

VILLAGE OF DOWNERS GROVE
Report for the Village
5/17/2022

SUBJECT:	SUBMITTED BY:
Special Use - Extended Family Accessory Housing - 1835 Elmore Avenue	Stan Popovich, AICP Director of Community Development

SYNOPSIS

The petitioner is requesting approval for a Special Use to permit an Extended Family Accessory Housing unit at 1835 Elmore Avenue.

STRATEGIC PLAN ALIGNMENT

The goals for the 2021-2023 include acting as a *Steward of Financial, Environmental, and Neighborhood Sustainability*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the June 7, 2022 active agenda per the Plan Commission's unanimous 8:0 recommendation. The Plan Commission found that the proposal is an appropriate use for the neighborhood, compatible with the Comprehensive Plan and meets all review and approval criteria for a Special Use (Section 28.12.050.H).

BACKGROUNDProperty Information & Zoning Request

The petitioner is proposing to construct an addition for an Extended Family Accessory Housing unit at 1835 Elmore Avenue. The subject property is zoned R-1, Residential Detached House 1.

The Extended Family Accessory Housing unit is proposed for the petitioner's mother. The unit will consist of a living room, bedroom, bathroom, sewing room and kitchen. The unit will have an entry into the primary dwelling unit and will also have a separate entrance on the east side of the house, which will not face the street.

Compliance with the Comprehensive Plan

The Comprehensive Plan calls for a variety of housing and dwelling unit types and recommends providing housing that meets the needs of senior citizens to allow residents to age in place. The proposal will create an Extended Family Accessory Housing unit that provides an affordable living arrangement for the petitioner's mother and allows the petitioner to care for his mother as she ages. As this property will retain the look of a detached house, there will be no impact on the existing single family neighborhood character. The proposal is consistent with the Comprehensive Plan recommendations.

Compliance with the Zoning Ordinance

Extended Family Accessory Housing is an allowable Special Use in the R-1 zoning district per Section 28.6.010.F of the Zoning Ordinance. All other zoning ordinance requirements for Extended Family Accessory Housing will be met with this proposal.

Public Comment

Staff received two calls inquiring about the nature of the request. One neighbor at the public hearing expressed concern over stormwater management, which will be addressed with the building permit review.

ATTACHMENTS

Ordinance

Aerial Map

Staff Report with attachments dated May 2, 2022

Draft Minutes of the Plan Commission Hearing dated May 2, 2022

ORDINANCE NO. _____**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR
1835 ELMORE AVENUE TO PERMIT
AN EXTENDED FAMILY ACCESSORY HOUSING UNIT**

WHEREAS, the following described property, to wit:

THAT PART OF THE WEST HALF OF LOT 2 IN ARTHUR T. MCINTOSH AND COMPANY'S BELMONT FARMS, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 10, 1918 AS DOCUMENT NO 134268 AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID WEST HALF OF LOT 2 AND BEING ON THE SOUTH LINE OF ELMORE AVENUE AND RUNNING THENCE SOUTH 89'-48'-15" EAST, 20.01 FEET; THENCE SOUTH 1'-16'-18" EAST, 445.73 FEET; THENCE NORTH 88'-46'-49" EAST, 104.52 FEET TO THE EAST LINE OF SAID WEST HALF OF LOT 2; THENCE SOUTH 1'-13'-11" EAST, ALONG SAID EAST LINE. 280.38 FEET TO THE SOUTH LINE OF SAID WEST HALF OF LOT 2; THENCE NORTH 89'-27'-22' WEST, ALONG SAID SOUTH LINE, 124.33 FEET TO THE WEST LINE OF SAID WEST HALF OF LOT 2; THENCE NORTH 1'-16'-18" WEST, ALONG SAID WEST LINE. 722.78 FEET. MORE OR LESS TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS AND CONTAINING 1.0000 ACRES

Commonly known as: 1835 Elmore Avenue, Downers Grove, IL 60515
PIN: 09-07-305-020

(hereinafter referred to as the "Property") is presently zoned in the "*R-1, Residential Detached House*" 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 28.12.050 of the Zoning Ordinance be granted to permit an extended family accessory housing unit; and

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 for the petition on May 2, 2022 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 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. That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;
2. That the proposed use at the proposed location is necessary or desirable to provide a service or a

facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

3. That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

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

SECTION 1. That Special Use of the Property is hereby granted to permit an extended family accessory housing unit.

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

1. The proposed extended family accessory housing unit shall substantially conform to the staff report dated May 2, 2022 and architectural plans prepared by 12/12 Architects & Planners, dated December 21, 2021, and updated April 18, 2022, except as such plans may be modified to conform to the Village codes and ordinances.
2. The petitioner shall permit the Village to complete an annual inspection of the premises to assure continuing compliance with Extended Family Accessory Housing regulations.
3. The petitioner shall annually submit to the Village a sworn affidavit that certifies continued compliance with Extended Family Accessory Housing regulations.
4. The accessory unit shall be converted to be a part of the existing single family dwelling unit within 120 days of the lapse of the Special Use approval.

