


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

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

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: Timothy Sexton, Acting Village Manager
DATE: October 8, 2013 (B of T) Date: October 17, 2013
TITLE: ZBA 13-07: 330 W. Potomac Avenue
SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests that the Village grant a variation from Section 155.212 of the Lombard Zoning Ordinance to allow an unenclosed roofed-over front porch to be set back twenty-two feet (22') feet where twenty-five feet (25') is required for the front yard, all located within in the R2 Single-Family Residence District. (DISTRICT # 1)

The Zoning Board of Appeals unanimously recommended approval of this petition, subject to conditions. Please place this petition on the October 17, 2013 Board of Trustees consent agenda. The petitioner requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

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

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Timothy Sexton, Acting Village Manager

FROM: William Heniff, AICP, Director of Community Development *WHL*

DATE: October 17, 2013

SUBJECT: ZBA 13-07; 330 W. Potomac Avenue

Please find the following items for Village Board consideration as part of the October 17, 2013 Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. IDRC report for ZBA 13-07;
3. An Ordinance granting approval of a requested variation; and
4. Supporting documentation (plans, response to standards, pictures, etc.) associated with the petition.

The Zoning Board of Appeals unanimously recommended approval of this petition, subject to conditions. Please place this petition on the October 17, 2013 Board of Trustees consent agenda. The petitioner requests a waiver of first reading of the Ordinance.



VILLAGE OF LOMBARD

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October 17, 2013

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Peter Breen, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Acting Village Manager
Timothy Sexton

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

Mr. Keith Giagnorio
Village President, and
Board of Trustees
Village of Lombard

Subject: ZBA 13-07; 330 W. Potomac Avenue

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests that the Village grant a variation from Section 155.212 of the Lombard Zoning Ordinance to allow an unenclosed roofed-over front porch to be set back twenty-two (22) feet where twenty-five (25) feet is required for the front yard, located within the R2 Single-Family Residence District.

The Zoning Board of Appeals conducted a public hearing on September 25, 2013.

James L. Ohle, of James L. Ohle Associates Ltd., presented the petition. Mr. Ohle began his presentation by displaying an image of the existing front façade at the subject property. Mr. Ohle stated that only a small portion, six percent (6%) of the proposed porch required the variation. Mr. Ohle then corrected a typo in the Inter-departmental Review Committee (IDRC) which stated eighty-four percent (84%) of the proposed porch is permitted by right when it should have read ninety-four (94%) of the proposed porch is permitted by right.

Mr. Ohle commented that another home on west Potomac Avenue had requested a similar variance earlier this year which received approval from the ZBA and Village Board.

Representing the owner, George Webster, Mr. Ohle stated that Mr. Webster agrees to follow the conditions of approval recommended within the IDRC Report.

Mr. Webster then spoke in reference to the before and after pictures and stated that his intention is to remove an eyesore and enhance the home and neighborhood.

Chairperson DeFalco questioned if there was anyone present to speak in favor of or against the petition. There was no response from the audience.

Matt Panfil, Senior Planner, presented the IDRC Report. Mr. Panfil began his presentation by summarizing the variance request. The petitioner is proposing to construct an unenclosed roofed-over front porch on the front of the residence, twenty-two (22) feet from the front property line. The Lombard Zoning Ordinance allows unenclosed roofed-over front porches as a permitted encroachment into the required front yard, provided that a minimum of twenty-five (25) feet is provided.

Mr. Panfil then referenced a graphic within the IDRC Report that illustrates Mr. Ohle's claim that only six percent (6%) of the proposed porch requires the variation.

Mr. Panfil stated that in order to be granted a variation, a petitioner must affirm each of the Standards for a Variation. Staff finds that while the following Standards have not been met, consideration of circumstances is necessary:

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.*

Staff finds that the petitioner's lot does not have unique physical limitations, however the placement of the existing structure on the property does limit the owner from meeting the intent of the ordinance. The principal structure was constructed in the 1930's prior to front yard setback provisions and the curvature of Potomac Avenue prevented the construction of the house to be parallel with the right-of-way of Potomac Avenue.

