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## **MEMORANDUM**

**TO:** Carie Anne Ergo, Village Administrator  
**FROM:** Natalie Crown, Community Development Planner  
**THROUGH:** Kurtis Pozsgay, Community Development Department Director  
**DATE:** February 20, 2026  
**SUBJECT:** 404 S. Prospect Ave. Request for Variances to increase lot coverage from 50% to 55.4% and to allow a minimum side yard setback of 4 feet 6 inches instead of 5 feet as required by code (PC 26-002)

**RECOMMENDED MOTION:** Move to affirm Plan Commission's recommendation and deny the petitioner's request for variances to increase lot coverage and reduce minimum setback requirements at 404 S. Prospect Ave.

### **INTRODUCTION**

On February 18, 2026, the Itasca Plan Commission held a public hearing for PC 26-002. The petitioners at 404 S. Prospect Ave. requested two variances:

1. A lot coverage increase from 50% to 55.4%, for a patio space, walkway, and driveway
2. A driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required

The Plan Commission voted 6-0 to deny the variances.

### **DISCUSSION**

Both variance requests pertain to work that has already been completed. In June of 2025, the applicants applied for a permit to construct a new garage and repave the existing driveway. A permit was issued in June for both the garage and driveway. A summary of the project is provided in the Plan Commission Staff Report (Exhibit A). At that time, staff informed the applicants that concrete would have to be removed from the property, and the driveway would need to be brought into conformance with the zoning code. The applicants opted to pursue a variance for a reduction in the permitted driveway setback, and a variance for an increase in the maximum lot coverage.

The pre-pour inspection did not identify issues beyond the driveway setback. However, during final inspection, staff identified that a patio and walkway area was added that were not part of the permit submittal.

At the Plan Commission meeting, the applicant presented their case. It was noted that additional paving had been done between the driveway and the house not shown on the updated survey, where there had previously been landscaping rocks/gravel-like material. According to the applicants, their architecture plans showed a greater lot coverage than the engineering plans, which show the lot coverage at the requested 55.4%.

A neighboring resident at 408 S. Prospect gave public comment, citing flooding issues in their yard due to the new construction at 404 S. Prospect. They also expressed concerns about the proximity of the driveway to the lot line, and towards the type of infill done in the grassy area between the driveway at 404 S. Prospect and 408 S. Prospect. Photographs of the work being done at 404 S. Prospect were shown by the resident to the Plan Commissioners.

Engineering plans submitted at the meeting by the petitioners show the elevation of the lot. After review, the Plan Commission did not identify a hardship and recommended that the issue be remedied without a variance.

### **PLAN COMMISSION RECOMMENDATION**

At the February 18, 2026 meeting, by a vote of 6 to 0, the Itasca Plan Commission reviewed and recommended the denial of the application to permit a variation from the provisions of Section 7.05.7.a. of the Itasca Zoning Ordinance to permit a lot coverage increase from 50% to 55.4%, to permit paved areas including a patio space, walkway, and driveway, and a variation from Section 12.03.8 of the Itasca Zoning Ordinance to permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required Plan Commission Case #26-002, as set forth in Exhibit “A” attached to the staff report.

### **NEXT STEPS**

After approval, the petition will be cited for building in violation of the permit. Fines are waived if the property comes into compliance in a timely manner.

### **STAFF RECOMMENDATION**

Staff recommend the item be forwarded to the Village Board First Reading on March 3, 2026 for consideration and approval.

