

**CITY OF DARIEN**

**PLANNING AND ZONING COMMISSION**

Wednesday, March 21, 2018

7:00 PM

City Hall Council Chambers

1702 Plainfield Road

**AGENDA**

1. Call to Order

2. Roll Call

3. Regular Meeting:

A. Public Hearing

Case: **PZC 2018-03 6624 Richmond Avenue (lot depth variation)**

Petitioner Skumbre Property Management seeks a zoning variation for lot depth on Lot 2 of a proposed two-lot single-family subdivision.

4. Correspondence

5. Old Business

6. New Business            Workshop

7. Approval of Minutes:    March 7, 2018

8. Next Meeting:            April 4, 2018

9. Adjournment



**Staff Documents** (attached to this memo)

5. Neighborhood Plat Map
6. Darien Zoning Map
7. High Ridge Court final plat
8. Photo – aerial
9. Photos – Lots 1 and 2
10. Variation Authority and Standards
11. Variation Conditions

**Staff Plan Review Comments**

The neighborhood has single family land uses but there are a mix of lot sizes, house ages, and jurisdictions. There are some newer houses nearby on lots smaller than 12,588 square feet as proposed for the subject site subdivision, such as 808 High Ridge Court having 11,550 square feet immediately north of the subject site. There are some newer houses nearby that are on lots larger than 25,100 square feet as exists on the subject site, such as 6628 Richmond Avenue having 41,144 square feet immediately south and 6625 Richmond Avenue having 30,100 square feet immediately east of the subject site. Some of these lots are unincorporated and some are in Westmont and Willowbrook.

**Findings of Fact**

Conditions 1 and 2 and Authority:

Since there are newer houses nearby with lots of similar and larger size compared to the subject site, it appears the subject site is not unique and could be developed with one house and conform to code.

Condition 3 and Standards 2 and 5:

The trend of development is so mixed that the proposed lot sizes and variation would not be out of character of the neighborhood. The shallow lot depth on Lot 2 may be offset by the extra lot width (125 feet compared to 75 feet minimum) and by the extra lot area (12,588 square feet compared to 10,000 square feet minimum). The shallow lot depth would still allow a large house size and the standard setbacks from surrounding houses.

**Meeting Schedule**

Planning and Zoning Commission:	March 21, 2018
Municipal Services Committee:	March 26, 2018
City Council:	April 2, 2018

CITY OF DARIEN, ILLINOIS, Community Development Department

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

PETITIONER INFORMATION

DARIUS BRANAUSKAS  
ZILVINAS SVABAITIS  
Petitioner's Name

ZILVINAS SVABAITIS  
Contact Name

11415 HIAWATHA LN INDIAN HEAD PARK  
Address, City, State, Zip Code IL 60525

312-804-6610  
Phone #

Fax #

SKUMBRE@EMAIL.COM  
Email

PROPERTY INFORMATION

6624 S. RICHMOND AVE, WILLOW BROOK  
Property address IL 60527 Acreage

09-22-104-056  
PIN(s) Zoning

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

REQUEST

Brief description of the request(s):

- Variation
- Simple Variation
- Special Use
- Rezoning

REQUESTING TO SPLIT THE EXISTING LOT INTO TWO SEPARATE LOTS. WILL BE BUILDING ONE SINGLE FAMILY HOME ON EACH LOT. ONE HOME FOR MY FAMILY AND ANOTHER ONE FOR MY ELDERLY PARENTS

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

[Signature]  
Signature

Subscribed and sworn to before this, 5 day of February, 2018.

[Signature]  
Notary Public

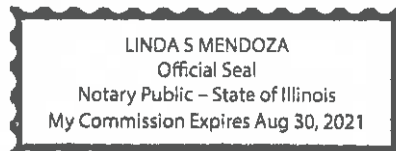
Staff Use Only	
Case No:	<u>2018-03</u>
Date Received:	<u>2/5/18</u>
Fee Paid:	<u>\$3603000</u>
Check No:	<u>203 + 204</u>
Hearing Date:	<u>P22 3/14/18</u>

ZILVINAS SVABAITIS  
Owner's Name

11415 HIAWATHA LN INDIAN HEAD PARK  
Address, City, State, Zip Code IL 60525

312-804-6610  
Phone #

SKUMBRE@GMAIL.COM  
Email





# DARIUS SUBDIVISION

OF PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 28 NORTH,  
RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DODGE COUNTY, IOWA.

