

**Downer, Janet**

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**From:** Stilling, Christopher  
**Sent:** Monday, May 14, 2012 1:26 PM  
**To:** Downer, Janet  
**Cc:** Heniff, William; Toth, Michael  
**Subject:** FW: PC 12-09

Please include this email with PC 12-09

Christopher Stilling, AICP  
Assistant Director of Community Development  
Village of Lombard  
255 E Wilson Avenue  
Lombard, IL 60148  
Tel: (630) 620-5717  
Fax: (630) 629-2374  
[stillingc@villageoflombard.org](mailto:stillingc@villageoflombard.org)

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**From:** jamesp.donovan@ComEd.com [mailto:jamesp.donovan@ComEd.com]  
**Sent:** Monday, May 14, 2012 1:19 PM  
**To:** Stilling, Christopher  
**Subject:** FW: PC 12-09

Asst. Community Development Director Stilling,

I am also against PC 12-09 Please add my name to the list.  
Jim Donovan 700 N. Garfield St

Please forward this to the members of the Plan Commission for the May 21st meeting.

Thank you,

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Peter Breen &lt;breenp@gmail.com&gt;

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**PC 12-09**

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**Adina** <adinaschisler@comcast.net>

Wed, Apr 11, 2012 at 3:55 PM

To: muellerw@villageoflombard.org, breenp@villageoflombard.org, grong@villageoflombard.org, giagnoriok@villageoflombard.org, wilsonz@villageoflombard.org, fitzpatrickl@villageoflombard.org, warew@villageoflombard.org

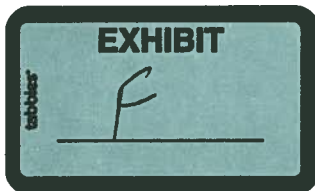
Lombard Village Board members;

My name is Adina Schisler and I live across the street from the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.  
Sincerely,

Adina & Mike SChisler  
660 N Charlotte st.  
Lombard, IL 60148  
630-740-8942





Peter Breen &lt;breenp@gmail.com&gt;

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**(no subject)**

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Jennifer J &lt;jjrg7@yahoo.com&gt;

Wed, Apr 11, 2012 at 12:45 PM

To: muellerw@villageoflombard.org, breenp@villageoflombard.org, grong@villageoflombard.org,  
giagnorick@villageoflombard.org, wilsonz@villageoflombard.org, fitzpatrickl@villageoflombard.org,  
warew@villageoflombard.org  
Cc: mdb@fiveberbsinc.com

April 11, 2012

Lombard Village Board

My name is Jennifer Jendras and I live across the street from the property subject to PC 12-09 requesting an amendment to the Providence Glen planned development. As a neighbor directly in the visual line of sight to this property and neighbor to the petitioner I am writing to voice my support in granting the subject petitioner the requested amendment. The change only enhances the beauty and value of the overall development.

If you have any questions, please feel free to contact me at 630/268-1995.

Jennifer Jendras  
664 N. Charlotte St.  
Lombard, IL 60148



Peter Breen &lt;breenp@gmail.com&gt;

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**PC 12-09**

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**Kramer8942@aol.com** <Kramer8942@aol.com>

Wed, Apr 11, 2012 at 8:48 PM

To: muellerw@villageoflombard.org, breenp@villageoflombard.org, grong@villageoflombard.org,  
giagnoriok@villageoflombard.org, wilsonz@villageoflombard.org, fitzpatrickl@villageoflombard.org,  
warew@villageoflombard.org  
Cc: mdb@fiveberbsinc.com

Lombard Village Board:

We live down the street from the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, we are writing to inform the Village Board of our support in granting the petitioner the requested amendment.

Please feel free to contact us with any questions or concerns regarding the above requested amendment.

Sincerely,

Joseph and Stephanie Batka  
669 North Charlotte Street  
Lombard, IL 60148  
630.620.2427



Peter Breen &lt;breenp@gmail.com&gt;

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**PC 12-09**

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Vince &lt;orataps@aol.com&gt;

Thu, Apr 12, 2012 at 12:20 AM

To: breenp@villageoflombard.org

Cc: MDB@fiveberbsinc.com

Lombard Village Board:

My name is *Vincent Spataro* and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

*Vincent Spataro*  
19 E Le Moyne Ave  
Lombard, IL 60148  
630-932-8265



Peter Breen &lt;braenp@gmail.com&gt;

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## PC 12-09, requesting an amendment to the Providence Glen Planned Development

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**S. Heneghan** <sheneghan@earthlink.net>

Thu, Apr 12, 2012 at 8:53 AM

Reply-To: sheneghan@earthlink.net

To: President Bill Mueller <muellerw@villageoflombard.org>, Trustee Peter Breen <breenp@villageoflombard.org>, Petitioner <mdb@fiveberbsinc.com>, Trustee Greg Gron <grong@villageoflombard.org>, Trustee Keith Giagnorio <giagnoriok@villageoflombard.org>, Trustee Zachary Wilson <wilsonz@villageoflombard.org>, Trustee Laura Fitzpatrick <fitzpatrickl@villageoflombard.org>, Trustee William Ware <warew@villageoflombard.org>

Cc: Petitioner <mdb@fiveberbsinc.com>

Lombard Village Board:

My name is Sharon Heneghan and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

**Sharon Heneghan**

**15 East Le Moyne**

Lombard, IL 60148

**630.899.0024**



Peter Breen &lt;breenp@gmail.com&gt;

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## PC 12-09, requesting an amendment to the Providence Glen Planned Development

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Heneghan, Seamus <seamus.heneghan@sap.com>

Thu, Apr 12, 2012 at 9:29 AM

To: President Bill Mueller <muellerw@villageoflombard.org>, Trustee Peter Breen <breenp@villageoflombard.org>, Petitioner <mdb@fiveberbsinc.com>, Trustee Greg Gron <grong@villageoflombard.org>, Trustee Keith Giagnorio <giagnoriok@villageoflombard.org>, Trustee Zachary Wilson <wilsonz@villageoflombard.org>, Trustee Laura Fitzpatrick <fitzpatrickl@villageoflombard.org>, Trustee William Ware <warew@villageoflombard.org>  
Cc: Petitioner <mdb@fiveberbsinc.com>

Lombard Village Board:

My name is Seamus Heneghan and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

**Seamus Heneghan**

**15 East Le Moyne**

Lombard, IL 60148

**630.889.0024**



Peter Breen &lt;breenp@gmail.com&gt;

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**(no subject)**

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**Paula and Darin Alstott** <darin\_paula@hotmail.com>

Wed, Apr 11, 2012 at 2:28 PM

To: muellerw@villageoflombard.org, breenp@villageoflombard.org, mdb@fiveberbsinc.com, grong@villageoflombard.org, giagnoriok@villageoflombard.org, wilsonz@villageoflombard.org, fitzpatrickl@villageoflombard.org, warew@villageoflombard.org

**Lombard Village Board:**

Our names are Darin and Paula Alstott and we live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, we are writing to inform the Village Board of our support in granting the petitioner the requested amendment.

