

PUBLIC HEARINGS

CITY COUNCIL
July 23, 2002

To: Mayor and City Councilmember
From: George J. Rodericks, City Manager
Originated by: Kathy Adrian, City Clerk

SUBJECT: Consideration of Conditional Use Permit No. 0492 for Two Accessory Structures on the Property – Location: 18832 Patrician Drive; Applicant: Sue and Greg Ashwill.

BACKGROUND

The applicants are requesting a conditional use permit to construct a freestanding patio cover and an outdoor fireplace on their property at 18832 Patrician Drive.

AUTHORITY

Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning regulations and with respect to their effects on surrounding properties. In order to achieve these purposes, the City Council is empowered to grant and to deny applications for use permits for such conditional uses in such zones as are prescribed in the zone regulations and to impose reasonable conditions upon the granting of conditional use permits.

The Villa Park Municipal Code requires a Conditional Use Permit for any accessory building or structure that is usual and customary or incidental to a principal use permitted in residential zones.

The public hearing process allows for a review of the exterior elevations of a proposed addition in order to assess its impact on adjacent properties.

FINDINGS

The subject property is located at 18832 Patrician Drive and is in the 100-E4-20,000 Small Estate zoning district. The lot area is 22,015 square feet. Surrounding uses are residential.

Staff has visited the site for purposes of viewing the property as it relates to this request.

A Conditional Use Permit is required for all detached structures. The applicant is requesting a Conditional Use Permit to allow the construction of a freestanding patio cover proposed as approximately 16' x 16' x 8' in height, and an outdoor fireplace proposed as approximately 30 s.f. x 10' in height. The total additional square footage of both structures would be 286 s.f. and would comply with all lot coverage, gross floor area, building height and setback requirements for detached structures.

CEQA Compliance: This project is exempt from requirements of CEQA by Sections 15303 Class 3: New Construction of Small Structures.

FISCAL IMPACT

None.

RECOMMENDATION

It is recommended that the City Council conduct a Public Hearing and, if appropriate, adopt Resolution No. 2002-2624 approving Conditional Use Permit #0492 for a freestanding patio cover and an outdoor fireplace, with conditions; 18832 Patrician Drive – Applicants: Sue and Greg Ashwill.

CONDITIONS OF APPROVAL

1. The structures shall be in accordance with the approved plans on file with the City Clerk. Any significant deviation from the approved plans will require subsequent approval by the City Council through a separate Public Hearing. All work will be suspended on the project until such approvals are obtained.
2. No temporary toilet facilities are permitted in front setback areas.
3. The maximum height of the patio structure shall be 8 feet.
4. The maximum height of the fireplace shall be 10 feet.
4. Building permits and approvals must be obtained prior to commencement of construction. There may be additional details and approvals required by the City Building Official or City Engineer.
5. The conditional use and variance permit shall lapse and become void one year following the date of approval unless prior to the expiration of one year, a building permit is issued and construction is commenced and diligently pursued toward completion on the site.
6. The conditional use and variance permit may be renewed for an additional period of one year, provided that prior to the expiration of one year from the date when it or the renewal of same became effective, an application for renewal is filed.