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.*

Staff finds that the conditions are not unique to the subject property. The design and layout of the petitioner's property is typical of any R2 Single Family Residential lot in the Village of Lombard and the surrounding neighborhood. Many of the homes along Potomac Avenue are legal nonconforming relative to the front yard setback. Furthermore, the existing setback of the house on the subject property is very similar to the setback of the existing home to the east. Again, the curvature of Potomac Avenue increases the setback of the principal structure abutting the western side of the subject property in relation to the principal structure situated at 330 W. Potomac.

- 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 hardship has not been caused by the ordinance and has instead been created by the petitioner's preference for the proposed design/use. Staff finds that the hardship for this variation is due to the location of the principal structure in relation to the front yard setback. Although this setback deficiency is minimal, it does reduce the property owner's ability to construct an unenclosed roofed-over front porch to a usable standard with the desire to place typical outdoor furniture on the porch with enough space to access the seating. While an 8' wide porch is being proposed, the majority of the porch is permitted by right as it is behind the 25 foot front yard allowable encroachment area.

- 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 would not be injurious to neighboring properties.

Concluding, Mr. Panfil stated that staff recommends approval of the requested variation, subject to the five (5) conditions outlined in the staff report.

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

Mr. Tap stated that he had visited the property and did not perceive any sight line issues. Mr. Tap then asked staff if there were any other issues on-site.

Mr. Panfil responded that the proposal meets all other criteria of the municipal code.

Chairperson DeFalco commented that the home on the lot to the west was set back much further than the home on the subject property. Chairperson questioned staff regarding the setbacks for single family homes within the R2 Single-Family Residence District when a lot abuts other lots that have already been developed with detached single-family dwellings.

Mr. Panfil responded that for new construction, the front yard setback would be determined by averaging the front yard setback of the two adjacent lots. While the proposed alterations to the existing home are significant, it is not considered a new home and therefore is still subject to the thirty-foot front yard setback and additional five-foot encroachment for an unenclosed roofed-over porch.

Chairperson DeFalco asked why an eight foot (8') deep porch is being proposed when the previously referenced variation from earlier in the year only proposed a seven foot (7') porch.

Mr. Ohle responded that his professional opinion as an architect is that an eight foot (8') deep porch is the minimum necessary for a furniture zone and movement. Mr. Ohle stated that he believes making the porch comfortably sized encourages residents to use the porch and increases their interaction with the community.

Chairperson DeFalco stated that his front porch is six feet (6') deep and is suitable for his needs.

Dr. Corrado stated that he used to have an eight foot (8') deep porch and believes eight foot (8') is not too much.

Mr. Bedard stated that it is not the overall size of the porch that is the issue, but the degree to which the porch violates the setback requirement.

Chairperson DeFalco stated his concern that if this variation were approved subsequent variation requests would become larger and larger.

Mr. Ohle reiterated that it is only a very small portion of the proposal that requires the variation.

Chairperson DeFalco stated that he understands the desire for a porch, but the lot is very deep and there is sufficient room behind the home for seating areas. Chairperson DeFalco then asked Mr. Webster how long he had live in the home at the subject property.

Mr. Webster replied that he does not live in the home, but rather has a long-term renter with an option to buy.

Mr. Panfil then commented that Mr. Bedard's statement regarding the focus of the variation being not on the overall size and depth of the porch, but the extent to which the front yard setback encroachment.

On a motion by Dr. Corrado and a second by Mr. Tap, the Zoning Board of Appeals recommended by a vote of 5 to 0 that the Village Board **approve** the variation associated with ZBA 13-05, subject to the following conditions:

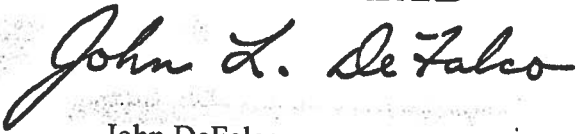
1. The porch shall be developed in accordance with the submitted plans, prepared by James L. Ohle, Architect.
2. The petitioner shall apply for and receive a building permit for the proposed plans.
3. Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.

Re: ZBA 13-07
October 17, 2013
Page 5

4. In the event that the principal structure on the subject property is damaged or destroyed to fifty-percent (50%) of its value, the new structure shall meet the required front yard setback.
5. The roofed-over porch shall remain unenclosed.

Respectfully,

VILLAGE OF LOMBARD

A handwritten signature in black ink that reads "John L. DeFalco". The signature is written in a cursive style with a large initial 'J'.

John DeFalco
Chairperson
Zoning Board of Appeals

SEPTEMBER 25, 2013

Title

ZBA 13-07

Petitioner

George Webster
28W060 Marion Road
Winfield, IL 60190

Property Owner

Webster R. E. LLC
28W060 Marion Road
Winfield, IL 60190

Property Location

330 W. Potomac Avenue
(06-06-208-013)

Zoning

R2 Residential Single Family

Existing Land Use

Residential Single Family

Comprehensive Plan

Low Density Residential

Approval Sought

A variation to allow an unenclosed roofed-over front porch to be set back twenty-two (22) feet where twenty-five (25) feet is required for the front yard.

Prepared By

Tami Urish
Planner I



LOCATION MAP

PROJECT DESCRIPTION

The petitioner is proposing to construct an unenclosed roofed-over porch attached to the front wall of the single family structure. The size of the proposed front porch is two hundred and eight (208) square feet; twenty-six (26) feet in length and eight (8) feet in width.

APPROVAL(S) REQUIRED

Per Section 155.212, Permitted Obstructions in Required Yards of the Lombard Zoning Ordinance, roofed over porches which are unenclosed, constructed on footings or piers, and projecting not more than seven (7) feet from the front wall of the principal structure, provided that a minimum twenty-five (25) foot front yard setback is maintained is a permitted obstruction. Therefore, a variation to allow an unenclosed roofed-over front porch to be set back twenty-two (22) feet where twenty-five (25) feet is required for the front yard within the R-2 Residential Single Family Zoning District is required

EXISTING CONDITIONS

The property contains a two-story frame single family residence with a seventy-eight (78) square foot front concrete stoop. The property also has a detached garage and associated driveway.

PROJECT STATS

Lot & Bulk

Parcel Size: 13,264 sq. ft.
Building Size: 966 sq. ft.
Tenant Space: N/A
Lot Coverage: Approx. 35%

Setbacks

Front (south) 28.4 feet
Side (east) 34 feet
Side (west) 10 feet
Rear (north) 100 feet

Parking Spaces

Not applicable

Surrounding Zoning & Land Use Compatibility

North, East, South and West:
R-2; Single Family Residential

Submittals

1. Petition for Public Hearing
2. Response to Standards for Variation
3. Proof of Ownership
4. Plat of Survey dated May 3, 2013.
5. Site Plan and South Elevation; prepared by James L. Ohle, Architect submitted on 8/26/2013.
6. Existing conditions photo submitted by petitioner on 8/26/13.

INTER-DEPARTMENTAL REVIEW

Building Division:

A full review will be conducted during the building permit review process.

Fire Department:

The Fire Department has no issues/concerns regarding the project.

Private Engineering Services:

Private Engineering Services has no issues or concerns regarding the project.

Public Works:

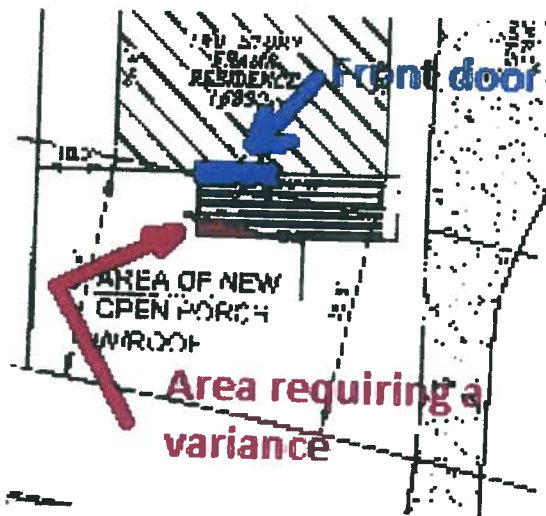
The Department of Public Works has no issues or concerns regarding the project.

