

VILLAGE OF DOWNERS GROVE
Report for the Village
1/20/2026

SUBJECT:	SUBMITTED BY:
424 Hill Street - Rezoning	Stan Popovich, AICP Director of Community Development

SYNOPSIS

The petitioner is requesting a Zoning Map Amendment to rezone the northern lot of record associated with the subject property from R-2, Residential Detached House 2, to R-4, Residential Detached House 4 to permit the construction of a new single-family home.

STRATEGIC PLAN ALIGNMENT

The goals for 2025-2027 include a *Steward of Financial, Environmental, and Neighborhood Sustainability*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the February 3, 2026 active agenda per the Planning and Zoning Commission's 6:0 positive recommendation. The Planning and Zoning Commission found that the proposal is compatible with the Comprehensive Plan and meets all standards for approval for a Map Amendment found in Section 28.12.030 of the Municipal Code.

BACKGROUND

Property Information and Zoning Request

The 100-foot wide by 158-foot-deep property, commonly known as 424 Hill Street, is located approximately 200 feet northeast of the intersection of Grand Avenue and Hill Street and contains two lots of record. The northern lot of record (Part of Lot 38) is zoned R-2, Single Family Detached House 2, while the southern lot of record (Part of Lot 37) is zoned R-4, Single Detached House 4. The petitioner is requesting to rezone the northern lot of record (Part of Lot 38) to R-4, Residential Detached House 4, to match the existing zoning for the southern lot of record (Part of Lot 37). The petitioner desires to consolidate the two lots of record to construct a new single-family home on the property.

Compliance with the Comprehensive Plan

The Guiding DG Comprehensive Plan includes chapters on Land Use and Development and Housing and Neighborhoods. The goals associated with each chapter are:

Land Use and Development:

- Single-family detached residential areas should consist of a detached single household per lot.

Housing and Neighborhoods:

- Encourage residential new construction, additions, and renovations complement the established character and scale of the Village's established neighborhoods
- As infill occurs over time, residential development or redevelopment should align with the scale, setbacks, height, bulk, and orientation of surrounding homes to ensure compatibility.

Compliance with the Zoning Ordinance

The northern part of the property is zoned R-2, Residential Detached House 2. The petitioner is proposing a map amendment to rezone the property to match the southern part of the property's existing zoning classification R-4, Residential Detached House 4. A single-family home and associated accessory structures are permitted uses in this district.

Public Comment

Prior to the Planning and Zoning Commission meeting, staff received three inquiries regarding the proposed development which was general in nature. Six additional residents provided public comment during the public hearing sharing their concerns about: the reduced street setback associated with the R-4 rezoning, stormwater management, increased density, and if accessory dwelling units would be allowable with the requested zoning. In response to these concerns staff noted that the front lot was already zoned R-4 and the required street setback would remain 25 feet. With regards to stormwater management staff shared that this would be reviewed during the building permit. Finally, staff clarified that density allowances were the same between both zoning districts, as controlled by building coverage, and that accessory dwelling units were prohibited in both zoning districts.

