

MAY 28, 2014

Title

ZBA 14-04

Petitioner & Property Owner

Christopher Heneghan
402 S. Ahrens Avenue
Lombard, IL 60148

Property Location

402 S. Ahrens Avenue
(06-09-306-025)
Trustee District #5

Zoning

R2 Single Family Residence
(Robertson's Westmore
Subdivision)

Existing Land Use

Single Family Home

Comprehensive Plan

Low Density Residential

Approval Sought

A variation to reduce the required thirty foot (30') front yard setback to twenty-one and two-tenths feet (21.9') and a variation to reduce the required six foot (6') side yard setback to five and five-tenths feet (5.5').

Prepared By

Matt Panfil, AICP
Senior Planner



LOCATION MAP

PROJECT DESCRIPTION

The petitioner is proposing to construct an approximately 1,215 square foot second story addition to the existing structure. The addition will provide four (4) new bedrooms, two (2) new bathrooms and a laundry room. Additional renovations are proposed for the existing first floor.

APPROVALS REQUIRED

Section 155.407 (F)(1) requires a minimum thirty-foot (30') front yard setback. As such, the existing home is a non-conforming structure due to its twenty-one and two-thirds foot (21.2') front yard setback. Even though the proposed addition will not increase said front yard encroachment, a variation is required.

A second variation is required because Section 155.407 (F)(3) requires a minimum six foot (6') interior side yard setback. As such, the existing home is a non-conforming structure due to its five and five-tenths foot (5.5) interior side yard setback on the north side of the lot. Even though the proposed addition will not increase said side yard encroachment, a variation is required.

EXISTING CONDITIONS

The property contains an approximately 1,103 square foot one-story frame single family residence with an approximately 348 square foot detached garage and associated driveway.

PROJECT STATS

Lot & Bulk (Proposed)

Parcel Size: 8,400 sq. ft.
Building Size: 2,317 sq. ft.,
with addition
Lot Coverage: 39.6%

Reqd. Setbacks & Proposed Dimensions (in parens.)

Front (east) 30' (21.9')
Side (north) 6' (5.5')
Side (south) 6' (14.5')
Rear (east) 35' (88.0')

Submittals

1. Petition for public hearing;
2. Response to Standards for Variations;
3. Site Plan, prepared by Dean M. Pozarezycki R.A., dated April 10, 2014 and submitted April 14, 2014;
4. Existing and Proposed Elevations, prepared by Dean M. Pozarezycki R.A., dated April 10, 2014 and submitted April 14, 2014;
5. Street Setting Study dated April 13, 2014 and submitted April 14, 2014;
6. Photos of surrounding properties, undated and submitted April 14, 2014; and
7. Plat of Survey, prepared by Preferred Survey, Inc., dated November 30, 2005 and submitted April 14, 2014.

Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	R2	Single Family Home
South	R2	Single Family Home
East	CR	Westmore Elementary
West	R2	Single Family Home

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 no issues or concerns regarding the project.

Public Works:

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

Planning Services Division:

Front & Side Yard Setbacks

The existing home was built in 1950 with a twenty-one and two-tenths foot (21.2') front yard setback and five and five-tenths foot (5.5') side yard setback (north property line). Staff can support the variations from both the front yard and side yard setback requirements for the following reasons:

1. There is precedence for a variation to both front and side yard setbacks on similar lots to allow for the construction of an addition provided the existing non-conformity is not increased; and
2. The proposed improvements will not adversely affect this or other properties in the neighborhood and instead will maintain the existing building line and be an aesthetic improvement consistent with the existing structure and surrounding neighborhood.

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 each variation is due to the location of the existing single family home in relation to the eastern and northern property lines. The following standard has not been affirmed but consideration of the circumstances must be examined:

2. *The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.*

There are several corner lots within the Village's R2 Single Family Residence Zoning District, even along the same block as the subject property, that are legal non-conforming in regards to their front yard setback. As the petitioner indicates in their response to the standards for a variation, Robertson's Westmore Subdivision was established in 1922. However, the existing structure was built in 1950, at which time a thirty foot (30') front yard setback and six foot (6') side yard setback were required.

In consideration of precedent, staff has identified similar cases that appeared before the Zoning Board of Appeals within the last ten (10) years. Staff included only front yard variations that pertained to encroachments by the principal structure, and not encroachments by accessory structures such as decks and roofed-over porches.

