CITY OF DARIEN

PLANNING AND ZONING COMMISSION

Wednesday, June 6, 2018
7:00 PM
City Hall Council Chambers
1702 Plainfield Road

AGENDA

- 1. Call to Order
- 2. Roll Call
- 3. Regular Meeting:
 - A. Public Hearing

Case: PZC 2018-04 6926 Crest Road (Salverredy)

Petitioners Julio and Rachel Salverredy, owner/occupants of the house at 6926 Crest Road, seek approval of a variation to Section 5A-7-2-6(A) of the Darien Zoning Code for side yard setback for their proposed attached garage.

- B. Workshop

 Procedures
- 4. Correspondence
- 5. Old Business
- 6. New Business

7. Approval of Minutes: May 2, 2018

8. Next Meeting: June 20, 2018

9. Public Comments [On any topic related to planning and zoning]

10. Adjournment

AGENDA MEMO PLANNING AND ZONING COMMISSION June 6, 2018

Case

PZC 2018-04

6926 Crest Road

(Salverredy)

Issue Statement

Petitioners seek approval of a variation to the Darien Zoning Code for side yard setback for a proposed attached garage to their home at 6926 Crest Road.

General Information

Petitioners / Property Owners:

Julio and Rachel Salverredy

Property Location / PIN#:

6926 Crest Road / 09-23-309-020

Zoning / Land Use: Site: R-2 / single-family residence

West, North, South: R-2 / single-family residence

East:

B-3 Willowbrook / restaurant

Comprehensive Plan:

Future Land Use: Low Density Residential

Size of Subject Lot:

75 feet wide at front by 200 feet deep average

17,084 square feet

Natural Features:

Relatively flat with trees in front and back of lot

Transportation:

Driveway between former garage and street

Zoning Provisions

Section 5A-7-2-6(A): Interior side yard 10 feet minimum

Development History and Proposal

After the Salverredys purchased house, they obtained permits for; pool deck and fence in 2012, conversion of attached garage to 2 story home addition and a new detached garage (which was not built) in 2014, and a deck in 2017. The house is now 17.5 feet from south side property line. Proposed garage attached to house would be 12.5 feet wide by 23 feet deep, which would be 5 feet from the south side property line, where 10 feet setback is otherwise required.

Petitioner Documents (attached to this memo)

- 1. Petition
- 2. Plat of Survey
- 3. 2018 Plan for garage
- 4. Findings of fact

Staff Documents (attached to this memo)

- 5. Photo aerial of neighborhood
- 6. Photos driveway and southwest corner of house
- 7. 2014 Plan for garage and home addition
- 8. Modified Plat
- 9. Variation Authority and Standards
- 10. Variation Conditions

Staff Plan Review

The attached aerial photo shows other houses nearby that have similar narrow lots and narrow side setbacks that have detached garages behind the house. The attached Modified Plat shows the former attached garage (2013) that was converted to house use in 2014, the detached garage permitted in 2014 but not built, the deck built in 2017, and the proposed attached garage (2018) subject to this variation request.

Findings of Fact

The Petitioners were asked to provide evidence or finding-of-fact that would support their requested variation, especially in terms of the pertinent variation criteria.

- Reasonable return can they design garage that conforms to code without difficulty
- Self-created difficulty did they limit their options when they demolished the existing garage and not build the approved garage
- Unique circumstance can they use the same solution their neighbors have used

Pending Meeting Schedule

Planning and Zoning Commission:

Municipal Services Committee:

City Council:

