

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

December 12, 2024

7:30 PM

Chairman Jason Jarrett

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

- 1. Call to Order - Roll Call**
- 2. Approval of Minutes**
 - a. Draft September 12, 2024 Minutes
 - b. Draft November 14, 2024 Minutes
- 3. Public Hearing - New Business**
- 4. Discussion Items**
 - a. **PZ-24-22** / 340 S. Wisconsin Avenue / Variation / **Petitioner:** Anne Pettinger
- 5. Public Comments on Non-Agenda Items**
- 6. Adjournment**

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Village of Villa Park
Planning and Zoning Commission
September 12, 2024

I. CALL TO ORDER BY THE CHAIRMAN

Chairman Jarrett called the meeting of the Planning and Zoning Commission to order at 7:30 p.m.

II. ROLL CALL AND DECLARATION OF A QUORUM

Commissioners Present: LeMieux, Luedtke, Hofstra, Calvert, Shlensky, Chairman Jarrett

Commissioners Absent: Jackson, Orłowski, Romano

Staff/Liaison Present: Community & Economic Development Director Marc McLaughlin, Community & Economic Development Deputy Director Michelle House, Village President Nick Cuzzone.

A Quorum was present.

III. MINUTES

a. Planning & Zoning Commission - August 8, 2024

Commissioner Hofstra moved to approve the minutes from August 8, 2024, as presented.

The Motion was seconded by Commissioner Shlensky.

On voice vote the ayes have it.

The motion carried.

IV. NEW BUSINESS

a. PZ-24-13 - 1110 S Villa Ave - Special Use - Petitioner: Matthew Toepper FGM Architects.

Michelle House summarized the plan to build additions on the east and west side of the building on the Albright Middle School located at 1110 S. Villa Avenue. The east addition would include a new public entry with secure check in. The western addition would remove and replace the gym. There will be 3 additional accessible

parking spaces installed on the east side of the building and new landscaping. A new sign will be placed on the façade of the east addition.

Amy Zaher summarized that they are looking to do upgrades. They will upgrade bathrooms and create a secure vestibule for safety screening. The old gym was outdated and the locker rooms need to be redone.

Matthew Toepper summarized that District 48 has a 3-year master plan that aligns with curriculum. ADA ramps will be installed, and they will bring the office to the front of the building. Both the gym and front addition are within the setbacks. The building will be fully set up with a fire sprinkler. They are in the process of getting approval for a sign. Construction will start in November of 2025.

John Jasik stated he lives across the street and wanted to speak on how important a new entryway is for security. He is concerned about the gym going towards the street. He would like to see trees to shield the brick building.

Chairman Jarrett asked if there were any questions.

Commissioner LeMieux asked if there would be demolition.

Matther Toepper confirmed that there would be.

Commissioner LeMieux was concerned about the safety and security of the students during the demolition. Chairman Jarrett asked if the demolition would be going on during the school hours and if they would have an emergency egress if they were removing one point of exit. He would like to see an emergency plan and dustproof protection for the school and emergency locks with no free access during the school hours.

Matthew Toepper responded that the builder was on board with Villa Park reviewing emergency plans. He laid out a construction timeline. Life safety items will be taken care of. Fire systems and dust remediation will be written into specs.

Commissioner LeMieux asked if there will be any change for the buses or parents at pick up/drop off.

Matthew Toepper stated that there will be a small shift with the buses.

Commissioner LeMieux asked if there will be a staging area for the construction trucks and equipment.

Matther Toepper stated that the equipment would be located close to the gym and kids will not be close to the construction.

Chairman Jarrett asked if there would be a reestablishment of a curb cut showing grass.

Matthew Toepper stated that they will be returning the existing parallel parking spaces on the western side of the school to grass and landscape.

Chairman Jarrett stated that with the addition of the gym there would be opportunity for street trees and landscaping.

Commissioner Hofstra asked if they would be regrading.

Matthew Toepper stated that they will be regrading to provide less than a 2% slope to make it more accessible and a retaining wall will be built.

Commissioner Hofstra asked if the parallel parking spots on Myrtle will be maintained.

Matthew Toepper stated that they will probably be abandoned as they did not factor them into the parking calculations. They have 58 stalls and are only required to have 41.

Commissioner Luedtke asked if this was for a special use and no variances would be required.

Michelle House stated that this was correct.

Marc McLaughlin stated that there was a 27-inch pipe under the western parkway and that would be the reason there are no trees planted however, they can plant trees on the private side of the property.

Motion

Commissioner Shlensky moved 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 with a condition that landscaping be provided where appropriate within the 15-foot setback on the west side of the property.

The motion was seconded by Commissioner Hofstra.

On Roll Call:

AYES: Commissioners LeMieux, Luedtke, Hofstra, Calvert, Shlensky, Chairman Jarrett (5)

NAYS: None (0)

ABSTAIN: None (0)

The motion carried.

b. PZ-24-14/ Text Amendment for Article 6, 13 and 14/Text Amendment/Petitioner:
Village of Villa Park

Michelle House presented the following sections are proposed to be amended:

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

Article 14 “Definitions”

- Removal of “Accessory Structure or Use”
- Addition of “Structure, accessory” and clarification to “Structure, principal”
- Creation of “Use, accessory”

Commissioner Luedtke asked about the side yard setback vertical wording in Section 13.4.3.

Michelle House stated that it meant that permitted second story expansions would be able to build straight up on the foundation if it was nonconforming setback by less than 12 inches, they can expand straight up on the foundation within the 6-foot setback dimensions.

Chairman Jarrett stated under Alterations and Expansions Section 13.4.3 he would like to see the wording as a positive rather than a negative. He gave the example of what they can do instead of what they cannot do.

Marc McLaughlin stated that the whole section was written in the negative and if wording was changed in this part, it would lose the flow.

Chairman Jarrett commented that he was happy that the 50% damage replacement value was added to the code and was surprised that it was not added sooner.

Marc McLaughlin showed a slide of the clean version of 13.4.3- Alterations and Expansions pointing out that the Village Attorney has made changes to make it more positive wording.

