

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

  X   Resolution or Ordinance (Blue) \_\_\_\_\_ *Waiver of First Requested*  
\_\_\_\_\_ Recommendations of Boards, Commissions & Committees (Green)  
\_\_\_\_\_ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: Scott R. Niehaus, Village Manager  
DATE: February 17, 2016 (B of T) Date: March 3, 2016  
TITLE: DuPage County Case Z15-046 Lavin (2007 S. Vista Avenue)  
SUBMITTED BY: Department of Community Development *HN*

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is a Resolution of Objection for Z15-046, to the request for a variation to allow a Second Division vehicle to be stored on a residentially zoned lot at 2007 S. Vista Avenue. (UNINCORPORATED)

Staff requests approval of this resolution.

Fiscal Impact/Funding Source:

Review (as necessary):  
Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development ~~WJH~~

**DATE:** March 3, 2016

**SUBJECT:** **Z15-046 Lavin; Request for a variation to allow a Second Division vehicle to be stored on a residentially zoned lot at 2007 S. Vista Avenue, unincorporated DuPage County**

Please find attached a Resolution of Objection to the request for variation at 2007 S. Vista Avenue, unincorporated DuPage County for Village Board consideration as part of the March 3, 2016 Board of Trustees meeting.

As the subject property is located within the ultimate municipal boundaries of the Village of Lombard, the Village has received notice of the public hearing from DuPage County and has been asked to provide comments or concerns regarding this petition. Staff has informed DuPage County that this matter is being brought forward to the Village Board for consideration.

Staff reviewed the proposed documents associated with the above mentioned petition. In addition to not meeting DuPage County regulations, the requested variation does not comply with the Village of Lombard Code of Ordinances. Per Section 94.04(L), commercial vehicles are not allowed on residentially zoned property. As this provision is found within the Village's Nuisance Chapter, there is no variance procedure with the Village of Lombard.

Please see below text of the Village's Nuisance Code, Section 94.04(L)(1) and (2).

(L) (1) All parking and/or storage of commercial vehicles requiring more than a Class B license plate as established by the Office of the Secretary of State of the State of Illinois such as trucks, tractors, and trailers on residential property; however, the parking of a school bus, as defined by 625 ILCS 5/1-182, shall not be prohibited between 8:00 a.m. and 4:00 p.m., provided:

(a) The occupant of the residential property is the authorized driver of said school bus; and

(b) The school bus is parked no closer than 15 feet from the sidewalk adjacent to said residential property or, where no sidewalk exists, no closer than 15 feet from the street adjacent to said residential property;

(2) Storage of all other specialized commercial vehicles such as tractors, plows, backhoes, or any other similar equipment stored on any residential property unless said

equipment is garaged, or for a construction site for which a building permit has been issued.

As such, staff finds the request is inconsistent with Village's Nuisance provisions. Also, staff is unaware of the hardship for the request.

**RECOMMENDATION**

Please place this Resolution on the March 3, 2016 Board of Trustees agenda for approval. Should the Resolution be approved, staff will forward the resolution to DuPage County accordingly.



**DUPAGE  
COUNTY**

Building  
Division

Zoning &  
Planning Division

Environmental  
Division

# BUILDING & ZONING DEPARTMENT

630-407-6700  
Fax: 630-407-6702

[www.dupageco.org/building](http://www.dupageco.org/building)

**DU PAGE COUNTY ZONING BOARD OF APPEALS  
JACK T. KNUEPFER ADMINISTRATION BUILDING  
421 NORTH COUNTY FARM ROAD, WHEATON, ILLINOIS 60187  
630-407-6700/630-407-6702 (fax)**

## Zoning Petition Z15-046 Lavin

Please review the information herein and return with your comments to: Paul Lauricella, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187 or via email at [Paul.Lauricella@dupageco.org](mailto:Paul.Lauricella@dupageco.org), or via facsimile at 630-407-6702 by February 24, 2016.

<b>COMMENT SECTION:</b>	
____ : NO OBJECTION/CONCERNS WITH THE PETITION.	
____ : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION.	
____ : I CAN NOT COMMENT AT THIS TIME. ADDITIONAL INFORMATION REQUIRED.	
____ : I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
<b>COMMENTS:</b>	
<b>SIGNATURE:</b> _____ <b>DATE:</b> _____	
<b>MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:</b>	

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	Z15-046 Lavin	
OWNER	Kevin Lavin, 2007 S. Vista Ave., Lombard, IL 60148	
ADDRESS/LOCATION	2007 S. Vista Ave., Lombard, IL 60148	
PUBLICATION DATE	Daily Herald:	February 10, 2016
ZONING REQUEST	A variation to allow a Second Division vehicle to be stored on a residentially zoned lot. (Sec. 37-700.7)	
PIN/TWSP./ COUNTY BOARD DIST.	06-20-407-004	York Township/District 2
ZONING/LUP	R-3 Single Family Res.	0-5 DU/AC



