

CITY OF DARIEN
PLANNING AND ZONING COMMISSION

Wednesday, November 1, 2017
7:00 PM
City Hall Council Chambers

AGENDA

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

Case: PZC 2017-03 8185 Chapman Court (Deolitsis)
Petitioner George Deolitsis, owner/occupant of the house at 8185 Chapman Court, seeks approval of variations to the Darien Zoning Code for side and rear setbacks for their proposed pool deck, patio, retaining wall, and steps.
4. Correspondence
5. Old Business
6. New Business
7. Approval of Minutes:
8. Next Meeting: November 15, 2017
9. Adjournment

AGENDA MEMO
Planning and Zoning Commission
November 1, 2017

Case

PZC 2017-03 8185 Chapman Court (Deolitsis)

Issue Statement

Petitioner seeks approval of variations to the Darien Zoning Code for side and rear yard setbacks for their proposed pool deck, patio, retaining wall, and steps.

General Information

Petitioner / Property Owner:	George Deolitsis
Property Location / PIN#:	8185 Chapman Court / 09-33-213-013
Zoning / Land Use:	Site: R-2 / single-family residence North, West, South: R-2 / single-family residence East: R-2 / stormwater detention area
Comprehensive Plan:	Future Land Use: Low Density Residential
Size of Subject Lot:	86 feet by 130 feet = 11,180 square feet
Natural Features:	All yards slope down from house to property lines Steeper slope in rear yard down to detention area Dense row of evergreen trees along both sides of rear yard
Transportation:	Front loading garage with driveway to Chapman Court
History:	Lot is part of Smart Oaks Glen subdivision platted in 1997 Owner built pool and applied for variation for deck in 2016 but engineering took longer than expected.

Petitioner Documents (attached to this memo)

1. Petition dated 9/6/17
2. Existing Conditions on plat of survey dated 4/25/17
3. Grading Plan dated 4/25/17

Zoning Provisions

Section 5A-5-7-1(B):	10 foot side setback required for attached accessory structures
Section 5A-5-7-3(C)1:	20 foot rear setback required for attached accessory structures
Section 5A-2-2-3(A)(G):	Variation Authority and Standards
ILCS Section 11-13-4:	Variation Conditions

Development Description

This lot and adjacent lots were platted with a 20 foot wide drainage and detention easement across the rear of the lot. This easement area combined with the outlot to the east was designed to detain the expected volume of stormwater runoff from the subdivision. The outlot is approximately 70 feet wide across from the Subject Lot. East of the outlot are one-story office buildings with a setback of approximately 40 feet

The existing above-ground pool and deck was built prior to 2016 without a permit and it

encroaches into the easement and required setback. The proposal is to replace with a larger in-ground pool surrounded by a larger deck and fence with steps to a larger patio elevated on top of a 2 foot high retaining wall. The proposal complies with all zoning requirements with two exceptions:

1. The north portion would have steps, patio, and wall located 8 feet from the north side property instead of 10 feet as required.
2. The east portion would have pool deck and wall located 10 feet from the rear property line instead of 20 feet as required.

The grading plan proposes to excavate swales on both sides of the lot to compensate for the loss of stormwater detention volume due to the proposed patio and deck in the easement areas. The excavation for the swales may cause the removal of the dense row of evergreen trees.

Staff Plan Review Comments

The City Engineer has verified that the swales would provide sufficient compensatory storage. In regards to City Variation Authority (A); petitioner has not offered any statement of hardship.

In regards to the City Variation Standard (G2); the proximity of the patio to the neighbor to the north should be considered. The planned 8 foot setback of the patio, instead of the 10 foot required, would bring patio activities closer to the neighbor. The impact would be reduced if the plan is redesigned to have a 10 foot or more setback and/or if the evergreen trees are replaced and/or if a privacy fence is provided.

In regards to the State Variation Condition (3); the proximity of the deck to the neighbor to the east should be considered. The planned 10 foot rear setback of the deck, instead of the 20 foot required, would bring deck activities closer to the office building, however there would still be 120 feet of separation, which is part of the open space 'character of the area'. Also, top of existing fence at 7 feet above grade would be reduced to top deck at 2 feet above grade.

The motion to recommend approval or denial should contain 'findings of fact', which is an explanation of how the petition and the presented information either fulfills or does not fulfill any or all of the Authority, Standards and Conditions for variations.

Staff Documents (attached to this memo)

- Photos – aerial and rear yard
- Letter from City Engineer dated 5/4/17
- Authority, Standards, and Conditions for variations

Meeting Schedule

Planning and Zoning Commission: November 1, 2017
 Municipal Services Committee:
 City Council:

CITY OF DARIEN, ILLINOIS, Community Development Department

Staff Use Only	
Case No.:	2017-03
Date Received:	9/4/17
Fee Paid:	\$360-
Check No.:	1100
Hearing Date:	10/4/17

Variation/Special Use/Rezoning petition to the Mayor and City Council of the City of Darien:

PETITIONER INFORMATION

George Deolitsis
Petitioner's Name

Same
Owner's Name

George Deolitsis
Contact Name

u
Address, City, State, Zip Code

8185 Chapman Ct.
Address, City, State, Zip Code

u
Phone #

630-774-1954
Phone #

u
Email

Fax #
gdeolitsis@gmail.com
Email

PROPERTY INFORMATION

Same
Property address

11,180 SQUARE FEET
Acreage

09-33-213-013
PIN(s)

R-2
Zoning

Provide legal description on a separate sheet and attach, such as the plat of survey.

REQUEST

Brief description of the request(s):

- Variation
- Simple Variation
- Special Use
- Rezoning

Retaining wall

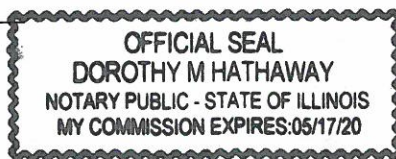
ZONING CODES SECTION 5A-5-7-1(B) SIDE SETBACK - RETAINING WALL STOPS POSTED
ZONING CODES SECTION 5A-5-7-3(C) REAR SETBACK - RETAINING WALL DECK

I, George Deolitsis, do hereby certify that I am the owner of record (or one of the owners of record or the attorney for the owners of record of the aforesaid described property) and I hereby make application as such.

[Signature]
Signature

Subscribed and sworn to before this 5 day of September, 2017.

[Signature]
Notary Public



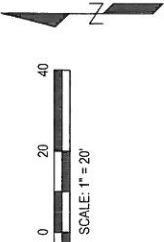
DETAILED GRADING PLAN FOR POOL ADDITION

REAR PORTION OF LOT 47 IN SMART OAKS GLEN - UNIT 2, BEING A SUBDIVISION OF PART OF LOTS 4, 5, 6 AND 7 AND ALL OF LOT 11A IN SMART ACRES, BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO OUTLOT A IN SMART OAKS GLEN, A SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 5, 1997 AS DOCUMENT R87-0314955, IN DU PAGE COUNTY, ILLINOIS.

NOTES:
EROSION CONTROL TO BE APPLIED PER THE ILLINOIS URBAN MANUAL, LATEST EDITION

CONTRACTOR MUST VERIFY ALL EXISTING UTILITIES PRIOR TO STARTING CONSTRUCTION TO DETERMINE IF ANY CONFLICTS EXIST. THE DESIGN ENGINEER MUST BE NOTIFIED PRIOR TO START OF CONSTRUCTION FOR UNDERGROUND UTILITY LOCATIONS AND PRIOR TO ANY CONSTRUCTION. CONTACT J.U.L.I.E., TOLL FREE 1-800-892-0123 EXISTING TOPOGRAPHIC SURVEY PROVIDED BY GEORGINA SURVEYING 708-352-1452

OWNER:
GEORGE DECULTIS



NEW CALCS

IMPERVIOUS SURFACE CALCULATIONS - REAR YARD

EXISTING BLDG	= 2975 SF
DRIVEWAY	= 954 SF
PODWALK	= 316 SF
EXISTING POOL	= 488 SF
PROPOSED POOL	= 578 SF
RETAINING WALL	= 83 SF
STEPS	= 55 SF
PATIO/PERV. PAVERS	= 0 SF
POOL DECK/PERV. PAVERS	= 0 SF
TOTAL	= 5272 SF