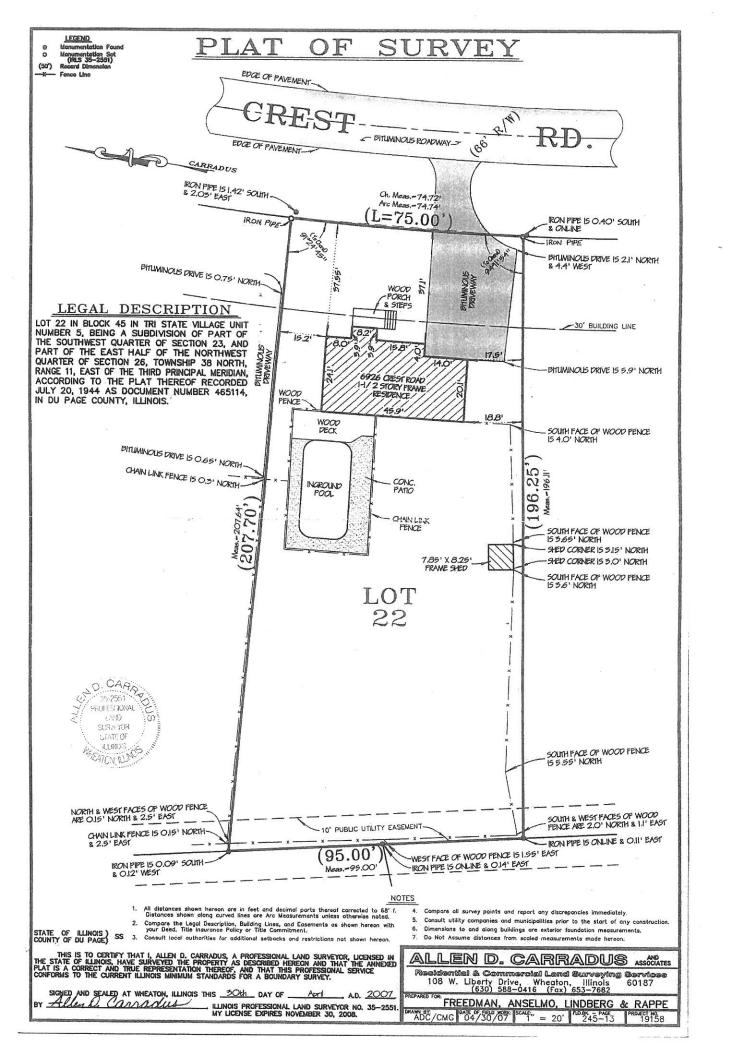
June 6, 2018

June 25, 2018

July 2, 2018

CITY OF DARIEN, ILLINOIS, Community Development Depart	tment	Staff Use Only
		Case No.: PZC 2018-04
Variation/Special Use/Rezoning petition to the	11.00	Date Received: 4/20/16
Mayor and City Council of the City of Darien:		Fee Paid: \$360
PETITIONER INFORMATION		Check No.: Hearing Date: 6/6/18
PETITIONER INFORMATION		Hearing Date.
JULIO SALVENTEDY	JULIO & RACHEZ S	ALVENEOY
Petitioner's Name	Owner's Name	
0.45	las court of	DAGIO 12/ 105/1
JULIO SALVERTEDY	6926 CREST NA	DARIEN IL 60561
Contact Name	Address, City, State, Zip Co	
6926 CREST Rd DARIEN IL 60561	(630)465-15618-6	630) 908-9887
Address, City, State, Zip Code	Phone #	
	a 2 10 10 10 10 10 10 10 10 10 10 10 10 10	resident an
(630) 465-156/	RSALVENTEDY & CENT	Malaeche, Com
Phone #	Email	
Fax# PR		
7-10		
JULIOSALVERTEDY GYAHOU, COM		
Email		
PROPERTY INFORMATION		
1026 105t 00 DADION 71 11561	17 NEU COURSE	Cont
6926 CREST RO OARIEN ZL 6006/ Property address	17084 Square Acreage	7461
	Acreage	
09-23-309-020	R-2	
PIN(s)	Zoning	
Provide legal description on a separate sheet and attach, such	as the plat of survey.	
REQUEST		·
Brief description of the request(s):		□ Simple Variation
ACCURACY DESCRIPTION OF THE PROPERTY OF THE PR	□ Special Use	□ Rezoning
NEW wood Framed single story BB	rase , Ashy FOR A	s reet unrustra
	10000	
I, JULIO SALVETTEDY do he	reby certify that I am the owner of re	cord (or one of the owners of
record or the attorney for the owners of record of the aforesaid described pro	perty) and I hereby make application	as such.
Sidestree Sallilly	F .	D
Subscribed and swom to before this day of day of	20	J.
Subscribed and swom to before this 10 4 11 day of	20	•
Well y will	*******	
Notary Public	"OFFICIAL S	SEAL"
	NICK G ALE	X III X
	NOTARY PUBLIC, STATE	OF ILLINOIS \$
	MY COMMISSION EXPIRES	5 //29/2019

