

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

- In person attendance at Planning and Zoning Commission meetings is allowed. 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, December 1, 2021

7:00 PM

City Hall Council Chambers

1702 Plainfield Road

AGENDA

- 1) Call to Order
- 2) Roll Call
- 3) Regular Meeting – New Business

A. Public Hearing – PZC2021-05

1645 Walden Lane – Variation

Petitioners Innocencio Lee and Estela Lee (c/o Michael Lee) seek approval for a Variation to City Code Section 5A-7-2-6 (A) of the Zoning Ordinance. The petition specifically requests to allow for an addition to the existing single-family residence, with the addition being a sunroom. Property is located within the R-2 Single-Family Residence Zoning District and the Variation request is to the following standard in the R-2 District of the City of Darien Zoning Ordinance:

- 1) Section 5A-7-2-6 (A): Variation request to reduce the required rear yard setback.

B. Public Hearing – PZC2021-06

1813 Howdy Lane – Variations

Petitioners Dwane Kozak and Vanessa Brennan seek approval for Variations to City Code Section 5A-7-1-6 (A)(1) of the Zoning Ordinance. The petition specifically requests to allow for an addition to the existing single-family residence, with the addition being a garage expansion and second floor addition above the garage. Property is located within the R-1 Single-Family Residence Zoning District and the

Variation requests are to the following standards in the R-1 District of the City of Darien Zoning Ordinance:

- 1) Section 5A-7-1-6 (A)(1): Variation request to reduce the required front yard setback.
- 2) Section 5A-7-1-6 (A)(1): Variation request to reduce the required interior side yard setback.

- 4) Regular Meeting – Old Business
- 5) Staff Updates & Correspondence
- 6) Approval of Minutes August 18, 2021
- 7) Next Meeting December 15, 2021
- 8) Public Comments [On Any Topic Related to Planning and Zoning]
- 9) Adjournment

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
August 18, 2021**

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

ABSENT: Robert Erickson

OTHERS: Jordan Yanke - City Planner

Chairperson Lou Mallers called the meeting to order at 7:03 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:

A. OLD BUSINESS

There was no Old Business.

B. NEW BUSINESS

- i. **PZC 2021-04 2305 Sokol Court & 2345 S Frontage Road Final PUD Approval, Annexation Agreement Amendment, and Plat of Consolidation – Petitioner, Equity Trust Company (Custodian F/B/O Paul Swanson IRA) seeks final approval for a Planned Unit Development (PUD), Annexation Agreement Amendment, and Plat of Consolidation in order to construct a multi-family apartment complex on property zoned Planned Unit Development (PUD)/Multi-Family Residence District (R-3), located at 2305 Sokol Court and 2345 S Frontage Road in Darien, Illinois. This petition includes Waiver requests to the following standards in the Planned Unit Development (PUD) District: 1. Section 5A-3-3-4: Waiver request to increase allowed residential density. 2. Section 5A-3-3-5: Waiver request to off-street parking requirements. 3. Section 5A-3-3-9(B): Waiver request to minimum setback requirement. 4. Section 5A-3-3-10: Waiver request to increase maximum building height.**

Mr. Jordan Yanke, City Planner, provided an overview of the case and reported that the review is to determine whether the final plan that was submitted is in Substantial Conformance with the approved preliminary plan from May 2021.

Mr. Paul Swanson, petitioner, gave brief comments regarding the fact that the proposed building color has changed since the preliminary approval was granted.

Mr. Wally Righton stated there are remaining questions and concerns relating to the project's stormwater facilities. He mentioned there were questions submitted to the City

previously that had not been fully answered, although a Memorandum from city staff had been issued earlier in the day. The remaining questions pertain to potential impacts the project would have on the existing stormwater facilities and maintenance costs for The Preserves of Waterfall Glen Townhome Association. Additionally, Mr. Righton questioned what (?) responsibility would present/future owners of the Darien Heights property have to assume their fair share of future stormwater maintenance costs.

Mr. Jordan Yanke responded and affirmed that the City issued a Memorandum addressing the stormwater related questions. The Memorandum was shared with the Commission Members. Mr. Yanke stated the project would have no impact on the existing detention area that is maintained by the Townhomes. He also indicated that the future and present HOAs and/or property owners would be responsible for their respective stormwater maintenance and associated costs.

Mr. Wally Righton asked that further documentation be provided or further confirmation from the City be provided regarding what responsibility the Darien Heights property owner will have for future stormwater maintenance and costs.

Mr. Chris Marema stated that he shares many of the same concerns already presented by Mr. Wally Righton. He provided further comment specifically in regards to the proposed detention area on the subject site, which is to be north of the parking lot. Mr. Marema questioned the safety of that detention area being located near the public sidewalk and nearby park.

Mr. Jordan Yanke responded and confirmed the proposed detention area that is solely on the subject lot is located to the north of the parking lot. He also mentioned the detention area will be buffered by landscaping between the road and public sidewalk.

There was no one else in the audience wishing to present public comment and Chairperson Mallers closed the public comment period.

Chairperson Mallers opened it up for questions and discussion by the Commission.

Commissioner Gay stated that based on what has been presented and submitted under the Final Plan, the Final Plan petition is in Substantial Conformance with the approved preliminary plan.

Commissioner Hiatt, Commissioner Desmond, and Chairperson Mallers concurred with Commissioner Gay's statement.

Commissioner Liedtke raised concern over the detention area proposed on the subject lot and the fact that the project was originally granted a waiver for increased density. Given the proposed lot coverage and the fact that it triggered the additional detention area, it poses a concern and it is a change that does substantially change the plan, as the location of the detention area could be more obscure and hidden if the development was smaller in scope. For this reason, Commissioner Liedtke indicated that he will be voting "no" on the motion.

Commissioner Desmond made a motion, and it was seconded by Commissioner Hiatt, to approve PZC 2021-04 2305 Sokol Court & 2345 S Frontage Road – Final PUD Approval, Annexation Agreement Amendment, and Plat of Consolidation as presented.

Upon roll call vote, THE MOTION was favorable with a vote of 6 Ayes and 2 Nays. Commissioner Gonzalez and Commissioner Liedtke voted Nay. Commissioner Erickson was not present.

Mr. Yanke reported that the petition would be forwarded to the Municipal Services Committee with a favorable motion on Monday, August 23, 2021 at 7:00 pm

CORRESPONDENCE

There was no correspondence.

APPROVAL OF MINUTES

Commissioner Liedtke made a motion, and it was seconded by Commissioner Desmond to approve the April 21, 2021 Regular Meeting Minutes.

Upon voice vote, THE MOTION CARRIED 8-0.

NEXT MEETING

Mr. Jordan Yanke announced that the next meeting is scheduled for September 1, 2021.

