




MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: April 7, 2022

SUBJECT: **PC 22-06: 320 N. Charlotte Street**

Please find the following items for Village Board consideration as part of the April 7, 2022, Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 22-06; and
3. An Ordinance granting approval of variances to reduce the required minimum lot width for Lot One and Lot Two of a proposed two lot resubdivision.

The Plan Commission recommended approval of PC 22-06 by a vote of 7-0. Please place PC 22-06 on the April 7, 2022, Board of Trustees agenda for a first reading under Items for Separate Action.



VILLAGE OF LOMBARD

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www.villageoflombard.org

April 7, 2022

Village President
Keith T. Giagnorio

Village Clerk
Liz Brezinski

Trustees
Brian LaVaque, Dist. 1
Anthony Puccio, Dist. 2
Bernie Dudek, Dist. 3
Andrew Honig, Dist. 4
Dan Militello, Dist. 5
Bob Bachner, 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 T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 22-06: 320 N Charlotte Street

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, John Novak, 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 from sixty feet (60') to fifty-three feet and seventy-five hundredths of a foot (53.75') for proposed Lot 1 and fifty-three feet and thirty-three hundredths of a foot (53.33') for Lot 2 located at 320 N. Charlotte Street and within the R2 Single-Family Residence Zoning District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 21, 2022. Sworn in to present the petition were: John Novak, Fine Home Builders, petitioner, Jennifer Ganser, Assistant Director of Community Development, and William Heniff, Director of Community Development.

Acting Chairperson Sweetser read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine, and proceeded with the petition.

Mr. Novak stated that he has been building houses for over twenty years and is requesting a minor plat of subdivision for 320 N. Charlotte Street. He has built four houses on Charlotte Street at 564, 629, 250 and 240 N Charlotte.

The area of 320 N. Charlotte is over 23,000 square feet which is over three times the size required for a lot. For background sake, the property owner initially considered replacing the existing house on the property but changed their mind when they found a house in Glen Ellyn. A former client that lives in Lombard and looking to downsize started the idea to redivide the lots into equal parts. The result are two lots that are one and half times the size of the minimum lot size required. The lot width of 53 feet does not meet the standards, however, they are comparable to the lots in the surrounding area. One planned home would have a width of 41 feet accommodating 3 bedrooms with 1 and ½ story and 2,200 square feet. The other lot's house size is undetermined at this time but would be comparable to houses previously built on lots that have a width of fifty feet. The proposed houses of 41 feet in width is consistent with the character of the neighborhood and the request for the minor plat of resubdivision is reasonable.

Acting Chairperson Sweetser asked if any additional person would like to speak in favor or against this petition, or for public comment. Individuals responded that there are people who would like to speak about the petition.

Anne Skrodzki, Village Attorney, explained the rules for between cross examination and public participation. Ms. Skrodzki asked if anyone intends to present formal cross examination. Hearing none, the public hearing was opened to public participation.

Chris Erb, stated that he is located within the 250 feet notification of the subject property and outlined two concerns. Flooding is a concern and removal of open space will impact the amount of water that can be absorbed. Sump pumps will not solve the problem. The second concern is the confusion of the size of houses presented by the petitioner.

Corrine Fable, stated that she is at the end of Charlotte Street on the block and was told when she built her new house that she could not hook up her sump pump to the sewer but Mr. Novak has for a nearby property and represents that his proposed development would. Ms. Fable's property has drainage issues and would like the same connection.

Jill Voss, stated that she is a direct neighbor to the subject property. Ms. Voss asked the petitioner directly to provide the square footage of the proposed houses. The concern is drainage and referred to her submitted letter. The drainage issues can affect the value of Ms. Voss's property. The Village engineer met with her recently to discuss options.

Mr. Novak responded that he has a preliminary agreement to build a 2,200 square foot house on one of the lots. The footprint of the house would be 1,700 square feet and the balance would be above. On the other lot, the house may be built as a speculation or a client may come forward with a request. However, the likely house will be 3,300 square feet with the same footprint of 1,700 square feet and the balance would be in the second story.

Ms. Voss asked what the square footage is at the house under construction located at 240 S. Charlotte Street.

Mr. Novak responded that the house is approximately 2,700 square feet.

Ms. Voss asked what the square footage of the houses are planned for other properties the petitioner has listed for sale.

Mr. Novak responded that the square footages are between 3,300 to 3,400 square feet.

Ms. Voss observed that the fifty-foot-wide lots mentioned in the staff report generally have houses that are 1,500 square feet and discussed price per square foot per size of homes. The minimum lot width of sixty feet was decided by the Village for a reason. Ms. Voss stated that she is concerned about drainage issues and trees. Ms. Voss detailed the existing conditions of the trees and shrubs located on the subject property and asked the petitioner how may will be removed.

Mr. Novak responded that he does not have the answer to that question at this time.

Ms. Voss speculated that six trees would have to be removed which changes the character of the neighborhood.

Mr. Novak responded that trees may have to be removed if two or one house is built on the property.

Ms. Voss stated that she believes that a fifty-foot-wide lot is too small for a 3,300 square foot house and the area behind the house is unusable.

Mr. Novak stated that the size of the lot does help the disbursement of water on the property.

Ms. Voss stated that the request for seven feet less in lot width per lot is too much compared to variances requested in the last four years Village wide and believes that the petitioner has not met the burden of proof for the request.

Steve Mahal stated that he lives across the street from the subject property and would prefer that the relief requested not be considered based on the previous concerns mentioned.

Commissioner Johnston asked about the water disbursement plan on the 240 N Charlotte Street property currently under construction by the petitioner.

Mr. Novak responded that the downspouts and sump pump was directly connected to the storm sewer.

Commissioner Johnston asked if the 240 N Charlotte was located in a separate or combined sewer system area.

Mr. Novak responded that 240 N Charlotte is located in a separate sewer system, as is the subject property one block away.

Acting Chairperson Sweetser asked for the staff report.

Ms. Ganser presented the IDRC report for PC 22-06, which was entered into the public record in its entirety. The petitioner, acting on behalf of the property owner, proposes to resubdivide the existing 18,387 square foot lot and the 5,121 square foot lot into two (2) buildable lots with approximate equal widths of 53 feet. The proposed resubdivision is deemed a minor plat of subdivision and subject to Plan Commission review.

Both of the new proposed lots exceed the 7,500 square foot minimum lot area required by the Lombard Zoning Ordinance with 11,848 and 11,795 square feet each. Many of the surrounding properties within the neighborhood have a lot width less than sixty feet (60'). A common lot width in the area is 50 feet which is less than the proposed 53-foot lot width for the two subject properties.

Aside from the previously identified non-conforming lot widths, the site can comply with all other lot, bulk, and setback standards including the required 50% open space per lot established by the Zoning Ordinance in R2 Single-Family Residence District.

