

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: June 8, 2023

To: Planning and Zoning Commission

From: Valerie Berstene, Village Planner

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 23-18: Variance to Construct a Parking Pad



APPLICATION INFORMATION

APPLICANT	Chris Kalvig
ACTION REQUESTED	1. Variance to Exceed Maximum Impervious Lot Coverage 2. Variance to Exceed Maximum Dimensions of a Parking Pad
ADDRESS	17915 Riedle Court
PIN	29-31-302-018-0000

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	R-1 Single Family Residential	Detached Dwelling Unit
PROPOSED	R-1 Single Family Residential	Detached Dwelling Unit
SURROUNDING	N: R-1 Single Family Residential	Detached Dwelling Unit
	E: R-3 Townhouse/ Transition	Attached Multi-Family Dwelling
	S: R-1 Single Family Residential	Detached Dwelling Unit
	W: R-1 Single Family Residential	Detached Dwelling Unit

LEGAL NOTICE

Legal notice was published in *Daily Southtown* on May 24, 2023; letters were sent to 32 property owners and residents within 250'.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application		Chris Kalvig	05/23/2023

Title	Pages	Prepared by	Date
Response to Standards for Variance to Exceed Impervious Lot Coverage	2	Chris Kalvig	05/18/2023
Response to Standards for Variance to Exceed Maximum Dimensions for a Parking Pad	2	Chris Kalvig	05/23/2023
Plat of Survey	1	David A. Ring & Associates	09/06/2018
Plat with Proposed Work	1	Chris Kalvig	-
Photographs	3	Chris Kalvig	-

BACKGROUND

On October 31, 2022, a contractor, on behalf of the property owner, applied for a building permit to construct a parking pad in the front yard at 17915 Riedle Court. The permit was denied because the proposed parking pad would exceed the allowed lot coverage for the property. Staff communicated this to the applicant, Chris Kalvig, and explained the process by which he could apply for a variance. At the time, the applicant would not have had time to obtain a variance and complete the work before the November 30 cut-off for permitting new concrete. Additionally, at this time, the Planning and Zoning Commission was completing the review and discussion of the new zoning ordinance, to be adopted on January 10, 2023. With these two factors in consideration, Staff advised the applicant to check back after the New Year to evaluate his request under the new ordinance and begin any necessary entitlements.

In March 2023, the applicant reconvened the conversation with Staff. Having reviewed the new Zoning Ordinance, the applicant initially and informally requested a zoning map amendment to re-classify his property to R-2 Single Family Residential. Staff advised the applicant that rezoning exclusively his property would not meet the criteria of the Standards for a Map Amendment and would result in “spot zoning,” a tool no longer deemed legally judicious.

As a result of the comprehensive Zoning Ordinance update process, Staff was aware of a limited quantity of properties surrounding this subject property, with similar characteristics that do not conform to the R-1 zoning district but do closely conform to the R-2 zoning district. Staff informed Mr. Kalvig that the Village would bring forward a request for a zoning amendment that included the subject property with other properties within the area. That application came before the Commission as Case 23-12.

On May 11, 2023 the Planning and Zoning Commission voted 3-2 to recommend denial of Case 23-12: Map Amendment Rezoning R-1 Properties to R-2. Staff plans to recommend that the Village Board deny the rezoning at its next meeting (June 13, 2023). With that recommendation, Staff has advised the applicant, Mr. Kalvig, to complete his application requesting a Variance to Exceed Maximum Impervious Lot Coverage and a Variance to Exceed Maximum Dimensions of a Parking Pad.

DISCUSSION

The applicant, Chris Kalvig, owner of the property at 17915 Riedle Court, requests two variances to construct a parking pad in front of his house. The property has a narrow driveway – 7.7 feet wide – leading to a rear detached garage. For context, the width is less than the minimum required width of a parking space, typically 9’ x 18’. The narrow width of the driveway, inability to turn around, and limited on-street parking together present a challenge to the homeowner’s use of his property. To provide more

flexibility for loading/unloading the car and guest parking, the applicant requests to locate a parking pad in the front yard. Per the newly adopted Zoning Ordinance, this is permitted. However, the parking pad would add impervious lot coverage to conditions that already exceed the maximum allowed for an R-1 lot and the geometry of the proposed parking pad exceeds the maximum dimensions permitted in the ordinance. Below are further details on each of these two items.

Lot Coverage

The subject property, at 17915 Riedle Court, is a detached single-family dwelling with a detached garage. The property is 7,500 square feet. The existing house and impervious surfaces (driveway, walkway, deck, and garage) currently total 3,588 square feet or 48% impervious lot coverage. Within the R-1 zoning district, the maximum allowable impervious lot coverage is 40%. The property, as built, does not conform to the minimum lot width, lot area, or lot coverage requirements of the R-1 zoning district. However, the character of the property is consistent with those surrounding it. The impervious lot coverage is greater than similar neighboring properties due to the detached garage. The added distance to access the garage increases the driveway area, thereby increasing lot coverage. This is consistent with a neighboring property that also has a detached garage. The applicant requests to construct a parking pad measuring approximately 270 sf. This would increase the impervious lot coverage by 3% for a total of 51% lot coverage, exceeding the zoning district maximum by 11%.

One of the primary concerns that lot coverage limitations address is increased stormwater run-off. The property owner currently uses rain barrels to capture and store rainwater run-off from the house and garage. Rain barrels are considered a “Best Management Practice” (BMP), a term used to describe tactical strategies for reducing the potential negative impacts of stormwater. The use of rain barrels counteracts impervious lot coverage by capturing stormwater that would percolate directly into the ground if not for the development of the site. This is a strategy employed by other communities to mitigate the potential negative effects of increased lot coverage for residences. It is a small-scale intervention of the on-site stormwater detention required for larger developments.

Parking Pad Dimensions

The updates to the Zoning Ordinance, adopted January 10, 2023, include provisions for a parking pad as-of-right when conforming to the regulations of Section 44-05-05.E. The required dimensions are constructed with the idea of a parking pad located adjacent to a driveway. The applicant proposes a parking pad that is 32 feet in total length. The parking area would be 17 feet long; with an additional 15 feet that would taper to allow a vehicle to maneuver into this space from the pad to the driveway.

As the ordinance is written, the maximum length for a parking pad is 20 feet, including a 7-foot taper. A typical parking space is 9 feet wide by 18 feet long, therefore, a parking pad of 20 feet would not be long enough to accommodate an 18 feet length plus a 7-foot taper. The code allows a parking pad in the front yard and adjacent to the driveway, in front of the garage, or adjacent to the garage, however, the limitations on the length, do not adequately allow for this to exist. Therefore, the applicant requests a variance from the maximum dimensions to construct the parking pad as proposed on his drawings.

Materials

The applicant intends to construct the proposed parking pad from unit pavers. He has provided an image of a product called “Holland Stone.” Additionally, the applicant proposes to landscape around the parking pad to beautify the property, screen the parking pad and reduce the visual impact.

Standards for Variance

The responses to variance standards for each request, completed by the applicant, are attached for review by the Planning and Zoning Commission.

In accordance with Illinois statutes, all variances shall be considered through the lens of the Standards for a Variance. A variance serves to provide specific relief from the Zoning Ordinance where full adherence to the regulations creates a practical difficulty or particular hardship for the property owner. Granting a variance does not set a precedent; each case is considered on its own circumstances and merits.

The practical difficulty requiring a variance to exceed the maximum allowed impervious lot coverage exists by nature of the zoning classification as R-1 Single Family Residential. The lot as platted, permitted, and developed is non-conforming to this zoning classification.

FINDINGS OF FACT

The staff has prepared the **draft** findings of fact in accordance with the standards set forth in Section 44-07-12.D of the Zoning Ordinance Standards for a Variance. **The draft findings are provided for the convenience of the Commission. The Commission may make any changes to reflect the findings determined through the process of the hearing.** The findings of fact, as proposed or as amended, may be entered into the record.

1. The subject property is a 7,500 sf residential lot located at 17915 Riedle Court, in the R-1 Single Family Residences Zoning District.
2. The property in its existing conditions exceeds the maximum allowed impervious lot coverage (40%) by 8%. The proposed variance would increase impervious lot coverage by 3% to a total of 51%.
3. The parking pad will not: alter the character of the neighborhood; injure nor diminish the value of adjacent properties; or impair public health, safety, or welfare.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

If the Commission finds that the request meets the standards for a variance, the Planning and Zoning Commission may consider the following motion, written in the affirmative:

Recommend approval of Case 23-18 to grant a variance for 17915 Riedle Court to allow impervious lot coverage up to 51% and to allow a parking pad of the dimensions shown on the plan submitted; and
Incorporate the findings of fact into the record.