



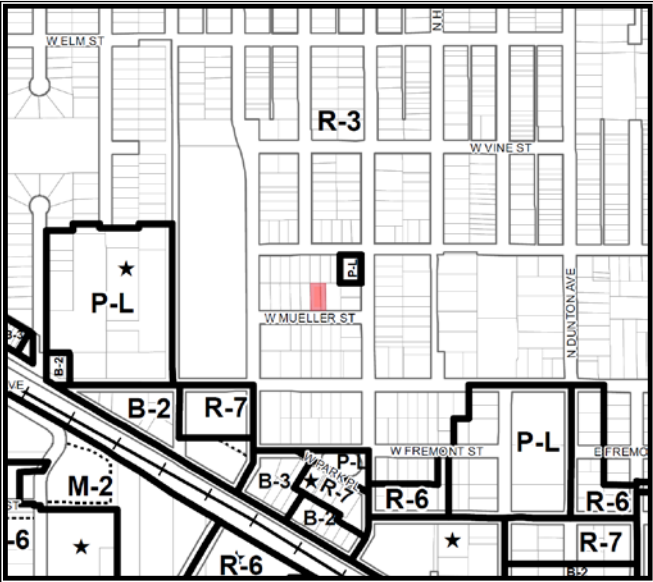
VILLAGE OF ARLINGTON HEIGHTS
STAFF DEVELOPMENT
COMMITTEE REPORT

Project Number: PC #22-003
Project Title: Mueller Lot Consolidation
Location: 318 W. Mueller Street
PIN: 03-30-230-015, 03-30-203-016

To: Plan Commission
Prepared By: Sam Hubbard, Development Planner
Meeting Date: June 22, 2022
Date Prepared: June 17, 2022

Petitioner: Chris and Tama Filpi
Address: 318 W. Mueller Street
 Arlington Heights, IL 60004

Existing Zoning: R-3: One-Family Dwelling District
Comprehensive Plan: Single-Family Detached



SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached
South	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached
East	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached
West	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached

Requested Action:

1. Preliminary and Final Plat of Subdivision to consolidate two lots into one lot.

Variations Required:

1. A Variation from Chapter 29, Section 29-501f, to waive the onsite stormwater detention requirement.

Project Background:

The subject property consists of two platted lots of record. The first lot is 50’ wide by 139.75’ deep and contains the single-family home located at 318 W. Mueller Avenue. The second lot is a vacant 25’ x 139.75’ parcel of land that serves as an additional yard/landscape area for the home at 318 W. Mueller. Both lots are owned by the petitioners, although they first acquired the larger lot that includes the house in 2011 and purchased the smaller vacant lot from the abutting property owner about one year later (sometime in 2012).

The property owners are now proposing to remodel a portion of the interior of their home, which involves a new enclosed rear entryway of 117 square feet and a small kitchen bump-out of 40 square feet at the rear of the residence, along with the replacement of a rear deck with an at-grade patio. In the future, the petitioners are contemplating demolition of their existing detached garage and construction of an attached garage on the opposite side of the house. For the current project, the property must be consolidated into one lot in order to conform with impervious surface coverage requirements. For the future project, the lot must be consolidated to conform with setback requirements. If approved, the combined lots would yield a single 10,481 square foot lot that would be 75’ feet wide.

Zoning and Comprehensive Plan

The subject property is currently zoned R-3, One-Family Dwelling District. The existing single-family use of the site is consistent with the Comprehensive Plan “Single-Family Detached” land use designation. In 2003, the Village established a requirement for formal plat of subdivision approval when consolidation was proposed on any residentially zoned property that came under common ownership after 2003. Because the petitioners acquired the 25’ wide lot in 2012, they must receive formal Plat of Subdivision approval to consolidate it as part of the overall property.

The proposed consolidation meets the R-3 standards for lot size and lot area (shown below in **Table I**), and is compatible with the existing lots on the north side of Mueller Avenue. Per Chapter 28, Section 5.1-3.3, a minimum side yard of ten percent of the lot width is required. Therefore, a 75-foot wide lot requires a 7.5-foot side yard on both sides. The existing home is setback 8.5 feet from the side lot line to the west and would be setback over 35 feet from the consolidated property line to the east.

Table I:

Zoning Requirements	Lot Area		Lot Width		Front Yard Setback	Side Yard Setback	Rear Yard Setback	Corner Side Yard Setback
	Corner	Standard	Corner	Standard				
Typical R-3 Lot	9,900 SF	8,750 SF	90 FT	70 FT	Block Avg. (TBD)	10% of Lot width (min. 7')	30 FT	Avg. or 10% of lot width
Proposed Lot (318 W. Mueller)	-	10,481 SF	-	75 FT	No change to existing	8.5 FT, 35 FT	55.5 FT	-
414 W. Mueller	6,988 SF	-	50 FT	N/A	N/A	N/A	N/A	N/A
410 W. Mueller	-	6,988 SF	-	50 FT	N/A	N/A	N/A	-
408 W. Mueller	-	6,988 SF	-	50 FT	N/A	N/A	N/A	-
406 W. Mueller	-	6,988 SF	-	50 FT	N/A	N/A	N/A	-
402 W. Mueller	-	6,988 SF	-	50 FT	N/A	N/A	N/A	-
314 W. Mueller	-	10,481 SF	-	75 FT	N/A	N/A	N/A	-

In consideration of the appropriateness of a lot consolidation, staff's primary analysis focuses on the lots that are located on the same side of the street as the subject property (and which also front on that street). In this instance, there are seven zoning lots that are located on the north side of Mueller Avenue that front on the street and are east of Walnut Avenue and west of Chestnut Avenue. Of those lots, one is 75' feet wide and the remaining lots are 50' wide. If the consolidation is approved, the subject lot would be 75' feet in width and 10,481 square feet in size, representing a 50% increase to the size of the existing lot. Excluding the subject property, the average lot size on the frontage is 7,570 square feet and the proposed lot would be 38% larger than the average lot size of the remaining lots on the frontage. The Staff Development Committee considers this to be within an acceptable range of the existing established character of the vicinity.

