

Public participation is invited on each agenda item prior to the Board's deliberation. **When called upon, please approach the microphone and state your name. Kindly limit your remarks to three (3) minutes.**

VILLAGE OF VILLA PARK
Village Hall, Board Room Chambers
20 S. Ardmore Avenue
Villa Park, IL 60181

Planning and Zoning Commission

August 8, 2024

7:30 PM

Chairman Jason Jarrett

Commissioners: Larry Calvert, Edward Hofstra, Kenneth Jackson, Louis LeMieux, Eric Luedtke,
Michael Orlowski, Dominick Romano, Justin Shlensky

- 1. Call to Order - Roll Call**
- 2. Approval of Minutes**
 - a. Minutes
- 3. Public Hearing - New Business**
 - a. **PZ-24-12 / 580 E. Kolberg Court / Variation / **Petitioner:** David & Amy Wright**
- 4. Discussion Items**
- 5. Public Comments on Non-Agenda Items**
- 6. Adjournment**

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VILLAGE OF VILLA PARK, ILLINOIS
PLANNING AND ZONING COMMISSION

IN RE THE MATTER OF:)
)
COMMISSION DISCUSSION)

DISCUSSION

JULY 11, 2024

7:30 P.M.

REPORT OF PROCEEDINGS had before the
VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, held at the Villa Park Village Hall,
20 South Ardmore Avenue, Villa Park, Illinois,
commencing at 7:30 o'clock p.m., on Thursday, the
11th day of July, 2024.

APPEARANCES: MR. JASON JARRETT, Chairman
MR. DOMINICK ROMANO, Commissioner
MR. ERIC LUEDTKE, Commissioner
MR. LARRY CALVERT, Commissioner
MR. JUSTIN SHLENSKY, Commissioner
MR. EDWARD HOFSTRA, Commissioner
MR. LOUIS LEMIEUX, Commissioner

ALSO PRESENT: MR. NICK CUZZONE, Villa Park President
MS. MICHELLE HOUSE, Deputy Director

REPORTED BY LYN DOERING, CSR.

1 CHAIRMAN JARRETT: Do we have any
2 discussion items?

3 MS. HOUSE: Not tonight.

4 MR. JARRETT: Okay. Anyone wishing
5 to speak on non-agenda items, please come up and
6 state your name for the record.

7 MR. AMORE: Good evening, Joe
8 Amore, 309 East Maple, Villa Park. I have been a
9 resident here since 1985 and I am bringing you
10 information tonight.

11 The Salt Creek Greenway Trail that goes
12 through Elmhurst then connects to the Villa Park's
13 portion, their segment runs on Villa Avenue;
14 although it's suggested that the sidewalk -- the
15 only sidewalk on the west side of Villa is the
16 suggested route because there is a painted
17 crosswalk at Thomas and another painted crosswalk
18 at 2nd, north of the DuPage Materials plant, and
19 the signage directs users to go that route.

20 So there is right now a Villa Avenue
21 Improvement Project that's designed to redo Villa
22 Avenue between North Avenue and St. Charles and I
23 have been picking up bits and pieces of
24 information.

1 And apparently the plan that was
2 submitted to IDOT routes the trail of the existing
3 portion and then suggests widening the sidewalk on
4 the west side up to 2nd and directing it back
5 across.

6 They are also recommending these rapid
7 flashing -- rectangular rapid flashing beacons at
8 both crossings.

9 If you guys put one of those -- not you
10 guys, that's traffic and safety.

11 But if they put one of those beacons at
12 the tri-trail correction crossing that's going to
13 put four on the segment on Villa Avenue between
14 North Avenue and the prairie path, and all that
15 just does is add confusion.

16 I have been petitioning and arguing the
17 point that if you narrow the center divider on the
18 median on the approaches to the railroads on both
19 sets of tracks you could have room to build a
20 protected bike lane on the east side, where right
21 now there is no sidewalks, because that's the gold
22 standard now, protected bike lanes.

23 It does not allow interactions. It --
24 You know, when you are on the west side you are

1 putting trail users and pedestrians at risk,
2 because you are going to have conflicts at Maple,
3 at Beach, at Vermont and at Plymouth.

4 And now I understand that there is a new
5 entity going to be going in at the 600 North
6 Villa. It's PZ-24-02. I was looking at the
7 minutes from last month.

8 COMMISSIONER LUEDTKE: Correct.

9 MR. AMORE: I didn't see anything
10 in their plan that there may be a future trail
11 going alongside their property line.

12 Their trucks -- and they admit, even
13 from the minutes -- they are going to be operating
14 cars, trucks and equipment. It's going to be
15 their national headquarters. So now you have
16 another conflict with trail users.

17 Now, on the east side, on that area
18 north of the Canadian National up to 2nd, I did a
19 look and see at the property lines and our
20 property -- the parkway goes from the curb to the
21 fence. Villa Park maintenance crews were out
22 there mowing it the other day.

23 So you are going to have less conflicts
24 if you keep everything on the east side.

1 But I know that's not your forte there,
2 but I was just wondering if anybody knew why that
3 when you guys were talking to these people at
4 this -- I think it's Rose Paving -- that they
5 weren't made aware that there was going to be a
6 trail along their property.

7 And they are going to create conflicts
8 with their drivers turning in and out of there,
9 because now they have to look both ways and then
10 behind them, in case somebody is coming up behind
11 them on the sidewalk.

12 You know we are trying to keep our trail
13 users safe.

14 I have lived in that house since 1985.
15 I will not go north of the tracks because until
16 the grade crossing feasibility study is released,
17 if you get caught on the other side by a train,
18 there is no way to get back across.

19 There is no sidewalks or infrastructure
20 on 83. If you go all the way down to Ardmore, the
21 next crossing, there's no guarantee that crossing
22 won't be blocked too.

23 So until they decide on where to do a
24 grade separation and which crossing they are going

1 to do for a graduation separation, I am
2 recommending to take another look at the design
3 for Villa Avenue and build a safer infrastructure
4 on the east side to keep our trail users and
5 pedestrians safe. That's all I was asking.

6 MR. JARRETT: Thank you.

7 I would say when they initially had
8 presentation of the -- There were a few
9 alternatives that were floated very early in the
10 process.

11 Without being privy to detailed studies,
12 I too thought that the east side makes the most
13 sense for that trail, because you don't have
14 people going across and then back across twice.

15 As for why it was ultimately selected
16 for the west side, during the planning process I
17 have not ever seen anything about that. I know it
18 has been.

19 MR. AMORE: Right.

20 South of the Union Pacific, if you go to
21 the west side, you have four mature trees and two
22 fire hydrants you have to deal with.

23 The fact is that some people have made
24 the argument, Well, you have the bus company

1 there. When the buses are active usually that's
2 when the trail is not being used.

3 And they are some of the safest drivers
4 on the road. I would be more comfortable coming
5 up to an approach for a school bus company than
6 anywhere else.

7 Especially Maple, where people are in
8 and out of Maple, because the site lines are so
9 bad, anybody going east regularly pulls out to
10 that crosswalk, because they see the traffic
11 flying over the crossing, trying to get around the
12 backups on 83.

13 MR. JARRETT: Yeah.

14 And in that meeting last month I did
15 raise the issue to staff with just reminding them
16 and the applicant that theoretically that's where
17 we have --

18 I don't know that there has been any
19 final decision made on where the trail is going
20 but I know that's the way things are leaning
21 but...

22 MR. AMORE: Villa Park is the lead
23 on that project. It's a joint project with
24 Elmhurst. But they are paying --

1 But the fact is, if it's in Springfield
2 on some IDOT engineer's desk, it's not being
3 proceeded.

4 IDOT is short of engineers. I mean,
5 that's common knowledge, at least for me, and I
6 kind of marinate in that stuff.