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. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

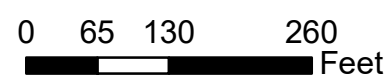
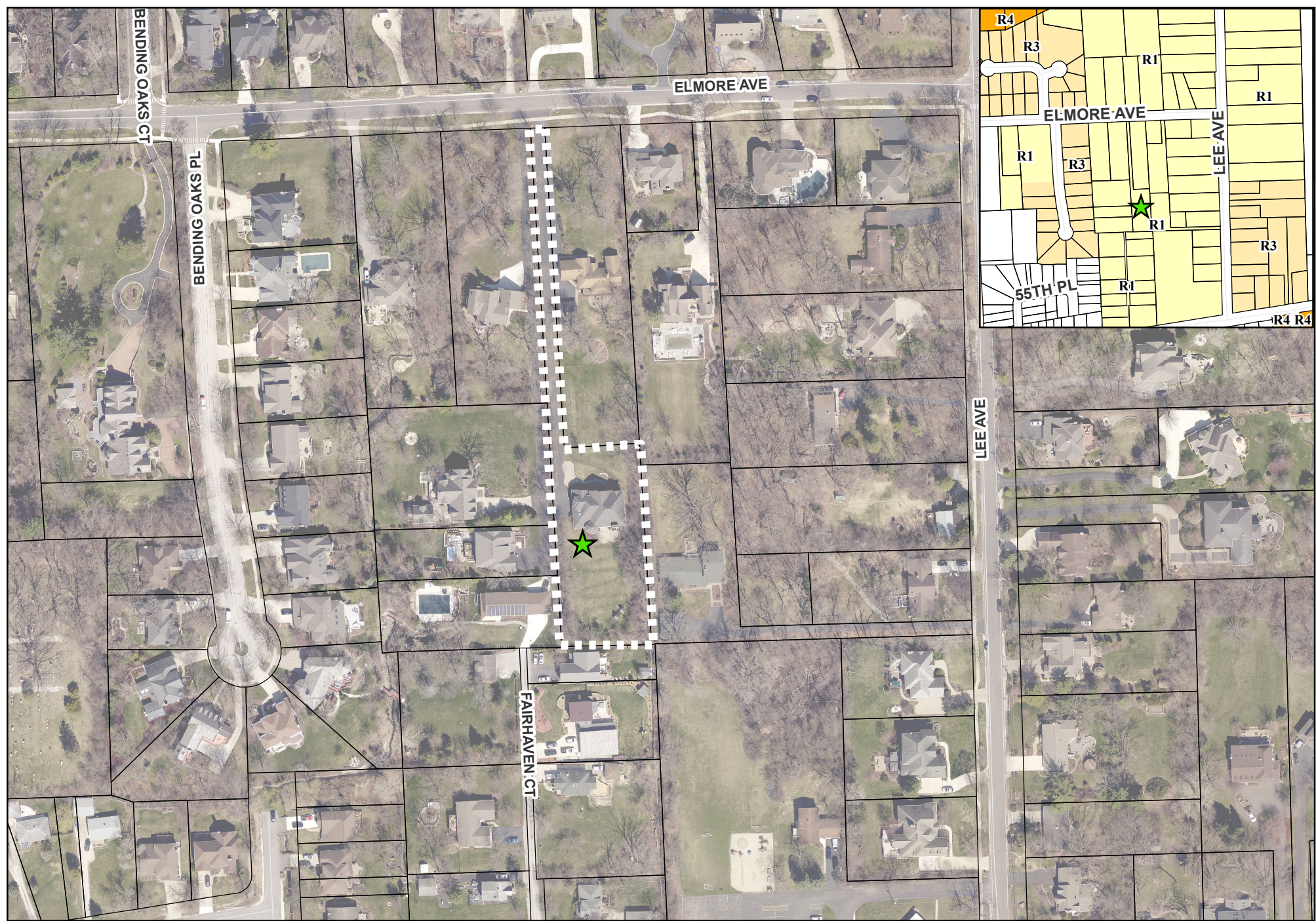
Mayor

Passed:



Published:

Attest: _____

Village Clerk



185 Elmore Avenue - Location Map

-  Subject Property
-  Project Location



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
MAY 2, 2022 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
22-PLC-0010 Extended Family Accessory Housing at 1835 Elmore Avenue	Special Use	Gabriella Baldassari, AICP Development Planner

REQUEST

The petitioner is requesting Special Use approval for Extended Family Accessory Housing at 1835 Elmore Avenue.

NOTICE

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

GENERAL INFORMATION

**OWNER/
PETITIONER:** Shabbir and Arwa Karimi
1835 Elmore Avenue
Downers Grove IL, 60515

PROPERTY INFORMATION

EXISTING ZONING: R-1, Residential Detached House 1
EXISTING LAND USE: Single Family Residential
PROPERTY SIZE: 43,647 sq. ft. (1.002 acres)
PIN: 09-07-305-020

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-1, Residential Detached House 1	Single Family Residential
SOUTH:	R-1, Residential Detached House 1	Single Family Residential
EAST:	R-1, Residential Detached House 1	Single Family Residential
WEST:	R-1, Residential Detached House 1	Single Family Residential

ANALYSIS**SUBMITTALS**

This report is based on the following documents, which are on file with the Department of Community Development and attached to the report as noted:

1. Location Map
2. Plat of Survey
3. Project Narrative
4. Approval Criteria
5. Architectural Plans

22-PLC-0010; 1835 Elmore Avenue
May 2, 2022

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PROJECT DESCRIPTION

The petitioner is proposing to construct an addition for an Extended Family Accessory Housing unit at 1835 Elmore Avenue. The subject property is zoned R-1, Residential Detached House 1, and is located approximately 450 feet south of Elmore Avenue and 460 feet west of Lee Avenue. Extended Family Accessory Housing is an allowable Special Use in the R-1 zoning district per Section 28.6.010.F of the Zoning Ordinance.