As noted the petition is for the subdivision of two lots as one of the lots is substandard. All drainage concerns associated with the properties will be addressed during the permitting process. The Plan Commission is not reviewing house plans. If the petition is approved, any proposed house that meets code the building permit will be answered. All projects will be reviewed during the permitting process for bulk, setback and open space requirements.

The drainage concerns for the property will be reviewed during the permitting process should the petition be approved. Staff has reviewed the petition and finds it meets the standards for a variation. Staff notes that the lot width is more than a majority of the lots that are fifty feet in width within the neighborhood. Staff recommends approval of the petition subject to the conditions in the staff report.

William Heniff, Director of Community Development, stated that the petition under consideration involves the Zoning Code within the Village Code as well as Chapter 154, the Subdivision and Development Ordinance. It inter-relates to other elements associated with the petition. The petitioner intends to meet all bulk requirements. Any zoning relief would have to appear before the Plan Commission again for the public hearing process. This public hearing is for the division of land.

Mr. Heniff outlined the three types of plats. Administrative plats that meet all provisions of code and less than an acre minus any public utility additions, staff can approve per the State statute. The petition is for a minor plat that meets all of the provisions but for one, the lot width, that would normally be approved administratively. A major plat is more than an acre, establishing rights-of-way, stormwater detention with more than four lots.

The Subdivision and Development Chapter has drainage and stormwater provisions for review during the permitting process. The applicant for the permit will be required to identify how the drainage will be addressed. He said Mr. Novak suggested that he plans to connect to the separated storm sewer that already exists on Charlotte Street. The existing condition of the property is that the water moves in a westerly direction to Terrace View Pond. The connection to the storm sewer causes the water collected to flow north to Pleasant Lane, then to Main Street to Brown Street to

end at Terrace View Pond. If the water sheet drains naturally or is directed through the sewer lines, it ends in the same place, Terrace View Pond.

The Village's private services engineer looks at the abutting properties. The grading of the subject property would be addressed during the permitting process. The idea is to get as much as the stormwater away from the adjacent properties. This can be accomplished with connecting to the storm sewer and grading swales on the sides of the subject property to direct the drainage also.

The fifty percent lot area coverage provision applies to the subject property whether it is developed as one lot or two. The square footage of impervious coverage of structures is approximately 11,000 plus square feet and is the same metric if developed as one single family residence or two. This applies to all single-family residential lots in the Village.

The grade change is also reviewed. The elevation of the subject property is nine feet higher on the eastern end compared to the western end of the lot. Therefore, connecting the buildable area at the eastern end to the Charlotte Street storm sewer is anticipated to reduce the overflow water circulating toward the west.

To address some of the public comments, there is a distinction between flooding and drainage. The Community Development Department at the Village has a Private Development Engineer on staff that can assist property owners with suggestions or recommendation to address drainage issues. There is also back yard drainage grants available to any property owner concerned with a wet back yard throughout the Village. It applies to standing water on multiple properties for more than 72 hours.

Staff is also available to help individual property owners to investigate if they can connect to a separated sewer system based on grading. If the subject area were a combined sewer system the drainage remedies would be more complex as outlined in a previous workshop.

As reference based on public comments, the Village does not have a tree preservation ordinance. Property owners have the right to remove trees from their property. Impacting trees on adjacent properties would be a civil matter between the property owners.

Acting Chair Sweetser asked if there were any further comments. Mr. Novak stated that he concurred with Mr. Heniff's comments about the drainage concerns.

Mr. Erb requested that the petitioner provide a drainage plan for their review and voice opinions during the permitting process.

Acting Chair Sweetser responded that more information can be requested directly from the petitioner or Village staff.

Acting Chair Sweetser opened the meeting to discussion by the Plan Commissioners.

Acting Chairperson Sweetser asked if there were any additional comments. Hearing none, she asked for a motion from the Commissioners.

On a motion by Commissioner Verson, and a second by Commissioner Walker, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 22-06, subject to the following conditions:

1. That a permit will be obtained for the demolition of the existing structures and then removed before the plat of resubdivision is recorded if approved; and
2. That any new residences developed on the subject property shall comply with Village Code.

Respectfully,

VILLAGE OF LOMBARD

Ruth Sweetser, Acting Chairperson
Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

LOT WIDTH VARIATION – 320 N. CHARLOTTE STREET

MARCH 21, 2022

Title

PC 22-06

Petitioner / Contractor

John Novak
215 E. Hickory Street
Lombard, IL 60148

Property Owner

Ron Farnum
320 N. Charlotte Street
Lombard, IL 60148

Property Location

320 N. Charlotte Street
06-05-300-019;06-05-300-020
Trustee District #4

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 lots.

Prepared By

Tami Urish
Planner I



LOCATION MAP

DESCRIPTION

The petitioner, acting on behalf of the property owner, proposes to resubdivide the existing 18,387 square foot Lot 7 and the 5,121 square foot remnant of Lot 6 of the Original Town of Lombard Subdivision by moving the existing shared property line south, creating two (2) buildable lots with approximate equal widths of 53 feet. As the requested zoning relief is associated with the division of land, the proposed resubdivision is deemed a minor 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 lots combined are 106 feet wide and hence the lots are not wide enough to resubdivide 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 from sixty feet (60') to fifty-three feet and seventy-five hundredths of a foot (53.75') for proposed Lot 1 and fifty-three feet and thirty-three hundredths of a foot (53.33') for Lot 2 located at 320 N. Charlotte Street and within the R2 Single-Family Residence Zoning District.

PROJECT STATS

Lot & Bulk

(red = nonconforming)

<i>Existing</i>	Lot 1	Lot 2
Lot Size (sq. ft.):	5,121	18,387
Lot Width (ft.):	23	83

<i>Proposed</i>	Lot 1	Lot 2
Lot Size (sq. ft.):	11,848	11,795
Lot Width (ft.):	53.75	53.33

Existing Setbacks

Lot 2	Actual	Req.
Front (east)	99 feet (30/35)	
Side (north)	0 feet	(6)
Side (south)	41 feet	(6)
Rear (west)	88 feet	(25)

Lot 1

Vacant Req. front = 40 feet

Front Setbacks of Abutting Properties

328 Charlotte = 50 feet
314 Charlotte = 30 feet

Submittals

1. Petition for a public hearing, submitted 2/17/2022;
2. Response to Standards for Variations, 2/17/2022; and
3. Plat of resubdivision, prepared by Weaver Consultants Group, dated 2/13/2022; and
4. Boundary and Topographic Survey prepared by Weaver Consultants Group, dated 2/11/2022; and
5. Supporting documentation (sample elevation/floor plans prepared by JMB Architects, LTD. dated 2/6/2022 and local parcel map, undated.)

