

**CITY OF DARIEN**

**PLANNING AND ZONING COMMISSION**

**AGENDA**

**Wednesday, June 15, 2016**

**7:00 PM**

**City Hall**

**Council Chambers**

1. Call to Order
2. Establish Quorum
3. Regular Meeting:

**A. Public Hearing**

**PZC 2016-07: 7722 Warwick Avenue:** Petitioner seeks approval of a variation to increase the permitted amount of rear yard coverage by accessory structures from 30% to 36% in order to construct an above-ground pool.

**B. Public Hearing**

**PZC 2016-08: 7417 Cass Avenue, Buona Beef:** Petitioner seeks approval of a plat of resubdivision and the following variations:

1. A reduction in the minimum required lot area from 2.00 acres to 1.157 acres.
  2. A reduction in the minimum required northern interior side yard from 30 feet to 0 feet.
  3. A reduction in the minimum required rear yard from 30 feet to 0 feet.
  4. An increase in the maximum permitted paved or impervious surface coverage from 75% to 83%.
4. Correspondence
  5. Old Business/Planner's Report
  6. Minutes: June 1, 2016
  7. Next Meeting: **July 6, 2016, 7:00 PM**
  8. Adjournment

**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**MEETING DATE: June 15, 2016**

**Issue Statement**

**PZC 2016-07: 7722 Warwick Avenue:** Petitioner seeks approval of a variation to increase the permitted amount of rear yard coverage by accessory structures from 30% to 36% in order to construct an above-ground pool.

**Applicable Regulations:**                      **Zoning Ordinance: Section 5A-5-9-5:** Permitted Percentage of Rear Yard Occupied by Accessory Structures.

**General Information**

Petitioner/

Property owner:                                      Robert Worley  
7722 Warwick Avenue  
Darien, IL 60561

Property Location:                                      7722 Warwick Avenue

PIN:    09-27-307-022

Existing Zoning:    R-2 Single-Family Residence

Existing Land Use:    Single-family residence

Comprehensive Plan Update:                                      Low Density Residential

Surrounding Zoning and Land Use:

North: R-2 Single-Family Residence: single-family detached homes

East: R-2 Single-Family Residence: single-family detached homes

South: R-2 Single-Family Residence: single-family detached homes

West: R-2 Single-Family Residence: single-family detached homes

Size of Property:    9,375 square feet

Floodplain:    None.

Natural Features:    None.

Transportation:    Property has frontage and access onto Warwick Avenue.

History:    None.

**Documents Submitted**

This report is based on the following information submitted to the Community Development

Department by the Petitioner:

1. Plat of Survey, 1 sheet, prepared by Professional Land Surveying, Inc., dated August 11, 2014.

### **Planning Overview/Discussion**

Subject property is located on the west side of Warwick Avenue.

The petitioner installed an above-ground pool within the rear yard before securing a building permit.

The Zoning Ordinance limits the amount of lot coverage by structures and impervious surfaces. Specific to the rear yard, the full width of a lot located behind a home, 30% is the maximum permitted amount of coverage. With the addition of the pool, the amount of rear yard coverage is 36%, or approximately 281 square feet over the permit amount.

Prior to the pool, existing structures and impervious surfaces in the rear yard included a detached garage, portion of the driveway and a patio.

The variation request must address the following criteria for approval:

1. Whether the general character of the property will be adversely altered.
2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.
3. Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises.
4. Whether the proposed variation will impair an adequate supply of light and air in adjacent property, substantially increase congestion in the public streets, increase the danger of fire or endanger the public safety.
5. Whether the proposed variation will adversely alter the essential character of the neighborhood.

### **Staff Findings/Recommendations**

Staff finds the proposed variation will not adversely alter the general character of the property, nor will it impair the adequate supply of light and air in adjacent properties, nor will it adversely alter the essential character of the neighborhood.

**Therefore, staff recommends the Commission make the following motion recommending approval:**

**Based upon the submitted petition and the information presented, the request associated with PZC 2016-07 is in conformance with the standards of the Darien**

**City Code and, therefore, I move the Planning and Zoning Commission approve the petition as presented.**

**Decision Mode**

Planning and Zoning Commission: June 15, 2016

7722 Warwick Ave  
Supporting document  
1 of 2



DuPage County  
Information Technology Department / GIS Division  
421 N County Farm Rd.  
Wheaton, IL 60187

Ph# 1(630)407-8000  
Email [gis@dupageco.org](mailto:gis@dupageco.org)  
DuPage Maps Portal:  
<http://dupage.maps.arcgis.com/home>

This map is for assessment purposes only.  
DuPage Maps Portal:  
<http://dupage.maps.arcgis.com/home>

