

CITY OF DARIEN TEMPORARY AMENDMENT TO PLANNING AND ZONING COMMISSION MEETING RULES FOR COMPLIANCE WITH ILLINOIS OPEN MEETINGS ACT:

- All Commissioners may participate in the Planning and Zoning Commission Meeting by way of audio or video conferencing.
- The public will be permitted to attend the Planning and Zoning Commission Meeting but the meeting room will be limited to 10 members of the public at one time. The public will be required to maintain social distancing rules and are required to wear a mask while in the building.
- The public is encouraged to participate in the Planning and Zoning Commission Meeting by submitting questions and comments via email to the City Planner Jordan Yanke at jyanke@darienil.gov.
- Emails providing public comment shall be submitted prior to the start of the Planning and Zoning Commission Meeting.

**CITY OF DARIEN
PLANNING AND ZONING COMMISSION**

Wednesday, January 19, 2022

7:00 PM

City Hall Council Chambers

1702 Plainfield Road

AGENDA

- 1) Call to Order
- 2) Roll Call
- 3) Regular Meeting – Old Business (PAGE 8)

A. Public Hearing – PZC2021-07 (CONTINUED FROM 12/15/2021)

1414 Sequoia Lane – Variations

Petitioner Anthony Maggiore seeks approval for Variations to City Code Section 5A-7-2-6 (A) and Section 5A-5-9-2 (A)(2)(b)(1) of the Zoning Ordinance. The petition specifically requests to allow for an already constructed patio/terrace (i.e. platform) and hot tub to remain in their current location on the subject property. Property is located within the R-2 Single-Family Residence Zoning District and the Variation requests are to the following standards in the City of Darien Zoning Ordinance:

- 1) Section 5A-7-2-6 (A):
 - Variation request to reduce the required rear yard setback (patio/terrace).
 - Variation request to reduce the required interior side yard setback (patio/terrace).
- 2) Section 5A-5-9-2 (A)(2)(b)(1):
 - Variation request to reduce the accessory structure setback requirements and to permit an accessory structure within a platted easement (hot tub).

- 4) Regular Meeting – New Business (PAGE 33)
 - A. PZC Discussion Item – Evaluate/Update Key Development Areas
(Reference Existing List of Key Development Areas in Packet)**
- 5) Staff Updates & Correspondence
- 6) Approval of Minutes December 15, 2021
- 7) Next Meeting February 2, 2022
- 8) Public Comments [On Any Topic Related to Planning and Zoning]
- 9) Adjournment

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
December 15, 2021**

PRESENT: Lou Mallers – Chairperson, Bryan Gay, Hilda Gonzalez, Julie Kasprovicz, Brian Liedtke, Ralph Stompanato

ABSENT: Steve Hiatt, Robert Erickson, Shari Gillespie

OTHERS: Jordan Yanke - City Planner

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/OLD BUSINESS:

A. Public Hearing – PZC2021-07 1414 Sequoia Lane – Variations
Petitioner Anthony Maggiore seeks approval for Variations to City Code Section 5A7-2-6 (A) and Section 5A-5-9-2 (A)(2)(b)(1) of the Zoning Ordinance. The petition specifically requests to allow for an already constructed patio/terrace (i.e., platform) and hot tub to remain in their current location on the subject property. Property is located within the R-2 Single-Family Residence Zoning District and the Variation requests are to the following standards in the City of Darien Zoning Ordinance:

1) Section 5A-7-2-6 (A): o Variation request to reduce the required rear yard setback (patio/terrace). o Variation request to reduce the required interior side yard setback (patio/terrace).

2) Section 5A-5-9-2 (A)(2)(b)(1): o Variation request to reduce the accessory structure setback requirements and to permit an accessory structure within a platted easement (hot tub).

Mr. Jordan Yanke, City Planner reported that the subject property was platted in 1956 and is part of the Brookhaven Manor Subdivision. He reported that the parcel was improved with a single-family residence, detached garage, shed, patio/terrace (i.e., platform), and hot tub. He further reported that the patio/terrace and hot tub were constructed and installed without issuance of a building permit.

Mr. Yanke reported that the petitioner/owner contacted the City and has been collaborating with staff in order to resolve the enforcement issues. He reported that the variations were noted in the staff agenda packet. He further reported that the plat of easement is a utility easement but there are no underground utilities at the location and that the agenda packet shows where each structure sits.

Mr. Yanke reported that the packet also includes a letter from the property to the east stating no issues and that staff has not received any public comment or correspondence. He reported that all properties in the area were notified of the petition.

The Petitioner, Mr. Anthony Maggiore stated that they messed up and that they were ignorant to the process. He stated that they did all the construction along with family and that although they did not follow the permit process that he asked that the PZC consider the variation requests due the uniqueness of the property with the neighbor to the North of patio's home 100 feet to the lot line and screened from view by the fence, and the neighbor to the East who has a pole barn which runs along the entire length of the patio, as well as no underground utilities in the utility easement. He further reported that the neighbor behind has not said anything.

Commissioner Kasprovicz questioned if the petitioner used a contractor and that they should have known that a permit was required.

Mr. Maggiore stated that they built everything themselves along with family but used an electrician to install the hot tub.

Chairperson Mallers questioned when the project was completed.

The petitioner stated that the project started in May and was completed in August.

Commissioner Gay questioned if there were any other similar variation requests.

Mr. Yanke reported that the database of variations shows a lot of driveways with minimal or no setbacks in the 90s along with some in 2008 with construction of a patio with "0" setback in the rear yard as well a side yard structure approved at "0" in 2021. He reported that these were not after the fact.

Commissioner Kasprovicz questioned if the construction is built to Code.

Mr. Jordan reported that he had lengthy conversation and that building code approval would not be done until the variation procedure is decided. He reported that based on what was built that the building code would not contradict after the fact.

Commissioner Liedtke questioned if the petitioner installed the 8' fence. He stated that Code is 6'.

Mr. Yanke reported that the fence was not installed and that the fence is pre-existing nonconforming and that if replaced, the Code would allow like for like.

There was some discussion regarding the utility easement. Mr. Yanke reported that the utilities are overhead and no plans in the near future to bury them.

Commissioner Kasprovicz questioned if there was any cement poured.

The petitioner stated that they did not pour cement but used cement slabs.

Commissioner Kasprovicz questioned if slabs were acceptable.

There was more discussion regarding the utilities and if the wires were over the terrace area.

The petitioner stated that the overhead utility wires ran across the center of the yard and are not over the hot tub.

Commissioner Liedtke stated that he empathized with the petitioner and that the construction looks really nice but that it sets a terrible precedent and asked what could be done.

There was much discussion on modifying the side and rear and also moving the structure to the left of the garage.

The petitioner stated that they selected an area that was the least impactful to the neighbors and that there is a tree in the area which prevented them from building to the left of the garage.

Commissioner Gonzalez questioned approving and how to deter other homeowners from building without a permit.

There was more discussion on modifying to make the structure more compliant.

Commissioner Liedtke suggested removing the structure from the utility easement.

The petitioner stated that there is not a way to meet Code unless the structure is placed in the middle of the yard. He stated that they looked at every possible option and that he understands setting a precedent is not favorable but that they luckily have a unique situation.

Commissioner Gay stated that he did not have an issue going over the easement. He stated that there are no drainage issues and if the utilities were below ground, he would be more concerned. He further stated that if the utility companies want to do something in the easement it will be at the petitioner's expense. He did state that setting a precedent was a concern and that if approved, he would like to see something in writing regarding no utilities in the easement.

Commissioner Kasprovicz stated that all the homes along that side could come and ask for the same thing.

Commissioner Gay stated that he would like to find the path of least resistance or change.

Commissioner Stompanato stated that the PZC could impose different standards in a homeowner that petitioned for approval. He stated that the location that the petitioner built on was the best location and least impactful to the neighbors.

Chairperson Mallers stated that he would like to see more information and have staff and the petitioner look at the area more closely.

Mr. Yanke reported that the petitioner has been responsive and compliant and that he and the petitioner could look at the property together.

Commissioner Kasprovicz asked if she could visit the property.

There was no one wishing to present public comment.

Commissioner Liedtke made a motion, and it was seconded by Commissioner Gay approval of PZC2021-07 1414 Sequoia Lane based on the uniqueness of property with a distance of 100 feet from the homeowner to the North, homeowner to the east with the pole barn, and no utilities in the utility easement.

Upon roll call vote, THE MOTION TIED 3 -3.

**AYES: Liedtke, Gay, Stompanato
NAY: Gonzalez, Kasprovicz, Mallers**

Commissioner Gay made a motion, and it was seconded by Commissioner Gonzalez to continue PZC2021-07 1414 Sequoia Lane.

Upon roll call vote, THE MOTION CARRIED 6-0.

Mr. Yanke reported that this would be continued to the January meeting on Wednesday, January 5, 2022 at 7:00 p.m.

STAFF UPDATES & CORRESPONDENCE

Mr. Jordan Yanke, City Planner reported that he is putting together Code Enforcement Reports and that the PZC will be getting a copy. He reported that staff and the Economic Development Committee revisited the Key Development Areas originally designated by the Comprehensive Plan and how to use the feedback and loop in the PZC.

APPROVAL OF MINUTES

Commissioner Liedtke made a motion, and it was seconded by Commissioner Gay to approve the December 1, 2021 Regular Meeting Minutes.

Upon voice vote, THE MOTION CARRIED 6-0.

NEXT MEETING

Mr. Jordan Yanke announced that the next meeting is scheduled for Wednesday, January 5, 2022.

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 Gay made a motion, and it was seconded by Commissioner Liedtke. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 8:19 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

Elizabeth Lahey
Secretary

Lou Mallers
Chairperson

AGENDA MEMO
PLANNING AND ZONING COMMISSION
JANUARY 19, 2022

CASE

PZC2021-07 Maggiore Variation Requests – 1414 Sequoia Lane

ISSUE STATEMENT

Petitioner Anthony Maggiore seeks approval for Variations to City Code Section 5A-7-2-6 (A) and Section 5A-5-9-2 (A)(2)(b)(1) of the Zoning Ordinance. The petition specifically requests to allow for an already constructed patio/terrace (i.e. platform) and hot tub to remain in their current location on the subject property. Property is located within the R-2 Single-Family Residence Zoning District and the Variation requests are to the following standards in the City of Darien Zoning Ordinance:

- 1) Section 5A-7-2-6 (A):
 - o Variation request to reduce the required rear yard setback (patio/terrace).
 - o Variation request to reduce the required interior side yard setback (patio/terrace).
- 2) Section 5A-5-9-2 (A)(2)(b)(1):
 - o Variation request to reduce the accessory structure setback requirements and to permit an accessory structure within a platted easement (hot tub).

UPDATE FROM 12/15/2021 PLANNING AND ZONING COMMISSION MEETING

The Planning and Zoning Commission heard this petition at its meeting on December 15, 2021. The case was continued by the Planning and Zoning Commission, meaning no recommendation was given. During the December 15, 2021 hearing and at the direction of the Planning and Zoning Commission, the petitioner and city staff agreed to meet at the subject site to gather further documentation in terms of on-site measurements and photos. The Planning and Zoning Commission requested this information in order to make a more informed decision on the case, as most of the discussion during the meeting focused on the precise area that encompasses the patio/terrace and hot tub.

Given the above-mentioned, staff has included a measurement diagram as an attachment to this memo. The diagram shows precise measurements of the patio/terrace area and distances between structures, such as the bar and hot tub. This information is for discussion purposes during the next Planning and Zoning Commission meeting on January 19, 2022.

GENERAL INFORMATION

Petitioner:	Anthony Maggiore
Property Owner:	Anthony Maggiore
Property Location / PIN:	1414 Sequoia Lane / 09-28-400-024
Zoning / Land Use:	R-2 District / Single-Family Residence
Comprehensive Plan:	Low Density Residential (Existing & Future Land Use)
Surrounding Zoning & Uses	
North:	R-2 District; Single-Family Residence
East:	R-2 District; Single-Family Residence
South:	R-2 District; Single-Family Residence
West:	R-2 District; Single-Family Residence

Size of Property: 0.22 Acres
Floodplain: According to the DuPage County Parcel Viewer System, there is no floodplain on the subject site.
Natural Features: N/A
Transportation: Frontage along Sequoia Lane, with driveway access derived from Sequoia Lane as well.

PETITIONER DOCUMENTS (ATTACHED TO MEMO)

- 1) APPLICATION
- 2) JUSTIFICATION NARRATIVE
- 3) SITE PLAN

CITY STAFF DOCUMENTS (ATTACHED TO MEMO)

- 4) MEASUREMENT DIAGRAM
- 5) BROOKHAVEN MANOR SUBDIVISION PLAT
- 6) LOCATION MAP & AERIAL IMAGE
- 7) SITE PHOTOS
- 8) ZONING VARIATION DECISION CRITERIA
- 9) UTILITY COMPANY CORRESPONDENCE
- 10) PUBLIC COMMENT

PLANNING OVERVIEW/DISCUSSION

The subject property was platted in 1956 and is part of the Brookhaven Manor Subdivision. The parcel is zoned R-2 Single-Family Residence District and does not contain any natural features or floodplain. The parcel is improved with a single-family residence, detached garage, shed, patio/terrace (i.e. platform), and hot tub. Note that the patio/terrace and hot tub were constructed and installed without issuance of a building permit.

In August 2021 the City was made aware of construction without a permit at the subject location, so the City's Code Enforcement Officer sent a violation notice to the petitioner/owner. In response to the notice, the petitioner/owner contacted the City and has been working with staff in order to resolve the enforcement issues. After several discussions with the petitioner/owner, the subject Variation requests were submitted.

The Variation requests pertain to the patio/terrace structure and hot tub separately. By definition, the constructed platform is considered a *Patio/Terrace* per the City's Zoning Ordinance, while the hot tub is considered an *Accessory Structure*. Each Variation request and the associated definitions are shown below:

Variation (Patio/Terrace): Zoning Section 5(A)-7-2-6 (A)

Patio/Terrace Definition: A level plane or platform which is located adjacent to one or more faces of a principal or accessory building and which is constructed not more than four feet (4') above the grade level of the adjoining ground, but excluding driveways and parking facilities.

- o *Variation request to reduce the required rear yard setback:*

The constructed patio/terrace is currently located on the rear lot line (northern lot line) according to the submitted site plan. The required rear yard setback in the R-2 Zoning District is 30 feet, but the ordinance allows a patio/terrace to be located a minimum of 20 feet from rear property lines per an exception. The Variation request is to allow the patio/terrace to remain as constructed, meaning it would be a full encroachment since it is located 0 feet from the rear lot line.

- *Variation request to reduce the required interior side yard setback:*

The constructed patio/terrace is currently located 1.5 feet from the interior side lot line (eastern lot line). The required interior side yard setback in the R-2 Zoning District is 10 feet. The Variation request is to allow the patio/terrace to remain as constructed, meaning it would be an encroachment of 8.5 feet into the required setback.

Variation (Hot Tub): Zoning Section 5(A)-5-9-2 (A)(2)(b)(1)

Accessory Building, Structure, or Use Definition: An "accessory building, structure or use" is one which: is subordinate and incidental to and serves a principal building or structure or a principal use; is subordinate in area, extent or purpose to the principal building or structure, or the principal use served; contributes to the comfort, convenience or necessity of occupants of the principal building or structure or the principal use served; and is located on the same lot as the principal building or structure, or the principal use served with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same lot with the building or use served.

- *Variation request to reduce the accessory structure setback requirements and to permit an accessory structure within a platted easement:*

The installed hot tub is currently located 2 feet from the rear lot line (northern lot line) and 3.5 feet from the interior side lot line (eastern lot line). It is also located within a platted utility easement according to the recorded subdivision plat, which is attached to this memo. The required setback for an accessory structure (i.e. hot tub) from both the rear lot line and interior side lot line is 5 feet. The Zoning Ordinance also specifies that accessory structures are not to be located within a platted easement. Therefore, the Variation request is to allow the installed hot tub to encroach 3 feet into the rear yard setback and 1.5 feet into the interior side yard setback for accessory structures, in addition to allowing the hot tub to remain in a platted easement.

Site Plan Review & Findings of Fact

City staff has reviewed the petitioner submitted documents and staff does not have any review comments on the site plan. That being said, based on correspondence attached to this memo, it should be noted there are no underground utilities at the subject location.

The petitioner was asked to submit *Findings of Fact* that would support the requested Variations. Those findings are attached to this memo under the submitted Justification Narrative, and specific factors such as screening, adjacent neighbors, and utilities/easement provisions are discussed in the petitioner's letter. Finally, public comment that was submitted is included as an attachment to this memo as well.

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on January 19, 2022.

MEETING SCHEDULE

Planning and Zoning Commission	January 19, 2022
Municipal Services Committee	January 24, 2022
City Council	February 7, 2022



ZONING APPLICATION

CITY OF DARIEN

1702 Plainfield Road, Darien, IL 60561

www.darienil.us 630-852-5000

CONTACT INFORMATION

Anthony Maggiore
Applicant's Name
1414 Sequoia Lane Darien IL 60561
Address, City, State, Zip Code
309-453-6169
Telephone
anthinichicago@gmail.com
Email

Same
Owner's Name
Same
Address, City, State, Zip Code
Same
Telephone
Same
Email

PROPERTY INFORMATION

1414 Sequoia Lane
Property address
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.)

SEE ATTACHED LETTER

RECEIVED
NOV 19 2021
Community Development
City of Darien

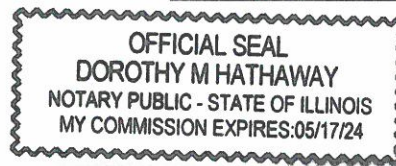
Anthony Maggiore
Applicant Signature

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that Anthony Maggiore 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 19 day of November 20 21.

Dorothy M Hathaway
Notary Public

Table with 1 column and 4 rows: For office use only, Date Received: 11/19/2021, Case Number: PZC2021-07, Fee Paid: \$360.00, Hearing Date: 12/15/2021



ATTACHMENT 2: JUSTIFICATION NARRATIVE

City of Darien Planning and Zoning Commission
Justification Narrative for 1414 Sequoia Lane
Zoning Variation 5A-7-2-6 (A): R-2 District Yard Requirements
Zoning Variation 5A-5-9-2(A)(2)(b)(1): Location and Yard Regulations of
Buildings, Structures, and Uses of Land

RECEIVED
NOV 19 2021
Accessory
Development
City of Darien

To City of Darien Planning and Zoning Commission,

Thank you for your time in reviewing this letter. As first-time homeowners who have only previously lived in rental apartments our entire adult lives our regrettable ignorance to the permit process has put us into this unfortunate situation. We are proud to be homeowners in the City of Darien and our intent was only to improve our home. Unfortunately, we did not know that our Do-It-Yourself project would require approval from the city and the patio was fully completed prior to becoming aware of this.

The items in review are the patio/terrace (as defined by the City of Darien), and a hot tub within the patio/terrace, and their locations in relation to our lot lines and easement. The patio/terrace borders our North lot line and sits 1'6" off our East lot line. The hot tub sits 2' off our North lot line and 3'6" off our East lot line. The patio/terrace and hot tub both sit over the 10' public utility & drainage easement.

We regret our ignorance of the permitting process and once we were informed that we needed to obtain permits and subsequent approval, we have fully cooperated with City of Darien's Planning Department. We are requesting the Planning Commission review the details surrounding our improvement and grant us variances that will allow our improvement to remain because of the unique aspects that act together in our particular situation. These aspects are as follows:

Screening

Our backyard is currently screened from our neighbors to the east, north and west property lines by an 8 feet tall fence. The patio is not observed from the neighbors and instead they view the same fence exterior that screens the property since before we took ownership.

Immediately Adjacent Neighbors

The northeast corner of our yard (where the patio exists) borders the property line of two neighbors.

The neighbor to the North of the patio has a home that is approximately 95 feet north of our lot line (and once again is screened from view by our fence as well as existing trees). There is also a retention ditch between our yards and given the distance and screening we believe our patio improvement provides no negative impact to this neighbor.

The neighbor to our East, Mr. Patrick Hulme, has a pole barn that has its west side immediately up against our property line, and runs along the entire length of our patio. Again, the patio is screened from view from this neighbor with an 8 feet tall fence as well. In addition, we have attached a letter from Mr.

Hulme in which he states that he has no issues with the location of the patio. And please note: this neighbor's livable space (home) is the closest distance to the patio.

Underground Utilities

We contacted J.U.L.I.E. on Oct 7, 2021 to do an underground utility locate and they have confirmed that there are no underground utilities within the 10 feet wide easement on the north portion of our property where a portion of the patio currently covers. All COMED and AT&T utilities are overhead and access to them are not impacted by our patio (including during maintenance). Included with this application is notice from the DuPage Water Commission confirming there are no utilities at our location. Additionally, is a photo of flags with a marking (completed by J.U.L.I.E.'s service company) displaying that there are no underground phone, cable, electric or gas utilities in our rear yard.

On the Utility Easement Provisions of the Brookhaven Manor Plat (Instrument No. 827287) dated December 18, 1956, sent to us by the City of Darien Planning Department, it states "No permanent buildings or trees shall be placed on said easement, but same may be used for gardens, shrubs, landscaping and other purposes that do not interfere with the use of said easement." We believe that our patio structure does not interfere with the use of the easement because in addition to having no underground utilities within our easement there are no issues with the operating and maintenance of existing overhead utilities on said easement.

We believe these combined three aspects should be considered in weighing the requested variances. We sincerely hope the Planning Commission takes in account all circumstances and grant us the requested variances because we feel our patio improves our small corner of Darien.

With regards to the stated Decision Criteria on Zoning Variations we want to be sure to address why we have not already taken steps to move the structure and avoid the variation process. Due to a tree in the center of our yard the only other option would be to place the structure in the center of the yard, detached from any existing structure. Although this location may fall within the permitted zoning rules we do believe it would create more of a nuisance to the neighbor to our West. We specifically chose the current location to create minimal noise or light impact to any of our neighbors. It has always been our intention to never be labeled as "bad neighbors".

If there is any further information or clarification, contact me anytime and I will gladly discuss with you. Thank you again for your time and consideration with our variation requests.

-Anthony Maggiore
1414 Sequoia Lane
Darien, IL 60561

PLAT OF SURVEY SITE PLAN

OF

LOT 226 IN BROOKHAVEN MANOR, BEING A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1956 AS DOCUMENT 827287, IN DUPAGE COUNTY, ILLINOIS.

