

MINUTES
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, November 4, 2025, at 7:00 PM
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Chairperson Miller called the meeting to order at 7:00 PM. Chairperson Miller 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: Chairperson Chip Miller, Board Members, Todd Buckton, Matthew Jones, Christiane McKnight and Craig Pavlich.

Absent: Members Peter Kelly and Noureen Lakhani.

Also in attendance: Daniel Harper, Planning Manager, Jordan Frahm, Associate Planner, Robert Duncan, Village Trustee and Adriana Ohl Zamora, Recording Secretary.

B. Public Comment (non-agenda items)

None

C. Approval of Minutes

1. Review and Approval of the Minutes of October 7, 2025, Zoning Board of Appeals Meeting.

Member Buckton made a motion to approve the minutes as presented. Member Jones seconded the motion. Motion passed by voice vote (5) yes, (0) no.

All Petitioners and staff were unanimously sworn in.

D. New Business

1. Public Hearing- 445 Stagecoach Run

Member Pavlich moved to reopen the Public Hearing on 445 Stagecoach Run. Member McKnight seconded the motion and passed by voice vote (6) yes, (0) no

Sworn in, Daniel Harper, Planning Manager for the Village of Glen Ellyn, reintroduced the following variation request for 445 Stagecoach Run

Amendment to Roll Call- Member Noureen Lakhani arrived.

Daniel reintroduced the zoning variation to the Board Members as follows:

The petitioner, Jamie Simoneit, representing Thomas and Ann Villanova, the owners of the property at 445 Stagecoach Run, has applied for a zoning variation to accommodate the proposed interior remodel of the home attic which includes a new shed dormer with a proposed eave height of twenty-eight feet and eight inches (28'-8") in lieu of the maximum allowed eave height of twenty-five feet (25'-0"). Applicant is proposing an interior remodel and exterior alteration to convert the existing attic into a third story for a home office and loft space. As part of this proposed conversion, the plans include a shed dormer located in the rear of the home to provide natural light into the space and provide a more accessible point of egress. The eave height of the proposed shed dormer is approximately 28'-8" in height, or 3'-8" higher than the maximum allowed eave height of 25'-0".

The petitioners request approval of the following variation from the Glen Ellyn Zoning Code:

1. Section 10-4-8(F) to allow an eave height of a proposed dormer on the principal structure of twenty-eight feet, eight inches (28'-8") in lieu of the maximum allowed eave height of twenty-five feet (25'-0").

The following attachments were provided and shown to Board Members:

- Aerial Map of 445 Stagecoach

- Zoning Map
- Plat of Survey
- Building Elevations
- Floor Plan

Member Questions:

Commissioner Pavlich- Maximum height section to R2 residential, there is a max height but there is a bonus for dormers. I object to how this was written, in this case. Section 10-4-8 F 4 is the section of the code that I am speaking of

Daniel- when speaking with architect, we discussed bonuses and how they worked.

Pavlich- this house would need a variation anyway?

Daniel- The home was originally approved in 1989 with a lot coverage ratio of 29.9%. The proposed modification would not need a variation as it is class one modification to the structure.

Petitioners: Tom Villanova & Ann Villanova Sworn In

Petitioner Tom- introduced himself and family (spouse & two children) how his life has changed over time and now needs the space as he works from home. He did get signatures from many people who supported the variation. The change will be in the back of the home and not visible from the street.

Signatures of neighbors provided to Chairperson Miller.

Daniel J. Simoneit, Architect- We are requesting a minor variation to code, the lot is pie shaped in nature and wider in the back. The proposed modification is impossible to see from the street. Trying to give Mr. Villanova a quality space to live in, stand up and walk around. The dormer looks due south and will bring light in. We are asking for a standard height for the windows. Majority of homes on Stagecoach are developed as full 2-story homes. This will be small piece of bulk on back side and because the property is tapered we could not utilize bonuses provided in the code.

Commissioner Pavlich- what percent is length of dormer as drawn here?

Daniel J Simoneit, Architect- Just under the 20%, I'm sorry I don't know the numbers off my head.

Commissioner Pavlich- you are proposing one dormer here instead of multiple dormers that are under 8ft?

Daniel J Simonet, Architect- yes that is correct, the dog house dormers; we are easily 25ft back in from each side, I doubt you will be able to see any of this walking around the yard when its complete.

