



VILLAGE OF WESTMONT
Board of Trustees Memorandum
May 18, 2023

Item for Board of Trustees Consideration:

Board to consider an ordinance approving a request from Clinton Mathis, regarding the property located at 402 North Park Street, for a Zoning Ordinance Variance to increase the maximum allowable size and length of a detached garage.

Planning and Zoning Commission recommendation:

At its meeting on May 10, 2023, the Planning and Zoning Commission recommended approval of this item with a 5-1 vote, subject to the setbacks as shown on the site plan.

I. BACKGROUND OF ITEM

A. Location:

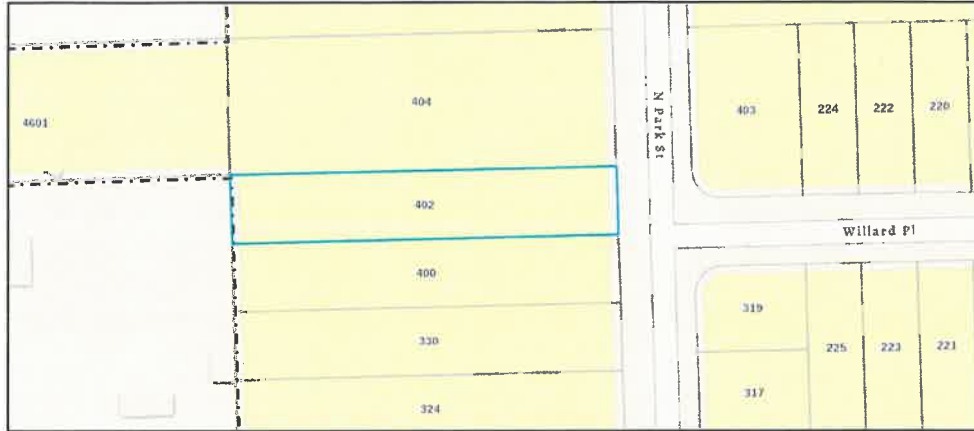
402 North Park Street is located at the intersection of North Park Street and Willard Place. The property consists of a single family detached residence with an existing detached garage. The lot is approximately 60'X341', with a total area of approximately 20,536 square feet or 0.47 acres. The petitioner is proposing to demolish the existing detached garage and deck to construct a new 24'X40' detached garage with an area of 960 square feet and a paved area in the rear of approximately 900 square feet.



Aerial Map - 402 North Park Street

B. Zoning Designations:

SUBJECT PROPERTY	R-3 Single Family Detached Residence
NORTH	R-3 Single Family Detached Residence
SOUTH	R-3 Single Family Detached Residence
EAST	R-3 Single Family Detached Residence
WEST	N/A (Village of Downers Grove)



Zoning Map - 402 North Park Street

C. Neighborhood Characteristics

The site consists of a single-family detached residence and a detached garage. The existing residence is approximately 1,200 square feet in size and the existing garage is approximately 440 square feet in size. The property is located in a residential neighborhood between West Naperville Road and Ogden Avenue. The surrounding properties largely consist of similar single-family detached residences with a comparable lot area and width.

II. PETITIONER REQUEST:

The petitioner seeks to increase the maximum allowable size and length of a detached garage. The petitioner proposes a 960 square foot detached garage with a length of 40' and a width of 24'. The proposed plans also include a rear paved area of 900 square feet. The petitioner indicates that due to the large size of the property more upkeep and maintenance will be required and therefore storage of lawn care equipment is necessary.



Street View - 402 North Park Street

III. ZONING ANALYSIS

A. Zoning and Comprehensive Plan Designations

The Comprehensive Plan has designated this area as *“Single Family Detached Residential”*The Comprehensive Plan designates the current and future land use in this area as single family detached residential, with an appropriate zoning designation of R-3 Single Family Detached

Residence District. Additionally, the Comprehensive Plan states the following: "Single-family residential areas should consist of one detached single household per lot, organized into neighborhoods or subdivisions. The design and construction of new homes should take into consideration the established character of surrounding single-family areas."

This variance request does not conflict with either the land-use plan or overall vision of the Comprehensive Plan, provided the garage is utilized for permitted uses in the residential district.

B. Bulk and Development Standards

Appendix A, Section 4.05(C)(3) states that detached garages are limited to a size of 576 square feet and may be no larger than 28 feet in length, except when approved by a variance. The detached garage zoning regulations are uniform across all residential properties independent of lot size.

The proposed detached garage would exceed these regulations with a size of 960 square feet and a length of 40 feet. If approved the proposed detached garage would exceed the permitted detached garage size of 576 square feet by 66.6% or 384 square feet. The proposed garage length would exceed the permitted garage length 28 feet by 42.8% or 12'.

The proposed detached garage complies with all other zoning bulk and development regulations set forth in Appendix A Section 4.05 and Section 6.01. The existing total lot coverage of the property is approximately 20%; the proposed detached garage, driveway, and paved area would increase the total lot coverage to approximately 25%. Due to the building's size, staff has requested the petitioner increase the required setbacks of the proposed detached garage from 3' to 6'.

Detached Garage	Permitted	Proposed
Size	576 s.f. maximum	960 s.f.
Length	28' maximum	40'
Total Lot Coverage	35% maximum	25%
Side Yard Setback	3' minimum	6'

C. Entitlement Requests

The petitioner has provided project narrative and supporting documentation for the following requests, including the necessary responses to the Findings of Fact for variances. Any corresponding standards for entitlement approval consideration can be referenced in item V(B) below.

Garage Variance Request

- A) Zoning Ordinance Variance request to increase the maximum allowable size and length of a detached garage.

