

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO:	Zoning Board of Appeals	HEARING DATE:	December 15, 2010
FROM:	Department of Community Development	PREPARED BY:	Michael S. Toth Planner I

TITLE

ZBA 10-13; 320 S. Martha Ct.: The petitioner requests a variation to Section 155.407(F)(4) to reduce the rear yard setback from thirty-five feet (35') to twenty-three feet (23') to allow for the construction of an addition in the R2 Single Family Residential District.

GENERAL INFORMATION

Petitioner/Property Owner:	Barbara & Elwaine Hardtke 320 S. Martha Ct. Lombard, IL 60148
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PROPERTY INFORMATION

Existing Zoning:	R2 Single Family Residential District
Existing Land Use:	Single Family Residential
Size of Property:	Approximately 8,136 Square Feet

Surrounding Zoning and Land Use

North:	R2 Single Family Residential District; developed as the Illinois Prairie Path
South:	R2 Single Family Residential District; developed as Single Family Residences
East:	R2 Single Family Residential District; developed as Single Family Residences
West:	R2 Single Family Residential District; developed as Single Family Residences

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on November 10, 2010.

1. Petition for Public Hearing
2. Response to the Standards for Variations
3. Plat of Survey, prepared by Webster and Associates, dated March 29, 1972.
4. Site Plan, drawn by petitioner on plat of survey, prepared by Webster and Associates, dated March 29, 1972.
5. Building elevation plan and illustration.

DESCRIPTION

The existing residence is currently situated thirty-five feet (35') from the northern property line. The petitioner wishes to construct an addition to the northern elevation of the residence. Because the proposed addition would have a rear yard setback of twenty-three feet (23') where thirty-five feet (35') is required, a variation is needed.

INTER-DEPARTMENTAL REVIEW COMMENTS

FIRE

The Fire Department has no comments.

BUILDING DIVISION

The Building Division has no comments.

PUBLIC WORKS

Public Works Engineering has no comments.

PRIVATE ENGINEERING

The Private Engineering Services Division has no comments.

PLANNING

The existing residence on the subject property is setback thirty-five (35) feet from the rear property line. The petitioner is proposing to construct a twelve foot by fourteen foot (12'x14') (168 sq. ft.) one-story addition, which would subsequently reduce the rear yard setback to twenty-three (23) feet.

The property currently maintains sixty-three percent (63%) open space. The petitioner plans to remove the two hundred and forty (240) square foot wood deck on the northwest portion of the house and construct the one hundred and sixty-eight (168) square foot addition. As such, the amount of open space would actually be increased to sixty-four percent (64%).

In their response to standards, the petitioner cites irregular lot configuration as the reason for needing a variation. The minimum lot width in the R2 – Single Family District is sixty (60) feet with a minimum lot area of 7,500 square feet; however, the Zoning Ordinance does not require a minimum lot depth. According to the definition of ‘lot width’, the subject lot is approximately sixty (60) wide and is 8,136 square feet in area. As such, the lot width and area requirements are met. However, due to the trapezoidal configuration of the subject lot, the lot depth is substandard to the typical depth of a lot in the R2 – Single Family District. If the minimum area is 7,500 square feet and the lot width has to be a minimum of sixty (60) feet, this suggests that the minimum lot depth would need to be at least one hundred and twenty-five (125) feet ($7,500/60 = 125$). The subject lot is one hundred and seventeen (117) in depth (at its longest point); therefore, the lot could be considered substandard in depth, which reduces the buildable area of the lot.

The residence located on the subject property has a front setback of thirty (30) feet and a rear setback of thirty-five (35) feet. As such, the residence was built to the maximum buildable area relative to the front and rear yard requirements of lots in the R2 – Single Family District. Due to the trapezoidal configuration of the subject lot, the side yard setbacks are greater (16.75’, 14.45’, 10.85’ & 6.08’) than a typical lot in the R2 – Single Family District. However, the buildable area within the side yards is still not enough area to construct a three-season room. There is additional buildable area within the front yard; however, (for aesthetic reasons) staff does not recommend constructing a three-season room in the front of the residence.

The proposed addition would be constructed on the northern portion of the building in the rear portion of the property. The rear of subject property directly abuts the Illinois Prairie Path, which runs the entire length of the rear yard. As there are no abutting properties to the north, the proposed addition would have a minimal impact on the surrounding residential neighborhood.

332 S.
Martha

Subject
Property



In 2006, the Village Board approved a variation to reduce the rear yard setback to twenty-one feet (21') where thirty-five feet (35') is required to allow for the construction of an addition for the property located at 332 S. Martha (ZBA 06-09). 332 S. Martha is located two lots to the west of the subject property. At the May 24, 2006 Zoning Board of Appeals meeting, the ZBA discussed the intent of the ordinance as it relates to the rear yard setback. The ZBA noted that the intent of the ordinance was to give a sense of openness in rear yards. The ZBA made a finding of fact that in the case of 332 S. Martha, the intent of the ordinance was met. The ZBA also noted that there have been two rear yard variations granted in the past because the properties backed up to Glenbard East. Moreover, the ZBA specifically stated that the properties located behind 332 S. Martha would be most impacted. Lastly, based upon the testimony of the petitioner, who stated that the rear yard of the property was lined with trees on their property, the ZBA stated that the addition will have very little impact on the neighboring properties because it would not be visible.

Staff believes that because the subject property abuts the Illinois Prairie Path, the proposed addition would not have a significant impact on the surrounding neighborhood. As such, staff recommends approval.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented **has affirmed** the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the variation:

Based on the submitted petition and the testimony presented, the requested variation **does comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 10-13, subject to the following conditions:

- 1) The subject property shall be developed in substantial conformance with the building plans and site plan drawn by the petitioner on the plat of survey, prepared by Webster and Associates, dated March 29, 1972.
- 2) The petitioner shall apply for and receive a building permit for the proposed plans.
- 3) The proposed addition shall not exceed one-story in height.
- 4) Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.

- 5) In the event that the principal structure on the subject property is damaged or destroyed to fifty-percent (50%) of its value, the new structure shall meet the required rear yard setback.

Inter-Departmental Review Group Report Approved By:

William J. Heniff, AICP
Director of Community Development

WJH:MST

c: Petitioner

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