7 But the time to change it and make it
8 better and safer is before they start tearing up
9 concrete, especially those newly-poured approaches
10 on Maple. They just put those in a year and a
11 half ago to get the crossing down to the street.

12 And now, if they want to widen that, I
13 guess it's 4 1/2 feet, as recommended, with an 8
14 foot width on the sidewalk, that's going to have
15 to come out. Because you already have conflicts
16 because the sidewalks are too narrow for people to
17 pass each other.

18 MR. JARRETT: Yeah. Thanks for
19 bringing that to our attention.

20 MR. AMORE: You are welcome.
21 Thanks for your time.

22 MR. JARRETT: Thank you.

23 Anyone else from the public wishing to
24 speak or does any Member of the Commission have

1 comments or discussion items for this evening?
2 Anything on my right? Anything on my
3 left?
4 (No response.)
5 CHAIRMAN JARRETT: No?
6 Okay. Motion to adjourn?
7 COMMISSIONER LUEDTKE: So moved.
8 MR. JARRETT: Is there a second?
9 COMMISSIONER HOFSTRA: Second.
10 MR. JARRETT: All in favor?
11 ALL PRESENT: Aye.
12 MR. JARRETT: We are adjourned.
13 (Proceedings adjourned at
14 7:53 p.m.)
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I, LYN DOERING, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

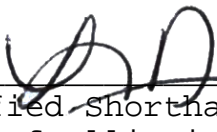
That the foregoing deposition was reported stenographically by me, was thereafter reduced to a printed transcript by me, and constitutes a true record of the testimony given and the proceedings had;

That the said deposition was taken before me at the time and place specified;

That the reading and signing by the witness of the deposition transcript was agreed upon as stated herein;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my verified digital signature at Chicago, Illinois, this 31st day of July, 2024.



Certified Shorthand Reporter
State of Illinois

CSR License No. 084-003037.

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VILLAGE OF VILLA PARK, ILLINOIS
PLANNING AND ZONING COMMISSION

IN RE THE MATTER OF:)
)
REGULAR MEETING MINUTES)

MEETING MINUTES

JULY 11, 2024

7:30 P.M.

REPORT OF PROCEEDINGS had before the
VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, held at the Villa Park Village Hall,
20 South Ardmore Avenue, Villa Park, Illinois,
commencing at 7:30 o'clock p.m., on Thursday, the
11th day of July, 2024.

APPEARANCES: MR. JASON JARRETT, Chairman
MR. DOMINICK ROMANO, Commissioner
MR. ERIC LUEDTKE, Commissioner
MR. LARRY CALVERT, Commissioner
MR. JUSTIN SHLENSKY, Commissioner
MR. EDWARD HOFSTRA, Commissioner
MR. LOUIS LEMIEUX, Commissioner

ALSO PRESENT: MR. NICK CUZZONE, Villa Park President
MS. MICHELLE HOUSE, Deputy Director

REPORTED BY LYN DOERING, CSR.

1 CHAIRMAN JARRETT: I call this
2 regular meeting of the Village of Villa Park
3 Planning and Zoning Commission to order.

4 Roll call:

5 Calvert?

6 COMMISSIONER CALVERT: Here.

7 CHAIRMAN JARRETT: Hofstra?

8 COMMISSIONER HOFSTRA: Here.

9 CHAIRMAN JARRETT: Jackson?

10 (No response.)

11 CHAIRMAN JARRETT: LeMieux?

12 COMMISSIONER LEMIEUX: Here.

13 CHAIRMAN JARRETT: Luedtke?

14 COMMISSIONER LUEDTKE: Here.

15 CHAIRMAN JARRETT: Orłowski?

16 (No response.)

17 CHAIRMAN JARRETT: Romano?

18 COMMISSIONER ROMANO: Here.

19 CHAIRMAN JARRETT: Shlensky?

20 COMMISSIONER SHLENSKY: Here.

21 CHAIRMAN JARRETT: I too am
22 present. With that we have a quorum.

23 Approval of minutes, does anybody have
24 any questions or comments or amendments to the

1 minutes from last month?

2 (No response.)

3 MR. JARRETT: If there are no
4 questions or comments, I move we approve the
5 minutes.

6 Is there a second?

7 COMMISSIONER HOFSTRA: Second.

8 MR. JARRETT: All in favor?

9 ALL PRESENT: Aye.

10 MR. JARRETT: Any opposed?

11 (No response.)

12 CHAIRMAN JARRETT: The minutes are
13 approved.

14 (Proceedings concluded at
15 7:32 p.m.)

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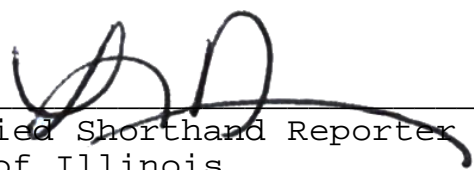
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I, LYN DOERING, Certified Shorthand Reporter and Notary Public in and for the State of Illinois do hereby certify that the foregoing proceedings were reported stenographically by me, was thereafter reduced to a printed transcript by me, and constitutes a true record of the testimony given and the proceedings had;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my verified digital signature at Chicago, Illinois, this 31st day of July, 2024.



Certified Shorthand Reporter
State of Illinois
CSR License No. 084-003037

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VILLAGE OF VILLA PARK, ILLINOIS
PLANNING AND ZONING COMMISSION

IN RE THE MATTER OF:)
)
THADIUS T. COLLINS) PZ-24-11
)
25 S. Charles Avenue)

PUBLIC HEARING

JULY 11, 2024

7:30 P.M.

REPORT OF PROCEEDINGS had before the
VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, held at the Villa Park Village Hall,
20 South Ardmore Avenue, Villa Park, Illinois,
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11th day of July, 2024.

APPEARANCES: MR. JASON JARRETT, Chairman
MR. DOMINICK ROMANO, Commissioner
MR. ERIC LUEDTKE, Commissioner
MR. LARRY CALVERT, Commissioner
MR. JUSTIN SHLENSKY, Commissioner
MR. EDWARD HOFSTRA, Commissioner
MR. LOUIS LEMIEUX, Commissioner

ALSO PRESENT: MR. NICK CUZZONE, Villa Park President
MS. MICHELLE HOUSE, Deputy Director

REPORTED BY LYN DOERING, CSR.

1 CHAIRMAN JARRETT: We have one item
2 of business tonight.

3 The way the process will work is we will
4 start with presentation of the staff.

5 We will move to presentation by the
6 petitioner, if you have anything.

7 We will take any public comment, if
8 there is any.

9 And then we will have questions up here,
10 if there are any.

11 We will give the petitioner a chance to
12 give any closing comments, if they want.

13 Then we will discuss and have a motion
14 up here.

15 So the first item of business will be
16 PZ-24-11 for 25 South Charles Avenue, a variation.
17 Petitioner Thadius T. Collins.

18 If you are going to speak, I need you to
19 stand and raise your right hand, and we will get
20 you sworn in real quick, if you think you will
21 talk at all.

22 (Whereupon said witnesses were
23 duly sworn).

24 MR. JARRETT: Thank you. All

1 right. Whenever you are ready.

2 MS. HOUSE: The applicant at 25
3 South Charles Avenue is requesting a side yard
4 setback for a variation from Table 2-3 of
5 Article 2, Section 2.3 for the lot and building
6 regulations within the zoning ordinance to reduce
7 the minimum side yard setback from 6 feet to 5
8 feet, to allow a second story addition on the
9 existing foundation of the home.

10 As mentioned, this is the overview of
11 how we will proceed through the case tonight.

12 As mentioned, the existing home is a one
13 story ranch and it extends into the side yard
14 setback along the northern property line.

