

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO:	Zoning Board of Appeals	HEARING DATE:	June 23, 1999
FROM:	Department of Community Development	PREPARED BY:	Amy Willson Planner I

TITLE

ZBA 99-12; 1500 Acorn Court: Requests a variation to the Lombard Zoning Ordinance to reduce the rear yard setback to twenty-eight feet (28') where thirty-five feet (35') is required to allow for the construction of a one-story addition in the R2 Single-family Residence District.

GENERAL INFORMATION

Petitioner/Property Owner: Thomas and Kathy Haas
1500 Acorn Court
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R2 Single Family Residence District
Existing Land Use: Single-Family Residence
Size of Property: Approximately 15,100 square feet

Surrounding Zoning and Land Use:

North:	R2 Single-Family Residence District, Single-Family Residence
South:	R2 Single-Family Residence District, Single-Family Residence
East:	R2 Single-Family Residence District, Single-Family Residence
West:	R2 Single-Family Residence District, Single-Family Residence

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on May 12, 1999:

1. Petition for Public Hearing.
2. Response to Applicable Standards.
3. Plat of Survey, prepared by Mid America Survey Company, dated March 11, 1994.
4. Building Plans and Elevations, prepared by petitioner, dated May 9, 1999.

DESCRIPTION

The petitioners would like to construct a three-season room that would use an existing patio as the floor. Previously trellis walls were on three sides of the patio and a trellis covered the roof. The fourth wall was the wall of the house. Although this may appear to be an enclosed structure, the Zoning Ordinance does not regulate structures created with trellis walls. Therefore, no permit was required, and the structural plans were never reviewed by staff. The petitioners have taken down the trellis and wish to create a three-season room, approximately two hundred forty (240) square feet. In order to build this room addition, a variation to encroach into the rear yard seven feet (7') is required.

PLANNING

Building permits are not required for patios. Patios are permitted to encroach into any required yard. Once the patio is enclosed and becomes part of the principal structure, the room is required to follow the setbacks required for principal structures. Therefore, the three-season room must meet the required rear yard setback of thirty-five feet (35'). With this addition, the rear yard setback would be reduced to approximately twenty-eight feet (28').

Staff believes there is not hardship in this case. By using the existing patio, which currently encroaches into the required rear yard setback, the petitioners are actually creating their own hardship. Staff believes the proposed addition could meet all setback requirements if the location of the addition were changed. For example, an addition could be put on the north side of the house, such as a sunroom or solarium, which could be enjoyed all year. Private Engineering Services has stated that this option is viable and would not cause undue impact to neighboring properties. However, the petitioners state that the only exit to the rear yard is through the door at the location of the existing patio. In addition, the petitioners state that the property slopes to the north and west, thereby prohibiting construction on the northwest side of the house.

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A second option is to reduce the size of the proposed structure to meet the required rear yard setback. This option would require the proposed addition to be seven feet (7') deep.

Staff believes that the proposed addition will not have an impact on the surrounding properties since the patio was previously enclosed with trellis walls. The neighbors have been exposed to an enclosed structure in this location for several years, and the proposed three-season room would actually be smaller than the previous enclosure. Private Engineering Services, the Engineering Division of Public Works, and the Bureau of Inspectional Services do not have any comments on this petition.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented has not affirmed the Standards for Variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **denial** of this petition:

Based on the submitted petition and the testimony presented, the requested variation does not comply with the Standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals recommend to the Corporate Authorities **denial** of ZBA 99-12.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH:ACW:jd
att-
c: Petitioner