Staff Use Only



SALVERREDY RESIDENCE

6926 Crest Road

Darien, Illinois 60561

GENERAL NOTES

CONTRACTORS SKALL OSTAJN ALL PERMITS, BONGS, LICENSES, ETC. AS REQUIRED AND POLLOW ALL I STATE, AND NATIONAL CODES AND ONDINANCES.

ALL STRUCTURAL REVISIONS SHALL BE REVIEWED AND APPROVED BY THE ARCHITECT PRIOR TO ANY PROCEEDING. all new peaders shall be (2)2x12 with ½- plywood plate, unless otherwise noted. Rein Existing headers as requibled.

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TRADES SHALL VISIT THE SITE PRIOR TO WORK PROCEDDING. CONTRACTORS SHALL NOTIFY THE WITECT OF ANY DISCREPANCIES PRIOR TO ANY WORK PROCEDDING.

LL COLORS, FINISHES AND MATERIALS USED SHALL BE APPROVED BY THE OWNER PRIOR TO ORDERS JACKS.

AL CONTRACTOR SYALL HODBY THE EXISTING ELECTRICAL SYSTEM AND YAME. TO ACCOMPONITE REDON ADDITION AND GAVACE. CONTRACTOR TO PROVIDE ALL MATERIAL, AND LABOR AS TO TO CONTRELEE ALL WORK.

CONTACTOR SHALL MODEY THE EDISTING HEATING AND COOLING SYSTEM TO ACCORDIODATE THE DON CONTROLARDIA, CONTACTOR TO MADORE ALL MATERIAL AND EQUIPMENT AS REQUIRED. SOOTMACTOR SHALL STAMFT CALCLATIONS AND EMARTHES AS REQUIRED BY THE CITY FOR REPRES OMMENTS. THE EDISTING SYSTEM TO REMAIN AS IS, NO NEW WORK.

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CONTRACTOR TO OBTAIN AND FOLLOW THE INSTALLATION DETAILS AND PROCEDURES FOR ALL WARNEACTURED PRODUCTS AS CALLED FOR IN THE WARNEACTURES SPECIFICATIONS.

INDEX OF DRAWINGS

ARCHITECTURAL

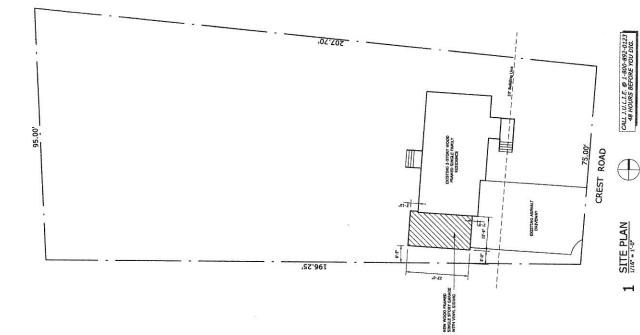
- T-1 GENERAL NOTES, SITE PLAN
 A-1 GARAGE PLAN
 A-2 EXTERIOR ELEVATIONS

CODES:

- 2012 INTERNATIONAL RESIDENTIAL CODE W// AMENDHEN
 2012 INTERNAL RECEITEC CODE W// AMENDHENTS
 2014 ILLUNIS STATE FLUMBING CODE W// AMENDHENTS
 2012 INTERNATIONAL RECHARGLA. CODE W// AMENDHENT
 2012 INTERNATIONAL PROPERTY MAINTENING CODE

PROJECT DATA

EXISTING LOT AREA	17,084 SQ.FT.
EXISTING FIRST R.COR.	1,112 SQ.FT.
EXISTING SECOND FLOOR	924 SQ.FT.
GARAGE ADDITION	295 SQ.FT.



