

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

**Wednesday, January 6, 2016**  
**7:00 PM**

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

1. Call to Order
2. Establish Quorum
3. Regular Meeting:
  - A. **Public Hearing**  
**PZC 2015-19: 513 Chestnut Lane:** Petitioner seeks approval of a simple variation to reduce the front yard setback from 45 feet to 40.7 feet in order to construct a covered front porch.
  - B. **PZC 2015-21: Darien Pointe, 7517-7533 Cass Avenue:** Petitioner seeks approval of a sign variation to permit wall signage on the building walls which do not face a street or serve as an entrance.
4. Correspondence
5. Old Business/Planner's Report
6. Minutes: December 2, 2015
7. Next Meeting: **January 20, 2016, 7:00 PM**
8. Adjournment

**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**MEETING DATE: January 6, 2016**

**Issue Statement**

**PZC 2015-19: 513 Chestnut Lane:** Petitioner seeks approval of a simple variation to reduce the front yard setback from 45 feet to 40.7 feet in order to construct a covered front porch.

**General Information**

Petitioner/

Property owner: Richard Tamborski  
6713 High Road  
Darien, IL 60561

Property Location: 513 Chestnut Lane

PIN: 09-22-409-029

Existing Zoning: R-1 Single-Family Residence

Existing Land Use: Single-family residence

Comprehensive Plan Update: Low Density Single-Family Residential

Surrounding Zoning and Land Use:

North: R-1 Single-Family Residence: single-family homes

East: R-1 Single-Family Residence: single-family homes

South: R-2 Single-Family Residence: single-family homes

West: R-1 Single-Family Residence: single-family homes

Size of Property: 20,100 square feet

Floodplain: None

Natural Features: None

Transportation: Property has frontage onto Chestnut Lane.

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/site plan, 1 sheet, survey prepared by Carradus Land Survey, Inc., dated August 23, 2015.
2. Building Elevations, 2 sheets, prepared by Obora & Associates, latest revision dated November 20, 2015.

### **Planning Overview/Discussion**

The subject property is located on the south side of Chestnut Lane, between Tennessee and Alabama Avenues.

The property is zoned R-1 Single-Family Residence. In the R-1 zoning district, the following building setbacks apply:

|                     |         |
|---------------------|---------|
| Front yard:         | 45 feet |
| Interior side yard: | 10 feet |
| Rear yard:          | 40 feet |

The petitioner has submitted a building permit to renovate the existing home. The plan includes constructing a covered front porch. Covered front porches are required to meet the same building setbacks as the house itself, that is, it is treated like a room addition, Zoning Ordinance Section 5A-5-7-3(B).

The house is currently 50.2 feet from the front line. The porch extends 9.5 feet from the front wall of the home towards the street, resulting in a 40.7 feet setback, encroaching 4.3 into the front yard setback. The petitioner seeks a variation to reduce the front yard setback from 45 to 40.7 feet in order to construct a covered front porch.

The proposed encroachment does not exceed 10% of the required front yard setback. Therefore, this qualifies as a simple variation.

Simple variations require a public hearing and approval by the Planning and Zoning Commission. City Council approval is not required, Zoning Ordinance Section 5A-2-2-3(A)(1).

Variation approval 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 covered front porch encroaches 4.7 feet into the required front yard setback, there will still be a sizeable open, unobstructed front yard.

Staff does not object to the proposed variation. Staff finds the proposed variation does not adversely alter the general character of the property, does not adversely alter the essential character of the neighborhood and does not impair the adequate supply of light and air in adjacent property.

Therefore, staff recommends the Planning and Zoning Commission make the following motion approving the simple variation:

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-19 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission approve the simple variation as presented.**

**Decision Mode**

Planning and Zoning Commission: January 6, 2016

LANE

(66' R/W)

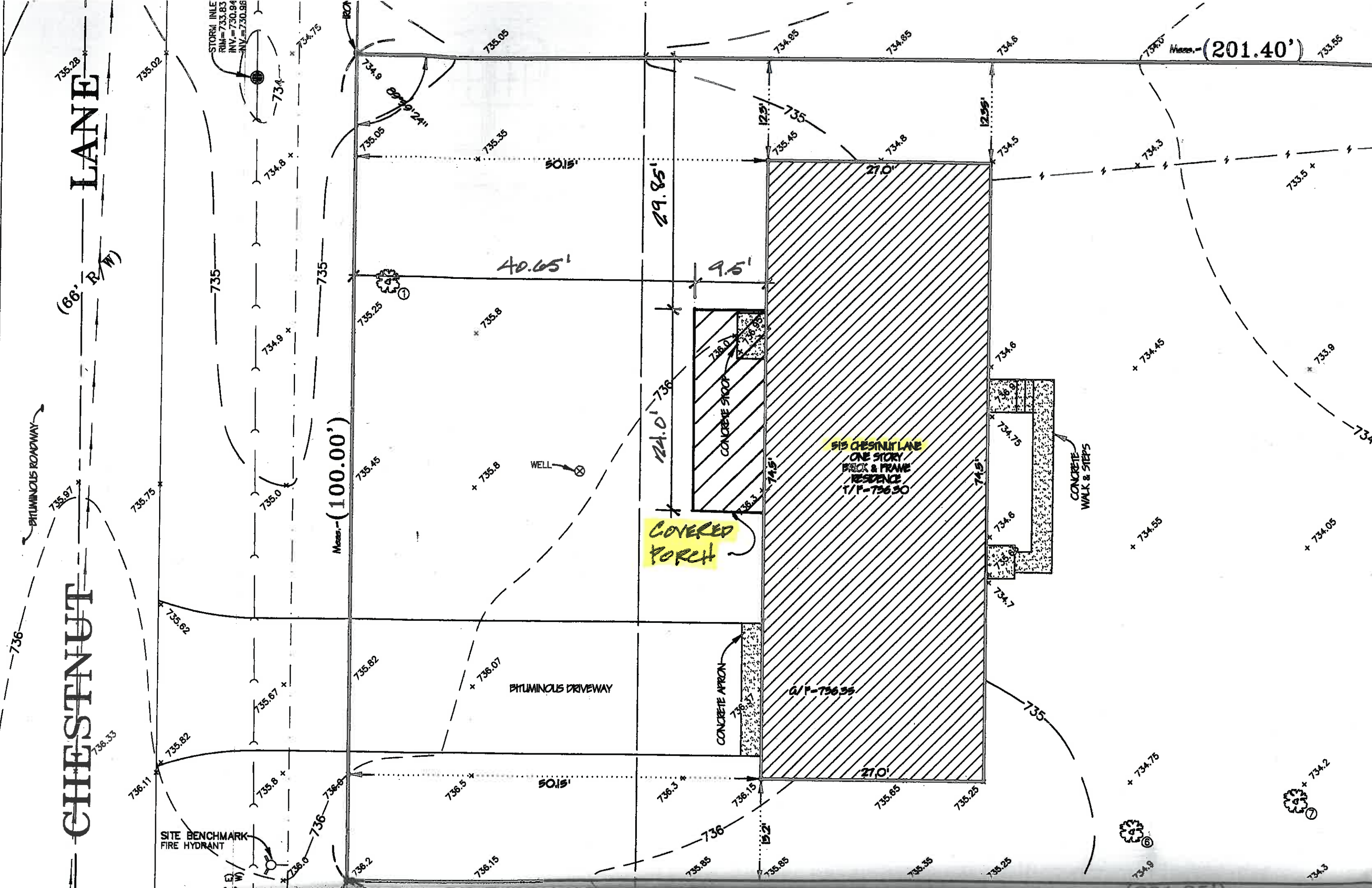
CHESTNUT

STORM INLE  
RIM=733.83  
INV.=730.94  
INV.=730.86

SITE BENCHMARK  
FIRE HYDRANT

Mass. (100.00')

Mass. (201.40')



40.65'

29.85'

COVERED PORCH

SIS CHESTNUT LANE  
ONE STORY  
BRICK & FRAME  
RESIDENCE  
T/P-736.90

PHUMINOUS DRIVEWAY

CONCRETE  
WALK & STEPS

CONCRETE APRON

CONCRETE SHED

PHUMINOUS ROADWAY

735.82

735.82

735.75

735.75

735.75

735.02

735.02

735.8

735.67

735.0

734.9

734.8

734.8

734.75

736.2

736.8

735.82

735.45

735.25

735.05

734.9

734.75

736.15

736.5

736.07

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735.05

735.05

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736.3

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734.9

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734.05

734.55

734.45

733.9

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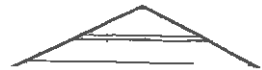
734.3

