

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

 X 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: Scott R. Niehaus, Village Manager

DATE: June 9, 2014 (B of T) Date: June 19, 2014

TITLE: ZBA 14-04; 402 S. Ahrens Avenue

SUBMITTED BY: Department of Community Development *WJ*

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 the following variations for the above referenced address and within the R2 Single Family Residential Zoning District (Robertson's Westmore Subdivision):

1. A variation from Section 155.407(F)(1) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-one and two-tenths feet (21.2'); and
2. A variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the required north interior side yard setback from six feet (6') to five and five-tenths feet (5.5'). (DISTRICT #5)

The Zoning Board of Appeals recommended approval of this petition by a vote of 6 to 0.

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 _____



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

DATE: June 19, 2014

SUBJECT: ZBA 14-04; 402 S. Ahrens Avenue

Please find the following items for Village Board consideration as part of the June 19, 2014 Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. IDRC report for ZBA 14-04;
3. Response to Standards for a Variation;
4. An Ordinance granting approval of a requested variation to reduce the required thirty foot (30') front yard setback to twenty-one and two-tenths feet (21.2') and a variation to reduce the required six foot (6') side yard setback to five and five-tenths feet (5.5'); and
5. Plans and pictures associated with the petition.

The Zoning Board of Appeals unanimously recommended approval of this petition, subject to conditions. Please place this petition on the June 19, 2014 Board of Trustees agenda. The petitioner requests a waiver of first reading of the Ordinance.



VILLAGE OF LOMBARD

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

June 19, 2014

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

Village Manager
Scott R. Niehaus

"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 14-04; 402 S. Ahrens 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 the following variations for the above referenced address and within the R2 Single Family Residential Zoning District (Robertson's Westmore Subdivision):

1. A variation from Section 155.407(F)(1) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-one and two-tenths feet (21.2'); and
2. A variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the required north interior side yard setback from six feet (6') to five and five-tenths feet (5.5').

The Zoning Board of Appeals conducted a public hearing on May 28, 2014.

Mr. Christopher Heneghan presented the petition stating that the variances are needed because they wish to construct an addition on the home. The home was built at an angle and only 21 feet setback from the street. Mr. Dean Pozarezycki, the project architect said the home needs to be expanded to accommodate a growing family. This winter the home sustained ice damage and it was a difficult restoration. The home's footings have been investigated and it can support an addition.

Re: ZBA 14-04
June 19, 2014
Page 2

Chairman DeFalco questioned if there was anyone present to speak in favor of or against the petition.

Mr. Rolf Ebers, 406 S Ahrens Avenue, said he supports the petition and added that many neighbors, including himself, put additions onto their homes.

Jennifer Ganser, Assistant Director, stated that the IDRC report is to be entered into the public record in its entirety. Ms. Ganser stated that a variance is needed because the home does not meet the current setback requirements. The addition of a second story will not increase the non-conformity.

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

Mr. Tap asked about the utilities being on the second floor of the home.

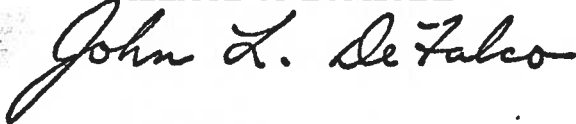
Mr. Pozarezycki and Mr. Heneghan responded that it would meet code.

Chairman De Falco clarified that if the principal structure is ever damaged or destroyed to fifty percent of its value, the new structure shall meet the required setbacks.

A motion was made by Mr. Bedard, seconded by Dr. Corrado, that the Zoning Board of Appeals recommends the variations for approval by a vote of 6 to 0 to the Village Board, subject to four conditions.

Respectfully,

VILLAGE OF LOMBARD



John DeFalco
Chairperson
Zoning Board of Appeals

MAY 28, 2014

Title

ZBA 14-04

Petitioner & Property Owner

Christopher Heneghan
402 S. Ahrens Avenue
Lombard, IL 60148

Property Location

402 S. Ahrens Avenue
(06-09-306-025)
Trustee District #5

Zoning

R2 Single Family Residence
(Robertson's Westmore
Subdivision)

Existing Land Use

Single Family Home

Comprehensive Plan

Low Density Residential

Approval Sought

A variation to reduce the required thirty foot (30') front yard setback to twenty-one and two-tenths feet (21.9') and a variation to reduce the required six foot (6') side yard setback to five and five-tenths feet (5.5').

Prepared By

Matt Panfil, AICP
Senior Planner



LOCATION MAP

PROJECT DESCRIPTION

The petitioner is proposing to construct an approximately 1,215 square foot second story addition to the existing structure. The addition will provide four (4) new bedrooms, two (2) new bathrooms and a laundry room. Additional renovations are proposed for the existing first floor.

APPROVALS REQUIRED

Section 155.407 (F)(1) requires a minimum thirty-foot (30') front yard setback. As such, the existing home is a non-conforming structure due to its twenty-one and two-thirds foot (21.2') front yard setback. Even though the proposed addition will not increase said front yard encroachment, a variation is required.

A second variation is required because Section 155.407 (F)(3) requires a minimum six foot (6') interior side yard setback. As such, the existing home is a non-conforming structure due to its five and five-tenths foot (5.5) interior side yard setback on the north side of the lot. Even though the proposed addition will not increase said side yard encroachment, a variation is required.

EXISTING CONDITIONS

The property contains an approximately 1,103 square foot one-story frame single family residence with an approximately 348 square foot detached garage and associated driveway.

PROJECT STATS

Lot & Bulk (Proposed)

Parcel Size: 8,400 sq. ft.
Building Size: 2,317 sq. ft.,
with addition
Lot Coverage: 39.6%

Reqd. Setbacks & Proposed Dimensions (In parens.)