The petitioner has included elevations and a site plan for the proposed detached garage. The petitioner has cited safety concerns and storage of lawn care maintenance equipment and security of property as justifications for the proposed variance request. The petitioner has indicated that due to the lot's size and depth, it will require increased maintenance to upkeep the property.

IV. SUMMARY

The petitioner seeks to increase the maximum allowable size and length of a detached garage. The petitioner proposes a 960 square foot detached garage with a length of 40' and a width of 24'.

V. LEGAL

A. Notification: A legal notice was published in Westmont Suburban Life on April 20th, 2023.

B. Code References: Appendix A, Section 4.05(C)(3) and 13.07

Standards for Variations Sec. 13.07(D):

- (1) *The planning and zoning commission shall not recommend a variation to the regulations of this comprehensive amendment as authorized herein unless it shall have made findings of fact based upon the evidence presented to it in each specific case that:*
 - (a) *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;*
 - (b) *The plight of the owner is due to unique circumstances; and*
 - (c) *The variation, if granted, will not alter the essential character of the locality.*
- (2) *For the purpose of implementing the above rules, the planning and zoning commission shall also, in making its recommendations whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:*
 - (a) *The particular physical surroundings, shape or topographical features of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*
 - (b) *The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification.*
 - (c) *The purpose of the variation is not based exclusively upon a desire to make more money out of the property.*
 - (d) *The alleged difficulty or hardship has not been created by the owner of the property.*
 - (e) *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.*
 - (f) *The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.*

VI. DOCUMENTS ATTACHED:

1. Publication notice appearing in the April 20, 2023 Westmont Suburban Life.
2. Findings of Fact for Variations.
3. Petitioner Attachments:
 - a. Planning and Zoning Development Application, received April 12, 2023.
 - b. Site Plan, Elevations and Findings of Fact.

Certificate of the Publisher

Westmont Suburban Life

Description: PZC 013 2023 N PARK ST
2070922
PZC 013-2023

VILLAGE OF WESTMONT
31 W QUINCY ST
WESTMONT IL 60559

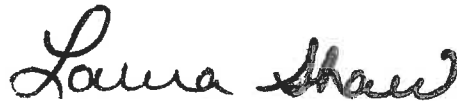
Shaw Media certifies that it is the publisher of the Westmont Suburban Life. The Westmont Suburban Life is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the Village of Westmont, County of DuPage, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in the Westmont Suburban Life, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 04/20/2023

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Laura Shaw, its publisher, at Westmont, Illinois, on 20th day of April, A.D. 2023

Shaw Media By:



Laura Shaw, Publisher

Account Number 10074602

Amount \$132.46

PUBLIC NOTICE
LEGAL NOTICE / PUBLIC NOTICE
VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLICATION

NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, May 10, 2023, at 7:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559.

The purpose of the hearing is to consider a request from Clinton Mathis, regarding the property located at 402 North Park Street, Westmont, IL 60559, for the following:

(A) Zoning Ordinance Variance request to increase the maximum allowable size and length of a detached garage.

PIN: 09-04-404-013
 More Common Location: 402 North Park Street, Westmont, IL 60559
 Village Code(s) Applicable:
 Appendix A, Section 4.05(C)(3)
 Appendix A, Section 13.07

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the Village of Westmont, Illinois, 60559 between 8:00 A.M. to 4:00 P.M. Monday through Friday, or telephone (630) 981-6210 voice, or (630) 981-6300 TDD, within a reasonable time before the meeting. All interested persons in attendance will be allowed to express their views. Items may be removed from the agenda after mailing or publication without additional notice. Please check with the Community Development Department at (630) 981-6210 before attending the meeting to verify that an item is still on the agenda.

WESTMONT PLANNING AND ZONING COMMISSION
 Doug Carmichael, Chairperson
 Publication Date: April 20, 2023

(Published in Westmont Suburban Life April 20, 2023)
 2070922

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT

PUBLIC HEARING OF MAY 10, 2023

PZC 013-2023: Clinton Mathis, 402 N. Park Street, Westmont

Request for a variance to allow a detached garage which exceeds the maximum size and length permitted by the Zoning Ordinance.

***CRITERIA NO. 1:** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

FINDINGS OF FACT: The Applicant's property consists of 20,536 square feet, which is significantly larger than the minimum lot size of 7,800 square feet required in the R-3 Single-Family Detached Residential District. In order to maintain this large lot, the Applicant requires sufficient storage space for lawn care and snow removal equipment. Additionally, the Applicant requires indoor space to park and store two vehicles, a motorcycle, and a utv. Restricting the garage to the 576 square feet allowed by the Zoning Ordinance would cause a hardship to the Applicant as he would be unable to sufficiently and safely store these vehicles and equipment inside, and the lack of garage storage space would diminish the value of the property based on the overall lot size.

***CRITERIA NO. 2:** The plight of the owner is due to unique circumstances.*

FINDINGS OF FACT: This property is uniquely large for the R-3 District. Without this variance, the Applicant would be forced to park vehicles and store some equipment outside, which would detract from the neighborhood. The Applicant seeks this variance, in part, to prevent theft, vandalism, and weather damage to his vehicles and equipment if such items were stored outside.

***CRITERIA NO. 3:** The variation, if granted, will not alter the essential character of the locality.*

FINDINGS OF FACT: The Applicant's large lot will easily accommodate the proposed garage and will not adversely impact surrounding properties. Several large properties in the immediate area have garages of a similar size. The proposed garage will constitute an aesthetic upgrade over the existing garage, which is in poor condition. Even with the proposed garage, the Applicant's lot coverage will be approximately 25%, far less than the maximum lot coverage allowed by the Zoning Ordinance.