

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
MAY 20, 2008 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Special Use for 1230 Gregory Place	Resolution ✓ Ordinances Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A Special Use ordinance has been prepared for 1230 Gregory Place for the construction of in-ground swimming pool.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2007-2012 identified *Preservation of the Residential and Neighborhood Character*. Supporting this goal are the objectives *Tolerance of Neighborhood Private Redevelopment* and *Continuing Reinvestment in the Neighborhoods*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the May 13, 2008 Workshop. Staff recommends approval on the May 20, 2008 active agenda.

BACKGROUND

The petitioner owns two adjacent lots of record commonly known as 1230 Gregory Place. There is an existing single family home on the southern lot, and an existing in-ground swimming pool on the northern lot. The petitioner is proposing to replace the existing in-ground pool with a new 16.5-foot by 34-foot in-ground swimming pool in the same location. The new pool would retain the same general size and layout as the existing pool.

Residential accessory structures, such as an in-ground swimming pool, may only be built on a lot which contains a principal structure (e.g. a house), or on a vacant lot adjacent to a second lot which contains a principal structure provided both lots are held in common ownership. In the latter situation, accessory structures may be constructed provided a Special Use is granted by the Village Council.

To be eligible for the Special Use, the two adjacent lots must meet the following conditions:

1. The lots must be held in common ownership.
2. One of the lots must have a principal structure established.
3. The common lot line must be shared for at least 100 feet or 50 percent of the lot line, whichever is greater.

In this case, the lots meet all three of the criteria. The lots are side by side and share a common lot line

approximately 112 feet in length.

The bulk regulations of the Zoning Ordinance are summarized in the table below:

1230 Gregory Place Swimming Pool	Required	Proposed
Front Setback	30 feet	70 feet-6 inches
Side Setback	7 feet	10 feet
Rear Setback	7 feet	10 feet – 6 inches
Size (maximum)	1,000 sq. ft.	561 sq. ft.

Staff believes all standards for the Special Use have been met. The proposal is consistent with the intent of the Future Land Use Plan to maintain the property for residential use and will not diminish the use of the surrounding properties. Staff believes the proposed swimming pool is compatible with the surrounding area and will not have an adverse impact on health, safety and welfare, or the existing trend of development in the neighborhood.

The Plan Commission considered petition at its April 7, 2008, meeting. The Plan Commission found the petition met Special Use standards and recommended approval of the petition. Staff concurs with the Plan Commission recommendation.

ATTACHMENTS
Ordinance

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Applicant **DATE:** May 20, 2008
(Name)

RECOMMENDATION FROM: Plan Commission **FILE REF:** 09-08
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT AN ACCESSORY STRUCTURE AT 1230 GREGORY PLACE", as presented.

SUMMARY OF ITEM:

At their meeting of April 7, 2008, the Plan Commission recommended that a Special Use be granted on property located at 1230 Gregory Place to permit an accessory structure.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A SPECIAL USE
TO PERMIT AN ACCESSORY STRUCTURE AT 1230 GREGORY PLACE**

WHEREAS, the following described property, to wit:

Lots 71 and 72 in Innisbrook Subdivision Unit No. 2, of all of that part of the Southeast Quarter of Section 30, and all of that part of the North Half of the Northeast Quarter of Section 31, lying southeasterly of the southeasterly right of way of the East and West Tollway, all in Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded April 28, 1977 as Document R77-30616, in DuPage County, Illinois.

Commonly known as 1230 Gregory Place, Downers Grove, IL (PIN 06-31-208-043,-044).

(hereinafter referred to as the "Property") is presently part of Planned Development #16 and is zoned "*R-3, Single Family Residential District*" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner of the Property has filed with the Plan Commission, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a Special Use per Section 28.506 of the Zoning Ordinance be granted to allow construction of an accessory structure (in-ground swimming pool) prior to the construction of a principle structure on the lot.

WHEREAS, such petition was referred to the Plan Commission of the Village of Downers Grove, and said Plan Commission has given the required public notice, has conducted a public hearing respecting said petition and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission has recommended approval of the requested Special Use, subject to certain conditions; and,

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Plan Commission, is such as to establish the following:

1. The proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
2. The proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
3. The proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located.
4. The proposed use is one of the special uses specifically listed for the district in which it is to be located and, if approved with restrictions as set forth in this ordinance, will comply with the

provisions of the Downers Grove Zoning Ordinance regulating this Special Use.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows:

SECTION 1. That a Special Use of the Property is hereby granted to permit an accessory structure (in-ground swimming pool) at 1230 Gregory Place on a lot prior to the construction of a principal structure.

