

**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 99-07; 550 Graywood Drive:** Requests a variation to the Lombard Zoning Ordinance to reduce the required rear yard setback to twenty feet (20'), where thirty-five feet (35') is required, for a screened-in porch in the R2 Single-Family Residence District.

**GENERAL INFORMATION**

Petitioner/Property Owner: Robert & Judith Maslinksi  
550 Graywood Drive  
Lombard, IL 60148

**PROPERTY INFORMATION**

Existing Zoning: R2 Single-Family Residence  
Existing Land Use: Single-Family Residence  
Size of Property: Approximately 8,961 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 March 30, 1999:

1. Petition for Public Hearing.
2. Response to Applicable Standards.
3. Plat of Survey prepared by Gremley, Biedermann, Inc., dated May 25, 1989.
4. Building Elevations, prepared by B & B Lumber Construction/Backyard Enclosures, dated March 24, 1999.

### **DESCRIPTION**

The petitioners would like to construct a three-season room that would use an existing deck as the floor. Due to health reasons, one of the petitioners cannot be exposed to direct sunlight and, therefore, the deck has become unusable to him. The petitioners are requesting to be allowed to encroach approximately fifteen feet (15') into the rear yard by constructing an approximately one hundred ninety-six (196) square foot room addition. In order to construct the three-season room as proposed, a variation will be required.

### **PLANNING**

Although the existing deck was constructed without a building permit, a deck that is under three feet (3') in height is permitted to encroach into a required yard. Once the deck 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-one feet (21').

Staff believes the proposed addition could meet all setback requirements if the location and size of the addition were changed. For example, a room addition, approximately one hundred seventy-five (175) square feet, could be constructed at the northeast corner of the house. This would be approximately ten feet by seventeen and one-half feet (10'x17'6"), whereas the petitioner's proposed addition is twelve feet, four inches by sixteen feet (12'4"x 16'). This is only about twenty (20) square feet smaller than the proposed addition, and variations to the Zoning Ordinance would not be necessary. In addition, if the addition was constructed on the

Zoning Board of Appeals

Re: ZBA 99-07

Page 3

northeast side of the house, it would still be set back twenty feet (20') from the eastern property line. The room addition does not necessarily have to use the existing deck as a base. By using the deck (which, again, was constructed without a building permit), the petitioner is creating their own hardship.

There are hedges along the property line which would partially block the view from the east. There would be little negative impact to the adjoining property owners as their view is blocked by the hedges.

Mr. and Mrs. Pardue of 1630 Ainsley Lane are property owners directly north of the petitioners and have stated that they have no objections to this petition. In addition, the neighbors at 540 Graywood Drive and 1641 Ainsley Lane signed a note stating that they are aware that their neighbor wants to build an enclosed porch and that they have no objections.

Private Engineering Services and the Engineering Division of Public Works do not have any comments on this petition. The Bureau of Inspectional Services has no comment on the petition, however, will require that the deck be subject to plan review and field inspection to show compliance to code requirements for a room addition if the variation is approved. It cannot yet be determined as to whether or not the deck is currently to code since no building plans have been submitted. The joists and footings must be of the correct size and depth. The building addition will meet all other required setbacks and standards of the Zoning Ordinance.

Zoning Board of Appeals

Re: ZBA 99-07

Page 4

## **FINDINGS AND RECOMMENDATIONS**

Staff has not supported similar variations in the past. In this case, the petitioners have not presented a hardship, as there are other areas where the three-season room could be built. 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 99-07.

Inter-Departmental Review Group Report Approved By:

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David A. Hulseberg, AICP  
Director of Community Development

DAH:ACW:jd  
att-  
c: Petitioner

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