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Environmental  
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<b>AREA/ UTILITIES</b>	19,779 sq. ft. (.45 Acres)	Well and Sewer
<b>PUBLIC HEARING</b>	<b>Thursday, February 25, 2016, 6:00 p.m.</b>	

**PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.**



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**DU PAGE COUNTY ZONING BOARD OF APPEALS  
JACK T. KNUEFFER ADMINISTRATION BUILDING  
421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187/ 630-407-6700**

### **Zoning Petition Z15-046 Lavin**

**The DuPage County Zoning Board of Appeals will conduct the following public hearing:**

**PUBLIC HEARING:** 6:00 p.m., February 25, 2016, Room 3500-B, JACK T. KNUEFFER ADMINISTRATION BUILDING 421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187

**PETITIONER:** Kevin Lavin, 2007 S. Vista Ave., Lombard, IL 60148

**REQUEST:** A variation to allow a Second Division vehicle to be stored on a residentially zoned lot. (Sec. 37-700.7)

**ADDRESS OR GENERAL LOCATION:** 2007 S. Vista Ave., Lombard, IL 60148

**LEGAL DESCRIPTION:**

LOT 133 IN CONGRESS KNOLLS UNIT #3, BEING A SUBDIVISION OF PART OF SECTIONS 20 AND 21, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 21, 1955 AS DOCUMENT 753922.

**Respectfully Submitted,  
ROBERT J. KARTHOLL, Chairman  
DUPAGE COUNTY ZONING BOARD OF APPEALS**

Notice of this hearing is being sent to property owners within 300 feet of the subject property and as one of them you are invited to attend the meeting and comment on the petition. A reduced scaled sketch or drawing of the petitioner's request is included for your review. If you have any questions or require a full scale version of the site plan, please contact the Zoning Division at (630) 407-6700.

**Please be advised that access to the 421 JACK T. KNUEFFER ADMINISTRATION BUILDING is limited to the main entrance located in the center on the east side of the building.**



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# BUILDING & ZONING DEPARTMENT

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LEGEND

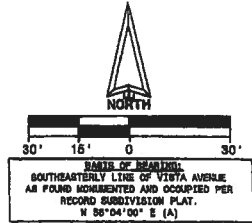
A = ASSURED	NW = NORTHWEST
BL = BUILDING SETBACK LINE	P.O.B. = POINT OF BEGINNING
C = CALCULATED	P.O.C. = POINT OF COMMENCEMENT
C.E. = CITY EASEMENT	P.U.E. = PUBLIC UTILITY EASEMENT
CH = CHORD	P.U. & D. E. = PUBLIC UTILITY & DRAINAGE EASEMENT
CL = CENTERLINE	R = RECORD
D = DEED	RAD = RADIUS
D.E. = DRAINAGE EASEMENT	R.O.S. = RIGHT OF WAY
E = EAST	S = SOUTH
F.I.P. = FOUND IRON PIPE	S.I.P. = SET IRON PIPE
F.I.R. = FOUND IRON ROD	S.I.R. = SET IRON ROD
FT. = FEET/FOOT	SE = SOUTHEAST
L = LAND LENGTH	SW = SOUTHWEST
M = MEASURED	V.E. = VILLAGE EASEMENT
N = NORTH	W = WEST
NE = NORTHEAST	
X = FENCE	
	— EASEMENT LINE
	— SETBACK LINE