Commissioner Jones- what is the hardship besides building code? What is hardship or unique circumstances?

Mrs. Anne Villanova- Tom works from home, I am a stay-at-home mom, we have two little kids. His office is off the living room. We have tried to move his office to basement but was not good for his mental health with no sunlight and that is why he moved back to the first floor and that leaves us to where we are now, trying to do something else.

Daniel J. Simoneit, Architect- Code is that limitation is limiting quality of life, use of space that is there.

Commissioner Jones- that is if you combine both the dormers that you can do, correct?

Daniel J. Simoneit, Architect- sorry I am not understanding the question.

Commissioner Jones- you can go 16ft if you have two different dormers, correct?

Daniel J. Simoneit, Architect- I am not worried about the width. If property was square, we would not be here. It's a 2'-8" variation that is 30 plus feet in the air.

Commissioner Buckton: Dormer will yield plus or minus 350 square feet of useable floor attic space, is that correct, an exact number?

Daniel J. Simoneit- I actually brought a document with that information. Mr. Simoneit handed document to Commissioners. It will yield plus or minus 372 sq ft., out of that without dormer, you end up with shaft down middle. Constructing the dormer up creates floor area within the space.

Commissioner Buckton- Mr. Villanova, when I was in your yard it looks like the neighbor to the south would be most affected;

did you speak with that neighbor?

Petitioner Villanova-Yes, I did speak with both Jeff and Cathy on Stagecoach Court. Cathy said "Tell them I said yes"

Commissioner Miller- what is hardship with foot and a half? We are talking 8 inches on each side

Daniel Harper, Village Planning Manager- You cannot exceed 8-feet in width per dormer and then you would be limited to 16 and a half feet.

Commissioner Miller- ok, no questions then.

Seeing no further questions from the Board, Chairperson Miller asked a motion to close the public hearing.

Member Jones made a motion to close the public hearing Member McKnight seconded the motion. Roll call was called and the motion passed 6(yes) 0 (no).

Deliberation

Commissioner Buckton- I don't see a problem with this variation, go for it and build.

Commissioner McKnight- I am inclined to vote in favor, you have a lot of support from neighbors.

Commissioner Jones- I am a no, the way the code is written, there isn't a hardship in my opinion.

Commissioner Pavlich- I am inclined to be in favor, I agree that hardship is negligible, but that is why we have variations to make those minor changes.

Commissioner Lakhani- I am inclined to be in favor.

Commissioner Miller- really dormer reflects what is behind the house too, its same height, I work from home as well, it's difficult to work without light, I understand, I think it fits with character of the neighborhood. I don't have an issue with it.

Member Buckton made a motion to close Public Meeting; Member Lakhani seconded the motion. Motion passed unanimously (6) yes., (0) no.

Commissioner Pavlich-Finding of Facts- 445 Stagecoach Drive. We heard property owners Tom and Ann Villanova and Jaime Simoneit the architect. We discussed the various limitations in terms of code regarding dormers and dormer bonuses. Proposed dormer is less than total width allowed but wider than a single dormer is allowed to be and doesn't fit within the allowed height. Petitioners provided 9 signatures from neighbors in support.

Motion to approve Findings of Fact by Commissioner Buckton, Seconded by Commissioner Lakhani. The motion passed with a vote (6) yes, (0) no.

A Motion to approve variations from Section 10-10-10 of Glen Ellyn Code on property located on 445 Stagecoach, was made by Member Pavlich and seconded by Member Lakhani. The motion passed with four (5) votes yes and one (1) vote no. Member Jones in the dissent.

Commissioner Buckton made a motion to open public hearing for 654 Duane Street, Motion seconded by Commissioner McKnight. Motion passed with unanimous vote (6) yes, (0) no

2. Public Hearing- 654 Duane Street

The petitioner, Studio 1 Architects, representing Grant and Danielle Terrell, the owners of the property at 654 Duane Street, has applied for a zoning variation to accommodate a proposed addition to the side of the home with a proposed front yard setback of thirty-five feet and one inch (35'-1") in lieu of the required front yard setback of thirty-eight feet (38'-0").

The home owners are seeking a variation from section 10-4-8 (D) 1.b. This is a reduction of the front yard setback from 37'-8" to 35'-1" due to the orientation of the home on the lot. The owners are proposing a 2-story addition. Estimated date to begin new use construction is 11/11/2025 which would consist in the addition of a new family room, stairs to the basement and a bedroom of normal size on the second floor. Home was constructed on 2degree angle, that brings it closer to front property line.

