NOTE: MEETING IS BEING TAPED AND ALSO TELEVISED ON WIDEOPENWEST CHANNEL 6, AT&T CHANNEL 99, AND COMCAST CABLE SERVICES CHANNEL 10. ALL MATTERS ON THE AGENDA MAY BE DISCUSSED, AMENDED, AND ACTED UPON.

Agenda
Village of Glen Ellyn
Special Village Board Meeting
Monday, March 18, 2013
8:00 p.m. – Galligan Board Room

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Village Recognition: *(Deputy Clerk Solomon)*

   A. The Village Board and Management Team congratulates the following employees who recently celebrated an anniversary as a Village employee:

Patricia Kooima	Finance Department	5 Years
Joseph Flores	Police Department	5 Years

5. Audience Participation

   A. Proclamation acknowledging the generosity and civic-mindedness displayed by the Fourth Grade Classes at Ben Franklin Elementary School.

   B. Proclamation in recognition of the outstanding accomplishments and ongoing commitment of JR McBride to the Village in District 4 of DuPage County.

   C. Open:

   Members of the public are welcome to speak to any item *not* specifically listed on tonight's agenda for up to three minutes. For those items which are on tonight's agenda, the public will have the opportunity to comment at the time the item is discussed. In either case, please complete the Audience Participation form and turn it in to the Village Clerk.

6. Consent Agenda *(Village Manager Franz)*

   The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below: *(Trustee Hartweg)*

   A. Motion to approve the cancellation of the Regular Board Meeting scheduled for Monday, March 25, 2013, with the Workshop beginning at 7:00 p.m. and the Regular Board Meeting beginning at 8:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

   B. Resolution No. 13-06, A Resolution Authorizing Adoption of the 2013 Official Zoning District Map. *(Planning and Development Director Hulseberg)*

   C. Ordinance No. 6116, An Ordinance Approving Two Variations from the Corner Side Yard Setback Requirements and a Variation to Allow a Second Floor Addition

and Roof Alteration to a Structure Granted a Prior Variation for Property at 269 Newton Avenue. *(Planning & Development Director Hulseberg)*

D. Ordinance No. 6117-VC, An Ordinance Amending Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Village Code Adopting the 2012 International Energy Conservation Code with State of Illinois Amendments. *(Planning and Development Director Hulseberg)*

E. Motion to approve a license agreement to allow a hot dog cart for Heaven-Lee Hot Dogs at 461 N. Main St. *(Planning and Development Director Hulseberg)*

F. Sod Purchase: *(Recreation Director Pekarek)*

1. Motion to reject all bids received for Large Roll Sod on March 11, 2013.

2. Motion to waive competitive bidding and accept the proposal of Central Sod Farms of Plainfield, Illinois to provide approximately five acres of Blue Grass Blend Large Roll Sod at a cost of $.195 per Square Foot, for a not-to-exceed amount of $46,718, which includes a 10% contingency, and to accept the proposal of H&E Sod Nursery of Markham, Illinois to provide approximately 1.5 acres of Creeping Bentgrass Large Roll Sod at a cost of $.65 per Square Foot, for a not-to-exceed amount of $46,718, which includes a 10% contingency, to be expensed to the Recreation Fund.

G. Village Board Meeting Minutes:

1. March 11, 2013 Special Workshop
2. March 11, 2013 Regular Meeting

7. Ordinance No. 6118, An Ordinance Approving a Variation from the Side Yard Setback Requirements of the Zoning Code to Allow a One-Story Addition for Property at 277 Newton Avenue. *(Trustee Henninger)*

Planning and Development Director Staci Hulseberg will present information on a request by Michael and Mary Campagna for a variation from the Glen Ellyn Zoning Code to allow the construction of a one-story addition with a side yard setback of 3.0 feet in lieu of the minimum required side yard setback of 7.5 feet.

8. Reminders:

- The Village Board Workshop and Regular Board Meeting scheduled for Monday, March 25, 2013 are cancelled.

- The next Village Board Meeting is scheduled for Monday, April 8, 2013, with the Workshop beginning at 7:00 p.m. and the Regular Board Meeting beginning at 8:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

9. Other Business?

10. Adjournment

11. Press Conference

A-5A

VILLAGE OF GLEN ELLYN

Proclamation

WHEREAS, Ben Franklin Elementary School is one of four elementary schools in District 41, providing exceptional learning in a respectful and supportive environment; and

WHEREAS, the Fourth Grade Classes undertook a study project of the Emerald Ash Borer and the devastation it can cause and conducted a fundraiser to benefit the treatment of a parkway ash tree to protect it from infestation, raising $400 through the sale of bracelets; and

NOW, THEREFORE, I, MARK PFEFFERMAN, PRESIDENT OF THE VILLAGE OF GLEN ELLYN, ILLINOIS, do hereby proclaim that our community recognizes the generosity and civic-mindedness of the Fourth Grade Classes and appreciates their donation toward our effort in the fight against Emerald Ash Borer.

_____

Village President

attest:

_____

Acting Village Clerk

_____

Date

A-5B

VILLAGE OF GLEN ELLYN

Proclamation

WHEREAS, JR "Jerry" McBride has served with honor as a DuPage County Board Member from District 4, encompassing Glen Ellyn, Glendale Heights and Wheaton for seven years; and

WHEREAS, Mr. McBride has held his elected position in an intelligent, frank, ethical and concerned manner, always respecting and responding to his customers, the residents, businesses, governments and taxpayers of District 4 and DuPage County; and

WHEREAS, Mr. McBride's leadership skills, decisiveness, attention to detail, listening skills and willingness to collaborate have led to decisions and actions which greatly benefit our community on personal and organizational levels; and

WHEREAS, Mr. McBride serves on the County Legislative Committee and Emergency Telephone System Board as Chairman, Public Works Committee as Vice Chairman and the Finance, Intergovernmental, Judicial and Public Safety, and Transportation Committees; and

WHEREAS, Mr. McBride's volunteerism has enhanced DuPage County and Glen Ellyn in organizations far and wide, such as Metropolitan Family Services, St. Petronille and Immaculate Conception churches, Glen Ellyn Meals on Wheels, the Main Street Redevelopment Committee in Forest Park, the DuPage Chapter of the American Cancer Society, the Glen Ellyn Architectural Review Commission, the Glen Ellyn Rotary Club, Glen Ellyn Youth Sports, Glenbard West High School Booster Club and the Ben Franklin School Site Commmittee; and

WHEREAS, Mr. McBride's fundraising efforts for Misericordia Heart of Mercy of Chicago, home to children and adults with developmental disabilities, and Wheaton's Outreach Community Ministries have raised thousands of dollars for noble causes; and

WHEREAS, after graduating from Fenwick High School and Loras College, Mr. McBride has also served the community in his professional capacity as a skilled insurance broker with Northwest Mutual Life and McBride Insurance Agency for over two decades; and

WHEREAS, Mr. McBride's commitment to his family of seven, his parents, siblings and friends, his quick-wit sense of humor, his basketball prowess and his attitude toward his three brain surgeries are inspirational to all who know him and many who do not.

NOW, THEREFORE, be it resolved that the Village of Glen Ellyn honors and appreciates JR "Jerry" McBride personally and professionally and that I, Mark Pfefferman, Village President of Glen Ellyn, do hereby congratulate Mr. McBride on his lifetime of accomplishment and call on all residents of Glen Ellyn to express our sincere gratitude and respect for this opinionated leader and friend to the DuPage County community and beyond.

_____

Village President

attest:

_____

Acting Village Clerk

_____

Date

A-6B

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner
Daniel Dickerson, Planning Intern

DATE: March 12, 2013

FOR: March 18, 2013 Village Board Regular Meeting

RE: Adoption of the Official 2013 Zoning District Map

Background. Section 5/11-13-19 of the Illinois Compiled Statutes requires the Village to publish an updated Zoning Map by April 1st of each year. This update typically includes annexations, zoning map amendments and the correction of any scrivener's errors. The following changes were made to the Zoning Map over the past year.

1. 22W481 Ahlstrand Road. On July 23, 2012, the Village Board approved Ordinance 6059 which approved the annexation of, and a zoning map amendment for, the property at 22W481 Ahlstrand Road (new address 557 Ahlstrand Road). This property was zoned RE Residential Estate District.

2. 553 and 557 Geneva Road, 825 N. Main Street. On June 25, 2012, the Village Board adopted Ordinance 6042 which approved a zoning map amendment for the properties at 553 Geneva Road, 557 Geneva Road and the easterly .65 acres of 825 N. Main Street. These properties were rezoned from R2 Residential District to the C2 Community Commercial District.

3. 515 Roosevelt Road (Oberweis Dairy). On October 22, 2012, the Village Board adopted Ordinance 6084 which approved a zoning map amendment for the property at 515 Roosevelt Road. This property was rezoned from C4 Office District to the C3 Service Commercial District.

Recommendation. The Plan Commission will be reviewing the updated map at their March 14, 2013 meeting.

Action Requested. The Village Board should consider the adoption of the Official 2013 Zoning Map. A resolution adopting the attached map as the Official 2013 Zoning Map is attached for consideration at the March 18, 2013 Village Board Meeting.

Attachments.

- Draft Official 2013 Zoning Map (changes are numbered and correspond with the numbers in the memorandum).
- Resolution

Resolution No. _____

A Resolution Authorizing Adoption of the 2013 Official Zoning District Map for the Village of Glen Ellyn, DuPage County, Illinois

Whereas, Chapter 65, Section 5/11-13-19 of the Illinois Compiled Statutes requires that the Village publish an updated zoning district map prior to April 1 of each year; and

Whereas, the Village of Glen Ellyn Zoning District Map has been updated to reflect the zoning changes approved by the Village Board over the last year and it is recommended that the Village Board approve the updated map as the Official 2013 Zoning District Map; and

Whereas, the Village Board of the Village of Glen Ellyn considered the proposed revisions to the Zoning District Map at a Village Board meeting on March 18, 2013.

Now, Therefore, be it Resolved by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The revisions to the Village of Glen Ellyn, Illinois, Zoning District Map as shown on the Official 2013 Zoning Map dated February 28, 2013 are hereby approved.

Section Two: The Village Clerk is hereby authorized to maintain on file the Official 2013 Zoning Map dated February 28, 2013 and to make said map available to the public for inspection and purchase.

Section Three: This Resolution shall be in full force and effect from and after its passage and approval.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2013.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2013.

_____
Village President of the
Village of Glen Ellyn, Illinois

Attest:

_____
Village Clerk of the
Village of Glen Ellyn, Illinois

X:\Plandev\PLANNING\CODES\ZONING CODE\MAP AMENDMENTS\Zoning Map Updates\2013\resolution2013.docx

AGC

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Director Planning & Development
Joe Kvapil, Building and Zoning Official

DATE: March 5, 2013

RE: March 18, 2013 Village Board Meeting
Zoning Variation Request – 269 Newton Avenue

Background

The property owners, David and Deanna Ligman, are requesting approval of three variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-1(N)3 to allow a new second floor addition with a corner side yard setback of 9.8 feet in lieu of the minimum required corner side yard setback of 20 feet.

2. Section 10-4-1(N)3 to allow an existing roof alteration with a corner side yard setback of 11.98 feet in lieu of the minimum required corner side yard setback of 20 feet.

3. Section 10-4-1(N) to allow an existing roof alteration setback variation that is prohibited to a structure previously granted a setback variation.

The subject property is a corner lot located on the northeast corner of the intersection of Newton Avenue and Turner Avenue in the R2 Residential District. Notice of the public hearing was published in the Daily Herald on January 25, 2013. The Zoning Board of Appeals conducted a public hearing on the requested variations on Tuesday, February 12, 2013. At the meeting, no persons spoke in opposition to and two persons spoke in support of the variation requests.

Issues

The Zoning Board of Appeals was in favor of the variations because they felt that there are practical difficulties or particular hardships in the application of the Zoning Code regulations on this property and that the conditions on this property are unique and not generally applicable to other properties in this zoning district. The home was constructed in 1951 and set back 9.8 feet from the corner side yard lot line which is closer than the current minimum required setback of 20 feet. The proposed variations do not increase this existing nonconforming setback but allow the construction of a second floor addition and roof alteration above the existing one-story home. There is no negative impact to adjacent private property since the corner side yard setback variation is adjacent to the street right of way.

In 1972 Ordinance 1779 granted a variation to allow the existing one story addition to be constructed with less than the minimum required corner side yard setback. The Zoning Code does not permit a second variation to be granted to a structure with an existing nonconforming side yard setback that was the result of a prior variation.

Recommendation

At the public hearing on February 12, 2013, the Zoning Board of Appeals voted on a motion to recommend approval of the requested variations which carried unanimously with seven (7) "yes" votes and zero (0) "no" votes. In accordance with this recommendation, staff has prepared an ordinance to **approve** the requested variations.

Action Requested

It is requested that the Village Board consider the petitioners' request, the recommendation offered by the Zoning Board of Appeals, and any further evidence or testimony presented at the Village Board Meeting and grant, deny or amend the requested variations.

Attachments

- Draft Minutes of ZBA meeting dated February 12, 2013
- Photo of the Subject Property
- Location Map
- Ordinance
- Notice of Public Hearing
- List of Addresses
- Petitioners' Application packet

CC: David and Deanna Ligman

X:\Plandev\BUILDING\ZBA\MEMOS\NEWTON269-COR SIDE, ONE VAR.doc

rather than along the property line. ZBA Member Micheli stated that a new house that could be built next door would narrow the space even more between the two existing homes. He stated that well thought out construction that improves the property can be considered good for the neighborhood. He felt that the proposed plan is tasteful but encroaches too much on the lot next door and, therefore, was not in favor of the proposed project. Chairman Garrity was not in support of the project as he feels 3 feet is too close to the lot line and has never been approved before by the ZBA.

Motion

ZBA Member Fasules moved, seconded by ZBA Member Fried, to approve the petitioners' request for one variation from Glen Ellyn Zoning Code Section 10-4-8(D)3 to allow the construction of a one-story addition with a side yard setback of 3 feet in lieu of the minimum required side yard setback of 7 feet 6 inches. The recommendation for approval was based on the parallelogram shape of the subject lot which is a hardship.

The motion to approve carried with four (4) yes votes and three (3) no votes as follows: ZBA Members Fasules, Fried, Constantino and Miller voted yes; ZBA Members Kolar, Micheli and Chairman Garrity voted no.

PUBLIC HEARING – 269 NEWTON AVENUE

A REQUEST FOR APPROVAL OF THREE (3) VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. SECTION 10-4-1(N)3 TO ALLOW A NEW SECOND FLOOR ADDITION WITH A CORNER SIDE YARD SETBACK OF 9.8 FEET IN LIEU OF THE MINIMUM REQUIRED CORNER SIDE YARD SETBACK OF 20 FEET. 2. SECTION 10-4-1(N)3 TO ALLOW AN EXISTING ROOF ALTERATION WITH A CORNER SIDE YARD SETBACK OF 11.98 FEET IN LIEU OF THE MINIMUM REQUIRED CORNER SIDE YARD SETBACK OF 20 FEET. 3. SECTION 10-4-1(N) TO ALLOW AN EXISTING ROOF ALTERATION SETBACK VARIATION THAT IS PROHIBITED TO A STRUCTURE PREVIOUSLY GRANTED A SETBACK VARIATION.
(David and Deanna Legman, owners)

Staff Report

Joe Kvapil, Building and Zoning Official, stated that David and Deanna Ligman, owners of the property at 269 Newton Avenue, are requesting approval of three (3) variations from the Glen Ellyn Zoning Code: 1. Section 10-4-1(N)3 to allow a new second floor addition over the existing first floor with a corner side yard setback of 9.8 feet in lieu of the minimum required corner side yard setback of 20 feet. 2. Section 10-4-1(N)3 to allow an existing roof alteration with a corner side yard setback of 11.98 feet in lieu of the minimum required corner side yard setback of 20 feet. 3. Section 10-4-1(N) to allow an existing roof alteration setback variation that is prohibited to a structure previously granted a setback variation. Mr. Kvapil displayed a photograph and plat of survey of the subject property.

Mr. Kvapil stated that the property is located in the R2 zoning district and is defined as a corner lot on the northeast corner of the intersection of Newton Avenue and Turner Avenue. He added that the zoning and land use surrounding the subject property is single-family residential and is not in any designated stormwater, floodplain or detention area. Mr. Kvapil stated that Village records indicate that Ordinance 1779 that granted the construction of an addition with a corner side yard setback of 13.9 feet was passed in 1972. He stated that the house was built in 1951 and he listed several permits that have been issued for the home.

Mr. Kvapil stated that the owners propose to construct a second floor addition over the original one-story home and a bump-out projection on the second floor over the first floor at the front of the house. He stated that the project is permitted up to a point where it doesn't extend past the front of 277 Newton. Mr. Kvapil stated that the Zoning Code allows an exception for a straight-up addition over an existing one-story home that is located in the required side yard setback with some conditions. He stated that one condition is that the side yard setback is not less than 20 feet and added that the existing corner side yard setback of the home is 9.8 feet which does not comply and requires a variation. Mr. Kvapil stated that a second variation will be necessary as the owners propose to remove the existing roof on the existing addition. He added that the petitioners propose to reconstruct a new higher roof that matches the slope of the roof on the new second story addition. He also stated that a vaulted ceiling would be provided over the existing first floor space in the existing addition. Mr. Kvapil added that the same zoning code exception applies. He stated that the construction over the existing footprint in the required corner side yards of the setback is 20 feet and the actual setback is 11.98 feet which does not comply and requires a variation. Mr. Kvapil stated that another condition is that the existing roof nonconforming corner side yard setback was not the result of a variation previously granted by the Village. He stated that a variation was granted for this addition to allow it to be constructed in this corner side yard setback granted in 1972.

Mr. Kvapil stated that the subject lot meets the minimum area, width and depth requirements for a corner lot, however, this existing home was constructed with a nonconforming corner side yard setback of 9.8 feet for unknown reasons. Mr. Kvapil added that when the house was built in 1951, the zoning ordinance did not specify corner side yard setbacks. He stated that setbacks were 10 percent of the lot width which could mean that the required corner setback was 10 percent of the lot width which would have been 8.2 feet in this case and would have complied with the code. Mr. Kvapil added that current zoning regulations would require a corner side yard setback of 30 feet.

Mr. Kvapil added that the ordinance granting the construction of the one-story addition granted a setback of 13.9 feet, however, the addition instead was built 11.98 feet from the property line for unknown reasons.

Petitioners' Presentation

Deanna and Dave Ligman, 269 Newton Avenue, Glen Ellyn, Illinois spoke on behalf of their requested variations. Mr. Ligman stated that their existing home is well built with a great history and a good sized yard. He stated that they would like to add more space by building up on their home. He stated that on the existing portion of the house, there would be a second story addition and that a roof change is proposed on the back portion of the house because the roof is low with an unattractive pitch. He added that the changes will be tasteful and not excessive. Mr. Ligman displayed and described plans of the proposed changes and stated that the house will remain under the 20 percent lot coverage ratio.

Ms. Ligman stated that she and her husband are Glenbard West graduates and wanted to move back to Glen Ellyn. He added that they had explored other options for their home but feel the proposed request is the best option.

Responses to Questions from the ZBA

Mr. Kvapil responded to ZBA Member Kolar that additional lot coverage area comes from the overhang of the second story even though the overhang does not reach the grade of the land. ZBA Member Kolar asked what other options for their home had been explored. Mr. Ligman responded that they had looked at building out and keeping the house as one story, however, that would not provide the space they needed because the other lot line is angled, yard space would be decreased, and covering more of the yard surface could cause water issues for their neighbors. Ms. Ligman added that the bottom of Turner Avenue is a flood zone.

Mr. Ligman responded to ZBA Member Constantino that the roof change is proposed for structural, drainage and aesthetic improvements. Mr. Kvapil responded to ZBA Member Kolar that the proposed project is a Class II Addition and, therefore, the entire house does not need to be brought up to current code requirements. Mr. Kvapil also responded to ZBA Member Miller that the proposed project will have no new foundations, however, the second floor will extend over the first floor with a projection of 1 foot 4 inches x 20 feet. ZBA Member Micheli asked if there would be significant issues if a new house was built on the subject lot given the unusual size of the lot and the setback restrictions. Mr. Kvapil responded that there is adequate buildable area on this property for a new home. Mr. Kvapil responded to ZBA Member Kolar that the setback along the north property line would be 8.2 feet and at the 30 foot setback from Newton Avenue where the lot width is measured, it is 82 feet. He added that a new home on this lot would need to be set back 8.2 feet from the home to the north. Mr. Kvapil verified for ZBA Member Fried that the existing home would comply with the code if it was moved on the lot.

At ZBA Member Micheli's request, Mr. Ligman described the materials that will be used on the outside of the house.

Persons in Favor of or in Opposition to the Petition

Michael and Mary Campagna, 277 Newton Avenue, Glen Ellyn, stated that they fully support the petitioners' variation request. They feel the design is beautiful and will add much value to their neighborhood as well as the Village.

Comments from the ZBA

All of the ZBA members were supportive of the petitioners' variation requests. ZBA Member Constantino felt that given the history of the lot, it is unknown why the home was built in its current location. He stated that because the existing footprint will be maintained, the existing structure on the first floor will be improved, and building straight up on the second floor will cause no significant adverse effects. He added that this home is a unique situation. ZBA Member Constantino also stated that the addition could be built onto the first floor only, however, he was concerned that flooding issues could then increase in the neighborhood. The ZBA members felt that the petitioners showed hardship regarding their home and ZBA Member Kolar felt that the petitioners have no other alternative. He added that sight lines at the corner are not affected because the house is set back from the intersection.

Motion

ZBA Member Fried moved, seconded by ZBA Member Fasules, to recommend that the ZBA approve the three (3) variations for the property at 269 Newton Avenue as requested by the petitioners because of the position of the existing home on the lot.

The motion carried with seven (7) "yes" votes and zero (0) "no" votes as follows: ZBA Members Fried, Fasules, Constantino, Kolar, Micheli, Miller and Chairman Garrity voted yes.

Trustee Cooper stated that this variation request will be on the consent agenda as it was unanimously approved by the ZBA.

Staff Report

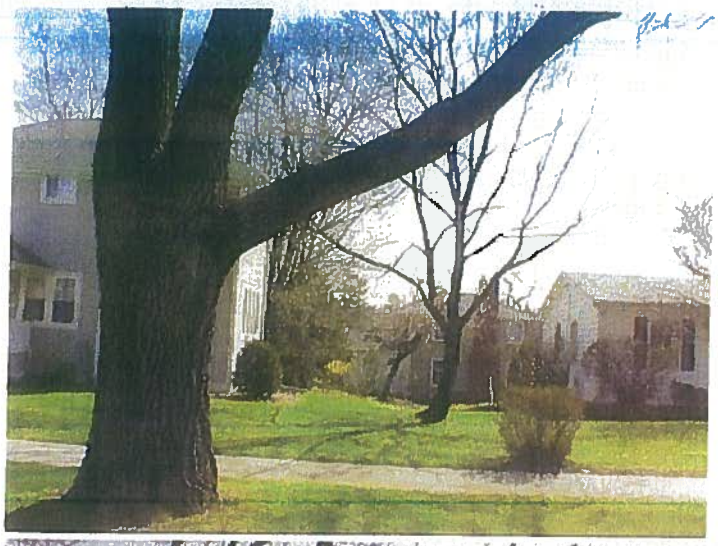
Mr. Kvapil stated that appearance could be included in the review of the project per the Zoning Code.

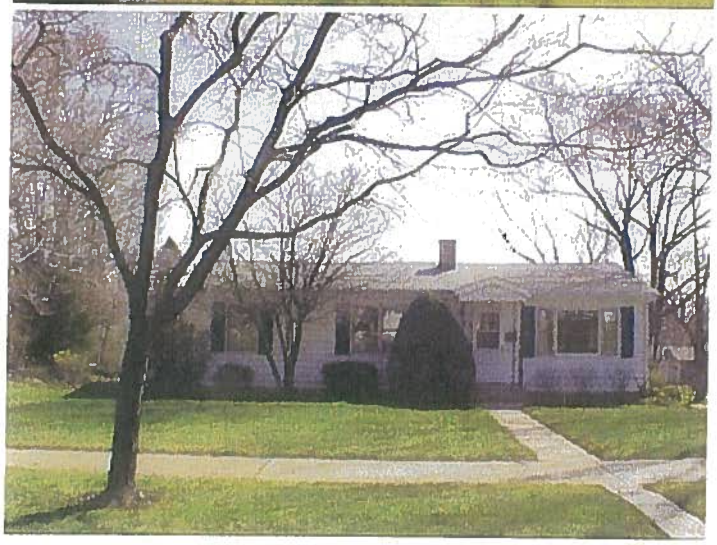
Mr. Kvapil also stated that the Planning and Development Department has received no new variations for review.

Chairman's Report

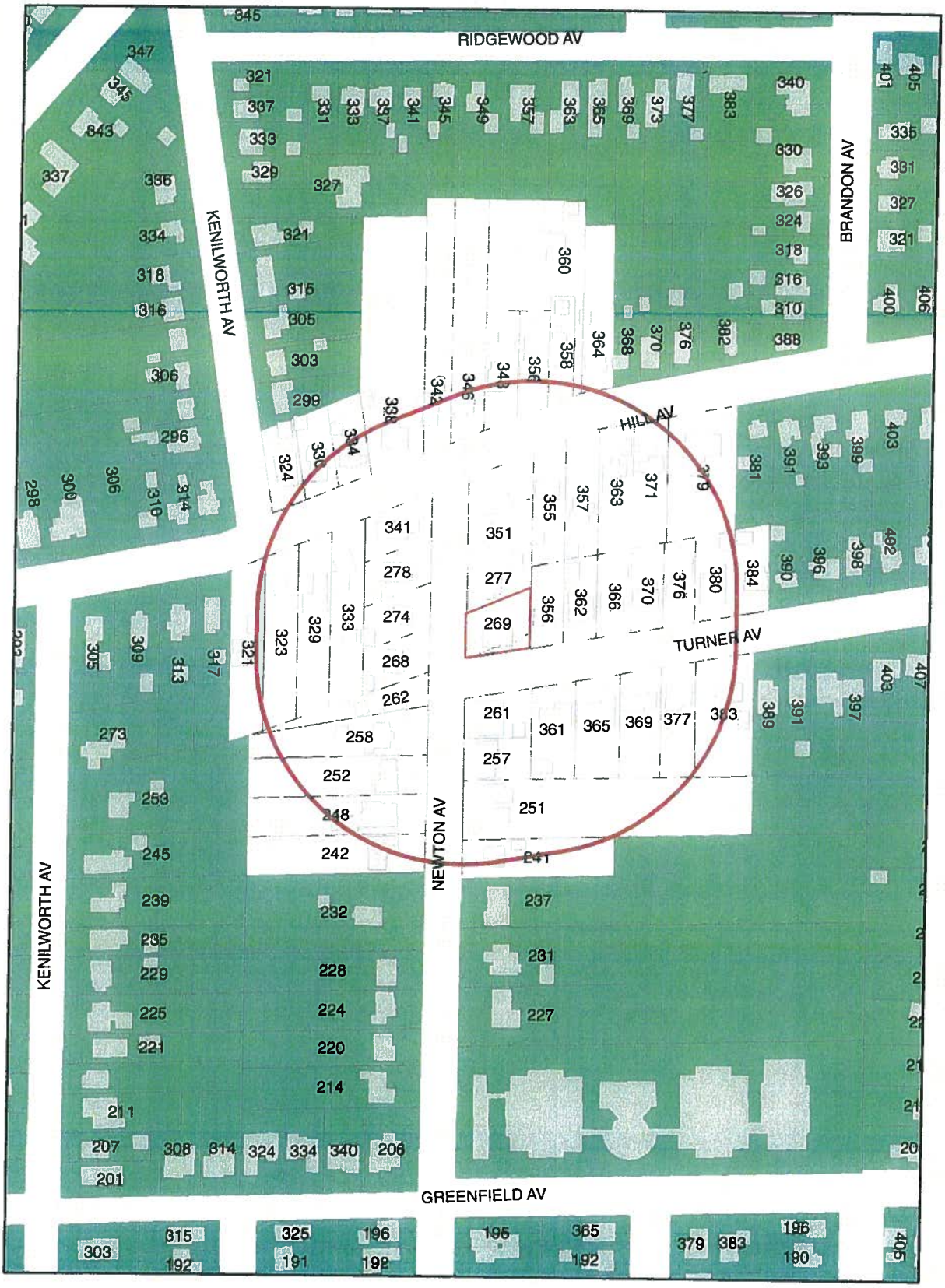
Chairman Garrity welcomed new members Chip Miller and student Meg Maloney.

269 NEWTON AVENUE





269 Newton Avenue



Prepared By: Planning and Development
Date: January 24, 2013

0 175 350 700 Feet

N

Village of Glen Ellyn

Ordinance No. _____

An Ordinance Approving Two Variations from the Corner Side Yard Setback Requirements and a Variation to Allow a Second Floor Addition and Roof Alteration to a Structure Granted a Prior Variation for Property at 269 Newton Avenue Glen Ellyn, IL 60137

Adopted by the
President and Board of Trustees
Of the Village of Glen Ellyn
DuPage County, Illinois
this _____ day of _____, 20____.

Published in pamphlet form by the authority of the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, this _____ day of _____, 20_____.

