



Memorandum

To: Charles Perkins-Witherington, Director of Planning and Community Development
From: Sam Hubbard, Development Planner
Date: 10/11/2018
Re: PC #18-016: 608-614 N. Haddow Ave. Lot Consolidation

Background: On September 26, 2018, the Plan Commission held a public hearing to consider application PC#18-016, a petition to consolidate two residential lots into one to allow a building addition to the existing home on the subject property.

Specifically, the application requested approval of the following zoning actions:

1. Preliminary Plat of Subdivision.
2. Variation to Chapter 28, Section 5.1-3.2(a), Required Yards, to reduce the required front yard setback from 34.6 feet to 33.9 feet.

Staff Development Committee recommended approval of the application subject to the following conditions:

1. Final Plat of Subdivision shall be required.
2. Prior to building permit issuance a \$3,805 fee-in-lieu of onsite detention shall be required.
3. All AC units shall be located in the rear yard. Alternatively, AC units may be located within the side yard provided that they be screened with landscaping as determined suitable by the Village.
4. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

Plan Commission Motion: During the public hearing, the petitioner objected to the code requirement to install a sidewalk along the front of the property abutting Haddow Avenue, which sidewalk is required as a result of the subdivision to consolidate the two properties into one. Ultimately, the Plan Commission voted 8-0 in favor of a recommendation of approval, incorporating the following variation to waive the sidewalk requirement (additional variation shown in **green**):

1. Preliminary Plat of Subdivision
2. Variation to Chapter 28, Section 5.1-3.2(a), Required Yards, to reduce the required front yard setback from 34.6 feet to 33.9 feet.
3. **Variation to Chapter 29, Section 29-501b, to waive the requirement for a sidewalk along Haddow Avenue abutting the subject property.**

The motion of approval was conditioned upon the following (additional condition of approval as recommended by the Plan Commission is shown in **green**):

1. Final Plat of Subdivision shall be required.
2. Prior to building permit issuance a \$3,805 fee-in-lieu of onsite detention shall be required.
3. All AC units shall be located in the rear yard. Alternatively, AC units may be located within the side yard provided that they be screened with landscaping as determined suitable by the Village.
4. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.
5. **Prior to building permit, the Petitioner shall enter into an estoppel agreement with the Village that would restrict their ability to object to a future special assessment for a sidewalk along the western side of Haddow, south of Hawthorne, north of Euclid.**

Recommendation: The Plan Commission recommendation was discussed with the Engineering Division, who felt it was highly unlikely that the Village would establish a Special Service Area to fill in the three missing sidewalks along Haddow Avenue. As a result, the Staff Development Committee continues to recommend approval of the application as originally proposed (i.e. without the variation to waive the requirement for the sidewalk). If the Village Board concurs with the Plan Commission recommendation, it is recommended that condition of approval #5 (above) remain. The Staff Development Committee recommendation is shown below.

Approval of the following:

1. Preliminary Plat of Subdivision.
2. Variation to Chapter 28, Section 5.1-3.2(a), Required Yards, to reduce the required front yard setback from 34.6 feet to 33.9 feet.

This approval would be subject to the following conditions:

1. Final Plat of Subdivision shall be required.
2. Prior to building permit issuance a \$3,805 fee-in-lieu of onsite detention shall be required.
3. All AC units shall be located in the rear yard. Alternatively, AC units may be located within the side yard provided that they be screened with landscaping as determined suitable by the Village.
4. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

Cc: *Randy Recklaus, Village Manager*