Chairman Jarrett commented that staff does not have an issue with the size or limits of accessory structures.

Marc McLaughlin stated that was correct he said there are other factors that limit the structures that can be on the site. He gave an example that a pergola and patio would count as two accessory structures.

Chairman Jarrett was concerned about warehouses that wanted outside storage.

Marc McLaughlin said that would help offices that would like a cleaner space to build an outside garage for storage.

Michelle House explained the verbiage that would limit lot coverage.

Marc McLaughlin said that there was verbiage added about outdoor dining to make it conform.

Chairman Jarrett asked if accessory structures must be set back 10 feet from rear and side and whether that included where it is abutting residential district.

Michelle House responded yes.

Marc McLaughlin stated that there is a permit pending approval upon change in Code language to permit second story additions within a nonconforming side yard setback.

Michelle House stated that the code amendment was tracking faster than the variation process through the Planning & Zoning Commission and Village Board.

Commissioner Shlenski asked regarding 13.4.5 Loss of Nonconforming Status 3C Replacement Value. He asked what other methods of assessing value would be used other than homeowners' insurance.

Marc McLaughlin stated that appraisal market value it would be at the discretion of the director.

Commissioner Shlenski stated you would want to take the liability off the Village and have it be at the discretion an expert of the market.

Marc McLaughlin said we can use a CMA. It is about how we can work with the homeowner to help them.

Nick Cuzzone asked where it says 50% of structural value the structure shall not be repaired or replaced what are you going to do.

Chairman Jarrett said that is if it was a nonconforming structure you can replace it but it would just have to be built to code. Same with the use.

Motion

Commissioner Shlensky moved to recommend approval of PZ-24-14 for a Zoning Ordinance Text Amendment as outlined in Exhibit A with the conditions upon acceptance of verbiage revisions from the Village Attorney.

The motion was seconded by Commissioner Hofstra

On Roll Call:

AYES: Commissioners LeMieux, Luedtke, Hofstra, Calvert, Shlensky, Chairman Jarrett (5)

NAYS: None (0)

ABSTAIN: None (0)

The motion carried.

V. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

VI. ADJOURNMENT

Motion

Motion to Adjourn made by Commissioner Luedtke.

Seconded by Commissioner Hofstra.

Voice vote:

AYES have it.

Village of Villa Park
Planning and Zoning Commission
November 14, 2024

I. CALL TO ORDER BY THE CHAIRMAN

Chairman Jarrett called the meeting of the Planning and Zoning Commission to order at 7:30 p.m.

II. ROLL CALL AND DECLARATION OF A QUORUM

Commissioners Present: LeMieux, Luedtke, Hofstra, Calvert, Shlensky, Orolowski, Chairman Jarrett

Commissioners Absent: Jackson, Romano

Staff/Liaison Present: Community & Economic Development Director Marc McLaughlin, Community & Economic Development Deputy Director Michelle House, Village President Nick Cuzzone.

A Quorum was present.

III. MINUTES

a. Planning & Zoning Commission – September 12, 2024

Commissioner Hofstra stated that we would look to approve the minutes from September 12, 2024, at the December 12, 2024 meeting.

Chairman Jarrett made a motion to move the comments section of the meeting to the beginning of the meeting.

The Motion was seconded by Commissioner Hofstra.

On voice vote the ayes have it.

The motion carried.

IV. Public Comments Non-Agenda Items

Resident voiced concerns about a lack of senior housing in the area. He would like to have housing near a transit and that hopefully will be soundproof.

Chairman Jarrett reiterates that he agrees.

V. New Business

a. PZ-24-20 - 420 W Stone Road - Special Use - Petitioner: Jeff Peters

Michelle House summarized that the Petitioner would like to open a building service use for a gutter installation contractor within the building. They do not propose any changes to the building. Two other businesses occupy the building. When their Certificate of Occupancy were approved, they were not required to go through the Special Use process. This would formalize their use in the building.

Commissioner Luedtke stated that this seems like an administration clarification.

Motion

Commissioner Shlensky moved to recommend approval of PZ-24-20 for a Special Use for three Building Service uses as shown in Exhibit A located at 420 W. Stone Road, Units A-1-B-1 for Planz HVAC, C-1 for Hoske HMI Remodeling, and D-1 KES Gutters.

The motion was seconded by Commissioner Orlowski.

On Roll Call:

AYES: Commissioners LeMieux, Luedtke, Hofstra, Calvert, Shlensky, Orlowski, Chairman Jarrett (7)

NAYS: None (0)

ABSTAIN: None (0)

The motion carried.

b. PZ-24-17-320 W. Wildwood Avenue – Variation – Petitioner: Greg Gola

Michelle House summarized that they are trying to approve a Variation for two wall signs that are greater than 32.0 Square feet in area on a non-residential use in a residential district. There will be two illuminated wall signs with a possibility of an illuminated ground sign at a later date. This would have been permitted if it was not in a residential area.

The sign does not illuminate but will have a halo illumination that can change colors.

Commissioner LeMieux commented that parking lot lights illuminate greater than the sign and this should not be a problem. The Public wants parking lot lights. They will keep a safe environment.

Commissioner Luedtke asked if they will turn off at a certain time?

Michelle House answered it can be programed but we anticipate them being on all the time.

Chairman Jarrett asked if there was something like that in our sign code?

Marc McLaughlin said there is for EMC to reduce the number of hours they are on.

Commissioner Luedtke said that it seems like the kind the library has.

Chairman Jarrett said that with LED there is so much they can do these days big signs are almost always like that.

Commissioner Hofstra said that the size helps with the distance.

Commissioner Luedtke said the lighting around the sign can be dilled back.

Chairman Jarrett said that he did not know about this system, but we have a lot of them.

Greg Gola wanted to thank everyone and let the Commission know that the ribbon cutting ceremony would be January 3,2025 at 5:30. Everyone can come and view the new Community Center and thanked everyone for their support.

Chairman Jarrett wanted to thank Greg Gola and everyone that worked on a quick timeline. We did a good job.

