

ZONING BOARD OF APPEALS  
MINUTES  
AUGUST 25, 2015

The meeting was called to order by Chairperson Rick Garrity at 7:00 p.m. ZBA Members Greg Constantino, Larry LaVanway, John Micheli and Chip Miller were present. ZBA Members James Bourke and Edward Kolar were excused. Also present were Building and Zoning Official Steve Witt and Recording Secretary Debbie Solomon.

Chairperson Garrity explained the procedures of the Zoning Board of Appeals.

On the agenda was a public hearing regarding the property at 456 Phillips Avenue.

PUBLIC HEARING – 456 PHILLIPS AVENUE

A REQUEST FOR APPROVAL OF THREE VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. SECTION 10-4-8(D)1 TO ALLOW A FRONT YARD SETBACK OF 14.02 FEET ON THE SOUTH IN LIEU OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF 31.31 FEET TO ALLOW FOR THE REPLACEMENT OF EXISTING WINDOWS ON THE SOUTH AND WEST WALLS OF THE LIVING ROOM WITH NEW BAY WINDOWS. 2. SECTION 10-4-6(a) TO ALLOW STRUCTURAL ALTERATIONS TO EXISTING WINDOW OPENINGS AT AN EXISTING NONCONFORMING RESIDENCE. 3. 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 HEARING OF THE VILLAGE BOARD.

(Christer and Jacqueline Setterdahl, owners)

Staff Presentation

Building and Zoning Official Steve Witt stated that Christer and Jacqueline Setterdahl, the petitioners and owners of 456 Phillips Avenue, are requesting approval of three variations from the Glen Ellyn Zoning Code to allow for the installation of two bay windows in two existing window locations in a nonconforming residence. Mr. Witt displayed the plat of survey as well as a current picture of the front of the property and a rendering of the proposed bay windows. He stated the site plan has been modified slightly to indicate the installation of three bay windows; however, only two of the bay windows are well within the front yard setback and need variations while the other proposed bay window would not need a variation for that location.

Mr. Witt stated the subject property is an interior lot located in the R2 Zoning District on Phillips Avenue two lots east of Prospect Avenue, and the zoning and land use surrounding the property is single-family residential. He stated a notice of the public hearing was published in the August 5, 2015 edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property. He stated no Village records were

found to indicate when the home was constructed or that any zoning variations have been granted for this property. He stated the Village records indicate that several building permits were issued in the past for this property, but none that are related to the area of the structure when the bay windows will be located.

ZBA Member Micheli asked if the bay windows will protrude beyond the eaves. ZBA Member Constantino stated as a part of the application packet, it appears the windows will not go beyond the eaves to which Mr. Witt agreed. Mr. Witt displayed a picture and stated that the proposed bay windows would be well within the existing eaves.

ZBA Member LaVanway asked for the location map and mailing labels that are usually in the packets and asked if the public hearing notice was mailed. Mr. Witt stated it was an oversight that the map and labels were left out of the Members' packets, and the public hearing notice was mailed on August 7, 2015.

#### Petitioners' Presentation

Jacqueline Setterdahl, the petitioner, of 456 Phillips Avenue, stated her husband and she bought the property in 2004. She stated they are unsure of when the property was actually built, but think the front part was constructed in the 1920's, and the previous owner did add an addition in the back of the home. She stated the living room is very constrained, tight and dark, and since they moved in, they have discussed ways to make the living room larger. She stated the master bedroom is directly behind the living room so they considered moving the master bedroom upstairs to enlarge the living room, but this would be a massive change to the structure of the home. She stated the bay windows would be an efficient way to add more room in the front area without adding to the floor space or footprint of the home.

#### Questions from the Zoning Board of Appeals

ZBA Member Constantino stated it seems the home owners could not do much due to the severe grading on the lot and most of the living room is located in the front yard setback now. Ms. Setterdahl stated they cannot go out much from the home. ZBA Member Constantino asked if these windows had been discussed with the neighbors. Ms. Setterdahl stated there is an affidavit in the application packet signed by five neighbors who support these windows being installed. Ms. Setterdahl stated she asked the neighbors on either side and across the street about these proposed windows, and they were all supportive.