EXISTING CONDITIONS

The existing lots were platted in 1868. Lot 1 is vacant and Lot 2 is currently improved with a one and one-half (1½) story single-family home built in 1926 and approximately 1,500 square feet in area. A detached garage is also located on the subject property. The petitioner has indicated that the existing structures will be removed.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no issues or concerns regarding the proposed plat of resubdivision with lot width variation. Should the petition be approved, additional comments will be forthcoming during the permit review.

Fire Department:

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

Private Engineering Services (PES):

Private Engineering Services has no comments on this petition. Should the petition be approved, additional comments will be forthcoming during the permit review.

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 the lots 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'). See Properties Map below.

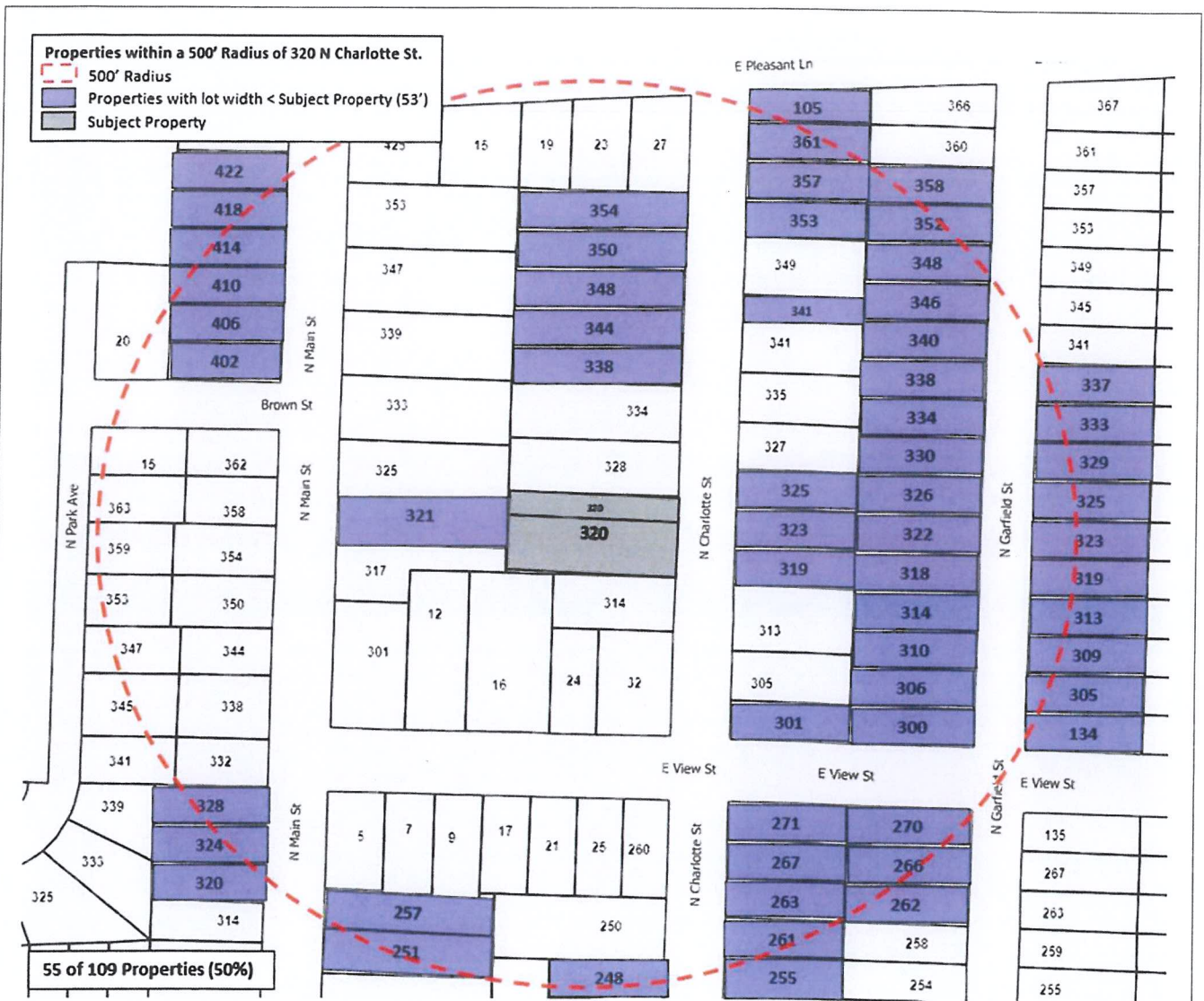


Figure 1 - Properties Map

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 widths, the site can comply with all other lot, bulk, and setback standards established by the Zoning Ordinance R2 Single-Family Residence District. The lot is not proposed to be rezoned but would remain zoned R2 matching the surrounding zoning. Staff notes that the sequence of the development would impact the front yard setback of Lot 2 at 30 feet if constructed before Lot 1 or 35 feet if constructed after Lot 1. The average front yard setback, not including the subject property, is approximately 29 feet for the east side of Charlotte Street’s 300 block.

Drainage Concerns

Although not directly part of the Zoning ordinance as engineering requirements are part of the building permit review process, the zoning requirements for property within the R2 zoning district restricts any

lot to be covered with structures or pavement by more than half of the total size of the lot. Since the subject lots are 11,848 and 11,795 square feet, half of the lot or 5,924 and 5,898 respectively would have to be maintained as open space (see below).

§ 155.407(H) Minimum required open space. Each permitted use in the R2 District shall preserve a minimum of 50 percent of the lot area in open space.

§ 155.802 Open space is that portion of a lot or property maintained as lawn, garden, field, woods, wetland, or other natural landscape area and is free of buildings, structures and impervious surfaces.

In addition to the open space provision, the setbacks also provide restrictions for possible encroachments and maximum accessory structure square footage. For example, a detached garage and sheds combined cannot exceed the square footage of the house's square footage. Lot coverage impacts the dissipation of stormwater by maintaining 50 percent open space per lot so that some of the ground water can be absorbed by lawn/plants.

Another important element to prevent standing water is the topography and pitch of a lot. According to the subject property's topography, stormwater naturally flows from the southeast to the northwest toward Main Street. The pitch from the front of the subject property to the rear is nine feet which facilitates water movement better than a flat topography. Also, the subject property is in a location with a separate storm and sanitary sewer as opposed to a combined system. This means that the subject property and other neighboring properties can tie directly into the storm sewer of Charlotte to further direct water off the properties.

The lot width variance request is the only variance being requested by the petitioner. A variance for lot size (minimum 7,500 square feet), setbacks or lot coverage is not being sought by the petitioner.

4. Consistency with the Subdivision and Development Ordinance

It is the policy of the Village of Lombard to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the village pursuant to the official comprehensive plan for the orderly, planned efficient and economical development of the village.

Typically, the division of a lot similar to the subject property (less than one acre), is done administratively by staff. Proposals are reviewed for compliance with the standards per zoning district. The subject property is a minor plat of subdivision since a variance is needed for the lot width and does not rise to the level of a major plat due to its size or any other criteria listed below in category #3. A public hearing is required for the lot width variance component only as all other standards are met.

Plats of subdivision. The designation of land as subdivided lots in compliance with 765 ILCS 205. Plats of Subdivision include the following types and categories of plats and is a partial list:

1. Administrative plat. The division of a lot or block of less than one acre in any recorded subdivision into four or less lots, or the consolidation of lots or any size into a single lot of record, which subdivision or consolidation does not involve any new streets, extensions of existing streets, or easements of access and complies with all provisions of this and all other applicable ordinances.
2. Major plat. The division (or consolidation) of a lot or block which does not meet the criteria for an administrative or minor plat of subdivision.
3. **Minor plat.** The division (or consolidation) of a lot or block of less than one acre which does not meet the criteria for an administrative plat but which does not include any new streets,

extensions of existing streets, or easements of access and which consists of the division of land into four or less lots.

4. Resubdivision, plat of. A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plat legally recorded prior to the adoption of any regulations controlling subdivisions.

5. *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 are 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 1868, 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.

SITE HISTORY

As previously indicated, the subject property was platted in 1868 and the existing single-family home was built in 1926. 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.

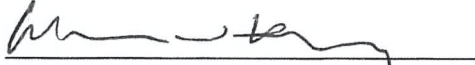
Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** 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 22-06, subject to the following condition(s).

1. That a permit will be obtained for the demolition of the existing structures and then removed before the plat of resubdivision is recorded if approved; and

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

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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

**320 N Charlotte
PC 22-06
Response to Standards**

1. This property is unique as it is much larger than all of the other properties on the block and also in the neighborhood. This property exists as two parcels with widths of 83.16' and 23.92'. This request is essentially to move the center lot line 29.83 feet to the south. The property will remain as two parcels.
2. This application is unique to this property as the property is the only home in the neighborhood with two parcels. It is also unique as the property is 23,400 square feet, over half an acre.
3. This request is not based on financial gain. Future development of the property will offer more affordable housing with the construction of two homes conforming to the existing neighbor rather than one very large home.
4. The hardship has not been created by anyone with an interest in the property.
5. The granting of the variance will not be detrimental or injurious to other properties or the neighborhood.
6. The granting of the variance will not alter the essential character of the neighborhood.
7. The proposed variance does not impair light or air; does not increase congestion; does not increase danger of fire; does not impair drainage; does not endanger public health; and does not diminish property values within the neighborhood.

**320 N Charlotte
PC 22-06
Request or Variation
Additional Information**

The existing home on the property is physically obsolete. The best use is redevelopment.

As the property exists (2 lots, one at 83.16 x 221.36 and the other 23.92 x 221.36), we would need only an administration plat to consolidate the two parcels into one parcel 107.08 x 221.36. This would allow for the construction of a large home approximately 95 feet wide. Building the 95' wide home is the current plan. Rendering attached.

I got the idea to request the subdivision of the property into two "standard size" lots from a family that would like to build a smaller/downsized home and stay in Lombard. With 2 new lots, the lot cost decreases and the properties become more affordable new home sites. The lots at 53x221 each are 11713 square feet which is over 150% of the standard lot size of 7500 square feet. This would allow the construction of a new home 41 feet wide that would be more in conformance to the neighborhood. Rendering attached.

The proposed 2 new lots would be in conformance with the existing neighborhood. I counted 47 lots that are 50 foot wide on Charlotte street in the 100-500 blocks between Grove and Pleasant. (4 of these Charlotte lots are the same depth of 221', the other 43 are about 160 feet deep. I also counted 313 lots that are 50 foot wide in the neighborhood of house numbers between 25-369 on Charlotte, Garfield, Martha, Craig, Stewart and Lombard. These homes are all in the 6-5A County plat map area. These 313 lots are all less deep than the 2 proposed lots.

Drainage is always a concern. My plan in either case would be to tie in the sump pump and all downspouts to a pipe system connected to the village storm sewer system, same as I recently did a block away at 240 N Charlotte.

In summary, it seems to me that the best use would be to build 2 smaller homes to conform more closely to the existing streetscape and provide more affordable homes for the residents of Lombard.

EXHIBIT B – PROPOSED PLAT OF RESUBDIVISION

ATTACHED

EXHIBIT C – BOUNDARY AND TOPOGRAPHIC SURVEY AND ATTACHED LARGE SIZE

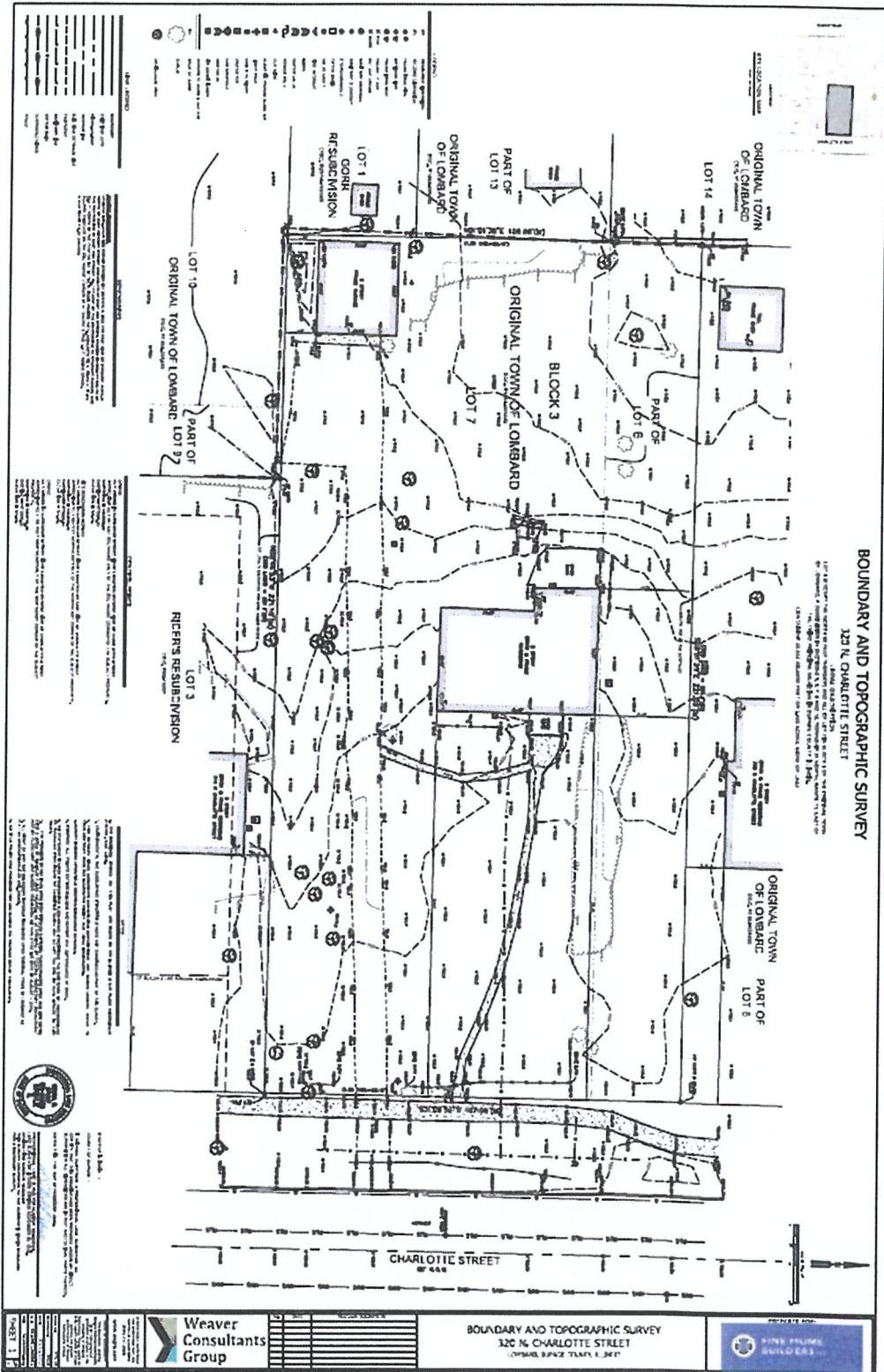
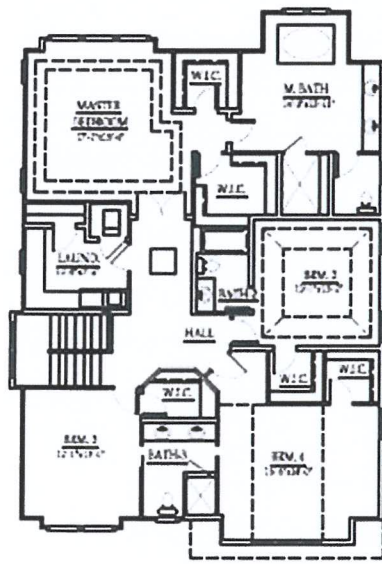


EXHIBIT D – EXAMPLE OF FRONT ELEVATION/FLOOR PLANS FOR A 38' WIDE LOT



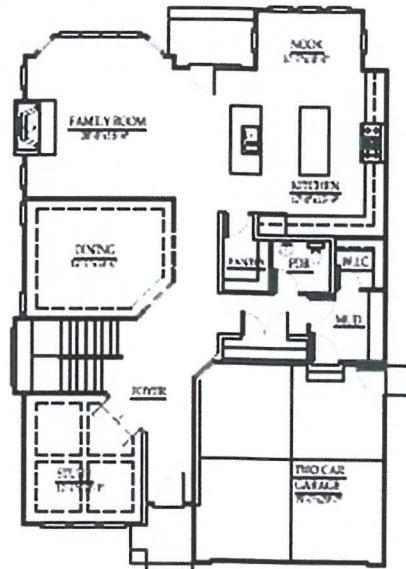
FRONT ELEVATION

C. 2004 ARCHITECTS LTD.



C. 2004 ARCHITECTS LTD.

SECOND FLOOR PLAN



C. 2004 ARCHITECTS LTD.

FIRST FLOOR PLAN

1929 SQ. FT. COVERAGE
 1523 SQ. FT. FIRST FLOOR
 1814 SQ. FT. SECOND FLOOR
3337 SQ. FT. TOTAL

JMB ARCHITECTS, LTD.
 John Michael Becher A.A. N.C.A.R.B.
 692 Prospect
 Elmhurst, Illinois 60126
 E-Mail: jmbarch@comcast.net Phone: 630.274.9238 Fax: 630.274.9237

Width: 38'-00"
 Depth: 57'-00"

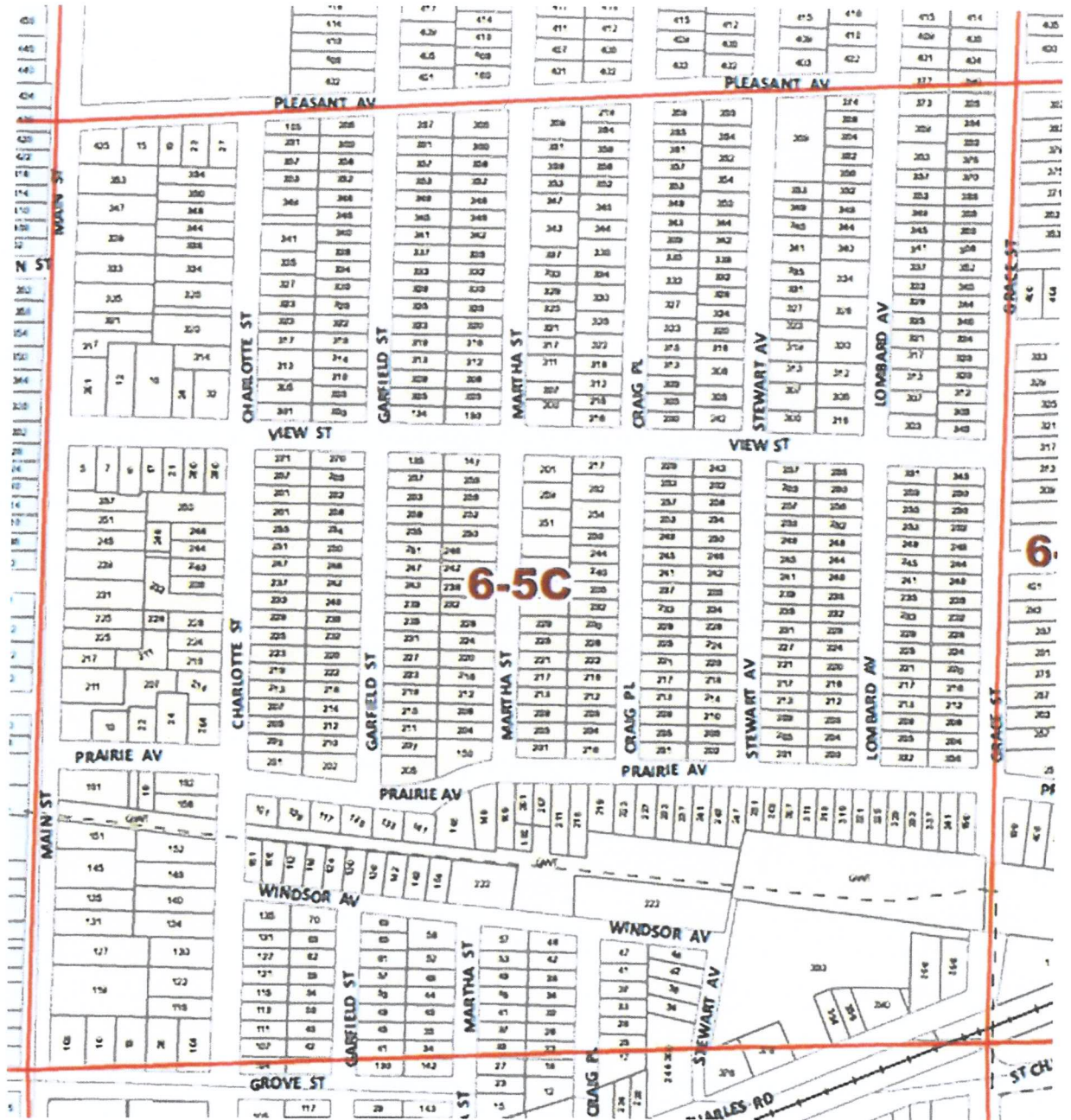
EXHIBIT E – PROPOSED RENDERING FOR ONE OF THE 38’ WIDE LOTS



EXHIBIT F – EXAMPLE OF A FRONT ELEVATION FOR A 95’ WIDE LOT



EXHIBIT G – NORTHEAST QUADRANT MAP (6-5C PORTION)



First, we agree with Mr. Novak that a 95 ft. wide structure on the 320 N. Charlotte property is not a good workable solution. He is correct that this would be intrusive and devalue the area around the house. Additionally, we agree with his statement that "Drainage is always a concern." Additional drainage (unabsorbed runoff) will cause seepage and flooding problems to the neighbors' homes and yards on either side and to homes and yards on the east side of Main Street. The significant increase in the structural footprint over the existing small structure's footprint will cause significantly more runoff, seepage, and flooding for those home. There will be far less land to absorb and contain runoff.

Our Concerns:

Builder Statement	Our Concerns/Responses
"to tie in the sump pump and all downspouts to a pipe system connected to the village storm sewer system"	A sump pump is not a solution to mitigate drainage/run off on the property to other properties. A sump pump is simply a mechanism to remove water from around the structure foundation. Unless sump pumps are placed throughout the property, in-home sump pumps will not alleviate the drainage problem.
"This request is not based on financial gain."	If this request is not for financial gain, why is Mr. Novak building the houses?
"The proposed variance does not impair light or air; does not increase congestion; does not increase danger of fire; <u>does not impair drainage; does not endanger public health; and does not diminish property values within the neighborhood.</u> "	<p>The granting of this variance will impair and diminish property values within the neighborhood.</p> <ul style="list-style-type: none"> • It will impair drainage with the decrease of water absorbing land by the two larger structural footprints. • Public health can be impacted by increased insect infestation and mold due to standing water. • Seepage/flooding damage to foundations, gardens, patios, and basements resulting in dangerous mold infestations.
"The granting of the variance will not be detrimental or injurious to other properties or the neighborhood."	<ul style="list-style-type: none"> • There is a negative impact. For example, property with <u>ANY</u> water problems always has "diminished" property values. This area is in the DuPage River East Branch watershed and any reduction in land that absorbs water will increase the propensity for runoff and can cause the damage mentioned above. Thus, reducing property values. • The subdivision of the property does change the esthetics of the block especially if current home's setbacks are not maintained.
Other issues not addressed by Builder	<ul style="list-style-type: none"> • What is the height and depth of the planned homes? • Will additional variances be need to for these structures or anything else?

In summary we are against the subdivision of the 320 N. Charlotte property into two 53-foot size lots. It is our belief the subdivision will affect property values negatively, has a high probability of causing damage and health hazards with flooding of basements and yards and adding additional expenses to our neighborhood homeowners.

We believe a single-family dwelling, comparable in size with the dwellings currently in the neighborhood would be the best solution for all concerned.

Dear Zoning Board,

I am writing to express my strong opposition to "PC-22-06" sub-dividing 320 N. Charlotte St. Nearly all the residents in this neighborhood are entirely opposed to allowing Fine Homes to go against the Lombard's zoning ordinance. He's fourteen feet short! That's a lot!

I live at 328 N. Charlotte St; I have owned the house north of 320 for 18 years and have been a tax-paying resident of Lombard for 30 years. I have many concerns about this issue. I purchased my home because I love the neighborhood's charm and open space. I realized I was paying more for this, but I wanted to live in a unique community. I didn't want an area where the houses are on top of one another. I knew that there was a chance that 320 would be knocked down and rebuilt one day, but it was a chance I was willing to take. I never thought there would ever be a consideration to build two houses on the 106 wide lot. That is against the zoning laws, so it never entered my mind. It's my opinion that the homeowners pay incredibly high taxes to live in this neighborhood because of our land values. Another huge concern would be the drainage. If he is allowed to hook up to the storm sewer, would I be allowed? I also believe that the proposed variance would impair my sunlight and open air space.

Allowing a variance for no hardship and only monetary gain would encourage others to feel they have the right to the same exceptions.

I would also like to mention that I have been a Realtor in Lombard for 19 years. I've often told clients that they can't go against zoning codes. Rules and laws should apply the same for all of our residents. Therefore, I urge you to disapprove of rezoning 320 N. Charlotte St.

Regrettably, I am not able to attend the hearing. However, I would like to thank my neighbors who are attending for standing up for our property rights.

Thank you for your continued service and support of our communities.

Best regards,

Melissa McGowan

328 N. Charlotte St.

JOE SHELDON



7001 White Oak Lane • Manassas, VA 20108
703.281.1234

Department of Community Development
RE: Case No. PC22-06

3-5-2022

My name is Joe Sheldon. I own the home located at 313 N Charlotte Ave.

Regarding the above mentioned case number, and particularly in regard to the request for variance. I respectfully request that the Village deny this request.

I have experience living in an area where larger lots were sub-divided into multiple lots to allow for the construction of multiple homes. I have never failed to see this result in drainage issues for the existing homes and properties, regardless of any proposed engineering.

Obviously the addition of homes adds to the burden of everything from traffic to schools as well as Village services.

This block of Charlotte Avenue is unique in it's collection of larger lots and period homes. Changing lot dimensions and adding houses will completely change the character of the neighborhood, and, in my opinion, not for the better.