### **ATTACHMENTS**

1. Draft Ordinance denying the Variance
2. Plan Commission Agenda packet, which includes:
  - a. Project narrative Applicant’s Response to Standards of Approval
  - b. Garage Plans
  - c. Plat of Survey DATE 4-28-25
  - d. Plat of Survey Updated 12-01-25
3. Engineering Plans Presented to Plan Commission at February 18<sup>th</sup> meeting
4. Presentation to Plan Commission, February 18, 2026



# Village of Itasca Community Development Department

550 W. Irving Park Road, Itasca, IL 60143  
PHONE: 630-773-5568 | FAX: 630-773-0852  
[www.itasca.com](http://www.itasca.com)

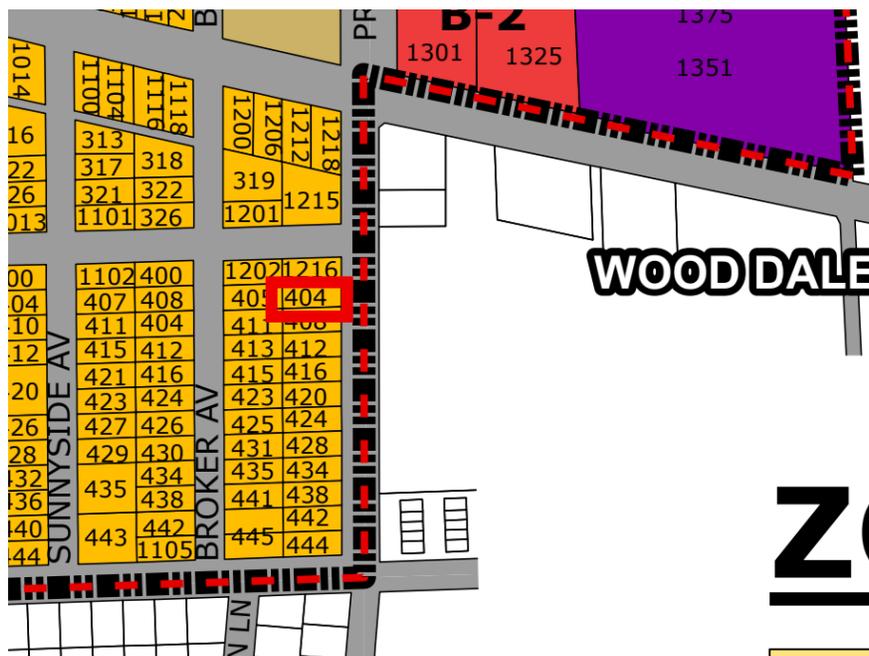
**PUBLIC HEARING DATE: February 18, 2026** **PC 26-002**

**TO:** Village of Itasca Plan Commission  
**FROM:** Natalie Crown, Community Development Planner  
**DATE:** February 4, 2026  
**SUBJECT:** Application for a variation for lot coverage from 50% to 55.4% and a variation to reduce the driveway setback to permit paved areas including a patio space, walkway, and driveway

**GENERAL INFORMATION:**

**Applicants/Owners:** Diana and Fernando Campos  
**Request:** To permit a lot coverage increase form 50% to 55.4%, for a patio space, walkway, and driveway, and to permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required  
**Address:** 404 S. Prospect Ave.  
**PIN:** 03-08-425-011  
**Zoning District:** R-2 Single Family Residence District

**LOCATION MAP:**



## **PROPOSAL**

In June of 2025, the applicants applied for a permit to construct a new garage and repave the existing driveway. A permit was issued in June for the garage and driveway. The existing driveway was 4 feet 6 inches off of the side property line. Village code requires driveways to be a minimum of 5 feet off the property line. Removing and replacing non-conforming driveways may be permitted when no additional changes are made to the lot coverage. A new garage would be cause to require bringing the driveway into compliance. The addition of new concrete paving on the property would also be cause to require bringing the driveway setback into compliance.

During the initial plan review, a bump out at the garage entrance was approved. This was an error and was caught before pouring of the driveway. This bump out **was not poured** and is not part of the variance request. On October 17<sup>th</sup>, 2025, a site inspection was conducted before concrete was poured for the driveway, and the applicants were informed that the driveway may not be replaced at the existing 4 ft 6 inch setback but must follow the village zoning code's requirement that driveways must be 5 feet off the property line.