Ordinance No. _____

An Ordinance Approving Two Variations from the Corner Side Yard Setback Requirements and a Variation to Allow a Second Floor Addition and Roof Alteration to a Structure Granted a Prior Variation for Property at 269 Newton Avenue Glen Ellyn, IL 60137

Whereas, David and Deanna Ligman, owners of the property at 269 Newton Avenue, Glen Ellyn, Illinois, which is legally described as follows:

> Parcel 1: Lot 21 in Block 1 in M. J. Milmoe's Subdivision of Lots 1 to 5 and Lot 7 (except the south 100 feet) in Block 1 of Robertson's College Hill Addition to Glen Ellyn, a subdivision of part of the north half of section 15, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat of said M. J. Milmoe's subdivision recorded October 24, 1925 as Document 201966, in DuPage County, Illinois.
>
> Parcel 2: The south 75 feet (measured along the easterly line of Newton Avenue) of Lot 6 in Block 1 in Robertson's College Hill Addition to Glen Ellyn in Section 15, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded April 16, 1909 as Document 96669, in DuPage County, Illinois.
>
> P.I.N.: 05-15-214-003 and 05-15-214-004

have petitioned the President and Board of Trustees of the Village of Glen Ellyn for three variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-1(N)3 to allow a new second floor addition with a corner side yard setback of 9.8 feet in lieu of the minimum required corner side yard setback of 20 feet.
2. Section 10-4-1(N)3 to allow an existing roof alteration with a corner side yard setback of 11.98 feet in lieu of the minimum required corner side yard setback of 20 feet.
3. Section 10-4-1(N) to allow an existing roof alteration setback variation that is prohibited to a structure granted a prior variation; and

Whereas, following due notice by publication in the Daily Herald not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all property owners within 250 feet of the subject property at least ten (10) days prior thereto, and following the placement of a placard on the subject property not less than fifteen (15) days prior thereto, the Glen Ellyn Zoning Board of Appeals conducted a public hearing on February 12, 2013, at which the petitioners presented evidence, testimony, and exhibits in support of the variation requests and two (2) person appeared in favor of the variation and no (0) persons appeared in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearing on February 12, 2013, the Zoning Board of Appeals adopted findings of fact and voted on a motion to approve the variations, which carried by a unanimous vote of seven (7) "yes" and zero (0) "no," resulting in a recommendation for approval as set forth in its draft Minutes dated February 12, 2013, appended hereto as Exhibit "A"; and

Whereas, the President and Board of Trustees have reviewed the exhibits and evidence presented at the aforementioned public hearing and have considered the findings of fact and recommendations of the Zoning Board of Appeals; and

Whereas, the President and Board of Trustees make the following findings of fact:

A. That the plight of the owner is due to unique circumstances since the existing one-story home was constructed in 1951 only 9.8 feet from the corner side yard lot line and closer than permitted by the current zoning code;

B. That the variations, if granted, will not alter the essential character of the locality since the proposed addition and alterations will result in a significant property improvement and will be similar to other two story homes in the area;

C. That the particular physical surroundings, shape or topographical condition of the specific property involved would bring practical difficulty or particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out since the second-floor addition and roof alteration could not be completed above the entire first floor of the existing one-story home which creates impractical conditions and would be inconsistent with the character of typical two-story homes;

D. That the conditions upon which the variations are based would not be applicable generally to other property within the same zoning district since the size, shape and location of the lot and existing home on the lot are unique to this property;

E. That the purpose of the variations is not based exclusively upon a desire to make more money out of the property since the applicants intend to make these improvements for their own personal use and have no desire to sell the property or move from the home;

F. That the practical difficulty or particular hardship has not been created by any persons presently having an interest in the property since the owners purchased this home in March 2012 and have made no significant changes that affect these variation requests;

G. That the variations will not be detrimental to the public comfort, morals, and welfare or injurious to other property or improvements in the neighborhood in which the property is located since it is a permitted use in the zoning district and the proposed addition and alteration will be constructed in accordance with all applicable zoning code regulations other than the variations granted;

H. That the variations will not substantially increase the hazard from fire or other dangers to said property and not otherwise impair the public health, safety, or general welfare of the inhabitants of

the Village since the addition and alteration will be constructed in accordance with all applicable building code regulations;

I. That the variations will not diminish or impair property values within the neighborhood since the addition and alteration is a significant property improvement that will increase property values and there is no adjacent private property at the corner side yard setback that would be negatively affected;

J. That the variations will not unduly increase traffic congestion in the public streets and highways since no change to the permitted residential vehicle access and parking use is proposed on the property and the addition and alteration will not obstruct traffic visibility at the corner intersection;

K. That the variations will not result in an increase in public expenditures or create a nuisance since the proposed variations are typical residential improvements to a permitted single-family use in a residential zoning district;

L. That the variations are the minimum variations that will make possible the reasonable use of the land, building or structure, and the existing home and the proposed addition and alteration complies with all other zoning code requirements including maximum building height and maximum lot coverage; and

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to grant the variations presented to the Zoning Board of Appeals.

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in exercise of its home rule powers, as follows:

Section One: The draft Minutes of the February 12, 2013 Glen Ellyn Zoning Board of Appeals meeting, Exhibit "A" appended hereto, are hereby accepted, and the findings of fact and conclusions set forth in the preambles above are hereby adopted as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Based upon the above findings of fact, the President and Board of Trustees hereby approve three variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-1(N)3 to allow a new second floor addition with a corner side yard setback of 9.8 feet in lieu of the minimum required corner side yard setback of 20 feet.
2. Section 10-4-1(N)3 to allow an existing roof alteration with a corner side yard setback of 11.98 feet in lieu of the minimum required corner side yard setback of 20 feet.
3. Section 10-4-1(N) to allow an existing roof alteration setback variation that is prohibited to a structure previously granted a variation; and

Section Three: This grant of variation to construct a second-floor addition and roof alteration is conditioned upon the construction being completed in substantial conformance with the plans and the Application for Variation received by the Planning & Development Department and signed on January 10, 2013 and the testimony and exhibits provided at the February 12, 2013 Zoning Board of Appeals public hearing.

Section Four: The Building and Zoning Official is hereby authorized and directed to issue building permits for the subject property, consistent with the variations granted herein, provided that all conditions set forth hereinabove have been met and that the proposed construction is in compliance with all other applicable laws and ordinances. This grant of variation shall expire and become null and void twenty-four (24) months from the date of passage of this Ordinance unless a building permit to begin construction in reliance on these variations is applied for within said twenty-four (24) month time period and construction is continuously and vigorously pursued provided,

however, the Village Board, by motion, may extend the period during which permit application, construction and completion shall take place.

Section Five: The Village Clerk is hereby authorized and directed to cause a copy of this Ordinance approving the variations to be recorded with the DuPage County Recorder of Deeds.

Section Six: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

Section Seven: Failure of the owner or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of said Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 10-10-18 "A" and "B" of the Village of Glen Ellyn Zoning Code.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this ____ day of _____, 2013.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20_____.

_____
Village President of the
Village of Glen Ellyn, Illinois

Attest:

_____
Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____).

NOTICE OF PUBLIC HEARING

David and Deanna Ligman, owners of the property at 269 Newton Avenue, are requesting a public hearing for three variations in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The owners would like to modify the existing home by constructing a second floor addition and altering an existing roof structure. The Zoning Code does not allow additions and alterations to be closer than the minimum required corner side yard setback and limits the number of variations that can be granted to a structure. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider these variations on **February 12, 2013** at 7:30 p.m. on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend.

The property owners are requesting approval of three variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-1(N)3 to allow a new second floor addition with a corner side yard setback of 9.8 feet in lieu of the minimum required corner side yard setback of 20 feet.
2. Section 10-4-1(N)3 to allow an existing roof alteration with a corner side yard setback of 11.98 feet in lieu of the minimum required corner side yard setback of 20 feet.
3. Section 10-4-1(N) to allow an existing roof alteration setback variation to a structure previously granted a variation.
4. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The property is zoned R2, Residential District, and is legally described as follows:
Parcel 1: Lot 21 in Block 1 in M. J. Milmoe's Subdivision of Lots 1 to 5 and Lot 7 (except the south 100 feet) in Block 1 of Robertson's College Hill Addition to Glen Ellyn, a subdivision of part of the north half of section 15, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat of said M. J. Milmoe's subdivision recorded October 24, 1925 as Document 201966, in DuPage County, Illinois.
Parcel 2: The south 75 feet (measured along the easterly line of Newton Avenue) of Lot 6 in Block 1 in Robertson's College Hill Addition to Glen Ellyn in Section 15, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded April 16, 1909 as Document 96669, in DuPage County, Illinois.

P.I.N.: 05-15-214-003 and 05-15-214-004

Plans related to the proposed project are available for public review in the Planning and Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. If you have questions, please contact Joe Kvapil, Building & Zoning Official, at (630) 547-5244. For individuals with disabilities who have questions regarding the accessibility of the meeting or facilities, contact Harold Kolze, ADA Coordinator, at (630) 547-5209.

(Published in the Daily Herald on Friday, January 25, 2013)

X:\Plandev\BUILDING\ZBA\PUBLIC NOTICE\NEWTON269-CS,VAR.doc

BRODERICK JR, JOHN & M
OR CURRENT OWNER
261 NEWTON AVE
GLEN ELLYN, IL 60137

FLEWELLING, RICHARD
OR CURRENT OWNER
333 HILL AVE
GLEN ELLYN, IL 60137

HUARD, JONATHAN
OR CURRENT OWNER
594 SUMMERDALE AVE
GLEN ELLYN, IL 60137

DAPKUS, KESTUTIS & MARIA
OR CURRENT OWNER
362 TURNER AVE
GLEN ELLYN, IL 60137

ROSEBERRY, BETTY D
OR CURRENT OWNER
258 NEWTON AVE
GLEN ELLYN, IL 60137

~~BORN, DAVID T & JOAN E~~
~~OR CURRENT OWNER~~
~~351 HILL AVE~~
~~GLEN ELLYN, IL 60137~~

KEANE, MARTIN & ANNE
OR CURRENT OWNER
334 HILL AVE
GLEN ELLYN, IL 60137

REES, WALTER L & JUNE N H
OR CURRENT OWNER
366 TURNER AVE
GLEN ELLYN, IL 60137

NORWOOD, PAUL R
OR CURRENT OWNER
370 TURNER AVE
GLEN ELLYN, IL 60137

JENKINS, JAMES & PHYLLIS
OR CURRENT OWNER
356 TURNER AVE
GLEN ELLYN, IL 60137

ODEA, RAY J TRUST
OR CURRENT OWNER
341 HILL AVE
GLEN ELLYN, IL 60137

PETERSON, LAMBERT W
OR CURRENT OWNER
269 NEWTON
GLEN ELLYN, IL 60137

CAMPAGNA, MICHAEL
OR CURRENT OWNER
277 NEWTON AVE
GLEN ELLYN, IL 60137

JACOBSHAGEN, DIETRICH
OR CURRENT OWNER
257 NEWTON
GLEN ELLYN, IL 60137

STEVENS, TODD E
OR CURRENT OWNER
361 TURNER AVE
GLEN ELLYN, IL 60137

SILDVE, PETER O & MARNA R
OR CURRENT OWNER
268 NEWTON AVE
GLEN ELLYN, IL 60137

MC GREGOR, JEFFREY & J
OR CURRENT OWNER
278 NEWTON AVE
GLEN ELLYN, IL 60137

MARCHETTI, MICHAEL & S
OR CURRENT OWNER
248 NEWTON AVE
GLEN ELLYN, IL 60137

JOHANSEN, PATRICIA A
OR CURRENT OWNER
356 HILL AVE
GLEN ELLYN, IL 60137

ALVING, JASON & LOUISE
OR CURRENT OWNER
324 HILL AVE
GLEN ELLYN, IL 60137

CHOMYOK, CRAIG
OR CURRENT OWNER
342 HILL AVE
GLEN ELLYN, IL 60137

BORN, DAVID & JOAN
OR CURRENT OWNER
351 HILL AVE
GLEN ELLYN, IL 60137

MORIARTY, P & S LOUIS
OR CURRENT OWNER
274 NEWTON AVE
GLEN ELLYN, IL 60137

HUDSON, RICKI L
OR CURRENT OWNER
346 HILL AVE
GLEN ELLYN, IL 60137

SAMPSON, MYRA N
OR CURRENT OWNER
242 NEWTON AVE
GLEN ELLYN, IL 60137

QUAID, BRIAN & KATHLEEN
OR CURRENT OWNER
338 HILL AVE
GLEN ELLYN, IL 60137

KING, PETER M & LEAH B
OR CURRENT OWNER
252 NEWTON AVE
GLEN ELLYN, IL 60137

CLARKE, BRADLEY J
OR CURRENT OWNER
380 TURNER AVE
GLEN ELLYN, IL 60137

HODEN, R & D SURI
OR CURRENT OWNER
348 HILL AVE
GLEN ELLYN, IL 60137

LEONARD, RONALD P
OR CURRENT OWNER
330 HILL AVE
GLEN ELLYN, IL 60137

FORS, AUGUSTO & ADRIENNE
OR CURRENT OWNER
262 NEWTON AVE
GLEN ELLYN, IL 60137

PETERSON 43806, LAMBERT
OR CURRENT OWNER
269 NEWTON
GLEN ELLYN, IL 60137

PHILLABAUM, THOMAS
OR CURRENT OWNER
360 HILL AVE
GLEN ELLYN, IL 60137

SCHWEGEL, JOHN & KIMBERLY
OR CURRENT OWNER
358 HILL AVE
GLEN ELLYN, IL 60137

DUDMAN TR, RUTH
OR CURRENT OWNER
371 HILL AVE
GLEN ELLYN, IL 60137

CAHILL, WILLIAM & SUZANNE
OR CURRENT OWNER
383 TURNER AVE
GLEN ELLYN, IL 60137

BERGLUND, SCOTT & GINA
OR CURRENT OWNER
241 NEWTON AVE
GLEN ELLYN, IL 60137

JONES, RICHARD A
OR CURRENT OWNER
379 HILL AVE
GLEN ELLYN, IL 60137

EVANS, CHARLES L & ANN L
OR CURRENT OWNER
355 HILL AVE
GLEN ELLYN, IL 60137

COEN, STEVEN & LINDA
OR CURRENT OWNER
357 HILL AVE
GLEN ELLYN, IL 60137

MC GRATH, MARGARET M
OR CURRENT OWNER
377 TURNER AVE
GLEN ELLYN, IL 60137

MONTGOMERY-FATE, THOMAS
OR CURRENT OWNER
363 HILL AVE
GLEN ELLYN, IL 60137

LONG, GREGORY & CRICIA
OR CURRENT OWNER
329 HILL AVE
GLEN ELLYN, IL 60137

MULDOON, ANN S
OR CURRENT OWNER
384 TURNER AVE
GLEN ELLYN, IL 60137

SIVAK, PAUL F
OR CURRENT OWNER
365 TURNER AVE
GLEN ELLYN, IL 60137

GENAHL, JOSEPH & ELLI
OR CURRENT OWNER
369 TURNER AVE
GLEN ELLYN, IL 60137

RAUCH, DONALD
OR CURRENT OWNER
364 HILL AVE
GLEN ELLYN, IL 60137

FOLKMAR, GLORIA B
OR CURRENT OWNER
323 HILL AVE
GLEN ELLYN, IL 60137

BRONCATA, TONY J
OR CURRENT OWNER
321 HILL AVE
GLEN ELLYN, IL 60137

HUBBARD, DAVID &ROSEMARIE
OR CURRENT OWNER
376 TURNER AVE
GLEN ELLYN, IL 60137

RECEIVED
JAN 22 2013
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

VILLAGE OF GLEN ELLYN
535 Duane Street
Glen Ellyn, Illinois 60137
(630) 547-5250

APPLICATION FOR VARIATION

For the property at 269 Newton Avenue Glen Ellyn, IL 60137

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Planning and Development Department.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Dave and Deanna Ligman

Address: 269 Newton Avenue

Phone No.: 630-709-6440

Fax No.:

E-mail: davidligman@hotmail.com

Ownership Interest in the Property in Question: 100%

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

/

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):

/

Is the property in question subject to a contract or other arrangement for sale with the fee owner? (Circle "Yes" or "No")

YES NO

If YES, the contract purchaser must provide a copy of the contract to the Village and must either be a co-petitioner to this application or submit the attached Affidavit of Authorization with the application packet.

Is the property in question the subject of a land trust agreement? (Circle "Yes" or "No")

YES NO

If YES, (1) either the trustee must be a co-petitioner or submit the attached Affidavit of Authorization from the trustee to represent the holders of the beneficial interests in the trust and (2) the applicant must provide a trust disclosure in compliance with "An Act to Require Disclosure of All Beneficial Interests", Chapter 148, Section 71 et seq., Illinois Revised Statutes, signed by the trustee.

III. PROPERTY INFORMATION:

Common address: 269 Newton Avenue

Permanent tax index number: 05-15-214-003 AND 05-15-214-004

Legal description: see attachment

Zoning classification: R2 Residential District

Lot size: 75ft.x120ft. x 101.2ft x 112.3ft ft. x ft.

Area: ~~9,788.8~~ 9,839 sq. ft. sq. ft.

Present use: Single family home

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):

see attachment

Estimated date to begin construction: April 1, 2013

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):

Mike Rafferty, Rafferty Architects, 57 Witt Rd., South Barrington, IL. 60010

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

see attachment

2. a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):

/

OR

b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:

see attachment

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

see attachment

B. For the purpose of supplementing the above standards, the ZBA or PC, in making its recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

see attachment

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

see attachment

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

see attachment

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant.

see attachment

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located

see attachment

6. Provide evidence that the proposed variation will not:

a. Impair an adequate supply of light and air to adjacent property;

see attachment

b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

see attachment

c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

see attachment

d. Diminish or impair property values within the neighborhood;
see attachment

e. Unduly increase traffic congestion in the public streets and highway;
see attachment

f. Create a nuisance; or
see attachment

g. Results in an increase in public expenditures.
see attachment

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.
see attachment

8. Please add any comments which may assist the Zoning Board of Appeals of Appeals in reviewing this application.
Thank you for your time and consideration in this matter.

VI. EVIDENCE RELATING TO FLOOD HAZARD VARIATION REQUESTS

The following items must be completed only if the requested variation is from Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations.) If no such variation is being requested, the applicant should skip this section and complete Section VII below.

A. Items applicable only to variation requested from the requirements of Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations) that, if granted, would result in a structure not being protected to the elevation of the base flood.

1. Provide evidence that the structure is to be located on a lot contiguous to and surrounded by lots with existing structures constructed below the base flood level.

   Not Applicable

2. Provide evidence that the applicant has acknowledged that (a) such construction below the base flood level will increase the risk to life and property and that the applicant proceeds with knowledge of these risks; and (b) any variation is contingent upon the applicant obtaining approval from other agencies having jurisdiction when the variance violates the requirements of such agencies.

   Not Applicable

B. Items applicable only to variations requested from the requirements in Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations) that, if granted, would significantly impede or increase the flow and passage of floodwaters.

1. Provide evidence that the use will not result in an increased flood height greater than 0.1 feet within the designated regulatory floodway.

   Not applicable

2. Provide evidence that the resulting increase in the base flood elevations will not affect any existing structures or utilities.

   Not applicable

3. Provide evidence that the owners of the properties affected by the increased base flood elevation are compensated for the resulting effect on property values, and they give their written agreement to granting the variation.

   Not Applicable

4. Provide evidence that the resulting increased flood elevations will not affect any flood protection structures.

   Not Applicable

VII. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

1/10/13

1/10/13

Signature of Applicant(s)

1/10/13

Date filed

- ATTACHMENT -

III.

Legal Description:

Parcel 1: Lot 21 in block 1 in M.J. Milmoe's subdivision of lots 1 to 5 and lot 7 (except the south 100 feet) in block 1 of Robertson's College Hill addition to Glen Ellyn, a subdivision of part of the north half of section 15, township 39 north, range 10, east of the third principal meridian, according to the plat of said M.J. Milmoe's subdivision recorded October 24, 1925 as document 201966, in DuPage County, Illinois.

Parcel 2: The south 75 feet (measured along the easterly line of Newton Avenue) of lot 6 in block 1 in Robertson's College Hill addition to Glen Ellyn in section 15, township 39 north, range 10, east of the third principal meridian, according to the plat thereof recorded April 16, 1909 as document 96669 in DuPage County, Illinois.

IV.

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):

The variations requested would allow for a second story addition and remodel on the existing ranch-style home at 269 Newton Avenue. The corner side yard setback would remain the same for the existing first floor but would need variation approval for the second story to be added. The rear yard setback would remain the same for the existing first floor but would need variation approval for the new gable roof to be added (a second story addition is not proposed for the rear portion of the house above the living room/screen room). No part of the proposed addition would be outward into the side or rear yard setbacks, but instead would be upward as a partial second story addition and roof changes.

V.

A.

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

The difficulty in meeting the zoning requirements for the rear and side yard setbacks comes from the fact that the ranch-style home is already built in a non-conforming location. The lot is an irregular shape, and the house is offset to the South, which brings it closer on an angle to the lot lines. Our hope is to build an addition over part of the existing structure. In order to meet the strict letter of the zoning code, we would need to tear down the existing home and move the new home farther to the North in order to meet the rear and side yard setbacks. This is not only financially impossible for us and very wasteful, but it would also crowd and block sunlight to the neighboring home at 277 Newton Avenue. Lastly, we would also like to keep our yard as big as possible for our children, and an addition above the existing house would not negatively impact

the size of the yard. The proposed addition would keep the home under the 20% maximum lot coverage.

2. b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:
The unique circumstances that require us to request a variance are the existing home location combined with the irregular lot lines and the corner lot setback rules.

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:
The requested variations would allow us to add a partial second story addition to our home as well as improve upon the aging existing structure. Many of the homes in our neighborhood are two story homes, and we feel that the design of our proposed home would fit very well with the existing homes around us. We are not attempting to build a huge new home, but instead to add enough space for our family to our existing home in a way that would improve the entire neighborhood.

B.

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

The irregular shape of the lot does make it difficult to place the house in a location away from setback issues.

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

Most of the other lots in the same zoning district seem to be parallel lot lines that are perpendicular to the street. This allows for easier home placement in order to meet setback requirements. Our lot is large enough, but does not have parallel lot lines and is not perpendicular to the street.

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

The purpose of the variance request is to provide adequate living space for our growing family. This is our home, not an investment property. My wife and I both have very secure jobs that are tied to this area, and we plan to live here for the rest of our lives.

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant:

The existing home was built in 1953, with an addition to the rear of the house in 1974. We purchased the house last year as our primary residence in a great location with the hopes of adding enough space in the near future for our children to grow up in.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located.

Granting of this variation would keep the home in its existing location, below the maximum 20% lot coverage, and it is far enough away (approx.. 30') from the house to the north that a second story would not crowd them. The close distance between the home and the corner side yard lot line does not negatively impact any neighbor since it fronts on Turner Avenue.

6. Provide evidence that the proposed variation will not:
   a. Impair an adequate supply of light and air to adjacent property;

The neighboring house at 277 Newton Avenue is approximately 30' away and would not be blocked from an adequate supply of light or air.

   b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

The proposed plans have been submitted for review and approval according to all building code requirements in order to ensure that it will not increase fire or other dangers.

   c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

The proposed plans have been submitted for review and approval according to all building code requirements in order to ensure that it will not pose a threat to the community members in any way.

   d. Diminish or impair property values within the neighborhood;

The proposed addition and remodel should improve the property values in the neighborhood as compared to the existing home as is. The home addition is not moving out so it will not crowd any other homes or the sidewalks, etc.

   e. Unduly increase traffic congestion in the public streets and highway;

Traffic congestion will not increase due to this variance being granted. Any vehicles during construction will be able to park in our driveway.

   f. Create a nuisance;

All village construction work rules will be followed in order to prevent problems.

   g. Results in an increase in public expenditures.

All work will be completed on our home and will not negatively impact the public in any way.

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.

The design of the proposed addition is meant to impact the area as little as possible while still adding the needed square footage to the house. The addition will be going up over part of the existing house, not out towards any of the non-compliant setbacks.

1-8

NW 1094141 - 20120775 8 e

EXECUTOR'S DEED

RETURN TO:
Susan A. Lesus
611 W. Wesley
Wheaton, IL 60187

MAIL TAX BILLS TO:
David R. Ligman and
Deanne L. Ligman
269 Newton
Glen Ellyn, IL 60137

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
MAR.05,2012 RHSP 11:44 AM
DEED 05-15-214-003
004 PAGES R2012-028502

For Recorder's Use Only

THIS INDENTURE is made this 29th day of February, 2012, between David Peterson, not individually but as Independent Executor of the Estate of Lambert W. Peterson, Deceased, late of Glen Ellyn, County of DuPage, State of Illinois, as Grantor, and David R. Ligman and Deanne L. Ligman, of 1830 Concord Drive, Glendale Heights, Illinois, as Grantees.

WITNESSETH, that whereas Lambert W. Peterson, late of Glen Ellyn, County of DuPage, State of Illinois, in his lifetime made and executed a Will dated October 20, 1995 which was duly proved and admitted to probate in and by the Circuit Court of DuPage County, Illinois, whereby he constituted the said David Peterson, as Independent Executor of his said Last Will and Testament, and whereas the said David Peterson was duly appointed as Independent Executor of the estate of Lambert W. Peterson by said Circuit Court of DuPage County, Illinois, and whereas Section 5/28-8(i) of the Illinois Probate Act (755 ILCS §5/28-8 subsection (i)) does empower the said David Peterson as such Independent Executor, to sell and dispose of the real estate belonging to the said Lambert W. Peterson at the time of his death by private sale;

NOW THEREFORE, the said David Peterson, not individually but as Independent Executor of the estate of Lambert W. Peterson, deceased, by virtue of the provisions of Section 5/28-8(i) of the Illinois Probate Act, and for and in consideration of the sum of [redacted] in hand paid by the said David R. Ligman and Deanne L. Ligman, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to David R. Ligman and Deanne L. Ligman, husband and wife, not as joint tenants or tenants in common, but as tenants by the entireties, and to their heirs and assigns, all of the tract or parcel of land described as follows, to wit:

CHARGE C.T.I.C. DuPAGE

PARCEL 1: LOT 21 IN BLOCK 1 IN M. J. MILMOE'S SUBDIVISION OF LOTS 1 TO 5 AND LOT 7 (EXCEPT THE SOUTH 100 FEET) IN BLOCK 1 OF ROBERTSON'S

COLLEGE HILL ADDITION TO GLEN ELLYN, A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID M. J. MILMOE'S SUBDIVISION RECORDED OCTOBER 24, 1925 AS DOCUMENT 201966, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THE SOUTH 75 FEET (MEASURED ALONG THE EASTERLY LINE OF NEWTON AVENUE) OF LOT 6 IN BLOCK 1 IN ROBERTSON'S COLLEGE HILL ADDITION TO GLEN ELLY IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 16, 1909 AS DOCUMENT 96669 IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-15-214-003 4004

PROPERTY ADDRESS: 269 Newton Avenue, Glen Ellyn, Illinois 60137

Subject to (a) general real estate taxes for the year of 2011 and thereafter, (b) all covenants, conditions and restrictions of record and (c) all building lines and easements, so long as they do not interfere with the current use and enjoyment of the property.

Together with all and singular the hereditaments and appurtenances thereto belonging, or in anyway appertaining, and all of the estate, right, title, interest, claim and demand whatsoever, at law or in equity, to which the said David Peterson, not individually but as Independent Executor aforesaid, has or has acquired.

To have and to hold the same unto the said David R. Ligman and Deanna A. L. Ligman, not as joint tenants or tenants in common, but as tenants by the entireties, and to their heirs and assigns forever as fully and effectually to all intents and purposes in law as the said Independent Executor might, could or ought to sell and convey the same by virtue of the said Last Will and Testament above referred to, and by virtue of the aforesaid provisions of section 5/28-8(i) of the Illinois Probate Act.

IN WITNESS WHEREOF, the said David Peterson, not individually but as Independent Executor of the Last Will and Testament of the said Lambert W. Peterson, Deceased, has hereunto executed this instrument on the 29th day of February, 2012.

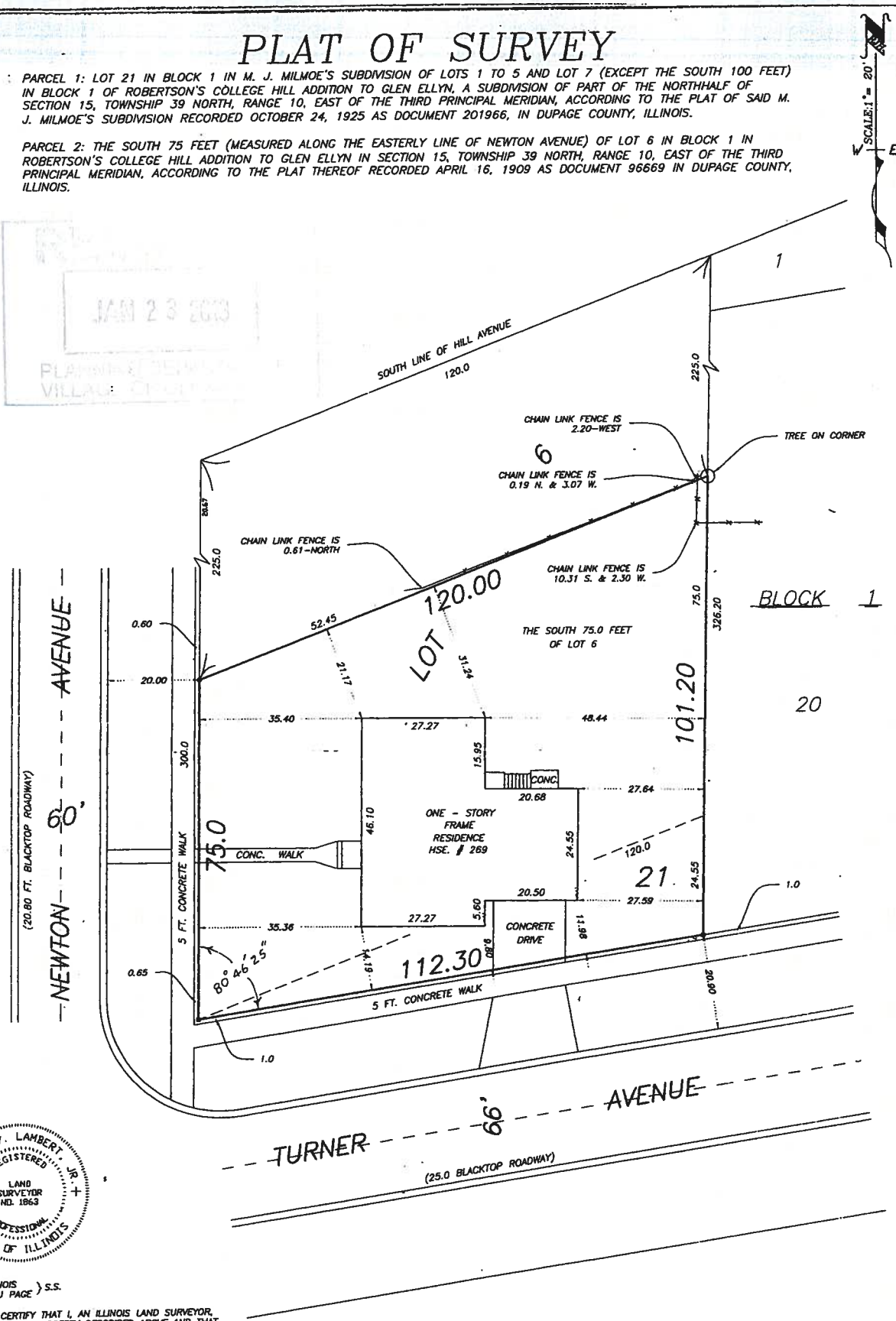
David Peterson, Independent Executor
of the Estate of Lambert W. Peterson, Deceased

PLAT OF SURVEY

PARCEL 1: LOT 21 IN BLOCK 1 IN M. J. MILMOE'S SUBDIVISION OF LOTS 1 TO 5 AND LOT 7 (EXCEPT THE SOUTH 100 FEET) IN BLOCK 1 OF ROBERTSON'S COLLEGE HILL ADDITION TO GLEN ELLYN, A SUBDIVISION OF PART OF THE NORTHHALF OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID M. J. MILMOE'S SUBDIVISION RECORDED OCTOBER 24, 1925 AS DOCUMENT 201966, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THE SOUTH 75 FEET (MEASURED ALONG THE EASTERLY LINE OF NEWTON AVENUE) OF LOT 6 IN BLOCK 1 IN ROBERTSON'S COLLEGE HILL ADDITION TO GLEN ELLYN IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 16, 1909 AS DOCUMENT 96669 IN DUPAGE COUNTY, ILLINOIS.

12-0030



NORBERT V. LAMBERT, JR. REGISTERED LAND SURVEYOR NO. 1863 PROFESSIONAL STATE OF ILLINOIS

STATE OF ILLINOIS
COUNTY OF DU PAGE } S.S.

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS, THIS 27TH DAY OF JANUARY A.D., 2012.

Norbert V. Lambert Jr.

ILLINOIS LAND SURVEYOR NO. 1863

REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES TO THE SURVEYOR.