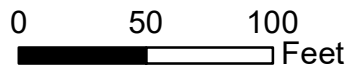
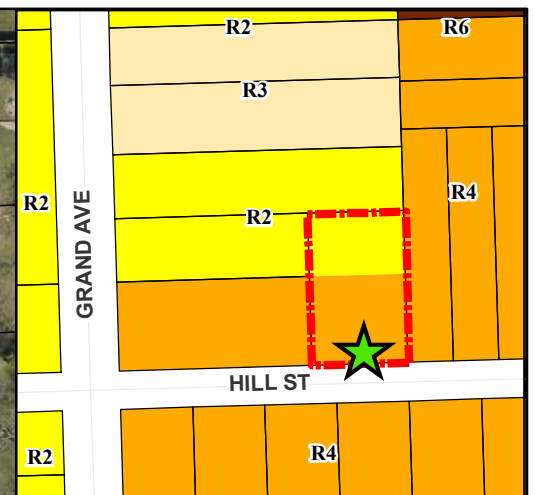
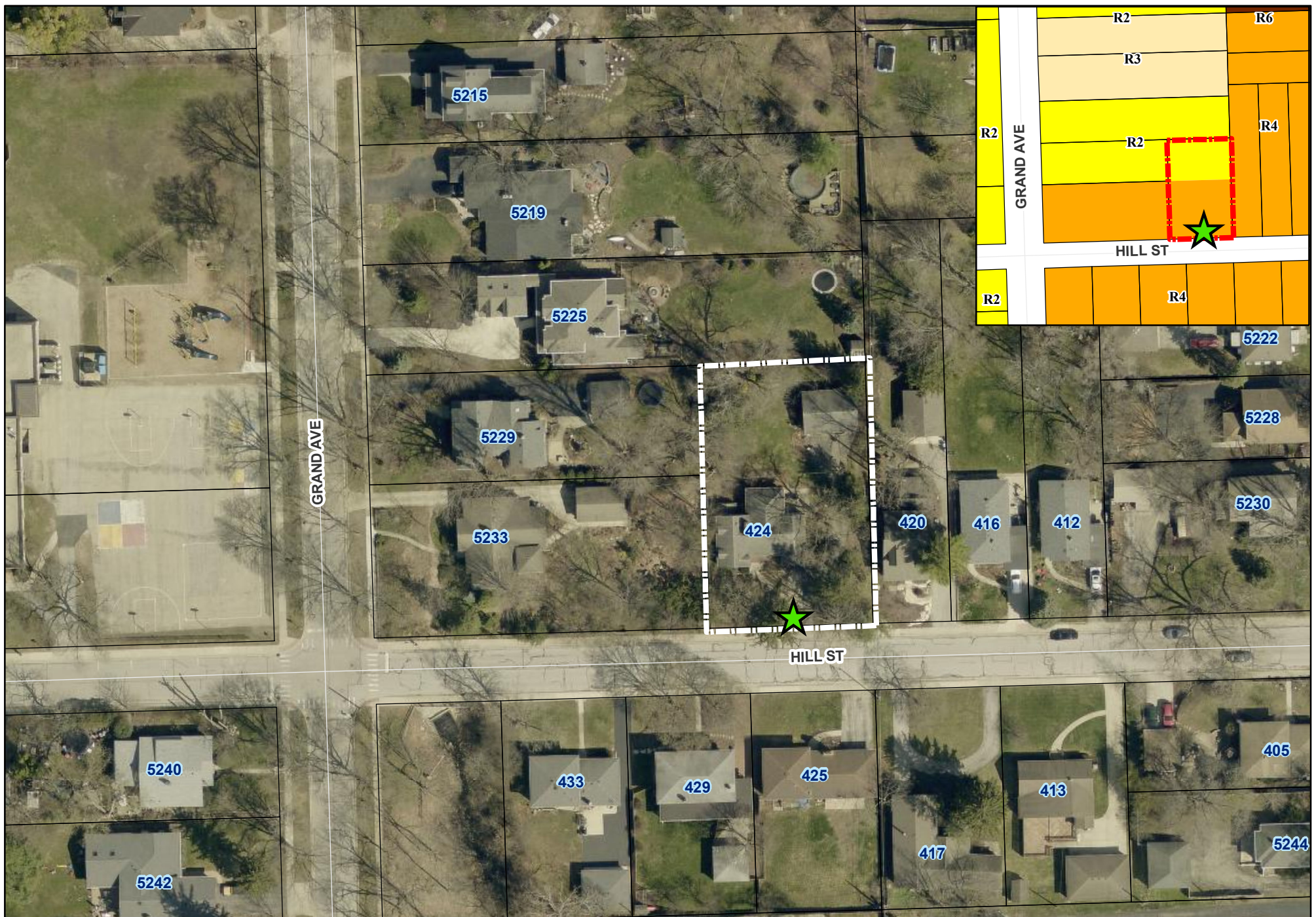
ATTACHMENTS

Aerial Map



Ordinance

Staff Report with Attachments dated January 5th, 2026

Draft Minutes of the Planning and Zoning Commission Hearing dated January 5th, 2026



424 Hill Street - Location Map

-  Subject Property
-  Site Location

ORDINANCE NO. _____**AN ORDINANCE REZONING CERTAIN PROPERTY
LOCATED AT 424 HILL STREET**

WHEREAS, the property located northeast of the intersection of Grand Avenue and Hill Street, Commonly known as 424 Hill Street, Downers Grove, Illinois, PIN 09-08-411-046, hereinafter described has been classified as "R-2, Residential Detached House 2" district under the Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner or owners of said property have requested that such property be rezoned as hereinafter provided; and

WHEREAS, such petition was referred to the Planning & Zoning Commission of the Village of Downers Grove, and said Planning & Zoning Commission has given the required public notice, has conducted a public hearing respecting said petition on January 5, 2026 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, making due allowance for existing conditions, the conservation of property values, the development of the property in conformance to the official Comprehensive Plan of the Village of Downers Grove, and the current uses of the property affected, the Council has determined that the proposed rezoning is for the public good.

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

SECTION 1. The Zoning Map of the Village, pursuant to Section 28.12.030 of the Downers Grove Municipal Code, is hereby further amended by rezoning to "R-4, Residential Detached House 4" the zoning classification of the following described real estate, to wit:

Parcel 1:

THE EAST 100 FEET OF THE SOUTH HALF OF LOT 38 IN HIGHLAND ACRES, BEING A SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST HALF AND THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF MAPLE AVENUE (EXCEPT RAILROAD) ACCORDING TO THE PLAT THEREOF RECORDED JULY 22, 1912 AS DOCUMENT 108797, IN DUPAGE COUNTY, ILLINOIS

Commonly known as: 424 Hill Street, Downers Grove, IL 60515
PIN: 09-08-411-046

SECTION 2. That the following factors were considered in this rezoning as shown in the Zoning Ordinance:

1. The existing use and zoning of nearby property;
2. The extent to which the particular zoning restrictions affect property values;
3. The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare;
4. The suitability of the subject property for the zoned purposes;

5. The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity;
6. The value to the community of the proposed use; and
7. The comprehensive plan.

SECTION 3. The official zoning map shall be amended to reflect the change in zoning classification effected by Section 1 of this ordinance, subject to the following conditions:

1. The Zoning Map Amendment shall substantially conform to the staff report dated January 5, 2026.
2. The petitioner shall consolidate the two lots into a single lot of record pursuant to Section 20.507 of the Subdivision Ordinance prior to the issuance of an occupancy permit.

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

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLANNING AND ZONING COMMISSION
JANUARY 5TH, 2026 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
25-PZC-0039 424 Hill Street	Zoning Map Amendment	Flora León, AICP Senior Planner

REQUEST

The petitioner is requesting a Zoning Map Amendment to rezone the northern lot of record associated with the subject property from R-2, Residential Detached House 2, to R-4, Residential Detached House 4 to permit the construction of a new single-family home.

NOTICE

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

GENERAL INFORMATION

OWNER/PETITIONER: Kamu 25 LLC
732 Bittersweet Lane
Hinsdale, IL 60521

PROPERTY INFORMATION

EXISTING ZONING: R-2, Residential Detached House 2 & R-4, Residential Detached House 4
EXISTING LAND USE: Single Family Residential
PROPERTY SIZE: 15,800 (.15 acres)
PIN: 09-08-411-046

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-2, Residential Detached House 2 R-3, Residential Detached House 3	Single Family Detached
SOUTH:	R-4, Residential Detached House 4	Single Family Detached
EAST:	R-4, Residential Detached House 4	Single Family Detached
WEST:	R-4, Residential Detached House 4 R-2, Residential Detached House 4	Single Family Detached

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Project Narrative
3. Plat of Survey

PROJECT DESCRIPTION

The 100-foot wide by 158-foot-deep property, commonly known as 424 Hill Street, is located approximately 200 feet northeast of the intersection of Grand Avenue and Hill Street and contains two lots of record. The northern lot of record (Part of Lot 38) is zoned R-2, Single Family Detached House 2, while the southern lot of record (Part of Lot 37) is zoned R-4, Single Detached House 4. The petitioner is requesting to rezone the northern lot of record (Part of Lot 38) to R-4, Residential Detached House 4, to match the existing zoning for the southern lot of record (Part of Lot 37). The petitioner desires to consolidate the two lots of record to construct a new single-family home on the property.

Historical zoning maps indicate that the northern lot of record (Part of Lot 38) and the southern lot of record (Part of Lot 37) have been zoned R-2 and R-4 respectively since 1965. It appears that the northern lot of record was previously part of 5229 Grand Avenue. There are no records of a formal subdivision, which leads staff to believe the northern lot of record (Part of Lot 38) was deeded over from 5229 Grand Avenue to 424 Hill Street. The adjacent properties immediately east and west of the subject property are zoned R-4, Residential Detached House 4.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Guiding DG Comprehensive Plan includes chapters on Land Use and Development and Housing and Neighborhoods. The goals associated with each chapter are:

Land Use and Development:

- Single-family detached residential areas should consist of a detached single household per lot.

Housing and Neighborhoods:

- Encourage residential new construction, additions, and renovations complement the established character and scale of the Village's established neighborhoods
- As infill occurs over time, residential development or redevelopment should align with the scale, setbacks, height, bulk, and orientation of surrounding homes to ensure compatibility.

COMPLIANCE WITH THE SUBDIVISION AND DEVELOPMENT ORDINANCE

Section 28.11.020 of the Zoning Ordinance requires the construction of a principal structure to occur on a single lot of record. Should the proposed zoning map amendment be approved, the petitioner will be required to administratively consolidate the two lots pursuant to Section 20.507 of the Subdivision Ordinance prior to occupancy permit issuance.

COMPLIANCE WITH ZONING ORDINANCE

The northern part of the property is zoned R-2, Residential Detached House 2. A single-family home and associated accessory structures are permitted uses in this district. The petitioner is proposing to rezone the property to match the southern part of the property's existing zoning classification R-4, Residential Detached House 4, consistent with the southern part of the property.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property line in addition to posting the public hearing sign and publishing the legal notice in the *Daily Herald Life*. Staff received one inquiry which was general in nature.

STANDARDS OF APPROVAL

The petitioner is requesting approval to a rezone part of 424 Hill Street from R-2 (Residential Detached House 2) to R-4 (Residential Detached House 4) to permit the construction of a new single-family home. The review and approval criterion for each request is listed below.

The petitioner has submitted a narrative that attempts to address all the standards of approval. The Planning

and Zoning Commission should consider the petitioner's documentation, the staff report and the discussion at the Planning and Zoning Commission meeting in determining whether the standards for approval have been met.

Zoning Map Amendment

Section 12.030.I. Zoning Map Amendment Review and Approval Criteria

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision-making bodies must consider at least the following factors:

1. *The existing use and zoning of nearby property.*
2. *The extent to which the particular zoning restrictions affect property values.*
3. *The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.*
4. *The suitability of the subject property for the zoned purposes.*
5. *The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.*
6. *The value to the community of the proposed use.*
7. *The comprehensive plan.*

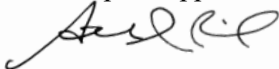
DRAFT MOTION

Staff will provide a recommendation at the January 5th, 2026 meeting. Should the Planning and Zoning Commission find that the request is consistent with the Comprehensive Plan and meets the requirements of the Zoning Ordinance, staff has prepared a draft motion that the Planning and Zoning Commission may make for the recommendation approval of 25-PZC-0039:

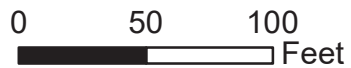
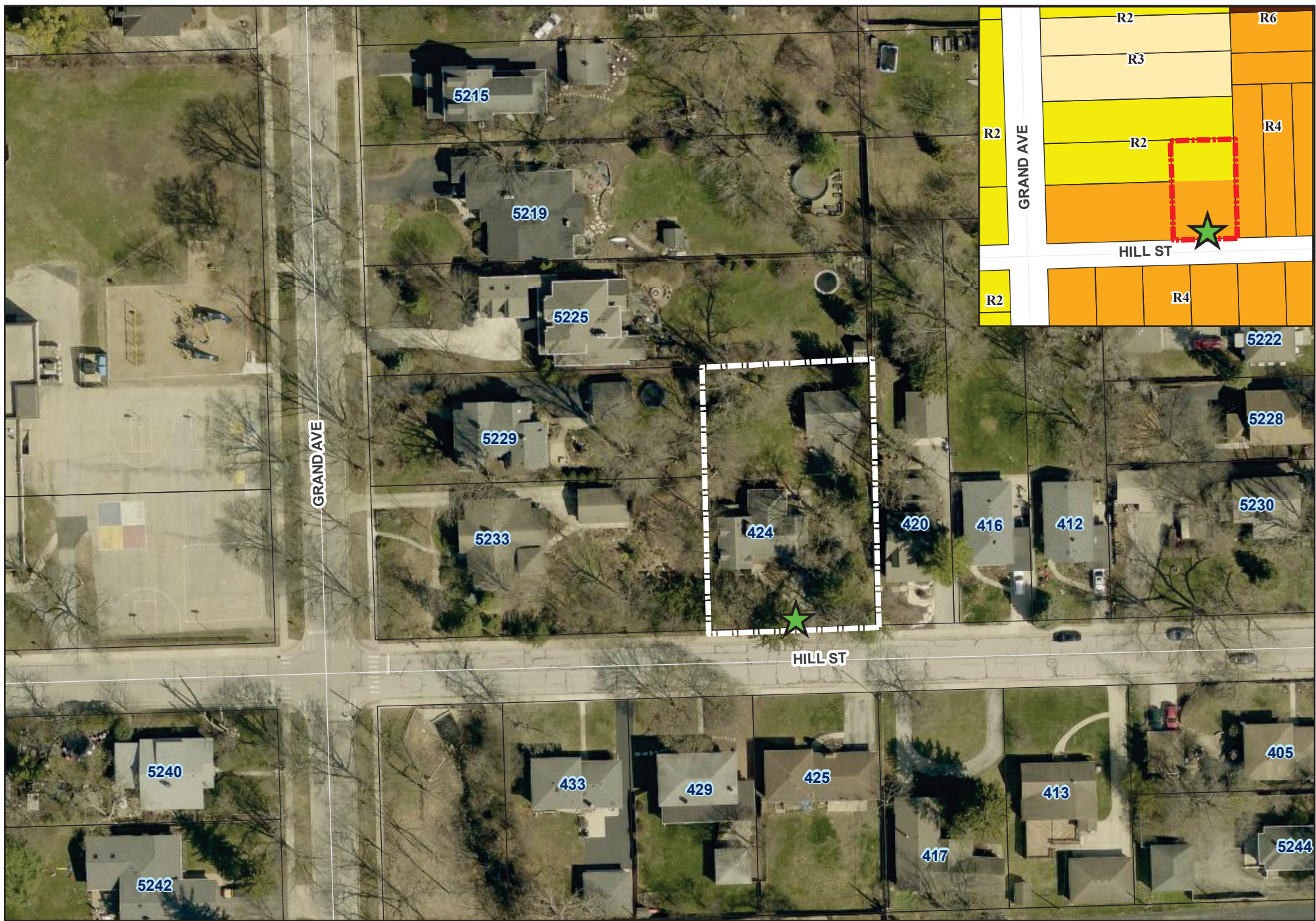
Based on the petitioner's submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval for a Rezoning as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Planning and Zoning Commission recommend to the Village Council approval of 25-PZC-0039, subject to the following conditions:

1. The Zoning Map Amendment shall substantially conform to the staff report dated January 5th, 2026.
2. The petitioner shall consolidate the two lots into a single lot of record pursuant to Section 20.507 of the Subdivision Ordinance prior to the issuance of an occupancy permit.



Staff Report Approved By:



Stanley J. Popovich, AICP
Director of Community Development



424 Hill Street - Location Map

-  Subject Property
-  Site Location

- LEGEND**
- Monumentation Found
 - Monumentation Set (IRLS 35-2551)
 - (50') Record Dimension
 - X- Fence Line

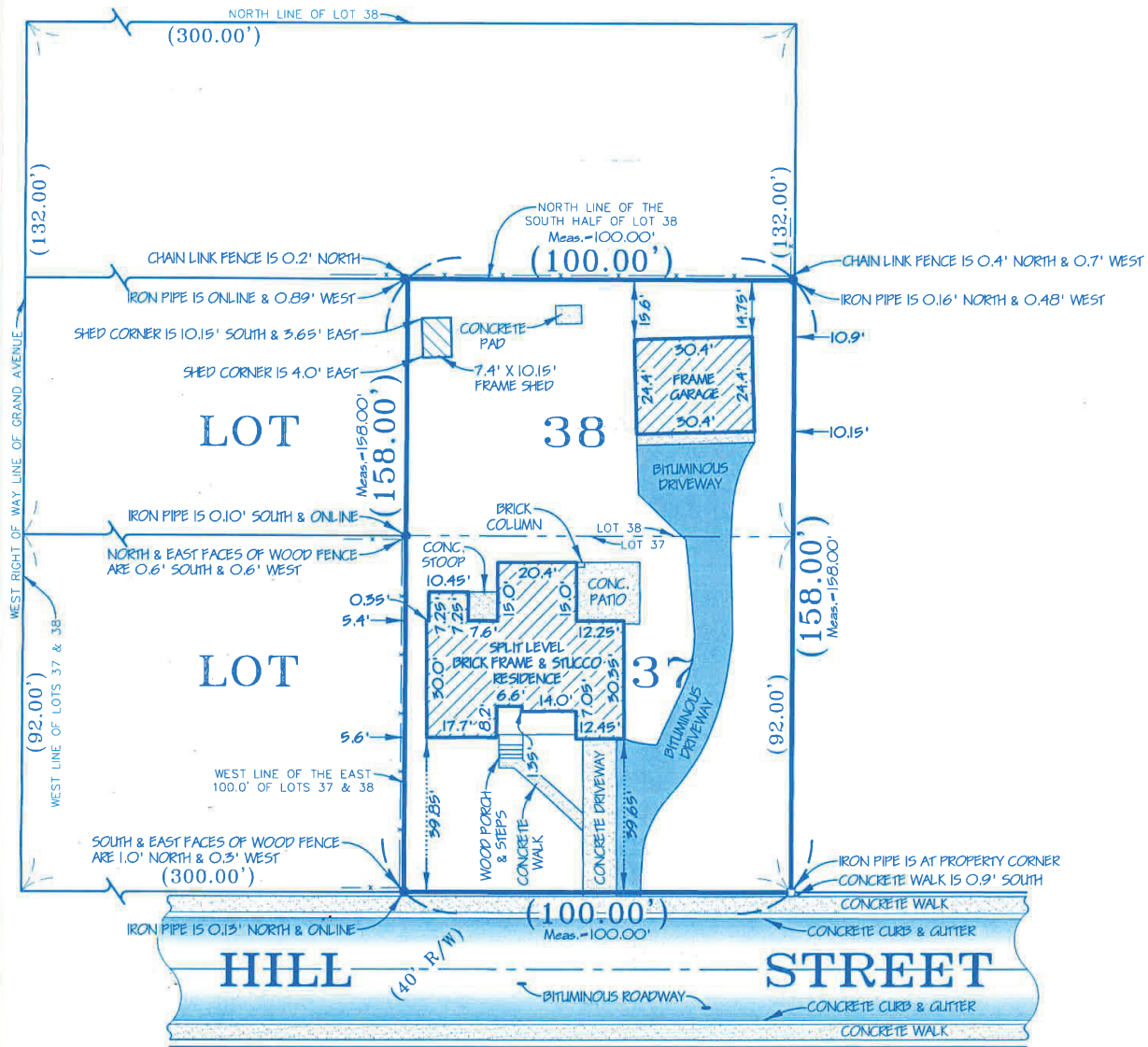
PLAT OF SURVEY

CARRADUS

PARCEL 1:
THE EAST 100 FEET OF THE SOUTH HALF OF LOT 38 IN HIGHLAND ACRES, BEING A SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST HALF AND THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF MAPLE AVENUE (EXCEPT RAILROAD) ACCORDING TO THE PLAT THEREOF RECORDED JULY 22, 1912 AS DOCUMENT 108797, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:
THE EAST 100 FEET OF LOT 37 IN RESUBDIVISION OF LOTS 14, 15, 16, 35, 36, 37, 54, 55, 56, 75, 76 AND 77 AND HILL STREET IN HIGHLAND ACRES, IN THE EAST HALF OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 21, 1914 AS DOCUMENT 116192, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SITE = 15,800 SQ.FT.