COMMON ADDRESS: 1414 SEQUOIA LANE

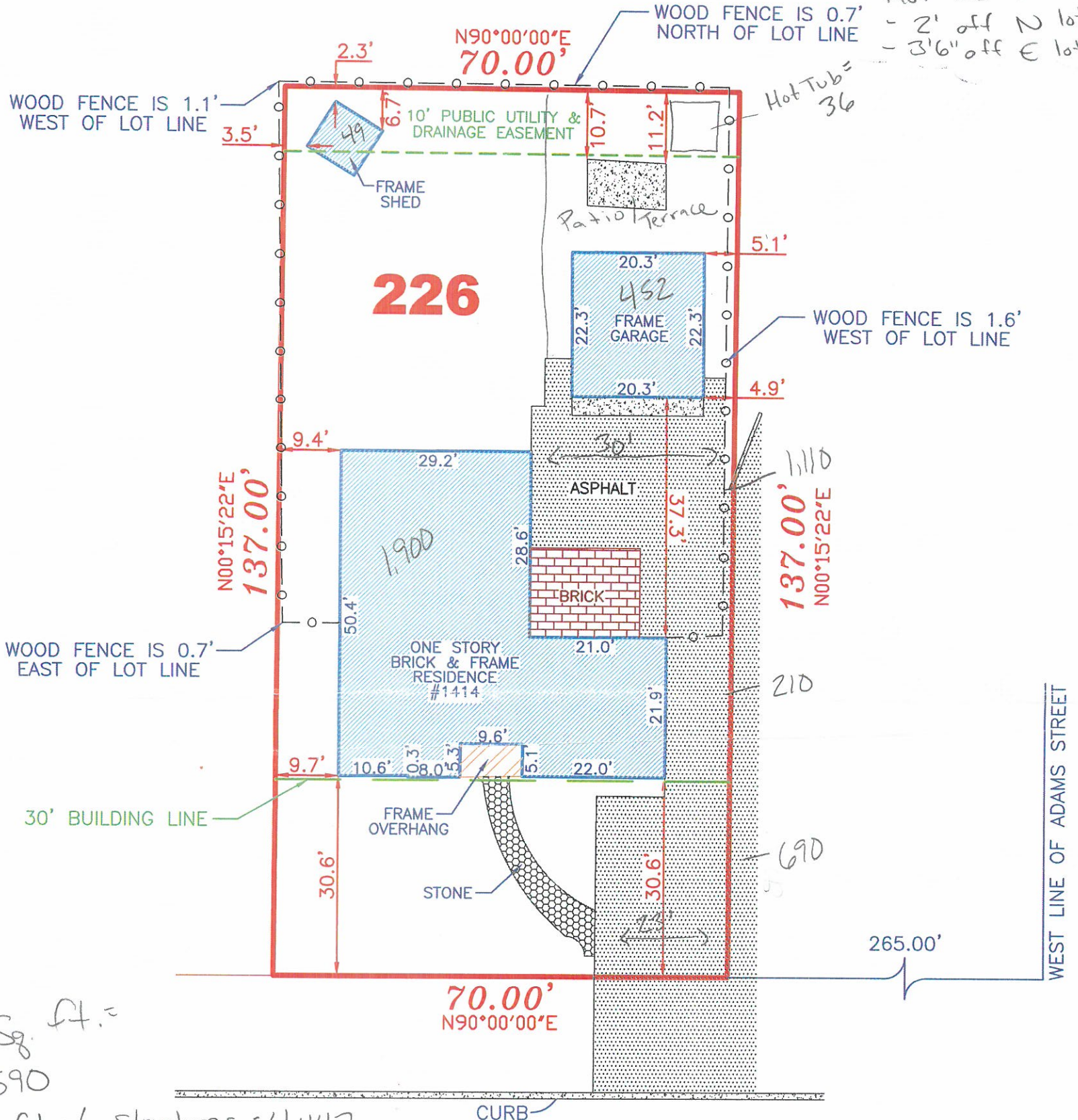
RECEIVED

NOV 19 2021

Community Development
City of Darien

Patio Terrace sits:
- on N lot line
- 1'6" of E lot line

Hot tub sits:
- 2' off N lot line
- 3'6" off E lot line



Total Sq. ft. =
9,590

Total Sq. ft. of structures = 4,447

% = 46.3%

SEQUOIA LANE

R.O.W. 66.00'

CLIENT: LAW OFFICE OF ANDRIUS SPOKAS

AREA OF SURVEY = 9590 SQ.FT.
BASIS OF BEARINGS: ASSUMED



STATE OF ILLINOIS } S. S.
COUNTY OF WILL }

FIELD WORK COMPLETED ON 20TH DAY OF OCTOBER, 2020.

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

Dated this 2ND Day of NOVEMBER, 2020.

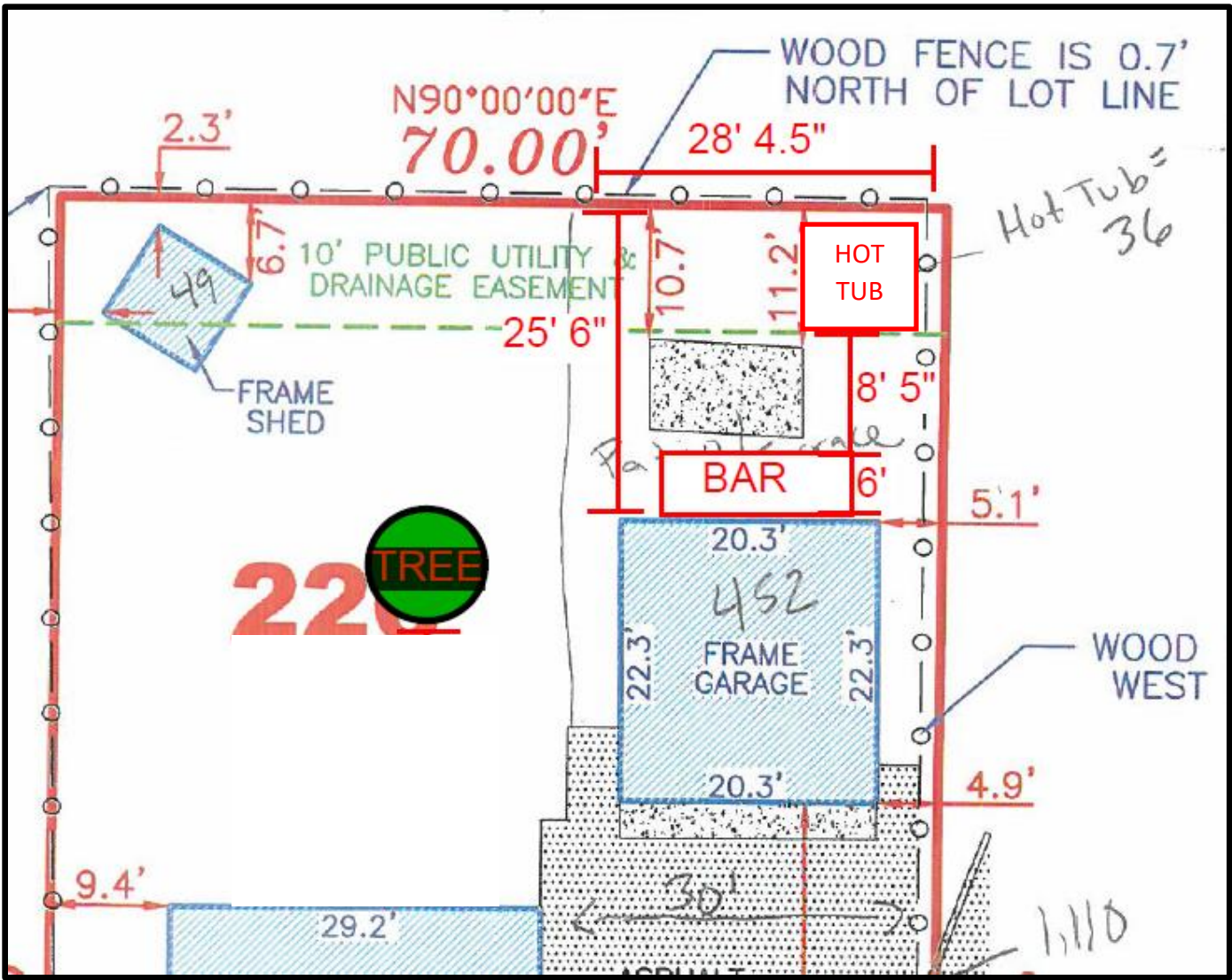
IPLS No. 3354

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCE.

PROFESSIONAL DESIGN FIRM
LAND SURVEYOR CORPORATION
LICENSE NO.
184.004450
EXPIRES 4/30/21

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. LICENSE EXPIRES 11/30/20

ATTACHMENT 4: MEASUREMENT DIAGRAM

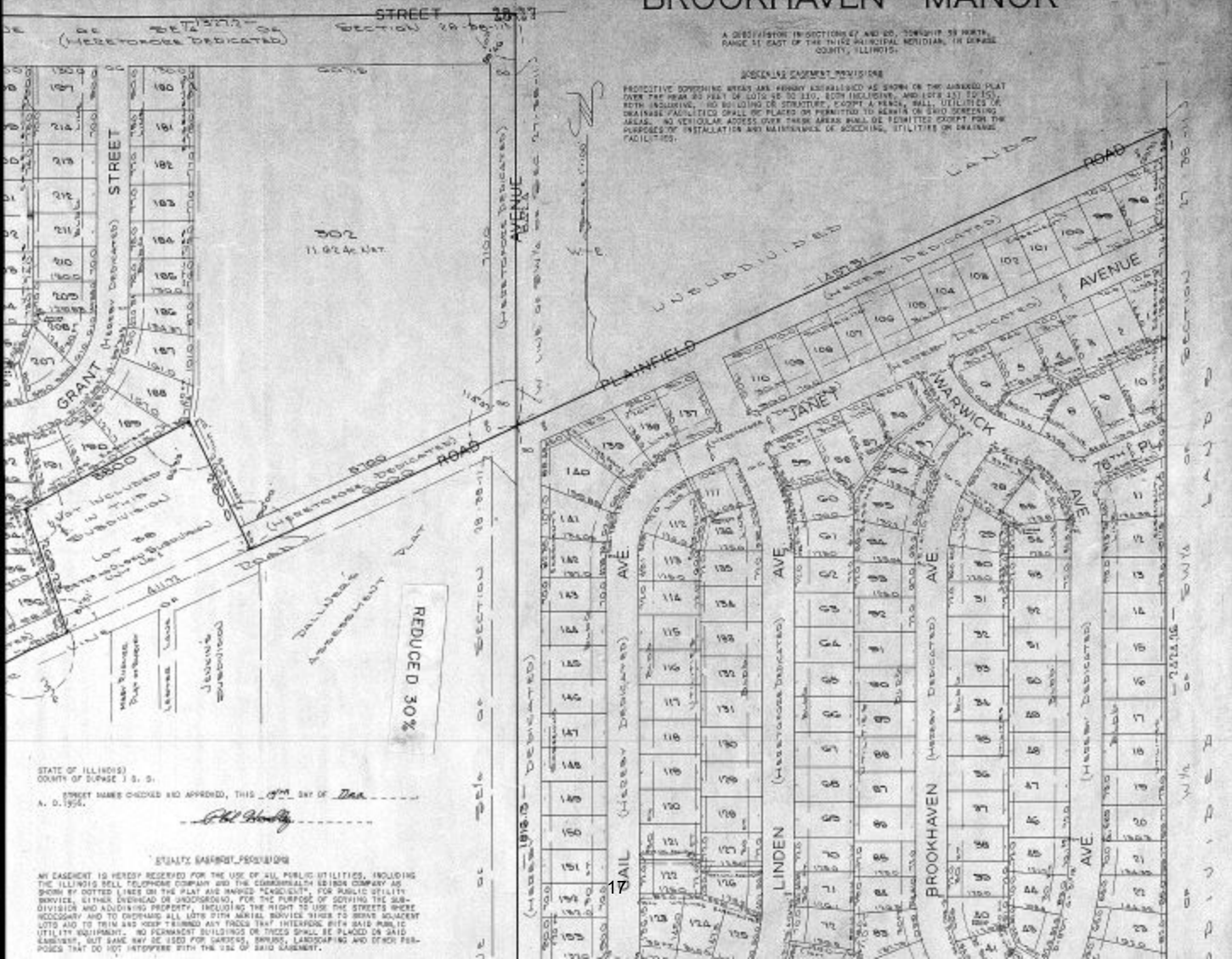


BROOKHAVEN MANOR

A SUBDIVISION IN SECTION 27 AND 28, TOWNSHIP 33 NORTH, RANGE 51 EAST OF THE THIRD MERIDIAN, IN DEWEE COUNTY, ILLINOIS.

RESERVES AND EASEMENTS

PROTECTIVE EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN ON THE ATTACHED PLAT OVER THE HEREIN PART OF LOTS 26 TO 310, BEGIN INCLUDING AND END AT LOT 272 (10' WITH ACQUIRING), AND BUILDING OR STRUCTURE, EXCEPT A FENCE, WALL, UTILITY OR DRAINAGE FACILITIES SHALL BE PLACED OR PERMITTED TO BE PLACED ON SAID EASEMENT AREAS. NO VEHICULAR ACCESS FROM THESE AREAS SHALL BE PERMITTED EXCEPT FOR THE PURPOSES OF INSTALLATION AND MAINTENANCE OF SCHEDING, UTILITIES OR DRAINAGE FACILITIES.



STATE OF ILLINOIS
COUNTY OF DEWEE J. S. O.

STREET NAMES CHECKED AND APPROVED, THIS 9TH DAY OF Dec
A. D. 1956.

Ed. H. Harty

STREETS EASEMENT RESERVATIONS

ANY EASEMENT IS HEREBY RESERVED FOR THE USE OF ALL PUBLIC UTILITIES, INCLUDING THE ILLINOIS BELL TELEPHONE COMPANY AND THE COMMERCIAL EDISON COMPANY AS SHOWN BY DOTTED LINES ON THE PLAT AND SERVICE "CONVEYANCE" FOR PUBLIC UTILITY SERVICE, EITHER OVERHEAD OR UNDERGROUND, FOR THE PURPOSE OF SERVING THE SUBDIVISION AND ADJOINING PROPERTY, INCLUDING THE RIGHT TO USE THE STREETS WHERE NECESSARY AND TO OVERHEAD ALL LOTS WITH MATERIAL DEVICES NEAR TO BEING ADJACENT LOTS AND TO TRIM AND KEEP TRIMMED ANY TREES THAT INTERFERE WITH SAID PUBLIC UTILITY EQUIPMENT. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARAGES, SHEDS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENT.

UNSUBDIVIDED

OF SEC. 20-30-11

230	229	228	227	226	225	224	223	222	221	220	219
			LINE	EASEMENT				ACROSS EASEMENT	1480		BLD
					125.0	137.0	125.0	30.0 FT			

DIVISION

PLACE

249	248	247	246	245	244	243	242	241	240
			LINE	EASEMENTS					

(HEREBY DEDICATED)

ADAMS

ATTACHMENT 6: LOCATION MAP & AERIAL IMAGE





ATTACHMENT 7: SITE PHOTOS













ATTACHMENT 8: ZONING VARIATION DECISION CRITERIA

CITY OF DARIEN ZONING VARIATIONS JUSTIFICATION NARRATIVE

Purpose

To be consistent and fair, the City is obligated to make decisions on zoning variation requests based on findings-of-fact. The Applicant should write a justification narrative that contains evidence (facts) that support a conclusion (finding) that the variation is necessary and would not cause problems. It should include: a) explanation of why the variation is being requested, b) describe the 'hardship condition' of the property that makes it difficult to conform, c) estimate the impact on neighbors, and d) respond to each of the decision criteria below.

Decision Criteria (See City Code Section 5A-2-2-3)

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.

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

2c. The variation if granted will not alter the essential character of the locality.

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.

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.

3c. 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.

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.

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.

3f. Net Benefit? The positive impacts to the community outweigh the negative impacts.

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.

ATTACHMENT 9: UTILITY COMPANY CORRESPONDENCE

Jordan Yanke

From: MITCHELL, MATTHEW A <mm3781@att.com>
Sent: Wednesday, December 8, 2021 1:39 PM
To: Jordan Yanke
Cc: QUINN, JOHN W; GILBERT, ROBERT J
Subject: FW: Utility Inquiry - 1414 Sequoia Lane
Attachments: SITE PLAN.pdf

Jordan,

I did a quick desk review, it looks like we have existing Aerial copper facilities in this rear lot easement, on Joint owned poles with Com Ed. AT&T would need to retain easement rights on this property for the Aerial lines.

If you need anything further, the AT&T Engineer for the area is Bob Gilbert, info below.

phone (630) 573-5687

position Mgr Osp Plng & Engrg Design

mobile (630) 639-8373

email RG2721@att.com

Matthew Mitchell

Area Mgr Osp Plng & Eng Design
ATO, Midwest C&E

AT&T

262 Ottawa ST Joliet, IL 60432
T 779.230.6081 M 815.325.6626 | mm3781@att.com

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From: Jordan Yanke <jyanke@darienil.gov>
Sent: Tuesday, December 07, 2021 3:46 PM
To: QUINN, JOHN W <jq2983@att.com>
Subject: Utility Inquiry - 1414 Sequoia Lane

Hi John –

I have a Zoning Variation scheduled for public hearing next Wednesday (12/15). The case involves an already constructed patio/platform and hot tub that protrudes into an existing utility easement in the rear portion of 1414 Sequoia Lane (reference site plan attached). I am trying to understand whether AT&T has any existing utilities within the platted easement.

Can you inform if AT&T has existing utilities in the subject easement, or please forward this inquiry to a person that can advise? Any feedback would be much appreciated. Thanks.



Jordan Yanke

Senior Planner
1702 Plainfield Road, Darien, IL 60561

Email: jyanke@darienil.gov

Office: (630) 353-8113 |

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Anthony Maggiore <anthinchicago@gmail.com>

Ticket A2801254 - Response To Dig Request

1 message

agt_comm@irth.com <agt_comm@irth.com>
To: ANTHINCHICAGO@gmail.com

Thu, Oct 7, 2021 at 10:26 AM

=====

To: HOMEOWNER Attn: ANTHONY MAGGIORE
Voice: 3094536189 Fax:
Re: Response To Dig Request

This is an important message from DuPage Water Commission replying to your request to locate our underground facilities in an area described on the one call center.

=====

Ticket: A2801254
County: DUPAGE Place: DARIEN
Address: 1414 SEQUOIA LN

DWC0A:
The Dupage Water Commission has determined that we have no utilities at your requested location.

=====

If you have any questions please contact DuPage Water Commission.

=====

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NOV 19 2021
Community Development
City of Darien

ATTACHMENT 10: PUBLIC COMMENT

City of Darien
Planning Committee

Dear Committee,

As the neighbor to the East of 1414 Sequoia Lane, who shares a lot line with the project being discussed, I am stating for the purpose of the committee's decision-making process that I have no issue with the project and its location relative to my property.

Thank you,



Patrick Hulme
1410 Sequoia Lane

RECEIVED
NOV 19 2021
Community Development
City of Darien

**CITY OF DARIEN
M E M O**

**TO: Bryon Vana, City Administrator
Dan Gombac, Director, Community Development/Municipal Services**

**FROM: Michael Griffith, Senior Planner
Community Development Department**

DATE: January 23, 2015

SUBJECT: Comprehensive Plan Update Status – Fall 2014

Following is a summary of the Key and Non-Key Development Areas identified in the Comprehensive Plan Update adopted in 2002. Maps follow at the end of this memo.

Key Development Area #1:

All four quadrants of 75th Street and Cass Avenue intersection:

Plan: Shopping district to include retail, restaurants and a new town center at the northwest corner.

Status: Southeast quadrant along Cass Avenue is being redeveloped with a new bank and retail center.

Key Development Area #2:

Southwest corner of 75th Street and Lyman Avenue (former fire station):

Plan: Mix of office, restaurant, professional and business services and park.

Status: Site redeveloped with a mix of retail, a bank and townhomes.

Key Development Area #3:

East side of Lemont Road between 75th Street and Woodmere Townhomes, adjacent to Forest Preserve property (Posejpal property):

Plan: Community center, including: band shell, festival area, picnic area, playground, tennis and sand volleyball courts.

Status: This parcel has not been redeveloped. Staff has had inquiries for townhomes and a private indoor athletic facility.

Key Development Area #4:

Northwest corner of Plainfield Road and Clarendon Hills Road, including Darien Community Park, Hinsdale S. High School campus, Tri-State Fire District Station, Indian Prairie and Sportsplex facilities:

Plan: Retain and enhance existing uses.
Status: No change.

Key Development Area #5:

South of I-55 east of Cass Avenue (area east of the Municipal Services Facility):

Plan: Business and office park along S. Frontage Road, single-family residential south of the Sawmill Creek/floodplain.
Status: Area remains mostly unincorporated, Forest Preserve purchased the largest single parcel, a 5-lot single-family residential subdivision was approved on the north side of 87th Street, west of Loraine Avenue but never built.

Key Development Area #6:

Northeast quadrant of I-55 and Lemont Road interchange (Oldfield Triangle):

Plan: Mix of hotel/conference, retail and restaurants, office and multi-family residential.
Status: Two office buildings constructed housing two corporate headquarters. Forest P reserve purchased the parcel intended for hotel/conference, retail and restaurants.

Key Development Area #7:

Southwest quadrant of Lemont Road and 87th Street:

Plan: Senior housing, both assisted and independent living.
Status: This area has not been redeveloped. Assembling several parcels required. Myers Commons Senior Housing on 83rd Street and Main Street met this need.

Non-Key Development Area A:

South side of 83rd Street/Plainfield Road at Main Street:

Plan: Medium density residential.
Status: Independent living, senior housing apartments built, Myers Commons Senior Housing.

Non-Key Development Area B:

Southwest corner of 83rd Street and Lemont Road (former Center Cass School):

Plan: Mix of commercial and offices.
Status: Site redeveloped with a mix of retail, offices and a day care center.

Non-Key Development Area C:

2100 Manning Road (Gardner property) and parcel to the west:

Plan: Low density residential following a similar character and density of surrounding neighborhoods.
Status: A 26-lot single-family residential subdivision is being proposed, developer seeking variations regarding lot size, building setbacks and street width requirements. Public hearing scheduled for November 19, 2014.

Non-Key Development Area D:

Parcel east of Republic Bank on 75th Street:

Plan: Office.

Status: Site remains vacant. This year staff has received inquiries about car wash and day care.

Non-Key Development Area E:

East side of Cass Avenue north of Timber Lane:

Plan: Low density residential.