733.55



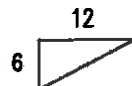
- TYP. ROOF
- 30 YEAR
  - #15 FE
  - ICE & S
  - VALLEYS
  - WITH A
  - BEYOND
  - 5/8" W.
  - 2x12 R

**1** NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



- TYP. ROOF CONST: (ALL NEW CONST)
- 30 YEAR ARCH GRADE ROOF SHIN

- TYP. ROOF CO
- 30 YEAR /
  - #15 FELT
  - ICE & WAT VALLEYS, &
  - WITH A SL
  - BEYOND IN
  - 5/8" WATE
  - 2x12 RAFT



30 YEAR ARCHITECTURAL ROOF

CEMENTITIOUS SIDING & TRIM

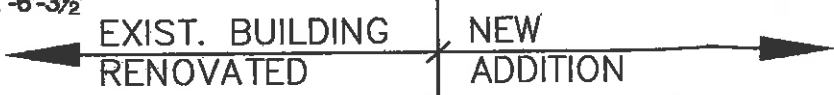
THIN STONE VENEER

- B/EAVE EL: 9'-3"
- 2" WIDE PREFAB. FIBERGL. RED COLUMNS, TYP.
- SQ. STONE CLAD PIERS LIMESTONE CAP W/1" FLANG ALL SIDES, TYP.
- 1ST FLOOR EL: 0'-0" (737.3)
- T/FOUNDATION EL: -1'-0" (736.3)
- GRADE EL: -1'-4" (736.0)

NEW "ROUGH FACE" LIMESTONE BELT COURSE, SET W/CONST. ADHESIVE W/THINSET STONE VENEER BELOW, TYP.

NEW MORTAR SET THIN STONE VENEER (SELECTED BY OWNER); MORTAR JOINTS SETTING BED, & SCRATCH COAT; GALV SELF-METAL LATH SECURED TO SHEATHING WITH MECH ANCHORS. WATER RESISTANT BARRIER

- T/CRAWL SLAB EL: -5'-1/2"
- B/FOOTING EL: -6'-3/2"



**2 WEST ELEVATION**  
SCALE: 1/4" = 1'-0"

**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**MEETING DATE: January 6, 2016**

**Issue Statement**

**PZC 2015-21: Darien Pointe, 7517-7533 Cass Avenue:** Petitioner seeks approval of a sign variation to permit wall signage on the building walls which do not face a street or serve as an entrance.

**General Information**

Petitioner: John Ritchie  
7000 Adams, Suite 250  
Willowbrook, IL 60527

Property owner: Darien Pointe LLC  
7000 Adams, Suite 250  
Willowbrook, IL 60527

Property Location: 7517-7533 Cass Avenue

PIN: 09-27-300-014

Existing Zoning: B-2 Community Shopping Center Business District

Existing Land Use: Retail center

Comprehensive Plan Update: Commercial

Surrounding Zoning and Land Use:  
North: B-2 Community Shopping Center Business District: bank  
East: R-3 Multi-Family Residence: multi-family residences  
South: R-2 Single-Family Residence: single-family residences  
West: B-2 Community Shopping Center Business District: retail center

Size of Property: 1.69 acres

Floodplain: None.

Natural Features: None.

Transportation: Property has frontage on Cass Avenue and Plainfield Road, and access on 75<sup>th</sup> Street, Cass Avenue and Plainfield Road.

History: In 2014, the property was redeveloped, the old retail center was torn down and two new retail buildings constructed.

**Documents Submitted**



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

1. Topographic Survey, 1 sheet, prepared by Vanderstappen Surveying & Engineering, Inc., dated August 11, 2015.
2. Sign drawing, 1 sheet, prepared by Express Sign & Lighting, dated November 5, 2015.

### **Planning Overview/Discussion**

The subject property is located on the east side of Cass Avenue, at the northeast corner of Cass Avenue and Plainfield Road.

The property currently has two multi-tenant retail buildings. The stores face Cass Avenue, with store entrances facing Cass Avenue.

Section 4-3-10(B)(2) of the Sign Code permits wall signs as follows:

Wall signs not to exceed two (2) square feet of wall signage for each linear foot of business building frontage, up to a maximum of five hundred (500) square feet. The wall signs shall be placed upon the same side of the building that is considered the business building frontage. A commercial building with frontage on two (2) or more streets shall be permitted an additional one square foot of wall signage for the side of the business building facing the second street for each linear foot of building facing the second street.