Please preserve this neighborhood by denying the request for variance.

Thank you
Joe Sheldon

~~703.281.1234~~

Jill D. Voss
314 N Charlotte
Lombard, IL 60148

March 11, 2022

Planning Commission –

This letter is to formally notify the commission that I am opposed to the variance PC 22-06 to split the property at 320 N. Charlotte (“320” or “320 Property”) from 106 feet to roughly two 53 foot lots with the plan to build two homes. My home is the property directly south of the 320 Property and I have lived at this address since May of 2003 and have been a resident of Lombard since 1994.

My opposition is two-fold 1) risks of additional water on a block that traditionally suffers flooding on both sides of the street in yards, sidewalks, side yards and basements; 2) The Standards for Variations established by the Lombard Zoning Ordinance have not been met.

Risk of Water - Right now, the back of both 320 and my house at 314 are complete swamps in the springtime with standing water. Both 320 and I have put in a French drain with varying degrees of success to the overall flooding issue. However, in addition to the back of the yard, my home has suffered flooding since I moved in primarily because of runoff from the 320 Property to my walk out basement as I’ll explain further. While I understand that the applicant will be using the city sewer system for gutters and sump pump, I am still concerned that the additional strain of building two houses and the building surface area that would require could have a detrimental impact on the current water issues.

The 320 Property has a natural border on the south side of the property that is about 5-10 feet inside of the current property line that is adjacent to my home. The natural border is higher topography than my property and includes about 8 large older trees and when it rains or we have rapid snow melt, run off will come from this area down towards my property, creating a mudslide and runs along a path on the North side of my house in then into my patio causing flooding inside my basement. Over the years I have spent more than \$15,000 to stop the flooding. After flooding for the first 16 years of living in this house, we have had a dry basement for the past 3 years. I am very concerned my dry basement is in jeopardy.

Another concern regarding water is that the natural border I referred to has approximately 8 old large trees, some of which would need to be removed to build two houses as proposed. Without that extra root system there is likelihood of additional runoff as well.

While I understand the Planning Commission doesn’t take water into account in making their decision, having approximately 50% of the 320 Property built on with 2 houses will most likely cause new issues for me unless there is a true plan for the water.

Standards for Variations identified in Section 155.103.c.7 of the Lombard Zoning Ordinance as follows:

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 application indicates that this property is unique and much larger than all others on the block and in the neighborhood. While I agree the property is larger and 2

Jill D. Voss
314 N Charlotte
Lombard, IL 60148

parcels, there is no *hardship* to the owner by not allowing this variance. This property has been marketed as one single family home (for \$1.120 million) for about 6 months. There is no hardship to building one large home on the site, rather than two – as it was their original intent. Additionally, the rendering attached to the application of a 95 feet wide home – is not the home that was marketed on all of the real estate sites. It was a much narrower home of 3400 square feet. In addition, Fine Home Builders is currently marketing the exact same home he intends to build on a larger lot on West Avenue in Lombard and has another very similar sized house on another larger lot also on West Avenue in Lombard. (23 N. West and 25 N. West, both with 60-foot frontage) which proves its not a hardship to build a house of this size on a larger lot.

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 applicant indicated it is the only home in the neighborhood with two parcels. The house at 341 N. Charlotte is also on 2 parcels, with a combined frontage of 100 feet. What is to stop that owner from asking for the same large variance. I didn't look beyond the 300 block – but I would assume there may be others as well. Also, the depth of the 320 Property and others on the street is useless as the back is swamp land in for 3 months of the year.
3. ***The purpose of the variation is not based primarily upon a desire to increase financial gain.*** The applicant indicates that the request is not based on financial gain and that the development of the property will offer more affordable house on two homes conforming to the existing neighborhood, rather than one large home. I am the CFO of a bank and its insulting to imply that splitting the lots is not based on financial gain! This is exactly how contractors make more money – to build more homes on less space. I would strongly disagree that splitting the lot and building two homes that will most likely be 3300 SF homes of more than \$850,000 is what any resident in Lombard would consider “affordable housing”. Again, the house that was originally being marketed when only one home was proposed was also about 3400 SF.
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 applicant states that the hardship has not been created by anyone. I would argue that its not a “hardship” to have a unique piece of property on a block of unique buildings and lot sizes. I think this is what many of the residents, myself included, feel is part of the charm of the 300 North block of Charlotte
5. ***The granting of the variation will not be detrimental to the public welfare of injurious to other property or improvements in the neighborhood in which the property is located.*** The applicant indicates that the granting of the variance will not be detrimental or injurious to other properties or the neighborhood – I would disagree with the applicant as this will most likely be injurious to my property and possibly others by reducing the open space on the block and creating water issues. While he indicates that there will be drainage from the gutters, it doesn't address the topography or the fact that the property will have less open space, there will be the removal of many old trees and rainwater and snow melt will continue to flow to my property.


Jill D. Voss
314 N Charlotte
Lombard, IL 60148

6. ***The granting of the variation will not alter the essential character of the neighborhood*** – The applicant indicates that the variance will not alter the essential character of the neighborhood. I would disagree. Two houses over 3300 square feet on very narrow lots will absolutely change the character of the block. While the applicant indicates there are a significant number of houses with 50-foot-wide frontage in the neighborhood, there are only 11 such properties on the 300 block of Charlotte. In addition, except for a handful of houses that were recently built on existing 50-foot vacant lots, the houses on the smaller lots are primarily under 2000 SF. They do not have houses that are the size and height of those being proposed.
7. ***The proposed variation will not impair an adequate supply of light and air to adjacent property.....*** The applicant failed to mention that the home at 328 N. Charlotte to the North of the 320 Property will be blocked from sunlight with two proposed tall houses in this space.

Ultimately, the Village of Lombard chose 60 feet of frontage for a reason. In reviewing Lombard Code of Ordinances, Section 155.407 was last amended in September of 2011, however subsection (E) was last amended prior to that date, and I have not had ample time to research the discussion that was had when the Village determined to set the lot width at 60 feet. However, I do believe that rule was set for a reason and should be followed. If the Plan Commission or Trustees believe that 53 feet of frontage is now the right amount, then a full study should be done to make that determination and then an amendment for the whole Village should be made. Approving a large variance adjustment that only negatively impacts one block and benefits only one builder doesn't seem like the right approach for the Village as a whole. The applicant is looking for approximate 14 feet of variance which is a large amount on two lots – not 1-2 feet which would have been more swiftly approved. These very large houses will be built to the maximum width possible on the lot line and will most likely cause harm to me and the neighbor to the north.

Again – I am opposed to the variance PC22-06.

