



## ANALYSIS

### SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on May 24, 1999:

1. Petition for Public Hearing.
2. Response to Applicable Standards.
3. Plat of Survey, prepared by Marchese and Sons, Inc., dated March 19, 1999 and revised May 18, 1999.

### DESCRIPTION

This property is located on the west side of North Martha Street. The petitioner wishes to construct a detached, two-car garage, measuring twenty-two feet in width and twenty-two feet in length (22' x 22'). The proposed garage would be constructed on an existing concrete slab. Originally a carport was constructed on the concrete slab; however, the structure was irreparably damaged during a heavy snowfall and subsequently had to be removed.

In building the detached garage, the petitioner is proposing to reduce the building separation to three feet (3') where four feet (4') is required. Therefore, a variation is necessary in order to construct the garage as proposed.

### PLANNING

The petitioner was issued a building permit for the proposed garage on May 8, 1999. It came to the attention of the petitioner that the submitted plat of survey was incorrect. The petitioner then informed the Community Development Department and the Building Inspectional Services Division of the error. At that time, staff informed the petitioner that a variation would be necessary in order to construct garage. The building permit has been placed on hold until the issue is resolved.

As stated above, the petitioner is proposing to reduce the amount of building separation; however, the separation in question is not between the proposed garage and existing single-family residence. The residence itself is well within the necessary requirement specification.

The variance is requested for the separation between the proposed garage and the raised wood deck attached to the residence. An existing walkway wraps around the house leading into this deck. There is an approximately three foot (3') section on the southeast corner of the concrete slab where the separation between the slab and the deck is three feet (3'). A building separation of four feet (4') is required. An existing frame shed located adjacent to the southwest corner of

the concrete slab would also be in violation of the separation requirement should the garage be constructed. The petitioner, however, has stated that the shed will be removed and not replaced. When the deck and carport were originally constructed, the four feet (4') of separation requirement was not in existence. The deck was constructed in 1979 and the carport was constructed in 1986. The zoning standard requiring separation between buildings was enacted in 1990.

Staff believes that the petitioner has presented a hardship. Moving the concrete slab over one additional foot would require a complete excavation of the existing slab. In the past, staff supported requests to replace garages that do not meet the required setback but will utilize an existing foundation or slab. This case is similar because the property owner will be using the existing slab. Staff would view this variation request differently if the petitioner was building the garage three feet (3') from the principal structure or if other variations were also necessary. Alternately, the petitioner has stated they cannot afford to remove and relocate the raised wood deck. In addition, the petitioner notes that a row of evergreen trees and the concrete slab that now houses the shed would also have to be removed.

Given that a carport was previously located where the proposed garage would be erected, Staff feels that the surrounding neighborhood would not be adversely impacted.

The Engineering Division of the Public Works Department and the Private Engineering Services Division of the Community Development Department have no comments regarding this petition. The Fire Department and the Bureau of Inspectional Services have no comments regarding this petition.

## **FINDINGS AND RECOMMENDATIONS**

The Department of Community Development has determined that the information presented has affirmed the Standards for 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 this petition:

Based on the submitted petition and the testimony presented, the requested variation does comply with the Standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals recommend to the Corporate Authorities **approval** of ZBA 99-14 subject to the following condition:

1. The removal of the existing shed located adjacent to the southwest corner of the proposed garage.

Zoning Board of Appeals

Re: ZBA 99-14

Page 4

Inter-Departmental Review Group Report Approved By:

---

David A. Hulseberg, AICP  
Director of Community Development

DAH: LMR:jd  
att-  
c: Petitioner

H:\CDEVAPPS\WORDUSER\ZBACASES\99\99-14\REPORT.doc