Section 4-3-6 of the Sign Code defines “building frontage” as follows:

**BUILDING FRONTAGE:** The linear length of the outside building wall facing the public right of way or the linear length of the outside building wall facing a parking area which serves as the primary access for the subject use.

The petitioner is seeking a variation to permit wall signage on the building walls which are not the building frontage, that is, the sides of both buildings which neither face a street nor serve as an entrance.

Per Section 4-3-18 of the Sign Code, the following shall be considered when granting a variation from the Sign Code:

1. The available locations for adequate signage on the property.
2. The effect of the proposed sign on pedestrian and motor traffic.
3. The cost to the applicant in complying with the Sign Code as opposed to the detriment, if any, to the public from granting of the variation.
4. If undue hardships and practical difficulties result in complying with the Sign Code and if these hardships are a result of previous actions of the applicant.
5. The general intent of the Sign Code.

Section 4-3-2 of the Sign Code provides the general intent of the Sign Code:

This sign code is adopted for the following purposes:

1. To promote and protect the public health, safety, comfort, morals, convenience and general welfare of the residents of the City.
2. To enhance the physical appearance of the City by preserving the scenic and natural beauty of the area.
3. To promote the safety and recreational value of public travel.
4. To protect the public investment in streets and highways by reducing sign or advertising distractions that may increase traffic accidents.
5. To ensure compatibility of signs with surrounding land uses.
6. To enhance the economy of the City by promoting the reasonable, orderly and effective display of outdoor advertising.
7. To protect the pedestrians and motorists within the City from damage or injury caused by distractions, obstructions and hazards created by a proliferation of off-site advertising signs.
8. To prevent the proliferation of off-site advertising signs which distract from the development of the City in an aesthetically pleasing manner.
9. To preserve the character of the City which is a single-family residential community by assuring the compatibility of signs with the surrounding land uses.

### **Staff Findings/Recommendations**

Staff does not object to the proposed sign variation. The proposed variation does not adversely impact motor vehicle or pedestrian traffic, promotes the general intent of the Sign Code by enhancing the economy of the City by promoting reasonable, orderly and effective display of signage.

Therefore, staff recommends the Planning and Zoning Commission make the following recommendation approving the sign variation as presented:

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-21 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission recommend approval of the petition, subject to the following:**

1. **Wall signage on the building side walls limited to 1 square feet of sign area per linear foot of wall length.**

### **Decision Mode**

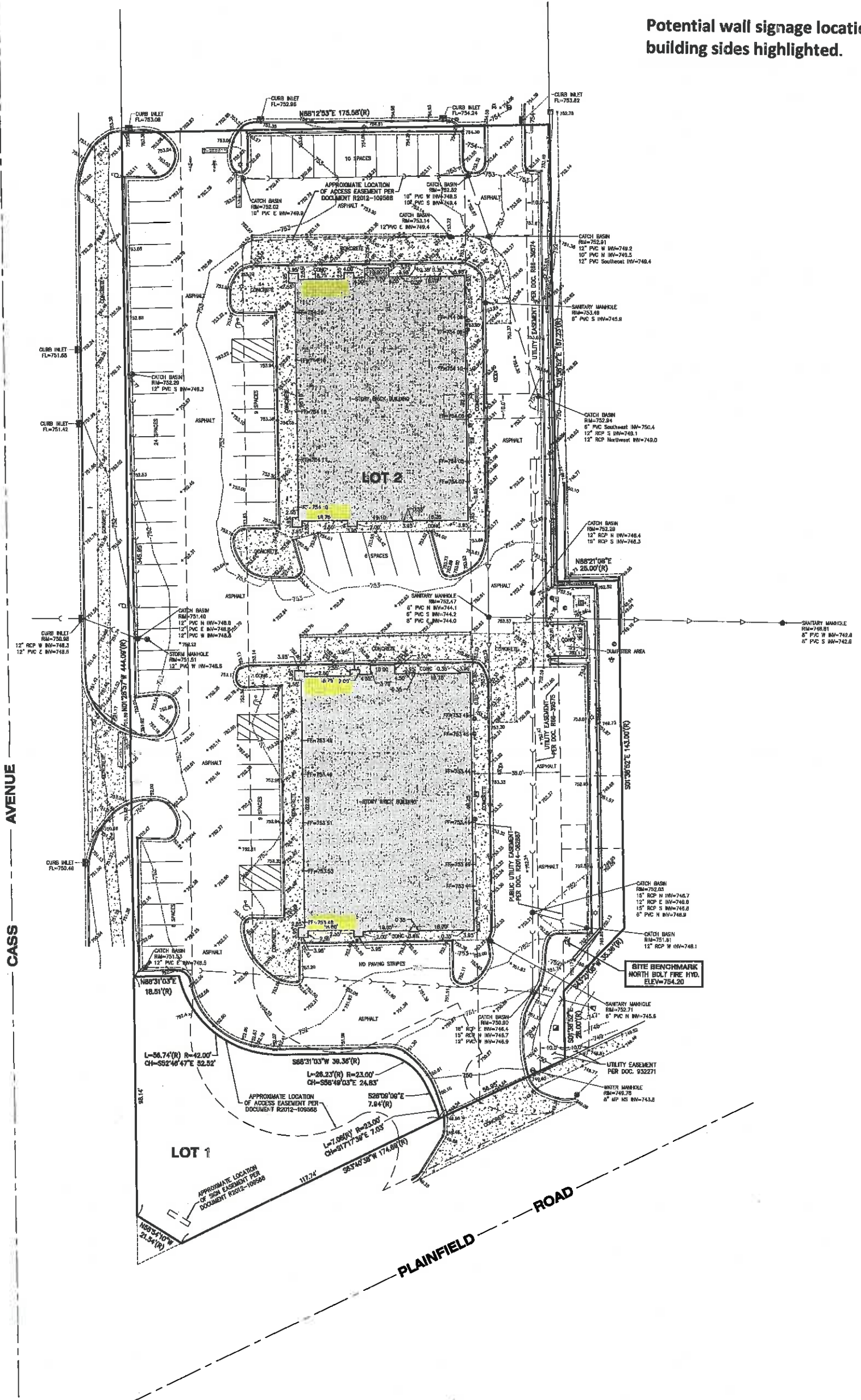
Planning and Zoning Commission: January 6, 2016