ANGLE ON THE SOUTHWEST CORNER OF THE SITE IS 89°44'09"

COMMON ADDRESS OF SITE
424 HILL STREET
DOWNERS GROVE, ILLINOIS



NOTES

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

STATE OF ILLINOIS) SS
COUNTY OF DU PAGE)

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 CAROL STREAM, ILLINOIS THIS 10th DAY OF June, A.D. 2025
BY *Allen D. Carradus* ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551.
MY LICENSE EXPIRES NOVEMBER 30, 2028.

CARRADUS LAND SURVEY, INC.

Residential & Commercial Land Surveying Services
191 S. Gary Ave., Suite 180, Carol Stream, Illinois 60188
(630) 588-0416 (Fax) 653-7682 carradus_survey@yahoo.com

PREPARED FOR:	CONNOLLY LAW OFFICE		
DRWN BY: CMG	DATE OF FIELD WORK: 06/10/25	SCALE: 1" = 30'	PLD. BK. - PAGE: 466-43
			PROJECT NO. 41906

KAMU 25 LLC

Cellphone No: 708-580-5201
30409 Village Green Blvd
Warrenville IL 60555

December 03, 2025

Village of Downers Grove
ATTENTION: Flora Leon

Dear Flora,

Subject: Rezoning and Lot Consolidation Request for 424 Hill St, Downers Grove, IL 60515

I am submitting this letter to formally request the rezoning and lot consolidation necessary for the development of a new single-family residence at **424 Hill Street, Downers Grove, IL 60515**.

During the review process of the permit application for the proposed new home, it was brought to my attention that although the property appears as a single parcel, it is legally composed of **two lots of records—Lot 37 and Lot 38—as shown on the plat of survey**. Additionally, the Village's zoning map indicates that these two lots carry **different zoning classifications**:

- **Lot 37 (front portion)** is zoned **R-4**,
- **Lot 38 (rear portion)** is zoned **R-2**.

Because the property contains split zoning, the current zoning configuration does not allow for consistent application of R-4 standards to the entire parcel. As a result, the Village is unable to complete the zoning review or issue the permit for the new single-family residence until zoning is made fully consistent.

To address this, I respectfully request the following:

1. **Rezoning of Lot 38 from R-2 to R-4** so that the full property carries a uniform R-4 zoning designation; and
2. **Consolidation of Lots 37 and 38** into a single zoning lot following the rezoning.

This action will bring the property into full alignment with current zoning requirements and allow the proposed single-family home to move forward appropriately under the applicable R-4 standards.

I appreciate the Village's attention to this matter and respectfully request consideration of this rezoning and lot consolidation application. Please let me know if any additional documents, forms, or materials are needed to complete the review.

Thank you for your time and assistance

Sincerely,


Kile Kapral
KAMU 25 LLC
Owner



Zoning Map Amendments

Form #PZC3

Review and Approval Criteria

Address of Project Site: 424 Hill St, Downers Grove, IL, 60515

A detailed response to all of the standards shall be provided, specifying how each standard is or is not met.

Section 28.12.030.I. Review and Approval Criteria (Zoning Map Amendments - Rezoning)

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision making bodies must consider at least the following factors:

1. The existing uses and zoning of nearby property.

The subject property is composed of two lots of record: Lot 37 (front) and Lot 38 (rear). Lot 37 is zoned R-4 and Lot 38 is zoned R-2.

2. The extent to which the particular zoning restrictions affect property values.

The split R-2/R-4 zoning lowers the property's value by limiting permitting and use as a single residential lot, and rezoning Lot 38 to R-4 removes this restriction and restores full marketability. +

3. The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.

The rezoning creates no loss in property value and instead improves public safety and planning clarity by applying one consistent R-4 standard to the entire parcel, ensuring proper zoning compliance and orderly development. +

4. The suitability of the subject property for the zoned purposes.

Lot 38 is unsuitable as R-2 since it functions with Lot 37 as a single homesite, and rezoning both lots to R-4 aligns zoning with the property's intended single-family use.

5. The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.

The property has long been an occupied single parcel with split zoning, and rezoning Lot 38 to R-4 aligns zoning with its existing use, enabling the new single-family home permit.

6. The value to the community of the proposed use.

The rezoning enables a single-family home consistent with the neighborhood's existing development pattern. It also ensures zoning accuracy and makes future property records clear and consistent for the Village and community.

7. The Comprehensive Plan.

The proposed rezoning aligns with the Village's Comprehensive Plan, which supports stable residential neighborhoods and reinvestment in existing housing areas. Consolidating the zoning classification to R-4 on both lots allows the property to be used efficiently and consistently as a single residential site. The request supports the Plan's goals of orderly development, updated property records, and compatible residential use. +

DRAFT

**VILLAGE OF DOWNERS GROVE
PLANNING AND ZONING COMMISSION****January 5, 2026, 7:00 p.m.**

25-PZC-0039: THE PETITIONER IS REQUESTING THE CONSIDERATION OF A PETITION SEEKING A REZONING FROM R-2, RESIDENTIAL DETACHED HOUSE 2, TO R-4, RESIDENTIAL DETACHED HOUSE 4. THE PROPERTY IS NORTHEAST OF THE INTERSECTION OF GRAND AVENUE AND HILL STREET, COMMONLY KNOWN AS 424 HILL STREET, DOWNERS GROVE, IL (PIN: 09-08-411-046). KILE KAPRAL, PETITIONER AND OWNER, KAMU 25, LLC

Kile Kapral, owner and builder of 424 Hill Street, stated they are trying to rezone the back half of the property. He shared a digital presentation. There are two lots, lot 37 in front and lot 38 in back. The front half of the property is R-4 and the back is R-2. They want to rezone it to be the same.

Chairman Rickard asked for questions for the petitioner.

Commissioner Lincoln inquired why the request was necessary. Mr. Kapral responded that when they bought the property it was zoned differently. They are trying to build a house on it, and they need to do a plat of consolidation, and the only way that can be done is to have the lot rezoned to the same zoning for both lots.

A Commissioner asked if there was ever individual access to the second lot. Mr. Kapral responded not to his knowledge.

Chairman Rickard asked for public comment.

Betsy Dunn lives adjacent to the plot owned by Mr. Kapral. Ms. Dunn's lot is R-4 and is a narrow, deep lot. She stated Mr. Kapral's lot is 100 feet wide but is not as deep as hers. Her understanding is an R-4 lot is intended for narrow lots where longer, deeper homes need to be built, allowing more frontage. In this case, it is a wide lot with space to build out and not forward. The houses on Hill Street sit back about 40 feet from the front lot line. Ms. Dunn's porch extends 10 feet out, making her front lot line 30 feet. Ms. Dunn stated she does not care if it is R-4 or R-2. Her main concern is she does not want the house to be put at 25 feet from the street because that would put it in front of every other house on the street and they would be looking at a wall of house. She is really only concerned about the front setback. She asked why not make it an R-2 when it fits in better with the R-2 requirements.

Matthew Cash stated he does not necessarily oppose it but asked whether Mr. Kapral is looking to rezone it to move it forward or will the setback remain the same. As long as it does not put any more water in his backyard, he does not oppose it. He finds Ms. Dunn's argument much more persuasive. Chairman Rickard clarified this is strictly for the rezoning and there is no relief being sought for setbacks and that type of thing. The rezoning would adopt the zoning setbacks and bulk regulations for that zoning district. Mr. Cash stated the only difference between R-2 and R-4 is the setback. Chairman Rickard stated he did not look at every requirement, but it will take on all the bulk regulations and setback requirements of the new district. Anything regarding stormwater and building placement is another process.

DRAFT

Joshua Weikersheimer stated he is at the bottom of two hills and is most interested about anything that might change water. He is concerned about spacing on the lot. He also stated he wants to make sure that they are keeping something of the feel of the neighborhood in mind when making decisions.

John Mlade asked if there is a difference in density and accessory dwellings between R-2 and R-4. Mr. Mlade stated he does not support multi-family housing at that location. Chairman Rickard stated that the zoning district will dictate that it is single family only. Accessory dwelling units and other issues will be addressed in the staff report.

Jeff DeCieco, neighbor to Ms. Dunn, showed a picture of the neighborhood and stated that all the houses basically line up in the front. He is concerned that, if changed to R-4, the home could be moved forward and the houses would be out of line. Hill Street only has a sidewalk, no grass. Chairman Rickard stated that they will get more into that in the staff report.

Tom Marszewski stated he agrees with Ms. Dunn, that the property be converted to R-2. Mr. Marszewski further stated that it is a difference between 25 feet and 35 feet to the street and the home has been there for probably 80 years and always been 40 feet away from the street. Mr. Marszewski stated that the 100-foot lot offers ample opportunity to build a home that would fit the integrity of the neighborhood that would be a 35-foot setback from the street. Mr. Marszewski stated he believes having a massive home that close to the street is a danger to the community and ruins the integrity of the community. Mr. Marszewski mentioned the school down the street. Mr. Marszewski believes Ms. Dunn attempted to email Mr. Kapral asking what his intentions were on the setback.

Chairman Rickard asked for the staff report.

