

# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

### LOT WIDTH VARIATION – 135 E. HICKORY STREET

**AUGUST 17, 2015**

**Title**

PC 15-20

**Petitioner / Contractor**

Woods Design Group, LLC  
296 Dalewood Avenue  
Wood Dale, IL 60191

**Property Owner**

Matt Bier  
929 S. Main Street  
Lombard, IL 60148

**Property Location**

135 E. Hickory Street  
(06-08-307-015)  
Trustee District #5

**Zoning**

R2 Single-Family Residence

**Existing Land Use**

Single-Family Home

**Comprehensive Plan**

Low Density Residential

**Approval Sought**

Approval of a plat of resubdivision with a variation from Section 155.407 (E) of the Lombard Zoning Ordinance for a lot width variation for proposed Lot 2.

**Prepared By**

Matt Panfil, AICP  
Senior Planner



**LOCATION MAP**

**DESCRIPTION**

The petitioner, acting on behalf of the property owner, proposes to subdivide the existing 29,810 square foot (0.68 acre) lot into two (2) separate lots of record. As the requested zoning relief is associated with the division of land, the proposed resubdivision is deemed a major plat of subdivision and subject to Plan Commission review.

**APPROVAL(S) REQUIRED**

Both of the new proposed lots far exceed the 7,500 square foot minimum lot area required by the Lombard Zoning Ordinance. However, the existing lot is only 117.5 feet wide and hence the lot is not wide enough to subdivide into two (2) lots that both meet the minimum required sixty foot (60') lot width.

Therefore, pursuant to Section 154.203 (E) of the Lombard Subdivision and Development Ordinance, the petitioner requests that the Village grant approval of a plat of resubdivision with a variation from Section 155.407 (E) of the Lombard Zoning Ordinance to reduce the required minimum lot width, for proposed Lot 2, from sixty feet (60') to fifty-six and one-half (56.5) feet.

**EXISTING CONDITIONS**

The existing lot, platted in 1876, is currently improved with a one and one-half (1½) story single-family home built in 1917 and

**PROJECT STATS**

**Lot & Bulk (Proposed)**

	Lot 1	Lot 2
Lot Size (sq. ft.):	15,476	14,334
Lot Width (ft.):	61.00	56.50

**Yard Setbacks**

Front:	47.35' (existing)	46.25' (reqd.)
Side:	6' (attached garage) 9' (detached garage)	
Rear:	35'	

**Submittals**

1. Petition for a public hearing, submitted June 29, 2015;
2. Response to Standards for Variations, submitted June 29, 2015 and revised and resubmitted July 24, 2015;
3. Plat of resubdivision, prepared by Carradus Land Survey Inc., dated June 4, 2015, submitted June 29, 2015 and revised and resubmitted July 24, 2015; and
4. Supporting documentation (spreadsheet of lot widths of surrounding neighborhood and local parcel map), prepared by the petitioner and submitted June 29, 2015.

approximately 1,729 square feet in area. An attached deck and detached garage are also located on the subject property. The petitioner has indicated that the existing structure will remain in its current location. Due to the location of the existing home and deck, Lot 1 is proposed to be sixty-one feet (61') wide in order to maintain the minimum required six foot (6') side yard setback from the new property line.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no issues or concerns regarding the proposed plat of resubdivision with lot width variation.

**Fire Department:**

The Fire Department has no issues or concerns regarding the proposed plat of resubdivision with lot width variation.

**Private Engineering Services (PES):**

PES has no issues or concerns regarding the proposed plat of resubdivision with lot width variation.

**Public Works:**

The Department of Public Works has no issues or concerns regarding the proposed plat of resubdivision with lot width variation.

**Planning Services Division (PSD):**

The Planning Services Division notes the following:

**1. Surrounding Zoning & Land Use Compatibility**

	Zoning Districts	Land Use
North	R2	Single-family home
South		
East		
West		

As proposed Lot 2 would maintain its R2 zoning status, planning staff finds the proposed plat of resubdivision with lot width variation would result in a use similar and compatible to the surrounding zoning and land uses. In fact, and as identified by the petitioner in their application, many of the surrounding properties within the neighborhood have a lot width less than sixty feet (60').

**2. Comprehensive Plan Compatibility**

Staff finds that the proposed lots are consistent with the Comprehensive Plan's recommendation of low density residential.

**3. Zoning Ordinance Compatibility**

Aside from the previously identified non-conforming lot width for proposed Lot 2, the site complies with all other lot, bulk, and setback standards established by either the Zoning Ordinance R2 Single-Family Residence District.

**4. Standards for a Variation**

A variation may only be granted if there is a demonstrated hardship that distinguishes the subject property from other properties in the area. In regards to Standards One, Two, Three, and Four, staff finds that there is a hardship due to the particular physical surroundings and lot shapes and dimensions that area unique to this neighborhood. This hardship is the result of lots in the surrounding area being created in a piecemeal fashion over a period of time dating back as far as 1876, rather than if the lots were created as part of a unified development.

Based on the overall character of lots within the surrounding neighborhood, staff also finds that the petitioner has fully affirmed Standards Five, Six, and Seven. In consideration that the granting of such a variation would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, provided both proposed lots remain compliant in all other matters pertaining to Village Code, staff can support the request. Furthermore, based on evidence that the petitioner's neighborhood was developed and has evolved with residential lots similar in width, it can be argued the proposed variation would actually make the proposal more consistent with the essential character of the neighborhood.

Also due to the irregular platting within the neighborhood, in particular a three foot (3') wide undevelopable lot adjacent to the east, Lot 2 will visually appear to conform to the minimum lot width requirements. The three foot (3') wide lot essentially acts as an additional side yard setback for Lot 2. If the three foot (3') wide lot were under common ownership, no lot width variation would be required.

**SITE HISTORY**

As previously indicated, the subject property was platted in 1876 and the existing single-family home was built in 1917. Prior to this petition, the subject property has not appeared before the Plan Commission or Zoning Board of Appeals.

**FINDINGS & RECOMMENDATIONS**

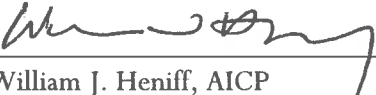
Staff finds the proposed amendment to be consistent with the surrounding neighborhood and land uses, objectives of the Zoning Ordinance, and the intent of the Comprehensive Plan in general.

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested variation **complies** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 15-20, subject to the following condition(s).

1. That any new residences developed on the subject property shall comply with Village Code.

Inter-Departmental Review Committee Report approved by:

  
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William J. Heniff, AICP  
Director of Community Development

c. Petitioner

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## **EXHIBIT A – PETITIONER’S RESPONSE TO STANDARDS FOR A VARIATION**

**1** 135 E Hickory Variation Request

### **Lombard Standards for Variations**

#### **SECTION 155.103.C.7 OF LOMBARD ZONING ORDINANCE**

- 1) We come before you to seek some small relief from the existing zoning ordinance as written for the R-2 zoning district. The ordinance as written requires two main things as it relates to shape and size (1) lot frontage needs to be minimum 60Ft, and lot area/bulk needs to be minimum 7500 sf.

Zoning districts and overlay districts are almost without exception written with two guiding parameters as to the Frontage Width and AREA of lots in any particular zoning district. The two parameters (Lot Width & Lot area/Bulk) are set to help guide the layout of neighborhoods without being so mathematically strict as to make the zoning unworkable.

The Village of Lombard has seen and made many changes over the past 146 years, these changes are in answer to the many changes that have and are taking place around them. Using the best information available, existing geography & Conditions, as well as consulting best practice’s for growing communities. One of the tasks the Village undertakes is to develop a fair and equitable zoning code or ordinance, this becomes no small feat in areas that are for the most part 90-100% built out and plated. With lot sizes and shapes differences even within the same block, you can see this quickly becomes quiet the challenge.

This is why as I mentioned earlier communities use two factors (1) Lot width and (2) lot area or bulk to help guide the process. Using just a strict lot width and length would never work in municipal planning and most certainly would have an immeasurable impact on a community’s look, feel, and character.

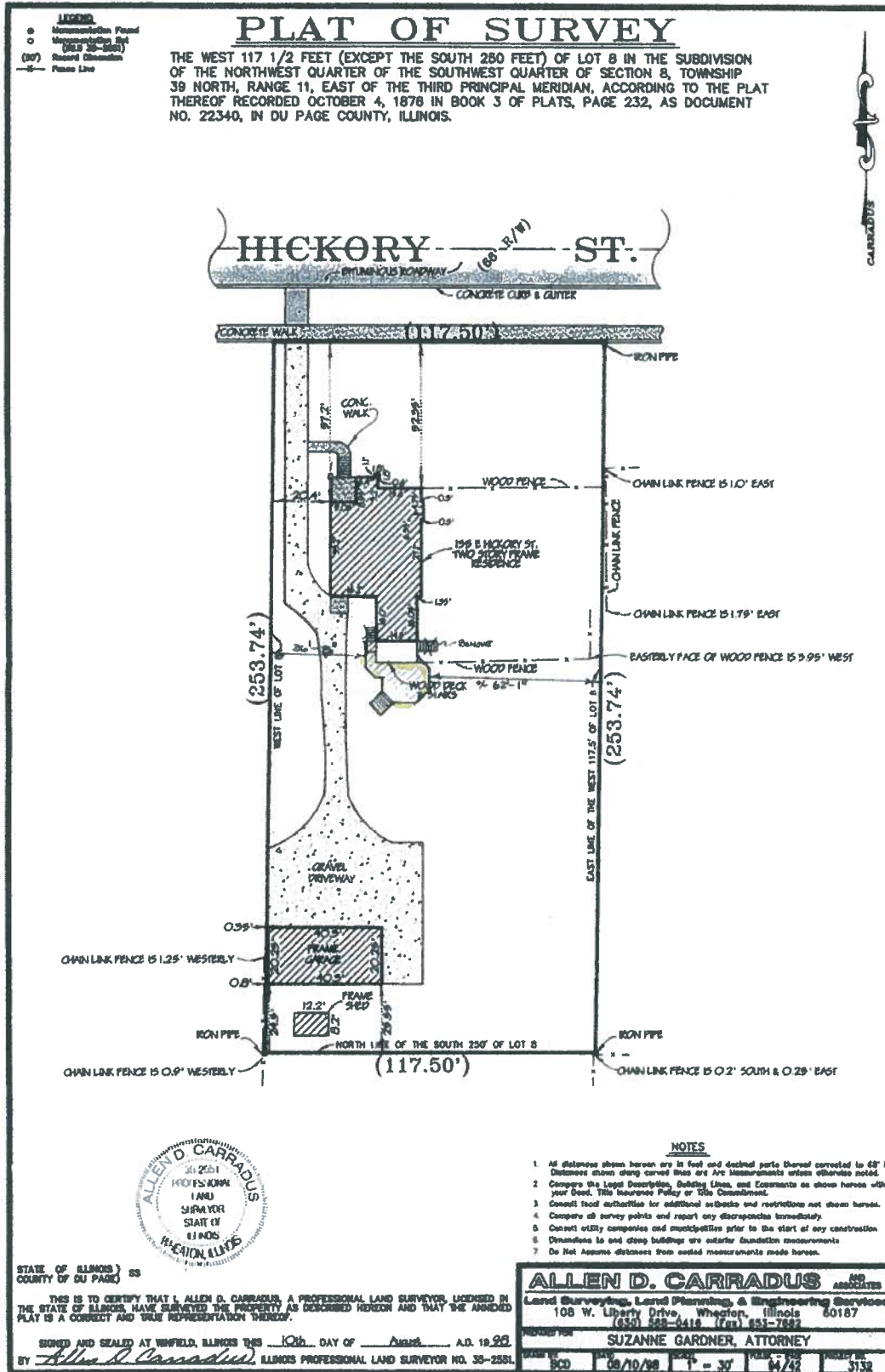
Now let’s look at the subject property located at 135 E. Hickory, Lombard Illinois. This property along with the entire area was plated and for the most part build out prior to the existing R-2 Zoning Ordinance as written today.

- a) First I looked at how this lot came to be the size it is presently and it appears that at some time or point “Martha St.” was meant or planned to continue through the block. Presently it only goes halfway through and dead ends at 421 Martha St, this makes some large and differing shaped lots, then from Hickory “Martha St.” turns into Martha Ct and becomes a cull-da-sac ending again, my guess would be to accommodate the Illinois Prairie Path. This left us with (4) really odd shaped lots on Hickory and (2 or 3) depending on how you look at it off Martha and Washington Blvd. Had the street gone through we would using the same format and consistency of the surrounding area have 17 plated lots in place of the 5 lots that later turned to 7 lots. We contend that none of the particular Physical surroundings, shapes,

topographical conditions, or events of this specific property are of are making and as such present this hardship.

- b) I also did a quick review of the surrounding area, from Garfield Terr. To Grace St and from Washington Blvd. to Ash St. to see how many homes would meet the strict letter of the Ordinance if it were applied to them today. The subject area has 269 single family homes and of that 201 homes do not meet the 60ft frontage requirement that's (78.07%) do not meet the existing zoning frontage ordinance. I then look at the 7500 sf/bulk requirement and found that except for (4) homes they all meet the minimum bulk requirement. (4) Homes have 40Ft frontage and (112) 50Ft frontage.
  - c) The size of the subject (2) lots will be (LOT 1) 61.00' ft. frontage and 253.74 ft. deep (15,476sf) this lot exceeds the 60 ft. min. by 1.00 ft. in width) and over double the 7500 sf minimum.), (LOT 2) 56.5 ft. frontage (3.5 ft. short of the R-2 standard) and 256.74 Ft. deep (14,334 Sf. Close to double the R-2 standard) This lot would be wider than 210 existing homes in the study area or 78.07% of existing homes in the area outlined above.
- 2) The conditions as addressed and described above are unique to this property and are the culmination of many years of changes in community planning as well as general market forces and not of our making. As described above our lot would have a frontage of 56.5 Ft. that's larger than 78% of the lots in the immediate area, and would be almost double in bulk to all except (7) of the 269 homes in the subject area. This is well within the intent of the ordinance and certainly well within the spirit of the ordinance.
  - 3) The main purpose for this variation is to bring the property more into line with the surrounding size and appeal of the existing housing stock in the subject area.
  - 4) The difficulty or hardship is caused solely by this ordinance and has not in any way been caused by anyone presently having an interest in the property.
  - 5) The granting of this variation will not be in any way injurious to other properties in the area or detrimental in any way to the public welfare.
  - 6) The granting of this variation will not alter the essential character of the surrounding neighborhood it would only stand to enhance it.
  - 7)
    - A) The proposed variation will not impair an adequate supply of light or air to the adjacent properties or increase the congestion of the public streets.
    - B) The variation will not increase the danger of fire.
    - C) The variation will not impair the natural drainage or create any drainage issues on the adjacent properties.
    - D) The variation will not endanger public safety.
    - E) The variation will not substantially diminish or impair property values within the neighborhood

**EXHIBIT B – EXISTING PLAT OF SURVEY**







**EXHIBIT D – PETITIONER’S TABLE OF SURROUNDING LOT WIDTHS**

10000

125 E	Hickory	70 X	200	14000 SF	4000.00
129 E	Hickory	70 X	200	14000 SF	6500.00
135 E	Hickory	117.5 X	253.74	29814.45 SF	22314.45
203 E	Hickory	71.4 X	250	17850 SF	10350.00
208 E	Hickory	60 X	250	15000 SF	7500.00
215 E	Hickory	84.53 X	503	42518.59 SF	35018.59
400	Craig Place	56 X	160	8960 SF	1460.00
406	Craig Place	50 X	160	8000 SF	500.00
412	Craig Place	50 X	160	8000 SF	500.00
414	Craig Place	50 X	160	8000 SF	500.00
420	Craig Place	50 X	160	8000 SF	500.00
422	Craig Place	50 X	160	8000 SF	500.00
426	Craig Place	50 X	160	8000 SF	500.00
430	Craig Place	50 X	160	8000 SF	500.00
434	Craig Place	50 X	160	8000 SF	500.00
440	Craig Place	50 X	160	8000 SF	500.00
442	Craig Place	50 X	160	8000 SF	500.00
444	Craig Place	60 X	160	9600 SF	2100.00
450	Craig Place	65 X	160	10400 SF	2800.00
130	Washington Blvd	104 X	174	18087.3 SF	10587.30
134	Washington Blvd	75 X	174	13050 SF	5550.00
146	Washington Blvd	75 X	174	13050 SF	5550.00
202	Washington Blvd	74 X	160	11840 SF	4940.00
220	Washington Blvd	75 X	160	12000 SF	4500.00
451	Martha St.	65 X	160	10400 SF	2900.00
445	Martha St.	50 X	160	8000 SF	500.00
441	Martha St.	50 X	160	8000 SF	500.00
421	Martha St.	115.5 X	253.74	29306.97 SF	21806.97
448	Martha St.	VOID			

60 ft or Greater (subject Area)  
 Craig Pl Washington to Ash  
 Stewart Ave Washington to Ash  
 Lombard  
 Grace

210

229 179 78.17% Under 60ft  
 230 181 78.70% Under 60ft  
 0.5297%

229  
 + 220  
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 257

257/4 = 64.25

77.82%

Grace - GEACE

ASH TO WASHINGTON



## EXHIBIT F – E-MAIL FROM NEIGHBOR

**Gary Hull**

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**To:** LOMBARD PLAN COMMISSION  
**Subject:** FW: Lot 1 located at 135 E. Hickory

To: Lombard Plan Commission  
From: Lynn & Gary Hull  
203 E. Hickory St.  
Lombard, IL. 60148

To All,

We recently learned that the property next to our home has petitioned you to reduce the required minimum lot width from 60 feet to 57.5 on his side lot which is next to us.. We want you to know we vehemently oppose such an action want want you to deny that request...Why would you let an owner who does not even live in Lombard get an approval that is only for his financial gain while destroying a beautiful open space...

You need to understand that on the other side of our house at 209 E. Hickory that property was purchased for new home construction and the new owner cut down 30, 75+year old trees to build a "dream home".. (Why do I know the age of the trees you might wonder.. Well, I lived at 216 E. Hickory from 1946 -1969 and those tree's were big when I was a kid.. In 2004, we moved back to Lombard to take care of our aging parents. We tried to buy the side lot( 209 E.) but was out bid as we were retiring and couldn't meet their demands). In 3 hours the new owners brought in a machine and murdered 30 beautiful trees that had been a part of Lombard for decades..A shame that the neighborhood has not still recovered from.. Ok, their lot size was legit ament but destroying that much beauty, Shameful!! Lombard should not allow such reckless behavior especially after the Village just lost a 1000+ Ash trees..

Hopefully, you can understand our outcry.. Lombard needs to protect its lot size requirements and oppose those who don't even live here but want to destroy our open land for financial gain. Lombard made a rule that a lot size should be 60 feet.. There is no reason on earth to alter that rule in this case .

Please do the right thing and deny this petition..

Respectfully submitted,

Lynn & Gary Hull