

**MINUTES**  
**Glen Ellyn Zoning Board of Appeals Meeting**  
**Tuesday, January 13, 2026 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: Chairman Chip Miller, Board Members, Matthew Jones, Todd Buckton, Peter Kelly, and Craig Pavlich

Absent: Christiane McKnight, Noureen Lakhani

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

**Member Jones made a motion to open the public meeting. Seconded by Member Pavlich. Motion passed by voice vote.**

**B. Public Comment (non-agenda items)**

None

**C. Approval of December 9, 2025, Meeting Minutes**

**Motion to Approve the December 9, 2025, minutes by Member Buckton, Member Jones seconded the motion and the motion passed by voice vote.**

**Member Buckton moved to open the Public Hearing on 466 Sunset Court. Member Jones seconded the motion and the motion passed by voice vote.**

**D. New Business**

1. Public Hearing-466 Sunset Court

*Sworn in, Steve Poteracki of Studio 1 Architects representing Petitioners Kevin and Nell Bochenek*

*Sworn in, Daniel Harper, Planning Manager for the Village of Glen Ellyn, introduced the following variation request for 466 Sunset Court.*

Mr. Harper introduced the zoning variation to the Board Members as follows:

The owners of the property at 466 Sunset Court, has applied for zoning variations to accommodate a proposed reconstruction and expansion of an existing rear addition of the home with a proposed rear yard setback of thirty-four feet and four inch (34'-4") in lieu of the required rear yard setback of forty feet (40'-0") and to allow an enlargement to the existing covered front porch with a proposed side yard setback of five feet (5'-0") in lieu of the minimum required setback of six feet and six inches (6'-6")

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

1. A variation from Section 10-4-8(D)(2) to allow for a rear yard setback of thirty-four feet and four inches (34'-4") in lieu of the minimum required setback of forty feet (40'-0").
2. A variation from Section 10-4-8(D)(3) to allow for a side yard setback of five feet (5'-0") in lieu of the minimum required setback of six feet and six inches (6'-6").
3. A variation from Section 10-5-5(B)(4)(25) to allow for a porch to encroach into the minimum side yard setback.

The applicant is proposing an approximately 93 square foot expansion of the sunroom located in the rear of the home. The existing sunroom area is approximately 171 square feet. The new sunroom is proposed to be approximately 263 square feet.

Section 10-4-8(D)(2) of the Glen Ellyn Zoning Code requires additions to principal structures to be no closer than forty feet (40'-0") from the rear property line. The applicant is proposing that the new addition have a rear yard setback of thirty-four feet and four inches (34'-4"), resulting in a setback encroachment of five feet and eight inches (5'-8"). The existing rear addition encroaches into the rear yard setback approximately one foot and one inch (1'-1").

The applicant is also proposing an expanded front porch with a proposed side yard setback of five (5'-0") in lieu of the required six feet and six inches (6'-6"). The applicant has claimed that the property being triangular and the home being constructed at a slight angle in relation to the property lines has reduced the ability of the homeowner to construct the front porch addition in a way that would be consistent with the character of the neighborhood.

Proposed front porch addition model pictures were shown to Members that showed the proposed conditions of the project. Proposed conditions would encroach into rear yard setback but still meet lot coverage requirements.

***Member Questions:***

Member Pavlich- do we know what year home was built?

Kevin Bochenek, Studio 1 Architects –1968.

Member Pavlich- existing screen porch is 38 feet and 11 inches; are there or were there any variations document for that?

Daniel Harper, Planning Manager, Village of Glen Ellyn- no.

Member Pavlich- relatively common especially in older homes.

Member Buckton- was the sunroom original to house or was it built after house was built?

Daniel Harper, Planning Manager, Village of Glen Ellyn - I do not know, I don't have records for building permit.

Steve Poteracki, Studio 1 Architects-we don't know if its original or not.

Member Buckton- have setbacks changed?

Member Jones- With the code review that we are currently doing, would we not be able to address due to the shape of this lot?

Daniel Harper, Planning Manager, Village of Glen Ellyn - Would be difficult because this cannot be written in code to address specific types of property shapes.

Member Kelly- The code can't contemplate every set of circumstances.