+ = FOUND CUT CROSS
● = FOUND IRON STAKE
○ = SET IRON STAKE

ORDERED BY: MULHERIN, REHFELDT-ATTY'S. ORDER NO. 12 A 35 FILE NO. 12-0030

LAMBERT & ASSOCIATES
LAND SURVEYORS
955 W. LIBERTY DR. WHEATON, ILL. 60187
PHONE: (630) 653-6331 FAX: (630) 653-6396

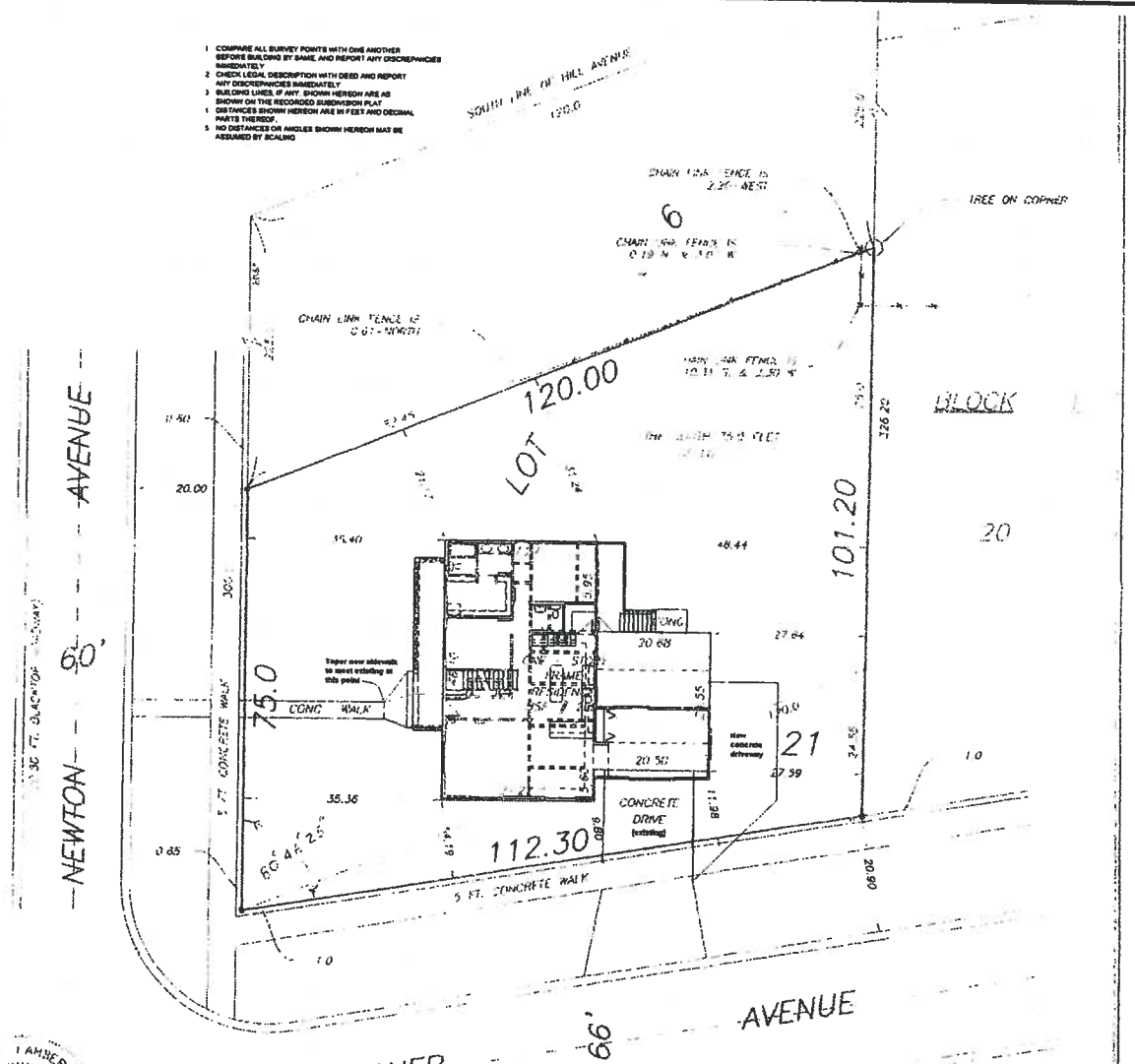
© COPYRIGHT 2012 RAFFERTY/ARCHITECTS South Barrington Illinois

THESE PLANS ARE RESTRICTED TO THE ORIGINAL CLIENT SITE AND PURPOSE FOR WHICH THEY WERE PREPARED

GENERAL NOTES

DO NOT SCALE DRAWINGS

1. COMPARE ALL SURVEY POINTS WITH ONE ANOTHER BEFORE BUILDING BY SAME, AND REPORT ANY DISCREPANCIES IMMEDIATELY
2. CHECK LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCIES IMMEDIATELY
3. BUILDING LINES, IF ANY, SHOWN HEREON ARE AS SHOWN ON THE RECORDED SUBDIVISION PLAT
4. DISTANCES SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.
5. NO DISTANCES OR ANGLES SHOWN HEREON MAY BE ASSUMED BY SCALING



SITE PLAN
Scale: 1" = 10 feet

SPECIAL FLOODING NOTICE

SEVERE FLOODING IS NOT OFTEN, BUT A COMMON OCCURRENCE IN MANY PARTS OF THE UNITED STATES, INCLUDING CHICAGOLAND

THE ARCHITECT IS NOT RESPONSIBLE FOR EVALUATING NATURAL GROUND WATER LEVELS OR FOR REINSTALLING, INSTALLING OR MAINTAINING FLOOD CONTROL PROVISIONS PROVIDED AS PART OF THIS SAVEBOARD DRY.

TOLL FREE 1-800-892-0123

CALL 48 HOURS BEFORE YOU DIG

(Two working days)

JULIE, INC.

Operates 24 hours
365 days a year

INFORMATION CONTAINED HEREIN HAS BEEN OBTAINED FROM THE OWNER OF THE PROPERTY OR FROM OTHER SOURCES THAT WE DEEM RELIABLE. WE HAVE NO REASON TO DOUBT IT'S ACCURACY, BUT WE DO NOT GUARANTEE IT.

SPECIAL NOTICE

ALL LEGAL DESCRIPTION, PROPERTY LINE, BUILDING SETBACK, PUBLIC UTILITY, AND TOPOGRAPHICAL INFORMATION PROVIDED BY OWNER

THE ARCHITECT IS NOT INSPECTING THE STRUCTURE OF THIS BUILDING.

EROSION CONTROL PROVISIONS

STREET CLEANING PROVISIONS

IMPORTANT INFORMATION

PLAT OF SURVEY INFORMATION

REVISIONS	DATE

CUSTOM 2nd FLOOR ADDITION

DESIGNED EXPRESSLY FOR SAVE AND DRAWING USE BY

LOT 21 IN BLOCK 1 IN M.J. HILMOE'S SUBDIVISION
NEWTON AVE.
GLEN ELLYN, ILLINOIS

rafferty/architects
57 Wilt Road
South Barrington, IL 60010
phone (847) 381-0299
fax (847) 381-4370
www.raffertyarchitects.com
Michael P. Rafferty, Architect
Kelly V. Rafferty, Architect

DRAWN

CHECKED

DATE 11/14/12

SCALE

JOB NO.

SHEET **A-2**

OF 21 SHEETS

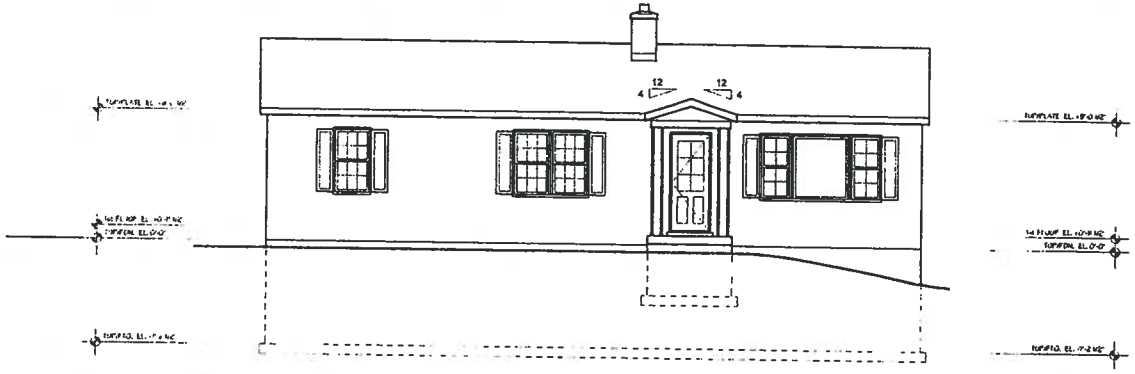
ALL OF ILLINOIS
KANE OR DU PAGE } S.S.

GENERAL NOTES

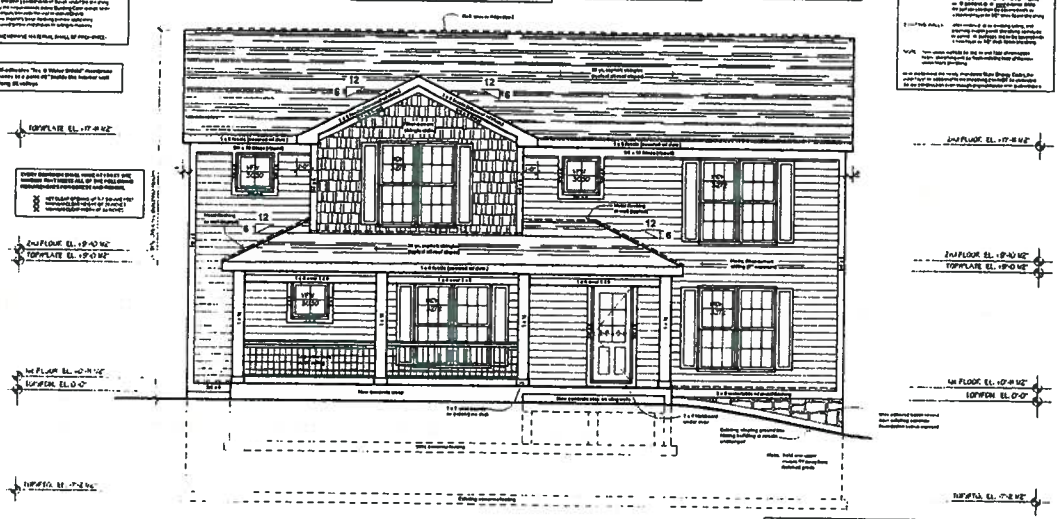
DO NOT SCALE DRAWINGS

© COPYRIGHT 2012 RAFFERTY/ARCHITECTS South Barrington, Illinois

THESE PLANS ARE RESTRICTED TO THE ORIGINAL CLIENT, SITE AND PURPOSE FOR WHICH THEY WERE PREPARED



FRONT ELEVATION (existing conditions)
Scale: 1/4" = 1'-0"



REQUIRED CRIPPLES	CONVENTIONAL 2 WINDOW HEADER	ENGINEERED LVL OR FLITCH PLATE HEADER
Spans 5 feet and less	1 CRIPPLE	1 CRIPPLES
Spans more than 5 feet	1 CRIPPLES	1 CRIPPLES

ALL ROOF VALLEYS SHALL BE REINFORCED 2 WAYS
1. with valley rafter or valley board
2. with valley board and valley jack rafters

ALL ROOF VALLEYS SHALL BE REINFORCED 2 WAYS
1. with valley rafter or valley board
2. with valley board and valley jack rafters

SEE ROOF PLAN FOR ALL GUTTER AND DOWNSPOUT LOCATIONS

FRONT ELEVATION (as proposed)
Scale: 1/4" = 1'-0"

In addition to the notes and specifications shown on this sheet, all work must also conform to the requirements and specifications as stated on sheets D-1 and S-1.

IMPORTANT NOTICE

ADDITIONAL ARCHITECTURAL NOTES INFORMATION

ATTIC VENTILATION NOTES

READER INFORMATION

BUILDING PAPER & AIR BARRIER INFORMATION

WINDOW & DOOR INFO

AIR BARRIER AND INSULATION INSPECTION COMPONENT CRITERIA

(TABLE 402.1.2 FROM THE 2009 IECC)

COMPONENT	CR RUN
Air barrier & penetrations	Exterior thermal envelope contains a continuous air barrier. Joints and seams associated with the air barrier have been sealed in accordance with the manufacturer's instructions. Penetrations through the air barrier are sealed.
Ceiling/attic	Air barrier in any dropped ceiling/soffit is aligned with the insulation and any gaps are sealed. Attic access hatch or door is sealed and insulated. Blown or batt insulation is in place for the required R-value. Insulation is in place in the attic.
Walls	Cavities within corners and headers are insulated. Junction of foundation and walls is sealed.
Windows & doors	Gaps between window or door jambs and framing are sealed.
Rim joists	Rim joists are insulated and sealed.
Floors (including above garage and cantilevered floors)	Insulation is installed to maintain permanent contact with underside of subfloor decking.
Crawl space walls	Insulation is permanently attached to walls. Exposed earth in unvented crawl space is covered with Class I vapor retarder with overlapping joints taped.
Shafts & penetrations	Shaft walls, utility penetrations, and ducts adjacent to the unconditioned space are sealed.
Narrow cavities	Batts in narrow cavities are cut to fit, or insulation is supported to maintain contact at installation.
Garage separation	Air sealing of exterior thermal envelope and conditioned space separating garage and living space.
Recessed lighting	Recessed light fixtures are AC rated, IC rated and permitted installed in thermal envelope. Fixtures are installed tight against ceiling drywall.
Plumbing & wiring	Insulation is properly installed in exterior walls. Exterior walls behind tubs and showers are insulated. Plumbing and wiring are protected from freezing.
Shower/tub on exterior wall	Exterior walls behind showers and tubs are insulated. Air barrier installed behind tub and shower.
Electrical/phone box on exterior walls	Insulation is installed behind electrical or telephone boxes on exterior walls.
Common walls	Insulation is in place in common walls between dwelling units.
HVAC register boots	HVAC register boots are sealed to the ceiling or wall and sealed to the drywall. Boots are installed in the proper location.
Fireplaces	Fireplaces walls adjacent to outdoor air are insulated.

STANDARD ELEVATION NOTES

HOUSE WRAP WEATHER-RESISTIVE BARRIER INFO

EXTERIOR WALL FINISH & EXTERIOR INSULATION

MAIN ENTRY DOOR SYSTEM

REVISIONS	DATE

LEGAL NOTICE

© COPYRIGHT 2012

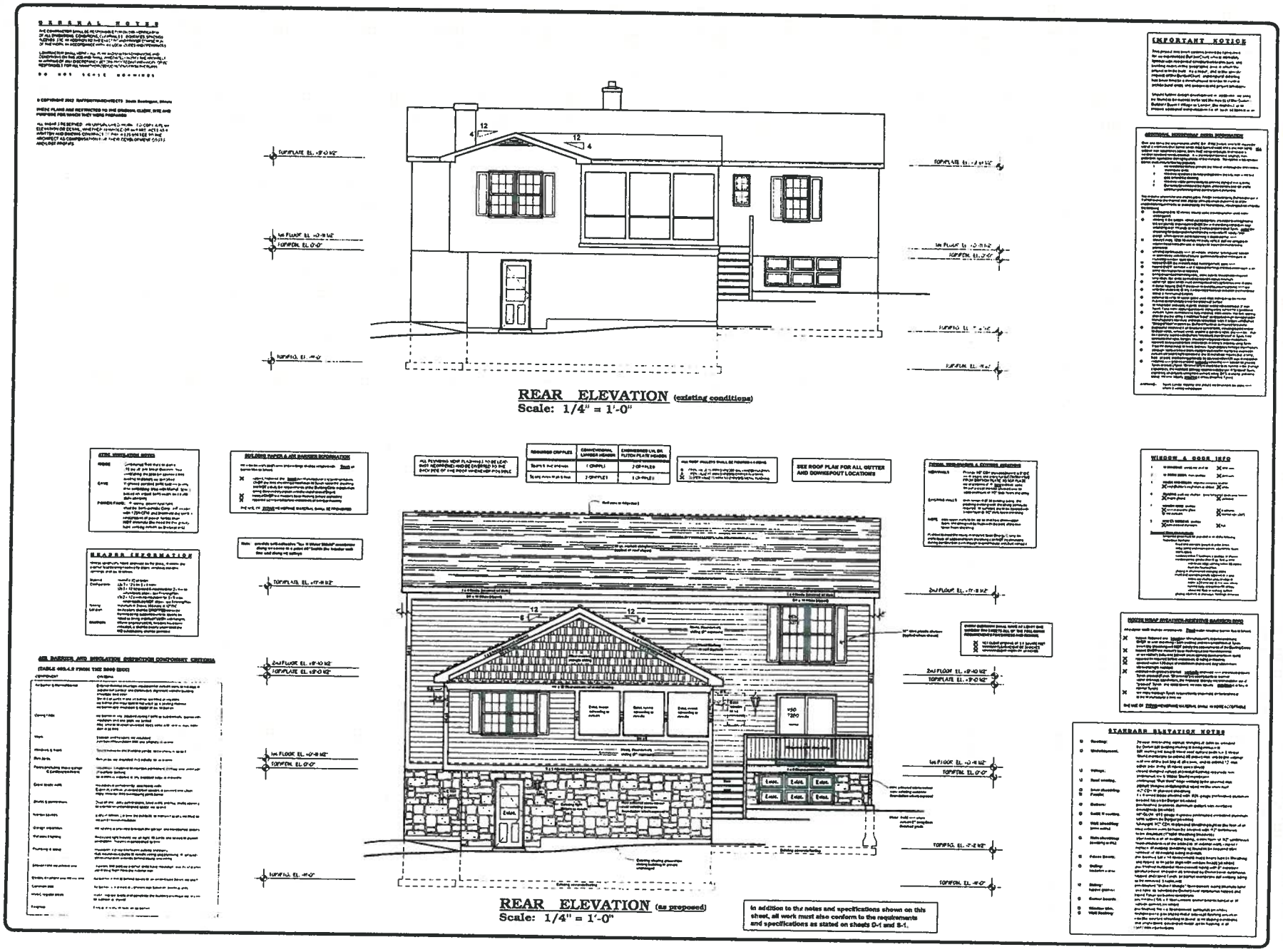
CUSTOM 2nd FLOOR ADDITION

DESIGNED EXPRESSLY FOR DAVE AND DIANNA LEGRAN

LOT 21 IN BLOCK 1 IN M.J. MILMOE'S SUBDIVISION
269 NEWTON AVE.
GLEN ELLYN, ILLINOIS

raffertY/architects
57 Wist Road
South Barrington, IL 60010
phone: (847) 381-6289
fax: (847) 381-4370
www.raffertyarchitects.com
Richard E. Rafferty, Architect
Kelly M. Rafferty, Architect

DRAWN
CHECKED
DATE 11/14/12
SCALE
JOB NO.
SHEET **A-3**
OF 21 SHEETS



REVISIONS | DATE

COPYRIGHT NOTICE

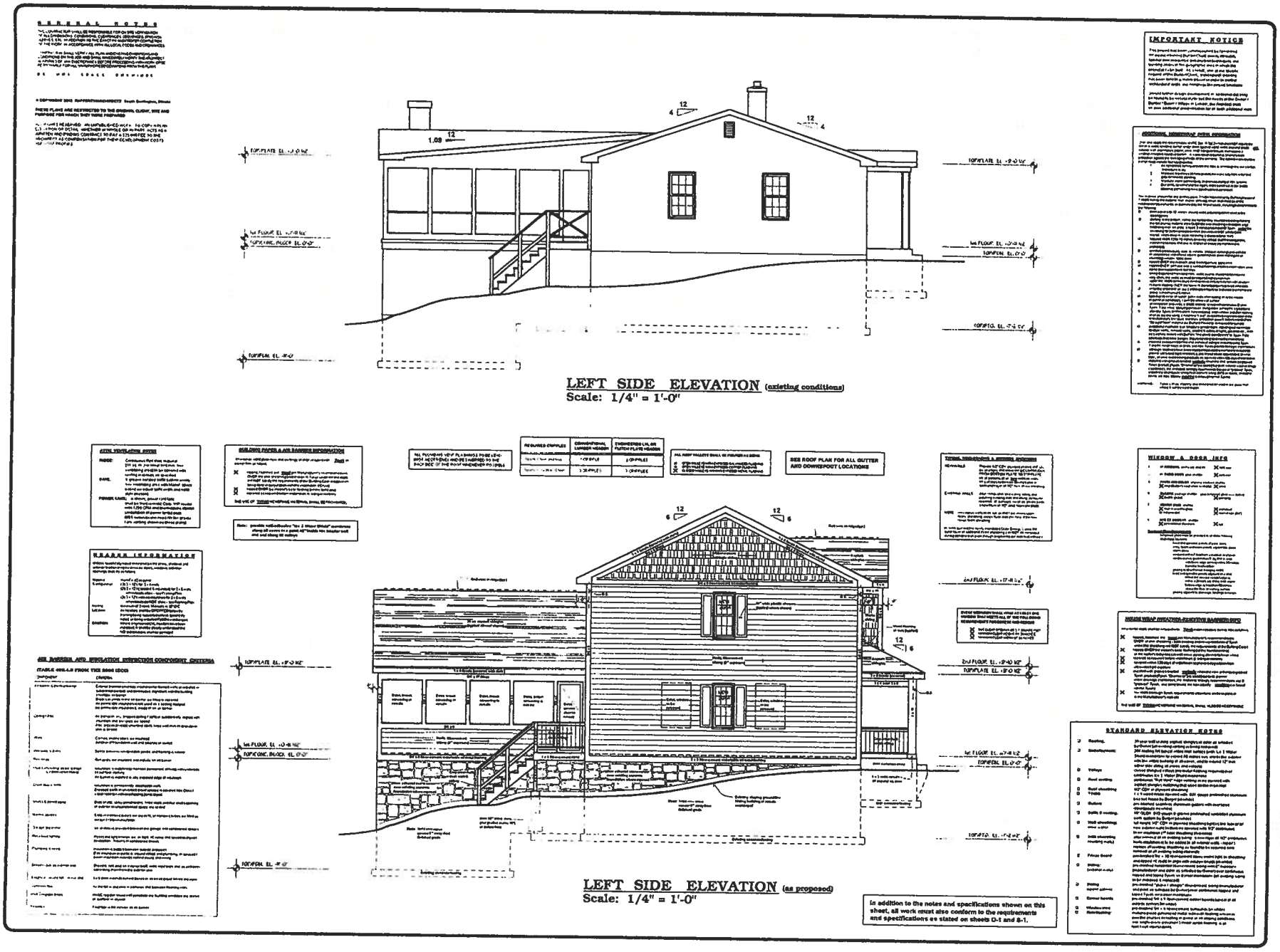
CUSTOM 2nd FLOOR ADDITION

DESIGNED EXPRESSLY FOR DAVE AND DIANNA LUMAN

LOT 21 IN BLOCK 1 IN M.J. MILMOE'S SUBDIVISION
269 NEWTON AVE.
GLEN ELLYN, ILLINOIS

rafferty/architects
37 Wilt Road
South Barrington, IL 60010
phone: (847) 381-6289
fax: (847) 381-4370
www.raffertyarchitects.com
Michael F. Rafferty, Architect
Kelly F. Rafferty, Architect

DRAWN
CHECKED
DATE 11/14/12
SCALE
JOB NO.
SHEET A-4
OF 21 SHEETS

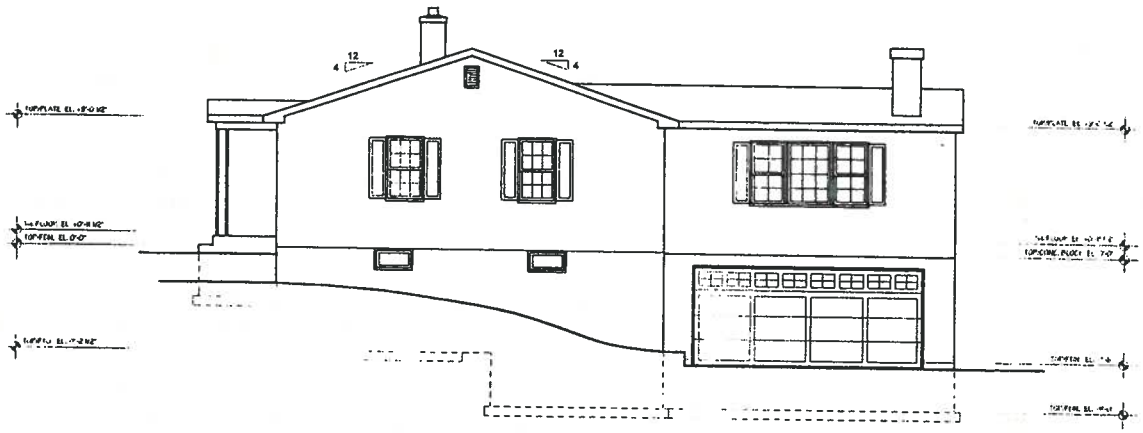


LEFT SIDE ELEVATION (existing conditions)
Scale: 1/4" = 1'-0"
LEFT SIDE ELEVATION (as proposed)
Scale: 1/4" = 1'-0"
SEE ROOF PLAN FOR ALL GUTTER AND DOWNSPOUT LOCATIONS
In addition to the notes and specifications shown on this sheet, all work must also conform to the requirements and specifications as stated on sheets D-1 and S-1.
IMPORTANT NOTICE
STANDARD ELEVATION NOTES
REVISIONS
DATE
CUSTOM 2nd FLOOR ADDITION
DESIGNED EXPRESSLY FOR GAVE AND DEANNA LEMAN
LOT 21 IN BLOCK 1 IN M.J. MILMOE'S SUBDIVISION
269 NEWTON AVE.
GLEN ELLYN, ILLINOIS
COPYRIGHT NOTICE
rafferty/architects
57 West Road
South Barrington, IL 60010
phone: (847) 381-6289
fax: (847) 381-4370
DRAWN
CHECKED
DATE
11/14/12
SCALE
JOB NO.
SHEET
A-5
OF 21 SHEETS

GENERAL NOTES

IMPORTANT NOTICE

ADDITIONAL IMPORTANT NOTES INFORMATION



RIGHT SIDE ELEVATION (existing conditions)
Scale: 1/4" = 1'-0"

ATTIC VENTILATION NOTES

SEAL OVER DAMPER & AIR BARRIER INFORMATION

REINFORCED CRIPPLES	CONVENTIONAL LUMBER HEADER	ENGINEERED LVL OR PLITCH PLATE HEADER
Spans 5 feet segments	1 CRIPPLE	2 CRIPPLES
Spans more than 5 feet	2 CRIPPLES	3 CRIPPLES

ALL ROOF VALLEYS SHALL BE PROVIDED WITH

SEE ROOF PLAN FOR ALL GUTTER AND DOWNSPOUT LOCATIONS

TYPICAL INFORMATION & FOUNDATION INFORMATION

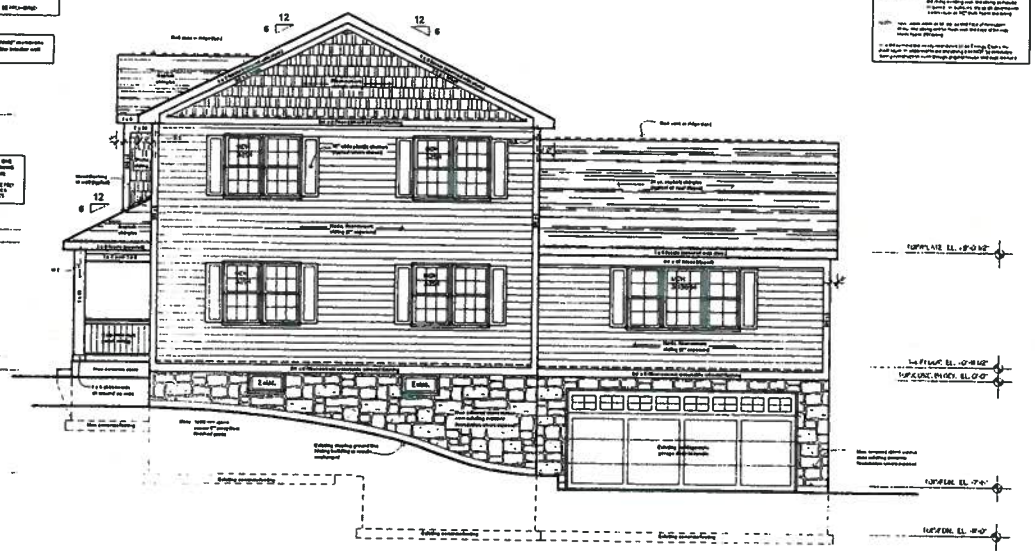
WINDOW & DOOR INFO

GRADES INFORMATION

AIR BARRIER AND INSULATION INSPECTION COMPONENT CRITERIA

(TABLE 402.2.2 FROM THE 2006 IECC)

COMPONENT	CRITERIA
All exterior envelope	[illegible]
Cavities within corners and headers	[illegible]
Windows, doors and rough openings	[illegible]
Walls	[illegible]
Ceiling	[illegible]
Attic access	[illegible]
Rim joists	[illegible]
Floors (including above garage and cantilevered floors)	[illegible]
Crawl space walls	[illegible]
Shafts, penetrations	[illegible]
Narrow cavities	[illegible]
Garages separated	[illegible]
Recessed lighting	[illegible]
Plumbing & wiring	[illegible]
Shower/tub on exterior wall	[illegible]
Electrical panels and other	[illegible]
Dampers	[illegible]
HVAC register boots	[illegible]
Fireplace	[illegible]



RIGHT SIDE ELEVATION (as proposed)
Scale: 1/4" = 1'-0"

In addition to the notes and specifications shown on this sheet, all work must also conform to the requirements and specifications as stated on sheets G-1 and S-1.