P.L.N. 09-22-04-056



City of Darden  
Resubdivided  
FEB 15 2018  
Community Development

**STATE OF IOWA**  
COUNTY OF DODGE

**PLAT OF THE CITY OF DODGE, IOWA, SHOWING THE CITY OF DODGE, TO BE PLATTED IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE, PASSED APRIL 22, 1852, AND APRIL 23, 1852, AND THE ACTS OF THE LEGISLATURE, PASSED APRIL 22, 1852, AND APRIL 23, 1852, AND THE ACTS OF THE LEGISLATURE, PASSED APRIL 22, 1852, AND APRIL 23, 1852.**

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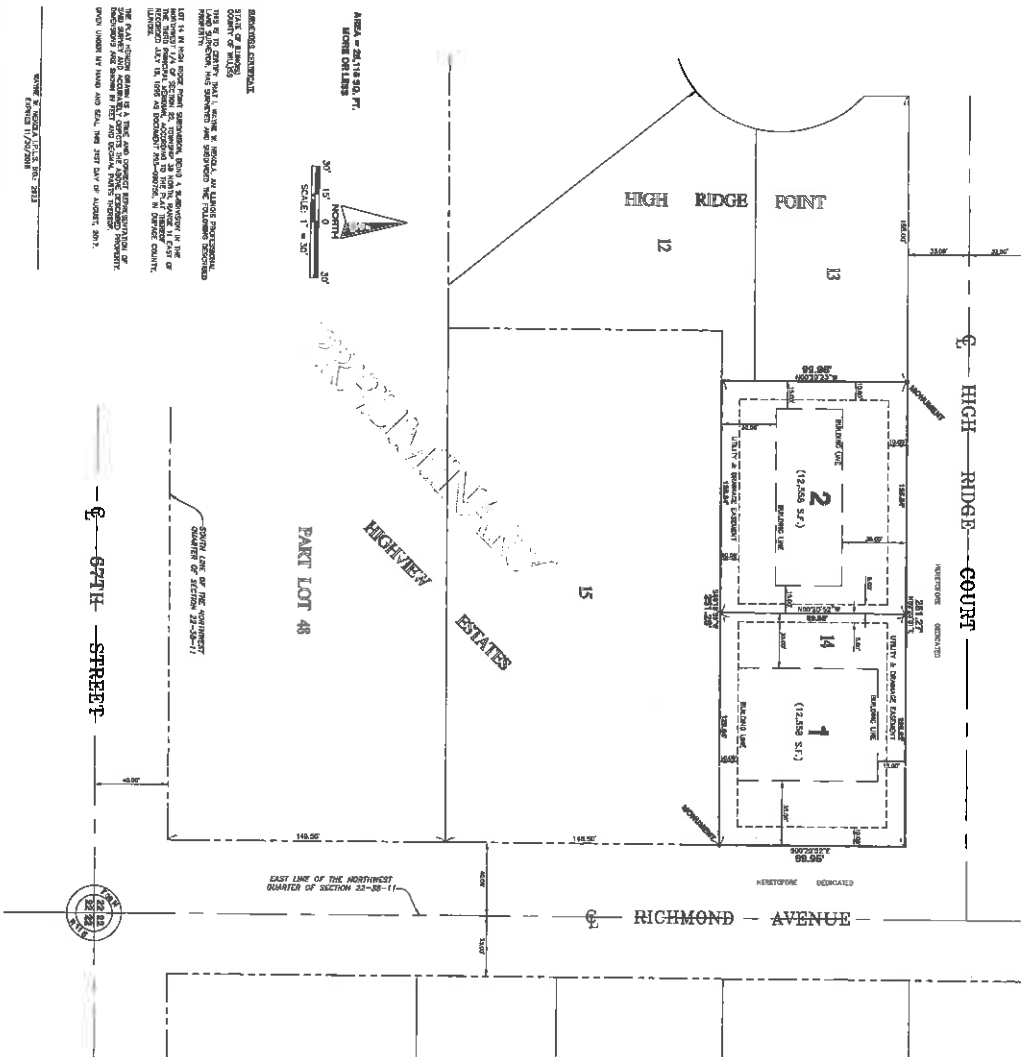
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**NEKOLA SURVEY, INC.**  
REGISTERED PROFESSIONAL SURVEYORS  
4400 N. JOHNSTON RD., STE. 202  
DES MOINES, IOWA 50312  
WWW.NEKOLASURVEY.COM 515.281.2322



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From: Darius Baranauskas  
To: Steve Manning / City of Darien

Dated: 2/19/2018

Finding facts / Zoning Code Section 5A-2-2-3 (G)

1. Whether the purpose of the variation is not based primarily upon a desire to increase financial gain and the general character of the property will be adversely altered.

***The purpose of the variation is to divide the existing lot in to two separate lots and to build two single family homes on each lot for the same family so the elderly parents could live next to the kids and grandkids.***

2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.

***Two single family homes will not affect neighboring properties in any way since the zoning remains consistent to the neighborhood.***

3. Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises.

***There is no proprietary interest.***

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.

***This variation will not change air, light or congestion to the neighbors or public streets nor will it increase any danger of fire.***

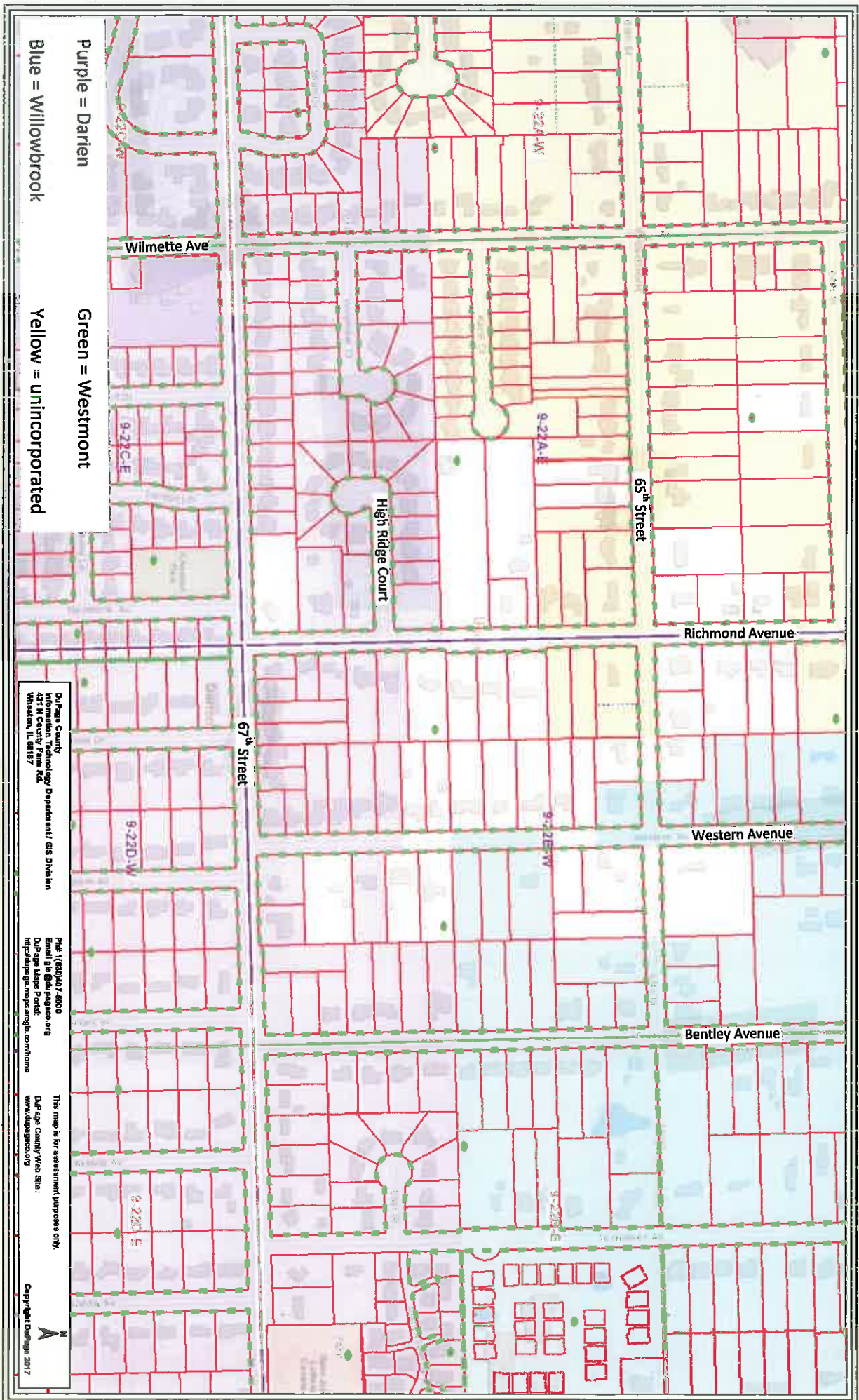
5. Whether the proposed variation will adversely alter the essential character of the neighborhood.

***The proposed variation will match and will not alter the essential character of the neighborhood in any way.***

Darius Baranauskas



2-19-18



Purple = Darien  
Green = Westmont  
Blue = Willowbrook  
Yellow = unincorporated

DuPage County  
Technology Department / GIS Division  
451 W. Cass St. 2nd Fl.  
Wheaton, IL 60187

Map: 17030147-5800  
Email: [gis@dupage.org](mailto:gis@dupage.org)  
Our page is at: [www.dupage.org](http://www.dupage.org)  
<http://gis.du.org>

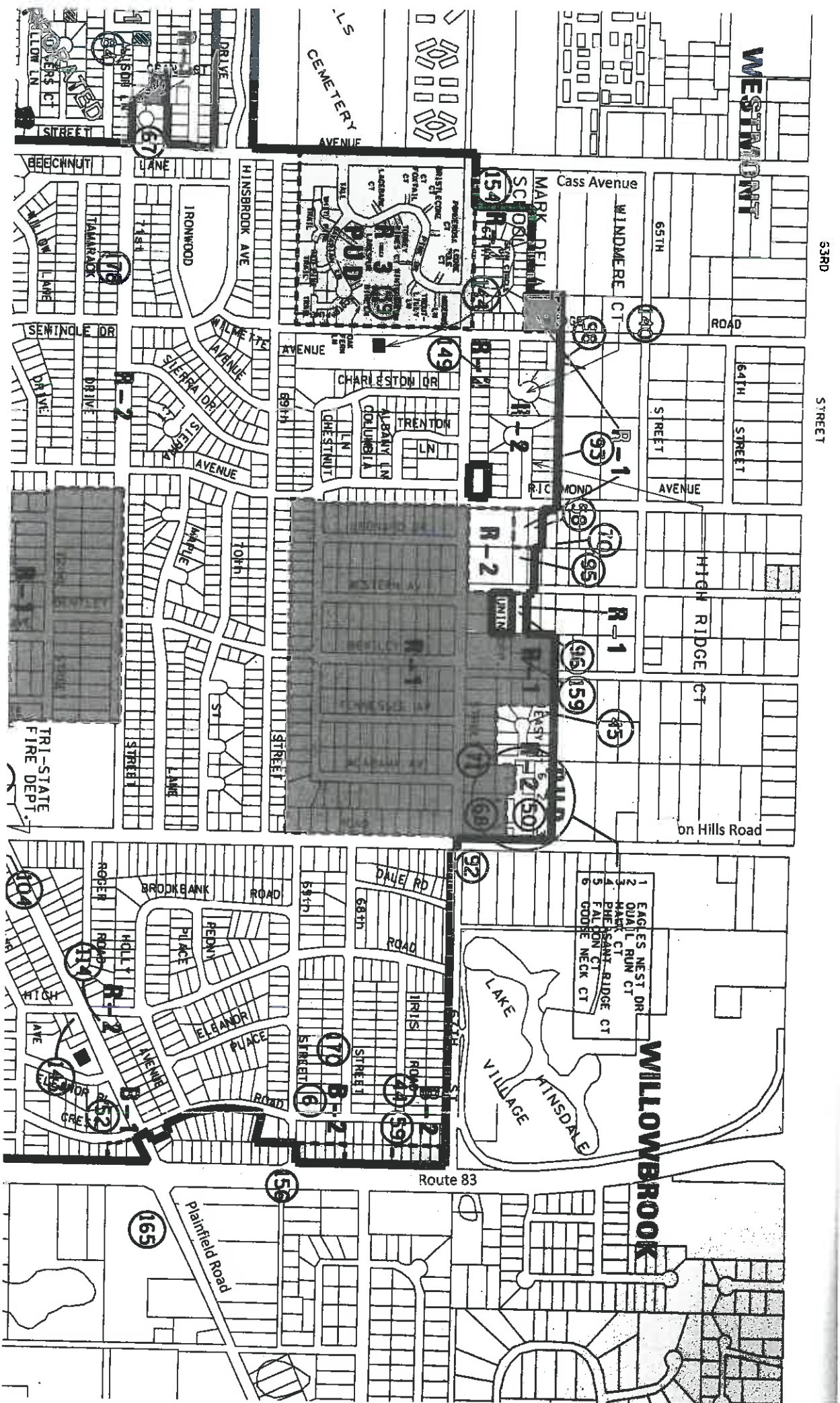
This map is for assessment purposes only.  
DuPage County Web Site:  
[www.dupage.org](http://www.dupage.org)

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# NEIGHBORHOOD PLAT MAP



DARIEN ZONING MAP









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

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

DuPage County, Illinois Web Site:  
[www.dupageco.org](http://www.dupageco.org)



This map is for assessment purposes only.

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03/12/2018 23:22





03/12/2018 23:29





**VARIATION AUTHORITY and STANDARDS**  
**CITY OF DARIEN Zoning Code Section 5A-2-2-3 (A) and (G)**

**Authority**

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

**Standards**

The Planning and Zoning Commission shall not recommend a variation and the City Council shall not vary the provisions of this title as authorized in this section, unless findings of fact have been made on those of the following which relate to the variation being sought:

1. **Whether the purpose of the variation is not based primarily upon a desire to increase financial gain and the general character of the property will be adversely altered.**  
\_\_\_\_\_
2. **Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.**  
\_\_\_\_\_
3. **Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises.**  
\_\_\_\_\_
4. **Whether the proposed variation will impair an adequate supply of light and air in adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.**  
\_\_\_\_\_
5. **Whether the proposed variation will adversely alter the essential character of the neighborhood.**  
\_\_\_\_\_



## VARIATION CONDITIONS

ILLINOIS MUNICIPAL CODE 65 ILCS Sections 11-13-4 and 11-13-5

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

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

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

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

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

**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
March 7, 2018**

**PRESENT:** Chairperson Lou Mallers, Robert Cortez, Michael Desmond, Bryan Gay, Robert Erickson, Brian Liedtke, Mary Sullivan, Steven Manning - City Planner, Elizabeth Lahey - Secretary

**ABSENT:** John Laratta

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

**A. Public Hearing (Continued from February 21, 2018) Case: PZC 2018-02 2000 Manning Road (Ide School-driveway variation) School District 66 seeks approval of a zoning variation for a new driveway at Fairview Avenue as part of their program to expand building, parking, bus lane, walkways, athletic field, and landscaping.**

Mr. Steven Manning, City Planner reported that this is a continuation from the February 21, 2018 PZC hearing which is for the driveway variation and related traffic concerns. Site plan review of building, architecture, engineering, and landscaping will be done by the Municipal Services Committee.

Mr. Manning reported that staff met with KLOA and Superintendent Tim Arnold at the site on February 26, 2018 to discuss traffic issues. A follow-up memo from KLOA was received March 2 and was included in the agenda packet for this hearing. KLOA gave their opinion that sight distances along Fairview Avenue were sufficient for safety and they asked for clarification on the bus by-pass lane and bus right turns onto Manning Road. A second memo was received from KLOA March 6 saying that average traffic counts along Fairview Avenue exceeds 6,000 vehicles per day thus justifying a center line on Fairview Avenue. Mr. Manning also reported that staff recommends that the City add the center line and post school speed limit signs along Fairview Avenue.