  
Copyright DuPage 2016



# PLAT OF SURVEY

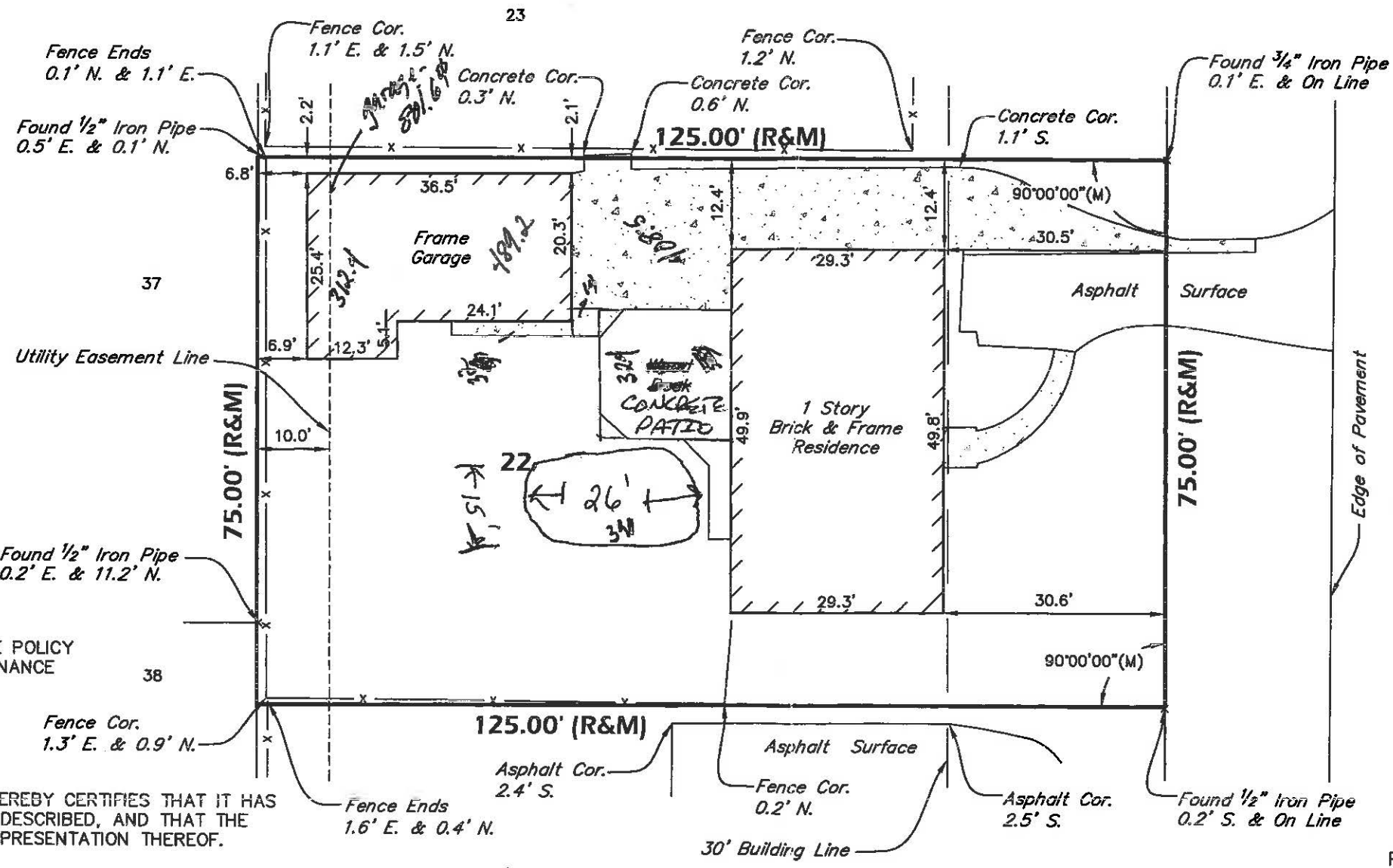
OF

7722 Warwick Ave  
Supporting document  
2 of 2

LOT 22 IN BRAUN AND ALDRIDGE INC RESUBDIVISION OF PART OF BROOKHAVEN MANOR A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED JULY 21, 1959 AS DOCUMENT NUMBER 932270 AND CERTIFICATE OF CORRECTION RECORDED AUGUST 3, 1959 AS DOCUMENT NUMBER 933787 IN DUPAGE COUNTY, ILLINOIS.



SCALE: 1"=20'



*Planning Review  
Lot 9,375*

*Rear yard = 4,875 sq ft  
30% = 1,463 sq ft  
Garage + patio driveway = 1,170 sq ft  
Rear yard - deck = 4,875 sq ft  
30% = 1,463 sq ft  
Garage + driveway + pool = 1,170 sq ft  
30% = 351 sq ft*

**AREA OF SURVEY:**  
CONTAINING 9,375± SQ. FT.

REFER TO YOUR DEED, ABSTRACT, TITLE POLICY AND LOCAL BUILDING AND ZONING ORDINANCE FOR ITEMS OF RECORD NOT SHOWN.

STATE OF ILLINOIS) ss  
COUNTY OF DUPAGE)

PROFESSIONAL LAND SURVEYING, INC. HEREBY CERTIFIES THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THE HEREON DRAWN PLAT IS A CORRECT REPRESENTATION THEREOF.

FIELD WORK COMPLETED AND DATED THIS 6TH DAY OF AUGUST, 2014.

*J. Pankow*  
IPLS No. 3483  
MY LICENSE EXPIRES 11/30/14



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

PROFESSIONAL DESIGN FIRM NO. 184-004196

### SYMBOL LEGEND

- CONCRETE SURFACE
- FENCE LINE
- (R) - RECORD DATA
- (M) - MEASURED DATA
- UTILITY POLE
- OVERHEAD WIRES

PREPARED FOR: REHFELDT

JOB ADDRESS: 7722 S. WARWICK AVENUE  
DARIEN, ILLINOIS

**Professional Land Surveying, Inc.**  
3080 Ogden Avenue Suite 107  
Lisle, Illinois 60532  
Phone 630.778.1757 Fax 630.778.7757

DRAWN BY: AA FLD. BK./PG. NO.: 119/39  
COMPLETION DATE: 08/11/14 JOB NO.: 149788  
REVISED:

**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**MEETING DATE: June 15, 2016**

**Issue Statement**

**PZC 2016-08: 7417 Cass Avenue, Buona Beef:** Petitioner seeks approval of a plat of resubdivision and the following variations:

1. A reduction in the minimum required lot area from 2.00 acres to 1.157 acres.
2. A reduction in the minimum required northern interior side yard from 30 feet to 0 feet.
3. A reduction in the minimum required rear yard from 30 feet to 0 feet.
4. An increase in the maximum permitted paved or impervious surface coverage from 75% to 83%.

**Applicable Regulations:**

**Subdivision Regulations: Section 5B-1-6:** Final Plat Procedures and Requirements.

**Zoning Ordinance: Section 5A-8-3-6:** B-2 Community Shopping Center District, Area Requirements.

**Zoning Ordinance: Section 5A-8-3-8(B)(1)(a):** B-2 Community Shopping Center District, Yard Requirements

**Zoning Ordinance: Section 5A-8-3-9:** B-2 Community Shopping Center District, Height Limitations, Bulk Regulations.

**General Information**

Petitioner:

Mile High Beef, LLC  
Mike Buonavolanto, The Buona Companies, LLC  
6801 W. Roosevelt Road  
Berwyn, IL 60402

Property owner:

Chicago Title & Trust Company  
as Trustee under Trust No. 1086065  
c/o Darien Associates  
91 Hunt Trail  
Barrington, IL 60010

Property Location:

7417 Cass Avenue

PIN:

09-27-108-028

Existing Zoning:

B-2 Community Shopping Center District

Existing Land Use:

Restaurant with drive-thru as outlot to a retail shopping center

Comprehensive Plan Update: Commercial

Surrounding Zoning and Land Use:

- North: B-2 Community Shopping Center District: grocery store
- East: R-2 Single-Family Residence: single-family detached homes
- South: B-2 Community Shopping Center District and R-3 Multi-Family Residence: bank, multi-family dwellings
- West: R-2 Single-Family Residence: elementary school, museum

Size of Property: 5.4 acres (shopping center)

Floodplain: None.

Natural Features: None.

Transportation: Shopping center has frontage and access onto Cass Avenue and 75th Street. New platted lot has frontage onto Cass Avenue, access via shopping center.

History: In 2006, the City Council granted a special use for a drive-thru and variations related to setbacks, landscaping, multiple buildings on one lot, vehicle stacking for a drive-thru requirements. In 2007, the City Council approved an amendment to the special use to permit an addition to the building.

**Documents Submitted**

This report is based on the following information submitted to the Community Development Department by the Petitioner:

1. Responses to Standards of Review for Zoning Variations, 2 sheets.
2. Letter from petitioner's attorney, 2 sheets, dated May 20, 2016.
3. ALTA/ACSM Land Title Survey, 1 sheet, prepared by Marchese and Sons, Inc., dated April 28, 2016.
4. Plat of Subdivision, 2 sheets, prepared by Marchese and Sons, Inc., not dated.