HOUSE WRAP INSTALLATION/ADHESIVE BARRIER INFO

STANDARD ELEVATION NOTES

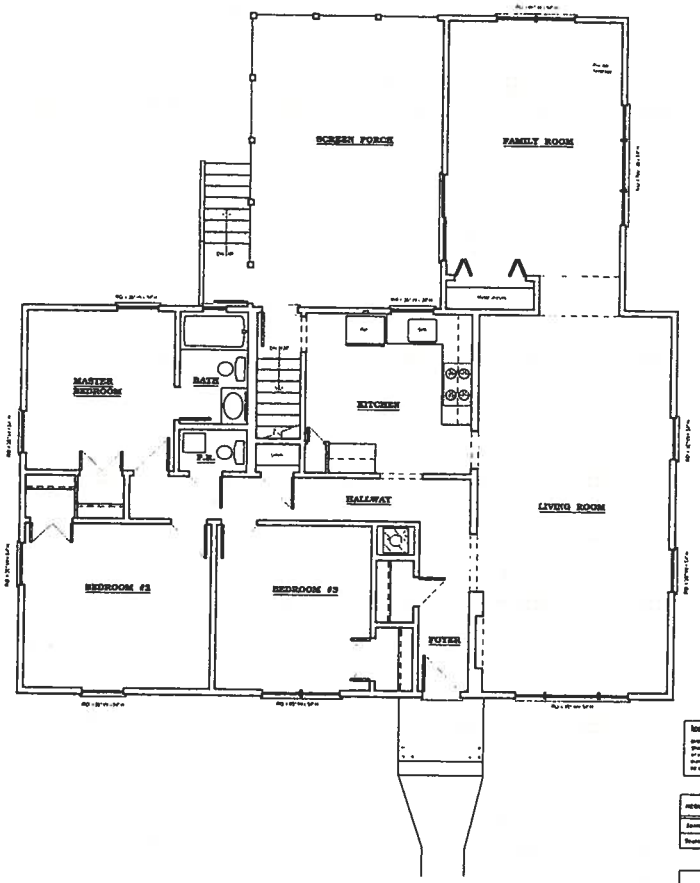
REVISIONS	DATE

CUSTOM 2nd FLOOR ADDITION
DESIGNED EXPRESSLY FOR DAVID AND DIANNA LINMAN
LOT 21 IN BLOCK 1 IN M.J. MILMOE'S SUBDIVISION
269 NEWTON AVE.
GLEN ELLYN, ILLINOIS

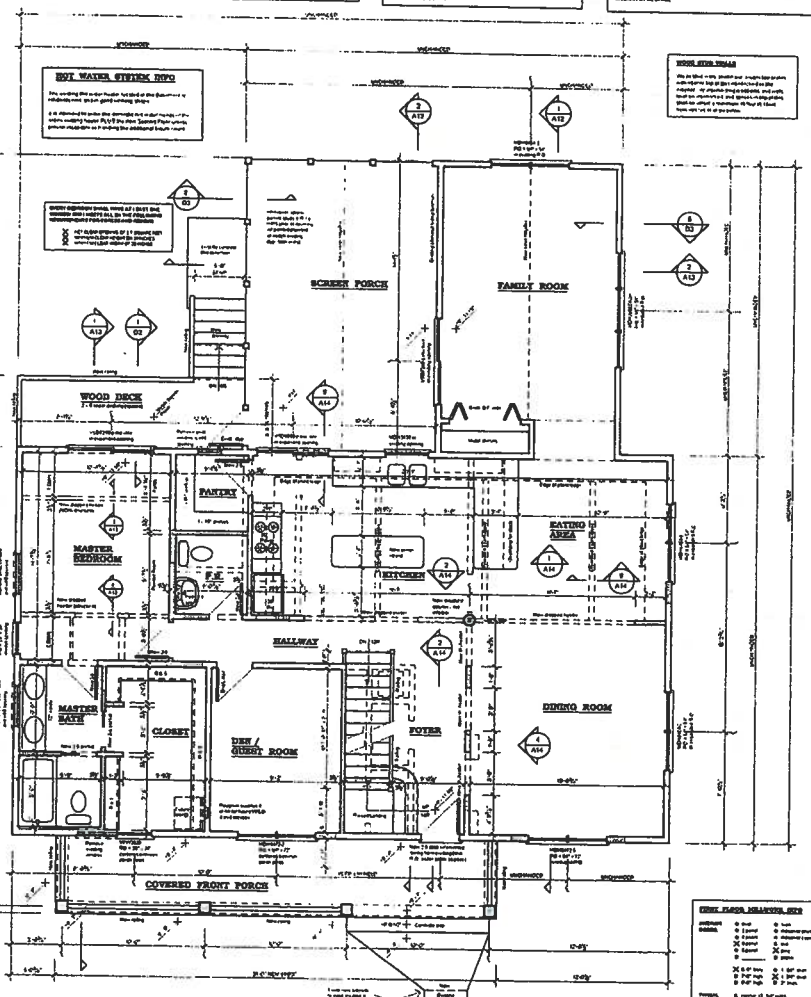
rafferty/architects
57 Witt Road
South Barrington, IL 60010
phone: (847) 381-6289
fax: (847) 381-4370
www.raffertyarchitects.com
Michael P. Rafferty, Architect
Holly P. Rafferty, Architect

DRAWN
CHECKED
DATE 11/14/12
SCALE
JOB NO.
SHEET A-6
OF 21 SHEETS

For a room-by-room breakdown of actual vs. req'd natural light and ventilation, see the schedule located in the upper left hand corner of sheet A-10



FIRST FLOOR PLAN (existing conditions)
Scale: 1/4" = 1'-0"



FIRST FLOOR PLAN (upon completion)
Scale: 1/4" = 1'-0"

In addition to the notes and specifications shown on this sheet, all work must also conform to the requirements and specifications as stated on sheets D-1 and S-1.

REVISIONS	DATE

CUSTOM 2nd FLOOR ADDITION
DESIGNED EXPRESSLY FOR SAM AND DIANNA LUMAN
269 NEWTON AVE.
LOT 21 IN BLOCK 1 IN M.J. MILMOE'S SUBDIVISION
OLAR FLATS, ILLINOIS

rafferty/architects
57 Wirt Road
South Barrington, IL 60010
phone: (847) 381-6299
fax: (847) 381-4370
www.raffertyarchitects.com
Michael P. Rafferty, Architect
Kelly E. Rafferty, Architect

DRAWN
CHECKED
DATE 11/14/12
SCALE
JOB NO.
SHEET A-9
OF 21 SHEETS

GENERAL NOTES

[illegible]

IMPORTANT NOTICE

[illegible]

IMPORTANT BERKSHIRE DOCTORS INFO

[illegible]

BOARDER INFORMATION

[illegible]

FIRESTOPPING REQUIREMENTS

[illegible]

IMPORTANT BERKSHIRE DOCTORS INFO

[illegible]

TYPICAL CLOSET SHELVING INFO

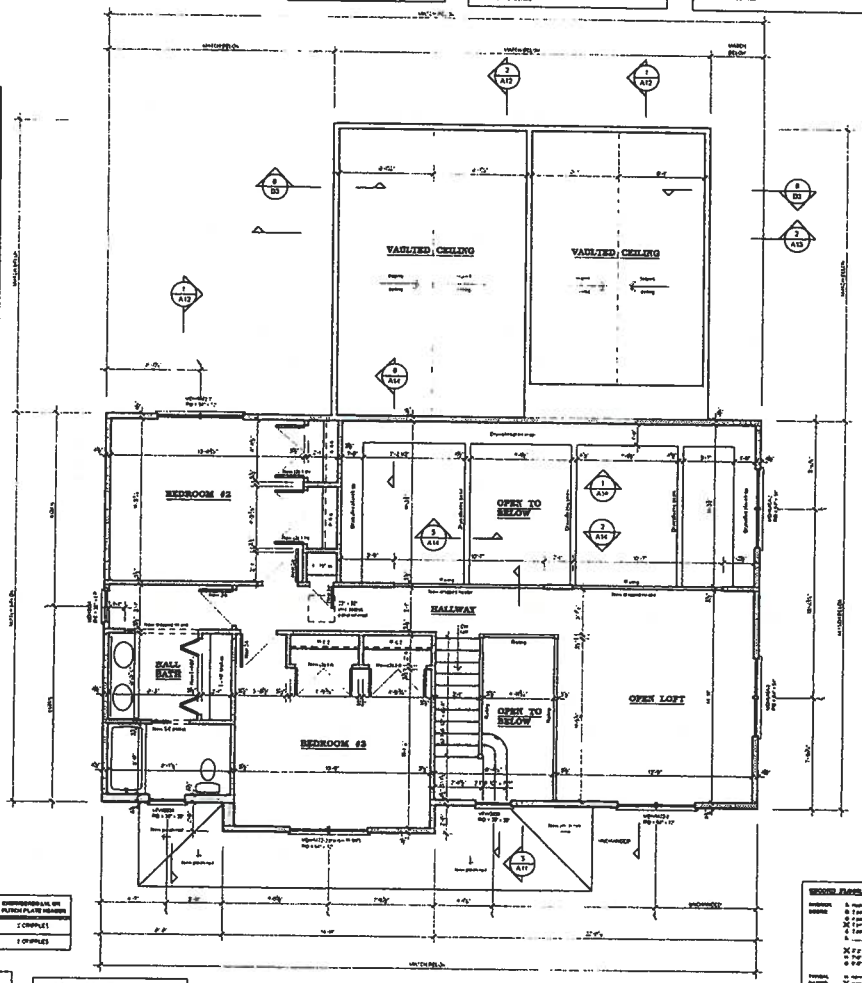
[illegible]

ADDITIONAL INCIDENTIAL INFO INFORMATION

[illegible]

LIGHT AND VENTILATION SCHEDULE

ROOM NAME	LIFE REQUIREMENT APPLICABLE	LIFE REQUIREMENT FURNISHED	FLOOR AREA IN SQUARE FEET	REQUIRED LIFE	[illegible]	[illegible]	[illegible]	REQUIRED LIGHT MECHANICAL	[illegible]
FAMILY ROOM	8%	4%	216	17.2	74.7	6.6	39.6	—	—
KITCHEN / EATING	8%	4%	327	26.2	72.2	13.1	26.6	—	—
DINING ROOM	8%	4%	202	16.2	43.4	8.1	23.8	—	—
DEN / GUEST ROOM	8%	4%	105	8.4	25.0	4.2	13.4	—	—
POWDER ROOM	—	—	28	—	Artificial	—	—	20 CFM	50 CFM
MASTER BEDROOM	8%	4%	152	12.2	35.7	8.1	19.1	—	—
MASTER BATH	—	—	64	—	Artificial	—	—	64 CFM	75 CFM
BEDROOM #2	8%	4%	155	12.4	29.2	6.3	13.4	—	—
BEDROOM #2	8%	4%	162	13.0	25.2	6.5	12.4	—	—
OPEN LOFT	8%	4%	206	16.5	43.4	8.2	23.6	—	—
HALL BATH (sink area)	—	—	67	—	Artificial	5.4	2.5	67 CFM	60 CFM
HALL BATH (toilet area)	—	—	43	—	Artificial	—	—	43 CFM	60 CFM



ATTIC PLYWOOD INFORMATION

[illegible]

HOT WATER SYSTEM INFO

[illegible]

ADDITIONAL INCIDENTIAL INFO INFORMATION

[illegible]

SECOND FLOOR HOLLOWCORE INFO

[illegible]

SPECIAL INSULATION NOTES

[illegible]

INTERIOR SPECIALTIES

[illegible]

DIMENSIONING SYSTEM

All INTERIOR dimensions are measured to face of stud (or wood facing if any)

All EXTERIOR dimensions are measured to outside face of exposed-applied sheathing

All interior walls not dimensioned are assumed to be 3 1/2" wide

DO NOT SCALE FROM THESE DRAWINGS

In addition to the notes and specifications shown on this sheet, all work must also conform to the requirements and specifications as stated on sheets D-1 and S-1.

SECOND FLOOR PLAN (upon completion)

Scale: 1/4" = 1'-0"

WOOD STUD WALLS

[illegible]

SHEET DIMENSIONS

[illegible]

COPYRIGHT NOTICE

[illegible]

CUSTOM 2nd FLOOR ADDITION

DESIGNED EXPRESSLY FOR DAVE AND DEANNA LIDMAN

LOT 21 IN BLOCK 1 IN M.J. MILMOE'S SUBDIVISION
269 NEWTON AVE.
GLEN ELLYN, ILLINOIS

rafferty/architects
57 Witt Road
South Barrington, IL 60010
phone: (847) 381-6289
fax: (847) 381-4370
www.raffertyarchitects.com
Michael P. Rafferty, Architect
Kelly P. Rafferty, Architect

REVISIONS	DATE

DRAWN
CHECKED
DATE 11/14/12
SCALE
JOB NO.
SHEET A-10
OF 21 SHEETS

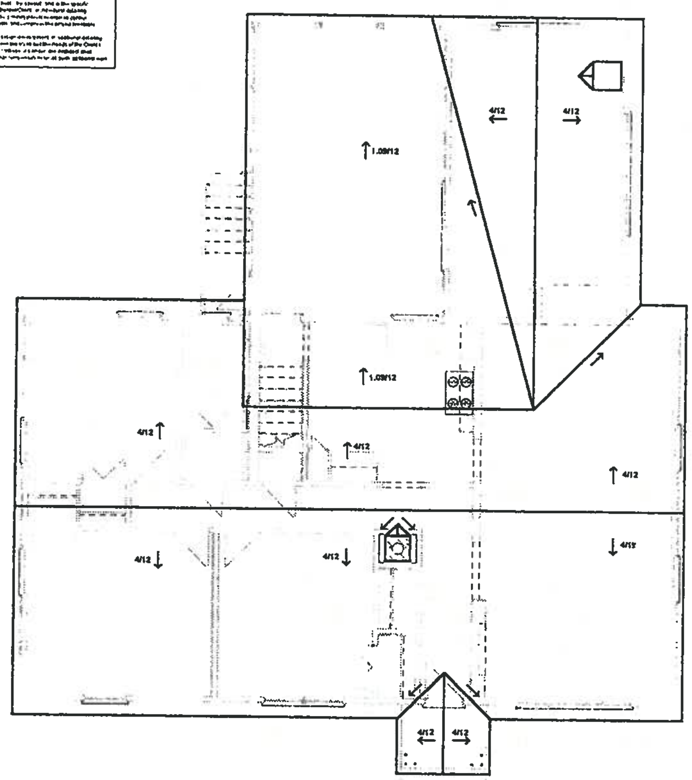
IMPORTANT NOTICE

GENERAL NOTES

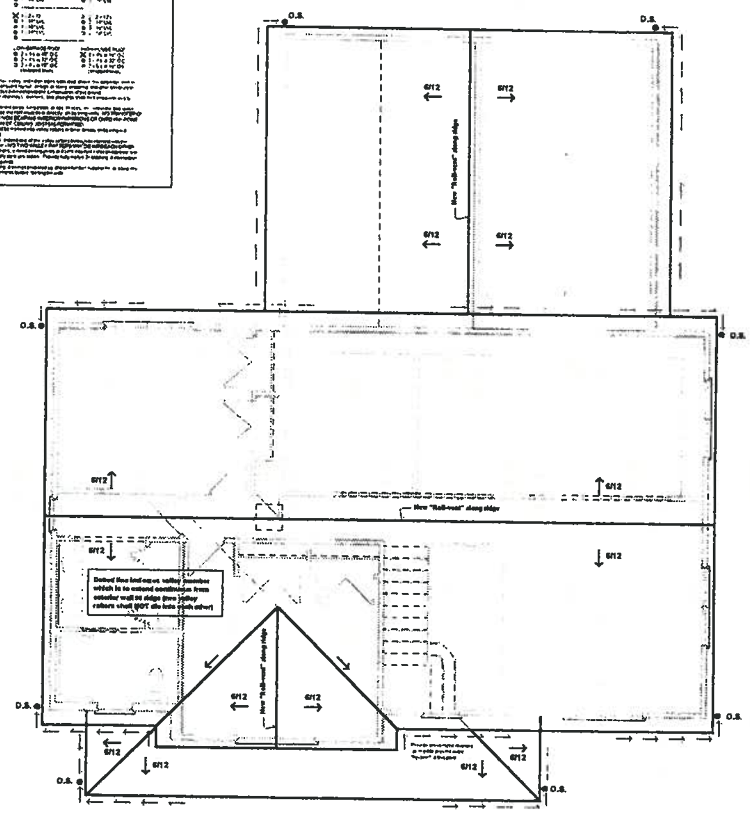
ROOF FRAMING INFORMATION

ROOF CONSTRUCTION NOTES

GENERAL FRAMING LUMBER NOTES



ROOF PLAN (existing conditions)
Scale: 1/4" = 1'-0"



ROOF PLAN (upon completion)
Scale: 1/4" = 1'-0"

ATTIC VENTILATION NOTES

In addition to the notes and specifications shown on this sheet, all work must also conform to the requirements and specifications as stated on sheets 0-1 and S-1.

● INDICATES DOWNSPOUT LOCATION (typical)

ALL ROOF SLOPED TO BE 6/12 TYPICAL (U.N.O.)

NOTE: Floor Plans shall take precedence when any descrepancies exist between the Roof Plan and the Floor Plans

REVISIONS	DATE

CUSTOM 2nd FLOOR ADDITION

DESIGNED EXPRESSLY FOR DAVE AND DEANNA UGMAN
LOT 21 IN BLOCK 1 IN M.J. MILMOE'S SUBDIVISION
269 NEWTON AVE.
GLEN ELLYN, ILLINOIS

rafferty/architects
37 Witt Road
South Barrington, IL 60010
phone: (847) 381-6269
fax: (847) 381-4370

DRAWN
CHECKED
DATE 11/14/12
SCALE
JOB NO.
SHEET
A-11
of 21 sheets

A-6D

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Director Planning & Development
Joe Kvapil, Building and Zoning Official

DATE: March 11, 2013

RE: March 18, 2013 Village Board Meeting
Adoption of the 2012 ICC International Energy Conservation Code

---

Background

On September 9, 2002, the Village Board passed Resolution 02-22 (attached), a Resolution to Establish a Building Code Adoption Policy for the Village of Glen Ellyn. The Policy requires staff to maintain current and accurate codes and make appropriate updates. The Village previously adopted the 2009 edition of the ICC (International Code Council) International Energy Conservation Code. The State of Illinois passed Public Act 097-1033 amending and adopting the latest 2012 edition of the ICC International Energy Conservation Code. The Act requires that municipalities apply this code to new buildings and altered existing buildings for which a building permit application is received by the municipality. The Act also prohibits a municipality from adopting any energy efficient building standards that do not comply with the 2012 edition of the ICC International Energy Conservation Code. Therefore, the Building Board of Appeals conducted a public meeting to consider the 2012 ICC International Energy Conservation Code for adoption.

The 2012 ICC International Energy Conservation Code prescribes the requirements for energy efficiency in all new and altered existing residential and commercial buildings. Due to its size, we did not attach a copy of the Energy Conservation Code. If Board members are interested in seeing a copy, please contact the Planning & Development Department.

Issues

A few requirements in the 2012 edition are slightly more restrictive than the requirements in the 2009 edition. Two significant new requirements for new homes include a blower door air leakage test and a whole house mechanical ventilation system. However, the State has amended some provisions in the 2012 edition which reduced some of the requirements for new homes and for additions and alterations to existing homes. The State provides free training and education opportunities on the provisions of the 2012 ICC International Energy Conservation Code to the construction industry and provides technical assistance to local jurisdictions.

Recommendation

At the public meeting on February 21, 2013, the Building Board of Appeals voted on a motion to recommend adoption of the 2012 ICC International Energy Conservation Code, which carried

unanimously with five (5) "yes" votes and zero (0) "no" votes. No persons spoke in support of or in opposition to the recommendation. In accordance with this recommendation, staff has prepared an ordinance to adopt the 2012 ICC International Energy Conservation Code. Staff recommends that this Ordinance be effective immediately as the State law was effective on January 1, 2013. The Planning & Development Department has already incorporated the provisions of this code into our construction requirements, provided training and education for building inspectors and the plan examiner, and revised our current forms and guidelines.

Action Requested

It is requested that the Village Board consider the recommendation offered by the Building Board of Appeals, and any further evidence or testimony presented at the Village Board Meeting and adopt the 2012 ICC International Energy Conservation Code as amended by the State of Illinois in accordance with the mandatory requirement of the Illinois Energy Efficient Building Act.

Attachments

- Building Code Adoption Policy – Resolution No. 02-22
- Ordinance Adopting the 2012 ICC International Energy Conservation Code
- Village Code Amendment Adopting the 2012 ICC International Energy Conservation Code, Exhibit 'A' (clean)
- Village Code Amendment Adopting the 2012 ICC International Energy Conservation Code, Exhibit 'A' (with text format and comments)
- Minutes of Building Board of Appeals Meeting on February 21, 2013, Exhibit 'B'
- "Illinois Energy Conservation Code" for Commercial and Residential Buildings by the Illinois Department of Commerce and Economic Opportunity
- Public Act 097-1033 amending the Energy Efficient Building Act

C: BBA Members

X:\Plandev\BUILDING\BBA\MEMOS\IECC 2012 adopt.doc

RESOLUTION NO. 02-22

RESOLUTION TO ESTABLISH A BUILDING CODE ADOPTION POLICY FOR THE VILLAGE OF GLEN ELLYN

WHEREAS, the Village of Glen Ellyn is a growing and active community which has experienced an increase in the number of construction projects and developments; and

WHEREAS, the Village desires to establish a framework that would adequately safeguard the public health, safety and welfare of the general public and citizens of Glen Ellyn; and

WHEREAS, the Village also desires to establish a framework that would adequately protect and promote the longevity of the building stock and property in the Village; and

WHEREAS, the Village acknowledges the continued advancements in building technology, materials and methods of construction; and

WHEREAS, the existing Village building, mechanical, electrical and fire prevention codes are outdated and sometimes ambiguous and irrelevant with today's needs; and

WHEREAS, the Village recognizes that the national codes provide a consistency for property owners, design teams, builders and Village staff; and

WHEREAS, the Village recognizes the need for a modern, up-to-date comprehensive building code to establish minimum regulations for the design and installation of building systems; and

WHEREAS, the Village has created the Building Board of Appeals and the Electrical Commission to be advisory to the Village Board; and

WHEREAS, the Building Board of Appeals' and Electrical Commission's intent and purpose is to advise the Village Board on standards, specifications, rules, regulations and fees regarding building systems; and

WHEREAS, the Village Board discussed the adoption of the most up-to-date and applicable codes at the time of each new publication or code development cycle that occurs every three years;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLEN ELLYN, DUPAGE COUNTY, ILLINOIS, in the exercise of its home rule powers as follows:

SECTION ONE: The purpose of this policy is to establish a framework in which the Village will consider the adoption of up-to-date building codes at the time of each newly published edition for, but not limited to, the following reasons:

A. To safeguard the public health and safety of the general public and citizens of Glen Ellyn;

B. To protect and promote the longevity of the building stock and property in Glen Ellyn;

C. To acknowledge the advancements in technology, building materials and methods of construction;

D. To establish minimum regulations for the design and installation of building systems; and

E. To reduce ambiguous regulations that are common in older building code editions.

SECTION TWO: Staff shall gather pertinent information related to the most current building codes to be forwarded to the Village of Glen Ellyn Building Board of Appeals and Electrical Commission. Each appropriate Board or Commission will be requested to assemble to discuss the adoption of the most current edition of the applicable building codes of Glen Ellyn. Staff will prepare a written recommendation from each Board or Commission to the Village Board by March 1, 2003, for enactment.

SECTION THREE: Village staff shall develop and maintain current, accurate information pertaining to the updates and publications of codes and shall forward all pertinent and relevant information to each Board or Commission within three months of publication. The Village of Glen Ellyn Building Board of Appeals and Electrical Commission will be requested to have regular meetings to discuss each newly published edition of the applicable building code as they become available for adoption. Staff will prepare a written recommendation from each Board or Commission to the Village Board for enactment within six months of publication.

SECTION FOUR: The written report from the Building Board of Appeals and Electrical Commission shall include the edition, title and year of the code along with any recommended code additions, modification or deletions including all applicable insertions, if necessary.

SECTION FIVE: Village staff shall develop and maintain current, accurate information concerning the applicable building codes.

SECTION SIX: This resolution shall be in full force and effect from and after its passage and approval.

PASSED by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this 9TH day of SEPTEMBER 20 02.

AYES: RILEY, MELADY, LOCH, MULHERN, STRAYER

NAYS: -0-

ABSENT: KOHNKE

APPROVED by the Village President of the Village of Glen Ellyn, Illinois, this 9TH day of SEPTEMBER, 20 02.

Village President of the
Village of Glen Ellyn

ATTEST:

Village Clerk of the
Village of Glen Ellyn

G:\BUILDING\BBA\ORDINANCE\CODEADOPTIONPOLICY.doc

Village of Glen Ellyn

Ordinance No. _____ -VC

An Ordinance Amending Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Village Code of the Village of Glen Ellyn, Illinois and Adopting the 2012 International Energy Conservation Code with State of Illinois Amendments

---

Adopted by the
President and the Board of Trustees
of the
Village of Glen Ellyn
DuPage County, Illinois
This _____ Day of _____, 2013

Published in pamphlet form by the authority of the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, this day of _____, 2013

ORDINANCE NO. _____ - VC

An Ordinance Amending Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Village Code of the Village of Glen Ellyn, Illinois and Adopting the 2012 ICC International Energy Conservation Code with State of Illinois Amendments

Whereas, the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, pursuant to the provisions of Division 30 of Article 11 of the Illinois Municipal Code (Chapter 65, Section 5/11-30-1 et seq. of the Illinois Compiled Statutes), have the power and authority to require energy efficient building envelopes and the installation of energy efficient mechanical, lighting and power systems; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn passed Resolution No. 02-22, A Resolution to Establish a Building Code Adoption Policy for the Village of Glen Ellyn on September 9, 2002 to establish a framework in which the Village will consider the adoption of up-to-date building codes at the time of each newly published edition; and

Whereas, Public Act 093-0936 and Public Act 096-0778 (a.k.a. the Energy Efficient Building Act) were signed into law and are now in effect for the State of Illinois requiring all new commercial and residential construction for which a building permit is required by a municipality to follow a comprehensive statewide energy conservation code which is currently the 2012 ICC International Energy Conservation Code with State of Illinois Amendments; and

Whereas, Public Act 097-1033 states that the 2012 ICC International Energy Conservation Code shall take effect on January 1, 2013 and shall apply to any new building or structure in this State for which a building permit application is received by a municipality or county; and

Whereas, the 2012 ICC International Energy Conservation Code has been published by the International Code Council for the intended use by municipalities in regulating and governing energy efficient building envelopes and the installation of energy efficient mechanical, lighting and power systems; and

Whereas, the Village of Glen Ellyn had adopted and currently enforces the 2009 International Energy Conservation Code as previously mandated by the State of Illinois; and

Whereas, the Glen Ellyn Building Board of Appeals conducted a public meeting on February 21, 2013 for the purpose of considering an amendment to Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Glen Ellyn Village Code to adopt the 2012 ICC International Energy Conservation Code which is attached hereto as Exhibit "A" (clean); and

Whereas, the Building Board of Appeals has made its recommendations, as set forth in the draft Minutes of the Glen Ellyn Building Board of Appeals meeting dated February 21, 2013, which are attached hereto as Exhibit "B"; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn have considered the recommendations of the Building Board of Appeals as set forth in its draft Minutes dated February 21, 2013 which are attached hereto as Exhibit "B"; and

Whereas, the President and Board of Trustees deem it to be in the best interest of the Village of Glen Ellyn to adopt the proposed amendment to Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Glen Ellyn Village Code as recommended by the Building Board of Appeals in

order to adopt the 2012 International Energy Conservation Code with State of Illinois Amendments, which is attached hereto as Exhibit "A" (clean) as the standards and regulations for energy efficient building envelopes and the installation of energy efficient mechanical, lighting and power systems within the Village of Glen Ellyn.

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers as follows:

Section One: Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Glen Ellyn Village Code shall be and is hereby amended as set forth in Exhibit "A" (clean), attached hereto.

Section Two: This Ordinance shall be in full force and effect upon publication.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this ____ day of _____, 20___,

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2013.

_____
Village President of the
Village of Glen Ellyn, Illinois

Attest:

_____
Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____, 2013).

X:\Plandev\BUILDING\BBA\ORDINANCE\2012 IECC Ordinance.doc

Exhibit A *(clean)*

The 2012 ICC International Energy Conservation Code (IECC)

As Adopted by the Village of Glen Ellyn, Illinois

4-1-9: ADOPTION OF 2012 ENERGY CONSERVATION CODE:

(A) The 2012 ICC International Energy Conservation Code is adopted by reference as the standards and regulations for energy efficient building envelopes and the installation of energy efficient mechanical, lighting and power systems in the Village of Glen Ellyn as published by the International Code Council except such portions thereof that are modified or amended in this chapter and the State of Illinois. At least one copy of the 2012 ICC International Energy Conservation Code shall be maintained on file in the office of the village clerk for inspection and copying as a public record.

(B) The title of the 2012 ICC International Energy Conservation Code is hereby stated as follows:

1. Amend section C101.1 to read as follows:

C101.1 Title. This code shall be known as the International Energy Conservation Code of the Village of Glen Ellyn, and shall be cited as such. It is referred to herein as "this code."

2. Amend section R101.1 to read as follows:

R101.1 Title. This code shall be known as the International Energy Conservation Code of the Village of Glen Ellyn, and shall be cited as such. It is referred to herein as "this code."

Exhibit A *(with text format and comments)*
The ~~2009~~ **2012** ICC International Energy Conservation Code (IECC)
As Adopted by the Village of Glen Ellyn, Illinois

Text format:
Normal –change number and description or existing text in the IECC to remain
Bold – new code section, new amendment or new text inserted into an IECC section
~~Strikethrough~~ – existing text in the Village Code or IECC to be removed
Italics – comments that will be removed from final ordinance document

Amend Glen Ellyn Village Code section 4-1-9 Adoption of the 2009 International Energy Conservation Code by deleting this section in its entirety and substitute the following language:

4-1-9 Adoption of the ~~2009~~ 2012 International Energy Conservation Code

(A) The ~~2009~~ **2012** ICC International Energy Conservation Code is adopted by reference as the standards and regulations for energy efficient building envelopes and the installation of energy efficient mechanical, lighting and power systems in the Village of Glen Ellyn as published by the International Code Council except such portions thereof that are modified or amended in this chapter **and by the State of Illinois**. At least one copy of the ~~2009~~ **2012** ICC International Energy Conservation Code shall be maintained on file in the office of the village clerk for inspection and copying as a public record.

Comments: This is standard language consistent with prior adoption ordinances.

(B) The title of the ~~2009~~ **2012** ICC International Energy Conservation Code is hereby stated as follows:

1. Amend section **C**101.1 to read as follows:

C101.1 Title. This code shall be known as the International Energy Conservation Code of ~~[NAME OF JURISDICTION]~~ **the Village of Glen Ellyn,** and shall be cited as such. It is referred to herein as "this code."

2. **Amend section R101.1 to read as follows:**

R101.1 Title. This code shall be known as the International Energy Conservation Code of ~~[NAME OF JURISDICTION]~~ **the Village of Glen Ellyn,** and shall be cited as such. It is referred to herein as "this code."

Comments: This is standard language consistent with prior adoption ordinances.

DRAFT
BUILDING BOARD OF APPEALS
MINUTES
FEBRUARY 21, 2013

The meeting was called to order by Chairman James Ryan at 7:31 p.m. BBA members Thomas Bredfeldt, Michaelene Burke Hoeh, Kennedy Hartsfield and Mike Morange were present. Board Members Chris Clark and James McGinley were excused. Also present were Trustee Liaison Peter Cooper, Building and Zoning Official Joe Kvapil, Village Plan Examiner Paula Moritz and Recording Secretary Barbara Utterback.

Board Member Bredfeldt moved, seconded by Board Member Morange, to approve the minutes of the February 6, 2012 BBA meeting. The motion carried unanimously with five (5) "yes" votes as follows: Board Members Bredfeldt, Morange, Burke Hoeh, Hartsfield and Chairman Ryan voted yes.

Building and Zoning Official Joe Kvapil stated that there was one item regarding the 2012 ICC International Energy Conservation Code on this agenda. He also stated that the BBA should consider whether all of the 2012 International Codes should be adopted or deferred and begin the adoption of the next code cycle in 2015.

2012 ICC INTERNATIONAL ENERGY CONSERVATION CODE. DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2012 ICC INTERNATIONAL ENERGY CONSERVATION CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Staff Report

Building and Zoning Official Joe Kvapil stated that some of the 2012 ICC International Energy Conservation Code provisions have changed and Village Plan Examiner Paula Moritz will present this information. At this meeting, he distributed Building Board of Appeals minutes from July 25, 2011, a memorandum to him from Planning and Development Director Staci Hulseberg dated February 4, 2013 regarding the Code Adoption Policy and the 2012 IECC Amendments for the State of Illinois effective January 1, 2013.