Flore Leon, Senior Planner, stated the request is for a rezoning at 424 Hill Street. The location map was reviewed. A photo of the existing home and the posted public hearing sign was shown. Notices were mailed out and published in the newspaper. One general question was received, followed by two calls. An overlay of the plat of survey over the aerial was shown. The property is composed of two lots of record. Lot 38 is in the back and zoned R-2. Lot 37 is in the front and zoned R-4. During their research, staff found this kind of configuration has been present since 1965. They could not find a formal recorded subdivision. They believe that the rear lot was deeded over from 5229 Grand Avenue over to 424 Hill Street at some point in time.

Ms. Leon stated that when looking at the zoning map and the properties adjacent to 424 Hill Street, across the street just south of Hill Street is zoned R-4, and adjacent parcels north of Hill Street are zoned R-4. To rezone the entire property to R-4 would be more aligned and would not create spot zoning. Bulk regulations would be reviewed during the building permit for the new house construction, along with stormwater best management practices. The key difference is the front setback for R-4 is 25 feet, whereas R-2 is 35 feet. Accessory dwelling units are not permitted in R-4 or R-2. Regarding density between R-2 and R-4, building coverage is looked at and no more than 32% of a lot can be covered by structures, which is anything over 18 inches in height.

Ms. Leon then stated regarding Comprehensive Plan compliance, the land use and development section indicates they should have single-family detached residential areas with only one structure per lot. Consolidating these lots and having one structure would meet that requirement. The housing and neighborhood section states that residential new construction should be encouraged while ensuring that the new construction aligns with the scale, setbacks, height, bulk and orientation of the surrounding homes.

DRAFT

Regarding criteria for zoning map amendment, staff finds all of the standards of approval have been met. Staff recommends approval of 25-PZC-0039.

Commissioner Lincoln asked if the 32% structure coverage of the lot is the same for R-2 and R-4. Ms. Leon confirmed it is the same.

Commissioner Lincoln asked what the current setback of the home is. Jason Zawila, Planning Manager, stated that 39 feet was provided.

Commissioner Lincoln stated the setback is currently 35 feet and it could then become 25 feet. Ms. Leon stated that is the interesting piece, because the front lot is zoned R-4 and the current setback is 25 feet, and if the rear lot were to be rezoned then both lots would be R-4, so the front setback is not changing. The existing home is currently setback 39 feet. Both sides of Hill Street, north and south, are all zoned the same. Some of the homes might not be built to that setback line but those are choices people made when those homes were built. If the house were wrecked and prepped for new construction, as long as it was placed within the setbacks of the zoning district, it would be reviewed through the building permit process.

Commissioner Reyes asked how R-2 versus R-4 is chosen. Ms. Leon responded that with any new subdivisions, they look to see what the adjacent neighborhood is zoned. Commissioner stated that the adjacent lots that are zoned R-4 are skinny and long and this lot is going to be different and asked if it is still correct to be R-4. Staff responded that they have not had any new subdivisions in quite some time with the exception of one approved last year. Generally what they see is a lot of in-build developments, lot consolidations, which they usually do not see here unless there is a variance associated with it. There is nothing to stop a property owner from combining two lots, building a home, and then going through the lot consolidation process. R-4 is present on the south, west and east of this property.

Chairman asked for last comments from the petitioner.

Mr. Kapral stated that this has been through the permit process, and even if zoned R-4 they will still follow that 35-foot setback. Their biggest goal is to preserve as many trees as they can and that is why they went further back. They did not want to go further forward. Regarding water mitigation, they will follow all codes with that and go through the proper channels.

Chairman asked the Commissioners for discussion or comments.

Commissioner Lincoln stated he is generally in support. He does not see any concerns and stated that it makes logical sense to match the neighbors and not have a spot zone, and he feels most of the concerns of the neighbors were addressed.

Commissioner Patel stated she agrees with Commissioner Lincoln and that the builder/owner is doing his due diligence for the neighborhood in trying to keep the same feel and same structure. She appreciates his efforts to keep the existing trees. Consolidating the lots makes sense and makes a more concise neighborhood plan. She supports it.

Chairman Rickard agrees this is pretty straightforward and cleans up an anomaly that was out there. Chairman Rickard appreciates the petitioner's willingness to set the house back, but the setback requirements do not change for the house. If any future owner decides to build, they could go to 25 feet. The fact that the applicant stated that does not really change their request in the changing of the zoning.

BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT AND THE TESTIMONY PRESENTED, IT IS FOUND THAT THE PETITIONER HAS MET THE STANDARDS OF

DRAFT

APPROVAL FOR REZONING AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IT IS IN THE PUBLIC INTEREST, AND THEREFORE, COMMISSIONER PATEL MADE A MOTION THAT THE PLANNING AND ZONING COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 25-PZC-0039, SUBJECT TO THE TWO CONDITIONS AS ARTICULATED ON PAGE 3 OF THE STAFF REPORT.

SECOND BY COMMISSIONER LINCOLN

ROLL CALL:

AYE: PATEL, LINCOLN, FRANKOVIC, MARTINEZ, WOLF, CHAIRMAN RICKARD

MOTION APPROVED. VOTE 6-0

/s/

Recording Secretary

(As transcribed by Ditto Transcripts)