

September 16, 2010

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

Subject: ZBA 10-10; 460 S. Main Street, Lombard Cemetery

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests that the Village approve the following actions for the subject property located within the R2 Single-Family Residence District:

- 1) A variation from Section 155.205(A)(1)(c)(4) the Lombard Zoning Ordinance to allow a fence within a front yard to exceed four feet (4') in height.
- 2) A variation from Section 153.219(B) the Lombard Sign Ordinance to allow a freestanding sign to exceed six feet (6') in height.

The Zoning Board of Appeals conducted a public hearing on August 25, 2010.

Michael Toth, Planner I, stated that staff will be petitioner for this case. He then presented the staff report. The subject property is located at 460 S. Main Street, the intersection of West Washington Boulevard and South Main Street, which is known as the Lombard Cemetery. For the past few years, the property has been updated with numerous improvements. The most recent is an arch to be installed over the entrance gate of the cemetery. The arch will contain lettering, which will read "Lombard Cemetery". The arch will be supported by posts, which extend up from the fence/gate. For purposes of clarity staff is considering the arch to be a sign, but also an extension of the fence.

The proposed arch is affiliated with a public institution and contains text; therefore, it is considered an 'Institutional Sign'. According to the Sign Ordinance, freestanding institutional signs shall not exceed six (6) feet in height. The proposed arch is 7.4 feet above grade, thus requiring a height variation. The proposed arch is twenty-six (26) feet in area. Institutional Signs shall not exceed

thirty-two square feet; therefore, the signage portion of the arch is within the size parameters. The proposed arch meets all other Sign Ordinance requirements.

The subject property is located in the R2 – Single Family District. The proposed arch is to be located in the front yard of the subject property. According to the Zoning Ordinance, fences located in the front yard of a residential district shall not exceed four (4) feet in height. As previously mentioned the arch will be supported by posts, which extend up from the fence/gate. Therefore, staff is considering the arch to also be an extension of the existing fence. The proposed arch is 7.4 feet above grade, thus also requiring a fence height variation

There are no previous cases that provide precedence in this particular matter. However, staff believes that the sign is well integrated into the existing fence. Furthermore, staff is supportive of the proposed variation due to the historic significance of the site.

Concluding, Mr. Toth stated that staff is recommending approval of ZBA 10-10, subject to the two conditions outlined in the staff report.

Chairperson DeFalco then opened the meeting for discussion by the ZBA members.

Mrs. Newman asked why the height variation was needed.

Mr. Toth stated that the height of the arch element created the need for the variation.

Dr. Corrado asked why the sign does not say ‘Babcock’s Grove’.

Tom Fetters, of the Lombard Historical Commission, discussed the significance of the different cemetery names and mentioned that there are plans to place an additional sign on the property using the ‘Babcock’s Grove’ name.

Jeanne Schultz Angel, Executive Director of the Lombard Historical Society, also discussed the naming of the cemetery.

Mr. Bartels asked about the historic significance of the site.

Jeanne Schultz Angel stated that the cemetery was established in 1871, but is not a registered historic landmark. She added that the cemetery does play an important role in the education of the history of the Village of Lombard.

Dr. Corrado asked when the last burial occurred.

Tom Fetters discussed the logistics of the most recent burials and added that, technically, the last burial was last month.

Chairperson DeFalco asked about the hardship associated with the variation.

Jeanne Schultz Angel stated that the cemetery is used for public awareness and discussed the different restoration projects that have been recently completed. She added that the cemetery is a “point of pride” and that the construction of the proposed sign is typical to the time period. She then stated that 15,000 cars drive by the cemetery each day.

Mr. Toth stated that there are two hardships associated with the case. He stated that the first hardship involves the use of the property – the hardship has less to do with the historic significance of the sign and more to do with the historic significance of the property itself. He added that there are a limited number of cemeteries in the Village and none as historic as this. The second hardship involved the change in grade. Mr. Toth stated that the grade, where the arch sign is to be located, is almost a foot lower than surrounding grade where the fence is located.

Chairperson DeFalco then discussed the recent ZBA case that involved the Lombard Cemetery. He stated that the fence and column project was completed before and zoning relief was obtained. He thanked the petitioner for requesting approval prior to starting the project. He then added that he didn’t believe that that sign is of any historic significance because the sign is not recreating anything that once existed. He then asked the petitioner if the sign could be placed on the fence, within the parameters of Code.

Jeanne Schultz Angel stated that the Historical Commission explored placing the lettering on the fence, but decided to go with the proposed construction. She added that the sign would be more visible as proposed. She added that the arch element could be seen through the night sky at its proposed location.

Mr. Bedard asked about the grade change on the subject property.

Chairperson DeFalco stated that the Zoning Ordinance allows fences to fluctuate three inches to accommodate grade changes.

Mr. Toth stated that the three inch provision is meant to address drainage under the fence and decorative elements on top of the fence – not to accommodate grade change. The grade change hardship has been established in past cases involving fence height.

Mr. Bedard asked if any precedence has been established for this sort of case.

Mr. Toth stated that this is a unique case and there is no similar precedence established.

Mr. Young stated that the use of the property is non-residential, but is in the R2 District. He added that it is important to note (for purposes of precedence) that the property is non-residential.

Chairperson DeFalco asked about the number of signs that could be permitted on the subject property.

Mr. Toth stated that the Sign Ordinance allows one freestanding sign per street frontage in residential districts. He added that the subject property has four street frontages and could therefore erect four freestanding signs.

Mrs. Newman asked about the hardship at placing the sign at six (6) feet.

Mr. Bartels responded that the added height is caused by the arch of the sign. He then stated that the entire sign is not at 7.4 feet.

Mr. Toth stated that the ZBA has considered grade changes as a hardship in recent cases.

Mr. Bartels asked if the sign was to be illuminated.

Tom Fetters stated that the sign will be non-illuminated, but the arch element would allow it to be illuminated by the moonlight.

Jeanne Schultz Angel stated that the property is in contention for the Governors Award.

Chairperson DeFalco asked if the award could be obtained without the sign.

Tom Fetters replied, yes.

Lastly, Chairperson DeFalco stated that the case before the ZBA involves a sign over a gate to name a cemetery. He added that (in his opinion) the variation is not required. He then stated that there is no hardship and the proposed sign is a preference based upon aesthetics.

On a motion by Young and a second by Bartels, the Zoning Board of Appeals recommended by a vote of 6 to 1 that the Village Board **approve** the variation associated with ZBA 10-10, subject to the following conditions:

1. The arch shall be developed in substantial conformance with the elevation plan prepared by T.R. Knapp Architects dated August 1, 2010.
2. The height of the arched sign over the fence shall not exceed 7.4 feet above grade.

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Respectfully,

VILLAGE OF LOMBARD

John DeFalco
Chairperson
Zoning Board of Appeals

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