Status: An 8-lot single-family residential subdivision constructed. Last home nearly completed.

Non-Key Development Area F:

Northwest corner of Plainfield Road and Leonard:

Plan: Low density residential.

Status: Currently used as the Park District maintenance facility.

Non-Key Development Area G:

North side of Plainfield Road at Bailey Road:

Plan: Office.

Status: Property redeveloped with three office buildings.

Non-Key Development Area H:

Southwest corner of Plainfield Road and Eleanor Place (former Marion Hills School):

Plan: Low density residential.

Status: School building remains housing the Kingswood Academy, private elementary school.

Non-Key Development Area I:

West side of Cass Avenue north of the Shell service station:

Plan: Office.

Status: Combination of townhomes and duplexes, 11 dwelling units approved, development not built out.

Non-Key Development Area J:

Northwest corner of N. Frontage Road and Nantucket Road:

Plan: Medium density residential.

Status: Property is unincorporated and remains vacant.

Non-Key Development Area K:

South side of N. Frontage Road east of Cass Avenue:

Plan: Office.

Status: Hotel being considered on one parcel, parcel assembly required for redevelopment of the remaining area.

Non-Key Development Area L:

South side of N. Frontage Road west of Bailey Road:

Plan: Office.

Status: Area not redeveloped, however, vacant buildings have been demolished. Parcel assembly needed for redevelopment.

Non-Key Development Area M:

West side of Route 83 south of 67th Street:

Plan: Commercial.

Status: Area not redeveloped, parcel assembly needed for redevelopment.

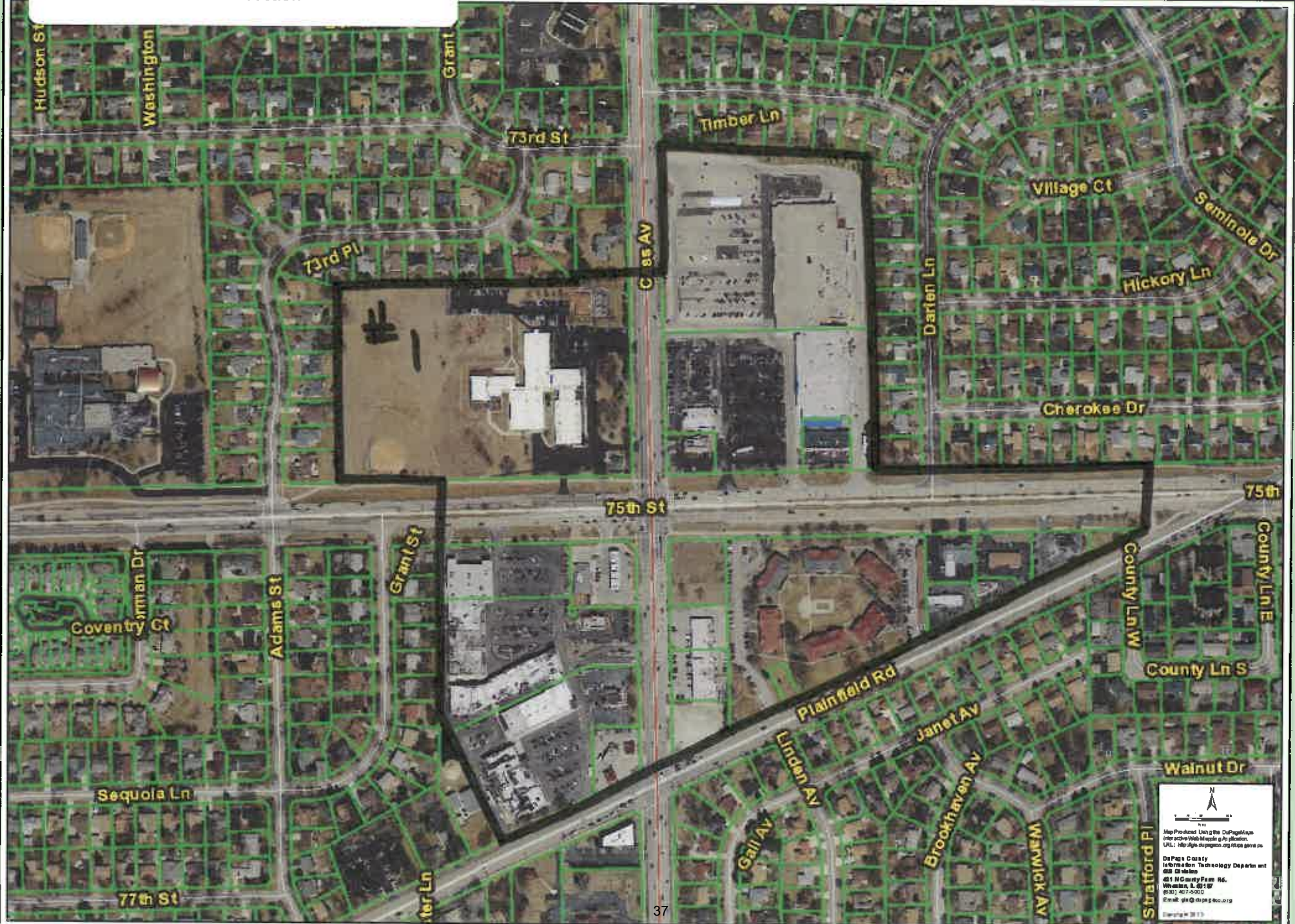
Non-Key Development Area N:

South side of I-55 to the west and north of Waterfall Glen Forest Preserve:

Plan: Low density residential.

Status: Area remains unincorporated, not redeveloped.

Area 1:
75th St. and Cass Ave. intersection



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Area 2:

Southwest corner of 75th St. and Lyman Ave.



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Area 3:
East side of Lemont Rd. between 75th St. and
Woodmere Townhomes (Posejpal property)

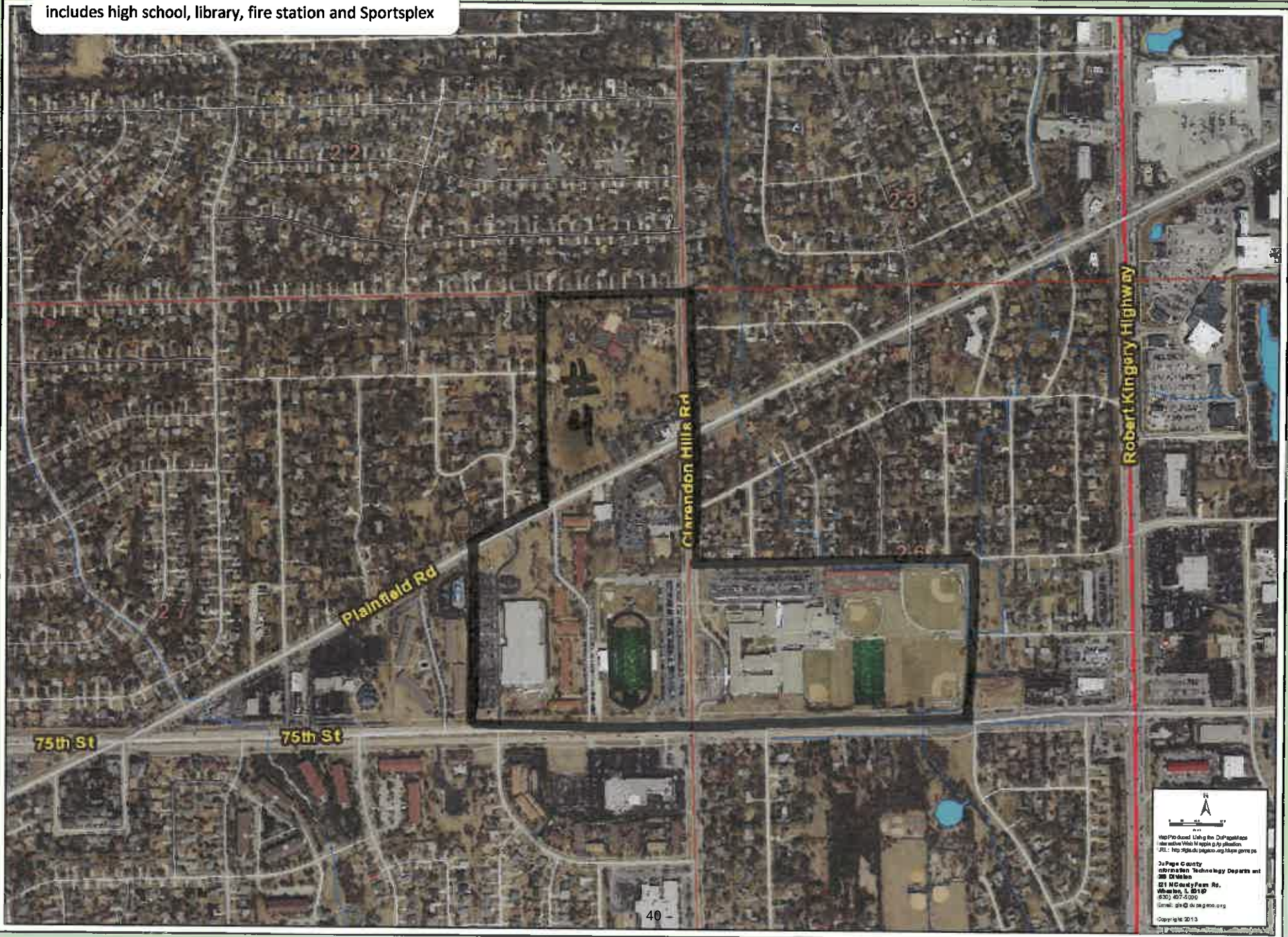


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Area 4:
Northwest corner of Clarendon Hills and Plainfield Rds.,
includes high school, library, fire station and Sportsplex



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Area 5:
South of I-55 east of Cass Ave.