SECTION 2. This approval is subject to the following conditions:

1. The proposed swimming pool shall substantially conform to the plans and specifications prepared by Barrington Pools, Inc dated October 25, 2007, last revised January 3, 2008 and the Plat of Survey prepared by Allen D. Carradus and Associates dated June 27, 2005 attached to this report except as such plans may be modified to conform to Village codes, ordinances, and policies.
2. A restriction shall be recorded against the properties with the DuPage County Recorder of Deeds that requires demolition of the swimming pool prior to the sale of the properties if they are not transferred simultaneously to a single entity.
3. The Village shall record the Special Use ordinance with the DuPage County Recorder of Deeds.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use is granted. Violation of any or all of such conditions shall be deemed a violation of the Village of Downers Grove Zoning Ordinance, the penalty for which may include, but is not limited to, a fine and or revocation of the Special Use granted herein.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Mayor

Passed:

Published:

Attest: _____

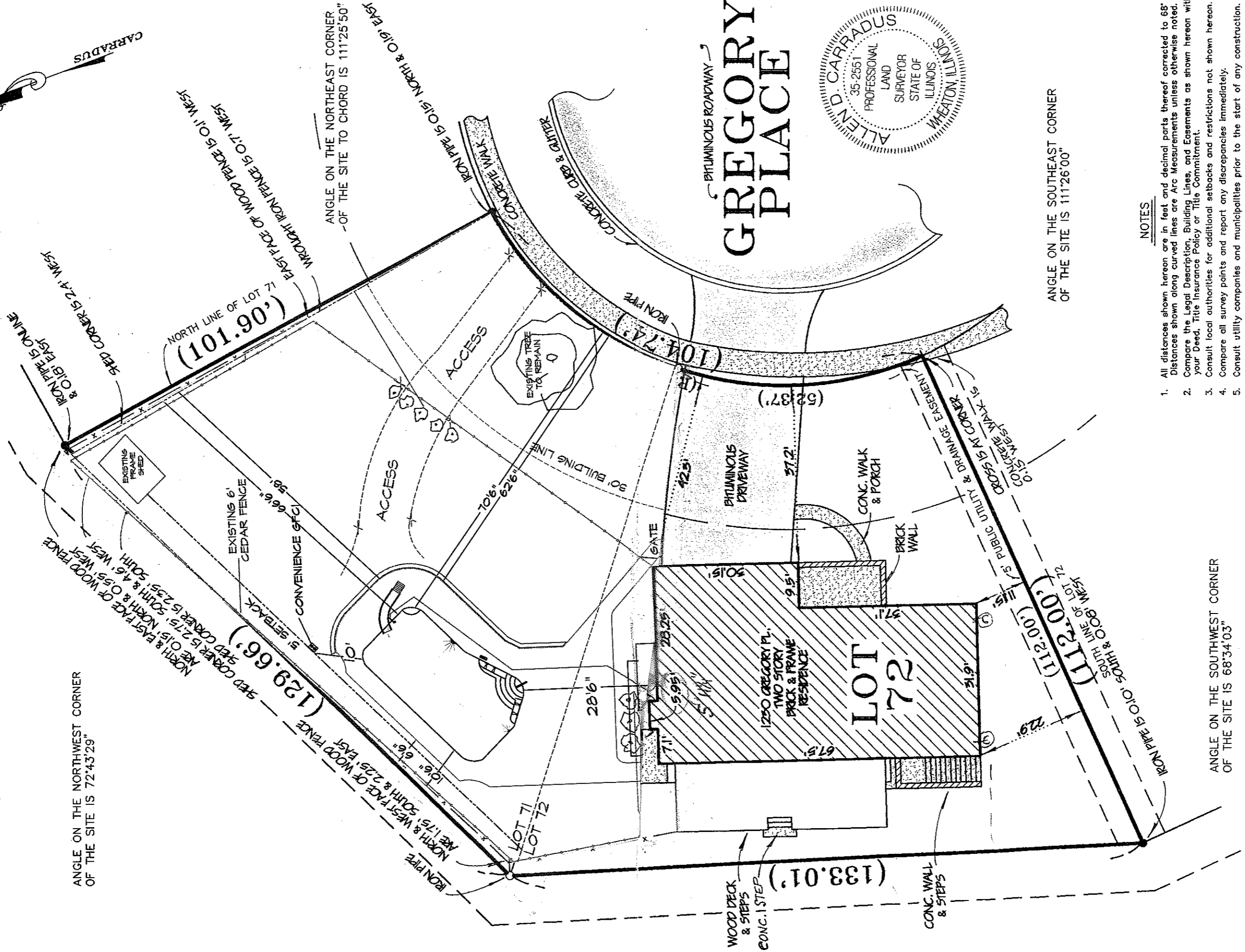
Village Clerk

PLAT OF SURVEY

Chaywood - D.6

- LEGEND:**
 ● Monumentation Found
 ○ Monumentation Set (RIS 35-2551)
 (50') Record Dimension
 -x- Fence Line

