



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Zoning Board of Appeals

*John DeFalco, Chairperson
Mary Newman, Raymond Bartels,
Greg Young, Keith Tap,
Ed Bedard and Val Corrado
Staff Liaison: William Heniff*

Wednesday, November 28, 2012

7:30 PM

Village Hall Board Room

Call to Order

Chairperson DeFalco called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Chairperson DeFalco led the Pledge of Allegiance.

Roll Call of Members

Present 5 - John DeFalco, Mary Newman, Greg Young, Keith Tap, and Ed Bedard

Absent 2 - Raymond Bartels, and Val Corrado

Also present: Michael Toth, Planner I.

Public Hearings

[120604](#)

ZBA 12-04: 151 N. Charlotte St.

Requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District:

1. A variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to allow for an emergency standby generator unit in the required six foot (6') interior side yard setback. (DISTRICT #4)

Chairperson DeFalco opened the meeting for public comment.

Nathan Dhamers, 151 N. Charlotte St. presented the petition. Mr. Dhamers stated that they had power and flooding problems after they purchased the home and they had the generator installed a few months after moving into their home. The generator has been there ever since. They didn't believe there were any issues with installing a generator when they spoke with their contractor. They received notice

of the generator being installed without a permit while it was running, as the result of a storm event. He added that the generator is quiet and the neighbors do not have any issues with it.

Chairperson DeFalco asked if there was anyone present to speak in favor or against the petition. There was nobody to speak in favor or against the petition.

Neil Konrady, 101 E. Prairie Ave., stated that the generator runs for a twenty-minute cycle every Friday and that the generator is not quiet.

Mr. Young asked the petitioner where the gas line that feeds the generator is located.

Mr. Dhamers stated that that the gas feed from the home is only about four feet away from where the generator is currently located.

Mr. Young asked why they would be required to move the generator further away from the gas line.

Michael Toth, Planner I, stated that the generators are usually installed well after the construction of a home. As such, they have a number of setback and separation requirements which prohibit the generator from being placed adjacent to the gas feed. Also, gas line location is typically not considered a hardship per the Standards for Variations as the financial burden of additional gas line is not considered to be a hardship.

Michael Toth, Planner I, entered the staff report into the public record in its entirety and stated that staff is recommending approval of ZBA 12-04, subject to the two conditions outlined in the staff report. Mr. Toth also provided a summation on the findings for approval.

Neil Konrady stated the generators operate around 68db and are loud. He asked if permits are required for generators.

Mr. Toth stated that permits are required for generators, but we don't always know if someone installs a generator or air conditioning condenser without a permit.

Neil Konrady asked why the generator could not be placed in the backyard [of the subject property].

Mr. Toth referred to the staff report by stating that the backyard is already improved with window wells and air conditioning condensers, making it difficult to place any other structures. That area of the property also functions as the only outdoor leisure area on the subject

property.

Mr. Young asked what types of improvements are permitted in the side yard.

Mr. Toth listed some examples of permitted obstructions in the side yard.

Neil Konrady stated that the generator on the subject property does not bother him and if his neighbor doesn't care, he doesn't care. He added that generators should not be able to be located between homes because of the vibration and they should be required to be in sound insulated cabinets.

Mr. Toth noted that most generators already come in sound attenuation cabinets to reduce the noise generated.

Mr. Dhamers stated that his unit has a sounds attenuation cabinet. He was also unaware that any neighbors had generators because he does not hear them.

Chairperson DeFalco asked that any further discussion relate to the subject property only.

Mr. Young Asked how long ago the generator was installed.

Nathan Dhamers replied roughly four years ago.

Chairperson DeFalco mentioned that there was a generator variation before the Zoning Board of Appeals a few years ago.

Mr. Toth stated that there was a generator location variation requested in 2009 on Hammerschmidt which was ultimately approved by the Village Board.

Chairperson DeFalco provided a summary of the petition and restated some of the topics mentioned during the meeting. He then read through each condition and IDRC comments.

A motion was made by Greg Young, seconded by Mary Newman, that this matter be recommended to the Corporate Authorities for approval subject to the following conditions:

- 1. The petitioner shall apply for and receive a building permit for the emergency standby generator.**
- 2. All comments in the Inter-Departmental Review Committee Report shall be**

satisfactorily addressed.

The motion carried by the following vote:

Aye: 5 - John DeFalco, Mary Newman, Greg Young, Keith Tap, and Ed Bedard

Absent: 2 - Raymond Bartels, and Val Corrado

Business Meeting

Approval of Minutes

A motion was made by Keith Tap, seconded by Greg Young, to approve the minutes of the August 22, 2012 meeting. The motion passed by a unanimous vote.

Planner's Report

Mr. Toth informed the ZBA that there will be no December meeting; however, there will be a case on the January 23, 2013 agenda (ZBA 13-01). The property is located at 236 E. Morningside and they are requesting variations to the corner side yard and rear yard to allow for a garage addition.

Mr. Toth then provided an update on ZBA 11-06, which is the three season room addition on the property located at 661 N. Charlotte. After the variation to allow the three season room (to remain) was denied by the Village Board, the Plan Commission considered planned development amendments to allow all properties in the Providence Glen Subdivision, and then only those properties located along the east side of the development, the right to a reduced setback for purposes of constructing a three season room. Both amendments were denied by the Village Board; however, the Board did approve a planned development amendment to allow only the property at 661 N. Charlotte a reduced setback to allow the existing three season room to remain.

New Business

Unfinished Business

Adjournment

A motion was made by Mary Newman, seconded by Greg Young, to adjourn the meeting at 8:03 p.m. The motion passed by a unanimous vote.

John DeFalco, Chairperson
Zoning Board of Appeals

Michael Toth, Planner I
Zoning Board of Appeals