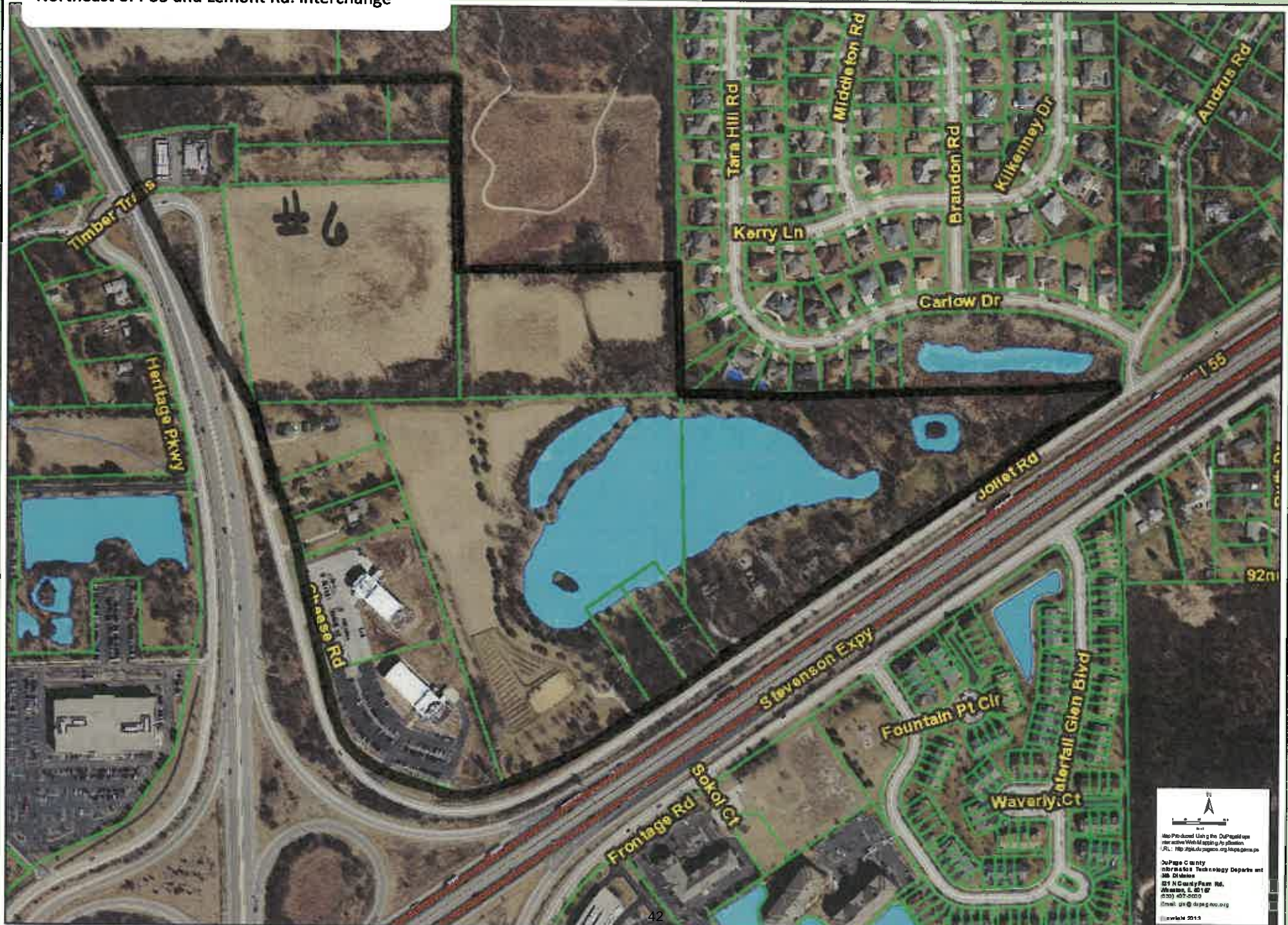


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Area 6:
Northeast of I-55 and Lemont Rd. interchange

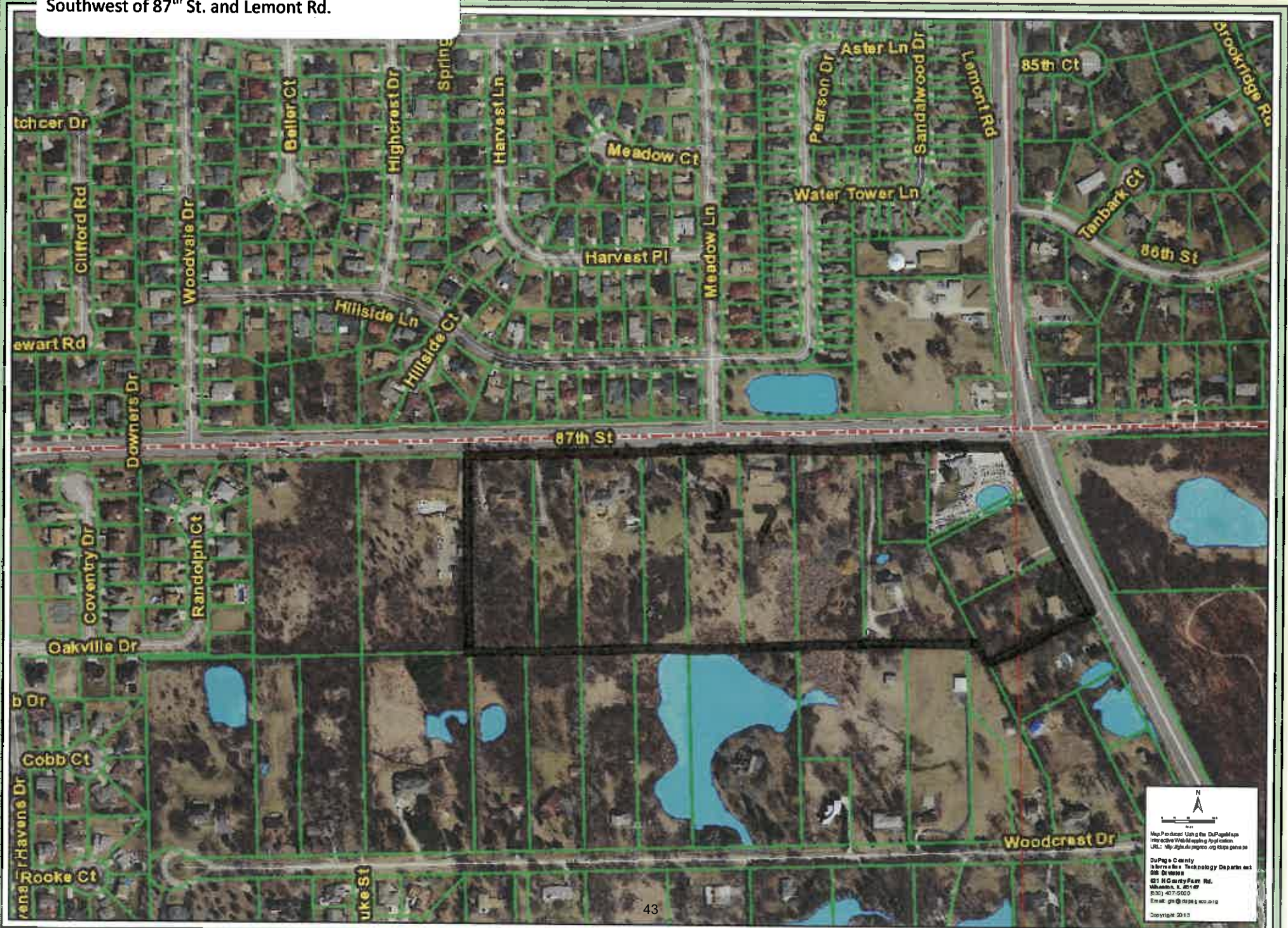


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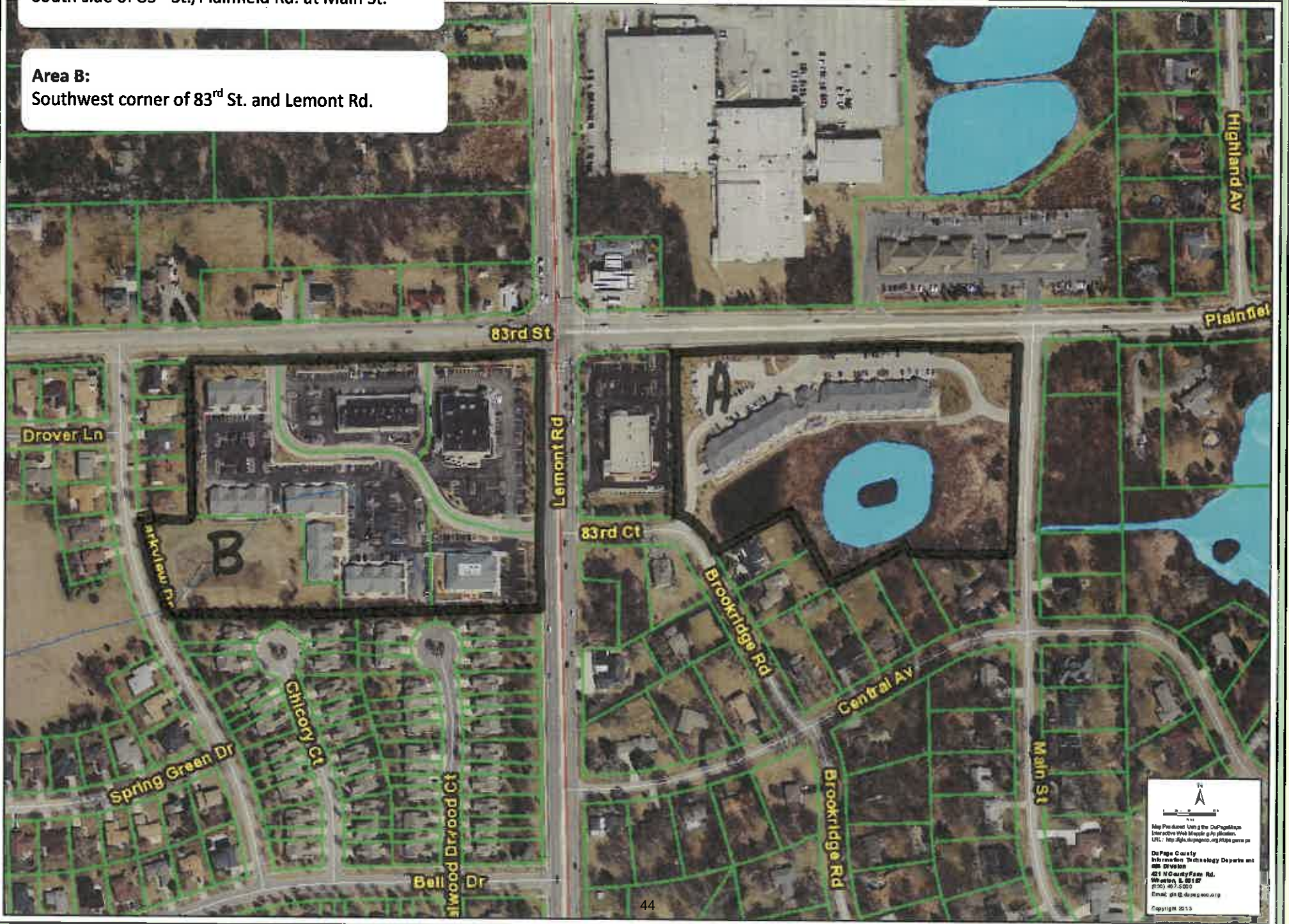
Area 7:
Southwest of 87th St. and Lemont Rd.




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Area A:
South side of 83rd St./Plainfield Rd. at Main St.

Area B:
Southwest corner of 83rd St. and Lemont Rd.



