

CITY OF DARIEN
PLANNING AND ZONING COMMISSION

Wednesday, August 21, 2024

7:00 PM

City Hall Council Chambers

1702 Plainfield Road

AGENDA

1) Call to Order

2) Roll Call

3) Regular Meeting – New Business

a. PZC2024-08

620 Maple Lane – James and Elizabeth Green

Involves a petition from James Green requesting the following:

The petition is seeking approval of a variation request from Section 5A-5-9-2(A)(2)(b)(1) of the City Zoning Code to allow for the construction of a 10-foot by 10-foot shed to be partially within the public utility easement and located within five feet or the rear lot line. The property is located within the Single-Family Residence Zoning District (R-2).

4) Regular Meeting – Old Business (NONE)

5) Staff Updates & Correspondence

6) Approval of Minutes August 7, 2024

7) Next Meeting September 4, 2024

8) Public Comments [On Any Topic Related to Planning and Zoning]

9) Adjournment

MINUTES CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING

Wednesday, August 7, 2024

PRESENT: Lou Mallers – Chairperson, Shari Gillespie, Hilda Gonzalez, Chris Green, Chris Jackson, Jonathan Johnson

ABSENT: Bryan Gay, Julie Kasprowicz

OTHERS: Ryan Murphy – City Planner, Dan Gombac – Director

Chairperson Lou Mallers called the meeting to order at 7:00 p.m. at the Darien City Hall, Council Chambers, 1702 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present and swore in the audience members wishing to present public testimony.

Regular Meeting – New Business

- a. **PZC2024-06 2551 75th Street – Dr. Steven Tharp – Involves a petition from Dr. Tharp requesting the following:**
- 1. Zoning Text Amendment to Section 5A-8-2-4 of the Zoning Ordinance listing “dental office or clinic” as a special use within the Neighborhood Convenience Shopping District (B-1); and**
 - 2. Special use approval for a dental office or clinic within the Neighborhood Convenience Shopping District (B-1); and**
 - 3. Repeal a specific condition for the requirement of specified landscaping in lieu of a required fence as per Ordinance 0-07-87.**

Mr. Dan Gombac, Director reported that the Zoning Text Amendment had been previously discussed, but there was still an issue regarding the fence surrounding the property. He reported that Mr. Paul Jopa, 7518 Cambridge Road, had submitted photos of his property, and that Alderman Erick Gustafson submitted a letter voicing his opinion on the matter, materials which Mr. Gombac distributed amongst the Commission.

Mr. Gombac reported that when the fence permit was taken in, it was labeled as “alterations” and there was no indication of it being a fence permit. He reported that the City did approve the permit which allowed the fence to be placed on two lots that were originally not included in the 1987 Ordinance, those lots being Mr. Jopa’s and another resident to the North of him. Mr. Gombac further reported that Dr. Steven Tharp, Petitioner and Mr. Jopa were not able to come to an agreement regarding any alteration to the fence.

Mr. Gombac reported that the Ordinance of 1987 stated that the property behind Mr. Jopa and the property to the North would have no fence, and in lieu of a fence there would be landscaping. He reported that the fence was put up in 2015.

Mr. Gombac questioned if the Commission would be willing to revoke or enforce the condition. He stated that a vote yes would be to revoke the condition.

Chairperson Lou Mallers stated that Alderman Gustafson had requested his letter be read before the Commission. Chairperson Mallers read the letter aloud, which recommended that the City enforce the original 1987 Ordinance.

Mr. Gombac reported that, in regard to the letter from Alderman Gustafson, there were two properties involved and the residents at 7510 had signed a waiver to state they did not want their fence removed. He requested that if the Commission were to adhere to the site plan from 1987, there be an exception for 7510 to keep their portion of the fence in place.

Chairperson Mallers invited members of the audience to come forward for discussion.

Mr. Arthur Donner, 7548 Cambridge Road, stated that the neighbors had no issue with the dental office moving in. He stated that when Mr. Jopa moved in there was a “marriage” with the City when the building became commercial property. He stated that at the time there was open space between Mr. Jopa’s property and the commercial property and all he wants is to reopen that space. Mr. Donner stated that the neighbor who had requested the fence stay in place has a special needs child they are looking to keep protected. He stated that if that space was opened up by about 50 feet everyone would be happy.

Elizabeth Uribe, Attorney representing the current property owners, stated that the fence went up in July of 2014. She stated that the original application for the alterations aforementioned by Mr. Gombac did include a clear drawing and cross section of the fence. She stated that the owners during this time had followed all the procedures required by the City and presented this to the police when a report was made. Ms. Uribe stated that the police report had noted that Mr. Jopa was told to bring any issue to the City directly.

Ms. Uribe stated that the City came in multiple times to inspect the building and ensure it was in compliance with all zoning codes, and that the previous owners were issued a certificate of occupancy multiple times. She stated that the City Code typically requires a six-foot fence between commercial and residential properties.

Ms. Uribe stated that if the 1987 Ordinance were to be fully enforced, the property should still be a photo shop because it was written in as a variation for the landscaping plan and for the use itself. She stated that Darien has grown in wonderful ways and that the 1987 Ordinance is obsolete at this point. Ms. Uribe stated that the best way to move forward would be to keep the fence in place in order to protect her client’s ability to sell their property and Dr. Tharp’s ability to practice his profession without disruption. She requested that the 1987 Ordinance be repealed to allow the fence to remain as is.

Mr. Gombac reported that when the alteration for the property came in it was as a total package. He reported that the assistant had not read it as a fence permit by itself. Mr. Gombac

reported that the fence permit was included in the packet, and that those responsible for reviewing the items did their job, but it was missed upon initial submission.

Ms. Uribe stated that she wanted to make clear no one was “pulling a fast one,” and that everything was put in for consideration by the City. She stated that she is unsure why the City was unaware of the 1987 Ordinance, but it was approved, and this is the way everybody has been operating for the last 10 years with the fence in place. Ms. Uribe stated that the fence is in good condition and is well maintained and will continue to be maintained once Dr. Tharp takes over the building.

Commissioner Chris Jackson questioned if the Commission would be re-reviewing the first two line items of the petition.

Ms. Uribe stated that they were trying to make it easy to show that this would be coming from the same property and transaction. She stated that the current owner had made the request for repeal, but Dr. Tharp would be the one operating his business.

Chairperson Mallers clarified that the Commission would only be reviewing line item three of the petition.

There was some discussion regarding the specific language in the first two items of the petition.