Sincerely



Jill D. Voss

From: CAROLYN MAHAL [REDACTED]
Sent: Wednesday, March 9, 2022 8:05 PM
To: Community Development; Niehaus, Scott; LaVaque, Brian; Honig, Andrew; Puccio, Anthony; Dudek, Bernard; Militello, Dan; Bachner, Bob
Cc: Giagnorio, Keith; Ganser, Jennifer
Subject: Case No: PC 22-06 Written Statement of Opposition

Please be cautious

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

March 9, 2022

Dear Lombard Plan Commission, Department of Community Development, Lombard Village Manager, and Trustees:

Case No.: PC 22-06

Location of Subject Property: 320 N. Charlotte Street, Lombard, Illinois

PIN (s): 06-05-300-020 and 06-05-300-019

Currently, the housing on the 300 block of North Charlotte is a nice mix of unique homes which makes living on this street very desirable and marketable. This is the reason we chose to live on this street and block over 20 years ago.

We are against the application for re-zoning/subdividing the property being discussed for the following reasons:

- Seeing what developers around town are building in place of teardowns is cause for concern. Instead of size appropriate housing for the lot size being built on, many of the new structures are large edifices that extend from property line to property line, with structures two to three stories high that overshadow the adjacent housing.
- Most of the lots on the west side of the 300 block of North Charlotte (next to and near 320 N. Charlotte) are larger and wider. Putting two houses side by side on what now isn't even considered two full lots will make the this block look crowded and will completely alter the character of the block in a negative way. Even worse, and more unsightly, would be two identical houses side by side.
- It should be assumed that the total area square footage for housing to be built on each of the lots will be much greater than the total area square footage for the teardown. Flooding is of great concern. Storms in the future are predicted to be greater causing larger precipitation totals. Adding total area square footage to a given property increases the risk for flooding for all properties around it.
- The current ordinance of lots being a minimum of 60' wide is there for a reason. The builder argues that he's counted many lots that are 50' wide. That may be true, but it doesn't mean that we need more lots of that size. Many of those lots were created a long time ago, quite possibly before the 60' ordinance was adopted, based on the age of many of these homes. We are asking you to abide by the current 60' ordinance and please oppose this request by not allowing 320 N. Charlotte St. to be subdivided into two properties.

Respectfully,

Steven and Carolyn Mahal
323 N. Charlotte Street

From: John Novak [redacted] >
Sent: Tuesday, March 8, 2022 2:26 PM
To: Honig, Andrew
Subject: 320 N Charlotte
Attachments: 437 rendering.jpg

Please be cautious

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Andrew,

My name is John Novak. I am a builder in town (Fine Home Builders). I am applying for a variance to divide 320 N Charlotte into two buildable lots. Each lot would be 53x221. I just wanted to give you a little background information in case any of the neighbors in your district contact you and also so you are informed about the PCs in your district. The plan commission case is PC-22-06. Village staff is currently reviewing my application documents.

I have been building homes in Lombard for 22 years and have built 36 homes in this town. Being a 52 year resident of Lombard, residing at 215 E Hickory, I am always concerned about the character of our existing neighborhoods.

I have built 6 homes in District-4.

- 240 N Charlotte, a 2400 square foot, 3 bedroom home, scheduled for next month completion. The lot is 50x150. One block away from 320 N Charlotte.
- 250 N Charlotte, also one block away from 320 Charlotte.
- 321 S Craig, lot 40x160
- Also 101, 131 and 135 E Ash.

The proposed 320 N Charlotte lots will be 53 x 221 (11,700 square feet lot). Note that 11,700 square feet is 56% larger than the village requirement.

- I am currently building on 437 S Lombard, 50x160 (8,000 square foot lot); Rendering attached. The home is 2600 square feet.
- I will be building on 532 S Stewart, 50x160

Past builds on lots narrower and smaller than 53x221 include:

- 321 S Craig, 40x160
- 421 S Craig, 50x160
- 42 N Lincoln, 50x228
- 507 S Stewart, 50x160
- 53 N Elizabeth, 50x173
- 328 Highridge, 50x188
- 558 S Lewis, 53x148 (same width, but 3869 sf smaller)
- 1710 S Fairfield

I can also provide a list of completed homes on lots smaller than 11,700 square feet if you are interested.

I got the idea to subdivide the property when I was approached by the Carlson/Bojan family at 340 W Eugenia to find them a lot to build a smaller home. I built their Eugenia home 16 years ago. They wish to downsize their home while staying in Lombard.



ORDINANCE NO. _____

**AN ORDINANCE APPROVING A MINOR PLAT OF
RESUBDIVISION WITH LOT WIDTH VARIATIONS TO THE
LOMBARD ZONING ORDINANCE TITLE 15, CHAPTER 155 OF
THE CODE OF LOMBARD, ILLINOIS**

(PC 22-06; 320 N. Charlotte Street)

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 as defined below is zoned R2 Single-Family Residence District; and,

WHEREAS, an application has heretofore been filed requesting approval of variations from Title 15, Chapter 155 Section 155.407 (E) of the Lombard Zoning Ordinance to reduce the minimum lot width to fifty-three feet and seventy-five hundredths of a foot (53.75') for proposed Lot 1 and fifty-three feet and thirty-three hundredths of a foot (53.33') for Lot 2 where sixty feet (60') is required, and associated with a Minor Plat of Resubdivision; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on March 21, 2022 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees with a recommendation of approval for the requested variations; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

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 variations are hereby granted from the provisions of Title 15, Chapter 155, Section 155.407 (E) of the Lombard Zoning Ordinance to reduce the minimum lot width to fifty-three feet and seventy-five hundredths of a foot (53.75') for

proposed Lot 1 and fifty-three feet and thirty-three hundredths of a foot (53.33') for Lot 2 where sixty feet (60') is required.

SECTION 2: This ordinance is limited and restricted to the property generally located at 320 N. Charlotte Street, Lombard, Illinois, and legally described as follows:

LOT 6 (EXCEPT THE NORTH 60 FEET THEREOF) AND ALL OF LOT 7 IN BLOCK 3 OF THE ORIGINAL TOWN OF LOMBARD, A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON APRIL 23, 1868 AS DOCUMENT NO. R1868-009483, IN DU PAGE COUNTY, ILLINOIS.

Parcel No: 06-05-300-019 and 06-05-300-020

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. That a permit will be obtained for the demolition of the existing structures and then removed before the plat of resubdivision is recorded; and
2. That any new residences developed on the subject property shall comply with Village Code.

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 _____, 2022.

First reading waived by action of the Board of Trustees this _____ day of _____, 2022.

Passed on second reading this _____ day of _____, 2022.

Ayes: _____

Nays: _____

Ordinance No. _____

Re: PC 22-06

Page 3

Absent: _____

Approved this _____ day of _____, 2022

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published by me this _____ day of _____, 2022

Elizabeth Brezinski, Village Clerk