15 You can see the area that is within the
16 setback shown in the red box on the left-hand
17 portion of the lot.

18 The applicant proposes to add a second
19 story addition going vertically above the existing
20 first floor home.

21 The additional rear addition would be
22 compliant with all bulk regulations within the
23 code.

24 And the petitioner would be removing

1 some existing lot coverage to comply with the
2 maximum lot coverage requirements within the code.

3 This removal area would be confirmed
4 during the building permit process. The
5 petitioner has outlined the area that they
6 anticipate removing as part of the project.

7 When staff did calculate this it was
8 compliant, so they are not requesting a lot
9 coverage variation tonight.

10 I have included the architectural
11 drawings for the elevations of the home. The home
12 does comply with the maximum building height.

13 And then the floor plan, should you need
14 to refer to those in the proceedings tonight.

15 On the screen are the standards for
16 variation, review and approval. We will have a
17 public hearing for anyone wishing to make any
18 public comments.

19 And then staff has prepared a sample
20 motion, if the Commission feels it is appropriate.

21 And with that, staff or the applicant
22 can answer any questions.

23 MR. JARRETT: Okay. No
24 presentation or anything from the applicant; okay?

1 Anyone from the public wishing to speak
2 on this item?

3 Okay. I am going to need you to come up
4 here and state your name. I also need to swear
5 you in.

6 (Whereupon said witness was
7 duly sworn).

8 CHAIRMAN JARRETT: Could you state
9 your name and spell your last name for the
10 reporter please?

11 MR. MURAJDA: Robert Murajda. I am
12 just a neighbor here in support of the petitioner
13 tonight. And that's basically it; just here to
14 show support.

15 MR. JARRETT: Just out of
16 curiosity, where do you live in relation --

17 MR. MURAJDA: 38 South Charles, a
18 couple doors down, across the street.

19 MR. JARRETT: Okay. Thank you.

20 All right. I don't see anyone else
21 wishing to speak.

22 Questions from the Commission?

23 COMMISSIONER ROMANO: Out of
24 curiosity, if you know off the top of your head,

1 how much square footage are you adding to your
2 house?

3 MS. COLLINS: A Lot.

4 COMMISSIONER ROMANO: I assumed
5 your typical Villa Park, about 11 or 1200 square
6 feet now; is that about right?

7 MS. COLLINS: Yeah, I think it's
8 117 or something like that.

9 MS. HOUSE: I don't know the exact.

10 COMMISSIONER ROMANO: It's not
11 important. I was just curious.

12 MS. COLLINS: It's in here.

13 And I will say that my husband and I
14 only bought this house -- I grew up in Villa Park.
15 My husband did not. He was living in Glen Ellyn.
16 I begged him to move to Villa Park.

17 We bought this little house. He was
18 like, Fine, two years. I was like, No, no, we are
19 going to build. We are going to stay.

20 My parents live two blocks over. You
21 can see their master bed from my master bedroom
22 window; so however weird or not weird that is.

23 But he fell in love with the area. We
24 have five kids and we are renting because we don't

1 fit in this house. So we are renting somewhere
2 else near Westmont and we can't wait to come back.
3 So we are hoping that you guys will grant this for
4 us.

5 COMMISSIONER HOFSTRA: Okay. Could
6 you clarify what you are going to do to meet the
7 60 percent coverage?

8 Is it just that triangle?

9 THE WITNESS: I think he wants to
10 do --

11 MR. JARRETT: Do you have a clear
12 answer, Michelle?

13 MS. HOUSE: Yeah.

14 So the existing lot has the driveway
15 paved all the way back and then this is squared
16 off.

17 There is a couple -- There is an
18 addition on the existing garage that would be
19 removed. I believe this rear shed would be
20 removed.

21 And then also there's pavement that goes
22 all the way to the property line along the south
23 property line. That would be removed.

24 So the driveway would be more angled to

1 the entrance into the southern-most portion of the
2 detached garage. That section of removal would
3 bring it into compliance with lot coverage.

4 COMMISSIONER ROMANO: Is there
5 still a pool on the property or no?

6 MS. COLLINS: A pool, no.

7 MS. HOUSE: The plat mentioned a
8 pool. That was -- from my understanding in
9 talking with the applicant -- a structure for a
10 trampoline. It wasn't actually a pool. And it
11 was incorrectly listed as a pool on their plat.

12 COMMISSIONER HOFSTRA: What kind of
13 structure is that? Is that concrete or?

14 MS. HOUSE: For?

15 COMMISSIONER ROMANO: You mean, the
16 trampoline itself?

17 MS. HOUSE: It's just a metal
18 frame.

19 COMMISSIONER HOFSTRA: It's just a
20 regular trampoline?

21 MS. HOUSE: A regular trampoline
22 that for some reason the surveyor listed as a
23 pool. I am not sure if they thought -- I don't
24 know -- it could be an above-ground pool.

1 MS. COLLINS: We just had the
2 frame -- like in the winter we just had the frame,
3 and we were renting, and we didn't have it set up.
4 We just had the frame, so I don't know.

5 COMMISSIONER HOFSTRA: It's all
6 about rain water being able to reach the earth.

7 COMMISSIONER ROMANO: And the
8 surveyor taking the time to walk to the back of
9 the property.

10 MS. HOUSE: Right.

11 So that was not counted as lot coverage.

12 COMMISSIONER HOFSTRA: Do you know
13 what the recalculated lot coverage would be?

14 MS. HOUSE: It's within a couple
15 feet of the maximum but I think we are in the
16 single digits. I don't know the exact number but
17 we would recalculate that as part of the building
18 permit process.

19 MR. JARRETT: Any other questions?

20 COMMISSIONER LUEDTKE: Not for the
21 petitioner, no.

22 CHAIRMAN JARRETT: Anything down
23 here?

24 (No response.)

1 CHAIRMAN JARRETT: No?

2 Any closing comments from the petitioner
3 before we move -- Okay.

4 COMMISSIONER ROMANO: Does the
5 existing house have a basement?

6 MS. COLLINS: Yeah.

7 COMMISSIONER ROMANO: You are not
8 expanding the basement to the back portion; are
9 you?

10 MS. COLLINS: You mean, for the
11 addition outside of the variance that we are
12 requesting?

13 COMMISSIONER ROMANO: Yeah.

14 MS. COLLINS: There will be a new
15 basement.

16 MR. JARRETT: So the variation
17 allows the two story expansion of the existing
18 structure but the addition at the rear that's
19 being added is all within the setbacks and that
20 will have a new basement. It will have a
21 basement.

22 COMMISSIONER ROMANO: Okay. That
23 was my thought is, just with the expanded lot
24 coverage, obviously you got the Villa Park lecture

1 about flooding.

2 MS. COLLINS: And from my grandpa.

3 MR. JARRETT: Any discussion from
4 the Commission?

5 COMMISSIONER LUEDTKE: Up here?

6 MR. JARRETT: Uh huh.

7 COMMISSIONER LUEDTKE: We have had
8 several of these types of projects with second
9 floor additions and this is no different than
10 those that we have basically seen.

11 COMMISSIONER SHLENSKY: I concur
12 with Eric. I think this is pretty consistent with
13 how we have analyzed and voted -- or what I
14 suspect will be the vote for similar circumstances
15 from other petitioners.

16 MR. JARRETT: Yeah.

17 And I understand it, with the need for
18 the second story addition and the existing
19 foundation and the proposed addition at the rear
20 meets all the setback standards.

21 I will say, when I first looked at the
22 property online I did wonder about lot coverage,
23 so I am glad that was addressed.