After further inspection of the property during construction, the department was made aware of a discrepancy in the lot coverage shown on the submitted plat of survey (Exhibit C), and the actual lot coverage. A new survey was provided (Exhibit D) showing concrete pads that were not shown on the originally submitted survey. Including the new garage, the driveway, a walking path on the North side of the property, and a concrete patio in the rear yard, the total lot coverage is 55.4% which is 5.4% above the maximum lot coverage for the R-2 Single Family Residence District.

Staff informed the applicants that concrete would have to be removed from the property, and the driveway would have to be brought into conformance with the zoning code. The applicants opted to pursue a variance for a reduction in the permitted driveway setback, and a variance for an increase in the maximum lot coverage.

## **ZONING ANALYSIS**

Characteristics of the subject property include:

- The lot is zoned R-2 Single Family Residents District.
- The lot is 7,205 s.f. in area with 55 ft. of frontage along N. Prospect Ave.

Characteristics of the surrounding area include:

- The lots to the north, west and south are zoned R-2 Single Family Residence District.
- The property is located across from the Wood Dale Georgetown Square Shopping Center.

## **PUBLIC HEARING NOTICES**

The required public hearing notices have been provided for this petition: The required public hearing notice for the petition was published on January 28, 2026 in the Daily Herald for February 18<sup>th</sup> Plan Commission meeting. Notices to property owners within 250 ft. excluding public rights-of-way were hand delivered and mailed by the applicants via certified mail.

**PUBLIC COMMENTS**

No public comment has been received at this time.

**RECOMMENDED MOTION (Denial)**

I move **to deny** the applicant's responses to the Variance Standards of Approval, on the second and third pages of their "Variance Request Narrative", attached to the Staff Report as Exhibit B, as the Findings of Fact and to **recommend denial** of the Petition for a variation from the provisions of Section 7.05.7.a. of the Itasca Zoning Ordinance to permit a lot coverage increase from 50% to 55.4%, to permit paved areas including a patio space, walkway, and driveway, and a variation from Section 12.03.8 of the Itasca Zoning Ordinance to permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required

**RECOMMENDED MOTION (Approval)**

I move **to accept** and adopt the applicant's responses to the Variance Standards of Approval, on the second and third pages of their "Variance Request Narrative", attached to the Staff Report as Exhibit B, as the Findings of Fact and to **recommend approval** of the Petition for a variation from the provisions of Section 7.05.7.a. of the Itasca Zoning Ordinance to permit a lot coverage increase from 50% to 55.4%, to permit paved areas including a patio space, walkway, and driveway, and a variation from Section 12.03.8 of the Itasca Zoning Ordinance to permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required, subject to the following conditions:

1. All permits issued pursuant to these variations shall conform to the requirements of the Municipal Code. Minor modifications from the plans shown in Exhibit C may be made to conform to the Municipal Code, provided the modifications do not reduce driveway setback to less than 4 feet 6 inches, and do not increase the lot coverage above 55.4%.

**EXHIBITS ATTACHED**

- A. Project narrative
- B. Applicant's Response to Standards of Approval
- C. Garage Plans
- D. Plat of Survey DATE 4-28-25
- E. Plat of Survey Updated 12-01-25

Date: January 19, 2026

To: Itasca Building Department

From: Diana Valdez-Campos & Fernando Campos

RE: Variance for permit number 25233: 404 S. Prospect Avenue

This request seeks variances related to the reconstructed driveway and concrete areas associated with the permitted rebuilding of a detached garage at 404 S. Prospect Avenue with Permit Number 25233.

Prior to pouring concrete, an Itasca Building representative advised that the driveway extension shown on the permit plans was not allowed, so the driveway was rebuilt to match the pre-construction limits. After the concrete was poured, revised plans were prepared at the request of the Itasca Building representative in coordination with our architect. The revised plans show that the pre-construction driveway and concrete areas exceed the allowable impervious area and encroach five inches into the south side yard setback. These conditions form the basis of the requested variances.