Please feel free to contact us with any questions you may have.

Thank you.

Sincerely,

***Darin and Paula Alstott******148 E. Windsor Ave.*****Lombard, IL 60148**





Peter Breen &lt;breenp@gmail.com&gt;

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**Village Board Meeting PC 12-09**

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**Jeff Shuert** <jeffshuert@sbcglobal.net>

Wed, Apr 11, 2012 at 9:52 PM

To: muellerw@villageoflombard.org, breenp@villageoflombard.org, grong@villageoflombard.org, giagnoriok@villageoflombard.org, wilsonz@villageoflombard.org, fitzpatrickl@villageoflombard.org, warew@villageoflombard.org  
Cc: mdb@fivebertsinc.com

Lombard Village Board:

My name is Jeffrey Shuert and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

Jeffrey Shuert

521 N. Charlotte

Lombard, IL 60148

630-678-0667



Peter Breen <breenp@gmail.com>

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## ordinance

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Michael Weltin <1bmbfan@gmail.com>

Thu, Apr 12, 2012 at 11:31 AM

To: breenp@villageoflombard.org

Cc: Matt Berbrich <mdb@fiveberbsinc.com>

Lombard Village Board:

My name is Amy Weltin and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

*Amy Weltin  
301 N. Charlotte St.  
Lombard, IL  
630-629-1745*



Peter Breen &lt;breenp@gmail.com&gt;

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**FW: Village Board Meeting**

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**Knapp Roxanne** <RKnapp@knightea.com>

Wed, Apr 11, 2012 at 3:39 PM

To: muellerw@villageoflombard.org, breenp@villageoflombard.org, mdb@fiveberbsinc.com

Cc: grong@villageoflombard.org, giagnoriok@villageoflombard.org, wilsonz@villageoflombard.org, fitzpatrickl@villageoflombard.org, warew@villageoflombard.org

Lombard Village Board:

My name is Roxanne Knapp and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

320 N. Main Street

Lombard, IL 60148

630-620-6512

Roxanne M. Knapp, RA

Senior Architect

**Knight E/A, Inc.**

221 N. LaSalle Street, Suite 300

Chicago, IL 60601-1211

4/12/12

Gmail - FW: Village Board Meeting

Phone: (312) 577-3319

Fax: (312) 577-3526

rknapp@knightea.com



Peter Breen &lt;breenp@gmail.com&gt;

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**RE: 611 North Charlotte**

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**Thomas Knapp** <thomas@trknapparchitects.com>

Thu, Apr 12, 2012 at 3:56 PM

Reply-To: thomas@trknapparchitects.com

To: muellerw@villageoflombard.org, breenp@villageoflombard.org, grong@villageoflombard.org, giagnoriok@villageoflombard.org, wilsonz@villageoflombard.org, fitzpatrickl@villageoflombard.org, warew@villageoflombard.org

Cc: mdb@fiveberbsinc.com, Knapp Roxanne &lt;RKnapp@knightea.com&gt;

Resending my support for this Zoning Application -

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**From:** Thomas Knapp [mailto:thomas@trknapparchitects.com]**Sent:** Wednesday, January 18, 2012 9:53 AM**To:** 'muellerw@villageoflombard.org'; 'breenp@villageoflombard.org'; 'grong@villageoflombard.org'; 'giagnoriok@villageoflombard.org'; 'wilsonz@villageoflombard.org'; 'fitzpatrickl@villageoflombard.org'; 'warew@villageoflombard.org'**Cc:** 'mdb@fiveberbsinc.com'; 'Knapp Roxanne'**Subject:** 611 North Charlotte

Lombard Village Board:

My name is Tom Knapp and I live nearby the property at 611 North Charlotte, subject to Zoning Petition PC12-09, requesting an Amendment to the Providence Glen Planned Development.

I have been paying attention to the discussions between the petitioner and their neighbors for some time now and find that most neighbors have no negative comments regarding this project.

The project, if approved, will have no negative impact on adjacent properties.

As a neighbor of the petitioner, I am writing this letter to show my support in granting the petitioner the requested variance.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

**Thomas Knapp**

320 North Main Street

Lombard, IL 60148

O: 630.620.6512

Fx: 630,620.5866

thomas@trknapparchitects.com



**Save a tree.** Please consider the environment before printing this e-mail.

Your kind response is always appreciated.

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Peter Breen &lt;breenp@gmail.com&gt;

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## Village Board Meeting

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Kevin Katzbeck &lt;kevinkatzbeck@att.net&gt;

Thu, Apr 12, 2012 at 9:24 AM

To: muellerw@villageoflombard.org, breenp@villageoflombard.org, mdb@fiveberbsinc.com,  
grong@villageoflombard.org, giagnoriok@villageoflombard.org, wilsonz@villageoflombard.org,  
fitzpatrickl@villageoflombard.org, warew@villageoflombard.org

Cc: matt Berberich <matt.berberich@permod-ricard.com>, Kimberly Berberich <kberberich@perseustelecom.com>

Greetings Lombard Village Board:

My name is Kevin Katzbeck and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

Kevin Katzbeck

113 N. Charlotte Street

Lombard, IL 60148

630-842-6400



Peter Breen &lt;breenp@gmail.com&gt;

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## Village Board Meeting

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**Kevin Hoppensteadt** <kevin.hoppensteadt@sai-aps.com>