Conceptual Plan Review Committee

On March 9, 2022, the petitioners appeared before the Conceptual Plan Review Committee. Feedback from the commissioners was positive and the petitioners were encouraged to proceed forward with their application. The meeting minutes from the March 9th meeting are included in the packet provided to the Plan Commission.

Building, Site, and Landscaping:

The proposed lot and site improvements will comply with all R-3 regulations upon consolidation of the lots. However, without consolidation, the improvements to the site would not be allowed (unless a variation was granted to exceed the maximum allowable impervious surface regulations). Since this issue was not identified until the petitioners had already applied for a building permit, they have redesigned the project to proceed in two phases. Phase One entails only code-compliant work on the existing 50' wide lot. A building permit has been issued for this work, which is allowed without the requested lot consolidation. Once the lot consolidation is approved, the permit will be amended (or a second permit will be submitted) to allow project completion, which would entail only patio/servicewalk work that would have exceeded the maximum impervious surface limitation as based on the 50' wide lot but would now conform to code requirements based on the larger consolidated lot size. No Design Commission review is required due to the small scope of the exterior changes to the home.

Stormwater:

Chapter 29 of the Municipal code requires that any property going through a subdivision process (including lot consolidations) must provide onsite stormwater control facilities. However, on lot consolidations and subdivisions of land that are less than four lots, the subdivider is traditionally given the option of providing a payment in lieu of onsite stormwater control improvements. This alternative is available since the provision of onsite stormwater facilities is impractical for such small projects, the expected stormwater impact of such projects is typically minor, and onsite stormwater facilities could be a financial burden. Rather than construction of an onsite stormwater system, the Village allows this stormwater to be directed into the Village system, which in this case is a combined sanitary/stormsewer that runs under Mueller Avenue. In the case of the subject property, the fee-in-lieu of onsite stormwater detention is \$2,862. The petitioner has requested a variation from Chapter 29, Section 29-501f, to waive this fee and has provided their justification within the project narrative submitted in conjunction with their application.

The Staff Development Committee is not supportive of this variation for the following reasons:

1. The proposed lot consolidation will allow additional impervious surface coverage on the existing 50' wide lot with the home on it, which would not otherwise be allowed absent of a lot consolidation.

2. Older subdivisions, such as the original subdivision that created the lots encompassed by the subject property (platted in 1895), were done at a time when stormwater detention was not required, which has created historical flooding issues within the Village. The subdivision/consolidation process triggers improvements that are meant to address stormwater flooding and the subject property should not be exempt from these requirements.
3. The subject property is tributary to a combined sewer system that has experienced basement backups in the immediate area. The proposed improvements to the home and the lot consolidation will not have a *substantial* detrimental impact on the downstream flooding conditions, however, it will increase stormwater flowing into the system and the money-in-lieu of detention is offered by code as an alternative to providing onsite detention. Any fees collection as money-in-lieu will apply to future system improvements.
4. The requested variation is the only such request having been received by the Village. Other recent lot consolidations have paid the required fee in lieu of onsite stormwater and the Staff Development Committee does not find that the subject property has any unique condition that would warrant a variation to waive the code requirement:
 - a. 2019: 710 N. Dunton – Consolidation of three lots to create a single lot of 9,392 square feet to allow construction of single-family home. \$2,352 fee paid.
 - b. 2018: 608 & 614 N. Haddow – Consolidation of two lots into a single lot of 17,265 square feet to allow an addition to the existing home. \$3,805 fee paid.
 - c. 2009: 1008, 1002, and 1016 N. Highland – Consolidation of three lots, each with a single-family home, into two lots to allow construction of two single-family homes. \$5,248 fee paid.

Parking & Traffic:

According to the Village's Subdivision Control Regulations and Zoning Ordinance, a traffic study is only required for residential subdivisions that involve at least 100 dwelling units or more. Since the petitioner is proposing a single-lot consolidation, no traffic study is required.

RECOMMENDATION

The Staff Development Committee recommends **APPROVAL** of the Preliminary and Final Plat of Subdivision to consolidate two lots into one lot, but **DENIAL** of the Variation from Chapter 29, Section 29-501f, to waive the onsite stormwater detention requirement. Approval of the subdivision shall be subject to the following conditions:

1. A fee-in-lieu of on-site detention, in the amount of \$2,862, shall be required.
2. As per applicable building code requirements, the petitioner shall either amend their original building permit or submit a new building permit to authorize the final components of their home improvement project that are now allowed per the lot consolidation.
3. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

June 17, 2022

Bill Enright, Assistant Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Heads