**Planning Overview/Discussion**

Buona Beef is located within the Jewel-Osco shopping center at the northeast corner of Cass Avenue and 75th Street. The shopping center includes Jewel-Osco, Sears Outlet, Concentra Immediate Care, Taco Bell and Buona Beef. Currently, the shopping center includes several parcels. Jewel-Osco is on its own lot and is owned separately from the rest of the shopping center.



The petitioner proposes to create a lot of record containing Buona Beef, Buona Beef plans to purchase the lot.

### **Plat of Subdivision**

The ALTA/ACSM Land Title Survey best shows the relationship between the built improvements and the proposed new lot. The proposed lot contains only the improvements related to Buona Beef.

Existing ingress/egress easements are in place providing access to/from the proposed lot through the shopping center.

No physical changes to the property are being proposed, only the creation of a lot of record.

Plat of subdivision approval requires consideration by the Planning and Zoning Commission, with approval by the City Council. A public hearing is not required.

### **Variations**

The proposed lot is 1.157 acres where 2 acres is the minimum lot area required in the B-2 zoning district.

The proposed lot also creates nonconforming setbacks along the north, east and south sides.

The proposed lot will have 83% lot coverage (buildings and impervious surface areas) where 75% is the maximum permitted in the B-2 zoning district.

The above noted variations document existing conditions and previously approved site plans.

Variations require consideration by the Planning and Zoning Commission, with approval by the City Council. A public hearing by the Commission is required.

Variation criteria:

1. Whether the general character of the property will be adversely altered.
2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.
3. Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises.
4. Whether the proposed variation will impair an adequate supply of light and air in adjacent property, substantially increase congestion in the public streets, increase the danger of fire or endanger the public safety.
5. Whether the proposed variation will adversely alter the essential character of the

neighborhood.

**Engineering Review**

Staff is waiting for comments from the City Engineer. However, since no property improvements are proposed, any comments should relate only to technical requirements of the plat and should easily be addressed by the petitioner before the plat is recorded.

**Staff Findings/Recommendations**

Because there are no changes to the site, only the creation of a plat of subdivision establishing a lot of record, the existing site conditions remain and the requested variations document existing conditions, staff does not object to the requested variations.

Staff finds the proposed variations do not adversely alter the character of the property, nor will they adversely alter the essential character of the neighborhood.

**Therefore, staff recommends the Commission make the following motion recommending approval:**

**Based upon the submitted petition and the information presented, the request associated with PZC 2016-08 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission approve the petition as presented.**

**Decision Mode**

Planning and Zoning Commission:                      June 15, 2016



7417 Cass Avenue: Buona Beef  
Supporting document  
1 of 5



**Responses to Standards of Review for Zoning Variations**  
(7417 W. Cass Avenue)

Petitioner, Mile High Beef, LLC, provides the following responses to the standards of review for the variations from the Zoning Ordinance identified below (collectively "Variations") for proposed Lot Two of Darien Associates Subdivision ("Subject Property") due to the practical difficulty and particular hardship in carrying out the strict letter of the regulations of the B-2 Community Shopping Center District in conjunction with said subdivision, as submitted with this petition:

- (i) a reduction in the minimum required lot area from 2.00 acres to 1.157 acres;
- (ii) a reduction in the minimum required northern interior side yard from 30 feet to 0 feet;
- (iii) a reduction in the minimum required rear yard from 30 feet to 0 feet; and
- (iv) an increase in the maximum permitted paved or impervious surface coverage (i.e., lot coverage) from 75% to 83%.

Standards of Review

***1. Whether the general character of the property will be adversely altered.***

The Subject Property was redeveloped when leased by Petitioner approximately ten years ago and is now proposed to be subdivided to enable Petitioner's acquisition of the Subject Property such that title to the Subject Property may be held by Petitioner or its affiliate, and title to the adjacent shopping center parcel of which the Subject Property is currently a part ("Shopping Center Parcel") may continue to be held by the current owner of the Shopping Center Parcel. No site plan modifications are proposed in conjunction with the proposed subdivision and Variations, and the proposed subdivision will be indiscernible to anyone who does not have actual knowledge of its approval and the location of the associated lot lines. The Variations are required solely to allow the Subject Property to be subdivided from the Shopping Center Parcel. Without the Variations, the Subject Property cannot be subdivided even though such subdivision (i) will not result in any site plan modifications to the Subject Property, (ii) will be otherwise indiscernible and (iii) requires Variations that will by no means adversely alter the general character of the Subject Property or the Shopping Center Parcel. This result causes undue hardship on Petitioner.

***2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.***

The overall value of the Subject Property will be improved as a result of the Variations because the Subject Property, when subdivided as proposed in conjunction with the Variations, may then be utilized and, if and when necessary, redeveloped independent of the Shopping Center Parcel. No site plan modifications are proposed



in conjunction with the proposed subdivision and Variations. As a result, the proposed subdivision and Variations will be indiscernible to anyone who does not have actual knowledge of their approval and the location of the associated lot lines. As a result, the Variations will not result in any adverse effects on the neighboring properties.

**3. *Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises.***

The need for the Variations has not been created by any person presently having a proprietary interest in the Subject Property. To the contrary, the Variations are required to allow the Subject Property to be subdivided from the Shopping Center Parcel in the most logical manner possible due to the existing improvements on both the Subject Property and the Shopping Center Parcel.

**4. *Whether the proposed variation will impair an adequate supply of light and air in adjacent property, substantially increase congestion in the public streets, increase the danger of fire or endanger the public safety.***

No site plan modifications are proposed in conjunction with the Variations. As a result, the Variations will not have any impact on the supply of light and air in adjacent property, will not substantially increase congestion in the public streets and will not increase the danger of fire or endanger the public safety to any extent.

**5. *Whether the proposed variation will adversely alter the essential character of the neighborhood.***

The Variations are required simply to allow the Subject Property to be subdivided as proposed. No site plan modifications are proposed in conjunction with the proposed subdivision or the Variations. The Variations are sought only to preserve the existing development conditions at the Subject Property and the Shopping Center Parcel. As a result, the Variations will not adversely alter the essential character of the neighborhood in which the Subject Property is located.