Commissioner Jackson stated that the petition had asked to repeal a specific condition and that the Ordinance permits fencing and landscaping but does not require it. He questioned if, when a variance is granted, it is required.

Ms. Uribe stated that it is required because a variance is supposed to permit something that isn't normally allowed and then it turns it into a requirement.

Commissioner Jonathan Johnson questioned how much disruption there is between the dentist's office and residential property.

Ms. Uribe stated that, as shown in the photos she submitted, the area is used for those who work there to take their breaks, have lunch, etc. She stated that she would think the fence would be preferred so that residents can have their privacy and workers can conduct their business. She stated that there wouldn't be a ton of activity, but from what she understands there would be people coming in and out to conduct deliveries and such.

Chairperson Mallers stated that there is a lot of vegetation on the North side of the property. He questioned if there would be room to plant additional landscaping to make it more visible to the residents to repeal the fence situation.

Mr. Gombac reported that Mr. Jopa and Mr. Donner had discussed the possibility of planting more landscaping but given Mr. Jopa would be allowed to take the fence down and put in additional landscaping as the Ordinance called for, it would be hard for any plantings to thrive. Mr. Gombac questioned if the men could confirm his statement.

Mr. Donner stated that they would waive that requirement and their only request would be to open the space.

Mr. Gombac reported that, based on this request, the condition could be modified in any way based on what the Commission would vote. He stated that if the Commission considered the fence to be removed from Mr. Jopa's property only, then it would be cornered off there. He further stated that the fence would remain on 7510 and no landscaping would be put in.

Ms. Uribe stated that the Ordinance included a landscaping plan including specific placements of plants and she was unsure if they would survive in those locations.

Mr. Gombac reported that that would be waived.

Ms. Uribe stated that tearing down a portion of the fence would not be the most efficient way to resolve the issue and would cost her client and perhaps Dr. Tharp some amount of money to box off the fence that way. She stated that, as demonstrated in the petition, the fence is in good condition and there wouldn't be a reason to take it down. Ms. Uribe requested that the Commission consider the cost associated with the fence that has been in place for 10 years and had not been put in place by her clients. She stated that this would add to the cost of their business and potentially deter Dr. Tharp from purchasing the property.

Commissioner Hilda Gonzalez questioned if there was still a special needs child nearby that would need the fence for protection.

Ms. Uribe stated that her understanding was that was true.

There was some discussion regarding the distinction between the neighboring properties.

There was some further discussion regarding the placement of the landscaping.

Mr. Jopa stated that his understanding was that the short fence around the corners of the building and the building itself would count as the six-foot fence. He stated that he had approached the City regarding the fence when it was first put up and had stated that the City Council had approved the landscaping in lieu of a fence. Mr. Jopa further stated it took him some time to acquire the 1987 City Council minutes with the original agreement.

Commissioner Jackson questioned if Mr. Jopa had a specific objection to the fence.

Mr. Jopa stated that there was previously a set plan to separate his property from the commercial property that did not include the fence that is currently up.

Commissioner Shari Gillespie questioned if Mr. Jopa would be comfortable if the fence were to be taken down and he were in view of workers taking their breaks.

Mr. Jopa stated that he would be comfortable with that.

Commissioner Gonzalez questioned how the neighbor with the child with special needs would feel regarding the fence.

Mr. Jopa stated that it would not affect him.

There was some discussion regarding which sections of the fence that would be removed per Mr. Jopa's request.

Commissioner Gonzalez stated that it is a requirement to have a buffer between commercial and residential and the fence meets that requirement. She stated it would be unnecessary to remove the fence.

There was some discussion regarding the exterior of the commercial building.

Commissioner Jackson questioned if the landscaping facing Mr. Jopa's property had been maintained.

Mr. Jopa stated that the only remaining landscaping is grass and it is being maintained.

There was some discussion regarding how to restructure the fence to meet Mr. Jopa's request.

Commissioner Jackson questioned what was discussed between the petitioner and Mr. Jopa previously.

Mr. Gombac reported that there was a private discussion between Dr. Tharp and Mr. Jopa during the Municipal Services Committee meeting.

Ms. Uribe stated that Mr. Jopa's request would be keeping her clients from full use of their property.

Chairperson Mallers stated that there was previous mention of an illegal structure in reference to the tent behind the building, as shown in the packet.

Mr. Gombac reported that the structure would not be allowed.

Dr. Steven Tharp stated that he would not be able to enjoy the property fully if the fence was taken down and that he felt Mr. Jopa wanted a bigger yard without the taxes.

There was some discussion regarding other buffers between commercial and residential properties in Darien.

Commissioner Chris Green stated that one way to make it work for both parties would be to remove the fence from lot line to lot line.

Dr. Tharp stated that the issue with that would be that Mr. Jopa would then have cause to complain about anything happening on the other side of the fence.

Ms. Uribe stated that this would also open up the commercial property owners to liability from trespassers.

There was some discussion regarding the change in ownership of the building.

Ms. Uribe stated that she had conducted research on the DuPage County Recorder's office and had found the plat of survey for the entire subdivision which did not have the 1987 Ordinance listed. She stated that any encumbrances on the property had not been recorded with the County.

Mr. Donner reiterated that Mr. Jopa is only hoping to open up the space about 50 feet.

There was some discussion amongst the Commission regarding the Ordinance requirement and record.

Commissioner Johnson stated that there are multiple ways to block a business from residential property.

Commissioner Gonzalez made a motion and it was seconded by Commissioner Jackson to approve PZC2024-06 2551 75th Street – Dr. Steven Tharp – Involves a petition from Dr. Tharp requesting the following:

- 1. Zoning Text Amendment to Section 5A-8-2-4 of the Zoning Ordinance listing “dental office or clinic” as a special use within the Neighborhood Convenience Shopping District (B-1); and**
- 2. Special use approval for a dental office or clinic within the Neighborhood Convenience Shopping District (B-1); and**
- 3. Repeal a specific condition for the requirement of specified landscaping in lieu of a required fence as per Ordinance 0-07-87.**

Upon roll call vote the MOTION TIED 3-3.

AYES: MALLERS, GONZALEZ, JACKSON,

NAY: GILLESPIE, GREEN, JOHNSON

Mr. Gombac reported that the petition would be forwarded to the Municipal Services Committee on August 26, 2024 at 6:00 p.m.