CASE NO.	DATE	ADDRESS	SUMMARY	ZBA	BoT
ZBA 04-01	4/1/2004	338 W. View St.	27' Front Yard (30' Reqd.)	Approved, 4-0	Approved, 5-0
ZBA 05-08	6/2/2005	714 S. Lodge Ln.	8.5' Side Yard (9' Reqd.)	Approved, 6-0	Approved, 6-0
ZBA 05-14	9/15/2005	828 S. Fairfield Ave.	2.5' Side Yard (6' Reqd.)	Approved, 4-1	Approved, 6-0
ZBA 06-05	4/6/2006	262 N. Garfield St.	5.41' Side Yard (6' Reqd.) 8.33' Side Yard (9' Reqd.)	Approved, 5-0	Approved, 5-0
ZBA 06-14	8/17/2006	219 W. Hickory Rd.	2.5' Side Yard (6' Reqd.)	Approved, 5-0	Approved, 5-0
ZBA 07-07	11/1/2007	341 S. Grace St.	6.8' Side Yard (9' Reqd.)	Denied, 5-1*	Approved, 6-0
ZBA 07-12	8/9/2007	259 N. Garfield St.	7.88' Side Yard (9' Reqd.)	Approved, 5-0	Approved, 5-0
ZBA 08-03	4/17/2008	217 N. Craig Pl.	7.9' Side Yard (9' Reqd.)	Approved, 6-0	Approved, 6-0
ZBA 08-13	9/8/2008	1008 S. Lewis Ave.	5.1' Side Yard (6' Reqd.)	Approved, 5-0	Approved, 5-0
ZBA 09-04	6/18/2009	126 S. Lombard Ave.	4.5' Side Yard (6' Reqd.)	Approved, 6-0	Approved, 6-0
ZBA 10-01	2/18/2010	41 S. 2 nd Ave.	3.95' Side Yard (6' Reqd.)	No Recommendation	Approved, 6-0
ZBA 10-11	10/7/2010	148 W. Park Dr.	3' Side Yard (6' Reqd.)	No Recommendation	Approved, 6-0
ZBA 11-01	4/21/2011	533 N. Columbine Ave.	4.5' Side Yard (6' Reqd.)	Approved, 5-0	Approved, 4-0
ZBA 12-01	4/12/2012	91 S. Chase Ave.	4.5' Side Yard (6' Reqd.)	Approved, 6-0	Approved, 6-0
ZBA 13-02	5/2/2013	225 W. Potomac Ave.	26' Front Yard (30' Reqd.)	Approved, 4-0	Approved, 5-0

* The ZBA recommended denial of the side yard variation request due to the fact that approving said variation would require the petitioner to establish permanent access to the neighboring lot for a shared driveway.

FINDINGS & RECOMMENDATIONS

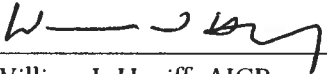
The Department of Community Development has determined that the information presented **has affirmed** the Standards for Variations for the requested front yard setback variation and interior side yard variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that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

Based on the submitted petition and the testimony presented, the requested variations **do 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 14-04; subject to the following conditions:

1. The project shall be developed in accordance with the submitted plans prepared by Dean M. Pozarezycki R.A. dated April 10, 2014 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 principal structure on the subject property is damaged or destroyed to fifty-percent (50%) of its value, the new structure shall meet the required front yard setback and interior side yard setback.

Inter-Departmental Review Committee Report approved by:

