

Date: September 21, 2011

**1064 S. LAKESHORE DRIVE
Mark Walsh**

CUP: more than one principal building on a lot

Review

The applicant seeks conditional use approval to construct a second principal structure on a lot. The property is zoned RS-1, Single Family Residential, which allows for “**more than one principal building on a lot, provided that the buildings comply with the density regulations set forth in section 18-79**” through conditional use permit approval [§18-80(c)(2)].

The applicant is presenting a plan to raze three existing structures and reconstruct one principal structure (approx 1800SF, 2-story w/ 3 stall garage) in their place. There is one existing principal structure (approx 6,000 SF) existing on the lot which will remain.

The property is conforming. It is over 2 acres and meets the density requirement of 40,000 SF for each structure, and meets the minimum width requirement.

The proposed structure meets the residential density, setback and offset requirements.

Read:

§18-79(b) Density factor. No building intended in whole or part for residential use shall be erected or relocated unless the lot on which it is located meets the required density factor, or has allocated to it sufficient additional preserved lands to meet the required density factor for the district in which it is located or where the average of all lots in a subdivision or certified survey of two or more lots meets the required density factor, or where a combination of preserved lands and average lot size meets the required density factor. Where the total area involved includes more than one zoning district, the proportionate average of the district density factors shall apply.

Read:

§18-21(b) Limit of principal buildings on a lot. Only one principal building may be permitted on a lot except as set forth herein. In any such case, the determination of required distance between buildings shall be subject to the regulations set forth in section 18-31:

1. Planned development districts;
2. Whenever building, site, and operational plan approval is required as provided herein; and
3. Conditional uses where specified as provided herein.

Read:

§18-80:

(d) Area Regulations

Residential Density Factor	Minimum Lot Area	Minimum Average Lot Width
40,000 SF/dwelling unit	30,000 SF	100 feet

(e) Building location and height.

Minimum Setback	Minimum Offset		Height	
	25 feet	Principal building	20 feet	Principal building
	Accessory building	10 feet	Accessory building	15 feet

See subsection 18-18(a) for minimum setbacks and offsets for structures other than principal or accessory buildings.

(f) Building size.

	Minimum Residential Floor Area	
Maximum Lot Area Coverage	First Floor	Total
30%	1,500 SF	1,800 SF

Recommendations

Staff has reviewed the submitted proposal and offers the following opinion:

- 1) No further subdivision of the property should be allowed. The property shall not be divided into two or more parcels. This shall be stated on the face of the survey and as a deed restriction of the parcel and a copy of each recorded at the county. Copies of each shall be provided to the Village of Fontana prior to the issuance of occupancy.
- 2) Water and sewer laterals must be depicted on the site plan submitted for building and zoning permits.
- 3) A utility easement shall be granted to the village, as well as depicted on the face of the survey.
- 4) A separate water meter for the proposed structure is required.
- 5) A complete submittal for tree removal permits shall be applied for and obtained prior to the removal of any trees.
- 6) A complete submittal for building and zoning permits shall be applied for and obtained prior to the commencement of any construction. CUP approval shall NOT alleviate the applicant from securing all required permits.
- 7) Actual construction shall be as depicted on the approved plans submitted for CUP approval. Interior modifications may be allowed pending approval by the Building Inspector. Exterior modifications may require an amendment to this CUP approval.
- 8) All outstanding cost recovery billed to date applicable to this project shall be paid prior to the issuance of any occupancy permits.