24 Any other discussion? And if not --

1 COMMISSIONER CALVERT: Just to
2 confirm, Michelle, this is a 50 x 150 lot; right?

3 MS. HOUSE: Yeah, 150 x 50.

4 COMMISSIONER CALVERT: So it's not
5 a big lot.

6 MR. JARRETT: That would be on the
7 small side for Villa Park; right, lengthwise?

8 MS. HOUSE: Yes.

9 COMMISSIONER CALVERT: I can see
10 where the lot coverage came into play then, based
11 on that site size; okay.

12 MR. JARRETT: All right. If
13 there's no other discussion, then someone can make
14 a motion.

15 COMMISSIONER SHLENSKY: I will make
16 a motion to recommend approval of PZ-24-11 for a
17 variation from Table 2-3 of Article 2, Section
18 2.3, Lot and Building Regulations of the Zoning
19 Ordinance to reduce the minimum interior side yard
20 north setback requirement to 5 feet along the
21 north property line, as depicted on Exhibit B, for
22 25 South Charles Avenue.

23 MR. JARRETT: We have a motion.

24 Is there a second?

1 COMMISSIONER ROMANO: I will
2 second.

3 MR. JARRETT: We have a motion to
4 approve. The item is seconded.

5 Are there any questions or comments on
6 the motion?

7 (No response.)

8 CHAIRMAN JARRETT: Roll call:
9 Calvert?

10 COMMISSIONER CALVERT: Yes.

11 CHAIRMAN JARRETT: Hofstra?

12 COMMISSIONER HOFSTRA: Yes.

13 CHAIRMAN JARRETT: LeMieux?

14 COMMISSIONER LEMIEUX: Yes.

15 CHAIRMAN JARRETT: Luedtke?

16 COMMISSIONER LUEDTKE: Yes.

17 CHAIRMAN JARRETT: Romano?

18 COMMISSIONER ROMANO: Yes.

19 CHAIRMAN JARRETT: Shlensky?

20 COMMISSIONER SHLENSKY: Yes.

21 CHAIRMAN JARRETT: I too vote yes.

22 And with that our recommendation will
23 pass to the Village Board. And they are the final
24 decision makers on this matter.

1 MS. COLLINS: Thank you.

2 MR. JARRETT: Good luck.

3 (Proceedings concluded at
4 7:43 p.m.)

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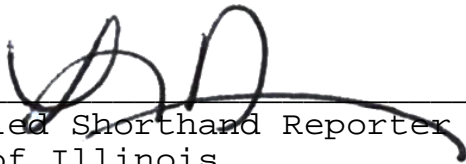
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I, LYN DOERING, Certified Shorthand Reporter and Notary Public in and for the State of Illinois do hereby certify that the foregoing proceedings were reported stenographically by me, was thereafter reduced to a printed transcript by me, and constitutes a true record of the testimony given and the proceedings had;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my verified digital signature at Chicago, Illinois, this 31st day of July, 2024.



Certified Shorthand Reporter
State of Illinois
CSR License No. 084-003037

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Village of Villa Park

Community & Economic Development
11 W Home Avenue, Villa Park, IL 60181

TO: Planning & Zoning Commission
FROM: Community & Economic Development Department
DATE: August 8, 2024
RE: **Petition PZ-24-12 | 580 E. Kolberg Court | Variation**

PETITIONER	OWNER
David & Amy Wright 580 E. Kolberg Court Villa Park, IL 60181	David & Amy Wright 580 E. Kolberg Court Villa Park, IL 60181

Request Summary

The Petitioner is requesting a Public Hearing to consider approval of a Variation for a deck within a front yard setback.

Background

The Subject Property has a single-dwelling residence which received a Variation, Ordinance 4172, for a pool in the front yard and a 6.0-foot fence in the front yard in 2020. The Petitioner wishes to install a deck associated with the pool within the front yard setback of the primary residence that was not included with the prior Variation request.

Site Information

Present Zoning: Residential Single-Dwelling District - RS-10
Present Land Use: Single Dwelling Residential
Property Size: 10,699 sq. ft. / 0.24 acres
PINs: 06-15-402-012

Surrounding Zoning

North: Residential Single-Dwelling District - RS-10
West: Residential Single-Dwelling District - RS-10
East: Residential Single-Dwelling District - RS-10
South: Residential Single-Dwelling District - RS-10

Surrounding Land Use

Single Dwelling Residential
Single Dwelling Residential
Single Dwelling Residential
Single Dwelling Residential

Comprehensive Plan Designation – Single-Family Residential

This land use category is intended for detached single-family residential dwellings of generally one to two stories in height.

Zoning Request

The Petitioner is requesting approval of a Variation from Table 14-1 of Article 14, Section 14.1.9. – Setbacks of the Zoning Ordinance to install a deck within the front yard setback of the residence.

Internal Staff Review

Variation

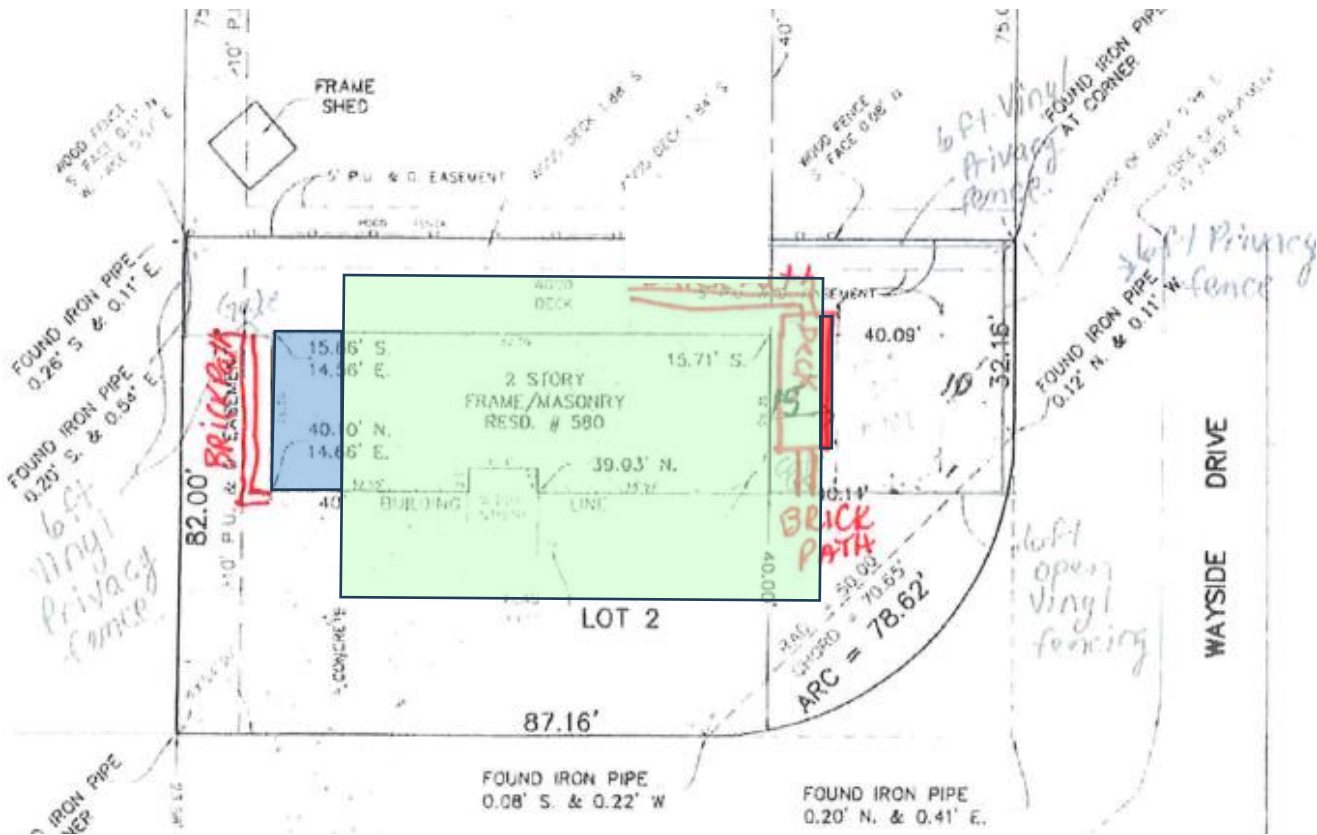
The Zoning Ordinance specifically allows for Variation petitions in order to grant relief to a property owner from strict compliance with the regulations of the Zoning Ordinance. Variations are intended to help alleviate a practical

difficulty or particular hardship that would be caused by the literal enforcement of the subject ordinance requirements and are site specific.