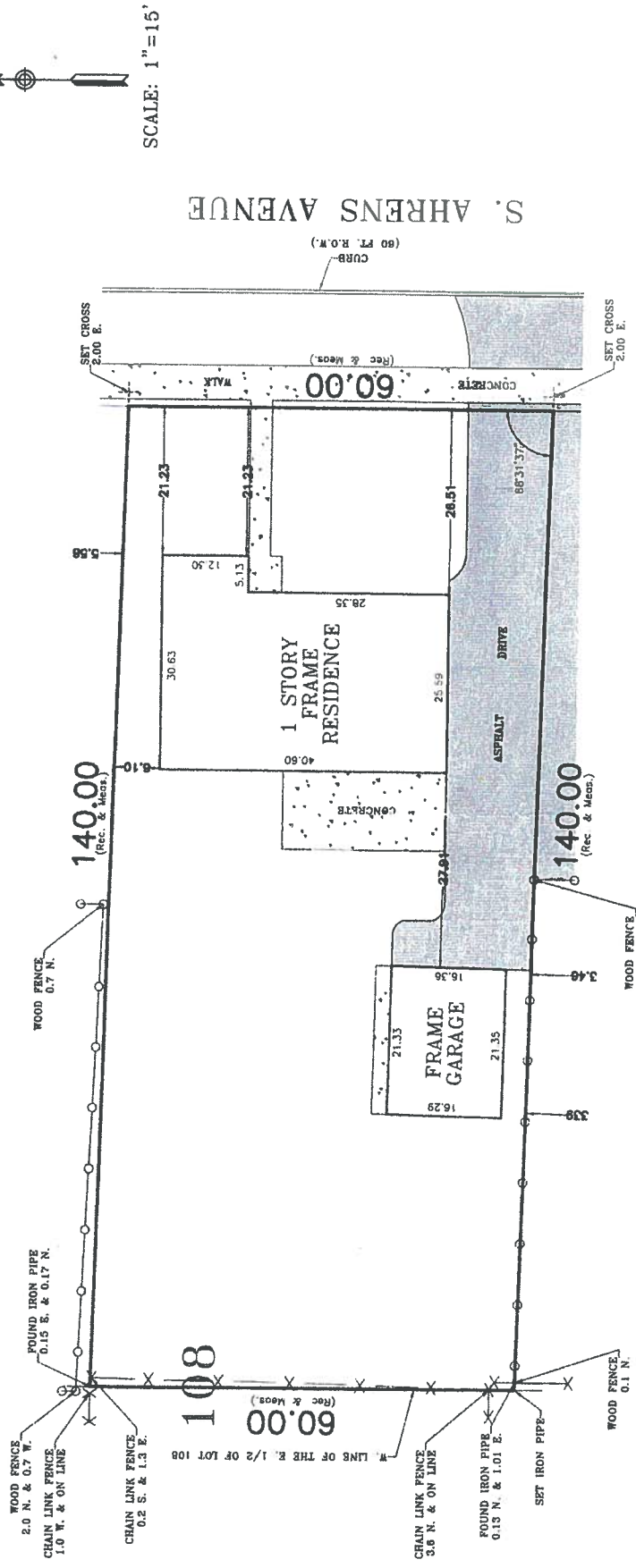


William J. Heniff, AICP
Director of Community Development

c. Petitioner

PLAT OF SURVEY

OF THE EAST 1/2 OF LOT 108 IN ROBERTSON'S WESTMORE, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 1, 1922, AS DOCUMENT 156381, IN DUPAGE COUNTY, ILLINOIS.
 ADDRESS: 402 S. AHRENS AVENUE, LOMBARD, ILLINOIS



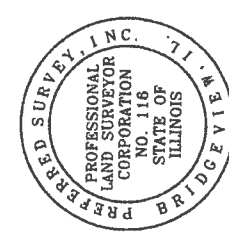
SCALE: 1" = 15'

S. AHRENS AVENUE

TO: CARD & HAUGHT, LTD.

PROFESSIONAL NATIONAL TITLE NETWORK, INC.

THIS IS TO CERTIFY THAT WE, PREFERRED SURVEY, INC., ILLINOIS PROFESSIONAL LAND SURVEYOR CORPORATION NO. 118 HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THAT SURVEY, ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. PROPERTY OWNERS ARE ADVISED THAT THIS AGREEMENT, MY LICENSE RENEWS ON NOVEMBER 30, 2005. I HAVE GIVEN UNDER OUR HAND AND SEAL AT BRIDGEVIEW, ILLINOIS, THIS 30TH DAY OF NOVEMBER, A.D. 2005.



Professional Design Registration #184-002796	1/21/2005
Field Work Completed	8,397.2 Sq. Ft.
Land Area Surveyed	
Drawing Revised	

PREFERRED SURVEY, INC.
 7845 W. 79TH STREET, BRIDGEVIEW, IL, 60455
 Phone 708-458-7845 / Fax 708-458-7855

ILLINOIS PROFESSIONAL LAND SURVEYOR CORPORATION #118
 P.S.I. NO. 0566651
 FLD CREW AM/OS
 CAD AD

CERTIFICATION
 I, the undersigned, being a duly Licensed Professional Engineer in the State of Illinois, do hereby certify that the above is a true and correct copy of the original as shown to me by the contractor.

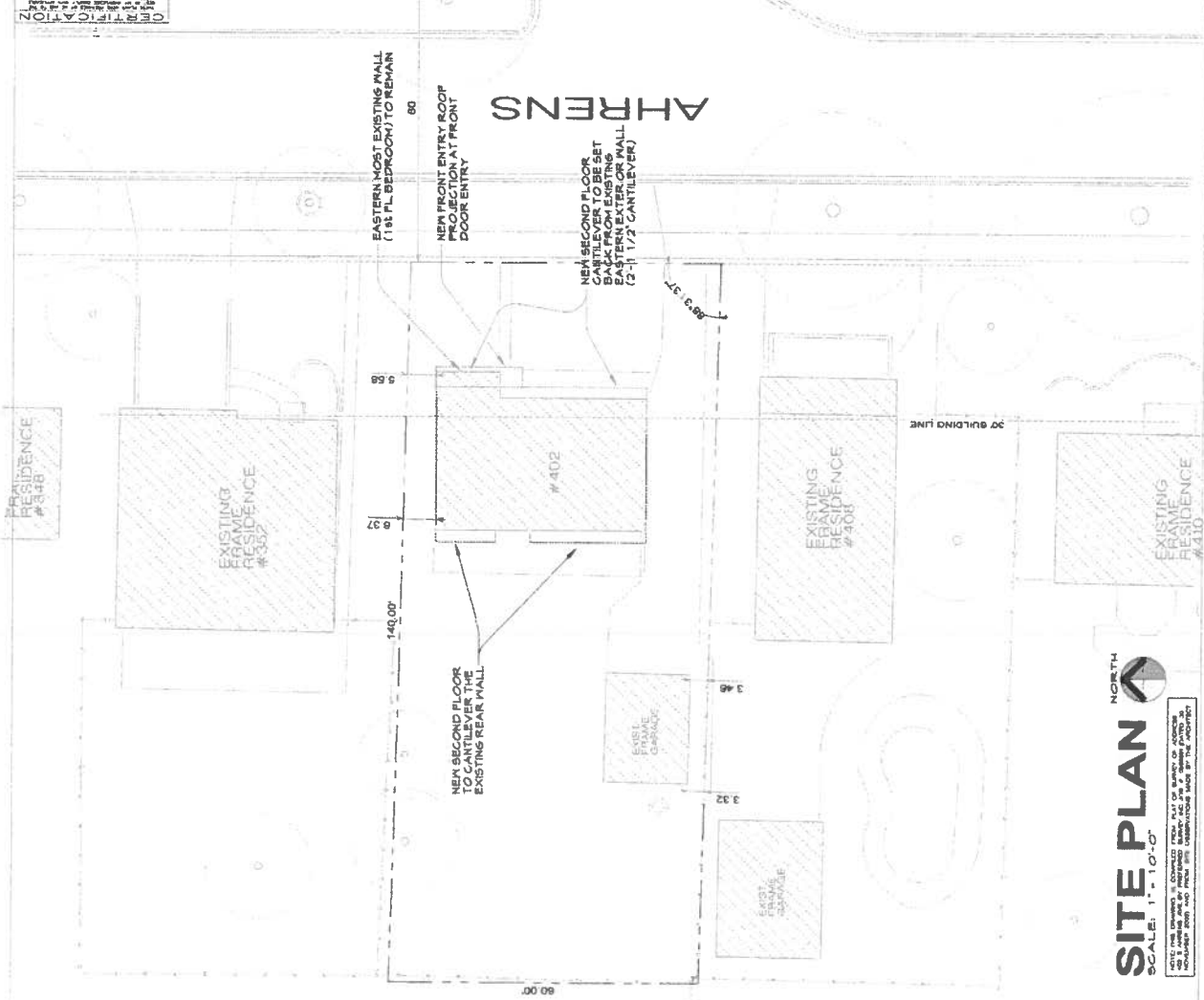
DEAN M. POZARYCKI, R.A.
 ARCHITECT - LAND USE - PLANNING
 1218 N. WASHINGTON STREET, CHICAGO, IL 60610
 (773) 462-4444

HOME OWNER
 LICENSED SUBCONTRACTOR
 TO ACT AS BUILDER

DATE: 08/15/2011
 TIME: 10:00 AM
 PROJECT: SECOND STORY ADDITION AND ALTERATIONS TO THE HENEGHAN RESIDENCE AT 402 S. AHRENS AVE., LOMBARD, ILLINOIS

