

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**

**September 12, 2024**

**7:30 PM**

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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 from the August 8, 2024 Planning and Zoning Commission Meeting
- 3. Public Hearing - New Business**
  - a. **PZ-24-13** / 1110 S. Villa Avenue / Special Use / **Petitioner:** Matthew Toepper, FGM Architects
  - b. **PZ-24-14** / Text Amendment for Article 6, 13, and 14 / Text Amendment / **Petitioner:** Village of Villa Park
- 4. Discussion Items**
- 5. Public Comments on Non-Agenda Items**
- 6. Adjournment**

The Villa Park Village Hall is subject to the requirements of the Americans with Disabilities Act of 1990. An elevator is operational at the north side entrance to the Village Hall during normal work hours and also during evenings. Individuals with special needs are requested to contact the Village's Compliance Officer at (630) 834-8500 so that reasonable accommodations can be made for those persons.

VILLAGE OF VILLA PARK, ILLINOIS  
PLANNING AND ZONING COMMISSION

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

MEETING MINUTES

AUGUST 8, 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  
8th day of August, 2024.

APPEARANCES: MR. JASON JARRETT, Chairman  
MR. MICHAEL ORLOWSKI, Commissioner  
MR. ERIC LUEDTKE, Commissioner  
MR. LARRY CALVERT, Commissioner  
MR. JUSTIN SHLENSKY, Commissioner  
MR. EDWARD HOFSTRA, Commissioner

ALSO PRESENT: MR. NICK CUZZONE, Villa Park President  
MR. MARC McLAUGHLIN, Community Development  
MS. RACHEL LEEDOM, Planner

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                  (No response.)

13                  CHAIRMAN JARRETT: Luedtke?

14                  COMMISSIONER LUEDTKE: Here.

15                  CHAIRMAN JARRETT: Orłowski?

16                  COMMISSIONER ORŁOWSKI: Here.

17                  CHAIRMAN JARRETT: Romano?

18                  (No response.)

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 additions to the minutes from

1 last month?

2 (No response.)

3 CHAIRMAN JARRETT: Hearing none, is  
4 there a motion to approve?

5 COMMISSIONER HOFSTRA: So moved.

6 CHAIRMAN JARRETT: Motion.

7 Is there a second?

8 MR. ORLOWSKI: Second.

9 CHAIRMAN JARRETT: There is a  
10 second.

11 Any questions or comments on the motion?

12 (No response.)

13 CHAIRMAN JARRETT: All in favor?

14 ALL PRESENT: Aye.

15 CHAIRMAN JARRETT: Any opposed?

16 (No response.)

17 CHAIRMAN JARRETT: All right the  
18 minutes are approved.

19 (Proceedings concluded at  
20 7:32 p.m.)

21 ///

22 ///

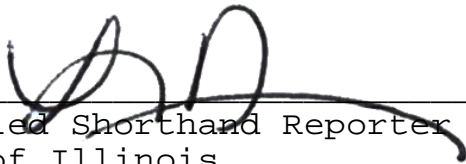
23 ///

24 ///

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

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

13 IN WITNESS WHEREOF, I do hereunto set my  
14 verified digital signature at Chicago, Illinois,  
15 this 29th day of August, 2024.

16  
17  
18  
19   
20 Certified Shorthand Reporter  
21 State of Illinois  
22 CSR License No. 084-003037  
23  
24

<b>7</b>	<b>M</b>	<b>Z</b>
<b>7:32</b> 3:20	<b>meeting</b> 2:2	<b>Zoning</b> 2:3
<b>A</b>	<b>minutes</b> 2:23,24 3:18	
<b>additions</b> 2:24	<b>month</b> 3:1	
<b>Approval</b> 2:23	<b>motion</b> 3:4,6,11	
<b>approve</b> 3:4	<b>moved</b> 3:5	
<b>approved</b> 3:18	<b>O</b>	
<b>Aye</b> 3:14	<b>opposed</b> 3:15	
<b>C</b>	<b>order</b> 2:3	
<b>call</b> 2:1,4	<b>Orlowski</b> 2:15,16 3:8	
<b>Calvert</b> 2:5,6	<b>P</b>	
<b>CHAIRMAN</b> 2:1,7,9,11,13, 15,17,19,21 3:3,6,9,13,15,17	<b>p.m.</b> 3:20	
<b>comments</b> 3:11	<b>Park</b> 2:2	
<b>Commission</b> 2:3	<b>Planning</b> 2:3	
<b>COMMISSIONER</b> 2:6,8,14, 16,20 3:5	<b>present</b> 2:22 3:14	
<b>concluded</b> 3:19	<b>proceedings</b> 3:19	
<b>F</b>	<b>Q</b>	
<b>favor</b> 3:13	<b>questions</b> 2:24 3:11	
<b>H</b>	<b>quorum</b> 2:22	
<b>Hearing</b> 3:3	<b>R</b>	
<b>Hofstra</b> 2:7,8 3:5	<b>regular</b> 2:2	
<b>J</b>	<b>response</b> 2:10,12,18 3:2,12,16	
<b>Jackson</b> 2:9	<b>Roll</b> 2:4	
<b>JARRETT</b> 2:1,7,9,11,13,15, 17,19,21 3:3,6,9,13,15,17	<b>Romano</b> 2:17	
<b>L</b>	<b>S</b>	
<b>Lemieux</b> 2:11	<b>Shlensky</b> 2:19,20	
<b>Luedtke</b> 2:13,14	<b>V</b>	
	<b>Villa</b> 2:2	
	<b>Village</b> 2:2	

VILLAGE OF VILLA PARK, ILLINOIS  
PLANNING AND ZONING COMMISSION

IN RE THE MATTER OF: )  
 )  
DAVE & AMY WRIGHT ) PZ-24-12  
580 East Kolberg Court )

PUBLIC HEARING

AUGUST 8, 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  
8th day of August, 2024.

APPEARANCES: MR. JASON JARRETT, Chairman  
MR. KENNETH JACKSON, Commissioner  
MR. ERIC LUEDTKE, Commissioner  
MR. MICHAEL ORLOWSKI, Commissioner  
MR. LARRY CALVERT, Commissioner  
MR. JUSTIN SHLENSKY, Commissioner  
MR. EDWARD HOFSTRA, Commissioner

ALSO PRESENT: MR. NICK CUZZONE, Villa Park President  
MR. MARC McLAUGHLIN, Community Development  
MS. RACHEL LEEDOM, Planner

REPORTED BY LYN DOERING, CSR.

1                   CHAIRMAN JARRETT: So we have one  
2 item of business tonight, that is PZ-24-12 for 580  
3 East Kolberg Court, Petitioner David and Amy  
4 Wright.

5                   Just real quick to explain the process,  
6 we will start with Staff presentation,  
7 presentation by the Petitioner, if there is any,  
8 public input if there is any, Commission  
9 questions, Commission comments, and then a motion  
10 up here, if necessary.

11                  I would ask that anybody who is going to  
12 speak tonight or thinks they will speak, stand and  
13 we will get you all sworn in at once. Just raise  
14 your right hand.

15   (Whereupon said witnesses were  
16   duly sworn).

17                  CHAIRMAN JARRETT: All right.  
18 Staff, whenever you are ready.

19                  MR. McLAUGHLIN: Excellent. Good  
20 evening.

21                  This evening we have a petition for a  
22 variation for a deck in a front yard setback. It  
23 is an existing home in the RS-10 district which  
24 has a 30-foot front yard setback.

1           The Petitioner previously received a  
2 variation for a deck within a front yard -- sorry  
3 -- a pool within a front yard and a 6-foot fence  
4 within a front yard in 2020, Ordinance 4172.

5           Now, the Petitioner wishes to install a  
6 deck associated with that pool in the front yard  
7 setback.

8           Decks are allowed in the front yard.  
9 They are not allowed within that setback though.

10           So this deck encroaches into the setback  
11 by approximately 5 feet.

12           We have the site plan. As you can see  
13 here on the left it is a corner lot. The front is  
14 the shortest length, which is this.

15           The pool is located on the east side of  
16 the property. The deck will be between the home  
17 and the pool.

18           There are some additional brick pavers  
19 and patios out there. Those will be allowed to be  
20 permitted. They will be under the same permit.  
21 But we are just mentioning that those are there.

22           The variation review has four standards  
23 in particular:

24           That it's not -- the hardship is not

1 created by them, it's unique -- which staff  
2 believes that this lot is -- the home is facing  
3 the south, that's what looks and feels like the  
4 front yard; however zoning-wise the front is  
5 technically the east yard.

6 There is no one here from the public.

7 And then we have a sample motion for you  
8 guys, and obviously Staff is here to answer any  
9 questions, and the Petitioner is in the audience.

10 CHAIRMAN JARRETT: Okay. Let the  
11 record show that Commissioner Jackson arrived at  
12 7:32.

13 Okay. Any presentations from the  
14 Petitioner? Any comments?

15 (No response.)

16 CHAIRMAN JARRETT: No; okay.  
17 Public input?

18 (No response.)

19 CHAIRMAN JARRETT: No one.  
20 Questions from the Commission?

21 COMMISSIONER ROMANO: Not really.

22 CHAIRMAN JARRETT: Any discussion?

23 COMMISSIONER ORLOWSKI: I have  
24 something for discussion.

1 CHAIRMAN JARRETT: Okay.

2 COMMISSIONER ORLOWSKI: I think  
3 this is our second petition that's come through  
4 that the request that's being requested is already  
5 there. So the deck is already present at the  
6 residence.

7 COMMISSIONER LUEDTKE: Okay. Is  
8 that accurate?

9 COMMISSIONER ORLOWSKI: And it  
10 would be easier if people would just get the  
11 permits so that you don't endure any extra costs,  
12 or if you think you are going to put a deck when  
13 you came in 2020, it would have been easier to put  
14 it on then.

15 MS. WRIGHT: Agreed.

16 COMMISSIONER ORLOWSKI: That's all  
17 I've got.

18 CHAIRMAN JARRETT: Anything else?

19 COMMISSIONER LUEDTKE: No. I was  
20 reviewing the code and it was interesting. The  
21 code language is sort of weird with obstructions  
22 or encroachments.

23 Like, if this thing was covered it would  
24 be permitted?

1 MR. McLAUGHLIN: Correct.

2 COMMISSIONER LUEDTKE: Because it's  
3 a porch; right?

4 MR. McLAUGHLIN: Yes.

5 COMMISSIONER LUEDTKE: It's odd  
6 that when we are having something less bulky  
7 triggering the variance, I am curious if that may  
8 be something that maybe some code amendment or  
9 text amendment would clean up down the line.

10 MR. McLAUGHLIN: Yeah.

11 COMMISSIONER LUEDTKE: Because this  
12 seems --

13 MR. McLAUGHLIN: Yeah, a deck and a  
14 porch are very, very similar. Why are they  
15 treated differently; exactly, yeah.

16 It is on our radar. We do have some  
17 text amendments coming this year that are more  
18 important, if you will.

19 COMMISSIONER LUEDTKE: Understood.

20 MR. McLAUGHLIN: But it's on our  
21 radar to take a look at the entire obstruction  
22 list.

23 COMMISSIONER LUEDTKE: Understood.  
24 Makes sense.

1                   COMMISSIONER SHLENSKY:  Marc, could  
2                   you go back to the percentages or the square  
3                   footage slide?

4                   Yeah, so kind of piggybacking off of  
5                   both Commissioners Luedtke and Orłowski, obviously  
6                   coming for permission rather than seeking  
7                   forgiveness is our preferred avenue.

8                   In addition to porch versus deck and  
9                   some of the items that we have touched upon last  
10                  meeting refers to items that may be more  
11                  applicable for administrative action to bypass  
12                  this process and to allow homeowners to seek  
13                  relief in other avenues, I would encourage looking  
14                  at that to truly see how we can clean up  
15                  deficiencies as well.

16                  MR. McLAUGHLIN:  Sure.  Yeah, this  
17                  exceeds the current amount that we can do  
18                  administratively.

19                  COMMISSIONER SHLENSKY:  Certainly  
20                  currently exceeds.

21                  MR. McLAUGHLIN:  Yeah.

22                  COMMISSIONER SHLENSKY:  But as we  
23                  look to expand upon that, you know, keeping with  
24                  the fidelity of the code and the intent of it, but

1 also allowing for your department to have a bit  
2 more administrative leeway to support it.

3 MR. McLAUGHLIN: Yes.

4 CHAIRMAN JARRETT: Any other  
5 questions or discussion on this item?

6 COMMISSIONER JACKSON: Did they  
7 have to pay a fine for not getting a permit for  
8 that deck? What happened with that?

9 MR. McLAUGHLIN: In the building  
10 permit process -- not the zoning process -- there  
11 is a fee tacked onto work that starts without a  
12 permit.

13 COMMISSIONER CALVERT: How much is  
14 that fee?

15 MR. McLAUGHLIN: It's based on the  
16 percentage of the actual building permit fee.

17 So 25 percent for your first offense,  
18 50 percent for your second offense, 75 for your  
19 third, fourth and more than that it's 100 percent,  
20 100 percent more.

21 So if you continue to remodel your home  
22 over and over again that escalates, or if you are  
23 a contractor and you are doing work around the  
24 entire community, every one keeps adding on. So

1 when you get to your fourth remodel without a  
2 permit they are at 400 percent.

3 So everybody get your permits.

4 COMMISSIONER SHLENSKY: Say it  
5 again.

6 MR. McLAUGHLIN: Permits, get them.

7 COMMISSIONER JACKSON: Can we, for  
8 our public announcement, make a commercial?

9 MR. McLAUGHLIN: Yeah.

10 CHAIRMAN JARRETT: I know a lot of  
11 people aren't a big fan of permits, because they  
12 think it's a money grab, but it's also -- for a  
13 lot of projects it's how the Village assures the  
14 contractor you hired is doing things the right way  
15 and the safe way.

16 MR. McLAUGHLIN: That's correct.  
17 The Village is an advocate for the property and  
18 the homeowner, not for the contractor.

19 CHAIRMAN JARRETT: Especially with  
20 electrical and HVAC and --

21 MR. McLAUGHLIN: Plumbing.

22 CHAIRMAN JARRETT: -- plumbing.

23 All right. If there is nothing else I  
24 would entertain a motion on the item.

1 COMMISSIONER SHLENSKY: Make a  
2 motion to recommend approval of PZ-24-12 for a  
3 variation from Table 14-1 of Article 14, Section  
4 14.1.9, Setbacks of the Zoning Ordinance, to allow  
5 a deck to be installed within the front yard east  
6 setback, as depicted on Exhibit B for 580 East  
7 Kolberg Court.

8 COMMISSIONER ORLOWSKI: I will  
9 second that.

10 CHAIRMAN JARRETT: We have a motion  
11 and a second.

12 Any comments or questions on the motion?

13 (No response.)

14 CHAIRMAN JARRETT: All right. Roll  
15 call?

16 Calvert?

17 COMMISSIONER CALVERT: Yes.

18 CHAIRMAN JARRETT: Hofstra?

19 COMMISSIONER HOFSTRA: Yes.

20 CHAIRMAN JARRETT: Jackson?

21 COMMISSIONER JACKSON: Yes.

22 CHAIRMAN JARRETT: Luedtke?

23 COMMISSIONER LUEDTKE: Yes.

24 CHAIRMAN JARRETT: Orłowski?

1 COMMISSIONER ORLOWSKI: Yes.

2 CHAIRMAN JARRETT: Shlensky?

3 COMMISSIONER SHLENSKY: Yes.

4 CHAIRMAN JARRETT: I too vote yes.

5 And with that our recommendation will  
6 pass to the Village Board and they have the final  
7 say on this item. Thank you.

8 MR. WRIGHT: Thank you.

9 (Proceedings concluded at  
10 7:41 p.m.)

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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 29th day of August, 2024.



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

<b>1</b>	<b>addition</b> 7:8 <b>additional</b> 3:18 <b>administrative</b> 7:11 8:2 <b>administratively</b> 7:18 <b>advocate</b> 9:17 <b>Agreed</b> 5:15 <b>allowed</b> 3:8,9,19 <b>allowing</b> 8:1 <b>amendment</b> 6:8,9 <b>amendments</b> 6:17 <b>amount</b> 7:17 <b>Amy</b> 2:3 <b>announcement</b> 9:8 <b>applicable</b> 7:11 <b>approval</b> 10:2 <b>approximately</b> 3:11 <b>arrived</b> 4:11 <b>Article</b> 10:3 <b>assures</b> 9:13 <b>audience</b> 4:9 <b>avenue</b> 7:7 <b>avenues</b> 7:13	10:10,14,18,20,22,24 11:2,4 <b>clean</b> 6:9 7:14 <b>code</b> 5:20,21 6:8 7:24 <b>comments</b> 2:9 4:14 10:12 <b>commercial</b> 9:8 <b>Commission</b> 2:8,9 4:20 <b>Commissioner</b> 4:11,21,23 5:2, 7,9,16,19 6:2,5,11,19,23 7:1, 19,22 8:6,13 9:4,7 10:1,8,17, 19,21,23 11:1,3 <b>Commissioners</b> 7:5 <b>community</b> 8:24 <b>concluded</b> 11:9 <b>continue</b> 8:21 <b>contractor</b> 8:23 9:14,18 <b>corner</b> 3:13 <b>correct</b> 6:1 9:16 <b>costs</b> 5:11 <b>Court</b> 2:3 10:7 <b>covered</b> 5:23 <b>created</b> 4:1 <b>curious</b> 6:7 <b>current</b> 7:17
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<b>4</b>	<b>400</b> 9:2 <b>4172</b> 3:4	
<b>5</b>	<b>5</b> 3:11 <b>50</b> 8:18 <b>580</b> 2:2 10:6	
<b>6</b>	<b>6-foot</b> 3:3	
<b>7</b>	<b>75</b> 8:18 <b>7:32</b> 4:12 <b>7:41</b> 11:10	
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	<b>B</b>	<b>David</b> 2:3 <b>deck</b> 2:22 3:2,6,10,16 5:5,12 6:13 7:8 8:8 10:5 <b>Decks</b> 3:8 <b>deficiencies</b> 7:15 <b>department</b> 8:1 <b>depicted</b> 10:6 <b>differently</b> 6:15 <b>discussion</b> 4:22,24 8:5 <b>district</b> 2:23 <b>duly</b> 2:16
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VILLAGE OF VILLA PARK, ILLINOIS  
PLANNING AND ZONING COMMISSION

IN RE THE MATTER OF: )  
 )  
COMMISSION DISCUSSION )

DISCUSSION

AUGUST 8, 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 7:42 o'clock p.m., on Thursday, the  
8th day of August, 2024.

APPEARANCES: MR. JASON JARRETT, Chairman  
MR. KENNETH JACKSON, Commissioner  
MR. ERIC LUEDTKE, Commissioner  
MR. LARRY CALVERT, Commissioner  
MR. JUSTIN SHLENSKY, Commissioner  
MR. EDWARD HOFSTRA, Commissioner  
MR. MICHAEL ORLOWSKI, Commissioner

ALSO PRESENT: MR. NICK CUZZONE, Villa Park President  
MR. MARC McLAUGHLIN, Community Development  
MS. RACHEL LEEDOM, Planner

REPORTED BY LYN DOERING, CSR.

1                   CHAIRMAN JARRETT: All right. Do  
2 we have any discussion items, anything tonight,  
3 Marc?

4                   MR. McLAUGHLIN: I would like to  
5 introduce our new planner, Rachel. She has been  
6 with us for about a month. This is her first  
7 Planning and Zoning Commission meeting. You will  
8 be seeing her regularly.

9                   CHAIRMAN JARRETT: Good. She got  
10 an easy one tonight.

11                  MR. McLAUGHLIN: Yeah.

12                  MS. LEEDOM: Yes, good first  
13 meeting.

14                  CHAIRMAN JARRETT: Don't get used  
15 to it.

16                           Anything else?

17                  MR. McLAUGHLIN: No.

18                  CHAIRMAN JARRETT: I did notice  
19 that they started site demolition on both of the  
20 Park projects, both the funeral home and --

21                  MR. McLAUGHLIN: Yep, both permits  
22 have been issued.

23                  CHAIRMAN JARRETT: That's good.

24                  MR. McLAUGHLIN: Uh huh. Very

1 good.

2 CHAIRMAN JARRETT: All right.

3 COMMISSIONER ORLOWSKI: Any news  
4 for Ardmore's project?

5 PRESIDENT CUZZONE: Soon.

6 CHAIRMAN JARRETT: They did extend  
7 the RDA, a new RDA; correct?

8 MR. McLAUGHLIN: Correct.

9 CHAIRMAN JARRETT: Amended RDA.

10 MR. McLAUGHLIN: Correct.

11 PRESIDENT CUZZONE: The RDA was  
12 approved I believe two meetings ago, but there are  
13 hard timeframes for him, hard stops on him, as far  
14 as getting financing and then also construction.  
15 So it's got a lot more teeth than the original  
16 RDA.

17 So it sounds like he's -- he has a lot  
18 invested in this. He has a lot of money, time and  
19 effort, so he is not going to let this go.

20 We are hoping that -- I don't know if  
21 yet this year they will be able to break ground  
22 but definitely by spring they should be able to  
23 break ground.

24 CHAIRMAN JARRETT: Do they have to

1       come back through zoning? I don't recall where  
2       they're at.

3                       MR. McLAUGHLIN: They do not have  
4       to come back on zoning. They have the planned  
5       development which is good for three years until it  
6       is revoked and it has not been revoked by the  
7       Village.

8                       COMMISSIONER ORLOWSKI: It's the  
9       best case scenario.

10                      PRESIDENT CUZZONE: Yeah, because  
11       anything else we did would have taken a lot more  
12       time, a lot more effort and a lot more money.

13                      COMMISSIONER ORLOWSKI: A lot more  
14       years.

15                      PRESIDENT CUZZONE: A lot more  
16       years, many more years.

17                      CHAIRMAN JARRETT: All right.  
18       Good.

19                      Do we have anything up here from anyone?

20                               (No response.)

21                      CHAIRMAN JARRETT: Making note that  
22       there's no public comments on non-agenda items.  
23       If there are none, I move that we adjourn.

24                               Is there a second?

1 COMMISSIONER ORLOWSKI: So moved.

2 CHAIRMAN JARRETT: All in favor?

3 ALL PRESENT: Aye.

4 CHAIRMAN JARRETT: We are  
5 adjourned.

6 (Proceedings adjourned at  
7 7:44 p.m.)

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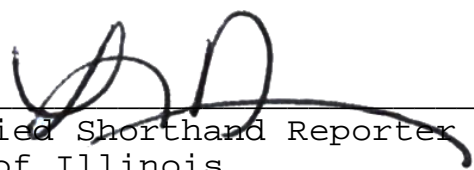
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I, LYN DOERING, Certified Shorthand Reporter and Notary Public in and for the State of Illinois do hereby certify that the foregoing proceedings were reported stenographically by me, was thereafter reduced to a printed transcript by me, and constitutes 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 30th day of August, 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:** September 12, 2024  
**RE:** **Petition PZ-24-13 | 1110 S. Villa Avenue | Special Use for a School**

PETITIONER	OWNER
FGM Architects Matthew Toepper 1211 West 22 <sup>nd</sup> Street, Suite 700 Oak Brook, IL 60523	Salt Creek School District 48 Amy Zaher, District Superintendent 1110 S. Villa Avenue Villa Park, IL 60181

### Request Summary

The Petitioner is requesting a Public Hearing to consider approval of a Special Use for a School within the RS-7.5 Residential Single-Dwelling District.

### Background

The Subject Property includes an existing middle school. The property and existing use were annexed into Villa Park in 1958 per Ordinance 694 and at the time a Special Use was never approved for the site. The applicant now proposes an addition to the school and a Special Use is requested to accommodate the existing use and proposed additions.

### Site Information

Present Zoning: Residential Single-Dwelling District – RS-7.5  
Present Land Use: School  
Property Size: 3.8 acres  
PINs: 06-15-122-024

### Surrounding Zoning

North: Residential Single-Dwelling District – RS-7.5  
West: Residential Single-Dwelling District – RS-7.5  
East: Residential Single-Dwelling District – RS-10  
South: Residential Single-Dwelling District – RS-10 & Unincorporated Residential

### Surrounding Land Use

Residential  
Residential  
Residential  
Residential

### Comprehensive Plan Designation – Educational

This land use category is intended for and encompasses school facilities in Villa Park. This classification encompasses the schools located within the Village’s municipal boundary.

### Zoning Request

The Petitioner requests a Special Use for the existing school use on the property. The Petitioner requests approval of site alterations as part of the Special Use request from the Zoning Ordinance.

### Internal Staff Review

Special Use

The Zoning Ordinance specifically allows for a right to request a Special Use for Schools in the RS-7.5 zoning district per Table 6-1: Use Table. The Commission should consider whether the existing use is appropriate and whether any conditions of operation may be necessary to mitigate any otherwise potential negative impacts. Section 11.4.11. of the Zoning Ordinance requires that any expansion of uses or facilities that qualifies as a major amendment must be reviewed through the Special Use process.

