

April 29, 1999

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

Subject: ZBA 99-05: 1148 E. Madison Street

Dear President and Trustees:

Your Zoning Board of Appeals transmits for your consideration its recommendation on the above-referenced petition. The petitioner requests a variation to the Lombard Zoning Ordinance to reduce the required corner side yard setback to fifteen feet (15'), where thirty feet (30') is required, and to reduce the side yard setback for a reverse corner lot for an accessory structure to six feet (6'), where fifteen feet (15') is required, to allow for the construction of a detached garage in the R2 Single-Family Residence District.

The petitioner, Bernard Cummings, presented his petition. He stated he had received variations previously from the ZBA to have his garage setback fifteen feet from the corner side yard. Mr. Cummings also stated he has letters from the neighbors stating that it was okay for him to build the garage, as he proposed.

Mr. Polley asked when the original home was built. Mr. Cummings stated it was built in 1961.

Mr. Cummings stated he received a copy of the staff report and addressed the staff's comments. He stated the staff thought the garage could be placed in the northwest corner of the lot, but the Cummings believed this would eliminate the whole backyard. Mr. Cummings also stated a garage in the northwest corner would make his driveway that much longer. This would be an additional expense, to install the longer driveway, and would be harder to shovel snow in the winter.

Mr. Polley asked how long the existing driveway is. Mr. Cummings stated the existing driveway is about forty feet (40') long.

Mr. Cummings stated the grandchildren play in the backyard and moving the garage area back would eliminate the play area. Mr. Cummings stated when the

home was built, he had an architect design the home. The home was laid out and the architect told them they did not need a garage and the home owner believed him. Mr. Cummings stated he believed having the garage built where staff proposed would decrease the value of the home.

There was no one to speak for or against the petition.

Nancy Hill, AICP, Planner II, presented the staff report. Ms. Hill explained that this property is a reverse corner lot and special standards apply to reverse corner lots. The petitioner, Mr. Cummings, is proposing to build a garage and to encroach into the corner side yard setbacks. Ms. Hill stated that staff is recommending denial of the petition because the petitioner has not presented a hardship and there other areas in which to located the proposed garage.

Ms. Hill also stated that the petitioner had applied for the similar variation previously. The first time, the ZBA recommended approval of the petition, but the Board of Trustees denied the petition. In 1991, the petitioner again applied for a variation. The ZBA again approved the petition and the Board of Trustees also approved the petition. However, the property owner never built the garage, and the variation expired.

Mr. Cadigan asked where the sidewalk on Addison Street was located. Mr. Cummings said there is no sidewalk on Addison. Mr. Cadigan asked where would the sidewalk be located if the Village constructed it. Ms. Hill responded by stating the standard placement of a sidewalk is in the right-of-way, one foot (1') off the property line.

Mr. Cadigan stated that the proposed garage is fifteen feet (15') from the property line, the petitioner would not have enough room in his driveway to park a car without overhanging the sidewalk, if a sidewalk were to put in. Dr. Corrado stated he did not want to have a car overhanging the sidewalk.

Ms. Hill stated the standard length of a parking space in any residential district is eighteen feet (18') in length. Therefore, if a sidewalk was constructed on Addison, a car could overhang the sidewalk in this case. Dr. Corrado suggested moving the garage back an additional two feet (2'), to have a setback of seventeen feet (17'). With that, the garage would be eighteen feet (18') from the sidewalk and the driveway would be long enough for a car not to overhang the sidewalk. Mr. Cadigan asked if the petitioner would be willing to move the garage back two

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feet (2') further. Mr. Cummings responded by stating if he had to he would even through the garage would then partially block his kitchen window.

Mr. Young asked the staff why the corner sideyard setback is thirty feet (30'). Ms. Hill explained that this lot was a reverse corner lot and there are special setback requirements and explained those requirements. Mr. Young asked for clarification of which is the front of the house. Staff explained the front yard is on Madison Street.

Mr. Cadigan asked if the garage would have to be drywalled. Ms. Hill stated that she was not sure if the garage would have to be finished, but that would be determined in the building permit stage.

After due consideration of the submitted petition and the testimony presented, the Zoning Board of Appeals submits this petition to the Corporate Authorities with a recommendation for approval with the condition that the garage be seventeen feet (17') from the corner side lot line. The roll call vote was 4-1 to approve ZBA 99-05.

Respectfully,

VILLAGE OF LOMBARD

Eugene Polley
Vice-Chairperson
Zoning Board of Appeals

EP:NMH:jd
att-