AREA OF SURVEY:  
CONTAINING 20,000 SQ. FT. .46 ACRES MORE OR LESS\*

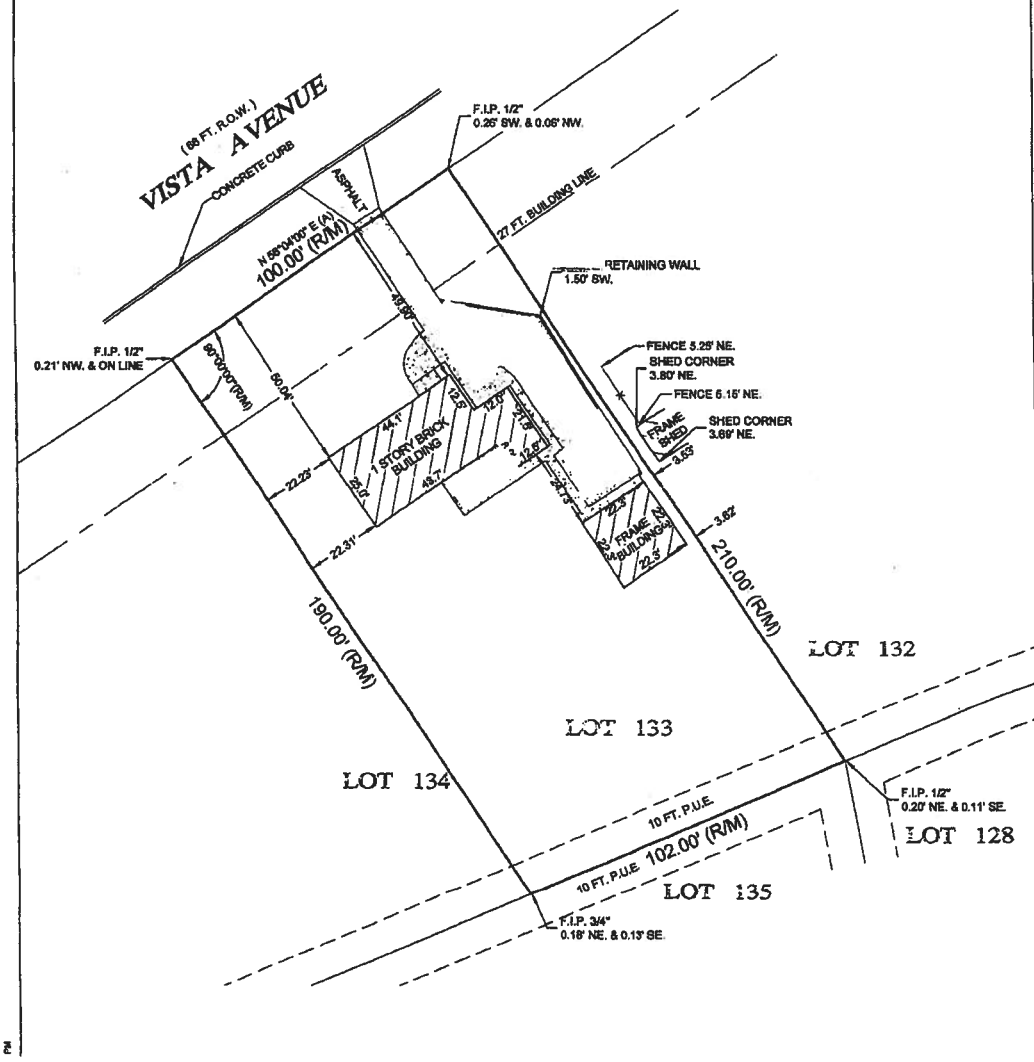
**MORRIS  
ENGINEERING, INC.**

8100 S. LINCOLN LANE, JOLIET, ILLINOIS 60532  
MAIN PHONE: (830)271-0770 SURVEY DEPT. PHONE (830)271-0589  
EMAIL: SURVEY@ESVIL.COM WEBSITE: ESVIL.COM

**PLAT OF SURVEY**



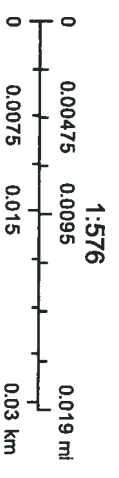
LOT 133 IN CONGRESS KNOLLS UNIT #9, BEING A SUBDIVISION OF PART OF SECTIONS 20 AND 21, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 21, 1955 AS DOCUMENT 759822.



# 2007 S. Vista Avenue



February 22, 2016





**RESOLUTION NO. \_\_\_\_\_-16**

**A RESOLUTION OF OBJECTION TO A REQUEST FOR A VARIATION TO ALLOW  
A SECOND DIVISION VEHICLE TO BE STORED ON A RESIDENTIALLY ZONED  
LOT, AT 2007 S. VISTA AVENUE,  
IN UNINCORPORATED DUPAGE COUNTY**

WHEREAS, the Corporate Authorities of the Village of Lombard have been advised that DuPage County is considering a request for a second division vehicle to be stored on a residentially zoned lot at 2007 S. Vista Avenue, DuPage County, Case Number Z15-046; and,

WHEREAS, the subject property is currently zoned R-3 Single Family Residence District as designated within the DuPage County Zoning Ordinance; and

WHEREAS, the subject property is located within one and one-half mile of the Village of Lombard's corporate limits and is therefore within the Village of Lombard's planning jurisdiction pursuant to 65 ILCS 5/7-4-1; and

WHEREAS, the property owner desires to store a second division vehicle on a residentially zoned lot on the subject property; and

WHEREAS, the Corporate Authorities find that the petition is inconsistent with the established codes and ordinances of the Village of Lombard in the following respects; and

1. The request is inconsistent with the Village's Nuisance provisions (Chapter 94 of the Code of Ordinances), and
2. The Village does not permit commercial vehicles to be stored on residential property.

WHEREAS, approval of the requested action is inconsistent and incompatible with the established Lombard and DuPage County Codes.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the DuPage County Board be and hereby is notified of the opposition of the Corporate Authorities of the Village of Lombard to the granting of the action requested in ZBA Case Z15-046.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2016.

Resolution No. \_\_\_\_\_  
DuPage County Case Z15-046  
Page 2

Ayes: \_\_\_\_\_

Nayes: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_, day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Keith Giagonorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk