



Village of Downers Grove

Report for the Village Council Meeting

Table 1 - Council Agenda item.

Subject	417 2nd Street – Special Use
Submitted By	Stan Popovich, AICP Director of Community Development

Synopsis.

The petitioner is requesting approval of a Special Use to construct an accessory structure on a lot of record prior to the construction of a principal structure.

Strategic Plan Alignment

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

Fiscal Impact.

N/A

Recommendation.

Approval on the June 9, 2026 active agenda per the Planning and Zoning Commission’s 6:2 positive recommendation. The Planning and Zoning Commission found that the proposal is compatible with the Comprehensive Plan and meets the standards for a Special Use found in Section 28.12.050. The dissenting Planning and Zoning Commission members felt that the proposal did not align with the

Comprehensive Plan. Specifically, they expressed the need to find locations for more multi-family housing, the future land use designation for the subject property.

Background.

Property Information and Zoning Request.

The petitioner owns both 5141 Grand Avenue and 417 2nd Street. The western lot is a single lot of record with a single-family home. The eastern lot is two lots of record with a vacant single-family home and detached garage. The petitioner is proposing to demolish the existing structures on the eastern lot, 417 2nd Street, to build a new pool house that will serve the main house and pool on the 5141 Grand Avenue lot. Per the Zoning Ordinance, residential accessory structures may only be built on a lot with an existing principal structure (e.g. a house), unless a Special Use is granted.

Compliance with the Comprehensive Plan.

The Guiding DG Comprehensive Plan's Future Land Use Map designates the subject property as Multi-Family Residential. The proposal is not consistent with the intent of the Future Land Use Map. Development of this parcel by itself for a multi-family residential use is challenging based on its landlocked location without street frontage. However, the proposed pool house is consistent with the residential uses to the west. The proposal is consistent with the intent of the Comprehensive Plan's Housing and Neighborhoods Recommendations, which include promoting home renovation and enforcement of property maintenance regulations to preserve neighborhood character, supporting housing quality, and maintaining the appeal of established neighborhood.

Compliance with the Zoning Ordinance.

The property is zoned R-6, Residential Apartment/Condo 6. An accessory structure on a lot prior to a principal structure is an allowable special use in the R-6 Zoning District. The property meets the requirements and is eligible for consideration of

this special use. The 417 2nd Street lot will be administratively consolidated during the building permit review process in order to accommodate the proposed accessory structure. The proposed pool house will meet the bulk requirements of the Zoning Ordinance as outlined in Table 6 of the Planning and Zoning Commission Staff Report.

Engineering and Public Improvements.

The petitioner's proposal complies with the Village's Stormwater and Floodplain Ordinance. The improvements, will result in a net decrease of one hundred and twenty-five (125) square feet in impervious surface area, and therefore no additional stormwater improvements are necessary. The subject property has access to Fairview Avenue, through a cross-access easement with the adjacent private property to the east, that will be maintained.

Public Comment.

Staff did not receive any inquiries from the public prior to the Planning and Zoning Commission meeting. During the Planning and Zoning Commission meeting an adjacent property owner advised that they own the shared access easement over 5118 Fairview Avenue. This property owner stated that he currently maintains the access drive and did not feel that continuing to grant access would be required for a pool house. Staff indicated that the access easement is a private property matter.

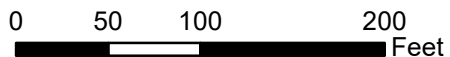
Attachments.

Aerial Map



Ordinance

Staff Report with attachments dated May 4, 2026

Draft Planning and Zoning Commission Minutes dated May 4, 2026



417 2nd Street - Location Map

-  Subject Property
-  Site Location

Ordinance

An Ordinance Authorizing a Special Use to Permit Construction of an Accessory Structure Before the Principal Structure is Established at 417 2nd Street

WHEREAS, the following described property, to wit:

The west 87 feet of the south 54 feet of lot and the west 87 feet of lot 9 of the Highland Acres, a subdivision of the part of the east half of Section 8, Township 38 North Range 11 East of the Third Principal Meridian, in DuPage County, Illinois, with an easement for ingress and egress over the south 12 feet of the north 78 feet of lot 8 in the Highland Acres in the east half of Section 8, Township 38 North, Range 11 east of the Third Principal Meridian, in DuPage County, Illinois

Commonly known as: 417 2nd Street, Downers Grove, IL 60515

PINs 09-08-411-026

(hereinafter referred to as the "Property") is zoned in the "R-6, Residential Apartment/Condo 6" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner of the Property has filed with the Planning & Zoning Commission a written petition conforming to the requirements of the Zoning Ordinance requesting that a Special Use be granted to permit construction of an accessory structure before the principal structure is established; 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 for the petition on May 4, 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, the Planning & Zoning 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 Planning & Zoning 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 will not, in the particular case, be detrimental to the health, safety, or general welfare of the community;
3. that the proposed use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood;
4. that the establishment of the special use will not impede the normal and orderly development and improvement of adjacent property for uses permitted in the district.

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 construction of an accessory structure before the principal structure is established.

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

1. The proposed pool house shall substantially conform to the plans and specifications attached to the Staff Report dated May 4, 2026 except as such plans may be changed to conform to the Village codes, ordinances, and policies.
2. A recorded plat of consolidation is required prior to issuance of permits.
3. A restriction shall be recorded against the properties with the DuPage

County Recorder of Deeds that requires demolition of the accessory structure prior to the sale of the properties if they are not transferred simultaneously to a single entity.

4. A direct connection from the pool house at 417 2nd Street to the pool located at 5141 Grand Avenue shall be installed prior to the issuance of a certificate of occupancy. Such connection shall be provided in the form of a sidewalk, stepping stones or similar material as approved by the Community Development Director.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use is. 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.

By: Mayor

Passed:

Published:

Attest:

By: Village Clerk



Village of Downers Grove

Planning and Zoning Commission - Report

Table 1 - Detailed information on this Planning and Zoning Commission Report.

Meeting Location	Civic Center – Betty Cheever Council Chambers
Meeting Address	850 Curtiss St., Downers Grove, IL 60515
Meeting Date	May 4th, 2026 at 7:00 PM
Subject	26-PZC-0013 – 417 2nd Street
Type	Special Use for an Accessory Structure on a Vacant Lot
Submitted by	Flora León, AICP, Senior Planner

Request.

The petitioner is requesting approval of a Special Use to construct an accessory structure on a lot of record prior to the construction of a principal structure.

Notice.

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

General Information.

Table 2 – Details about the applicant's identity and location.

Applicant Name	Applicant Address
Oakley Home Builders	5216 Main Street, Downers Grove, IL 60515

Table 3 - Property ownership details for primary and additional owner(s).

Owner Name	Owner Address
Jeffery Wiklund	417 2 nd Street, Downers Grove, IL 60515

Property Information.

Table 4 - Detailed subject property summary (parcel identification, size, and zoning)

Existing Zoning	R-6, Residential Apartment/Condo 6
Existing Land Use	Vacant Single-Family Home
Property Size	0.37 acres (16,182 square feet)
PIN	09-08-411-026

Table 5 - Details regarding the surrounding properties, zoning, and land uses.

Direction	Zoning	Future Land Use
East	R-6, Residential Apartment/Condo 6	Multi-Family Residential
West	R-2, Residential Detached House 2	Single-Family Detached Residential
North	FC, Fairview Core	Mixed Use
South	R-6, Residential Apartment/Condo 6	Multi-Family Residential

Analysis.

Submittals.

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

1. Project Narrative

2. Approval Criteria
3. Plat of Survey
4. Civil Plans
5. Architectural Plans

Project Description.

The petitioner owns both 5141 Grand Avenue and 417 2nd Street. The western lot is a single lot of record with a single-family home. The eastern lot is two lots of record with a vacant single-family home and detached garage. The petitioner is proposing to demolish the existing structures on the eastern lot, 417 2nd Street, to build a new pool house that will serve the pool on the 5141 Grand Avenue lot. Per the Zoning Ordinance, residential accessory structures may only be built on a lot with an existing principal structure (e.g. a house), unless a Special Use is granted.

Compliance with the Comprehensive Plan.

The Guiding DG Comprehensive Plan's Future Land Use Map designates the subject property as Multi-Family Residential. The proposal is not consistent with the intent of the Future Land Use Map. Development of this parcel by itself for a multi-family residential use is challenging based on its landlocked location without street frontage. However, the proposed pool house is consistent with the residential uses to the west. The proposal is consistent with the intent of the Comprehensive Plan's Housing and Neighborhoods Recommendations, which include promoting home renovation and enforcement of property maintenance regulations to preserve neighborhood character, supporting housing quality, and maintaining the appeal of established neighborhood.

Compliance with the Zoning Ordinance.

The property is zoned R-6, Residential Apartment/Condo 6. An accessory structure on a lot prior to a principal structure is an allowable special use in the R-6 Zoning District. The property meets the requirements and is eligible for consideration of

this special use. The 417 2nd Street lot will be administratively consolidated during the building permit review process in order to accommodate the proposed accessory structure. The proposed pool house will meet the bulk requirements of the Zoning Ordinance as outline in the table below:

Table 6 - Zoning regulations for proposed development.

Zoning Regulation	Required	Proposed
Front Setback - North	25 feet	46.4 feet
Side Setback - East	8.7 feet	45.8 feet
Side Setback - West	8.7 feet	13 feet
Rear Setback - South	20 feet	94.6 feet
Maximum Size – Accessory Structures	1,000 square feet	977 square feet
Accessory Structure Height	23 feet maximum	20.5 feet

Engineering and Public Improvements.

The petitioner’s proposal complies with the Village’s Stormwater and Floodplain Ordinance. The improvements, will result in a net decrease of one hundred and twenty-five (125) square feet in impervious surface area, and therefore no additional stormwater improvements are necessary. The subject property has access to Fairview Avenue, through a cross-access easement with the adjacent private property to the east, that will be maintained.

Neighborhood Comment.

Notice was provided to all property owners two hundred and fifty (250) feet or less from the subject property in addition to posting public hearing signs and publishing a legal notice in the Daily Herald. Staff did not receive any public inquiries.

Standards of Approval.

The petitioner is requesting approval for a Special Use to construct an accessory structure on a lot of record prior to the construction of a principal structure, as required by Section 28.6.010(a)(3). 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.

Special Uses, [Sec 28.12.050\(h\) Review and Approval Criteria](#)

- (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 will not, in the particular case, be detrimental to the health, safety, or general welfare of the community;
- (3) that the proposed use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood;
- (4) that the establishment of the special use will not impede the normal and orderly development and improvement of adjacent property for uses permitted in the district.


Draft Motion.

Staff will provide a recommendation at the May 4th, 2026 meeting. Should the Planning and Zoning Commission find that the request meets the standards of approval for a Special Use staff has prepared a draft motion that the Planning and Zoning Commission may make for the recommended approval of 26-PZC-0013, subject to the following conditions:

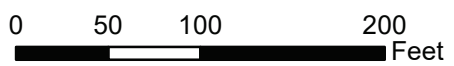
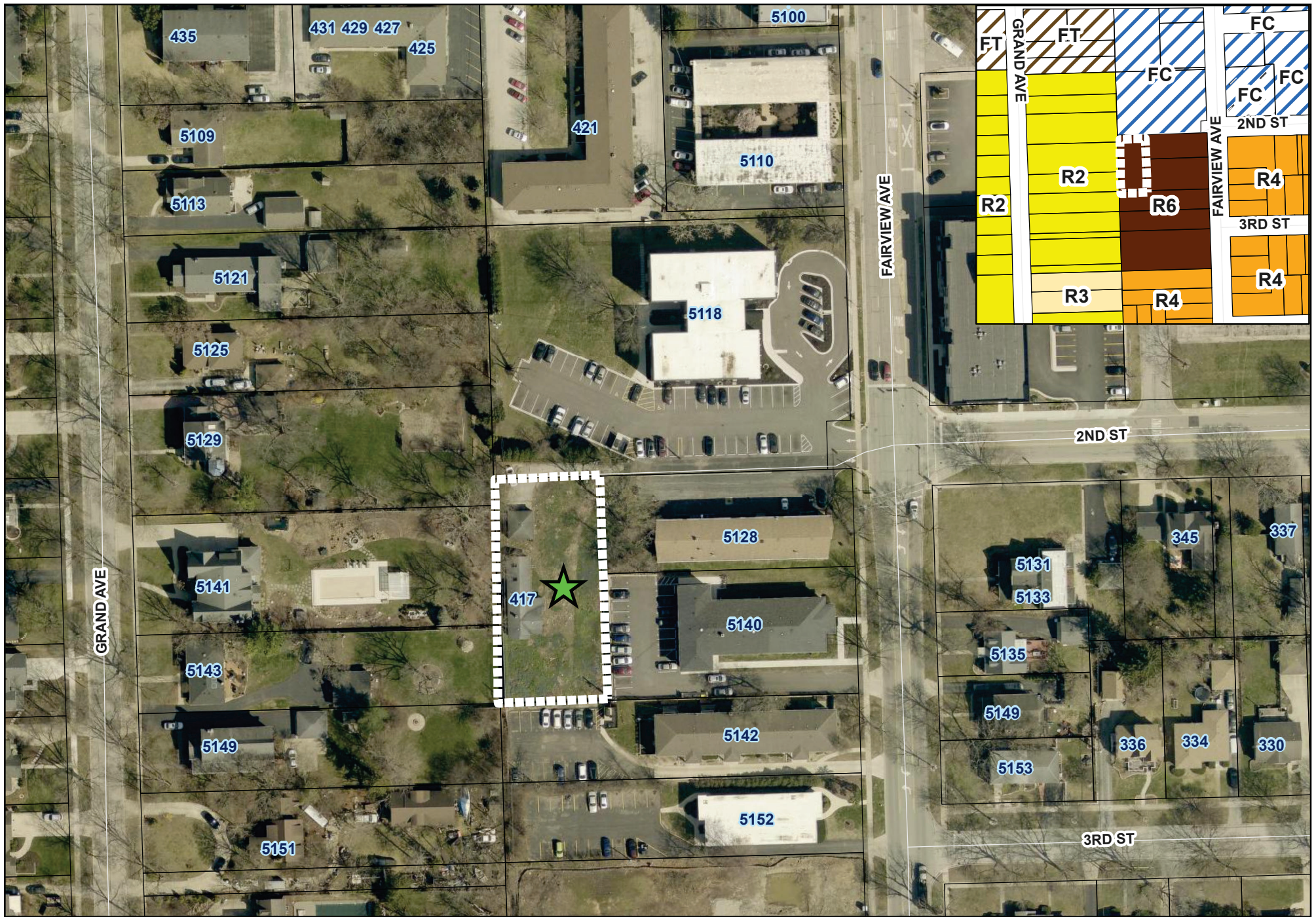
1. The proposed pool house shall substantially conform to the plans and specifications attached to this report except as such plans may be change to conform to the Village codes, ordinances, and policies.

2. A recorded plat of consolidation is required prior to occupancy issuance.
3. A restriction shall be recorded against the properties with the DuPage County Recorder of Deeds that requires demolition of the accessory structure prior to the sale of the properties if they are not transferred simultaneously to a single entity.
4. A direct connection from the pool house at 417 2nd Street to the pool located at 5141 Grand Avenue shall be installed prior to the issuance of a certificate of occupancy. Such connection shall be provided in the form of a sidewalk, stepping stones or similar material as approved by the Community Development Director.



Staff Report Approved By:

A handwritten signature in black ink, appearing to read "Stanley J. Popovich", is enclosed in a thin black rectangular box. Below the box is a horizontal line.

Stanley J. Popovich, AICP
Director of Community Development



417 2nd Street - Location Map

 Subject Property
 Site Location



March 20, 2026

Village of Downers Grove
850 Curtis Street
Downers Grove IL, 60515

RE: Accessory Structure 417 2nd St

Dear Members of the Downers Grove Planning and Zoning Commission,

This letter serves as a project narrative for the proposed accessory structure located at 417 2nd Street, which is intended to function as a pool house serving the existing single-family residence at 5141 Grand Avenue. The proposed structure is a non-dwelling accessory use and will not be utilized as a separate residence. It is designed solely to support the principal use of the property by providing amenities associated with a private residential pool at 5141 Grand. The structure will be constructed in a manner consistent with the character of the surrounding neighborhood and in compliance with all applicable zoning and building regulations. Furthermore, the project poses no adverse impact to public health, safety, or welfare, and will not generate additional traffic, noise, or utility demand beyond what is typical for a residential accessory use.

Thank you,

Kevin Nelson
Project Manager
Oakley Home Builders



Special Uses

Form #PZC2

Review and Approval Criteria

417 2nd St

Address of Project Site: _____

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 consistent with and in substantial compliance with all Village Council policies and plans, including, but not limited to, the Comprehensive Plan and the Downtown Design Guidelines 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 proposed accessory structure is intended to function as a pool house serving the existing single-family residence located at 5141 Grand Avenue. Accessory structures of this nature are consistent with and contemplated within the Village's zoning framework when reviewed under the Special Use process. The proposed use remains clearly subordinate and incidental to the principal residential use and does not introduce a separate or independent

2. That the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of the community.

The accessory structure is a non-dwelling unit and will not be occupied as a residence. It will not generate additional traffic, public demand, or safety concerns beyond typical residential use. The structure is designed to meet all applicable building codes and zoning requirements, ensuring that it poses no risk to public health, safety, or welfare.

3. That the proposed use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

The pool house will be architecturally compatible with the existing home and surrounding neighborhood. Its scale and use are typical of residential accessory structures and will not create noise, traffic, or visual impacts that would negatively affect neighboring properties. As such, it is not expected to diminish property values and may enhance the overall character of the property.

4. That the establishment of the special use will not impede the normal and orderly development and improvement of adjacent property for uses permitted in the district.

The proposed accessory structure will not interfere with the development potential of surrounding properties. It maintains appropriate setbacks and conforms to zoning standards, ensuring that adjacent parcels retain full ability to develop or improve in accordance with permitted uses. The project is consistent with the established residential pattern of the area.

BOUNDARY AND TOPOGRAPHIC SURVEY

PROFESSIONAL LAND SURVEYING, INC.

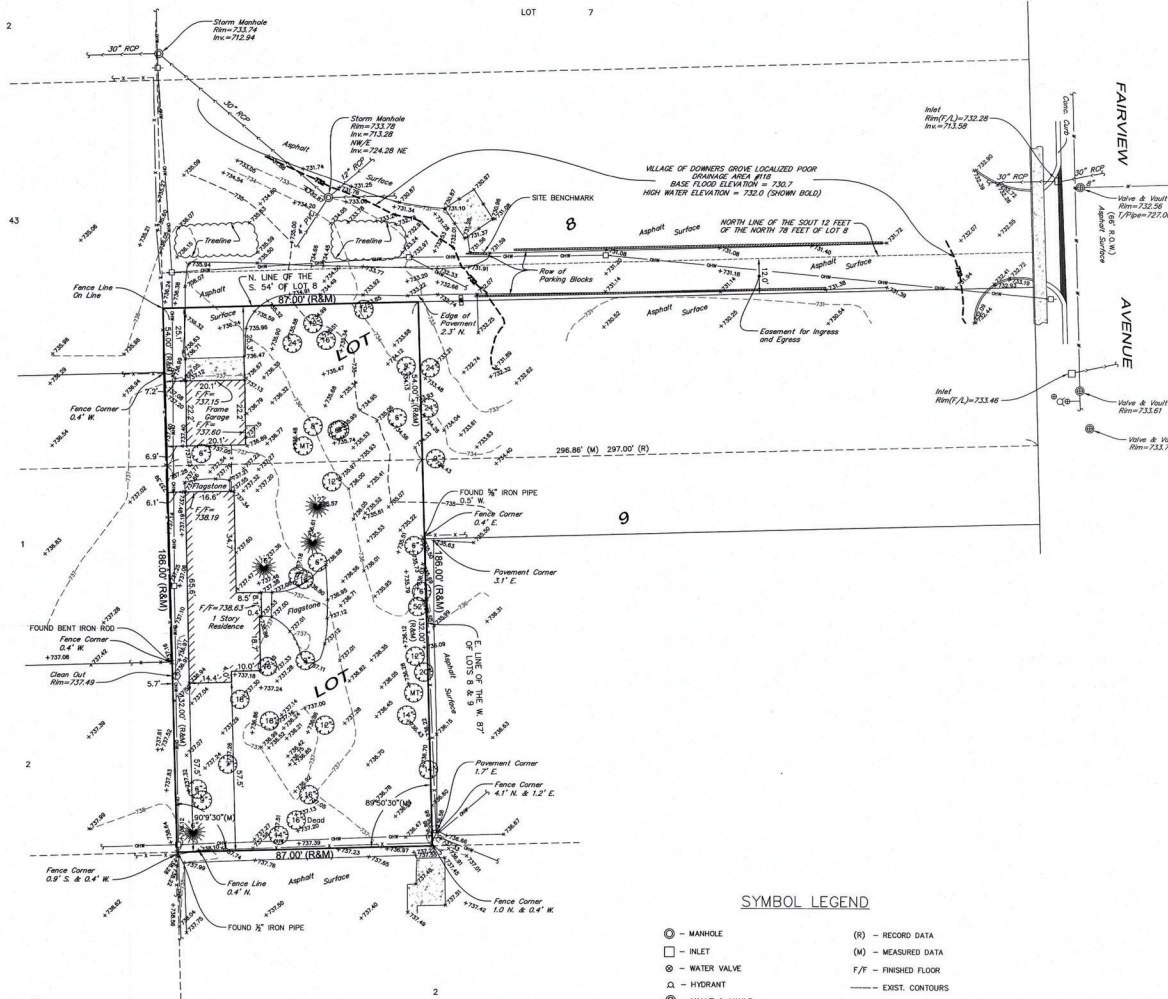
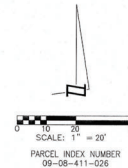
3080 OGDEN AVENUE SUITE 307

LISLE, ILLINOIS 60532

PHONE: 630-778-1157

PROF. DESIGN FIRM # 184-004196

E-MAIL: info@plsi.com



BENCHMARKS

DUPAGE COUNTY BM DK3123 - BRASS DISK IN A CONCRETE TRAFFIC SIGNAL BASE LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF MAPLE AVENUE AND DUNHAM ROAD.

ELEVATION = 743.21 (NAVD 88)

FILE 01 - 905 CURB PIV (BSM417) CUT CROSS IN TOP OF CURB AT NOSE OF NORTHERLY CURB ISLAND BETWEEN 3080 AND 3080 OGDEN AVE IN LISLE, ILLINOIS.

ELEVATION = 733.51 (NAVD 88)

SITE BENCHMARK - P.K. NAIL SET IN EDGE OF PAVEMENT AS SHOWN HEREON.

ELEVATION = 731.61

LEGAL DESCRIPTION

THE WEST 87 FEET OF THE SOUTH 54 FEET OF LOT 8 AND THE WEST 87 FEET OF LOT 9 OF HIGHLAND ACRES, A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 8, TOWNSHIP 38 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTH 12 FEET OF THE NORTH 78 FEET OF LOT 8 IN THE HIGHLAND ACRES IN THE EAST HALF OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

NOTES

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND DRAWINGS IN SURVEYOR'S POSSESSION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

PREPARED FOR: STATURE CUSTOM HOMES
 ADDRESS: 417 2ND STREET, DOWNERS GROVE, ILLINOIS
 BOOK & PG: 234/47 DATE: 11/30/2020 JOB NO: 2018838
 DRAWN BY: SMR CHECK BY: JHL
 REVISED:

SYMBOL LEGEND

- - MANHOLE
- ⊕ - INLET
- ⊖ - WATER VALVE
- ⊕ - HYDRANT
- ⊕ - VALVE & VAULT
- ⊕ - POWER POLE
- ⊕ - UTILITY POLE W/CLY
- ⊕ - EXISTING ELEVATION
- ⊕ - DEPRESSED CURB
- ⊕ - CONCRETE SURFACE
- (R) - RECORD DATA
- (M) - MEASURED DATA
- F/F - FINISHED FLOOR
- - EXIST. CONTOURS
- - FENCE LINE
- - STORM SEWER
- - WATERMAIN
- - OVERHEAD WIRES
- - DECIDUOUS TREE, LESS THAN 6" DIA. UNLESS OTHERWISE NOTED.
- - EVERGREEN TREE, LESS THAN 6" DIA. UNLESS OTHERWISE NOTED.

SURVEYED AREA: 16,192.9 SQ. FT.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE IN BLUE INK.

REFER TO YOUR DEED, ABSTRACT, TITLE POLICY AND LOCAL BUILDING AND ZONING ORDINANCE FOR ITEMS NOT SHOWN HEREON.

NO MEASUREMENTS ARE TO BE ASSUMED BY SCALING.

STATE OF ILLINOIS }
 COUNTY OF DUPAGE }
 PROFESSIONAL LAND SURVEYING, INC. HEREBY CERTIFIES THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THE HEREON DRAWN PLAN IS A CORRECT REPRESENTATION THEREOF.

FIELD WORK COMPLETED AND DATED THIS 17TH DAY OF NOVEMBER, 2020.

PLS No. 3483
 MY LICENSE EXPIRES 11/30/2022

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY AND TOPOGRAPHIC SURVEY.

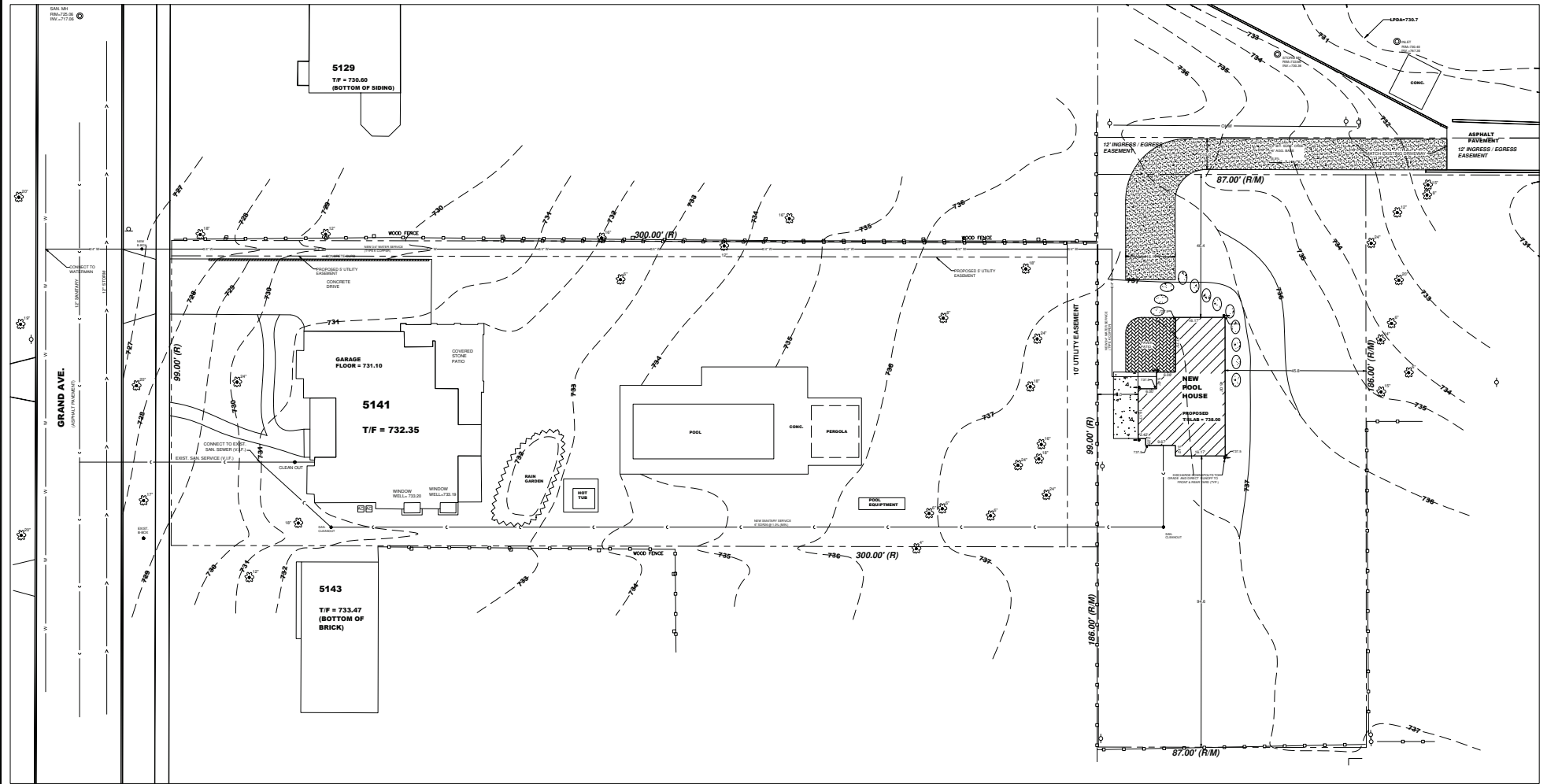


IMPERVIOUS AREA CALCULATIONS (S.F.)

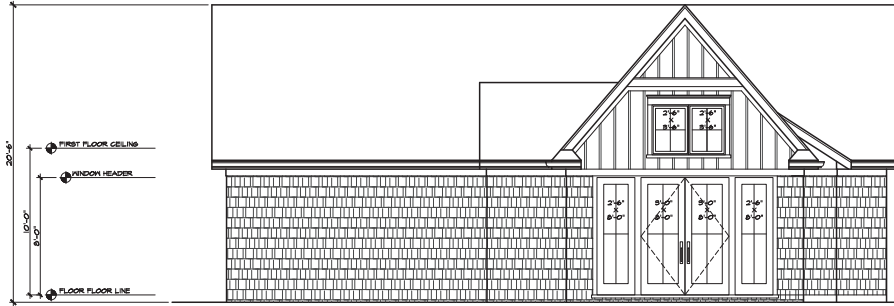
EXISTING	IMPERVIOUS AREA
LOT AREA - 16182 S.F.	
HOUSE & GARAGE (WITH OVERHANG)	2025
DRIVEWAY & STOOD	480
TOTAL EXISTING IMPERVIOUS	2505
PROPOSED	
POOL HOUSE (INCLUDING OVERHANG)	1230
CONCRETE STOOD	180
ASPHALT DRIVEWAY & STEPPERS	870
TOTAL IMPERVIOUS AREA	2380
NET NEW IMPERVIOUS AREA	-125
TOTAL REQUIRED STORAGE VOLUME @ 0.0 C.F.	



SITE PLAN
FOR
417 SECOND ST. - DOWNERS GROVE, IL



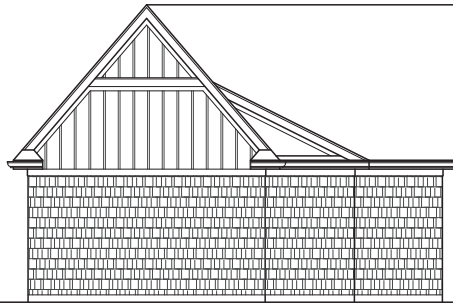
SITE PLAN
 417 SECOND ST. - DOWNERS GROVE, IL
 PREPARED FOR
 OAKLEY BUILDERS
 Gabriel Group, Inc.
 Civil Engineering Solutions
 P.O. Box 5376 - Oak Brook, IL 60422
 Tel: 630-772-9383 Fax: 630-756-4151
 SHEET 2 / 4



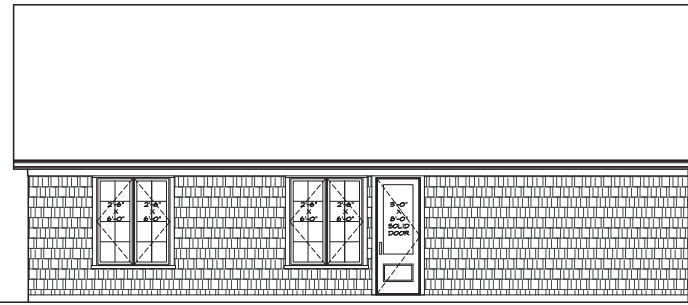
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



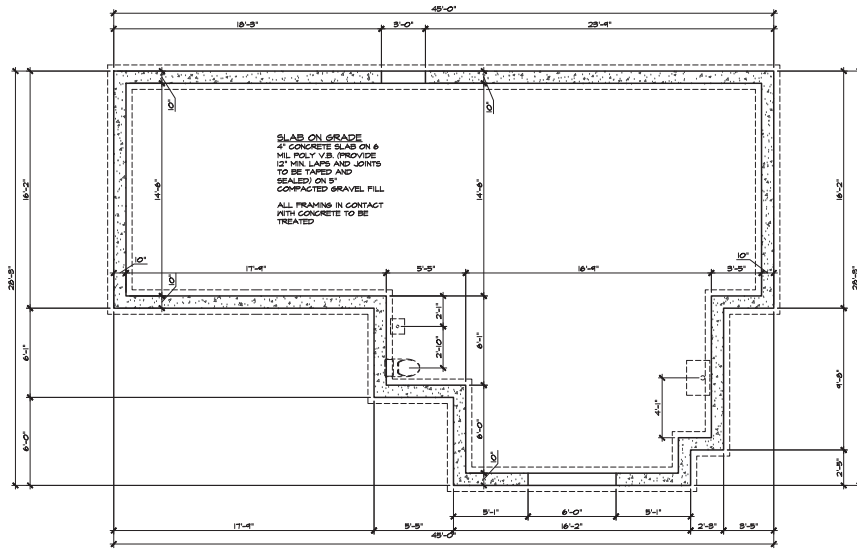
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



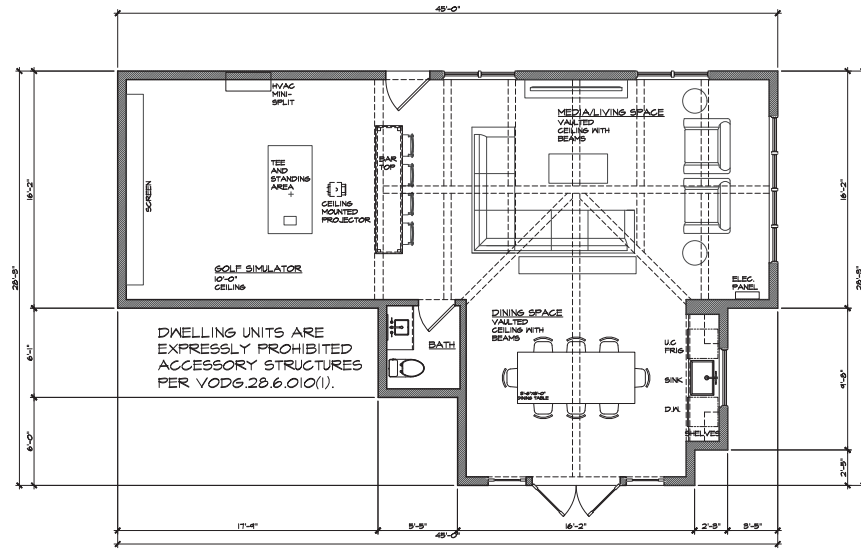
LEFT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



PLAN
SCALE: 1/4" = 1'-0"

990 SQ.FT.

STUDIO 1 ARCHITECTS

1105 Burlington Avenue
Western Springs, IL
708.783.1124

studio1architects.com



THE WIKLUND RESIDENCE
DOWNERS GROVE, ILLINOIS

ILLINOIS LICENSE # 0201978
PROFESSIONAL DESIGN FIRM # 02-00028

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ISSUED FOR ZONING MEETING
DATE APRIL 18, 2026
REVISIONS

PROJECT NUMBER 20660
SHEET NO.

A1.1



Village of Downers Grove

Planning and Zoning Commission – Minutes (DRAFT)

Table 1 - Detailed information on this Planning and Zoning Commission meeting.

Meeting Location	Civic Center – Betty Cheever Council Chambers
Meeting Address	850 Curtiss St., Downers Grove, IL 60515
Meeting Date	March 3, 2026 at 7:00 PM

File 26-PZC-0013.

The petitioner is seeking approval of a Special Use in the Residential Apartment/Condo 6 (R-6) zoning district to construct an accessory structure on a lot of record prior to the construction of a principal structure. The property is located approximately 210 feet west of the intersection of Fairview Avenue and 2nd Street, commonly known as 417 2nd Street, Downers Grove, IL (PIN: 09-08-411-026). Oakley Home Builders, Petitioner and Jeffery Wiklund, Owner.

Ryan Dunham, with Oakley Home Builders, explained the Wiklund's bought the property abutting the east side of their property on Grand Avenue and are seeking a Special Use Permit to put an accessory structure there.

Kevin Nelson, with Oakley Home Builders, presented on the petition. He stated the lot is composed of two separate lots, which they are working on consolidating to build the accessory structure, and there is an easement that grants access to Fairview Avenue they want to keep with the accessory structure. He noted the existing structure on the property will be demolished to build the new accessory structure. He went over the site plan and noted the existing water service on Fairview will be disconnected and the new water service will be connected on Grand Avenue, will run through the property at 5141 Grand Avenue, and the existing sewer was reviewed by the sanitary district, who are allowing them to keep the existing sanitary connection on Grand and run it through an easement on 5141 Grand Avenue. He explained the accessory structure will be a small pool house for the house and

will not be used for a habitable space. He said they met all of the criteria for the Special Use permit.

Chairman Rickard asked for questions for the petitioner.

Commissioner Barry asked a question about the easement on the property. Mr. Nelson answered right now it is used as an easement on the neighboring lot so they want to keep it in case the homeowners ever want to use it as access to the lot.

Chairman Rickard asked for public comment.

Jim Briggs stated that he is the owner of two properties that touch the petition property and shared his only issue was the easement for the twelve (12) foot driveway, as they have no need for it if they are putting a pool house there. He maintains that easement and did not feel he should have to maintain it for somebody to maybe use it. He was concerned they would damage the pavement when bringing in heavy equipment to tear the house down, which would be his responsibility to fix. Therefore, he wanted to get rid of the easement before they do it. He explained the entire driveway is on his property and was the only way to get to the existing house.

Chairman Rickard asked for the staff report.

Ms. Leon explained the petition consists of a request for a Special Use to establish an accessory structure prior to a principal building. She displayed the location map, showing 5141 Grand Avenue, which is a single lot of record with a single-family home and an existing zoning district of R-2 Residential Detached House 2, and the lot at the 417 2nd Street property is two lots of record and a vacant single-family home with a detached garage and zoned R-6 Residential Apartment/Condo 6. All public notice requirements were met and staff did not receive any public inquiries. She expressed demolishing the structure would allow the petitioner to build a new pool house to serve the 5141 Grand Avenue property. She added the property receives access via Fairview Avenue through an existing private cross-access agreement with the adjacent property owner to the east that is maintained. She highlighted that in the R-6 Zoning District, an accessory structure on a lot prior to a principal structure is an allowable special use. She expressed the proposed structure met all the regulations associated with accessory structures in their zoning ordinance. She voiced the proposal is not consistent with the intent of the future land use plan, but the parcel's location is unique because it is landlocked, so it was difficult to have a development of multifamily residential use there. However, it meets and is consistent with the residential uses to the west, and the Comprehensive Plan has a housing and neighborhood recommendation that promotes

home renovation and maintaining the appeal of established neighborhoods. Staff found all the standards were met and recommended approval.

Commissioner Lincoln asked if accessory units are typically allowed to be on a lot where there is also a house. Ms. Leon answered they have other petitions where people ask to establish an accessory use without a principal building, most recently on Carpenter Street, with a garage with and entertainment room.

Commissioner Lincoln inquired about the history of that property becoming isolated. Mr. Zawila responded it was a private easement that was put together by two private properties and not a Village imposed easement. He added they do not get involved with private easements and they have to be figured out amongst the two private properties.

Commissioner Eberhardt asked which two property owners it was between. Mr. Zawila answered the subject property for 417 2nd and 5118 Fairview, as that is where the ingress/egress easement goes across.

Commissioner Barry stated it was not feasible to build a new house on the lot, so this usage seemed appropriate, and it appears they do not have any jurisdiction over the easement.

Commissioner Reyes inquired if there was a plan to combine the lots. Mr. Leon responded the two properties are in different zoning districts and cannot be consolidated.

Commissioner Eberhardt asked why they would approve that, as it is not in the correct zoning designation and does not comply with the Comprehensive Plan. She said it seemed like it should remain multifamily and the two other properties might want to expand beyond their parking. She mentioned they have been discussing finding places for more housing, but here they are asking to allow an accessory unit that looks like a unit that could be rented out for housing. Chairman Rickard felt it was because there is not much value for any other purpose there.

Commissioner Frankovic expressed the zoning should stay the same, as they need to be looking for locations to build more multifamily living, and taking this away from this area would be a mistake.

Commissioner Patel asked what would happen with the secondary structure if the petitioner was to sell their house on 5141 Grand Avenue since the parcels will not be combined. Mr. Zawila answered there are two scenarios that could occur; they could either just sell 5141 Grand only, which would mean the pool house would need to be demolished, or they could sell them both together and the structure could stay. He noted they do not allow accessory

dwelling units to be rented and this is an allowable special use regardless of it being two different zoning districts.

Commissioner Eberhardt asked if they still needed the access from Fairview if it will be an accessory to 5141 Grand Avenue. Mr. Zawila reiterated that would be between the two property owners.

Chairman Rickard inquired about the second suggested condition in the draft motion stating a recorded plat of consolidation is required prior to occupancy issuance. Ms. Leon responded the lot consolidation is for the 417 second property because it is composed of two lots of record.

Commissioner Lincoln asked if the apartment buildings decided to consolidate and build a bigger unit to the west, could they buy the separate lot, as they have matching zoning. Mr. Zawila responded the zoning will remain R-6, so if there was a future development that wanted to use that property, it could be used for whatever is allowable under R-6.

Commissioner Eberhardt inquired why the pool house could not be built on 5141's lot. Mr. Zawila stated that is not part of the request, but the petitioner could respond to that if they wish.

Commissioner Wolf asked how long 417 2nd had been vacant. Ms. Leon did not have that information but said she could look into it.

Commissioner Wolf asked when the zoning became multifamily versus single family. Mr. Zawila answered it has been that way for quite some time, but did not know the exact date.

Commissioner Barry asked if the property was recently up for sale. Mr. Zawila responded yes.

Chairman Rickard gave the petitioner the opportunity to come back up and address any of the comments or add additional information.

Jeffery Wiklund, Owner, stated the property has been vacant for about ten (10) years and nothing but issues, including high school parties and people experiencing homelessness staying there. He said one of the reasons for this was to stop some of those issues. Mr. Dunham added by putting this structure on, if they ever sell the property or anyone asked for the lot for something like condominiums, they would be open to that.

Commissioner Frankovic asked why the accessory structure could not be put on the Grand property. Mr. Wiklund assumed that was a stormwater issue, as it was very hard to get it approved with Downers Grove with the amount of work they had to do for landscaping to not have a detention pond.

Commissioner Eberhardt asked when the pool was put in. Mr. Wiklund answered five years ago.

Chairman Rickard asked for Commission deliberation.

Commissioner Lincoln did not view the special use as tricky, as the only one they could maybe argue is if using it for the special use would be bothering the neighbors, but the only thing that came up regarding neighbors is not something they have purview over. He stated they are meeting all the requirements and it meets the zoning code. He added if this was vacant for a long time and was used for shady activities, it should not be hurting the property value to build a pool house there.

Commissioner Reyes agreed the conditions were met.

Chairman Rickard concurred with Commissioners Lincoln and Reyes.

Commissioner Patel also felt the standards were met and was a clear improvement of the property.

Commissioner Frankovic disagreed and felt it did not fit within the Comprehensive Plan and not an appropriate use for the land. She stated the owner could report the issues he was having with the people experiencing homelessness and parties or he could demolish the house and leave the land open. She did not feel it was necessary to have an accessory dwelling in an area that needs more multifamily housing.

Commissioner Eberhardt agreed with Commissioner Frankovic. She stated it made no sense to put a party house back there.

Commissioner Wolf expressed they need to think about multifamily housing opportunities, but she felt this would be an improvement, especially since it has been vacant for a long time.

Commissioner Eberhardt added that just because they purchased the land, they do not have to develop a party house.

Commissioner Lincoln pointed out the zoning code says they can.

Commissioner Frankovic stated they could argue the fourth standard, as there are multi-residential units on the other side. She said part of their job is to make sure any development happening fits within the Comprehensive Plan and this clearly does not. She noted they are also making assumptions they will want to sell and demolish this at some point, but that does not mean they will and they are losing more space within the Village they need for multiunit developments.

Chairman Rickard said this is allowed to go there and there are no adverse impacts on the surrounding property owners. He noted this is not a permanent change, as they could sell in ten (10) years to someone who could put multifamily there.

Commissioner Frankovic had an issue with allowing someone to build a party house for themselves just because they can when their issue is that it is already a party house being used by other people.

Chairman Rickard expressed he did not think that was a fair comparison.

Commissioner Reyes agreed they are just making assumptions about what a party house is and that is not up to them to decide.

Commissioner Eberhardt expressed if this is sold separately in the future, and something like this is demolished, that seemed wasteful.

Chairman Rickard reiterated the question is about if it is legal and meets the standards, and he felt it did and did not think it was fair to assume what may happen in the future.

Commissioner Eberhardt stated they are maintaining it with a separate access so it is not being treated as part of their property and it still has a tail going out to the south. Mr. Zawila gave a point of clarification and stated that this is not new information and recommended looking at Condition four (4), which requires a direct connection from the pool house to the 5141 Grand Avenue property before they issue the certificate of occupancy.

With respect to File 26-PZC-0013, based on the petitioner's submittal, staff report, and the testimony presented, it is found 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, therefore Commissioner Lincoln made a motion that the planning and zoning commission recommend that the Village Council approve File 26-PZC-0013, subject to the four (4) conditions outlined in the staff report.

The motion was seconded by Commissioner Reyes

Roll Call:

Aye: Lincoln, Reyes, Patel, Wolf, Barry, Chairman Rickard

Nay: Frankovic, Eberhardt

Motion Approved. Vote: 6-2