Ms. Moritz stated that she reviews residential and some commercial projects, however, the larger commercial projects are reviewed by B & F Technical Code Services. Ms. Moritz stated that 48 percent of the United States' energy consumption goes to buildings so it makes sense to try and control the energy use of buildings. She stated that the State of Illinois decided to adopt an energy code and began the process by adopting Public Act 093-0936, the Energy Efficient Commercial Building Act, which went into effect in August, 2004, effective April, 2006. She added that this code only affected commercial buildings. Ms. Moritz stated that the economy then went into a tailspin and construction

was devastated. The federal government responded with the American Recovery and Reinvestment Act which offered funding for states to receive energy grants, and the State of Illinois accepted grant money from the federal government. She stated that the next public act was called the Energy Efficient Building Act. The word "commercial" was removed and residential efficiency was made a part of the law. This act also mandated the latest published edition of the IECC and basically gave the state nine months to review the code and another three months to begin enforcement. Ms. Moritz stated that under this act, the 2009 International Energy Conservation Code became the Illinois Energy Conservation Code. She then displayed the latest published addition of this code. She stated that the State feels that 9 months to review and 3 months to enforce is an insufficient amount of time to review the code and make amendments or recommendations. She stated that another Public Act, 097-1033, was put in place which allowed one year for review and six months to put it into effect. She added that the effective date for this code is now January 1, 2013.

Ms. Moritz reviewed easy changes regarding the revised code such as increased insulation requirements, more efficient windows, and permanently installed light fixtures. She stated that these items should be checked by Village inspectors during final inspections.

Ms. Moritz also reviewed more difficult changes regarding the revised code. Those changes are as follows: The building envelopes must now be much tighter. Contractors are now required to seal the buildings. Ms. Moritz stated that much energy loss is due to losing heat or conditioned air through leakage of a building so buildings must now be tighter. Ducts must now be sealed and if ducts are not entirely within conditioned space, contractors will be required to perform a leakage test which is expensive. Ms. Moritz stated that testing will not be necessary if duct work is kept inside a conditioned space. She also stated that new wood-burning fireplaces must have tight-fitting flu dampers in addition to gasketed doors. Ms. Moritz stated that every new home must pass a blower door test in order to verify that proper sealing has taken place. She stated that the code states three air changes per hour are required, however, the State of Illinois amended that figure to five air changes per hour. She stated that the danger with keeping a building too tight is that moisture is kept in the building and can cause a potential for mold. She stated that the State of Illinois now requires a whole house ventilation system. Ms. Moritz stated that although the buildings are required to be tight, outside air is required to be brought in. Ms. Moritz stated that a person installing heating and cooling equipment into a building must properly size that equipment. She added, in particular, the equipment should not be oversized as that causes the equipment to short-cycle and improperly circulate.

Ms. Moritz described prescriptive requirements which she stated is basically complying with numbers in charts regarding a project. She stated that performance requirements are basically using trade-offs of figures on a project.

Mr. Kvapil stated that even though no changes are being proposed to this code, the State of Illinois has made approximately a dozen changes. Ms. Mortiz stated that the Village

of Glen Ellyn cannot amend this code because it does not comply with two requirements to do so. Mr. Kvapil added that the amendments made by the State of Illinois change the code to be less restrictive, and Ms. Moritz added that those amendments apply to the residential code. Ms. Moritz stated that the State of Illinois has amended the code to require the blower door test for items such as additions, however, the State of Illinois has amended the code so that it is required only for new construction and a visual inspection can be used for additions or alterations so that a higher standard is not being forced on an older building. Ms. Moritz added that Illinois is the first state to adopt this code and responded to Mr. Kvapil that there is no appeal process for this code.

Questions/Comments from the BBA

Chairman Ryan asked if a blower test on the front door will be performed on a new home this time next year in order to receive a certificate of occupancy, and Mr. Kvapil replied yes (on a front door, back door or window). Ms. Moritz added that only certified inspectors can perform the blower test and that the State has a program that allows one to take a one-day course to perform this testing. She added that there are also testing agencies that perform this test for a fee and that some municipalities have free seminars available to interested parties.

Chairman Ryan asked if concrete or unfinished basement walls are now required to be insulated, and Ms. Moritz responded that the walls can be insulated on the outside which meets the requirement. She added that the State amended that code so that the insulation only needs to be 4 feet below grade.

BBA Member Hartsfield asked if an entire addition must be up to the 2012 code, and Ms. Moritz replied that anything new has to comply with all of the current codes. Ms. Moritz also responded to BBA Member Hartsfield that if 150% floor area is added to a house, it is new and must comply with all of the codes, including zoning.

Motion

BBA Member Burke Hoeh moved, seconded by BBA Member Morange, to approve adoption of the 2012 ICC International Energy Conservation Code. The motion carried unanimously with five (5) "yes" votes as follows: BBA Members Burke Hoeh, Morange, Bredfeldt, Hartsfield and Chairman Ryan voted yes.

Building and Zoning Official Report

Mr. Kvapil asked the BBA members if they would like to start the review process again regarding the 2012 building codes or skip a code cycle. He stated that his recommendation is to skip a code cycle as proposed changes are few in number and begin the 2015 changes in late 2014. BBA Member Hartsfield commented that the structural code has changed, and Mr. Kvapil responded that he has confidence that the 2009 codes will serve the Village well for 3 more years. Mr. Kvapil also responded to BBA Member Burke Hoeh that a code can be amended at any time and that the Building and Zoning Official

has the ability to make changes when they apply with the intent of the code. Chairman Ryan suggested updating the 2012 codes at this time which will make adopting the codes in 2015 much easier. Mr. Kvapil offered to provide the significant differences between the 2009 and 2015 codes so that a determination can be made when to implement changes, and he will present this information at the next BBA meeting. Chairman Ryan stated he would like to review all of the 2012 changes at one meeting. Mr. Kvapil stated he could provide a summary update of the 2012 code and they can decide if they want to adopt those codes or wait until 2015. Mr. Kvapil also responded to BBA Member Bredfeldt that a guide regarding new code changes is available and that there are approximately 100 new items.

Trustee Report

Trustee Cooper stated that the Village is beginning to design Crescent Boulevard. He stated that there will be changes around Lenox and Lake Ellyn Park. He also stated that the Village and the Park District have had a hydrological study done of Lake Ellyn which is part of the stormwater system. Trustee Cooper stated that the Village Board is preparing to head into budget season. He also stated that three trustees, including himself, are finishing up their Board terms and a new President will soon be in office.

There being no further business before the BBA, the meeting was adjourned at 8:41 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official

"Illinois Energy Conservation Code" for Commercial and Residential Buildings

Public Act 096-0778 was signed into law on August 28, 2009 amending the Energy Efficient Commercial Building Act by including residential buildings and amending the name of the act to the Energy Efficient Building Act. The new requirements for residential buildings became effective on January 29, 2010.

HISTORY OF THE ILLINOIS ENERGY CONSERVATION CODE

Public Act 093-0936 (Illinois Energy Conservation Code for Commercial Buildings) was signed into law in August, 2004. The Illinois Energy Conservation Code for Commercial Buildings became effective April 8, 2006. On October 9, 2007 the Law was revised to mandate the latest published edition, excluding supplements, of the International Energy Conservation Code. As of August 18, 2009 the Illinois Energy Conservation Code for Commercial Buildings is the 2009 International Energy Conservation Code. On August 28, 2009, Public Act 096-0778 requiring an energy code for residential buildings was signed into law. It became effective on January 29th, 2010, officially establishing the 2009 International Energy Conservation Code as the energy code for residential buildings in Illinois.

WHAT THE LAW REQUIRES

The Law requires all new commercial and residential construction for which a building permit application is received by a municipality or county to follow a comprehensive statewide energy conservation code. Renovations, alterations, additions, and repairs to most existing commercial and residential buildings must follow the Illinois Energy Conservation Code. The Law requires design and construction professionals to follow the latest published edition of the International Energy Conservation Code which is currently the 2009 International Energy Conservation Code and the American Society of Heating, Refrigeration and Air-conditioning Engineers (ASHRAE) Standard 90.1, 2007 "Energy Standard for Buildings except Low-Rise Residential Buildings." Under the law, the Capital Development Board has the power to modify the Illinois Energy Conservation Code.

Local governments are free to adopt stricter energy conservation Laws for commercial buildings. However, for residential buildings, local governments may not adopt or regulate energy conservation standards either less or more stringent than the Illinois Energy Conservation Code. Exceptions which would allow local governments to regulate energy efficient standards in a more stringent manner are municipalities or counties which meet one of the following three provisions:

- A unit of local government that on or before May 15, 2009 adopted or incorporated by reference energy efficient building standards for residential building that are equivalent to or more stringent than the 2006 International Energy Conservation Code

- A unit of local government that on or before May 15, 2009 provided to the Capital Development Board identification of an energy efficient building code or amendment that is equivalent to or more stringent than the 2006 International Energy Conservation Code
- A municipality with a population of 1,000,000 or more

THE GOALS OF THE LAW

The Law is designed to help protect the environment and reduce energy consumption. By following an energy conservation code, property owners can reduce air pollution, moderate energy demand and stabilize energy costs and electric, oil, and gas supplies. The efficient gains of the 2009 code set a new baseline for IECC-compliant homes and buildings, and while, there will be regional variability and uncertainty in the technology penetration, preliminary estimates from U.S. DOE suggest the 2009 IECC will be at least 18 percent and possibly even 22 percent more energy efficient than the 2006 IECC.

WHAT THE LAW DOESN'T COVER

The Law does not apply to officially designated historic buildings, buildings exempt from a local building code, and buildings that do not use either electricity or fossil fuel for comfort conditioning. For purposes of determining whether this exemption applies, a building will be presumed to be heated by electricity, even in the absence of equipment used for electric comfort heating, whenever the building is provided with electrical service in excess of 100 amps. "Illinois' Energy Efficient Building Act" can be found in Chapter 20 of the Illinois Compiled Statutes, Act 3125."

ADMINSTRATIVE RULES FOR THE RESIDENTIAL CODE

The proposed Administrative Rules for the residential code were published on February 16, 2010 in Volume 34, Issue 7 of the Illinois Register.

TRAINING OPPORTUNITY

Training opportunities are being funded by the Illinois Department of Commerce and Economic Opportunity through the International Code Council. Please click here for dates, times and registration information.

INTERNATIONAL CODE COUNCIL

Contacts, Consulting and Technical Resources

For technical interpretations on the International Energy Conservation Code, email your question or call 1-888-ICC-SAFE (422-7233).

OTHER RESOURCES

DOE's Building Energy Codes Program Compliance Software Tools:

REScheck: Used to show compliance on residential building plans

COMcheck: Used to show compliance on commercial building plans

Other forms of compliance may be used as approved by the *Authority Having Jurisdiction.*

USDOE's Solutions & Help Center: Help with compliance software

CONTACT INFORMATION: If you have questions, please contact:

Bruce Selway
Energy Efficiency Program Specialist
Illinois Dept. of Commerce & Economic Opportunity
620 E. Adams Street
Springfield, IL 62701
217.785.2023 Phone
217.785.2618 Fax
Bruce.Selway@Illinois.gov
www.illinoisenergy.org

Lisa Mattingly, PE
Administrator, Professional Services
Illinois Capital Development Board
401 South Spring Street
3rd Floor Wm. G. Stratton Building
Springfield, IL 62706
217.524.6408 Phone
217.524.4208 Fax
Lisa.Mattingly@Illinois.gov
www.cdb.state.il.us

Robert Coslow
Electrical Engineer, Professional Services
Illinois Capital Development Board
401 South Spring Street
3rd Floor Wm. G. Stratton Building
Springfield, IL 62706
217.557.6142 Phone
217.524.4208 Fax
Robert.Coslow@Illinois.gov
www.cdb.state.il.us

Public Act 097-1033

SB3724 Enrolled LRB097 20046 PJG 65376 b

AN ACT concerning State government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Energy Efficient Building Act is amended by changing Sections 10, 20, and 25 as follows:

(20 ILCS 3125/10)
Sec. 10. Definitions.
"Board" means the Capital Development Board.
"Building" includes both residential buildings and commercial buildings.
"Code" means the latest published edition of the International Code Council's International Energy Conservation Code as adopted by the Board, excluding published supplements but including the amendments and adaptations to the Code that are made by the Board.
"Commercial building" means any building except a building that is a residential building, as defined in this Section.
"Department" means the Department of Commerce and Economic Opportunity.
"Municipality" means any city, village, or incorporated town.
"Residential building" means (i) a detached one-family or 2-family dwelling or (ii) any building that is 3 stories or less in height above grade that contains multiple dwelling units, in which the occupants reside on a primarily permanent basis, such as a townhouse, a row house, an apartment house, a convent, a monastery, a rectory, a fraternity or sorority house, a dormitory, and a rooming house; provided, however, that when applied to a building located within the boundaries of a municipality having a population of 1,000,000 or more, the term "residential building" means a building containing one or more dwelling units, not exceeding 4 stories above grade, where occupants are primarily permanent.
(Source: P.A. 96-778, eff. 8-28-09.)

(20 ILCS 3125/20)
Sec. 20. Applicability.
(a) The Board shall review and adopt the Code within one year ~~9 months~~ after its publication. The Code shall take effect within 6 ~~3~~ months after it is adopted by the Board, except that, beginning January 1, 2012, the Code adopted in 2012 shall take effect on January 1, 2013, and shall apply to any new building or structure in this State for which a building permit application is received by a municipality or county, except as otherwise provided by this Act. In the case of any addition, alteration, renovation, or repair to an existing commercial structure, the Code adopted under this Act applies only to the portions of that structure that are being added, altered, renovated, or repaired. The changes made to this Section by

this amendatory Act of the 97th General Assembly shall in no way invalidate or otherwise affect contracts entered into on or before the effective date of this amendatory Act of the 97th General Assembly.

(b) The following buildings shall be exempt from the Code:

(1) Buildings otherwise exempt from the provisions of a locally adopted building code and buildings that do not contain a conditioned space.

(2) Buildings that do not use either electricity or fossil fuel for comfort conditioning. For purposes of determining whether this exemption applies, a building will be presumed to be heated by electricity, even in the absence of equipment used for electric comfort heating, whenever the building is provided with electrical service in excess of 100 amps, unless the code enforcement official determines that this electrical service is necessary for purposes other than providing electric comfort heating.

(3) Historic buildings. This exemption shall apply to those buildings that are listed on the National Register of Historic Places or the Illinois Register of Historic Places, and to those buildings that have been designated as historically significant by a local governing body that is authorized to make such designations.

(4) (Blank).

(5) Other buildings specified as exempt by the International Energy Conservation Code.

(c) Additions, alterations, renovations, or repairs to an existing building, building system, or portion thereof shall conform to the provisions of the Code as they relate to new construction without requiring the unaltered portion of the existing building or building system to comply with the Code. The following need not comply with the Code, provided that the energy use of the building is not increased: (i) storm windows installed over existing fenestration, (ii) glass-only replacements in an existing sash and frame, (iii) existing ceiling, wall, or floor cavities exposed during construction, provided that these cavities are filled with insulation, and (iv) construction where the existing roof, wall, or floor is not exposed.

(d) A unit of local government that does not regulate energy efficient building standards is not required to adopt, enforce, or administer the Code; however, any energy efficient building standards adopted by a unit of local government must comply with this Act. If a unit of local government does not regulate energy efficient building standards, any construction, renovation, or addition to buildings or structures is subject to the provisions contained in this Act. (Source: P.A. 96-778, eff. 8-28-09.)

(20 ILCS 3125/25)

Sec. 25. Technical assistance.

(a) The Department shall make available to builders, designers, engineers, and architects implementation materials and training to ~~that~~ explain the requirements of the Code and describe methods of compliance acceptable to Code Enforcement Officials.

(b) The materials shall include software tools, simplified prescriptive options, and other materials as appropriate. The simplified materials shall be designed for projects in which a design professional may not be involved.

(c) The Department shall provide local jurisdictions with technical assistance concerning implementation and enforcement of the Code.
(Source: P.A. 93-936, eff. 8-13-04.)

Section 99. Effective date. This Act takes effect upon becoming law.

Effective Date: 8/17/2012

A-6E

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Director of Planning & Development

DATE: March 12, 2013

FOR: March 18, 2013 Village Board Meeting

RE: License Agreement for Hot dog Stand

Background

Since 1995, the Village Board has authorized one or more license agreements for tables and chairs, hot dog and gelato sales, wind enclosures and related items to be located on the public sidewalk in the central business district.

Issues

The owner of the Heaven-Lee Hot Dog stand has submitted a signed license agreement and required supplemental documentation in order to locate his hot dog stand at the northeast corner of Crescent Boulevard and North Main Street. A copy of the license agreement is attached for your information. This item is ready for Village Board consideration.

Action Requested

It is requested that the Village Board make a motion to approve a license agreement for the Heaven-Lee Hot Dog stand.

Attachments: Hot Dog Stand License Agreement

cc: Phil Norton, Police Chief
Joe Snellgrove, Heaven-Lee Hot Dogs
Carol White, Executive Director, Alliance of Downtown Glen Ellyn

S:\Village Board\Agenda Items\License Agreements\3-12-13 VB Memo Hot Dog.docx

LICENSE AGREEMENT

This Agreement, made and entered into as of this _____ day of _____, 2013, effective the _____ day of _____, 2013, by and between the Village of Glen Ellyn ("Licensor") and Joe Snellgrove ("Licensee") pertaining to the property located at 461 North Main Street, Glen Ellyn, Illinois 60137.

1. **Purpose**: Licensor hereby grants to Licensee, and Licensee hereby accepts, a license to (a) install, maintain and operate for the term hereof, a portable hot dog machine to be located on the sidewalk and the right-of-way in front of 461 N. Main Street, the licensed area, and to (b) maintain a trash receptacle, in accordance with the standards contained below and with the following terms, covenants and conditions. The Licensee will not be allowed to operate where there is competition with a special downtown activity that is also offering food service.

2. **Terms**: This Agreement shall expire December 31, 2013 or the date the insurance required hereunder expires, whichever comes first. This Agreement may be renewed only through the action of the Village Board of the Village of Glen Ellyn. Licensee may terminate this Agreement immediately by providing written notice to Licensor. Licensor may terminate this Agreement at any time during the term of this Agreement by notifying Licensee of this intention at least 30 days prior to the termination date.

3. **Rent and License Fee**: For the purposes of this license, no rent will be paid by Licensee to Licensor. A fee of $50.00 has been paid by Licensee to Licensor for the issuance of this License Agreement.

4. **Permits and Licenses**: (a) Licensee, at its sole effort and expense, shall conform to the Village Code and DuPage County Health Department regulations; (b) Licensee shall present to the Village Cashier's Office an Illinois State Sales Tax Certificate Number and Federal Identification Number; and (c) Licensee shall present a permission letter from the owner of the building to allow the hot dog stand on the sidewalk in front of 461 N. Main Street.

5. **Installation of Hot Dog Machine**:

a. Hot Dog Machine: Licensee is permitted to locate on the sidewalk portion of the right-of-way in front of the property at 461 N. Main Street daily, 11:00 a.m. to 7:00 p.m., except that the Licensee may operate up to 9:30 p.m. on Thursday nights. The Village Manager may authorize the Licensee to operate in other locations during the Taste of Glen Ellyn and up to 10 other days. Licensee agrees to maintain a minimum of a 5-foot clearance for pedestrians on the public sidewalk. Licensor does not warrant that the location where the Licensee seeks to place its equipment is a Village right-of-way, and this License Agreement contains no warranty of quiet, enjoyment and use. The Licensor intends to transfer only a license with regard to that interest in land which it possesses.

b. Trash Receptacle: Licensee shall maintain the trash receptacle located in proximity to the hot dog machine in a neat and orderly manner, and the Licensor shall ensure that a garbage hauling firm removes the trash from the receptacle on a regular schedule. However, it shall be the responsibility of Licensee to empty the receptacle more frequently, if necessary. Licensor is the owner of the trash receptacle. If the trash receptacle is full and/or overflowing, Licensor may terminate this agreement with 7 days written notice to Licensee, and the hot dog machine shall immediately be removed from the public sidewalk.

c. Landscape Planters: It is expected that all Licensees shall install and maintain a minimum of two planters, planted with flowering annuals and/or perennials, located on or over the public sidewalk adjacent to the property. However, in light of the Licensee's unique location circumstance, the requirement to install the above-referenced planters has been waived. The Licensee has paid a one-time contribution of $100.00 to Licensor toward Village expenses to beautify the area with publicly supplied landscape planters. No further contributions toward this requirement are expected.

6. **Maintenance**: Licensee shall agree to maintain the licensed area and the nearby sidewalk in a clean, healthy and attractive condition. If Licensee ceases to so maintain the licensed area and the nearby sidewalk, Licensor may require Licensee to pay for additional cleanup costs. Further, Licensor may, upon notice as set forth below, terminate this agreement and require the permanent removal of the hot dog machine from the licensed area in advance of the expiration date of this Agreement.

7. **Removal**: Upon the expiration or the termination of this License, Licensee shall not place the hot dog machine on the public right-of-way. Further, each day, no later than one half-hour following the close of business at 461 North Main Street, Licensee shall remove the hot dog machine from the public right-of-way.

8. **Termination**: If Licensee fails in any respect to perform any agreements, covenant or obligation in this License, then and in such event, Licensor, after providing at least 7 days written notice to Licensee, may terminate this License Agreement or may cure such failure or default, on behalf of and at the expense of Licensee.

9. **Notice**: Notice hereunder shall be in writing and effected either by personal delivery or by depositing the same in an official U.S. mail receptacle as certified mail, return receipt requested, postage paid, addressed to:

If to Licensor:
Village Manager
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

If to Licensee:
Joe Snellgrove
Heaven-Lee Hot Dogs
2832 Davenport Drive
West Chicago, IL 60185

or to such other address as either party may from time to time designate. Any notice given under this Agreement shall be in writing and deemed received when personally delivered or, if mailed, three days after placing same in an official U.S. mail receptacle.

10. **Assignment**: Licensee may not assign or transfer this License without prior written consent of Licensor. Any attempted assignment or transfer in violation of this paragraph shall be void and confer no rights upon any third person.

11. **Defend and Hold Harmless**: Licensee shall be required to hold harmless Licensor, its officers, employees and independent contractors from any claim or demand or damage to property or injury including death to persons which arise out of in any way the exercise by Licensee of its rights under this License. Licensee shall be required to pay for the cost of defense and hold harmless Licensor, its officers, employees and independent contractors against any judgment and to pay any settlement arising out of such claim or demand, including but not limited to, the full costs of the

defense of Licensor, its employees, officers and independent contractors through the employment of experts approved by the parties defended, provided, however, that such approval shall not be unreasonably withheld.

12. **Liability Insurance**: Licensee shall purchase and maintain comprehensive general liability insurance of $2,000,000 each occurrence, providing occurrence coverage for Licensee from claims for damages because of bodily injury, death of any person, or property damage resulting from the use of the public right-of-way. Licensor shall be named, by endorsement, as an additional insured on the policy. The policy of insurance and certificates thereof shall contain provision or endorsement that the coverage reported will not be canceled, materially changed, or renewal refused, until at least 30 days prior written notice shall be given by certified mail to the insured and Licensor. Licensee shall deliver a duplicate of the policy or certificate of insurance acceptable to Licensor prior to the execution of this Agreement by the Village Board.

13. **Miscellaneous**:

a. This Agreement constitutes the entire understanding of the parties and supersedes any prior written or oral negotiations or understandings.

b. It is the intention of the parties hereto that this License shall be construed and enforced in accordance with the laws of the State of Illinois.

c. If any provision of this License is held invalid or unenforceable, the remainder of this License shall not be affected thereby, and each other provision of this License shall be valid and enforceable to the fullest extent permitted by law.

d. Licensee shall pay any expenses incurred by Licensor in defending the validity of its right to enter into a License Agreement for the use of sidewalk premises by a private party.

DATED as of the date first set forth above.

LICENSOR:
Village President
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois 60137

By:_____

Name:_____

Title:_____

LICENSEE:
Joe Snellgrove, Owner
Heaven-Lee Hot Dogs
2832 Davenport Drive
West Chicago, IL 60185

By: Joe Snellgrove

Name: JOE SNELLGROVE

Title: OWNER

X:\Plandev\PLANNING\LICENSE\Main 461 N., Hot Dog Stand\License Agreement 2012.doc

A-6F

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Matt Pekarek, Recreation Director

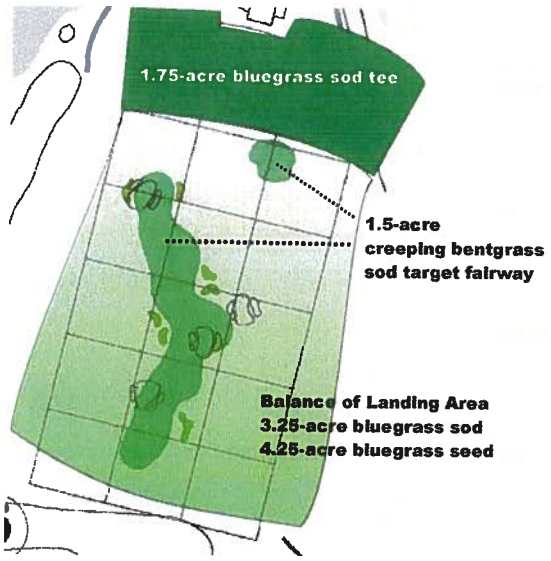
Matt Pekarek.

DATE: March 12, 2013

RE: Purchase of Large Roll Sod

Background

The Village Links driving range is being renovated. The installation of driving range sod was originally included as an alternate to the general construction contract for this project, at an added cost of $156,316. This alternate to the general contract was not accepted, because Recreation Department staff can install the sod less expensively in-house.



Driving Range Tee - The renovation plan includes the installation of large roll Blue Grass Blend sod to grass the 1.75-acre driving range tee and part of the fairway landing area.

Driving Range Landing Zone - About 9-acres in the fairway landing zone and surrounding area need to be grassed. About 1.5-acres of large roll Creeping Bentgrass sod will be installed to form a target fairway. About 3.25-acres of large roll Bluegrass Blend sod will be installed around the bentgrass. To control costs, the remaining 4.25-acres on the edges of the driving range will be seeded to a bluegrass blend.

Sod vs. Seed - The use of Sod allows the driving range to reopen about four months sooner than if the area was seeded. This is important to the golf customers who wish to use the driving range this year. Equally important, the use of Sod will help us begin to generate revenue quicker than if seed was used. Our average four month May through August driving range revenue for the last three years is $135,000.

Large Roll vs. Standard Roll - Typically sod comes in small rolls 2'x6' (12 S.F.) that are laid by hand. Some vendors sell Large Roll Sod that is 4'x80' (320 S.F.) and can be laid using equipment. Our Bid Specifications required that sod be provided in a minimum 42-inch width. Large Roll Sod offers two advantages. The larger rolls allow the sod to be installed quicker, reducing labor costs and limiting excessive wear and tear on staff. More importantly, the Large Roll Sod has considerably fewer seam lines. On the driving range tee, fewer seam lines will produce a nice hitting surface more quickly. In the landing zone, fewer seam lines creates a better surface for picking golf balls. Golf balls tend to get trapped in sod seam lines, making it difficult to pick balls mechanically with equipment and increasing labor costs to pick by hand.

Creeping Bentgrass – PennLinks II® Creeping Bentgrass will be installed in a target fairway in the landing zone. The shorter growth characteristics of the bentgrass and the color differentiation with Blue Grass will create a good visual target similar to that found on the golf course.

Issues

Sealed Bid – Prior to running the Request for Bid Advertisement, we contacted sod vendors to inquire about the availability of Large Roll Sod. Most of the sod growers have gone out of business since the onset of the economic recession and the slowdown in housing construction. We only found two sod vendors capable of providing bentgrass and bluegrass Large Roll Sod in a width 42-inches or wider.

A Request for Bid was advertised in the February 28, 2013 Daily Herald.

We sent Bid and Specification packets to three area sod vendors:

Central Sod Farms, Plainfield, IL

Dunteman Turf Farms, LLC, Kaneville, IL

H&E Sod Nursery, Markham, IL

We received one request for a Bid and Specification Packet in response to the Request For Bid Advertisement. As requested, we sent a packet to:

John Deere Landscapes, Cleveland, OH

On March 11, 2013 one Sealed Bid was received and opened. The one bid was submitted by Dunteman Turf Farms, LLC of Kaneville, IL who proposed an alternate bid of 24" large roll Blue Grass Blend Sod at $.21 per Square Foot. There was no bid submitted for Bentgrass Sod.

We recommend that the bid submitted by Dunteman Turf Farms LLC was for large roll Blue Grass sod cut at a 24-inch width be rejected because it does not comply with the minimum 42-inch width specified.

Proposals Sought - After the sealed bids were opened and because we had not received any bids that met our specifications, we contacted two sod vendors who had received the Bid Packet but had not submitted bids, and asked them to provide us a written quote on Large Roll Sod that meets our specifications. Both vendors submitted quotes via email.

		Sod Width	Acres	S.F.	Cost Per S.F.	Extended Cost
	Bluegrass Blend Sod					
Sealed Bid	Dunteman Turf Farms LLC	24"	5.0	217,800	$ 0.210	$ 45,738
Post Bid - Proposal	Central Sod Farms Inc.	42"	5.0	217,800	$ 0.195	$ 42,471
Post Bid - Proposal	H&E Sod Nursery	48"	5.0	217,800	$ 0.210	$ 45,738
	Bentgrass Sod					
Sealed Bid	no bids					
Post Bid - Proposal	Central Sod Farms	42"	1.5	65,340	$ 0.750	$ 49,005
Post Bid - Proposal	H&E Sod Nursery	48"	1.5	65,340	$ 0.650	$ 42,471

Central Sod Farms of Plainfield, IL proposed to provide us with Large Roll Blue Grass Blend Sod (42" width) for $.195 per S.F. At 5-acres (217,800 S.F.) this would extend to $42,471.

H&E Sod Nursery of Markham, IL proposed to provide us with Large Roll Bentgrass Sod (48" width) for $.650 per S.F. At 1.5-acres (65,340 S.F.) this would extend to $42,471.

Recommendation

I recommend that the Village Board approve a motion to reject all bids for Large Roll Sod received on March 11, 2013 because no responsive bids were received.

I recommend that the Village Board approve a motion to waive competitive bidding and accept the lowest proposal received from Central Sod Farms Inc. of Plainfield, IL to provide approximately 5-acres of Large Roll Blue Grass Blend Sod for $.195 per S.F., plus a 10% contingency for a not to exceed amount of $46,718, and accept the lowest proposal received from H&E Sod of Markham, IL to provide approximately 1.5-acres of Large Roll Pennlinks II Creeping Bentgrass Sod for $.65 per S.F., plus a 10% contingency for a not to exceed amount of $46,718. Both purchases are to be charged to the Recreation Fund Budget, Account #55 700 580 100.

Note: it is coincidental that the two dollar amounts recommended for acceptance are identical.

Action Requested

Approve a Motion to reject all bids and approve a Motion to approve the purchase of Large Roll Sod to the vendors submitting the lowest competitive proposals.

Attachments

Advertisement – Request For Bids
Request For Bid and Specifications
Bid submitted by Dunteman Turf Farms LLC
Email proposals submitted by Central Sod Farms Inc. and H&E Sod Nursery

REQUEST FOR BIDS
Large Roll Sod
Village of Glen Ellyn
Recreation Department
Village Links of Glen Ellyn
Glen Ellyn, Illinois

The Village of Glen Ellyn Recreation Department will accept bids for the purchase of Large Roll Sod, including approximately 2 acres of bluegrass blend sod and approximately 1.5-acres of Pennlinks II® creeping bentgrass sod, or equal. The Large Roll Sod is to be delivered cut in large rolls a minimum of 42-inches in width.

Sealed Bids marked "Sealed Bid - Large Roll Sod, Do Not Open" must be received at the Office of the Village Clerk, Village of Glen Ellyn, 535 Duane Street, Glen Ellyn, Illinois 60137, no later than 12:00 noon on Monday March 11, 2013. Bids will be opened at that time and place.

Bid and Specification Packets can be obtained from Golf Course Superintendent Chris Pekarek, Village Links of Glen Ellyn, 490 Harding Avenue, Glen Ellyn, Illinois, 630-469-2077 x2, or via email at purchasing@villagelinksgolf.com.

The Village of Glen Ellyn is an equal opportunity employer M/F.

Published in Daily Herald February 28, 2013 (4331663)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Addison, Bensenville, Bloomingdale, Carol Stream, Glendale Heights, Glen Ellyn, Itasca, Keeneyville, Lisle, Lombard, Medinah, Naperville, Oak Brook, Oakbrook Terrace, Roselle, Villa Park, Warrenville, West Chicago, Wheaton, Winfield, Wood Dale

County(ies) of DuPage
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published February 28, 2013 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Paula Baltzer
Authorized Agent

Control # 4331663

REQUEST FOR BIDS

Large Roll Sod

Village of Glen Ellyn Recreation Department
Village Links of Glen Ellyn
Glen Ellyn, Illinois

The Village of Glen Ellyn Recreation Department will accept bids for the purchase of Large Roll Sod, including approximately 5-acres of bluegrass blend sod and approximately 1.5-acres of Pennlinks II® creeping bentgrass sod, or equal. The Large Roll Sod is to be delivered cut in large rolls a minimum of 42-inches in width.

Sealed Bids marked "Sealed Bid - Large Roll Sod, Do Not Open" must be received at the Office of the Village Clerk, Village of Glen Ellyn, 535 Duane Street, Glen Ellyn, Illinois 60137, no later than 12:00 noon on Monday March 11, 2013. Bids will be opened at that time and place.

Bid and Specification Packets can be obtained from Golf Course Superintendent Chris Pekarek, Village Links of Glen Ellyn, 490 Harding Avenue, Glen Ellyn, Illinois, 630-469-2077 x2, or via email at purchasing@villagelinksgolf.com.

The Village of Glen Ellyn is an equal opportunity employer M/F.

INSTRUCTIONS TO BIDDERS

Large Roll Sod

Village of Glen Ellyn Recreation Department
Village Links of Glen Ellyn
Glen Ellyn, Illinois

1. It is not the intent nor the purpose of these specifications to prohibit a vendor from bidding or securing a contract for the proposed Large Roll Sod. However, the specifications do outline the necessary requirements for the Large Roll Sod best suited to the needs of the Village of Glen Ellyn Recreation Department.

2. All Bids shall be submitted on the attached Bid Form.

3. Sealed Bids marked "Sealed Bid - Large Roll Sod, Do Not Open" must be received at the Office of the Village Clerk, Village of Glen Ellyn, 535 Duane Street, Glen Ellyn, Illinois 60137, no later than 12:00 noon on Monday March 11, 2013. Bids will be opened at that time and place.

4. Bidders shall be required to fill all specifications and requirements of the Village of Glen Ellyn Recreation Department as stated herein. The Village reserves the right to accept the Bid that best meets its needs, and may waive any provision contained within the specifications. The Village reserves the right to reject all bids if doing so is in its best interest.

5. Turfgrass types are specified herein. However, the Village will consider alternate turf types that perform equal to those specified.

6. Separate Awards of Bid will be made for each turf type. The Bluegrass Blend Sod will be awarded to the low responsive bid for Bluegrass Sod or equal. The Penlinks II® Creeping Bentgrass Sod will be awarded to the low responsive bidder for Penlinks II® Creeping Bentgrass Sod or equal.

7. Bids will be awarded based on a Square Foot unit price that includes the entire cost of the sod, including the cost of harvesting, delivering, and unloading on the ground at the Village Links of Glen Ellyn, 485 Winchell Way, Glen Ellyn, IL, and the Village's use of 3-point tractor mount hitch installation equipment or other self contained equipment sufficient to install one a minimum of one acre of sod during an 8 hour work day.

8. The quantity of Large Roll Sod to be purchased is estimated in the Specifications. Actual quantities might vary slightly to accommodate installation or delivery requirements.

9. By Illinois State Law, municipalities, such as the Village of Glen Ellyn, are exempt from retail Sales Tax. The Sales Tax Exemption I. D. Number of the Village of Glen Ellyn is E9997 4452 06.

10. It is anticipated that the award of the Large Roll Sod Bids will be made on Monday, March 18, 2013.

REQUIREMENTS

Large Roll Sod

Village of Glen Ellyn Recreation Department
Village Links of Glen Ellyn
Glen Ellyn, Illinois

1. INTENT - These Requirements cover all things necessary or proper for, or incidental to the furnishing and delivery of said Large Roll Sod.

2. ALTERNATES - Alternates will be considered. Bidders must include details of any alternates to the requirements or specifications. In determining what constitutes an alternate equal to the specified Large Roll Sod, the decision of the Village Links of Glen Ellyn Golf Course Superintendent is final.

3. SOD - The sod is to be grown, maintained, harvested, rolled, transported and unloaded in a manner that complies with all industry standard and practices. All industry standards and practices regarding Bluegrass Blend Large Roll Sod and Pennlinks II® Creeping Bentgrass Blend Large Roll Sod are included herein, as if they were individually mentioned in these Requirements and Specifications.

4. AWARD - The purchase of each Large Roll Sod turf type will be awarded to the lowest responsive bidder. The purchase of each turf type will be awarded separately, based on the lowest delivered Square Yard unit price.

5. PAYMENT - Payment will be made after the Large Roll Sod has been delivered and the vendor presents the Village of Glen Ellyn with an invoice. A payment check will be issued within 10 to 30 days of receipt of invoice. At the discretion of the vendor, invoices can be presented individually per delivery, or for the total amount when all sod has been delivered.

SPECIFICATIONS

Large Roll Sod

Village of Glen Ellyn Recreation Department
Village Links of Glen Ellyn
Glen Ellyn, Illinois

Turf Type and Quantities -

1. Approximately 5-acres of a Bluegrass Blend or equal suitable for a golf driving range practice tee.
2. Approximately 1½-acres of Pennlinks II® creeping bentgrass or equal suitable for a golf course fairway.

Turf Condition - The turf should be grown and maintained using sod industry standards. The turf should be developed from seed using certified seed. Certified seed tags should be available upon request. The turf should be grown on topsoil within the same agronomic growing zone as the Glen Ellyn, IL installation site. The turf should be mature, disease free, free of excessive thatch and free of contamination from other turf types and weeds. The Village reserves the right to inspect the turf to confirm these conditions.

Large Roll Size - The sod should be cut in large rolls that are a minimum of 42-inches wide.

Delivery - Individual sod orders will be placed on a schedule mutually agreeable to both the vendor and the Village. Sod will be delivered freshly cut, within 24-hours of being cut in the field. Sod will be delivered on the ground at the installation site at the Village Links of Glen Ellyn, 485 Winchell Way, Glen Ellyn, IL.

Installation Equipment - The vendor will provide 3-point hitch tractor mount installation equipment or other self contained equipment sufficient to install a minimum of one acre of sod during an 8 hour work day. The vendor will provide this equipment for the Village to use while installing the sod.

BID FORM

Large Roll Sod

Village of Glen Ellyn Recreation Department
Village Links of Glen Ellyn
Glen Ellyn, Illinois

Honorable President and Board of Trustees
Village of Glen Ellyn, Illinois

President and Trustees:

The undersigned does hereby certify that he has examined the Instructions to Bidders, Specifications and Requirements and proposes to furnish the Large Roll Sod as described therein and will deliver same to the Village of Glen Ellyn at the following lump sum prices:

1. Approximately 5-acres of a Bluegrass Blend or equal suitable for a golf driving range practice tee. $_____ per Square Foot

Please note any alternate provisions to the specifications _____

_____

_____

2. Approximately 1½-acres of Pennlinks II® creeping bentgrass or equal suitable for a golf course fairway. $_____ per Square Foot

Please note any alternate provisions to the specifications _____

_____

_____

Company or Corporation Name _____

Company or Corporation Official _____

Witness_____hand(s) & Seal_____ this _____ day of _____, 2013.

If an individual, sign and give address_____

Address _____

If a partnership, sign all individual
names and give address of each partner_____

Partnership Name

Address _____

_____

Names and addresses of
individual partners

_____

_____

_____

_____

If a corporation, officers
duly authorized should sign,
attach corporate seal

_____

Address _____

_____

By: _____

ATTEST;_____

_____
Secretary

CORPORATE SEAL

BID FORM

Large Roll Sod

Village of Glen Ellyn Recreation Department
Village Links of Glen Ellyn
Glen Ellyn, Illinois

Honorable President and Board of Trustees
Village of Glen Ellyn, Illinois

President and Trustees:

The undersigned does hereby certify that he has examined the Instructions to Bidders, Specifications and Requirements and proposes to furnish the Large Roll Sod as described therein and will deliver same to the Village of Glen Ellyn at the following lump sum prices:

1. Approximately 5-acres of a Bluegrass Blend or equal suitable for a golf driving range practice tee. $ 0.21 per Square Foot

Please note any alternate provisions to the specifications OUR LARGE ROLL SOD IS 24" WIDE PER ROLL. OUR 3 PT HITCH INSTALLERS CAN ACCOMODATE 2 - 24" ROLLS AT ONE TIME. REQUIRES 50 H.P. TRACTOR OR LARGER TO LIFT 2 ROLLS.

2. Approximately 1½-acres of Pennlinks II® creeping bentgrass or equal suitable for a golf course fairway. $ _____ per Square Foot

Please note any alternate provisions to the specifications _____

Company or Corporation Name DUNTEMAN TURF FARMS, LLC

Company or Corporation Official [signature], Member

Witness 1 hand(s) & Seal 1 this 6th day of March, 2013.

If an individual, sign and give address [signature]

Address 9663 County Line Rd
Hinckley, IL 60520

VILLAGE CLERK
MAR 11 2013
VILLAGE OF GLEN ELLYN

"OFFICIAL SEAL"
JENNI L. MYERS
Notary Public, State of Illinois
My commission expires 04/07/1

If a partnership, sign all individual names and give address of each partner DUNTEMAN TURF FARMS, LLC

Partnership Name

Address 46W 340 MAIN ST.
KANEVILLE, IL 60144

Names and addresses of individual partners

ROBERT G. DUNTEMAN
3N670 OAKMONT DR. ELBURN, IL 60119
WILLIAM M. DUNTEMAN
10828 COUNTY LINE RD
BIG ROCK, IL 60511

If a corporation, officers duly authorized should sign, attach corporate seal

Address

By:

ATTEST;

Secretary

CORPORATE SEAL

VILLAGE CLERK
MAR 11 2013
VILLAGE OF GLEN ELLYN

Gmail

Chris Pekarek <cpekarek@villagelinksgolf.com>

Village Links Sod Bid

2 messages

Chris Pekarek <cpekarek@villagelinksgolf.com> Mon, Mar 11, 2013 at 12:48 PM
To: paulb@centralsod.com

Hi Paul,

The attached bid was due today.

Please email your bid back to me today.

Thanks,

–
Chris Pekarek
Golf Course Superintendent
Village Links of Glen Ellyn
630 469-2077 ext 2 office
630 341-4956 mobile

VillageLinksSod13.pdf
82K

paulb@centralsod.com <paulb@centralsod.com> Mon, Mar 11, 2013 at 1:58 PM
To: Chris Pekarek <cpekarek@villagelinksgolf.com>

Chris, Sorry for the delay with your bid.

for approximately 5 acres of bluegrass sod in 42" big rolls the price for sq. ft. delivered in (full load quantities 9000' +) will be $.195 per sq Ft.

Approximately 1.5 acres of pennlinks II will be $0.75 per sq. ft. delivered (full load quantities 9000' +)
with a minimum of 1 acre to maintain pricing. **Bentgrass will most likely be harvested in 30" big rolls or standard 24" x 60" small rolls.**

If you have any questions feel free to call me at any time.

Thank You
Paul Burger
Central Sod Farms
25605 W. 111th
Plainfield, Il. 60544

BID FORM

Large Roll Sod

Village of Glen Ellyn Recreation Department
Village Links of Glen Ellyn
Glen Ellyn, Illinois

Honorable President and Board of Trustees
Village of Glen Ellyn, Illinois

President and Trustees:

The undersigned does hereby certify that he has examined the Instructions to Bidders, Specifications and Requirements and proposes to furnish the Large Roll Sod as described therein and will deliver same to the Village of Glen Ellyn at the following lump sum prices:

1. Approximately 5-acres of a Bluegrass Blend or equal suitable for a golf driving range practice tee. $0.21 per Square Foot

Please note any alternate provisions to the specifications _____

_____

_____

2. Approximately 1½-acres of Pennlinks II® creeping bentgrass or equal suitable for a golf course fairway. $ 0.65 per Square Foot

Please note any alternate provisions to the specifications _____

_____

_____

Company or Corporation Name H & E Sod Nursery

Company or Corporation Official Darin Habenicht

Witness_____hand(s) & Seal_____ this _____ day of _____, 2013.

If an individual, sign and give address_____

Address _____

If a partnership, sign all individual
names and give address of each partner_____

Partnership Name

Address _____

_____

Names and addresses of
individual partners

_____

_____

_____

_____

If a corporation, officers
duly authorized should sign,
attach corporate seal

_____

Address _____

_____

By: _____

ATTEST;_____

_____
Secretary

CORPORATE SEAL

Minutes
Special Village Board Workshop
Glen Ellyn Village Board of Trustees
March 11, 2013

A-6G1

Time of Meeting: 6:00 p.m.

Present: President Pfefferman; Trustees Cooper, Friedberg, Hartweg, Henninger and Ladesic; Deputy Village Clerk Solomon; Staff present: Village Manager Franz, Assistant Village Manager Stonitsch, Assistant to the Village Manager Schrader, Police Chief Norton, Deputy Police Chief Bob Acton, Planning and Development Director Hulseberg, Public Works Director Hansen, Finance Director Wachtel, Assistant Finance Director Coyle, Recreation Director Pekarek, IT Manager Binkerd, Economic Development Coordinator Corner and Administrative Intern Strong. Village Attorney Diamond at 7:35 p.m.

1. Call to Order

President Pfefferman called the Board Workshop to order at 6:00 p.m. with a roll call. Trustees Cooper, Friedberg, Hartweg, Henninger and Ladesic responded "Present." Trustee McGinley was excused.

2. FY 13/14 Budget Overview

Finance Director Wachtel said the draft budget is available on the Village's website. The Village Board and staff have met on a number of occasions to discuss various aspects of the financial plan, and had workshops to provide direction on the budget and an in-depth review of the updated capital plan. Finance Director Wachtel said he would be talking about the Village's operations, specifically the General Fund and the Recreation Fund. He showed several different charts, including the Village's net annual revenues and expenditures/ expenses, the Governmental funds, Enterprise funds and the comparison to 5-year forecast. There will be a discussion on other funds during the March 18, 2013 Workshop, a public hearing and first reading of the budget on April 8, 2013 and the budget ordinance adoption at the April 22, 2013 meeting.

3. Departmental Budget Overviews

a. Police Chief Norton said some changes are being contemplated for the upcoming FY 13/14 budget year, including the possible addition of one police officer position which would bring the total number of sworn officers to 40, a $25,000 assessment paid to DuComm which will be paid through a federally seized asset forfeiture account, an annual fee paid to DuMeg for the Village Police Department to be a member of DuMeg again and the possible purchase of new TASERS and a handheld parking ticket machine. There was some discussion about the purchase of all new TASERS and the department's list of qualified applicants.

b. Assistant to the Village Manager Schrader reviewed the changes for the Village Manager's Office budget, including funding for electronic agenda software and tablets for the Village Board, the continuation of the Community Grant Program with the 4th of July fund being a separate line item, funding for continued maintenance and support of

MUNIS software, computer replacements and replacement digital video recording server and the continued funding for the Façade and Interior Improvement Grant program.

c. Alliance of Downtown Glen Ellyn Executive Director White said the Alliance has brought multiple events to the Village. She said the Alliance is requesting $122,000 in Village funding for the FY 13/14, of which $110,000 is based on the original funding the Alliance received in FY 11/12 and an additional $12,000 for a destination marketing campaign on the Union Pacific Metra Rail Line. There was discussion around the Alliance's funding which will continue at the March 18, 2013 Workshop.

d. Planning and Development Director Hulseberg said minor changes are being requested for the budget, including the increased line item for dues/subscriptions and the stormwater engineer's membership in the American Society of Civil Engineers, the increased line item for Employee Education, the decreased line item for prosecutorial services and the addition of a line item for Stormwater Engineer to provide utility plan review services previously provided by Public Works. She said the Planning and Development have been meeting with many developers interested in building in the Village.

e. Recreation Director Pekarek said the FY 13/14 proposed budget is not a typical budget plan due to the construction at the Village Links and there will be a partial year for food service and the driving range. FY 14/15 will be the first full year with the new facility in place. There will be a new Golf Course Debt Service that will be covered by profits from the golf business and a new Clubhouse Debt Service that will be covered by additional profits in golf revenue and food and beverage receipts. It is unlikely they will cover the full Debt Service in the partial FY 13/14.

Village President Pfefferman said the Workshop would start earlier on March 18, 2013 so the budgets for Public Works and the Finance Department could be discussed.

4. Adjournment

At 7:59 p.m. Trustee Henninger moved and Trustee Hartweg seconded the motion to adjourn to the regular Village Board Meeting in the Galligan Board Room. All voted "Aye." Meeting adjourned.

Respectfully Submitted,
Debbie Solomon,
Deputy Village Clerk

Reviewed by,
Patti Underhill
Acting Village Clerk

A-6G2

Minutes
Regular Board Meeting
Glen Ellyn Village Board of Trustees
Monday, March 11, 2013

Call to Order

Village President Pfefferman called the meeting to order at 8:00 p.m.

Roll Call

Upon roll call by Deputy Village Clerk Solomon, Village President Pfefferman and Trustees Cooper, Friedberg, Hartweg, Henninger and Ladesic answered, "Present." Trustee McGinley was excused.

Pledge of Allegiance

Ron LaPage and Marge Cole from the Central DuPage Kiwanis led the Pledge of Allegiance. The Central DuPage Kiwanis will hold its Annual Pasta Dinner on Saturday, March 16, 2013 at the First United Methodist Church, next door to the Civic Center in downtown Glen Ellyn.

Village Recognition

A. Several residents have sent along their compliments to Public Works for doing a great job in its snow removal efforts during the recent snow storms.\

B. Steven Korol of Baker Development Corp. expressed his appreciation for the foresight demonstrated by Planning & Development in making Glen Ellyn a great place to pursue new initiatives.

C. A grateful resident thanked Bill Keel in Planning & Development for his prompt response and assistance in addressing their concern regarding a spotlight issue.

D. Officers Monson and Scuito received a note from a resident thanking them for their hard work, diligence and integrity in successfully recovering stolen property.

E. Cindy Davies, President of Suburban Law Enforcement Administrative Professionals, sent a letter of thanks to Chief Norton and Christine Miller for arranging the group's use of the meeting space at the Police Department and inviting an excellent guest speaker to address them.

F. Community Service Officer Rose Volpe received a thank you note for the in-depth tour she gave to the Lincoln Elementary Cub Scout Den #1.

G. Officer Stephen Miko received a letter of thanks from Jill Bednas, Director of Children's Ministry at St. Mark's Episcopal Church for his interactive and fun safety presentation to the children's group.

H. The Village accepts the resignation of James Wescott, commissioner of the Environmental Commission, and thanks him for his service

Audience Participation

A. Proclamation in recognition of Danamarie Izzo's dedication to the Village for 25 years in the Administration Department.

B. Village Manager Franz introduced the new Assistant Village Manager, Al Stonitsch, who has joined the Village staff. Mr. Stonitsch spent the last 10+ years with the Village of Glenview and will oversee the Village's Human Resources Department, IT Department, communications and facilities.

Consent Agenda

Village Manager Franz presented the Consent Agenda. President Pfefferman called for questions and/or discussion of the items on the Consent Agenda.

A. Village Board Meeting Minutes:

1. February 18, 2013 Regular Workshop
2. February 25, 2013 Regular Workshop
3. February 25, 2013 Regular Meeting

C. Total Expenditures (Payroll and Vouchers) -$1,415,745.98.

The vouchers have been reviewed by Trustee Henninger and by Manager Franz prior to this meeting, and are consistent with the Village's purchasing policy.

D. Motion to approve the award of a contract to Murphy & Miller for HVAC VVT system upgrades for the Police Department and Public Works facility, to be expensed to the Facilities Maintenance Reserve Fund.

D. Ordinance No. 6115-VC, An Ordinance to Amend Section 9-5-4 (Schedule D; One-Way Street) of the Village Code.

Trustee Henninger moved and Trustee Friedberg seconded the motion that items A through D be considered routine business by the Village Board and be approved in a single vote.

Upon roll call, Trustees Henninger, Friedberg, Cooper, Hartweg and Ladesic voted "Aye." Motion carried.

Reminders:

- The next Special Village Board Meeting is scheduled for Monday, March 18, 2013, with the Special Workshop beginning at 6:00 p.m. or 6:30 p.m. and the Special Board Meeting beginning at 8:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Other Business?

None

Adjournment

At 8:16 p.m. Trustee Hartweg moved and Trustee Henninger seconded motioned to adjourn the meeting.

Upon roll call, Trustees Hartweg, Henninger, Cooper, Friedberg and Ladesic voted "Aye." Motion carried. Meeting adjourned.

Respectfully submitted,
Debbie Solomon
Deputy Village Clerk

Reviewed by,
Patti Underhill
Acting Village Clerk

A-7

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Director of Planning & Development
Joe Kvapil, Building and Zoning Official

DATE: March 5, 2013

RE: March 18, 2013 Village Board Meeting
Zoning Variation Request – 277 Newton Avenue

Background

The property owners, Michael and Mary Campagna, are requesting approval of a variation from Glen Ellyn Zoning Code Section 10-4-8(D)3 to allow the construction of a one-story addition with a side yard setback of 3'- 0" in lieu of the minimum required side yard setback of 7'- 6".

The subject property is an interior lot located on the east side of Newton Avenue between Hill Avenue and Turner Avenue in the R2 Residential District. Notice of the public hearing was published in the Daily Herald on December 23, 2012. The Zoning Board of Appeals conducted a public hearing on the requested variation on Tuesday, January 8, 2013 which was continued to February 12, 2013. At the meeting, no persons spoke in opposition to the variation request and one person spoke in support of the variation request.

Issues

The Zoning Board of Appeals members in favor of the variation felt that there are practical difficulties or particular hardships in the application of the Zoning Code regulations on this property and that the conditions on this property are unique and not generally applicable to other properties in this zoning district. The home was constructed in 1954 and is set back 5.8 feet from the south side yard lot line which does not meet the current minimum required side yard setback of 7.5 feet. The home was also constructed parallel to Newton Avenue however, the lot was platted at an angle to Newton Avenue resulting in the corners of the home being closer to the side yard lot lines than they would be on a more typical lot.

The Zoning Board of Appeals members opposed to the variation felt that the proposed setback of 3.0 feet was not an adequate separation from the existing home, or any future home, on the adjacent lot to the south and that the proposed addition could be reconfigured to extend more into the rear yard and less into the side yard.

The required minimum side yard separation distance between homes on these two adjacent lots is 15.7 feet based on the width of each lot. It was also noted that the existing separation distance between this existing home and the existing home to the south is approximately 35 feet. The proposed addition will not reduce this separation distance between the two existing homes or

exceed the maximum permitted building height or exceed the maximum permitted lot coverage ratio.

Recommendation

At the continued public hearing on February 12, 2013, the Zoning Board of Appeals voted on a motion to recommend approval of the requested variation which carried with four (4) "yes" votes and three (3) "no" votes. In accordance with this recommendation, staff has prepared an ordinance to **approve** the requested variation.

Action Requested

It is requested that the Village Board consider the petitioners' request, the recommendation offered by the Zoning Board of Appeals, and any further evidence or testimony presented at the Village Board Meeting and grant, deny or amend the requested variations.

Attachments

- Minutes of ZBA meeting dated January 8, 2013
- Draft Minutes of ZBA meeting dated February 12, 2013
- Photo of the Subject Property
- Location Map
- Ordinance
- Notice of Public Hearing
- List of Addresses
- Petitioners' Application packet

CC: Michael and Mary Campagna, petitioners

X:\Plandev\BUILDING\ZBA\MEMOS\NEWTON277-SIDE.doc

ZONING BOARD OF APPEALS
MINUTES
JANUARY 8, 2013

The meeting was called to order by Chairman Richard Garrity at 7:35 p.m. Board Members Gregory Constantino, Gary Fasules, Edward Kolar and John Micheli were present. Board Members Barbara Fried and Dale Siligmueller were excused. Also present were Trustee Liaison Peter Cooper, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Chairman Garrity described the proceedings of the Zoning Board of Appeals.

ZBA Member Kolar moved, seconded by ZBA Member Constantino, to approve the minutes of the November 27, 2012 ZBA meeting. The motion carried unanimously by voice vote.

One public hearing was on the agenda for the property at 277 Newton Avenue.

PUBLIC HEARING – 277 NEWTON AVENUE
A REQUEST FOR APPROVAL OF A VARIATION FROM THE GLEN ELLYN ZONING CODE, SECTION 10-4-8(D)3, TO ALLOW THE CONSTRUCTION OF A ONE-STORY HOME ADDITION WITH A PROPOSED 3'-0" SIDE YARD SETBACK IN LIEU OF THE MINIMUM REQUIRED 7'-6" SIDE YARD SETBACK.
(Michael and Mary Campagna, owners)

Staff Report

Building and Zoning Official Joe Kvapil stated that Michael and Mary Campagna are the owners of the property at 277 Newton Avenue and Preston Fawcett is their architect. Regarding the subject variation request, Mr. Kvapil stated that the property owners are requesting approval of one variation from the Glen Ellyn Zoning Code, Section 10-4-8(D)3, to allow the construction of a one-story addition with a side yard setback of 3'-0" in lieu of the minimum required side yard setback of 7'-6". The area of the addition is 83 square feet and increases the space within the existing kitchen at the rear of the home to provide additional space for an eating area in the kitchen. Mr. Kvapil displayed a map and plat of the subject property and stated that the property is located in the R2 Zoning District and is defined as an interior lot on the east side of Newton Avenue. He added that the zoning and land use surrounding the subject property is single-family residential.

Mr. Kvapil stated that Village records indicate that no zoning variations have been granted for the subject property and that permits have been issued for a new home, electrical service upgrade, a second floor addition, a deck, a detached garage and a roof. Mr. Kvapil stated that the subject lot is neither rectangular nor 90 degrees perpendicular to the street as typically positioned but is shaped as a parallelogram and angled 70 degrees to the street. The house was constructed parallel to the street but angled to the

side lot lines and positioned only 5.8 feet from the right side lot line. He also stated that the house is offset to the south and is nonconforming. Mr. Kvapil added that these unusual conditions result in an existing nonconforming side yard setback of the original home and this variation request for an addition.

Mr. Kvapil also stated that he discovered through research that an approximately 35-foot space exists between 277 Newton Avenue and 269 Newton Avenue.

Petitioners' Presentation

Michael and Mary Campagna, the owners of 277 Newton Avenue, and Preston C. Fawcett, their architect, of 207 Norwood Avenue, Itasca, Illinois were present to speak on behalf of the subject variation request.

Mr. Campagna stated that they moved into the subject home in 2001. He stated that the kitchen is problematic because of its configuration and a lack of counter space. He added that the kitchen is difficult to eat in because of its design and that his children could end up in the oven when they run through the kitchen. Mrs. Campagna added that storage space and a place for the children to eat are needed in the kitchen.

Architect Fawcett stated that he had tried to design the project to hold to the setback, however, everything would then need to be custom designed and would not be in a desired space in the kitchen. He also stated that he did not want to destroy the back yard by adding onto that side of the home and that a more practical layout was preferred. Mr. Fawcett added that the wall where the plumbing is located is immovable.

Responses to Questions from the ZBA

Mr. Kvapil responded to ZBA Member Fasules that the Village did not grant a variation for the original house construction in 1954 but there is an exception that allowed the second floor addition over the first floor in the existing required side yard setback construction in 1995. Mr. Kvapil also responded to ZBA Member Kolar that a second story proposed on this addition could be added only if specifically permitted by variation request. Mr. Kvapil also responded to ZBA Member Kolar that the 5'-8" right side yard setback is nonconforming. A second story may be constructed over the proposed addition if it is set back the minimum required distance of 7'-6" from the lot line. Mr. Kvapil explained that the subject lot is nonconforming in area and that the lot coverage ratio is in compliance with the code. He added that the 12.9% lot coverage ratio will increase to 13.9% with the proposed addition. Mr. Fawcett responded to ZBA Member Kolar that the enlarged kitchen will be approximately 20 feet long and 11 feet wide. Mr. Kvapil responded to ZBA Member Micheli that the addition was approximately 83 square feet in area and only 32 square feet is located within the required side yard setback. Mr. Fawcett responded to ZBA Member Constantino that the proposed square footage is the smallest amount that will meet the homeowners' goals. Mr. Kvapil responded to ZBA Member Constantino that he received no correspondence from the public regarding this variation request.

Mrs. Campagna responded to Chairman Garrity that she did not know who owned the fence on the south side of the property.

Persons in Favor of or in Opposition to the Petition

Dave Ligman, 269 Newton Avenue, Glen Ellyn, Illinois stated he has lived in the house to the south of the petitioners for one year. He stated that he had no problem with the petitioners' variation request and that the proposed addition will be an improvement.

Comments from the ZBA

ZBA Member Constantino was supportive of the petitioners' variation request. He felt that a hardship exists because the subject lot is not a typical platted zoning lot and the house is squared to Newton Avenue. He stated that the house is close to the southern boundary which is unique. ZBA Member Constantino felt the approval of the variation will not alter the essential character of the neighborhood and would have no detrimental effect on the neighborhood. ZBA Member Fasules felt the requested variation would create a significant hardship, and he was not in favor of adding a second story to the home. ZBA Member Kolar was not supportive of the variation request because the nonconformity would be expanded and the addition would be too close to the lot line. He felt that an alternative would be to have the addition go straight back to the east instead of to the south. ZBA Member Micheli stated he was inclined to support the variation request. He felt that the lot is difficult and the neighbor next door spoke on behalf of the request. He felt that moving the kitchen would not be a good solution and also felt that a 2-story addition would be acceptable. Chairman Garrity was not supportive of the variation request as he did not feel that a variation 3 feet from the lot line was acceptable. He felt that the neighbor could move and a bigger home could be built next door. He felt that building to the south should be explored prior to building 3 feet from the lot line.