The homeowners are seeking a variation from section 10-4-8 (D)(1)(b). This is a reduction of the front yard setback from 38'-0" to 35'-1" due to the orientation of the home on the lot.

The existing, non-conforming condition of the home's front yard setback is the challenge to the addition. The house is currently

situated at an angle or skew relative to the front lot line, which causes a portion of the structure to already encroach upon the required setback front yard setback. This orientation is a pre-existing condition and is not a result of the proposed addition. Because of this pre-existing condition, the proposed addition, which is located to align with the current layout of the home, cannot meet the full 38'-0" setback, determined by the western neighbor, 650 Duane Street, without causing design challenges. The requested reduction of only 2'-11" is the minimum necessary to accommodate the new addition while respecting the home's existing footprint and architectural integrity. 2nd story addition will be kept in line with current home; rear property windows are for first story living room.

The following attachments were provided and shown to Board Members:

- Aerial Map of 654 Duane St.
- Zoning Map
- Plat of Survey
- Site Plan
- Floor & Elevation Plan

Member Questions:

Commissioner Jones- if this house was 3 feet further back, we would not be here.

Daniel Harper, Village Planning Manager- yes, that is correct.

Commissioner Pavlich- Referring to code, Section A; minimum set back is 30ft, but because neighbor is further back, they are expected to be further back, because we consider the 2 adjacent houses, but they only have one then this is up for variation; I did note that there are a lot of other houses that are closer.

Chairperson Miller- Daniel would you like to tell us what 634, 638 and 646 are?

Daniel Harper, Village Planning Manager all properties going due west on Duane Street. 634 Duane Street is setback 25.5 feet; 638 Duane Street is setback 24.5 feet, and 646 Duane Street is 32.9 feet from front property line.

Commissioner Pavlich- to be clear this meets all the normal standards for a normal lot, it's similar to neighboring houses

Commissioner Lakhani- on zoning map this is shown as 2 parcels, is there a reason for that?

Daniel Harper Village Planning Manager- they are, those are two taxing parcels, they were two properties at one point. Because they are common ownership, they are considered as one zoning lot, we treat the two parcels as if they were combined.

Petitioner- Grant Terrell Sworn in as he missed being sworn in.

Petitioner Grant Terrell- explained that he does work from home and needs the space, they have been residents of Glen Ellyn for eight years. I tried working from home in basement, however, was very dark to work in.

Steve Pateracki, Studio 1 Architect- this property as Daniel previously stated is skewed on the lot, which is the main hardship, it is 2% skewed, with our addition we are trying to create extra living space for at-home work. We thought it was important to at least set back the addition to keep with the architecture of the home. We are essentially keeping skew intact as we move back in property. New area encroachment is 25 square feet. Not trying to go into the side yard setback.

Petitioner- I did also communicate with neighbor to south, west and east. I have email from neighbor to south.

Deliberation:

Commissioner Buckton- this block has some variance with front yard setbacks; I look at this variation as a result of that variance that we are seeing in other homes on the respective block. Addition will add to property and neighborhood. I will vote in favor of it. I don't think it will be a problem.

Commissioner McKnight- I also will be voting yes; there is a hardship here with the skew of the home on the lot.

Commissioner Jones- I am a yes.

Commissioner Pavlich- I am also a yes, significant hardship to the owner is the setbacks of current neighbors.

Commissioner Lakhani- I am in favor.

Chairperson Miller- I am in favor for the same reasons, if all other houses had not been that much forward, I may not have been in favor.

Seeing no further questions from the Board, Chairperson Miller asked a motion to close the public hearing.

Member Jones made a motion to close the public hearing Member Pavlich seconded the motion. Roll call was called and the motion passed 6 (yes) 0 (no).

Commissioner Pavlich- Findings of Fact; regarding the application of Grant and Danielle Terrell for a variation request on 654 Duane Street, in regard to section 10-4-8 D.1.B to allow for the addition to be setback 35.1 feet in lieu of the 38 feet which was driven by neighboring house which is in excess of normal front set back of 30 feet, we heard from petitioners and Zoning expert Daniel of setback of adjacent properties which are 634 Duane Street at 25.6 feet; 638 Duane Street at 24.7 feet from front yard, and 646 Duane Street that is 32.8 feet from front property line. The remainder of block has significantly lower set back, proposed construction plans were seen.