Chairperson Miller- This home is uniquely shaped, set further back even for the neighborhood itself, 50 ft set back, 60 to 65 ft set back.

Steve Poteracki, Studio 1 Architects- The hardship is the lot itself, the pie-shape, extreme distance set back from street. Many homes have subdivision floor plan on cul-de-sac; owners want to take sun room which is deteriorated and would like to expand to back to make a useable family space for daily living. We want to maintain the 6ft setback in the front, we have tried to di the minimal to make this a useful piece of property.

Member Pavlich- The board in previous meetings has found that sometime between the mid 1990's and 2005, the side yard setbacks were changed over the years- potentially side yards have increased after building date of home. Elaborate on how it would be negatively impacted if made smaller?

Petitioner- We looked at many arrangements, and we came up with this minimum distance to make this functional for the family, not asking for anything over 6ft.

Member Kelly- The current depth is 8ft?

Studio 1 Architects - 3feet asking for 6 ft, asking for 3ft past overhang.

Member Pavlich- Who owns this lot immediately to rear?

Petitioner Nell Bochenek- The new family is the Hermans who owns the property abutting the rear yard.

Member Jones- If we didn't have minimum of 6.5' side yard setback; if we stuck to 10%, they would only be around 4% off.

Member Buckton- With the addition of sunroom and new patio- they are still under lot coverage ratio? What is that number?

Daniel Harper, Planning Manager, Village of Glen Ellyn - 2,230 sqft that is what is allowed, with screen porch.

Member Pavlich- we did receive a letter of support from neighbors at 465 Sunset court.

**Member Kelly presented Findings of Fact for 466 sunset Court which proposes an addition to rear of home that necessitates three variations from code, 10-4-8 (D)2 to allow for rear yard setback, 10-4-8(D)3 to allow side yard setback, and 10-5-5(B)4 Item 25 (encroachments into yards). Home is positioned farther back from the lot line.**

**Member Pavlich added that we believe existing conditions of home are as built in 1968, existing set back is non-conforming at 38 feet 11 inches, and that there is no structure adjacent to rear lot line of home.**

**A Motion to accept Findings of Fact on application at 466 Sunset Ave was made by Member Buckton and seconded by Member Kelly the motion passed with five (5) votes yes and zero (0) vote no.**

**Member Jones made a motion to close the deliberation. Member Kelly seconded the motion; motion passed by unanimous voice vote.**

Member Jones- I am in favor because of the position of the house on the lot. Pie shaped lot creates practical difficulties.

Member Kelly- I don't see anything that would adversely impact anyone, I would vote yes.

Member Pavlich- I am in favor, this is a textbook example of the unique circumstance of the odd shaped lot; the unique situation of not having a rear yard neighbor, I think this is a reasonable request

Member Buckton- this is a ZBA perfect storm, you are just trying to put an addition to the house, I agree with Member Jones that is why you have to come to ZBA, I think it's great addition. I will be voting yes

Chairperson Miller- I agree with everyone up here, this is why we are here, very unique, not too big of a request. I will be voting yes

**Motion to recommend approval by Member Pavlich, seconded by Member Kelly, majority approval with 5 votes yes and 0 votes no.**

**Member Buckton motioned to open the Public Hearing on 863 Highview Ave. Member Pavlich seconded the motion and the motion passed by voice vote.**

1. Public Hearing- 863 Highview Ave.

*Sworn in, Petitioner James Slepicka, 863 Highview Ave.*

*Sworn in, Daniel Harper, Planning Manager for the Village of Glen Ellyn, introduced the following variation request for 863 Highview Ave:*

The petitioners, James & Kristine Slepicka, the owners of the property at 863 Highview Avenue, have applied for a variation from Section 10-4-8(E)(1) to allow for a lot coverage ratio of 20.23% of the lot in lieu of the maximum allowed lot coverage ratio of 20%. The property is zoned R2 - Residential District and improved with an existing two-story single-family home.

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

1. A variation from Section 10-4-8(E)(1) to allow for a lot coverage ratio of 20.23% of the lot in lieu of the maximum allowed lot coverage ratio of 20%.