MELTZER, PURTILL & STELLE LLC

MPSLAW

ATTORNEYS AT LAW

1515 E. WOODFIELD ROAD  
SECOND FLOOR  
SCHAUMBURG, IL 60173-5431  
PHONE (847) 330-2400  
FAX (847) 330-1231

300 S. WACKER DRIVE  
SUITE 3500  
CHICAGO, IL 60606-6704  
PHONE (312) 987-9900  
FAX (312) 987-9854

File Number: 34715-001  
Direct Dial: (312) 461-4302  
E-mail: sbauer@mpsllaw.com

7417 Cass Avenue: Buona Beef  
Supporting document  
3 of 5

**VIA HAND DELIVERY**

May 20, 2016

Chairperson Beverly Meyer and  
Members of the Planning & Zoning Commission  
City of Darien  
1702 Plainfield Road  
Darien, IL 60561

**Re: *Darien Associates Subdivision and Zoning Variations***

Dear Chairperson Meyer and Commissioners:

On behalf of Mile High Beef, LLC ("Petitioner"), which is an affiliate of the Buona Beef restaurant operating at 7417 Cass Avenue, we are pleased to submit the enclosed petitions for subdivision and associated zoning variations. More specifically, Petitioner seeks to subdivide the approximately 1.16 acres on which that restaurant operates ("Subject Property") from the approximately 5.40-acre shopping center parcel of which the Subject Property is currently a part. The proposed subdivision will yield a two-lot subdivision consisting of the 1.16-acre Subject Property as Lot One and the adjacent approximately 4.24-acre shopping center parcel as Lot Two ("Shopping Center Parcel"). Additionally, Petitioner seeks associated zoning variations to allow certain reductions in the minimum required lot area, yard setbacks and lot coverage for the Subject Property in connection with the proposed subdivision. No site plan modifications are proposed in connection with the proposed subdivision or associated variations. The requested relief is merely reflective of existing site conditions and the previously approved site plans for the Subject Property and the Shopping Center Parcel.

Petitioner seeks to subdivide the Subject Property from the Shopping Center Parcel to enable Petitioner's acquisition of the Subject Property such that title to the Subject Property may be held by Petitioner or its affiliate and title to the Shopping Center Parcel may continue to be held by the current owner of the Shopping Center Parcel.

In support of its petition for variations, Petitioner submits the attached Responses to the Standards of Review for variations as evidence of the practical difficulty and particular hardship in carrying out the strict letter of the regulations of the B-2 Community

*Chairperson Beverly Meyer and  
Members of the Planning & Zoning Commission  
City of Darien  
May 20, 2016  
Page 2*

Shopping Center District in which the Subject Property is located due to the existing site improvements on and surrounding the Subject Property.

I look forward to discussing these petitions with you in greater detail at the June 15<sup>th</sup> Planning and Zoning Commission meeting and further addressing any related questions you may have. Thank you.

Sincerely,

**MELTZER, PURTILL & STELLE LLC**



Steven C. Bauer

Attachments



7417 Cass Avenue: Buona Beef  
Supporting document  
4 of 5

ALTA/ACSM LAND TITLE SURVEY

Prepared by  
**MARCHESE AND SONS, Inc.**

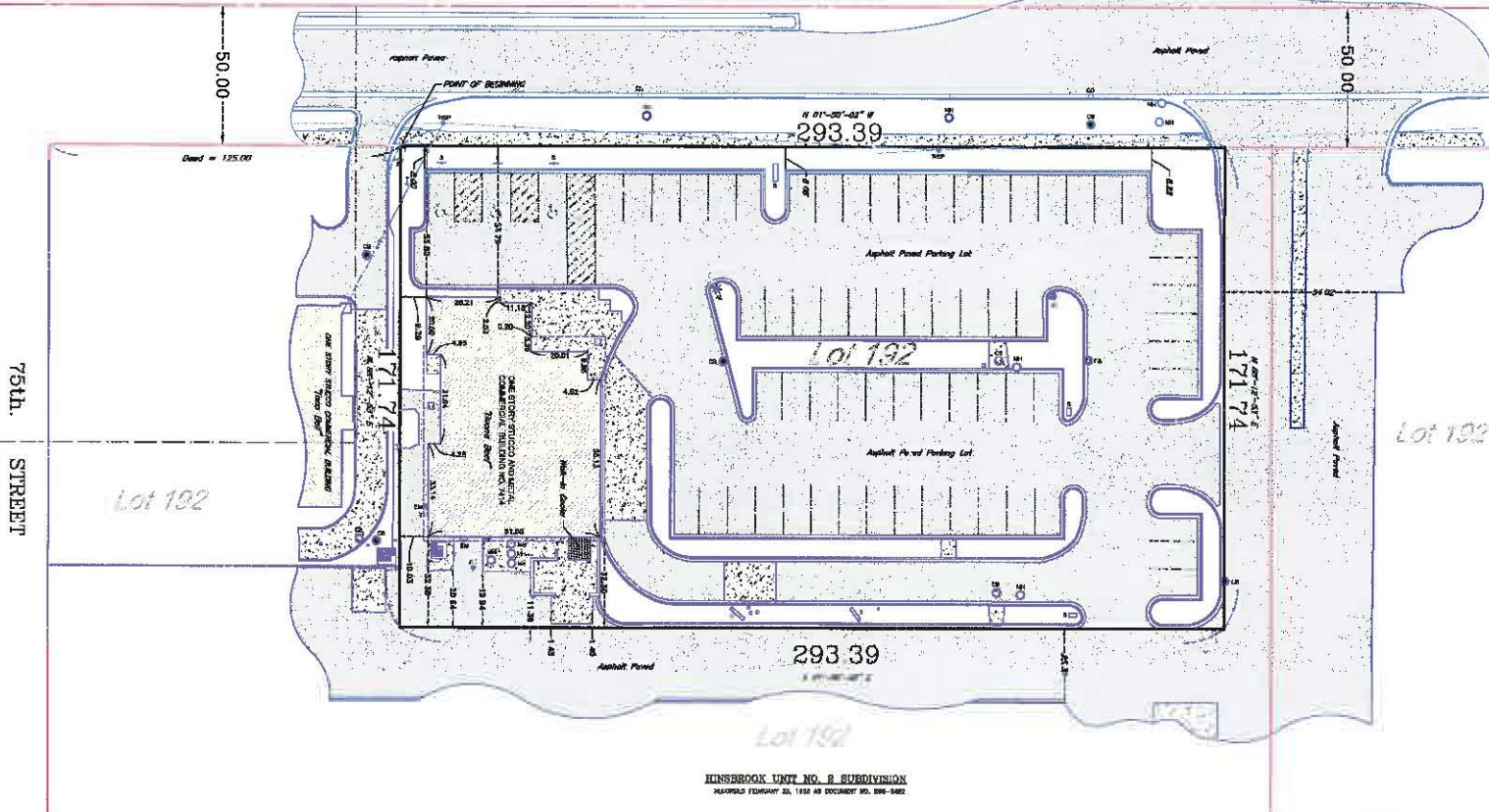
land - marine - construction surveys

10 Messers Drive  
Riverside, Illinois 60572

Phone : (312) 884-3950  
FAX : (312) 884-5888

North  
2

CASS AVENUE

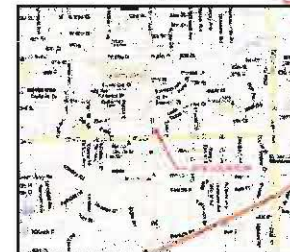


PROPERTY DESCRIPTION

THAT PART OF LOT 192 IN HINSBROOK UNIT 2, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 30 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RECORDED FEBRUARY 25, 1966 AS DECLARANT 186-9427, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 192 THAT IS 226.00 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH ON THE WEST LINE OF SAID LOT 192 HAVING AN ASSUMED BEARING OF NORTH 01 DEGREES 50 MINUTES 02 SECONDS WEST A DISTANCE OF 200.00 FEET; THENCE NORTH 88 DEGREES 12 MINUTES 35 SECONDS EAST ON A LINE PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 171.73 FEET; THENCE SOUTH 01 DEGREE 50 MINUTES 02 SECONDS EAST ON A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 192 A DISTANCE OF 100.00 FEET TO THE INTERSECTION WITH A LINE 226.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH 88 DEGREES 12 MINUTES 35 SECONDS WEST ON THE LATEST DESCRIBED PARALLEL LINE, A DISTANCE OF 171.73 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