Thu, Apr 12, 2012 at 11:11 AM

To: "muellerw@villageoflombard.org" <muellerw@villageoflombard.org>, "breenp@villageoflombard.org" <breenp@villageoflombard.org>, "grong@villageoflombard.org" <grong@villageoflombard.org>, "giagnorik@villageoflombard.org" <giagnorik@villageoflombard.org>, "wilsonz@villageoflombard.org" <wilsonz@villageoflombard.org>, "fitzpatrickl@villageoflombard.org" <fitzpatrickl@villageoflombard.org>, "warew@villageoflombard.org" <warew@villageoflombard.org>  
Cc: "Jackson Berberich (mdb@fiveberbsinc.com)" <mdb@fiveberbsinc.com>

Lombard Village Board:

My name is Kevin Hoppensteadt and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

**Kevin Hoppensteadt**

**282 N. Edgewood Ave.**

Lombard, IL 60148

**630-629-8728**

Kevin Hoppensteadt | VP Manufacturing

SAI Advanced Power Solutions

618 Lamont Rd. Elmhurst, IL 60126



4/12/12

Gmail - Village Board Meeting

O: 708.450.0990 D: 630.516.8264

C: 708.417.0355

kevin.hoppensteadt@sai-aps.com





Peter Breen <breenp@gmail.com>

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## Amendment Request

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**Courtney Simek** <clsimek@yahoo.com>

Wed, Apr 11, 2012 at 11:50 AM

To: breenp@villageoflombard.org

Cc: mdb@fiveberbsinc.com

Lombard Village Board:

My name is Courtney Simek and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,  
Courtney Simek  
25 N Garfield Street  
Lombard, IL 60148  
630-201-7080



Peter Breen &lt;breenp@gmail.com&gt;

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## Petition

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**melinda.walega@schneider-electric.com** <melinda.walega@schneider-electric.com>

Wed, Apr 11, 2012 at 4:42 PM

To: breenp@villageoflombard.org

Cc: Matt Berberich <mdb@fiveberbsinc.com>

Lombard Village Board:

My name is Melinda Walega and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

MelindaWalega



Peter Breen &lt;breenp@gmail.com&gt;

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**PC 12-09**

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Paul McMillan &lt;mcjurgie@aol.com&gt;

Thu, Apr 12, 2012 at 11:27 AM

To: breenp@villageoflombard.org

Lombard Village Board:

My name is Paul Mcmillan and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

*Paul McMillan*

*630-661-0416*



Peter Breen &lt;breenp@gmail.com&gt;

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**PC-12-09**

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pconliss@comcast.net &lt;pconliss@comcast.net&gt;

Thu, Apr 12, 2012 at 10:15 AM

To: muellerw@villageoflombard.org, breenp@villageoflombard.org, grong@villageoflombard.org,  
giagnoriok@villageoflombard.org, wilsonz@villageoflombard.org, fitzpatrickl@villageoflombard.org,  
warew@villageoflombard.org  
Cc: mdb@fiveberbsinc.com

**Lombard Village Board:**

My name is Patricia Conliss and I live nearby the property subject to PC 12-09, requesting an amendment to the Providence Glen Planned Development. As a neighbor of the petitioner, I am writing to inform the Village Board of my support in granting the petitioner the requested amendment.

Please feel free to contact me with any questions you may have.

Thank you.

Sincerely,

**Patricia A. Conliss**

Patricia Conliss

221 Troy Lane

Lombard, IL 60148

630-361-3301



Peter Breen &lt;breenp@gmail.com&gt;

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**Berberich Zoning Petition ZBA 11-06**

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**Michael Karris** <karris@sbcglobal.net>

Thu, Apr 12, 2012 at 4:38 PM

Reply-To: Michael Karris &lt;karris@sbcglobal.net&gt;

To: "\"muellerw@villageoflombard.org\"" <muellerw@villageoflombard.org>, "\"breenp@villageoflombard.org\"" <breenp@villageoflombard.org>, "\"grong@villageoflombard.org\"" <grong@villageoflombard.org>, "\"giagnoriok@villageoflombard.org\"" <giagnoriok@villageoflombard.org>, "\"wilsonz@villageoflombard.org\"" <wilsonz@villageoflombard.org>, "\"fitzpatrick@villageoflombard.org\"" <fitzpatrick@villageoflombard.org>, "\"warew@villageoflombard.org\"" <warew@villageoflombard.org>

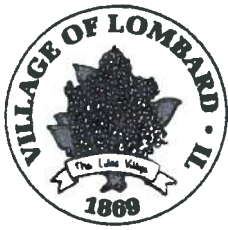
Cc: "\"mdb@fiveberbsinc.com\"" &lt;mdb@fiveberbsinc.com&gt;

Dear President Mueller, Trustee Breen, Trustee Gron, Trustee Giagnorio, Trustee Wilson, Trustee Fitzpatrick and Trustee Ware:

My name is Assunta Karris. My husband and I are friends of Matt and Kim Berberich and are also Lombard residents. We have been to the Berberich home on several occasions. They are constantly looking for ways to beautify, and increase the value of, their home and therefore, it is always a pleasure to visit. As Lombard residents, we are in support of Zoning Petition ZBA 11-06, requesting a rear yard setback variance from 30' to 15'. With property values down, we should be receptive to measures Lombard residents take to improve the value of their homes. It will reflect well on Lombard and will allow the Berberich's (and their friends) to enjoy the beauty of the outdoors that Lombard has to offer.

Sincerely,

Assunta Karris



**VILLAGE OF LOMBARD**

255 E. Wilson Ave.  
Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org

**Village President**  
William J. Mueller

November 17, 2011

**Village Clerk**  
Brigitte O'Brien

Mr. William J. Mueller  
Village President, and  
Board of Trustees  
Village of Lombard

**Trustees**  
Greg Alan Gron, Dist. 1  
Keith T. Giagnorio, Dist. 2  
Zachary C. Wilson, Dist. 3  
Peter Breen, Dist. 4  
Laura A. Fitzpatrick, Dist. 5  
William "Bill" Ware, Dist. 6

**Subject: ZBA 11-06; 661 N. Charlotte Street**

**Dear President and Trustees:**

**Village Manager**  
David A. Hulseberg

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests a variation from Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback to fifteen feet (15'), where thirty feet (30') is required to allow for the construction of a screened porch addition in the R2 Single-Family Residence District.

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

The Zoning Board of Appeals conducted a public hearing on October 26, 2011.

