

**April 22, 2015**

**Title**

ZBA 15-04

**Petitioner & Property Owner**

Igor Kutlic  
131 W. Goebel Drive  
Lombard, IL 60148

**Property Location**

131 W. Goebel Drive  
(06-06-206-004)  
Trustee District #1

**Zoning**

R2 Single Family Residence

**Existing Land Use**

Single Family Home

**Comprehensive Plan**

Low Density Residential

**Approval Sought**

A variation from Section 155.210(A)(3)(a) of the Lombard Zoning Ordinance to allow a detached accessory building or structure to exceed the height of a principal structure or use.

**Prepared By**

Jennifer Ganser  
Assistant Director



**LOCATION MAP**

**PROJECT DESCRIPTION**

The petitioner is proposing to construct a new detached garage, which would replace the current detached garage. Though the height and size of the garage meet Village Code, the garage would be taller than the home and therefore need a variance to be built.

**APPROVALS REQUIRED**

The petitioner requests that the Village grant a variation from Section 155.210(A)(3)(a) of the Lombard Zoning Ordinance to allow a detached accessory building or structure to exceed the height of a principal structure or use.

**EXISTING CONDITIONS**

The property contains an approximately 1,036 square foot one-story single family residence, a detached garage with associated driveway, patio, and a shed. The existing house was built in 1951 according to the York Township Assessor. The subject property is surrounded by single-family homes.

## PROJECT STATS

### Lot & Bulk

Parcel Size: 11,937.50  
sq. ft.

Building (Single Family Home) Size: 1,036 sq. ft.

Lot Coverage: 41%

Future Lot Coverage: 43%

### Reqd. Setbacks & Proposed Dimensions (approx. in parens.)

Front (south) 30' (49.71')

Side (east) 6' (8.5')

Side (west) 20' (14.2')

Rear (east) 35' (90.3')

### Submittals

1. Petition for public hearing;
2. Response to Standards for Variations;
3. Plat of Survey, dated May 25, 2003;
4. Proposed elevations prepared by the petitioner;
5. Proposed site plan prepared by the petitioner;
6. Proposed site plan drawn on plat of survey prepared by the petitioner; and
7. Three (3) pictures of the subject property taken by the petitioner.

## INTER-DEPARTMENTAL REVIEW

### **Building Division:**

A full review will be conducted during the building permit review process.

### **Fire Department:**

The Fire Department has no issues or concerns regarding the project.

### **Private Engineering Services (PES):**

Private Engineering Services has two comments:

1. the garage should be located so that no part of the garage, roof, etc. overhangs onto the existing ten (10) foot easements; and
2. the shed is located in the proposed easement and appears to overlap the garage.

### **Public Works:**

The Department of Public Works has no issues or concerns regarding the project.

### **Planning Services Division:**

The existing home was built in 1951. The home is one story and has a low pitch on the roof line making the home approximately fifteen feet (15') in height. Therefore a proposed garage of seventeen feet (17') would require a variation. The property also slopes downward, thereby making the rear yard grade lower than the street grade. The petitioner has included pictures to the slope of his yard.

The proposed garage will meet code in height and area. The lot will still maintain less than fifty percent (50%) lot coverage with the proposed new garage.

A variation may only be granted if there is a demonstrated hardship that distinguishes the subject property from other properties in the area. Staff finds that the hardship for the variation is due to the existing single family home and that the standards have been affirmed. The proposed improvements will not adversely affect this or other properties in the neighborhood and would be an aesthetic improvement consistent with the existing structure and surrounding neighborhood. Staff can support the variation.

In consideration of precedent, staff has identified similar cases that appeared before the Zoning Board of Appeals within the last ten (10) years.

CASE NO.	DATE	ADDRESS	SUMMARY	ZBA	BoT
ZBA 04-03	5/6/2004	310 W. Morris Ave.	16' Corner Side Yard	Approved, 5-0	Approved, 5-0
ZBA 05-03	4/7/2005	1051 S. Stewart Ave.	17.5' Corner Side Yard (Reverse Corner Lot)	Approved, 5-0	Approved, 6-0
ZBA 05-07	6/2/2005	403 S. Edson St.	12.36' Corner Side Yard (Reverse Corner Lot)	Approved, 6-0	Approved, 6-0
ZBA 05-09	7/21/2005	444 E. Taylor Rd.	22' Rear Yard (Corner Lot)	Approved, 5-0	Approved, 6-0

## **FINDINGS & 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 aforementioned variation:

Based on the submitted petition and the testimony presented, the requested variation **does comply** with the Standards for Variations in the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals find that the findings included as part of the Inter-Departmental Review

Committee Report be the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 15-04; subject to the following conditions:

1. The project shall be developed in accordance with the submitted plans prepared by the petitioner and made a part of the petition;
2. The petitioner shall apply for and receive a building permit for the proposed plans;
3. Such approval shall become null and void unless work thereon is substantially under way within twelve (12) months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variations; and
4. In the event that the accessory structure (garage) on the subject property is damaged or destroyed to fifty-percent (50%) of its value, the new structure shall meet all Code provisions.

Inter-Departmental Review Committee Report approved by:



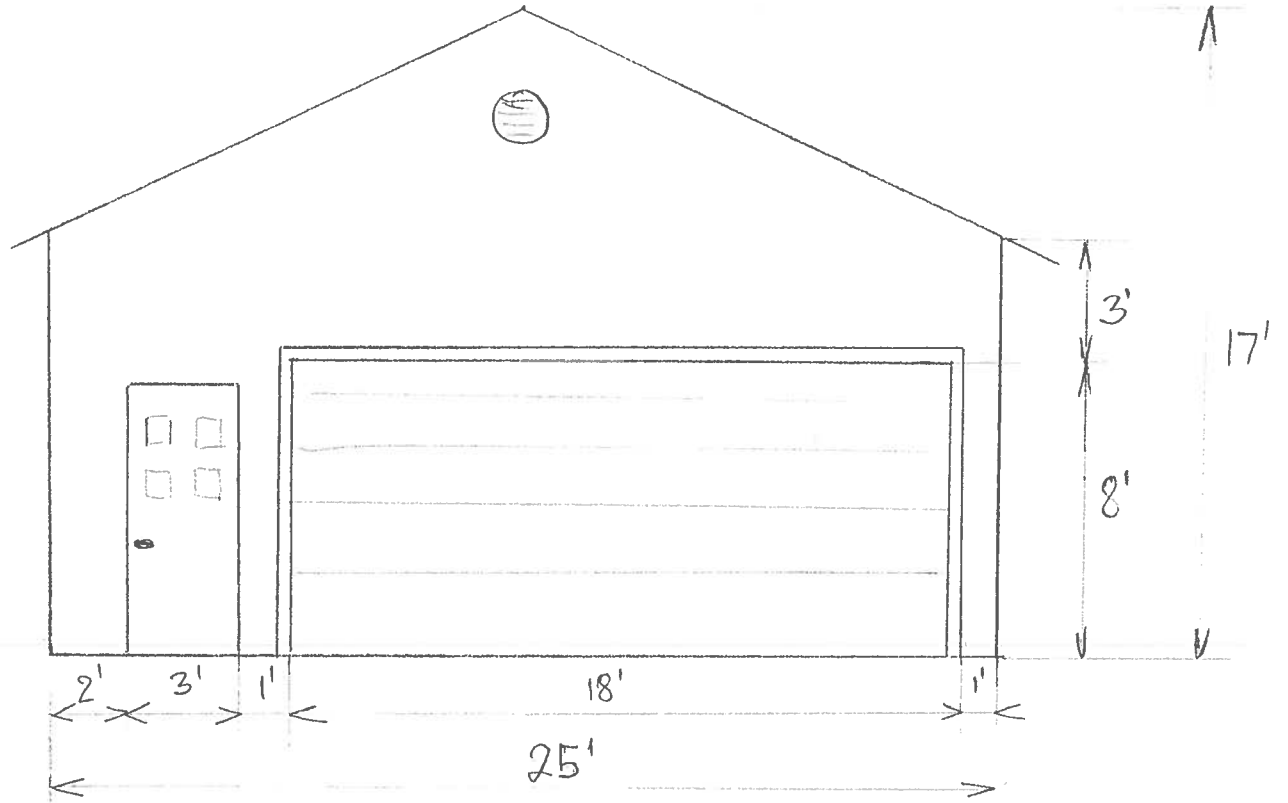
William J. Heniff, AICP  
Director of Community Development