CONTAINING 5069 SQUARE FEET OR 1.167 ACRES, MORE OR LESS

SITE LOCATION MAP



SHEET : 1 OF 1

PSI NO: 09 - 27 - 100 - 028 - 000

ADDRESS: 7416 & CASS AVENUE  
DARLEM, ILLINOIS 60591

SCALE: ONE INCH = TWENTY FEET

DUPAGE NO: 16-16396

ORDERED BY: MR. MIKE BLONAVY/ALTA

COMPARE ALL POINTS BEFORE BUILDING AND AT ONCE REPORT ANY DISCREPANCY FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR CONTRACT, DEED, TITLE INSURANCE POLICY AND ZONING ORDINANCE, BASIS OF THE BEARING SHOWN HEREON HAVE BEEN ASSUMED, MONUMENTS OR WITNESS POINTS WERE NOT SET AT THE CLIENT'S REQUEST.

"THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY."

STATE OF ILLINOIS  
COUNTY OF DUPAGE

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, MONTHLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND 10 OF TABLE A THEREOF.  
DATE OF PLAT OR MAP, APRIL 28, 2018

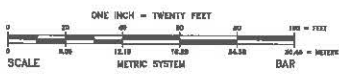
ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR NO. 2481  
BY CURSTON LORENZ SCHWEDT (WORKSHEET NO. 2018)  
THIS FIELD WORK WAS COMPLETED ON APRIL 28, 2018

"The Surveyor has verified the Public Records as well as a check of the title and the best of the ability has shown the Encumbrances pertaining thereto. However, no fee is charged unless an encumbrance is shown or unless the public records are shown to be in a valid condition of the property."

**LEGEND**

- AREA LIGHT (AL)
- OUTLET BASKET (OB)
- CURB CHASE (CC)
- ◆ FIRE HYDRANT (FH)
- ◆ GAS METER (GM)
- HANICAPPED PARKING SPACE
- MANHOLE COVER (MC)
- OVERHEAD WIRE (OW)
- PIPE ROLLBACK (PR)
- SIGN (S)
- STREET LIGHT STANDARD (SL)
- STREET LIGHT STANDARD (SL)
- TRAFFIC CONTROL LIGHT (TCL)
- WATER VALVE (WV)
- WIRE SERVICE POLE (WSP)
- TREE
- LYMBLON TREE
- PROPERTY BOUNDARY
- FENCED LINE
- EASEMENTS

NOTE: UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN PLOTTED WITH THE AID OF AVAILABLE RECORDS. FOR LOCATIONS OF UNDERGROUND UTILITY MARKS, PLEASE CONTACT J.L.L.J.E. BY CALLING 311 OR 1-800-892-0125.



**PARKING SCHEDULE**

REGULAR PARKING SPACES.....	64
HANDICAP PARKING SPACES.....	3
<b>TOTAL PARKING SPACES.....</b>	<b>67</b>

**RISK STATEMENT:**  
The described parcel is within Zone A and is not designated by the DuPage County Floodplain and Flood Insurance Study (DFRIS) for the County of DuPage, Illinois and Incorporated Areas, Community Panel Number 17943, © 2008. It is subject to the December 15, 2014, Flood Insurance Study for the County of DuPage, Illinois and Incorporated Areas, Community Panel Number 17943, © 2014. The Flood Insurance Study for the County of DuPage, Illinois and Incorporated Areas, Community Panel Number 17943, © 2014, is subject to the December 15, 2014, Flood Insurance Study for the County of DuPage, Illinois and Incorporated Areas, Community Panel Number 17943, © 2014. The accuracy of the flood hazard information shown on this report is subject to map scale accuracy and to any other uncertainty in location or elevation on the referenced flood insurance risk maps.

**R-3 COMMUNITY SHOPPING CENTER BUSINESS DISTRICT**

**AREA REQUIREMENTS:**  
The minimum lot area in the R-3 district shall not be less than one (2) acres (241,648.64 - 64,800)

**WEIGHT AND USE RESTRICTIONS:**  
There are no maximum weight or depth requirements in the R-3 district, (ONS 0-05-06, 6-3-2000)

**YARD REQUIREMENTS:**  
The minimum yard requirements for this district shall be as follows:

- (A) Front and Corner Side Yards:
  1. At least 20 feet for any building.
  2. For 2000 sq. ft. or less, 20 feet for any building.
  3. For 2001 sq. ft. or more, 20 feet for any building.
- (B) Interior Side and Rear Yards:
  1. At least 10 feet for any building.
  2. For 2001 sq. ft. or more, 10 feet for any building.
  3. For 2002 sq. ft. or more, 10 feet for any building.
- (C) Accessory Structures: Accessory structures shall comply with yard and setback requirements as prescribed in section 5A-5.6 of this Ord.

**Identified Obstructions to Heightened Yard: Permitted obstructions in required yards are allowed as described herein and as prescribed in sections 5A-5.7.3 and chapter 11 of this Ord, including:**

