

November 6, 2008

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

Subject: PC 08-30; 1162 S. Luther Ave

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take following actions on the subject property:

1. Approval of an Annexation Agreement;
2. Annexation to the Village of Lombard; and
3. Approval of a map amendment from the R0 Single-Family Residence District to the R1 Single-Family Resident District.

Hugh Michael, 206 Travers Ave, Glen Ellyn, presented the petition. He stated that his wife has owned the property for fifteen years and have been waiting for the opportunity to connect to Village water and sewer. They would prefer R2 zoning but can meet the R1 District requirements. They will connect to the Village's sanitary sewer system at their own cost. He then summarized his response to the standards for variations.

Chairperson Ryan then opened the meeting for public comment.

Pat Spahn, 1163 S. Church, stated that she has had a problem with flooding since Discount Tire redid their parking lot. The proposed home and septic tank will increase flooding problems.

Tim Welter, 1158 S. Luther, asked if the entire neighborhood will be incorporated and provided with water and sewer.

Harold Wood, 1162 S. Luther, said there he has no trouble with flooding and stated that the lot is not large enough to accommodate a septic field.

Mr. Michael stated that although septic systems are required in the County, as an incorporated property his home will not have a septic tank and will instead be connected to the Village's sanitary sewer system.

Chairperson Ryan then requested the staff report.

Jennifer Henaghan, Senior Planner, presented the staff report. The petitioner wishes to construct a single-family residence on the property, which is currently unincorporated. To accomplish this, the petitioner is requesting annexation into the Village of Lombard and a map amendment from the R0 District to the R1 District. The Private Engineering Services Division and the Utilities Division of the Department of Public Works had a number of comments regarding the construction of the proposed sanitary sewer which will be addressed through the building permit process.

The Comprehensive Plan recommends Low Density Residential land uses at this location. The proposed single family use and lot size is consistent with this recommendation. As of October 2007, newly annexed properties are given R0 Single Family Residence zoning by default. Prior to the creation of the R0 District, properties were automatically assigned to the R1 Single Family Residence District. The petitioner is requesting R1 zoning, which is the zoning classification that was applied to the annexations along Meyers Road that occurred in 2002. Staff has no objection to the proposed map amendment as it is consistent with existing zoning classifications in the neighborhood.

The minimum required lot width for R1 properties is 75 feet and the minimum lot area is 10,000 square feet. The subject property is only 65 feet wide and 9,100 square feet. However, Section 155.209 of the Zoning Ordinance allows construction of a single-family dwelling on an existing lot of record provided that the lot has at least 80 percent of the width and area required in the applicable zoning district. The subject property provides 86.7 percent of the required width and 91 percent of the required area, thereby allowing for the construction of a residence with no zoning variations. The proposed residence will meet all setback and open space requirements of the R1 District.

The subject property is bordered by residential properties to the north and west and commercial uses to the south and east. The subject property is currently utilized as a single family residence; therefore there is no change in the property's compatibility with existing land uses.

The petitioner wishes to obtain Village utilities. A sanitary sewer will be installed as part of the construction of the proposed single-family home. The subject property is currently unable to connect to Village water because it is more than 250 feet from the nearest Village watermain. However, as part of the annexation agreement the property will be required to connect to the Village's public watermain system at such time that a public watermain is constructed within the Luther Avenue right-of-way. Also, a sidewalk will be required as part of the single-family home permit. The petitioner is preparing a companion annexation agreement for the subject property.

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This agreement will be considered by the Village Board in conjunction with the final consideration of Ordinances.

Ms. Henaghan concluded by stating that, for the aforementioned reasons, staff finds that the petition meets the standards for map amendments and staff recommends approval.

Chairperson Ryan then opened the meeting for comment among the Commissioners.

Commissioner Nelson asked if Discount Tire has Village water. William Heniff, Director of Community Development, stated that although Discount Tire is connected to the Village's water system, the subject property is more than 250 feet away from the nearest watermain and is therefore unable to connect at this time.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, recommended to the Corporate Authorities **approval** of the zoning actions associated with PC 08-30 for the subject properties, subject to the following condition:

1. That the rezoning request shall be contingent upon the Village and the property owner entering into an Annexation Agreement.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission