

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JULY 5, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision - 436 Davis Street	✓ Resolution Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A resolution for a Final Plat of Subdivision has been prepared to consolidate three existing lots into one lot for the property located at 436 Davis Street.

STRATEGIC PLAN ALIGNMENT

The goals for 2011-2018 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the June 21, 2011 Village Council meeting. Staff recommends approval on the July 5, 2011 Active Agenda.

BACKGROUND

The 9,900 square foot property, commonly known as 436 Davis Street is zoned R-4 Single Family Residential and consists of two 30-foot wide by 132-foot deep lots and a 15-foot wide by 132-foot deep lot, all of which are owned by the petitioner. An existing single-family home is located on the easternmost lot while a detached garage is located on the two western lots. The petitioner is proposing to consolidate the three lots into one 75-foot wide by 132-foot deep lot.

The petitioner is proposing to demolish the existing single family home and detached garage and construct a new single family home that would stretch across all three lots. The consolidation of the three lots into a single lot will permit the property owner to construct the proposed new single family home.

The petitioner has not requested any exceptions from the Subdivision Ordinance. All required infrastructure, including sidewalks, currently exist and no new public improvements are required. The proposed lot will include five-foot wide utility easements along the side property lines and a ten-foot wide utility easement along the rear property line which meet the requirements for public utility easements. The proposed consolidation will increase the side yard setback requirements from five feet to 7.5 feet. The proposed lot will meet all minimum lot dimension requirements for the R-4 Single Family Residence district as specified in the table below:

436 Davis Street	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	75 feet	140 feet	132 feet (No change)	7,500 sq. ft.	9,900 sq. ft.

The Plan Commission considered the petition at the May 23, 2011 meeting. Two neighbors voiced concerns about the impact of the proposed new single family house on the stormwater in the area. Staff responded that the plans were still being reviewed and offered to put the residents in touch with the development engineer for more details. The Plan Commission found that the request met the standards of the Subdivision Ordinance. Based on their findings, the Plan Commission recommended unanimous approval of the Final Plat of Subdivision. Staff concurs.

ATTACHMENTS

Aerial Map

Resolution

Staff Report with attachments dated May 23, 2011

Minutes of the Plan Commission Hearing dated May 23, 2011

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION
FOR THE 436 DAVIS STREET SUBDIVISION**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for the approval of the final Plat of Subdivision to consolidate three lots into one lot for the 436 Davis Street Subdivision, located on the north side of Davis Street, approximately 160 feet east of Douglas Road, Downers Grove, Illinois, legally described as follows:

The east ½ of Lot 30, thirty-one (31) and thirty-two (32) in block five (5) in Street's Addition to Downers Grove, a subdivision of 70 acres in the east 92 rods of the southeast quarter of Section Five (5), Township Thirty-Eight (38) North, Range Eleven (11), East of the Third Principal Meridian, according to the plat thereof recorded October 9, 1875 as Document 20678, in DuPage County, Illinois

Commonly known as 436 Davis Street, Downers Grove, IL (PIN 09-05-417-029).

WHEREAS, notice has been given and hearing held on May 23, 2011 regarding this plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, the Plan Commission has recommended approval of the Final Plat of Subdivision for the 436 Davis Street Subdivision located at 436 Davis Street, as requested, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Final Plat of Subdivision for the 436 Davis Street Subdivision located at 436 Davis Street, be and is hereby approved subject to the following conditions:

1. The final plat of subdivision shall substantially conform to the Final Plat of Subdivision prepared by Intech Consultants, Inc. dated April 28, 2011 and revised on May 9, 2011 except as such plans may be modified to conform to the Village Codes and Ordinances.

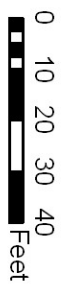
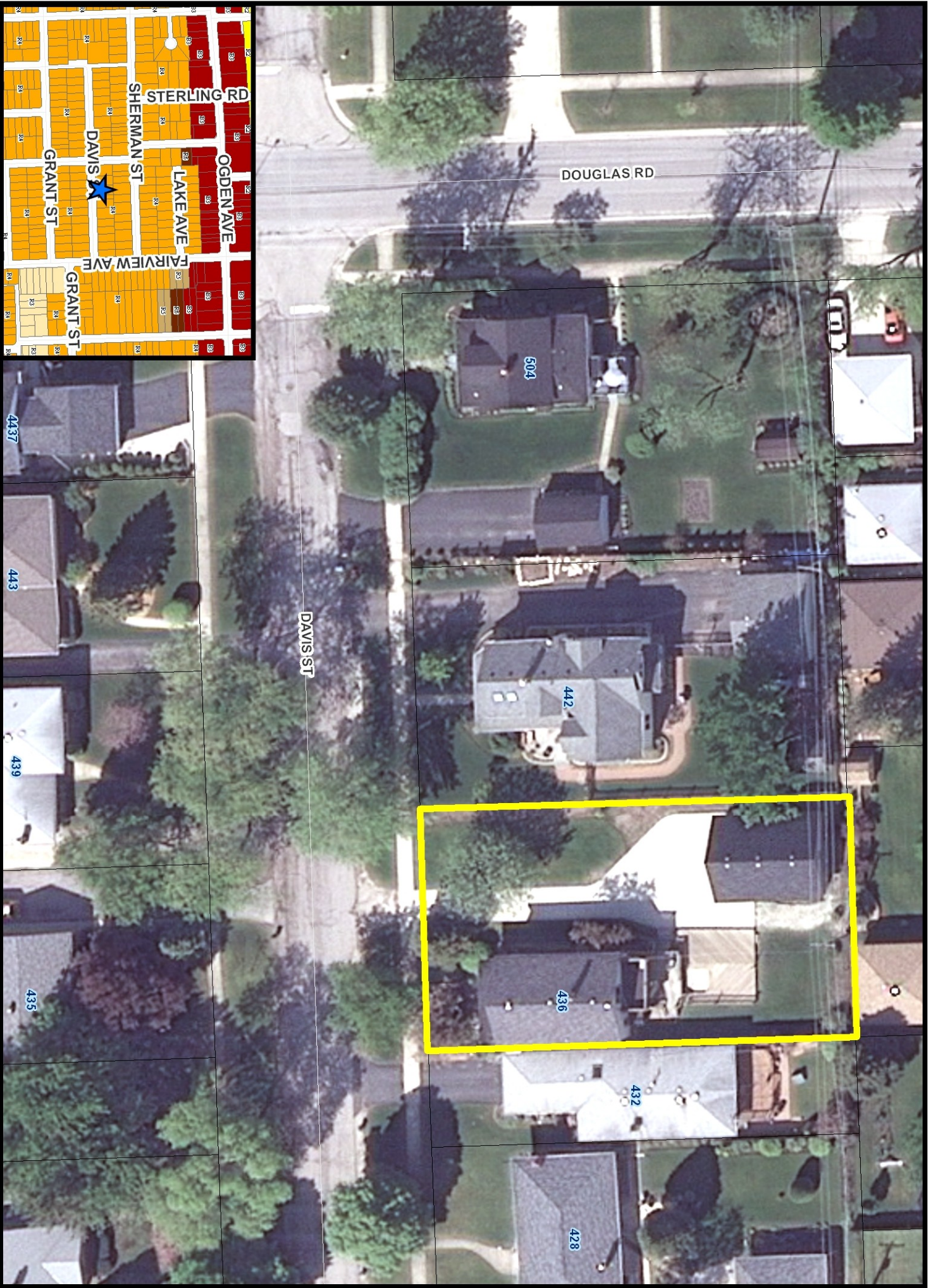
BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat of subdivision.

BE IT FURTHER RESOLVED, that 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



436 Davis Street Location Map





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
MAY 23, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-15-11 436 Davis Street	Final Plat of Subdivision	Stan Popovich, AICP Planner

REQUEST

The petitioner is requesting approval of a final plat of subdivision to consolidate three lots into one.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

OWNER: Paul and Leslie Stettin
735 Glenbard Road
Glen Ellyn, IL 60137

APPLICANT: Concorde Builders, LLC
222 W. Roosevelt Road
Wheaton, IL 60187

PROPERTY INFORMATION

EXISTING ZONING: R-4 Single Family Residential District
EXISTING LAND USE: Residential
PROPERTY SIZE: 9,900 square feet (0.23 acres)
PINS: 09-05-417-029

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
SOUTH:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
EAST:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
WEST:	R-4 Single Family Residence District	Residential 0-6 DU/Acre

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing

2. Project Narrative
3. Plat of Survey
4. Plat of Subdivision

PROJECT DESCRIPTION

The petitioners are requesting approval of a final plat of subdivision to consolidate three existing lots into a single lot. The property, commonly known as 436 Davis Street, is zoned R-4 Single Family Residential and is 75 feet wide by 132 feet deep. The property is made up of two 30-foot wide lots on the east side and a 15-foot wide lot on the west side. Currently, a single family home is located on the easternmost 30-foot wide lot while a detached garage is located on the two western lots.

The petitioners are proposing to demolish the existing house and detached garage and construct a new single family house on all three lots. The proposed house would extend over the two common property lines. Without the consolidation of the three lots into one, the petitioner would not be permitted to construct the proposed single family house.

COMPLIANCE WITH FUTURE LAND USE PLAN

According to the Future Land Use Plan, the subject property is designated for residential use. By consolidating the three lots into one, the petitioner will be able to demolish the existing house and detached garage and construct a new single family house. Staff believes the proposed final plat of subdivision is consistent with the Future Land Use Plan and Village planning documents.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-4 Single Family Residence District. The existing residential use is a permitted use in the district. If the subdivision is approved, the petitioners will be able to demolish the existing house and detached garage and construct a new single family home. The proposed house will meet all Zoning Ordinance bulk and setback requirements.

COMPLIANCE WITH THE SUBDIVISION ORDINANCE

The proposed lot will meet all minimum lot dimension requirements for residential lots in the R-4 single family zoning district. The petitioner has not requested any exceptions from the Subdivision Ordinance.

The lot dimensions are specified in the table below:

436 Davis Street	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	75 feet	140 feet	132 feet (No change)	7,500 sq. ft.	9,900 sq. ft.

The proposed lot will include new five-foot wide utility easements along the side (east and west) property lines and a new ten-foot wide utility easement along the rear (south) property line which will satisfy the requirements for public utility easements.

NEIGHBORHOOD COMMENT

Staff spoke to two neighbors about the project. Both neighbors wanted information about the project but expressed no concerns over the proposal. Staff has not received any written neighborhood comment regarding the proposal at this time.

FINDINGS OF FACT

Staff believes the proposed Final Plat of Subdivision to consolidate the three existing lots into a single lot is consistent with the Zoning and Subdivision Ordinances and other planning objectives of the Village.

RECOMMENDATIONS

The proposed final plat of subdivision is compatible with the surrounding zoning and land use classifications. Based on the findings listed above, staff recommends that the Plan Commission make a motion recommending approval of a final plat of subdivision associated with PC-15-11 to the Village Council subject to the conditions below:

1. The final plat of subdivision shall substantially conform to the Final Plat of Subdivision prepared by Intech Consultants, Inc. dated April 28, 2011 except as such plans may be modified to conform to the Village Codes and Ordinances.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:sp
-att

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436 Davis Street Location Map

0 10 20 30 40 Feet

PROJECT SUMMARY

436 Davis Street

The owner would like to consolidate the east half of Lot 30, Lot 31 and Lot 32 in block 5 of the Street's subdivision of Downers Grove. The lots combined would have a dimension of 75' by 132' and would comply with all zoning requirements for the Village of Downers Grove. This consolidation is being done in conjunction with the application of a construction permit for a single family home that is to be built on the property.

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VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

MAY 23, 2011, 7:00 P.M.

FILE PC-15-11 A petition seeking a final plat of subdivision approval to consolidate three existing parcels into one lot for the property located on the north side of Davis Street, approximately 160 feet east of Douglas Road, commonly known as 436 Davis Street, Downers Grove, IL (PIN 09-05-417-029); Paul & Leslie Stettin, Owners; Jim Pesavento, Concorde Builders, LLC, Petitioner

Chairman Jirik swore in those individuals who would be speaking on File PC-15-11.

Mr. Stan Popovich reported that the petition before the commission was for 436 Davis Street, zoned R-4 Single Family Residential, to consolidate three existing lots into one lot. The parcel consisted of two 30-foot wide lots making up the eastern 60 feet of the parcel and one 15-foot wide lot on the west side, creating a parcel that would measure 75 feet by 132 feet. A single-family home currently exists on the easternmost 30-foot lot and a detached garage straddles the two western lots on the northwest corner of the site.

Per staff, the petitioners were proposing to demolish the existing home and detached garage and construct a new single-family house to stretch across the two common lot lines. Because the proposal was considered three lots of record, the village required that the new proposed home be constructed on a single lot of record. Without the lot consolidation approval, the petitioner would not be able to construct a new home. Consolidating the three parcels into one was consistent with the Village's Future Land Use Plan and met the single-family residential zoning. Staff believed the proposal was consistent with the village's zoning ordinance and met the existing and required bulk and setback requirements. Per staff, the proposed lot would include new five-foot wide utility easement on the side property lines as well as a new ten-foot wide easement along the back property line.

To date, staff spoke with two neighbors whom inquired generally about the proposal. No negative feedback was received. Meeting the above village requirements, staff recommended the Plan Commission forward a positive recommendation to the Village Council.

Mr. Matejczyk confirmed with staff that the three lots were currently being used as one lot. While the zoning required a 140-foot depth and was not possible, Mr. Popovich explained that the lot was still conforming because it was an existing platted parcel, which was how the lot was created originally. Non-conformities were not being increased with the new proposal. Regarding Mr. Waechtler's question about total square footage, Mr. Popovich summarized that R-4 zoning required 7,500 square feet and the proposed lot was 9,900 square feet, which exceeded the lot area requirements and lot width. The one non-conformity, as noted by the chairman, was the lot depth, to which staff confirmed, but staff pointed out the existing house would be non-conforming also because it was too close to the eastern property line. The more recent detached garage constructed did conform to the current zoning ordinance. Under the proposal, however, the existing home and all other structure on the lot would be razed and the new home would have to meet all setback requirements, lot requirements and bulk regulations.

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The Chairman, in summary stated that by redrawing the lines, a legal non-conforming structure would exist and if more than 50 percent damage were to occur to it, it could not be rebuilt, to which staff agreed. Mr. Popovich explained that the petitioner did submit for a permit to demolish the existing home and construct a new one. However, the village could not issue a building permit until the plat of subdivision was approved by the Village Council.

Per Mr. Matejczyk's question, Mr. Popovich confirmed there was no easement on the existing property but the new home would have appropriate zoning setbacks per the village's zoning ordinance, as well as a ten-foot utility easement along the north property line and any new home would have to be 20 feet away from the north property line. Further details followed; staff saw no conflict.

Mr. Jim Pesavento, with Concorde Builders, LLC, 222 W. Roosevelt Road, Wheaton, IL, representing owners Paul and Leslie Stettin, summarized that the owners purchased the lot with the idea to construct a new single-family home where there was a single family home, and the consolidation of the three lots into one recorded lot was a requirement of the building permit. All other building codes and ordinances would be followed.

While the owners were not present, Mr. Waechtler wanted to compliment them on creating a nice size lot and constructing a home on the lot, stating it was an excellent idea for the area.

Chairman Jirik opened up the meeting to public participation.

Mr. Blake Peters, 442 Davis Street, Downers Grove, resides directly west of the proposal and supported the new construction given the current state of the existing home. His concerns were about run-off from the new construction since there was an existing flooding problem in the back of his home and no sewers existed on Davis Street to drain the water. He detailed the water flow through the backyards. Mr. Peters also asked to see the plans.

In response, Planning Manager Jeff O'Brien, explained to Mr. Peters the building application process and the requirements for stormwater management, i.e., following the DuPage County Stormwater Ordinance. He explained that construction cannot cause water to run off faster to neighboring properties than it currently does. He offered that Mr. Peters could contact the Village's development engineer review the applicant's grading plans. Mr. O'Brien indicated that he would provide additional information to Mr. Peters after the hearing.

Mr. Beggs suggested that Mr. Peters take some pictures now as evidence for the future.

Mr. Brian Halloran was sworn in by Chairman Jirik.

Mr. Halloran stated he lives directly across the street on the south side of Davis and clarified that the final plat of subdivision listed his address on it; wherein Mr. Popovich stated the address error was corrected on the revised plat of subdivision. The correct address was 436 Davis.

Hearing no further public comment, Chairman Jirik close public participation.

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Mr. Jim Pesavento stated he was aware of the stormwater issue which was why his engineer was working with the village's engineer for the best resolution. He mentioned that the new home will have an attached two-car front loaded garage. No closing statement followed by Mr. Pesavento.

WITH RESPECT TO FILE PC-15-11, MR. WAECHTER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE FOLLOWING CONDITION: THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION PREPARED BY INTECH CONSULTANTS, INC. DATED APRIL 28, 2011 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES. SECONED BY MRS. RABATAH.

ROLL CALL:

**AYE: MR. WAECHTLER, MRS. RABATAH, MR. BEGGS, MR. MATEJCZYK,
MR. WEBSTER, CHAIRMAN JIRIK**

NAY: NONE

MOTION CARRIED. VOTE: 6-0