

**CITY OF DARIEN**  
**PLANNING AND ZONING COMMISSION**  
**AGENDA**

**Wednesday, June 1, 2016**  
**7:00 PM**

**City Hall**  
**Council Chambers**

1. Call to Order
2. Establish Quorum
3. Regular Meeting:

**A. Public Hearing**

**PZC 2016-06: 8731 Kentwood Court:** Petitioner seeks approval of a variation to reduce the required interior side yard setback from 10 feet to 5 feet in order to construct a deck.

4. Correspondence
5. Old Business/Planner's Report
6. Minutes:            May 18, 2016
7. Next Meeting: **June 15, 2016, 7:00 PM**
8. Adjournment

**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**MEETING DATE: June 1, 2016**

**Issue Statement**

**PZC 2016-06: 8731 Kentwood Court:** Petitioner seeks approval of a variation to reduce the required interior side yard setback from 10 feet to 5 feet in order to construct a deck.

Applicable Regulations:                   **Zoning Ordinance Section 5A-7-2-6(A):** R-2 Single-Family Residence District, Yard Requirements

**General Information**

Petitioner/  
Property Owner:                               Jacob and Lisa Bryant

Property Location:                           8731 Kentwood Court

PIN:   10-04-112-014

Existing Zoning:                               R-2 Single-Family Residence

Existing Land Use:                            Single-family home

Comprehensive Plan Update:               Low Density Residential

Surrounding Zoning and Land Use:

    North: R-2 Single-Family Residence: single-family detached residence  
    East: R-2 Single-Family Residence: single-family detached residence  
    South: R-2 Single-Family Residence: single-family detached residence  
    West: R-2 Single-Family Residence: single-family detached residence

Size of Property:                            15,589 square feet

Floodplain:                                   None.

Natural Features:                           None.

Transportation:                             Frontage on Kentwood Court

History:                                       None.

**Documents Submitted**

This report is based on the following information submitted to the Community Development Department by the Petitioner:

1. Plat of Survey, 1 sheet, prepared by Area Survey Co., P.C., dated September 4, 1986.

### **Planning Overview/Discussion**

The subject property is located on the east side of Kentwood Court, south of Kimberly Court.

The petitioner proposes to construct a deck onto the home.

The property is zoned R-2 which establishes an interior side yard setback of 10 feet. This setback applies to decks and patios attached to the home. The proposed deck encroaches 5 feet into the side yard setback. The proposed deck is 16 feet x 21 feet.

The petitioner should be aware, the maximum permitted amount of rear yard coverage will nearly be met with the construction of the deck, 30% is the maximum permitted amount of coverage within the rear yard by structures.

Variation criteria:

1. Whether 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.

### **Staff Findings/Recommendations**

The petitioner should explain why the 10-foot side yard setback cannot be met, there appears to be enough room to construct a deck and meet the required setback.

### **Decision Mode**

Planning and zoning Commission: June 1, 2016.

AREA SURVEY CO., P.C.  
 LAND SURVEYORS  
 70 Lady Bar Lane  
 Orland Park, IL 60462  
 348-7364

# PLAT OF SURVEY OF

LOT 19, EXCEPT THE NORTH 8.30 FEET, IN CARRIAGE WAY WEST UNIT NO. 4,  
 A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 37  
 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF  
 DOWNERS GROVE, IN DUPAGE COUNTY, ILLINOIS.