Motion to approve Findings of Facts by Commissioner Jones, Seconded by Commissioner Buckton, roll was called passed by a unanimous vote 6 (yes) 0 (no).

Member Pavlich made a motion to approve the variation request from Section 10-10-10 for the property located on 654 Duane St., Member Buckton seconded the motion; roll was called passed by a unanimous vote 6 (yes) 0 (no).

Motion to open public hearing made by Commissioner Jones, Seconded by Commissioner Pavlich. Motion passed unanimously with a (6) yes, (0) no vote.

3. Public Hearing- 189 East Road

Jordan Frahm, Associate Planner presented the following property:

The petitioner, Chalet Vavrek, the owner of the property at 189 East Road, has applied for a zoning variation to construct a residential sport court at a setback of 7 feet from all lot lines in lieu of the required 15-foot setback.

In order to proceed with the project as proposed, the petitioner will need to be granted the following variation from the Zoning Code:

1. Section 10-5-5(B)4(34) to allow for a residential sport court to be setback 7-feet from all property lines in lieu of the required 15-feet.

According to the narrative provided by the applicant, a 7-foot setback allows for the sport court to be placed in a favorable location relative to adjacent properties. This is explained by the 7-foot setback allowing for the sport court to be positioned behind detached garages located at 193 East Road and 188 N. Park Boulevard, creating a visual and audible buffer between the two properties. At the required setback of 15 feet, this barrier is reduced or eliminated. Per the narrative of the application, "granting this variance will improve the character of the neighborhood by allowing the court to be tucked behind existing garages and blended into landscaping, rather than pushed into the center of the backyard. The 7' setback preserves open green space where it is most visible, maintains privacy for neighbors, and ensures the design complements the historic home and surrounding properties by allowing it to sit discreetly in the corner." Letters of support have been received from all neighbors except for one, The Johnsons who were in support however today one letter asking questions about what type of sport court would go in, the noise. Questions about landscaping did come up from neighbors, the landscaping plan was provided by DuPage Landscaping.

Additionally, the applicant notes topographical advantages in constructing the sport court nearer to the property lines. Per the narrative of the application, "The further the court is sited into the northeast corner (achievable with the smaller setback) the flatter the land becomes, which minimizes soil disturbance and should reduce changes to stormwater drainage. By contrast, applying the combined lot's 15' setback would increase soil disturbance and alter drainage".

The following Attachments were provided and shown to Commissioners:

- 189 East Road Aerial Map
- Zoning Map
- Plat of Survey
- Site Plan
- Letters of Support- as of tonight, Jordan noted that the Neighbors the Johnsons rescinded their support letter.
- Emerson Letter of Support

Member Questions:

Commissioner Jones- when home is demolished, is this being consolidated into one lot?

Daniel Harper, Village Planning Manager- yes, we would want them to. We have one nonconforming to north, and conforming to south, if they were to demo and construct Tennis court, it would straddle existing two lots, accessory structure cannot be alone on a parcel, so we would want them to be consolidated together.

Commissioner Jones- after lots are consolidated, they cannot be split, correct?

Daniel Harper, Village Planning Manager- yes that is correct.

Commissioner McKnight- the Johnsons rescinded their letter of support; is that immediately adjacent to one side of this property?

Jordan Frahm, Village Planning Associate- yes immediately to the east.

Commissioner McKnight- concerns about storm water run offs? Would those be reviewed?

Jordan Frahm, Village Planning Associate- this would have a storm water review, this is not in a flood plain, no storm water concerns.

Commissioner Pavlich- aside from setbacks, no lot coverage issues?

Jordan Frahm, Associate Village Planner- correct.

Commissioner Pavlich- any limitations outside lot coverage?

Jordan Frahm, Associate Village Planner- lot coverage in Village of Glen Ellyn is roof structure coverage, only for impermeable surface applies here in regards to code.

Commissioner Jones- if they put Sports Court where drive way was, we would not be here?

Jordan Frahm, Associate Village Planner- it has to be set back a min of 30feet, so it would not be allowed. Can't have in corner side yard.

Daniel Harper, Village Planning Manager - if you rotated it 90 degrees then yes you could put it there.

