

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Zoning Board of Appeals HEARING DATE: August 23, 2006
FROM: Department of Community PREPARED BY: Jennifer Backensto, AICP
Development Planner II

TITLE

ZBA 06-18; 105-121 E. Roosevelt Road: The petitioner requests the following actions be taken on the subject property within the B4 Corridor Commercial District:

1. A variation from Section 153.208(G)(4) of the Lombard Sign Ordinance to allow directly exposed interior illumination;
2. A variation from Section 153.505(B)(6)(c)(2) of the Lombard Sign Ordinance to allow a freestanding sign to be set back less than 75 feet from the centerline of the adjacent right-of-way; and
3. A variation from Section 153.505(B)(6)(a)(2) of the Lombard Sign Ordinance to allow an approximately 252-square foot freestanding sign where a maximum area of 125 square feet is permitted.

GENERAL INFORMATION

Petitioner: Famous Trading – Lombard
105 E. Roosevelt Road
Lombard, IL 60148

Property Owner: West Properties
1121 W. Tamarack Drive
Barrington, IL 60010

PROPERTY INFORMATION

Existing Zoning: B4 Corridor Commercial District

Existing Land Use: Strip shopping center

Size of Property: Approximately 1.47 acres

Surrounding Zoning and Land Use

- North: B3 Community Shopping District; developed as Lombard Pines Shopping Center
- South: R3 Attached Single-Family Residence District & DuPage County R-4 Single Family Residence District; developed as attached and detached single-family residences
- East: B3 Community Shopping District; developed as a strip shopping center
- West: B3 Community Shopping District; developed as a strip shopping center and freestanding automobile service business

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on August 1, 2006.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, prepared by CEMCON, Ltd., dated April 2, 2002.
4. Copy of portion of Building Permit #14568 for a freestanding sign, issued October 19, 1965.
5. Photos of freestanding sign.

DESCRIPTION

The petitioner is requesting three variations that would bring the existing Famous Liquors freestanding sign into compliance with Village Code. The sign was legally constructed in 1965 and is currently nonconforming with regard to its size, location, and construction.

INTER-DEPARTMENTAL REVIEW COMMENTS

Fire and Building

Fire and Building have the following comment on this petition:

- Sign location to not interfere with any line of sight obstructions for emergency equipment entering or leaving the referenced site.

Public Works Engineering

Public Works has no comments on this petition.

Private Engineering

The Private Engineering Services Division has no comment on the subject petition.

Planning

Background

On July 22, 1993, the Village of Lombard Board of Trustees approved Ordinance #3731 amending the Lombard Sign Ordinance. This amendment created amortization provisions to bring legal nonconforming signs into eventual compliance with current Village regulations while still ensuring that the owners of the signs receive the benefit of their investments in those signs. The provisions of the ordinance permitted the continued use of a sign for seven (7) years from the date of receiving notice from the Village. At the end of this seven-year period, the legal nonconforming status of the sign expires and the sign must be removed.

In 1999, the owners of Famous Liquors were sent notices regarding the legal nonconforming status of their sign and advising them that, pursuant to Village Code, the sign must be removed within seven years. As seven years have passed since the notification, Famous Liquors is now requesting variations to bring the sign into compliance with code. A summary of the existing nonconformities is shown in the following table:

	<i>Permitted in B3</i>	<i>Existing Sign</i>
Height	Maximum 25 feet	20 feet
Area	Maximum 125 square feet	252 square feet
Setback from centerline of state right-of-way	Minimum 75 feet	52 feet
Construction	Surface of sign must be smooth	Sign has exposed light bulbs

Staff finds that the requested relief for sign area and construction can be supported due to the unique nature and history of the sign. The only other known sign from this era, the Dairy Queen sign at 205 S. Main Street, was designated by the Village as a local landmark. As opposed to a new sign, granting relief for the Famous Liquors sign would not have a negative impact on the surrounding properties or alter the character of the neighborhood as the sign has existed in its present location for 41 years and predates much of the surrounding development. In this case, the hardship results from the various changes that have been made to the Sign Ordinance over the past four decades and not from any action of the petitioner or property owner.

Staff can also support the requested relief from the 75-foot setback requirement due to the character and existing development along Roosevelt Road. The Roosevelt Road right-of-way is only 100 feet wide, meaning that any freestanding sign is required by code to be located at least 25 feet in from the front property line. Many properties along Roosevelt Road have parking lots at or very near their front property lines and, consequently, many older signs do not meet the 75-foot setback requirement. There is also a recent precedent for granting setback relief for

freestanding signs in this corridor as two similar requests have already been granted in 2006: PC 06-06, 844 E. Roosevelt Road (Popeye's) and PC 06-11: 300 E. Roosevelt Road (McDonald's).

As part of the request for zoning relief, the petitioner has proposed to remove the "Famous Deli" sign that was added underneath the original, historic sign. Given that staff's support of the requested relief is largely based upon the historic nature of the sign, staff recommends that the removal of the "Famous Deli" sign cabinet be made a condition of any approvals.

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 **complies** 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 06-18, subject to the following conditions:

1. Upon approval of this ordinance, the petitioner shall immediately remove the lower portion of the sign cabinet reading "The Famous Deli."
2. The variations shall be limited to the existing freestanding sign. Should the existing freestanding sign be damaged or destroyed by any means, any new freestanding sign shall meet all provisions of the Lombard Sign Ordinance.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH:JB
att-
c: Petitioner