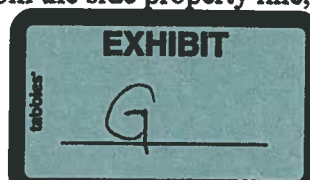
Chairperson DeFalco opened the meeting for public comment.

*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

The property owner, Matt Berberich, 661 N. Charlotte St., Glen Ellyn, presented the petition. Mr. Berberich stated that he understands why he is before the Zoning Board of Appeals. He then stated that he is a longtime resident of Lombard with three kids. He stated that he is requesting a variation to allow for a screened porch addition because his son has required medical attention twice for mosquito bite allergies. He added that his son also has to miss outdoor activities because of his mosquito allergies. Mr. Berberich then explained that there is a fence that is located six (6) to seven (7) feet inside of his rear property line, which results in a lack of space in his rear yard. He then added that the rear yard drops off to the back of the property. Mr. Berberich then asked the members of the Zoning Board of Appeals if they visited the site.

Chairperson DeFalco and Mr. Bartels responded by stating that they had visited the site.

Mr. Berberich stated that the original deck (that the screen porch addition was built upon) was built with a permit in 2002. He then stated that the screen porch addition is located fifteen (15) feet from the side property line, where only six (6)



feet is required. He added that the difference in setback equates to eight-hundred (800) square feet of lot area. Mr. Berberich then referred to the neighbor petition that has been provided to each ZBA member. He stated that none of the neighbors he approached to sign the petition were against his screen porch addition. He then stated that all of his neighbors signed the petition, with the exception of a couple neighbors whose homes were actually being rented out. Mr. Berberich then mentioned that he submitted a doctor's note regarding his son's mosquito allergy and also a picture of his son after a mosquito bite.

Chairperson DeFalco asked if there was anyone present to speak in favor or against the petition.

Ron Schulze, 656 N. Charlotte St., stated that the petitioners did a nice job with the screen porch addition. He then stated that he also understands the need for zoning laws. Mr. Schulze stated that the laws need to take medical issues into consideration. He added that if this were a handicap ramp that this wouldn't be an issue. He stated that medical conditions should always be taken seriously.

Jennifer Jendras, 664 N. Charlotte St., stated that she is also a longtime resident of Lombard. She stated that she is on the Environmental Concerns Committee and is also on a board for Glen Westlake School so she also understands the need for zoning laws. She stated that setbacks provide privacy and also reduce noise impacts on surrounding properties. She stated that the lot that abuts the rear yard of the subject property has a rear yard setback of seventy-five (75) feet and there is a fence and group of trees so the screen porch is invisible to the property to the rear of the subject property. She then mentioned some of the other setbacks in the surrounding area and stated that she has no issues with the screen porch addition.

Joseph Batka, 669 N. Charlotte St., stated that he lives a couple homes down from the petitioner and is in favor of the variation. He stated that he also understands the rules, but sometimes the rules are meant to address a large group and that the screen porch addition should be an exception to the rules.

Chairperson DeFalco then requested the staff report.

Mr. Toth stated that staff is entering the IDRC Report into the public record in its entirety. The petitioner is requesting a variation to reduce the rear yard setback to fifteen (15) feet to allow for an existing three-hundred (300) square foot (15'x20') screened porch addition. The screened porch was built on top of an existing deck and extends fifteen (15) feet into the thirty (30) foot rear yard setback. The structure is considered to be a building addition, which are not listed as permitted encroachments in the rear yard. As such, a variation is required.

The same property owner petitioned for a variation in 2002 (ZBA 02-21) to allow for a three-hundred (300) square foot (15'x20') screened porch addition fifteen (15) feet into the rear yard. The proposed screened porch addition is the exact size and location that was previously



petitioned and was recently constructed over an existing deck. The screened porch addition variation was ultimately denied by the Village Board. The petitioner did receive a permit for the deck in 2002; however, the property owner was recently cited for constructing the screened porch addition over the existing deck without a building permit.

Decks which are open and not over three feet above the average level of the adjoining ground are permitted within the rear yard, provided that a minimum two-foot side yard setback is provided. As the subject screened porch is roofed over and enclosed, it is considered to be an addition to the principal structure. Therefore, the structure must observe the rear yard setback provision required of a principal structure, unless a variation is granted.

The subject property is located in the Providence Glen subdivision. The Providence Glen subdivision received approval to provide for thirty (30) foot rear yards on each of the 32 residential lots within that subdivision, which is five (5) feet less than the thirty-five (35) foot rear yard required on other lots within the R2 Single-Family Residence District.

The principal structure on the subject property is located thirty (30) feet from the eastern (rear) property line. The addition maintains the existing building line of the home and extends fifteen (15) feet to the east, placing it fifteen (15) from the rear property line and directly outside of the fifteen (15) foot public utility and drainage easement located in the rear of the property. The principal structure is also located fifteen (15) feet from the northern (interior side) property line, where only six (6) feet is required. As the addition holds the same building line as the north elevation, the principal structure and subject addition are located more than double the distance to the adjacent side property line than what is required by Code.

A comprehensive review of all residential properties within the Providence Glen planned development revealed no cases in which zoning relief has been granted for a building addition, including screened porches. The petitioner states that the small lot size precludes him from utilizing his back yard. Staff recognizes that the lot depth is somewhat less than that of the majority of lots in the R2 District; however, that is why the rear yard setback has already been reduced from 35 feet to 30 feet. Each of the lots in the Providence Glen planned development has a 30-foot rear yard, granting the property owners an additional 5 feet of building space that they would not be permitted to build upon on other R2 lots.

To be granted a variation the petitioner must show that they have affirmed each of the "Standards for Variation". Staff has reviewed the petitioner's responses and offers the following comments:

1. *That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner has been shown, as distinguished from a mere inconvenience if the strict letter of the regulations were to be applied.*

The rectangular shape of the petitioner's property is standard for all residential lots within the Village, and there are no topographical conditions that affect the variation request. The petitioner's property is 7,840 square feet and 70 feet wide, which exceeds the R2 District minimum lot sizes of 7,500 square feet and 60 feet wide. As such, the petitioner has not demonstrated any hardship.

- 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.*

The conditions are not unique to the subject property as each of the 32 lots within the Providence Glen planned development has a 30-foot rear yard.

- 3. The alleged difficulty or hardship is shown to be caused by this ordinance and has not been created by any person presently having an interest in the property.*

Staff finds that the ordinance has not caused the hardship as the rear yard setback provision does not prevent the petitioner from utilizing his backyard.