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Area C:

2100 Manning Road (Gardner property)

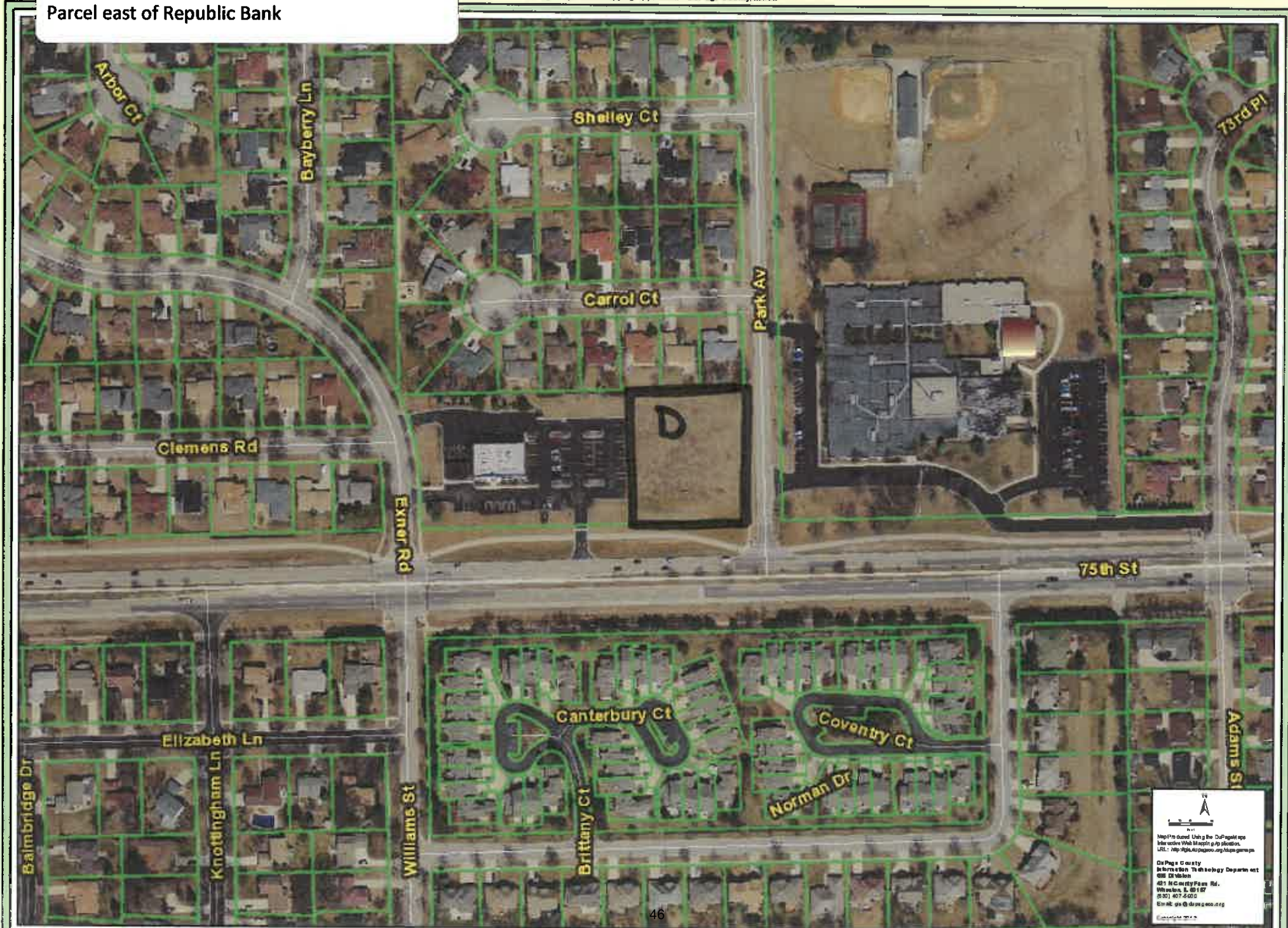


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Area D:
Parcel east of Republic Bank



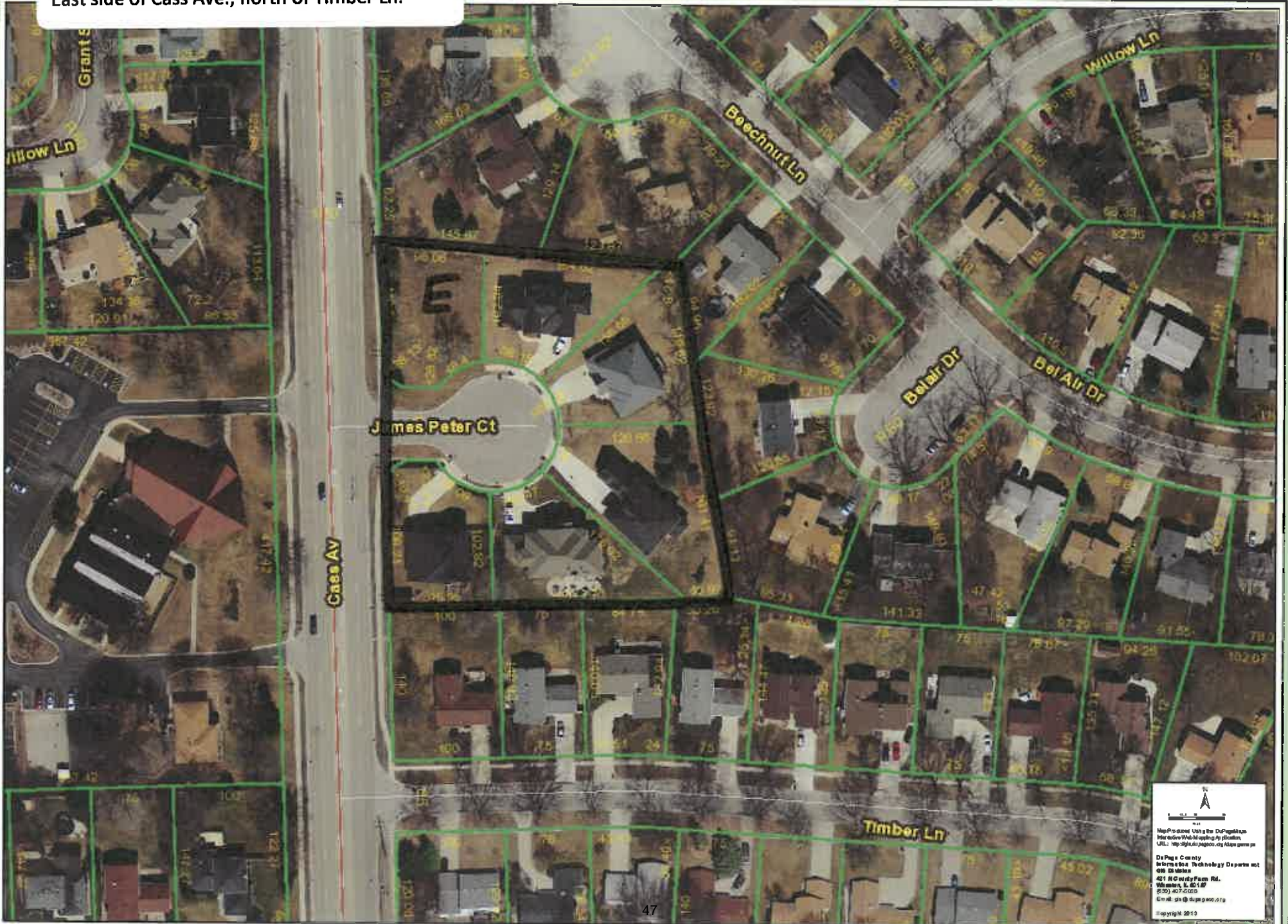
North arrow and scale bar.

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Area E:

East side of Cass Ave., north of Timber Ln.



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Area F:

Northwest corner of Plainfield Rd. and Leonard Dr.



North Arrow

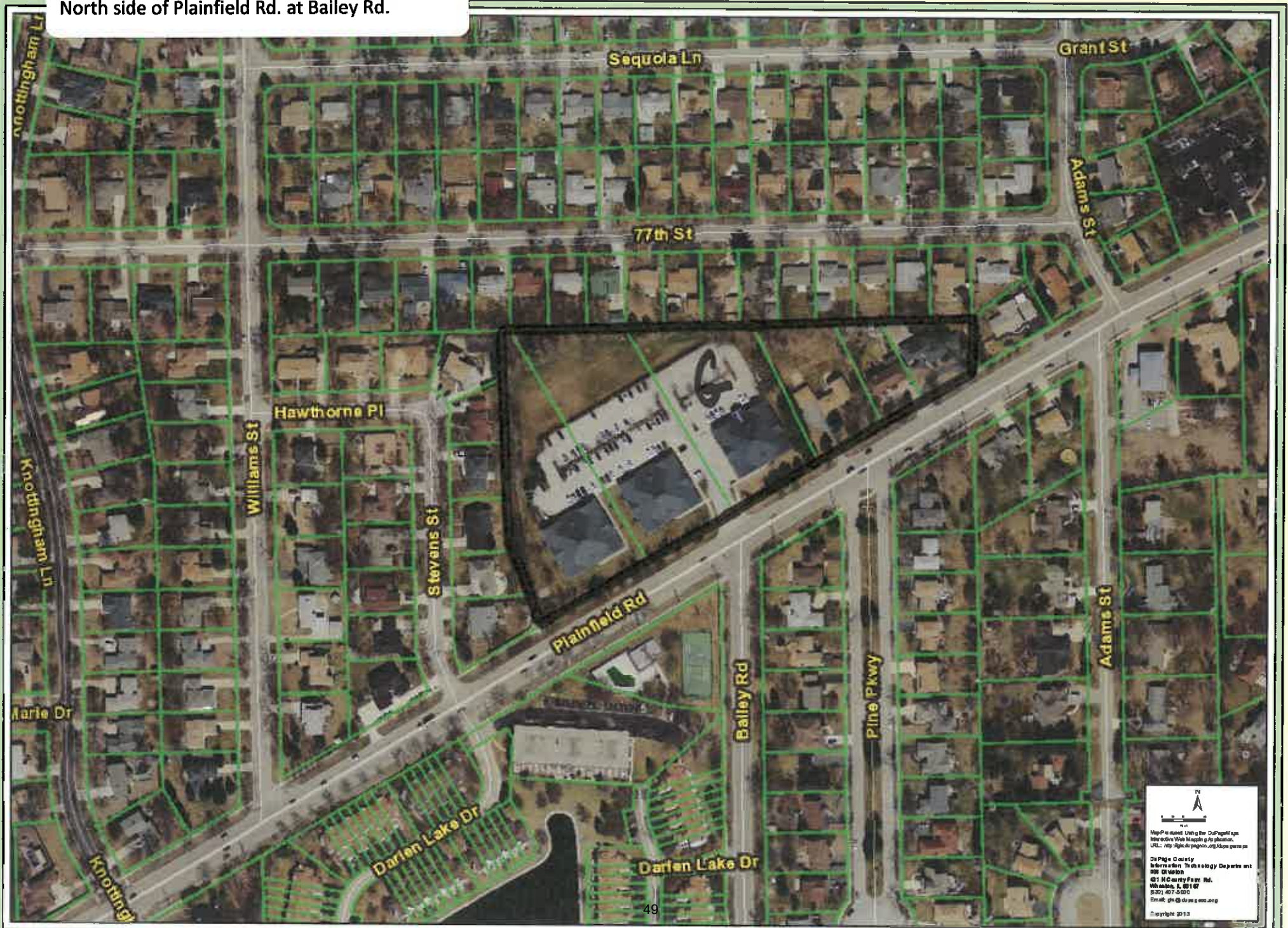
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Area G:

North side of Plainfield Rd. at Bailey Rd.