MOTION

Commissioner Hofstra moved to recommend approval of PZ-24-17 for a Variation from Section 8.5.2 Signs in R Zoning Districts to allow two illuminated signs on the north and south elevations greater than 32.0 square feet in area as depicted on Exhibit A for 320 E. Wildwood Avenue.

The motion was seconded by Commissioner Orlowski.

On Roll Call:

AYES: Commissioners LeMieux, Luedtke, Hofstra, Calvert, Shlensky, Orlowski, Chairman Jarrett (7)

NAYS: None (0)

ABSTAIN: None (0)

The motion carried.

- c. PZ-24-21 - Text Amendment for Article 8 – Text Amendment – Petitioner: Village of Villa Park.

Michaelle House presented the following sections are proposed to be amended:

- Article 8 “Signs”, Section 8.5 “Signs in R Zoning Districts”

- Adding regulations to permit Public, Civic, or Institutional uses to permit one wall sign per public building entrance leading to a lobby or other common area compliant with the wall signage area permitted in nonresidential districts
- Adding regulations to permit Public, Civic or Institutional uses to permit one monument sign per street frontage compliant with monument sign area permitted in nonresidential districts.
- Changes proposed to permit wall and permanent signs for larger buildings associated with Public, Civic, or Institutional uses requiring larger signs for identification.
- These changes would have permitted the Albright Middle School wall sign and the Villa Park Recreation Center wall signs without Variations or sign area reductions as were required with current regulations.

Chairman Jarrett stated that we will combine questions and discussion.

Commissioner Luedtke stated that he is cautious about the shift, piggy backing with the Recreation Center signage helps to frame it. If we allow this what will be the top end? happen to a frontage that is 600 liner feet can have? A 600 Square foot sign? He has issues with that and wants to know how did we get there? Unless we are carving out Civic, Public, or Institutional we are overwhelmingly talking about monument and wall signs. Most of these properties are corner lots, we should be very cautious about that kind of allowance if you have 300 liner square feet you can get two signs.

Chairman Jarrett said that he would guess most schools would have enough for two signs.

Marc McLaughlin said for clarification he thinks you are converting building to street facing frontage. It would be the building facing the street not the lot.

Commissioner Luedtke asked if you called that out.

Marc McLaughlin said yes, it is in 8.6.3 “Wall Signs”.

Commissioner Luedtke said that building to street facing building frontage that changes things.

Marc McLaughlin said that special use is already approved and to keep that in the back of your mind. The two most recent ones we just heard, and Albright cranked from 40 to 32. 40 made sense.

Commissioner Luedtke asked if anything can stop them from doing that?

Marc McLaughlin said that as part of the review process we can make recommendations.

Commissioner Luedtke asked if we don't like the size can we cut it back?

Marc McLaughlin responded that if they wanted to max out, they have the ability to pass.

Chairman Jarrett asked if a sign came in for a Special Use would this trigger it?

Marc McLaughlin responded nonconforming without the special can not max out the sign approval.

Chairman Jarrett said that quite a few churches have been before us with signage. With falling attendance, they want to put activities on the sign.

Marc McLaughlin said that this has nothing to do with the LED signs just the size.

Commissioner Luedtke asked if there was any consideration in increasing the area?

Marc McLaughlin answered we already have the calculations for residential areas lets use the same language.

Commissioner Luedtke stated that without knowing where those properties are we are not sure what we are allowing.

Chairman Jarrett said his biggest concern is most of these areas are adjacent to single family homes

Commissioner Luedtke said the first line is do they have a special use.

Marc McLaughlin said we can approve it within two hours, but they can go for the special use there are many sign variations but cannot come forward until they have the special use.

Chairman Jarrett said Willowbrook High School.

Marc McLaughlin said it is completely appropriate for the size of the building.

Commissioner Calvert states that he echoes Commissioner Luedtke that he thinks they need as much public input as possible.

Commissioner Shlensky disagrees stating that the public has various opportunities to voice their input.

Chairman Jarrett said the average person is not looking at the Planning and Zoning agenda and if they do not get a notice in the mail they would not know.

Marc McLaughlin said 121 notices were sent out for the VPRC. In the past Kenilworth had only one to two calls.

Chairman Jarrett understands the intent but has concerns.

Marc McLaughlin states that with the special use full notification you can do all these things. Signage is just one of them. Calculations would be the same calculations if they had a notice. If you don't approve you have to have a hardship for every Special use Public, Civic or Institutional. Hardship is at the interpretation and can get hung up at the next level.

Chairman Jarrett said signs have sightlines and other things to look into.

Commissioner Orlowski said it is catchy either way you go.

Commissioner Luedtke said going back to 8.5.2, in the edit, A and B gets broken out we are saying Public, Civil and Institutional is the exception. How much of an issue am I making?

Commissioner Orlowski said we can table it.

Chairman Jarrett said we need to give staff something to look at and come back with.

Commissioner Luedtke said every park would be on it.

Marc McLaughlin stated, if they had a special use.

Commissioner Shlensky stated at that point they might not only want to seek a Special Use but a Variance. We are talking about a sliver of a sliver.

Commissioner Luedtke would be inclined to support this.

Commissioner Shlensky said it would be looked at closely and doesn't think that the changes are beyond the realm of reason Marc did a great job of protecting the residence.

Chairman Jarrett said that our chance to review signage is gone. If Albright came, they could do what they want.

Commissioner Shlensky said that he was taking a stance to pragmatic clean up and we need to allow staff to use their expertise to do what they need to do.

MOTION

Commissioner Shlensky moved to recommend approval of PZ-24-21 for a Zoning Ordinance Text Amendment as outlined in Exhibit B.

The motion was seconded by Commissioner Hofstra.

On Roll Call:

AYES: Commissioners LeMieux, Luedtke, Hofstra, Shlensky, Orlowski, Chairman Jarrett (6)

NAYS: Calvert (1)

ABSTAIN: None (0)

The motion carried.

d. PZ-24-18 - Text Amendment for Article 6,7,14 – Text Amendment – Petitioner: Village of Villa Park.