Front (east) 30' (21.9')
Side (north) 6' (5.5')
Side (south) 6' (14.5')
Rear (east) 35' (88.0')

Submittals

1. Petition for public hearing;
2. Response to Standards for Variations;
3. Site Plan, prepared by Dean M. Pozarezycki R.A., dated April 10, 2014 and submitted April 14, 2014;
4. Existing and Proposed Elevations, prepared by Dean M. Pozarezycki R.A., dated April 10, 2014 and submitted April 14, 2014;
5. Street Setting Study dated April 13, 2014 and submitted April 14, 2014;
6. Photos of surrounding properties, undated and submitted April 14, 2014; and
7. Plat of Survey, prepared by Preferred Survey, Inc., dated November 30, 2005 and submitted April 14, 2014.

Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	R2	Single Family Home
South	R2	Single Family Home
East	CR	Westmore Elementary
West	R2	Single Family Home

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 or concerns regarding the project.

Private Engineering Services (PES):

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:

Front & Side Yard Setbacks

The existing home was built in 1950 with a twenty-one and two-tenths foot (21.2') front yard setback and five and five-tenths foot (5.5') side yard setback (north property line). Staff can support the variations from both the front yard and side yard setback requirements for the following reasons:

1. There is precedence for a variation to both front and side yard setbacks on similar lots to allow for the construction of an addition provided the existing non-conformity is not increased; and
2. The proposed improvements will not adversely affect this or other properties in the neighborhood and instead will maintain the existing building line and be an aesthetic improvement consistent with the existing structure and surrounding neighborhood.

A variation may only be granted if there is a demonstrated hardship

that distinguishes the subject property from other properties in the area. Staff finds that the hardship for each variation is due to the location of the existing single family home in relation to the eastern and northern property lines. The following standard has not been affirmed but consideration of the circumstances must be examined:

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.*

There are several corner lots within the Village's R2 Single Family Residence Zoning District, even along the same block as the subject property, that are legal non-conforming in regards to their front yard setback. As the petitioner indicates in their response to the standards for a variation, Robertson's Westmore Subdivision was established in 1922. However, the existing structure was built in 1950, at which time a thirty foot (30') front yard setback and six foot (6') side yard setback were required.

In consideration of precedent, staff has identified similar cases that appeared before the Zoning Board of Appeals within the last ten (10) years. Staff included only front yard variations that pertained to encroachments by the principal structure, and not encroachments by accessory structures such as decks and roofed-over porches.

CASE NO.	DATE	ADDRESS	SUMMARY	ZBA	BoT
ZBA 04-01	4/1/2004	338 W. View St.	27' Front Yard (30' Reqd.)	Approved, 4-0	Approved, 5-0
ZBA 05-08	6/2/2005	714 S. Lodge Ln.	8.5' Side Yard (9' Reqd.)	Approved, 6-0	Approved, 6-0
ZBA 05-14	9/15/2005	828 S. Fairfield Ave.	2.5' Side Yard (6' Reqd.)	Approved, 4-1	Approved, 6-0
ZBA 06-05	4/6/2006	262 N. Garfield St.	5.41' Side Yard (6' Reqd.) 8.33' Side Yard (9' Reqd.)	Approved, 5-0	Approved, 5-0
ZBA 06-14	8/17/2006	219 W. Hickory Rd.	2.5' Side Yard (6' Reqd.)	Approved, 5-0	Approved, 5-0
ZBA 07-07	11/1/2007	341 S. Grace St.	6.8' Side Yard (9' Reqd.)	Denied, 5-1*	Approved, 6-0
ZBA 07-12	8/9/2007	259 N. Garfield St.	7.88' Side Yard (9' Reqd.)	Approved, 5-0	Approved, 5-0
ZBA 08-03	4/17/2008	217 N. Craig Pl.	7.9' Side Yard (9' Reqd.)	Approved, 6-0	Approved, 6-0
ZBA 08-13	9/8/2008	1008 S. Lewis Ave.	5.1' Side Yard (6' Reqd.)	Approved, 5-0	Approved, 5-0
ZBA 09-04	6/18/2009	126 S. Lombard Ave.	4.5' Side Yard (6' Reqd.)	Approved, 6-0	Approved, 6-0
ZBA 10-01	2/18/2010	41 S. 2 nd Ave.	3.95' Side Yard (6' Reqd.)	No Recommendation	Approved, 6-0
ZBA 10-11	10/7/2010	148 W. Park Dr.	3' Side Yard (6' Reqd.)	No Recommendation	Approved, 6-0
ZBA 11-01	4/21/2011	533 N. Columbine Ave.	4.5' Side Yard (6' Reqd.)	Approved, 5-0	Approved, 4-0
ZBA 12-01	4/12/2012	91 S. Chase Ave.	4.5' Side Yard (6' Reqd.)	Approved, 6-0	Approved, 6-0
ZBA 13-02	5/2/2013	225 W. Potomac Ave.	26' Front Yard (30' Reqd.)	Approved, 4-0	Approved, 5-0

* The ZBA recommended denial of the side yard variation request due to the fact that approving said variation would require the petitioner to establish permanent access to the neighboring lot for a shared driveway.

