

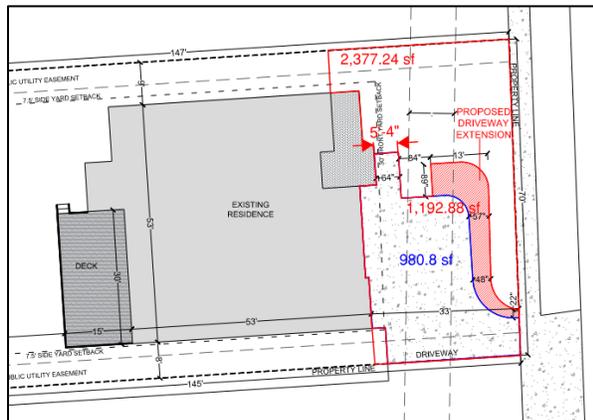


The subject property is located in the Verde Estates Subdivision, near the corner of Thacker Street and Verde Drive. The property was approved for development in 2022, and construction was completed in 2023. The subject property has a front yard area of 2,377.5 square feet, and the maximum impervious surface area allowed for the property is 950.8 square feet. The approved site plan, and survey for the property shows a front yard coverage of 941.5 square feet (39.6%). However, the as build survey for the property shows an impervious surface area coverage of 1003 square feet. (42.2%).

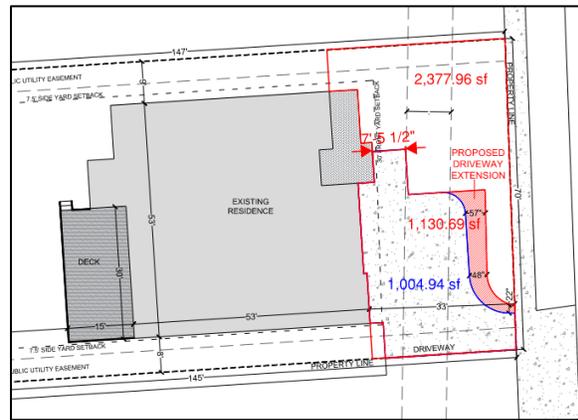


Map imaging from NearMap.com, shows gradual expansions to the driveway starting from September of 2023 to date. Permit records show that the driveway expansions were made without Village approval.

The petitioner submitted to staff two alternative driveway expansion plans. Both plans show driveway expansions that exceed the maximum front yard coverage of 40%. The petitioner's preferred plan shows a driveway expansion that matches the existing conditions at the subject property with a front yard coverage of 1,219 square feet. (51.3%). The alternative plan shows a driveway expansion with a front yard impervious surface area coverage of 1,130 square feet. (47.6%).



*Preferred Plan*



*Alternative Plan*

In 2020 the Plan Commission recommended, and the Village Board approved a Final Plat of Subdivision for Verde Estates (Case No. P1912-02). All eight lots in the Verde Estates subdivision are zoned R-7 Single Family Residential. All the properties in this subdivision were approved with shared access driveways to minimize curb cuts along Thacker Street and Verde Drive. The subject property is the narrowest lot in the subdivision and has a smaller front yard area than other

properties in the subdivision. Majority of the front yards in the subdivision range in size between 2,500 and 3,000 square feet. The size of the approved driveway made it difficult for vehicles to maneuver in and out of the garage without driving over landscaping or making multiple maneuvers.

Staff could not find any previous Village Board approvals of a similar variation to the front yard impervious surface coverage. R-7 Single Family Residential zoned properties typically have individual curb cuts and driveways that provide direct access to garages and ample space for cars to maneuver without exceeding the maximum front yard coverage requirement. Staff is supportive of a variation to allow a front yard impervious surface coverage of 47.6%, which aligns with the petitioner's alternative plan.

*The Zoning Ordinance states that the Plan Commission may take into consideration the extent to which the following facts have been established which may be favorable to the applicant:*

**The particular physical surroundings, shape, or topographical conditions of the property would bring a hardship upon the owner if the strict letter of the regulations were carried out.** Majority of the properties in the Verde Estates subdivision have lot widths of 77 feet and larger front yards, while the subject property has a lot-width of 70 feet and the smallest front yard area in the subdivision. The misalignment of the garage doors with the shared access driveway, and the size of the front yard at the subject property presents a hardship for maneuverability and direct vehicle-access to the garage. Even though all the other properties in the subdivision have a similar driveway layout as was approved for the subject property, they all have larger front yards that can accommodate more front yard impervious surface area.

**The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.**

The subject property meets the R-7 bulk and setback requirements and is not unique in size or shape from other similarly zoned properties within the Village. However, the property has a shared access driveway which is atypical of most similarly zoned properties in the Village.

**The purpose of the variation is not based exclusively upon a desire to make more money out of the property.**

There is no evidence that the variation has been requested to make more money from the property.

**The alleged difficulty or hardship has not been created by any person presently having interest in the property.**

The hardship for this property is created as a result of the shared access driveways that were approved to minimize curb cuts along Thacker Street and Verde Drive.

**Granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.**

TO: PLAN COMMISSION  
HEARING DATE: December 4, 2024  
DATE PREPARED: November 22, 2024  
CASE NUMBER: P2410-02  
TITLE: 352 Verde Dr / MITTAL RESIDENCE / Front Yard Coverage Variation  
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Staff believes the proposed addition will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The variation will allow the property more driveway space to maneuver in and out the garage without negatively impacting the property with which a driveway access is shared.

**The proposed variation will not impair an adequate supply of light and air to the adjacent property, or substantially increase the danger of fire or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

There is no evidence that approval of the requested variation will impair property values or pose a threat to the public safety.

**Granting the variation will not confer on the applicant any special privilege that is denied by this chapter to the lands, structures, or buildings of the same district.**

The granting of this variation will not confer on the applicant any special privileges that are denied lands, structures of buildings of the same district. Properties in the R-7 zoning district do not typically have shared driveways that would imposed front yard coverage issues similar to those found on the subject property.

**RECOMMENDATION**

Staff has reviewed the proposed plans and is supportive of the request. to increase the maximum front yard coverage to 47.6%. Therefore, staff recommends approval of the variation to exceed the maximum impervious surface coverage in the front yard for the property located at 352 Verde Drive, Case No. P2410-02, subject to the following conditions:

1. A building permit to modify the driveway to meet a maximum front yard coverage of 47.6% must be submitted for review and approval.
2. The driveway extension shall be constructed of the same material and design as the original existing driveway.
3. Final inspections shall be conducted to confirm a front yard impervious coverage of no more than 47.6%
4. The following plans shall be adopted as part of the governing ordinance:
  - a. Site Plan: Alternative Option, received by the Community Development Department on October 9, 2024.
  - b. Driveway Extension Justification, received by the Community Development Department on October 9, 2024.
  - c. 352 Verde Driveway Extension Request letter, received by the Community Development Department on October 9, 2024.

pc: Petitioner Owner