

April 29, 1999

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

Subject: ZBA 99-08: 200 North Elizabeth

Dear President and Trustees:

Your Zoning Board of Appeals transmits for your consideration its recommendation on the above-referenced petition. The petitioner requests a variation to the Lombard Zoning Ordinance to reduce the required open space to forty-six percent (46%) where fifty percent (50%) is required in the R2 Single-Family Residence District.

Ron Vincent presented the petition. He is requesting a variation for open space in order to add a covered front porch and to wrap the porch partially around the south side of the house. He stated he has modified the plans from that which was submitted with the petition due to safety reasons. After speaking to Len Farina, the electrical inspector in the Building Department, it was determined that such an addition would be unsafe. He stated that he would like to still have a front porch, as was originally proposed, but continue the porch around the side of the house. This way, the petitioner stated, there will be a deck to walk out onto from the kitchen. He stated that this will meet the side yard requirements as set forth by the Village as well as the setback requirements as set forth by Commonwealth Edison, because a high voltage pole is located directly to the south of the property.

Mr. Polley asked if the addition would be going right up to property line. Mr. Vincent stated that the site survey shows the property, and the covered porch would meet the six foot (6') setback requirement. He then stated that Ms. Willson has the footprint outlined on the site plan to pass around to the Zoning Board members.

There was no one to speak for or against the petition.

Amy Willson, Planner I, presented the staff report. She stated that the petitioner has requested to change the structure at last minute. She explained that the request is not for a room addition anymore. Instead, the petitioner would like to

construct the front porch as proposed, five feet (5') into the front yard, and extend four feet (4') to the south of the existing house. The porch would then extend eleven feet (11') west, along the south side of the house. She explained that there would be no variation required for the side yard setback, but a variation to reduce the open space is still required. Ms. Willson stated that the petitioner would be reducing the open space to below the required fifty percent (50%). She stated that the deck would be one hundred sixty (160) square feet, and with the current coverage, the petitioner has approximately one hundred twenty-one (121) square feet left in order to stay within the fifty percent (50%) open space requirement. She then explained to the Zoning Board members that because this change was made in such short notice, the petitioner has not provided building plans or elevations for the porch that would wrap around the side of the house. She expressed the option to the ZBA members that they could make a motion based on the testimony provided, or could continue the petition to next month with plans provided by the petitioner.

Mr. Vincent stated that instead of extending south ten feet (10') as previously proposed for a breakfast nook, the newly proposed porch would only extend south of the house four feet (4'). He stated that the submitted elevations for the front porch would be the same.

Ms. Willson continued with the staff report stating that the previous proposal was to construct a room addition for a breakfast nook, and required a zero (0) side yard setback. Ms. Willson stated that this proposal was discussed with Len Farina, the electrical inspector in the Village's Building Department. Mr. Farina stated that it the proposed addition would be too close to the ComEd pole. She explained that ComEd requires a structure to be a minimum of twelve feet (12') away from the pole and a minimum of seven feet (7') away from the outer edge of the cross arm on the pole. She stated that the new proposal was now for a variation to reduce the open space requirement to approximately forty-six percent (46%).

Mr. Vincent stated that there is approximately 1,600 square feet of deck, which has gravel underneath, on his property. He stated that he does not believe a deck should apply regarding the open space.

Mr. Polley asked if the house is currently a nonconforming structure. He asked if the petitioner had a received any variations to build the house. Mr. Vincent stated that he did not need variations when it was approved twelve (12) years ago. He stated that the back corner of house is out of compliance when considering ComEd's setback requirements from power lines.

Ms. Hill stated that the house itself was built in compliance with the village codes. She clarified that the petitioner is referring to compliance with ComEd's requirements in particular. She stated that the Great Western Trail is considerably new to area as a bike trail. She continued, stating ComEd has always had utility lines there. She stated that since the trail became property of DuPage County, ComEd has upgraded the power lines. Therefore, standards kicked in. She stated that the proposal of a six foot (6') side yard setback would comply with the Zoning Ordinance, and according to code, there are exceptions for decks encroaching in the front yard. Ms. Hill stated that the only variation, now, is for open space.

Mrs. Newman asked what the difference in open space would be with the proposed porch. Mr. Vincent stated that he would be exceeding his allowable coverage by forty-four feet (44'). Ms. Willson added that he currently has 6,507 square feet coverage, which is approximately forty-nine percent (49%) coverage, or fifty-one percent (51%) open space. With the proposed porch, he would have approximately forty-seven percent (47%) open space.

Mr. Polley stated that the open space is required to absorb water and forty-seven percent (47%) open space seems adequate.

Mr. Young asked if the porch will be covered and if it will have gutters. Mr. Vincent stated that the roof would have gutters to drain on to the street and in sewer. Mr. Young then asked if the part of the roof that would face south, would drain south. Mr. Vincent responded yes.

Mr. Young stated that he thinks that the coverage excess in coverage is approximately three tenths of one percent (0.3%). He stated that if water drains onto driveway, which will flow to street, he doesn't see a difficulty with letting the ground coverage exceed 50%.

Mrs. Newman confirmed that the area is open under the porch. Mr. Vincent stated that it is open. He explained that the porch would be more like a deck, being tongue and groove. Mr. Newman stated it would be more like a covered deck. Mr. Vincent agreed.

After due consideration of the submitted petition and the testimony presented, the Zoning Board of Appeals submits this petition to the Corporate Authorities with a

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recommendation for approval. The roll call vote was 4 to 0 to approve ZBA 99-08.

Respectfully,

VILLAGE OF LOMBARD

Eugene Polley
Vice-Chairperson
Zoning Board of Appeals

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att-

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