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 Liedtke made a motion, and it was seconded by Commissioner Gonzalez. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 7:46 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

**Jordan Yanke
Senior Planner**

**Lou Mallers
Chairperson**

AGENDA MEMO
PLANNING AND ZONING COMMISSION
DECEMBER 1, 2021

CASE

PZC2021-05 Variation Request (Rear Yard Setback)
 1645 Walden Lane

ISSUE STATEMENT

Petitioners Innocencio Lee and Estela Lee (c/o Michael Lee) seek approval of a Variation request to Section 5A-7-2-6 (A) of the City Zoning Code to allow for an addition to an existing single-family residence, with the addition being a sunroom. Property is located within the R-2 Single-Family Residence Zoning District and the Variation request is to the following standard in the R-2 District:

- Zoning Section 5A-7-2-6 (A): R-2 District Rear Yard Requirement – 30'

GENERAL INFORMATION

Petitioner:	Innocencio Lee and Estela Lee (c/o Michael Lee)
Property Owner:	Innocencio Lee and Estela Lee
Property Location / PIN:	1645 Walden Lane / 09-28-114-018
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:	0.24 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 Walden Lane and Exner Road, with driveway access derived from Walden Lane.

PETITIONER DOCUMENTS (ATTACHED TO MEMO)

- 1) APPLICATION
- 2) JUSTIFICATION NARRATIVE
- 3) SITE PLAN
- 4) FLOOR PLAN
- 5) BUILDING ELEVATION

CITY STAFF DOCUMENTS (ATTACHED TO MEMO)

- 6) LOCATION MAP & AERIAL IMAGE
- 7) SITE PHOTOS
- 8) ZONING VARIATION DECISION CRITERIA

PLANNING OVERVIEW/DISCUSSION

The subject property was platted in 1975 and is part of Gallagher and Henry’s Brookhaven Manor Unit 7 Subdivision. The parcel is improved with a single-family residence, accessory structure (shed), and fencing around the rear yard. The property is primarily flat and does not contain any natural features or floodplain. According to the submitted application and site plan, the petitioner is proposing a sunroom addition on the rear part of the existing residence.

The residence maintains an existing 35’ distance from the rear property line (southern lot line). The proposed sunroom would extend the home an additional 14’ toward the rear property line, meaning the home would then maintain a setback of 21’ from the rear lot line. Given the property’s zoning designation, which is R-2 Single-Family Residence District, there is a required rear yard setback of 30’. Therefore, the petitioner has submitted this Variation which requests approval to construct the sunroom resulting in an encroachment of 9’ on the rear yard setback.

Site Plan Review & Findings of Fact

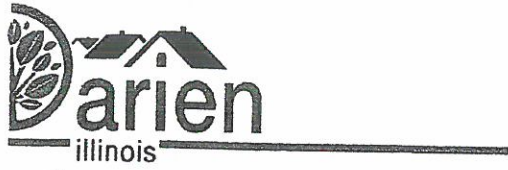
City staff has reviewed the petitioner submitted documents and staff does not have any review comments on the site plan. Additionally, the petitioner was asked to submit *Findings of Fact* that would support the requested Variation. Those findings are attached to this memo under the submitted Justification Narrative.

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on December 1, 2021.

MEETING SCHEDULE

Planning and Zoning Commission	December 1, 2021
Municipal Services Committee	December 28, 2021
City Council	January 3, 2022



ZONING APPLICATION

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

CONTACT INFORMATION

Michael Lee
Applicant's Name

Esfela B. Lee
INNOCENCIO LEE
Owner's Name

1645 Walden Lane, Darien, IL 60561
Address, City, State, Zip Code

1645 Walden Lane, Darien, IL 60561
Address, City, State, Zip Code

630-308-6937
Telephone

630-971-3258
Telephone

m.lee699@yahoo.com
Email

Email

PROPERTY INFORMATION

1645 Walden Lane, Darien IL 60561
Property address

0928114018
PIN Number(s)

(R-2)
Zoning District

SINGLE-FAMILY
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

RECEIVED
NOV 03 2021
Community Development
City of Darien

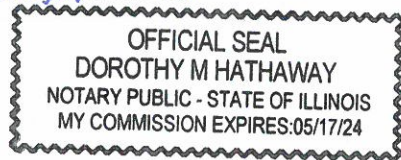
Michael Lee

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that Michael Lee 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 4 day of November 20 21

Dorothy M. Hathaway
Notary Public

Table with 2 columns: Field and Value. Fields include Date Received (11/03/2021), Case Number (PZC 2021-05), Fee Paid (\$360.00), and Hearing Date (12/01/2021).



Purpose

The reason for the variation at 1645 Walden Lane, Darien, IL is to build a sunroom at the rear of the home. The purpose of the sunroom is to increase the living and dining space. There are currently five adults living in the home. There are also visitors that frequently visit, so the additional space is necessary. Neighbors may be impacted during the construction phase. There may be vehicles parked on the side of the street during the day, and some noise caused by the construction, but once completed, there will be no disturbance caused by having the sunroom.

RECEIVED

NOV 03 2021

Community Development
City of Darien

Decision Criteria

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. The room addition will be used only as additional living space on the residential property.

2b. The plight of the owner is due to unique circumstances. The home currently houses five adults and it is difficult to accommodate everyone in a small kitchen. The addition would be placed by the kitchen to make more space.

2c. The variation, if granted will not alter the essential character of the locality. The addition will look like part of the home once complete.

3a. Essential Need? The owners would suffer substantial difficulty if variation is not granted due to lack of space, especially in the kitchen. The kitchen is constantly used for cooking, but there is lack of dining space.

3b. Problem with the Property? There is no feature or change made to the property.

3c. Smallest solution? There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship. Placing the room addition in the back of the home off to the kitchen is the best location. The size of the room is suitable for the five adults and frequent visitors.

3d. Create a neighbor problem? The variation, if granted will not a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties. The variation will not cause a disturbance to the neighbors once the project if finished.

3e. Create community problem? The variation, if granted, may result in the same or similar requests from other property owners, but will not cause an unreasonable burden or undesirable result within the community.

3f. The positive impacts to the community outweigh the negative impacts.

3g. The variation, if granted, will comply with the purposes and intent of the Zoning Code set forth in Section 5A-1-2(A).