FINDINGS & RECOMMENDATIONS

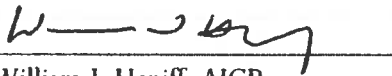
The Department of Community Development has determined that the information presented **has affirmed** the Standards for Variations for the requested front yard setback variation and interior side yard variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the aforementioned front yard setback and interior side yard setback variations:

Based on the submitted petition and the testimony presented, the requested variations **do comply** with the Standards for Variations in 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

Committee Report be the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 14-04; subject to the following conditions:

1. The project shall be developed in accordance with the submitted plans prepared by Dean M. Pozarezycki R.A. dated April 10, 2014 and made a part of the petition;
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 twelve (12) months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variations; and
4. In the event that 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 and interior side yard setback.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

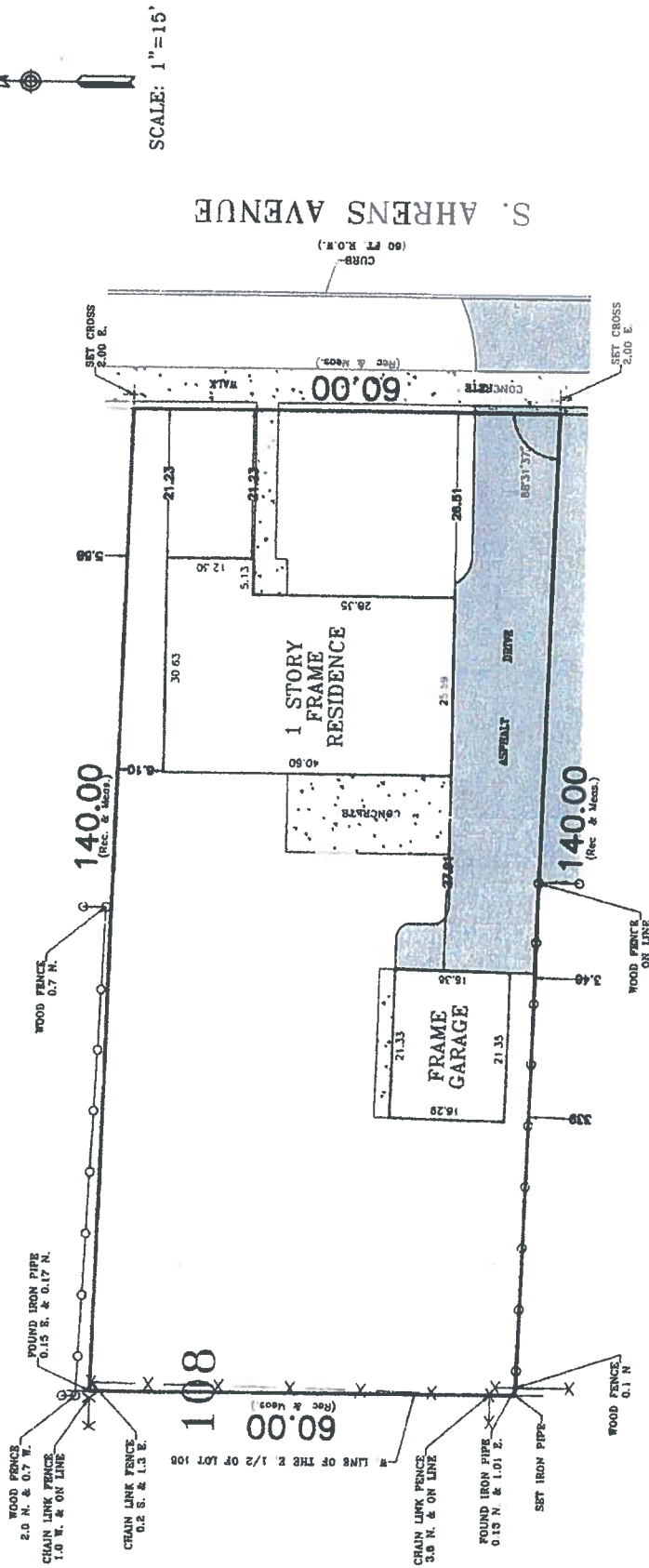
c. Petitioner

PLAT OF SURVEY

OF THE EAST 1/2 OF LOT 108 IN ROBERTSON'S WESTMORE, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 1, 1922, AS DOCUMENT 15638L, IN DUPAGE COUNTY, ILLINOIS.
ADDRESS: 402 S. AHRENS AVENUE, LOMBARD, ILLINOIS



SCALE: 1" = 15'



TO: GARD & HAUGHT, LTD

PROFESSIONAL NATIONAL TITLE NETWORK, INC

THIS IS TO CERTIFY THAT WE, PREFERRED SURVEY, INC., ILLINOIS PROFESSIONAL LAND SURVEYOR CORPORATION NO. 116 HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THAT SURVEY. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR SURVEY. PROPERTY CORNERS ARE SET OR NOT BY CLIENT AGREEMENT. ALL DIMENSIONS AND BEARS AND SEAL AT BRIDGEVIEW, ILLINOIS, THIS 30TH DAY OF NOVEMBER, 2005.



ILLINOIS PROFESSIONAL LAND SURVEYOR CORPORATION #116
P.S.I. NO. 0566651
F.L.D. CREW AM/OS
CAD AD

PREFERRED SURVEY, INC.
7845 W. 79TH STREET, BRIDGEVIEW, IL 60465
Phone 708-458-7845 / Fax 708-458-7855

Professional Design Registration #184-002785
Field Work Completed 1/21/2005
Land Area Surveyed 8,397.2 Sq. Ft.
Drawing Revised