- 4. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

Staff finds that granting the request could be injurious to neighboring properties because it increases bulk on the property and contributes to loss of suburban character of the neighborhood.

- 5. The granting of the variation will not alter the essential character of the neighborhood.*

There is currently a 30' rear building setback line that extends unbroken from Goebel Drive to North Avenue that is preserved by the Providence Glen property covenants prohibit the construction of any outbuildings such as sheds. Even if there were no such property covenants, granting this variation would create an obstruction within that open space that is larger than any of the accessory structures that would otherwise be permitted by the Zoning Ordinance. Also, granting this variation would set a precedent to allow each of the other properties within Providence Glen to be granted similar variations.

Mr. Toth stated that staff is recommending denial of ZBA 11-06.

Chairperson DeFalco then opened the meeting for discussion by the ZBA members.

Ray Bartels asked if open space is an issue on the subject property.

Mr. Toth explained that the screen porch addition was built on top of an existing deck, which was built with a permit. He stated that past policy has dictated that building a structure over an existing structure does not affect open space, therefore open space is not being considered at this time.

Chairperson DeFalco asked if the homeowner's association has any issues with the screen porch addition.

Mr. Berberich stated that two members of the audience are on the association board. He then stated that there aren't any conflicting association rules that they are aware of.

Chairperson DeFalco stated that all of the homes in this subdivision were approved to be built at thirty (30) feet where thirty-five (35) feet is typically required.

Mr. Berberich stated that there have been other variations granted for additions in the rear yard. He then cited some examples. He then added again that there are no association rules that conflict with his project.

Chairperson DeFalco stated that all variations need to meet the required standards. He stated that the case before the ZBA involves a home that has a rear setback of thirty (30) feet where thirty-five (35) feet is typically required so they already have limited space. He added that the addition now consumes fifteen (15) feet of the thirty (30) foot rear yard.

Mr. Bartels asked the petitioner when the screen porch addition was built.

Mr. Berberich replied, July.

Mr. Bedard asked when in July.

Mr. Berberich replied, around the fourth of July. He then added that the addition is not finished.

Mr. Bedard asked if someone complained about the addition.

Mr. Toth replied, yes.

Dr. Corrado asked what would happen if the variation was denied.

Mr. Toth explained that the Building Division has an open property maintenance case on the matter. He then stated that because the petitioner is going through the variation, any such enforcement is deferred pending the outcome of the variation. If the variation was to be denied then the property maintenance case would be revisiting. He stated that he is unaware of what the next step would be, but it may involve fines or having to remove the structure.

Chairperson DeFalco then discussed the Standards to Variations that were mentioned in the staff report as not being met. He stated that there are no uncommon features on the property that warrant a variation. He stated that the addition was built outside of the Village Ordinances. He stated that the topographic features are not uncommon. He added that the rear has already been reduced and the whole neighborhood is the same way. He stated that it may set a bad precedence to approve this petition. He also stated that it isn't permissible to construct an addition in a typical thirty-five (35) foot rear yard. He then restated Jendras' statement about the location of the house to the rear and the fact that the fence blocks the addition from the house to the rear. He then stated everyone has a deck, but the addition would constitute a loss of space and that the loss of space would alter the suburban characteristics of the neighborhood.

Mr. Bedard stated that petition was originally denied in 2002. He then asked the age of the petitioner's son with the mosquito allergies.

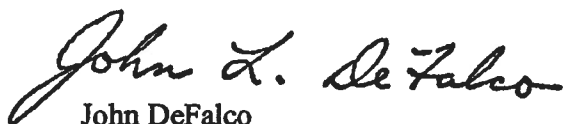
Mr. Berberich replied, four.

Mr. Bedard stated that he believes that the screen porch addition encroaches too far into the rear yard.

On a motion by Bedard and a second by Bartels, the Zoning Board of Appeals recommended by a vote of 4 to 1 that the Village Board deny the variation associated with ZBA 11-06.

Respectfully,

VILLAGE OF LOMBARD



John DeFalco  
Chairperson  
Zoning Board of Appeals



## **ANALYSIS**

### **SUBMITTALS**

This report is based on the following documents, which were filed with the Department of Community Development on September 27, 2011:

1. Petition for Public Hearing.
2. Response to Standards for Variations.
3. Plat of Survey, dated June 28, 2000.
4. Site plan prepared by petitioner.

### **DESCRIPTION**

The petitioner is requesting a variation to reduce the rear yard setback to fifteen (15) feet to allow for an existing three-hundred (300) square foot (15'x20') screened porch addition. The screened porch was built on top of an existing deck and extends fifteen (15) feet into the thirty (30) foot rear yard setback. The structure is considered to be a building addition, which are not listed as permitted encroachments in the rear yard. As such, a variation is required.

### **INTER-DEPARTMENTAL REVIEW COMMENTS**

#### **Engineering**

Private Engineering Services has no comments.

#### **Public Works**

Public Works has no comments.

#### **Fire Department**

The Fire Department has no comments.

#### **Building Division**

The Building Division has no comments.