SURVEY OF

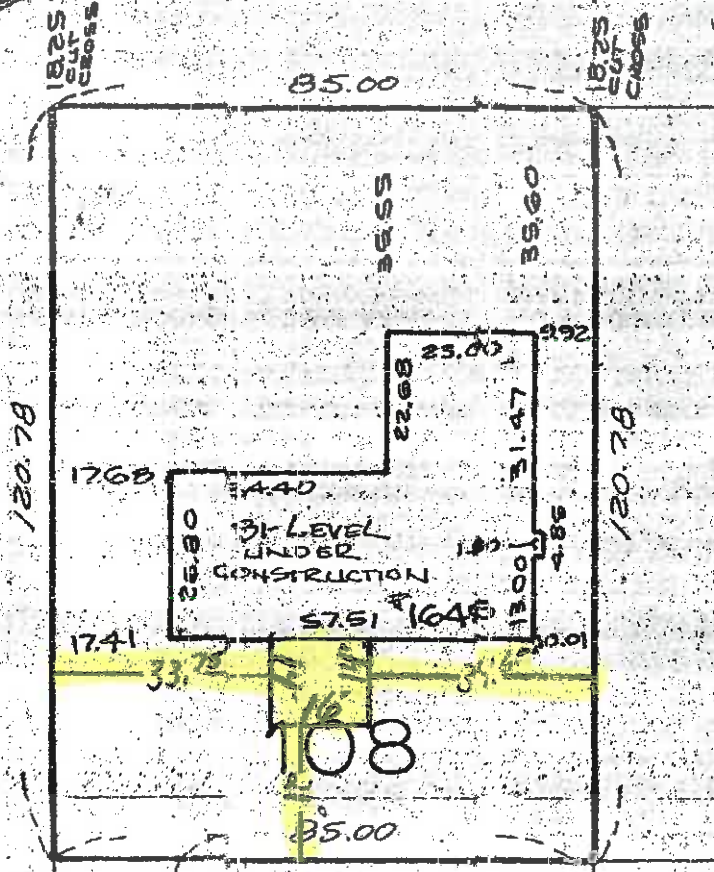
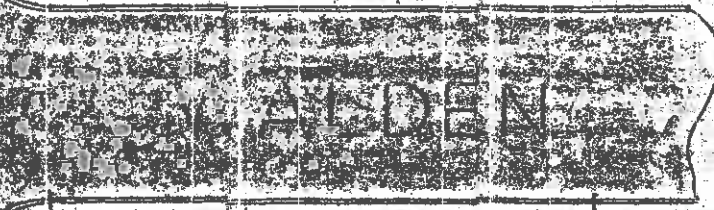
LOT 108 IN GALLAGHER AND HENRY'S BROOKHAVEN MANOR UNIT 7, A SUBDIVISION IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28, 1975 AS DOCUMENT 175-45343, IN THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS.

WALDEN
LANE

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NOV 03 2021
Community Development
City of Darien



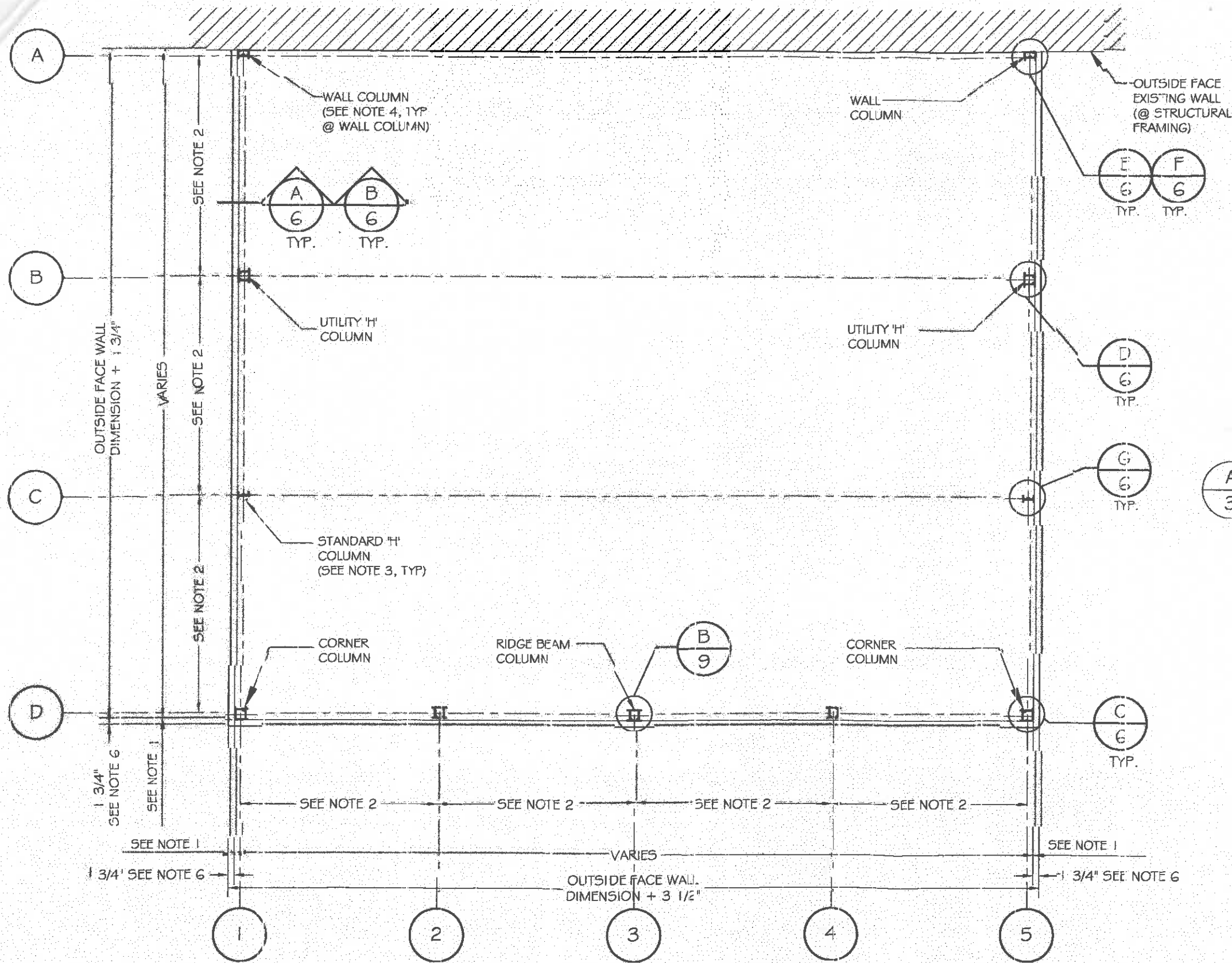
COURT



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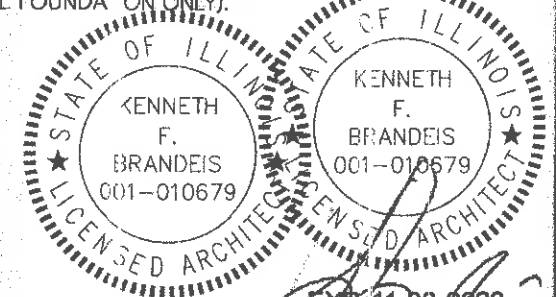
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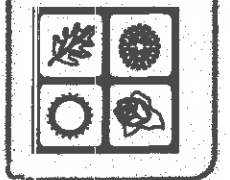
A
3 FLOOR PLAN SCALE = 3/8" = 1'-0"

- NOTE:
- DIM. TO OUTSIDE FACE OF WALL.
 - COLUMN SPACING VARIES DEPENDING UPON WINDOW & DOOR SIZES & CONFIGURATION. 6'-3/4" MAX. ON CENTER SPACING.
 - ACTUAL H-CHANNEL IS SLIGHTLY LESS THAN 1 3/4"; USING 1 3/4" IN CALCULATIONS OF WALL DIMENSIONS HELPS TO ACCOUNT FOR MANUFACTURING TOLERANCES IN WINDOW AND DOOR DIMENSIONS.
 - IF H-CHANNEL IS OMITTED EXPOSED WIDTH OF CLOSED SILL IS 1 3/8" (THIS WILL NOT ALLOW FOR AN OUT OF PLUMB HOUSE WALL).
 - MINIMUM FILL WIDTH 1 1/8" (H-CHANNEL BUTTING TO CORNER OR WINDOW/DOOR DIRECTLY INTO CORNER). IFF APPLICABLE.
 - MINIMUM FOUNDATION PROJECTION REQ'D TO ACHIEVE DESIRED ANCHOR BOLT CAPACITY (FOR CONCRETE FOUNDATION ONLY).



DOCUMENTS ARE VALID ONLY WITH AN ORIGINAL STAMP AND DATED SIGNATURE

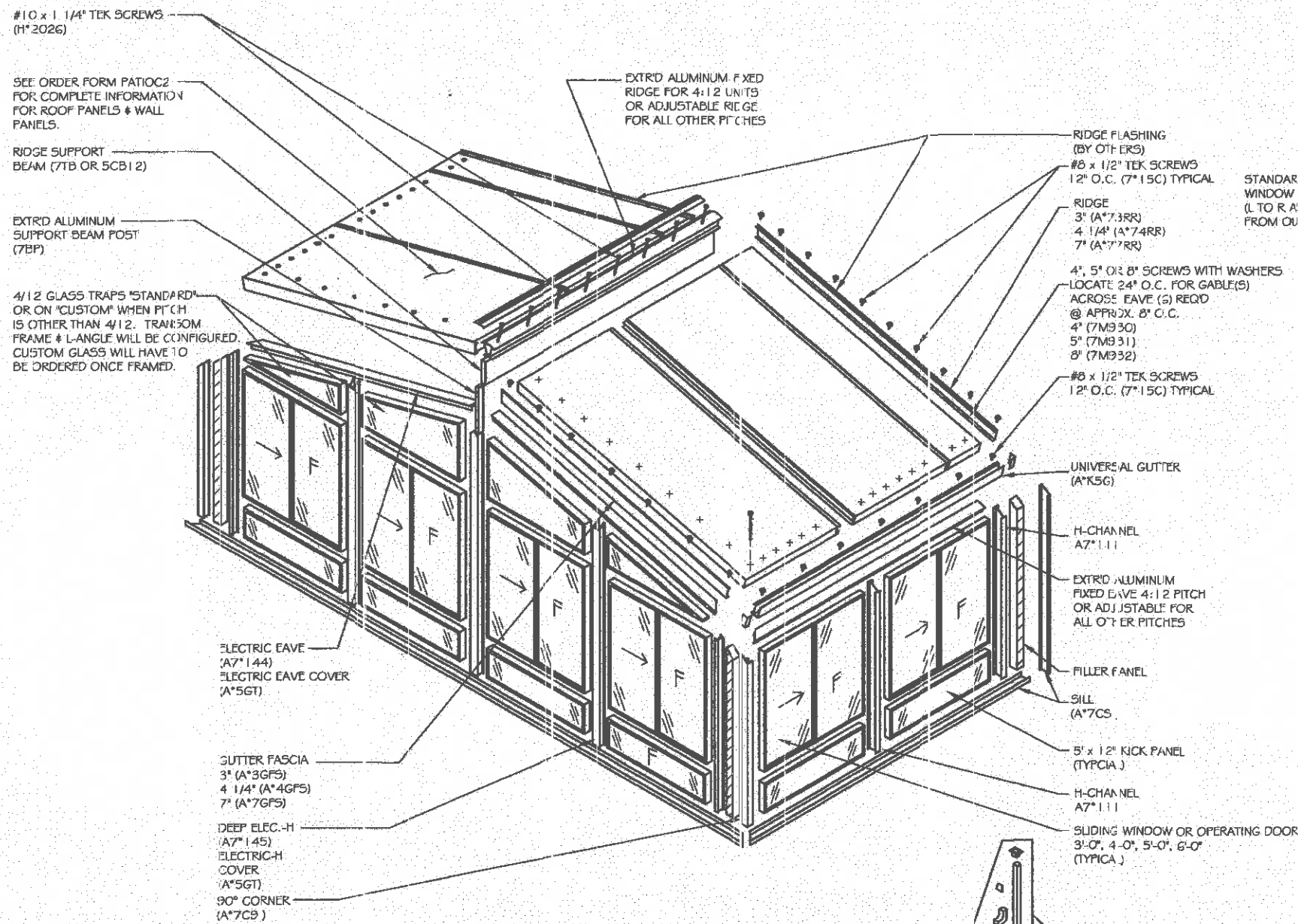
FOUR SEASONS SOLAR PRODUCTS, LLC.
5005 VETERANS MEMORIAL HIGHWAY
HOLBROOK, NEW YORK 11741
DESIGNER AND MANUFACTURER OF FOUR SEASONS SUNROOMS



SYSTEM I/VE.
SERIES 230 SUN & SHADE
CATHEDRAL DESIGN

DRAWN BY: JP	
REVIEWED BY: AS	
DATE: 4/13/04	
REVISION	DATE
B	6-27-06
C	2-23-07
D	4-13-07

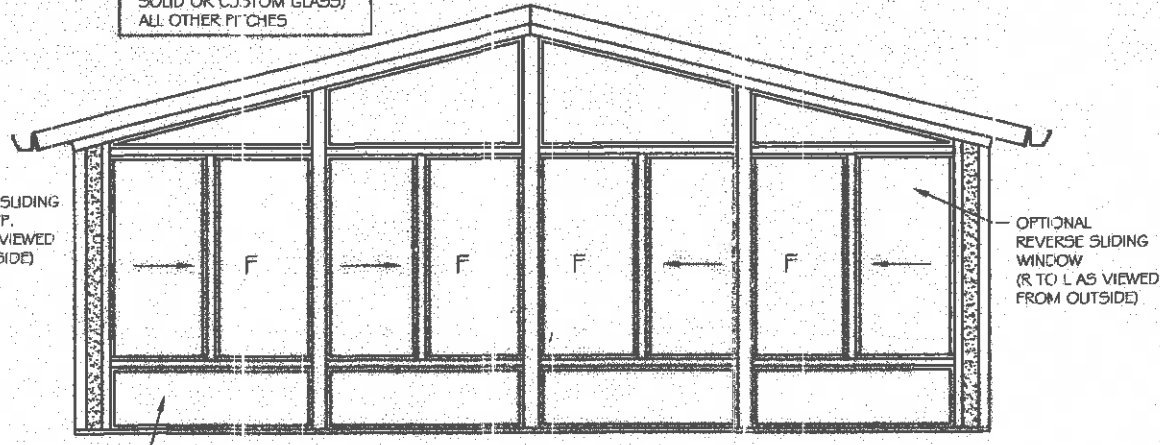
CRAWLING NAME:
230 SH CD-03
PAGE 4 of 17



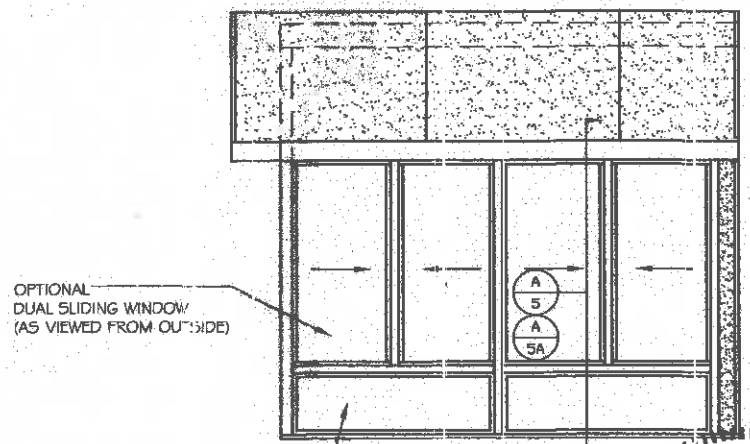
LEGEND:
 F = FIXED GLASS AREA
 = 3" EPS PANEL

NOTE:
 * INDICATES EXTRUSION COMES IN BRONZE OR WHITE. SUBSTITUTE THE "*" WITH "B" FOR BRONZE, "W" FOR WHITE OR "A" FOR SANDTONE.

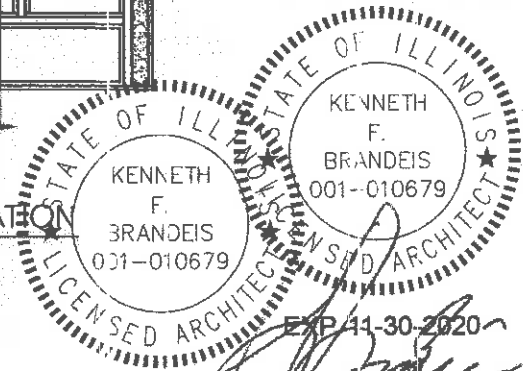
NOTE:
 STANDARD GLASS TRAPS (4:12 PITCH ONLY) (OPTIONAL SOLID OR CUSTOM GLASS) ALL OTHER PITCHES



FRONT ELEVATION



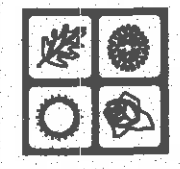
RIGHT SIDE ELEVATION



EXP. 11-30-2022

DOCUMENTS ARE VALID ONLY WITH AN ORIGINAL STAMP AND DATED SIGNATURE

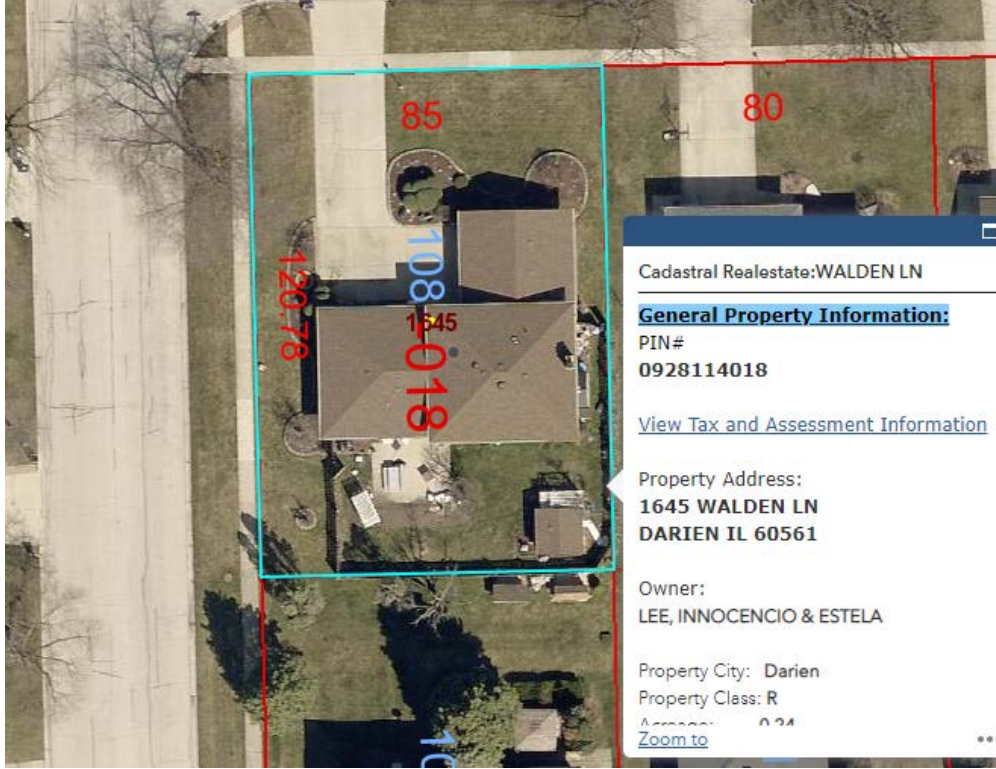
FOUR SEASONS SOLAR PRODUCTS, LLC.
 5005 VETERANS MEMORIAL HIGHWAY
 HOLBROOK, NEW YORK 11741
 DESIGNERS AND MANUFACTURER OF FOUR SEASONS SUNROOMS



SYSTEM TYPE:
 SERIES 230 SUN & SHADE
 CATHEDRAL DESIGN ROOM

DRAWN BY:	TW
REVIEWED BY:	LD
DATE:	4/14/04
REVISION	DATE
B	6-27-06
C	2-23-07
D	4-13-07

DRAWING NAME:
 230 SH CD-02
 PAGE
 2 of 17





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.

AGENDA MEMO
PLANNING AND ZONING COMMISSION
DECEMBER 1, 2021

CASE

PZC2021-06 Variation Requests (Front & Interior Side Yard Setbacks)
 1813 Howdy Lane

ISSUE STATEMENT

Petitioners Dwane Kozak and Vanessa Brennan seek approval of Variation requests to Section 5A-7-1-6 (A)(1) of the City Zoning Code to allow for an addition to an existing single-family residence, with the addition being a garage expansion and second floor addition above the garage. Property is located within the R-1 Single-Family Residence Zoning District and the Variation requests are to the following standards in the R-1 District:

- Zoning Section 5A-7-1-6 (A)(1):
 - R-1 District Front Yard Requirement – 45’
 - R-1 District Interior Side Yard Requirement – 10’

GENERAL INFORMATION

Petitioner:	Dwane Kozak and Vanessa Brennan
Property Owner:	Dwane Kozak and Vanessa Brennan
Property Location / PIN:	1813 Howdy Lane / 09-28-106-004
Zoning / Land Use:	R-1 District / Single-Family Residence
Comprehensive Plan:	Low Density Residential (Existing & Future Land Use)
Surrounding Zoning & Uses	
North:	R-1 District; Single-Family Residence
East:	R-1 District; Single-Family Residence
South:	R-1 District; Single-Family Residence
West:	R-1 District; Single-Family Residence
Size of Property:	0.26 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 Howdy Lane, with driveway access derived from Howdy Lane.

PETITIONER DOCUMENTS (ATTACHED TO MEMO)

- 1) APPLICATION
- 2) JUSTIFICATION NARRATIVE
- 3) SITE PLAN, FLOOR PLAN, & BUILDING ELEVATION

CITY STAFF DOCUMENTS (ATTACHED TO MEMO)

- 4) LOCATION MAP & AERIAL IMAGE
- 5) SITE PHOTOS
- 6) ZONING VARIATION DECISION CRITERIA

PLANNING OVERVIEW/DISCUSSION

The subject property was platted in 1968 and is part of the Downers Fairview Subdivision. At the time it was platted the parcel was located in the Village of Downers Grove, with it subsequently being annexed into the City of Darien. The parcel is improved with a single-family residence, accessory pool, and fencing around most of the yard. The property is primarily flat and does not contain any natural features or floodplain. According to the submitted application and site plan, the petitioner is proposing an addition to the existing residence, with the addition being a garage expansion and second floor addition above the garage.

The residence maintains an existing 36.65’ distance from the front property line (northern lot line) and 10’ from the interior side property line (western lot line). The proposed project would result in those distances being reduced to 29.31’ and 5.1’, respectively. Given the property’s zoning designation, which is R-1 Single-Family Residence District, there is a required front yard setback of 45’ and a required interior side yard setback of 10’. Therefore, the petitioner has submitted these Variations requesting approval to encroach into the front yard setback (northern lot line) and interior side yard setback (western lot line).

It is important to note the parcel was originally subject to a 35’ front setback requirement when it was platted, but the change in jurisdiction (i.e. annexation) and zoning resulted in a more stringent 45’ front setback requirement per the City of Darien Zoning Ordinance. That said, the existing residence already encroaches into the front setback of 45’, meaning any proposed expansion of the structure toward the front property line requires Variation approval. In regards to the interior side setback, it appears the property has been subject to a 10’ setback requirement since it was platted. Although the petitioner is proposing to encroach into the side yard setback, the project will not encroach into the existing utility easement shown on the site plan attached to this memo.

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. Additionally, 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.

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on December 1, 2021.

MEETING SCHEDULE

Planning and Zoning Commission	December 1, 2021
Municipal Services Committee	December 28, 2021
City Council	January 3, 2022



ZONING APPLICATION

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

CONTACT INFORMATION

Dwane Kozak Vanessa Brennan
 Applicant's Name
1813 Howdy Ln.
 Address, City, State, Zip Code
(630) 746-7592
 Telephone
Vaness1@sbcglobal.net
 Email

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

RECEIVED
 NOV 03 2021
 Community Development
 City of Darien

PROPERTY INFORMATION

1813 Howdy Ln.
 Property address
0928106004
 PIN Number(s)
Residential
 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 Frontyard + Side yard Set back for proposed addition. The property is a Pie shape which limits options for an addition. The set back from road was changed to 45' after house was originally constructed which puts my existing garage in the current setback

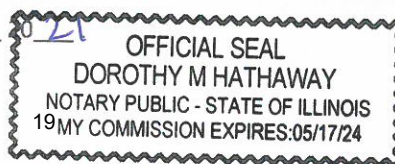
Dwane Kozak
 Applicant Signature

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that Dwane Kozak 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 3 day of November

Dorothy M Hathaway
 Notary Public

For office use only	
Date Received:	11/03/2021
Case Number:	PZC2021-06
Fee Paid:	\$360.00
Hearing Date:	12/01/2021



Dwane and Vanessa Kozak
1813 Howdy Lane, Darien

RECEIVED

NOV 03 2021

Justification Narrative

Community Development
City of Darien

We are requesting this variance because we wish to put an addition on our house over the garage as well as adding a third car garage. Our property shape limits our options. The lot is a funny pie shape. This excludes us from going off the back of our house towards the rear property line. In addition, the property set back from the road was changed after the house was built which put our existing garage into the setback set by the city of Darien after the house was originally constructed. We live on a street that will most likely never be widened by the city. This will not have a negative effect on our neighbors because this addition will be going up and not towards any neighbors property, only towards the road and slightly into our existing side yard which has no house adjoined.

2a: n/a

2b: This lot is a pie shaped irregular lot which limits our options for adding a third car garage and addition.

2c: If this variation is granted, it will not alter the essential character of the locality . It will look even better than it does now while increasing our home value as well as home values around the neighborhood.

3a: If this variation is not granted, our family will continue to be very crowded in our home with limited bedroom space and NO PRIVACY. We have three children (17, 10, and 1). When we had our most recent surprise baby, we remodeled our entire lower level in hopes that our teen daughter would sleep down there. But she has encountered way too many wolf spiders and other spiders. Even though we have an exterminator, I think that being in a basement there will always be some kind of spider. If all she found was one big black one in her bed, that is enough to keep anyone from sleeping down there. LOL So she now sleeps upstairs with our 10 year old in her room. (and I don't blame her! I wouldn't sleep down there either...) But now we are super crowded..... We also have three plus cars with our teen driving and it is not convenient to always play musical cars in the morning and before bedtime readjusting them depending on who leaves first. With kids, there always comes a lot of junk which one of our garage stalls if filled with (bikes, toys, electric ride on cars, etc.) There are always cars on our driveway. It would be nice to put one away and have one less outside. We have researched and looked at other homes to buy, but have not found the right one that fits our needs and budget for what we are looking for. We love where we live as well as our neighbors and the location of our house. We have done a lot of work to the interior and exterior of our home and would hate to walk away from it and settle for something else.

3b: This property is an unusual pie shaped lot. We do have a big side yard which enables us to place a third car garage without interfering with our neighbors.

3c: This variance is the best option for what we are looking for. We already have a small shed attached to the two car garage, and so the third car stall will be replacing that and only coming out the side of the house a few feet more. The overall look in the front is not a huge difference in space.

3d: Our street is a very quiet street with spaced out lots as compared to the other blocks. Our neighbors next to us closest to our garage have a line of evergreen trees dividing our properties. We

cannot see their house from the front of our house. This garage would not affect them. If anything, what we are doing to our house will look very nice and improve the look of the neighborhood and property values. We take very good care of our home on the exterior and interior. This is a nice improvement that we will be doing.

3e: This variation may give other homeowners new ideas to try with their house, but what would be the harm with improving homes in Darien and making them look even nicer?

3f: The positive impacts to the community outweigh the negative impacts because this variance will increase our home value and the surrounding homes as well.