- b. PZC2024-07 8245 Lemont Road, LLC – True North Investments, LLC c/o Carl Manofsky – Involves a petition from True North Investments for an Amendment to the Rockwell Planned Unit Development (PUD) to allow the subdivision of a parcel into two lots and variations for the reduction of yard areas and setbacks. The Property is located within the Office Research and Light Industry District (OR-I).**

Mr. Dan Gombac, Director, reported that the petition would be for final plat of subdivision along with variations. He reported that the property contains offices, research and industrial uses and is bordered by Speedway and some wetlands, with the village of Woodridge to its West. He further reported that the petitioner would present a PowerPoint due to the limited

number of variations. Mr. Gombac reported that the petitioner would be requesting a split of the lots to revitalize the property and bring in new business.

Mr. Lawrence Friedman, Attorney stated that the plan would be to retain title to Lot 1 and sell the title for Lot 2, which requires re-subdividing. He stated that nothing would be physically different, the change would be on paper to clearly define the different ownerships.

Michael, Petitioner representative, presented a PowerPoint outlining the lot reconfiguration. He stated that they would be splitting lot one into two separate lots and relabeling out lot one to lot three. He further stated that they would be requesting four variations. There was further explanation regarding the specific outlining of the lot reconfiguration.

Mr. Friedman stated that revitalizing the property would be tied into a sale which is dependent on re-subdividing the lot.

Mr. Carl Manofsky, CEO of True North Investments, LLC stated that they were currently in contract with a distribution company. He further stated that they have spent a great deal of time and money cleaning out the warehouse and the exterior, and that the new structure would be a welcome addition to Darien.

There was some discussion regarding the separation of the buildings on the property.

Commissioner Jackson questioned if a stormwater easement would be required.

Mr. Gombac reported that an easement was not needed.

Mr. Friedman stated that any easement required by the City had been addressed on the plat.

There was some discussion regarding potential agreements between the proposed properties.

Mr. Gombac questioned if there were any plans to renovate the Lemont Road side with MCT.

Mr. Manofsky stated that the budget allotted for exterior renovation.

There was some discussion regarding the potential future adjustments to the variations.

The resident from 8124 Highland questioned if the proposed lot three would be built upon. He further questioned if the property belonged to DuPage County being that it is a wetland.

Mr. Gombac reported that nothing would be changed with the wetlands. He reported that the wetlands are governed through the City but are overridden by DuPage County.

The resident stated that the wetland does not properly drain overflow.

Mr. Gombac reported that the wetland and water overflow is properly maintained and that if there were further issues he would be able to help the resident contact the County.

Commissioner Jackson made a motion and it was seconded by Commissioner Johnson to approve PZC2024-07 8245 Lemont Road, LLC – True North Investments, LLC c/o Carl Manofsky

– Involves a petition from True North Investments for an Amendment to the Rockwell Planned Unit Development (PUD) to allow the subdivision of a parcel into two lots and variations for the reduction of yard areas and setbacks. The Property is located within the Office Research and Light Industry District (OR-I).

Upon roll call vote, the MOTION CARRIED UNANIMOUSLY 6-0.

Mr. Gombac reported that the petition would be forwarded to the Municipal Services Committee on August 26, 2024 at 6:00 p.m.

Regular Meeting – Old Business

There was no old business to discuss.

Staff Updates & Correspondence

There were no staff updates and correspondence to discuss.

Approval of Minutes

Commissioner Gonzalez made a motion, and it was seconded by Commissioner Gillespie to approve the June 19, 2024 Regular Meeting Minutes.

Upon voice vote, the MOTION CARRIED 6-0.

Next Meeting

Mr. Gombac announced that the next meeting will be held on August 21, 2024, at 7:00 p.m.

Public Comments (On any topic related to Planning and Zoning)

There was no one in the audience wishing to present public comment.

Adjournment

With no further business before the Commission, Commissioner Jackson made a motion, and it was seconded by Commissioner Gillespie. Upon voice vote, the MOTION CARRIED unanimously, and the meeting adjourned at 8:26 p.m.

Respectfully Submitted:

Approved:

X

Jessica Plzak
Secretary

X

Lou Mallers
Chairperson

AGENDA MEMO
PLANNING AND ZONING COMMISSION
AUGUST 21, 2024

CASE

PZC2024-08

Variation

James Green – 620 Maple Lane

ISSUE STATEMENT

Petitioner (James Green) seeks approval of a variation request from Section 5A-5-9-2(A)(2)(b)(1) of the Darien Municipal Code to allow for the construction of a 10-foot by 10-foot shed to be partially within the public utility easement and located within five feet of the rear lot line. The property is located within the Single-Family Residence Zoning District (R-2).

GENERAL INFORMATION

Petitioner:	James Green
Property Owner:	James and Elizabeth Green
Property Location:	620 Maple Lane
PIN Number:	09-22-407-022
Existing Zoning:	Single-Family Residence Zoning District (R-2)
Existing Land Use:	Detached Single-Family Home
Comprehensive Plan:	Low Density Residential
Surrounding Zoning & Uses	
North:	Single-Family Residence (R-2); Single-Family
East:	Single-Family Residence (R-2); Single-Family
South:	Single-Family Residence (R-2); Single-Family
West:	Single-Family Residence (R-2); Single-Family
Size of Property:	0.35 Acres
Floodplain:	N/A
Natural Features:	N/A
Transportation:	The petition site gains access from Maple Lane via a driveway.

PETITIONER DOCUMENTS (ATTACHED TO MEMO)

- 1) APPLICATION
- 2) JUSTIFICATION NARRATIVE
- 3) SITE PLAN
- 4) PLAT OF SUVEY
- 5) SIGNED PETITION
- 6) SHED SPECIFICATIONS
- 7) SITE PHOTOS

CITY STAFF DOCUMENTS (ATTACHED TO MEMO)

A. DRAINAGE EVALUATION EMAIL

PLANNING OVERVIEW/DISCUSSION

The subject property is part of the Hinsbrook Unit #6 Subdivision. The parcel is improved with a single-family residence and is fairly flat. The petition site totals 0.35 acres in size and is zoned

Single-Family Zoning District (R-2). As depicted on the plat survey, an 8.2-foot by 8.2-foot detached shed was previously located within the public utility easement with 3.8-foot and 12.5-foot setbacks from the rear (north) and side (east) property lines respectively. The shed is a nonconforming structure due to a portion of it being within the public utility easement and has been demolished. The petitioner wishes to construct an 8-foot tall, 10-foot by 10-foot shed in approximately the same location. A portion of the proposed shed would be within the public utility easement with the same setback of 3.8-feet from the rear property line and an increased setback of 13.50-feet from the eastern side property line.