The petitioner is proposing the Extended Family Accessory Housing unit for the petitioner's mother. The unit will consist of a living room, bedroom, bathroom, sewing room and kitchen. The unit will have an entry into the primary dwelling unit and will also have a separate entrance on the east side of the house, which will not face the street.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

According to the Future Land Use Plan, the subject property is designated as Single Family Residential and has a corresponding zoning designation. The Comprehensive Plan calls for a variety of housing and dwelling unit types and recommends providing housing that meets the needs of senior citizens to allow residents to age in place. The proposal will create an Extended Family Accessory Housing unit that provides an affordable living arrangement for the petitioner's mother and allows the petitioners to care for her as she ages. As this property will retain the look of a detached house, there will be no impact on the existing single family neighborhood character. The proposal is consistent with the intent of the Future Land Use Plan and will not diminish the use of the surrounding properties.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-1, Residential Detached House 1. An Extended Family Accessory Housing unit is an allowable Special Use in the R-1 district. The proposed plans meet the bulk zoning requirements and the requirements for an extended family accessory housing unit. The table below summarizes compliance with Section 28.6.010(f).

Zoning Requirements	Proposed
1. Extended Family Accessory Housing is allowed in R-1, R-2, R-3 and R-4 zoning districts, per the Special Use provisions.	The subject property is zoned R-1.
2. The accessory unit is entirely within the dwelling.	The accessory unit will be an addition to the house and will not be an accessory structure.
3a. Only one accessory unit in any detached house.	Only one accessory unit is proposed.
3b. A separate exterior entrance, if provided, cannot face the street.	The separate entrance faces the interior (west) lot line.
3c. One dwelling unit has to be occupied by an owner of the property.	The primary dwelling unit is occupied by owner of the property.
3d. The occupant(s) of either dwelling unit is family that is 62 years of age or older or has a physical or developmental disability.	The accessory unit is to be occupied by the mother of one of the property owners, who meets the age requirement.

Zoning Requirements	Proposed
3e. No additional roomers or boarders are allowed.	The petitioners will occupy the primary residence and no additional roomers or boarders will be housed at this location.
3f. The appearance of a detached house must be retained. Occupancy of the accessory unit is subject to an approved floor plan.	The petitioner is proposing modifications to the existing façade, however, the look of a single family structure will be maintained. The floor plan accompanying this petition shall be the accepted floor plan except as such plans may be modified to conform to Village Codes and Ordinances.
3g. The property owners shall annually permit an inspection and provide certification of continued compliance with the regulations.	The petitioner has agreed to these provisions.
3h. The Special Use approval lapses if the owner occupying one of the units transfers ownership or ceases to occupy one of the units.	The petitioner has provided a de-conversion plan at such time as the Special Use approval lapses.
3i. The accessory unit shall be converted within 120 days of the expiration of the Special Use.	The petitioner has provided a de-conversion plan which shows an expanded opening between the existing home and the addition, the kitchen will be modified to become a wet bar, and the bedroom will become a family room when the accessory unit is no longer occupied.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners within 250 feet of the subject property in addition to posting the public hearing notice sign and publishing notice in the *Daily Herald*. No comments were received.

STANDARDS OF APPROVAL

Special Use

The petitioner is requesting Special Use approval for Extended Family Accessory Housing at 1835 Elmore Avenue as required by Section 28.6.010(f).

Section 28.12.050.H Approval Criteria – Special Uses

No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the petitioner has presented evidence to support each of the following conclusions:

1. *That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;*
2. *That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.*
3. *That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.*

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DRAFT MOTION

Staff will provide a recommendation at the May 2, 2022 meeting. Should the Plan Commission find that the request meets the standards of approval for the Special Use, staff has prepared a draft motion that the Plan Commission may make for the recommended approval of 22-PLC-0010:

Based on the petitioner's submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval for the Special Uses as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 22-PLC-0010, subject to the following conditions:

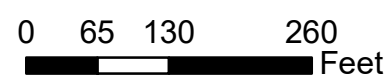
1. The proposed extended family accessory housing unit substantially conform to the staff report dated May 2, 2022 and architectural plans prepared by 12/12 Architects & Planners, dated December 21, 2021, and updated April 18, 2022, except as such plans may be modified to conform to the Village codes and ordinances.
2. The petitioner shall permit the Village to complete an annual inspection of the premises to assure continuing compliance with Extended Family Accessory Housing regulations.
3. The petitioner shall annually submit to the Village a sworn affidavit that certifies continued compliance with Extended Family Accessory Housing regulations.
4. The accessory unit shall be converted to be a part of the existing single family dwelling unit within 120 days of the lapse of the Special Use approval.