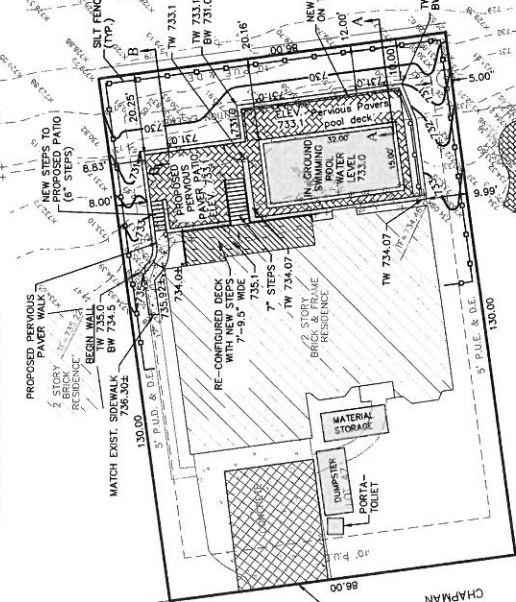
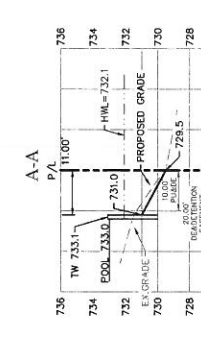
LOT COVERAGE = 5272/1180 = 47.18%

OLD CALCS

IMPERVIOUS SURFACE CALCULATIONS

EXISTING BLDG	= 2975 SF
DRIVEWAY	= 954 SF
PODWALK	= 316 SF
EXISTING POOL	= 488 SF
PROPOSED POOL	= 578 SF
RETAINING WALL	= 83 SF
STEPS	= 55 SF
PATIO/PERV. PAVERS	= 0 SF
POOL DECK/PERV. PAVERS	= 0 SF
TOTAL	= 5272 SF

LOT COVERAGE = 5272/1180 = 47.18%



MY COMM. EXPIRES 11-30-17

NOTE: JCM CONSULTING MAKES NO REPRESENTATION AS TO ACCURACY OF DIMENSIONS SHOWN HEREON. FOR ACTUAL DIMENSIONS OF HOME REFER TO FOUNDATION PLAN PREPARED BY OTHERS.

JCM Consulting Engineers
10 S. 188 Alma Lane
Naperville, Illinois 60564
630-476-5783

1. PER CITY REVIEW	04-25-17
2. PER CLIENT CHANGE	09-22-17
3. PER CLIENT CHANGE	09-22-17
4. PER CLIENT CHANGE	09-22-17

LOT 47
SMART OAKS GLEN-UNIT 2
DARIEN, ILLINOIS

DETAILED GRADING PLAN

16-523.dwg	PROJECT NO.
DRAWN RSM	CHECKED JOM
DATE: 10-14-16	SHEET 2
SCALE: 1"=20'	OF 2

AREA DIMENSION FOR DETENTION AREA

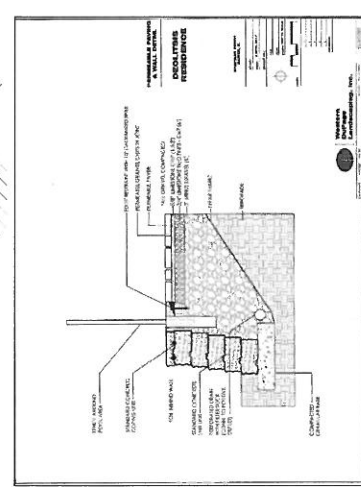
0	6,562.0 + 27,12.5 = 6,579.5
729.7	11,041.50 + 10,641 + 37,420.25 + 914 = 133,165.5
730.0	11,041.50 + 10,641 + 37,420.25 + 1,444 = 138,025.5
732.0	11,041.50 + 10,641 + 37,420.25 + 1,444 = 138,025.5
732.1	11,041.50 + 10,641 + 37,420.25 + 1,444 = 138,025.5

EXISTING STORAGE AREA

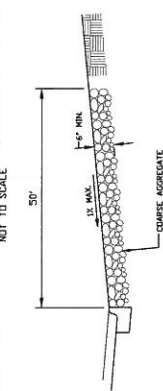
ELEVATION	ACC. VOL.
729.7	0
730.0	0
731.0	337
732.0	626
732.1	1700
HWL=732.1	1700