Under Section 5A-4-3-1(B) of the Darien Zoning Code, “additions may be made to existing nonconforming residential structures, including accessory structures, provided that addition extends no further than the existing nonconforming front, side, or rear yard for the lot” and the reconstruction, repairing, and rebuilding of a nonconforming building or structure is permitted under Section 5A-4-3-1(D).

However, the shed shown on the plat of survey has been completely demolished and the proposed shed is larger in size. Therefore, Section 5A-5-9-2(A)(2)(b)(1) of the Darien Zoning Code, “no detached accessory building or structure shall be erected, altered, or moved to a within that part of a rear yard located within five (5) feet of the rear lot line, or to those portions of the side lot line abutting such rear yard, or within any platted easement” would now apply and a variation is required.

City Staff have completed a site review and determined that the flow of storm water will not be affected by the shed within the easement (see email attached to this memo). Should the governing bodies approve the variation request, the property owner shall be responsible to remove the shed in the event that utility work will be required within the easement at the property owners’ expense. Typical utilities within rear yard easements are the following:

- Phone, Internet, Cable (AT&T, Comcast, etc.)
- Electrical Power (Commonwealth Edison)
- Sewer (DuPage County Sanitary District)
- Stormwater (City of Darien)

Site Plan Review & Findings of Fact

City staff has reviewed the petitioner submitted documents. The petitioner submitted a Justification Narrative with a detailed description of the project and requested relief, in addition to Findings of Fact that would support the application request. As mentioned above, those items are attached to this memo along with the proposed plat and site plan. For reference, the criteria the Planning and Zoning Commission and City Council votes on for City Variation requests are included below.

Variation Criteria:

The City may grant variations based on the finding-of-fact that supports the following criteria outlined below by the City to be the most relevant to the subject property situation.

- a) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.*
- b) The plight of the owner is due to unique circumstances.*
- c) The variation if granted will not alter the essential character of the locality.*
- d) Essential Need: The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.*
- e) Problem with Property: There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which*

makes it unreasonable for the owner to make the proposed improvement in compliance with this title. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase. f) Smallest Solution: There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.

g) Create Neighbor Problem: The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.

h) Create Community Problem: The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.

i) Net Benefit: The positive impacts to the community outweigh the negative impacts.

j) Sacrifice Basic Protections: The variation, if granted, will comply with the purposes and intent of this title set forth in subsection 5A-1-2(A) of this title and summarized as follows: to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on August 21, 2024.

MEETING SCHEDULE

Planning and Zoning Commission
Municipal Services Committee
City Council

August 21, 2024
August 26, 2024
September 3, 2024



ZONING APPLICATION

CITY OF DARIEN
1702 Plainfield Road, Darien, IL 60561
www.darienil.us 630-852-5000

CONTACT INFORMATION

<u>James Green</u> Applicant's Name	<u>James and Elizabeth Green</u> Owner's Name
<u>620 maple lane, Darien, IL 60561</u> Address, City, State, Zip Code	<u>Same</u> Address, City, State, Zip Code
<u>(630) 470-1977</u> Telephone	<u>Same</u> Telephone
<u>green9698@sbcglobal.net</u> Email	<u>Same</u> Email

PROPERTY INFORMATION

<u>620 maple lane, Darien, IL 60561</u> Property address	<u>0922407022</u> PIN Number(s)
 Zoning District	 Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

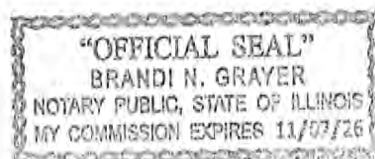
Requesting permission to build a 10x10 foot shed partially located in the backyard easement and 4 feet from the fence. It would be in the same location as the previous shed built over 28 years ago.

James Green
Applicant Signature 100106724165-7097

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that James R. Ornel is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth.
Given under my hand and seal, this 28 day of June 2024.

Notary Public

For office use only	
Date Received:	
Case Number:	
Fee Paid:	
Hearing Date:	



Proof of Ownership

- Tax Summary
- Taxes Due
- Pay Current Taxes Online
- Tax Payment History
- Tax Redemption
- Tax Adjustment
- Tax Status
- Special Assessments
- Mobile Home Information
- Supervisor of Assessment
- Assessed Value Current
- Assessed Value History
- Property Transfer History
- Conveyance History
- Exemptions Current
- Appeals History
- Split/Combine History
- General Profile
- Legal Description
- Map
- Map Viewer
- Pictometry
- Owner

PARCEL NUMBER: 09-22-407-022
NBHD: 09NHB
GREEN JAMES & ELIZABETH
Tax Year: 2023 (Taxes Payable in 2024).

COUNTY #: 022
ROLL: RP
620 MAPLE LN
DARIEN

Record Navigator

1 of 1

[Return to Search Results](#)
Tax Year 2023

Taxes Billed

Tax Year	Tax
2023	\$6,418.18
Total:	\$6,418.18

Property Tax by Entity

Entities	Rate:	Amount:
CITY OF DARIEN	0.243100	\$229.90
COLLEGE DU PAGE 502	0.190700	\$180.34
COUNTY OF DU PAGE	0.147300	\$139.30
DARIEN PARK DIST	0.334100	\$315.96
DOWNERS GR TWP RD	0.053600	\$50.70
DOWNERS GROVE TWP	0.031800	\$30.06
DU PAGE AIRPORT AUTH	0.013200	\$12.48
FOREST PRESERVE DIST	0.107600	\$101.76
GRADE SCHOOL DIST 61	3.072900	\$2,906.04
HIGH SCHOOL DIST 86	1.703500	\$1,611.00
INDIAN PRAIRIE LIBR	0.181600	\$171.74
TRI-STATE FIRE DIST	0.707300	\$668.90
Total:	6.786700	\$6,418.18

Actions

- Neighborhood Sales
- Printable Summary
- Printable Version

Reports

- CSV Export
- Estimate of Redemption
- Mobile Home Tax Bill
- Property Tax Receipt
- Property Tax Bill

Go

DuPage County
421 N County Farm Road
Wheaton, IL 60187
630-407-0500

Hours
Monday-Friday 8:00am-4:30pm

Location [Google Maps](#)

Legal Disclosure
[Privacy Policy](#)

CITY OF DARIEN
1702 Plainfield Road, Darien, Illinois 60561
DEVELOPMENT APPLICATIONS

REIMBURSEMENT AGREEMENT

The undersigned applicant for development approval acknowledges that the City of Darien may seek advice and council from professional sources outside the employee staff of the City of Darien. The purpose of such consultation would be for traffic impact analysis, engineering, stormwater, legal, or other such reviews related to variation, special use, rezoning, subdivision, site plan, permits, or other proposals submitted to the City of Darien by the applicant. The City of Darien may also incur expenses as part of the development review and approval process, such as copying, mailing, publication, recording, inspecting, or other such activities.

As an express condition in submitting said application and the consideration thereof by the City of Darien, the applicant both personally and on behalf of the property owner(s), agrees to reimburse the City of Darien forthwith for all costs and expenses that may be incurred by the City of Darien for such consultation and activities.

The applicant hereby accepts and acknowledges that if at any time the application fails to pay for such consultation and activity costs in accordance with the direction of the City of Darien, the no further action will be taken by the City of Darien in relation to the application until such time as said payment is paid in full.

James Green

Applicant's Name (print)

James Green

Applicant's Name (signature)

620 Maple Lane, Darien, IL 60561

Applicant's Address

6/25/24

Date

Date: July 8, 2024

Subject: Justification Narrative for building 10 x 10 ft shed partially in backyard easement

Jim and Elizabeth Green, residents at 620 Maple Lane in Darien are requesting a zoning variation to build a new 10x10 foot shed that will be located partially in the backyard easement area and 4 feet from the backyard fence.

Why is this variation requested? It will replace a slightly smaller shed the Greens used for over 28 years that was built by previous owners in this same spot in the easement area. The many hardship conditions listed below give evidence why locating this new shed in the same spot (and not elsewhere) is an important factor in maintaining the health and beauty of this backyard.

For a little background about Jim, my passion is landscaping and gardening. I was trained as a Master Gardener at the University of Illinois years ago. Over the years, I've carefully planted and designed landscape beds all around my yard containing carefully selected plants depending upon the sun/shade exposure, moisture, soil, shape of the yard and layout of the natural structures. My property has been used for charitable garden walks and I regularly volunteer my services as a Master Gardener for the county of DuPage.

Hardship conditions making it difficult to conform:

Like most backyards, sheds are best located near a border. Most of my backyard borders are an easement area (north and west sides) which restricts alternative shed placement. That remaining limited border sites for sheds are either blocked by trees, too narrow or already contain established garden plants and other natural structures preventing shed relocation.

1. The Northwest area of my backyard has a large tree that disallows shed placement along that border. Plus, there are established bushes along that fence. Next to the house, there is a unique shade garden. Besides having no room for access and looking completely out of place, having a shed here would destroy existing garden plants and hardscape. Not an option.
2. The Northeast part of the yard is simply too narrow for any shed placement. Plus, there are long established garden beds and many shrubs in that area. Not an option.
3. The East side of the yard (along the fence) is the only place in the backyard that gets consistent sun and therefore many valuable plants are established in this garden bed border including an exceptional Seven-son flower tree. Placing the 10x10 shed here would cause innumerable hardships destroying many plants, potentially causing drainage problems and blocking the view to the west for my neighbor John

Galan. There is no other spot to relocate these plants and they would die if transplanting was attempted. Not an option.

4. Moving the shed up another 6 feet or more in the open grass area would place the shed clearly towards the open area of the yard and look grossly out of place in the grass area. This is like placing a chair in the middle of your living room which would stick out like a sore thumb. Besides wasting space, it would block views of my garden (for both me and my neighbors) and likely cause unwanted shading on a portion of my garden. Not an option.
5. The cost of moving my shed (nearly 40% completed) would be a hardship. It is on a non-permanent foundation but moving it to another spot would still be a task (and expensive). Relocating this shed would destroy the vital layout of this landscape. This proposed spot in the easement is often wet and not ideal for planting so, all things considered, it is the ideal spot in my yard for a shed structure.
6. My yard was designated as a Certified Wildlife Habitat by the National Wildlife Federation and the Conservation Foundation. It has been carefully landscaped and designed with flora and hardscape to attract and sustain many birds, butterflies, dragonflies and other wildlife. Forcing a new shed location could greatly disturb the layout beneficial to this habitat.

The impact on the neighbors is none. They very much appreciate the beautiful gardens and landscape in my yard and are used to my property having a shed in the easement area for over 28 years. Nothing would change for them except there would be a beautiful shed to replace the old, dilapidated one. Utilities access won't be hindered, and drainage will not be affected. I've gotten permission from all 6 surrounding neighbors who signed my petition giving their approval to build a new 10 x 10 x 10 shed in the easement and in the same location as the old shed.

Decision Criteria

I have copied the decision criteria from the Justification Narrative and included my answers in **bold** letters.

2a) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone. **Answer: Correct. Placement of a new shed in my backyard according to the Darien regulations would bring down my property values due to the ill placement (see hardships) and wasted property. I need this zoning variation to prevent these problems.**

2b. The plight of the owner is due to unique circumstances. **Answer: Yes**

2c. The variation if granted will not alter the essential character of the locality. **Answer: No detrimental change to the essential character of the locality but will enhance the surroundings.**

3a. Essential Need? The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted. **Answer: Yes, it would cause many hardships and decrease the appearance and appeal of this carefully landscaped yard. Locating this shed in any other backyard location would look very out of place, waste space and require extensive and expensive re-landscaping.**

3b. Problem with Property? There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with the Zoning Code. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase. **Answer: My backyard is pie shaped with most of the border designated as easement. It also has many trees which prevent placement and ease access. There have been gardens and detailed landscaping established over the years which would cause many hardships if they were disturbed in any way. The site of the previous shed (partially in the easement) is the most sensible location in the whole backyard to build a new shed.**

3c. Smallest Solution? There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reducing the amount of variation required to make such improvements. **Answer: As mentioned previously, there are no other suitable locations along the backyard border, near the house or even somewhere in the grassy middle part of the yard. The backyard borders are primarily an easement area and established landmarks like trees or established gardens prevent relocation without incurring much hardship and expense. Near the house would not work due to trees and narrow space. Locating the shed in the open lawn area would look terrible, waste a lot of space and stand out like a sore thumb. The smallest solution is to allow the new shed to be built partially in the easement where the previous shed was located.**

3d. Create Neighbor Problem? The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties. **Answer: No neighbor problem. Neighbors really appreciate my landscaped yard, and they gave their permission on a signed petition to rebuild the shed where the previous shed was located for over 30 years and never caused an issue. There is no problem with drainage as the shed does not have a permanent foundation. Utility lines can be run under the shed if necessary. If the utility company needs the shed to be moved to do some work, it is my responsibility to move the shed. I've always known that and never had any problems with utility companies having the old shed at this**

spot ever! I'm simply replacing a shed nearly the same size in the same spot as the previous shed that was there over 28 years.