Staff Report Approved By:





Stanley J. Popovich, AICP
Director of Community Development

SP:gb
-att



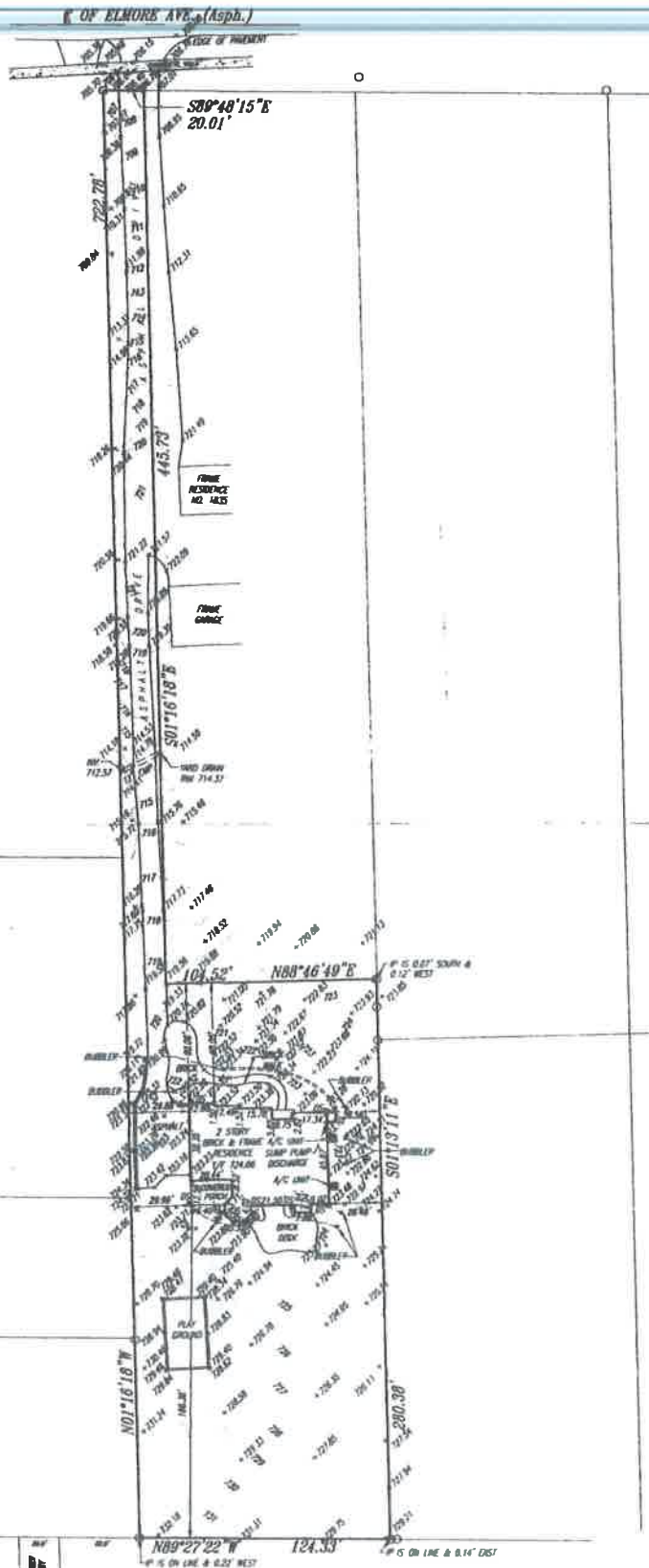
185 Elmore Avenue - Location Map

-  Subject Property
-  Project Location

AS BUILT

PLAT OF SURVEY

OF

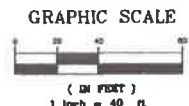


THAT PART OF THE WEST HALF OF LOT 2 IN ARTHUR T. MCINTOSH AND COMPANY'S BELMONT FARMS, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 10, 1918 AS DOCUMENT NO. 134268 AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID WEST HALF OF LOT 2 AND BEING ON THE SOUTH LINE OF ELMORE AVENUE AND RUNNING THENCE SOUTH 89°-48'-15" EAST, 20.01 FEET; THENCE SOUTH 1°-16'-18" EAST, 445.73 FEET; THENCE NORTH 88°-46'-49" EAST, 104.52 FEET TO THE EAST LINE OF SAID WEST HALF OF LOT 2; THENCE SOUTH 1°-13'-11" EAST, ALONG SAID EAST LINE, 280.38 FEET TO THE SOUTH LINE OF SAID WEST HALF OF LOT 2; THENCE NORTH 89°-27'-22" WEST, ALONG SAID SOUTH LINE, 124.33 FEET TO THE WEST LINE OF SAID WEST HALF OF LOT 2; THENCE NORTH 1°-16'-18" WEST, ALONG SAID WEST LINE, 722.78 FEET, MORE OR LESS TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS AND CONTAINING 1.0000 ACRES

P.I.N. 09-07-305-020



BENCHMARK:
 BURNERS DRIVE GROUND - B.M. NO. 580
 + COR. ON THE ABOVE CORNER BUILT UP
 A FIRE HYDRANT ON THE SW CORNER OF
 LEE ST. & ELMORE AVE.
 ELEVATION: 708.80



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS SURVEYING STANDARDS FOR A BOUNDARY SURVEY.
 THIS SURVEY IS NOT VALID WITHOUT THE SURVEYORS SEAL.
 COMPLAIN THE DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT OR CERTIFICATE OF TITLE, ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
 BUILDING LINES ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE MAPS. REFER TO YOUR DEED OR ABSTRACT.
 STATE OF ILLINOIS)
 COUNTY OF DUPAGE) S.S.
 I, THE G. STALEY, AN ILLINOIS PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY DIRECTION AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION THEREOF. ALL BOUNDARIES ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. BEARINGS AS SHOWN ARE ASSUMED AND ARE SO INDICATED FOR INTERIOR ANGLES ONLY.
 DATED THE 15th DAY OF MAY, A.D. 2004
 G. Staley
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2346
 LICENSE TO BE RENEWED NOVEMBER 30, 2004