Returning the driveway to its pre-construction condition does not alter the neighborhood character or impact public safety or property values. A licensed professional engineer confirmed that pre-construction drainage patterns were preserved. As constructed, the lot's impervious area is 55.4% versus the 50% permitted by ordinance. Relief is requested for the impervious area and side-yard setback, as the driveway and concrete areas match its original size and location.

## Variation for 404 S. Prospect Avenue-permit no. 25233

### *Standards of Approval (Sec. 14.09-3)*

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

***Response: Strict application of the current zoning regulations would unreasonably limit the use and functionality of the property due to existing site conditions and constraints. Without the requested variation, the property cannot be improved or maintained in a manner consistent with its intended residential use, particularly given the need to address access, safety, and water drainage issues.***

2. That the plight of the owner is due to unique circumstances, and

***Response: The need for the requested variation is due to unique conditions specific to the property, including existing non-conforming improvements, lot configuration, and site conditions that are not typical of other properties within the same zoning district. These circumstances were not created by the current owner and distinguish this property from others nearby.***

3. That variation, if granted, will not alter the essential character of the locality.

***Response: Granting the requested variation will not alter the essential character of the neighborhood. The proposed improvements are consistent in scale, appearance, and use with surrounding residential properties and will maintain the established residential character of the area.***

### *Findings of Fact:*

1. That the physical surroundings, shape, or topographical conditions of the specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried.

***Response: The existing physical conditions of the property, including lot layout and existing improvements, create practical difficulty if the zoning***

***regulations are strictly enforced. These conditions go beyond mere inconvenience and limit the ability to improve the property without relief.***

2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification.

Response: The conditions forming the basis of this request are specific to this property and are not generally applicable to other properties within the same zoning classification.

***Response: The conditions forming the basis of this request are specific to this property and are not applicable to other properties within the same zoning classification.***

3. That the purpose of the variation is not based exclusively upon a desire to make more money from the property, or merely for the convenience of the owner.

***Response: The purpose of the requested variation is not to increase profitability for personal convenience, but rather to allow reasonable use of the property and to address functional, safety concerns, including improved site water drainage and access.***

4. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

***Response: The alleged difficulty or hardship was not created by the current owner but were the results from existing conditions and prior developments of the property.***

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or,

***Response: Granting the requested variation will not be detrimental to the public welfare, injurious to neighboring properties, or harmful to improvements in the area. The proposed work is designed to improve the site conditions for better water drainage and maintaining neighborhood standards.***

6. That the proposed variation will not impair an adequate supply of light on 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.

*Response: The proposed variation does not impair access to light or air for adjacent properties, nor does it increase fire hazards, endanger public safety, nor negatively impact property values. In fact, the improvements are intended to enhance safety and proper site functions, including improved water drainage.*



**PC 26-002**

404 S. prospect Ave.

PIN: 03-08-425-011

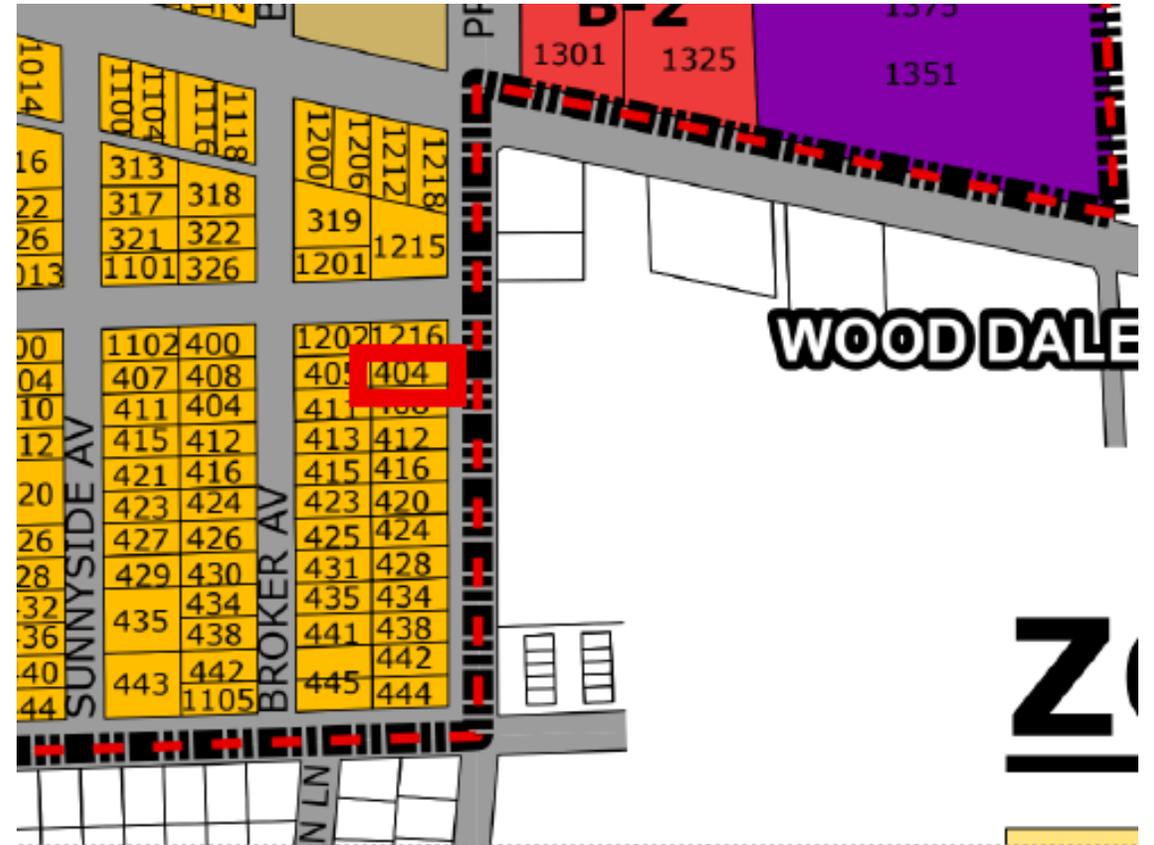
# PC 26-002

404 S. prospect Ave.

PIN: 03-08-425-011

## BACKGROUND

- Permit was issued for the construction of a new garage and driveway replacement in June 2025
- Existing driveway was 4' 6" from the side property line – requirement is 5'
- Driveway bump out was proposed and initially proposed, but then revoked as it enhances driveway setback non-conformity
- Applicants were told to follow 5' setback instead before pouring of the driveway occurred
- Village was made aware of a discrepancy in the lot coverage
- Current lot coverage is 5.4% above permitted requiring a variance



