



Legislation Details (With Text)

**File #:** 22-0582      **Version:** 1  
**Type:** Public Hearing      **Status:** Agenda Ready  
**File created:** 4/29/2022      **In control:** Planning and Zoning Commission  
**On agenda:** 6/1/2022      **Final action:** 6/1/2022  
**Title:** Conduct the public hearing to consider rezoning to R1 upon annexation for the property located at 5S578 Tuthill Road - PZC 22-1-025

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Development Petition, 2. Response to Standards, 3. Legal Description, 4. Annexation Plat, 5. Location Map

Date	Ver.	Action By	Action	Result
6/1/2022	1	Planning and Zoning Commission	approved	Pass

**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing to consider rezoning to R1 upon annexation for the property located at 5S578 Tuthill Road - PZC 22-1-025

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly, Community Planner

**ENTITLEMENTS REQUESTED:**

A petition seeking annexation and rezoning to R1 (Low Density Single-Family Residence District) upon annexation for the property located at 5S578 Tuthill Road.

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 22-1-025 was published in the Daily Herald on May 16, 2022.

**BACKGROUND:**

The property is located on the west side of Tuthill Road, south of Plank Road, with a common address of 5S578 Tuthill Road. The 31,214 square foot lot is zoned R-3 in unincorporated DuPage County. The properties to the south and east of the subject property are incorporated within the City and are zoned R1 (Low Density Single Family Residence District). The properties located to the north and west of the subject property are in unincorporated DuPage County.

**DISCUSSION:**

The owners and petitioners, Kevin E. Madden and Catherine S. Madden, request annexation and rezoning to R1 upon annexation in order to construct a new single-family home. All existing structures

at the subject property will be demolished prior to annexation.

Upon annexation, the Petitioner seeks to rezone the subject property to R1 (Low Density Single Family Residence District). The subject property meets the R1 lot size and width requirements. Staff finds the proposed R1 zoning to be compatible with the zoning of the incorporated properties to the south and east and consistent with the recommendation of the Land Use Master Plan. The Petitioner's standards for Granting a Map Amendment are included in the attachments. Upon review, staff agrees with the Petitioner's findings and recommends their adoption by the Planning and Zoning Commission.

### ***Annexation Request and Platted Building Line***

In association with the rezoning request, the petitioner is also requesting approval of annexation to incorporate the property. This request is subject to City Council review and information on this request is provided for reference only.

It shall be noted that a 40' platted building line exists on the property. Given no site plan was provided with the submittal, staff requested the applicant verify that the residence will be constructed in compliance with the platted building line. The applicant anticipates the home will be in compliance with the platted building line and has acknowledged that any entitlements necessary for construction of the new single-family home will be required to be processed separately from this application.

### ***Key Takeaways***

- The Petitioner is requesting rezoning to R1 upon annexation in order to annex the subject property into the City and construct a new single-family home at the property located at 5S578 Tuthill Road. Staff is in support of the request.