3e. Create Community Problem? The variation, if granted, may result in the same or similar requests from other property owners within the community but will not cause an unreasonable burden or undesirable result within the community. **Answer: Don't believe so. I believe this is not really a big deal to most of my neighbors and the ones who surround me willingly gave their signed approval. I absolutely believe this issue, if granted, will be forgotten quickly and not cause any undesirable burden to the community.**

3f. Net Benefit? The positive impacts to the community outweigh the negative impacts. **Answer: Absolutely! This custom-built shed will be beautiful and blend aesthetically with the of the rest of the yard to enhance the looks and value of the whole surrounding area. My property has been used for charitable garden walks while providing a beneficial wildlife habitat. Neighbors and visitors appreciate my yard being well landscaped and beautiful while attracting birds, butterflies, beneficial insects and other wildlife. I think this property provides a great benefit to the community.**

3g. Sacrifice Basic Protections? The variation, if granted, will comply with the purposes and intent of the Zoning Code set forth in Section 5A-1-2(A) and summarized as follows; to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare. **Answer: Yes**

SITE PLAN

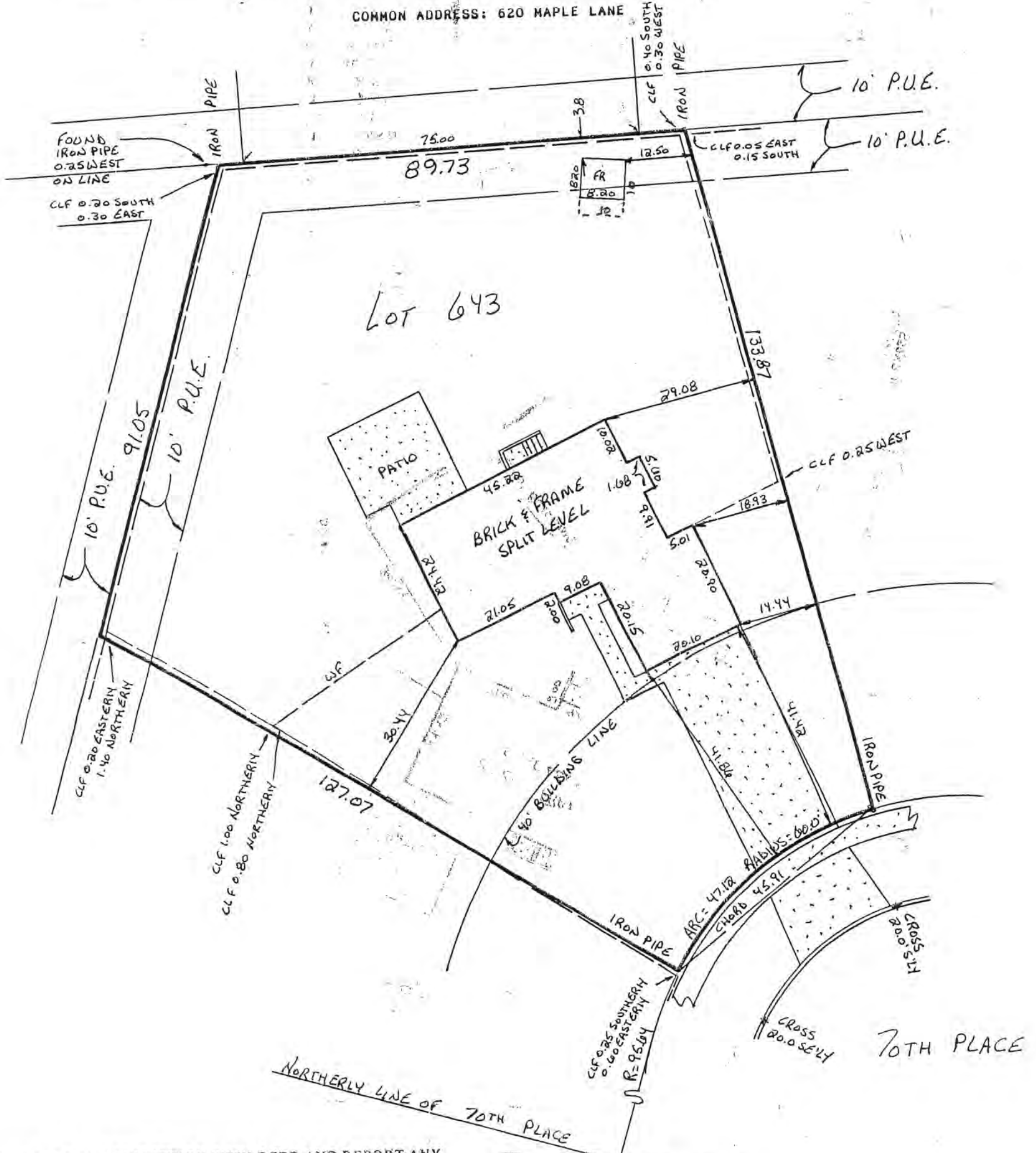


Russell Schomig PLS # 2446
William Schomig

Plat of Survey

LOT 643 IN HINSBROOK UNIT 6, A SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 11, AND RESUBDIVISION OF LOT 578 IN HINSBROOK UNIT 5, A SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID HINSBROOK UNIT 6, RECORDED OCTOBER 6, 1967 AS DOCUMENT NUMBER R67-40423, AND CERTIFICATE OF CORRECTION FILED JANUARY 8, 1968 AS DOCUMENT NUMBER R68-759, IN DU PAGE COUNTY, ILLINOIS.