Chairperson Mallers stated that he could not attend the KLOA meeting with staff but that Mr. Dan Gombac, Director provided a brief summary.

Mr. Tim Arnold, Superintendent stated that the joint meeting on site was productive.

Mr. Steve Corcoran, Erickson Engineering answered regarding the bus lane that it is not the intent to have the buses passing one another. He further stated that the buses will follow in order and in the afternoon, all four busses will load at the same time all leaving simultaneously. For after-hours events, cars will be able to park on the bus lane and there is sufficient width for cars to by-pass parked cars. Mr. Corcoran said he used a turning template to evaluate bus turns and he believes there is sufficient pavement to allow buses to turn right exiting onto Manning Road without crossing the center line of Manning Road. Mr. Corcoran reported on the traffic count at Judd Street noting low volume. He also reported that there will be no heavy left turn traffic to block the driveways.

Commissioner Liedtke questioned if there will be any changes to the bus lane.



Mr. Corcoran reported that there will no changes to the bus lane. He stated that there is presently only an arrow showing the bus lane.

Chairperson Mallers opened the meeting to anyone wishing to present public comment.

Ms. Elaine Holmes, Darien questioned what timeframe the cars were counted. She stated that there are more than five people going to work and that there are two school districts operating buses.

Mr. Corcoran reported that the study was done during peak hours for the school 7:15-8:15 a.m. and 2:15 - 3:15 p.m. He stated that he personally did not conduct the survey but he would ask if buses were incorporated into the count.

Commissioner Desmond questioned if anyone stands to gain from this or for proprietary interest.

Mr. Corcoran reported that he was not aware of anyone.

Mr. Gary Holmes, Darien questioned if there would be any additional signs added. He referenced sporting event signs, election signs, and other outside organizational signs.

Superintendent Arnold reported that outside signs are a challenge at both sites and that the District tries to be a good neighbor to outside groups. He reported that there will be a main sign announcing the building but that this will be discussed at a later date. Superintendent Arnold stated that they will be respectful of the neighborhood.

Mr. Holmes stated that he was surprised that there was no more information regarding the signage and was hopeful that this was determined.

Ms. Jessalyn Kelly, Engineer for the petitioner reported that determination on signage is based on the address and that they will follow City Code. She reported that a photometric study was conducted and concluded that nothing will impede the residents in the area.

There was no one else wishing to present public comment and Chairperson Mallers closed the public hearing at 7:20 pm.

Commissioner Gay stated that the unique layout of the site does not allow for other options to eliminate existing safety issues and while the variation will alter the area in regards to traffic flow, the project will improve the overall safety with elimination of illegal on-street parking.

**Commissioner Gay made a motion and it was seconded by Commissioner Erickson to approve a zoning variation for a new driveway at Fairview Avenue with the following conditions:**

- 1. A request to establish a school speed zone on Fairview Avenue;**
- 2. That additional signage and street striping be added where appropriate;**
- 3. A recommendation to review the additional screening for properties on Judd and Wilton Court;**

4. **At the completion of the project, a review of existing/new traffic conditions and parking requirements and periodic review thereafter of the development of an additional parking plan on school property and adjoining properties.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 7-0.**

Mr. Manning reported that this would be forwarded to the Municipal Services Committee on March 26, 2018.

#### **CORRESPONDENCE**

None.

#### **OLD BUSINESS**

Chairperson Mallers requested a training session soon if the schedule allows. Mr. Manning reported that April 4, 2018 appears to be a possible date.

#### **NEW BUSINESS**

None.

#### **APPROVAL OF MINUTES**

**Commissioner Sullivan made a motion and it was seconded by Commissioner Desmond to approve the February 21, 2018 Regular Meeting Minutes.**

**Upon roll call vote, THE MOTION CARRIED 6-0. Commissioner Liedtke abstained.**

#### **NEXT MEETING**

Mr. Manning announced that the next meeting is scheduled for Wednesday, March 21, 2018 at 7:00 p.m.

#### **ADJOURNMENT**

**With no further business before the Commission, Commissioner Liedtke made a motion and it was seconded by Commissioner Gay. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 7:32 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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**Elizabeth Lahey  
Secretary**

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**Lou Mallers  
Chairman**