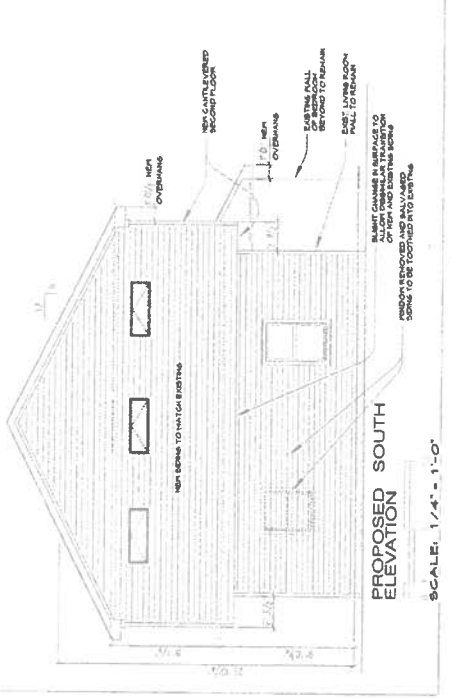
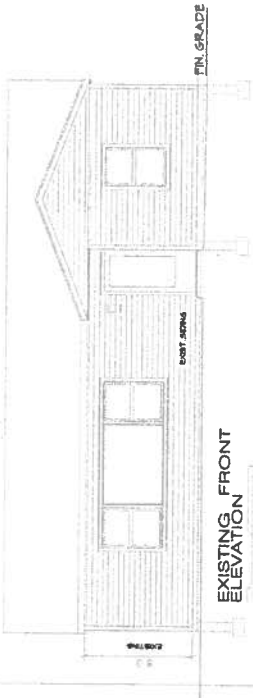
SECOND STORY ADDITION AND ALTERATIONS TO THE HENEGHAN RESIDENCE AT 402 S. AHRENS AVE., LOMBARD, ILLINOIS

SITE PLAN ELEVATIONS
 SHEET NO. D-001-14
A-1



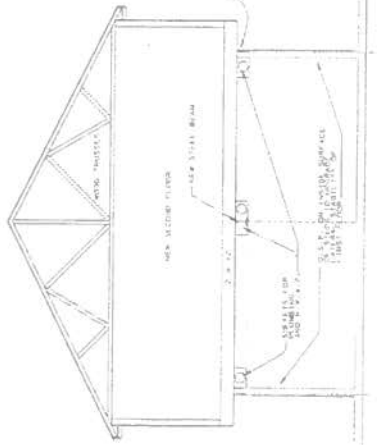
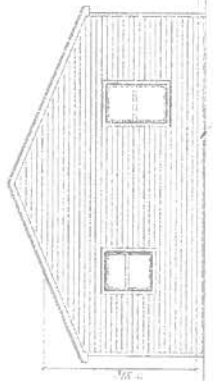
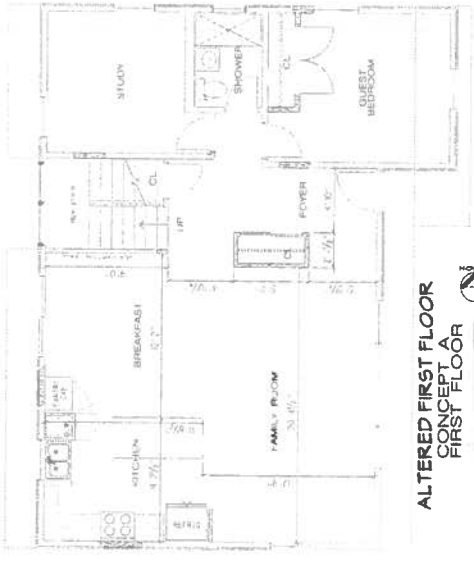
SITE PLAN
 SCALE: 1" = 10'-0"
 NORTH

THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL SURVEY DATA AND FIELD CONDITIONS SHOWN ON THIS PLAN.



EXISTING FLOOR PLAN & SOUTH ELEVATION

PROPOSED FLOOR PLANS



DEAN M. POZARYCKI, P.A.
ARCHITECT - LAND USE - PLANNING
120 MAIN STREET, SUITE 200
CHICAGO, IL 60601
312.467.1100

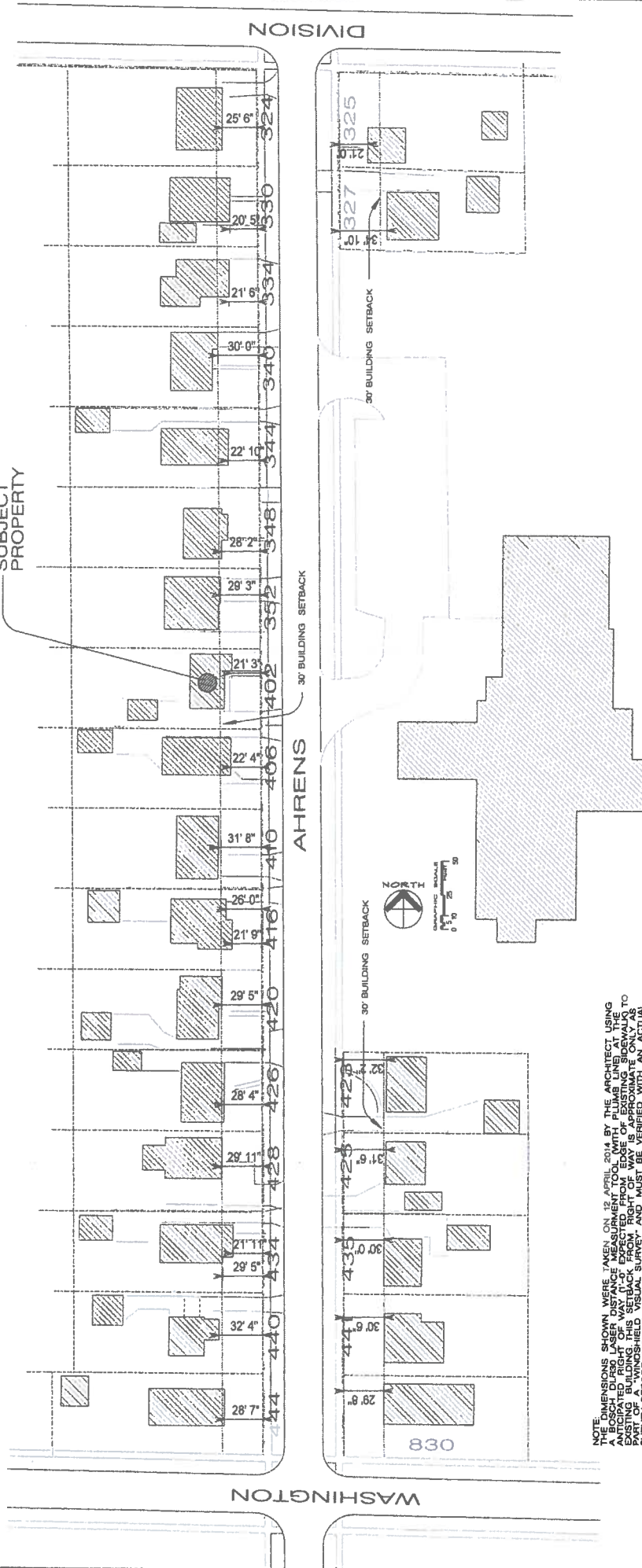
HOME OWNER
TO ACT AS BUILDER
LICENSED ARCHITECTURE

DATE: 10/15/11
PROJECT: 11-11-11-01

SECOND STORY ADDITION AND
ALTERATIONS TO
THE HENEGHAN RESIDENCE
AT 402 S. AURENS AVE.
LOMBARD, ILLINOIS

PLANS &
BLDG. SECT.
A-2

SUBJECT PROPERTY



NOTE: THE DIMENSIONS SHOWN WERE TAKEN ON 12 APRIL 2014 BY THE ARCHITECT USING A BOSCH DLR30 LASER DISTANCE MEASUREMENT TOOL (WITH PLUMB LINE) AT THE EXISTING BUILDING CORNER SETBACK FROM EDGE OF EXISTING SIDEWALK TO EXISTING BUILDING CORNER SETBACK. THIS SETBACK MUST BE VERIFIED WITH AN ACTUAL SURVEY BEFORE ANY RELIANCE UPON SUCH DIMENSIONS.

324 - 344 S. ARENS AVE.



348 - 416 S. ARENS AVE.



325 - 441 S. AIRENS AVE.



420 - 444 S. ARENS AVE.

