

**VILLAGE OF LOMBARD**  
**INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO:	Zoning Board of Appeals	HEARING DATE:	April 28, 1999
FROM:	Department of Community Development	PREPARED BY:	Amy Willson Planner I

**TITLE**

**ZBA 99-08; 200 North Elizabeth Street:** Requests a variation to the Lombard Zoning Ordinance to reduce the required side yard setback to zero (0), where six feet (6') is required, and to reduce the required open space to 46%, where 50% is required, for a porch and an addition to a principle structure in the R2 Single-Family Residential District.

**GENERAL INFORMATION**

Petitioner/Property Owner: Ron and Julie Vincent  
200 North Elizabeth Street  
Lombard, IL 60148

**PROPERTY INFORMATION**

Existing Zoning: R2 Single-Family Residence  
Existing Land Use: Single-Family Residence  
Size of Property: Approximately 12,366 square feet

Surrounding Zoning and Land Use:

North:	R2 Single-Family Residence District, Single-Family Residence
South:	R2 Single-Family Residence District, Great Western Trail
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 March 31, 1999:

1. Petition for Public Hearing.
2. Response to Applicable Standards.
3. Plat of Survey prepared by Gentile and Associates, Inc., dated March 23, 1999.
4. Building Elevations of Existing House, prepared by Frytz Construction, dated March 1, 1985.
5. Proposed Building Elevations and Floor Plans, prepared by property owner.

### **DESCRIPTION**

The petitioner is proposing to construct a two hundred fourteen (214) square foot deck to the front of the house, and a one hundred eleven (111) square foot addition for a breakfast nook on the south side of the house. By doing so, the increased coverage will cause the open space to be reduced to forty-six percent (46%), where fifty percent (50%) is required. In addition, the proposed room addition will also have a zero setback to the south lot line where a six foot (6') setback is required. In order to construct these additions to the house as proposed, variations to the Zoning Ordinance are required.

### **PLANNING**

The petitioner is proposing to construct a covered porch on the front of the existing house. According to the Zoning Ordinance, the porch is allowed to encroach into a required yard as long as it is no more than three feet (3') in height and the proposed porch meets this standard. Although the porch does not require any setback variations, by constructing the porch and a room addition, the open space requirement of the Zoning Ordinance is reduced. The existing open space is approximately fifty-one percent (51%). The Zoning Ordinance requires a minimum of fifty percent (50%) in open space in the R2 Single-Family Residence District. The Zoning Ordinance would only allow an additional one hundred twenty-one (121) square feet in impervious surface, if the standard were strictly enforced.

The second variation necessary for the proposed addition is the variation for the side yard setback, in order to construct the one-story addition. The petitioner is proposing the addition for a breakfast nook. According to the floor plans provided by the petitioner, there is no other location for the proposed breakfast nook. However, it appears that there is room in the existing kitchen facilities for a table and chairs, according to the floor plan. Staff does not see a hardship that would require a breakfast nook that encroaches into the required side yard setback. In addition, the petitioners have created the hardship of exceeding the open space requirement with the previous improvements to the property (indoor pool, shed, etc.).

The petitioner's property abuts the Great Western Trail to the south, which is approximately one hundred feet (100') wide. Although there is not another residence to the south that would be affected by the zero side yard setback of the proposed building addition, there are utility poles located just south of the existing house. While the utility poles are not on the petitioner's property, the one of the three electric lines is over the petitioner's property. According to the Electrical Inspector, this electric line is a high power transmission line. The new addition will likely conflict with this utility line. Because of this conflict, the proposed addition will not meet the requirements of the Building Code, and the Building Division will not approve a building permit for the addition, as proposed.

In addition, an easement may exist that is not shown on the Plat of Survey, which would preclude any construction in that dedicated area.

At the time of this report, staff notified the property owner that he was not likely to receive a building permit for the proposed addition and suggested he withdraw the petition. Instead, the petitioner said he would like to go through the variation procedure.

For informational purposes, the petitioners have made other improvements to the property to the south that is part of the Great Western Trail, also under the utility lines,

The Private Engineering Services Division does not have any objections to this petition. The Bureau of Inspectional Services is very concerned with the overhead utility lines and at this time believes a building permit could not be issued for any addition to the south side of the existing home and possibly the southern most portion of the front and rear of the existing home, as well.

## **FINDINGS AND RECOMMENDATIONS**

Because of the conflict with the utility line and inability of the petitioner to prove a hardship, 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:

Zoning Board of Appeals

Re: ZBA 99-08

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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 99-08.

Inter-Departmental Review Group Report Approved By:

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David A. Hulseberg, AICP  
Director of Community Development

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c: Petitioner

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