Planning Services Division:

The Zoning Ordinance allows roofed-over porches, which are unenclosed and projecting not more than seven (7) feet, as a permitted encroachment in the front yard, provided that a minimum of twenty-five (25) foot front setback is maintained. Under the permitted obstructions provision, an unenclosed roofed-over porch could be constructed on the subject property approximately five feet (5') from the principal structure as a matter of right. The petitioner is proposing to construct an unenclosed roofed-over porch that will extend (southward) eight (8) feet from the principal structure's closest point. This would result in a setback deficiency of three feet (3') as the structure would only be set back a distance of twenty-two feet from the southern property line and decreases to zero at approximately 9 feet off the southwest corner only, where twenty-five feet (25') is required. The setback deficiency at the southeast corner would be zero as the principal structure is setback thirty-five feet from the southern property line. The existing principal structure is nonconforming as it is situated twenty eight feet, four inches (28'4") from the southern property line of the western half of the structure at its closest point and gradually increasing to thirty-five feet, five inches (35'5") from the southern property line on the eastern half of the structure. Approximately 195 square feet (84%) of the proposed porch is permitted by right, the remaining 13 square feet (6 %) of the porch requires a variance in order to gain access to the front door.

Staff finds that the hardship for this variation is due to the location of the principal structure in relation to the southern property line. Although this setback deficiency is minimal, it does reduce the

property owner's ability to construct an unenclosed roofed-over front porch to the front door as proposed.



To be granted a variation the petitioners must show that they have affirmed each of the "Standards for Variation". The following standards have not been affirmed but consideration of the circumstances must be examined:

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.*

Staff finds that the petitioner's lot does not have unique physical limitations, however the placement of the existing structure on the property does limit the owner

from meeting the intent of the ordinance. The principal structure was constructed in the 1930's prior to front yard setback provisions and the curvature of Potomac Avenue prevented the construction of the house to be parallel with the right-of-way of Potomac Avenue.

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.* Staff finds that the conditions are not unique to the subject property. The design and layout of the petitioner's property is typical of any R2 Single Family Residential lot in the Village of Lombard and the surrounding neighborhood. Many of the homes along Potomac Avenue are legal nonconforming relative to the front yard setback. Furthermore, the existing setback of the house on the subject property is very similar to the setback of the existing home to the east. Again, the curvature of Potomac Avenue increases the setback of the principal structure abutting the western side of the subject property in relation to the principal structure situated at 330 W. Potomac.

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 hardship has not been caused by the ordinance and has instead been created by the petitioner's preference for the proposed design/use. Staff finds that the hardship for this variation is due to the location of the principal structure in relation to the front yard setback. Although this setback deficiency is minimal, it does reduce the property owner's ability to construct an unenclosed roofed-over front porch to a usable standard with the desire to place typical outdoor furniture on the porch with enough space to access the seating. While an 8' wide porch is being proposed, the majority of the porch is permitted by right as it is behind the 25 foot front yard allowable encroachment area.

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 would not be injurious to neighboring properties.

Staff does not find a hardship in this case that would justify the requested setback variation based on the functionality of the use defined as egress and ingress purposes only. In recent years there have been six other ZBA petitions requesting relief for roofed-over, unenclosed front porches. Two cases within this current year have been similar in scope to the variation requested for 330 W. Potomac Avenue with one case being on the same street, one block east. All of the below ZBA cases are related to the construction of front porches. The six variations were ultimately granted.

Case No.	Address	Front Yard Relief Requested	ZBA Vote	BOT Action
ZBA 13-04	616 E. Madison	Encroachment reduced from 25' to 23'	Approval	Approval
ZBA 13-02	225 W. Potomac	Encroachment reduced from 25' to 23'	Approval	Approval
ZBA 10-12	544 S. Highland	Encroachment reduced from 25' to 22.5'	Approval	Approval
ZBA 07-05	208 S. Elizabeth	Encroachment reduced from 25' to 14.5'	Approval	Approval
ZBA 06-17	197 S. Craig	Corner side yard reduced from 20' to 9'	Approval	Approval
ZBA 06-03	121 N. Lincoln	Encroachment reduced from 25' to 23.5'	Approval	Approval

The proposed addition of a front porch would not alter the essential character of the neighborhood. Staff is able to support the requested variation based upon established precedence for unenclosed roofed-over porches allowed to encroach within the required setbacks.

FINDINGS & 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 front yard setback variation to allow an unenclosed roofed-over front porch:

Based on the submitted petition and the testimony presented, the requested variations **do comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals find that the findings included as part of the Inter-departmental Review Report be the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 13-07; subject to the following conditions:

1. The porch shall be developed in accordance with the submitted plans, prepared by James L. Ohle, Architect.
2. The petitioner shall apply for and receive a building permit for the proposed plans.
3. Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.
4. In the event that the principal structure on the subject property is damaged or destroyed to fifty-percent (50%) of its value, the new structure shall meet the required front yard setback.

5. The roofed-over porch shall remain unenclosed.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

EXHIBIT A – PLAT OF SURVEY

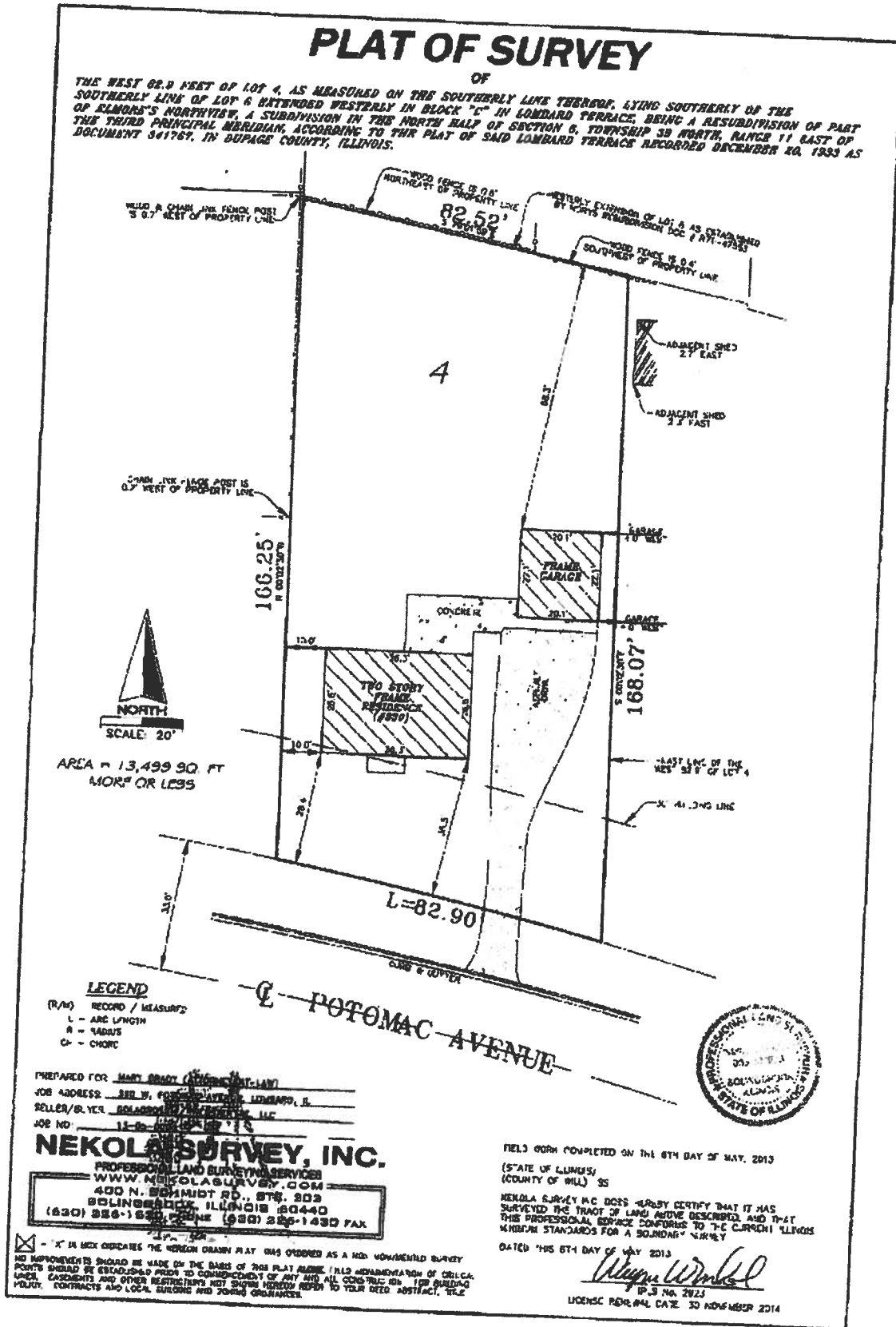


EXHIBIT D – 330 W. POTOMAC AVENUE EXISTING CONDITIONS



STANDARDS FOR VARIATIONS

of the Lombard Zoning Ordinance and Lombard Sign Ordinance

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all variations of the Lombard Zoning Ordinance and Lombard Sign Ordinance.

SECTION 155.103.C.7 OF THE LOMBARD ZONING ORDINANCE:

The regulations of this ordinance shall not be varied unless findings based on the evidence presented are made in each specific case that affirms each of the following standards:

- 1 Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.

ARCHITECTS RESPONSE:

- 1A The existing home sits on the convex side of the curved setback line and Potomac Avenue. As a result of this the home does not presently meet the front yard setback: A portion of the Southwest corner of the house is in the 30 foot front yard setback (See the attached survey)
- 1B Given that the road is curved, the home with the new front porch addition (the subject of this request for variance) would not extend beyond the home immediately to the East.
- 2 The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and is not generally applicable to other property within the same zoning classification

ARCHITECTS RESPONSE:

- 2A Given the unique location of the home at almost the Twelve O'clock tangential position of the convex side of the curved setback line; the variation being sought is unique to the property.
- 2B The variation being sought is unique to the property and while there may be similar situations at other curved roads in the zoning district; the variation sought is not generally applicable to other properties in the zoning classification.
- 3 The purpose of the variation is not based primarily upon a desire to increase Financial gain.

STANDARDS FOR VARIATIONS

of the Lombard Zoning Ordinance and Lombard Sign Ordinance

ARCHITECTS RESPONSE:

- 3A.) The home is presently blight to the neighborhood. The new homeowner agrees with this statement. Accordingly; by making certain building improvements including a new roof, with new dormers, replacing the dilapidated siding with new siding, and constructing the new front porch; it is hard to imagine that if resold, the homeowner would recoup his costs and make a substantial financial gain.
- 4 The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.

ARCHITECTS RESPONSE:

- 4A The alleged hardship is caused by this ordinance and has not been the direct cause from any person having interest in this property.
- 4B More than likely the current amended ordinance became enforceable sometime after the home was originally constructed. The existing structure does not comply with the front yard setback and the uniqueness of its location at the Twelve-o'clock positioning of the structure on the convex side of the curved setback line is not addressed by the current Zoning Ordinance.
- 5 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.

ARCHITECTS RESPONSE:

- 5A The current home is blight to the community. The variance, if granted will enhance the neighborhood and will be similar to other Cape Cods along Potomac Avenue.
- 5B The variance if granted, and the improvements made, will not have an adverse effect on the life safety or welfare of the public. If the variance is granted and the improvements are made as depicted on the attached drawing elevation, the visual quality of Potomac will have improved.
- 6 The granting of the variation will not alter the essential character of the neighborhood; and,

ARCHITECTS RESPONSE:

- 6A.) With the granting of the variance and the improvements blight will have been removed from the neighborhood.

STANDARDS FOR VARIATIONS

of the Lombard Zoning Ordinance and Lombard Sign Ordinance

- 6B.) The variance if granted, and the improvements made, will not have an adverse effect on the life safety or welfare of the public. If the variance is granted and the improvements are made as depicted on the attached drawing elevation, the visual quality of Potomac will have improved and the essential character will be maintained.
7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

ARCHITECTS RESPONSE:

- 7A The variance sought is for a new front porch. The front porch begins roughly just west of center of the house and continues easterly to the existing houses' east wall. The new porch is basically a single story. The proposed porch would not encroach on its side yard. Given the lot size and side yard setbacks, the location of the proposed front porch, and its height; the proposed variation will not impair the supply of natural light and air to the adjacent properties. Given its use as a "convenience" porch; there will not be a substantial increase to the congestion of the public streets. Given the proposed porch location on the house, there will not be an increase danger of fire.
- 7B Presently there is no front walkway to the street or driveway. The porch will have a new concrete (or other hard surface) walkway. Given the lot size relative to the house size with the proposed porch addition the existing permeability of soil will not be altered nor open land noticeably diminished. Accordingly, natural drainage will not be impaired, nor drainage problems to adjacent properties created.
- 7C The life, safety, and public welfare will not be endangered or diminished as a result of the construction of the proposed front porch
- 7D The property will be substantially improved as a direct result of the proposed front porch, new siding & roofing and new walkways. Accordingly an unsightly blight will have been removed from the street & neighborhood. As a result of the proposed new porch and other improvements, property values within the neighborhood will not diminish or be impaired.

The following is an excerpt from the Lombard Zoning Ordinance. A detailed response to all of these standards should be provided for all variations of the Lombard Zoning Ordinance and Lombard Sign Ordinance.

SECTION 155.143.0.7 OF THE LOMBARD ZONING ORDINANCE:

Nowakowski, Tamara

From: Panfil, Matthew
Sent: Tuesday, October 08, 2013 1:47 PM
To: Nowakowski, Tamara
Subject: FW: 330 W Potomac

From: George Webster [<mailto:gwebster@rammechanical.com>]
Sent: Tuesday, October 08, 2013 1:46 PM
To: Panfil, Matthew
Subject: 330 W Potomac

Matthew

Per our conversation, I am requesting herewith a waiver of the "First Reading" for the above subject property, 330 W Potomac ZBA 13 07

Thank You
George Webster (Owner)

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A VARIATION OF THE LOMBARD ZONING
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(ZBA 13-07; 330 W. Potomac Avenue)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned R2 Single-Family Residence District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Section 155.212 of the Lombard Zoning Ordinance to allow an unenclosed roofed-over front porch to be set back twenty-two (22) feet where twenty-five (25) feet is required for the front yard, all located within in the R2 Single-Family Residence District; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on September 25, 2013 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings with a recommendation of approval to the Board of Trustees for the requested variation; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested variation.

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

SECTION 1: That a variation is hereby granted from the provisions of Title 15, Chapter 155, Section 155.212 of the Lombard Zoning Ordinance to allow an unenclosed roofed-over front porch to be set back twenty-two (22) feet where twenty-five (25) feet is required.

SECTION 2: This ordinance shall be granted subject to compliance with the following conditions:

1. The porch shall be developed in accordance with the submitted plans, prepared by James L. Ohle, Architect.
2. The petitioner shall apply for and receive a building permit for the proposed plans.
3. Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.

Ordinance No. _____

Re: ZBA 13-07

Page 2

- 4. In the event that the principal structure on the subject property is damaged or destroyed to fifty-percent (50%) of its value, the new structure shall meet the required front yard setback.
- 5. The roofed-over porch shall remain unenclosed.

SECTION 3: This ordinance is limited and restricted to the property generally located at 330 W. Potomac Avenue, Lombard, Illinois, and legally described as follows:

THE WEST 82.9 FEET OF LOT 4, AS MEASURED ON THE SOUTHERLY LINE THEREOF, LYING SOUTHERLY OF THE SOUTHERLY LINE OF LOT 6 EXTENDED WESTERLY IN BLOCK "C" IN LOMBARD TERRACE, BEING A RESUBDIVISION OF PART OF ELMORE'S NORTHVIEW, A SUBDIVISION IN THE NORTH HALF OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID LOMBARD TERRACE RECORDED DECEMBER 20, 1933 AS DOCUMENT 341767, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-06-208-013

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2013.

First reading waived by action of the Board of Trustees this _____ day of _____, 2013.

Passed on second reading this _____ day of _____, 2013.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____ day of _____, 2013

Keith Giagnorio, Village President

ATTEST:

Ordinance No. _____

Re: ZBA 13-07

Page 3

Sharon Kuderna, Village Clerk

Published by me this _____ day of _____, 2013

Sharon Kuderna, Village Clerk

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