes, zoning map amendments and special use variations. A parks district project, timeline is a little fluid, constructed in 2 phases, phase 1 demo and then regrading, making a passive park, put in retaining walls and fences, plant trees and then phase 2 will occur where the performance pavilion will be constructed. My understanding is that we are waiting on funding for actual performance pavilion itself.

3. April 14th Village Board Meeting, Ackerman park- special use permit for community gardens, on Southwest side of park on Lennox Rd, originally 74 community garden plots with 8 parking spaces, Plan Commission felt that was not adequate for the demand of what those garden plots might generate, they came back for second round, they reduce the number of garden plots due to financial constraints of building a larger parking lot, they reduced number of garden plots and have worked with Police Dept and neighbors to come up with a game plan if parking becomes an issue.
4. Sign variation for what was Glen Ellyn auto, existing pole sign not conforming based on code, they said they wanted to keep pole and add their name
5. Revision to previously approved exterior appearance just across the street from us. Currently being remodeled, after demolition and initial construction ran in to issues recognizing what they had originally anticipated was not going to be possible and so modifications to exterior appearance and going to Village Board again as modification.
6. Later this month Planned Commission will review a zoning variations request from our Public Works Department for the Crescent and Glenwood public parking lot just south of Glenwood Station. This public parking lot will be resurfaced and restriped, proposed parking spaces will not meet min parking space dimension requirements and so they are requesting a zoning variation to maximize number of parking spots.
7. College Of DuPage is requesting an amendment to their Master Sign Plan to allow for additional signage. The last time this was done was maybe 15 years ago. They have had a lot of construction at College of DuPage since then and they came in for another sign permit.
8. Approval of minor subdivision plat, proposed annexation, right now it acts as one zoning lot but it's actually 4 properties with 4 PIN numbers. The person who owns this property wants to divide into 3 new lots and he will live on one and develop the other 2, if it meets the all the subdivision code, it still has to get approved by the Village Board however the Village Board is compelled to approve it based on IL State Law.
9. Anticipating the May 22nd Planned Commission Meeting as the Glenbard West expansion, to construct a new North West wing on top of the treed hill, where Victory Bell sits, redesign whole North West portion of the area.

Commissioner Pavlich- provided an analysis on variation request discussed from 2024. They are as follows
 Last year we had exactly 12, 2 construction variations, 3 setbacks, 6 min lot requirements, 1 new construction encroachment, 1 lot coverage. I can provide the information and discuss at a future meeting.

Glenbard West Students were in attendance during the Zoning Board Meeting to learn how the meetings are held and driven. The process was explained to the students and were asked if they had any questions with regard to the process of the Board.

I. Adjournment

Member Kelly made a motion to adjourn the meeting. Member McKnight seconded the motion and the motion passed by voice vote at 7:42PM

Respectfully submitted,
 Adriana Ohl-Zamora