SALVERREDY RESIDENCE

2 STORY ADDITION W/ GARAGE

6926 Crest Road Darien, Illinois 60561

CAPITAL ARCHITECTS, LLC PLANNING & DESIGN

223 Frederick Place Wood Dale, 1L 60191 Tele: (847) 209-1125

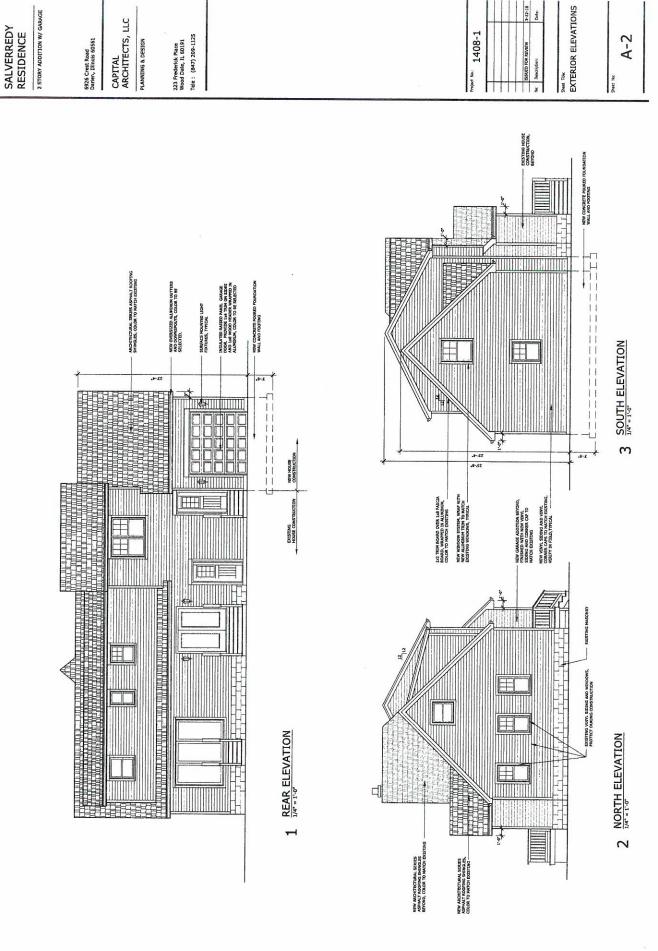
JOHN E. BERTA ILLINOIS LICENSE NO. 001-017635 -EXPIRES 11-18