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 school additions would include a front entry on the east façade of the school and rebuilding and expansion of the gymnasium on the west façade of the school.
  - b. The Petitioner would construct a trash enclosure attached to the western façade of the school.
2. Building Scale - The following comments relate to the issue of building scale in regard to the proposed development plans:
  - a. The building with proposed additions 47,262 square foot two-story masonry building.
  - b. The proposed changes would include a two-story entrance and a single-story gymnasium.
  - c. The existing school has a gymnasium but the new footprint of the gymnasium would permit additional space to accommodate students not possible with the current gymnasium.
3. Building Architecture - The following comments relate to the issue of architecture in regard to the proposed development plans:
  - a. The new entrance would feature aluminum storefront system and masonry.
  - b. The gymnasium would be constructed of precast concrete.
  - c. No changes would be made to the remaining existing portions of the school.
4. Lot Coverage - The following comments relate to the issue of lot coverage in regard to the proposed development plans:
  - a. Maximum allowed lot coverage = 60%; Proposed lot coverage = 57%.
5. Site Circulation - The following comments relate to the issue of site circulation in regard to the proposed development plans:
  - a. No changes are proposed to the onsite circulation.
  - b. Three (3) additional accessible stalls are proposed off Villa Avenue.
6. Parking Lots - The following comments relate to the issue of parking lots in regard to the proposed development plans:
  - a. 46 of the 59 provided parking stalls are accessible via public rights-of-way. The remaining 13 stalls are located in the parking lot north of the school building.
  - b. The proposed site plan would include 59 parking stalls where only 41 parking stalls are required per Code for the related uses.
7. Landscaping - The following comments relate to the issue of landscaping in regard to the proposed development plans:
  - a. The petitioner has provided a landscape plan for the new landscape island adjacent to the accessible stalls off of Villa Avenue.
8. Signage - The following comments relate to the issue of signage in regard to the proposed development plans:
  - a. The existing ground signs onsite will not be modified as part of the proposal.
  - b. The petitioner has included a 36.7 square foot wall sign above the new front entrance. Signage within this zoning district would only be permitted up to 32.0 square feet. Staff will work with the petitioner on the reduction of the signage prior to permit.
9. Site Illumination - The following comments relate to the issue of site illumination in regard to the proposed development plans:

- a. No changes are proposed to the existing site illumination.
10. 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 applicant to furnish additional information and evidence that may provide clarity regarding their concerns.

Parking and Loading

Parking and loading berth requirements of the Code are summarized in the following table:

<b>Parking Requirements</b>	<b>Formula</b>	<b>Quantity</b>	<b>Required/Total</b>	<b>Total Proposed</b>	<b>Compliance</b>
School	1.0 parking stall per employee	41 employees	41 stalls	59 stalls	Yes
			41 stalls	59 stalls	Yes

**Findings**

Per Section 11.4.8. – Review and Approval Criteria: No Special Use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed Special Use is consistent with and in substantial compliance with all village board policies and plans and that the applicant has presented evidence to support each of the following conclusions for both Special Uses that they are requesting:

- A.** That the proposed use or activity is expressly authorized as a special use;  
**Petitioner's Response:** *Per Table 6-1, school are allowed in zoning district RS-7.5 if reviewed and approved in accordance with the special use procedures of section 11.4.*
  
- B.** That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;  
**Petitioner's Response:** *The school has been operating since 1958. It is desirable and in the interest of public convenience to have a school within the residential area. It also contributes to the general welfare of the neighborhood by providing a convenient location to educate their children.*
  
- C.** That the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.  
**Petitioner's Response:** *The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity. It improves property values.*
  
- D.** That approval of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;  
**Petitioner's Response:** *The school will not impede the normal and orderly development and improvement of surrounding property.*
  
- E.** That the proposed special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure, and community services; and  
**Petitioner's Response:** *The school will be served by adequate utilities, access roads, parking, drainage, and other important and necessary facilities, infrastructure, and community services..*

- F. That the proposed special use complies with all applicable regulations of this zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance.

**Petitioner's Response:** *The school complies with all applicable regulations of this zoning ordinance.*

**Notification**

Legal Notice was published in the Daily Herald on August 27, 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-24-13 for a Special Use for a School as shown in Exhibit A located at 1110 S. Villa Avenue.*

**Exhibit List**

- A. Site Plan, Parking Layout, Landscape Plan, Elevations, Renderings, and Signage Plans
- B. Preliminary Engineering
- C. Plat of Survey and Topography Plan

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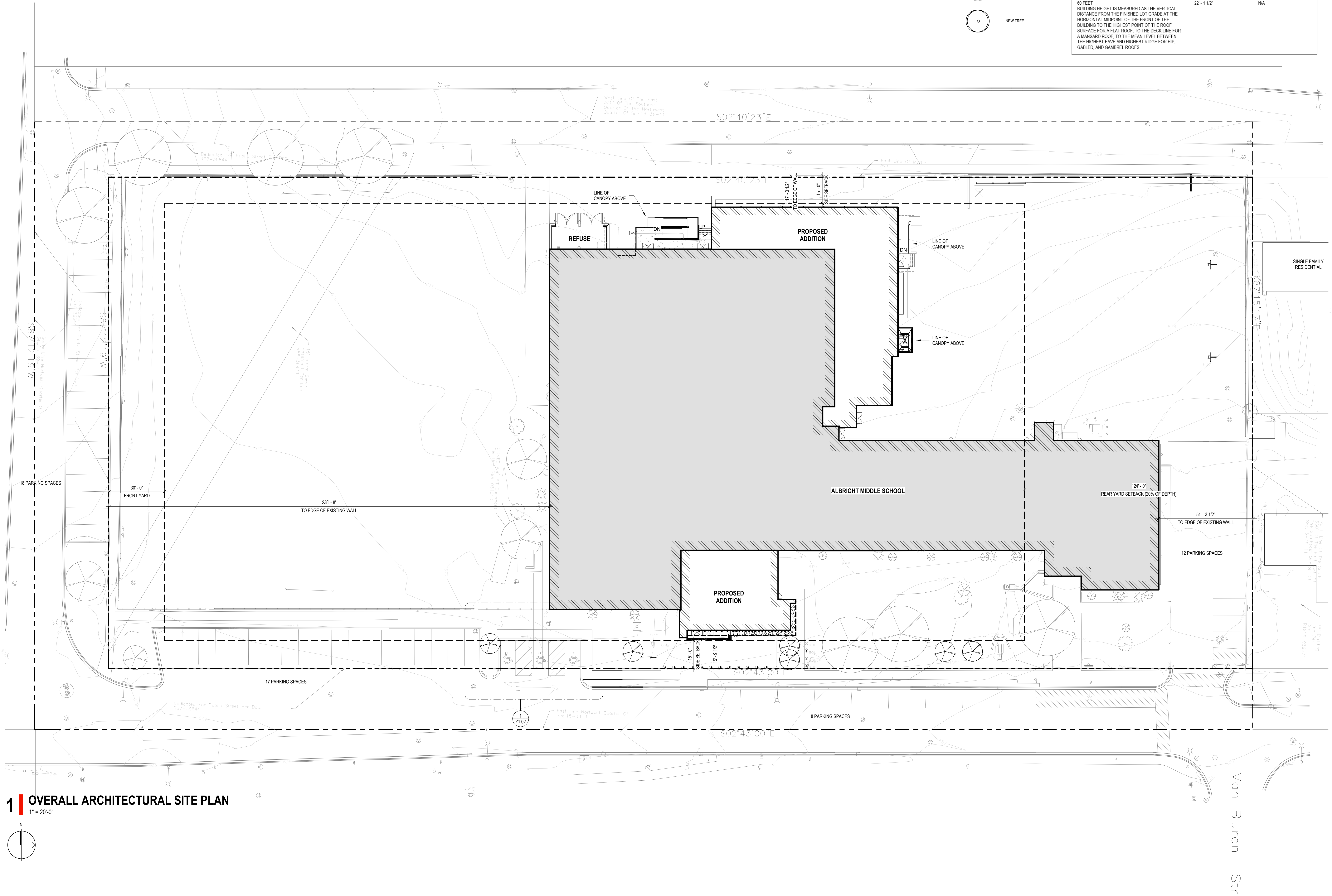
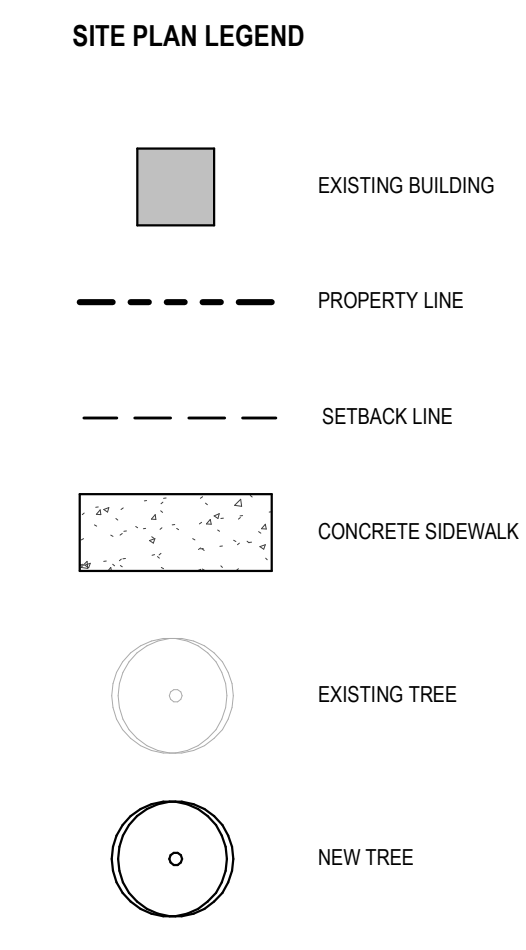
ISSUANCE	
NO	DATE
	09/04/2024
	ISSUED FOR ZONING REVIEW

**ALBRIGHT MIDDLE SCHOOL ADDITIONS AND  
RENOVATIONS**  
SALT CREEK SCHOOL DISTRICT 48  
1110 S Villa Ave, Villa Park, IL 60181

**SITE PLAN**

SHEET NO.  
**Z1.00**

ZONING REQUIREMENTS - RST.5	PROVIDED	VARIANCE REQUIRED
<b>FRONT YARD</b> 30' - 0"	<b>FRONT YARD</b> 238' - 0" (EXISTING)	<b>FRONT YARD</b> N/A
<b>SIDE YARDS</b> 15' - 0"	<b>SIDE YARDS</b> EAST YARD: 15' - 0" WEST YARD: 17' - 0 1/2"	<b>SIDE YARDS</b> EAST YARD: N/A WEST YARD: N/A
<b>REAR YARD</b> 124' - 0" 40/20 FEET% OF LOT DEPTH, WHICHEVER IS GREATER. ON LOTS MORE ONE HUNDRED SIXTY (160) FEET DEEP, THE SUM OF FRONT AND REAR SETBACKS NEED NOT EXCEED FIFTY (50) PERCENT OF LOT DEPTH.	<b>REAR YARD</b> 51' - 3 1/2" (EXISTING)	<b>REAR YARD</b> N/A
<b>MAXIMUM LOT COVERAGE</b> 60 (IMPERVIOUS SITE COVERAGE) (%)	<b>MAXIMUM LOT COVERAGE</b> SITE AREA: 165,539 SQ SF BUILDING AREA: 47,262 SF IMPERVIOUS SITE: 47,659 SF COVERAGE: 59%	<b>MAXIMUM LOT COVERAGE</b> N/A
<b>BUILDING HEIGHT</b> 60 FEET BUILDING HEIGHT IS MEASURED AS THE VERTICAL DISTANCE FROM THE FINISHED LOT GRADE AT THE HORIZONTAL MIDPOINT OF THE FRONT OF THE BUILDING TO THE HIGHEST POINT OF THE ROOF SURFACE FOR A FLAT ROOF, TO THE DECK LINE FOR A MANSARD ROOF, TO THE MEAN LEVEL BETWEEN THE HIGHEST EAVE AND HIGHEST RIDGE FOR HIP, GABLED, AND GAMBLE ROOFS	<b>BUILDING HEIGHT</b> 22' - 1 1/2"	<b>BUILDING HEIGHT</b> N/A



**1 OVERALL ARCHITECTURAL SITE PLAN**  
1" = 20'-0"

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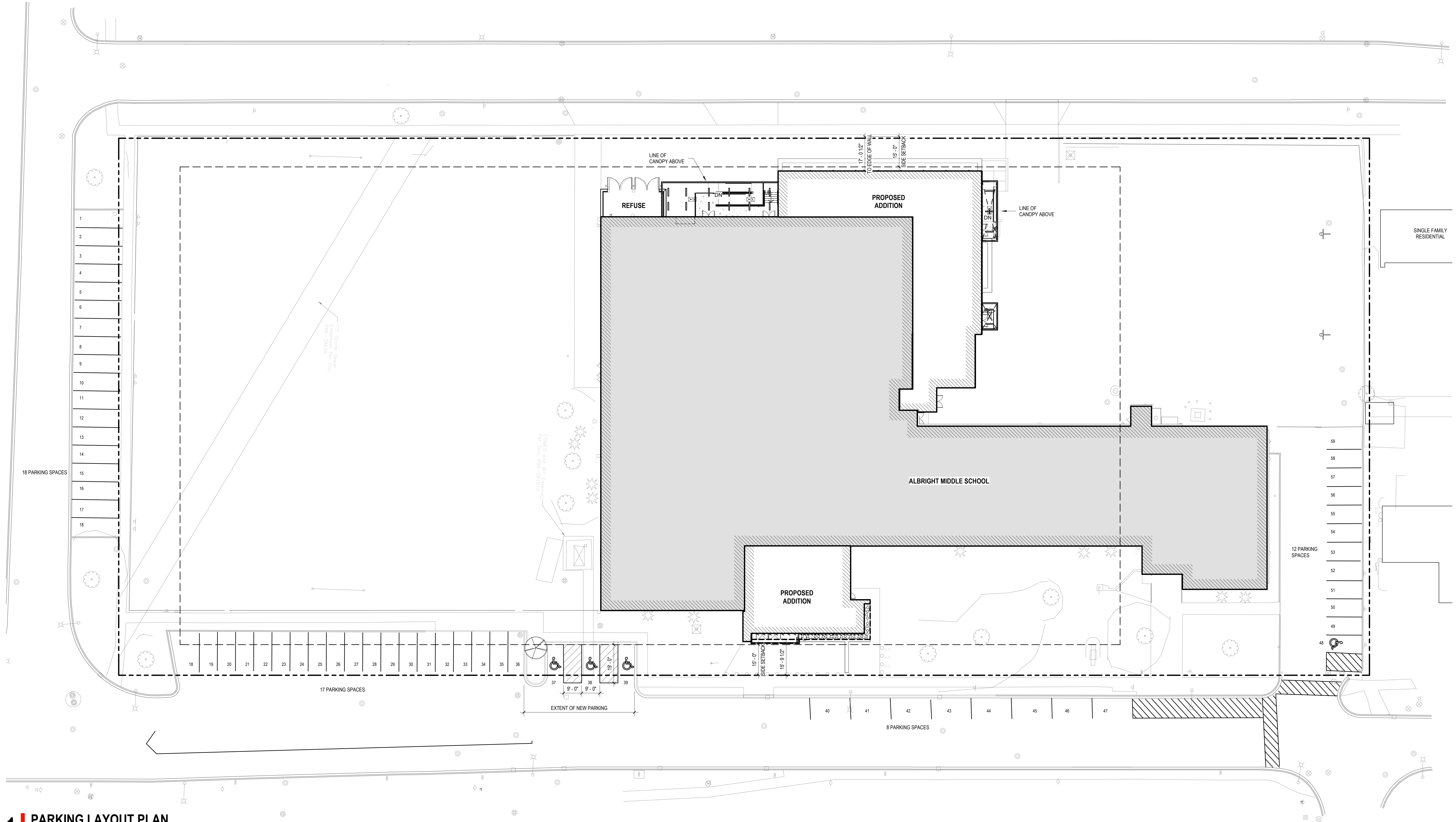
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**ALBRIGHT MIDDLE SCHOOL ADDITIONS AND RENOVATIONS**  
SALT CREEK SCHOOL DISTRICT 48  
1110 S Villa Ave., Villa Park, IL 60181

**PARKING LAYOUT PLAN**

SHEET NO.  
**Z1.01**

JOB NO. 24-4013.01  
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**1 | PARKING LAYOUT PLAN**  
1" = 20'-0"

**PARKING STALLS PROVIDED:** 88  
**PARKING STALLS REQUIRED:** 41  
**STAFF MEMBERS:** 41  
**STALLS PER EMPLOYEE (SECTION 7.2 OF THE VILLA PARK MUNICIPAL CODE):** 11  
**REQUIRED STALLS:** 41





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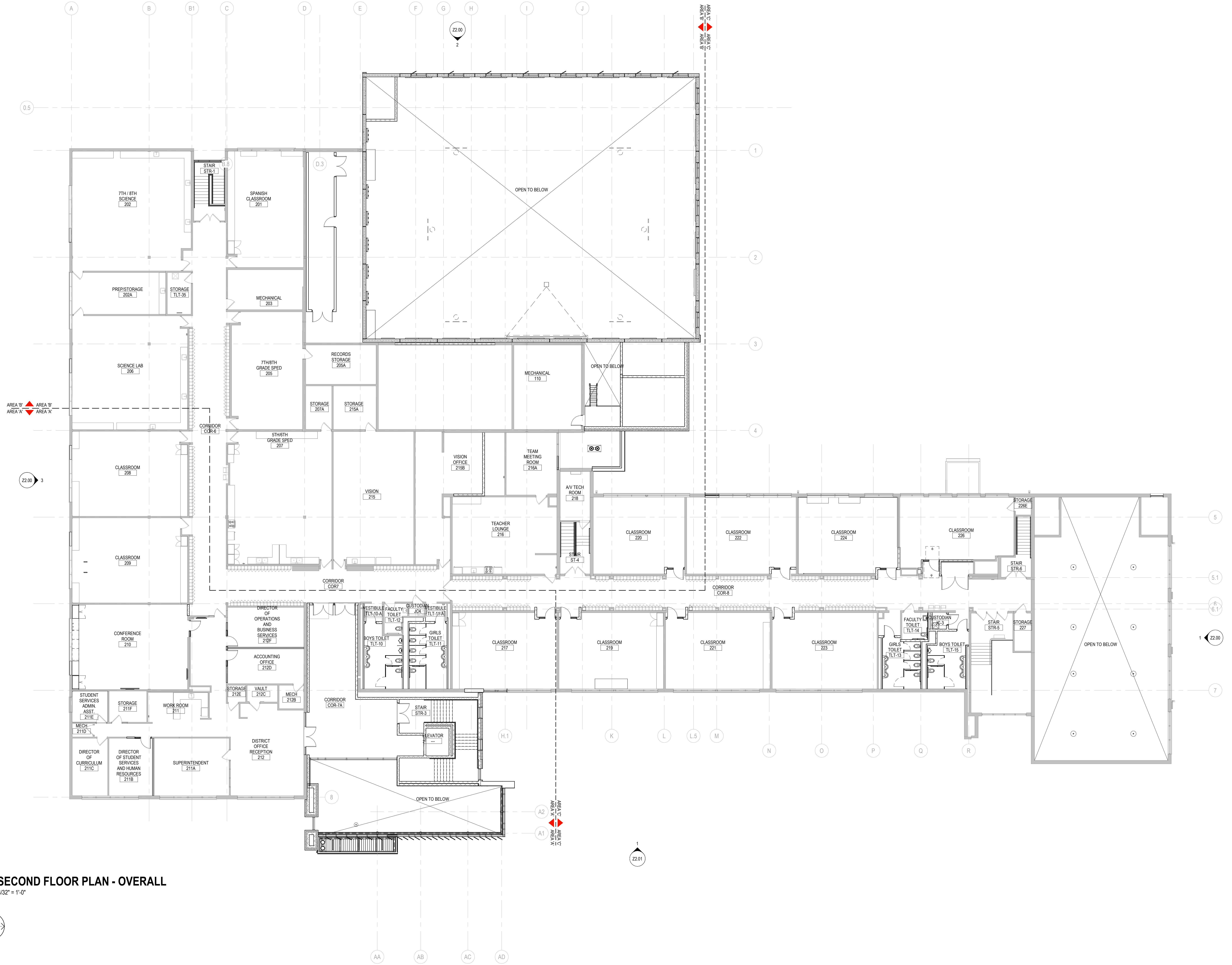
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**ALBRIGHT MIDDLE SCHOOL ADDITIONS AND RENOVATIONS**  
SALT CREEK SCHOOL DISTRICT 48  
1110 S Villa Ave, Villa Park, IL 60181

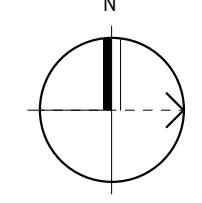
**OVERALL SECOND FLOOR PLAN**

SHEET NO. **Z1.20**

JOB NO. 24-4013.01  
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**1 SECOND FLOOR PLAN - OVERALL**  
3/32" = 1'-0"

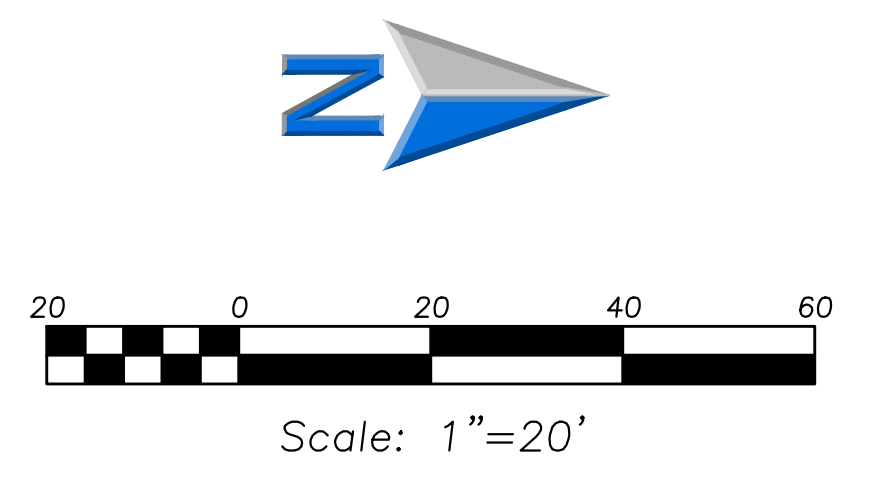
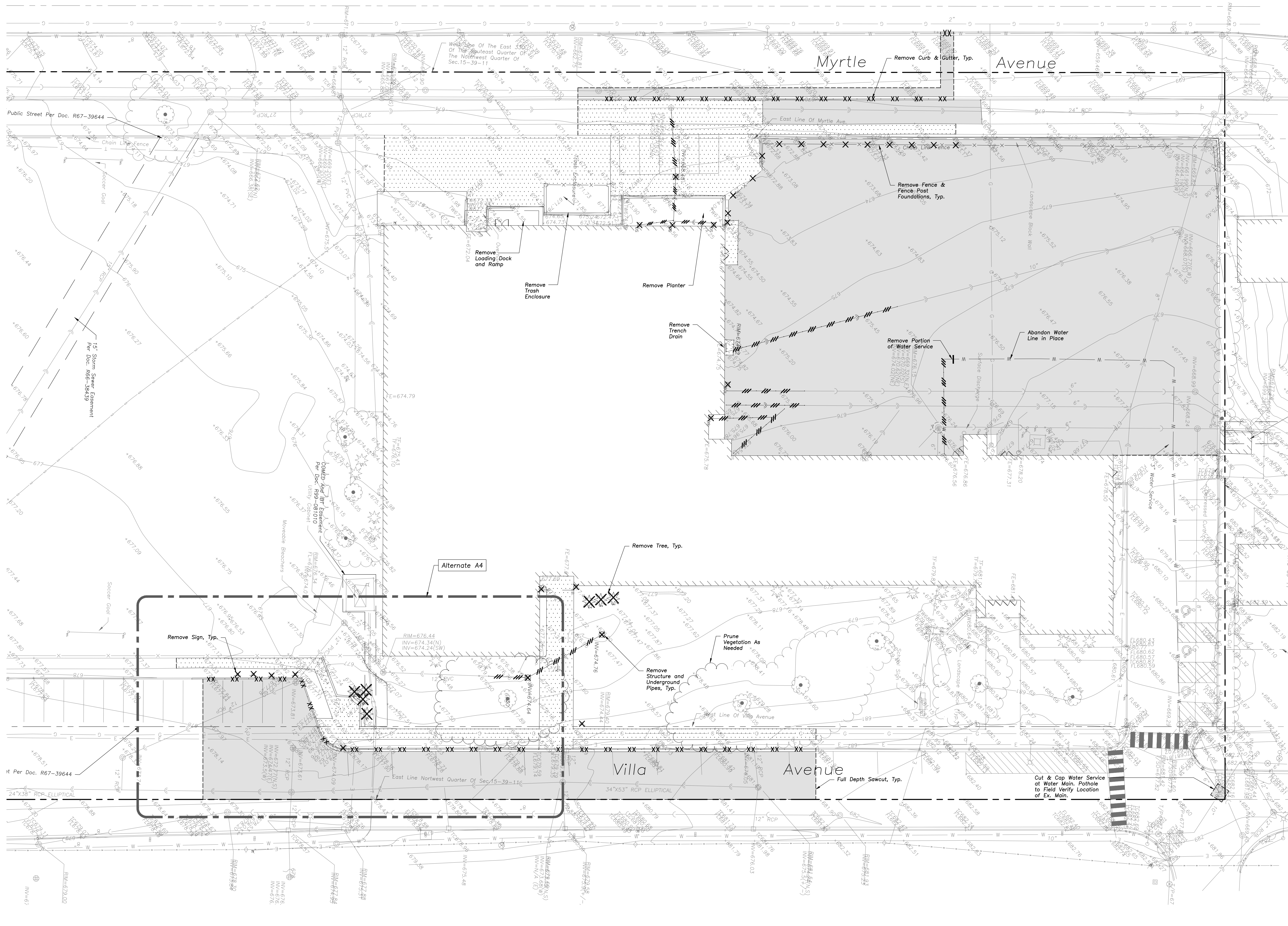








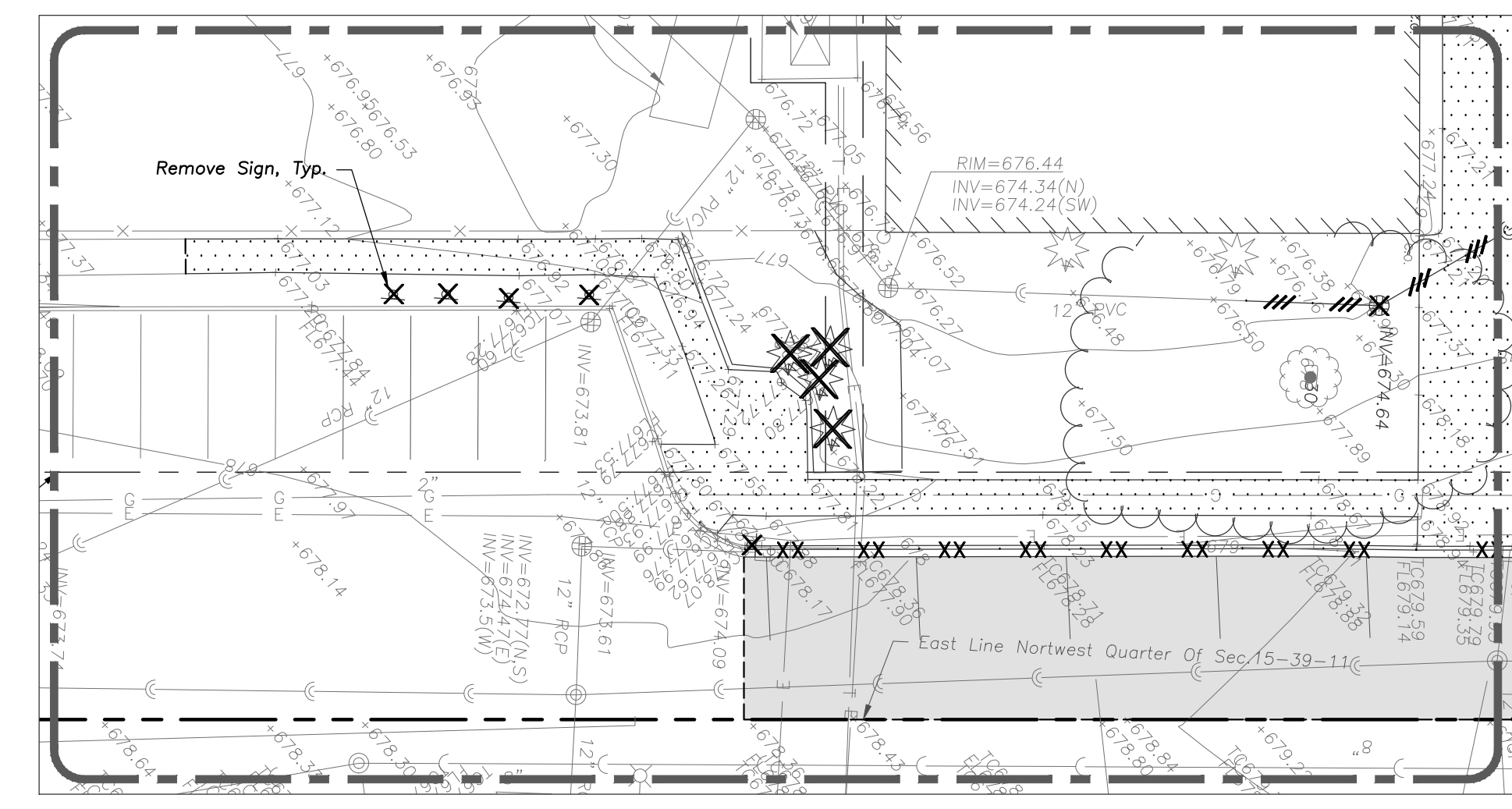




**LEGEND**

EXISTING	PROPOSED
Manhole	●
Drainage Structure	▲
Drainage Structure	■
Area Drain	○
Clean Out	○
Flared End Section	○
Storm Sewer	—
Sanitary Sewer	—
Combined Sewer	—
Water Main	—
Gas Line	—
Overhead Wires	—
Electric Cable (Buried)	—
Telephone Line	—
Fire Hydrant	●
Valve Vault	●
Buffalo Box	●
Downspout	○
Ballard	○
Gas Valve	○
Gas Meter	○
Electric Meter	○
Electric Manhole	○
Hand Hole	○
Light Pole	○
Light Pole w/ Mast Arm	○
Utility Pole	○
Telephone Pedestal	○
Telephone Manhole	○
Sign	○
Fence	—
Accessible Parking Stall	○
Curb & Gutter	—
Depressed Curb	—
Curb Elevation	C 782.50
Gutter Elevation	G 782.00
Pavement Elevation	P 783.25
Sidewalk Elevation	W 782.10
Ground Elevation	784.0
Top of Retaining Wall Elevation	T/W 785.20
Swale	—
Contour Line	781
Deciduous Tree	○
Coniferous Tree	○
Brushline	—
Tree Protection Fencing of Drip Line	—

- GENERAL NOTES**
- The Location of Existing Underground Utilities, Such as Watermains, Sewers, Gas Lines, Etc., As Shown On The Plans, Has Been Determined From The Best Available Information and is Given For The Convenience of The Contractor. However, The Owner and The Engineer Do Not Assume Responsibility in The Event That During Construction, Utilities Other Than Those Shown May Be Encountered, and That The Actual Location of Those Which Are Shown May Be Different From The Location As Shown On The Drawings. Contact Engineer Immediately If Surface and/or Subsurface Features Are Different Than Shown On The Drawings.
  - Notify The Engineer Without Delay of Any Discrepancies Between the Drawings and Existing Field Conditions.
  - Contractor Shall Provide Private Utility Locating Services for the Project Area.
  - Notify The Owner, Engineer and The Village of Villa Park A Minimum of 48 Hours in Advance of Performing Any Work.
  - All Areas, On or Off Site, Disturbed During Construction Operations and Not Part of the Work As Shown Hereon Shall Be Restored to Original Condition to the Satisfaction of the Owner at No Additional Cost to the Owner. It is Incumbent Upon Contractor to Show That Damaged Areas Were Not Disturbed by Construction Operations.
  - These Drawings Assume That The Contractor Will Utilize An Electronic Drawing File (DWG) to Stake All Site Improvements Accordingly. Contractor Shall Re-Establish Horizontal Control Points Not Provided.
  - No Person May Utilize The Information Contained Within These Drawings Without Written Approval From Erikson Engineering Associates, Ltd.
  - The Engineer is Furnishing These Drawings For Construction Purposes As A Convenience To The Owner, Architect, Surveyor, or Contractor. Prior To The Use Of These Drawings For Construction Purposes, The User Of This Media Shall Verify All Dimensions And Locations Of Buildings With The Foundation Drawings And Architectural Site Plan, and Coordinate All Dimensions and Locations of All Site Items. If Conflicts Exist The User Of This Information Shall Contact The Engineer Immediately.
  - The Illinois Department of Transportation Standard Specifications For Road And Bridge Construction Latest Edition, And All Addenda Thereto, Shall Govern The Earthwork And Paving Work Under This Contract Unless Noted Otherwise.



**DEMOLITION LEGEND**

Utility Line Removal	—
Bituminous Pavement Removal (Full Depth)	■
Concrete Pavement Removal (Full Depth)	■
Pavement Sawcut	—
Curb & Gutter Removal	XX XX
Structure Removal	X
Tree Removal	⊗

- DEMOLITION NOTES**
- All Signs to Be Removed Shall Be Salvaged and Stored in the Owner's Facility for Future Use as Applicable.
  - Keep All City Streets Free and Clear of Construction Related Dirt/Dust/Debris.
  - The Existing Building is to Remain Operational During Construction. Therefore, the Temporary Relocation of All Necessary Utilities Serving the Existing Building Shall Be Coordinated Prior to the Commencement of Construction Operations.
  - All Sawcutting Shall be Full Depth to Provide a Clean Edge to Match New Construction. Match Existing Elevations at Points of Connection for New and Existing Pavement, Curb, Sidewalks, etc. All Sawcut Locations Shown are Approximate and May Be Field Adjusted to Accommodate Conditions, Joints, Material Type, etc. Remove Minimum Amount Necessary for Installation of Proposed Improvements.
  - Provide and Maintain All Necessary Traffic Control and Safety Measures Required During Demolition and Construction Operations Within or Near the Public Roadway.
  - Perform Tree Pruning in All Locations Where Proposed Pavement Installation Encroaches Within the Existing Drip Line of Trees To Remain. All Trenching Within the Drip Line of Existing Trees To Remain Shall Be Done Radially Away From Trunk if Roots in Excess of 1" Diameter are Exposed. Roots Must Be Cut By Reputable Tree Pruning Service Prior to Any Transverse Trenching. Obtain Approval of The Architect Prior to Operations For A Variance From This Procedure.
  - Coordinate Tree Removal with Landscape Architect. All Trees To Be Removed Shall Be Removed in Their Entirety and Stumps Shall Be Ground to Proposed Subgrade. Use As Mulch for Proposed Landscaping Where Applicable and Acceptable to Architect.
  - Provide Tree Protection Fencing Prior to Construction Operations. Maintain Throughout Construction.

**CIVIL**  
 ERIKSON ENGINEERING ASSOCIATES, LTD.  
 146 COMMERCIAL DRIVE, SUITE A  
 GAITHERSBURG, IL 60140  
 ILLINOIS STATE CERTIFICATE OF AUTHORITY  
 NO. XXXXXXXXXX

**STRUCTURAL**  
 MCCLUSKEY ENGINEERING CORPORATION  
 1887 HIGH GROVE LN, SUITE 200  
 NAPERVILLE, ILLINOIS 60540  
 ILLINOIS STATE CERTIFICATE OF AUTHORITY  
 NO. XXXXXXXXXX

**MEP**  
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 DOWNERS GROVE, IL 60515  
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	08/01/2024	25% CD PROGRESS SET
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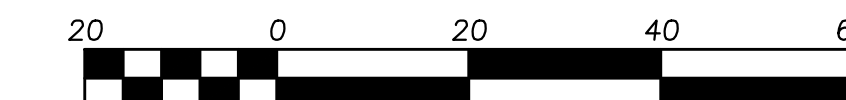
**ALBRIGHT MIDDLE SCHOOL ADDITIONS AND RENOVATIONS**  
 SALT CREEK SCHOOL DISTRICT 48  
 1110 S Villa Ave, Villa Park, IL 60181

50% CONSTRUCTION DOCUMENTS

**SITE DEMOLITION PLAN**

SHEET NO.  
**C1.00A**

JOB NO. 24-4013.01  
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Scale: 1"=20'

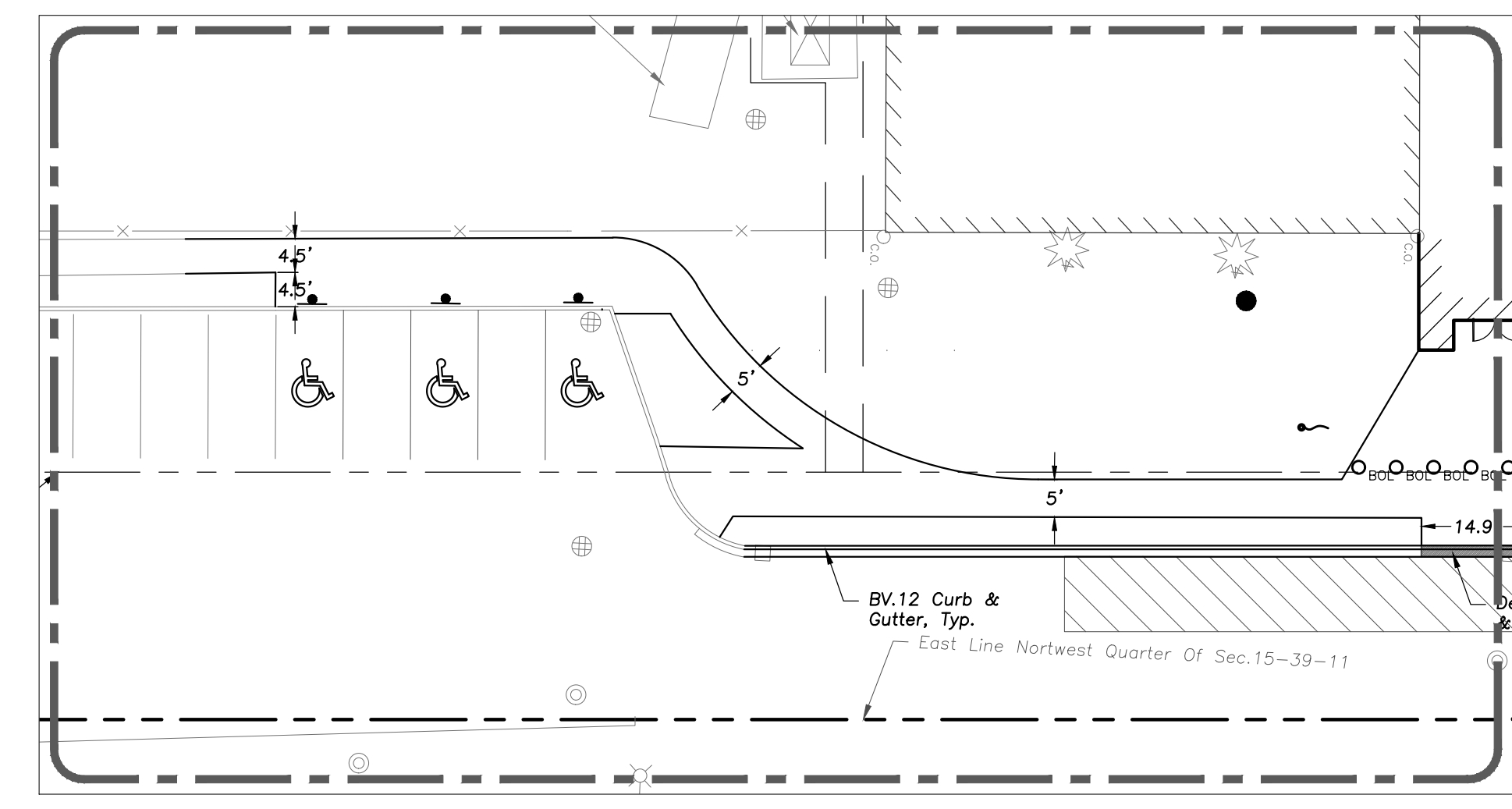
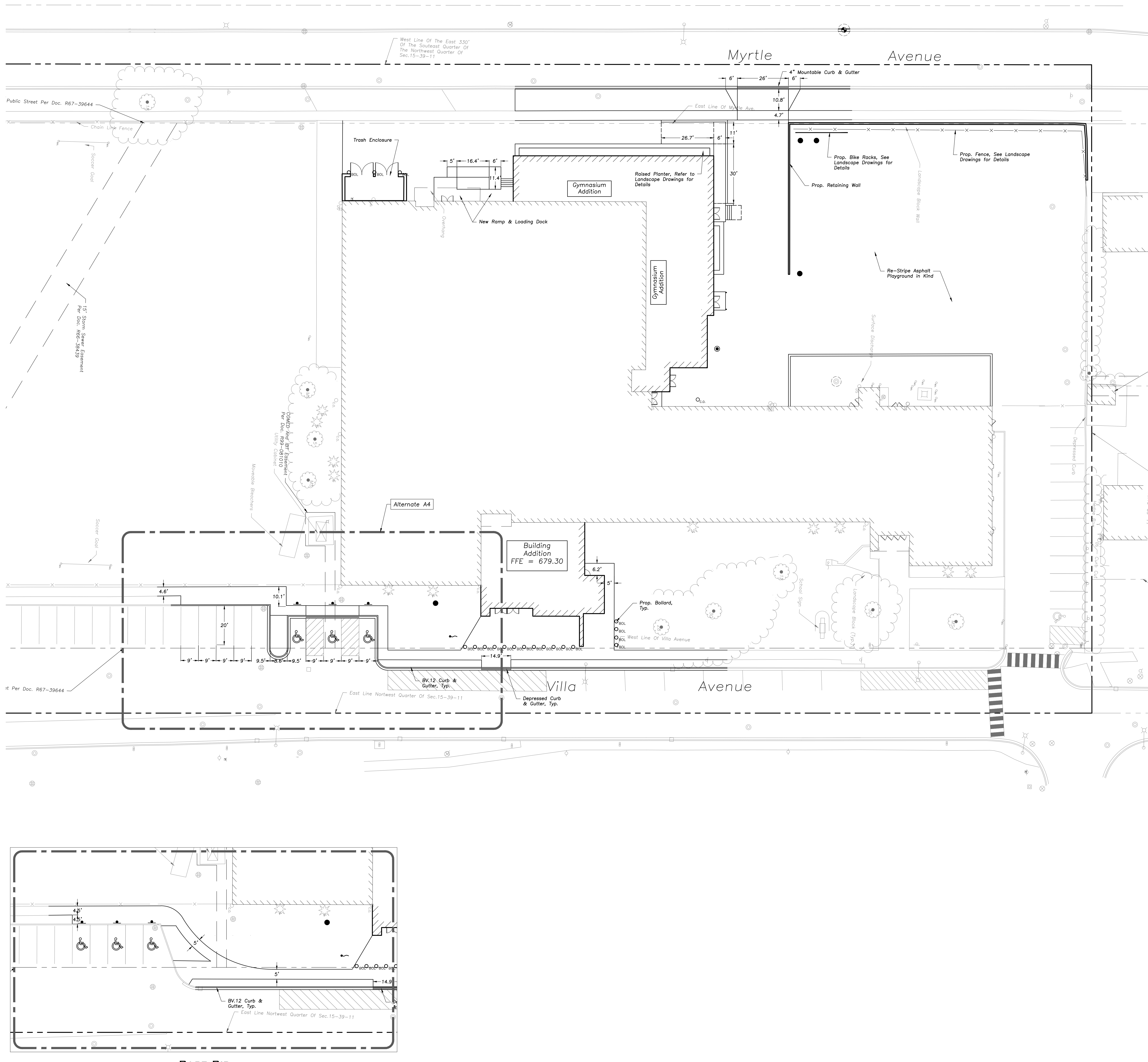
LEGEND	
EXISTING	PROPOSED
Manhole	●
Drainage Structure	○
Drainage Structure	○
Area Drain	▲
Clean Out	○
Flared End Section	○
Storm Sewer	—
Sanitary Sewer	—
Combined Sewer	—
Water Main	—
Gas Line	—
Overhead Wires	—
Electrical Cable (Buried)	—
Telephone Line	—
Fire Hydrant	⊕
Valve Vault	⊕
Buffalo Box	⊕
Downspout	⊕
Ballard	⊕
Gas Valve	⊕
Gas Meter	⊕
Electric Meter	⊕
Electric Manhole	⊕
Hand Hole	⊕
Light Pole	⊕
Light Pole w/ Most Arm	⊕
Utility Pole	⊕
Telephone Pedestal	⊕
Telephone Manhole	⊕
Sign	⊕
Fence	—
Accessible Parking Stall	⊕
Curb & Gutter	—
Depressed Curb	—
Curb Elevation	C 782.50
Gutter Elevation	G 782.00
Pavement Elevation	P 783.25
Sidewalk Elevation	W 782.10
Ground Elevation	784.0
Top of Retaining Wall Elevation	T/W 785.20
Swale	—
Contour Line	—
Deciduous Tree	⊕
Coniferous Tree	⊕
Brushline	—
Tree Protection	—
Fencing at Drip Line	—

**GENERAL NOTES**

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- The Illinois Department of Transportation Standard Specifications For Road And Bridge Construction Latest Edition, And All Addenda Thereto, Shall Govern The Earthwork And Paving Work Under This Contract Unless Noted Otherwise.

**GEOMETRY NOTES**

- All Dimensions Contained Herein Reference Back Of Curb, Face Of Retaining Wall, Edge Of Pavement, Center of Structure And Outside Face Of Building Foundation Unless Otherwise Noted.
- All Pavement Striping Shall Be 4" Wide Yellow Paint Per Specifications, Two Coats for Latex Paints. All Cross Hatch Striping Shall Be 45° At 2'-0" Centers.
- All Accessible Parking Signs (R7-8) Must Be Placed at the Center of the Space and Within 5 Feet of the Space.
- Refer to Architectural Drawings for Exact Locations of All Buildings.
- Refer to Architectural Drawings for Locations and Details of All Permanent Site Fencing.
- Traffic Sign Posts Shall Be Breakaway Green U-Channel Posts, 2-lb/ft, 11 Gauge Steel, Embedded 42" Minimum into Ground.



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146 COMMERCE DRIVE, SUITE A  
GLENVIEW, IL 60025  
TEL: 847.225.4804 (10)  
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NO. XXXXXXXXXX

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1887 HIGH GROVE LANE, SUITE 200  
NAPERVILLE, ILLINOIS 60540  
630.737.5333 (10)  
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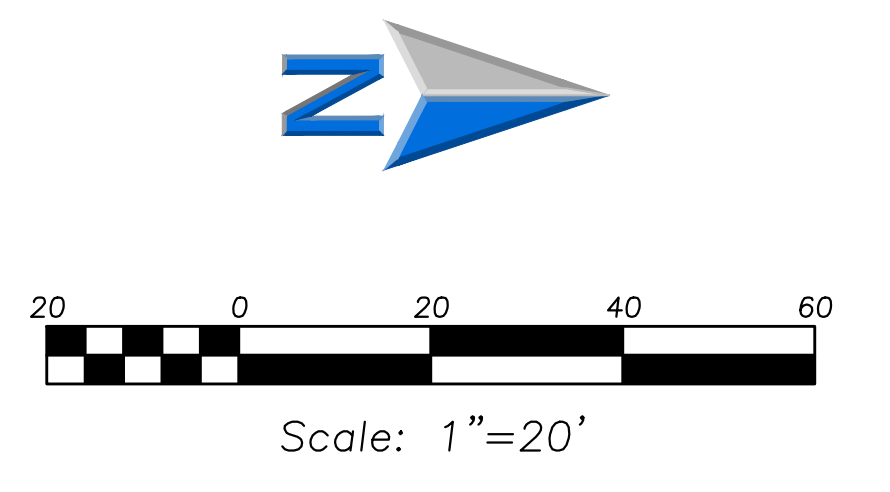
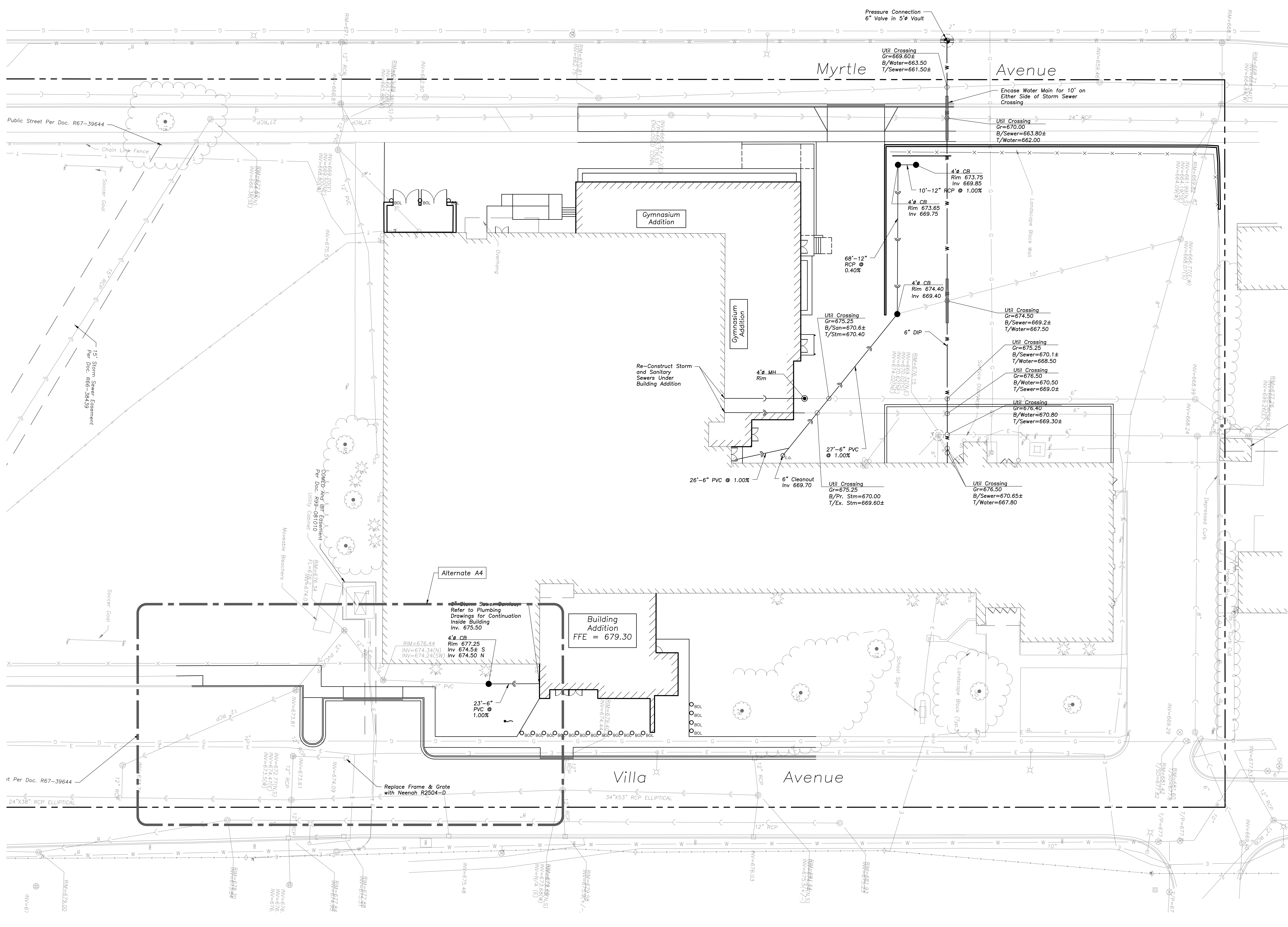
**ALBRIGHT MIDDLE SCHOOL ADDITIONS AND RENOVATIONS**  
SALT CREEK SCHOOL DISTRICT 48  
1110 S Villa Ave, Villa Park, IL 60181

50% CONSTRUCTION DOCUMENTS

SITE GEOMETRY PLAN

SHEET NO. **C2.00A**

JOB NO. 24-4013.01  
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LEGEND	
EXISTING	PROPOSED
Manhole	Manhole
Drainage Structure	Drainage Structure
Area Drain	Area Drain
Clean Out	Clean Out
Flared End Section	Flared End Section
Storm Sewer	Storm Sewer
Sanitary Sewer	Sanitary Sewer
Combined Sewer	Combined Sewer
Water Main	Water Main
Gas Line	Gas Line
Overhead Wires	Overhead Wires
Electric Cable (Buried)	Electric Cable (Buried)
Telephone Line	Telephone Line
Fire Hydrant	Fire Hydrant
Valve Vault	Valve Vault
Buffalo Box	Buffalo Box
Downspout	Downspout
Bollard	Bollard
Gas Valve	Gas Valve
Gas Meter	Gas Meter
Electric Meter	Electric Meter
Electric Manhole	Electric Manhole
Hand Hole	Hand Hole
Light Pole	Light Pole
Light Pole w/ Mast Arm	Light Pole w/ Mast Arm
Utility Pole	Utility Pole
Telephone Pedestal	Telephone Pedestal
Telephone Manhole	Telephone Manhole
Sign	Sign
Fence	Fence
Accessible Parking Stall	Accessible Parking Stall
Curb & Gutter	Curb & Gutter
Depressed Curb	Depressed Curb
Curb Elevation	Curb Elevation
Gutter Elevation	Gutter Elevation
Pavement Elevation	Pavement Elevation
Sidewalk Elevation	Sidewalk Elevation
Ground Elevation	Ground Elevation
Top of Retaining Wall Elevation	Top of Retaining Wall Elevation
Swale	Swale
Contour Line	Contour Line
Deciduous Tree	Deciduous Tree
Coniferous Tree	Coniferous Tree
Brushline	Brushline
Tree Protection	Tree Protection
Fencing at Drip Line	Fencing at Drip Line

**GENERAL NOTES**

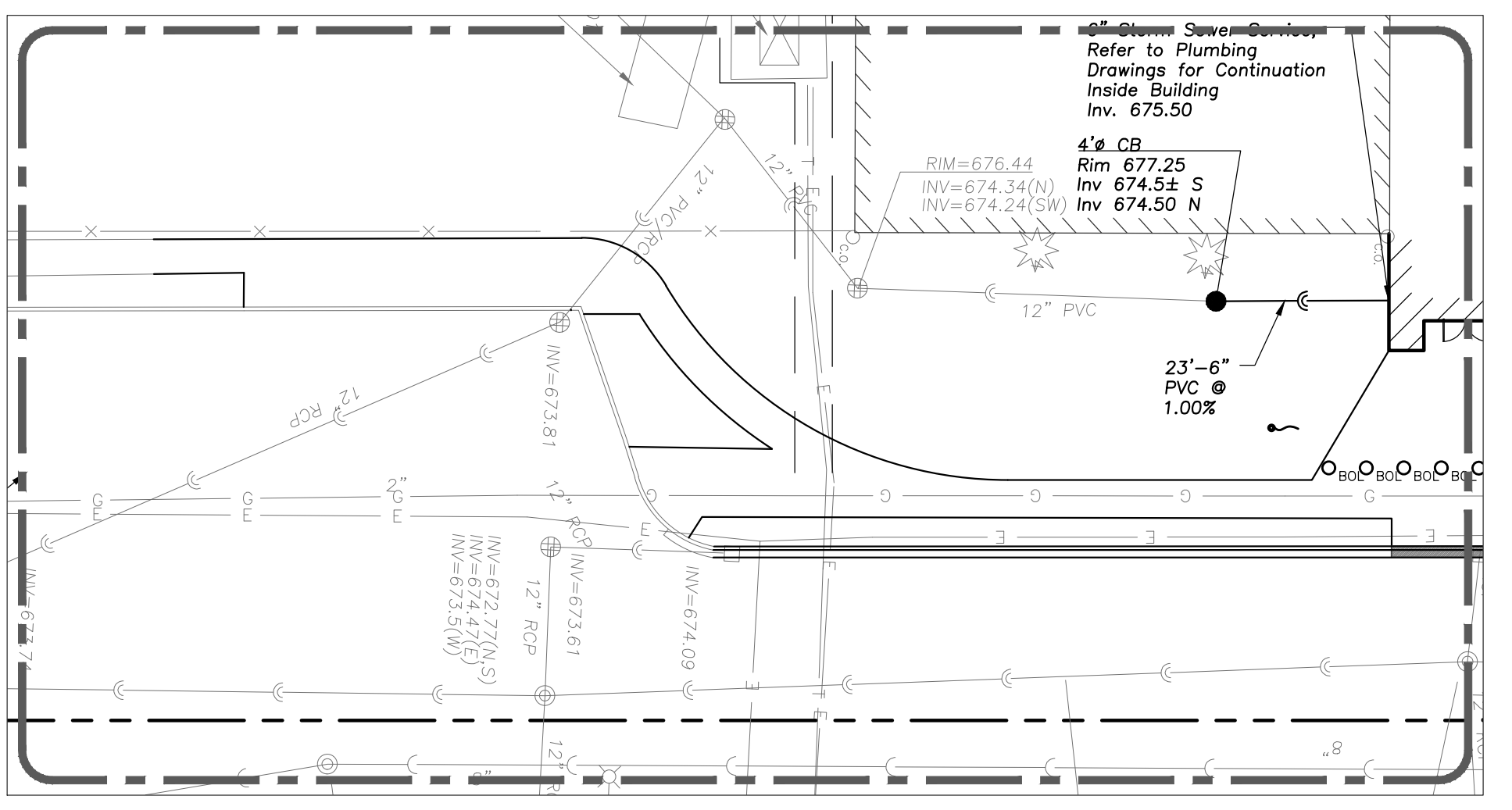
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- These Drawings Assume That The Contractor Will Utilize An Electronic Drawing File (DWG) to Stake All Site Improvements Accordingly. Contractor Shall Re-Establish Horizontal Control. Horizontal Control Points Not Provided.
- No Person May Utilize The Information Contained Within These Drawings Without Written Approval From Eriksson Engineering Associates, Ltd.
- The Engineer is Furnishing These Drawings For Construction Purposes As A Convenience To The Owner, Architect, Surveyor, or Contractor. Prior To The Use of These Drawings For Construction Purposes, The User Of This Media Shall Verify All Dimensions And Locations of Buildings With The Foundation Drawings And Architectural Site Plan, and Coordinate All Dimensions and Locations of All Site Items. If Conflicts Exist The User Of This Information Shall Contact The Engineer Immediately.
- The Illinois Department of Transportation Standard Specifications For Road And Bridge Construction Latest Edition, And All Addenda Thereto, Shall Govern The Earthwork And Paving Work Under This Contract Unless Noted Otherwise.

**UTILITY NOTES**

- This Project is Located in A Separate Sewer Area.
- Utility Service Lines as Shown Hereon are Approximate. Coordinate The Exact Locations With The Plumbing Drawings. Coordinate The Locations With The Plumbing Contractor and/or the Owner's Construction Representative Prior to Installation of Any New Utilities.
- Refer to Plumbing Drawings for Continuation of All UTILITIES Within 5 Feet of Building Face.
- Field Verify Invert & Locations of Existing Utility Mains Prior to Installing Any On-Site Utilities or Structures. All Elevations and Inverts Referencing Said Utility Shall be Field Verified Prior to Installation of Any New Structures or Utilities, and Adjustments Shall be Made as Necessary. Contact Engineer Prior to Installation if Discrepancy Exists With These Drawings.
- Coordinate the Relocation of Any Utilities Encountered and Replacement of Any Utilities Damaged Within Influence Zone of New Construction. Contact Engineer if The Existing Utilities Vary Appreciably From The Plans.
- All Water Main and Services Shall be Installed at a Minimum Depth of 5.5' From Top of Finished Ground Elevation to Top of Main.
- Protection of Water Supplies Shall be As Described in Section 370.350 of The Illinois Recommended Standards For Sewage Works or Section 41-2.01 of The Standard Specifications For Water and Sewer Main Construction in Illinois, Latest Edition.
- Clean Out All Existing and Proposed Storm inlets and Catch Basins at the Completion of Construction.
- The "Standard Specifications for Water and Sewer Main Construction in Illinois", Current Edition Shall Govern Work Where Applicable.
- Adjust Frame Elevations of All Structures Located Within The Limits of The Project To Match Proposed Elevations. Add or Remove Adjusting Rings as Necessary and Install New Mortar At Rings and Frame. Install New Chimney Seals On Any Sanitary Structures Being Adjusted.
- Obtain As-Built Information For All Pipes, in Accordance With As-Built Document Requirements, Prior To The Installation of Any Inlet Hoods or Trash Racks.

**STRUCTURE NOTES**

- Where Structures are Shown Along the Curbing, Unless Specifically Stated Otherwise, It is Intended That the Frame of the Structure is To Fall Within the Flowline of the Gutter or at the Pavement Edge Where No Gutter Exists.
- All Manholes Shall Have Neenah R1713-B Frame & Closed Lid or Approved Equal, with "Storm" or "Sanitary" Imprinted on Manhole.
- All Sanitary Manholes Shall Include a Chimney Seal.



**CIVIL**  
 ERIKSSON ENGINEERING ASSOCIATES, LTD.  
 146 COMMERCE DRIVE, SUITE A  
 GARDENAS, IL 60139  
 847.225.4800 (0)  
 ILLINOIS STATE CERTIFICATE OF AUTHORITY  
 NO. XXXXXXXXXX

**STRUCTURAL**  
 MCCLUSKEY ENGINEERING CORPORATION  
 1887 HIGH GROVE LN, SUITE 200  
 NAPERVILLE, ILLINOIS 60540  
 630.731.5333 (0)  
 ILLINOIS STATE CERTIFICATE OF AUTHORITY  
 NO. XXXXXXXXXX

**MEPP**  
 AMSCO ENGINEERING, INC.  
 1115 BROADWAY #1033 A  
 DOWNERS GROVE, IL 60515  
 630.515.1555 (0)  
 ILLINOIS STATE CERTIFICATE OF AUTHORITY  
 NO. XXXXXXXXXX

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NO	DATE	ISSUANCE DESCRIPTION
	04/26/2024	ISSUED FOR SCHEMATIC DESIGN
	06/28/2024	ISSUED FOR DESIGN DEVELOPMENT
	08/01/2024	25% CD PROGRESS SET
	09/06/2024	ISSUED FOR PRICING

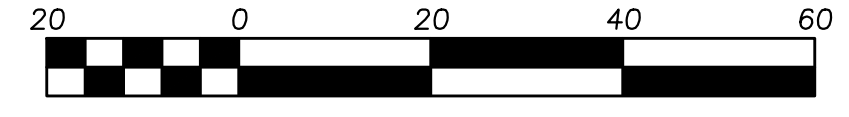
**ALBRIGHT MIDDLE SCHOOL ADDITIONS AND RENOVATIONS**  
 SALT CREEK SCHOOL DISTRICT 48  
 1110 S Villa Ave, Villa Park, IL 60181

50% CONSTRUCTION DOCUMENTS

**SITE UTILITY PLAN**

SHEET NO.  
**C3.00A**

JOB NO. 24-4013.01  
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LEGEND	
EXISTING	PROPOSED
Manhole	●
Drainage Structure	○
Area Drain	▲
Clean Out	○
Flared End Section	○
Storm Sewer	—
Sanitary Sewer	—
Combined Sewer	—
Water Main	—
Gas Line	—
Overhead Wires	—
Electrical Cable (Buried)	—
Telephone Line	—
Fire Hydrant	●
Valve Vault	○
Buffalo Box	○
Downspout	○
Ballard	○
Gas Valve	○
Gas Meter	○
Electric Meter	○
Electric Manhole	○
Hand Hole	○
Light Pole	○
Light Pole w/ Mast Arm	○
Utility Pole	○
Telephone Pedestal	○
Telephone Manhole	○
Sign	○
Fence	—
Accessible Parking Stall	○
Curb & Gutter	—
Depressed Curb	—
Curbs Elevation	—
Gutter Elevation	—
Pavement Elevation	—
Sidewalk Elevation	—
Ground Elevation	—
Tip of Retaining Wall Elevation	—
Swale	—
Contour Line	—
Deciduous Tree	○
Coniferous Tree	○
Brushline	—
Tree Protection	—
Fencing of Drip Line	—

**CIVIL**  
ERIKSSON ENGINEERING ASSOCIATES, LTD.  
146 COMMERCE DRIVE, SUITE 200  
NAPERVILLE, ILLINOIS 60563  
TEL: 225-4804 (0)  
ILLINOIS STATE CERTIFICATE OF AUTHORITY  
NO. XXXXXXXXX

**STRUCTURAL**  
MCCLOSKEY ENGINEERING CORPORATION  
1887 HIGH GROUND, SUITE 200  
NAPERVILLE, ILLINOIS 60563  
TEL: 225-4804 (0)  
ILLINOIS STATE CERTIFICATE OF AUTHORITY  
NO. XXXXXXXXX

**MEPF**  
AMSCO ENGINEERING, INC.  
1115 BROADWAY #101A  
DOWNEY GROVE, IL 60515  
TEL: 515-1555 (0)  
ILLINOIS STATE CERTIFICATE OF AUTHORITY  
NO. XXXXXXXXX

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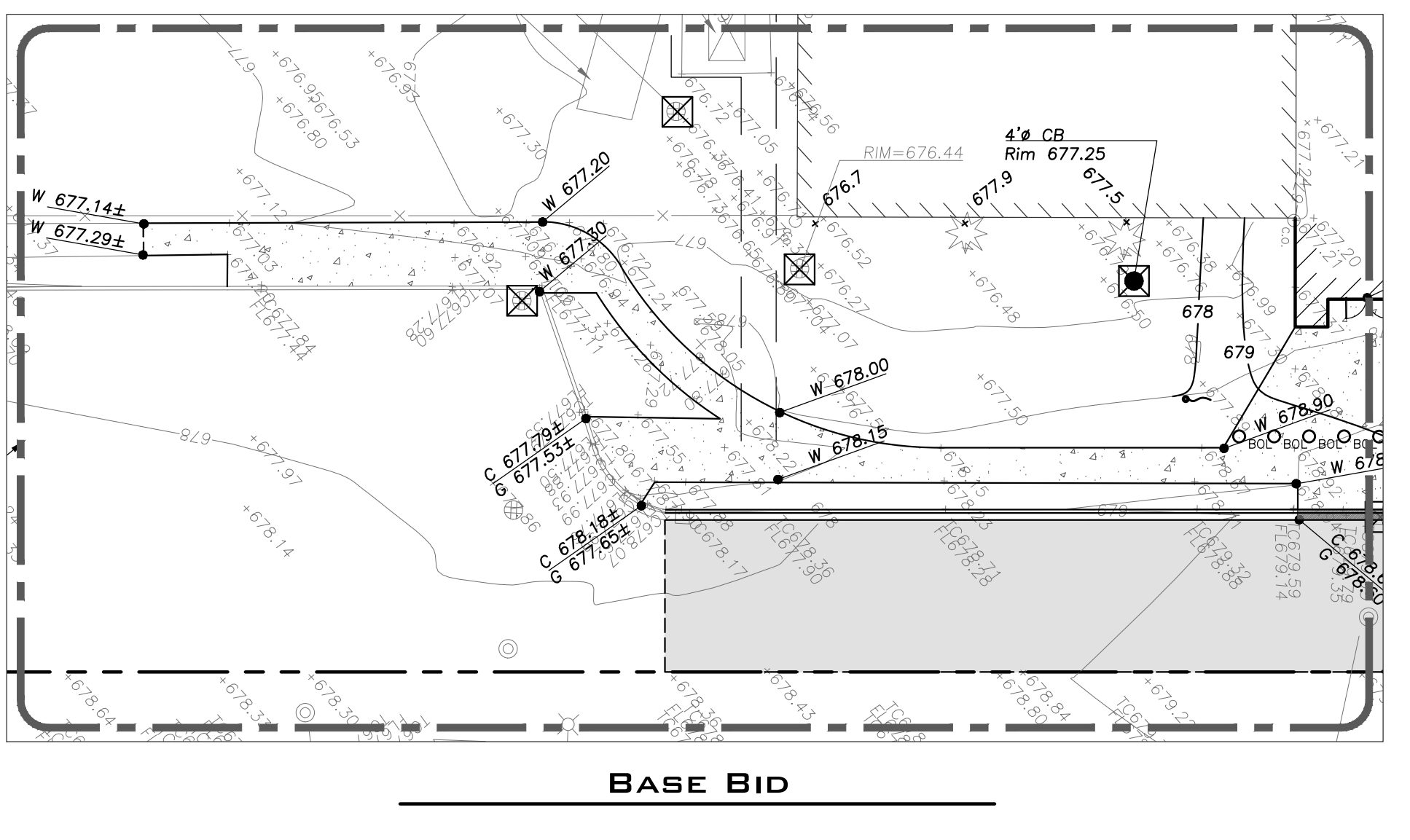
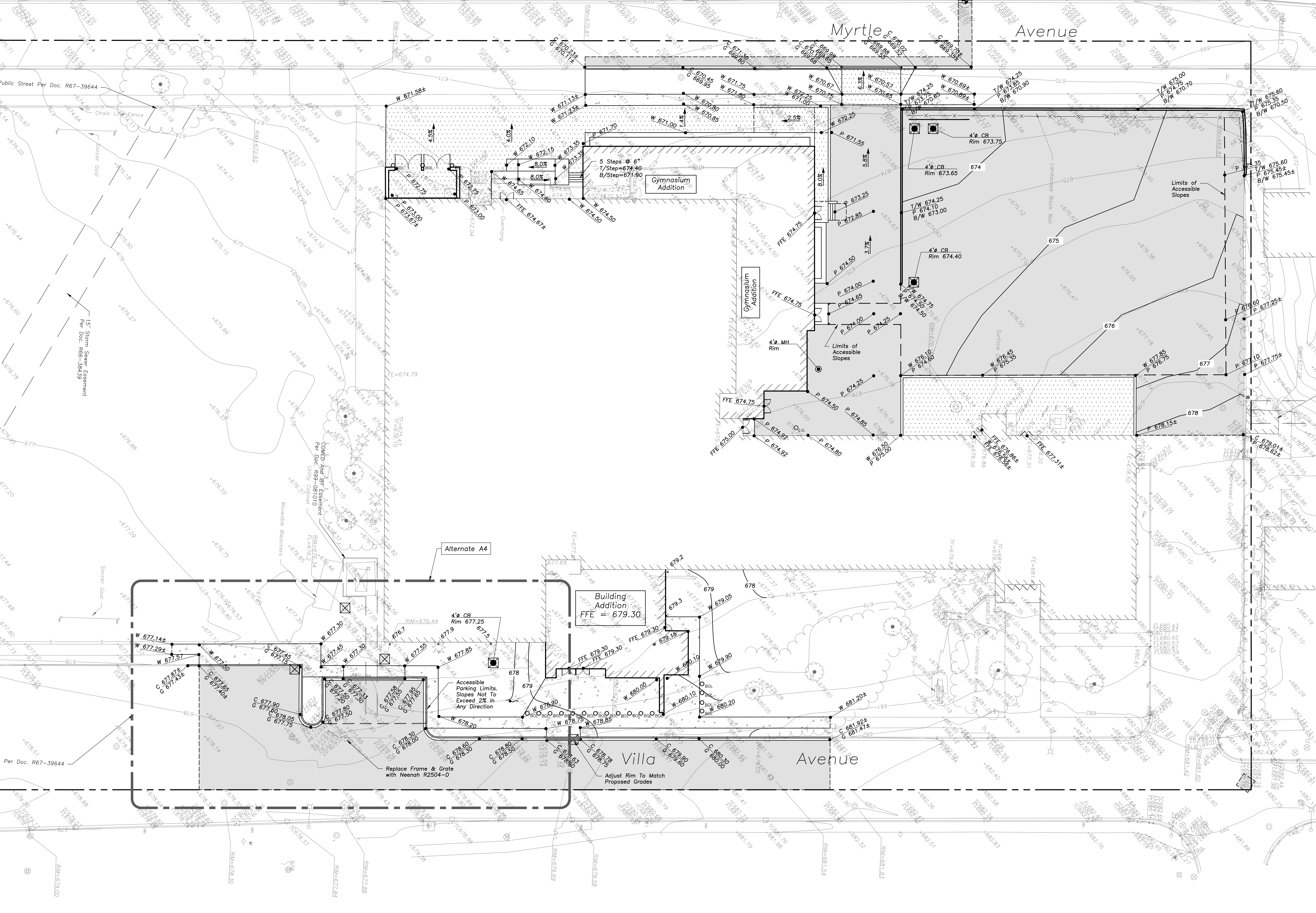
- GENERAL NOTES**
- The Location of Existing Underground Utilities, Such as Watermains, Sewers, Gas Lines, Etc., As Shown On The Plans, Has Been Determined From The Best Available Information and is Given For The Convenience of The Contractor. However, The Owner and The Engineer Do Not Assume Responsibility In The Event That During Construction, Utilities Other Than Those Shown May Be Encountered, and The Actual Location of Those Which Are Shown May Be Different From the Location As Shown On The Drawings. Contact Engineer Immediately If Surface and/or Subsurface Features Are Different Than Shown On The Drawings.
  - Notify The Engineer Without Delay of Any Discrepancies Between the Drawings and Existing Field Conditions.
  - Contractor Shall Provide Private Utility Locating Services for the Project Area.
  - Notify The Owner, Engineer and The Village of Villa Park A Minimum of 48 Hours in Advance of Performing Any Work.
  - All Areas, On or Off Site, Disturbed During Construction Operations and Not Part of the Work As Shown Hereon Shall Be Restored to Original Condition to the Satisfaction of the Owner at No Additional Cost to the Owner. It is Incumbent Upon Contractor to Show That Damaged Areas Were Not Disturbed By Construction Operations.
  - These Drawings Assume that the Contractor Will Utilize An Electronic Drawing File (DWG) to Stake All Site Improvements Accordingly. Contractor Shall Re-Establish Horizontal Control, Horizontal Control Points Not Provided.
  - No Person May Utilize the Information Contained Within These Drawings Without Written Approval From Eriksson Engineering Associates, Ltd.
  - The Engineer is Furnishing These Drawings For Construction Purposes As A Convenience To The Owner, Architect, Surveyor, or Contractor. Prior To The Use of These Drawings For Construction Purposes, The User Of This Media Shall Verify All Dimensions And Locations of Buildings With The Foundation Drawings And Architectural Site Plan, and Coordinate All Dimensions and Locations of All Site Items. If Conflicts Exist The User Of This Information Shall Contact The Engineer Immediately.
  - The Illinois Department Of Transportation Standard Specifications For Road And Bridge Construction Latest Edition, And All Addenda Thereto, Shall Govern The Earthwork And Paving Work Under This Contract Unless Noted Otherwise.

- GRADING NOTES**
- The Grading and Construction of Proposed Improvements Shall Be Done in A Manner That Will Allow For Positive Drainage, and Not Cause Ponding of Stormwater on the Surface of Proposed Improvements.
  - All Landscaped Areas Disturbed By Construction Shall Be Reseeded With 6 Inches (Min.) to 12 Inches (Max.) Topsoil and Hydroseeded Unless Noted Otherwise On The Landscape Drawings.
  - Refer to Architectural Drawings for Locations and Patterns of Expansion and Control Joints in Concrete Pavement and Sidewalks.
  - Accessible Parking Spaces and Loading Spaces Shall Be Sloped at Maximum 2.0% in Any Direction. Maximum Sidewalk Cross Slopes Shall be 2.0%. Maximum Longitudinal Sidewalk Slope Shall be 4.9%. Contact Engineer if Conflicts Exist.
  - Adjust Frame Elevations of All Structures Located Within the Limits of the Project To Match Proposed Elevations. Add Or Remove Adjusting Rings As Necessary And Install New Mortar At Rings And Frame. Install New Chimney Seals On Any Sanitary Structures Being Adjusted.