c. Petitioner

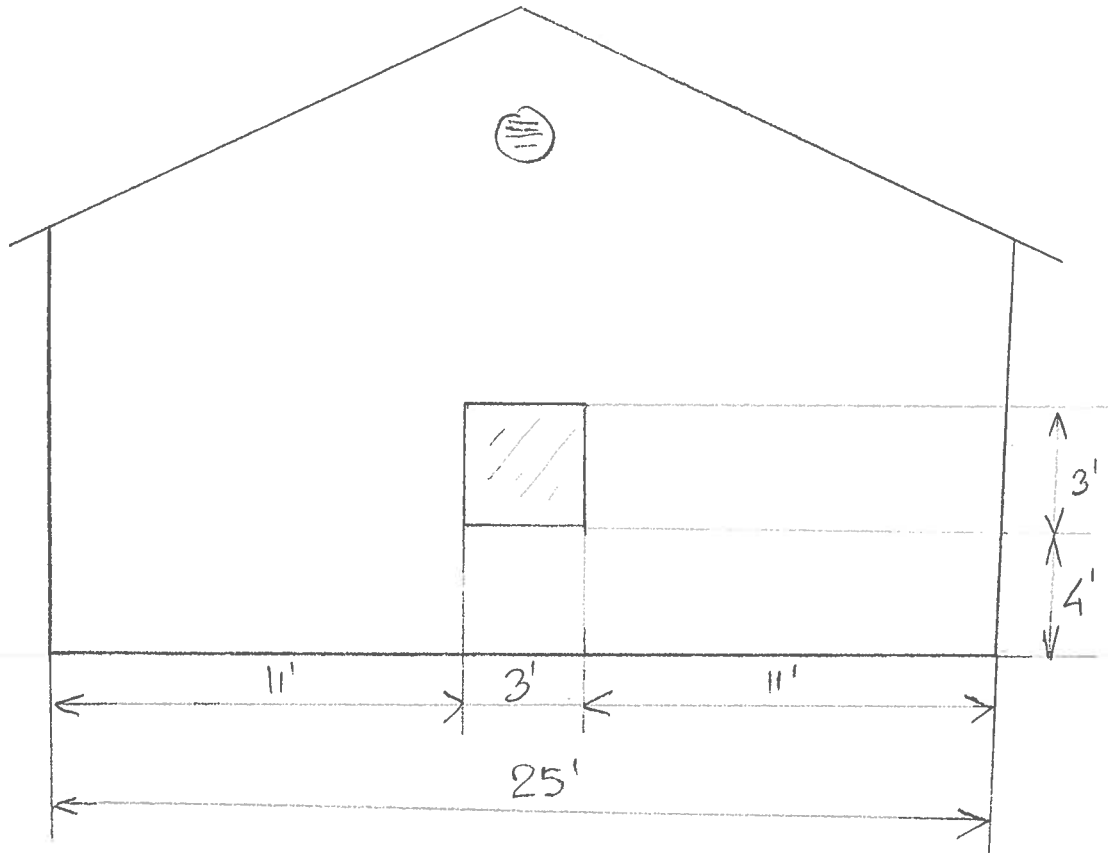
## STANDARDS FOR VARIATIONS

1. **Listed are physical and topographical conditions of the property involved.** Property has 10' easement on two sides of the property which restricts width of the new garage, so building taller garage would benefit me due to width restrictions. My property is downhill from street level and garage is located on lower part of the property and from street level would not be visible if garage is taller than the house.
2. **Listed are conditions unique to the property.** Principal residence has basement with previous history of flooding. Ground water during heavy rain comes through drain tiles into sump pump pit and few times it failed to remove all water which resulted in flooding of the basement. During heavy rain often comes electrical outage and main sump pump is out of service at that time. Battery backup system is good for additional 1-2 hours, which is often not long enough and results in flooding of the basement. Due to basement flooding history, I would like to utilize garage as main storage space for items not affected by temperature and humidity changes. Location of the garage is downhill from house and street. During rain and snow melting, stream of water comes from property west of me, my property and North of my property, down the driveway and toward garage, resulting garage floor to be under water, at times. Due to this inconvenience, I need to utilize garage attic space for storage and maximizing attic height and capacity will help our household needs.
3. **Purpose of variation is not based on desire to increase financial gain.** It is mostly based on inconvenience my family is experiencing and to help resolve some of the storage issues
4. **Present ordinance requires garage not to exceed height of primary residence.** In my case house has very low roof pitch which results in 15'6" ground to top of the roof dimension. If roof pitch was only slightly steeper house height would be at 17' or more. In near future I plan to build second story on the house and that ordinance would not apply. Building garage prior to remodeling or expending house would be beneficial for storing furniture and building materials.
5. **Granting of the variation will not affect any property in the neighborhood** and it will greatly benefit my family
6. **Granting of the variation will not alter the essential character of the neighborhood.** Garage will be built under city regulations and there is existing garages, in immediate neighborhood, that are taller, wider and longer than my new garage will be.
7. **The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets.** Garage will be built far from any adjacent building and it will not increase danger of fire. Additional height of the garage will not create drainage problems on adjacent properties or endanger public safety, or substantially diminish or impair property values within the neighborhood.