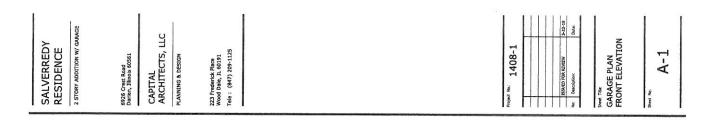
Project No. 1408-1

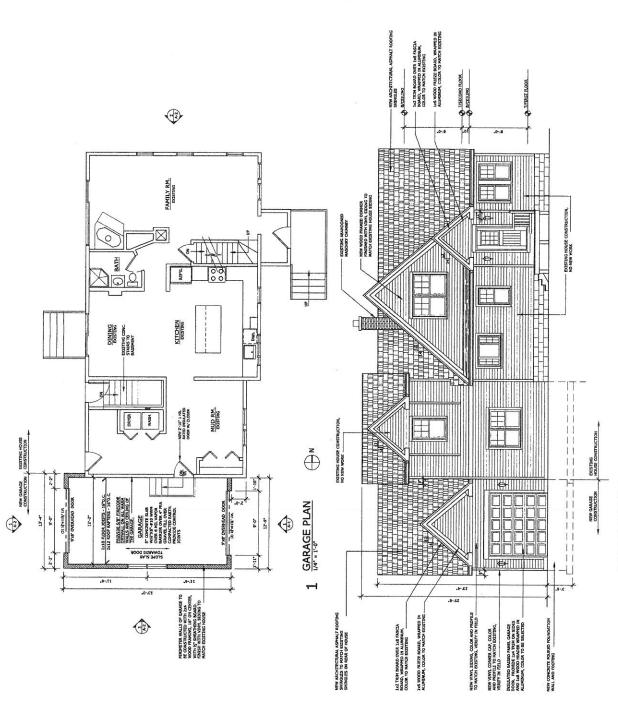
ISSUED FOR REVIEW

GENERAL NOTES, SITE PLAN

7-1







2 FRONT ELEVATION

Petitioner's Finding of Fact

Zoning Code Section 5A-2-2-3 (G): Standards

- The purpose of this variation is not based on desire to increase financial gain, but to create more living space. The addition will be closely matched to current dwelling and will not change the character to the property.
- 2. There would not be any effects on the neighboring properties for the building area is set back on lot and the overall value of property will be improved.
- 3. The alleged need for variation is solely requested by the owners of property which recently turned the existing garage into living space and built a deck out by pool. All in which add value to the home.
- 4. The proposed variation will not impair any supply of light or air in adjacent property and is far set back from public street.
- 5. The proposed variation will not change or alter the general character of the neighborhood and will match the current dwelling.

Sections 11-13-4 and 11-13-5 : Variations

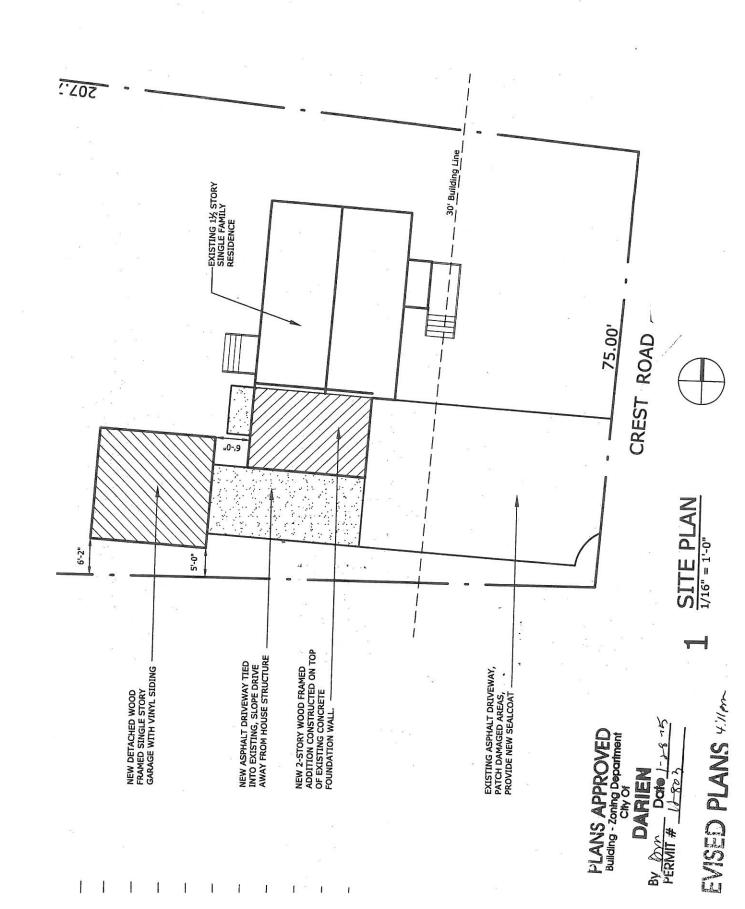
- 1. We are unable to build our garage up to current code because there is not enough space from end of house to property line to fit the width of a one car attached garage.
- 2. We are aware that other homeowners in our area have chosen to set a detached garage in the rear of their yard. This would not work for our property because we have an existing deck that would interfere with the drive way and the existing shed would have to be removed.
- 3. If variation is granted the garage will be the same siding and color and blend right into current dwelling, not changing the character.