LOTS 71 AND 72 IN INNISBROOK SUBDIVISION UNIT NO. 2, OF ALL OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30, AND ALL THAT PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SECTION 31, LYING SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT OF WAY OF THE EAST AND WEST TOLLWAY, ALL IN TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1977 AS DOCUMENT R77-30616, IN DU PAGE COUNTY, ILLINOIS.



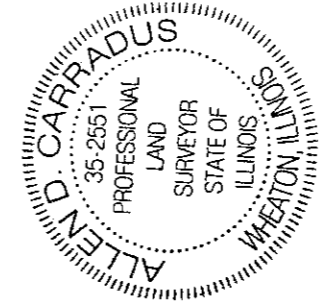
ANGLE ON THE NORTHWEST CORNER OF THE SITE IS 72°43'29"

ANGLE ON THE NORTHEAST CORNER - OF THE SITE TO CHORD IS 111°25'50"

ANGLE ON THE SOUTHWEST CORNER OF THE SITE IS 68°34'03"

ANGLE ON THE SOUTHEAST CORNER OF THE SITE IS 111°26'00"

BITUMINOUS ROADWAY
GREGORY PLACE



NOTES

1. All distances shown hereon are in feet and decimal parts thereof corrected to 68° f.
2. Distances shown along curved lines are Arc Measurements unless otherwise noted.
3. Compare the Legal Description, Building Lines, and Easements as shown hereon with your Deed, Title Insurance Policy or Title Commitment.
4. Consult local authorities for additional setbacks and restrictions not shown hereon.
5. Compare all survey points and report any discrepancies immediately.
6. Consult utility companies and municipalities prior to the start of any construction.
7. Dimensions to and along buildings are exterior foundation measurements.
8. Do Not Assume distances from scaled measurements made hereon.

STATE OF ILLINOIS)
 COUNTY OF DU PAGE) SS

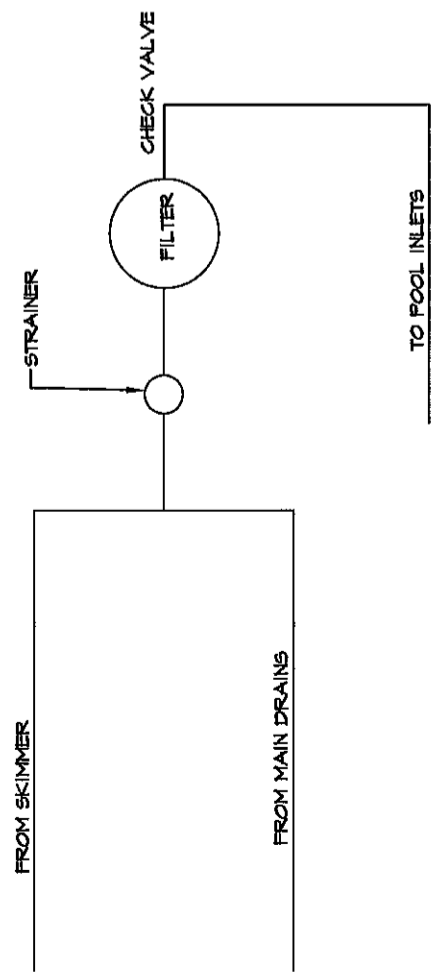
THIS IS TO CERTIFY THAT I, ALLEN D. CARRADUS, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF ILLINOIS, HAVE SURVEYED THE PROPERTY AS DESCRIBED HEREON AND THAT THE ANNEXED PLAT IS A CORRECT AND TRUE REPRESENTATION THEREOF, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SIGNED AND SEALED AT WHEATON, ILLINOIS THIS 27th DAY OF June, A.D. 2005
 BY Allen D. Carradus ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551.
 MY LICENSE EXPIRES NOVEMBER 30, 2006