Michelle House presented the following sections are proposed to be amended:

- Article 6 “Uses”, Section 6.10 “Accessory Uses and Structures”
 - Removal of language that would prohibit Accessory Dwelling Units.
 - Correction of staff titles.
 - Revision of garage requirements to eliminate number, maximum square footage, maximum height of garage door, distance to principal building.
 - Elimination of prohibition of carports.
 - Revision of duplex garage size to be based on a percentage of the structure area rather than a maximum square footage area.
- Article 6 “Uses”, Section 6.13 : “Accessory Dwelling Unit”
 - Addition of Accessory Dwelling Unit requirements
- Article 7 “Parking”
 - Section 7.2 “Minimum Parking Ratios”
 - Revision of Table 7-1 to eliminate the requirement of required parking stalls to be located within a garage.
 - Detached and attached dwelling units are to be combined into a single line within the table where detached, attached and duplex were previously separate lines.
 - No changes were made to the number of parking stalls required for dwelling units.
- Section 7.8 “Driveway in RS and RD Districts”
 - Addition of “Parking Pads” to section title.
 - Permission for parked vehicles to be on private driveways or parking pads as long as they do not encroach into the right-of-way
 - Revision that one driveway is permitted per street frontage rather than per lot.

- Distance of driveways from a signalized and non-signalized intersection are specified.
- Revised requirements for properties with greater than 100 linear feet of frontage to permit two driveway approaches on the same frontage.
- Modification to permit attached dwelling units to have one driveway per dwelling unit.
- Location changed to permit driveways in easement unless otherwise restricted.
- Addition of driveway maximum width of 24.0 feet.
- Addition to permit parking pads that would measure 9.0 feet by 20.0 feet.
- Addition of driveway apron and parking pad design requirements including a diagram depicting the requirements.
- Removal of requirement for nonconforming driveways that when greater than 50% of the driveway is replaced it becomes conforming.
- Article 14 “Measurements and Definitions”
 - Section 14.1 “Measurements”
 - Addition of notes for detached garages that they must be setback five feet from the property lines
- Article 14.2 “Definitions”
 - Section 14.1 “Measurements”
 - Addition of definition for Accessory Dwelling Unit.
 - Renumbering the definitions.

Marc McLaughlin stated an example of an ADU would be a Couch House or Mother-In-Laws house. He showed a slide of what municipalities currently allow ADU’s.

Commissioner LeMieux has a problem 30x30 is that 900 Square feet? Does the 900 square feet include a basement?

Marc McLaughlin said the idea is you can convert a basement into an ADU

Commissioner LeMieux said I’m talking about a Granny house.

Commissioner Shlensky said 6.13 - A would it still be the lot coverage by right? If the property does not have the space, you cannot put it in.

Commissioner LeMieux says he thinks there are many that would fit this. There are deep lots we would have issues with. When Villa Park was set up they did not consider a

drainage plan so we have drainage issues. He is concerned when a property is sold, we could be surrounded by illegal three flats. He is worried about “servants’ quarters” and that a restaurant can build an accessory structure for workers. Another concern is how the units will be serviced with sanitary and electrical services. We have many that share the same sanitary lines, when this happens it becomes a problem. Can the electrical service be handled on the panel? Codes say that you can not have a gas stove anymore now you have to have an electrical stove this is why he is concerned about detached homes.

Marc McLaughlin pointed out that that is why we want to adopt this code so everything you are concerned about is taken care of by having a permit. By putting this in our books we can be safer and have everyone standardized.

Commissioner LeMieux is concerned about the possibilities of people constructing units for the purpose of renting, he is afraid that all they are concerned about is making money with minimal standards of construction. A standard of a rental property is not the same standard as a homeowner.

Marc McLaughlin said we do not regulate rentals, but this is a potential rental with a principal home and the ability for rental. The owner is still there.

Chairman Jarrett said he was generally in favor but if you have a rental house can you have a rental ADU?

Commissioner LeMieux asked if they can develop the basement of an ADU.

Marc McLaughlin said no.

Commissioner LeMieux said that in the past that does not happen.

Marc McLaughlin said we are correcting the errors of the past.

Chairman Jarrett asked if an accessory dwelling unit would be subject to the same setbacks as any other dwelling?

Marc McLaughlin responded yes.

Commissioner Calvert asked what would the requirements of an egress be?

Marc McLaughlin said that livable space requires a full egress.

Commissioner Shlensky asked what the thought process is for parking. Will there be a designated number of parking stalls? Will they be designated?

Marc McLaughlin said we do not care who parks there. The space does not have to be designated.

Commissioner Calvert asked if there was a square foot limit to the basement?

Marc McLaughlin responded yes; it is restricted to 900 Square feet.

Commissioner Shlensky asked if egress requires a flight of stairs?

Marc McLaughlin said it can access to the internal home or outside access.

Commissioner Luedtke questioned if the building code had anything in it?

Marc McLaughlin said, no it is following the IRC.

Commissioner Calvert asked if there is a restriction of how many can occupy the unit?

Marc McLaughlin said yes, that is already in the code. 420 Square feet is the smallest you can have it in the Village.

Commissioner Calvert asked if there has been any inquiry from the school districts?

Marc McLaughlin responded no; we did not intend to ask the school districts.

Chairman Jarrett stated that this would add to the square footage of the home so the cost to the schools would go up.

Marc McLaughlin said we do not have a responsibility to the school.

Commissioner Luedtke inquired if we have been fielding requests.

Marc McLaughlin said yes, we do not have it so we are drafting this. We know it already exists in town.

Driveway discussion

Marc McLaughlin wanted to remove the confusing wording. He added apron depth, parking pads duplication and circular references. Figuring out if this is allowed or not takes time. If you have a teen driver, you need more room. We drafted this based on the permits that are coming in.

Commissioner Calvert said back to circular references is parking on the apron permitted?

Marc McLaughlin said no, that is in the right-of- way.

Commissioner LeMieux needed clarification, if 50% of the driveway is replaced would they need to come into conformance? If a driveway was constructed incorrectly and drains into somebody else's property and now they are going to replace it is this when we stop it?

Marc McLaughlin said if we know about it we go out now and address it with stormwater.

Chairman Jarrett asked if this was allowing for an unlimited number of garages?

Michelle House said yes, but it would have to comply with the lot coverage. It is limited to one detached garage.

Commissioner Calvert knows that in the not so distant past this commission was not with 6.10.2. "Accessory Structure" it shows how many you can have.

Commissioner Shlensky said the detached garage would have to butt up to a driveway.

Marc McLaughlin said it can have two driveways one per street frontage for attached and detached garages.

Commissioner Luedtke said is it all governed by lot coverage?

Marc McLaughlin said it limits you to what else you want. Most are foot on grade and do not have footing and foundations.

Chairman Jarrett asked does any of this change the way this works in relation to the front of the house or the front yard?

Michelle House stated that the current code is specific to a driveway in a street yard. This is only permitted to extend by three feet. We are removing this.

Chairman Jarrett asked if he had a bungalow what could he have?

Marc McLaughlin said you can do one parking pad within the front yard the parking pad is not measured. Three feet does not allow for a car, the extra car would still be parking in the grass so the parking pad would remove this.

Chairman Harrett stated that there would be two cars in front of every bungalow.

Marc McLaughlin said we were getting a lot of requests this is what the people want. We have to deal with what was built and what can be done.

Commissioner Orlowski said let's look at the flooding issue.

Marc McLaughlin said everything goes to a permitting process.

Commissioner Hofstra asked what do you do when stormwater is a problem?

Marc McLaughlin said it is a direct tie into the pipe system. Every permit has a review from zoning and stormwater before it goes to permitting.

Chairman Jarrett struggles with the front yard parking pad.

Commissioner Calvert says it should be a hardship, if you have a two car garage it should be ok but if you have a one car garage with a one car driveway the car pads are ugly in front of the yard. He only supports with hardship.

Marc McLaughlin said we should not use hardship or else that would be a variance request.

Chairman Jarrett thought he would struggle with the attached and detached garage, but the struggle is with the front yard parking pad.

Marc McLaughlin said the people are asking for it.

Commissioner Luedtke asked if they are one car and one car garage?

Marc McLaughlin answered yes.

Commissioner Orlowski said the problem is we only have one code enforcement officer.

Chairman Jarrett asked how many people that want a front yard parking pad would have room in the back yard?

Marc McLaughlin responded when people have room in the back they put it in the back. Only when they are in a restraint are they asking for the parking pad.

Commissioner Luedtke asked if you are restricting what can be parked on the pad?

Marc McLaughlin said no we are not changing that code. He said that the total width of the driveway cannot exceed twenty-four feet.

Commissioner Orlowski said we are not allowing for any large curb cuts.

Marc McLaughlin said no, it is giving more allowance for a garage that should have been removed already to have more options to where to put the garage.

Chairman Jarrett said he would like to be on the record that he is on the fence with the front yard.

Commissioner Calvert agrees.

Commissioner Shlensky recognizes that there are many blended families with multiple vehicles. Parking on the pad would be an asset and give growing families a bit of relief.

MOTION

Commissioner Shlensky moved to recommend approval of PZ-24-18 for a Zoning Ordinance Text Amendment as outlined in Exhibit B.

The motion was seconded by Commissioner Luedtke.

On Roll Call:

AYES: Commissioners LeMieux, Luedtke, Hofstra, Calvert, Shlensky, Orlowski, Chairman Jarrett (7)

NAYS: None (0)

ABSTAIN: None (0)

The motion carried.

VI. ADJOURNMENT

Motion

Motion to Adjourn made by Commissioner Luedtke.

Seconded by Commissioner Hofstra.

Voice vote:

AYES have it.



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: December 12, 2024
RE: **Petition PZ-24-22 | 340 S. Wisconsin Ave | Variation for a Deck in Front Yard Setback**

PETITIONER	OWNER
Anne Pettinger 340 S. Wisconsin Ave Villa Park, IL 60181	Anne Pettinger 340 S. Wisconsin Ave Villa Park, IL 60181

Request Summary

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

Background

The Subject Property has a single-dwelling residence. The Petitioner wishes to install a deck within the front yard setback of the primary residence. In May of 2024, the Petitioner received a permit to replace siding on the home. The original deck was removed at this time to properly complete the siding work.

Site Information

Present Zoning: Residential Single-Dwelling District – RS-7.5
Present Land Use: Residential Single-Dwelling
Property Size: 0.23 acres
PINs: 06-09-213-024

Surrounding Zoning

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

Surrounding Land Use

Residential
Residential
Residential
Residential

Comprehensive Plan Designation – Single-Family Residential

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

Zoning Request

The Petitioner is requesting approval of a Variation from Table 14-1 of Article 14, Section 14.1.9. – Setbacks of the Zoning Ordinance to install a deck within the front yard setback of the residence. The RS-7.5 district requires a 30.0-foot setback. The current home is setback 32.17 feet from the property line. The proposed deck extends 6.0 feet from the front building facade and would extend into the front yard setback by 3.83 feet, leaving an overall front yard setback of 26.17 feet.

Internal Staff Review

Variation

The Zoning Ordinance specifically allows for Variation petitions in order to grant relief to a property owner from strict compliance with the regulations of the Zoning Ordinance. Variations are intended to help alleviate a practical difficulty or particular hardship that would be caused by the literal enforcement of the subject ordinance requirements and are site specific.

Site Plan Review

1. Building and Structure Location - The following comments relate to the issue of building and structure location in regard to the proposed development plans:
 - a. The proposed deck is in the front yard of the lot. The RS-7.5 district requires a 30.0-foot setback. The current home is setback 32.17 feet from the property line. The proposed deck extends 6.0 feet from the front building facade and would extend into the front yard setback by 3.83 feet.
 - b. The proposed front stairs and walkway are permitted as proposed.
2. Building scale - The following comments relate to the issue of building scale in regard to the proposed development plans:
 - a. Decks do not have a maximum area permitted per Code.
 - b. Code does not specify the number of decks permitted onsite. The property had a rear deck which was also removed during the siding project. The Petitioner is planning to replace that deck in the future on a separate permit.
3. Lot Coverage - The following comments relate to the issue of lot coverage in regard to the proposed development plans:
 - a. The Petitioner's current proposed lot coverage complies with the RS-7.5 district requirements allowing up to 60% lot coverage. The current calculated lot coverage with proposed site modifications is 32.82%.
 - b. The Petitioner would be permitted to add a maximum 2,718.25 square feet of additional lot coverage onsite and still comply with the 60% lot coverage requirement.
 - c. The lot coverage will be recalculated through the building permit process to confirm the lot area.
4. Completeness - If the Planning and Zoning Commission requires additional information to determine whether the applicant's development requests comply with the applicable standards of the Code, they may direct the Petitioner to furnish additional information and evidence that may provide clarity regarding their concerns.

Findings

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

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

Under current conditions, we only have two (2) feet to work with to create a landing to use the front door. While a roofed addition would be allowed to extend past the 30' setback, we do not have the financial means to build this. Earlier this year I applied for and received a permit to replace the siding on the home. The siding that was removed was in rough shape and it was found that it was not installed properly. In the removal of the siding, we chose to remove the deck and stairs that were on the front of the home when it was purchased (shown in the attached photo). This decision was made to accommodate best practices when installing the new siding. The siding project was completed last

month and it is my opinion that it has increased the curb appeal of the property.

2. A reasonable return or use of your property is not possible under the existing regulations because:
There is no access to the front door without a deck. Even with just a 2.0-foot landing, access to the front door would be impeded.

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

The most recent project to the property was replacing the siding, soffit and gutters of the entire house. The previous access to the house was unsafe and was removed when the new siding was installed. During the re-siding process, we prepared the front face of the house to receive a deck so that we can safely and comfortably use our front door. To the best of my knowledge, the original deck, that was removed, had a depth of 6'. The removed deck did not span the entire front of the house like the proposed deck would.

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

We understand that this variance is two fold in its purpose, by addressing the minimum setback ordinance, it will give relief to the open deck setback issue. Other homes in the neighborhood have similar decks. It is an open air concept and will be built to code. It will increase the property values by increasing the curb appeal of the property. It will not impair public safety, health, or convenience, but increase them since it will be easier and safer to enter the house through the front door.

Notification

Legal Notice was published in the Daily Herald on November 25th, 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-24-22 for a Variation for a deck within the front yard setback as shown in Exhibit A located at 340 S. Wisconsin Avenue.

Exhibit List

- A. Plat of Survey
- B. Deck Plans



ARS
Surveying Service LLC
 REAL ESTATE SURVEYORS
 1229 LAKEVIEW COURT
 ROMEOVILLE, ILLINOIS 60446
 PH: (630) 226-9200 FAX: (630) 226-9234
 EMAIL: SURVEY@ARSSURVEY.COM

Village of Villa Park Dept. of Community Development

SEP 26 2024



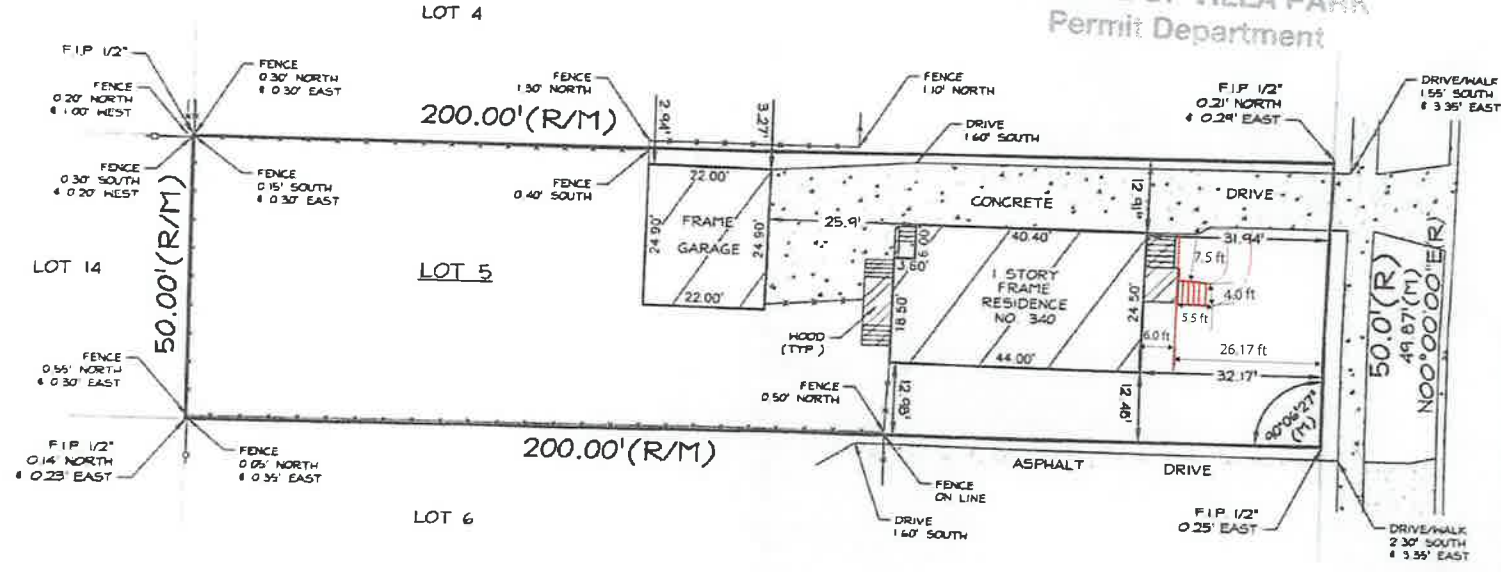
APPROVED FOR
 BUILDING ENGINEERING
 PLUMBING
 ZONING
 VILLAGE OF VILLA PARK
 Permit Department

BASIS OF BEARING:
 WEST LINE OF WISCONSIN AVENUE AS MONUMENTED AND OCCUPIED PER RECORDED SUBDIVISION PLAT N 00°00'00"E(A).



LOT 5 IN BLOCK 19 IN ARVILLA HIGHLANDS RESUBDIVISION OF PART OF ARDMORE, A SUBDIVISION IN SECTIONS 9 AND 10, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 10, 1922, IN BOOK 10 OF PLATS, PAGE 19, AS DOCUMENT 159689, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SURVEY:
 CONTAINING 9,987 SQ. FT. 0.229 ACRES MORE OR LESS



WISCONSIN AVENUE
66' R.O.W.

STATE OF ILLINOIS
 COUNTY OF WILL

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 13TH DAY OF JULY, A.O., 2023, AT ROMEOVILLE, ILLINOIS.

Mark A. Lindstrom CLIENT BARTON

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3482 JOB NO. 105911-23

ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-2961 FIELDWORK DATE. 07-13-23

LEGEND	
(R) = RECORD	(NW) = NORTHWESTERLY
(M) = MEASURED	(NE) = NORTHEASTERLY
(D) = DEED	(SW) = SOUTHWESTERLY
(C) = CALCULATED	(SE) = SOUTHEASTERLY
(L) = ARC LENGTH	(RAD) = RADIUS
(CH) = CHORD	(A) = ASSUMED
(R.O.W.) = RIGHT OF WAY	(F.I.P.) = FOUND IRON PIPE
	(F.I.R.) = FOUND IRON ROD
	P.U. & D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
	B.S.L. = BUILDING SETBACK LINE



LICENSE EXPIRES ON NOVEMBER 30, 2024

Date: 8/26/2024 - 8:28 PM
Design Name: Cheese House Deck
Design ID: 317554579887
Estimated Price: \$1,874.16

*Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.



How to recall and purchase your design at home:

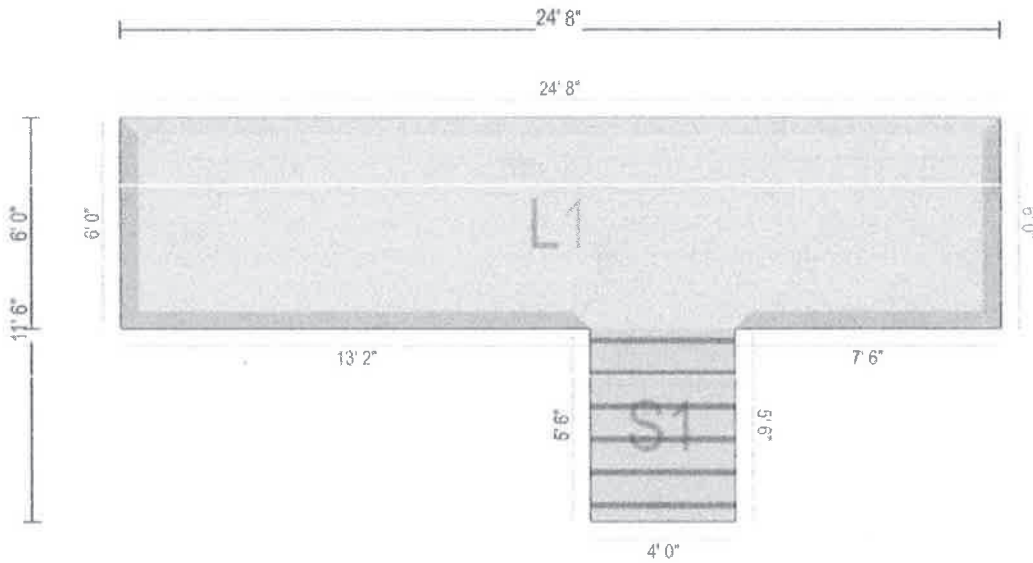


OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Deck Designer
3. Recall your design by entering Design ID: 317554579887
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 317554579887 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions



Deck Side Color Legend

	Open Side/No Railing		Railing
	Unattached Walls		Attached Walls

Illustration intended to show general deck size and shape. Some options may not be shown for picture clarity.

Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest. Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.

For other design systems search "Design & Buy" on Menards.com

Date: 8/26/2024 - 8:28 PM**Design Name: Cheese House Deck****Design ID: 317554579887****Estimated Price: \$1,874.16****Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS
Design & Buy™
DECK

Level 1

Height off the ground: 4' 0"
 Width: 24' 8"
 Length: 6' 0"
 Joist Spacing: 12" On Center
 Load Rating: 40 lbs

Stair 1

Height off the ground: 4' 0"
 Width: 4' 0"
 Length: 5' 6"

Decking

Deck Board Material Type: AC2 Green Treated
 Deck Board: 5/4x6 Thick Deck
 Deck Board Fastener: Grip Fast® 6 Lobe

Framing

Framing Material Type: AC2 Green Treated
 Joist: 2x8
 Beam: 2x8
 Framing Post: 6x6 Framing Post
 Footing: 12" Poured Footing
 Footing Depth: 48" Footing Depth
 Incline Footing: 4 x 8 x 16 Solid Construction Block
 Ledger Board Fastener Type: FastenMaster® LedgerLOK®
 Joist Hanger Type: Galvanized Joist Hanger
 Joist Hanger Fastener Type: Joist Hanger Fastener Nail

Additional Options

Deck Flashing: Joist Flashing 1-5/8"x50'

For other design systems search "Design & Buy" on Menards.com

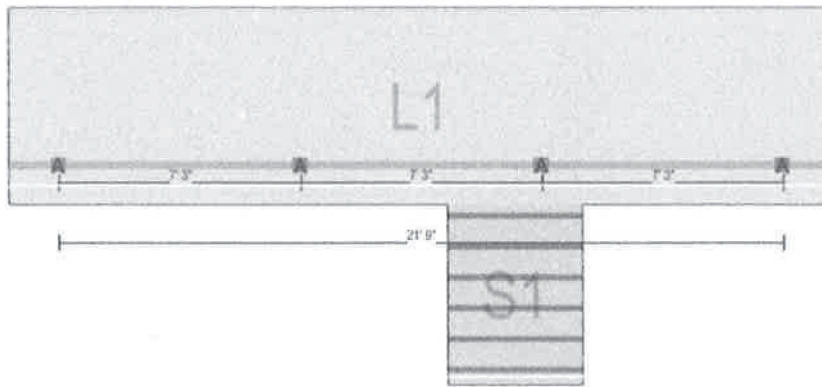
Page 2 of 11

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L1 - Posts and Footings



Dimensions displayed are from center of post to center of post.