#### **Planning**

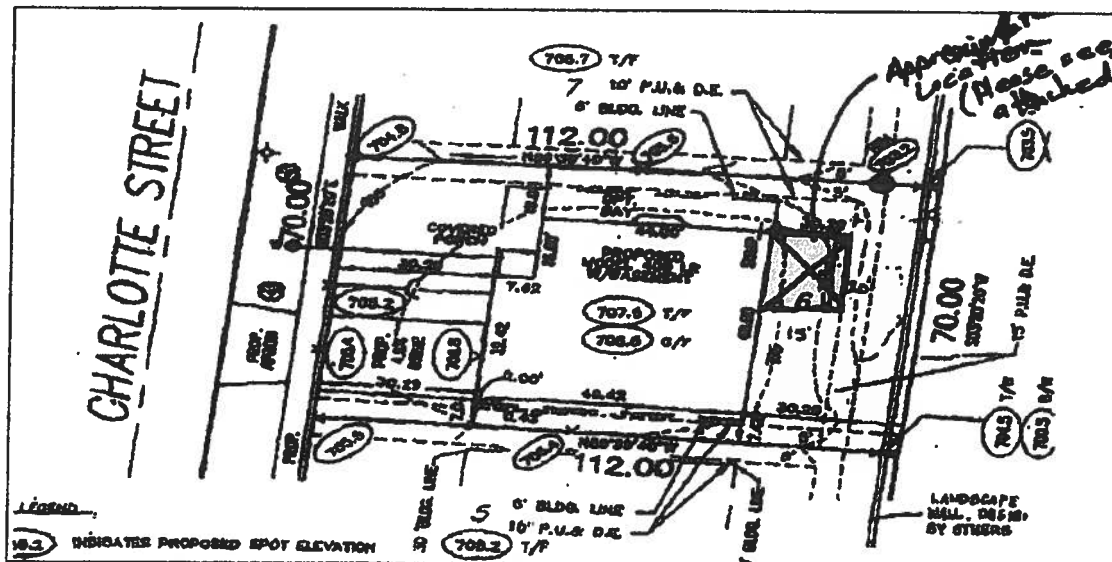
The same property owner petitioned for a variation in 2002 (ZBA 02-21) to allow for a three-hundred (300) square foot (15'x20') screened porch addition fifteen (15) feet into the rear yard. The proposed screened porch addition is the exact size and location that was previously petitioned and was recently constructed over an existing deck. The screened porch addition variation was ultimately denied by the Village Board. The petitioner did receive a permit for the

deck in 2002; however, the property owner was recently cited for constructing the screened porch addition over the existing deck without a building permit.

Decks which are open and not over three feet above the average level of the adjoining ground are permitted within the rear yard, provided that a minimum two-foot side yard setback is provided. As the subject screened porch is roofed over and enclosed, it is considered to be an addition to the principal structure. Therefore, the structure must observe the rear yard setback provision required of a principal structure, unless a variation is granted.

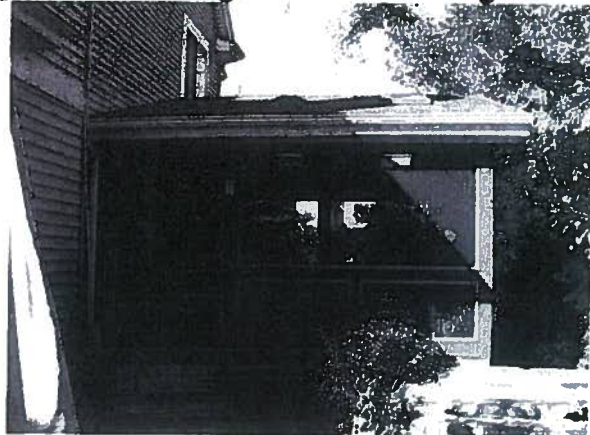
The subject property is located in the Providence Glen subdivision. The Providence Glen subdivision received approval to provide for thirty (30) foot rear yards on each of the 32 residential lots within that subdivision, which is five (5) feet less than the thirty-five (35) foot rear yard required on other lots within the R2 Single-Family Residence District.

The principal structure on the subject property is located thirty (30) feet from the eastern (rear) property line. The addition maintains the existing building line of the home and extends fifteen (15) feet to the east, placing it fifteen (15) from the rear property line and directly outside of the fifteen (15) foot public utility and drainage easement located in the rear of the property. The principal structure is also located fifteen (15) feet from the northern (interior side) property line, where only six (6) feet is required. As the addition holds the same building line as the north elevation, the principal structure and subject addition are located more than double the distance to the adjacent side property line than what is required by Code.



Existing site layout.

A comprehensive review of all residential properties within the Providence Glen planned development revealed no cases in which zoning relief has been granted for a building addition, including screened porches. The petitioner states that the small lot size precludes him from utilizing his back yard. Staff recognizes that the lot depth is somewhat less than that of the majority of lots in the R2 District; however, that is why the rear yard setback has already been reduced from 35 feet to 30 feet. Each of the lots in the Providence Glen planned development has a 30-foot rear yard, granting the property owners an additional 5 feet of building space that they would not be permitted to build upon on other R2 lots.



Subject screened porch addition (southern porch elevation).

To be granted a variation the petitioner must show that they have affirmed each of the “Standards for Variation”. Staff has reviewed the petitioner’s responses and offers the following comments:

1. *That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner has been shown, as distinguished from a mere inconvenience if the strict letter of the regulations were to be applied.*

The rectangular shape of the petitioner’s property is standard for all residential lots within the Village, and there are no topographical conditions that affect the variation request. The petitioner’s property is 7,840 square feet and 70 feet wide, which exceeds the R2 District minimum lot sizes of 7,500 square feet and 60 feet wide. As such, the petitioner has not demonstrated any hardship.

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.*

The conditions are not unique to the subject property as each of the 32 lots within the Providence Glen planned development has a 30-foot rear yard.

3. *The alleged difficulty or hardship is shown to be caused by this ordinance and has not been created by any person presently having an interest in the property.*

Staff finds that the ordinance has not caused the hardship as the rear yard setback provision does not prevent the petitioner from utilizing his backyard.



4. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

Staff finds that granting the request could be injurious to neighboring properties because it increases bulk on the property and contributes to loss of suburban character of the neighborhood.

5. *The granting of the variation will not alter the essential character of the neighborhood.*

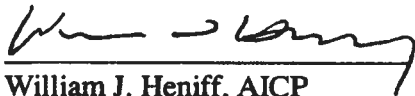
There is currently a 30' rear building setback line that extends unbroken from Goebel Drive to North Avenue that is preserved by the Providence Glen property covenants prohibit the construction of any outbuildings such as sheds. Even if there were no such property covenants, granting this variation would create an obstruction within that open space that is larger than any of the accessory structures that would otherwise be permitted by the Zoning Ordinance. Also, granting this variation would set a precedent to allow each of the other properties within Providence Glen to be granted similar variations.

#### **FINDINGS AND RECOMMENDATIONS**

The Department of Community Development has determined that the information presented has not 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 **denial** of the request to reduce the rear yard setback from thirty (30) feet to fifteen (15) feet:

Based on the submitted petition and the testimony presented, the requested variation **does not comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals recommend to the Corporate Authorities **denial** of ZBA 11-06.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP

Director of Community Development

WJH:MT:jd

att-

c: Petitioner








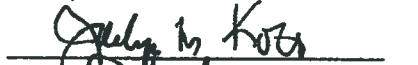









## Standards for Variations

1. Due to the particular physical surroundings (narrow rear yard), shape (more open space on the north side) and topographical conditions (the sloping in the rear yard, required fence and retaining wall) of the subject property involved, a particular hardship to the owner exists.
2. While there are many lots zoned residential in Lombard this lot is unique due to the shape, and the makeup of the rear lot. Some of the houses in our subdivision share the size issue similar to the subject property, but in the rear of the house, the drop from the rear of the house to the rear property line is approximately 9 feet over a 30 foot depth. We have a significantly larger than necessary setback on the northside of the lot 15 feet where 6 feet is required.
3. The purpose of this variance is not for financial gain. The purpose of this variance is based solely on the desire to be able to enjoy the quality of life by utilizing the limited outdoor space in our lot.
4. The hardship caused by this ordinance was not created by any person having an interest in the property. The hardship caused by this ordinance was unknown to the current occupants when the subject property was purchased.
5. The granting of this variation will not be injurious or detrimental to the public welfare as the granting of this variance will still leave a 15 foot rear yard setback and 15 feet on the north side when only 6 feet is required. Due to the nature of the setting in our rear yard, the granting of this variation will be virtually unnoticed to the public and more closely the neighbors.
6. The granting of this variation will not alter the character of the neighborhood due primarily to the fact that it is located in the rear of the lot, almost invisible to passersby in the front, and due to the tremendous amount of vegetation in the rear of the lot and the rear of the lot abutting the subject property the granting of this variation will not alter the character of the neighborhood.
7. The granting of this variance would in no way impair the adjacent property from adequate light and air. The proposed variation remains within the confines of allowable improvements and remains outside of the easement spaces. There is a deck located in the rear of the lot which is not infringing on the adjacent property.

By signing below I am offering my support for the following petition, referred to as ZBA 11-06:

The petitioner requests a variation from Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback to fifteen feet (15'), where thirty feet (30') is required to allow for the construction of a screened porch addition in the R2 Single-Family Residence District.

The property is located at 661 North Charlotte Street, Lombard, Illinois.

Printed Name	Signature	Address
OMAR PADRON		644 N GARFIELD LOMBARD, ILL
JAMES DAWSON		700 N GARFIELD ST.
Mary Kate Gallagher		706 N. Garfield St.
BRIAN JOSEPHUS		663 N. GARFIELD ST.
Laura Larkin		444 N. Charlotte St.
Joelya Kott		640 N. Charlotte St.
Lou MAUSTON		641 N CHARLOTTE ST
Joe Butka		669 N. Charlotte St.
Adina Schuler		660 N Charlotte St
K. Kauder		574 N. Fenwick St
MELINDA WALEGA		665 N Charlotte
Ron Schuler		656 N CHARLOTTE
Shari Janyan		653 N Charlotte
Rich & Jennifer Graham		664 N. Charlotte St.
Syed Nasirat Inam		657 N Charlotte St.



Elmhurst Memorial  
Elmhurst Clinic

*The care you deserve.*

10/26/2011

RE: Owen Berberich  
661 N Charlotte St  
Lombard, IL 60148

To Whom It May Concern,

Owen Berberich is currently under my care. He was seen in the office on 7/29/09 and 6/15/11 for insect bites.

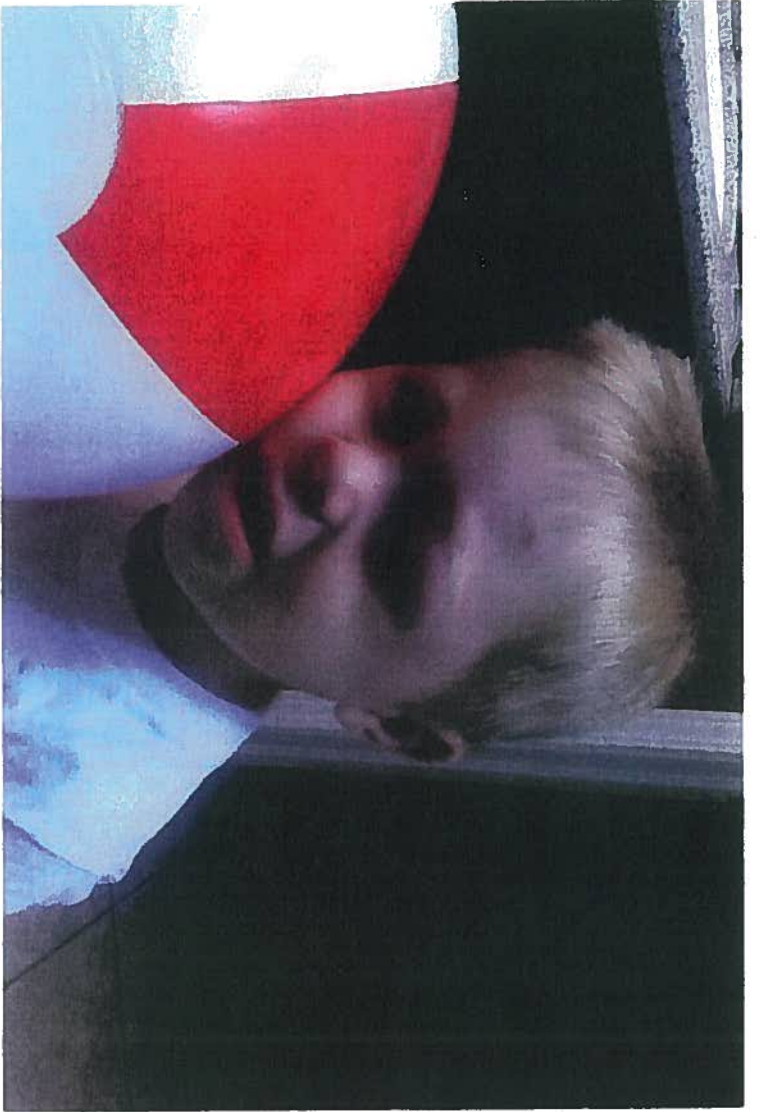
Sincerely,

A handwritten signature in cursive script that reads "M. Conroy".