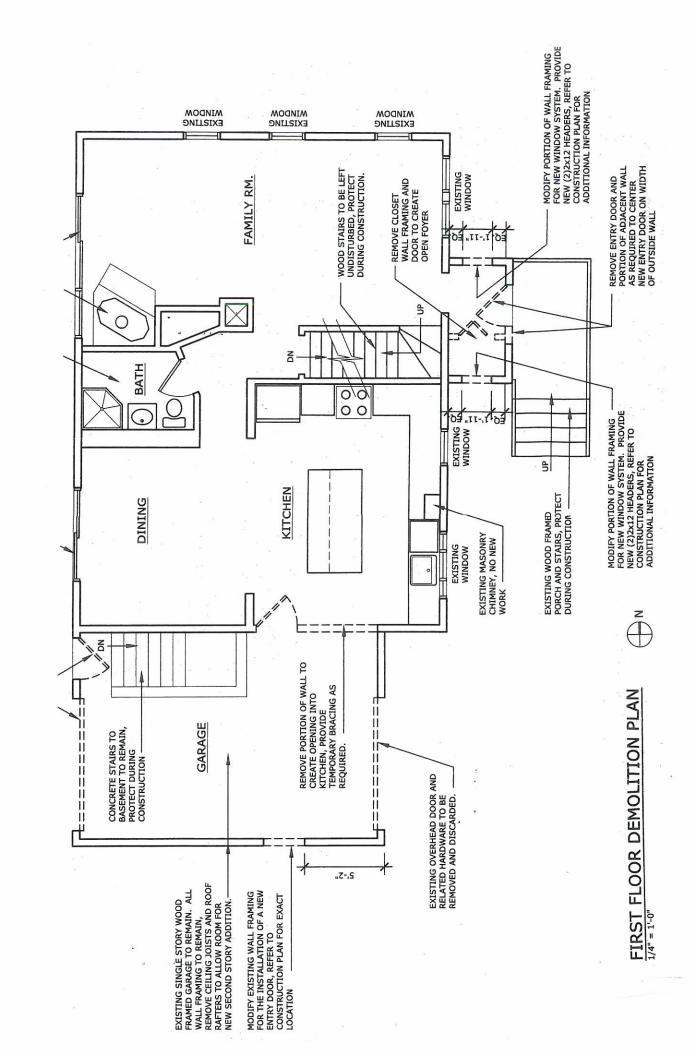


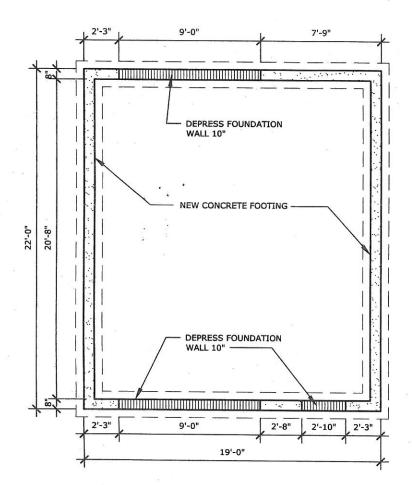




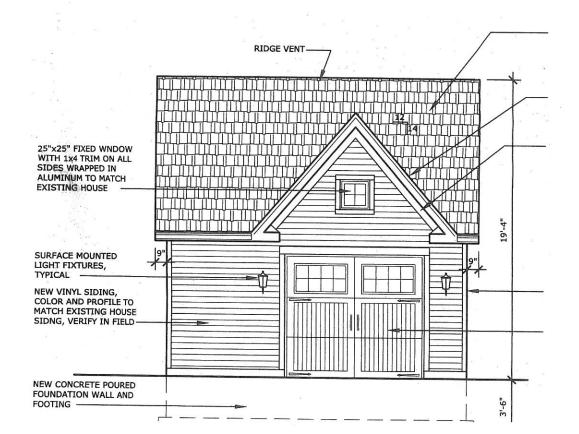
2014 Plan for Garage and House Addition

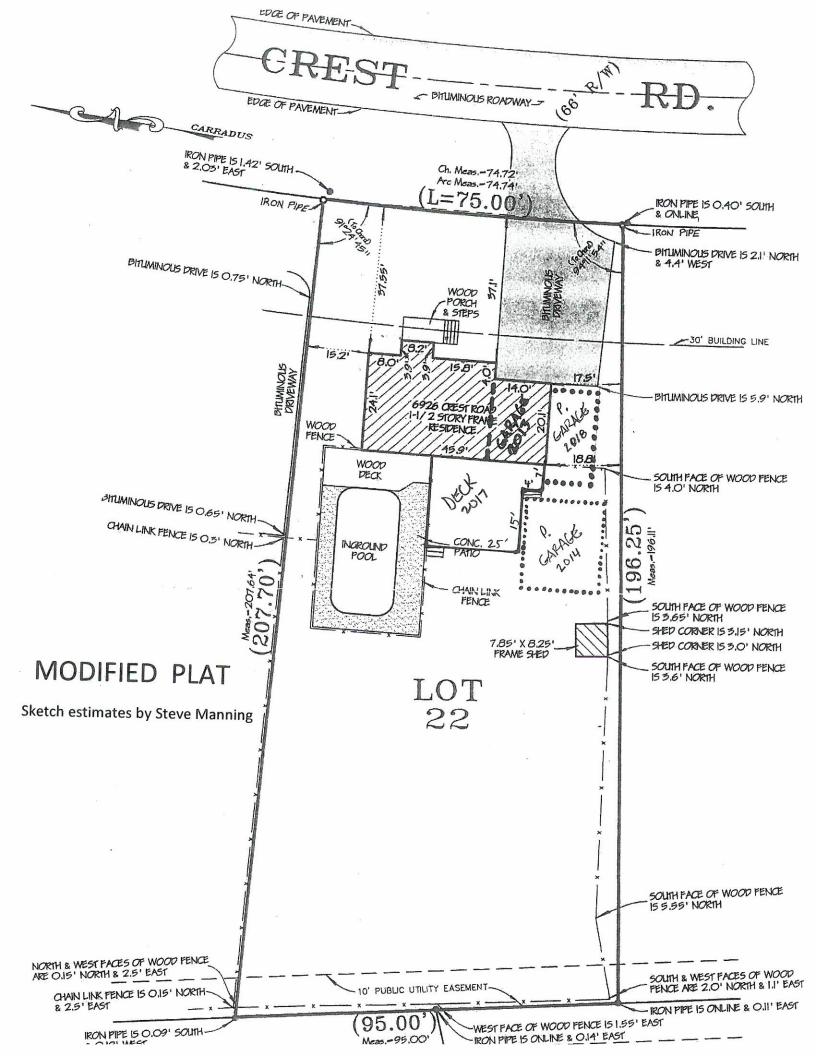






1 GARAGE FOUNDATION PLAN







CITY OF DARIEN

In the County of DuPage and the State of Illinois Incorporated 1969

VARIATION AUTHORITY & STANDARDS

Zoning Code Section 5A-2-2-3 (A): Authority

In cases where there are practical difficulties or particular hardships in the way of carrying out the strict letter of any of the regulations adopted by this Title, the City Council may, by ordinance, determine and vary the application of such regulations.

Zoning Code Section 5A-2-2-3 (G): Standards

The City shall not vary the provisions of this Title unless findings of fact have been made on the following:

- Whether the purpose of the variation is not based primarily upon a desire to increase financial gain and 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.



ILLINOIS MUNICIPAL CODE 65 ILCS

Sections 11-13-	4 and	11-13-5:	VARIATIONS
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A variation shall be permitted only if the evidence sustains each of the following three conditions:

	property in question cannot yield a reasonable return if permitted to be used o er the conditions allowed by the regulations in that zone.
The	plight of the owner is due to unique circumstances.
The	variation if granted will not alter the essential character of the locality.
3	

The corporate authorities may provide general or specific rules implementing, but not inconsistent with, the rules herein provided.

CITY OF DARIEN PLANNING AND ZONING COMMISSION

PUBLIC HEARING GUIDELINES

Revised 5.2.18

NOTICES

Everyone can attend

Regular meetings are first and third Wednesdays except holidays.

Notice of each hearing is published in local newspaper, mailed to neighbors, and sign placed on property.

Agendas, these guidelines, petitioner's plans, and staff reports are posted on City website and in City Hall.