L1 - Framing Posts

Label	Post Size	Count
A	6 x 6	4

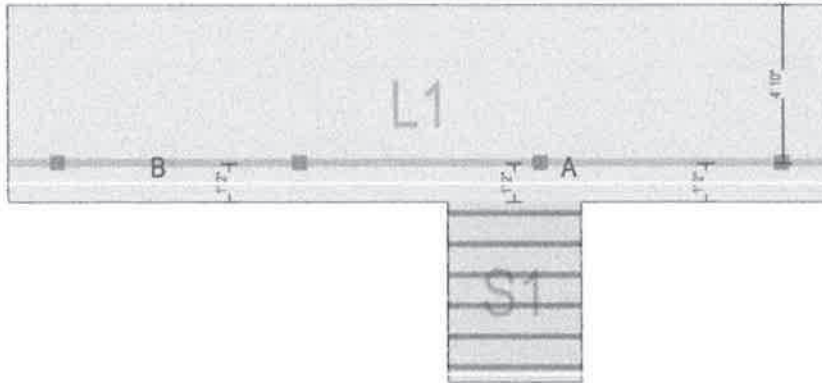
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L1 - Beams



2 boards nailed together is 2 ply

L1 - Lumber: 2 ply - 2 x 8 AC2

Label	Length	Count
A	16' 0"	1
B	8' 9"	1

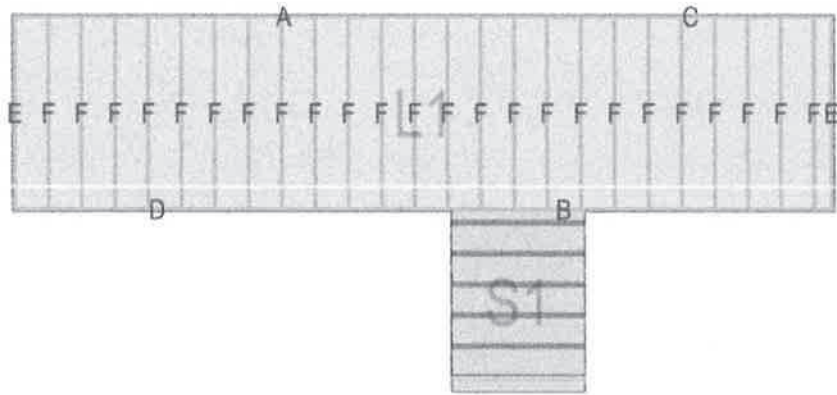
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L1 - Joists



Lumber: 2 x 8 AC2

Joist Spacing: 12" on center

Label	Length	Count	Usage
A	16' 0"	1	Ledger Joist
B	16' 0"	1	Rim Joist
C	8' 5"	1	Ledger Joist
D	8' 5"	1	Rim Joist
E	6' 0"	2	Rim Joist
F	5' 9"	24	Internal Joist

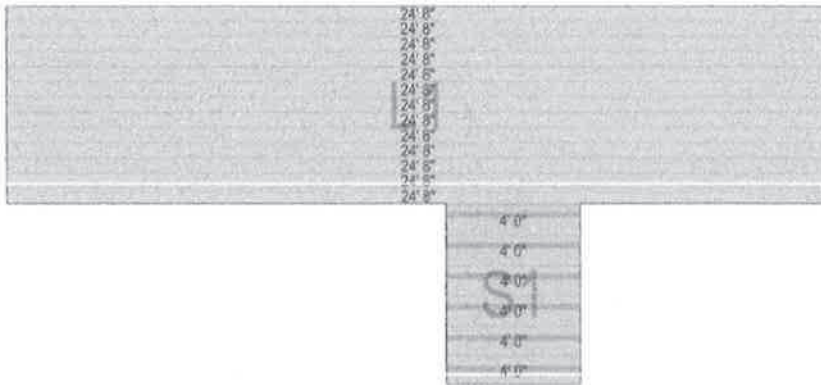
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L1 - Deck Boards and Treads



Decking over 240" is shown as one length and decking must be spliced - multiple lengths of decking may be estimated. The deck board lengths and/or quantities may need to be adjusted based on framing or the deck board splice pattern you prefer. Please review the deck board lengths and quantities prior to the start of your project. A divider board may be added to improve the look and eliminate splices. To add dividers, recall the design and add a divider on the Design>Decking tab in the program.

Deck Board

Length	Count
24' 8"	13

Tread

Length	Count
S1 4' 0"	6

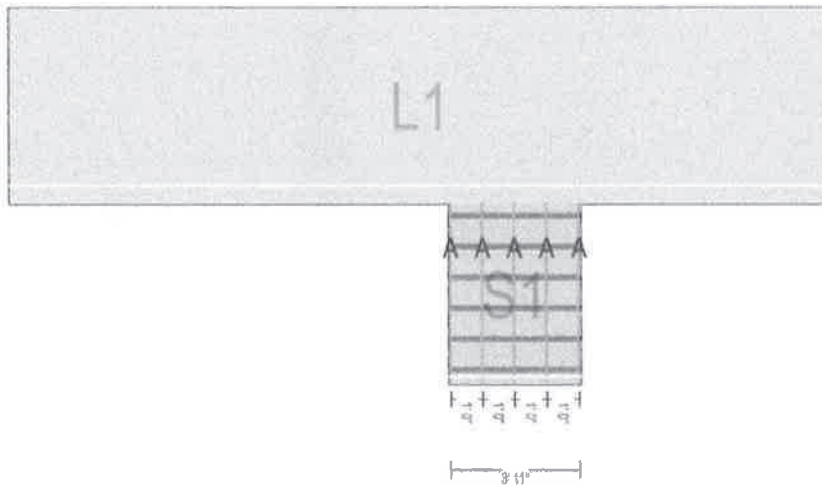
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L1 - Stair Framing



S1 - Stringer

Label	Length	Count
A	5' 9"	5

For other design systems search "Design & Buy" on Menards.com

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