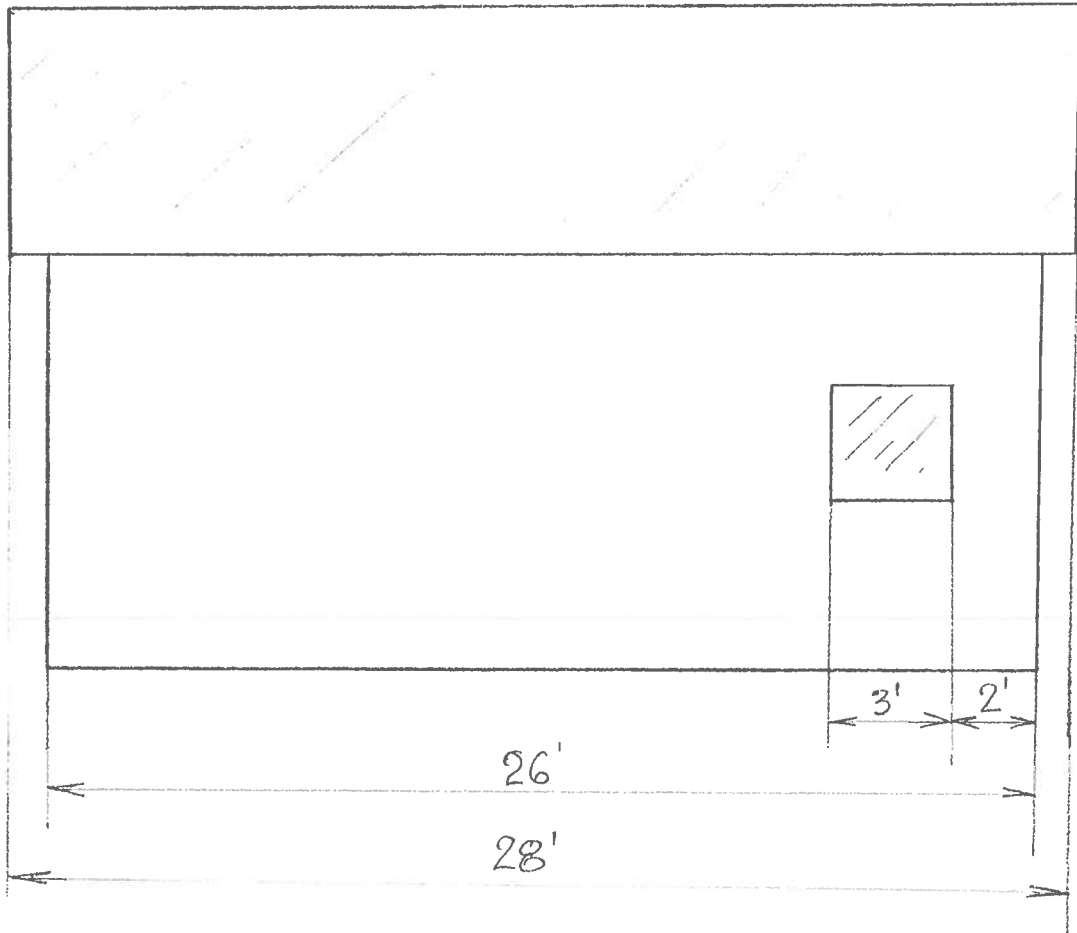
NORTH ELEVATION



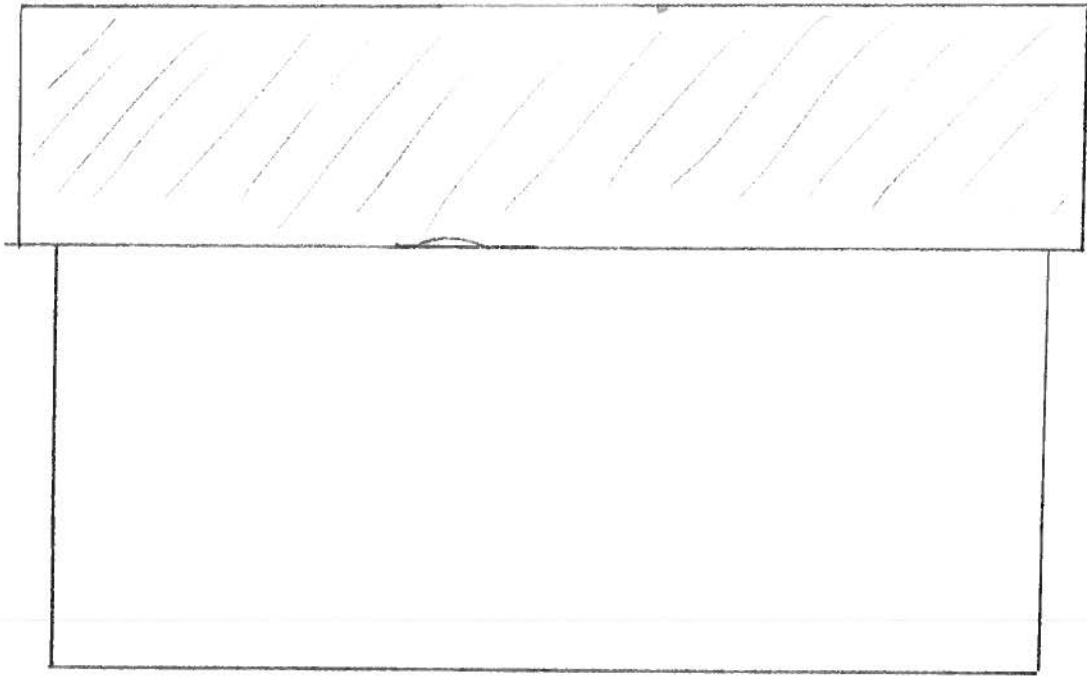
# SOUTH ELEVATION



EAST ELEVATION

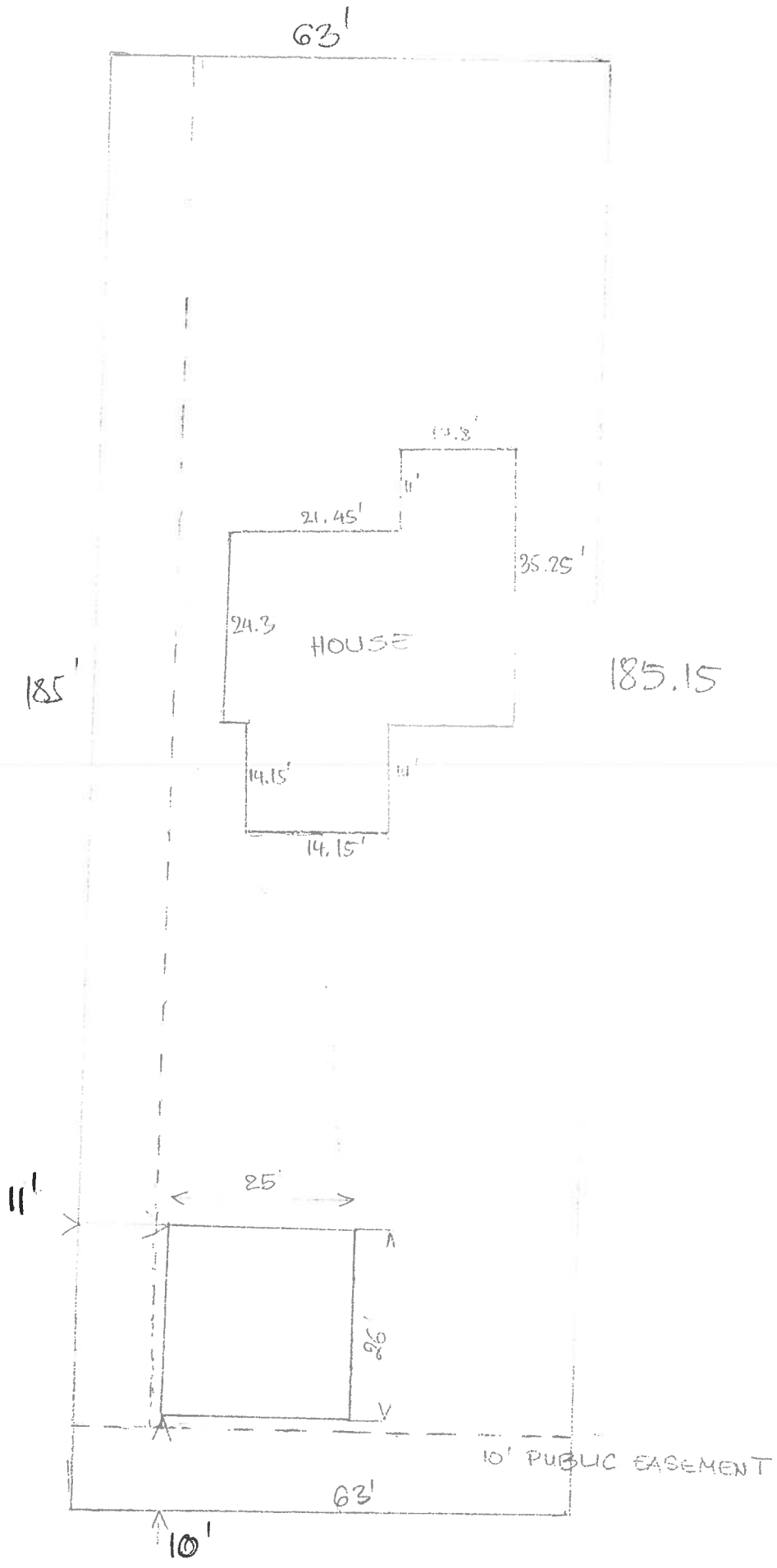


WEST ELEVATION



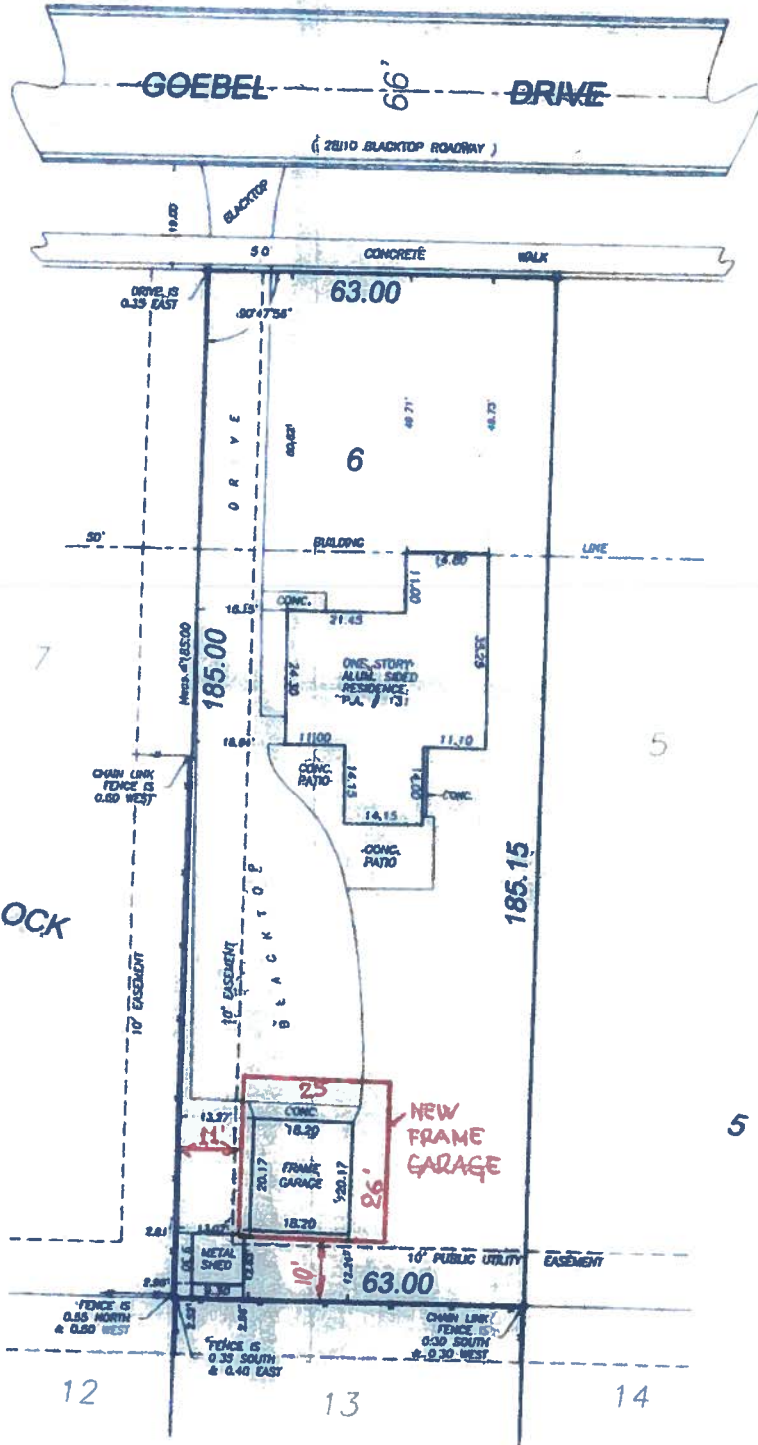


131 W. GOEBEL DR.



# PLAT OF SURVEY

LOT 6 IN BLOCK 5 IN HARRIS' LOMBARD HILLS, BEING A SUBDIVISION IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 30 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1950 AS DOCUMENT 800854 AND CERTIFICATE OF CORRECTION FILED OCTOBER 11, 1990 AS DOCUMENT 808907, IN DUPAGE COUNTY, ILLINOIS.



STATE OF ILLINOIS  
COUNTY OF DU PAGE

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE, AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY, GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS, THIS 22ND DAY OF MAY, A.D. 2005.

ILLINOIS LAND SURVEYOR NO. 1863  
REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS, NOT SHOWN ON SURVEY.

ORDERED BY: TRAVIS MUELLER ORDER NO. 03-F-087 FILE

**LAMBERT & ASSOCIATES**  
LAND SURVEYORS