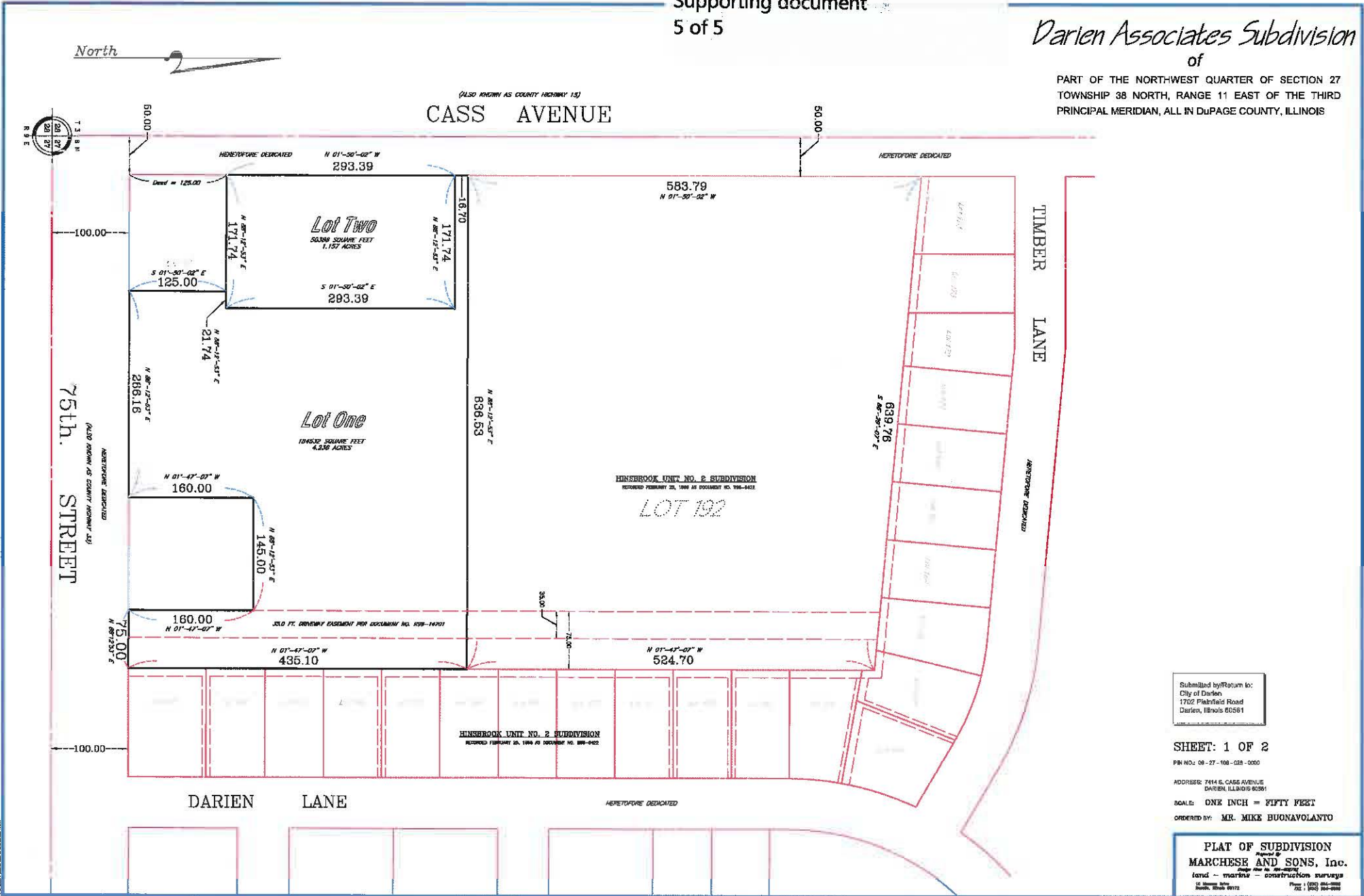
1. Decks and Off Street Parking Facilities: Permitted yards may be created by driveways and all street parking facilities have been constructed in accordance with the setback requirements of the district and in accordance with the Ord. No. 2014-01-001.
2. All other structures: Permitted yards may be created by driveways and all street parking facilities have been constructed in accordance with the setback requirements of the district and in accordance with the Ord. No. 2014-01-001.

**HEIGHT LIMITATIONS AND REGULATIONS:**  
The maximum floor area ratio for all buildings and structures in the R-3 (2000) shall be 0.8 and the maximum height shall be three (3) stories or 100 feet or less. The height of the building shall be measured from the lowest finished ground level to the highest finished floor level. The height of the building shall be measured from the lowest finished ground level to the highest finished floor level. The height of the building shall be measured from the lowest finished ground level to the highest finished floor level.

7417 Cass Avenue: Buona Beef  
 Supporting document  
 5 of 5

*Darien Associates Subdivision*  
 of

PART OF THE NORTHWEST QUARTER OF SECTION 27  
 TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD  
 PRINCIPAL MERIDIAN, ALL IN DuPAGE COUNTY, ILLINOIS



Submitted by/Return to:  
 City of Darien  
 1702 Fairfield Road  
 Darien, Illinois 60561

SHEET: 1 OF 2  
 PIN NO: 08-27-108-028-0000

ADDRESS: 7414 S. CASS AVENUE  
 DARIEN, ILLINOIS 60561  
 SCALE: ONE INCH = FIFTY FEET  
 ORDERED BY: MR. MIKE BUONAVOLANTO

PLAT OF SUBDIVISION  
**MARCHESE AND SONS, Inc.**  
 Equal Area Method  
 Land - marine - construction surveys  
 12000 S. State Street, Suite 1000 Chicago, IL 60628  
 Phone: (773) 864-8888  
 Fax: (773) 864-8888



OWNER'S CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )
THIS IS TO CERTIFY THAT THE UNDERSIGNED AS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT AND HAS CAUSED THE SAME TO BE SURVEYED AND RECORDED AS INDICATED THEREON FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY ACKNOWLEDGE AND ADMIT THE SAME UNDER THE STYLE AND TITLE THEREIN RESPECTIVELY.

THE UNDERSIGNED HEREBY DEMANDS FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR TRANSDUCER REPAIR, STREETS, ALLEYS AND PUBLIC UTILITIES AND HEREBY ALSO RESERVES AND DEMANDS EASEMENTS FOR PUBLIC USE AND FOR THE INSTALLATION OF VARIOUS UTILITIES AS INDICATED AND AS STATED IN THE UTILITY DEDICATION PROVISIONS SET FORTH.

ALL EASEMENTS INDICATED AS PUBLIC UTILITY EASEMENTS ON THIS PLAT ARE RESERVED FOR AND RELATED TO THE CITY OF DARIEN AND TO ANY ENTITY OPERATING UNDER FRANCHISE FROM THE CITY INCLUDING, BUT NOT LIMITED TO, SERVICE BELL TELEPHONE COMPANY, ILLINOIS GAS COMPANY, COMMERCE BANK OF CHICAGO, A CABLE TELEVISION OF COMBINATION CABLE COMPANY AND THEIR SUCCESSORS AND ASSIGNS FOR THE TELEPHONE, CABLE, POWER AND TELEVISION TO CONDUIT, TELEPHONY, POWER, TELEVISION, CABLE AND OTHER VARIOUS TRANSMISSION DISTRIBUTION AND COLLECTION SYSTEMS AND ALL NECESSARY LINES, NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THIS RIGHT IS ALSO GRANTED TO CUT DOWN OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE BUSINESS OF OTHER UTILITIES AND PERMANENT BURDENING OR EASEMENTS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR CROPPING, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT INTERFERE WITH INTERESTS WITH THE AFORESAID USES OR RIGHTS. LOCATION OF UTILITY INSTALLATIONS WITHIN THE EASEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF DARIEN AS TO DESIGN AND LOCATION. ALL INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE CITY OF DARIEN.

ADDRESS:
DATED THIS DAY OF 20

BY:
OWNERS SIGNATURE

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT, PERSONALLY KNOWN TO ME TO BE THE SAID PERSON WHOSE NAME IS SUBMITTED TO THE AFORESAID INSTRUMENT AS SUCH OWNER, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THIS IS THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS DAY OF 20

BY:
NOTARY PUBLIC

MY COMMISSION EXPIRES:
DATE

SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

DO HEREBY CERTIFY THAT THE REQUIRED LETTER OF CREDIT IS POSTED FOR THE COMPLETION OF THE IMPROVEMENT COVERING SANITARY SEWAGE SYSTEM AND/OR BOWEN LINES AND DOMESTIC WATER SUPPLY SYSTEM AND/OR DISTRIBUTION LINES UNDER MY JURISDICTION BASED ON APPROVED ENGINEER'S PLAN AND SPECIFICATIONS PREPARED BY A REGISTERED ENGINEER.