#### Persons in Favor of or in Opposition to the Proposed Request

No person spoke in favor or in opposition to the zoning variation request.

## Comments from the Zoning Board of Appeals

ZBA Member Constantino reviewed the Findings of Fact: Christer and Jacqueline Setterdahl, property owners of 456 Phillips Avenue, are seeking two variances to the Glen Ellyn Zoning Code – one variance to allow encroachment of the front yard setback by just over a foot and the other variance to allow alterations to a nonconforming structure. ZBA Member Constantino stated the ZBA heard from Building and Zoning Official Steve Witt who described the project and from home owner Jacqueline Setterdahl. ZBA Member Constantino stated the Setterdahls do not know the exact year the home was constructed, but they think it was in the 1920s. ZBA Member Constantino stated the home owners decided on the addition of bay windows for the purpose of increased light and an impression of openness because the home owners are unable to make structural changes to the home due to the current the floor plan within the home and due to not being able to reconfigure the home structure based upon where the structure is on the lot. ZBA Member Constantino stated there is no opposition to this project from the neighbors.

ZBA Member Micheli stated he can see the hardship for this home since the home was built before zoning codes were in place and due to where the home is positioned on the lot. He stated he is in favor of these variations as the construction will be in keeping with the character of the neighborhood and the home itself.

ZBA Member Miller stated the home is positioned very close to the street, and the home owners have done their best to bring more light and space in the home. He stated he is in favor of these variations.

ZBA Member LaVanway stated the home is a prior nonconforming property, and the home owners are asking for modest changes to the home. He stated the topography of the property affects the lot greatly, and he sees this as a significant hardship.

ZBA Member Constantino stated he is in favor of these variations. He stated the proposed bay windows apparently will not extend beyond the eaves, and the home owners are not changing the foundation or footprint of the structure. He stated there is a hardship due to the severe grading on the lot and that a significant portion of the living room sits in the front yard setback. He stated these changes will not affect the character of the home or the neighborhood.

ZBA Member LaVanway moved, seconded by ZBA Member Constantino to close the public hearing. The motion carried unanimously by voice vote.

## Motion

ZBA Member Miller moved, seconded by ZBA Member Constantino, to recommend approval of the requested zoning variations that Christer and Jacqueline Setterdahl, the petitioners and property owners, are requesting which are the approval of two variations from the Glen Ellyn

Zoning Code – one from section 10-4-8(d)1 to allow a front yard setback of 14.02 feet on the south in lieu of the minimum required front yard setback of 31.31 feet to allow for the replacement of existing windows on the south and west walls of the living room with new bay windows, and the other from Section 10-4-6(a) to allow structural alterations to existing window openings at an existing nonconforming residence. The plight of the owner is due to unique circumstances, practical difficulties or particular hardships, including the grade of the lot, the close nonconforming front yard setback, and the structure does not allow for change.

The motion carried unanimously with five “yes” votes and zero “no” votes as follows: ZBA members Miller, Constantino, LaVanway, Micheli and Chairperson Garrity voted yes.

#### Trustee Report

None

#### Staff Report

Mr. Witt stated the next ZBA meeting will be on September 8, 2015 for the continuance on the property at 599 Riford Road. Mr. Witt stated there will also be a meeting on September 22, 2015 for the properties at 549 Park Row and 790 Riford Road. He stated there could possibly be a meeting in October, but there has been no review on this project yet.

ZBA Member Miller stated his son filled out an application to be a Student Commissioner. ZBA Member Miller stated President Demos is having the students do 6-month terms now so more students will get involved.

ZBA Chairperson Garrity moved, seconded by ZBA Member LaVanway to adjourn the meeting at 7:26 p.m. The motion carried unanimously by voice vote.

Submitted by:

Debbie Solomon  
Recording Secretary