- SOIL EROSION & SEDIMENTATION CONTROL NOTES**
- Illinois Urban Manual Shall Govern All Soil Erosion and Sediment Control, and Related Work.
  - Soil Disturbance Shall Be Conducted in Such a Manner as To Minimize Erosion. Soil Stabilization Measures Shall Consider the Time of Year, Site Conditions, and the Use of Temporary or Permanent Measures.
  - Soil Erosion and Sediment Control Features Shall Be Constructed Prior to the Commencement of Upland Disturbance.
  - Temporary Soil Stabilization Shall Be Applied to Topsoil Stockpiles and Disturbed Areas. Where Construction Activity Will Not Occur For A Period of More Than 14 Calendar Days, Temporary Measures Shall Be Applied Within 7 Calendar Days of the End of Active Hydrologic Disturbance. The Sediment Control Measures Shall be Maintained On A Continuing Basis Until the Site is Permanently Stabilized And All Inspections Are Complete. Permanent Stabilization Shall Be Completed Within 14 Days after Completion of Final Grading of Soil.
  - All Temporary And Permanent Erosion Control Measures Shall Be Removed Within 30 Days After Final Site Stabilization is Achieved Or After the Temporary Measures Are No Longer Needed. Trapped Sediment and Other Disturbed Soil Areas Shall Be Permanently Stabilized.
  - Final Site Stabilization is Defined By The EPA General Permit as Meaning That All Soil Disturbing Activities At the Site Have Been Completed, and That A Uniform Perennial Vegetative Cover With A Density Of 70 Percent Of The Cover For Unpaved Areas Not Covered By Permanent Structures Has Been Established Or Equivalent Permanent Stabilization Measures (Such as the Use of Riprap, Gabions, Or Geotextiles) Have Been Employed.
  - All Storm Sewer Structures That Are, Or Will Be, Functioning During Construction Shall Be Protected, Filtered, Or Otherwise Treated To Remove Sediment. The General Contractor Shall Use "Catch-All" Inlet Protectors (or equal) and Filter Waffles Around the Grate in Paved Areas To Prevent Siltation.
  - Install And Maintain Silt Fence At the Perimeter of the Construction Zone And Wetland Areas And As Shown On The Plans. Maintain Silt Fence Throughout Construction And Until Vegetation Has Been Fully Established.
  - The Erosion Control Measures Indicated On the Drawings Are the Minimum Requirements. Additional Measures May Be Required As Directed By The Qualified Soil and Erosion Sediment and Control Inspector Or Governing Agency.
  - Unless Otherwise Indicated on the Drawings, Stabilize All Disturbed Ground Areas Where Slopes Exceed 6:1 or Within Swales with North American Green BioNet SC1508N Erosion Control Blanket, or Approved Equal.
  - All Concrete Washout Shall Conform To the "Temporary Concrete Washout Facility" Standards (Code 954) of the Illinois Urban Manual, Latest Edition.
  - Dewatering of Excavations Shall be Performed in a Manner Such as Through the use of Filter Bags or Polymer Treated Dewatering Swales, so as to Not Discharge Sediment Laden Water into Storm Sewers Tributary to Open Water.

- INTENDED SEQUENCE OF MAJOR SEDIMENT AND EROSION CONTROL MEASURES**
- Install Stabilized Construction Entrance.
  - Install All Downslope and Sloped Side Slope Controls Before Commencement of Any Ground Disturbing Activity.
  - Do Not Disturb An Area Until It is Necessary For Construction To Proceed.
  - Cover and Stabilize Disturbed Areas As Soon As Possible, When Practical. Time Construction Activities To Limit Impact From Seasonal Climate Changes or Weather Events.
  - Perform Grading Operations and Installation of Site Infrastructure and Pavement.
  - Install Permanent Seeding and Plantings.
  - Remove Accumulated Sediment From Basins and Along Silt Fence.
  - Construction of Infiltration Measures Shall Take Place Following Stabilization of Upstream Drainage Areas.
  - Remove Temporary Sediment and Erosion Control Measures Following Final Stabilization of All Disturbed Areas.

- PAVING & SURFACE LEGEND**
- Asphalt Pavement Section
    - 1 1/2" Hot Mix Asphalt, Mix D, IL-9.5, NSD
    - 2 1/2" Hot Mix Asphalt, IL-19.0, NSD
    - Prime Coat (0.25 gal/sq yd)
    - 8 Aggregate Base Course, Type B, Crushed, CA-6
  - Concrete Sidewalk Section
    - 5" Portland Cement Concrete
    - Curing and Sealing Compound
    - 6"x6" W1.4xW1.4 Welded Wire Fabric
    - 4" Aggregate Base Course, Type B, Crushed
  - Concrete Driveway Section
    - 5" Portland Cement Concrete
    - Curing and Sealing Compound
    - 6"x6" W2.9xW2.9 Welded Wire Fabric
    - 6" Aggregate Base Course, Type B, Crushed
- Ridge Line/High Point
- SOIL EROSION & SEDIMENTATION CONTROL LEGEND**
- Silt Fence
  - Erosion Control Blanket  
North American Green DS75  
Or Approved Equal
  - Catch-All, Pork Chop Sediguard (or equal) Paved or Existing Stabilized Area



6/21/2024 2:26:23 PM Autodesk Docs://Salt\_Creek\_S048\_Albright Middle\_2024/23-3907-001\_SaltCreekS048\_AlbrightMS\_DD\_2024.rvt Copyright 2024 FGM ARCHITECTS INC.

**ALBRIGHT MIDDLE SCHOOL ADDITIONS AND RENOVATIONS**  
SALT CREEK SCHOOL DISTRICT 48  
1110 S Villa Ave, Villa Park, IL 60181

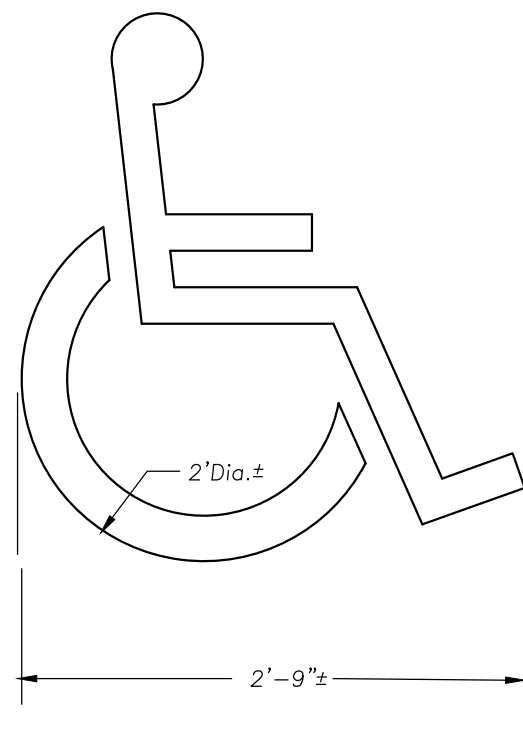
50% CONSTRUCTION DOCUMENTS

GRADING, PAVING, AND SOIL EROSION & SEDIMENT CONTROL PLAN

SHEET NO.

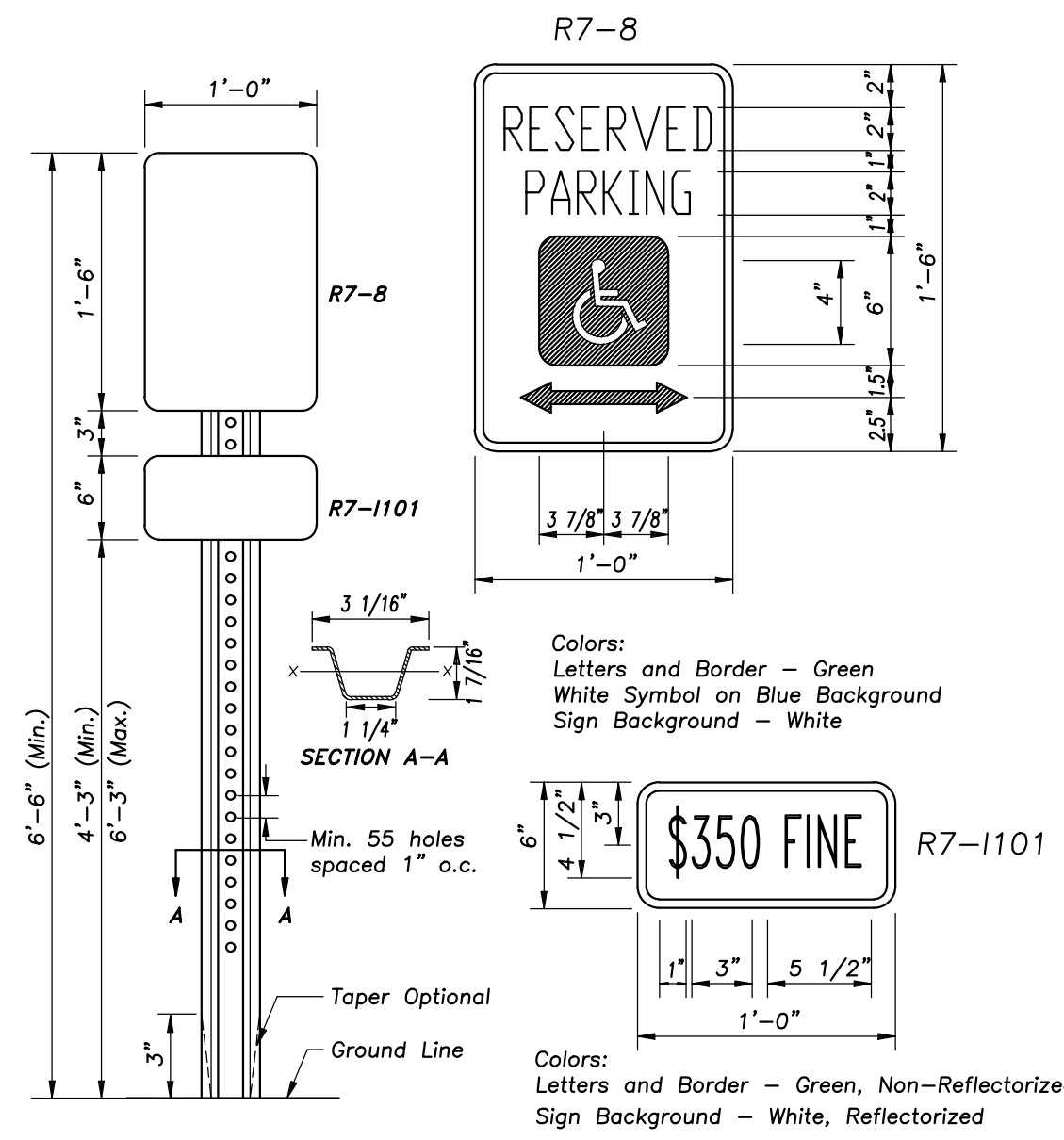
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Note: All Paint Shall Be 4" Wide Yellow Lines (Typ.)

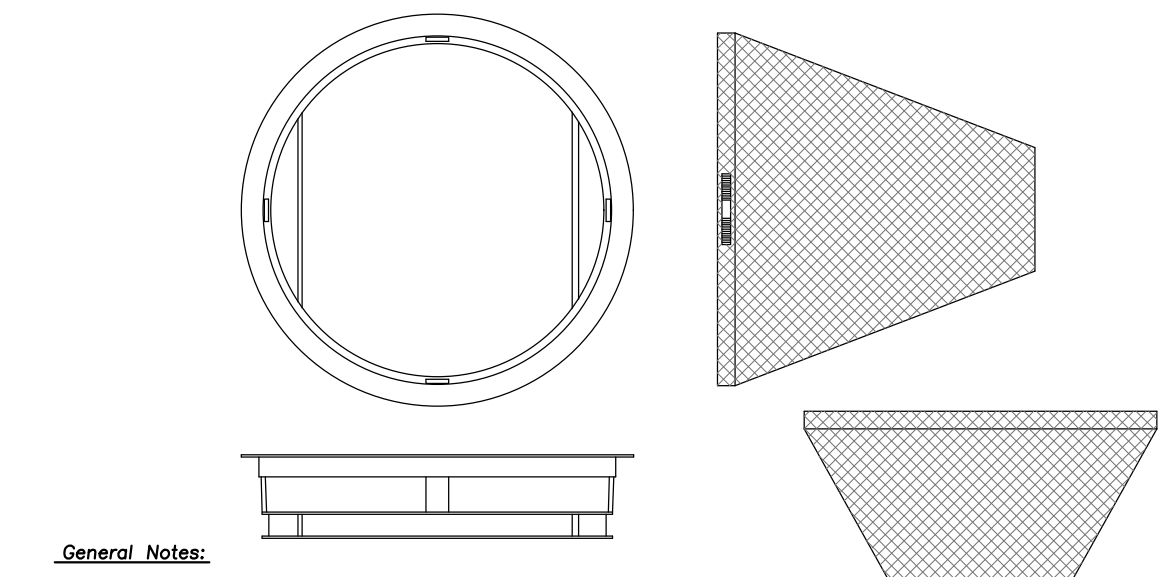
**ACCESSIBLE PARKING STALL PAVEMENT MARKING**



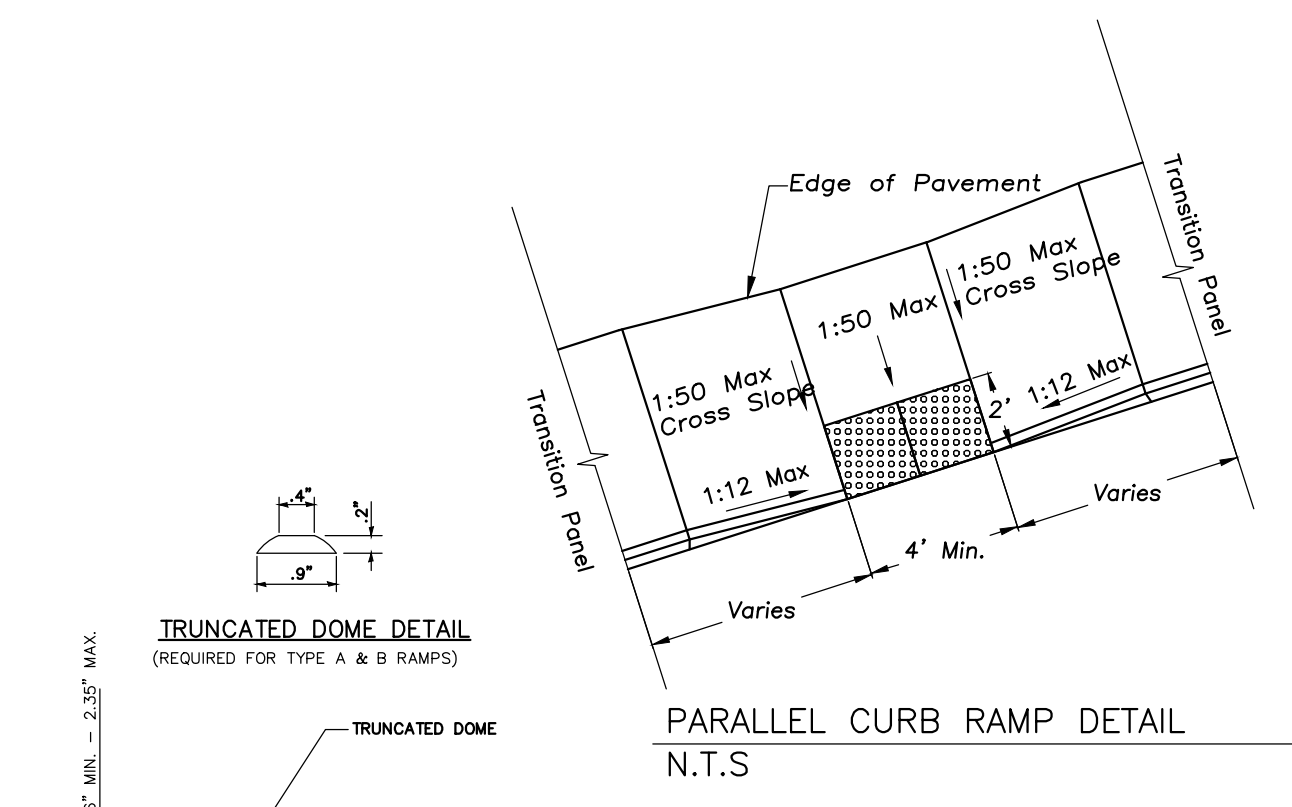
Notes: Dimensions shown for cross sections are minimum. All holes are 3/8" ø. Minimum section modulus about the x-x axis of the post shall be 0.223 in.  
For posts in which holes are punched or drilled for more than half their length, the section modulus shall be computed for the net section.  
3'-6" Post Bury Depth.  
Post shall weigh 2.00 lb/ft length.  
One in Six Accessible Parking Spaces Must be Van Accessible. Minimum of One Van Accessible Spaces Have the Same Requirement. Except They Must Also Have 96" of Clear Vertical Space.

**ACCESSIBLE PARKING SIGN**

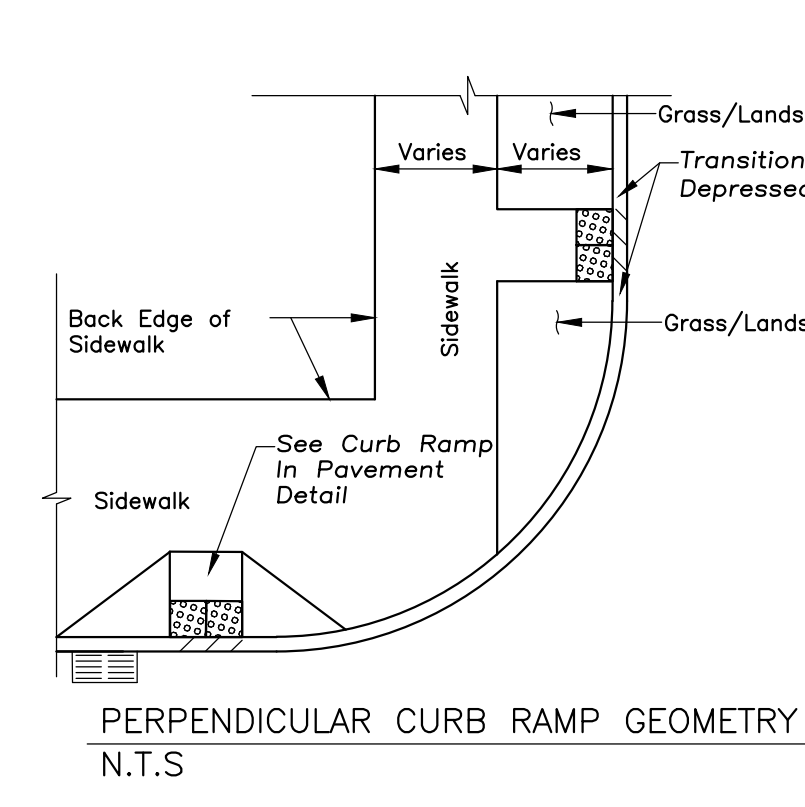
**INLET PROTECTORS - SEDIMENT BAG**



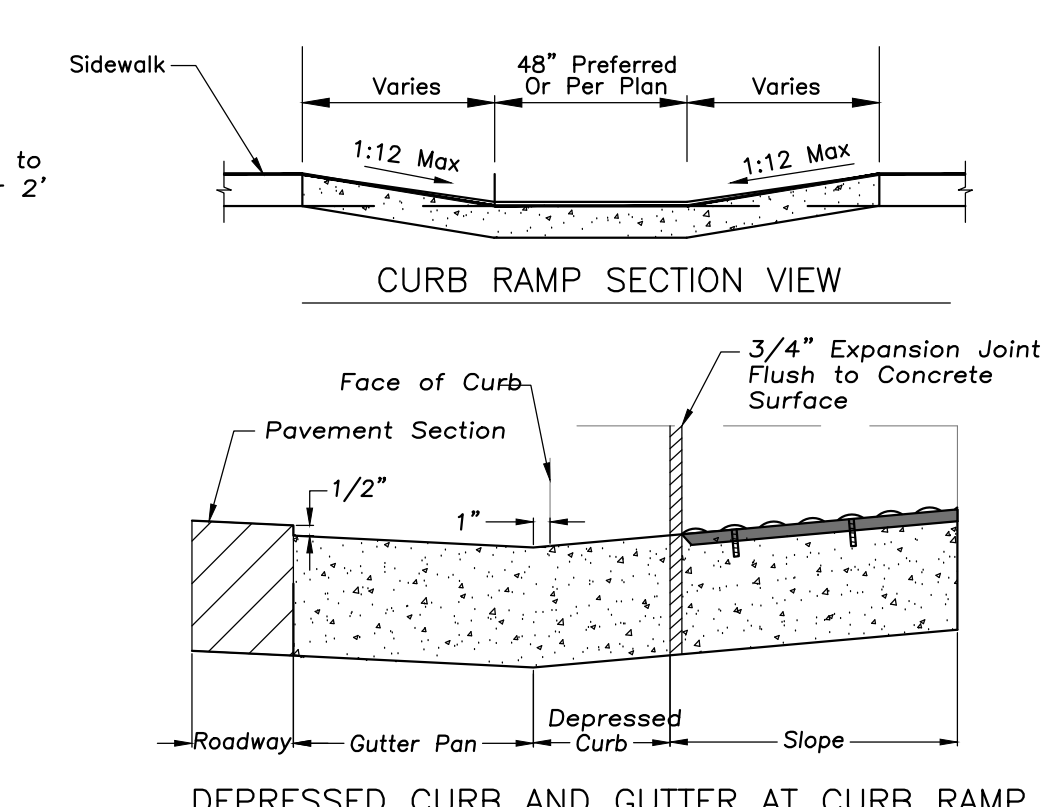
General Notes:  
Use Marathon Materials, Inc. "Ditch-All" Inlet Protectors Or Approved Equal. Inlet Protector Types Shall Be Selected to Fit Frame and Grade of Open Lid Structures to Be Protected. www.marathonmaterials.com  
Frame: Top Flange Fabricated From 1/2" x 1/4" Angle. Base Rim Fabricated From 1/2" x 1/4" Channel. Handles And Suspension Brackets Fabricated From 1/2" x 1/4" Flat Stock. All Domestic Steel Conforming To ASTM-A36.  
Sediment Bag: Bag Fabricated From 4 Oz./sq.yd Non-woven Polypropylene Geotextile Reinforced With Polyester Mesh. Bag Secured To Base Rim With A Stainless Steel Strap And Lock.  
Install Baskets in All Existing Storm Inlets Prior to Construction And All New Storm Inlets Immediately After Installation. Contractor Shall Maintain Throughout Construction Activities.



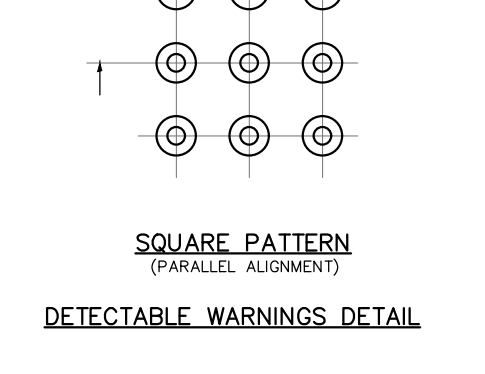
PARALLEL CURB RAMP DETAIL N.T.S.



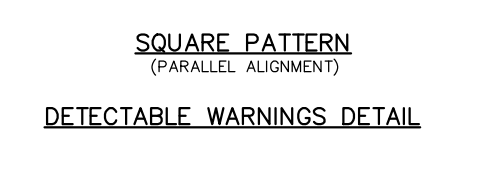
PERPENDICULAR CURB RAMP GEOMETRY N.T.S.