NO.	DESCRIPTION	NO.	DESCRIPTION

PLANS PREPARED FOR
ASCO BUILDING
 1800 W. WILSON AVE.
 GARDEN GROVE, ILLINOIS 60140
 DRAWN BY: JAMES D. LARSON
 CHECKED BY: T.A.S.
 DATE: MAY 15, 2004

AS-BUILT
 1800 WILSON AVE.
 GARDEN GROVE, ILLINOIS 60140
 DATE OF FIELD WORK: MAY 15, 2004

GENESIS SURVEY, P.C.
 PROFESSIONAL DESIGN FIRM No. 194-002822
 30070 BUCKLESHOE ROAD, SUITE 103
 FARMINGTON, ILLINOIS 62406
 PH 618-933-0000 FAX 618-933-0000

SHEET 1 OF 1
 JOB NO. 04-238

1835 Elmore Ave for Special Use Permit**Owners: Shabbir & Arwa Karimi**

We, Shabbir and Arwa Karimi, are applying for a special use permit for our home at 1835 Elmore Ave, Downers Grove. The requested permit is solely for the purpose of building an in-law addition for Shabbir's mother, Banoo Karimi.

Banoo Karimi is a widowed 73-year old woman currently living alone in Westmont. She is retired since 2017 and living alone for the last 15 years, but now needs regular assistance. We hope that by building an appropriate 1-story living area (as she has trouble with stairs) for Banoo, that she be able to maintain a comfortable level of privacy while being in immediate proximity to us so that she can be regularly helped with day-to-day living needs.

We wish to provide a comfortable, but joint, home for Banoo. In our Indian culture it is common for multiple generations of a family to live together, especially where children live with parents in order to care for them. Such an arrangement benefits all generations, as children learn and reinforce culture and language learned from older generations and older generations benefit from spending quality time with children and grandchildren. Our proposal allows Banoo to maintain a level of privacy while still being included in our home so that she can be a daily and regular presence in and part of our lives and the lives of our children.

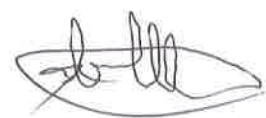
Banoo is currently socially active and would like to maintain a level of independence which the proposed addition allows. The proposed addition will include 1 bedroom, 1 bathroom, a kitchen, and a sitting room for Banoo all on the ground level. Banoo would park her car in our existing 3-car garage. The in-law addition will include a separate entrance while being connected directly to our home and the existing garage. With the build out of the proposed in-law addition, we hope to provide Banoo with a living arrangement that respects her independence and privacy while allowing us to live together and provide her the assistance currently needed and will require as she ages.

Thank you for your consideration.

Sincerely,



Shabbir Karimi



Arwa Karimi

1835 Elmore Ave – Deconversion Plan

The plan will be to convert the Banoo's bedroom on the 1st floor to a Master Suite. Banoo's living room/kitchen would then become a recreational room with a full bar area.



Review and Approval Criteria SPECIAL USES

Plan Commission Number & Title: _____

A DETAILED RESPONSE TO ALL OF THE STANDARDS SHALL BE PROVIDED, SPECIFYING HOW EACH STANDARD IS OR IS NOT MET.

Section 28.12.050.H Approval Criteria (Special Uses)

No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the applicant has presented evidence to support each of the following conclusions:

1. *That the proposed use is expressly authorized as a Special Use in the district in which it is to be located.*
The Property is located in the R-2, Residential DETACHED House 2, Zoning District. Per SECTION 6.010.F of the Zoning Ordinance, EXTENDED FAMILY Accessory Housing is listed AS AN ALLOWABLE SPECIAL USE in the R-2 Zoning District.

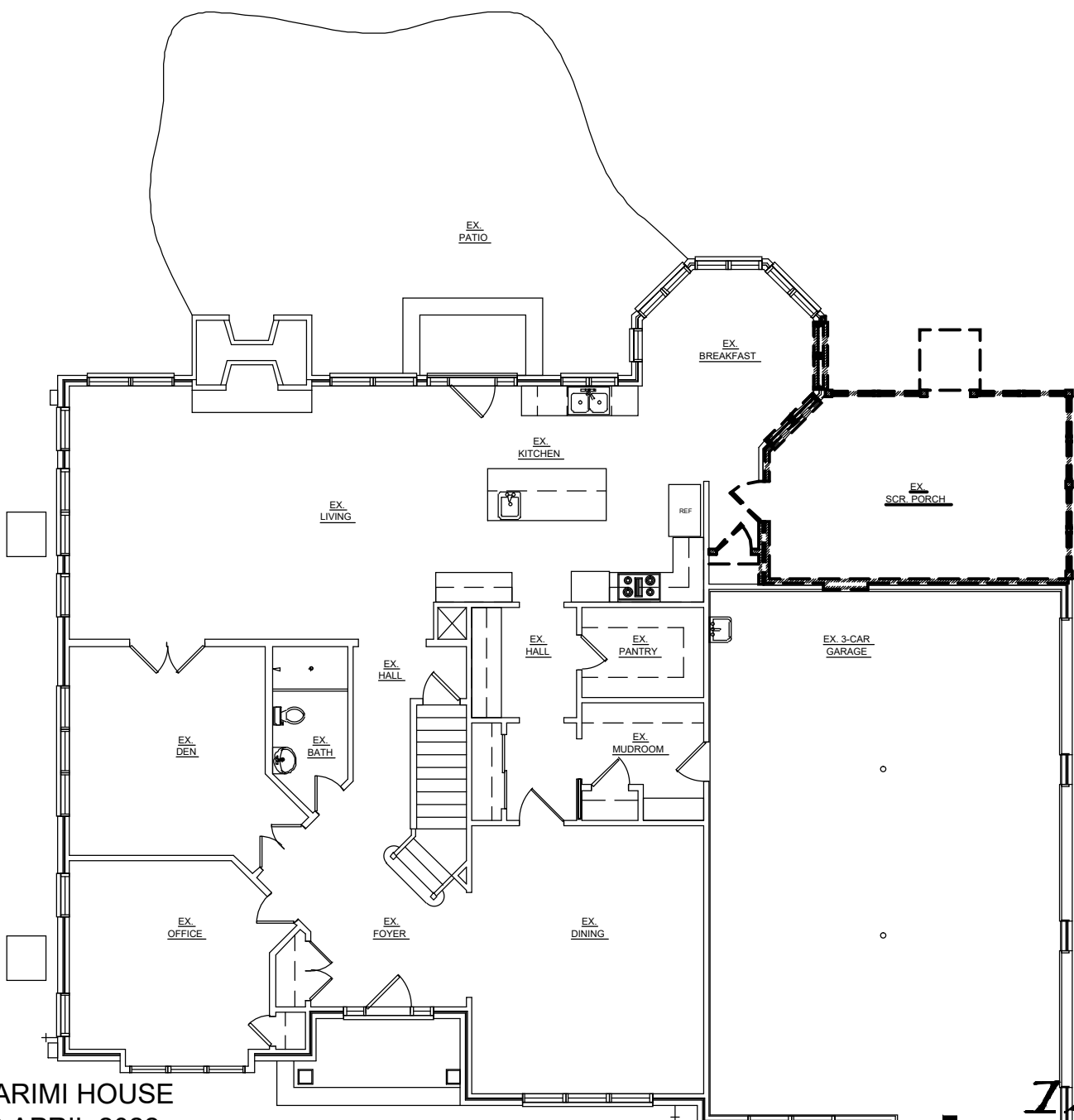
2. *That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.*

The Proposed Extended Family Housing is DESIRABLE within residential neighborhoods, and will contribute to the general WELFARE of the Community. Allowing flexibility in Housing options to CARE for seniors as they age supports the residents and Allows seniors to age in place.

3. *That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.*

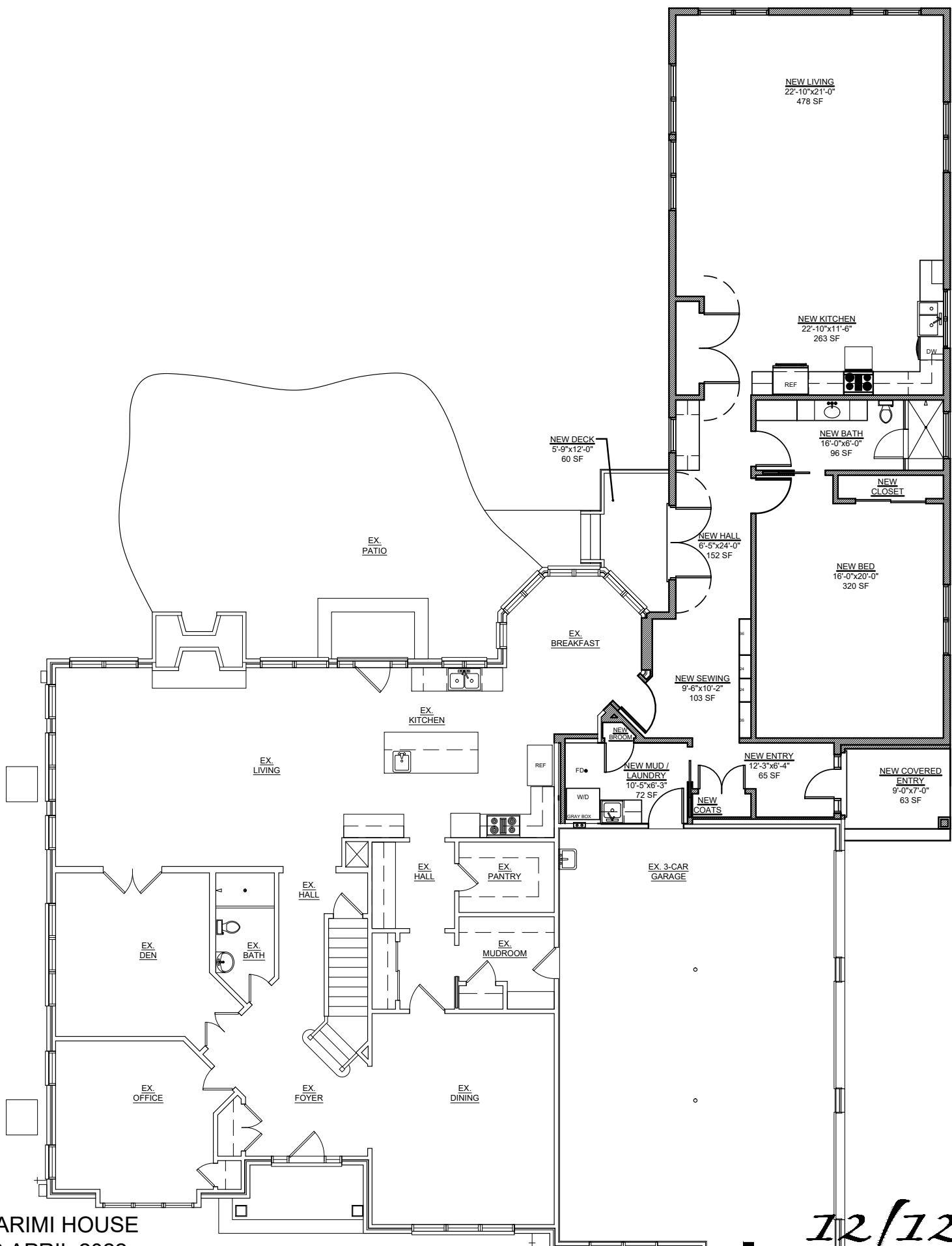
The proposed Extended Family Accessory Housing unit will not be detrimental to the health, SAFETY or general WELFARE of persons residing in or working in the vicinity and will not be injurious to property VALUES or improvements in the vicinity. The addition will MAINTAIN the look of a Single family home and our lot is ALSO NOT VISIBLE off Elmore Ave. Property VALUES will not be NEGATIVELY IMPACTED AS SPECIAL USE APPROVAL requires conversion of the Accessory Housing unit BACK to a single dwelling unit within 180 days of the lapse Approval.

