

March 2, 2006

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

Subject: ZBA 06-04; 935 E. St. Charles Road

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 amend the conditions of approval associated with Ordinance 5508 that granted approval of variations to the minimum lot area and rear yard setback for the subject property located within the B4 Corridor Commercial Zoning District.

The Zoning Board of Appeals conducted a public hearing on February 22, 2006. Khadir Latifi, contract purchaser of the property, presented the petition. He described the previous approval granted by the Village for a strip commercial center on the subject property. The approval was based upon the submitted plans and building elevations. The petitioner wishes to amend the Ordinance of approval by providing an alternate building elevation plan set for Village consideration.

The latest plan changes the proposed flat roof to become a hip roof with dormers. The proposed roof will be an aesthetic improvement to the building and would decrease the overall building costs, as it would not require additional load bearing capacity.

Chairperson DeFalco then opened the meeting for public comment. No one spoke in favor or opposed to the petition. He then requested the staff report.

William Heniff, Senior Planner, presented the staff report. In 2004, the Village approved Ordinance 5508 granting a variations to reduce the required minimum lot area from 40,000 square feet to 16,994 square feet and a variation to reduce the required rear yard setback from thirty (30) feet to ten (10) feet in order to allow for the construction of a commercial strip center. As with most cases, the petition was tied to conditions of approval. These conditions included that the petitioner develop the site pursuant to the submitted plans and building elevations.

Since the date of approval, the property owner has sought to develop the approved shopping center. With a contract purchaser in place, he would like to proceed with the project. However, they are proposing modifications to the building elevations which will provide for a hip roof with dormers rather than the approved flat roof design. As staff has determined that this change is a significant change from the approval conditions, staff is sending this petition back through the public hearing process accordingly. The proposed site plan itself will not change from the initial approval. For reference purposes, the IDRC staff report for ZBA 04-06 and Ordinance 5508 are attached for reference purposes.

He noted that the revised building elevations are compatible with the surrounding land uses. He also compared the proposed building elevations to the original elevations. The overall building design incorporates architectural elements of both the commercial St. Charles Road corridor and the residential Westmore-Meyers Road corridors. The proposed hip roof is more compatible with the residential roofs commonly found along Westmore-Meyers Road. Staff supports the petition, subject to the conditions in the staff report.

Chairperson DeFalco then opened the meeting for discussion by the Board Members.

Mr. Bedard asked if the second level would be used for business purposes. Mr. Latifi that it would not be used for office or storage purposes.

Mrs. Newman asked about the proposed building height. Staff noted that the first level building height will be about fifteen feet. The hip roof will add an additional sixteen feet in height, but based upon the calculation of building height, the overall building height will be twenty-three feet.

Mr. Polley confirmed the types of uses that could locate in the center. Mr. Heniff noted that any permitted use in the B4 District would be permissible in the building.

Mr. Young asked questions regarding his participation in the vote for ZBA 04-06. Mr. Heniff noted that he did not attend the May, 2004 ZBA meeting. To ensure that a conflict of interest did not present itself in this petition, he confirmed that the petitioner would not be using his employer, West Suburban Bank, in the financing of the project.

After due consideration of the petition and testimony presented, the Zoning Board of Appeals found that the proposed variation complied with the Standards of the Zoning Ordinance. Therefore, on a motion by Mr. Polley and a second by Mr. Bedard, the Zoning Board of Appeals recommended approval of ZBA 06-04 by a roll call vote of 5 to 0, subject to the following conditions:

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1. The petitioner shall develop the site in accordance with the building elevation plans prepared by Ekash Associates, Ltd., dated November 15, 2004 and submitted as part of this request.
2. All other conditions associated with Ordinance 5508 not amended by this petition shall remain in full force and effect.

Respectfully,

VILLAGE OF LOMBARD

John DeFalco
Chairperson
Zoning Board of Appeals

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