Chairperson Miller- is the garage on east road house staying or going?

Jordan Frahm, Associate Planning Manager- the garage is to be demolished.

Petitioner Chalet Vavrek: home designed by great grandparents in 1940. Deep meaning and family history, on a corner lot. We have outgrown the property lot. Neighboring house at 189 East Road became available and we purchased it. 189 East Road lot is 70ft wide, demo house to combine lots, the required setbacks jump up and work against us.

We designed this layout with the intention of protecting neighbors, 7 feet setbacks keeps sports court tucked more behind the garages, neighbor to East with 7 feet, half court and hoop would be screened by corner of garage. If it was 15 feet it would push it in direct view of their home. Lots in our block are 50 to 70 ft wide, more open green space in most visible view of property, matching setbacks of all neighboring properties.

Goal has been made to blend in naturally and not stand out, specific situation, corner lots in Glen Ellyn that are new construction are very small. Variance is best for neighbors, environment and for us as a whole.

Commissioner Lakhani- are they aware of landscaping plan to help shield court from their view?

Petitioner Chalet Vavrek- no, I don't think so. We will do privacy trees all around the house.

Commissioner Buckton- basketball- is that primary use?

Petitioner Chalet Vavrek- that is the primary use

Sworn in Member of Public, Marilyn Johnson- daughter of the Johnson's my parents wanted to make certain rules were appropriate and wanted to withdraw letter of support as mother saw the pictures today, sport court looked much bigger than they anticipated.

Deliberation:

Commissioner Pavlich- I'm on fence on this one; sports courts in general are a large challenge. Considered an impervious issue but its more than that, it's about adding noise. My opinion is that I don't love the plan for those reasons, but given that they are allowed, I don't have a problem with setbacks that you proposed. I will likely vote in favor.

Commissioner Jones- I am a no, years ago we had similar ordinance, as we know they are on the lot lines right on driveway. Both houses are beautiful, this will be a forever home but a forever lot another reason why I am a no. With a bigger lot and being a forever lot, I think it should meet the requirements for that lot and provide more buffer for the neighbors.

Commissioner McKnight- I am also a no, I don't think a hardship is shown here; coming to meeting there was 4 letters of support, and one has withdrawn now; there is no hardship.

Commissioner Buckton- I am also going to vote no, this is a 150 ft lot, code says it needs 15 feet set back; you will be dealing with noise and similar concerns to my other commissioners, I don't see the hardship here. I will be voting no.

Chairman Miller- I am also a no. I don't see the hardship. If the neighbor behind were to come around to it, and everybody agrees perhaps.

Commissioner Lakhani- I am a no.

Commissioner Jones- I am a no.

Commissioner Pavlich- We are allowed to have sport courts and have combined lots; this is really a question of whether the neighbors agree to the location of the court or not.

DuPage Landscaping -The goal is to have a sport court; we will do an excellent job with landscape and with a fence; property does have a slope which will have impact to property and useable space. We will be under lot coverage for impervious surface.

Commissioner Jones- looking at topographical survey, as you move south on that property, as you move west, the biggest slope is in the southwest corner, and this is going in the northeast corner.

DuPage Landscaping- as you move to south you start to encounter more of a slope, and you get closer to primary house. The further you get to the south, the more of a slope you have as proposed.

Commissioner Pavlich- no requirement that the sport court be oriented in any way?

Petitioner Chalet Vavrek- the reason that we didn't do it the other direction was because it would affect the other neighbors, out of respect for them we changed the orientation.

Commissioner Jones- Would you consider moving the court 15 feet to the West from the lot line?

Petitioner Chalet Vavek- that is a possibility, if the neighbors to the East would be ok with it. Half is covered by garage, the basketball hoop would be in full view, sound wise, yes I agree it would be better, visually it would be more of an impact.

Commissioner Pavlich- maybe if there is a sound wall, if sound structure such as a fence, then this would be a time to propose that. Might be an opportunity if you will be going back to neighbors.

Chairperson Miller- It seems that there is a possibility, if you can bring the neighbors, get them here and then come back. That would be my suggestion, or we can close meeting and vote.

Neighbor Johnson (daughter)- parents are open to getting sport court, if more communication is provided.

Chairperson Miller- this is a tough one for us, in any case. It's a difficult one for us. We are trying to help you.

Daniel Harper, Village Planning Manager- you have an option of voting for denial, then it goes to Village Board of Trustees, or you can have a continuance and we have to set a specific date for that; continuance in this case would be on December 9th.

Commissioner Buckton- I am a hard no.

Chairperson Miller- I am a hard no as well. With your neighbors to come back and have them show up in person if possible. If they cannot attend a written correspondence would be acceptable.

Member Jones made a motion to continue the public hearing of the variance on 189 East Road until December 9th. Member McKnight seconded the motion. Roll call was called and the motion passed 6 (yes) 0 (no).

Member Jones made a motion to open the public hearing for 167 Forest Ave; motion was seconded by Member Pavlich.

4. Public Hearing-167 Forest Ave

The petitioner, Lance Rock, the owner of the property at 167 Forest Avenue, has applied for a construction necessitated zoning variation to allow a deck that was built without a permit in 2024 to be setback 6 feet (6'-0") from the south property line in lieu of the required 6-feet, 6-inches (6'-6").

The petitioners request approval of the following variation from the Glen Ellyn Zoning Code:

1. Section 10-5-5(B)4(8) to allow for a deck to encroach into the side-yard setback so that the deck is setback 6 feet from the south property line in lieu of the required 6 feet, 6 inches

The property was the subject of an anonymous call to the Village of Glen Ellyn Community Development Department in August 2024. A Village Inspector visited the site and confirmed that work had been done without a permit. The property owner was issued a citation and was required to submit a building permit for the structures. Note: Even if a setback variation is approved by the Village Board, the property owner will still be obligated to obtain a building permit in compliance with the 2018 International Residential Code (IRC).

Deck:

Since the deck was constructed without a permit and is essentially complete, and was found that the construction is not prescribed by the 2018 IRC, an Illinois Licensed Structural Engineer was required to provide stamped, signed, and dated as-built drawings of the deck including, but not limited to, footings, posts, fitch beams, beam splices, structural connections, etc. This has been submitted and is still under village review. A new plat of survey for the property was also created as part of the building permit application and indicated that the deck was located 6'-0" from the south property and encroached 0-6" into the required side yard setback. The applicant has submitted a construction necessitated variation application in order to keep the deck in the existing location.

Fireplace:

Regarding the fireplace feature, the property owner must provide as-built drawings produced by an Illinois Licensed Architect including the foundations, height, etc. and certify that it is constructed in accordance with the 2018 IRC. This is not yet completed. Property owner has submitted building permit.

The scope is not necessarily for fireplace, but that is not within our scope tonight for zoning. The deck is what we are discussing tonight. Deck as constructed was shown, if zoning code was to be enforced,

The Following attachments were provided and shown to Commissioners:

- 167 Forest aerial map
- Zoning Map
- Plat of Survey
- Site Plan

Member Questions:

Commissioner Jones- does footing and foundation meet building code?

Daniel Harper, Village Planning Manager- The post-construction building plans are currently under review by our staff.

Commissioner Pavlich- are we able to make a zoning recommendation conditional on building code? If they have to move and replace something can that modification also include modification?

Daniel Harper, Village Planning Manager- motion of approval based on conditions presented, building permits must be presented by Village.

Petitioner Lance Rock- I built the deck, old deck had original steps that were deeper than they should be. We fell and ended up in hospital; the old deck was in bad shape. Fountains on deck that had chlorine and eating away at deck. I should have pulled a permit, absolutely. I put steel between beams, and the deck is 3 times stronger than normal. The old deck was not water proof and

was rotting away, you could step right through. I am in absolute violation because I should have pulled permit.

My hardship is, I used the same posts that are in the ground, zero movement on post. Deck itself is totally square as possible. I have manufactured post and rails, all products are all A grade, I over build, to remove that. I would create an issue that I don't know how I would resolve. If I do that, it will loosen all the top boards, and re-screw screws. I am going to cause a problem to the south where I have to remove the 6 inches, only 4 inches, so my true encroachment is 4 inches. I went with maximum, those blinds to left are not mine, they are the neighbors. Only neighbor can see the deck, she has bushes and put blinds up. Regardless of how this started, I should have pulled a permit. I made a mistake.

Commissioner Buckton- when was original deck built?

Petitioner Lance Rock- I don't know, I have no idea.

Commissioner Buckton- original footings of original deck were 6 inches out?