PARTICIPATION

Everyone will get a chance to participate in the process.

Comments and questions before the hearing can be sent to the City Planner, who will share with all at the hearing.

During each hearing, the Chairperson will ask for your input. Everyone has the right to cross-examination.

At the end of each meeting, the Chairperson will ask if you want to speak on topics other than the hearing.

Inspire us!

SEQUENCE

During the hearing, feel free to ask questions. In general, the following sequence will be used:

- 1. Staff Introduce the hearing, summarize the proposal, document the notices
- 2. Petitioner Present the plan, studies, rational, and other information as needed
- 3. Audience Ask questions and offer testimony. We ask for your oath and name but not your address.
- 4. Commission members Make findings of fact and vote

DISCUSSION

We need your civility and respect so we can hear, learn, understand, exchange ideas, and make the best decisions.

(if people are repeating comments from others, it is okay to ask for no repeats)

(If people are rambling, it is okay to ask for focus on the relevant issues)

(If people are dominating the conversation, it is okay to ask to give others a chance)

(if people are interrupting, it is okay to ask to wait their turn)

(Shouting, distractions, obscenities, etc. are counter-productive and should cease)

(If there is a large audience wanting to speak, the Chairperson may ask people to limit their comments to three minutes)

(if the hour is late, may continue to next meeting)

FINDINGS OF FACT

It is the evidence that supports a conclusion
It includes an understanding of cause and effect
It forecasts future impacts and predicts what is best for the community
It provides the reasons for wise and fair decisions
The decision criteria in code help identify which findings are most relevant
The findings of fact for each criteria should be discussed openly before voting
The best findings of fact will educate, persuade, and lead to consensus

MINUTES CITY OF DARIEN PLANNING & ZONING COMMISSION MEETING May 2, 2018

PRESENT: Chairperson Lou Mallers, Bryan Gay, Robert Cortez, Michael Desmond, Robert

Erickson, Brian Liedtke, John Laratta, Ralph Stompanato, Steven Manning - City

Planner, Elizabeth Lahey - Secretary

ABSENT: Mary Sullivan

Chairperson Mallers called the meeting to order at 7:00 p.m. at City Hall - City Council Chambers, Darien, Illinois and declared a quorum present.

A. Workshop - Procedures

Mr. Steven Manning, City Planner reported that he updated the Public Hearing Guidelines noting the time limit for public comment to 5 minutes.

Chairperson Mallers stated that 3 minutes was sufficient.

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

Commissioner Gay made a motion and it was seconded by Commissioner Cortez to approve the Public Hearing Guidelines as presented limiting public comment to 3 minutes.

Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 8-0.

There was some discussion regarding the Public Hearing discussion outline. Mr. Manning reported that he changed the language from "suspend" public comment to "pause" public comment. He suggested that the Committee should ask questions, discuss the facts and finding and then seek answers if needed.

There was also discussion regarding decision criteria for variations. Mr. Manning suggested that conditions can always be placed in a motion and that dialog is beneficial.

Mr. Manning stated that the Committee can come together on criteria and then Code can be amended.

There was discussion regarding Home Owners Associations and criteria. Mr. Manning stated that he would add an area to the application.

CORRESPONDENCE

None.

OLD BUSINESS

Mr. Steve Manning, City Planner reminded the Committee to file their Ethics Statement.

NEW BUSINESS

None.

APPROVAL OF MINUTES

Commissioner Liedtke made a motion and it was seconded by Commissioner Gay to approve the April 18, 2018 Regular Meeting Minutes.

Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 8-0.

NEXT MEETING

Mr. Manning announced that the next meeting is scheduled for Wednesday, May 16, 2018 at 7:00 p.m. He reported that there was nothing on the agenda and that this meeting would most likely be cancelled.

ADJOURNMENT

With no further business before the Commission, Commissioner Gay made a motion and it was seconded by Commissioner Liedtke. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 8:35 p.m.

RESPECTFULLY SUBMITTED:	APPROVED:	
Elizabeth Lahey Secretary	Lou Mallers Chairman	