The applicant is proposing an approximately 206 square foot addition to the sunroom located on the west side of the home located on top of a new deck that is in approximately the same location as an existing deck. The existing lot coverage is 3,140 square feet. The proposed 206 square feet of lot coverage raises the total LCR above the maximum lot coverage of 3,308 square feet by 38 square feet. The proposed lot coverage ratio is 20.23 percent.

The applicant approached the village and requested an administrative zoning variation. Upon review of the application, Village staff determined that the application did not demonstrate unique circumstances that would prevent compliance with the LCR regulations and, thus, did not qualify for an administrative zoning variation. Reducing the width of the proposed sunroom from 17'-2" to 14'- 0" would eliminate the need for a variation.

The proposed addition meets all other village zoning code regulations.

### ***Member Questions***

Member Pavlich- Don't have questions on this one.

Member Buckton- No questions.

Member Jones What year did code get changed for lot coverage?

Daniel Harper, Planning Manager, Village of Glen Ellyn- I don't know for certain, but it would be either the 1974 or 1989 code change.

Member Jones- The property was maxed out when constructed, can't use any of the bonuses.

Daniel Harper, Planning Manager, Village of Glen Ellyn – The zoning code designed to encourage rear yard garage, front setback is deep 49.9- went as deep as they could, corner side yard is 30 feet- only wiggle room is to push to the north.

Chairperson Miller- No questions.

Petitioner Mr. Slepicka- We are on a corner lot, we don't have a lot of privacy on a corner lot, always been looking to, thinking of adding 3 season room; the hardship of space is that the width of the left wall facing North the wall would fall on kitchen window, extra width is much better esthetically. The proposed location is a very private part of the lot, does not feel crowded and we have spoken to neighbors who are all supportive.

Member Kelly- What is current configuration of windows?

Petitioner Mr. Slepicka- The current shape has two existing windows that fall to the structure; window near kitchen sink and edge of deck.

Member Kelly- The changes don't necessitate changes to interior?

Petitioner Mr. Slepicka- Correct.

Member Buckton- Is that the case to south wall?

Petitioner Mr. Slepicka- Correct.

Member Buckton- Are you rebuilding the whole deck, stairs included?

Petitioner Mr. Slepicka- Correct.

Member Jones- No questions for petitioner.

Chairperson Miller- You can't meet lot coverage ratio requirement by knocking 3ft off, could you do a foot or two foot? The hardship is not so much existing structure, it is getting enough on new structure and replacing existing structure. Did you talk to Timberteck about a foot and a half or 2 feet?

Petitioner Mr. Slepicka- To be honest, they are shocked that I have to go through Zoning Board, that was their opinion.

Member Jones- What is width and depth of roofed over structure?

Petitioner Mr. Slepicka- it's in the packet; I don't have it off hand.

Daniel Harper, Planning Manager, Village of Glen Ellyn -The proposed sunroom 12' by 17.2'.

Member Jones- If they made it 11 feet they would be a lot closer.

Daniel Harper, Planning Manager, Village of Glen Ellyn - Right.

Member Pavlich- You talked to neighbors; did we get any letters of support?

Petitioner Mr. Slepicka- I talked to them personally and showed them the plan.

Member Pavlich- Any further evidence that you can provide for unique circumstances that would warrant us to deviate for us from code?

Petitioner Mr. Slepicka- I think plan is good, provided I think if we deviate it will not be a good.

Member Jones- The lot coverage ratio will be looked at during upcoming code review?

Daniel Harper, Planning Manager, Village of Glen Ellyn - it will be looked at but we should not consider what may be allowed in the future for tonight's request.

Member Pavlich- Do decks count for lot coverage?

Daniel Harper, Planning Manager, Village of Glen Ellyn - Decks do not count for lot coverage.

Chairperson Miller- This is a common theme, it's not a big ask but none of us really see hardship or unique circumstance; what happens if you cut off 3 feet from plan?

Petitioner Mr. Slepicka- If we are taking off 3 feet; the existing exterior doorway would not allow a lot of width to work with; there is also the amount of space needed for door to open.

Chairperson Miller- Are you saying that if you move either side, you will come into contact with window or door?

Petitioner Mr. Slepicka- Yes that is correct.