COMMON ADDRESS: 620 MAPLE LANE



COMPARE LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY. A TITLE COMMITMENT WAS NOT FURNISHED FOR USE IN PREPARATION OF THIS SURVEY. IF A TITLE COMMITMENT WAS NOT FURNISHED, THERE MAY BE EASEMENTS, BUILDING LINES OR OTHER RESTRICTIONS NOT SHOWN ON THIS PLAT. THIS PLAT DOES NOT SHOW BUILDING RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES. LOCAL AUTHORITIES MUST BE CONSULTED REGARDING ANY RESTRICTIONS. DO NOT SCALE DIMENSIONS FROM THIS PLAT. NO EXTRAPOLATIONS SHOULD BE MADE FROM THE INFORMATION SHOWN WITHOUT PERMISSION OF SCHOMIG LAND SURVEYORS, LTD. THIS PLAT IS NOT TRANSFERABLE. ONLY PRINTS WITH AN EMBOSSED SEAL ARE OFFICIAL COPIES.

SURVEYED: APRIL 15, 1996.
BUILDING LOCATED: APRIL 15, 1996.
ORDERED BY: PAV REALTY
PLAT NUMBER: 92NB30

SCALE 1" = 20'

STATE OF ILLINOIS }
COUNTY OF COOK } ss.



WE, SCHOMIG LAND SURVEYORS, LTD. AS ILLINOIS LICENSED PROFESSIONAL LAND SURVEYORS, HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED IN THE CAPTION TO THE PLAT HEREON DRAWN AND THAT THE SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SAME.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS OF A FOOT AND ARE CORRECT AT A TEMPERATURE OF 68 DEGREES FAHRENHEIT. DIMENSIONS SHOWN ON BUILDINGS ARE TO THE OUTSIDE OF BUILDINGS.

- I.P. = IRON PIPE
- C.L.F. = CHAIN LINK FENCE
- D.E. = DRAINAGE EASEMENT
- W.F. = WOOD FENCE
- P.U.E. = PUBLIC UTILITY EASEMENT
- B.L. = BUILDING LINE

Russell W. Schomig
PROFESSIONAL ILLINOIS LAND SURVEYOR

Date: June 26, 2024

Hello neighbors –

After 28 years, Jim and Betty Green (residents at 620 Maple Lane in Darien) are replacing the decayed shed on their property with a newly constructed shed in the same spot located partially in their backyard utility easement area and approximately 4 feet from their backyard property line. According to Darien city regulations, building a shed in the easement area (where certain utility lines run) requires a zoning variance on our part and permission from our surrounding neighbors verifying they have no objections. That is the reason for this document.

Before we purchased the property, the previous owners built a shed in the easement area and there had never been any issues with its location. It sat unobstructed on multiple posts in the ground offering necessary access for utility work and excellent drainage. We assumed that we could build a new shed in the same spot until the city notified us that requires a variance.

We did investigate locating this new shed at other sites in our backyard, but they were not good options. Most of our backyard borders are designated as easement areas. If we moved the shed forward off the easement, it would place it oddly near the middle of our yard which is not acceptable. Other possible backyard sites considered are already occupied with landscaping and valued shrubs while locations near the house are too narrow or blocked by trees and shrubs. Thus, we determined the present shed location (partially in the easement area) is by far the best place to rebuild our new shed.

We wanted to assure our neighbors that the new shed simply replaces our old shed and does not cause ANY change, obstruction, hardship or loss of value to neighboring property. We are simply replacing a run-down shed with a beautiful, non-permanent and slightly larger shed which provides easy access for utility work, will not inhibit drainage and enhances the looks of the neighborhood. We feel this shed and the surrounding area will look spectacular!

We ask you to please sign this document to verify to the city of Darien that we have notified our neighbors of this new construction, and they have no objections.

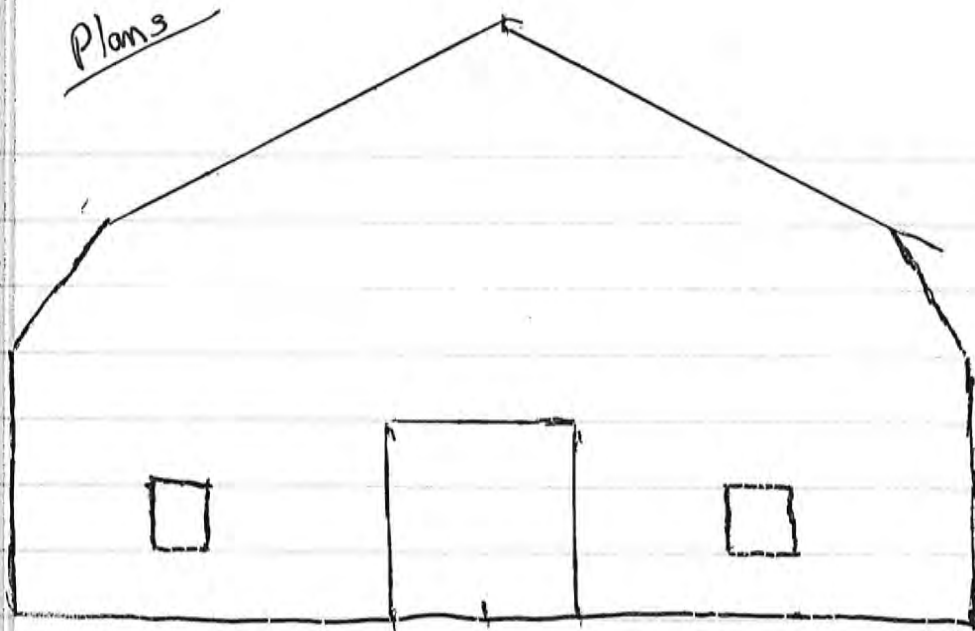
Thank you,

Handwritten signatures of Jim Green and Betty Green in cursive script.

Jim and Betty Green

Note: Please sign your name and address if in agreement.

1. Hannebre Bindeen 629 70th St., Darien, IL 60561
2. Juda Demplin 625 70th St Darien IL 60561
3. Kathleen Madden 702 Maple Darien IL 60561
4. ^{JOE Amari +} Jerry Vitacco 621 70th St. Darien IL 60561
5. Kolan 618 MAPLE DARIEN IL 60561
6. JL 77 622 Maple Lane
Darien 60561



2X4 16" O.C.

2X8 FRAME FOR DECK

1/2" PLYWOOD FOR WALLS & ROOF

3/4" PLYWOOD FOR DECK

DOOR SIZE 3'6" X 6'4"

WINDOW SIZES 14.5" X 21.5"

BUILDING OVERALL DIMENSION 10' X 10'

OVER ALL HEIGHT 9' 3"

DISTANCE FROM NORTH PROPERTY 3' 8"

DISTANCE FROM EAST PROPERTY 13' 5"

Previous shed dimensions (see Plot of Survey)

Building overall dimension 8.20 x 8.20

Overall Height 8'

Distance from North Property 3' 8"

Distance from East Property 12' 5"

Proposed picture of 10x10 shed once completed



Ranae and I just wanted to tell you how happy we are with our shed. It looks exactly how we envisioned. Thank you for working with us to give us the custom look we wanted. It was a pleasure doing business with you.