Motion

Per the petitioners' request, the ZBA members voted unanimously to continue this meeting to February 12, 2013 when additional ZBA members would be present to vote.

Staff Report

The meeting was adjourned at 8:25 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building & Zoning Official

DRAFT
ZONING BOARD OF APPEALS
MINUTES
FEBRUARY 12, 2013

The meeting was called to order by Chairman Richard Garrity at 7:30 p.m. Board Members Gregory Constantino, Gary Fasules, Barbara Fried, Edward Kolar, Meg Maloney, John Micheli and Chip Miller were present. Also present were Trustee Liaison Peter Cooper, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Chairman Garrity described the proceedings of the Zoning Board of Appeals.

ZBA Member Fasules moved, seconded by ZBA Member Kolar, to approve the minutes of the January 8, 2013 ZBA meeting. The motion carried unanimously by voice vote.

A continuation of a public hearing for the property at 277 Newton Avenue and a public hearing for the property at 269 Newton Avenue were on the agenda.

CONTINUED PUBLIC HEARING – 277 NEWTON AVENUE
A CONTINUATION OF THE PUBLIC HEARING CONDUCTED ON JANUARY 8, 2013 REGARDING A REQUEST FOR APPROVAL OF A VARIATION FROM THE GLEN ELLYN ZONING CODE, SECTION 10-4-8(D)3, TO ALLOW THE CONSTRUCTION OF A ONE-STORY HOME ADDITION WITH A PROPOSED 3'-0" SIDE YARD SETBACK IN LIEU OF THE MINIMUM REQUIRED 7'-6" SIDE YARD SETBACK.
(Michael and Mary Campagna, owners)

Staff Report

Building and Zoning Official Joe Kvapil stated that this public hearing is a continuation from January 8, 2013 for the property at 277 Newton Avenue and he displayed a photograph of the subject property. He stated that the owners of the property are Michael and Mary Campagna who are requesting approval of one variation from the Glen Ellyn Zoning Code, Section 10-4-8(D)3, to allow the construction of a one-story addition with a side yard setback of 3'-0" in lieu of the minimum required side yard setback of 7'-6". Mr. Kvapil stated that the kitchen is proposed to be enlarged by 83 square feet. He added that the lot is an unusual parallelogram shape, the house is parallel to the street and the lot is at an angle to the street which creates unusual circumstances. Mr. Kvapil stated that the home is nonconforming at 5.8 feet from the existing side yard setback and the addition would be 3 feet from the same side yard setback. Mr. Kvapil displayed surveys of the subject property and the property to the south (269 Newton Avenue) for comparison purposes.

Mr. Kvapil stated that only a portion of the proposed kitchen addition is in the side yard setback (35-40 feet).

Chairman Garrity stated that the reason the meeting was continued is because some ZBA members were not in attendance at the January 8, 2013 meeting and the motion would not have passed.

Petitioners' Presentation

Michael and Mary Campagna, the owners of 277 Newton Avenue, and Preston C. Fawcett, their architect, of 207 Norwood Avenue, Itasca, Illinois were present to speak on behalf of the subject variation request. Mr. Campagna explained that after exploring several options, he feels that the subject presentation is the best for the safety of his family, for flow and layout, for visual appearance from the front and side and for budget reasons.

Responses to Questions from the ZBA

Mr. Kvapil responded to ZBA Member Kolar that no changes have been proposed regarding the subject project since the previous ZBA meeting. ZBA Member Fried asked what is unique about the subject request, and Mr. Campagna responded what is unique is the squareness of the house and the parallelogram shape of the lot which makes it difficult to have a complying angular addition. He added that for cosmetic and efficiency reasons, the squared-up version works best. Ms. Campagna explained that the back of the house where the kitchen is goes in from where the front of the house is because of the parallel. She stated that if they could bring out the back, it would not come out as far as the front of the house but if it was done on an angle, having cabinets, etc., would be difficult. She added that it would be nice to have a wider kitchen so that more space is available for the family members. Mr. Fawcett responded to ZBA Member Miller that the roof will be pitched to match the existing slopes and shingles.

Persons in Favor of or in Opposition to the Petition

No persons spoke in favor of or in opposition to the variation request.

Comments from the ZBA

ZBA Members Constantino, Fasules, Fried, Maloney and Miller were in favor of the proposed variation request, and ZBA Members Kolar, Micheli and Chairman Garrity were not in favor of the proposed variation request. ZBA Member Constantino felt that the buffer between the subject house and the house next door is sufficient. ZBA Member Maloney commented that she did not feel that construction would be a problem for school children walking by the home because the construction will take place toward the rear of the home. ZBA Member Fasules felt there was a significant hardship in this case. ZBA Member Fried felt there was no other alternative available to the petitioners and that the lot coverage ratio was sufficient. ZBA Member Miller felt that the subject lot has plenty of room regarding safety in the event firemen need to access the site. ZBA Member Kolar felt that 3 feet is too close for an addition at a property line. He felt that alternatives are available and that the addition could be built onto the back of the home

rather than along the property line. ZBA Member Micheli stated that a new house that could be built next door would narrow the space even more between the two existing homes. He stated that well thought out construction that improves the property can be considered good for the neighborhood. He felt that the proposed plan is tasteful but encroaches too much on the lot next door and, therefore, was not in favor of the proposed project. Chairman Garrity was not in support of the project as he feels 3 feet is too close to the lot line and has never been approved before by the ZBA.

Motion

ZBA Member Fasules moved, seconded by ZBA Member Fried, to approve the petitioners' request for one variation from Glen Ellyn Zoning Code Section 10-4-8(D)3 to allow the construction of a one-story addition with a side yard setback of 3 feet in lieu of the minimum required side yard setback of 7 feet 6 inches. The recommendation for approval was based on the parallelogram shape of the subject lot which is a hardship.

The motion to approve carried with four (4) yes votes and three (3) no votes as follows: ZBA Members Fasules, Fried, Constantino and Miller voted yes; ZBA Members Kolar, Micheli and Chairman Garrity voted no.

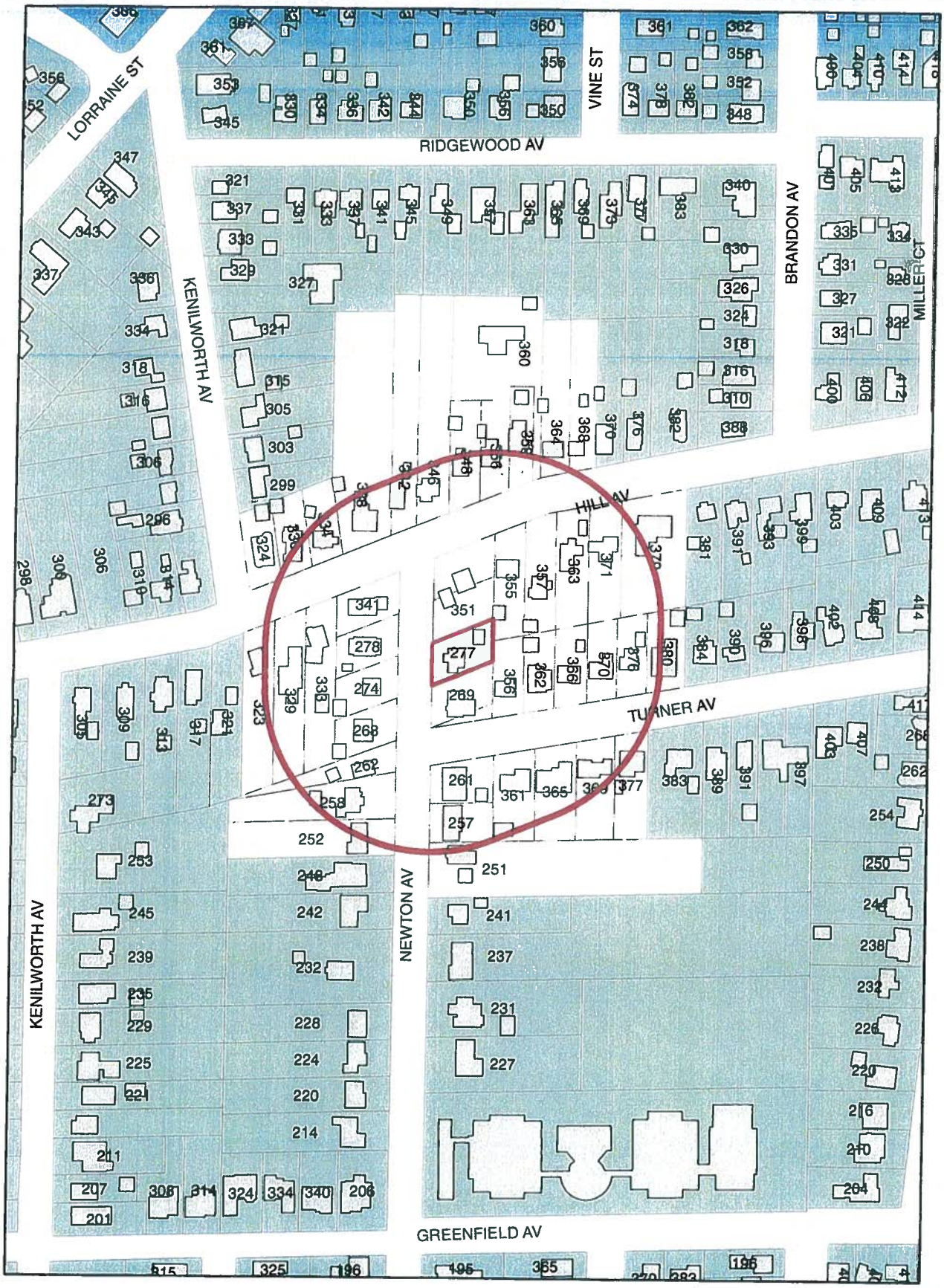
PUBLIC HEARING – 269 NEWTON AVENUE
A REQUEST FOR APPROVAL OF THREE (3) VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. SECTION 10-4-1(N)3 TO ALLOW A NEW SECOND FLOOR ADDITION WITH A CORNER SIDE YARD SETBACK OF 9.8 FEET IN LIEU OF THE MINIMUM REQUIRED CORNER SIDE YARD SETBACK OF 20 FEET. 2. SECTION 10-4-1(N)3 TO ALLOW AN EXISTING ROOF ALTERATION WITH A CORNER SIDE YARD SETBACK OF 11.98 FEET IN LIEU OF THE MINIMUM REQUIRED CORNER SIDE YARD SETBACK OF 20 FEET. 3. SECTION 10-4-1(N) TO ALLOW AN EXISTING ROOF ALTERATION SETBACK VARIATION THAT IS PROHIBITED TO A STRUCTURE PREVIOUSLY GRANTED A SETBACK VARIATION.
(David and Deanna Legman, owners)

Staff Report

Joe Kvapil, Building and Zoning Official, stated that David and Deanna Ligman, owners of the property at 269 Newton Avenue, are requesting approval of three (3) variations from the Glen Ellyn Zoning Code: 1. Section 10-4-1(N)3 to allow a new second floor addition over the existing first floor with a corner side yard setback of 9.8 feet in lieu of the minimum required corner side yard setback of 20 feet. 2. Section 10-4-1(N)3 to allow an existing roof alteration with a corner side yard setback of 11.98 feet in lieu of the minimum required corner side yard setback of 20 feet. 3. Section 10-4-1(N) to allow an existing roof alteration setback variation that is prohibited to a structure previously granted a setback variation. Mr. Kvapil displayed a photograph and plat of survey of the subject property.

277 NEWTON AVENUE

277 Newton Avenue



Prepared By: Planning and Development
Date: December 27, 2012

0 175 350 700 Feet

N

Village of Glen Ellyn

Ordinance No. _____

An Ordinance Approving a Variation from the Side Yard Setback Requirements of the Zoning Code to Allow a One-Story Addition for Property at 277 Newton Avenue Glen Ellyn, IL 60137

Adopted by the
President and Board of Trustees
Of the Village of Glen Ellyn
DuPage County, Illinois
this _____ day of _____, 20____.

Published in pamphlet form by the authority of the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, this _____ day of _____, 20_____.

Ordinance No. _____

An Ordinance Approving a Variation from the Side Yard Setback Requirements of the Zoning Code to Allow a One-Story Addition for Property at 277 Newton Avenue Glen Ellyn, IL 60137

Whereas, Michael and Mary Campagna, owners of the property at 277 Newton Avenue, Glen Ellyn, Illinois, which is legally described as follows:

> The southerly ½ of Lot 6 (except the southerly 75 feet thereof), the southerly line of said tract being parallel to the northerly line of said lot, all in Block 1 in Robinson's College Hill Addition to Glen Ellyn, being a subdivision on the north ½ of Section 15, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded April 16, 1909 as Document No. 96659, in DuPage County, Illinois.
>
> P.I.N.: 0515214002

have petitioned the President and Board of Trustees of the Village of Glen Ellyn for a variation from Glen Ellyn Zoning Code Section 10-4-8(D)3 to allow the construction of a one-story addition with a side yard setback of 3'- 0" in lieu of the minimum required side yard setback of 7'- 6"; and

Whereas, following due notice by publication in the Daily Herald not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all property owners within 250 feet of the subject property at least ten (10) days prior thereto, and following the placement of a placard on the subject property not less than fifteen (15) days prior thereto, the Glen Ellyn Zoning Board of Appeals conducted a public hearing on January 8, 2013 that was continued to February 12, 2013, at which the petitioners presented evidence, testimony, and exhibits in support of the variation request and one (1) person appeared in favor of the variation and no (0) persons appeared in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearings on January 8, 2013 and February 12, 2013, the Zoning Board of Appeals adopted findings of fact and voted on a motion to approve the variation, which carried by a vote of four (4) "yes" and three (3) "no," resulting in a recommendation for approval as set forth in its Minutes dated January 8, 2013 and the draft Minutes dated February 12, 2013, both of which are appended hereto as Exhibit "A"; and

Whereas, the President and Board of Trustees have reviewed the exhibits and evidence presented at the aforementioned public hearing and have considered the findings of fact and recommendations of the Zoning Board of Appeals; and

Whereas, the President and Board of Trustees make the following findings of fact:

A. That the plight of the owner is due to unique circumstances since the existing one-story home was constructed in 1954 with a nonconforming side yard setback of only 5.8 feet on a non-typical lot angled to the street;

B. That the variation, if granted, will not alter the essential character of the locality since the proposed addition will result in a typical property improvement, will retain the residential appearance and use of the property, and will be similar to other homes in the area;

C. That the particular physical surroundings, shape or topographical condition of the specific property involved would bring practical difficulty or particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out since the home was constructed parallel to the street but the lot was platted at an angle to the street resulting in a reduced side yard setback at the corners of the home;

D. That the conditions upon which the variation is based would not be applicable generally to other property within the same zoning district since the size, shape and location of the lot and existing home on the lot are unique to this property;

E. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property since the owners intend to make these improvements for their own personal use and have no desire to sell the property or move from the home;

F. That the practical difficulty or particular hardship has not been created by any persons presently having an interest in the property since the owners purchased this home in June 2005 and have made no significant changes that affect this variation request;

G. That the variation will not be detrimental to the public comfort, morals, and welfare or injurious to other property or improvements in the neighborhood in which the property is located since the use is permitted in the zoning district and the proposed addition will be constructed in accordance with all applicable zoning code regulations other than the variation granted;

H. That the variation will not substantially increase the hazard from fire or other dangers to said property and not otherwise impair the public health, safety, or general welfare of the inhabitants of the Village since the addition will be constructed in accordance with all applicable building code regulations;

I. That the variation will not diminish or impair property values within the neighborhood since the addition is a typical property improvement that will increase property values and the separation distance of 35 feet from the adjacent home to the south will not be reduced;

J. That the variation will not unduly increase traffic congestion in the public streets and highways since no change to the existing code compliant residential vehicle access and parking use is proposed on the property;

K. That the variation will not result in an increase in public expenditures or create a nuisance since the proposed variation is a typical residential improvement to the existing single-family use in a residential zoning district; and

L. That the variation is the minimum variation that will make possible the reasonable use of the land, building or structure and the existing home and the proposed addition complies with all other zoning code requirements including the maximum building height and the maximum lot coverage ratio; and

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to grant the variation presented to the Zoning Board of Appeals.

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in exercise of its home rule powers, as follows:

Section One: The Minutes dated January 8, 2013, and the draft Minutes dated February 12, 2013 Glen Ellyn Zoning Board of Appeals meeting, Exhibit "A" appended hereto, are hereby accepted, and the findings of fact and conclusions set forth in the preambles above are hereby adopted as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Based upon the above findings of fact, the President and Board of Trustees hereby approve a variation from Glen Ellyn Zoning Code Section 10-4-8(D)3 to allow the construction of a one-story addition with a side yard setback of 3'- 0" in lieu of the minimum

required side yard setback of 7'- 6".

Section Three: This grant of variation to construct a one-story addition is conditioned upon the construction being completed in substantial conformance with the plans and the Application for Variation received by the Planning & Development Department and signed on November 19, 2012 and the testimony and exhibits provided at the January 8, 2013 and February 12, 2013 Zoning Board of Appeals public hearings.

Section Four: The Building and Zoning Official is hereby authorized and directed to issue building permits for the subject property, consistent with the variation granted herein, provided that all conditions set forth hereinabove have been met and that the proposed construction is in compliance with all other applicable laws and ordinances. This grant of variation shall expire and become null and void twenty-four (24) months from the date of passage of this Ordinance unless a building permit to begin construction in reliance on this variation is applied for within said twenty-four (24) month time period and construction is continuously and vigorously pursued provided, however, the Village Board, by motion, may extend the period during which permit application, construction, and completion shall take place.

Section Five: The Village Clerk is hereby authorized and directed to cause a copy of this Ordinance approving the variation to be recorded with the DuPage County Recorder of Deeds.

Section Six: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

Section Seven: Failure of the owner or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of said Ordinance, shall

subject the owner or party in interest to the penalties set forth in Section 10-10-18 "A" and "B" of the Village of Glen Ellyn Zoning Code.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this ____ day of _____, 2013.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20_____.

_____
Village President of the
Village of Glen Ellyn, Illinois

Attest:

_____
Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____).

X:\Plandev\BUILDING\ZBA\ORDINANCE\NEWTON277-SIDE.doc

NOTICE OF PUBLIC HEARING

Michael and Mary Campagna, owners of the property at 277 Newton Avenue, are requesting a public hearing for a variation in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The owners would like to modify the existing home by constructing a one-story addition that extends into the minimum required side yard setback. The Zoning Code does not allow structures within the minimum required side yard setback. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider this variation on **January 8, 2013** at 7:30 p.m. on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend.

The property owners are requesting approval of a variation from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-8(D)3 to allow the construction of a one-story addition with a side yard setback of 3'- 0" in lieu of the minimum required side yard setback of 7'- 6".
2. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The property is zoned R2, Residential District, and is legally described as follows:
The southerly ½ of Lot 6 (except the southerly 75 feet thereof), the southerly line of said tract being parallel to the northerly line of said lot, all in Block 1 in Robinson's College Hill Addition to Glen Ellyn, being a subdivision on the north ½ of Section 15, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded April 16, 1909 as Document No. 96659, in DuPage County, Illinois.

P.I.N.: 0515214002

Plans related to the proposed project are available for public review in the Planning and Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. If you have questions, please contact Joe Kvapil, Building & Zoning Official, at (630) 547-5244. For individuals with disabilities who have questions regarding the accessibility of the meeting or facilities, contact Harold Kolze, ADA Coordinator, at (630) 547-5209.

(Published in the Daily Herald on Friday, December 21, 2012)

X:\Plandev\BUILDING\ZBA\PUBLIC NOTICE\NEWTON277-SIDE.doc

BRODERICK JR, JOHN & M
OR CURRENT OWNER
261 NEWTON AVE
GLEN ELLYN, IL 60137

FLEWELLING, RICHARD
OR CURRENT OWNER
333 HILL AVE
GLEN ELLYN, IL 60137

HUARD, JONATHAN
OR CURRENT OWNER
594 SUMMERDALE AVE
GLEN ELLYN, IL 60137

DAPKUS, KESTUTIS & MARIA
OR CURRENT OWNER
362 TURNER AVE
GLEN ELLYN, IL 60137

ROSEBERRY, BETTY D
OR CURRENT OWNER
258 NEWTON AVE
GLEN ELLYN, IL 60137

BORN, DAVID T & JOAN E
OR CURRENT OWNER
351 HILL AVE
GLEN ELLYN, IL 60137

HARMS, RICHARD L
OR CURRENT OWNER
381 HILL AVE
GLEN ELLYN, IL 60137

KEANE, MARTIN & ANNE
OR CURRENT OWNER
334 HILL AVE
GLEN ELLYN, IL 60137

REES, WALTER L & JUNE N H
OR CURRENT OWNER
366 TURNER AVE
GLEN ELLYN, IL 60137

NORWOOD, PAUL R
OR CURRENT OWNER
370 TURNER AVE
GLEN ELLYN, IL 60137

JENKINS, JAMES & PHYLLIS
OR CURRENT OWNER
356 TURNER AVE
GLEN ELLYN, IL 60137

ODEA, RAY J TRUST
OR CURRENT OWNER
341 HILL AVE
GLEN ELLYN, IL 60137

PETERSON, LAMBERT W
OR CURRENT OWNER
269 NEWTON
GLEN ELLYN, IL 60137

CAMPAGNA, MICHAEL
OR CURRENT OWNER
277 NEWTON AVE
GLEN ELLYN, IL 60137

JACOBSHAGEN, DIETRICH
OR CURRENT OWNER
257 NEWTON
GLEN ELLYN, IL 60137

STEVENS, TODD E
OR CURRENT OWNER
361 TURNER AVE
GLEN ELLYN, IL 60137

SILDVE, PETER O & MARNA R
OR CURRENT OWNER
268 NEWTON AVE
GLEN ELLYN, IL 60137

MC GREGOR, JEFFREY & J
OR CURRENT OWNER
278 NEWTON AVE
GLEN ELLYN, IL 60137

MARCHETTI, MICHAEL & S
OR CURRENT OWNER
248 NEWTON AVE
GLEN ELLYN, IL 60137

JOHANSEN, PATRICIA A
OR CURRENT OWNER
356 HILL AVE
GLEN ELLYN, IL 60137

ALVING, JASON & LOUISE
OR CURRENT OWNER
324 HILL AVE
GLEN ELLYN, IL 60137

ALARY, MARY
OR CURRENT OWNER
299 KENILWORTH
GLEN ELLYN, IL 60137

CHOMYOK, CRAIG
OR CURRENT OWNER
342 HILL AVE
GLEN ELLYN, IL 60137

~~BORN, DAVID & JOAN~~
~~OR CURRENT OWNER~~
~~351 HILL AVE~~
~~GLEN ELLYN, IL 60137~~

MORIARTY, P & S LOUIS
OR CURRENT OWNER
274 NEWTON AVE
GLEN ELLYN, IL 60137

HUDSON, RICKI L
OR CURRENT OWNER
346 HILL AVE
GLEN ELLYN, IL 60137

QUAID, BRIAN & KATHLEEN
OR CURRENT OWNER
338 HILL AVE
GLEN ELLYN, IL 60137

KING, PETER M & LEAH B
OR CURRENT OWNER
252 NEWTON AVE
GLEN ELLYN, IL 60137

CLARKE, BRADLEY J
OR CURRENT OWNER
380 TURNER AVE
GLEN ELLYN, IL 60137

HODEN, R & D SURI
OR CURRENT OWNER
348 HILL AVE
GLEN ELLYN, IL 60137

LEONARD, RONALD P
OR CURRENT OWNER
330 HILL AVE
GLEN ELLYN, IL 60137

FORS, AUGUSTO & ADRIENNE
OR CURRENT OWNER
262 NEWTON AVE
GLEN ELLYN, IL 60137

JONES, RICHARD A
OR CURRENT OWNER
379 HILL AVE
GLEN ELLYN, IL 60137

SIVAK, PAUL F
OR CURRENT OWNER
365 TURNER AVE
GLEN ELLYN, IL 60137

~~PETERSON 43806, LAMBERT~~
~~OR CURRENT OWNER~~
~~269 NEWTON~~
~~GLEN ELLYN, IL 60137~~

EVANS, CHARLES L & ANN L
OR CURRENT OWNER
355 HILL AVE
GLEN ELLYN, IL 60137

GENAHL, JOSEPH & ELLI
OR CURRENT OWNER
369 TURNER AVE
GLEN ELLYN, IL 60137

PHILLABAUM, THOMAS
OR CURRENT OWNER
360 HILL AVE
GLEN ELLYN, IL 60137

COEN, STEVEN & LINDA
OR CURRENT OWNER
357 HILL AVE
GLEN ELLYN, IL 60137

RAUCH, DONALD
OR CURRENT OWNER
364 HILL AVE
GLEN ELLYN, IL 60137

SPRINGER, DAVID & REGINA
OR CURRENT OWNER
368 HILL AVE
GLEN ELLYN, IL 60137

FOSTER, WM B
OR CURRENT OWNER
370 HILL AVE
GLEN ELLYN, IL 60137

SCHWEGEL, JOHN & KIMBERLY
OR CURRENT OWNER
358 HILL AVE
GLEN ELLYN, IL 60137

MC GRATH, MARGARET M
OR CURRENT OWNER
377 TURNER AVE
GLEN ELLYN, IL 60137

FOLKMAR, GLORIA B
OR CURRENT OWNER
323 HILL AVE
GLEN ELLYN, IL 60137

DUDMAN TR, RUTH
OR CURRENT OWNER
371 HILL AVE
GLEN ELLYN, IL 60137

MONTGOMERY-FATE, THOMAS
OR CURRENT OWNER
363 HILL AVE
GLEN ELLYN, IL 60137

BRONCATA, TONY J
OR CURRENT OWNER
321 HILL AVE
GLEN ELLYN, IL 60137

CAHILL, WILLIAM & SUZANNE
OR CURRENT OWNER
383 TURNER AVE
GLEN ELLYN, IL 60137

LONG, GREGORY & CRICIA
OR CURRENT OWNER
329 HILL AVE
GLEN ELLYN, IL 60137

HUBBARD, DAVID &ROSEMARIE
OR CURRENT OWNER
376 TURNER AVE
GLEN ELLYN, IL 60137

MULDOON, ANN S
OR CURRENT OWNER
384 TURNER AVE
GLEN ELLYN, IL 60137

VILLAGE OF GLEN ELLYN
535 Duane Street
Glen Ellyn, Illinois 60137
(630) 547-5250

RECEIVED
DEC 11 2012
PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN

APPLICATION FOR VARIATION

For the property at 277 NEWTON AVE. Glen Ellyn, IL 60137

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Planning and Development Department.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: PRESTON C FAWCETT

Address: 1207 NORWOOD AVE, ITASCA, IL. 60143

Phone No.: 773-382-8848

Fax No.: 630-214-7111

E-mail: Pfawcett.bluelines@yahoo.com

Ownership Interest in the Property in Question: ARCHITECT

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):
MICHAEL CAMPAGNA
MARY CAMPAGNA

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):
MICHAEL CAMPAGNA & MARY CAMPAGNA
277 NEWTON AVE, GLEN ELLYN, IL. 60137

Is the property in question subject to a contract or other arrangement for sale with the fee owner? (Circle "Yes" or "No")

YES NO

If YES, the contract purchaser must provide a copy of the contract to the Village and must either be a co-petitioner to this application or submit the attached Affidavit of Authorization with the application packet.

Is the property in question the subject of a land trust agreement? (Circle "Yes" or "No")

YES NO

If YES, (1) either the trustee must be a co-petitioner or submit the attached Affidavit of Authorization from the trustee to represent the holders of the beneficial interests in the trust and (2) the applicant must provide a trust disclosure in compliance with "An Act to Require Disclosure of All Beneficial Interests", Chapter 148, Section 71 et seq., Illinois Revised Statutes, signed by the trustee.

III. PROPERTY INFORMATION:

Common address: 277 Newton AVE.

Permanent tax index number: 05-15-214-002

Legal description: THE SOUTHERLY 1/2 OF LOT 6 (EXCEPT THE SOUTHERLY 75 FEET THEREOF), THE SOUTHERLY LINE OF SAID TRACT BEING PARALLEL TO THE NORTHERLY LINE OF SAID LOT, ALL IN BLOCK 1 IN ROBINSON'S COLLEGE HILL ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 16, 1909 AS DOCUMENT NO. 96659, IN DUPAGE COUNTY, ILLINOIS.

Zoning classification: R-2

Lot size: 75 ft. x 120 ft. Area: 8310.09 sq. ft.

Present use: SINGLE FAMILY RESIDENCE

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):
The variation requested is for relief from the required side yard set back of 7.5 feet which would be reduced to 3.0 feet. Rear yard requirement is 40' and the addition as proposed is 50.9 feet.

Estimated date to begin construction: Spring 2013

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):
Preston C. Fawcett, architect of record
1201 Norwood AVE
Itasca, Illinois, 60143

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal addition is not possible. The side yard lot lines are set at angles to the street (approx. 30deg.)while the original house is set parallel to the street. Therefore the remaining areas are of such an impractical and difficult shape to build on that this is the particular hardship.

2. a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):

OR

b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal addition is not possible. The side yard lot lines are set at angles to the street (approx. 30deg.)while the original house is set parallel to the street. Therefore the remaining areas are of such an impractical and difficult shape to build on that this is the particular hardship.

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal addition is not possible. If grante the variation would allow the addition to appear more a part of the original hous as opposed to an addition. This in itself will make the addition more in characte with the neighborhood and not alter its essential residential nature.

B. For the purpose of supplementing the above standards, the ZBA or PC, in making its recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal addition is not possible.

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

Typically most residential lots are of a rectangular nature with side yards being perpendicular to the street. This lot has the side yards at such an angle that a practical solution becomes very difficult. The actual dimension across the parallel side yards is 69 feet, yet the shape of the property causes this to be 75 feet at the street, therefore causing a more strick set back of 7.5 feet vs. 6.9 feet. Placing the original house parallel to the side yards and not the street would have been a much more practical and pleasing solution.

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

The existing kitchen is somewhat on the small side. The enlarged kitchen would allow for a more practical use of the home and more desirable to stay in. Therefore the purpose of the variation is only to allow for a more normal layout for the kitchen addition. We have no intension of moving or relocating after building the enlarged kitchen.

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant.

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal addition is not possible. We had no idea at the time of purchase that we would be expanding the home and have no thought that it would be made more difficult due to the orientation of the home and the shape of the lot.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located

The addition if allowed would appear normal to the existing house as well as the existing residential neighborhood and not stand out as an unusual type of addition.

6. Provide evidence that the proposed variation will not:

a. Impair an adequate supply of light and air to adjacent property;

The existing homes directly adjacent is a one story home. This addition is one story and would compliment that home. It in no way overshadows or blocks the adjacent properties.

b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

The requestd 3 ft setback would still allow for fire fighters to gain access through the property. The new roof gutters will be connect to an existing down spout therefore not change the existing drainage patterns.

c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal addition is not possible. If granted the variation would allow the addition to appear more a part of the original house as opposed to an addition. This in itself will make the addition more in character with the neighborhood and not alter its essential permitted and proposed residential

d. Diminish or impair property values within the neighborhood;

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere ~~rectangle, that a normal addition is not possible. If granted the~~ variation would a~~llow the addition to appear more a part of the original house as~~ opposed to an addition. This in itself will make the addition more in character with the neighborhood and not alter its essential permitted and proposed residential

e. Unduly increase traffic congestion in the public streets and highway;

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal addition is not possible. If granted the variation would allow the addition to appear more a part of the original house as opposed to an addition. This in itself will make the addition more in character with the neighborhood and not alter its essential permitted and proposed residential nature of the neighborhood.

f. Create a nuisance; or

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal addition is not possible. If granted the variation would allow the addition to appear more a part of the original house as opposed to an addition. This in itself will make the addition more in character with the neighborhood and not alter its essential permitted and proposed residential nature of the neighborhood.

g. Results in an increase in public expenditures.

