

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO:	Zoning Board of Appeals	HEARING DATE:	April 28, 1999
FROM:	Department of Community Development	PREPARED BY:	Nancy Hill Planner II

TITLE

ZBA99-06: 641 East St. Charles Place: Requests a variation to the Lombard Zoning Ordinance to reduce the rear yard setback to twenty-three feet (23'), where thirty-five feet (35') is required, for an addition to a principle structure in the R2 Single-Family Residence District.

GENERAL INFORMATION

Petitioner/Property Owner: Rueben and Katherine Muruato
641 E. St. Charles Place
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R2 Single-Family Residence District

Existing Land Use: Single-Family Residence

Size of Property: Approximately 9,240 square feet

Surrounding Zoning and Land Use:

North:	R2 Single-Family Residence District; Great Western Trail
South:	R2 Single-Family Residence District; Single Family Residences
East:	R2 Single-Family Residence District; Single-Family Residences
West:	R2 Single-Family Residence District, Single-Family Residences

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on March 12, 1999

1. Petition for Public Hearing.
2. Response to Applicable Standards.
3. Plat of Survey, prepared by Harold F. Steinbrecher, Jr, dated April 24, 1987.
4. Building Plans, prepared by Carl Wunchel.

DESCRIPTION

The property is located on the southwest corner of St Charles Place and Lodge Lane. The petitioner is proposing to build a two story addition onto the rear of the house, for two car garage and a bedroom. In doing so, the property owners will be encroaching into the required rear yard, and a setback variation is required.

PLANNING

Because this is a corner lot, it may be somewhat confusing in figuring out which is the front yard and which is the corner side yard. In this case, the front yard is on Lodge Lane, even though the front door of the residence faces St. Charles Place and the property is addressed from St. Charles Place.

Generally, staff determines which yard is either the front or the corner side yard by which definition gives the property owner the most advantage or flexibility. In this case, the Lodge Lane frontage has to be the front yard and St. Charles Place frontage has to be the corner side yard. If St. Charles Place was considered to be the front yard, then the southern property line would be the rear property line. With a rear yard of thirty-five feet (35'), measuring from the southern property line, the existing house would be a non-conforming structure. This would not be to the advantage of the property owner. If the entire structure were damaged by fire, for example, the property owner could not rebuild the house. Therefore, staff determined, the front yard is on Lodge Lane and the rear property line is the western property line.

The petitioner is proposing to build the garage twenty-three feet from the rear (western) property line. The addition will meet all the other required setbacks and standards of the Zoning Ordinance.

Staff believes the petitioner has not presented a hardship. It is possible for the property owner to build a smaller addition onto the rear of the home. The petitioner already has a one-car garage.

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By adding only one additional garage space, the petitioner could meet the required setbacks. Additionally, it is also possible for the property owner to build onto the side of the home, along the southern property line, as only a setback of six feet (6') is required along this property line.

This addition will be very visible from the street and the adjoining property to the west. However, there is no residence on the north side of St. Charles Place. The Great Western Trail is across the street.

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

In the past, the staff has not supported similar variation requests and does not believe a hardship has been presented.

The Department of Community Development has determined that the information presented has not 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 **denial** of this petition:

Based on the submitted petition and the testimony presented, the requested variation does not 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 **denial** of ZBA 99-06.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH:NMH:jd
att-
c: Petitioner