*Sincerely,
Gale & Ranae
Helpingstone*

Payment Options

Cash Sale: Minimum 10% down. Balance due upon delivery.
Rent-to-Own:

36-month plan. You own the building when all the payments are made.

Deposit needed + 1 month's rent and a \$35.00 processing fee.

Deposit amount varies according to building size—

- 8' wide-\$100
- 10' wide-\$150
- 12' wide-\$200
- 14' wide-\$300
- 16' wide-\$400

Deposit fully refundable with purchase of building.

Rent-To-Own Does it make sense?

Our rent-to-own program is a great way to get started towards owning your own shed! Why rent out-of-the way, inaccessible storage units with never-ending payments when you can rent a shed in your own back yard and after 36 months own it?

Features and benefits of Rent-To-Own:

- No credit check
- Instant Approval - No need to wait to get the building of your dreams!
- Month by month agreement
- Multiple payment options (online, by phone, autopay, E-billing)
- Early Purchase Option (EPO): There is no fee to purchase early

Save money with our early payoff option. 60% of all previous rental payments will go toward the initial cash price of the building.

If you move, your building becomes a financial burden, or you no longer need it for any reason, simply give us a call and we will gladly pick it up. There will be no adverse effects on your credit score.

I ordered a 14x32 Vinyl Garage. This was the absolute best. From ordering, to the follow-up call, till it was delivered. The building was placed exactly where I wanted and leveled at no charge. The whole experience and building were perfect!
-Troy E.



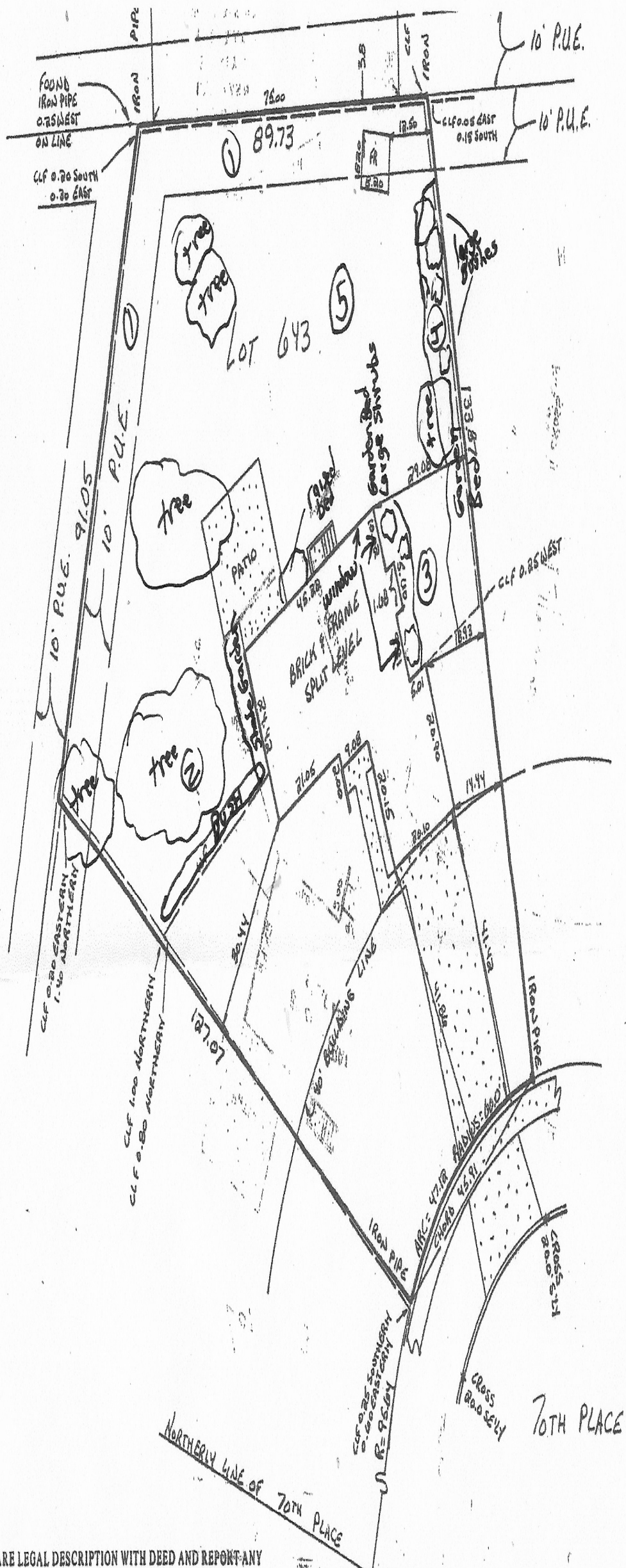












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STATE OF ILLINOIS
 COUNTY OF COOK

WE, SCHOMIG LAND SURVEYORS, LTD, AS ILLINOIS LICENSED PROFESSIONAL LAND SURVEYORS, HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED IN THE CAPTION TO THE PLAT HEREON DRAWN AND THAT THE SAID PLAT IS A TRUE AND CORRECT

Dan Gombac

From: Kris Throm
Sent: Friday, July 19, 2024 1:51 PM
To: Dan Gombac
Cc: Regina Kokkinis
Subject: RE: 620 Maple

Dan,

The shed sits approximately 3.5' from back property line and 12.5' from side property line. It appears that they have left a pathway for the water to flow behind the shed. In my opinion the shed presents no more of an issue than the rest of the landscaping/plantings in their yard.

Thanks,

Kris Throm

Superintendent of Municipal Services

1041 S. Frontage Rd., Darien, IL 60561

Email: kthrom@darienil.gov

Cell: (630) 524-3453 |

Connect with the City of Darien!



From: Dan Gombac <dgombac@darienil.gov>
Sent: Monday, July 15, 2024 9:26 AM
To: Kris Throm <kthrom@darienil.gov>
Cc: Regina Kokkinis <rkokkinis@darienil.gov>
Subject: 620 Maple

Kris

Pls review the back yard placement of the shed to determine whether there is impact to the drainage. The shed is within the easement. Pls measure the distance of the shed from the rear and side fence/PL. Provide a narrative.