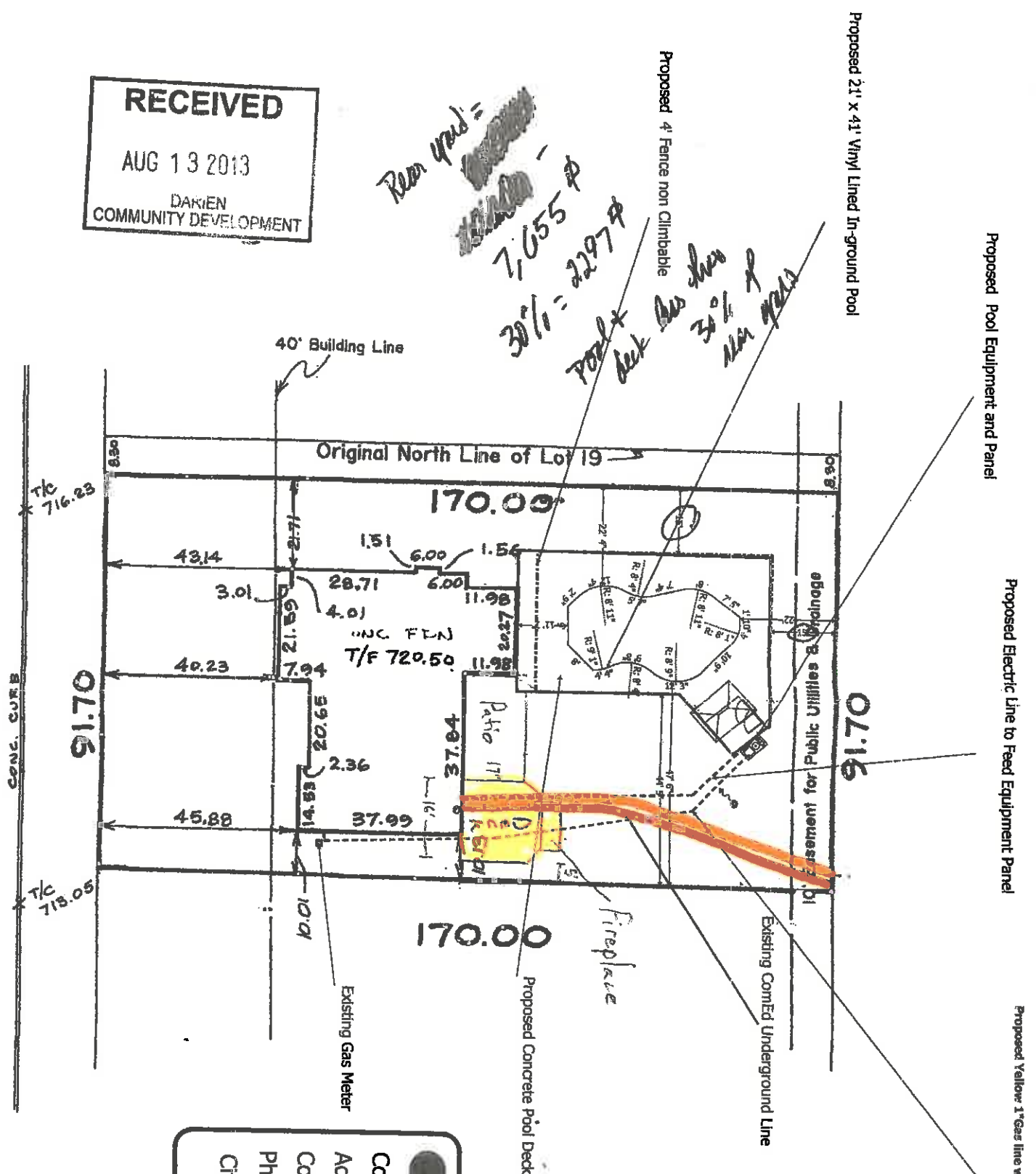


8731 Kentwood Ct  
 Darien

**RECEIVED**  
 AUG 13 2013  
 DARIEN  
 COMMUNITY DEVELOPMENT

*Rein yard = 15000 - 7,655 #  
 30% = 2297 #  
 Pool + deck 30% of  
 Rein yard*

COMMONLY KNOWN AS KENTWOOD CT  
**CHARLESTON COURT**



**Company:** Russo's Pool Installation & State: IL  
**Address:** 223 E. North Ave  
**Contact:** Joe Russo  
**Phone:** 708-774-1073  
**City:** Northlake  
**Zip:** 60164