MICHELLE N. CONROY DO

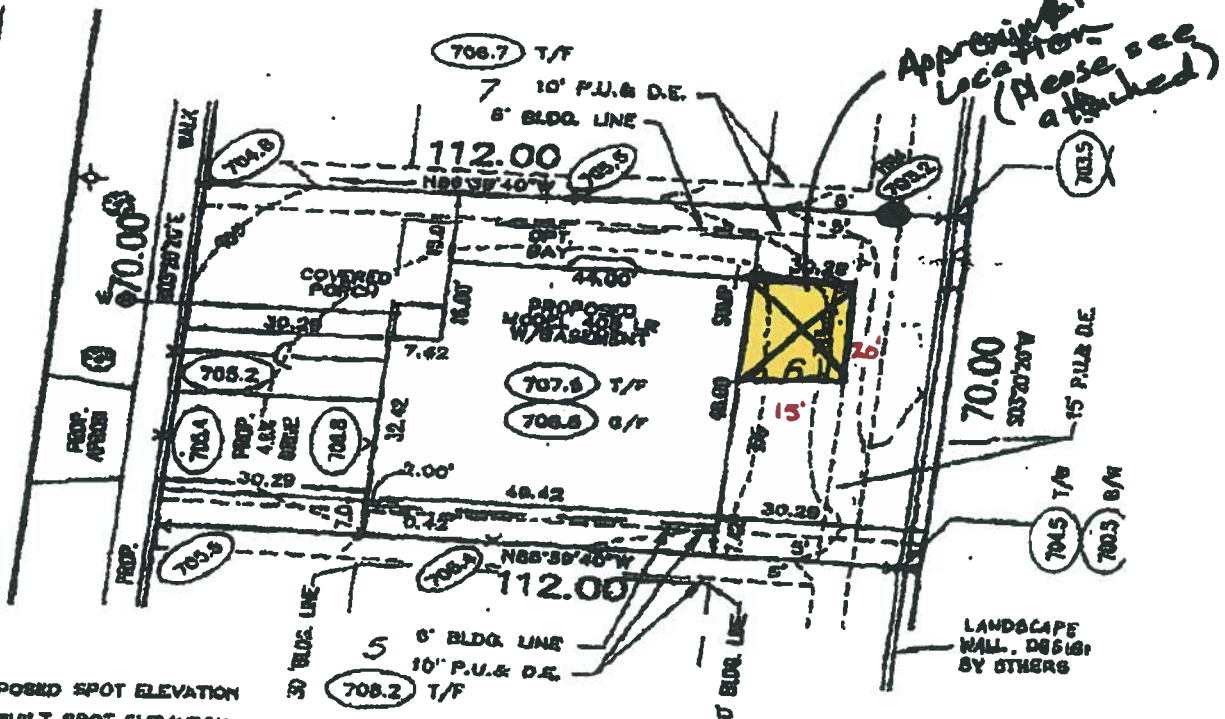
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**ELMHURST CLINIC \* Lombard Office \* 130 South Main Suite 201 & 302 \* Lombard, IL 60148 \* (630)652-4200**



LOT 6 IN PRAIRIE PLACE OF LOMBARD, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1999 AS DOCUMENT NUMBER 899-208187 IN DUPAGE COUNTY, ILLINOIS.

CHARLOTTE STREET



**LEGEND**

- 18.2 INDICATES PROPOSED SPOT ELEVATION
- 18.2 INDICATES AS-BUILT SPOT ELEVATION
- INDICATES APPROX. LOCATION OF PROPOSED 12" TYPE "C" WATER SERVICE AS TAKEN FROM ENGINEERING IMPROVEMENT PLANS PREPARED BY SPACECO, INC. OF ROSEMONT, ILLINOIS
- INDICATES APPROX. LOCATION OF PROPOSED 5" P.V.C. SANITARY SERVICE AS TAKEN FROM ENGINEERING IMPROVEMENT PLANS PREPARED BY SPACECO, INC. OF ROSEMONT, ILLINOIS

NOTE:  
ALL ELEVATIONS SHOWN ARE PROPOSED AND DO NOT REFLECT FINAL GRADES.

NOTE:  
P.U. INDICATES PUBLIC UTILITY EASEMENT  
C.E. INDICATES CITY EASEMENT  
D.E. INDICATES DRAINAGE EASEMENT

**MINIMUM 4' BUILDING SEPARATION REQUIRED**

- SYMBOLS**
- PROPOSED PARKWAY TREE
  - SAN./STORM MANHOLE
  - INLET/CATCH BASIN
  - WATER VALVE
  - FIRE HYDRANT
  - STREET LIGHT
  - T/O INDICATES TOP OF CURB ELEVATION
  - T/W INDICATES TOP OF WALL ELEVATION
  - B/W INDICATES BOTTOM OF WALL ELEVATION

1018 } 55  
104 }

-ROGE AND ASSOCIATES,  
that we have located the improve-  
above described property and that  
correctly shown on said plat.

**UP-DATE SURVEY**

A.D. 2000

ILL. PROFESSIONAL LAND SURVEYOR # 2585  
**PERMIT PLAT**

WE, CHRISTIAN-ROGE & ASSOCIATES,  
do hereby certify that we have prepared  
the Permit Plat of the parcel of land hereon  
described for building permit purposes.

JUNE 28 TH 2000

ILL. PROFESSIONAL ENGINEER # 228 00000

A.D. 2000

PROFESSIONAL LAND SURVEYOR # 2809

CONCORD PROMDENCE PLAN

KAM CHECKED: WEG

BLOCK JOB NO. 00-013

STATE OF ILLINOIS } 98  
COUNTY OF COCK }

WE, CHRISTIAN-ROGE AND ASSOCIATES,  
Hereby certify that we have surveyed  
the property described herein and  
that the plat herein drawn is a  
correct representation of same. All  
distances shown are in feet and  
decimals thereof.

A.D. 2000

BY ILL. PROFESSIONAL LAND SURVEYOR # 2585

Note:  
For building lines, easements and  
other restrictions not shown hereon  
refer to your deed, title policy, zoning  
ordinance, etc. Compare all points  
before building and report any  
differences.

**COMMUNITY DEVELOPMENT  
PLANNING SERVICES DIVISION  
APPROVED** 4/17/02

BY [Signature]  
FOR [Signature]

**PLEASE REFER TO PROPERTY COVENANTS PRIOR TO CONSTRUCTING SITE IMPROVEMENTS.**

**PERMANENT STRUCTURES OR BUILDINGS ARE NOT PERMITTED WITHIN PUBLIC EASEMENTS**