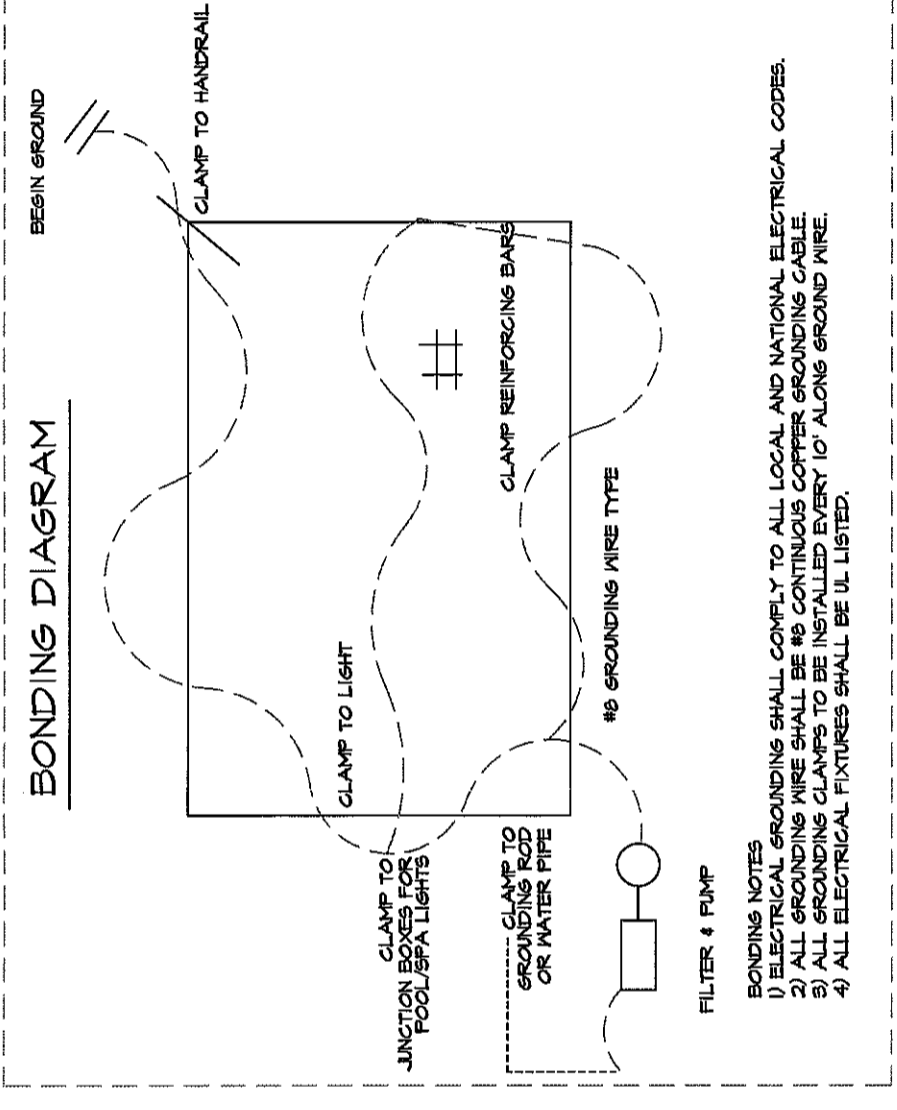
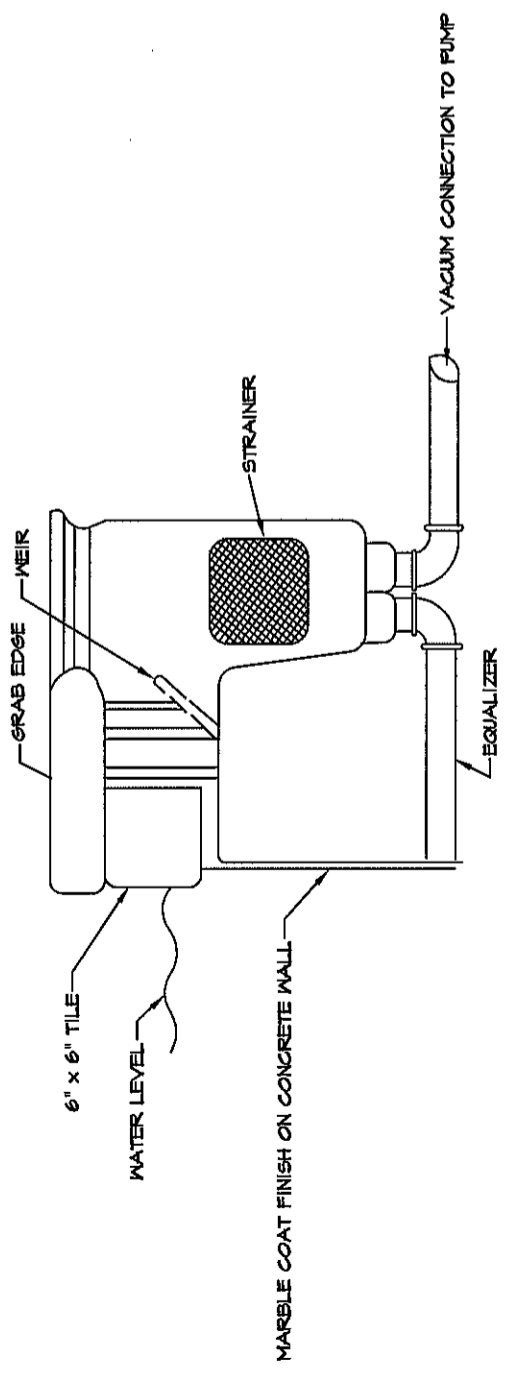
ALLEN D. CARRADUS AND ASSOCIATES
 Licensed Surveying, Landed Planning, & Engineering Services
 108 W. Liberty Drive, Wheaton, Illinois 60187
 (630) 588-0416 (Fax) 653-7682

PREPARED FOR: **CALVIN CAYWOOD**
 DRAWN BY: **ADC/TJS** DATE: **06/27/05** SCALE: **1" = 20'** PLOT NO. **211-45,46** PROJECT NO. **15697**

PLUMBING SCHEMATIC



SKIMMER DETAIL



- BONDING NOTES
- 1) ELECTRICAL GROUNDING SHALL COMPLY TO ALL LOCAL AND NATIONAL ELECTRICAL CODES.
 - 2) ALL GROUNDING WIRE SHALL BE #8 CONTINUOUS COPPER GROUNDING CABLE.
 - 3) ALL GROUNDING CLAMPS TO BE INSTALLED EVERY 10' ALONG GROUND WIRE.
 - 4) ALL ELECTRICAL FIXTURES SHALL BE UL LISTED.

LEGEND:

Custom Pools & Spas
 BARRINGTON, IL 60011
 Ponds Waterfalls
 PO BOX 3906
 BARRINGTON, IL 60011

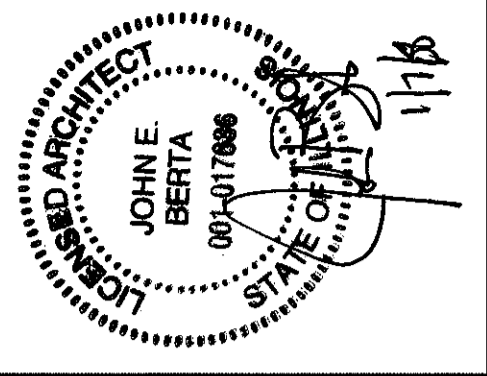
BARRINGTON POOLS, INC.
 PHONE: 847-381-1245
 FAX: 847-551-1318
 WWW.BARRINGTONPOOLS.COM

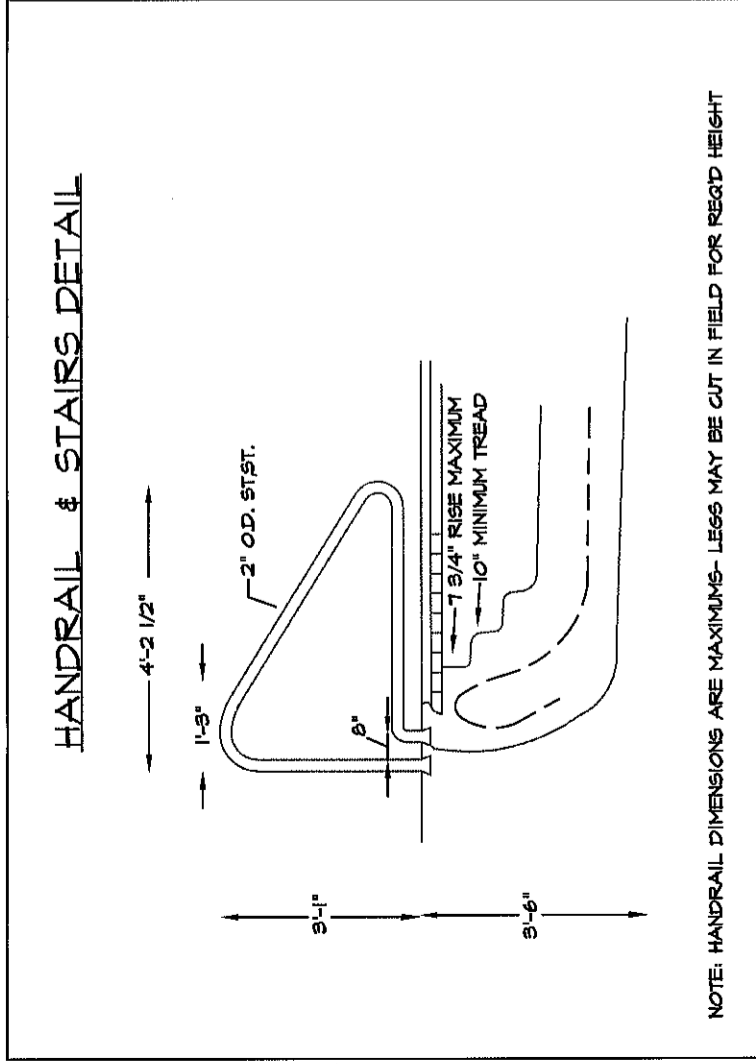
JOB#: 7-575 CO-OR: STEVE HORKING
 NAME: CAYWOOD, CALVIN & FANNIE
 ADDRESS: 1230 GREGORY PLACE
 CITY: DOWNERS GROVE, IL 60515
 HOME PHONE: 630-469-0669
 OFFICE PHONE:
 BUILDER:
 SUB-DIV: INNISBROOK
 LOT#: 71 & 72
 SALESMAN: MATT POLICH
 DRAWN BY: MF DATE: 10-25-07
 REVISED BY: SLC DATE: 12-6-07
 REVISED BY: SLC DATE: 1-3-08
 REVISED BY: DATE:
 REVISED BY: DATE:

NOTES:

1. OWNER.
2. LAYOUT.
3. EXCAVATOR.
4. PLUMBER - SELF SUCTION IN POOL.
5. STEEL.
6. ELECTRIC.
7. SHOTCRETE.
8. TILE.
9. DECK.
10. PLASTER.

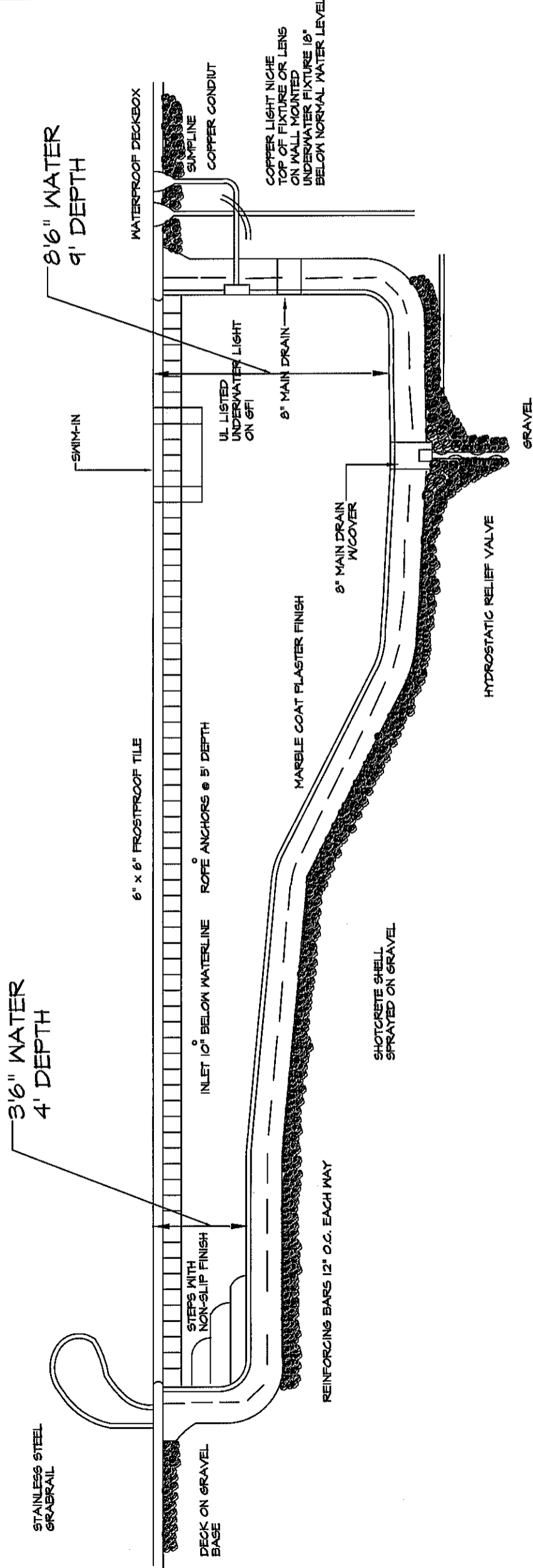
2. DECK DRAIN LOCATIONS PER PLAN
 MAY REQUIRE ADJUSTMENTS BY DECK
 CREW AT TIME OF INSTALLATION.
 3. MANAGEMENT OF SOO UNIT MAY VARY
 DUE TO BEST PRACTICES FOR SUBMITTER.





TYPICAL POOL SECTION

THIS DRAWING IS NOT TO SCALE



LEGEND:

Custom Pools & Spas
BARRINGTON POOLS, INC.
 1100 W. BARRINGTON RD.
 BARRINGTON, IL 60015
 PHONE: 847-381-1245
 FAX: 847-381-1318
 WWW.BARRINGTONPOOLS.COM
 PO BOX 3306
 BARRINGTON, IL 60015
 Ponds Waterfalls

JOB#: 7-575 CO-OR: STEVE HOPKINS
 NAME: CAYWOOD, CALVIN & FANNIE
 ADDRESS: 1230 GREGORY PLACE
 CITY: DOWNERS GROVE, IL 60515
 HOME PHONE: 630-469-0669
 OFFICE PHONE:
 BUILDER:
 SUB-DIV: INNERLOOK
 LOTS: 71 & 72
 SALESMAN: MATT POLICH
 DRAWN BY: MF DATE: 10-25-07
 REVISED BY: SLC DATE: 12-6-07
 REVISED BY: SLC DATE: 1-3-08
 REVISED BY: DATE:
 REVISED BY: DATE:

- NOTES:
1. OWNER.
 2. LAYOUT.
 3. EXCAVATOR.
 4. PLUMBER- GELIF SUCTION IN POOL
 5. STEEL.
 6. ELECTRIC.
 7. SHOTCRETE.
 8. TILE.
 9. DECK.
 10. PLASTER.

2. DECK DRAIN LOCATIONS PER PLAN
 MAY REQUIRE ADJUSTMENTS BY DECK
 CIGR AT TIME OF INSTALLATION.
 3. PLACEMENT OF COP UNIT MAY VARY
 DUE TO BEST LOCATION FOR SERVICE.

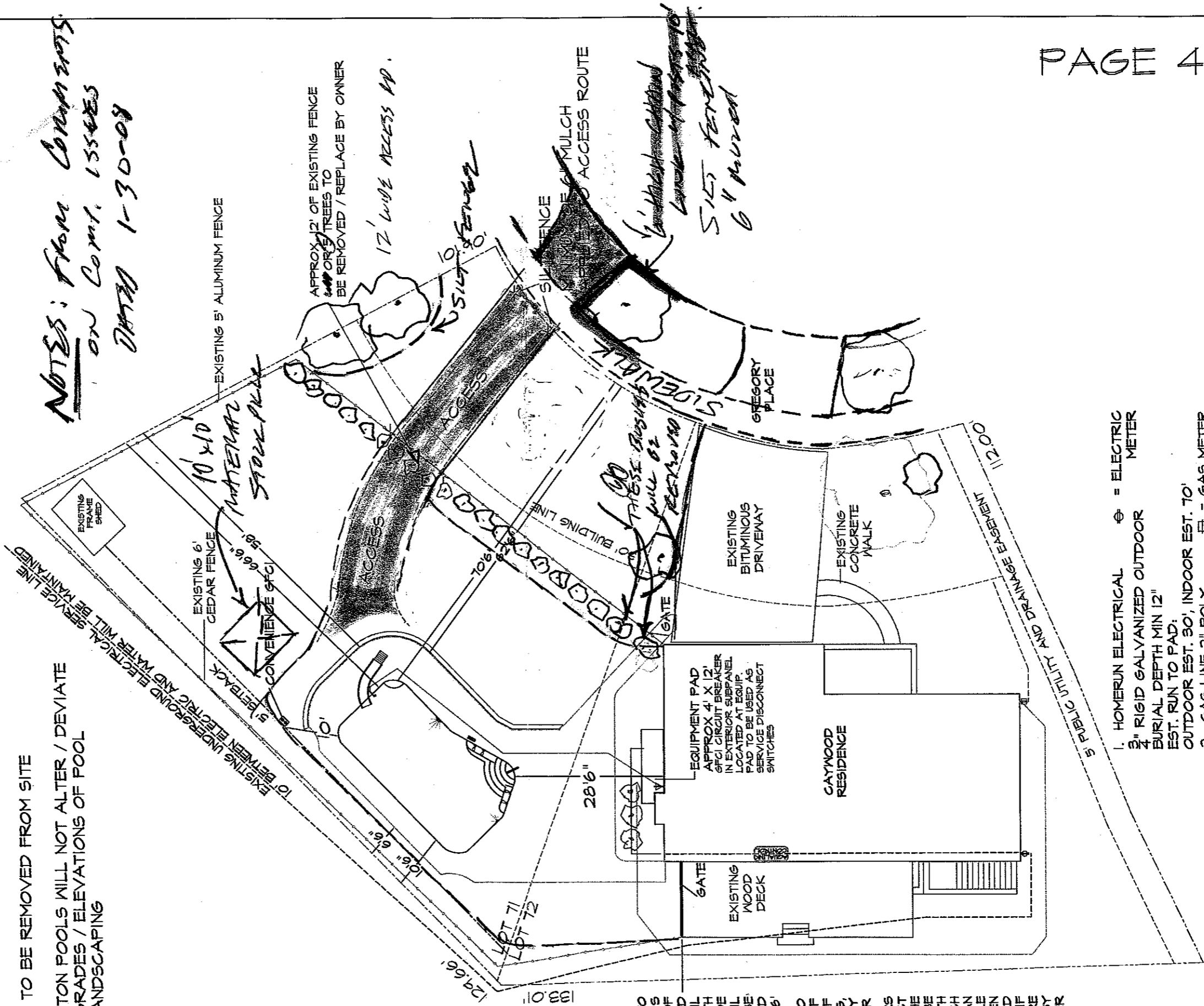
JOHN E. BERTA
 LICENSED ARCHITECT
 STATE OF ILLINOIS
 001-017636
 1/17/08

SUBMIT DRAWINGS 1-3-08
 GAYWOOD RESIDENCE
 1230 GREGORY PLACE,
 DOWNERS GROVE, IL 60515
 DEMOLITION OF EXISTING POOL & DECK
 INSTALLATION OF NEW POOL & DECK
 SUBMITTED BY: BARRINGTON POOLS, INC.
 847-381-1245 JOB: 7-575 DATE: 1/08
 DRAWINGS BY: SLC/SLC
 SCALE: 1" = 20'

SCOPE OF WORK
 - REMOVAL OF:
 EXISTING POOL
 EXISTING DECK
 EXISTING EQUIPMENT
 - INSTALLATION OF:
 NEW POOL
 NEW DECK
 NEW EQUIPMENT
NOTE
 NEW POOL MAINTAINING
 GENERAL SIZE/SHAPE &
 LOCATION AS EXISTING

- ALL FILL TO BE REMOVED FROM SITE
- BARRINGTON POOLS WILL NOT ALTER / DEVIATE EXISTING GRADES / ELEVATIONS OF POOL AND OR LANDSCAPING

NOTES: FROM COMMENTS ON COMT. ISSUES DATA 1-30-08



OWNER TO MODIFY THIS SECTION OF DECK AND RAIL TO COMPLY WITH BARRIER CODE EXISTING RAIL EST. 30" TO BE MODIFIED TO EST. 6'

ALL GATES TO BE SELF CLOSING, SELF LATCHING, LOCKABLE - BY OWNER

ALL DOORS W/DIRECT ACCESS TO THE POOL SHALL BE EQUIPPED WITH AN ALARM WHICH PRODUCES AN AUDIBLE WARNING WHEN THE DOOR AND ITS SCREEN IF PRESENT, ARE OPENED - BY OWNER

1. HOMERUN ELECTRICAL Ⓞ = ELECTRIC METER
2. 3" RIGID GALVANIZED OUTDOOR BURIAL DEPTH MIN 12" EST. RUN TO PAD:
3. GAS LINE 2" POLY W#14 TRACER WIRE BURIAL DEPTH MIN. 18" EST. RUN TO PAD 150' = GAS METER
4. 3/4" SCH. 40 PVC WATER SUPPLY TO FILLSPOUT EST. RUN 65' = SPIGOT

↑ = IN HOUSE CONTROL

ALL MEASUREMENTS ARE APPROXIMATE