



Village of Addison

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • CODE ENFORCEMENT • ENGINEERING • ZONING

AGENDA

PLANNING AND ZONING COMMISSION

PUBLIC HEARING/BUSINESS MEETING

WEDNESDAY, JUNE 12, 2024

DATE: Wednesday, June 12, 2024

TIME: 7:00 P.M.

PLACE: Addison Village Hall
1 Friendship Plaza
Addison, IL 60101

Chair – Marianne Fotopoulos

Member – Joseph Ariano

Member – Edward Cargill

Member – Donald McComb

Member –

Member – Timothy Schmitt

Member – Mark Turk

I. CALL TO ORDER – ROLL CALL

II. CONSIDERATION TO APPROVE THE MINUTES OF THE MAY 8, 2024 PLAN COMMISSION MEETING

III. PUBLIC HEARINGS AND RECOMMENDATIONS

1. **File PZ-24-05**, consideration regarding a variation for the property at 1514 W. Woodland Avenue.

P.I.N.: 03-19-404-027

Petitioner: Tony & Carole Whitaker

This file was advertised in the May 27, 2024 issue of the Daily Herald Newspaper.

Consideration of File #PZ-24-05 as described above.

2. **File #PZ-24-06**, consideration regarding a variation for the property at 1745 W. Cortland Court.

P.I.N.: 03-31-300-017

Petitioner: Warner Cruz

This file was published in the May 27, 2024 issue of the Daily Herald Newspaper.

Consideration of File #PZ-24-06 as described above.

3. **File #PZ-24-07**, consideration regarding a fence variation for the property at 201 S. Harvard.

P.I.N.: 03-28-410-001

Petitioner: Juan Acevedo

This file was advertised in the May 27, 2024 issue of the Daily Herald Newspaper.

Consideration of File #PZ-24-07 as described above.

- IV. AUDIENCE PARTICIPATION
- V. OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN
- VI. ADJOURNMENT

Approved: Michael Crandall
Michael Crandall
Director, Community Development

Pending

"In compliance with the Americans with Disabilities Act and other applicable federal and state laws, Village of Addison meetings will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact Don Pinson, Director of Human Resources/Risk Management, 1 Friendship Plaza, Addison, Illinois 60101, or call 630-543-4100, ext. 7505, five (5) days prior to meeting to inform of their anticipated attendance. Text Telephone (TTY) users may use the Addison Police Department's non-emergency number, 630-543-3080."

**MINUTES OF THE PLANNING & ZONING COMMISSION
VILLAGE OF ADDISON
WEDNESDAY, MAY 8, 2024**

The Planning & Zoning Commission meeting of the May 8, 2024 meeting was called to order at 7:00 p.m. by Chair Fotopoulos.

Present: Ariano, Cargill, Fotopoulos, McComb, Schmitt, Turk
Absent: None
Also Present: Mike Crandall and Jennifer Henaghan, Village of Addison, Dan Medina, Addison Fire Protection District and Village Attorney Dave Freeman.

PUBLIC HEARING

- I. CALL TO ORDER – ROLL CALL**
- II. CONSIDERATION TO APPROVE THE MINUTES OF THE APRIL 10, 2024 PLANNING & ZONING COMMISSION MEETING**

Mr. Cargill made a motion to approve the minutes from the April 10, 2024 meeting, seconded by Mr. Turk. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

III. PUBLIC HEARINGS AND RECOMMENDATIONS

1. **File #PZ-24-03**, consideration regarding approval of variations. The property is located at 922 E. Lorraine Avenue, Addison, IL 60101.

P.I.N.: 03-34-206-027

Petitioner: Noel Figueroa

This file was published in the April 22, 2024 issue of the Daily Herald Newspaper.

Mr. Schmitt made a motion to open file #PZ-24-03, seconded by Mr. Ariano. Roll call was taken.

Motion carried.

Ms. Jennifer Henaghan, Village of Addison stated the petitioner in this case is requesting a number of variations to allow the construction of a new detached garage with a rooftop deck as well as a 4 ft. high fence directly along the property line. The subject property is developed with a single family home that was constructed in 1963 and annexed to Addison in 1975. At some point in time, the lot itself was platted as a 50 ft. wide lot back in 1925; however that was reduced to 43 ft. wide when Rout 83 was widened making the lots legal non-conforming. There are a number of comments in the staff report from Engineering. The Planning discussion: accessory structures are allowed to occupy up to 30% for a rear yard.

The petitioner is requesting a variation to occupy 64% of the rear yard due to the placement of the garage at the very rear of the property. If the garage was moved slightly south, the variation wouldn't be necessary. They are also requesting a setback variation to reduce the side yard setback from 12.9 feet to 5 ft., this would allow them to construct the garage at 33 ft. wide instead of 25 ft. wide as would be permitted by code. Fences are not permitted to encroach into the front yard at all. They are proposing a fence that would be a zero setback rather than a 12.9 ft. required by code. As noted by the Engineering Division, constructing the fence at a zero setback will create line of sight issues for not only the new driveway on the subject property, but also the existing driveway on the property to the north. Vehicles exiting either of these driveways would not have a clear view of traffic along the Frontage Road until their vehicles are already in the roadway. Although there is not currently a sidewalk along the frontage road, if one is constructed in the future, the proposed fence would also prevent vehicles from seeing any pedestrians on the sidewalk. The staff report we set forth the difficulties or practical hardships that must be demonstrated as well as the other evidence that the Planning and Zoning Commission should take into consideration. Staff notes that the extremely narrow lot width combined with the 7.65 ft. setback of the existing home is a unique circumstance, however there are still safety issues to consider with the proposed setback reductions. The roadway is approximately 7 feet from the property line. If the garage and the fence maintain the same setback as the residents there would be approximately 14 ½ feet for vehicles exiting the driveway to view the Frontage Road before entering the roadway.

Staff finds that the proposed variations partially comply with the standards set forth in the Zoning Ordinance and recommends approval of the requested variations subject to the condition that the garage and the fence shall maintain a minimum 7.65 ft. setback from the east property line.

Ms. Henaghan said we received additional information from the petitioner, two letters from the neighbor to the west and to the north as well as some photographs that were passed out to everyone just before the meeting.

Village Attorney Freeman addressed Ms. Henaghan that she mentioned some engineering concerns listed in the staff report, are those items normally handled through the permit process? In other words, this Commission wouldn't need to review tonight? Ms. Henaghan said that is correct, they are generally relating to stormwater requirements and some other construction requirements. The only really one that is pertinent to these variations are the sideline issues.

Chair Fotopoulos asked if the Plan Commission had any questions.

Mr. Cargill asked if the cement pad on Lorraine Avenue, is that going to be torn out. Ms. Henaghan said the petitioner would answer that.

Mr. Steve Flint, architect for the petitioner and Noel Figueroa, the petitioner were present and sworn in. Mr. Flint did a power point presentation. Mr. Flint said the current site only has a shed and no garage for cars. We are looking to add a three detached car garage and add a 4 ft. high fence. We want to keep as greener on the property as possible for the family and the kids. Mr. Flint showed the aerial and on three sides is residential and to the east is Frontage Road and also Route 83. It is a heavily traveled road. This is where the impact will be as far as the setbacks. Mr. Flint showed a picture of the existing shed and back area. To the north of the property, there is already an existing garage and fence that is right on the property line which is 6 ft. The zoning is R2 and a detached single family unit roughly over 8,000 sq. feet. The garage is off the back and the reason why we positioned the garage where it is because the petitioner wants to have front doors opened up so he can observe his kids in the back yard. Mr. Flint showed the elevation views on the overhead. Mr. Flint said the petitioner wants to remove the existing shed which was not permitted in the past, also removing the parking lot pad that was non-conforming and replace the three car garage and driveway. Mr. Flint said normally in R2 you would do a corner side yard, your minimum lot width is 80 ft., and this is actually a 43 ft. wide lot, very narrow. The 4 ft. is important not to only keep the kids out but to keep people out of there.

Mr. Figueroa, petitioner was present and sworn in. Mr. Figueroa thanked the Commission for their time and said this is all about the safety of his kids and that is why he wants to do this.

Chair Fotopoulos asked if the Plan Commission had any questions. Mr. Cargill asked if the concrete pad will be removed. Mr. Figueroa said yes it will. Mr. Cargill asked how far towards Lorraine is the fence is going to go. Mr. Flint said up to the back corner of the house and return to the home. Mr. Cargill said it is just to going to enclose the backyard. Mr. Flint said yes. Chair Fotopoulos commented about the doors facing the house.

Mr. Flint said the garage doors that can be open. Chair Fotopoulos asked why the deck? Mr. Figueroa said it's just for relaxation and keep an eye on the kids. Chair Fotopoulos said when you build a house close to Route 83, do you have to sign an agreement to take the house. Attorney Freeman said no you don't need to sign an agreement, they have a right to take that property as condemnation, which they did years ago when the widened Route 83.

Chair Fotopoulos asked if the audience had any questions.

Tim McKiernan, 923 E. Lorraine, Addison, IL asked about the fence. It will be 4 ft. high. Yes it will be right up against the street but I don't know the distance from that point to the corner, but there is a lot of room there that if a child is walking up they are going to see around that fence. I live across the street and walk my dog up and down that street all the time. The issue with the cars is crazy, people zipping up and down the street all the time and there are kids with little dirt bikes and motorcycles that are constantly riding down the street. The traffic issue is a huge concern especially when you have children. Chair Fotopoulos said have you ever reached out to the Police for speed bumps? Mr. McKiernan said no.

Chair Fotopoulos asked why a three car garage instead of two car? Mr. Figueroa said he needs the extra space and is a handyman. Chair Fotopoulos said the if you move the garage up you wouldn't need a variation. You wanted more grass space and that space would've been behind the garage and not in front of the garage. The other issue is the coverage of 64%. Ms. Henaghan said that is correct. Chair Fotopoulos said the coverage would be from 30 to 64%. Ms. Henaghan said correct.

Chair Fotopoulos asked for positive and negative testimony.

POSITIVE TESTIMONY:

Joe Lambert, 910 E. Lorraine, Addison, IL, stated his concern is with the privacy fence that is will obstruct the view going down Frontage Road. I have lived there a long time and people fly down that Frontage Road all the time. It is a bus stop; kids and neighbors can get hit pulling out of the street, people use Frontage Road as a short cut to Route 83.

NEGATIVE TESTIMONY: None

Mr. Flint said the concern with that fence being right on the property line, it's returning to the back of the house. If you are on Lorraine making a left you roughly 60 ft. away from that fence. The site line should be pretty clear down the Frontage Road. We are not bringing the fence all the way to the front yard but we are returning it to the back of the house.

Ms. Henaghan said that Staff is recommending should the Commission choose to approve the variation, the garage and fence hold the existing 7.65 ft. setback line that currently exists with the house to give some additional space for vehicles entering and exiting the garage to view traffic along the Frontage Road. As the petitioner is requesting having the fence right up on the lot line creates no sight distance that is the safety issue that we are concerned about. Ms. Henaghan asked the petitioner for some clarification that the plans that were submitted show a 4 ft. picket fence but she has heard mention of a 6 ft. privacy fence. Mr. Schmitt said is a 6 ft. fence allowed by Code? Ms. Henaghan if it met the setback, yes. Attorney Freeman said the setback would be the same whether it is 4 or 6, correct? Ms. Henaghan said correct.

Mr. Alexis Rodriguez or Flint Architects stated the zoning code with the fence is why we are asking for the variation, because in a corner lot both Frontage and Lorraine are considered front yards and that is why we aren't allowed to have a fence there regardless of the height. The setback if this were a site, typically your setback lines are 5 ft. and the fence is for safety.

Mr. Schmitt made a motion to close File #PZ-24-03, seconded by Mr. Cargill. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-03 as described above.

Mr. Schmitt stated he is inclined to go with the recommendations from Staff. I think it is reasonable point and the house is what is really controlling the site plan and you really are not going to improve it any better than that. I do think pushing it out to the property line is creating a problem that is not going to help anyone that lives on Lorraine and not a safe situation. Even backing out of the driveway, I don't think it is a good situation. As far as pushing the house in the rear setback, I think it is a reasonable compromise given that the lot is fairly comprised to begin with, and to allow them to maximize their yard is a good thing especially with the back neighbor having a garage there; there is not a lot of impact to them. I would support that variance.

Mr. Schmitt made a motion for approval of the variance to reduce the minimum required setback along Route 83 Frontage Road from 12.9 feet to 5 feet; increase the allowable rear yard coverage from 30% to 64% and reduce the setback for a 6' high fence along the Route 83 Frontage Road property line from 12.9 to 7.65, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

2. **File #PZ-24-04**, consideration regarding approval of variations. The property is located at 421 S. Addison Road, Addison, IL 60101.

P.I.N.: 03-33-200-002

Petitioner: Pete DiCianni

This file was published in the April 22, 2024 issue of the Daily Herald Newspaper.

Mr. Cargill made a motion to open File #PZ-24-04, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

Ms. Jennifer Henaghan, Village of Addison stated Di Cianni Graphics is requesting approval of a variation to reduce the minimum required rear yard setback from 20 ft. to 10 ft. to accommodate a 26-foot by 49-foot Addison to his building that is necessary to accommodate a 50-ft wide printing press. The property is developed with a single story masonry building that was constructed in 1963. Engineering notes that the existing property is practically 100% impervious. Replacing pavement with a building generally does not increase stormwater runoff, however stormwater runoff should be directed to the ROW and not onto adjacent properties. Staff notes that the building as it currently exist is required to provide five parking spaces. There are five parking spaces out in front of the building, as well as additional parking spaces on the side and the rear. With the construction of the new addition, they would need to provide one additional parking space for a total of six. There would be four existing parallel parking spaces on the side of the building; however, these spaces are nonconforming and that there is not a 24 ft. wide drive aisle adjacent to the spaces allowing vehicles to turn around so it is a bit unclear as to how vehicles would be getting into and out of the parallel parking spaces should those be used.

Mr. DiCianni was present and sworn in. Mr. DiCianni said there is a little niche in the rear southeast corner of our driveway that allows for a turnaround. Before we actually purchased the property, the previous owner had purchased that extra driveway portion with that little nook, which is important for this parcel because we will now be able to actually pull our trucks into that nook and actually pull right into the building. If you look at the plans that were submitted, you can see a 25 ft. RV and both of our trucks into the building. This will allow for loading and unloading the product, right now we have to do it outside. The addition will not only allow for the press that we purchased from the Chicago Tribune which is in storage but will also allow us to be actually pull our trucks into our building. We are going with a 24 ft. high wall. This addition we were in front of this Commission back in 2018 and received the same variation; variations expire so we are back again. At that time, we decided not to do the addition but to do the façade and upgrade our offices. We are in need of expansion because of the machine and the change in nature of the business. In order to compete, we want to get into some other markets and this machine will allow us to do that.

We have been here before and have the same issues with parking. We still have plenty of parking to serve our employees and customers. We have been parking on the side of the building since 1991. There are no issues with getting in and out. We will be able to pull into the building with our trucks. We are also putting on a second floor on for storage and future expansion. A lot of our clients want us to house product for them and this will give us the ability to inventory product.

Chair Fotopoulos asked if the Plan Commission had any questions.

Chair Fotopoulos said she is glad that Mr. Di Cianni brought up 2018, because she could only find was 2015. If you read it, it was not approved, only the façade was. Mr. Di Cianni said he thought he actually had a permit for the addition and then had a change of heart and had come back and revised the permit taking the addition off. Ms. Henaghan said she looked back at the initial permit plans and it did show the addition basically as proposed today, but the permit that was issued that we have records of is just for the façade improvements to the front and didn't include the two-story addition. Mr. DiCianni said we did have the permit for the addition and then at the end we actually went back to the Village and decided not to do the addition. Chair Fotopoulos said the façade was the only thing that was approved. Mr. DiCianni said we had two approvals; they were ready to break ground on the addition and had a change of heart and came back and amended the permit for the façade. Chair Fotopoulos said we can't find that permit, we can only find an approval of a façade, so the subject matter is new to this Commission because it only went to BZD and at that time we did different things differently. Mr. Schmitt said the two trucks that you currently park in that space, what is the plan for the second truck? Mr. DiCianni said we currently have our trucks parked in the back, so we can keep the trucks outside currently. We can have one in the nook that actually faces the alley way that goes behind JD Muggs and one along the side. Chair Fotopoulos said the zoning regulations that allow overnight parking for trucks in that zone, do we allow that? Ms. Henaghan said no we do not. Chair Fotopoulos said that you have been parking your trucks outside not knowing that you weren't allowed to do so. Mr. DiCianni said he had no idea. Attorney Freeman said one of the concerns or questions is are they being parking there simply for loading and unloading, because we would allow that, we wouldn't just allow for instance long term storage of the vehicle but if you were loading or unloading it would be allowed. I don't know how often or how long you leave the truck there but just to be clear, if you are loading or unloading your vehicle that is allowed. Mr. DiCianni said we unload and load the vehicle and it's on private property so I would assume on a commercial/industrial parcel that would be permissible. Attorney Freeman said I still don't think you be allowed to storage the vehicle there but again that is not a question that is before this Commission, I think Chair Fotopoulos is pointing it out to you and maybe look into in the future. Chair Fotopoulos said you mentioned that you store two vehicles in the building and that you also have an RV, what are we approving? Mr. DiCianni said we are asking for a rear yard variance on the building. Mr. Cargill said because you are enlarging the building, is the building required to be sprinkled. Mr. Dan Medina, Addison Fire Protection said as the code reads in their Ordinances it would, it would fall under the exception or the portion of the code that if this building were to be constructed new, it would have to follow the sprinkling regulations with our local amendments.

Chair Fotopoulos asked if the audience had any questions. There was none.

Chair Fotopoulos asked for positive and negative testimony. There was none.

Mr. DiCianni stated he appreciated everything from Staff.

Mr. Cargill made a motion to close File #PZ-24-04, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-04 as described above.

Mr. Schmitt made a motion for approval of the variation to reduce the minimum required rear yard setback from 20 feet to 10 feet to accommodate a building addition, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken. Chair Fotopoulos abstained.

Motion passed unanimously.

IV. AUDIENCE PARTICIPATION - None

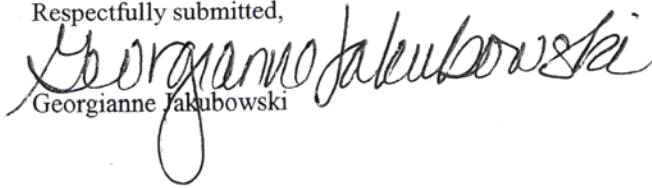
V. OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN -None

VI. ADJOURNMENT

Mr. Schmitt made a motion to adjourn the meeting at 8:15 p.m., seconded by Mr. Turk.

Motion passed unanimously.

Respectfully submitted,


Georgianne Jakubowski



Village of Addison

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • CODE ENFORCEMENT • ENGINEERING • ZONING

June 12, 2024

MEMORANDUM

TO: MARIANNE FOTOPOULOS, CHAIR
AND MEMBERS OF THE PLANNING AND ZONING COMMISSION

FROM: MICHAEL CRANDALL, DIRECTOR OF COMMUNITY DEVELOPMENT *M.C.*
JENNIFER HENAGHAN, ASSISTANT DIRECTOR OF COMMUNITY DEVELOPMENT *JSH*

RE: FINAL VOTE AND ACTION – ZONING VARIATION REQUEST
PZ 24-05, 1514 W. WOODLAND AVENUE: APPROVAL OF A VARIATION
TO ALLOW A DRIVEWAY FOR A DETACHED GARAGE TO BE 22 FEET
WIDE AT THE FRONT PROPERTY LINE.

SUMMARY OF REQUEST

Property owners Tony and Carole Whitaker are requesting a variation to replace their existing legal nonconforming driveway. The driveway is approximately 22 feet wide at the front property line where the Zoning Ordinance allows driveways for detached garages to be no more than 12 feet wide at the front property line. The detached garage will be reconstructed to meet the minimum five-foot setback requirements.

PROPERTY HISTORY

The subject property is developed with a split-level home that was constructed in 1972. The garage and driveway appear to be original to the house. The Comprehensive Plan recommends that the subject property be developed with neighborhood residential land uses (primarily detached and attached single-family homes). The subject property and adjacent properties to the north, west, and south are R2 Single-Family Residence District, all of which are developed as single-family homes.

INTERDEPARTMENTAL REVIEW COMMENTS

Building

Any construction within the utility easement shall require utility company sign-offs.

Engineering

Drainage does not appear to be a problem in the local area.

Fire

No comments at this time.

Public Works

No comments.

Planning

When varying the Zoning Ordinance, there must be a determination that there are practical difficulties or particular hardships in complying with the code, as follows:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
2. That the plight of the owner is due to unique circumstances; or
3. That the variation, if granted will not alter the essential character of the locality.

In addition, the Planning & Zoning Commission, shall also take into consideration the extent to which the following facts have been established by the evidence:

1. That the particular physical surroundings, shape or topographical conditions of the specific property involved, would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;
2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;
3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
4. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
5. That the proposed variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

SUPPORTING DOCUMENTS

Attached for your review are the following:

- Location Map
- Notice of Public Hearing
- Petitioner Statement and Plans

PZ 24-05, 1514 W Woodland Ave



Subject Property shown in blue
Village Boundary shown in red



NOTICE OF PUBLIC HEARING

The Planning and Zoning Commission of the Village of Addison will hold a public hearing on Wednesday, June 12, 2024 at 7:00 p.m. in the Village Board Room of the Addison Municipal Building, located at 1 Friendship Plaza, Addison, Illinois, to hear the following proposal:

File #PZ-24-05: The petitioner requests consideration of hearing testimony regarding a variation for the property at 1514 W. Woodland Avenue.

The property is located at 1514 W. Woodland Avenue in Addison, Illinois, and is legally described as follows:

LOT 18 IN FIFTH ADDITION TO GREEN RIDGE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST OF QUARTER SECTION 19, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 5, 1971 AS DOCUMENT R71-18422, IN DU PAGE COUNTY, ILLINOIS.

Petitioner: Tony & Carole Whitaker

PIN #: 03-19-404-027

All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard. Plans are on file for public review at the offices of the Community Development Department, Village Hall, 1 Friendship Plaza.

Marianne Fotopoulos, Chair
Planning and Zoning Commission
Addison, Illinois

Daily Herald Newspaper
Issue of May 27, 2024

To: Village of Addison Zoning Board

Re: Variation for 1514 W. Woodland Avenue

Dear Board,

We are looking to replace our garage and driveway. The current garage and driveway is original to our property, built in 1972.

Reasons for replacement:

- The foundation of the garage has multiple cracks
- The floor surface has disintegrated beyond repair.
- The driveway has multiple cracks and several depressed areas
- The garage is in need of repair and would be best to be replaced

Our request would be to replace the old garage and driveway with new ones. We acknowledge that the original footprint does not fit current easement requirements, so we are asking for a variation with the following adjustments:

1. The Garage would be repositioned to fit within the 5 foot easement from the West and North sides. The original garage is in violation of this easement by approximately 6 inches to the West and 4 inches to the North.
2. The driveway would be replaced to the original footprint without change to retain its current function and placement.

We realize that there could be some concern for the width of our proposed driveway apron that is 30 feet wide. Currently in our neighborhood there are 9 other driveways with aprons the same size or larger than our current apron with two at 33 feet, one at 42 feet, and one as large as 56 feet. We are asking to retain our current apron size and position.

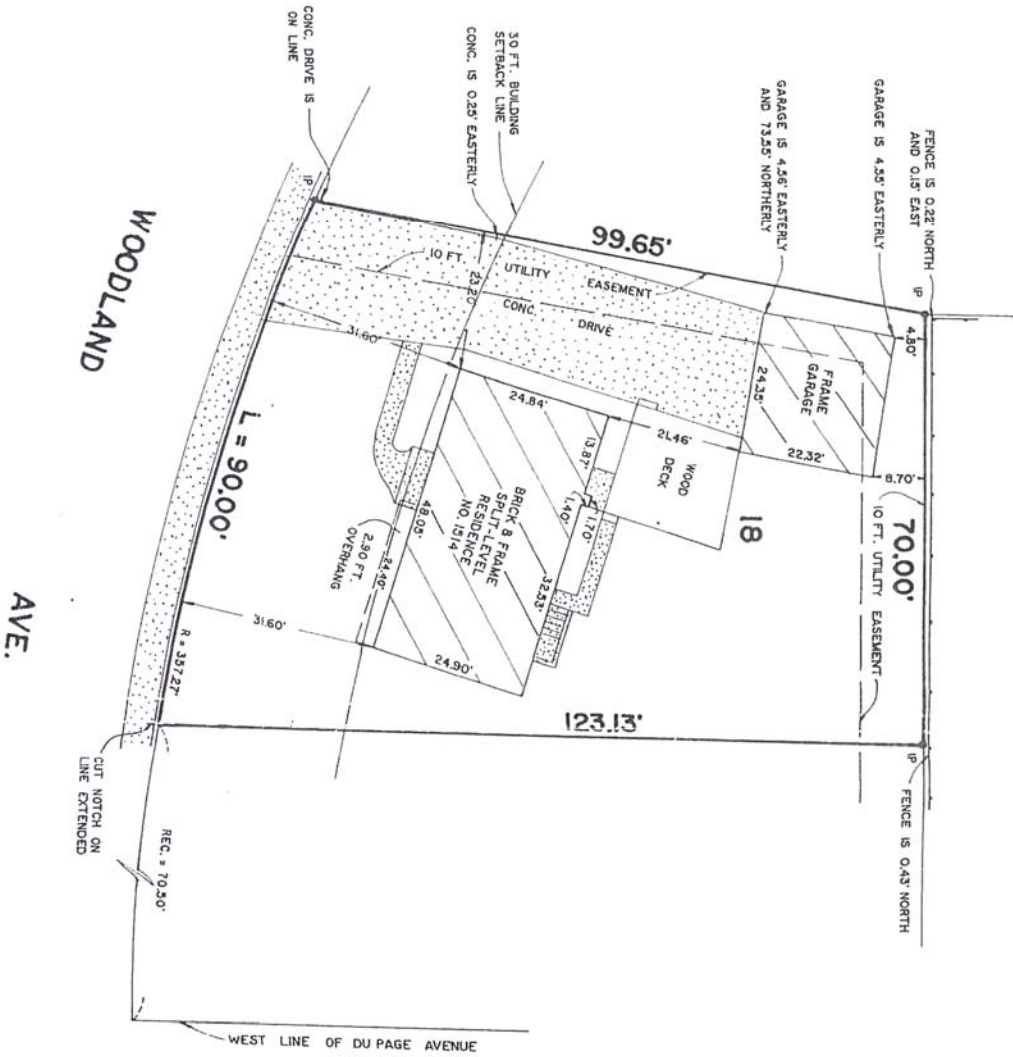
We believe that the replacement of our driveway and garage will improve the appearance and function of our property and in the end bring more value to the village. We also believe that this improvement will cause no harm to our neighbors or their property as that is the way it has been for over 50 years.

Thanks to the zoning board for your service and time to retain the integrity of our neighborhood and protecting the value of our homes.

Tony & Carole Whitaker

PLAT OF SURVEY

LOT 18 IN FIFTH ADDITION TO GREEN RIDGE BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 5, 1971 AS DOCUMENT RT1-18422, IN DUPAGE COUNTY, ILLINOIS.



LEGEND

	Indicates Building Limits
	Indicates Chain Link Fence
	Indicates Wood Fence
	Indicates barbed wire fence
	Indicates Concrete Pavement
	Indicates Radius of Curve
	Indicates Length of Curve
	Rec. Indicates Record or dead distance
	Meas. Indicates Measured distance
	IP Indicates Iron Pipe
	IR Indicates Iron rod or rebar

IMPORTANT

1. FOR BUILDING LIMITS, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR BIDDING, TITLE REPORT AND LOCAL ZONING ORDINANCES.
2. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.
3. BEFORE TAKING POSSESSION AND BEFORE UNDERTAKING OR THE SURVEYOR'S PLAT AND TO OBTAIN REPORT ANY ADJACENT OWNER'S ATTENDANCE TO THE SURVEYOR.
4. PLAT IS NOT VALID WITHOUT EXPRESSED SEAL.
5. WE DO NOT GERRY UNLINES, THEREFORE, CONTACT UNLINES COMPANY'S BEFORE BUILDING.
6. NO WARRANTIES ARE TO BE ASSUMED BY SCLINC.

State of Illinois } ss.
 County of Cook }

WE, LIBERTY SURVEY CO., AN ILLINOIS PROFESSIONAL LAND SURVEYOR COMPANY, DO HEREBY CERTIFY THAT SURVEY WAS MADE ON THE PREMISES SHOWN AND THE DATA HEREON IS A CORRECT REPRESENTATION OF SAME.

DATED AT PALATINE, ILLINOIS THIS 22ND DAY OF SEPTEMBER, 1997.

BY: *H. J. Ruppel*
 LIBERTY SURVEY COMPANY
 ILLINOIS PROFESSIONAL LAND SURVEYOR CO. NO. 86

Liberty Survey Company
 LAND SURVEYORS

15 E. NORTHWEST HWY., PALATINE, IL 60067 (847) 963-1025

COMMON ADDRESS: 1914 WOODLAND AVE., ADDISON, IL

DRAWN BY: GP CHECKED BY: AIR

FILE NO.: 97-5766 SCALE: 1" = 20'

Village of Addison

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • CODE ENFORCEMENT • ENGINEERING • ZONING

June 12, 2024

MEMORANDUM

TO: MARIANNE FOTOPOULOS, CHAIR
AND MEMBERS OF THE PLANNING AND ZONING COMMISSION

FROM: MICHAEL CRANDALL, DIRECTOR OF COMMUNITY DEVELOPMENT *M.C.*
JENNIFER HENAGHAN, ASSISTANT DIRECTOR OF COMMUNITY DEVELOPMENT *JSH*

RE: FINAL VOTE AND ACTION – ZONING VARIATION REQUEST
PZ 24-06, 1745 W. CORTLAND COURT: APPROVAL OF A VARIATION TO
ELIMINATE THE REQUIRED 10-FOOT SIDE YARD SETBACK TO ALLOW
FOR THE CONSTRUCTION OF AN ADDITION TO THE EXISTING
INDUSTRIAL BUILDING.

SUMMARY OF REQUEST

The petitioner is requesting approval of a variation to eliminate the required 10-foot side yard setback to allow for the construction of an addition to the existing industrial building.

PROPERTY HISTORY

The subject property is developed with a single-story masonry building that was constructed in 1971. The Comprehensive Plan recommends that the subject property be developed with industrial land uses.

The subject property and the properties to the north, west, and east are zoned M2, General Manufacturing. The property to the south is zoned M1, Limited Manufacturing District.

INTERDEPARTMENTAL REVIEW COMMENTS

Building

As the proposed addition is within 5 feet of the property line on the west side of the existing building, all walls and openings of the proposed addition shall be designed for the minimum fire-resistance ratings in accordance with minimum separation distance of less than 5 feet.

The addition and renovation of the building shall go through the appearance approval process.

Engineering

- Engineering is not in favor of siting a building right up to the property line. If the building is sited on the property line, it will not be protected from vehicles parking on the west property and will get bumped.
- The southwest corner of the building is very close to the power pole on the adjacent property.
- Roof drainage is not shown in the proposal. It is important that the roof does not drain to the west and directly onto the property to the west if the addition is permitted.
- Stormwater runoff on this property flows from the southeast corner to the northwest corner. The building addition will block the rear yard drainage would also direct runoff onto the adjacent west property instead of flowing to the right of way along this property's west lot line.

Fire

No comments at this time.

Public Works

No comments.

Planning

When varying the Zoning Ordinance, there must be a determination that there are practical difficulties or particular hardships in complying with the code, as follows:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
2. That the plight of the owner is due to unique circumstances; or
3. That the variation, if granted will not alter the essential character of the locality.

In addition, the Planning & Zoning Commission, shall also take into consideration the extent to which the following facts have been established by the evidence:

1. That the particular physical surroundings, shape or topographical conditions of the specific property involved, would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;
2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;
3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;

4. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
and
5. That the proposed variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

RECOMMENDATION

Staff finds that the proposed variation does not comply with the standards set forth in the Zoning Ordinance and, therefore, staff recommends denial of the requested variation.

SUPPORTING DOCUMENTS

Attached for your review are the following:

- Location Map
- Notice of Public Hearing
- Petitioner Statement and Plans

PZ 24-06, 1745 W Cortland Ct



Subject Property shown in blue
Village Boundary shown in red



DuPage County GIS

NOTICE OF PUBLIC HEARING

The Planning and Zoning Commission of the Village of Addison will hold a public hearing on Wednesday, June 12, 2024 at 7:00 p.m. in the Village Board Room of the Addison Municipal Building, located at 1 Friendship Plaza, Addison, Illinois, to hear the following proposal:

File #PZ-24-06: The petitioner requests consideration of hearing testimony regarding a variation for the property at 1745 W. Cortland Court.

The property is located at 1745 W. Cortland Court in Addison, Illinois, and is legally described as follows:

LOT 1 IN WILL-RAY SUBDIVISION OF LOT 7 IN DU PAGE INDUSTRIAL ANNEX-SOUTH, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 15, 1972 AS DOCUMENT R72-32535, IN DU PAGE COUNTY, ILLINOIS.

Petitioner: Warner Cruz

PIN #: 03-31-300-017

All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard. Plans are on file for public review at the offices of the Community Development Department, Village Hall, 1 Friendship Plaza.

Marianne Fotopoulos, Chair
Planning and Zoning Commission
Addison, Illinois

Daily Herald Newspaper
Issue of May 27, 2024



1745 Cortland Court

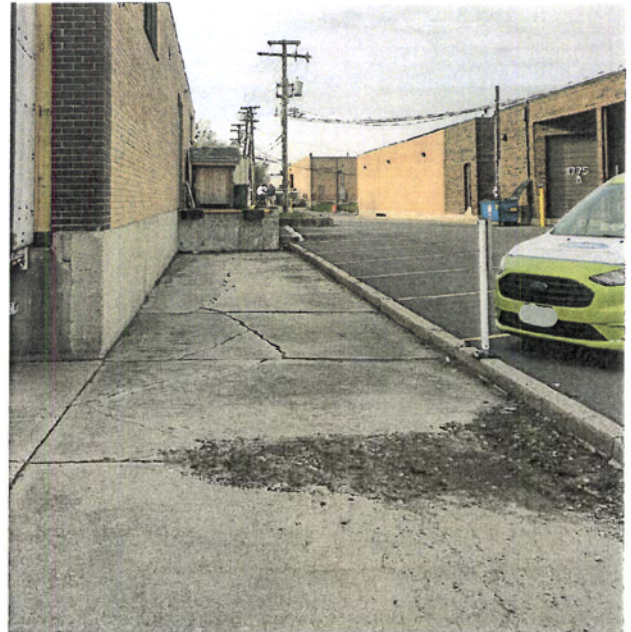
Petitioner's Statement

The proposed project is an addition to the existing building at 1745 Cortland Court to provide a secure, climate-controlled garage for emergency disaster repair vehicles in place of the current loading dock and concrete slab. Current usage dictates that vehicles be stocked with chemical cleaners and other temperature sensitive materials after receiving an emergency call, increasing response time. Materials are also kept outside in less than secure areas. This addition will allow for the emergency disaster repair vehicles to be fully prepared and secure with temperature-controlled cleaning supplies the moment a call is received. The enclosed garage will also allow for the cleaning of vehicles exposed to asbestos, mold, or other contaminants in a negative pressure environment, enhancing employee safety and preventing cross-contamination.

This addition is a part of a long-running process to improve the site and enhance the property standard in the district. The photos below show the existing slab and improvements already done on site.



August 2023



May 2024



Requirements for Variations

- A) "That the particular physical surroundings, shape or topographical conditions of a specific property involved, would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out."

The current physical surroundings of the structure include a defunct loading dock and an approximately 4' tall concrete slab covering a significant portion of the proposed addition. The loading dock is too narrow to accommodate a direct conversion to a heated garage and the slab acts as an extension of the building, preventing access to the south end of the property. These two factors constitute a hardship, preventing the owner from utilizing a significant part of the property while simultaneously hampering the functionality of the side yard.

- B) "That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification."

No other property on Cortland Court has this hardship. The existing concrete slab is a unique condition to the subject property.

- C) "That the purpose of the variation is not based exclusively upon a desire to make more money out of the property."

The purpose of the variation is to create a safe and usable space for the business, not profit.

- D) "That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located."

The proposed addition is a continuation of a long-running project by the owner to improve the property. The continued improvement of the property will not be detrimental to the district. The investment in this property will be beneficial to its surroundings by enhancing the character of the neighborhood.



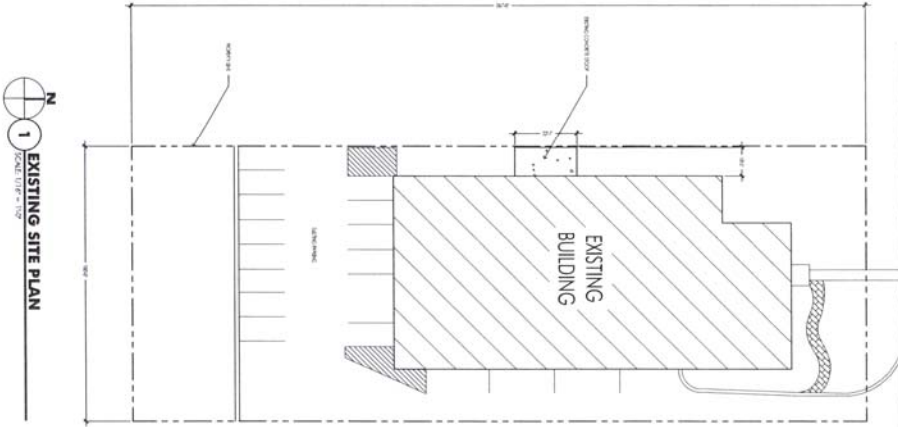
- E) That the proposed variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values in the neighborhood.”

The property adjacent to the addition does not rely on natural light on the adjacent façade. Fire access is already not possible along the proposed addition due to the presence of the existing concrete stoop/barrier and no new construction will impact the East side building access. As such, no increase in fire danger is anticipated. Public safety will be enhanced with the addition of more secure storage on the site, and we anticipate property values to increase due to the investment in the neighborhood, not diminish.

Final Comments

With the information supplied above, we are requesting a variance from the zoning code, Chapter 22 – Section VI D.6 – Side Yards to allow for the construction of the new enclosed garage space to be built to the edge of the property.

CORTLAND COURT



1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

CORTLAND COURT



2 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"



ADDITION AND RENOVATION
1741 Cortland Ct
Address: IL 60131

**PROGRESS DRAWING
NOT FOR CONSTRUCTION**

REVISIONS	No.	Date	By

Project Number: 2024-001
Client: [Name]
Design By: ARCON
Scale: 1/8" = 1'-0"
Site Plans

A100

1745 CORTLAND COURT

PETE FRICANO & SON CUSTOM BUILDERS
ARCON ASSOCIATES





1745 CORTLAND CRT.
Pete Fricano and Son Custom Builders
Project 24047



1745 CORTLAND CRT.
Pete Fricono and Son Custom Builders
Project 24047



1745 CORTLAND CRT.
Pete Fricano and Son Custom Builders
Project 24047

Village of Addison

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • CODE ENFORCEMENT • ENGINEERING • ZONING

June 12, 2024

MEMORANDUM

TO: MARIANNE FOTOPOULOS, CHAIR
AND MEMBERS OF THE PLANNING AND ZONING COMMISSION

FROM: MICHAEL CRANDALL, DIRECTOR OF COMMUNITY DEVELOPMENT *M.C.*
JENNIFER HENAGHAN, ASSISTANT DIRECTOR OF COMMUNITY DEVELOPMENT *JH*

RE: FINAL VOTE AND ACTION – ZONING VARIATION REQUEST
PZ 24-07, 201 S. HARVARD AVENUE: APPROVAL OF VARIATIONS TO
ALLOW FOR THE REPLACEMENT OF A NONCONFORMING FENCE.

SUMMARY OF REQUEST

The petitioner is requesting variations to allow for the replacement of a nonconforming fence. The property owner bought the home last year and wishes to replace the existing dilapidated fence. The existing fence was constructed within the front setback and actually encroaches several feet into the Village right-of-way. The homeowner would like to replace it with a 6-foot high vinyl fence along the property line.

PROPERTY HISTORY

The subject property is developed with a ranch home that was constructed in 1955. The Comprehensive Plan recommends that the subject property be developed with neighborhood residential land uses (primarily detached and attached single-family homes). The subject property and surrounding properties are zoned R2, Single-Family Residence District and are developed as single-family homes.

INTERDEPARTMENTAL REVIEW COMMENTS

Building

No comments.

Engineering

- There is sidewalk on the north side of Wrightwood and sidewalk partially on the block to the east. A future sidewalk project is possible. As such, Engineering would not be in favor of allowing a new fence to be built at the property line as petitioned.

- There is a water main in the parkway on the south side of Wrightwood. A water main break is possible in the location of the fence. As such, Engineering would not be in favor of allowing a new fence to be built at the property line as petitioned.
- Per the survey, existing fence is encroaching three feet into the parkway. The Village should require that it be removed.

Fire

No comments at this time.

Public Works

No comments.

Planning

When varying the Zoning Ordinance, there must be a determination that there are practical difficulties or particular hardships in complying with the code, as follows:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
2. That the plight of the owner is due to unique circumstances; or
3. That the variation, if granted will not alter the essential character of the locality.

In addition, the Planning & Zoning Commission, shall also take into consideration the extent to which the following facts have been established by the evidence:

1. That the particular physical surroundings, shape or topographical conditions of the specific property involved, would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;
2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;
3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
4. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
5. That the proposed variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The existing fence was constructed without a permit at some point prior to 2012. At the time the permit for the garage addition was reviewed in 2017, staff noted that the fence was constructed without a permit and was to be removed, but it appears that was never enforced. Due to the

PZ 24-07 – Planning & Zoning Commission
201 S. Harvard Avenue
June 12, 2024
Page 3 of 3

narrow width of the lot, the Zoning Ordinance would allow a fence to be located in line with the front of the home (approximately 17 feet from the right-of-way).

RECOMMENDATION

Staff finds that the proposed variation does not comply with the standards set forth in the Zoning Ordinance and, therefore, staff recommends denial of the requested variation.

SUPPORTING DOCUMENTS

Attached for your review are the following:

- Location Map
- Notice of Public Hearing
- Petitioner Statement and Plans

S:\EngShare\PLANNING & ZONING COMMISSION\2024\PZ 24-07 201 S Harvard Ave variation\PZ memo.docx

PZ 24-07, 201 S Harvard Ave



Subject Property shown in blue
Village Boundary shown in red



DuPage County GIS

NOTICE OF PUBLIC HEARING

The Planning and Zoning Commission of the Village of Addison will hold a public hearing on Wednesday, June 12, 2024 at 7:00 p.m. in the Village Board Room of the Addison Municipal Building, located at 1 Friendship Plaza, Addison, Illinois, to hear the following proposal:

File #PZ-24-07: The petitioner requests consideration of hearing testimony regarding a fence variation for the property at 201 S. Harvard Avenue.

The property is located at 201 S. Harvard Avenue in Addison, Illinois, and is legally described as follows:

LOT 24 IN BLOCK 19 IN HOME ADDITION TO ADDISON, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 15, 1926 AS DOCUMENT NO. 215640, IN DU PAGE COUNTY, ILLINOIS.

Petitioner: Juan Acevedo

PIN #: 03-28-410-001

All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard. Plans are on file for public review at the offices of the Community Development Department, Village Hall, 1 Friendship Plaza.

Marianne Fotopoulos, Chair
Planning and Zoning Commission
Addison, Illinois

Daily Herald Newspaper
Issue of May 27, 2024

May 14, 2024

Juan Acevedo
201 S Harvard Ave.
Addison, IL 60101

To whom this may concern:

I, Juan Acevedo would like to be granted a permit to have a private vinyl fence installed in my property. An application was submitted, and I was denied due to village codes. There is a wooden fence installed on my property. I am aware the fence is a little out of my boundaries. As I am installing a new fence my intentions are to install in the correct boundaries. I was informed by the village I must install the fence to line up with our garage. I also was informed to leave space for Comed. If I install a fence as the codes indicate I will not have much of a yard for my kids. One of the reasons we bought a house was to have our yard and our kids have some space. Which is not given to us anymore. If the fence was a violation, why was it not brought up in the inspection when we bought the house. This could have been addressed. It was our right to know the fence is in violation and when fixed it will be to be placed under new dimensions.

What project do I have in mind? If you are to drive past our location, you would see the wooden fence is about to fall on its own. The fence is damaged. This gives my property a bad look and it gives the whole community a bad look. I would like to install 6' panels of privacy white vinyl. I will install fence on the correct boundaries. I know my house is a corner house, but the fence is at the end of the house. Is more of the middle of the block. I will leave the same pathway open for Comed to access through our yard when needed. As they have done so far.

Attached to our application I have included pictures of the condition of the fence. Pictures of the open path would be for Comed to come in through our yard. There is also a picture with a view from the corner. Showing how the fence will not be affecting the corner. Along with the pictures of my house, I have included some pictures of fences around the area with private fences and not in the codes. There is one picture with a red rope indicating what would be left of my yard if we installed a fence as I am advised. The plat survey will show a yellow border line of where I would like to install new fence, along with a red line indicating where I am asking to install the fence.

Please consider really looking into this situation. I am not asking to do anything out of the ordinary. I would just like what we call a dream house to us to look great not only on the inside but on the outside.

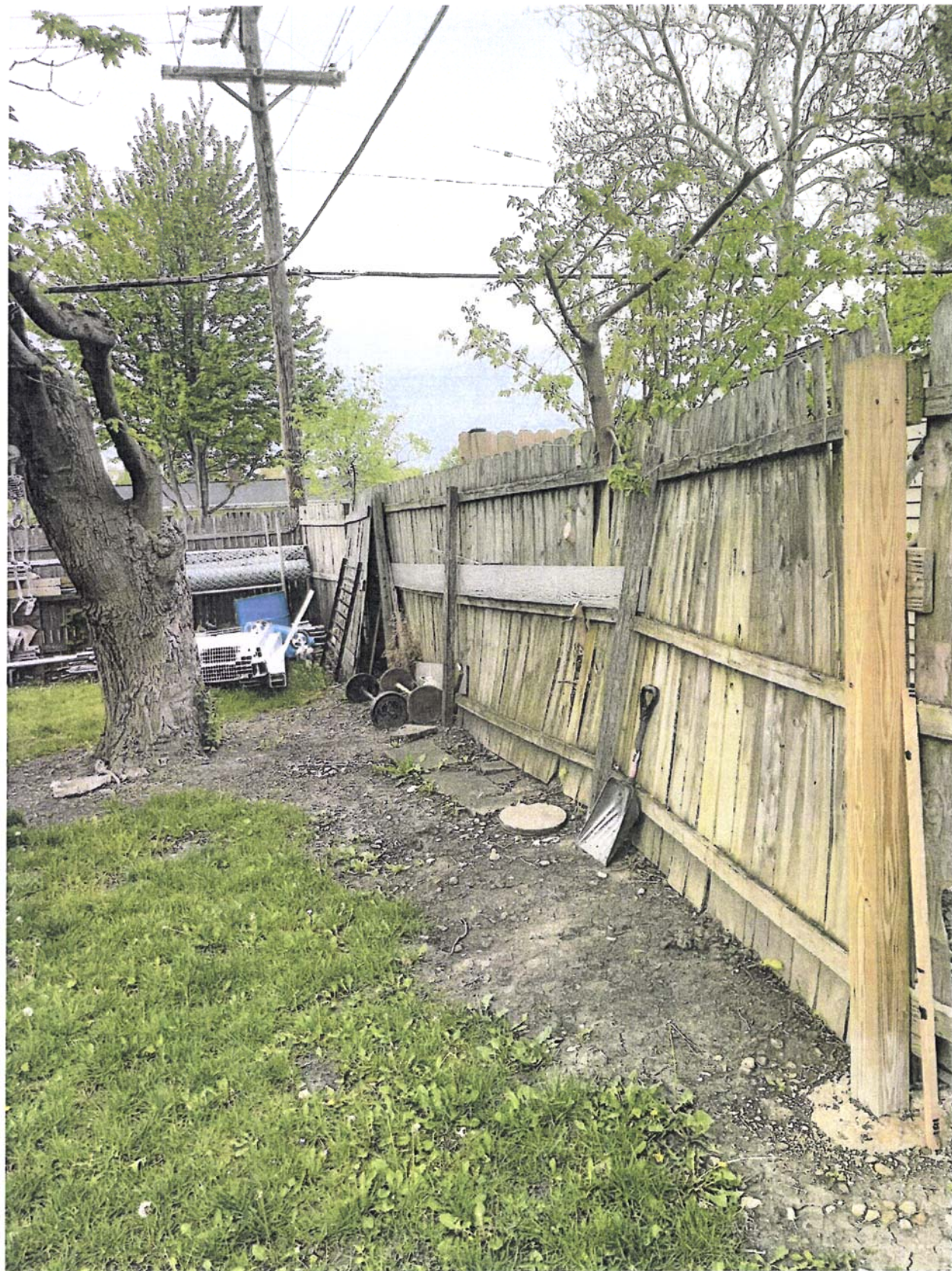
Petitioner's Fence



Petitioner's Fence



Petitioner's Fence



Petitioner's Fence



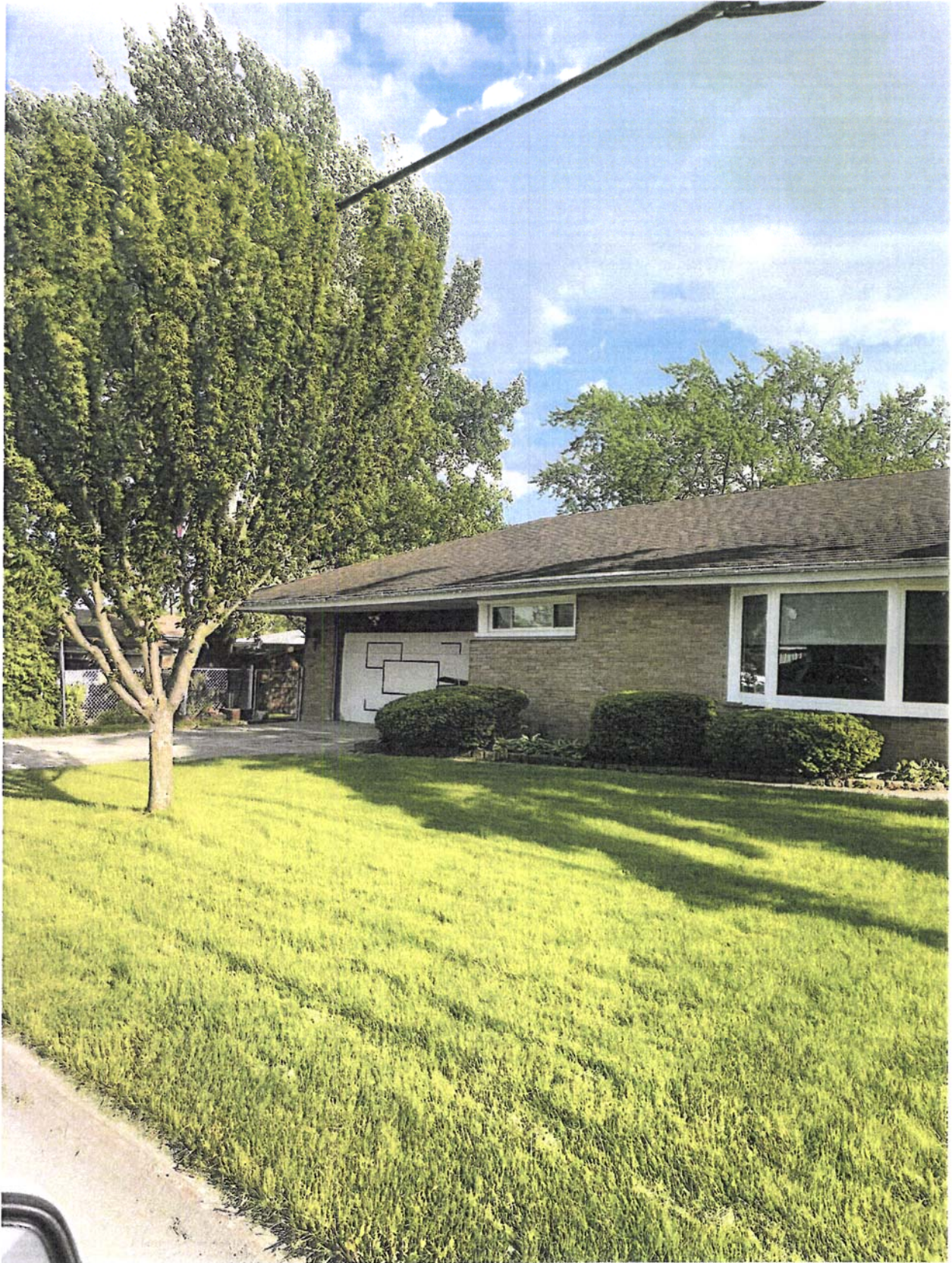
Petitioner's Fence



Similar Fences



Similar Fences



Similar Fences



Similar Fences