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal ~~addition is not possible. If granted the variation would allow the addition~~ to appear more a part of the original house as opposed to an addition. This in itself will make the addition more in character with the neighborhood and not alter its essential permitted and proposed residential nature of the neighborhood.

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.

See Plat of Survey and Site Plan: The particular plat is of such a parallelogram, as opposed to a mere rectangle, that a normal ~~addition is not possible. If granted the variation would allow the addition~~ to appear more a part of the original house as opposed to an addition. This in itself will make the addition more in character with the neighborhood and not alter its essential permitted and proposed residential nature of the ~~neighborhood.~~

8. Please add any comments which may assist the Zoning Board of Appeals of Appeals in reviewing this application.

It is the desire of the Owner to obtain relief from the required side yard setback in order to design a normal Kitchen and addition. The hard-ship is due to the unusual and unique nature of the property orientation. It is also our belief that said addition will not have an adverse effect to the neighborhood.

VI. EVIDENCE RELATING TO FLOOD HAZARD VARIATION REQUESTS

The following items must be completed only if the requested variation is from Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations.) If no such variation is being requested, the applicant should skip this section and complete Section VII below.

A. Items applicable only to variation requested from the requirements of Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations) that, if granted, would result in a structure not being protected to the elevation of the base flood.

Since the property is not within the Turner Avenue flood area this section is not applicable

AFFIDAVIT OF AUTHORIZATION

I, Michael Campagna owner of the property described as 277 Newton Ave., Glen Ellyn, Illinois 60137

verify that Preston C. Fawcett is duly authorized to apply and represent my interests before the Glen Ellyn Architectural Review Commission, Plan Commission, Zoning Board of Appeals and/or Village Board. Owner acknowledges that any notice given applicant is actual notice to owner.

Mary J Campagna
OWNER

NOTARY

OFFICIAL SEAL
AARON HAMMOND
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:02/03/15

VII. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

Preston C. Fawcett

Signature of Applicant(s)

11-19-12

Date filed

Form No. 10R © Jan 1985
AMERICAN LEGAL FORMS, CHICAGO, IL (312) 332-1922

WARRANTY DEED
Statutory (ILLINOIS) (General)

CAUTION: Consult a lawyer before using or acting under this form. Neither the publisher nor the seller of this form makes any warranty with respect thereto including any warranty of merchantability or fitness for a particular purpose.

THE GRANTOR (NAME AND ADDRESS)
Scott S. and Jill A. Bednas,
Husband and Wife
277 Newton Ave.

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
JUN.28,2005 8:10 AM
DEED 05-15-214-002
003 PAGES R2005-134970

(The Above Space For Recorder's Use Only)

1354910 ATG 1/2

of the Village of Glen Ellyn County of DuPage, State of Illinois
for and in consideration of _____ DOLLARS, _____
in hand paid, CONVEY___ and WARRANT ___ to

Michael CAMPAGNA and Mary Campagna, Husband and Wife
19 Manning
Salem, MA

(NAMES AND ADDRESS OF GRANTEES)

the following described Real Estate situated in the County of DuPage in the State of Illinois, to wit: (See reverse side for legal description.) hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. SUBJECT TO: General taxes for 2005 and subsequent years and

Permanent Index Number (PIN): 05-15-214-002

Address(es) of Real Estate: 277 Newton Ave.

DATED this 9th day of June 2005

PLEASE PRINT OR TYPE NAME(S) BELOW SIGNATURE(S)

_____ (SEAL) _____ (SEAL)
Scott S. Bednas — Jill A. Bednas

_____ (SEAL) _____ (SEAL)

State of Illinois, County of DuPage ss. I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that

Scott S. Bednas and Jill A. Bednas are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

"OFFICIAL SEAL"
MARK D. SHEAFFER
NOTARY PUBLIC STATE OF ILLINOIS
My Commission Expires 07/06/2007

Given under my hand and official seal, this 9th day of June 2005

Commission expires 7/6 2007 _____ NOTARY PUBLIC

This instrument was prepared by MARK SHEAFFER, 2 N. LaSalle, Ste. 1100 Chicago IL 60602
(NAME AND ADDRESS)

PAGE 1 SEE REVERSE SIDE ►

Legal Description

of premises commonly known as 277 NEWTON AVE., GLEN ELLYN, IL

SEE ATTACHED LEGAL DESCRIPTION

MAIL TO:
Robert J. GALGAN, JR.
(Name)
340 W. Butterfield Rd.
(Address)
Elmhurst IL 60126
(City, State and Zip)

SEND SUBSEQUENT TAX BILLS TO:
MICHAEL CAMPAGNA
(Name)
277 NEWTON
(Address)
GLEN ELLYN IL 60137
(City, State and Zip)

OR RECORDER'S OFFICE BOX NO. _____

THE SOUTHERLY ½ OF LOT 6 (EXCEPT THE SOUTHERLY 75 FEET THEREOF), THE SOUTHERLY LINE OF SAID TRACT BEING PARALLEL TO THE NORTHERLY LINE OF SAID LOT, ALL IN BLOCK 1 IN ROBINSON'S COLLEGE HILL ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN THE NORTH ½ OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 16, 1909 AS DOCUMENT NO. 96659, IN DUPAGE COUNTY, ILLINOIS.

HOMEOWNER & CONTRACTOR: TO VERIFY ALL DIMENSIONS,STRUCTURAL DETAILS, AND BUILDING CODES, AND GRADE REQUIREMENTS.

KITCHEN AND BATH REMODEL AND ADDITION (FIRST FLOOR)

CODES AND ORDINANCES:

ALL WORK SHALL CONFORM TO to all ordinances, codes and regulations of the Village of Glen Ellyn relating to the construction, repair or alteration of buildings and structures.

List of Adopted Codes
ICC International Building Code 2003 edition
ICC International residential code for one- and two-family dwellings, 2003 edition
International Fire Code ICC 2003
National Fire Prevention Code - BOCA 1993
International Mechanical Code ICC 2003
International Fuel Gas Code ICC 2003
National Electric Code - 2008 edition
Illinois State Plumbing Code - 2004
DuPage Cty Stormwater Floodplain Ordinance, 2008
IL Accessibility Code, 1997
IL/NFPA 101 Life Safety Code, 2000
IL/ICC International Energy Conservation Code, 2009
IL/ASHRAE Energy Standard 90.1, 2004

GENERAL NOTES:

THESE PLANS SHALL NOT BE USED FOR CONSTRUCTION UNTIL STAMPED AND SIGNED BY AN ARCHITECT AND APPROVED BY THE LOCAL BUILDING DEPARTMENT. THE BUILDER IS EXPECTED TO FOLLOW THESE PLANS, APPLICABLE BUILDING CODES AND LOCAL ORDINANCES. HE SHALL VERIFY THAT SITE CONDITIONS ARE CONSISTENT WITH THESE PLANS BEFORE STARTING WORK. WHILE THESE PLANS ARE DRAWN TO SHOW THE PROPOSED WORK AS ACCURATELY AS POSSIBLE, SCHEMATIC DETAILS MAY BE USED IN SOME CASES FOR CLARITY. WORK NOT SPECIFICALLY DETAILED SHALL BE CONSTRUCTED TO THE SAME QUALITY AS SIMILAR WORK THAT IS DETAILED.

WRITTEN DIMENSIONS AND SPECIFIC NOTES SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND GENERAL NOTES. THE ARCHITECT SHALL BE CONSULTED FOR CLARIFICATION IF SITE CONDITIONS ARE ENCOUNTERED THAT ARE DIFFERENT THAN SHOWN, IF DISCREPANCIES ARE FOUND IN THE PLANS OR NOTES, OR IF A QUESTION ARISES OVER THE INTENT OF THE PLANS OR NOTES.

THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR SCHEDULING, FABRICATION, CONSTRUCTION TECHNIQUES OR MATERIALS, OR QUANTITIES USED IN THE WORK. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR FIELD CHANGES, SITE VARIANCES OR DISCREPANCIES NOT BROUGHT TO HIS/HER ATTENTION FOR CLARIFICATION.

DIMENSIONS AND NOTES SHALL TAKE PRECEDENCE OVER THE SCALING OF DRAWINGS.

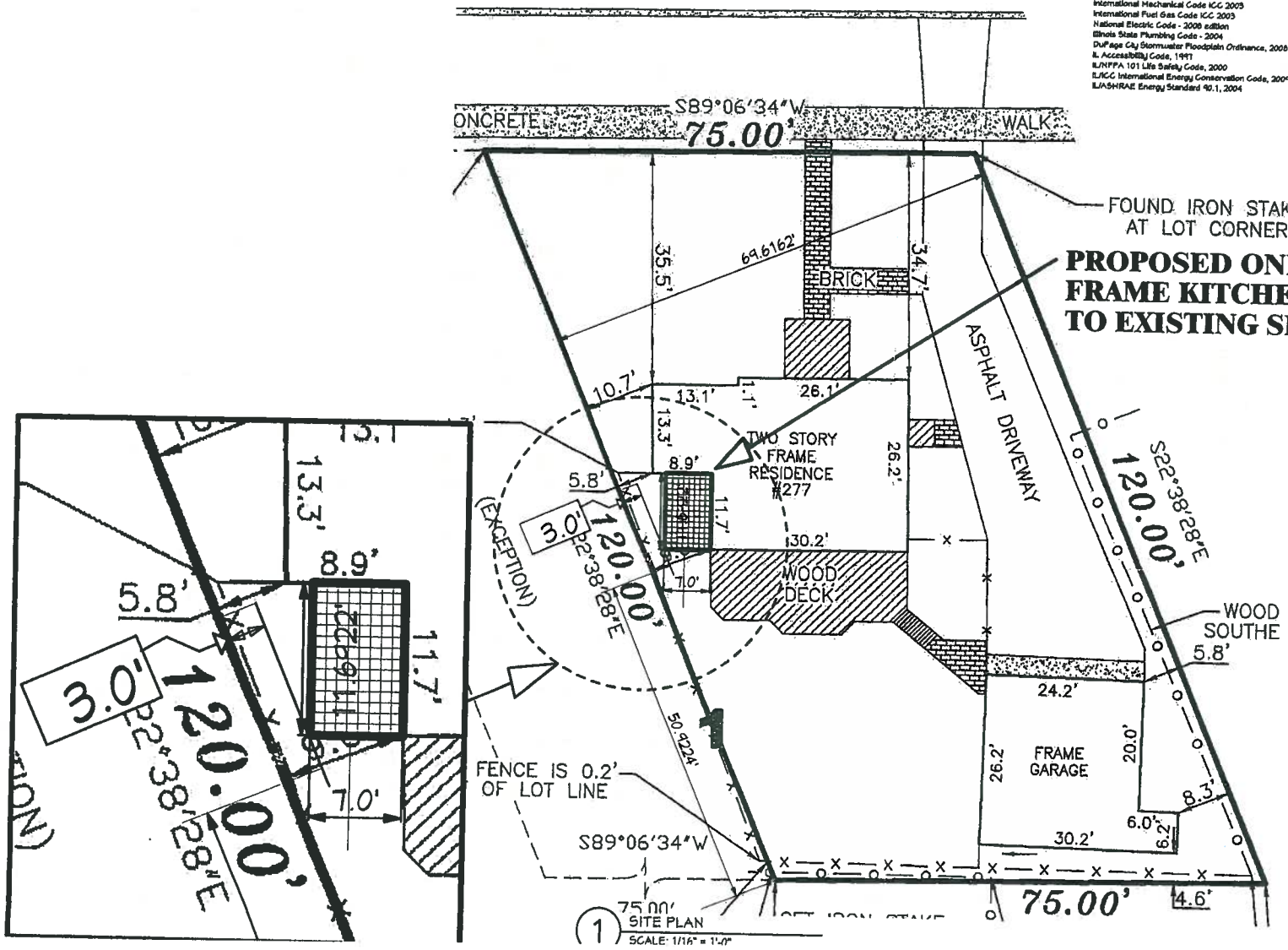
WALL DIMENSIONS ARE TO THE EXTERIOR OF FRAMING UNLESS NOTED OTHERWISE.

LUMBER COMING IN CONTACT WITH CONCRETE OR MASONRY SHALL BE TREATED TO A MINIMUM OF .38 CA-B RETENTION. ALL LUMBER IN CONTINUOUS CONTACT WITH THE GROUND SHALL BE TREATED TO A MINIMUM OF .21 CA-B RETENTION

ALL FRAMING LUMBER TO BE #2 HEM FIR OR BETTER, OR EQUIVALENT, UNLESS NOTED OTHERWISE.

WINDOWS SHALL BE DUAL PANE WITH WOOD OR ALUMINUM FRAMES (VINYL IS NOT PERMITTED) WITH U VALUE OF 0.31. MANUFACTURER AND COLOR TO BE DETERMINED BY OWNER.

ALL EXTERIOR DOORS AND WINDOWS SHALL BE FINISHED WITH WEATHER RESISTANT COATINGS AND WEATHERSTRIPPED.



DESIGNfirst
The Future of Remodeling

DESIGNfirst Builders LLC
1201 Norwood Ave
Itasca, IL 60143

847-386-1386 Consultations
630-250-7777 Showroom
630-559-2444 Fax

contact@d1builders.com Email

Kitchens & Baths
Windows & Doors
Custom Cabinetry
Additions & Basements
Greenovations

AskDesignFirst.com

BLUELINEArchitect.com
Imagine the Possibilities

ISSUES AND REVISIONS

ISSUE DATE	DESCRIPTION
11/12/12	Variation

SHEET LEGEND

A1	COVER SHT/GENERAL INFO
A2	EXISTING FIRST FLOOR PLAN/DEMO
A3	EXISTING SECOND FLOOR PLAN
A4	PROPOSED FOUNDATION PLAN
A5	PROPOSED FIRST FLOOR PLAN
A6	ELEVATIONS
A7	WALL SECTION
A8	ELECTRICAL DRAWINGS AND NOTES

RESIDENTIAL DESIGN CRITERIA

FLOOR	40# LL 10# DL	ALL AREAS	
CEILING	30# LL 10# DL	STICK BUILT CONSTRUCTION	
ROOF	30# LL 10# DL	ROOF SLOPES OVER 3 in 12	
CATHEDRAL	50# LL 10# DL	ALL SLOPES	
ROOF TRUSSES	20# LL 10# DL	BOTTOM CHORD OF TRUSSES	
	30# LL 10# DL	TOP CHORD OF TRUSSES	
		ROOF SLOPES OVER 3 in 12	
EXT. DECK BALCONY	40# LL 10# DL	EXTERIOR	

STRUCTURAL FRAMING LUMBER

FLOOR JOISTS, CEILING JOISTS, HEADERS AND RAFTERS IN-GRADE BASE VALUE AS DETERMINED BY WESTERN WOOD PRODUCTS ASSOCIATION. (USE NO MULTIPLIERS AGAINST BASE VALUE)

#2	HEM-FIR	DOUGLAS	BASE Fb = 900

MINIMUM IN-GRADE BASE VALUES FOR STUDS

FIRST FLOOR:		
EXTERIOR LOAD BEARING WALLS	E = 1400000	Fc = 425
INTERIOR LOAD BEARING WALLS	E = 1200000	Fc = 800
SECOND FLOOR:		
EXTERIOR LOAD BEARING WALLS	E = 1200000	Fc = 500
INTERIOR LOAD BEARING WALLS	E = 1000000	Fc = 800
ALL NON-LOAD BEARING WALLS	E = 1000000	Fc 400

EXTERIOR DECK STRUCTURAL FRAMING LUMBER

ALL DECK STRUCTURAL FRAMING HAVE BEEN DESIGNED BASED UPON #2 NORTHERN YELLOW PINE OF WA. GREEN

Fb = 2.0 · 1500 PSI / 2.60 · 1300 PSI / 2.60 · 1.30 PSI

E = 1400000

AS CLASSIFIED BY THE SOUTHERN PINE INSPECTING COUNCIL

ENGINEERED WOOD PRODUCTS

MANUFACTURED STRUCTURAL WOOD PRODUCTS SUCH AS HEADERS AND BEAMS HAVE BEEN DESIGNED BASED UPON MICRO-LAM, AND PARALLAM AS MANUFACTURED BY TRUS-JOIST MACMILLAN

1.9 MICRO-LAM	Fb = 2600 psi	E = 1900000 psi
2.0 PARALLAM	Fb = 2900 psi	E = 2000000 psi
1.5 TIMBERSTRAND	Fb = 2250 psi	E = 1500000 psi

PROJECT

KITHEN/BATH REMODEL AND ADDITION

PROJECT NAME AND ADDRESS

MICHAEL AND MARY CAMPAGNA

277 NEWTON AVENUE
GLEN ELLYN, IL

PERMIT SET

COVER SHEET GENERAL INFO

Contractor Please Note: Contractor shall verify all conditions and dimensions at his job site and notify the architect of any dimensional errors, omissions or discrepancies before beginning or fabricating any work. Do not scale from drawings.

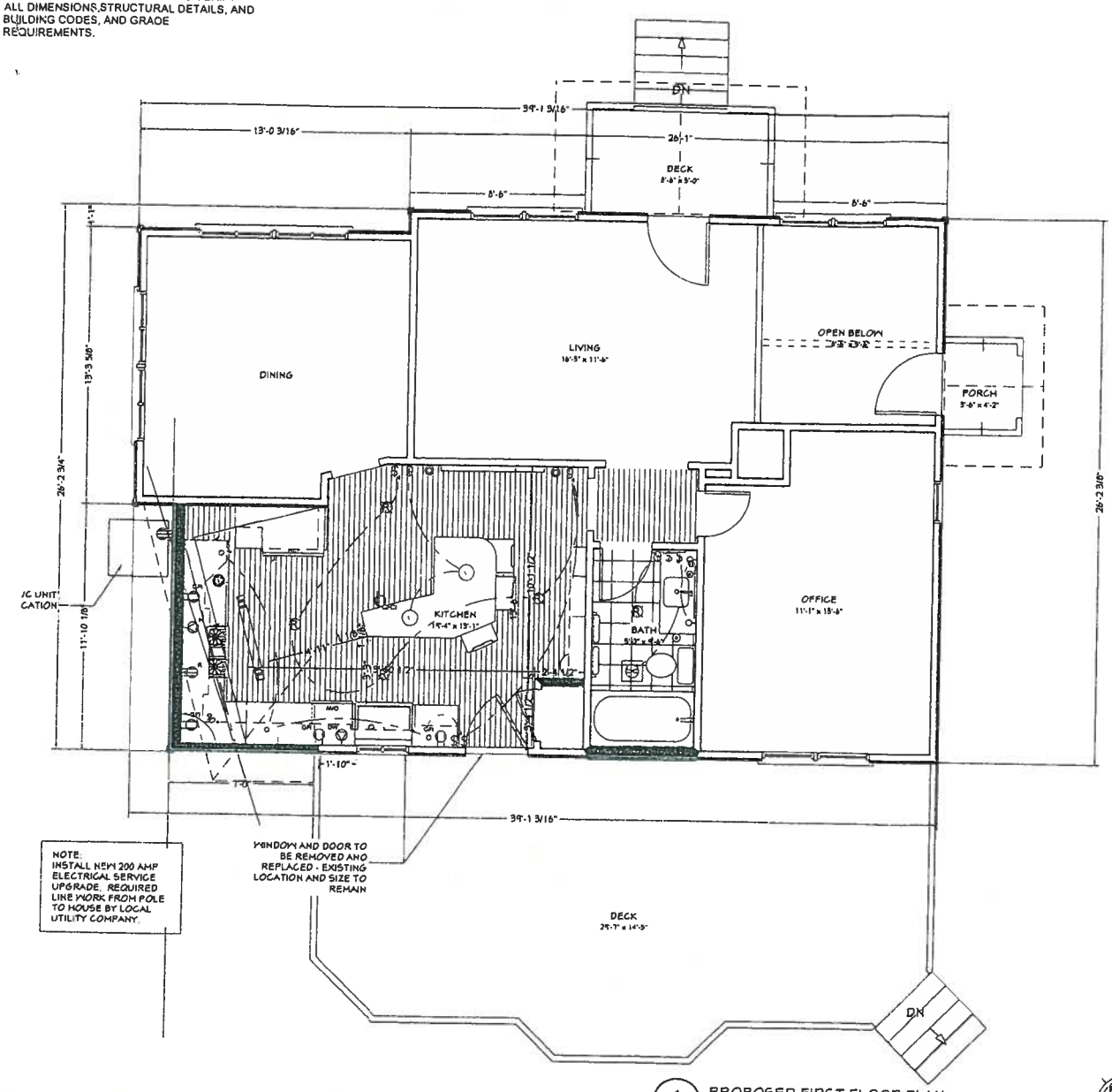
These drawings and specifications are the proprietary work product and property of Blueline, Inc. and Design 1st Builders, and are protected by Federal Copyright laws. These drawings are prepared and developed solely for the exclusive use of Design 1st Builders.

Use of these drawings into the example contained herein without the written permission of Blueline, Inc. and Design 1st Builders is prohibited and

SHEET A1 OF 8

DATE: 12/10/2012
TIME: 12:19:54

HOMEOWNER & CONTRACTOR: TO VERIFY ALL DIMENSIONS,STRUCTURAL DETAILS, AND BUILDING CODES, AND GRADE REQUIREMENTS.



NOTE:
INSTALL NEW 200 AMP ELECTRICAL SERVICE UPGRADE. REQUIRED LINE WORK FROM POLE TO HOUSE BY LOCAL UTILITY COMPANY.

WINDOW AND DOOR TO BE REMOVED AND REPLACED - EXISTING LOCATION AND SIZE TO REMAIN

1 PROPOSED FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

ROUGH CARPENTRY:

1./Stress grade lumber grading rules and wood species shall conform to the "National Design Specifications for Stress Grade Lumber and Its Fastenings" NLMA latest Edition.

1.a./ Calculations for lumber are based on minimum construction lumber Hem Fir #2 with values for fiber stress in bending, section modulus and shear;
Fb = 850 PSI in repetitive members
E = 1,300,000
Fv = 285

2./Provide double joists under all partitions parallel to joists and provide solid blocking under all partitions perpendicular to joists or as indicated as truss joist.

3./Provide double joists under water heater, washer/dryer, bathtub, Jacuzzi, and all stationary appliances

4./Provide 1x4 cross bridging at 7' 0" OC. max. or approved metal bridging. Do not final nail bridging until just before drywall installation.

5./All headers and header joists shall be nailed together and be Hem Fir Number 1 or better;
Fb = 1,050 PSI
Fv = 75 PSI
E = 1,5000,000

6.All flitch beams to be constructed with 2x's and steel plate as shown on plans bolted together with 1/2" diameter bolts at 16" OC. staggered at quarter points top and bottom (optional).

7./Frame wood members to be a close fit, set accurately to required lines and levels and secure rigidly in accordance with drawings. Cut and fit framing, blocking, and other wood members to accommodate other work.

8./Use approved metal connectors for connecting joists to headers. Use zinc coated steel hardware unless otherwise indicated (Simpson or approved equal). When connecting copper azole treated lumber all connectors are to be double ZINC coated to resist corrosion.

9./Floor sheeting shall be 3/4" T&G plywood glued and nailed to floor joists.

10./Roofing sheeting to be 1/2" CDX with exterior glue.

11./In Ceramic tiled areas use 1/2" cement underlayment glued to plywood under flooring, taped and sealed.

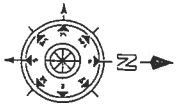
12./All walls to have 2" solid wood fire stopping and all electrical and plumbing through floors are to have spaces sealed off with approved fire rated caulking. Fire stop all furring, partitions and stud walls at both floor and ceiling of each floor level and or juncture of roof rafters and walls.

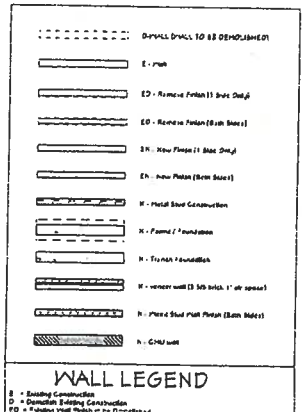
13./All closets marked linen and pantry to have 5 shelves @ 12" O.D. typical, unless noted otherwise, verify. Jambs to all closets and openings without pre hung doors are to have drywall metal beads.

14./Sill plates on concrete foundation wall shall be pressure treated and set in sill sealer.

15./Header span schedule for bearing walls unless otherwise noted on plans:

Spans less than 4'-	- (2) 2x6's.
Spans 4', 6'-	- (2) 2x8's.
Spans 6', 8' -	- (2) 2x10's.
Spans 8', 10' -	- (2) 2x12's.
Two story Wall -	- (2) 2x12's.





DESIGNfirst
The Future of Remodeling

DESIGNfirst Builders LLC
1201 Norwood Ave
Itasca, IL 60143

847-386-1386 Consultations
630-250-7777 Showroom
630-559-2444 Fax

contact@d1builders.com Email

Kitchens & Baths
Windows & Doors
Custom Cabinetry
Additions & Basements
Greenovations

AskDesignFirst.com

BLUELINESarchitect.com
Imagine the Possibilities

ISSUES AND REVISIONS

ISSUE DATE	DESCRIPTION
11/12/12	Variation

PROJECT

KITHEN/BATH REMODEL AND ADDITION

PROJECT NAME AND ADDRESS

MICHAEL AND MARY CAMPAGNA

277 NEWTON AVENUE
GLEN ELLYN, IL

PERMIT SET

PROPOSED FLOOR PLAN

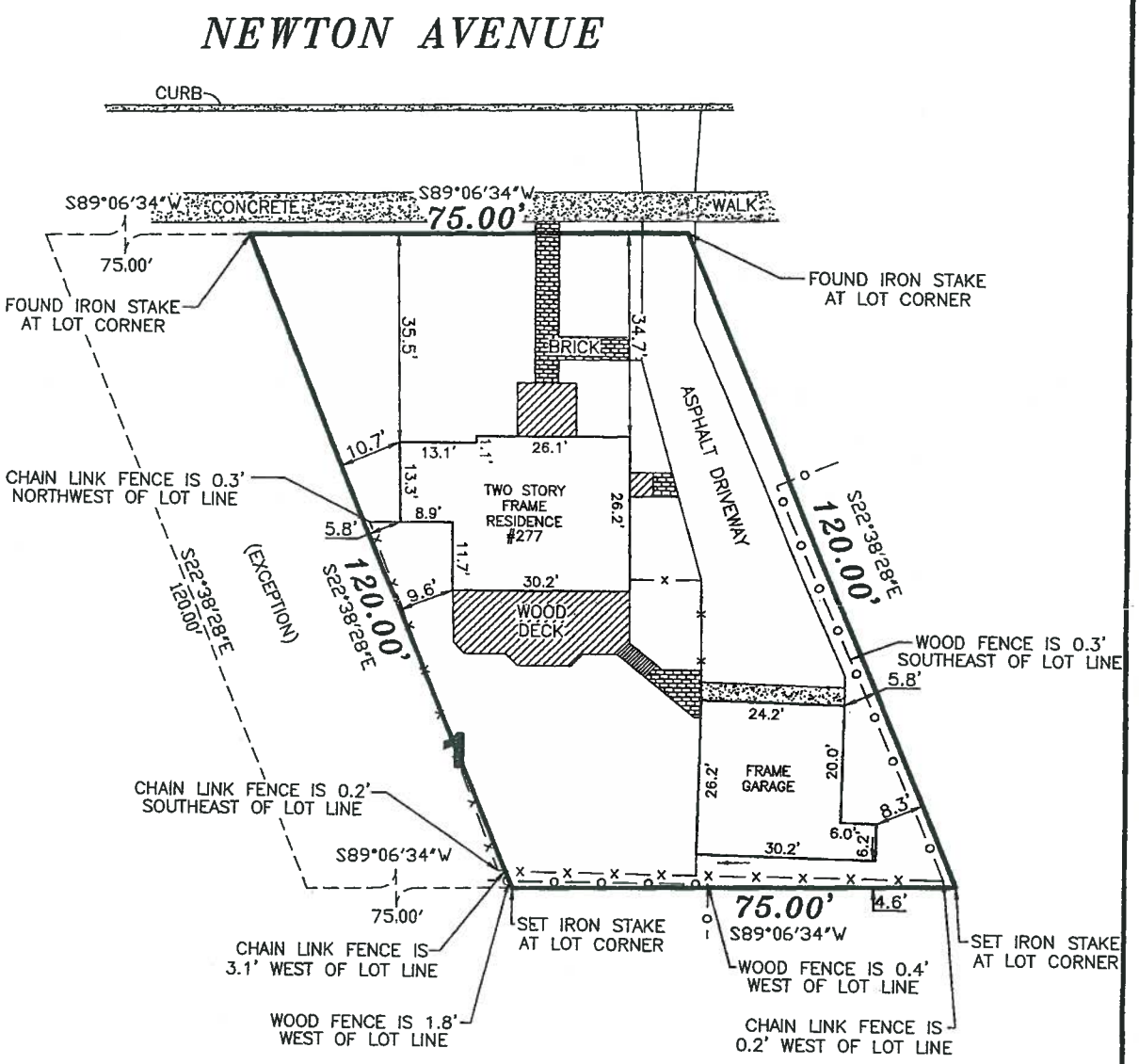
SHEET A5 OF 8

PLAT OF SURVEY

OF

THE SOUTHERLY 1/2 OF LOT 6 (EXCEPT THE SOUTHERLY 75 FEET THEREOF), THE SOUTHERLY LINE OF SAID TRACT BEING PARALLEL TO THE NORTHERLY LINE OF SAID LOT, ALL IN BLOCK 1 IN ROBINSON'S COLLEGE HILL ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 16, 1909 AS DOCUMENT NO. 96659, IN DUPAGE COUNTY, ILLINOIS.

COMMON ADDRESS: 277 NEWTON AVENUE



BEARINGS ARE ASSUMED

CLIENT: FIRST SUBURBAN

AREA OF SURVEY = 8359 SQ.FT.

W S N E

JNT

LAND SURVEYING SERVICES INC.

15935 S. BELL ROAD. (708) 645-1136
HOMER GLEN, IL. 60491 Fax (708) 645-1138

No improvements should be made on the basis of this plat alone. Field monumentation of critical points should be established prior to commencement of any and all construction.
For building line and other restrictions not shown hereon refer to your deed, abstract, title policy contracts and local building and zoning ordinance.

STEVEN J. NAGEL * 3354 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS * LOCKPORT, ILLINOIS

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

LICENSE EXPIRES 11/30/06

STATE OF ILLINOIS
COUNTY OF WILL } S. S.

1" = 20'
SCALE

JNT LAND SURVEYING SERVICES INCORPORATED HEREBY CERTIFIES THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THE HEREON DRAWN PLAT IS A CORRECT REPRESENTATION THEREOF.

Dated this 21ST Day of APRIL, 20 05.

IPLS No. 3354