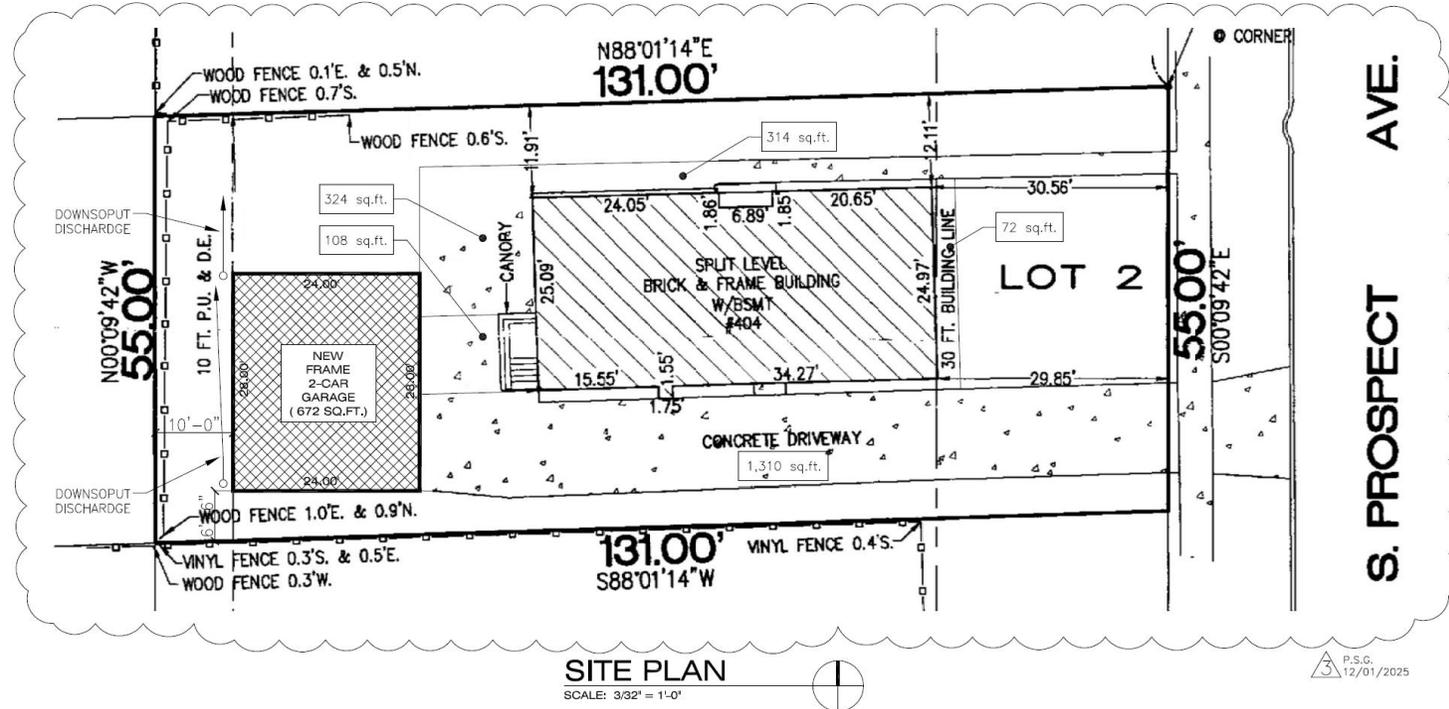
# PC 26-002

404 S. prospect Ave.

PIN: 03-08-425-011

## Variance Request

- To permit a lot coverage increase from 50% to 55.4%, for a patio space, walkway, and driveway
- To permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required
  - Typically, a remove and replace of a non-conforming driveway would be permitted, but because changes were made to location and lot coverage, the Village would require the driveway to be brought into conformity.