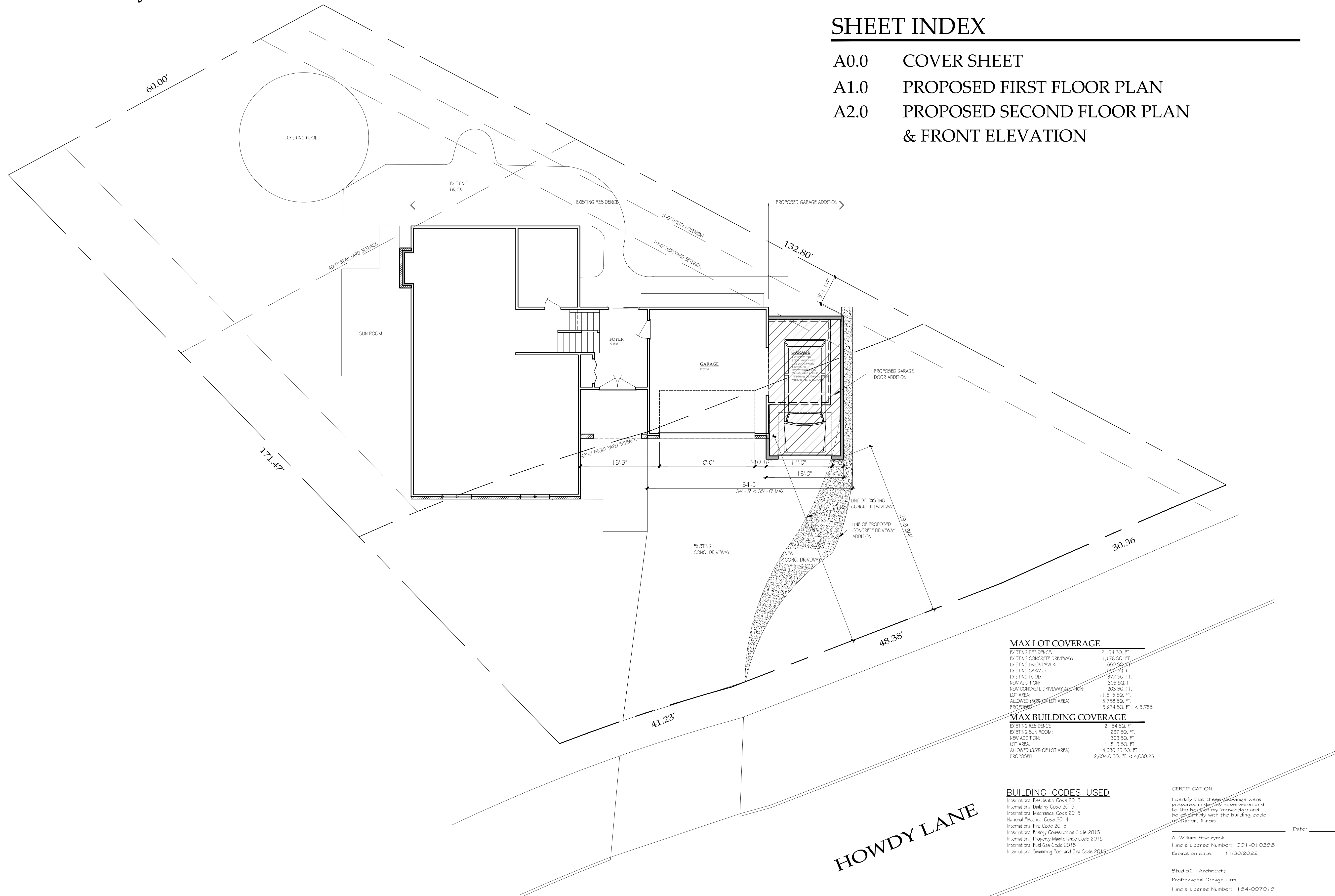
3g: If granted, this variation and addition will enhance the aesthetic value of our house.

The Kozak Residence

1813 Howdy Lane, Darien, IL

SHEET INDEX

- A0.0 COVER SHEET
- A1.0 PROPOSED FIRST FLOOR PLAN
- A2.0 PROPOSED SECOND FLOOR PLAN & FRONT ELEVATION



MAX LOT COVERAGE

EXISTING RESIDENCE:	2,134 SQ. FT.
EXISTING CONCRETE DRIVEWAY:	1,176 SQ. FT.
EXISTING BRICK PAVER:	680 SQ. FT.
EXISTING GARAGE:	886 SQ. FT.
EXISTING POOL:	372 SQ. FT.
NEW ADDITION:	303 SQ. FT.
NEW CONCRETE DRIVEWAY ADDITION:	203 SQ. FT.
LOT AREA:	11,515.50 FT.
ALLOWED (50% OF LOT AREA):	5,758 SQ. FT. < 5,758
PROPOSED:	5,674 SQ. FT. < 5,758

MAX BUILDING COVERAGE

EXISTING RESIDENCE:	2,134 SQ. FT.
EXISTING SUN ROOM:	237 SQ. FT.
NEW ADDITION:	303 SQ. FT.
LOT AREA:	11,515.50 FT.
ALLOWED (35% OF LOT AREA):	4,030.25 SQ. FT. < 4,030.25
PROPOSED:	2,694.0 SQ. FT. < 4,030.25

BUILDING CODES USED

- International Residential Code 2015
- International Building Code 2015
- International Mechanical Code 2015
- National Electrical Code 2014
- International Fire Code 2015
- International Energy Conservation Code 2015
- International Property Maintenance Code 2015
- International Fuel Gas Code 2015
- International Swimming Pool and Spa Code 2015

CERTIFICATION

I certify that these drawings were prepared under my supervision and to the best of my knowledge and belief comply with the building code of Darien, Illinois.

Date: _____

A. William Styczynski
 Illinois License Number: 001-010390
 Expiration date: 1/13/2022

Studio21 Architects
 Professional Design Firm
 Illinois License Number: 184-007019
 Expiration date: 04/30/2023