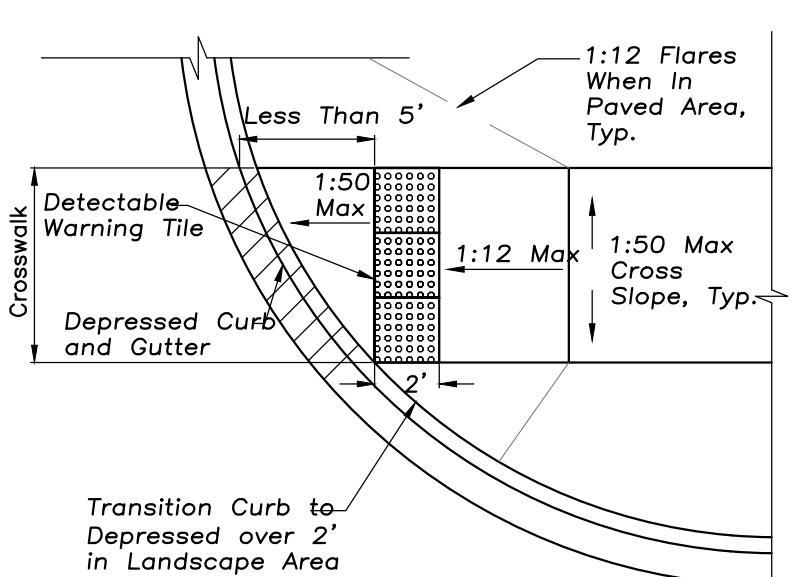
DEPRESSED CURB AND GUTTER AT CURB RAMP



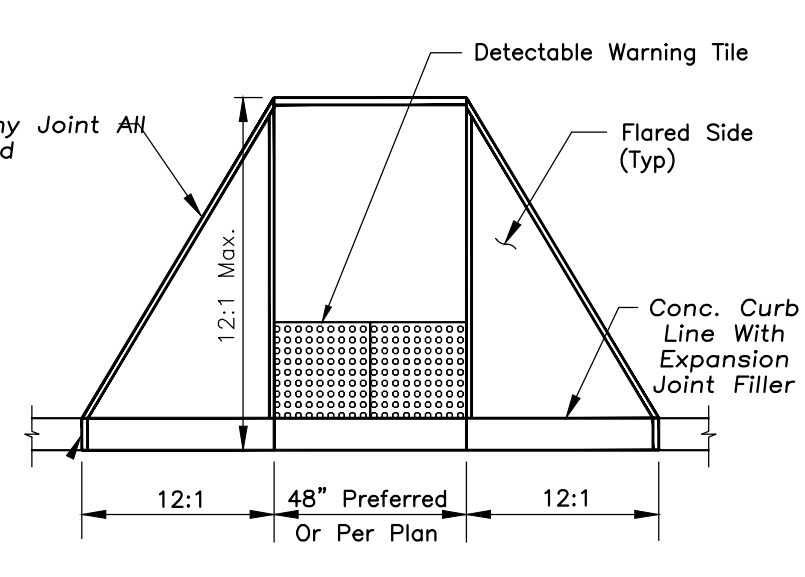
TRUNCATED DOME DETAIL (REQUIRED FOR TYPE A & B RAMP)



SQUARE PATTERN (PARALLEL ALIGNMENT) DETECTABLE WARNINGS DETAIL



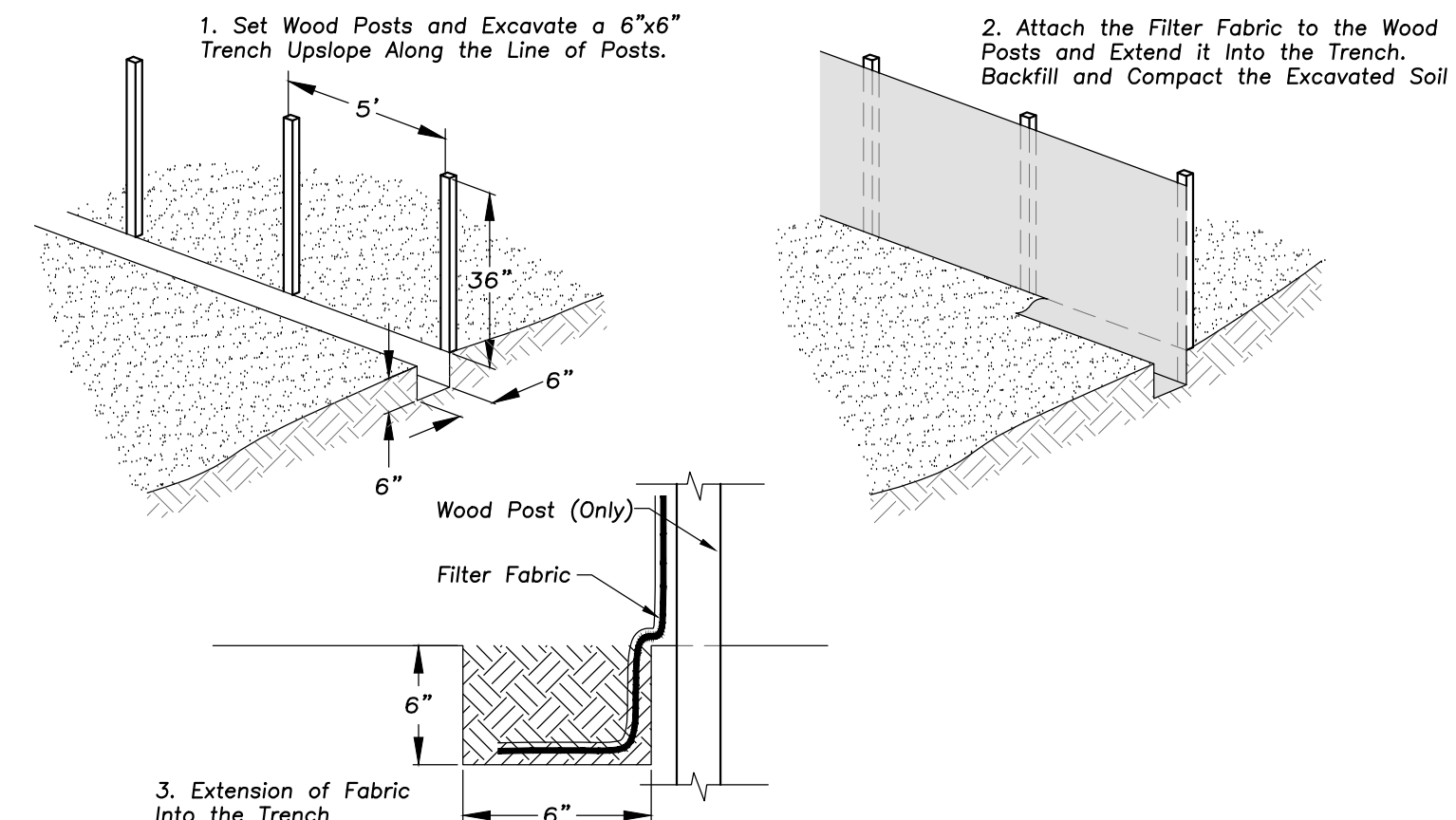
CURB RAMP AT RADIUS SKEWED INTERFACE DETAIL N.T.S.



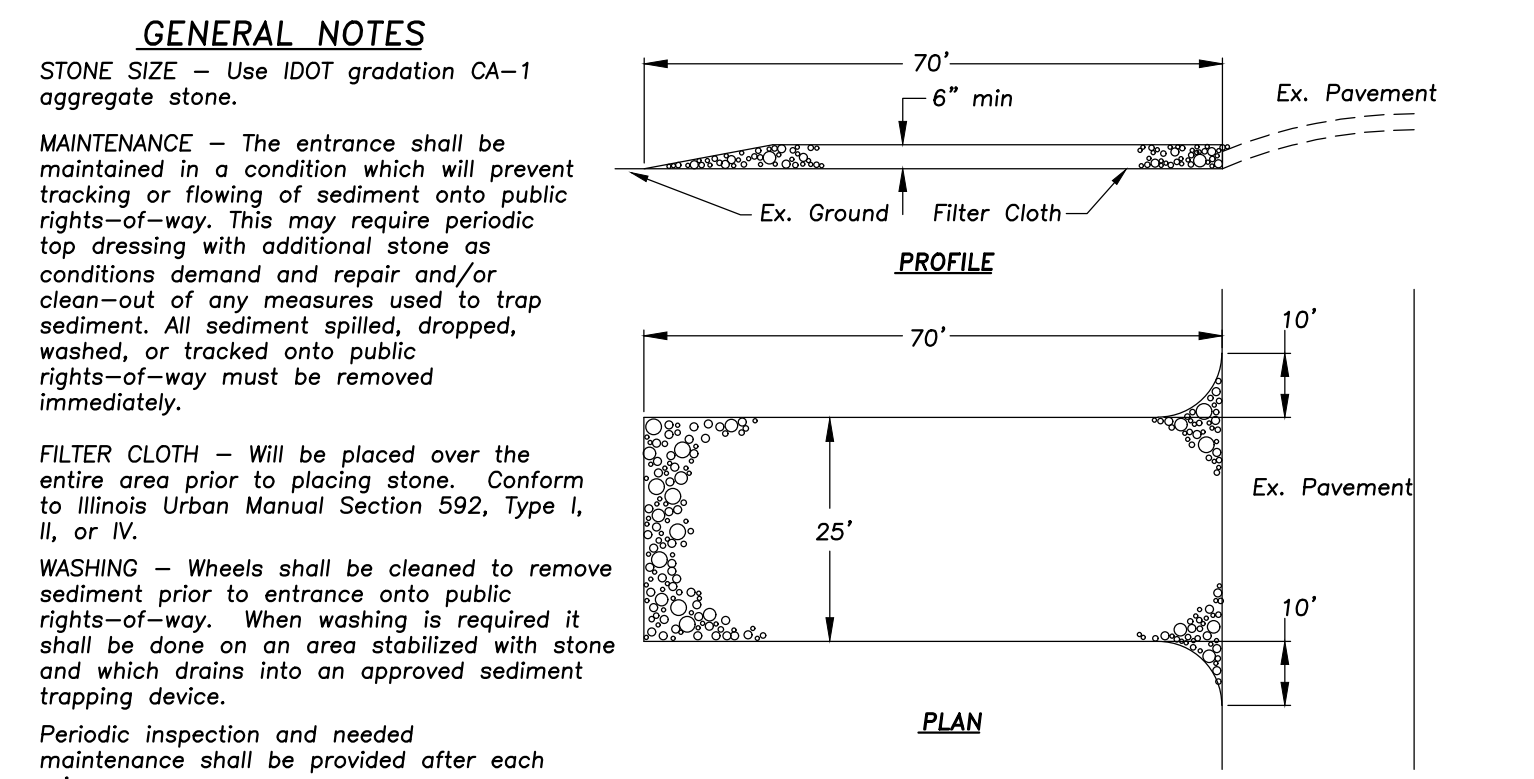
CURB RAMP IN PAVEMENT N.T.S.

**GENERAL NOTES**  
Description:  
This work shall consist of constructing sidewalk curb ramps with detectable warnings in compliance with the Americans with Disabilities Act, Accessibility Guidelines (ADAG). The detectable warnings shall consist of an area of truncated domes that provide both visual and tactile cues to pedestrians who are about to enter into traffic.  
The detectable warnings shall present a contrast in color from the adjacent sidewalk.  
Slope/Grade Requirements:  
1. Ramps Shall Be Located As Shown On Plans In Alignment With Normal Sidewalk And/or Crosswalk And Shall Have Sufficient Curb Length At Corner Radius To Prevent Vehicular Encroachment.  
2. Curb Ramps At Marked Crossings Shall Be Wholly Contained Within The Markings Excluding Flared Sides.  
3. In No Case Shall Expansion Joints That Are Constructed In Curbs And Gutters At Or Near Corner Radius Be Located Within The Accessible Ramps Areas.  
4. Where Preformed Joint Filler (p.j.f.) Is Installed Against A Curb Surface, The Contractor Shall Use A Flexible Filler In Accordance With The Illinois Department Of Transportation (IDOT) Standard Specifications.  
Equipment: Equipment for the detectable warning area of the curb ramps shall meet the requirements of the Authorities having jurisdiction.  
DETECTABLE WARNING SURFACE TILES  
Provide Surface Applied Detectable/Tactile Warning Surface Tiles which comply with the detectable warnings on walking surface section of the Americans with Disabilities Act (Title III Regulations, 28 CFR Part 36 ADA STANDARDS FOR ACCESSIBLE DESIGN, Appendix A, Section 4.29.2).  
Dimensions: Cast In Place Detectable/Tactile Warning Surface Tiles shall be held within the following dimensions and tolerances:  
Length and Width in One of the Following as Necessary for the Dimensions of the Surface in Which the Detectable Warning is Proposed: 12x12 24x24 24x36 24x48 36x48 36x60 nominal. No Cutting of Tiles is Allowed.  
Installation of Detectable/Tactile Warning Surface Tiles Per Manufacturer's Instructions.  
Verify With the Local Authorities Having Jurisdiction that Detectable/Tactile Warning Surface Tiles are an Acceptable Method of Providing for the Detectable Warning Surface.  
Verify With the Local Authorities Having Jurisdiction that the Manufacturer's Products are Acceptable for the Detectable Warning Surface.

**ACCESSIBLE RAMPS FOR SIDEWALKS**



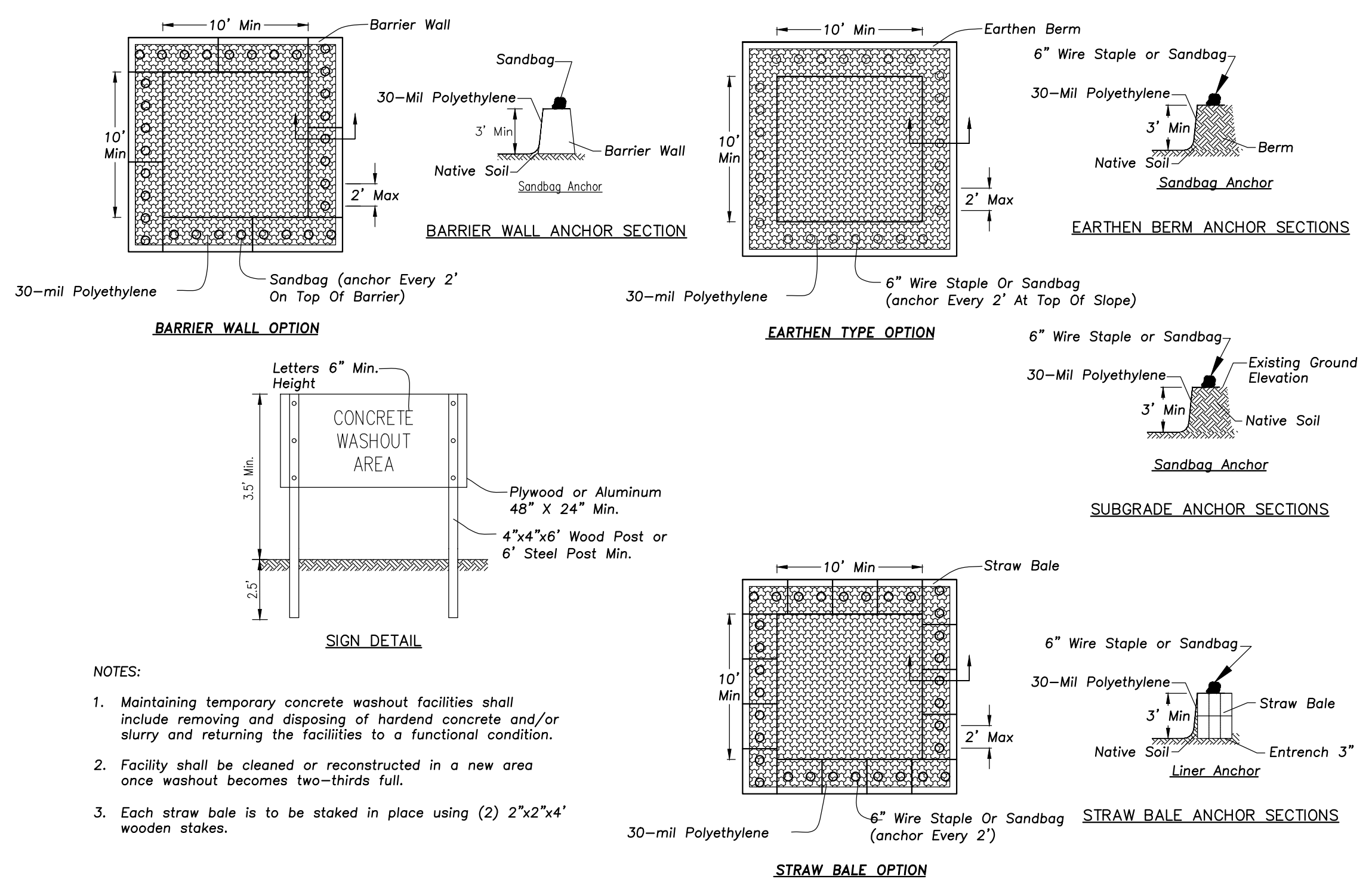
**SILT FENCE CONSTRUCTION (AASHTO 288-00)**



**GENERAL NOTES**  
STONE SIZE - Use IDOT gradation CA-1 aggregate stone.  
MAINTENANCE - The entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto public rights-of-way. This may require periodic top dressing with additional stone as conditions demand and repair and/or clean-out of any measures used to trap sediment. All sediment spilled, dropped, washed, or tracked onto public rights-of-way must be removed immediately.  
FILTER CLOTH - Will be placed over the entire area prior to placing stones. Conform to Illinois Urban Manual Section 592, Type I, II, or IV.  
WASHING - Wheels shall be cleaned to remove sediment prior to entrance onto public rights-of-way. When washing is required it shall be done on an area stabilized with stone and which drains into an approved sediment trapping device.  
Periodic inspection and needed maintenance shall be provided after each rain.

**STABILIZED CONSTRUCTION ENTRANCE**

NOT TO SCALE



NOTES:  
1. Maintaining temporary concrete washout facilities shall include removing and disposing of hardened concrete and/or slurry and returning the facilities to a functional condition.  
2. Facility shall be cleaned or reconstructed in a new area once washout becomes two-thirds full.  
3. Each straw bale is to be staked in place using (2) 2"x2"x4" wooden stakes.

**CONCRETE WASHOUT FACILITY**

CIVIL  
ERIKSSON ENGINEERING ASSOCIATES, LTD.  
146 COMMERCE DRIVE, SUITE A  
GRANDLAKE, IL 60039  
ILLINOIS STATE CERTIFICATE OF AUTHORITY  
NO. XXXXXXXXXX

STRUCTURAL  
MCCLOSKEY ENGINEERING CORPORATION  
1887 HIGH GROVE LN, SUITE 200  
NAPERVILLE, ILLINOIS 60540  
630.737.5333 (O)  
ILLINOIS STATE CERTIFICATE OF AUTHORITY  
NO. XXXXXXXXXX

MEPP  
AMSCO ENGINEERING, INC.  
1115 WILSON RD. SUITE 101  
DOWNERS GROVE, IL 60015  
630.515.1555 (O)  
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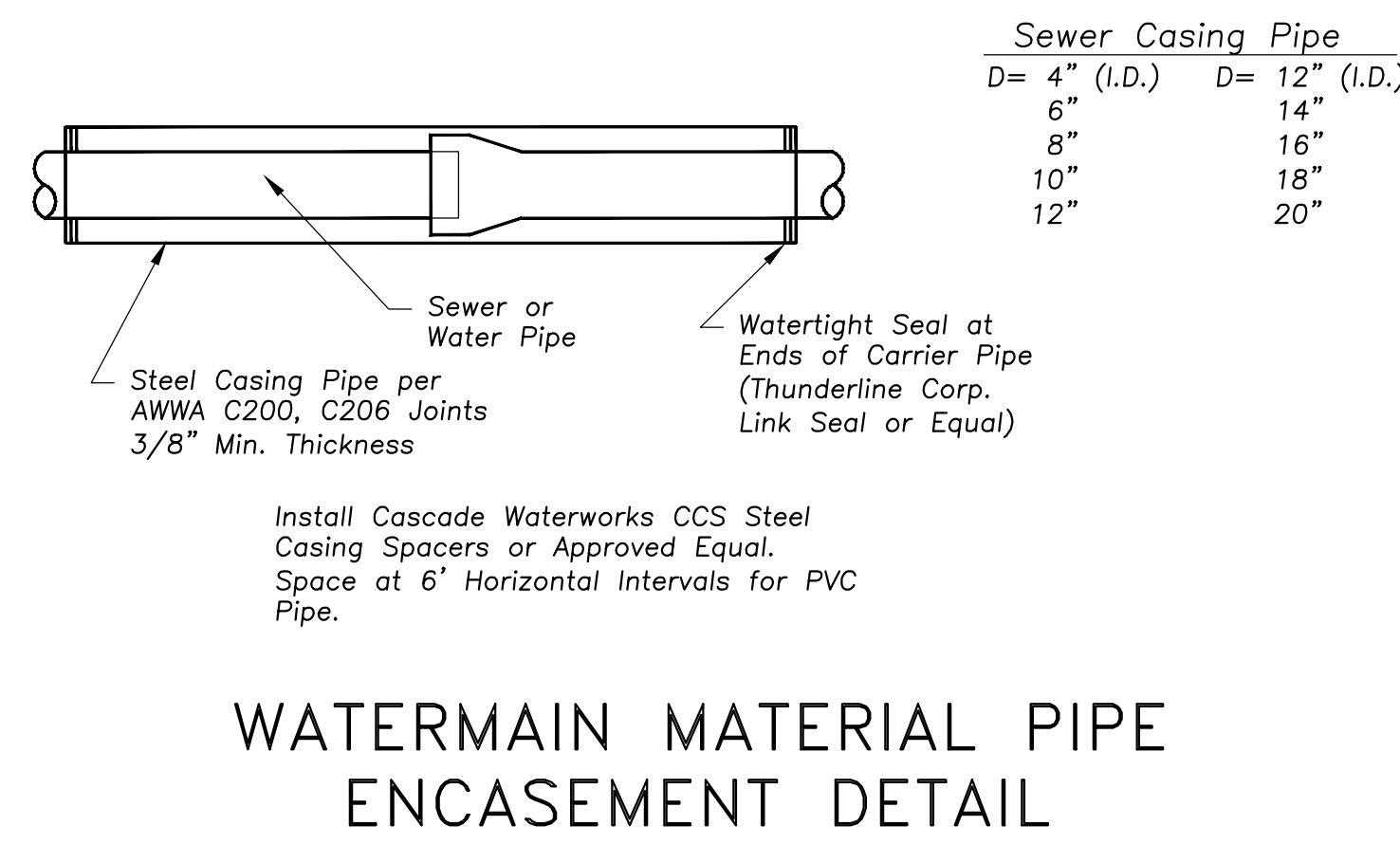
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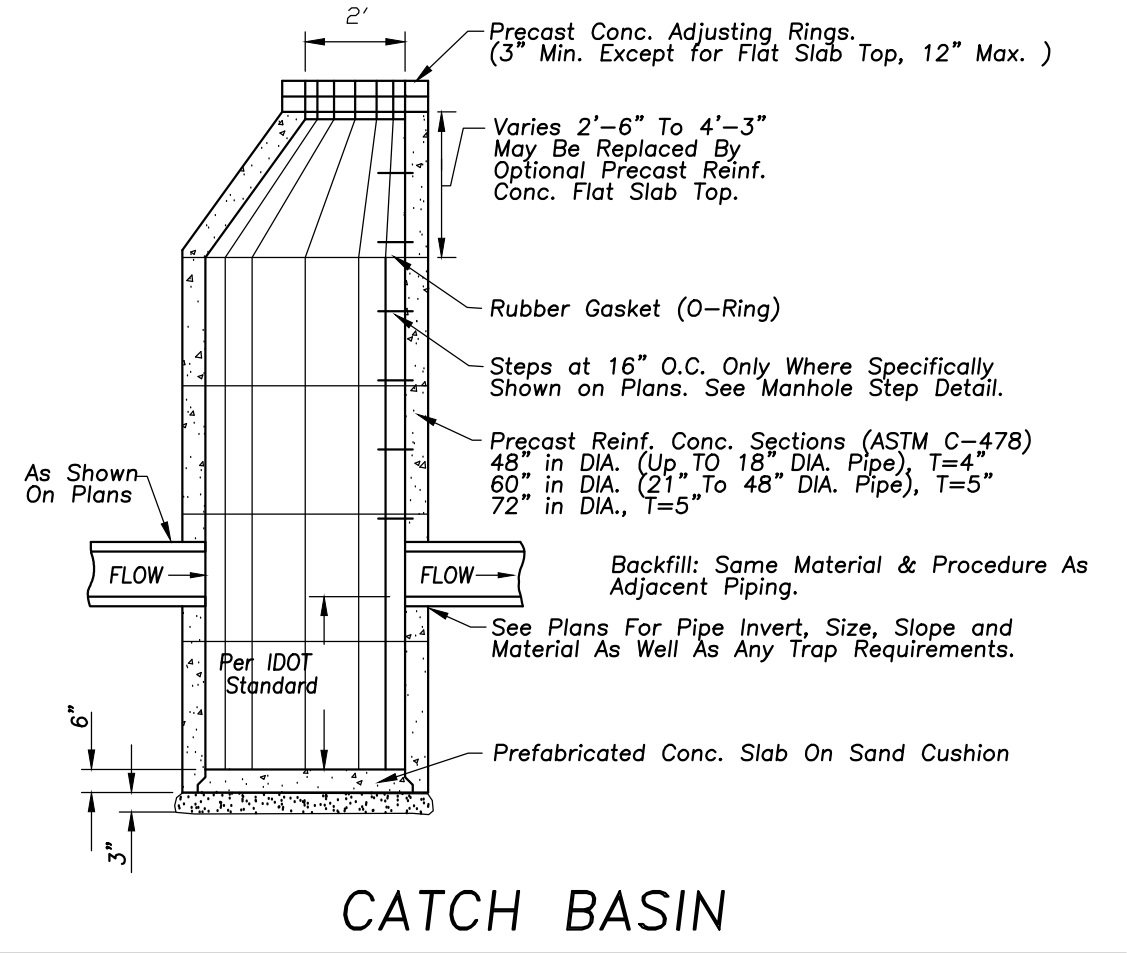
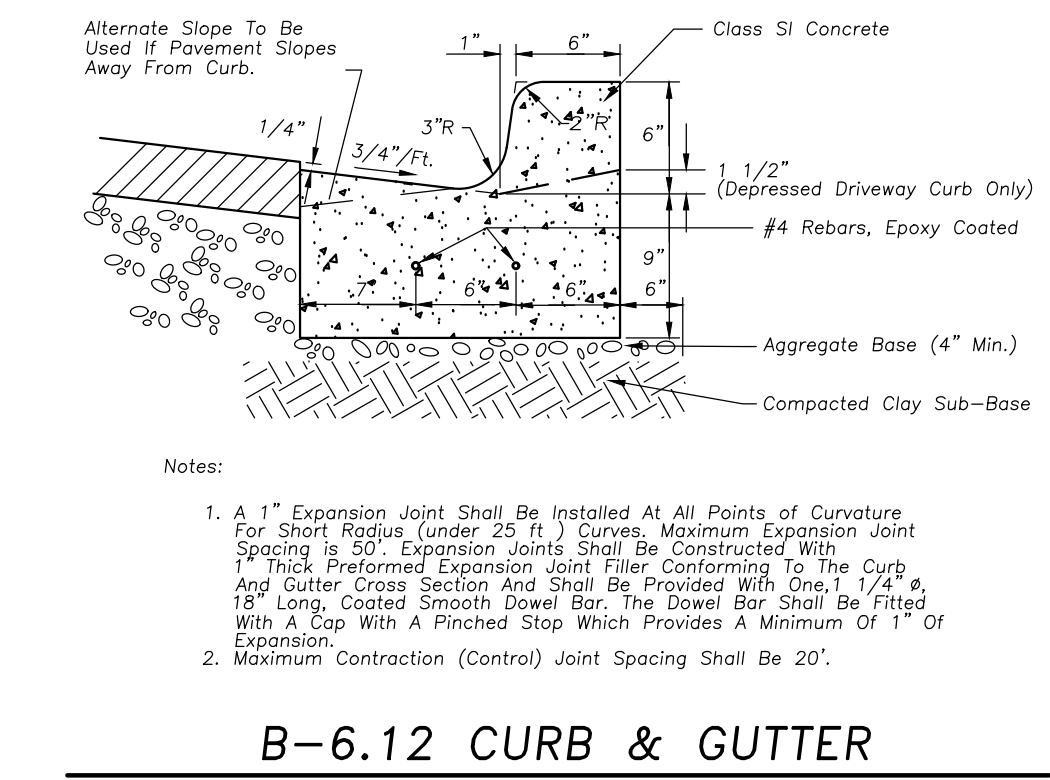
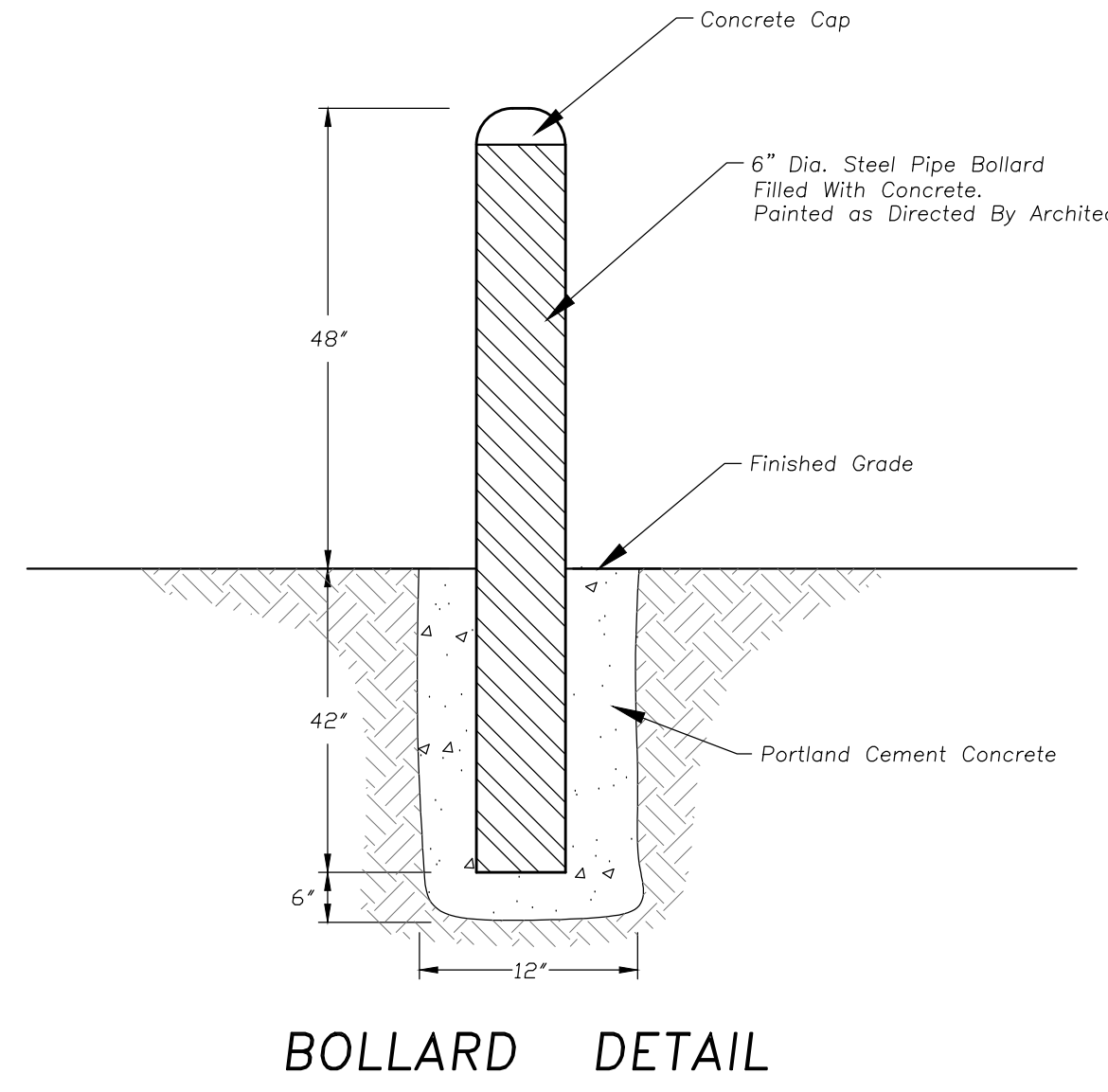
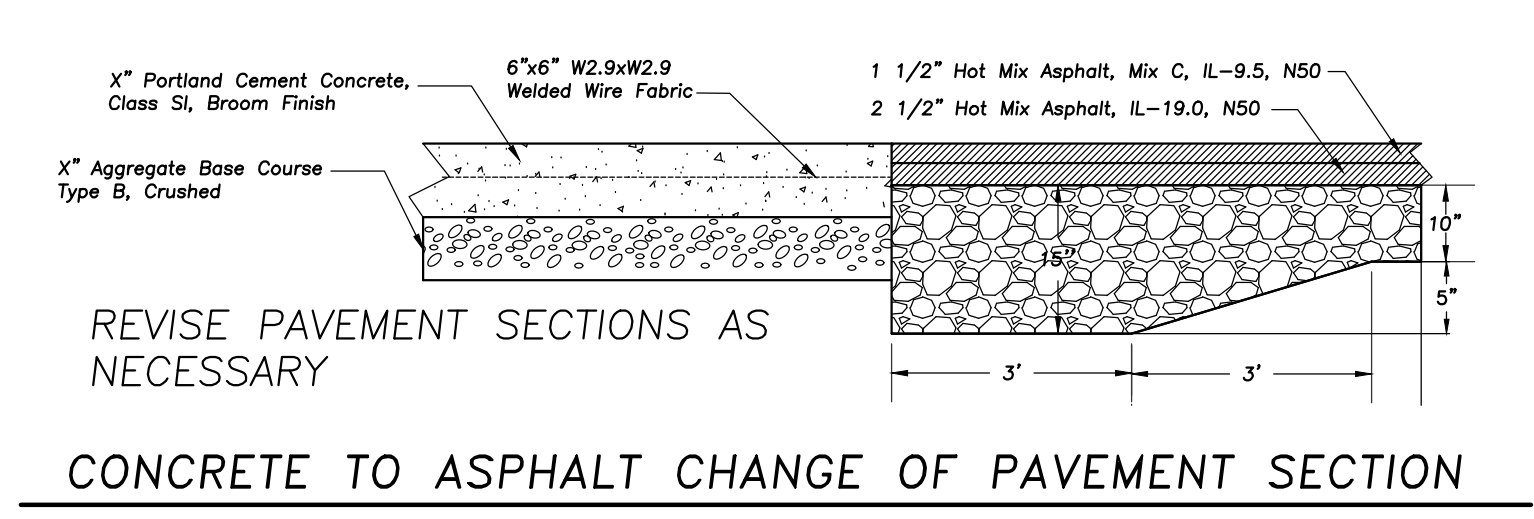
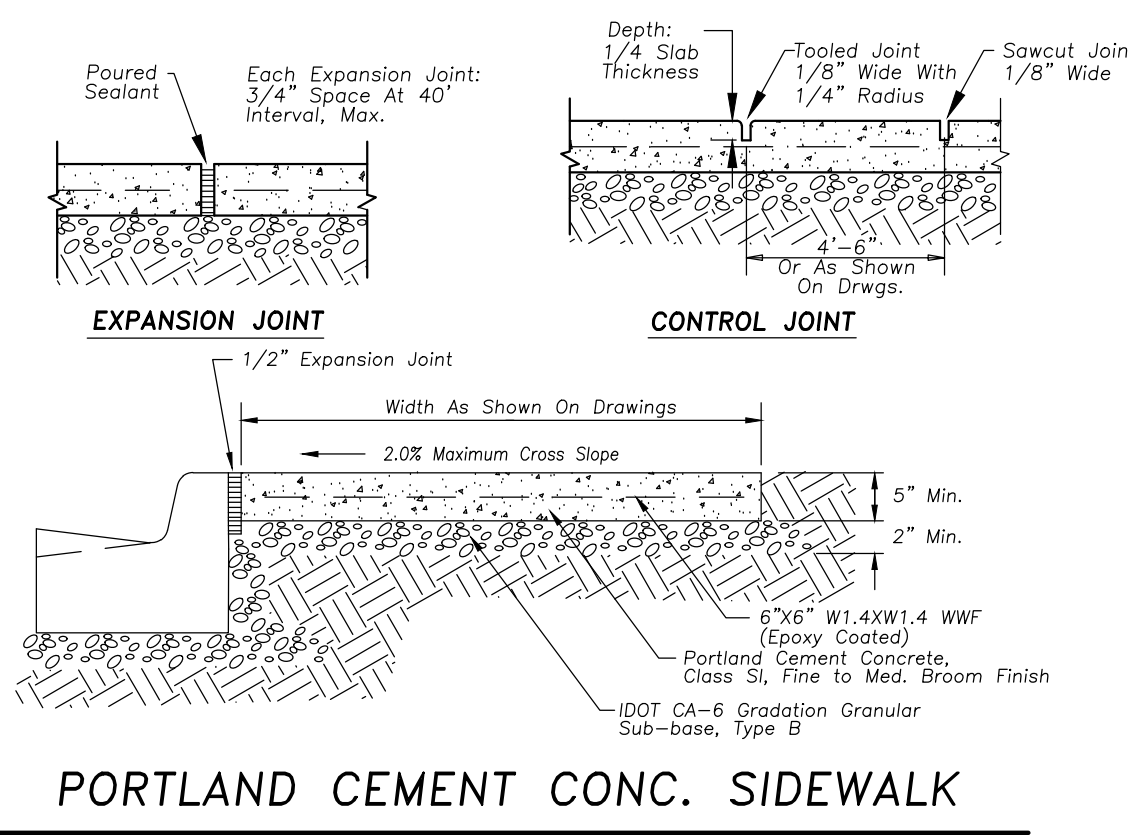
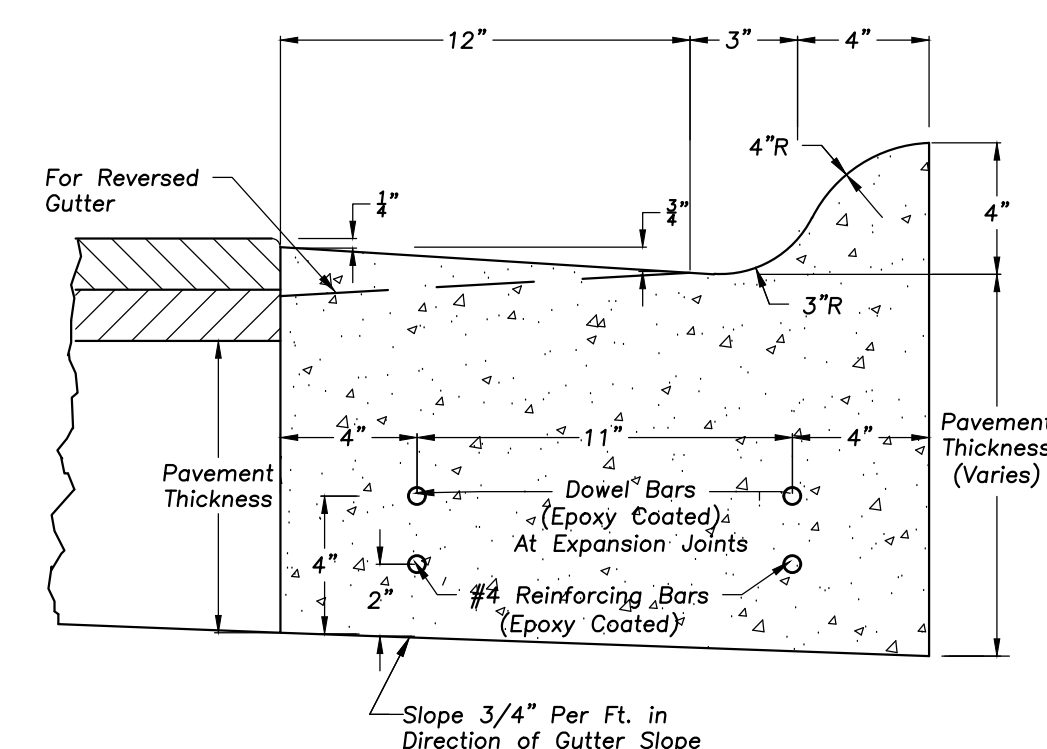
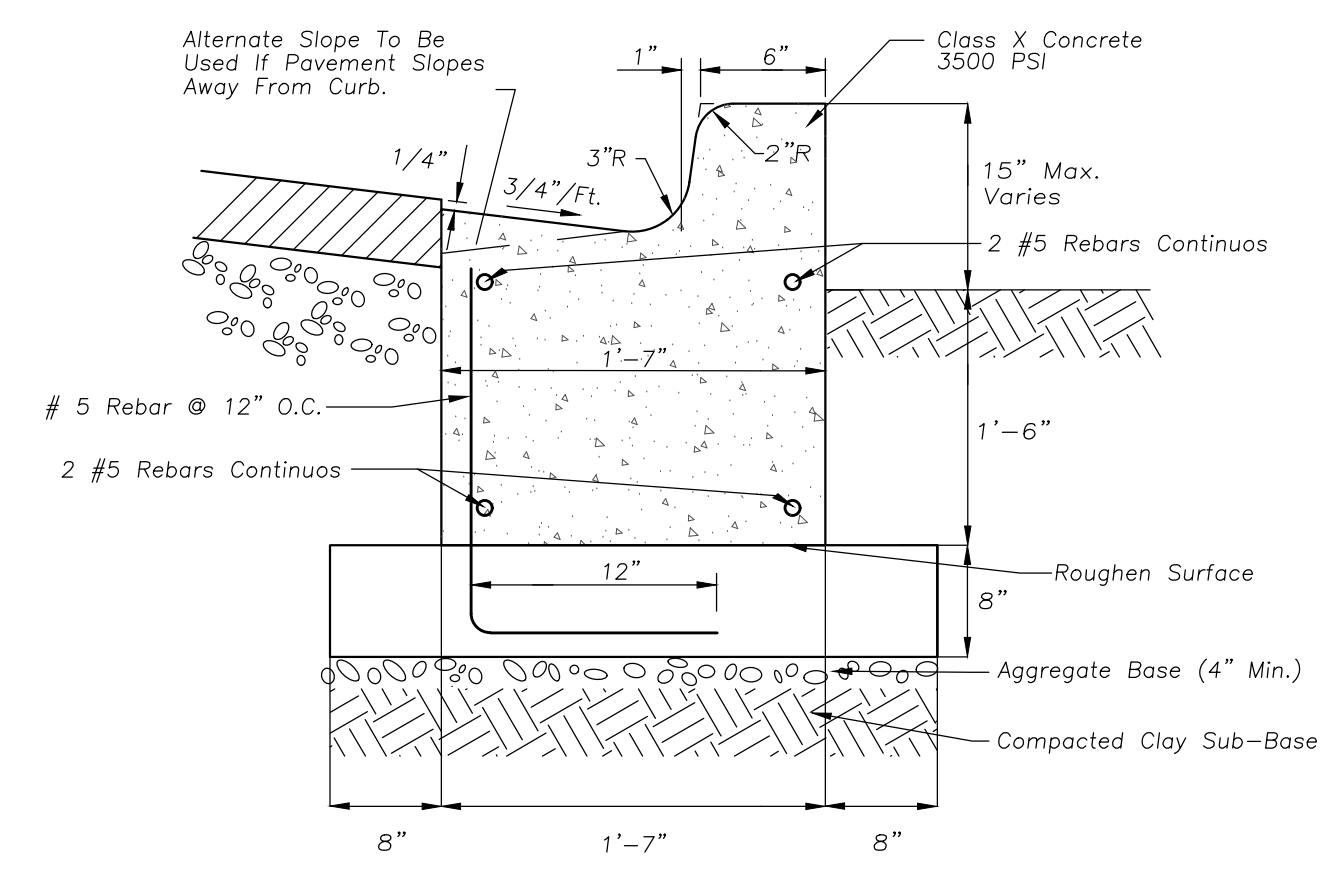
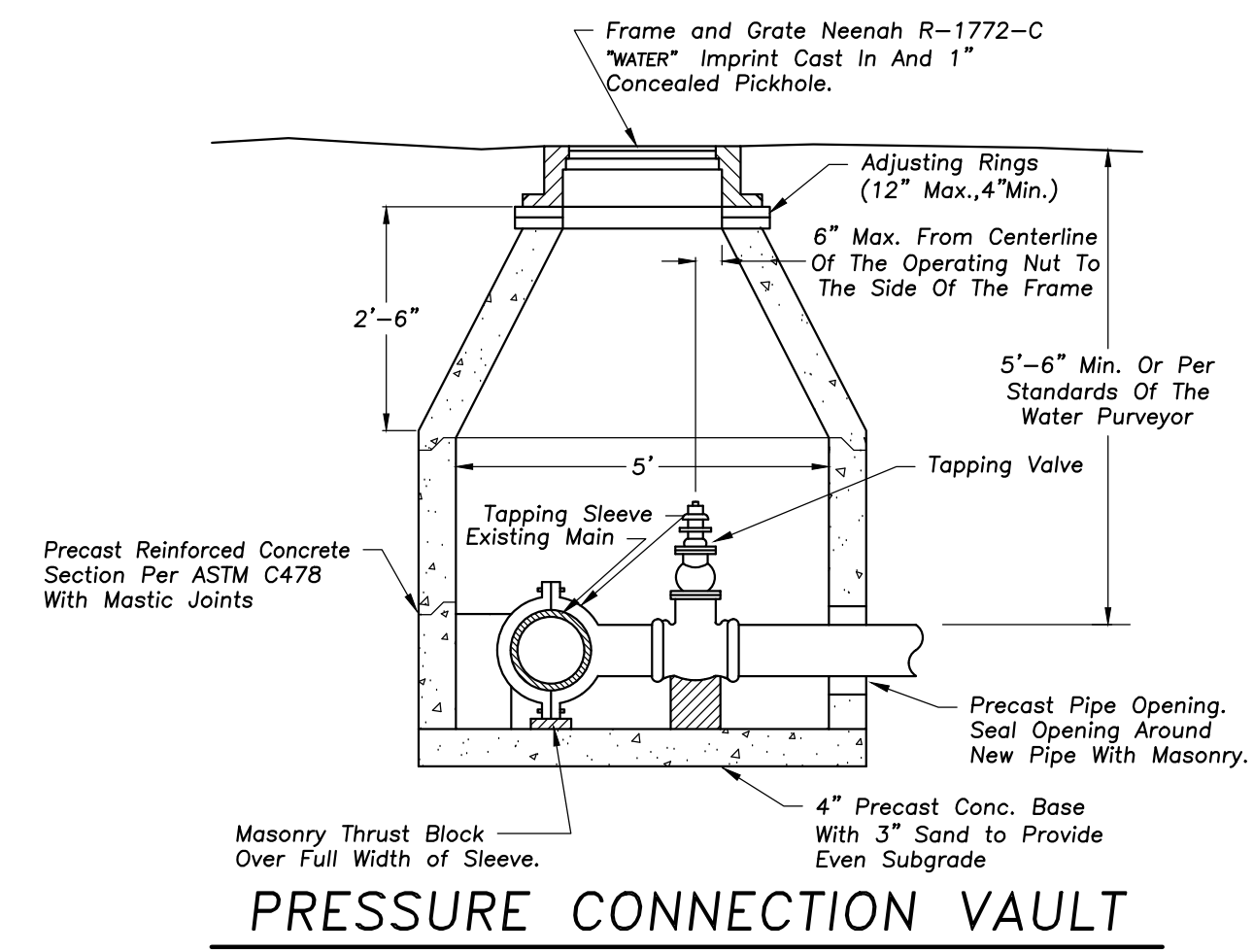
**SITE WORK DETAILS**

SHEET NO.  
**C5.00A**

JOB NO. 24-4013.01  
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**WATERMAIN MATERIAL PIPE ENCASEMENT DETAIL**



**CIVIL**  
ERIKSSON ENGINEERING ASSOCIATES, LTD.  
146 COMMERCE DRIVE, SUITE A  
GRANDLAKE, IL 60139  
847.225.4804 (0)  
ILLINOIS STATE CERTIFICATE OF AUTHORITY  
NO. XXXXXXXXXX

**STRUCTURAL**  
MCCLUSKEY ENGINEERING CORPORATION  
1887 HIGH GROVE LN, SUITE 200  
NAPERVILLE, ILLINOIS 60540  
630.717.5333 (0)  
ILLINOIS STATE CERTIFICATE OF AUTHORITY  
NO. XXXXXXXXXX

**MEFP**  
AMSCO ENGINEERING, INC.  
1115 WILSON RD SUITE A  
DOWNERS GROVE, IL 60115  
630.515.1555 (0)  
ILLINOIS STATE CERTIFICATE OF AUTHORITY  
NO. XXXXXXXXXX

**NOT FOR CONSTRUCTION**

FOR REVIEW ONLY

Not for regulatory approval, permit or construction.

The information on this document is preliminary or incomplete, not for construction, recording purposes, or implementation.

NO	DATE	ISSUANCE DESCRIPTION
	04/26/2024	ISSUED FOR SCHEMATIC DESIGN
	06/28/2024	ISSUED FOR DESIGN DEVELOPMENT
	08/01/2024	25% CD PROGRESS SET
	09/06/2024	ISSUED FOR PRICING

**ALBRIGHT MIDDLE SCHOOL ADDITIONS AND RENOVATIONS**  
SALT CREEK SCHOOL DISTRICT 48  
1110 S Villa Ave, Villa Park, IL 60181

50% CONSTRUCTION DOCUMENTS

**SITE WORK DETAILS**

SHEET NO.  
**C5.01A**

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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:** September 12, 2024  
**RE:** **Petition PZ-24-14 | Zoning Ordinance Text Amendments | Nonconformity and Non-Residential Accessory Structures**

PETITIONER	
Village of Villa Park Marc McLaughlin, AICP, GISP - Director of Community & Economic Development 20 S. Ardmore Avenue Villa Park, IL 60181	

### Request Summary

The Petitioner is requesting a Public Hearing to consider Text Amendments to Appendix C – Basic Zoning Ordinance to remove conflicts, clarify certain language, follow best practice, and provide consistent language throughout.

### Zoning Request

The following sections are proposed to be amended:

- Article 6 “Uses”, Section 6.10 “Accessory Uses and Structures” – Amending nonresidential accessory structures
- Article 13 “Nonconformities” – Changing, clarifying, and adding requirements for nonconformities for uses, structures, lots, and development features.
- Article 14 “Measurements and Definitions”, Section 14.2 “Definitions”

### Notification

Legal Notice was published in the Daily Herald on August 27, 2024 in advance of the public hearing.

### Project Summary

As noted in the past, the current Zoning Ordinance has some deficiencies in the text as a result of the process in which it was drafted and adopted. The Planning and Zoning Commission has recently reviewed several Variation requests for second story expansions within side yard setbacks and the Village Board directed staff to review and edit the Zoning Ordinance accordingly. Staff also proposes a change within the Zoning Ordinance to permit nonresidential accessory structures to be larger than 100.0 square feet. Staff has found the 100.0 square foot maximum size to be arbitrary and restrictive. This amendment would permit creative solutions to permit outdoor dining areas, garages, and other accessory structures on nonresidential property.

#### Article 6 “Uses”, Section 6.10 “Accessory Uses and Structures”

- Correction of staff titles to be consistent with prior changes made.
- Changes to permit nonresidential accessory structures greater than 100 square feet.
- Remove quantity restriction from one (1) to many.
- Addition of requirements to clarify where nonresidential accessory structures can be placed onsite.

## Article 13 “Nonconformities”

- Correction of staff titles to be consistent with prior changes made.
- Nonconforming lots
  - Clarification that nonconforming lots can be used for Household Living uses to be consistent with other terms utilized in the Zoning Ordinance.
  - Clarification that nonconforming lots may include use(s) that are compliant with the subject zoning district.
  - Removal of compliance with lot requirements for nonconforming lots.
  - Confirmation that nonconforming uses cannot be expanded, enlarged, or increased in intensity and removal of other specifications for expansion.
- Renaming of moving to relocation for both structures and uses
- Revision to specify that nonconforming uses cannot be relocated on any portion of the same lot or another other lot.
- Loss of nonconforming status of uses
  - Reduction of time period for loss of nonconforming status
  - Elimination of period of discontinuance for acts of God or accidental fire
  - Elimination of the Planning and Zoning Commission authorization to approve re-establishment of nonconforming uses through the Special Use procedures
- Damage and destruction of uses
  - Revised to establish replacement is permitted when the damage to the structure is less than 50% of the replacement value
  - Revision of the time frame for receiving a building permit
  - Establishment of the replacement value of a legal nonconforming structure
- Damage and destruction of structures
  - Established that when damage is greater than 50% of the replacement value that the structure may not be repaired or replaced and must then meet the requirements of the subject zoning district
  - Revised to establish replacement is permitted when the structure has been damaged or destroyed less than 50% of the replacement value
  - Establishes how replacement value is calculated

## Findings

Per Sec. 11.2.9 – Review and Approval Criteria: The decision to amend the Zoning Ordinance text is a matter of legislative discretion that is not controlled by any one standard. In making recommendations and decisions about Zoning Ordinance text amendments, the Planning and Zoning Commission and Village Board must consider at least the following factors:

1. Whether the proposed text amendment is in conformity with the policy and intent of the comprehensive plan; and
2. Whether the proposed Zoning Ordinance text amendment corrects an error or inconsistency in the Zoning Ordinance, meets the challenge of a changing condition or is necessary to implement established Village policy.

## Staff Recommendation

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

## Recommended Action

*To recommend approval of PZ-24-14 for a Zoning Ordinance Text Amendment as outlined in Exhibit A.*

**Exhibit List**

- A. Zoning Ordinance Text Amendment – Redline
- B. Zoning Ordinance Text Amendment - Clean

## ARTICLE 6. - USES

### 6.10.1. - Generally Applicable Regulations

- D. Accessory structures may be established in conjunction with or after the principal building or use. They may not be established before the principal building or use is in place except where authorized by the Director of Community & Economic Development-Director.

### 6.10.3. - Nonresidential Accessory Structures

The following regulations govern use and installation of accessory structures in all districts other than R districts, except as more specifically regulated in this article.

- A. ~~A. Rear yard setbacks shall be ten (10) feet. Only one (1) accessory structure is allowed per lot.~~
- B. ~~B. Interior side yard setbacks shall be ten (10) feet. The area of the accessory structure may not exceed one hundred (100) square feet or one (1) percent of the area of the lot, whichever is greater.~~
- C. ~~Accessory structures related to outdoor seating accessory to an eating or drinking establishment are permitted in all yards.~~
- D. ~~Other detached accessory structures not related to outdoor seating are not permitted in the front yard or corner side yards.~~
- E. ~~Accessory structures shall be equal to or less than the footprint of the principal structure.~~

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## ARTICLE 13. - NONCONFORMITIES

### SEC. 13.1. - GENERAL

#### 13.1.2. - Intent

- B. The regulations recognize that buildings and structures have a long useful life and allowing their continued occupancy and modernization can be more desirable than requiring them to remain vacant if they cannot be made conforming. ~~Consequently, this ordinance authorizes the planning and zoning commission to allow conversion of nonconforming uses and, under limited circumstances, expansions of nonconforming uses and structures.~~

#### 13.1.4. - Determination of Nonconformity Status

- B. The ~~Director of Community & Economic Development~~ director is authorized to determine whether adequate proof of nonconforming status has been provided by the property owner.
- C. Building permits, lawfully recorded plats, ~~other official government records, and~~ aerial photography ~~owned by the government and other official government records~~ that indicate lawful establishment of the nonconformity constitute conclusive evidence of nonconforming status. If such forms of conclusive evidence are not available, the ~~Director of Community & Economic Development~~ director is authorized to consider whether other forms of evidence provided by the applicant are reliable and adequate to document nonconforming status. Common examples of evidence that may be determined to be reliable and adequate include:
  1. Professional registrations or licenses associated with a street address;
  2. Utility billing records;
  3. Leasing records;
  4. Advertisements in dated publications;
  5. Listings in telephone or business directories; and
  6. Notarized affidavits affirming the date of lawful establishment of the nonconformity.
- D. The ~~Director of Community & Economic Development's~~ director's determination of nonconforming status may be appealed in accordance with [Sec. 11.7](#).

## SEC. 13.2. - LOTS

### 13.2.2. - Use of and Building on Nonconforming Lots

- A. A nonconforming lot in an R district may be used as a building site for ~~a single detached house~~ Household Living uses.
- B. A nonconforming lot in a nonresidential zoning district may be used as a building site and developed with a use(s) allowed in the subject zoning district. ~~If the zoning allows a variety of uses or a variety of intensities of uses and one or more uses or intensities would comply with applicable lot area and lot width regulations, while others would not, then only the uses or intensities that comply with applicable regulations are permitted.~~

- C. Development on nonconforming lots must comply with the ~~lot and building~~ ~~regulations~~ of the subject zoning district unless otherwise expressly stated.

## SEC. 13.3. - USES

### 13.3.3. - Expansion of Use

~~A. — A legal nonconforming use shall not be expanded, enlarged, or increased in intensity to include any land area or structure not previously occupied by such legal nonconforming use.~~

~~A nonconforming use of land that does not involve a building or structure or that is accessory to the nonconforming use of a building may not be expanded or extended beyond the area the use occupied at the time the use became nonconforming.~~

~~B. — Nonconforming uses within a building may not be expanded except as expressly stated below:~~

- ~~1. — A nonconforming use within a building may be expanded into another part of the same building that was occupied by the subject nonconforming use at the time the use became nonconforming;~~
- ~~2. — Other expansions of a nonconforming use may be approved in accordance with the special use procedures of Sec. 11.4. In order to approve such an expansion of a nonconforming use, the planning and zoning commission must find that all of the following criteria have been met:
  - ~~a. — In residential districts, the expansion will not result in an increase in the number of dwelling units;~~
  - ~~b. — The expansion will comply with all applicable lot and building regulations of the subject zoning district;~~
  - ~~c. — The appearance of the expansion will be compatible with the adjacent property and neighborhood;~~
  - ~~d. — Off-street parking is provided for the expansion in accordance with this zoning ordinance;~~
  - ~~e. — Rezoning the property would result in an inappropriate spot zoning;~~~~

~~f. The expansion will not be detrimental to the existing character of development in the immediate area or endanger the public health, safety, or general welfare; and~~

~~g. The use is consistent with the comprehensive plan.~~

### 13.3.4. - Remodeling and Improvements

A building in which a nonconforming use is located may be remodeled or otherwise improved as long as the remodeling or improvements do not violate any other regulations of this ~~Z~~zoning ~~O~~ordinance.

### 13.3.5. - ~~Moving~~Relocation

~~A nonconforming use shall not be relocated on the same lot or any other lot unless the relocation of such use meets the requirements of the zoning district in which the use is relocated. may be moved in whole or in part to another location on the same lot only if the movement or relocation does not increase the extent of the nonconformity. A nonconforming use may be moved to another lot only if the use is allowed under the zoning regulations that apply to that (relocation) lot.~~

### 13.3.6. - Loss of Nonconforming Status

#### A. **Abandonment**

2. A nonconforming use is presumed abandoned when the use is discontinued or ceases for a continuous period of ~~twelve (12) months~~ninety (90) days or more, ~~provided that a nonconforming open-air use of land is presumed abandoned when the use is discontinued or ceases for a continuous period of sixty (60) days or more.~~
3. ~~Any period of discontinuance caused by acts of God or accidental fire are not counted in calculating the length of discontinuance.~~
4. ~~The planning and zoning commission is authorized to approve requests to re-establish an abandoned nonconforming use through the special use procedures of Sec. 11.4~~

#### B. **Damage or Destruction**

1. When a ~~building structure~~ containing a nonconforming use is destroyed or damaged by ~~less than 50% of the replacement value~~acts of God or accidental fire, the ~~building structure~~ may be restored or repaired, provided that no new nonconformities are created and that the existing

extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within ~~eighteen (18) months~~180 days of the date of occurrence of such damage and such repairs are completed within the timeframe of validity of the building permit.

2. When a structure containing a nonconforming use is destroyed or damaged by equal to 50% or more of the replacement value, the structure may not be restored or repaired and the use may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.
3. The replacement value of the legal nonconforming structure shall be established by:
  - a. The sale of the structure within the previous year, or if that is not applicable;
  - b. An appraisal of the structure within the last two years, or if that is not available;
  - c. The amount for which the structure was insured prior to the date of damage or destruction, or if that is not available;
  - d. An alternative method determined acceptable by the Director Community & Economic Development.
2. When a building containing a nonconforming use is demolished, damaged or destroyed by causes within the control of the owner and the extent of demolition, damage or destruction is more than fifty (50) percent of the market value of the structure, as determined by the property owner's certified appraiser, the use may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.

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## SEC. 13.4. - STRUCTURES

### 13.4.3. - Alterations and Expansions

- B. A structure with a nonconforming setback may not be expanded horizontally ~~or vertically~~ within the required setback area. However, if the setback is nonconforming by 12 inches or less than 10% or 6 inches, whichever is greater, the nonconforming structure may be expanded horizontally ~~or vertically~~

provided that the expansion does not extend further into the required setback area.

#### 13.4.4. - ~~Moving~~Relocation

A nonconforming structure may ~~not be relocated on the same lot or any other lot unless the relocation of such structure meets the requirements of the zoning district to which the structure is relocated.~~ be moved in whole or in part to another location only if the movement or relocation eliminates or reduces the extent of nonconformity.

#### 13.4.5. - Loss of Nonconforming Status

##### A. Damage or Destruction

1. ~~In the event that a nonconforming structure is damaged or destroyed to the extent of equal to 50% or more of its replacement value, the structure may not be restored or repaired except in compliance with all regulations applicable to the zoning district in which it is located.~~
2. ~~In the event that a nonconforming structure is destroyed or damaged by less than 50% of the replacement value, the structure may be restored or repaired, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 180 days of the date of occurrence of such damage and such repairs are completed within the timeframe of validity of the building permit.~~
3. ~~The replacement value of the nonconforming structure shall be established by:~~
  - a. ~~The sale of the structure within the previous year, or if that is not applicable;~~
  - b. ~~An appraisal of the structure within the last two years, or if that is not available;~~
  - c. ~~The amount for which the structure was insured prior to the date of damage or destruction, or if that is not available;~~
  - d. ~~An alternative method determined acceptable by the Director of Community & Economic Development.~~

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~~When a nonconforming structure is destroyed or damaged by acts of God or accidental fire, the structure may be restored or repaired, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within eighteen (18) months of the date of occurrence of such damage.~~

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2. ~~When a nonconforming structure is demolished, damaged or destroyed by causes within the control of the owner and the extent of demolition, damage or destruction is more than fifty (50) percent of the market value of the structure, as determined by the property owner's certified appraiser, the structure may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.~~

~~B. **Damage or Destruction after Right-of-Way Acquisition**~~

~~If a structure is rendered nonconforming or made more nonconforming by a public agency's acquisition of right-of-way and the structure is subsequently damaged or destroyed by any means, the structure may be reestablished, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within eighteen (18) months of the date of occurrence of such damage.~~

## SEC. 14.2. - DEFINITIONS

### 14.2.5. - Words and Terms Beginning with "A"

~~B. **Accessory structure or use:** A use or structure that meets the criteria established in 6.10.1.~~

~~BC. **Adjacent:** Lying near or in the immediate vicinity.~~

~~CD. **Agent:** A person duly authorized to act on behalf of the owner of the subject property.~~

~~DE. **Alley:** A public or private street that affords only a secondary means of access to abutting property.~~

~~EF. **Amateur Radio Facility:** Any tower or antenna used for non-commercial radio communications (transmission and reception) maintained by an FCC-licensed amateur radio operator.~~

**EG. Amusement ride:** Any mechanized device, or combination of devices, including electrical equipment that is an integral part of the device or devices, that carries passengers along, around, or over a fixed or restricted course for the primary purpose of giving its passengers amusement, pleasure, thrills, or excitement.

**GH. Annual (plant):** A plant that completes its life cycle in one year or less.

**HJ. Apiary:** An enclosure used to house bees.

**IJ. Applicant:** The owner of the subject property or an agent authorized by the subject property owner to submit an application on the owner's behalf.

#### 14.2.22. - Words and Terms Beginning with "S"

**Z. ~~Structure, accessory:~~** ~~A structure located in or on the ground on the same lot as a principal structure, and that is subordinate in size and use to the principal structure; provided, however, that this definition does not include underground tanks for the storage of any type of fuel.~~

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**AA. ~~Structure, principal:~~** ~~A structure located in or on the ground where the primary use of the lot is conducted~~Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground or attached to something having a permanent or temporary location on or in the ground, including but without limiting the generality of the foregoing; buildings; advertising signs; backstops for tennis courts; pergolas, and swimming pools; provided, however, that this definition does not include underground tanks for the storage of any type of fuel.

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**AABB. Structural alterations:** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

**BBCC. Swimming pool:** Any temporary or permanent artificial pool or receptacle for water installed, constructed, or maintained in, on or above the ground (not including those enclosed and located entirely within a dwelling), having a perimeter of more than twenty-five (25) feet and a depth of more than two (2) feet at any point.

**CCDD. Swimming pool, private residential:** Any swimming pool constructed, installed, and maintained in or above the ground, outside of a building used as a dwelling unit.

~~If any provision or part of this article is declared invalid and of no further force and effect, the other provisions of this chapter shall remain in full force and effect.~~

#### 14.2.24. - Words and Terms Beginning with "U"

B. **Use, accessory:** A use that meets the criteria established in 6.10.1.

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C. **Use, open-air:** storage yards, construction debris sites, used vehicle sales lots, vehicle impound yards, auto wrecking, junkyards, and similar open-air uses when the only buildings on the lot are incidental and accessory to the open-air use of the lot.

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D. **Use, principal:** The main use of land or buildings as distinguished from a subordinate or accessory use.

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## ARTICLE 6. - USES

### 6.10.1. - Generally Applicable Regulations

- D. Accessory structures may be established in conjunction with or after the principal building or use. They may not be established before the principal building or use is in place except where authorized by the Director of Community & Economic Development-Director.

### 6.10.3. - Nonresidential Accessory Structures

The following regulations govern use and installation of accessory structures in all districts other than R districts, except as more specifically regulated in this article.

- A. ~~A. Rear yard setbacks shall be ten (10) feet. Only one (1) accessory structure is allowed per lot.~~
- B. ~~B. Interior side yard setbacks shall be ten (10) feet. The area of the accessory structure may not exceed one hundred (100) square feet or one (1) percent of the area of the lot, whichever is greater.~~
- C. ~~Accessory structures related to outdoor seating accessory to an eating or drinking establishment are permitted in all yards.~~
- D. ~~Other detached accessory structures not related to outdoor seating are not permitted in the front yard or corner side yards.~~
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#### 13.1.2. - Intent

- B. The regulations recognize that buildings and structures have a long useful life and allowing their continued occupancy and modernization can be more desirable than requiring them to remain vacant if they cannot be made conforming. ~~Consequently, this ordinance authorizes the planning and zoning commission to allow conversion of nonconforming uses and, under limited circumstances, expansions of nonconforming uses and structures.~~

#### 13.1.4. - Determination of Nonconformity Status

- B. The ~~Director of Community & Economic Development~~ director is authorized to determine whether adequate proof of nonconforming status has been provided by the property owner.
- C. Building permits, lawfully recorded plats, ~~other official government records, and~~ aerial photography ~~owned by the government and other official government records~~ that indicate lawful establishment of the nonconformity constitute conclusive evidence of nonconforming status. If such forms of conclusive evidence are not available, the ~~Director of Community & Economic Development~~ director is authorized to consider whether other forms of evidence provided by the applicant are reliable and adequate to document nonconforming status. Common examples of evidence that may be determined to be reliable and adequate include:
  1. Professional registrations or licenses associated with a street address;
  2. Utility billing records;
  3. Leasing records;
  4. Advertisements in dated publications;
  5. Listings in telephone or business directories; and
  6. Notarized affidavits affirming the date of lawful establishment of the nonconformity.
- D. The ~~Director of Community & Economic Development's~~ director's determination of nonconforming status may be appealed in accordance with [Sec. 11.7](#).

## SEC. 13.2. - LOTS

### 13.2.2. - Use of and Building on Nonconforming Lots

- A. A nonconforming lot in an R district may be used as a building site for ~~a single detached house~~ Household Living uses.
- B. A nonconforming lot in a nonresidential zoning district may be used as a building site and developed with a use(s) allowed in the subject zoning district. ~~If the zoning allows a variety of uses or a variety of intensities of uses and one or more uses or intensities would comply with applicable lot area and lot width regulations, while others would not, then only the uses or intensities that comply with applicable regulations are permitted.~~

- C. Development on nonconforming lots must comply with the ~~lot and building~~ ~~regulations~~ of the subject zoning district unless otherwise expressly stated.

## SEC. 13.3. - USES

### 13.3.3. - Expansion of Use

~~A. — A legal nonconforming use shall not be expanded, enlarged, or increased in intensity to include any land area or structure not previously occupied by such legal nonconforming use.~~

~~A nonconforming use of land that does not involve a building or structure or that is accessory to the nonconforming use of a building may not be expanded or extended beyond the area the use occupied at the time the use became nonconforming.~~

~~B. — Nonconforming uses within a building may not be expanded except as expressly stated below:~~

- ~~1. — A nonconforming use within a building may be expanded into another part of the same building that was occupied by the subject nonconforming use at the time the use became nonconforming;~~
- ~~2. — Other expansions of a nonconforming use may be approved in accordance with the special use procedures of Sec. 11.4. In order to approve such an expansion of a nonconforming use, the planning and zoning commission must find that all of the following criteria have been met:
  - ~~a. — In residential districts, the expansion will not result in an increase in the number of dwelling units;~~
  - ~~b. — The expansion will comply with all applicable lot and building regulations of the subject zoning district;~~
  - ~~c. — The appearance of the expansion will be compatible with the adjacent property and neighborhood;~~
  - ~~d. — Off-street parking is provided for the expansion in accordance with this zoning ordinance;~~
  - ~~e. — Rezoning the property would result in an inappropriate spot zoning;~~~~

~~f. The expansion will not be detrimental to the existing character of development in the immediate area or endanger the public health, safety, or general welfare; and~~

~~g. The use is consistent with the comprehensive plan.~~

### 13.3.4. - Remodeling and Improvements

A building in which a nonconforming use is located may be remodeled or otherwise improved as long as the remodeling or improvements do not violate any other regulations of this ~~Z~~zoning ~~O~~ordinance.

### 13.3.5. - ~~Moving~~Relocation

~~A nonconforming use shall not be relocated on the same lot or any other lot unless the relocation of such use meets the requirements of the zoning district in which the use is relocated. may be moved in whole or in part to another location on the same lot only if the movement or relocation does not increase the extent of the nonconformity. A nonconforming use may be moved to another lot only if the use is allowed under the zoning regulations that apply to that (relocation) lot.~~

### 13.3.6. - Loss of Nonconforming Status

#### A. **Abandonment**

2. A nonconforming use is presumed abandoned when the use is discontinued or ceases for a continuous period of ~~twelve (12) months~~ninety (90) days or more, ~~provided that a nonconforming open-air use of land is presumed abandoned when the use is discontinued or ceases for a continuous period of sixty (60) days or more.~~
3. ~~Any period of discontinuance caused by acts of God or accidental fire are not counted in calculating the length of discontinuance.~~
4. ~~The planning and zoning commission is authorized to approve requests to re-establish an abandoned nonconforming use through the special use procedures of Sec. 11.4~~

#### B. **Damage or Destruction**

1. When a ~~building structure~~ containing a nonconforming use is destroyed or damaged by ~~less than 50% of the replacement value~~acts of God or accidental fire, the ~~building structure~~ may be restored or repaired, provided that no new nonconformities are created and that the existing

extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within ~~eighteen (18) months~~180 days of the date of occurrence of such damage and such repairs are completed within the timeframe of validity of the building permit.

2. ~~When a structure containing a nonconforming use is destroyed or damaged by equal to 50% or more of the replacement value, the structure may not be restored or repaired and the use may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.~~
3. ~~The replacement value of the legal nonconforming structure shall be established by:~~
  - a. ~~The sale of the structure within the previous year, or if that is not applicable;~~
  - b. ~~An appraisal of the structure within the last two years, or if that is not available;~~
  - c. ~~The amount for which the structure was insured prior to the date of damage or destruction, or if that is not available;~~
  - d. ~~An alternative method determined acceptable by the Director Community & Economic Development.~~
2. ~~When a building containing a nonconforming use is demolished, damaged or destroyed by causes within the control of the owner and the extent of demolition, damage or destruction is more than fifty (50) percent of the market value of the structure, as determined by the property owner's certified appraiser, the use may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.~~

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## SEC. 13.4. - STRUCTURES

### 13.4.3. - Alterations and Expansions

- B. A structure with a nonconforming setback may not be expanded horizontally ~~or vertically~~ within the required setback area. However, if the setback is nonconforming by 12 inches or less than 10% or 6 inches, whichever is greater, the nonconforming structure may be expanded horizontally ~~or vertically~~

provided that the expansion does not extend further into the required setback area.

#### 13.4.4. - ~~Moving~~Relocation

A nonconforming structure may ~~not be relocated on the same lot or any other lot unless the relocation of such structure meets the requirements of the zoning district to which the structure is relocated.~~ be moved in whole or in part to another location only if the movement or relocation eliminates or reduces the extent of nonconformity.

#### 13.4.5. - Loss of Nonconforming Status

##### A. Damage or Destruction

1. ~~In the event that a nonconforming structure is damaged or destroyed to the extent of equal to 50% or more of its replacement value, the structure may not be restored or repaired except in compliance with all regulations applicable to the zoning district in which it is located.~~
2. ~~In the event that a nonconforming structure is destroyed or damaged by less than 50% of the replacement value, the structure may be restored or repaired, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 180 days of the date of occurrence of such damage and such repairs are completed within the timeframe of validity of the building permit.~~
3. ~~The replacement value of the nonconforming structure shall be established by:~~
  - a. ~~The sale of the structure within the previous year, or if that is not applicable;~~
  - b. ~~An appraisal of the structure within the last two years, or if that is not available;~~
  - c. ~~The amount for which the structure was insured prior to the date of damage or destruction, or if that is not available;~~
  - d. ~~An alternative method determined acceptable by the Director of Community & Economic Development.~~

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~~When a nonconforming structure is destroyed or damaged by acts of God or accidental fire, the structure may be restored or repaired, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within eighteen (18) months of the date of occurrence of such damage.~~

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- ~~2. When a nonconforming structure is demolished, damaged or destroyed by causes within the control of the owner and the extent of demolition, damage or destruction is more than fifty (50) percent of the market value of the structure, as determined by the property owner's certified appraiser, the structure may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.~~

~~**B. Damage or Destruction after Right-of-Way Acquisition**~~

~~If a structure is rendered nonconforming or made more nonconforming by a public agency's acquisition of right-of-way and the structure is subsequently damaged or destroyed by any means, the structure may be reestablished, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within eighteen (18) months of the date of occurrence of such damage.~~

## SEC. 14.2. - DEFINITIONS

### 14.2.5. - Words and Terms Beginning with "A"

~~**B. Accessory structure or use:** A use or structure that meets the criteria established in 6.10.1.~~

**BC. Adjacent:** Lying near or in the immediate vicinity.

**CD. Agent:** A person duly authorized to act on behalf of the owner of the subject property.

**DE. Alley:** A public or private street that affords only a secondary means of access to abutting property.

**EF. Amateur Radio Facility:** Any tower or antenna used for non-commercial radio communications (transmission and reception) maintained by an FCC-licensed amateur radio operator.

~~EG.~~ **Amusement ride:** Any mechanized device, or combination of devices, including electrical equipment that is an integral part of the device or devices, that carries passengers along, around, or over a fixed or restricted course for the primary purpose of giving its passengers amusement, pleasure, thrills, or excitement.

~~GH.~~ **Annual (plant):** A plant that completes its life cycle in one year or less.

~~H.~~ **Apiary:** An enclosure used to house bees.

~~IJ.~~ **Applicant:** The owner of the subject property or an agent authorized by the subject property owner to submit an application on the owner's behalf.

#### 14.2.22. - Words and Terms Beginning with "S"

~~Z.~~ **Structure, accessory:** A structure located in or on the ground on the same lot as a principal structure, and that is subordinate in size and use to the principal structure; provided, however, that this definition does not include underground tanks for the storage of any type of fuel.

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~~AA.~~ **Structure, principal:** A structure located in or on the ground where the primary use of the lot is conducted. Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground or attached to something having a permanent or temporary location on or in the ground, including but without limiting the generality of the foregoing; buildings; advertising signs; backstops for tennis courts; pergolas, and swimming pools; provided, however, that this definition does not include underground tanks for the storage of any type of fuel.

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~~AABB.~~ **Structural alterations:** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

~~BBCC.~~ **Swimming pool:** Any temporary or permanent artificial pool or receptacle for water installed, constructed, or maintained in, on or above the ground (not including those enclosed and located entirely within a dwelling), having a perimeter of more than twenty-five (25) feet and a depth of more than two (2) feet at any point.

~~CCDD.~~ **Swimming pool, private residential:** Any swimming pool constructed, installed, and maintained in or above the ground, outside of a building used as a dwelling unit.

~~If any provision or part of this article is declared invalid and of no further force and effect, the other provisions of this chapter shall remain in full force and effect.~~

#### 14.2.24. - Words and Terms Beginning with "U"

B. **Use, accessory:** A use that meets the criteria established in 6.10.1.

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C. **Use, open-air:** storage yards, construction debris sites, used vehicle sales lots, vehicle impound yards, auto wrecking, junkyards, and similar open-air uses when the only buildings on the lot are incidental and accessory to the open-air use of the lot.

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D. **Use, principal:** The main use of land or buildings as distinguished from a subordinate or accessory use.

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