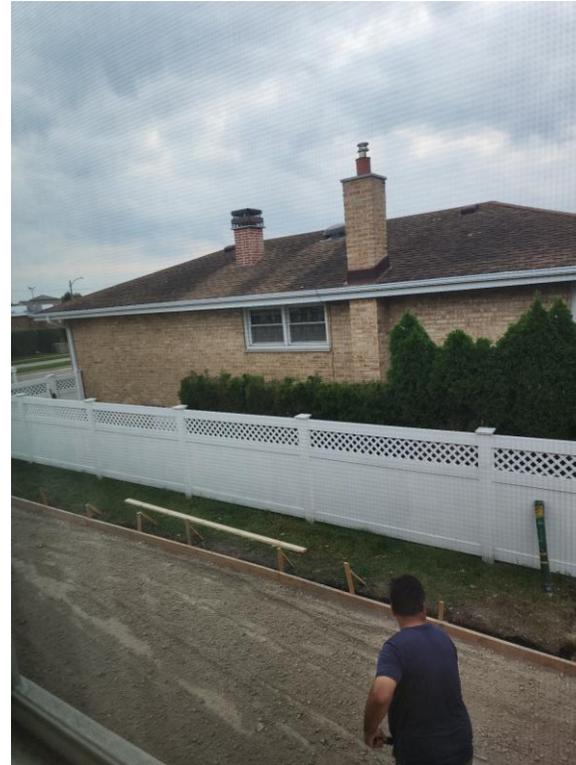


**PC 26-002**

404 S. prospect Ave.

PIN: 03-08-425-011

**Images provided by applicant**



# Findings of Fact submitted by Applicant are in Staff Report and should be entered into the record

## Exhibit B – Responding to the Variation Standards of Approval (Findings of Fact) for these requests:

- 1. Variance to Sec. 7.04.9 to permit an increase of the maximum lot coverage from 40% to 46.5%.
- 2. Variance to Sec. 4.13.4.d to permit an increase of the maximum accessory structure square footage from 864 square feet to 1,775 square feet.
- 3. Variance to Sec. 4.20.4.d and 7.04.5.a to permit a reduction in the front yard setback for fences to permit a fence with a 0-foot front yard setback.
- 4. Variance to Sec. 7.04.5.b to permit a reduction of the minimum side yard setback from 8 feet to 6 feet.
- 5. Variance to Sec. 7.04.5.b to permit a reduction of the minimum combined side yard setback from 20 feet to 6 feet.
- 6. Variance to Sec. 12.03.7 to allow two driveways.
- 7. Variance to Sec. 12.03.7. to allow a driveway drive within 5 feet of the interior property line.

# Findings of Fact Standards paraphrased

- 3.a.1. property cannot yield a reasonable return if no variation permitted
- 3.a.2. plight of the owner is due to unique circumstances
- 3.a.3. variation, if granted, will not alter the essential character of the locality
- 3.b.1. physical surroundings, shape, or topographical conditions of the specific property involved bring a hardship, as distinguished from a mere inconvenience
- 3.b.2. not generally to other property within the same zoning classification
- 3.b.3. not based exclusively upon a desire to make more money, or merely for convenience
- 3.b.4. alleged difficulty or hardship has not been created by any person with present interest in property
- 3.b.5. variation will not be detrimental to the public welfare or injurious to the other property
- 3.b.6. proposed variation will not impair light on adjacent property, substantially increase danger of fire, endanger the public safety, or impair values

## **RECOMMENDED MOTION**

- A motion for approval and motion for denial are provided by staff to the plan commission
  - Staff has not identified a hardship – hardship is self inflicted, not a result of unique property characteristics

## RECOMMENDED MOTION (Denial)

- I move **to deny** the applicant's responses to the Variance Standards of Approval, on the second and third pages of their "Variance Request Narrative", attached to the Staff Report as Exhibit B, as the Findings of Fact and to **recommend denial** of the Petition for a variation from the provisions of Section 7.05.7.a. of the Itasca Zoning Ordinance to permit a lot coverage increase from 50% to 55.4%, to permit paved areas including a patio space, walkway, and driveway, and a variation from Section 12.03.8 of the Itasca Zoning Ordinance to permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required.

## **RECOMMENDED MOTION (Approve with Conditions)**

- I move **to accept** and adopt the applicant's responses to the Variance Standards of Approval, on the second and third pages of their "Variance Request Narrative", attached to the Staff Report as Exhibit B, as the Findings of Fact and to **recommend approval** of the Petition for a variation from the provisions of Section 7.05.7.a. of the Itasca Zoning Ordinance to permit a lot coverage increase from 50% to 55.4%, to permit paved areas including a patio space, walkway, and driveway, and a variation from Section 12.03.8 of the Itasca Zoning Ordinance to permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required, subject to the following conditions:
  - All permits issued pursuant to these variations shall conform to the requirements of the Municipal Code. Minor modifications from the plans shown in Exhibit C may be made to conform to the Municipal Code, provided the modifications do not reduce driveway setback to less than 4 feet 6 inches, and do not increase the lot coverage above 55.4%.