DATED THIS DAY OF 20

COUNTY SUPERINTENDENT OF PUBLIC WORKS DEPT.

CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

I, CITY ENGINEER OF THE CITY OF DARIEN, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENTS DESCRIBED IN THE ANNEXED PLAT AND THE PLANS AND SPECIFICATIONS THEREOF MEET THE MINIMUM REQUIREMENTS OF SAID CITY AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREIN.

DATED AT DARIEN, DU PAGE COUNTY, ILLINOIS, THIS DAY OF 20

CITY ENGINEER

CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

I, CITY TREASURER OF THE CITY OF DARIEN, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OF ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPOINTED AGAINST THE TRACT OF LAND ENCLOSED IN THE PLAT.

DATED AT DARIEN, DU PAGE COUNTY, ILLINOIS, THIS DAY OF 20

CITY TREASURER

Darien Associates Subdivision of

PART OF THE NORTHWEST QUARTER OF SECTION 27 TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN DUPAGE COUNTY, ILLINOIS

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

APPROVED BY THE PLAN COMMISSION OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, THIS DAY OF 20

CHAIRMAN

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

I, CITY CLERK OF THE CITY OF DARIEN, ILLINOIS, HEREBY CERTIFY THAT THE ANNEXED PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE CITY COUNCIL OF SAID CITY AT THE MEETING HELD ON 20 AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY THE REGULATIONS OF SAID CITY.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND THE SEAL OF THE CITY OF DARIEN, ILLINOIS, THIS DAY OF 20

CITY CLERK

MAYOR'S CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, THIS DAY OF 20

MAYOR

STATE LETTER REQUIREMENT

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH IMPROVEMENT OR ANY PART THEREOF, NOR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DRAINAGE OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR CHANNELS WHICH THE ALLOWED HAS A RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON THE PROPERTY OF ADJACENT LAND OWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJACENT PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS DAY OF 20

ENGINEER OR ARCHITECT

SCHOOL DISTRICT

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

THIS IS TO CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE PROPOSED PLAT OF SUBDIVISION WITHIN AN AREA RESERVE SCHOOL DISTRICT LOCATED IN THE CITY OF DARIEN, COUNTY OF DUPAGE, STATE OF ILLINOIS, IS LOCATED WITHIN SCHOOL DISTRICT NO. 146 AND HIGH SCHOOL DISTRICT NO. 146.

OWNER

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

THIS IS TO CERTIFY THAT I, HALL M. ANDREWS, REGISTERED ILLINOIS LAND SURVEYOR NO. 03626241, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING PROPERTY:

PARCEL 1 THE WEST 1/2 OF LOT 10 OF THE WEST 1/2 OF THE SOUTH 1/2 OF LOT 102 IN HINERBROOK, UNIT NO. 2, A SUBDIVISION OF PART OF THE NORTH WEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2 THAT PART OF LOT 102 IN HINERBROOK, UNIT NO. 2, A SUBDIVISION OF PART OF THE NORTH WEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 102 BEING ALSO THE NORTH LINE OF 79TH STREET 450 FEET WEST OF THE SOUTH EAST CORNER THEREOF THENCE WEST ALONG SAID SOUTH LINE OF LOT 102 ALSO WEST TO A SOUTH WEST CORNER OF SAID LOT 102 THENCE NORTH ALONG A WEST LINE OF LOT 102 100 FEET THENCE WEST ALONG ANOTHER SOUTH LINE OF LOT 102 100 FEET TO ANOTHER SOUTH WEST CORNER OF SAID LOT 102 THENCE NORTH ALONG ANOTHER WEST LINE OF LOT 102 BEING ALSO THE EAST LINE OF CARB WELLS 151 FEET TO A POINT 230 FEET NORTH OF THE SOUTH LINE OF THE NORTH WEST QUARTER OF SECTION 27, AFORESAID, THENCE EAST PARALLEL WITH SAID SOUTH LINE 100 FEET THENCE SOUTH PARALLEL WITH THE EAST LINE OF CARB AVALON 150 FEET TO THE POINT OF BEGINNING TOGETHER WITH THE NORTH 100 FEET OF THE SOUTH 100 FEET OF THE EAST 100 FEET OF THE WEST 100 FEET OF THE NORTH WEST QUARTER OF SECTION 27, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3 THAT PART OF LOT 102 IN HINERBROOK, UNIT NO. 2, A SUBDIVISION OF PART OF THE NORTH WEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEGINNING AS A POINT ON THE SOUTH LINE OF LOT 102 AFORESAID, 50 FEET NORTH OF THE SOUTH EAST CORNER THEREOF THENCE WEST 10 FEET ALONG THE SOUTH LINE OF SAID LOT 102 TO A POINT ON THE WEST LINE OF SAID LOT 102 THENCE NORTH ALONG SAID WEST LINE BEING ALSO THE EAST LINE OF CARB AVALON FOR A DISTANCE OF 450 FEET TO A POINT 230 FEET NORTH OF THE SOUTH LINE OF THE NORTH WEST QUARTER OF SECTION 27, AFORESAID, THENCE EAST PARALLEL WITH SAID SOUTH LINE 100 FEET THENCE SOUTH PARALLEL WITH THE EAST LINE OF CARB AVALON 150 FEET TO A POINT IN THE NORTH LINE OF LOT 102 AFORESAID, 150 FEET WEST OF THE SOUTH EAST CORNER THEREOF THENCE EAST ALONG SAID SOUTH LINE 100 FEET TO THE NORTH EAST CORNER OF LOT 102 AFORESAID THENCE NORTH ALONG THE EAST LINE BEING ALSO THE WEST LINE OF CARB WELLS 151 FEET TO THE POINT OF BEGINNING SUBJECT TO THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTH 1/2 OF LOT 102 IN SAID COUNTY, ILLINOIS.

EXCEPTION FROM SAID PARCEL 1, THAT PART HERETO DESCRIBED AS THE NORTH 1/2 OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IS ALSO THE NORTH PART OF A ONE STORY BRICK BUILDING ON THE SOUTH 1/2 OF LOT 102 IN HINERBROOK, UNIT NO. 2, A SUBDIVISION OF PART OF THE NORTH WEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

AS SHOWN BY THE ANNEXED PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION, ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF. I HEREBY CERTIFY THAT ALL NECESSARY EASEMENTS HAVE BEEN SHOWN BY THE ANNEXED PLAT AND CITY ENGINEER OF THE CITY OF DARIEN, ILLINOIS, HAS BEEN CONSIDERED WITHIN THE PROVISIONS OF THE CITY OF DARIEN ORDINANCES AND THAT THE CITY OF DARIEN, ILLINOIS, HAS ADOPTED A CITY COMPREHENSIVE PLAN AND ZONING ORDINANCES WHICH REQUIRE THE PROVISIONS AUTHORIZED BY DIVISION 15 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED. I FURTHER CERTIFY THAT THE LARGEST LOT AREA IN THE PLAT AND NEAREST TO ANY PART OF ANY SURFACE DRAIN OR WATERCOURSE BEING A TEMPORARY AREA OF THE ABOVE SORT AND THIS PLAT HAS BEEN REVIEWED BY THE DEPARTMENT OF PUBLIC WORKS AND BUILDING FOR THE PURPOSE OF DETERMINING, FOR THE PROTECTION OF PERSONS AND PROPERTY, THE FLOOD HAZARD ANALYSIS AND REPORT THEREON FILED BY THAT DEPARTMENT WITH THE RECORDER OF DEEDS.

DRAWN UNDER MY HAND AND SEAL AT ROSELLE, ILLINOIS, THIS 10TH DAY OF MAY, 2018.

LAND SURVEYOR NO. 036-036241

HALL M. ANDREWS, REGISTERED ILLINOIS LAND SURVEYOR NO. 036-036241

My Comm. Expires November 30, 2019

FILE NO. 18-16696

RECORDER'S CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

INSTRUMENT NO.
WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THIS DAY OF 20

AT CHICAGO, ILL.

RECORDER OF DEEDS

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS )
COUNTY OF DU PAGE )

I, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID PROPERTY TAXES AND NO REDEEMABLE TAX BILLS AGAINST ANY OF THE LOTS ENCLOSED IN THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL AT WHITTAKER, DUPAGE COUNTY, ILLINOIS, THIS DAY OF 20

COUNTY CLERK

Submitted by/Return to: City of Darien, 1702 Plainfield Road, Darien, Illinois 60511

SHEET: 2 OF 2

PN NO: 08-27-108-000-000

ADDRESS: 7414 S. CASS AVENUE, DARIEN, ILLINOIS 60511

SCALE: ONE INCH = TEN FEET

ORDERED BY: MR. MIKE BUONAVOLANTO

PLAT OF SUBDIVISION prepared by MARCHESE AND SONS, Inc. land - marine - construction surveys



**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
June 1, 2016**

**PRESENT:** Robert Cortez, Ron Kiefer, John Laratta, Ray Mielkus, Ken Ritzert, Michael Griffith – Senior Planner, Elizabeth Lahey - Secretary

**ABSENT:** Beverly Meyer, Andrew Kelly, Lou Mallers

Acting Chairperson Mielkus called the meeting to order at 7:00 p.m. at the City Hall – City Council Chambers, Darien, Illinois and declared a quorum present and swore in the audience members wishing to present public testimony.

**A. Public Hearing PZC 2016-06: 8731 Kentwood Court: Petitioner seeks approval of a variation to reduce the required interior side yard setback from 10 feet to 5 feet in order to construct a deck.**

Mr. Michael Griffith, Senior Planner reported that the petitioner proposes to construct a deck onto the home. He reported that the property is zoned R-2 which establishes an interior side yard setback of 10 feet which applies to decks and patios attached to the home. Mr. Griffith reported that the proposed deck encroaches 5 feet into the side yard setback and that the proposed deck is 16 feet x 21 feet.

Mr. Griffith reported that there were no calls regarding this petition and that that the petitioner should explain why the 10-foot side yard setback cannot be met. He further reported that Commissioner Mallers called and stated that he concurs with staff's recommendation.

The petitioner, Mr. Jacob Bryant reported that he is constructing the deck and that it is positioned because a fireplace will be constructed and that there are windows. He stated that positioning it in the proposed area covers a stump which is an eyesore. He further stated that positioning it within the area limits deck space and that he is trying to keep it uniform without sacrificing the design. Mr. Bryant stated that the deck will not affect the drainage and it will improve the neighborhood.

Commissioner Laratta questioned if there were any other decks in the area as large.

Mr. Bryant stated that there are larger decks in the area. He stated that the fireplace will be constructed of cinderblock.

Acting Chairperson Mielkus questioned if the window would be covered. He also questioned if the patio could be reduced and the deck built over it.

Mr. Bryant stated that the window is not an escape window but that he will build a removable section. He stated that he cannot cut into the patio because there is a grounding wire there for the pool.

Commissioner Kiefer questioned if there were any issues with the neighbors.

Mr. Bryant stated that all his immediate neighbors were present in the audience. He stated that he spoke with all of his neighbors in the area.

Mr. Melvin Gregory stated that he is the neighbor to the South and that he is fully supportive of the petition. He stated that everything that has been done to the home has enhanced the area. He further stated that he did not believe that there were existing variations to either side of the home.

Mr. Tom Gannon, 8739 Kentwood stated that Mr. Bryant did not speak with him and that the deck does not affect him. He looked at the board that Mr. Bryant provided.

Commissioner Kiefer stated that the homeowner is pushing the limit on coverage.

Mr. Griffith reported that the deck will max out accessory structures.

Commissioner Laratta asked Mr. Gannon if the deck was out of line size wise.

Mr. Gannon stated that it was not and that everyone in the neighborhood has a large deck.

The neighbors at 8730 Kentwood were also present and stated that they were fully supportive of the project.

At 7:20 p.m. there was no one else in the audience wishing to present public comment and Acting Chairperson Mielkus closed the public hearing.

**Commissioner Kiefer made a motion and it was seconded by Commissioner Laratta that based upon the submitted petition and the information presented, the request associated with PZC 2016-06 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission recommend approval of the petition as presented.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 5-0.**

Mr. Griffith reported that this would be forwarded to the Municipal Services Committee.

### **CORRESPONDENCE**

Mr. Griffith announced that he accepted a position with the City of Evanston and that his last day is June 10th.

### **OLD BUSINESS/PLANNER'S REPORT**

Mr. Griffith reported that there will be a meeting on June 15th.

**MINUTES**

**Commissioner Kiefer made a motion and it was seconded by Commissioner Laratta to waive the reading of the May 18, 2016 Regular Meeting Minutes.**

**Upon roll call vote, the motion CARRIED UNANIMOUSLY 5-0.**

**Commissioner Ritzert made a motion and it was seconded by Commissioner Cortez to approve the May 18, 2016 Regular Meeting Minutes.**

**Upon roll call vote, the motion CARRIED UNANIMOUSLY 5-0.**

**NEXT MEETING**

Mr. Griffith announced that the next meeting is scheduled for Wednesday, June 15, 2016 at 7:00 p.m.

**ADJOURNMENT**

**With no further business before the Commission, Commissioner Laratta made a motion and it was seconded by Commissioner Ritzert. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 7:29 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

\_\_\_\_\_  
**Elizabeth Lahey**  
**Secretary**

\_\_\_\_\_  
**Ray Mielkus**  
**Acting Chairman**