**Member Kelly presented Findings of Fact for property located on 863 Highview Ave. which petitioners seek a variation from code 10-4-8 E-1 to allow for lot coverage ratio of 20.23% lot coverage for an unconditioned sunroom addition changing the total lot coverage percentage from 20% to 20.23%. Home on corner lot with existing deck.**

**Member Pavlich added Minimum lot area is 8712 sq feet from code, this lot is 16,538 square feet, a bigger lot.**

**A Motion to approve Findings of Fact on application at 863 Highview Ave was made by Member Buckton and seconded by Member Jones the motion passed with five (5) votes yes and zero (0) vote no.**

**Member Jones made a motion to close the public hearing. Member Kelly seconded the motion; roll was called passed by a unanimous vote 5 (yes) 0 (no).**

### ***Deliberation***

Member Pavlich- Not strong evidence of hardship for this plan, what was demonstrated from plans shows that there was no alternative. There are other options that are left unexplored.

Member Buckton- .23% seems like nothing, you did your work, came in to ask for administrative appeal, I don't feel that you did enough to present a hardship, it might have been a good idea to have builder here to ask those questions. I will be voting no.

Member Jones- A corner lot is hard because you can't maximize house. The house is built how I would build it but you get penalized because you can't get any of the bonuses. If you were to change the depth of the roofed over structure and if it was a foot, you would be 6ft over verses 23 inches. I don't see the hardship. I see the want but that is not the hardship- I am a no.

Member Kelly- I think that talking to your builder is beneficial; I am curious to get their opinion on any other alternative. We really need to chat with your builder. I am a no at this juncture.

Chairperson Miller- It looks like everyone will vote no, you have 2 choices tonight, we can vote and we are going to vote no and it will go to Village board, or we can table this and you can come back with builder, and you can speak with your attorney and then come back.

Petitioner Mr. Slepicka- if we do the latter are we adding a lot of time?

Daniel Harper, Planning Manager Village of Glen Ellyn – The next meeting would be February 10<sup>th</sup>, 2026.

Member Pavlich- He could adjust current plans.

Petitioner Mr. Slepicka requested that his application be tabled to the February 10<sup>th</sup>, 2026, meeting.

**Motion to table to next ZBA meeting scheduled for February 10<sup>th</sup> 2026 by Member Pavlich, seconded by Member Kelly. Vote passed 5 yes and Zero no.**

**E. Other Business**  
**None**

**F. Chairperson's Statement**

Chairperson Miller- When we go through the zoning update, can we get a timeline of changes?

Daniel Harper, Planning Manager Village of Glen Ellyn – We have draft right now of zoning code changes from the last 30 years timeline of changes. I will send everyone a copy of this draft after the meeting.

Chairperson Miller- do you think it's realistic to go back to 50's which is when the Village grew?

Daniel Harper, Planning Manager Village of Glen Ellyn – that will be a topic of discussion during the process of the zoning code rewrite.

**G. Trustee Liaison Report- Robert Duncan**

1. Welcome any or all comments as we go through the zoning code update
2. Strategic plan for Village is occurring, I welcome any comments and ideas

Daniel Harper- We are scheduling with our consultants, and they will begin their finding with community in the spring, I am coordinating focus groups with builders and architects and will include various members of boards and commissions. When schedule is more solidified, we will share, will try to get on a Calendar and may have special meetings to focus on code.

**H. Staff Report**

Planning Manager Daniel Harper- Stated the following:

1. 189 East Ave approved by Village board of Trustees.
2. 505 Pennsylvania Ave approved exterior by Village board of Trustees.
3. 499 Anthony Street special use permit, approved Village board of Trustees.
4. Maplewood Brewery- applied for sign variations to allow for greater number and variety of signs.
5. Future ZBA application 485 St. Charles Rd. allow for garage larger than maximum, 3 car garage.
6. Preapplication for Danby Station to allow drive through coffee location.

Miller may not be at February Meeting.

**I. Adjournment**

**Member Buckton made a motion to adjourn the meeting. Member Kelly seconded the motion and the motion passed by voice vote at 8:28PM**

Respectfully submitted,  
Adriana Ohl-Zamora