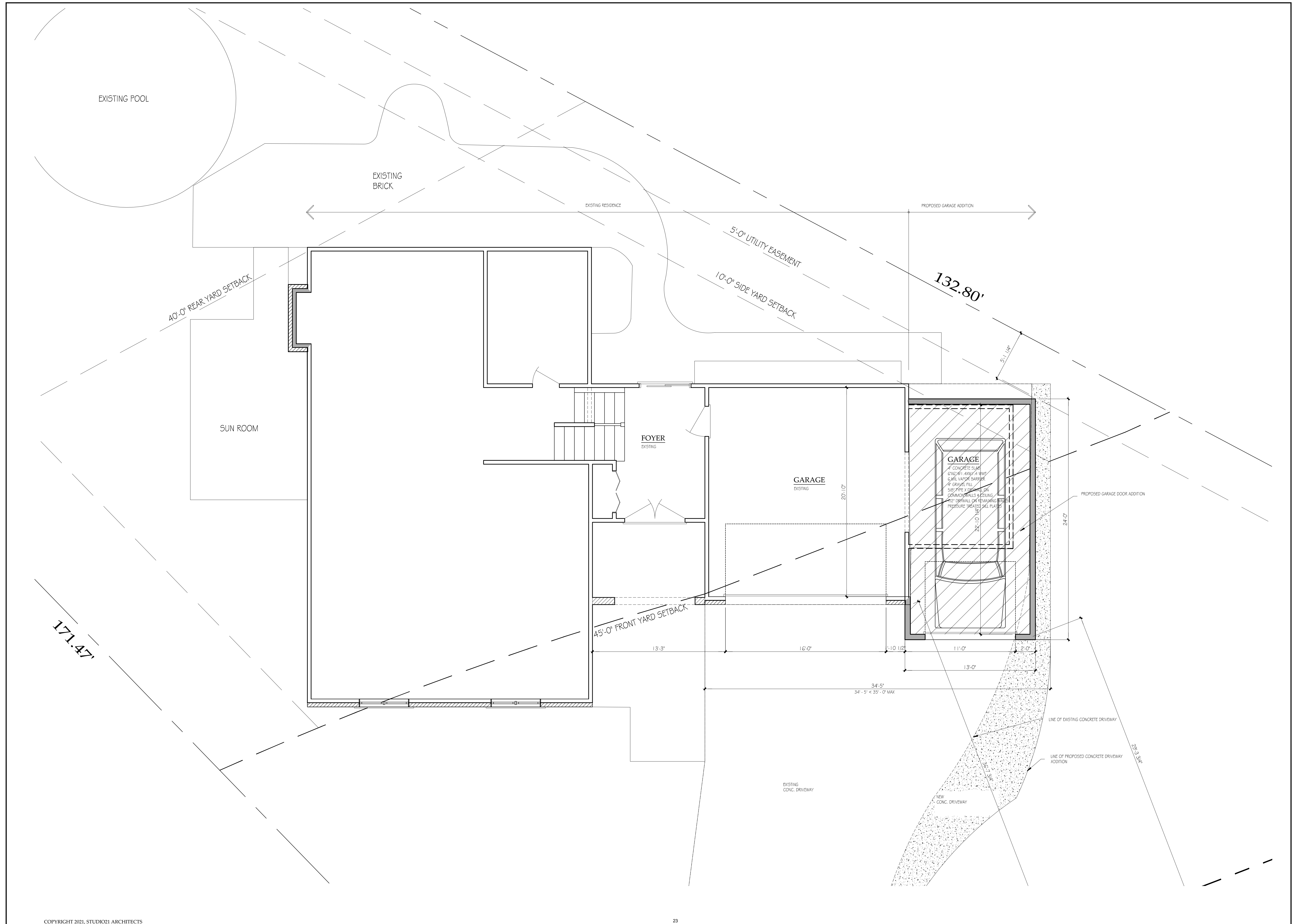
The Kozak Residence
 1813 Howdy Lane, Darien, Illinois

5012 Fairview Ave.
 Downers Grove, IL 60515
 630.789.2513
 studio21architects.com

DATE
 10/20/21

PROJECT
 21267

SHEET
 A0.0



The Kozak Residence
 1813 Howdy Lane, Dartmouth, Illinois

5012 Fairview Ave.
 Downers Grove, IL 60515
 630.789.2513
 studio21architects.com

studio21 architects

DATE: 10/20/21

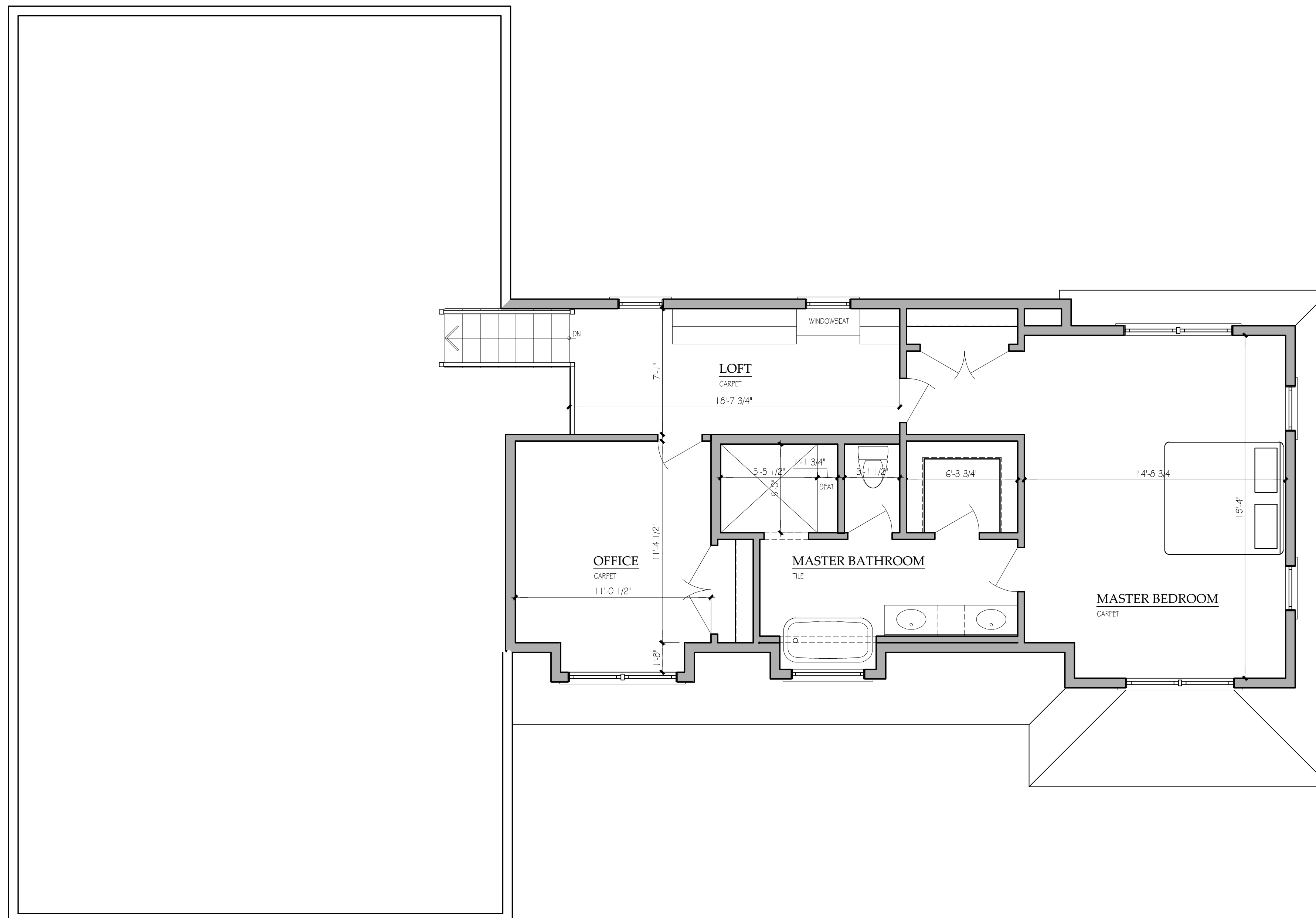
REVISIONS:

PROJECT: 21267
 SHEET: **A1.0**



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



PROPOSED SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

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REVISIONS

PROJECT
21267

SHEET
A2.0





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.