**BENCH MARK:** FLANGE BOLT ON  
 FIRE HYDRANT ON THE NORTH R.O.W.  
 OF KIMBERLY COURT BETWEEN LOTS  
 33 & 34 IN CARRIAGE WAY WEST  
 UNIT NO. 4.  
**ELEVATION:** 721.22

Revised 9-5-86

STATE OF ILLINOIS )  
 COUNTY OF COOK ) S.S.  
 I, Thomas J. Casal, a Registered Illinois Land Surveyor,  
 hereby certify that I have surveyed the above described  
 property and that this Plat is a true and correct representation  
 of said survey. All dimensions are given in feet and decimal  
 parts thereof, corrected to 68 degrees Fahrenheit.

Dated this 4TH day of SEPTEMBER, 1986  
  
 Illinois Land Surveyor No. 2205

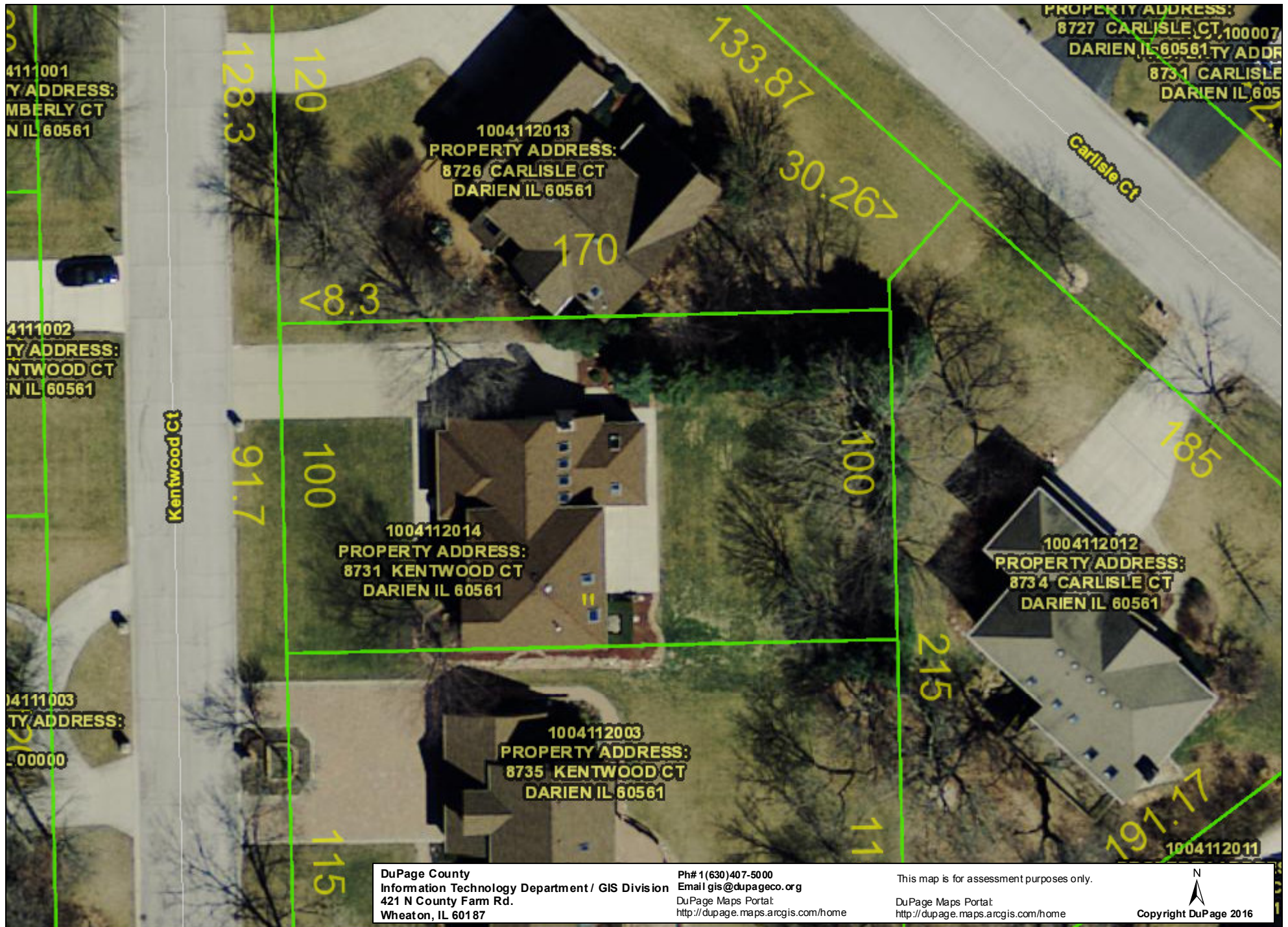
NO DIMENSIONS SHALL BE ASSUMED BY  
 SCALE MEASUREMENT UPON THIS PLAT.