# TOPOGRAPHIC SURVEY

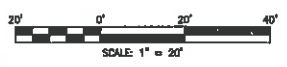
Lot 2 of Darien Point Subdivision, being a resubdivision of part of the West Half of Southeast Quarter of Section 27, Township 38 North, Range 11 East of the Third Principal Meridian, per document R2014-082887, recorded September 11, 2014, in DuPage County, Illinois.

Darien Pointe Exhibit

Potential wall signage locations on building sides highlighted.



| Symbol Legend |                     |
|---------------|---------------------|
| •             | BOLLARD             |
| ○             | CATCH BASIN         |
| ○             | CLEAN OUT           |
| ■             | CURB INLET          |
| +             | DOWN GUY            |
| ⊠             | ELECTRIC METER      |
| ⊠             | ELECTRIC RISER      |
| ⊠             | FIRE HYDRANT        |
| ⊠             | FLARED END SECTION  |
| ⊠             | GAS METER           |
| ⊠             | GAS VALVE           |
| ♿             | HANDICAP            |
| ☆             | LIGHT               |
| ⊠             | MANHOLE             |
| ⊠             | SANITARY MANHOLE    |
| ⊠             | STORM MANHOLE       |
| ⊠             | TELEPHONE RISER     |
| ⊠             | TRAFFIC CONTROL BOX |
| ⊠             | TRAFFIC SIGNAL POLE |
| ⊠             | TRANSFORMER         |
| ⊠             | UTILITY POLE        |
| ⊠             | VALVE VAULT         |
| ⊠             | WATER SHUT-OFF      |
| ⊠             | WATER VALVE         |
| (M)           | MEASURED            |
| (R)           | RECORD              |



CLIENT: AUSTIN HIGHLAND DEVELOPMENT CO  
 DRAWN BY: MCM CHECKED BY: WJV  
 SCALE: 1" = 20' SEC. 27 T. 38 R. 11 E.  
 BASIS OF BEARING: ASSUMED  
 P.L.N.: 08-27-300-002, 003 & 013  
 JOB NO.: 140479 I.D. ASS.  
 FIELDWORK COMP.: 7-28-15 BK. PG.  
 ALL DISTANCES SHOWN IN FEET AND DECIMAL PARTS UNLESS OTHERWISE NOTED.

STATE OF ILLINOIS )  
 ) S.S.  
 COUNTY OF McHENRY )

We, Vanderstappen Surveying, Inc. do hereby state that we have caused the above described property to be topographically surveyed and that the plat hereon drawn is a correct representation of said topography.