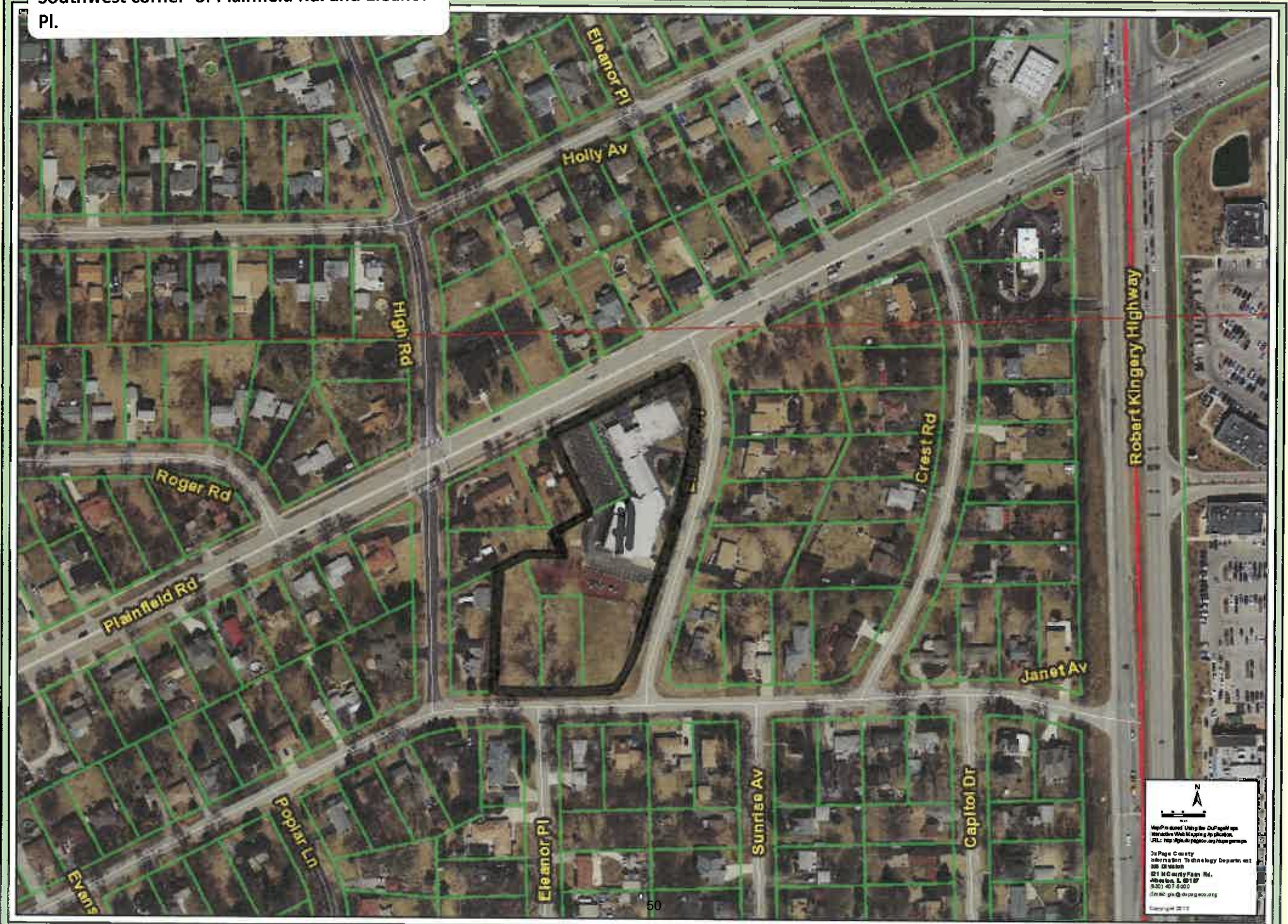


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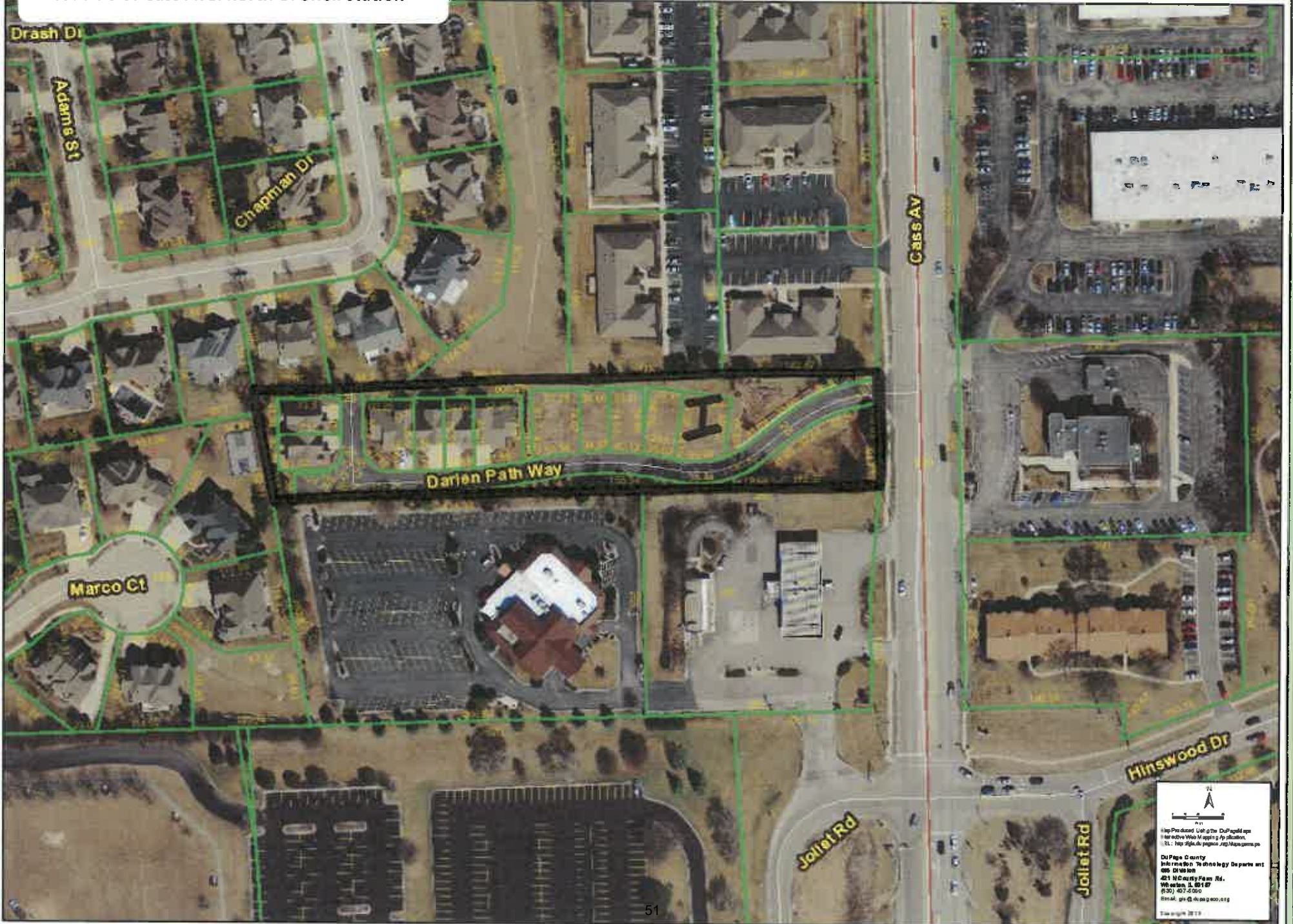
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Area H:
Southwest corner of Plainfield Rd. and Eleanor Pl.




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Area I:
West side of Cass Ave. north of Shell station



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Scale 1:10,000

Area J:

Northwest corner of N. Frontage and Nantucket Rds.

Area K:

South side of N. Frontage Rd. and Cass Ave.



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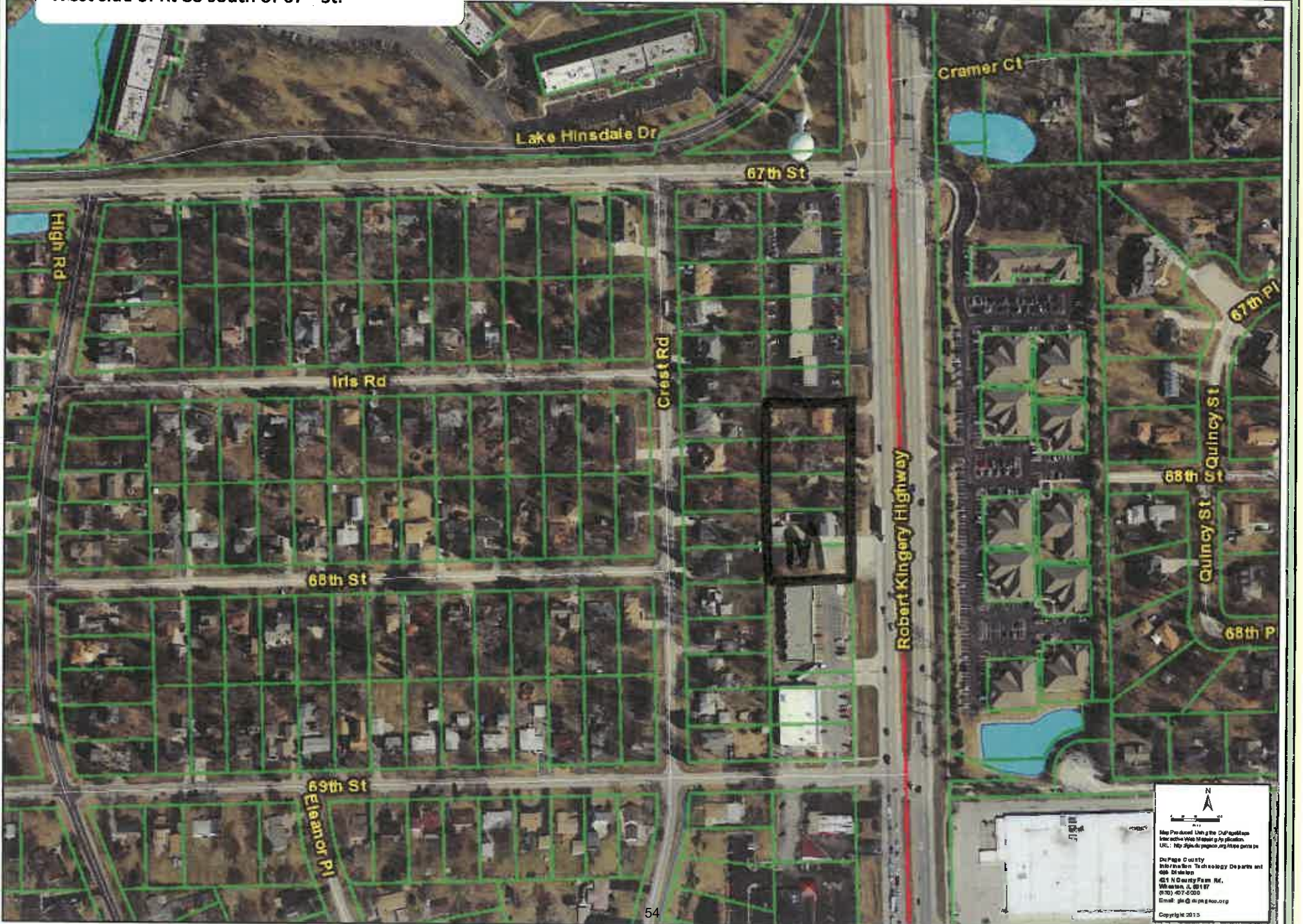
Area L:
South side of N. Frontage Rd. west of Bailey Rd.




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Area M:

West side of Rt 83 south of 67th St.



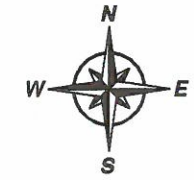
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City of Darien

Existing Land Use Figure 2



Legend

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Office
- Municipal/Government
- Institutional
- Industrial
- Parks/Open Space
- Forest Preserve
- Vacant
- Water
- Darien Municipal Boundary
- Adjacent Municipal Boundaries