**ORDINANCE NO. 2167-26**

**AN ORDINANCE DENYING A VARIANCE TO PERMIT A LOT COVERAGE INCREASE FROM 50% TO 55.4%, FOR A PATIO SPACE, WALKWAY, AND DRIVEWAY, AND TO PERMIT A DRIVEWAY SIDE YARD SETBACK OF 4 FEET 6 INCHES, WHEREAS A MINIMUM SETBACK OF 5 FEET IS REQUIRED AT 404 S. PROSPECT AVENUE, CASE PC 26-004**

WHEREAS, Diana and Fernando Campos, (herein “Petitioners”), have requested variances for the property located at 404 S. Prospect Ave, Itasca, IL 60143 (Case PC 26-002):

1. A variation from the provisions of Section 7.05.7.a. of the Itasca Zoning Ordinance to permit a lot coverage increase form 50% to 55.4%, to permit paved areas including a patio space, walkway, and driveway.
2. A variation from Section 12.03.8 of the Itasca Zoning Ordinance to permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required.

WHEREAS, the Subject Property is identified by PIN #03-08-425-011, approximately 7,205 square feet in area, and is legally described as follows:

LOT 2 IN BLOCK 16 N H.O. STONE & COMPANY’S ADDITION TO ITASCA, BEING A SUBDIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIAL MERIDIAN, LYING EAST OF THE WEST 20 RODS THEREOF AND SOUTH OF THE LANDS OF THE CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD IN DUPAGE COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 2, 1926, AS DOCUMENT 225893.

WHEREAS, a public hearing was held by the Itasca Plan Commission on February 18, 2026, pursuant to public notice, with respect to Petitioner’s applications; and

WHEREAS, the Plan Commission did not make the following Findings of Fact with respect to the Petitioner’s request for variances:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
2. The plight of the owner is due to unique circumstances.
3. The variation, if granted, will not alter the essential character of the locality.

WHEREAS, the Plan Commission recommended to the Village Board of Trustees that Petitioner’s request for two (2) variances from the provisions of Section 7.05.7.a. of the Itasca Zoning Ordinance to permit a lot coverage increase form 50% to 55.4%, to permit paved areas including a patio space, walkway, and driveway and Section 12.03.8 of the Itasca Zoning Ordinance to permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required, be denied.

NOW, THEREFORE, BE IT ORDAINED by the Village President and the Board of Trustees of the Village of Itasca, DuPage County, Illinois, as follows:

SECTION ONE: The corporate authorities accept the recommendations of the Itasca Plan Commission concerning Petitioner’s application for two (2) variances from the provisions of Section 7.05.7.a. of the Itasca Zoning Ordinance to permit a lot coverage increase form 50% to 55.4%, to permit paved areas including a patio space, walkway, and driveway and Section 12.03.8 of the Itasca Zoning Ordinance to permit a driveway side yard setback of 4 feet 6 inches, whereas a minimum setback of 5 feet is required.

SECTION TWO: All aspects of the Subject Property are to be in compliance with all Village ordinances, including but not limited to the Itasca Zoning Ordinance, unless otherwise modified by ordinance.

SECTION THREE: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION FOUR: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

	Trustee Aiani	Trustee Christensen	Trustee Daly	Trustee Gavanes	Trustee Leahy	Trustee Powers	Mayor Pruyn
Aye	<input type="checkbox"/>						
Nay	<input type="checkbox"/>						
Absent	<input type="checkbox"/>						
Abstain	<input type="checkbox"/>						

APPROVED and ADOPTED by the Village President and Board of Trustees of the Village of Itasca this 16<sup>th</sup> day of March, 2026.

APPROVED:

\_\_\_\_\_  
Village President Jeffery J. Pruyn

ATTEST:

\_\_\_\_\_  
Village Clerk Jody Conidi