This is not a Boundary Survey.  
 Dated at Woodstock, McHenry County, Illinois 8/11 A.D., 2015.

Vanderstappen Surveying & Engineering, Inc.  
 Design Firm No. 184-002792

By: *Wm. A. Vanderstappen*  
 Illinois Professional Land Surveyor No. 2709  
 Revision: Added Sign, Elec, New Boundary MCM 8-24-15

**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
December 2, 2015**

**PRESENT:** Beverly Meyer – Chairperson, Ronald Kiefer, John Laratta, Louis Mallers, Raymond Mielkus, Pauline Oberland, Kenneth Ritzert, Michael Griffith – Senior Planner.

**ABSENT:** Andrew Kelly, Elizabeth Lahey – Secretary

Chairperson Meyer called the meeting to order at 7:20 PM at the Darien 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 2015-16: 125 68<sup>th</sup> Street: Petitioner seeks approval of a variation to reduce the required front yard setback from 35 feet to 25 feet for a covered front porch and to reduce the required side yard setback from 10 feet to 5 feet for an addition to the residence.**

Michael Griffith, Senior Planner, reviewed the agenda memo. He described the proposed variations. He noted the distance the current detached garage is from the side lot line, that the proposed attached garage will be 2 feet further away from the lot line.

Ryan and Christine Bazon, the petitioners, were present. Michael Meissner, their architect, was also present.

Mr. Meissner noted the covered front porch extends further across the front the home but does not extend further towards the street than the current situation. He noted the more significant issue is the proposed side yard setback.

Commissioner Mallers asked when the home was built.

Mr. Bazon stated 1959. He stated they are outgrowing the current home, noting they have small children, the need for additional bathrooms and closet space. He stated they like the lot, the area, the schools and would like to stay at their current location and renovate the home rather than move.

The Commission discussed the exterior architectural changes to the home. Mr. Meissner noted the plan includes a 2<sup>nd</sup> story to the home.

Commissioners Kiefer and Maller stated the plans looked nice.

Adam Kash, 129 68<sup>th</sup> Street, stated he is the neighbor to the west and objects to the proposed 5-foot setback for the addition. He stated the garage is being moved approximately 24 feet forward, will be 2 stories, and will block the view from his kitchen window located on the east

side of the home. He stated the addition at 5 feet from the lot line will impair adequate air and light onto his property, would decrease the value of his property. He stated a 10-foot side yard setback should be maintained. He provided photos to illustrate his objection.

Commissioner Oberland noted the proposed 5-foot setback along the side, noting the current garage is 3 feet from the side lot line. She sought clarification on Mr. Kash's objection.

Mr. Kash stated the garage will not be in the same location, stating the garage is being moved approximately 24 feet forward towards the front which will block the view from his window on the side of his home.

The Commission reviewed and discussed the photos provided by Mr. Kash.

Mr. Meissner stated the garage will not be a full two stories; there are dormers at this location. He stated attached garages are more valuable than detached garages, which increases the value of the property. He stated they took into consideration the neighbor's property. He stated the prevailing winds are from the northwest and southwest which will not be impacted by the proposed addition.

Commissioner Mallers stated older homes being improved helps to improve the value of the neighborhood.

Commissioner Laratta stated the proposed variation diminishes the neighbor's quality of life, which needs to be considered.

Commissioner Kiefer stated the Commission has always considered impacts to neighbors.

Chairperson Meyer closed the public hearing.

**Commissioner Laratta made a motion to recommend denial of the variation petition. There was not a second. THE MOTION FAILED.**

**Commissioner Mallers made a motion to recommend approval of the variation petition, seconded by Commissioner Mielkus.**

**Commissioner Ritzert stated he was not convinced there is a negative impact to the neighboring property.**

**Upon a roll call vote, THE MOTION CARRIED by a vote of 6-1.**

**AYES: Meyer, Mallers, Mielkus, Oberland, Ritzert, Kiefer**

**NAYS: Laratta**

**ABSENT: Kelly**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee.

**B. Public Hearing PZC 2015-18: 1530 Sequoia Lane: Petitioner seeks approval of a variation to reduce the required setback from an interior side lot line for a driveway from 5 feet to 3 feet.**

Michael Griffith, Senior Planner, reviewed the agenda memo. He noted there is a detached garage in the rear yard with a driveway through the side yard. He stated the petitioner is seeking to widen the driveway to provide better access to the garage.

The petitioner's son was present to answer questions. He stated backing down the driveway is difficult with the vehicle being maneuvered onto the grass through the side yard to avoid the house. He stated their neighbor has a 6-foot privacy fence along the side lot line.

No one was present to offer comments. Chairperson Meyer closed the public hearing.

The Commission did not have any objections.

**Commissioner Kiefer made the following motion, seconded by Commissioner Laratta, that based upon the submitted petition and the information presented, the request associated with PZC 2015-18 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission approve the petition as presented.**

**Upon a roll call vote, THE MOTION CARRIED by a vote of 7-0.  
Commissioner Kelly was absent.**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee.

**C. Public Hearing PZC 2015-17: 8408 Wilmette Avenue, Units B & C: Petitioner seeks approval of the following:**

- 1. A Text Amendment to Section 5A-9-3-4 of the Darien Zoning Ordinance listing "garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding" as a special use within the OR&I Office, Research and Light Industry zoning district; and**
- 2. Special use approval for a garage for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding within the OR&I zoning district.**

Michael Griffith, Senior Planner, reviewed the agenda memo. He noted the proposed use is neither a permitted use nor a special use at this location, that the Zoning Ordinance needs to be amended for the use to be approved at this location, that if the Commission finds the proposed use acceptable at this location then staff recommends the use should be a special use noting special uses always trigger a public hearing and approval of the use by the City Council.

Mr. Griffith noted the letter provided by the petitioner describing the proposed use.

Joshua and Marsha Wyett, petitioners, were present. Joshua Wyett stated he currently does auto repair at dealerships but is looking to establish his own location. He stated they do small, light auto body repair, such as scratches and dings. He stated the space was previously a woodshop.

Chairperson Meyer asked about parking and the number of vehicles serviced at any given time.

Mr. Wyett stated vehicles coming for repair will be driven to the location and brought inside. He stated vehicles may be parked outside when they do the work write-up. He stated all vehicles will be drivable, that vehicles and repairs will occur inside.

Commissioner Laratta asked how long they have been in business, number of employees.

Mr. Wyett stated since 2006. He stated they do work for several area dealerships, including Pugi and Continental. He stated they have 4 employees.

Barbara Jo Miller, stated she owns commercial condo units in the building to the north. She stated her concern with an auto repair facility in the area; the use does not fit with the other businesses in the area, such as offices, cleaning companies. She asked the Commission to reject the proposed use.

Commissioner Kiefer asked Ms. Miller if her objection would remain if all activity took place inside the building.

Ms. Miller stated yes.

The Commission discussed the proposed use, noting that if all activity and vehicles are inside there should not be an issue. The Commission noted that if those conditions were imposed and the petitioner did not comply, the special use could be revoked.

No one else was present to offer public comments. Chairperson Meyer closed the public hearing.

**Commissioner Mallers made the following motion, seconded by Commissioner Oberland, that based upon the submitted petition and the information presented, the request associated with PZC 2015-17 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission approve the petition as presented, subject to:**

- 1. All auto repair activity shall be restricted to inside the building.**
- 2. All parts and equipment shall be stored inside the building.**

**Upon a roll call vote, THE MOTION CARRIED by a vote of 7-0.  
Commissioner Kelly was absent.**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee.

**MINUTES:**

**Commissioner Laratta made a motion and it was seconded by Commissioner Oberland to waive the reading of the November 4, 2015, Regular Meeting Minutes.**

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

**Commissioner Laratta made a motion and it was seconded by Commissioner Oberland to approve the November 4, 2015, Regular Meeting minutes.**

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

**CORRESPONDENCE:**

None.

**OLD BUSINESS/PLANNERS REPORT:**

Mr. Griffith provided the 2016 meeting schedule.

**NEXT MEETING:**

Mr. Griffith announced the next meeting is scheduled for Wednesday, December 16, 2015, at 7:00 PM.

**ADJOURNMENT:**

**With no further business before the Commission, Commissioner Mielkus made a motion and it was seconded by Commissioner Ritzert to adjourn.**

**Upon a voice vote, THE MOTION CARRIED UNANIMOUSLY 7-0. The meeting adjourned at 9:00 PM.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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Michael Griffith  
Senior Planner

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Beverly Meyer  
Chairperson