

January 6, 2011

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 10-23; 660 Western Ave

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a Minor Plat of Resubdivision to include a variation from Section 155.420 (D) the Zoning Ordinance to reduce the minimum lot area for the subject property in the I – Limited Industrial District from twenty thousand (20,000) square feet to fifteen thousand two hundred forty-six (15,246) square feet.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on December 20, 2010.

Daniel McCormick, 5205 S. Washington, Downers Grove, IL presented the petition on behalf of his client who is the owner of the property. Mr. McCormick stated that he is requesting a variation to reduce the minimum lot area from 20,000 to 15, 246 square feet. He added that it is being requested to make the existing lot a single lot of record. He stated that there are seven standards that need to be met in order to be considered for the variation. He believed they met all seven standards. Mr. McCormick then reviewed his response to the standard to variations. He then stated that of the 27 lots in the area only two lots were of the same size as his clients. He stated that his client is using the property as a warehouse to store his own records and store other incidentals. He added that because his client just purchased the property that he didn't create the non-conforming situation. He stated that the prior owner used the property as a contractor's yard. He then stated that his client's use will be less intense than the prior use. Lastly, Mr. McCormick stated that the petition involves a warehouse that is privately used and asked that the Plan Commission to forward a positive recommendation.

Michael Toth, Planner I, presented the petition. The subject property is legally nonconforming with respect to lot area. The petitioner is requesting a variation from the Zoning Ordinance to reduce the minimum lot area from

twenty thousand (20,000) square feet to fifteen thousand two hundred forty-six (15,246) square feet. The relief is requested in order to make the petitioner's existing lot a single lot of record.

The principal building located on the subject property was built in 1977. The petitioner acquired the property in 2010 to be utilized as a warehouse/storage/office use. The lot is currently a tax assessment division of two lots. As part of a 2,496 square foot addition to the existing principal building, Section 155.220(B)(2) of the Zoning Ordinance requires that any addition to a principal structure exceeding 350 square feet shall be on a lot of record.

Section 155.420 (D) of the Zoning Ordinance requires a minimum lot area of twenty thousand (20,000) in the I – Limited Industrial District. The subject property has a lot width of fifteen thousand two hundred forty-six (15,246) square feet, which is 76% of the required lot area.

While the subject lot does not meet the minimum lot area requirement, it exceeds the amount of lot width required by Code. Lots in the I – Limited Industrial District are required to have a minimum width of eighty feet (80'). The subject property is one hundred and five (105) feet wide, which exceeds the required minimum lot width by twenty-five (25) feet.

Staff finds that the variation request to reduce the minimum lot area to fifteen thousand two hundred forty-six (15,246) square feet meets the Standards for Variations. There are unique physical limitations on the property in that, due to the length of the subject property and surrounding lots, there is no practical way for the petitioner to meet the requirements of the Zoning Ordinance. The lot immediately east of the petitioner's property is 14,660 square feet, so there would be no way for the lot to be brought into conformance by purchasing land from the east because that would only warrant another variation. The property to the west could not provide the amount of land required to bring the subject property into conformance as the business located on that property has an outdoor component of the business that is critical to its operation.

The requested relief is not needed due to the actions of anyone presently having an interest in the property. Granting the request would neither be injurious to neighboring properties, nor would it change the visual and aesthetic character of the neighborhood. Staff also notes that there are several lots in the immediate area that are less than the required twenty thousand (20,000) square feet in area. As such, staff is therefore supportive of the lot area variation request.

Staff also notes that the relief only pertains to the lot area. Any future development would be required to meet all of the underlying I – Limited Industrial District, including bulk regulations and lot area coverage.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Light Industrial for the subject property. As the site is already improved with an industrial use, the development is compatible with the Comprehensive Plan.

Compatibility with Surrounding Land Uses

The proposed use is compatible with the surrounding land uses. Properties to the east, west and south are zoned I – Limited Industrial and consist of industrial uses. The properties to the north are in the R2 – Single-family Residential District. The Union Pacific Railroad is located directly to the north of the subject property. As such, the railroad acts as a buffer between the subject property and the single-family residential residences to the north.

Compliance with the Subdivision and Development Ordinance

The petitioner has submitted a minor plat of resubdivision for the subject property that would make the property a single lot of record. If the lot area relief is granted, the request would meet the requirements of the Subdivision and Development Ordinance.

Concluding, Mr. Toth stated that staff finds that the variations meets the Standards to Variations and is recommending approval of PC 10-23, subject to the condition listing in the staff report.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one to speak in favor or against the petition.

Chairperson Ryan then opened the meeting for comments among the Commissioners. The Commissioners had no comments.

On a motion by Commissioner Sweetser and a second by Commissioner Olbrysh, the Plan Commission voted 5 to 0 that the Village Board **approve** the text amendments associated with PC 10-23.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

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