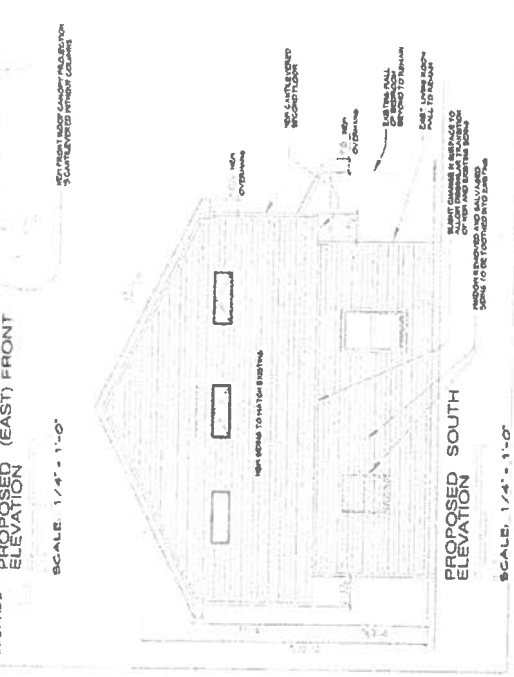
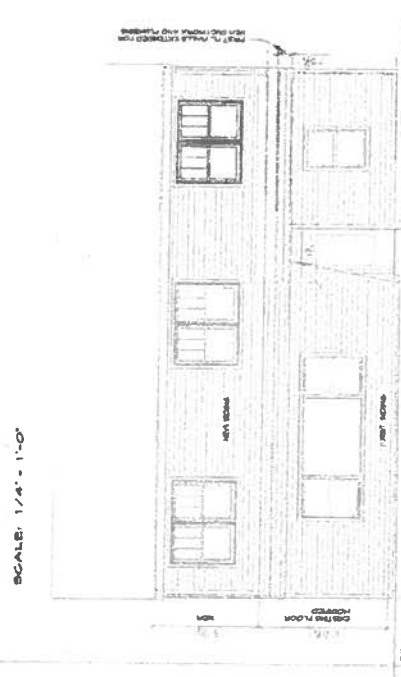
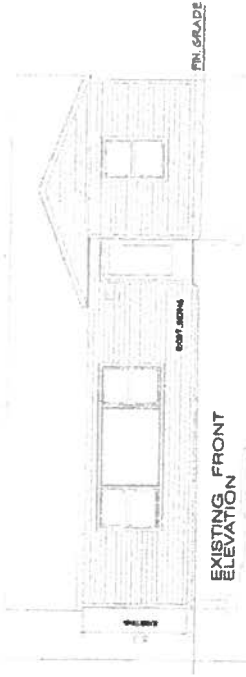
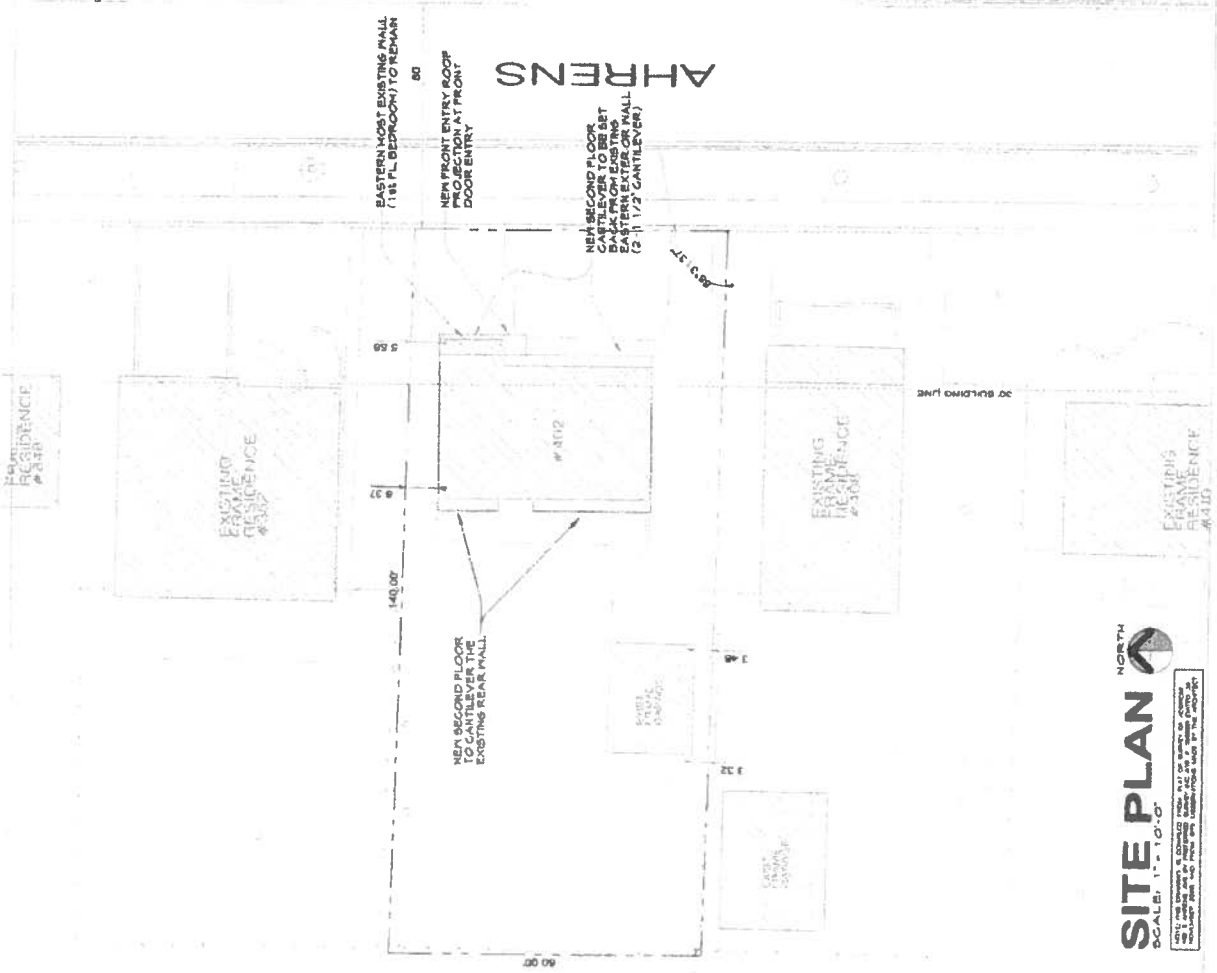
CREATION
 1700 N. W. 10th Ave. Suite 100
 Fort Lauderdale, FL 33309
 Phone: (954) 574-1111
 Fax: (954) 574-1112
 Website: www.creation.com

DEAN M. POZANYCZAK, P.A.
 ARCHITECTS - PLANNERS - ENGINEERS
 1700 N. W. 10th Ave. Suite 100
 Fort Lauderdale, FL 33309
 Phone: (954) 574-1111
 Fax: (954) 574-1112
 Website: www.deanm.com

HOME OWNER
 LICENSED ARCHITECTS
 TO USE OR SOLICIT
 LICENSED ARCHITECTS

SECOND STORY ADDITION AND
 ALTERATIONS TO
 THE AHRENS RESIDENCE
 AT 403 S AHRENS AVE.
 LOMBARD, ILLINOIS

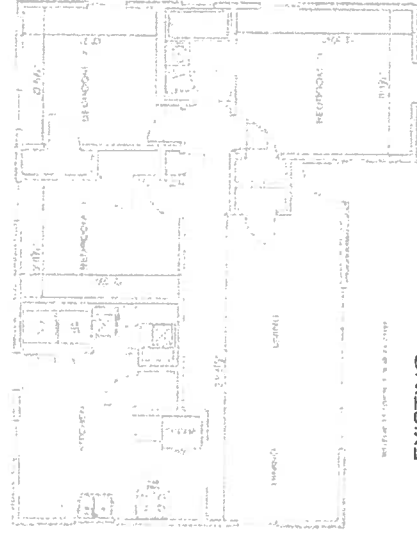
SITE PLAN
 ELEVATIONS
 SCALE: 1" = 10'-0"
 A-1



EXISTING FLOOR PLAN & SOUTH ELEVATION

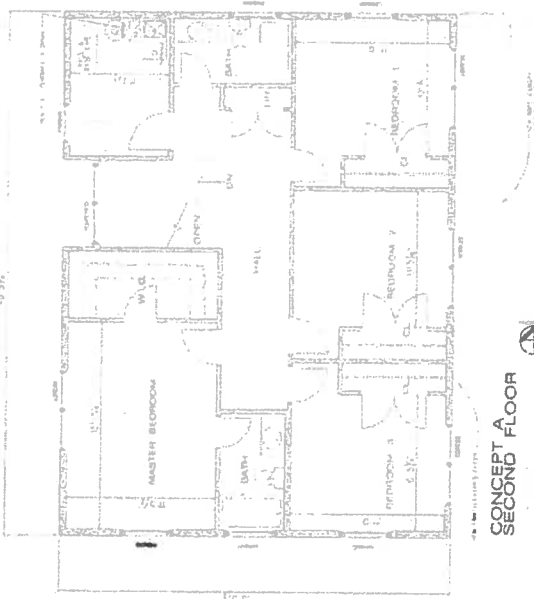


EXISTING SIDE ELEVATION

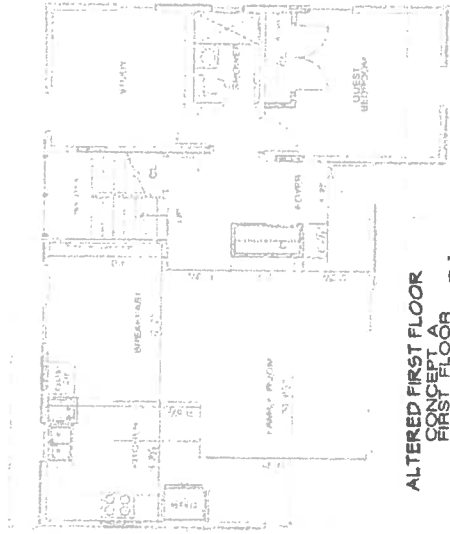


EXISTING FIRST FLOOR

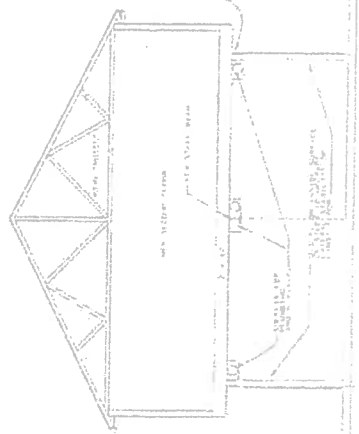
PROPOSED FLOOR PLANS



CONCEPT A SECOND FLOOR



ALTERED FIRST FLOOR CONCEPT A FIRST FLOOR

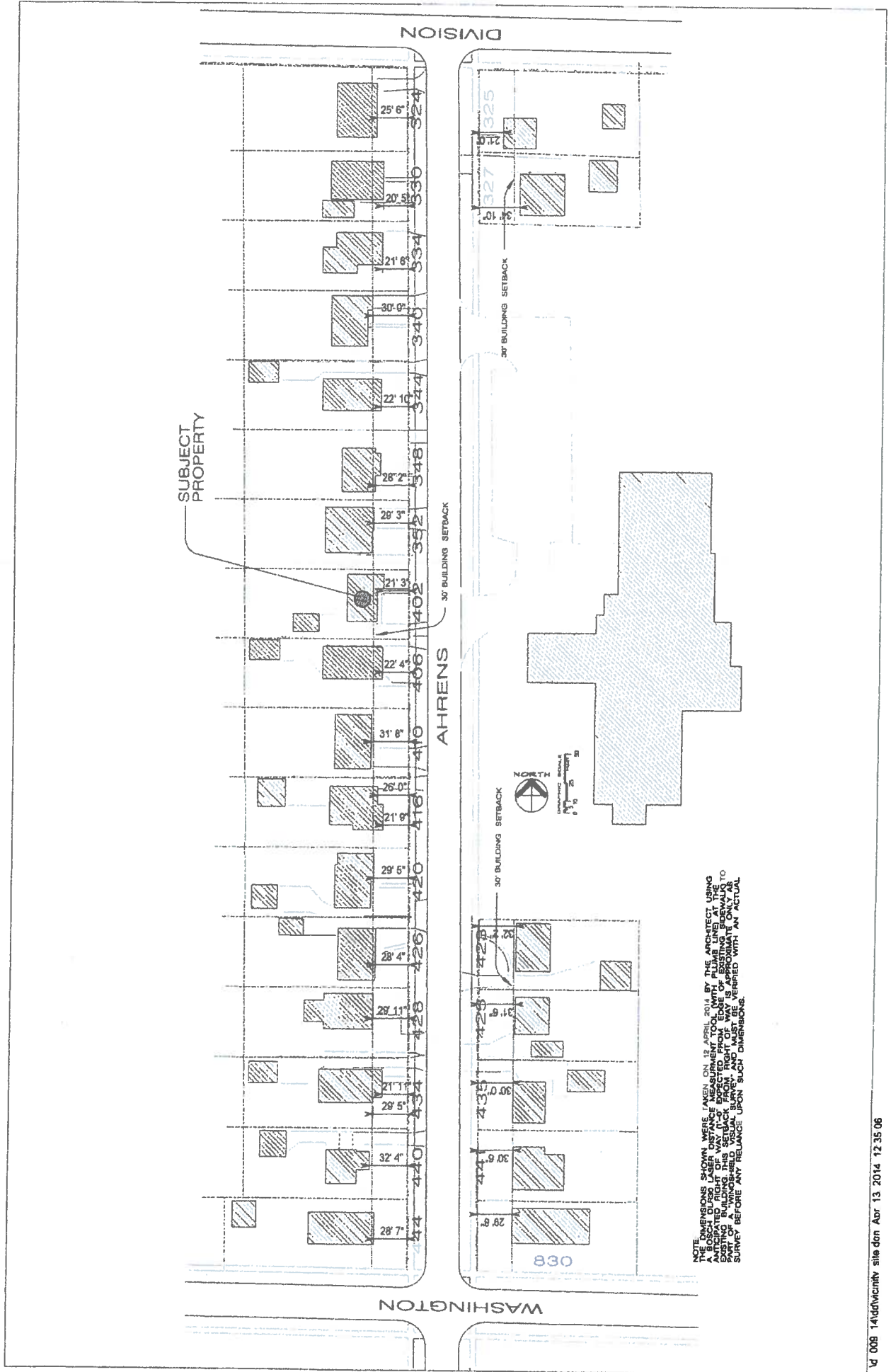


BUILDING SECTION

DEAN H. MULLER, P.A.
ARCHITECTS - 1000 S. WASHINGTON
CHICAGO, ILLINOIS 60605
PHONE: 312.467.1234
FAX: 312.467.1235
WWW.DHMILLER.COM

HOME OWNER
TO ACT AS OWNER
FOR ALL PURPOSES
UNLESS INDICATED OTHERWISE

SECOND STORY ADDITION AND
ALTERATIONS TO
THE HENEGHAN RESIDENCE
AT 402 S. AHRENS AVE.
LOMBARD, ILLINOIS



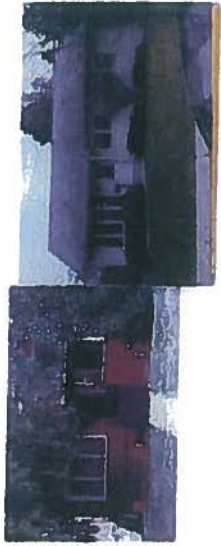
324 - 344 S. ARENS AVE.



348 - 416 S. ARENS AVE.



325 - 441 S. ARENS AVE.



420 - 444 S. AIRENS AVE.



WRITTEN RESPONSE TO THE *STANDARDS FOR A VARIATION*

Lombard Ordinance 155.103.C.1 states that the Board of Zoning Appeals may grant a variation to the Ordinance only where such Board makes a finding of fact that the regulations in the Ordinance will impose practical difficulties or particular hardships to a petitioner in the way of carrying out the strict letter of the Ordinance regulations.

The petitioners' believe that conditions upon their property not caused by them inhibits their ability to make property improvements consistent with the neighborhood if strict enforcement of the Ordinance is imposed upon their plans for a second story addition and proposed improvements to the front of their home, and they respectfully request a variance of such regulations. The petitioner's written response to the seven standards that must be met before the Board of Zoning Appeals may grant such request follows:

SECTION 155.103.C.7 (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;

The petitioners' property is on a street that has been developed where there are many structures on the neighborhood block laid out with existing non-conformity to current setback regulations. Both the petitioners' properties as well as the property to their immediate south are two such non-conformities. The property to the contiguous north is questionable (it is too close to call as a non-conformity without an actual survey of such property).

With apologies to the County Map service, the following images were taken from their web site to help illustrate. It shows many existing structures closer than the current ordinance setback.

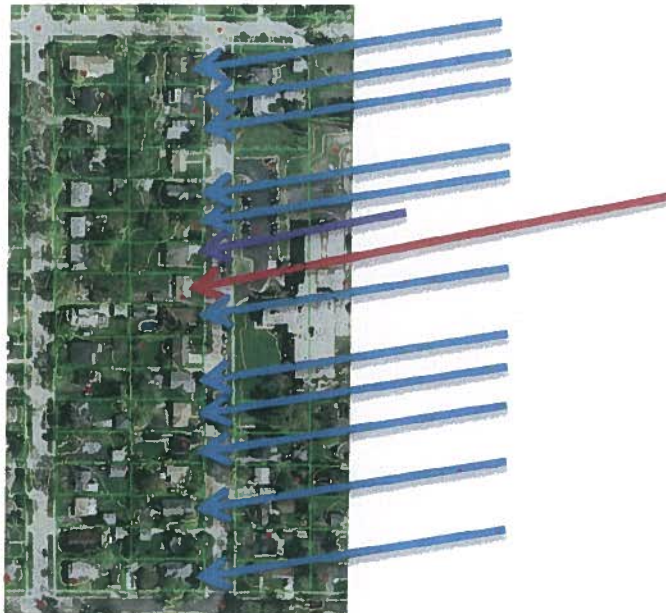
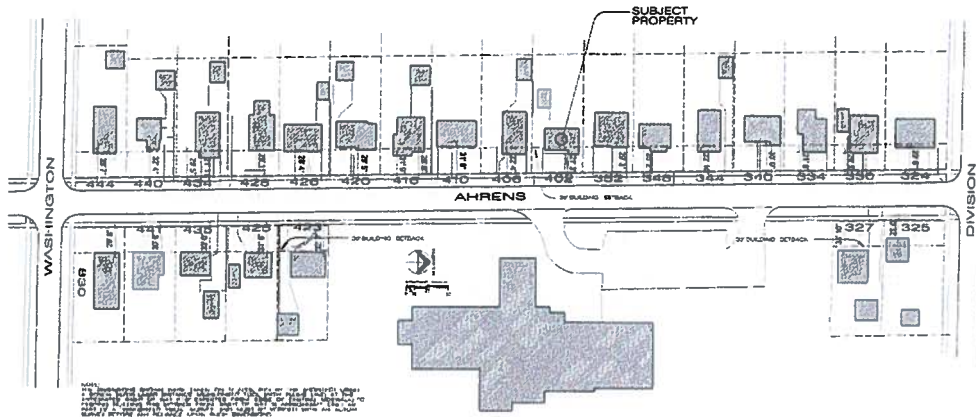


IMAGE #1

(The RED line is the petitioner's structure, the GREEN arrows show other apparent setback non-conformities, and the PURPLE arrow is too close to call as a non-conformity without an actual survey).

In attempt to more closely evaluate the existing setbacks along the petitioner's neighborhood block, a preliminary measurement of the distance from the sidewalk to the structures were taken in 12 April 2014 (as a part of the windshield survey of the block). (see sketch SK #1 below), (Larger copy attached as APPENDIX "A")



SK #1

There is substantial encroachment of front yard setback to both petitioners' property and many other properties on the street. There would be a particular visual inconsistency and hardship to maintain visual integrity if the second floor addition was forced to comply the setback regulations.

- 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 request of the petitioners is for a variance specific to their property, and not to be generally applicable to other property within the same zoning classification.

- 3. The purpose of the variation is not based primarily upon a desire to increase financial gain;

The existing house is small, and no longer fulfills the spatial needs of the family. The purpose of the addition is brought by a desire to remain in the neighborhood. It is not brought by reason of increasing property value for resale.

- 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;

The survey (APPENDIX "B" attached) indicate that the subdivision was established and Recorded in June of 1922. The petitioners believe the buildings were in conformance with zoning regulations when they were constructed, and further believe the building setback at time of first construction may have been less than the current setback and current side yard setback requirements of the current R-2 setback regulations.

- 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;

The proposed second floor addition has been designed to not go further toward the street than the existing easternmost wall of the building. Therefore, there will be no substantive change to the public nor other properties in the neighborhood. The use of the property remains unchanged.

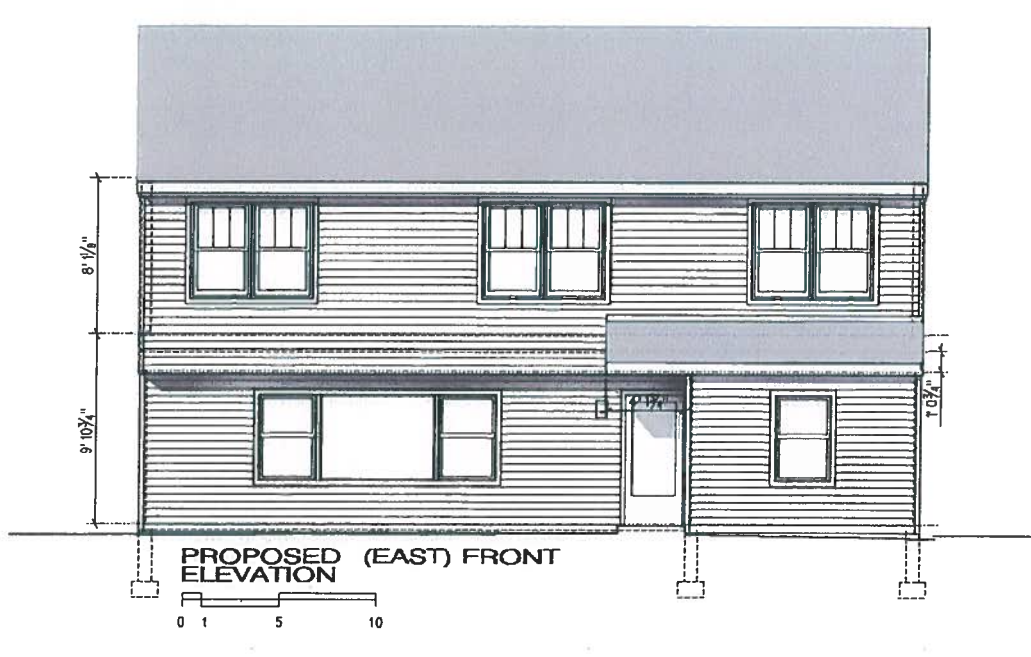
- 6. The granting of the variation will not alter the essential character of the neighborhood; and

The following is a photograph of the existing house. It is consistent with other post war (WWII) structures of the area.



Please see the street scape presentation board for photographs of the residences on the remainder of the street of this block.

The following is the architect's front elevation of the proposed addition. It is in keeping with the more traditional residences that are in Lombard.



Having been residents of this neighborhood for many years, the petitioners feel that the proposed look of the home when completed will fit and be a positive improvement to the neighborhood.

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.

Obviously when a one story home becomes a two story home, it will cast a longer shadow. The height, however, complies with the height restrictions of R-2 zoning, therefore is not an undue impairment to natural light nor ventilation of contiguous neighbors. The same use of the property (indeed same occupants to remain) means that traffic is

unaffected by allowing the variance. A newer "quasi traditional" looking home among 1950's style residences will enhance the variability and visual street appeal at this part of the street.

Allowing the requested variance (allowing the home addition to be vertical) will allow the percentage of impervious surfaces to remain relatively as they currently exist. If the variance is not granted, the addition would not be as energy efficient, and it would at least double the existing building footprint if it were to be placed to the west (rear) of the existing home. Therefore, allowing the variance will be of lesser impact to the quantity of rain runoff, ergo, less of a rain runoff danger to properties "downstream" of the petitioners property.

Respectfully submitted:


Mr. Christopher Heneghan, Owner, Petitioner

4-17-14
Date


Mrs. Navreet Heneghan, Owner, Petitioner

4/17/14
Date

Attachments: Appendix A and B inclusive

Nowakowski, Tamara

From: Panfil, Matthew
Sent: Thursday, May 29, 2014 3:04 PM
To: Nowakowski, Tamara
Cc: Ganser, Jennifer
Subject: FW: ZBA Commission Meeting May 28, 2014

FYI – A request for waiver of first reading for ZBA 14-04.

From: Chris Heneghan [<mailto:heneghanc76@gmail.com>]
Sent: Thursday, May 29, 2014 3:03 PM
To: Panfil, Matthew
Subject: Re: ZBA Commission Meeting May 28, 2014

Hi Matt,

Navreet and I would like to request a wave of the first reading in order to get the project under way and try to get back into the house by August for the start of school. Thanks.

Chris Heneghan

Sent from my iPhone

On May 28, 2014, at 9:18 AM, "Panfil, Matthew" <PanfilM@villageoflombard.org> wrote:

Chris & Navreet:

Attached are the relevant materials for tonight's ZBA meeting.

Thank you,

Matt Panfil, AICP
Senior Planner
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148
t 630.620.5744
f 630.629.2374
panfilm@villageoflombard.org

From: Nowakowski, Tamara
Sent: Wednesday, May 21, 2014 3:38 PM
To: Aranas, Nicole; Bauer, Carol; Breen, Peter; Burke, Kate; Byrne, Ray; Dirienzo, Paul; Doyle, Bridget; Fitzpatrick, Laura; Foltyniewicz, Reid; Fugiel, Mike; Ganser, Jennifer; Giagnorio, Keith; Goldsmith, Carl; Heniff, William; Kuderna, Sharon; Niehaus, Scott; Panfil, Matthew; Sexton, Tim; Urish, Tami; Ware, William; Whittington, Dan; bonniemackay@sbcglobal.net ; Daily Herald (dupageagendas@dailyherald.com); Graydon Megan (gmegan@wordfactory.us); Jessica Cilella (jcilella@dailyherald.com); Lombardian (lombardian@sbcglobal.net); Mannion, Ann Marie; Matthew J.

Piechalak (mpiechalak@shawmedia.com); rsmith@dailyherald.com

Subject: ZBA Commission Meeting May 28, 2014

Attached are the materials for the ZBA meeting on May 28, 2014

Thank you,

Tamara Nowakowski
Administrative Coordinator
Village of Lombard
255 E. Wilson Ave.
Lombard, IL 60148
630-620-5933 (phone)
630-629-2374 (fax)

<ZBA Agenda 05_28_14.pdf>

<ZBA 14-04_IDRC Report.pdf>

ORDINANCE NO. _____

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

(ZBA 14-04; 402 S. Ahrens 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 155.407 (F)(1) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-one and two-tenths feet (21.2') as well as a variation from Section 155.407 (F)(3) of the Lombard Zoning Ordinance to reduce the required side yard setback from six feet (6') to five and five-tenths feet (5.5') to allow for the construction of a second-story addition to an existing structure; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on May 28, 2014 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Board of Trustees with a recommendation of approval for the requested front yard variation and side yard 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 variations.

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 155.407 (F)(1) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-one and two-tenths feet (21.2') as well as a variation from Section 155.407 (F)(3) of the Lombard Zoning Ordinance to reduce the required side yard setback from six feet (6') to five and five-tenths feet (5.5') to allow for the construction of a second-story addition to an existing structure.

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

Ordinance No. _____

Re: ZBA 14-04

Page 2

1. The project shall be developed in accordance with the submitted plans prepared by Dean M. Pozarezycki R.A. dated April 10, 2014 and made a part of the petition;
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 twelve (12) months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variations; and
4. In the event that 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 and interior side yard setback.

SECTION 3: This ordinance is limited and restricted to the property generally located at 402 S. Ahrens Avenue, Lombard, Illinois, and legally described as follows:

OF THE EAST ½ OF LOT 108 IN ROBERTSON’S WESTMORE, BEING A SUBDIVISION OF PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 1, 1922 AS DOCUMENT 156381, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-09-306-025

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 _____, 2014.

First reading waived by action of the Board of Trustees this _____ day of _____, 2014.

Passed on second reading this _____ day of _____, 2014.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____ day of _____, 2014

Ordinance No. _____
Re: ZBA 14-04
Page 3

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me this _____ day of _____, 2014

Sharon Kuderna, Village Clerk