The existing residence received a variation in 2020 to permit a pool and a 6.0-foot tall fence in the front yard. The Petitioner did not include the deck in the original Variation request. Exhibit A includes the proposed site plan and detail plan for the pool deck adjacent to the pool. The Plat of Survey is provided as Exhibit B which shows the existing front yard (east) setback. The proposed brick pathways associated with the proposed deck in the front, side, and rear yards are all permitted per Code.

Site Plan Review

1. Building and Structure Location - The following comments relate to the issue of building and structure location in regard to the proposed development plans:
 - a. The proposed deck is in the front yard of the lot. The RS-10 district requires a 30.0-foot setback. The current home is setback 40.0 feet from the property line. The proposed deck extends 15.0 feet from the front building facade and would extend into the front yard setback by 5.0 feet.
 - b. The existing pool and 6.0-foot tall fence were installed as approved via the 2020 Variation request.
 - c. The proposed front, side and rear walkways are permitted as proposed.
2. Building scale - The following comments relate to the issue of building scale in regard to the proposed development plans:
 - a. Decks do not have a maximum area permitted per Code.
 - b. Code does not specify the number of decks permitted onsite. The property currently has another deck north of the residence.
3. Lot Coverage - The following comments relate to the issue of lot coverage in regard to the proposed development plans:
 - a. The Petitioner's current proposed lot coverage complies with the RS-10 district requirements allowing up to 50% lot coverage. The current calculated lot coverage with proposed site modifications is 46.34%.
 - b. The Petitioner would be permitted to add a maximum 391.21 square feet of additional lot coverage onsite and still comply with the 50% lot coverage requirement.
 - c. The lot coverage will be recalculated through the building permit process to confirm the lot area.
4. Completeness - If the Planning and Zoning Commission requires additional information to determine whether the applicant's development requests comply with the applicable standards of the Code, they may direct the Petitioner to furnish additional information and evidence that may provide clarity regarding their concerns.



Permitted Principal Building Envelope:	
Legal Nonconforming Structure:	
Variation Required (Accessory Structure):	

Findings

Per Sec. 11.5.6.8. The Planning and Zoning Commission's recommendation must be accompanied by specific findings of fact regarding whether practical difficulties or particular hardships would result if a Variation is not granted. *The Petitioner has submitted the following justification for a Variation from Article 14, Section 14.1.9, Table 14-1 of the Zoning Ordinance:*

- 1. State the particular hardship and/or practical difficulty created for you in carrying out the strict letter of the zoning regulations to wit:**

Filing a variance to allow a pool deck and a brick path in our front yard.

- 2. A reasonable return or use of your property is not possible under the existing regulations because:**

When we bought our house the previous owners had the lot subdivided and our backyard became a lot in which a house was built. According to the ordinance and dimensions of our lot our side yard is considered our front yard.

- 3. Your situation is unique (not applicable in other properties in the area or zoning classification) in the following respect:**

Our house is located on a corner lot and was subdivided and dimensionally the side yard is considered our front yard.

- 4. The variation will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property; not increase hazard from fire; not impair property values in the neighborhood; not unduly increase congestion in the streets, or otherwise impair public safety; health and convenience because:**

The deck and brick path are located on the property and built within code and safety regulations.

Notification

Legal Notice was published in the Daily Herald on July 19, 2024, a sign placed on the subject property, and notifications sent to property owners within a 250.0 foot radius of the subject property in advance of the Public Hearing.

Staff Recommendation

Village staff has reviewed the petition and is supportive of the request.

Recommended Action

To recommend approval of PZ-24-12 for a Variation from Table 14-1 of Article 14 Section 14.1.9 – Setbacks of the Zoning Ordinance to allow a deck to be installed within the front yard (east) setback as depicted on Exhibit B for 580 E. Kolberg Court.

Exhibit List

- A. Site Plan and Architectural Plans
- B. Plat of Survey

Aerial



Legend

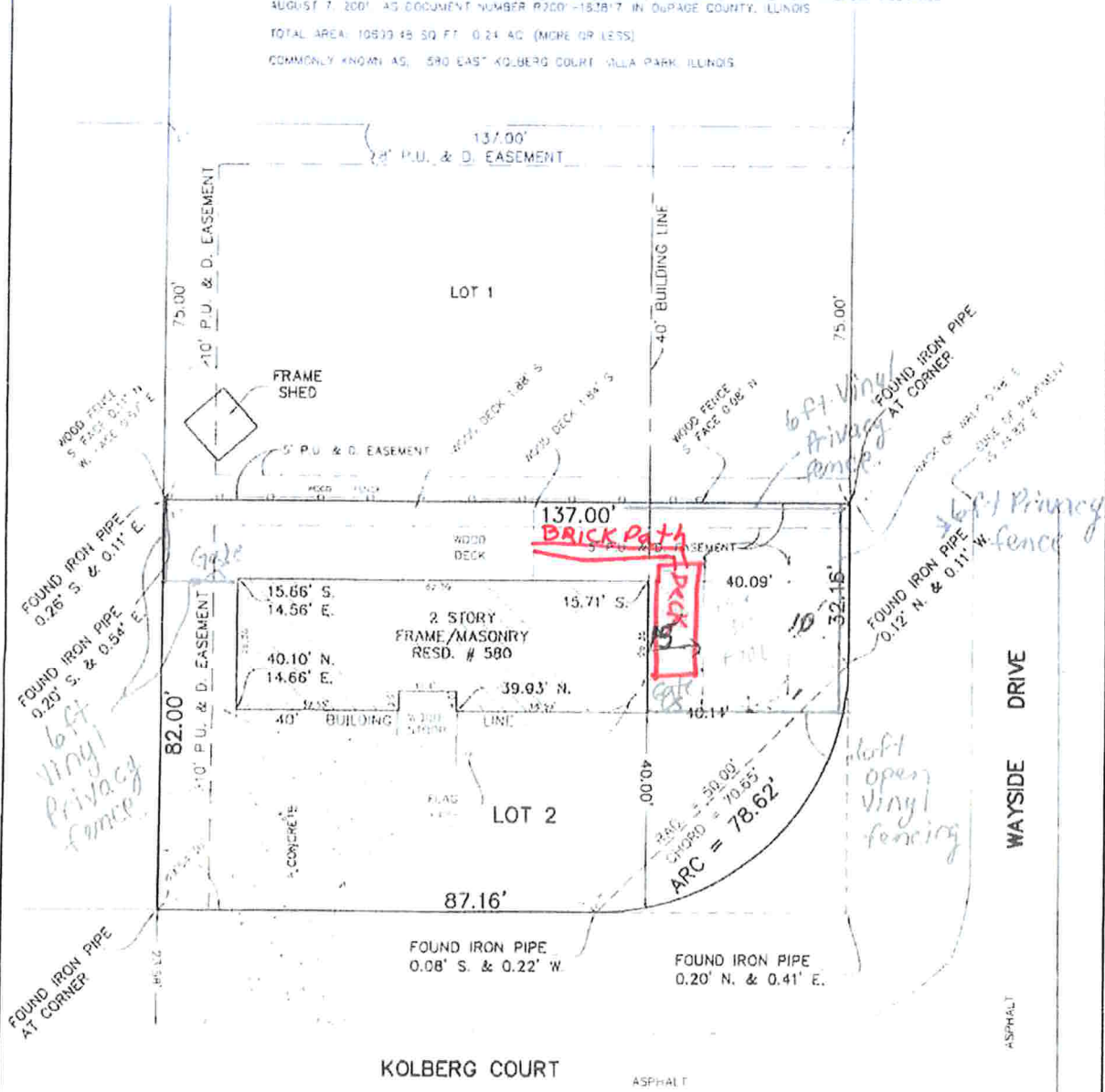
PLAT OF SURVEY

BY
GENTILE AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

LOT 2 IN NELSON'S RESUBDIVISION OF LOT 10 IN BLOCK 9 IN ARTHUR J. MONTUSH & COMPANY'S WESTLANDS UNIT NO. 2, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 35 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 2001 AS DOCUMENT NUMBER R300-151817 IN DUPAGE COUNTY, ILLINOIS

TOTAL AREA: 10839.48 SQ. FT. 0.24 AC. (MORE OR LESS)

COMMONLY KNOWN AS: 580 EAST KOLBERG COURT, VILLA PARK, ILLINOIS



NOTE.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

STATE OF ILLINOIS
COUNTY OF DUPAGE

BASE SCALE: 1 INCH = 20 FEET

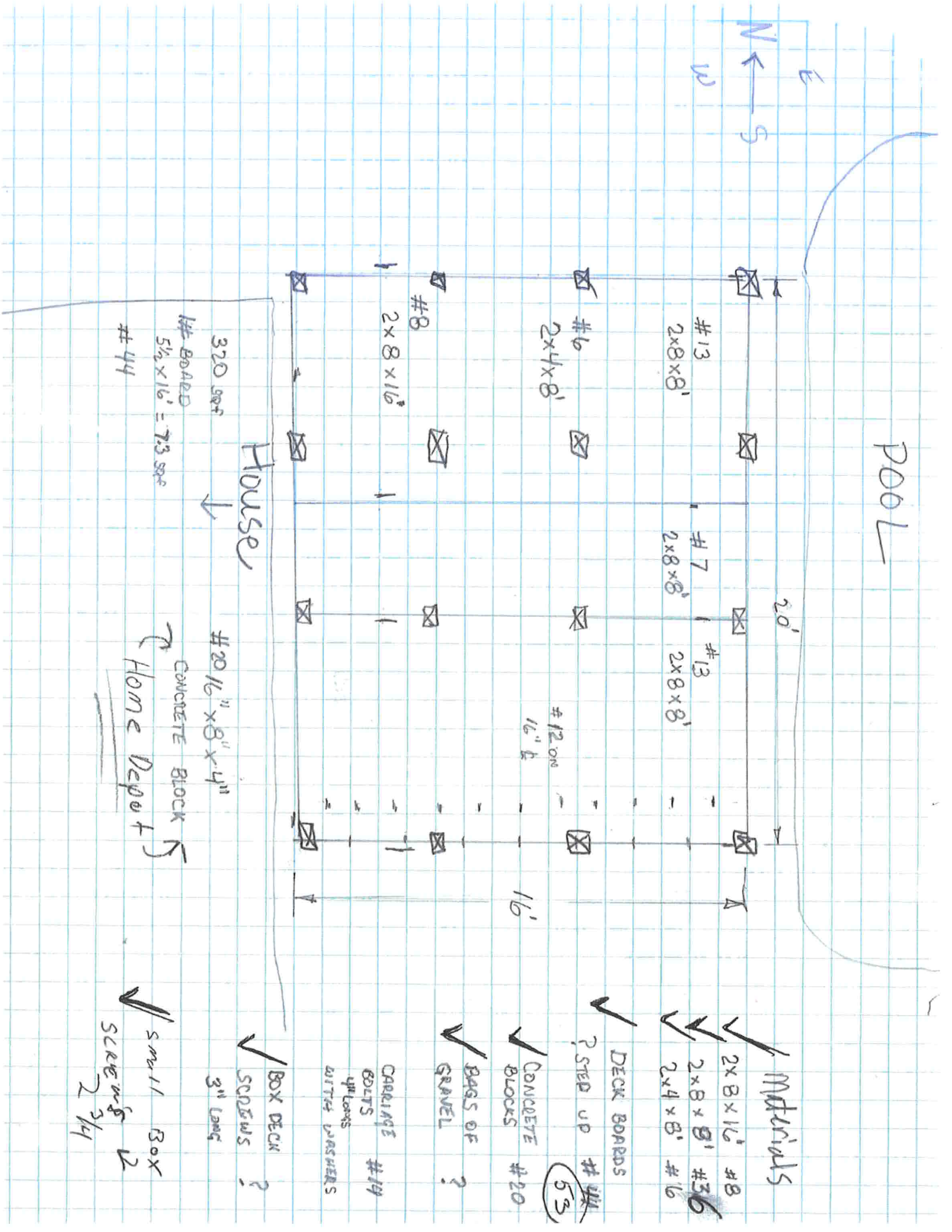
DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF.

ORDERED BY: AMY WRIGHT
DRAWN BY: LMH/MMC
CHECKED BY: JFG
SURVEYED BY: KT-MN/RWG

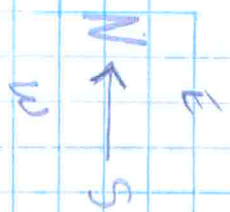
WE, GENTILE AND ASSOCIATES, INC. HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE AT AND UNDER MY DIRECTION, OF THE PROPERTY DESCRIBED ABOVE, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PLAT CONFORMS TO THE MINIMUM STANDARD REQUIREMENTS FOR A BOUNDARY SURVEY.

AUGUST 12, 2020

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE. REPORT ANY DIFFERENCE FOR BUILDING LINE AND OTHER. RESURVEY ONLY NOT SHOWN HEREON REFER TO YOUR ARCHITECT (S).



POOL



House

320 sqft
BOARDED
5 1/2 x 16' = 7.3 sqft
44

Concrete Block
20 1/2" x 8" x 4"
Home Depot

- Materials
- ✓ 2x8x16' #8
 - ✓ 2x8x8' #36
 - ✓ 2x4x8' #16

- ✓ DECK BOARDS
- ✓ # 44
- 53
- ✓ CONCRETE #20
- ✓ BAGS OF GRAVEL ?

- CARRIAGE BOLTS #14
- UP LOCKS
- BITTER WASHERS

- ✓ BOX DECK SCREWS ?
- 3" LONG

- ✓ SMALL BOX SCREWS 2
- 2 3/4

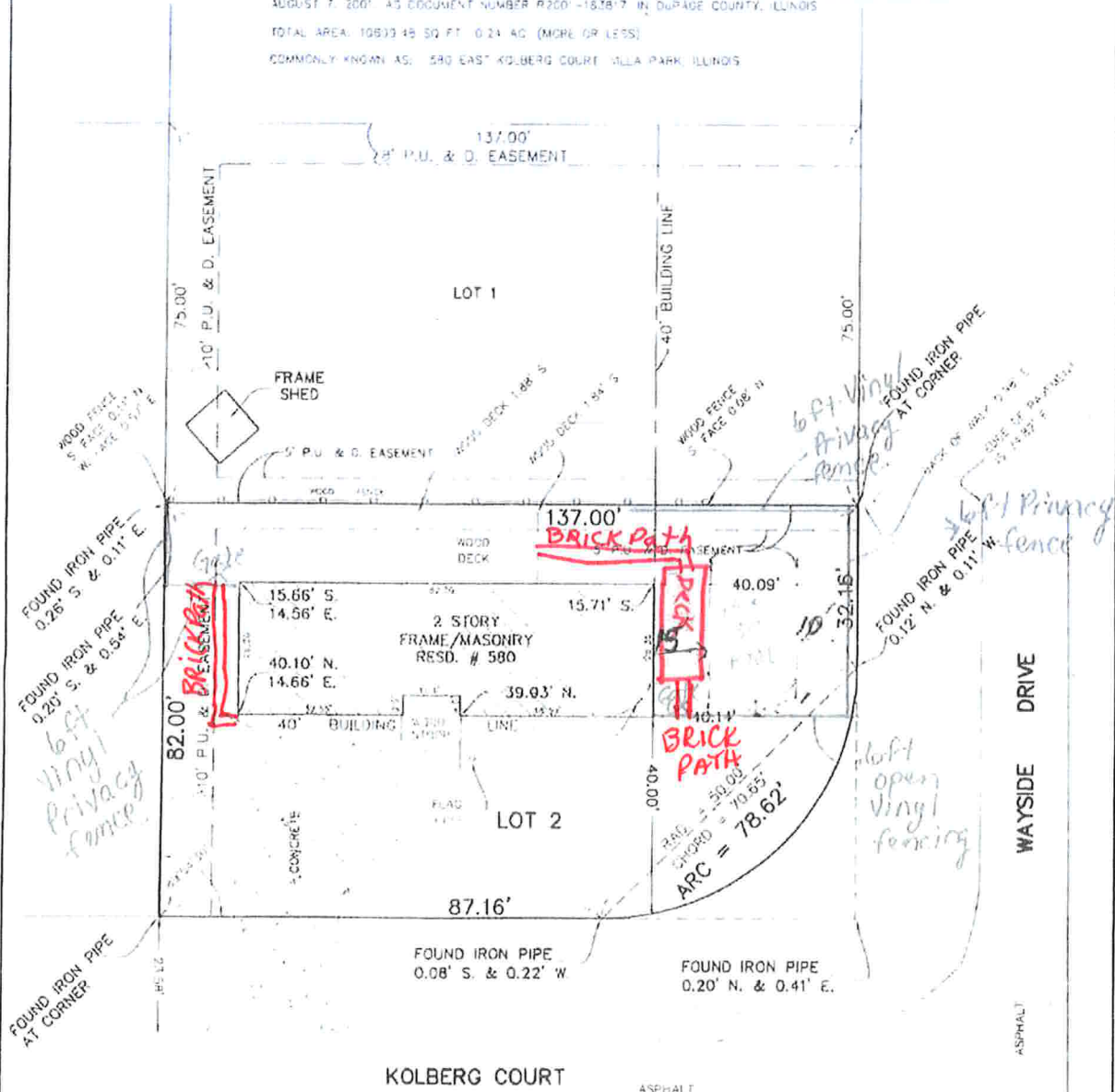
PLAT OF SURVEY

BY
GENTILE AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

LOT 2 IN NELSON'S RESUBDIVISION OF LOT 10 IN BLOCK 9 IN ARTHUR F. MONTUSH & COMPANY'S WESTLANDS UNIT NO. 2, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 2001, AS DOCUMENT NUMBER P200-18,787 IN DUPAGE COUNTY, ILLINOIS

TOTAL AREA: 10833 48 SQ. FT. 0.24 AC. (MORE OR LESS)

COMMONLY KNOWN AS: 580 EAST KOLBERG COURT, WILLA PARK, ILLINOIS



NOTE:
EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT purPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY, BUILDING SLIBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE

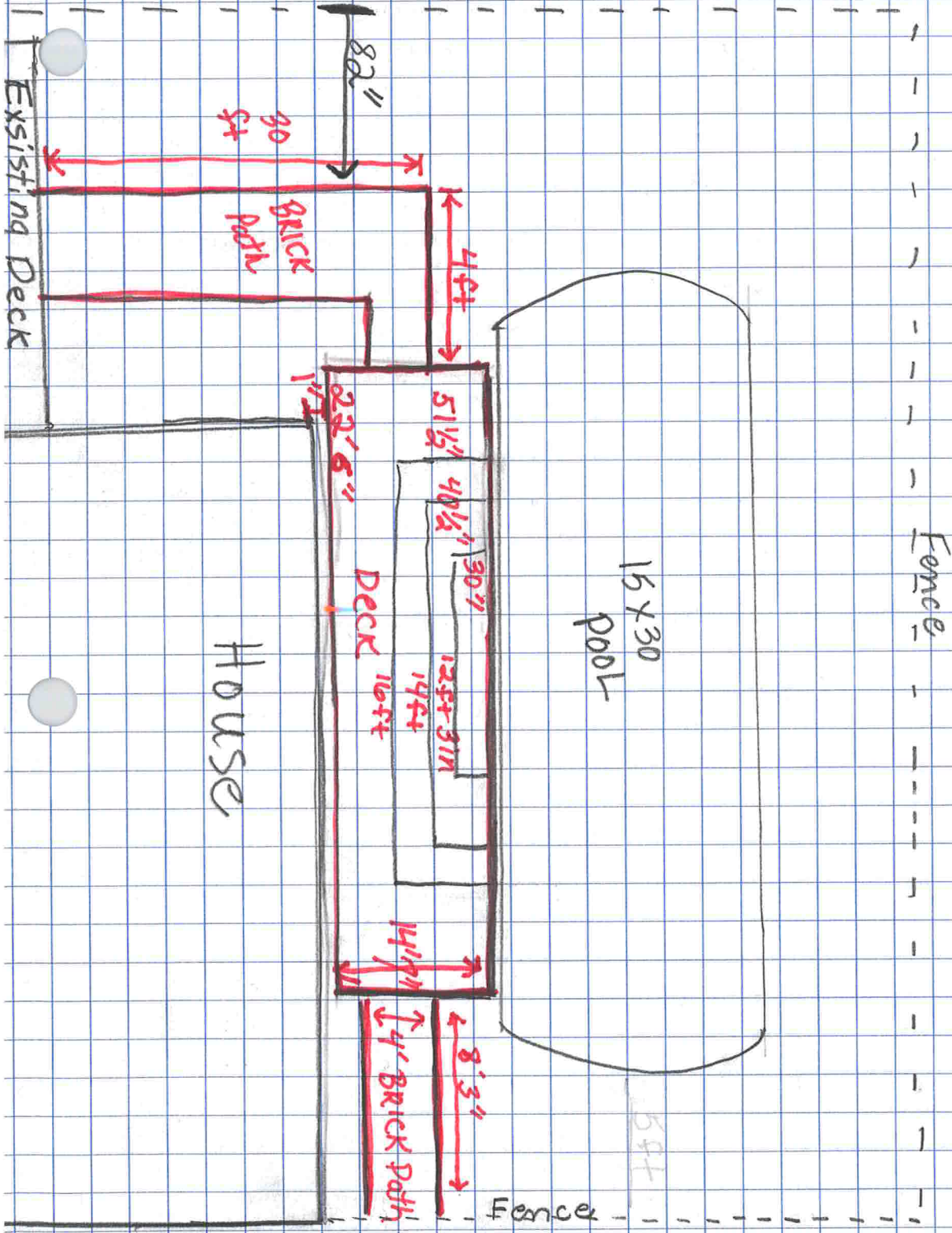
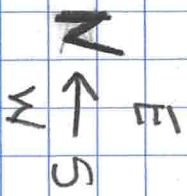
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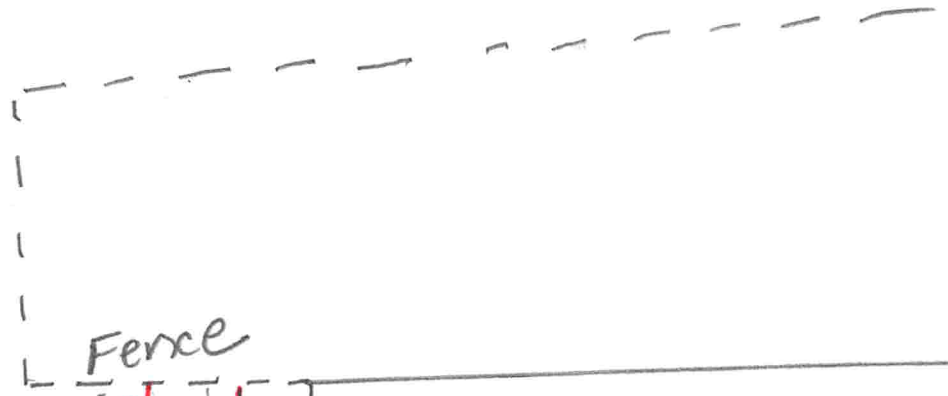
COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE
REPORT ANY DIFFERENCE FOR BUILDING LINE AND OTHER
RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR ARCHITECT/ENGINEER

STATE OF ILLINOIS
COUNTY OF DUPAGE

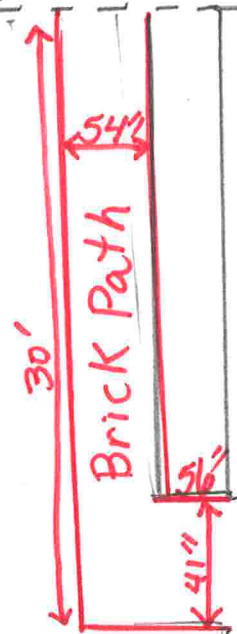
WE, GENTILE AND ASSOCIATES, INC. HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE AT AND UNDER MY DIRECTION, OF THE PROPERTY DESCRIBED ABOVE, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PLAT CONFORMS TO THE MINIMUM STANDARD REQUIREMENTS FOR A BOUNDARY SURVEY.

AUGUST 12, 2020





Fence



Brick Path

Garage

580 E.
Kolberg

PLAT OF SURVEY

LOMBARD, ILLINOIS 60148
PHONE : (630) 916-6262

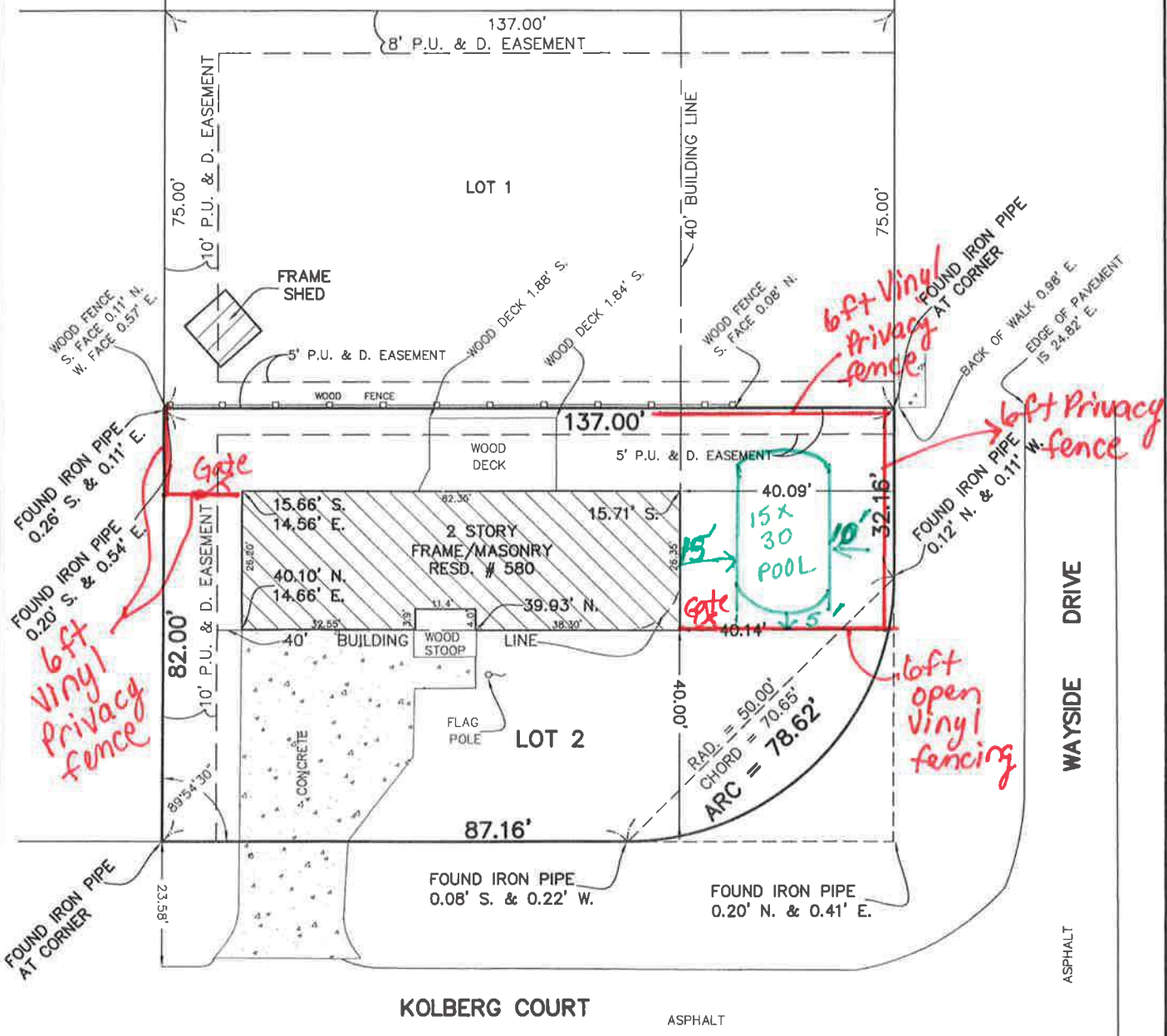


BY
GENTILE AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

LOT 2 IN NELSON'S RESUBDIVISION OF LOT 10 IN BLOCK 9 IN ARTHUR T. McINTOSH & COMPANY'S WESTLANDS UNIT NO. 2, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 2001, AS DOCUMENT NUMBER R2001-163817, IN DuPAGE COUNTY, ILLINOIS.

TOTAL AREA: 10699.48 SQ FT., 0.24 AC. (MORE OR LESS)

COMMONLY KNOWN AS: 580 EAST KOLBERG COURT, VILLA PARK, ILLINOIS.



NOTE:
EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES, RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

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ORDERED BY : AMY WRIGHT
DRAWN BY : LMH/MMG
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SURVEYED BY : KT-MN/RWG



STATE OF ILLINOIS S.S.
COUNTY OF DuPAGE

WE, GENTILE AND ASSOCIATES, INC. HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE AT AND UNDER MY DIRECTION, OF THE PROPERTY DESCRIBED ABOVE, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PLAT CONFORMS TO THE MINIMUM STANDARD REQUIREMENTS FOR A BOUNDARY SURVEY.

AUGUST 12, A.D. 2020

[Handwritten signature]

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREFON RFFFR TO YOUR ABSTRACT DFFD.