Scale: 1 Inch equals 30 feet  
 Ordered by STAN SPRENGEL  
 Order number 84-1901-19

Compare all points before building and at once report any differences. For building line and other  
 restrictions not shown hereon refer to your abstract, deed, contract and zoning ordinance.

*Planning Review  
 8-19-13 M-J  
 Pool + deck  
 over all  
 dimensions*





**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
May 18, 2016**

**PRESENT:** Robert Cortez, Ron Kiefer, Lou Mallers, Ray Mielkus, Ken Ritzert Michael Griffith – Senior Planner, Elizabeth Lahey - Secretary

**ABSENT:** Beverly Meyer, Andrew Kelly, John Laratta

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

**A. Public Hearing PZC 2016-02: 7217 Eleanor Place: Petitioner seeks approval of a variation to reduce the required front yard setback from 35 feet 27 feet to construct a covered front porch.**

Mr. Michael Griffith, Senior Planner reported that the subject property is located on the east side of Eleanor and Elm Street. He reported that the petitioner is renovating the home to include an addition and covered front porch. He further reported that the property is zoned R-2 which establishes a front yard setback of 35 feet but the home is currently 29.5 feet from the front lot line. Mr. Griffith reported that the proposed covered front porch will extend 2.5 feet from the front face of the home resulting in a 27 foot setback.

Commissioner Mallers questioned the age of the property.

Mr. Griffith reported that the home is in one of the older areas in Darien and was built before the City incorporated. He stated that this type of request is not that uncommon.

There was no one in the audience wishing to present public comment and Acting Chairperson Mielkus closed the public hearing at 7:05 p.m.

**Commissioner Kiefer made a motion and it was seconded by Commissioner Ritzert that based upon the submitted petition and the information presented, the request associated with PZC 2016-02 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission recommend approval of the petition as presented.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 5-0.**

**B. Public Hearing - PZC 2016-03: 7730 Brookhaven Avenue: Petitioner seeks approval of a variation to reduce the required front yard setback from 35 feet to 25 feet in order to construct a covered front porch.**

Mr. Michael Griffith, Senior Planner reported that the home is located on the west side of Brookhaven Avenue. He reported that the petitioner is proposing the construct a covered front porch extending 6 feet from the front façade of the home. Mr. Griffith reported that this property is zoned R-2 which establishes a front yard setback of 35 feet. He reported that the home is currently 31 feet from the front lot line and that the proposed covered front porch extends 6 feet from the front of the home resulting in a 25-foot setback.

Mr. Griffith reported that the petitioner was not present. He reported that there were no objections or calls regarding this petition.

There was no one in the audience wishing to present public comment and Acting Chairperson Mielkus closed the public hearing at 7:07 p.m.

**Commissioner Cortez made a motion and it was seconded by Commissioner Mallers that based upon the submitted petition and the information presented, the request associated with PZC 2016-03 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission recommend approval of the petition as presented.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 5-0.**

**C. Public Hearing - PZC 2016-04: 2310 Green Valley Road: Petitioner seeks approval of a variation to reduce the required rear yard setback for decks and patios from 20 feet to 17 feet in order to construct a patio.**

Mr. Michael Griffith, Senior Planner reported that the subject property is located on the north side of Green Valley Road between Surrey Drive and Barclay Road. He reported that the petitioner proposes to construct a patio extending approximately 15.5 feet from the rear wall of the home into the rear yard. He further reported that the home currently sits 32.5 feet from the rear lot line and that the proposed patio will be 17 feet from the rear lot line.