The criterion is met.

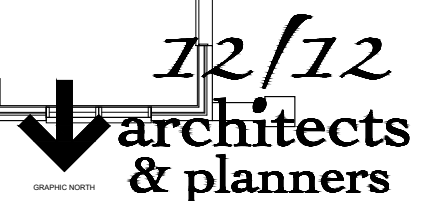


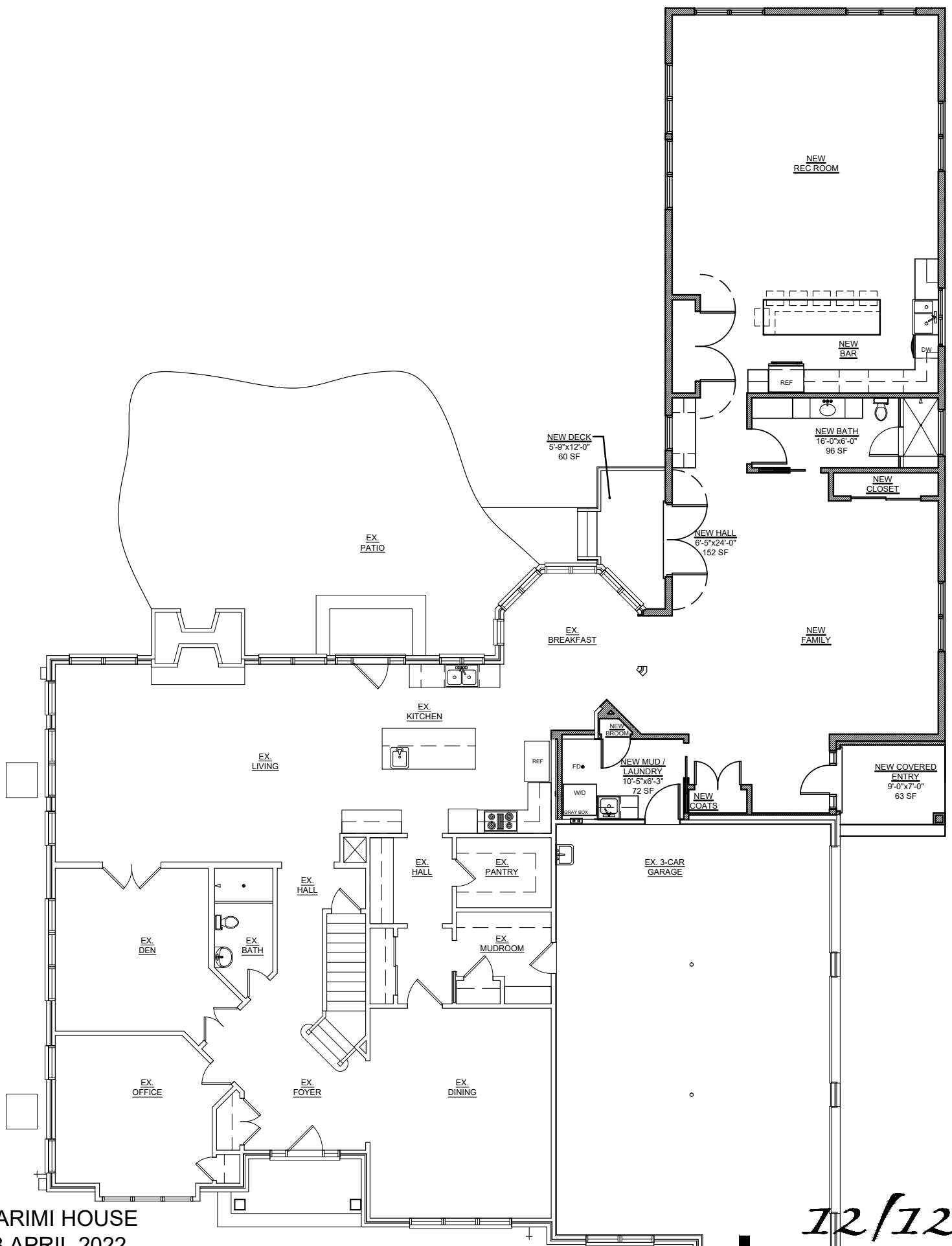
KARIMI HOUSE
18 APRIL 2022
FIRST FLOOR PLAN - EX. / DEMO
3/32" = 1'-0"

12/12
↓
architects
& planners
GRAPHIC NORTH



KARIMI HOUSE
 18 APRIL 2022
 FIRST FLOOR PLAN - NEW
 3/32" = 1'-0"





KARIMI HOUSE
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 3/32" = 1'-0"

12/12
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 & planners
GRAPHIC NORTH

DRAFT

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING**

May 2, 2022, 7:00 P.M.