REVISED STORAGE AREA

ELEVATION	ACC. VOL.
730.0	0
730.5	675.90
731.0	1333.85
731.5	1997.80
732.0	2661.75
732.1	3325.70
HWL=732.1	3325.70



CONSTRUCTION ENTRANCE DETAIL

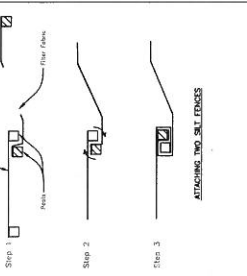
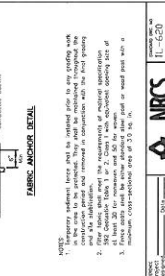
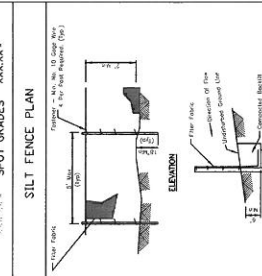


WHEN MID OR OTHER DEBRIS CARRIED FROM THE SITE ON WHEELS OR TRUCKS SHOULD BE CLEARED TO REMOVE MID OR DEBRIS PRIOR TO CONSTRUCTION TO PREVENT DAMAGE TO OTHER PROPERTY. THE WHEELS SHOULD BE CLEARED TO REMOVE MID OR DEBRIS PRIOR TO CONSTRUCTION TO PREVENT DAMAGE TO OTHER PROPERTY. THE WHEELS SHOULD BE CLEARED TO REMOVE MID OR DEBRIS PRIOR TO CONSTRUCTION TO PREVENT DAMAGE TO OTHER PROPERTY.

LEGEND

EXISTING: SANITARY SEWER, STORM SEWER, CATCH BASIN, OPEN LID MANHOLE, CLOSED LID MANHOLE, INLET, DOWNSPROUTS, WATER MAIN, VALVE, HYDRANT, HEADWALL, FLARED END, STREET LIGHT, UTILITY POLE, B-BOX, RETAINING WALL, SILT FENCE, CONTOUR, SPOT GRADES

PROPOSED: SANITARY SEWER, STORM SEWER, CATCH BASIN, OPEN LID MANHOLE, CLOSED LID MANHOLE, INLET, DOWNSPROUTS, WATER MAIN, VALVE, HYDRANT, HEADWALL, FLARED END, STREET LIGHT, UTILITY POLE, B-BOX, RETAINING WALL, SILT FENCE, CONTOUR, SPOT GRADES



NOTES:

- Verify existing conditions from field and indicated site to plan conditions.
- Use care to be prepared. Verify with the contractor to ensure proper installation and maintenance of the silt fence.
- Use caution when installing silt fence. Do not install silt fence on a slope that is too steep.
- Verify that the silt fence is installed in accordance with the plan.

MNCS
M. N. CONSULTING ENGINEERS
10 S. 188 ALMA LANE
NAPERVILLE, ILLINOIS 60564
630-476-5783



DuPage County
Information Technology Department
GIS Division
421 N County Farm Rd.
Wheaton, IL 60187
Ph# (630)407-5000
Email: gis@dupageco.org

DuPage Maps Portal:
<http://dupage.maps.arcgis.com/home>

DuPage County, Illinois Web Site:
www.dupageco.org

This map is for assessment purposes only.



Copyright DuPage 2016



09/20/2017 00:22



CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

May 4, 2017

City of Darien
1702 Plainfield Road
Darien, Illinois 60561

Attention: Dan Gombac

Subject: 8185 Chapman Court
(CBBEL Project No. 95-323 H211)

Dear Dan:

We have completed our review of the proposed grading plan for the new in-ground pool at the aforementioned property prepared by JGM Consulting Engineers and dated April 25, 2017. Our previous comments on the plan have now been addressed. Please note that the proposed pool deck/patio encroaches into the detention easement and proposed compensation for filled detention volume extends outside of the detention easement. A plat of easement should be required to grant additional detention easements south of the pool and north of the patio to encompass the relocated detention. We also suggest that the portion of the detention easement encroached on by the pool deck should be vacated.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel L. Lynch'.

Daniel L. Lynch, PE, CFM
Head, Municipal Engineering Department



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:

1. 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.

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

A variation shall be permitted only if the evidence sustains each of the following three **conditions:**

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.

2. The plight of the owner is due to unique circumstances.

3. The variation if granted will not alter the essential character of the locality.

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