Mr. Griffith reported that there is an existing patio on the property also 17 feet from the rear lot line and a public hearing was necessary because when structures are removed, new structures, including patios are required to comply with the current setbacks.

The petitioner, Mr. Corey Hudson stated that the patio will be brick paver with a sitting wall. He stated that they were replacing the present patio because the cement is cracked.

Mr. Griffith reported that there were no calls or objections. He stated that the bulk of the home is in the back.

There was no one in the audience wishing to present public comment and Acting Chairperson Mielkus closed the public hearing at 7:11 p.m.

**Commissioner Mallers made a motion and it was seconded by Commissioner Cortez that based upon the submitted petition and the information presented, the request associated with PZC 2016-04 is in conformance with the standards of the Darien City Code and move**

that the Planning and Zoning Commission recommend approval of the petition as presented.

Upon roll call vote, **THE MOTION CARRIED UNANIMOUSLY 5-0.**

**D. Public Hearing - PZC 2016-05: 702 Plainfield Road: Petitioner seeks approval of a variation to reduce the required rear yard setback from 40 feet to 38.5 feet in order to construct a new single-family residence, the new home will face Western Avenue, the rear yard will be on the west side of the lot.**

Mr. Michael Griffith, Senior Planner reported that the subject property is located at the northwest corner of Plainfield Road and Western Avenue. He reported that currently there is a vacant single-family home on the property. Mr. Griffith reported that the petitioner plans to demolish the existing home and construct a new home.

Mr. Griffith reported that the new home will face Western Avenue and the orientation of the home, the front door determines the front yard. He reported that the site plan shows the footprint of the new home to be 37.5 feet x 41.4 feet and that the new home meets all the building setbacks except for the rear yard setback encroaching 1.5 feet.

Mr. Griffith reported that the home is a maintenance issue and that the house needs to come down. He reported that the petitioner has not submitted house plans yet.

The petitioner, Mr. Dan Demetry was present.

Two residents in the audience stated that they lived near the home and questioned the storm water and the removal of trees.

Mr. Demetry stated that they will be taking down all the trees except for a Maple tree. He stated that they will address any storm water issues and work with the City to address them.

Mr. Griffith stated that the petitioner will have to submit a grading plan.

At 7:20 p.m. Acting Chairperson Mielkus closed the public hearing.

**Commissioner Ritzert made a motion and it was seconded by Commissioner Kiefer that based upon the submitted petition and the information presented, the request associated with PZC 2016-05 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission recommend approval of the petition as presented.**

Upon roll call vote, **THE MOTION CARRIED UNANIMOUSLY 5-0.**

## **CORRESPONDENCE**



None.

**OLD BUSINESS/PLANNER'S REPORT**

None.

**MINUTES**

Commissioner Kiefer made a motion and it was seconded by Commissioner Ritzert to waive the reading of the February 3, 2016 Regular Meeting Minutes.

Upon roll call vote, the motion **CARRIED UNANIMOUSLY 5-0**. Commissioner Kiefer made a motion and it was seconded by Commissioner Ritzert to approve the February 3, 2016 Regular Meeting Minutes.

Upon roll call vote, the motion **CARRIED UNANIMOUSLY 5-0**.

**NEXT MEETING**

Mr. Griffith announced that the next meeting is scheduled for Wednesday, June 1, 2016 at 7:00 p.m.

**ADJOURNMENT**

With no further business before the Commission, Commissioner Mallers made a motion and it was seconded by Commissioner Mielkus. Upon voice vote, **THE MOTION CARRIED** unanimously and the meeting adjourned at 7:37 p.m.

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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**Elizabeth Lahey**  
**Secretary**

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**Ray Mielkus**  
**Acting Chairman**