

COUNCIL WORKSHOP ITEM

ITEM: Stormwater Permit Fee Adjustments
DATE: April 2, 2003
PREPARED BY: Jonathan Hall, Development Engineering Manager
PURPOSE: Flood plain elevation variance for house addition at 1000 Hickory Trail

DISCUSSION:

Mr. Thomas Comferte is requesting a variance from Section 26-51.5 of the Village of Downers Grove Municipal Code, which requires that a house addition floor be elevated a minimum of three (3) feet above the base flood elevation. The variance request is to reduce the required elevation to two (2) feet above the base flood elevation, which exceeds the minimum standard of one (1) foot required by the DuPage County Stormwater and Flood Plain Ordinance. Hence, the County requires no variance in this case.

If the variance is granted, the addition's floor elevation would match the existing interior floor elevation of the residence. If the variance request is denied and the addition is elevated three (3) feet above the base flood elevation, the addition floor would be one (1) foot above the existing floor elevation. This would negatively affect safe and efficient access from the interior of the existing structure.

Please refer to attachments for additional details of the request.

ATTACHMENT:

- Committee meeting minutes (3/12/03)
- Committee agenda (3/12/03)
- Staff recommendation memo to Committee
- Variance petition
- Grading plan
- Resolution granting stormwater variance for 1000 Hickory Trail

RECOMMENDATION:

The requirements of Section 26-120.10, as addressed in the petition, must be carefully weighed prior to recommending granting of the variance. Granting of a variance would be consistent with the Committee's recent recommendation for a similar request at 1089 35th Street. 1000 Hickory is different in that raising the floor an additional foot to avoid a variance will not necessarily require more fill in the flood plain. There are approximately 700 parcels in the Village which are fully or partially within the flood plain, not including Localized Poor Drainage Areas. However, a portion of these parcels have no structures within the flood plain.

Other than safety within the residence, the general issue is whether or not it is logical to require that a small portion of the structure be elevated one foot higher than the existing structure. The addition would potentially cause an increase in flood insurance rates and would slightly increase the overall value of structures in the flood plain, unless a Letter of Map Revision (LOMR) is obtained from FEMA. If the value of all additions to a structure cumulatively exceed 50% of the pre-existing structure's value, the entire existing house would need to be brought into compliance (raised one additional foot, provide fill around perimeter, and obtain LOMR).

Variance approval should be contingent upon compliance with all other sections of the Ordinance, as the permit review has not been completed. Final review will be performed in part by the Village's engineering consultant. Preliminary review has identified the following issues with the proposed plan:

1. Grading plan modifications will be required, including the provision of engineered fill around the addition, in accordance with FEMA guidelines, and compensatory excavation elsewhere on the site.
2. Useable crawl space below the main floor will not be permitted. The access door between the basement and crawl space shall be eliminated.
3. The engineering consultant will evaluate whether or not a Letter of Map Revision from FEMA would be required / recommended.

It should be further noted, primarily for the applicant's benefit, that this addition could result in a change in the federal flood insurance rates and requirements.

Action Options:

1. Grant variance.
2. Grant variance with modifications or conditions.
2. Deny variance.

Per Municipal Code Section 26-123, the Council has 45 days to act from receipt of the Stormwater and Flood Plain Oversight Committee's (Committee) recommendation.

**Village of Downers Grove
Stormwater and Flood Plain Oversight Committee
Wednesday, March 12, 2003
7:00 PM**

**Downers Grove Public Works Facility
Main Conference Room
5101 Walnut Avenue
Downers Grove, Illinois 60515**

Call to Order

Chairman Eckmann called the meeting to order at 7:01 PM.

Roll Call

Committee Members Present: Mr. William Bollenberg
Mr. Donald Eckmann
Mr. Marc Lopata
Mr. William Ponstein

Committee Members Absent: Mr. Perry Erhart

Staff Members Present: Mr. Jonathan Hall, Stormwater Administrator
Mr. Jack Bajor, Director of Public Works
Ms. Alicia Hightower, Stormwater Engineer
Ms. Kirsten Coulman, Recording Secretary

Visitors Present: Mr. Tom & Mrs. Carmie Comforte
Mr. Mike Cook, CM LaVoie & Associates

Approval of January 30, 2003 Minutes

The minutes from January 30, 2003 were approved with changes. The changes to the minutes, made in italics, are as follows:

- Page 3 – third paragraph – the simpler permits are handled in house *and the more complex permits are submitted to a consultant.*
- Page 8 – third paragraph – change decrease to *increase*
- Page 13 – third motion – Mr. Bollenberg moved to recommend to *Staff* for anyone that is redoing a property that previously had impervious soil be given credit for *every square foot that* was existent prior to development even if it has been removed for purposes of redevelopment of the land. Also, move to have the provision for recouping fees in ten years be removed from the ordinance.
- Where “NAY:” is typed the Chairman asked not leave it blank. Corrected minutes now read, *NAY: None*

There were no further comments regarding the January 30, 2003 minutes.

Mr. Ponstein moved to adopt the January 30, 2003 minutes as modified.

Mr. Bollenberg seconded the motion.

**Roll Call: AYE: Mr. Ponstein, Mr. Bollenberg, Mr. Lopata, and Chairman Eckmann
NAY: None**

Motion Carried: 4:0

Open Comments

There were no comments.

New Business

Variance request for a building addition in a flood plain located at 1000 Hickory Trail in Downers Grove, Illinois.

Mr. Hall referenced the memo regarding the variance, which is attached to the minutes.

Chairman Eckmann clarified that the residence in question, 1000 Hickory Trail, is in fact located in the Village of Downers Grove and the DuPage county ordinance has no bearing on this variance.

Mr. Hall stated that the Village cannot be less restrictive than the county ordinance. Since the request is for one foot above the base flood elevation, a county ordinance is not required.

Mr. Comforte, 1000 Hickory Trail, stated he was the homeowner and has lived at the property since 1960 and has lived there since he was six years old. The residence was an existing property when his family purchased the home. In 1961, Mr. Comforte's parents added an addition to the home staying at two feet above the flood plain with the rest of the existing residents. Mr. & Mrs. Comforte are looking to add an addition on to the west side of the house to allow enough room to expand the existing master bedroom and create a master bathroom, walk-in closet and allow some additional changes and alterations to the interior space of the bedroom area. The architect looked at the proposition and brought the question of the base flood elevation to their attention. Other options were considered, but looking at the architectural drawings, if we had to comply with the three-foot elevation, then it would certainly create some accessibility problems as well as a myriad of other problems that were outlined in the letter that was submitted with the application. I am respectfully requesting on behalf of my wife and I to be granted a variance from the Village of Downers Grove ordinance to be permitted to build the addition at two-feet above the base elevation. I am free to answer any questions the Committee might have. Also, I am accompanied by Michael Cook, from C.M. LaVoie who did the site plan and will see through the rest of the application.

Chairman Eckmann asked if any of the Committee members had any questions or comments regarding the variance request.

Mr. Lopata asked when the property was incorporated into the Village of Downers Grove.

Mr. Comforte, 1000 Hickory Trail, stated that in 1970, the house was tied into Village water.

Mr. Lopata clarified that the Comforte family had bought the house before it was incorporated into the Village then asked where will all the compensatory storage be located on the property.

Mr. Cook, C.M. LaVoie, commented that the drawings do not show the compensatory storage, but obviously it will probably be at the rear of the west side of the house and to the north and east between where the flood plain currently exists. We might be able to do some additional grading to bring back some of the contours from the north end and bring them back to the south to pick up some storage, but I would foresee it probably coming immediately to the west of where the addition will be.

Mr. Lopata stated that it would have to be resolved before it is permitted.

Mr. Hall commented that it will be resolved. The plan has not been submitted yet, only the bare minimum was submitted for the variance request before the committee. There will be some changes that need to be made before the permit process begins. The Village will probably have the consultant, Christopher B. Burke Engineering, Ltd., review the plans.

Mr. Lopata stated in section 26-120.10 subsection D, excerpted in the package on page 4 of the petition, the applicant circumstances are unique. The committee heard something about this before, the clubhouse for Orchard Brook Homeowners Association. Are we going to have a lot of these variance requests? It seems as if a precedent has been set in this area. I'm not sure they are unique considering the Committee has heard two variance requests in the last six months. It doesn't seem the applicant circumstances are unique so this may be more a problem with the residence, but a systemic problem with the Village ordinance being different from the County's ordinance. The Committee should address this issue.

Chairman Eckmann commented that it was a valid question.

Mr. Cook, C.M. LaVoie, asked where the Committee was looking at a unique standpoint. Unique that the building was constructed in 1956, that when the requirements were in place we could probably assume that one foot was probably required at that time. I don't know if any map changes occurred over the forty years in that area in regards to Lacey Creek. Being unique the rest of the house on there, to get the flow to work between the addition and the rest of the space, I'm willing to excess to keep it at the same level. On top of that, Mr. Comforte has lived in the house for about forty years has never experienced any flooding problems on his property even though it is mapped in a flood plain. What a map shows and what really actually happens out there are two different things. Over the last ten to fifteen years, we all know there have been numerous hundred-year storms in the area. You would think that flooding would occur, but it hasn't to my knowledge or Mr. Comforte's knowledge.

Chairman Eckmann commented that the base flood level could have changed since the house was built and that it is possible the elevation is changing year to year.

Mr. Michael Cook, C.M. LaVoie, stated that he's seen a number of occasions where the actual flood elevations have gone down because of development and because of the addition of Stormwater detention basins. The elevation of the flood plain is a direct result of the flow that used to go in there and if you reduce the flow that goes in there the elevations aren't going to go up. That's attributed to the ordinance that we follow. That's the benefit.

Chairman Eckmann commented that everyone who has a variance that comes before the Committee must be evaluated on its merits. The intention of the ordinance is to protect people's property. In this case, this relatively small portion of the addition is raised, it might be protected, but the majority of the home is not going to be protected against flooding. This Committee looks at the practicality of the addition and it being built up to meet the ordinance would not serve any useful purpose to the home.

Chairman Eckmann suggested to the Committee to make a motion to grant the variance.

Mr. Lopata made a motion to recommend to the Village Council to grant the variance for 1000 Hickory Trail.

Mr. Ponstein seconded the motion.

Chairman Eckmann asked if anyone had any additional comments.

Mr. Bollenberg stated that he wanted to continue the discussion regarding the variance.

Mr. Bollenberg asked if a crawlspace was going to be under the addition. It is my understanding that will probably be the area for the engineered swale. Is that correct?

Mr. Cook, C.M. LaVoie, answered that the engineer would have to find out information regarding the existing bearing of the soil that is out there. I don't know if you can bring in or if the capacity out there is sufficient. The contractor is going to be digging down below the frost line, at least three or four feet at least.

Mr. Bollenberg stated that his concern is if you've addressed the ability to perform maintenance on the ground that will be in the crawlspace. Will you be able to get into the crawlspace if it does change the characteristics enough unforeseen that it could cause flooding problems below the house?

Mr. Cook, C.M. LaVoie, responded that somewhere on the plans there is an access door between the existing basement and the crawlspace.

Mr. Hall commented that there are some details that need to be worked out in the review process with the crawlspace. FEMA and the County are very strict about when a resident can and cannot have a crawlspace and how it is to be designed. If there is a lot of space exposed to flood waters theoretically, then there has to be openings in the crawlspace. If the resident wants to flood proof it, then most likely they will have to extend the fill out at least 10 feet or more from the structure.

Mr. Bollenberg commented that it seems that if they have to do grading the addition doesn't have a very large footprint from the existing house. Is there enough room there to have a natural grade that will ensure that there isn't flooding in the future based on the addition and crawlspace area?

Mr. Hall stated that there appears to be room on the site to get the grades to get the comp storage to work. Also, if the grade is raised slightly around the foundation it can only make the drainage better.

Mr. Bollenberg understood that the motivation for this project is that the homeowner, Mr. Comfote, has lived in the house for a very long time. But, Mr. Comfote isn't going to live in this house forever in the future. The Committee has a couple of obligations and sometimes it seems as if the Committee is trying to protect the residents from themselves and it makes the Committee seem paternalistic, but the Committee has an obligation to the Village and the Committee has to think about

the next 40 years. The Committee is trying to protect the homeowners, the future homeowners, the neighbors and the community. If the Committee allows the homeowner to have flooding then the homeowner can just move, but it leaves a problem for the future homeowner. It also hurts the reputation of the Village. What the Committee tries to do is protect the future and the reputation. Mr. Bollenberg and the Committee ask these questions to ensure the homeowner has thought about the future and make a good faith effort to make sure there is no flooding or problems in the future.

Mr. Comforte said he understood why the Committee asks the questions they do and can appreciate the reputation of the Village. We will have to address many of these questions as we go through the permitting process.

Mr. Cook, C.M. LaVoie, stated that all the submittals that C.M. LaVoie & Associates for typical Stormwater permits but because this property is in a Special Management Area and it is a variance from the Village of Downers Grove Ordinance, all the proper paperwork has been submitted.

Chairman Eckmann asked if there were any further discussion for the motion.

Chairman Eckmann suggested to the Committee to make a motion to grant the variance.

Mr. Lopata made a motion to recommend to the Village Council to grant the variance for 1000 Hickory Trail.

Mr. Ponstein seconded the motion.

**Roll Call: AYE: Mr. Ponstein, Mr. Bollenberg, Mr. Lopata, and Chairman Eckmann
NAY: None**

Motion Carried: 4:0

Old Business

Mr. Hall stated the last meeting's discussion regarding the fee structures passed by the Village Council on March 4th.

Mr. Lopata commented about a discussion that occurred last year about addressing the Village concerns, prioritizing issues and was wondering if anything came from that discussion.

Mr. Bajor stated that the Stormwater Division was addressing issues with regards to nine local flooding problems. With the new fees, money should be coming into the budget to help address those local flooding problems.

Mr. Ponstein stated that this request to have a variance from the ordinance has come up twice now in the last six months, maybe it should be addressed. When would be a good time to discuss this?

Chairman Eckmann suggested that a discussion pertaining to changes to the ordinance could be a topic on the agenda for the next meeting.

Chairman Eckmann asked if there were any additional comments. There were none.

Chairman Eckmann suggested to the Committee to make a motion to adjourn.

Mr. Bollenberg made a motion to adjourn.

Mr. Ponstein seconded the motion.

**Roll Call: AYE: Mr. Ponstein, Mr. Bollenberg, Mr. Lopata, and Chairman Eckmann
NAY: None**

Motion Carried: 4:0

Meeting adjourned at 7:44 pm.

**Village of Downers Grove
Stormwater and Flood Plain Oversight Committee Meeting**

**March 12, 2003
7:00 PM**

**Downers Grove Public Works Facility
Main Conference Room
5101 Walnut Avenue
Downers Grove, Illinois**

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF *January 30, 2003*, MINUTES

IV. OPEN COMMENTS

V. NEW BUSINESS

Variance for building addition in a flood plain – 1000 Hickory Trail

VI. OLD BUSINESS

VII. ADJOURN



Memo

To: Stormwater and Flood Plain Oversight Committee

From: Jonathan Hall, P.E.
Development Engineering Manager / Stormwater Administrator

Date: March 7, 2003

Re: **Stormwater and Flood Plain Oversight Committee meeting
March 12, 2003 meeting
Agenda Item
File No. 2003-02
Flood Plain Variance
Mr. Thomas Comforte - 1000 Hickory Trail**

Mr. Thomas Comforte is requesting a variance from Section 26-51.5 of the Village of Downers Grove Municipal Code, which requires that a house addition floor be elevated a minimum of three (3) feet above the base flood elevation. The variance request is to reduce the required elevation to two (2) feet above the base flood elevation, which exceeds the minimum standard of one (1) foot required by the DuPage County Stormwater and Flood Plain Ordinance. Hence, the County requires no variance in this case.

If the variance is granted, the addition's floor elevation would match the existing interior floor elevation of the residence. If the variance request is denied and the addition is elevated three (3) feet above the base flood elevation, the addition floor would be one (1) foot above the existing floor elevation. This would negatively affect safe and efficient access from the interior of the existing structure.

Please refer to the attached grading plan.

Action Options:

1. Recommend granting of variance to the Village Council.
2. Recommend denial of variance to the Village Council.

Written recommendation shall be made to the Council within 35 days of the public hearing.

Staff Recommendation:

The requirements of Section 26-120.10 must be carefully weighed prior to recommending granting of the variance. Granting of a variance would be consistent with the Committee's recent recommendation for a similar request at 1089 35th Street. 1000 Hickory is different in that raising the floor an additional foot to avoid a variance will not necessarily require more fill in the flood plain.

Other than safety within the residence, the general issue is whether or not it is logical to require that a small portion of the structure be elevated one foot higher than the existing structure. If an addition's value was in excess of 50% of the existing structure's value, the entire existing house would need to be brought into compliance (raised one additional foot, provide fill around perimeter, and obtain LOMR).

Variance approval should be contingent upon compliance with all other sections of the Ordinance, as the permit review has not been completed. Final review will be performed in part by the Village's engineering consultant. Preliminary review has identified the following issues with the proposed plan:

1. Grading plan modifications will be required, including the provision of engineered fill around the addition, in accordance with FEMA guidelines, and compensatory excavation elsewhere on the site.
2. Useable crawl space below the main floor will not be permitted. The access door between the basement and crawl space shall be eliminated.
3. The engineering consultant will evaluate whether or not a Letter of Map Revision from FEMA would be required / recommended.

It should be further noted, primarily for the applicant's benefit, that this addition could result in a change in the federal flood insurance rates and requirements.

Please refer to the variance petition for complete details of the request.

VILLAGE OF DOWNERS GROVE
PETITION FOR VARIANCE
BEFORE THE STORMWATER AND
FLOOD PLAIN OVERSIGHT COMMITTEE

FILE THREE COPIES OF THIS PETITION WITH THE STORMWATER AND FLOOD PLAIN ADMINISTRATOR.

1. I hereby consent to the filing of this petition for variance from the provisions of the DuPage County Stormwater and Flood Plain Ordinance as indicated below:

Thomas E. Conforti Owner/Developer
(Must be signed by either the owner or the developer of the property. Cross out the title that does not apply, unless the owner and the developer are the same person.)

2. List the names and addresses of all professional consultants, if any, advising the petitioner with respect to this petition:

MICHAEL D. COOK, P.E., C.M. LAVOIE & ASSOCIATES, INC.
JULIO RUFO, ARCHITECT, PREMISES MANAGEMENT, LLC

3. List the name, address, and the nature and extent of any economic or family interest of any Village officer or employee in the owner, the petitioner, or the subject property or development:

<u>Nature of Interest</u>	<u>Officer or Employee Involved</u>
<u>NONE</u>	

4. List the addresses and legal description of the subject property or development [include PIN number(s)]:

1000 HICKORY TRAIL, DOWNERS GROVE, IL 60515
P.I.N. 06-32-106-006
SEE LEGAL DESCRIPTION ATTACHED

5. List the specific feature or features of the proposed development that require a variance:

ELEVATION OF NEW ADDITION REDUCED FROM THREE FEET TO TWO FEET ABOVE THE BASE FLOOD ELEVATION

SEE ARCHITECTURAL PLANS ATTACHED

6. Cite the specific provision of the Ordinance from which a variance is sought and the precise variation therefrom being sought:

ARTICLE V, SECTION Z6-51 (5)

REDUCE ELEVATION FROM THREE FEET TO TWO FEET ABOVE THE BASE FLOOD ELEVATION

SEE LETTER DATE 2-12-03 ATTACHED

7. Explain the characteristics of the property or development that prevent compliance with the provisions of the Ordinance:

EXISTING RESIDENCE BUILT WITH AN ELEVATION OF TWO FEET ABOVE THE BASE FLOOD ELEVATION

SEE LETTER DATED 2-12-03 ATTACHED

8. Explain the minimum variance necessary of the Stormwater and Flood Plain Ordinance to permit the proposed construction or development:

SINCE THE ENTIRE EXISTING RESIDENCE IS AT AN ELEVATION OF TWO FEET ABOVE THE BASE FLOOD ELEVATION WE ARE REQUESTING THAT A ONE FOOT VARIANCE BE GRANTED ALLOWING THE NEW ADDITION TO BE BUILT AT THE SAME ELEVATION AS THE EXISTING RESIDENCE AS OPPOSED TO THE REQUIRED THREE FEET ABOVE THE BASE FLOOD ELEVATION

9. Explain how the variance sought satisfies the standards of Subsection 26-120.10 of the Stormwater and Flood Plain Ordinance as set forth below:

SEE LETTER DATED 2-12-03 ATTACHED

10. List the date on which the stormwater permit application for the proposed development was submitted:

(The stormwater permit application must be complete and must be submitted before a petition for variance can be considered.)

I hereby certify that the above statements and all accompanying statements and/or drawings are true and correct to the best of my knowledge.

Thomas E. Conforte
Signature of Applicant (Owner/Devl)

Title OWNER

Address 1000 HICKORY TRAIL

DOWNERS GROVE, IL 60515

Telephone (630) 261-3700

WORK

* * * * *

Section 26-120(10) of the Stormwater and Flood Plain Ordinance

The [Stormwater and Flood Plain] Oversight Committee shall consider, and the Village Council may grant, such petition for a variance only when it is consistent with the general purpose and intent of this Ordinance and when the development meets the requirements specified in Section 26-51 of this Ordinance [a copy of which is attached] as well as the following conditions:

a. Granting the variance shall not alter the essential character of the area involved, including existing stream uses; and

b. Carrying out the strict letter of the provisions of this Ordinance would create an undue or particular hardship or difficulty on a specific developer or owner; and

c. The relief requested is the minimum necessary and there are no means other than the requested variance by which the alleged hardship can be avoided or remedied to a degree sufficient to permit the reasonable continuation of the development; and

d. The applicant's circumstances are unique and do not represent a general condition or problem; and

e. The subject development is exceptional as compared to other developments subject to the same provision; and

f. A development proposed for a special management area could not be constructed if it were limited to areas outside the special management area.

February 12, 2003

Stormwater and Flood Plain Oversight Committee
Village of Downers Grove
5101 Walnut Avenue
Downers Grove, Illinois 60515-4776

Hand Delivered

Attention: Jonathan Hall
Development Engineering Manager

Re: Petition for Variance to obtain a reduction from three feet to two feet above the base flood elevation for the new addition to the existing residence located at 1000 Hickory Trail, Downers Grove, IL. Parcel Number: 06-32-106-006

Submitted by: Tom and Carmie Comforte, Owner

Dear Stormwater and Flood Plain Oversight Committee,

We are respectfully submitting herewith a Petition for Variance, in accordance with Article XII, Section 26-120 of the Stormwater and Flood Plain Ordinance of the Downers Grove Municipal Code, to permit a reduction in the elevation of a new addition to the existing residence located at 1000 Hickory Trail, Downers Grove, Illinois, from three feet to two feet above the base flood elevation.

The subject property is located at the northwest corner of the intersection of Highland Avenue, 35th Street and Hickory Trail and is improved with a single-family residence that was built in 1956 with an addition constructed in 1961. The property was originally located in unincorporated Downers Grove, and thus the residence and addition were built in accordance with the DuPage County Ordinance, which required an elevation of one foot above the base flood elevation. The entire existing residence was built with an elevation of two feet above the base flood elevation. However, since the subject property was incorporated into and is now located in Downers Grove, the elevation requirement changed from one foot to three feet above the base flood elevation.

The following will describe in detail the variance we are requesting and the reasons for this request.

Variance Requested

The variance would permit the elevation for the new addition to be the same elevation as the rest of the existing residence, which is two feet above the base flood elevation.

Stormwater and Flood Plain Oversight Committee
Village of Downers Grove
Attention: Jonathan Hall
February 12, 2003
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Objective

Our objective in constructing the addition is to update the existing residence and correct functional obsolescence by providing the space necessary for the installation of a master bathroom, walk-in closet, renovation of an existing bedroom and bathroom and construction of a sun room off the existing kitchen. The addition is architecturally designed to be in harmony with the scale and quality of the existing residence. (see architectural drawings enclosed)

Variance Specifics

The variance being requested would allow the elevation of an addition to an existing residence that was built in 1956 to be kept at the same elevation as the rest of the existing residence, which is two feet above the base flood elevation. According to Article V, Section 26-51 (5) of the Stormwater and Flood Plain Ordinance of the Downers Grove Municipal Code, additions to existing buildings in the flood plain shall be elevated to at least three feet above the base flood elevation. However, in accordance with Article XII, Section 26-120 (10), the Stormwater and Flood Plain Oversight Committee shall consider, and the Village Council may grant, a petition for a variance when it is consistent with the general purpose and intent of the Ordinance and when the development meets the requirements specified in Article V, Section 26-51 as well as the conditions specified in Article XII, Section 26-120 of the Ordinance.

Explanation of Need

Pursuant to the Stormwater and Flood Plain Ordinance we provide the following explanation of how the requested variance meets the requirements specified in Article V, Section 26-51 and Article XII, Section 26-120 (10) of the Ordinance:

1. Granting the variance **will not:**
 - a) result in any new or additional expense to any person other than the owner for flood protection or for lost environmental stream uses and function
 - b) increase flood elevations or decrease flood conveyance capacity upstream or downstream of the area under the ownership or control of the owner
 - c) pose any new or additional increase in flood velocity or impairment of the hydrologic and hydraulic functions of streams and flood plains
 - d) violate any provision of this Ordinance either during or after construction
 - e) unreasonably or unnecessarily degrade surface or ground water quality

Stormwater and Flood Plain Oversight Committee
Village of Downers Grove
Attention: Jonathan Hall
February 12, 2003
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- f) alter the essential character of the area involved, including existing stream uses
 - g) create a regulation less restrictive or stringent than the required minimum standards of DuPage County
 - h) lessen the degree of protection to the existing residence or addition. In fact, the existing residence does not suffer from any water infiltration or flooding problems at its existing elevation
2. Carrying out the strict letter of the provisions of the Ordinance by requiring that the new addition be built at least three feet above the base flood elevation will create an **undue and particular hardship and difficulty on the owner** in that:
- a. the change in floor elevation from the existing residence of two feet above base flood elevation to the new addition of three feet above the base flood elevation will fall directly in the center of the master bedroom as well as an elevation change between the existing kitchen and proposed sun room, creating difficulty with ingress and egress between the existing residence and the new addition
 - b. it will create accessibility problems now and in the future
 - c. it will change the exterior appearance of the residence and create unsightly architectural lines
 - d. it will disrupt the natural flow of the existing residence
 - e. it will not improve but will interfere and create problems with the existing conditions
 - f. it will create difficult and unnecessary living conditions and obstacles for the current owner as well as future owners
3. Given the fact that the elevation of the entire existing residence is at two feet above the base the base flood elevation, the relief requested is the minimum necessary and there are no means other than the requested variance by which the hardship can be avoided or remedied.
4. The circumstances supporting this petition for variance are unique and could not be avoided. When the existing residence was built in 1956 with an addition in 1961, they were built with an elevation of two feet above the base flood elevation, and not only complied with but exceed the DuPage County Ordinance, which only required an elevation of one foot above the base flood elevation.

Stormwater and Flood Plain Oversight Committee
Village of Downers Grove
Attention: Jonathan Hall
February 12, 2003
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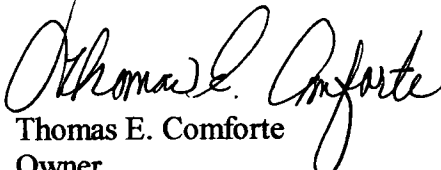
5. The variance does not represent a general condition or problem since the elevation of the existing residence is at two feet above the base flood elevation and complies with and exceeds the requirement of the DuPage County Ordinance. Also, the new addition will be built with a crawl space and not a basement. This will further reduce the possibility of water infiltration or flooding of the addition or existing residence, which is not and has not been a problem with the existing residence.
6. The addition does not fall within the regulatory floodway, regulatory wetlands or critical wetlands.

For the above reasons, we respectfully request that the Stormwater and Flood Plain Oversight Committee recommend to and the Village Council grant the requested variance.

We also respectfully request that our petition for variance be placed on the March 12, 2003 Stormwater and Flood Plain Oversight Committee hearing agenda.

Thank you for your favorable consideration of this request.

Respectfully,



Thomas E. Comforte
Owner

1000 Hickory Trail, Downer Grove, Illinois 60515

Enclosures.

PROPERTY ADDRESS: 1000 HICKORY TRAIL, DOWNERS GROVE, ILLINOIS 60515

OWNER: THOMAS AND CARMELLA COMFORTE

P.I.N. : 06-32-106-006

LEGAL DESCRIPTION:

LOT 35 IN WILLIAM JOHNSON'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 16, 1955 AS DOCUMENT 780809, IN DUPAGE COUNTY, ILLINOIS

SUBJECT PROPERTY: 1000 HICKORY TRAIL
DOWNERS GROVE, ILLINOIS 60515

P.I.N. #: 06-32-106-006

NAMES AND ADDRESSES OF ALL PERSONS TO WHOM THE LATEST GENERAL REAL ESTATE TAX BILLS WERE SENT FOR ALL PROPERTY SITUATED WITHIN 250 FEET OF THE SUBJECT PROPERTY, INCLUDING THEIR RESPECTIVE PERMANENT INDEX NUMBERS

P.I.N.	NAME & ADDRESS
06-32-103-010	BLISS, WALTER R. 1020 OAK HILL RD. DOWNERS GROVE, IL 60515
06-32-103-011	O'KELLY, LEONARD & VIRGINIA 1010 OAK HILL RD DOWNERS GROVE, IL 60515
06-32-103-012	LANDERS, ROBERT & JOANN 1000 OAK HILL RD DOWNERS GROVE, IL 60515
06-32-105-010	CRUSE, TED 1025 HICKORY TRAIL DOWNERS GROWE, IL 60515
06-32-105-018	SARANG, ANAHIT 1040 W. 35TH ST. DOWNERS GROWE, IL 60515
06-32-105-019	ANTONELLI, MICHAEL & D S 1020 35TH ST. DOWNERS GROWE, IL 60515
06-32-105-020	FIRSTAR NAPER BANK TRUST 7-1840 P.O. BOX 3019 NAPERVILLE, IL 60566
06-32-106-001	DICKINSON JR, ROBERT 3405 ACORN DRIVE DOWNERS GROVE, IL 60515
06-32-106-002	SEYMOUR, JESSIE G 1025 OAK HILL RD DOWNERS GROVE, IL 60515
06-32-106-003	BROWN, ROBERT & CATHERIN 1015 OAK HILL RD DOWNERS GROVE, IL 60515
06-32-106-004	MISTWOOD ASSOCIATES, L.L.C. 300 N. ELIZABETH STREET, SUITE 6N CHICAGO, IL 60607
06-32-106-005	ST. JOHN, NEAL 1010 HICKORY TRAIL DOWNERS GROVE, IL 60515
06-32-107-002	EVANGELICAL HEALTH SYSTEM C/O S P STANCZAK 2025 WINDSOR AVE OAK BROOK, IL 60523
06-32-200-013	FOREST PRESERVE DISTRICT & VILLAGE OF DOWNERS GROVE P.O. BOX 2339 GLEN ELLYN, IL 60138
06-32-300-015 06-32-300-035	ORCHARD BROOK HOMEOWNERS ASSOCIATION 1089 W. 35TH STREET DOWNERS GROVE, IL 60515
06-32-306-029	ADVOCATE HEALTH CARE 2025 WINDSOR DRIVE OAK BROOK, IL 60523

RESOLUTION NO. _____

**A RESOLUTION GRANTING
STORMWATER VARIANCE FOR 1000 HICKORY TRAIL**

WHEREAS, the Village has previously adopted the Downers Grove Stormwater & Flood Plain Ordinance (Chapter 26 of the Downers Grove Municipal Code, herein after referred to as the “Stormwater Ordinance”); and

WHEREAS, pursuant to the Stormwater Ordinance, new developments are to provide certain levels of stormwater detention; and

WHEREAS, pursuant to the Stormwater Ordinance, an application may be made for a variance for unique and extraordinary circumstances; and

WHEREAS, application has been made by the owners of the property located at the 1000 Hickory Trail requesting a variance from certain base flood elevations; and

WHEREAS, a public hearing was held on March 12, 2003 before the Downers Grove Stormwater and Flood Plain Oversight Committee which has recommended the granting of the variance request; and

WHEREAS, the Downers Grove Village Council has considered this matter and has determined that the applicant meets the requirements for a variance from the Stormwater Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Village Council of the Village of Downers Grove as follows:

1. That a variance is hereby granted to permit the required floor elevation of the proposed house addition of three (3) feet above base flood elevation required per Section 25-51.5 of the Stormwater Ordinance to be reduced to two (2) feet above base flood elevation. Note that this exceeds the minimum standard of one (1) foot required by the DuPage County Stormwater and Flood Plain Ordinance.

2. This variance is conditioned upon compliance with all applicable Village Ordinances, including those related to the location and construction of the home addition.

3. This resolution shall be in full force and effect from and after its adoption in the manner provided by law.

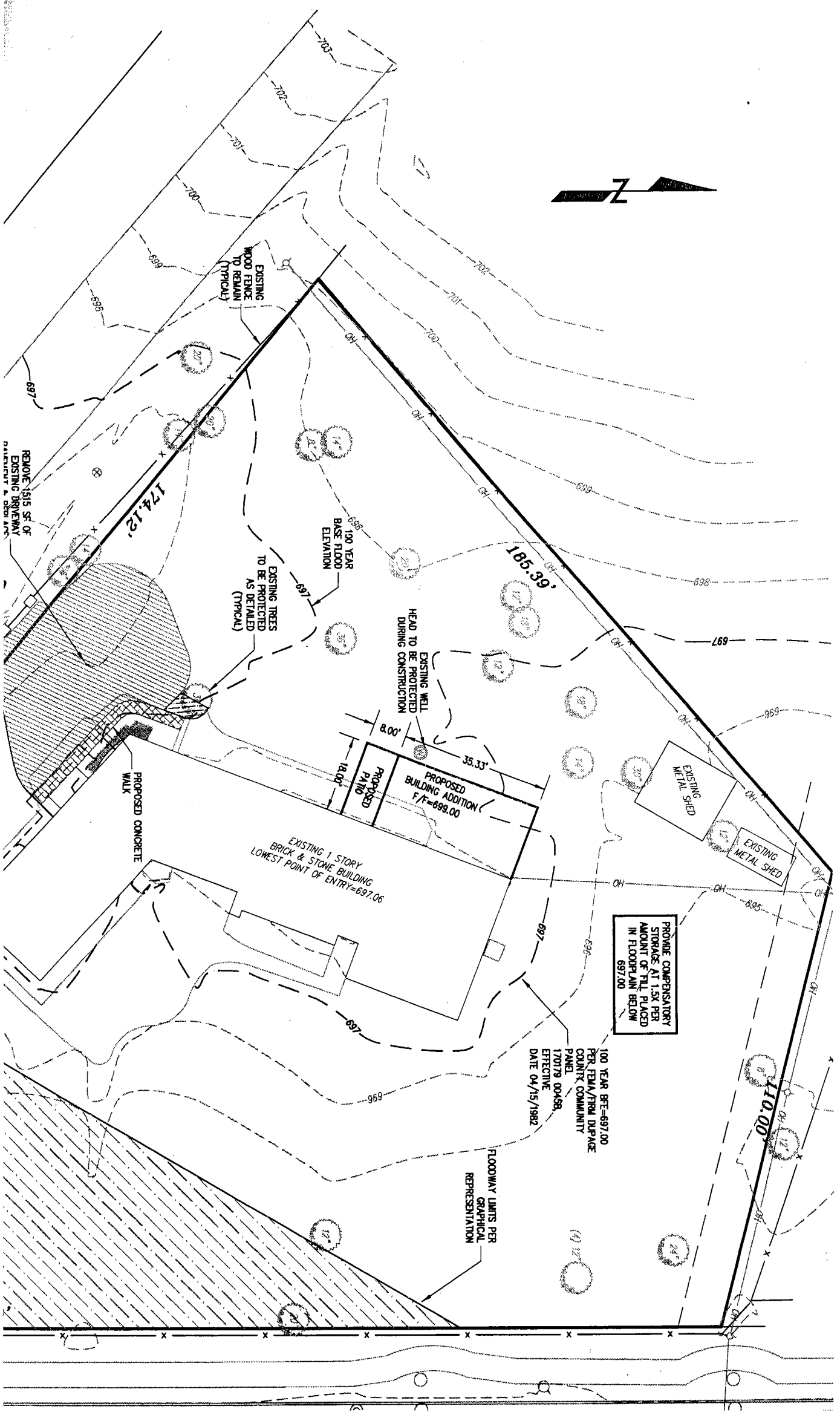
Mayor

Passed:

Attest:

Village Clerk

NW



REMOVE 1815 SF OF EXISTING DRIVEWAY DIMENSIONS AS SHOWN

EXISTING WOOD FENCE TO REMAIN (TYPICAL)

EXISTING TREES TO BE PROTECTED AS DETAILED (TYPICAL)

100 YEAR BASE FLOOD ELEVATION

EXISTING WELL HEAD TO BE PROTECTED DURING CONSTRUCTION

PROPOSED CONCRETE WALK

EXISTING 1 STORY BRICK & STONE BUILDING LOWEST POINT OF ENTRY=697.06

PROPOSED BUILDING ADDITION F/F=698.00

EXISTING METAL SHED

EXISTING METAL SHED

PROVIDE COMPENSATORY STORAGE AT 1.5X PER AMOUNT OF TILT PLACED IN FLOODPLAIN BELOW 697.00

100 YEAR BFE=697.00 PER FEMA/FIRM DAPAGE COUNTY COMMUNITY PANEL 17079 00458 EFFECTIVE DATE 04/15/1982

FLOODWAY LIMITS PER GRAPHICAL REPRESENTATION

110.00'

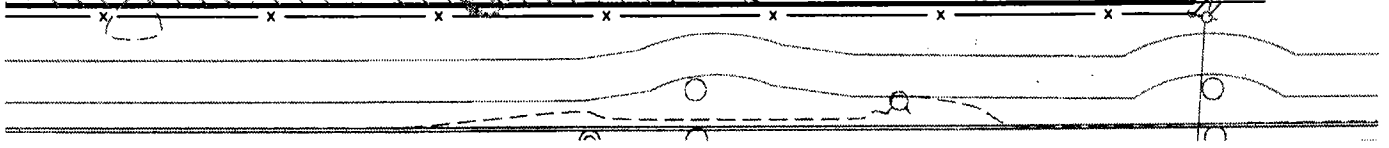
174.12'

185.39'

8.00'

18.00'

35.33'

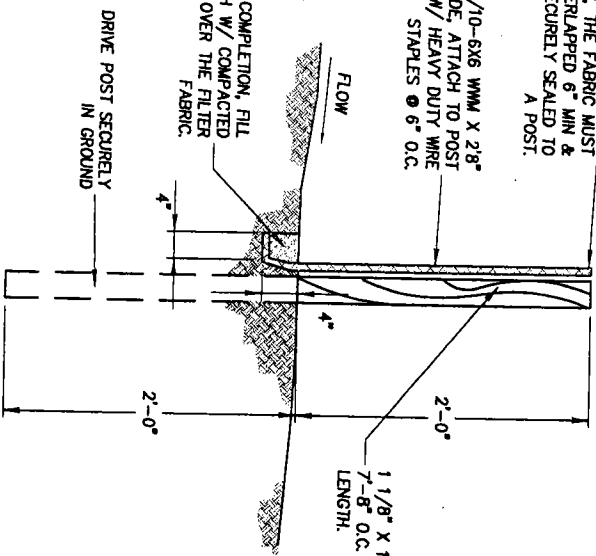


52

CONTINUOUS LENGTH
SYNTHETIC FILTER FABRIC,
STAPLED OR WIRED TO
THE MESH AND/OR POSTS. AT
THE JOINTS, THE FABRIC MUST
BE OVERLAPPED 6" MIN &
BE SECURELY SEALED TO
A POST.

10/10-6X6 W/M X 2 1/8"
WIDE, ATTACH TO POST
W/ HEAVY DUTY WIRE
STAPLES @ 6" O.C.

1 1/8" X 1 1/8" OAK STAKE @
7'-8" O.C. ALONG THE ENTIRE
LENGTH.



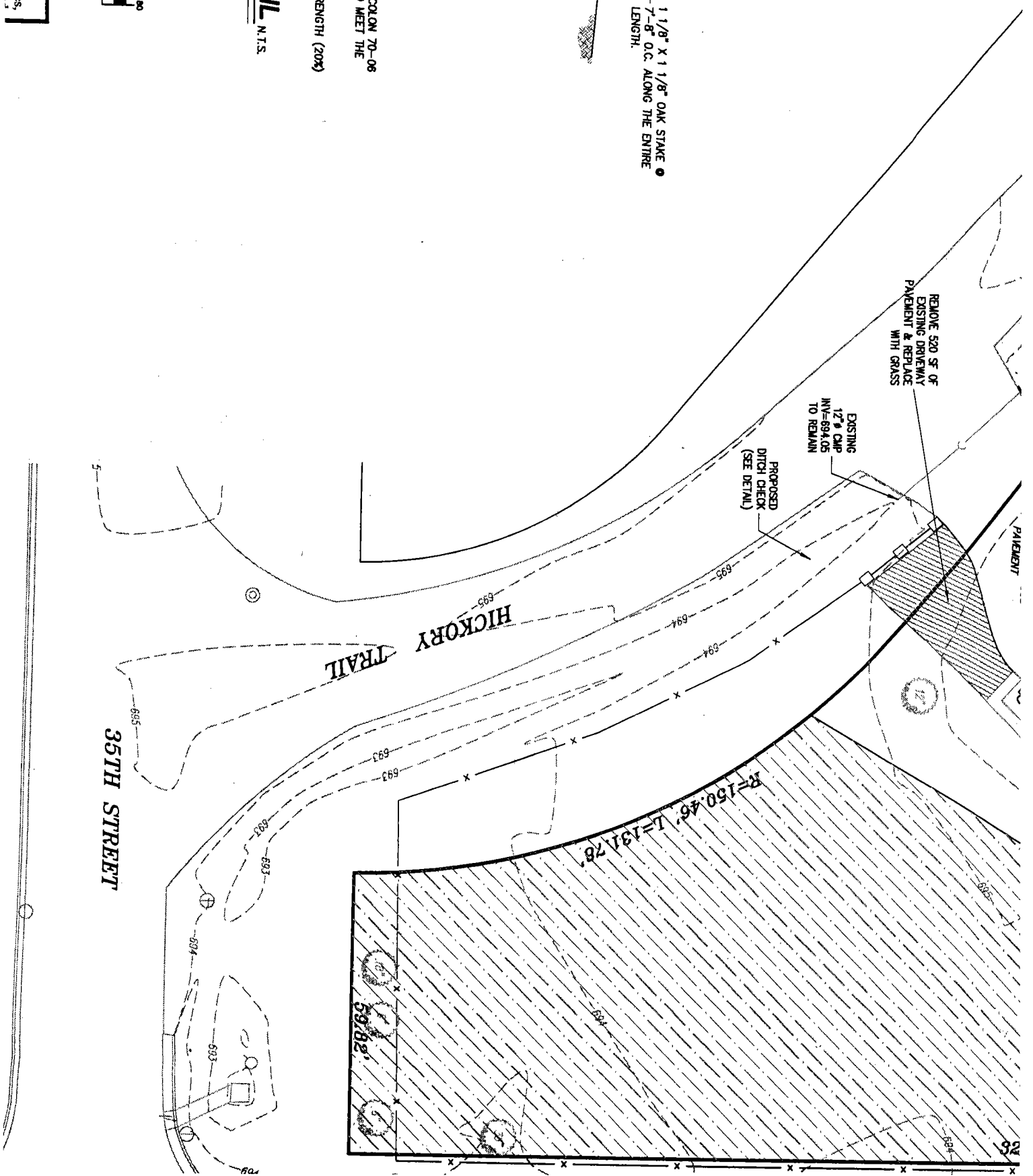
- NOTES:
THE FILTER FABRIC SHALL BE A PERMOUS SHEET OF NICOLON 70-08
FABRIC OR APPROVED EQUAL & SHALL BE CERTIFIED TO MEET THE
FOLLOWING:
1) 75% FILTERING EFFICIENCY
2) TENSILE STRENGTH OF 30 LB/LIN. INCH TENSILE STRENGTH (20%)
3) 0.30 GAL/SQFT MINIMUM FLOW RATE.

SILT FENCE DETAIL N.T.S.

GRAPHIC SCALE



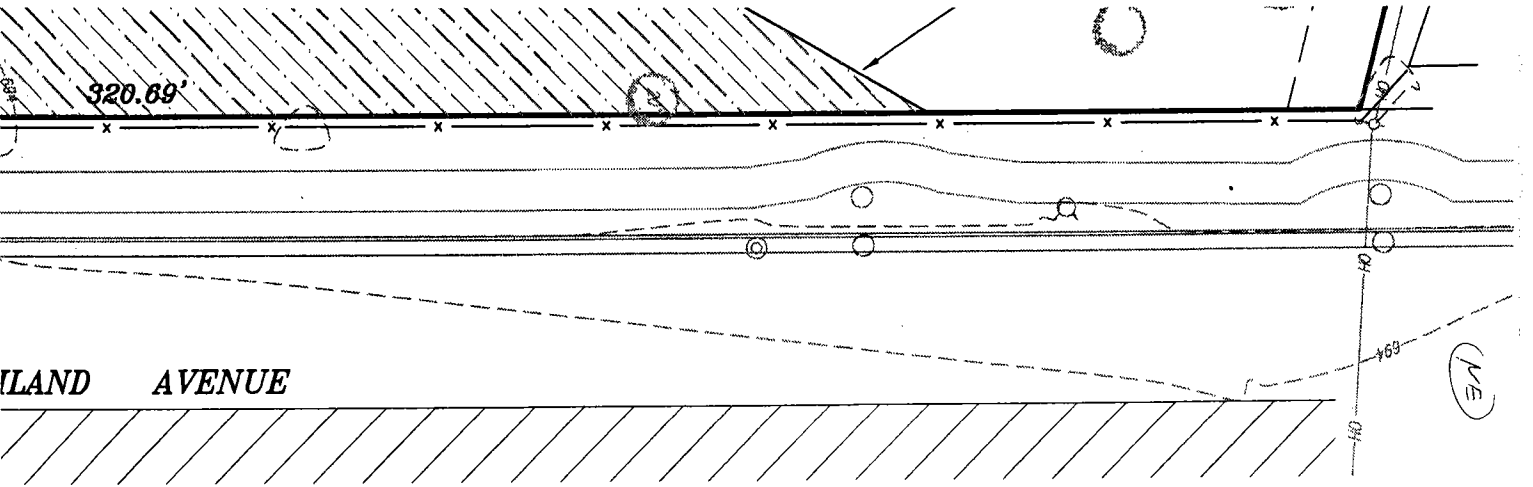
3 C. M. Lavole & Associates, Inc.
located under the copyright laws of the United States and foreign countries,
only for the construction and/or removal of the site.



FINAL SITEPLAN

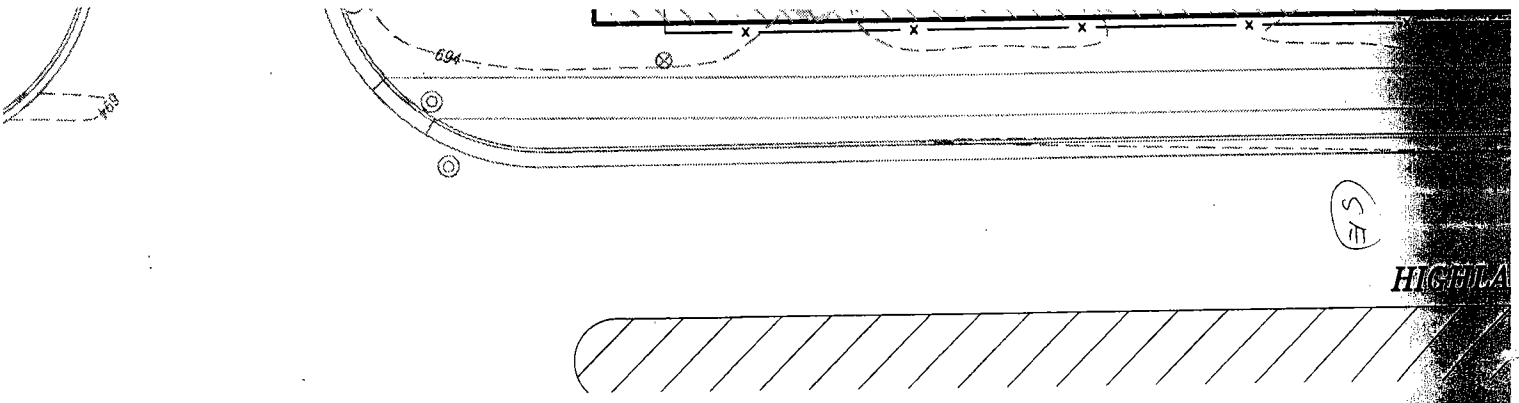
LOT 35 IN WILLIAM JOHNSON'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 32
TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO
THE PLAT THEREOF RECORDED NOVEMBER 16, 1955 AS DOCUMENT 780809, IN DUPAGE
COUNTY, ILLINOIS.

ADDRESS: 1000 HICKORY TRAIL, DOWNERS GROVE, ILLINOIS.



NOTES:

1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES, SUCH AS WATER MAINS, SEWERS, GAS LINES, ELECTRIC LINES, TELEPHONE LINES, ETC., AS SHOWN ON THE PLANS HAVE BEEN DETERMINED FROM THE BEST AVAILABLE INFORMATION AND IS GIVEN FOR THE CONVENIENCE OF THE CONTRACTOR. HOWEVER, THE ENGINEER AND OWNER DO NOT ASSUME RESPONSIBILITY FOR THE ACCURACY OF THE LOCATIONS SHOWN. SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL UTILITY COMPANIES AND THEIR FACILITIES SHALL BE LOCATED PRIOR TO ANY WORK.
2. EXISTING GRADES AND IMPROVEMENTS ARE SHOWN FROM THE BEST INFORMATION AVAILABLE AND MUST BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCY WITH THE PLAN SHALL BE IMMEDIATELY REPORTED TO THE ENGINEER.
3. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL EXPOSE ANY UTILITIES OR OTHER OBSTRUCTIONS TO BE CROSSED BY THE PROPOSED SEWER, AND SHALL NOTIFY THE ENGINEER IMMEDIATELY IF THERE ARE ANY CONFLICTS WITH THE PROPOSED SEWER GRADE.
4. NO FILL SHALL BE PLACED WITHIN THE 100 YEAR BASE FLOOD ELEVATION WITHOUT APPROVAL FROM THE VILLAGE OF DOWNERS GROVE.
5. ANY DISTURBED AREAS WITHIN THE 100 YEAR BASE FLOOD ELEVATION SHALL BE REPLACED WITH SIX (6) INCHES OF TOPSOIL AND SOD AS SOON AS FINAL GRADING IS COMPLETED. ANY PORTION OF THE EXISTING RIPARIAN ENVIRONMENT THAT IS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED WITH SIX (6) INCHES OF TOPSOIL AND HORSE TAIL GRASS (EQUISETUM HYEMALE) OR AN APPROVED EQUIVALENT. THE AREA SHALL BE OVEREXCAVATED FOR THE SIX (6) INCHES OF TOPSOIL AND THE GRADE BE BROUGHT BACK TO EXISTING SO NO FILL IN THE FLOODPLAIN OCCURS.
6. THE FLOODWAY HAS BEEN DELINEATED BASED ON A GRAPHICAL REPRESENTATION AS SHOWN ON THE FLOODWAY, FLOOD BOUNDARY AND FLOODWAY MAP FOR THE VILLAGE OF DOWNERS GROVE COMMUNITY PANEL 170204 0004 B, EFFECTIVE DATE OF APRIL 5, 1981.
7. THE SEDIMENT AND EROSION CONTROL DEVICES SHALL BE FUNCTIONAL BEFORE ANY LAND IS DISTURBED ON THE SITE.
8. STOCKPILES OF SOIL SHALL NOT BE LOCATED WITHIN SPECIAL MANAGEMENT AREAS.
9. SEDIMENT AND EROSION CONTROL SHALL BE PROVIDED FOR ANY SOIL STOCKPILE OF IT IS TO REMAIN PLACE FOR MORE THAN THREE (3) DAYS.
10. PROPERTIES AND SPECIAL MANAGEMENT AREAS DOWNSTREAM FROM THE SITE SHALL BE PROTECTED



BENCHMARK INFORMATION

1. FEMA RM #10 CHISELED SQUARE ON LEFT UPSTREAM HEADWALL OF BARNESWOOD DRIVE BRIDGE OVER LACEY CREEK ELEVATION=692.94 (USGS)
2. TOP OF IRON PIPE AT THE SOUTHEAST CORNER OF LOT 35 IN JOHNSON'S SUBDIVISION. ELEVATION=693.82 (USGS)
- (CONVERSION TO VILLAGE OF DOWNERS GROVE DATUM = -1.81 FEET)
3. BM #781, "++" CUT ON N/W BONNET BOLT OF HYDRANT ON THE S/E CORNER OF 35TH ST. AND SARATOGA AVE. ELEVATION=711.58 (VILLAGE OF DOWNERS GROVE DATUM)

10. PROPERTIES AND SPECIAL MANAGEMENT AREAS DOWNSTREAM FROM THE SITE SHALL BE PROTECTED FROM EROSION IF THE VOLUME, VELOCITY, SEDIMENT LOAD, OR PEAK FLOW RATES OF STORMWATER RUNOFF ARE TEMPORARILY INCREASED DURING CONSTRUCTION.
11. STORM SEWER INLETS SHALL BE PROTECTED WITH SEDIMENT TRAPPING OR FILTER CONTROL DEVICES DURING CONSTRUCTION.
12. THE SURFACE OF STRIPPED AREAS SHALL BE PERMANENTLY OR TEMPORARILY PROTECTED FROM SOIL EROSION WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADE IS REACHED. STRIPPED AREAS THAT REMAIN UNDISTURBED FOR MORE THAN FIFTEEN (15) DAYS AFTER INITIAL DISTURBANCE SHALL BE PROTECTED FROM EROSION.
13. WATER PUMPED OR OTHERWISE DISCHARGED FROM THE SITE DURING CONSTRUCTION DOWATERING SHALL BE FILTERED.
14. A STABILIZED CONSTRUCTION ENTRANCE SHALL BE PROVIDED TO PREVENT THE DEPOSITION OF SOIL ONTO PUBLIC OR PRIVATE ROADWAYS. ANY SOIL REACHING A PUBLIC OR PRIVATE ROADWAY SHALL BE REMOVED BEFORE THE END OF EACH WORKDAY.
15. ALL TEMPORARY EROSION CONTROL MEASURES NECESSARY TO MEET THE REQUIREMENTS OF VILLAGE ORDINANCE 4271 SHALL BE KEPT OPERATIONAL AND MAINTAINED CONTINUOUSLY THROUGHOUT THE PERIOD OF LAND DISTURBANCE UNTIL PERMANENT SEDIMENT AND EROSION CONTROL MEASURES ARE OPERATIONAL.
16. ALL EXCESS SOIL FROM EXCAVATION SHALL BE REMOVED FROM SITE BY CONTRACTOR.

I, MICHAEL D. COOK, A REGISTERED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY THAT THIS PLAN HAVE BEEN PREPARED BY C.M. LAVOIE AND ASSOCIATES INC. UNDER MY PERSONAL DIRECTION.

MICHAEL D. COOK
 REGISTERED PROFESSIONAL ENGINEER
 ILLINOIS PROFESSIONAL ENGINEER NO. 0062-052101
 Expires 08/30/03

COMFORTE RESIDENCE

1000 HICKORY TRAIL
 DOWNERS GROVE, ILLINOIS

FINAL SITEPLAN

DRAWN BY: MDC	CHECKED BY: MDC
SCALE: 1"=20'	DATE: 02-06-03
JOB NUMBER: 01-204	SHEET: 1 OF 1

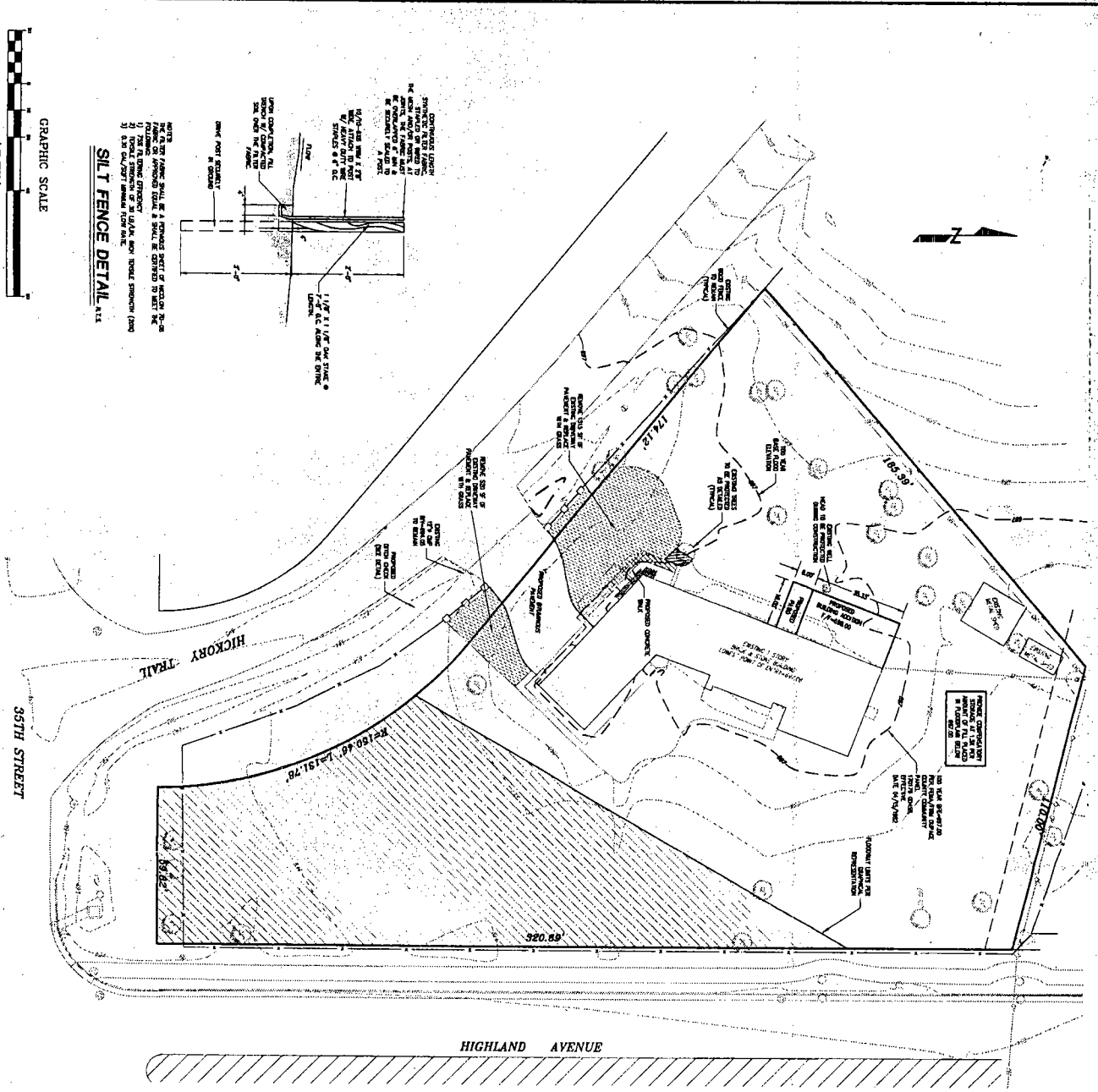
CWL
 Consulting Civil Engineering
 Land Planning & Surveying
 633 Rogers Street
 Downers Grove, Illinois 60515
 voice 630-434-2780
 fax 630-434-2781

#	DATE	DESCRIPTION
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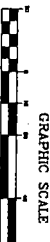
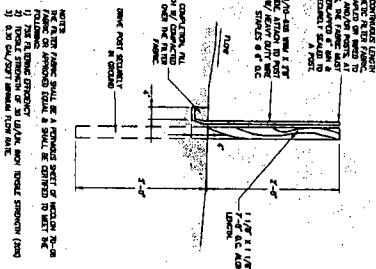
FINAL SITEPLAN

LOT 36 IN WILLIAM JOHNSON'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 32
TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO
THE PLAN THEREOF, RECORDED NOVEMBER 18, 1955 AS DOCUMENT 789809, IN DUPage
COUNTY, ILLINOIS.

ADDRESS: 1000 HICKORY TRAIL, DOWNERS GROVE, ILLINOIS



SILT FENCE DETAIL



CONSTRUCTION NOTES:
1. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND STRUCTURES ON THE SITE.
5. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.

NOTES:

1. THE LOCATION OF EXISTING UTILITIES SHALL BE DETERMINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
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14. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND STRUCTURES ON THE SITE.
16. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.

BENCHMARK INFORMATION

1. BENCHMARK 1: 10' x 10' CONCRETE SQUARE IN LEFT JUNCTION OF HICKORY TRAIL AND 35TH STREET. ELEVATION: 482.24 (GDS)
2. TOP OF IRON PIPE AT THE SOUTHWEST CORNER OF LOT 36 IN JOHNSON'S SUBDIVISION. ELEVATION: 482.00 (GDS)
3. BENCHMARK 2: 10' x 10' CONCRETE SQUARE IN LEFT JUNCTION OF HICKORY TRAIL AND 35TH STREET. ELEVATION: 482.24 (GDS)

COMFORT ENGINEERING & ARCHITECTURE
1000 HICKORY TRAIL, DOWNERS GROVE, ILLINOIS 60120
TEL: 630-582-1010
WWW.COMFORTENGINEERING.COM

DATE	BY	REVISION
07/20/24	CM	ISSUED FOR PERMIT

CML
C.M. LAVOIE
CONSULTING CIVIL ENGINEERING
1000 HICKORY TRAIL, DOWNERS GROVE, ILLINOIS 60120
TEL: 630-582-1010
WWW.COMFORTENGINEERING.COM

DATE	BY	REVISION
07/20/24	CM	ISSUED FOR PERMIT