Petitioner Lance Rock- no, I put two feet out to the South.

Buckton- Regarding the fireplace, did you build that as well, did you have architect design it?

Petitioner Lance Rock- the deck I knew how, the fireplace was done by a Mason, my wife wanted a firepit.

Commissioner Pavlich- we often get a confusion about what gets a hardship with zoning.

Commissioner Jones- if he was to remove deck 6 inches but leave supports, are supports technically deck?

Daniel Harper, Village Planning Manager- I am going to consider it part of deck right now.

Deliberation

Commissioner Lakhani- I am not in favor of this.

Commissioner Pavlich- I would hate to see you mess up your deck over 6-inches; it would be more appropriate that you plead your case to the board. The Board can and has overruled a recommendation, they are the ultimate authority. I will be voting no at this time.

Commissioner McKnight- I have to vote no as well, I don't think hardship has been shown.

Commissioner Buckton- I am in an odd situation, the deck looks to be extremely well built; building permits will take place, inspection of deck will take place. If results of building permit came back and said everything is fine, then I would vote yes. For 6 inches I will not stand in the way.

Daniel Harper, Village Planning Manager- building plans still under review, inspection has been made.

Commissioner Jones- Did you get a survey for your yard? Do they have footnotes of where the post are? I would recommend that you take that info to explain where your posts are and eaves are; I am a no with where we are tonight.

Petitioner Lance Rock- yes. Understood.

Chairperson Miller- deck is beautiful, I am always a hard no on construction related variances. Wife fell off steps because they were too high, that is why you get the permit to know how it should be built. That is purpose of it and very hard for me to say yes. It's a self-created hardship.

Findings of Fact:

Member McKnight, the Zoning Board of Appeals having fully heard and considered the testimony of Mr. Lance Rock the homeowner and all those present at the Hearing who wished to testify and being fully advised in the premises makes the following findings pursuant sections 10-10-12 of the Villages Zoning Code. The Applicant seeks a Zoning variation to allow for a Deck that was constructed without a Permit to have the deck 6ft from the South property line in lieu of the required 6ft 6inches. The Zoning Board of Appeals considered the following evidence 167 Forest aerial map Zoning Map, Plat of Survey, Site Plan.

Motion to Accept Findings of Fact by Member Jones, Member Buckton seconded the motion. Roll call was called and the motion passed 6 (yes) 0 (no).

Amendment- Member McKnight adding the Petitioner did present document that a number of neighbors had no issue with the

deck. Adding to minutes to document. Voice vote taken, all Members in agreement.

Member McKnight made a motion to deny the variation request from Section 10-10-10 of Glen Ellyn Village Code, on property located on 167 Forest Ave., I recommend that we deny requested zoning variation based on Findings of Fact. Member Jones seconded the motion; motion passed by a vote 4 (yes) 2 (no).

E. Other Business- None

F. Chairman's Statement:

Chairman Miller is working with Village Attorney to make Member voting much simpler and faster.

G. Trustee Liaison Report

Trustee Duncan stated that "it is a privilege to be here, and we are currently working through our budget." He hoped to have more to report during the next meeting.

H. Staff Report

Planning Manager Daniel Harper- Stated the following:

- 194 S. Ellen Detached Garage, ZBA voted approve 3 of 4 variations and deny eave height. Village Board chose to approve eave height of 14 feet.
- 734 Merideth Place; Nonconforming structure- that was given approval by Village Board of Trustees as well.
- Downtown event park- demo completed; close to completing phase one building permit review.
- Next week 1184 Roosevelt- former home of House of Brides, rehabbing, reconstructing the parking lot, salon suites in middle, fry the coop restaurant.
- Maplewood brewery- going into two hound red space- On Monday exterior appearance will be considered by Village Board. Once sign approved, they want sign variations to be considered by the Plan Commission.
- Annexation proposal on Alstrand Road requires subdivision variations.
- Village board is considering text amendment to C4 office to allow restaurant use.

Commissioner Jones- the house that was given permit to approve garage, if they end up tearing down, they have to come back to rebuild?

Daniel: Correct, new building permit, new zoning variation.

I. Adjournment

Member Lakhani made a motion to adjourn the meeting. Member Jones seconded the motion and passed by voice vote at 9:30PM.

Respectfully submitted,
Adriana Ohl Zamora

