

# Village of Lombard

*Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org*



## Minutes

**Wednesday, August 26, 2020**

**7:00 PM**

**Village Hall Board Room**

## **Zoning Board of Appeals**

*John DeFalco, Chairperson  
Mary Newman, Raymond Bartels, Keith Tap,  
Ed Bedard and Michelle Johnson  
Staff Liaison: Jennifer Ganser*

**NOTICE OF MEETING MODIFICATION DUE TO COVID-19**

**Pursuant to Governor Pritzker's Executive Order 2020-07, as extended and modified by Executive Orders 2020-18, 2020-33, 2020-39, 2020-44 and 2020-48, which suspend the requirement of the Illinois Open Meetings Act requiring in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, members of the Zoning Board of Appeals may be participating in the meeting through a virtual meeting platform.**

**Physical attendance at this public meeting will be capped to a maximum capacity of 50 persons in total, inclusive of Village officials, staff and consultants (whose physical attendance will be given precedence), with strict social distancing requirements in place. While the public is welcome to attend the meeting, and provide comments, in person, given capacity limitations and the COVID-19 pandemic, residents are invited to view and participate remotely through the means offered below. Residents may view the meetings live on television, at Comcast Channel 6 or AT&T Channel 99, or on online at [www.villageoflombard.org/220/view-meetings-live](http://www.villageoflombard.org/220/view-meetings-live).**

**Public comments may be submitted in advance of the meeting by:**

- **email to [communitydevelopment@villageoflombard.org](mailto:communitydevelopment@villageoflombard.org)**
- **calling and leaving a voicemail at 630-620-5760**
- **letter mail to:**

**Community Development Department**

**Attn: Zoning Board of Appeals**

**Village of Lombard**

**255 E. Wilson Avenue**

**Lombard IL 60148**

**The Village requests that comments be submitted to the Village by 4:00 p.m. on Wednesday, August 26, 2020. Notwithstanding this**

**request, all written comments received before the public comment portion of the agenda will be read into the public meeting record.**

**Individuals who wish to speak during the live meeting, other than in person, or wish to listen to the meeting by telephone should contact the Village by 4:00 p.m. on Wednesday, August 26, 2020 by calling 630-620-5760. Individuals who sign up to speak during the live meeting, other than in person, or listen to the meeting by telephone will receive information about how to join the meeting by email or phone, based upon their request, after the sign-up time ends.**

### **Call to Order**

*Chairperson DeFalco called the meeting to order at 7:00 p.m*

### **Pledge of Allegiance**

*Chairperson DeFalco led the Pledge of Allegiance.*

### **Roll Call of Members**

**Present** 5 - John DeFalco, Mary Newman, Keith Tap, Ed Bedard, and Michelle Johnson

**Absent** 1 - Raymond Bartels

*Also present: Anna Papke AICP, Senior Planner Community Development.*

*Mary Newman, Ed Bedard, Keith Tap and Michelle Johnson attend the meeting remotely.*

### **Public Hearings**

[200244](#)

#### **ZBA 20-04; 730 E. Sunset Avenue**

The petitioner requests that the Village grant a variation from Section 155.212 of the Lombard Code of Ordinances to provide for an emergency generator to be located in the required side yard setback in the R2 Single-Family Residence District. (DISTRICT #4)

*Ms. Helen Bartuch, petitioner, and staff were sworn in by Chairperson DeFalco to offer testimony.*

*Ms. Bartuch said she was requesting a variance to allow a generator in the side yard setback. She stated that there was no other feasible location on the property for the generator.*

*Chairperson DeFalco asked if anyone from the public wanted to address the petitioner.*

*Chairperson DeFalco asked for the staff report.*

*Anna Papke, Senior Planner, presented the staff report, which was entered into the record in its entirety. The subject property is developed with a single-family home with a detached garage.*

*The property owner installed an emergency generator on the property prior to obtaining a building permit. During permit review, staff determined that the generator had been installed in the side yard setback, which is prohibited by Village Code. The petitioner is seeking a variance in order for the generator to remain in its present location.*

*Though Village Code prohibits emergency generators from encroaching into the side yard setback, they are permitted to encroach into the rear yard setback. Ordinarily staff would recommend the generator be installed to the rear of the house. However, during permit review, the petitioner indicated that the installer was unable to place the generator to the rear of the house due to the presence of windows and doors along the rear façade of the house. The Building Commissioner inspected the subject property and agreed that the number of openings in the rear elevation of the house would pose a challenge to placing the generator behind the house. Staff also notes that the adjacent property opposite the side lot line from the generator is a through-lot with the rear yard adjacent to the front yard of the subject property. As a result of this lot layout, the generator on the subject property is farther away from the adjacent residence than it would be if installed in the rear yard, which limits noise impacts to the adjacent property.*

*Staff recognizes these conditions as circumstances unique to the subject property, and recommends approval of the request.*

*Chairperson DeFalco opened the meeting up for discussion among the ZBA members.*

*Mr. Tap said he was in support of the requested variance with the conditions as noted in the staff report.*

*Mr. DeFalco summarized the petition and asked for a motion from the Board.*

**On a motion by Mr. Tap, and a second by Mr. Bedard, the Zoning Board of Appeals voted 5-0 that the Village Board approve the petition associated with ZBA 20-04, subject to the following three (3) conditions:**

- 1. The emergency generator shall be installed in accordance with the submitted plans and elevations prepared by the petitioner, and made a part of the petition;**
- 2. The petitioner shall apply for and receive a building permit for the emergency generator; and**

**Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation**

**The motion carried by the following vote:**

**Aye:** 5 - John DeFalco, Mary Newman, Keith Tap, Ed Bedard, and Michelle Johnson

**Absent:** 1 - Raymond Bartels

## **Business Meeting**

### **Approval of Minutes**

**A motion was made by Mr. Bedard, seconded by Ms. Newman, the minutes for the July 22, 2020 meeting were approved. The motion passed by a unanimous vote.**

### **Planner's Report**

### **Unfinished Business**

*Chairperson DeFalco asked staff if there was any news on an appointment to fill the vacant seat on the ZBA. Ms. Papke did not have any updates on the matter.*

### **New Business**

### **Adjournment**

A motion was made by Mr. Bedard, seconded by Ms. Johnson to adjourn the meeting at 7:16 p.m. The motion passed by a unanimous vote.