FILE 22-PLC-0010: A PETITION SEEKING APPROVAL FOR A SPECIAL USE TO ADD AN EXTENDED FAMILY ACCESSORY HOUSING UNIT ONTO AN EXISTING HOME. THE PROPERTY IS CURRENTLY ZONED R-1, RESIDENTIAL DETACHED HOUSE ONE. THE PROPERTY IS LOCATED APPROXIMATELY 450 FEET SOUTH OF ELMORE AVENUE AND 460 FEET WEST OF LEE AVENUE, COMMONLY KNOWN AS 1835 ELMORE AVENUE, DOWNERS GROVE, IL (PIN: 09-07-305-020). SHABBIR KARIMI, OWNER AND PETITIONER.

Petitioner, Shabbir Karimi, stated that he is the owner of 1835 Elmore and they have lived in the home for about 13 years. He stated that his mother is in her 70s, widowed, and the addition will allow her to move into their home and have her own space. In reference to the standards, allowing the extended family unit will not create any safety hazards or anything of that effect and further stated that the addition is subtle. He stated that he does not believe the extended family accessory unit is not going to cause any impact on the values of the community as well; in fact that he believes this is a feature that many people are looking for these days to allow their relatives to age in place with their family.

Chairman Rickard invited public comment.

Ken Albert, 5437 Fairhaven Court, stated that he is a neighbor of the petitioner and is attending the meeting to understand the application. He questioned since the property is zoned R-1, would this request allow multi-family to be constructed on the property. He further stated that he has concerns about the rain water and that there are drainage issues to the east of the property.

Chairman Rickard, in response stated that the request in front of the Plan Commission was for the special use; and that the petitioner will submit for a building permit, where stormwater is reviewed as part of that process.

Chairman Rickard invited for any additional public comment. No additional public comment was received. Staff was invited to present.

Gabriella Baldassari, Development Planner, summarized the request and stated that the petitioner was requesting a special use for an extended family accessory housing unit at 1835 Elmore. She then referenced the presentation to provide an overview of the existing conditions of the property and identified where the proposed addition will be constructed. She then provided an overview of the floor plan, in addition to the de-conversion plan that must be implemented after the extended family unit is used, as required by Village Ordinance. She concluded the presentation stating that the standards have been met and recommended approval of the special use request.

Commission Dmytryszyn inquired why this was not just a building permit, as he has never seen a request like this before.

DRAFT

Ms. Baldassari stated that the zoning ordinance and this district primarily only allows single family residential. The special use approval process allows the Village to review the application, to ensure that it is not multi-family as that would not be appropriate for the zoning district.

Mr. Zawila further added that with the special use and as required by the Zoning Ordinance, the property owner is required to provide an annual signed affidavit stating that the extended family unit is still in use, in accordance with the approved special use.

Chairman Rickard invited the petitioner to provide any closing statements. The petitioner stated they had nothing else to add.

Chairman Rickard moved to Plan Commission deliberation. The Plan Commission members generally felt that the standards had been met and this type of living arrangement seems to be more popular.

Chairman Rickard entertained a motion

WITH RESPECT TO FILE 22-PLC-0010 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, COMMISSIONER BOYLE MADE A MOTION THAT THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR A SPECIAL USE AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST, THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0010, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE PROPOSED EXTENDED FAMILY ACCESSORY HOUSING UNIT SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED MAY 2, 2022 AND ARCHITECTURAL PLANS PREPARED BY 12/12 ARCHITECTS & PLANNERS, DATED DECEMBER 21, 2021, AND UPDATED APRIL 18, 2022, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**
- 2. THE PETITIONER SHALL PERMIT THE VILLAGE TO COMPLETE AN ANNUAL INSPECTION OF THE PREMISES TO ASSURE CONTINUING COMPLIANCE WITH EXTENDED FAMILY ACCESSORY HOUSING REGULATIONS.**
- 3. THE PETITIONER SHALL ANNUALLY SUBMIT TO THE VILLAGE A SWORN AFFIDAVIT THAT CERTIFIES CONTINUED COMPLIANCE WITH EXTENDED FAMILY ACCESSORY HOUSING REGULATIONS.**
- 4. THE ACCESSORY UNIT SHALL BE CONVERTED TO BE A PART OF THE EXISTING SINGLE FAMILY DWELLING UNIT WITHIN 120 DAYS OF THE LAPSE OF THE SPECIAL USE APPROVAL.**

SECOND BY COMMISSIONER JOHNSON. ROLL CALL:

AYE: COMMISSIONERS RECTOR, DMYTRYSZYN, BOYLE, TOTH, ROCHE, JOHNSON, PATEL, AND CHAIRMAN RICKARD

NAY: NONE

DRAFT

MOTION PASSED. VOTE: 8-0

/s/ Village Staff
Recording Secretary
(As transcribed by MP-3 audio)