




MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

DATE: November 5, 2015

SUBJECT: ZBA 15-12; 251 N. Grace Street – Variances

Please find the following items for Village Board consideration as part of the November 5, 2015 Village Board meeting:

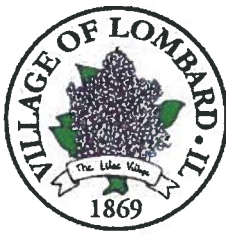
1. Zoning Board of Appeals referral letter from October 28, 2015;
2. Staff memo to the ZBA;
3. Supplemental staff memo to the ZBA;
4. Petitioner email;
5. Zoning Board of Appeals referral letter from September 23, 2015;
6. IDRC report for ZBA 15-12; and
7. Ordinance for a rear yard setback.

The remand petition came before the ZBA with two variances at the October 28, 2015 meeting, on separate votes, the ZBA recommended denial of the requested front yard setback variation and failed to make a recommendation of approval or denial of the requested rear yard setback variation (a motion to approve and a motion to deny both failed to obtain the four votes necessary to make a recommendation). Subsequent to the October 28, 2015 ZBA meeting, the petitioner withdrew their request for a front yard setback variance. Please see the attached email from the petitioner. Therefore, the only matter before the Board is a request to consider the rear yard setback variation.

ACTION REQUESTED

Please place this petition on the November 5, 2015 Board of Trustees late agenda under Items for Separate Action.

If the Village Board seeks to approve the rear yard setback variance, staff has prepared a draft ordinance for consideration.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

November 5, 2015

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, 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 Giagnorio
Village President, and
Board of Trustees
Village of Lombard

Subject: ZBA 15-12; 251 N. Grace Street – Variances (The Village Board of Trustees remanded this petition to the Zoning Board of Appeals)

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner Requests a variation from Section 155.407(F)(1)(a) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-five feet (25') and a variation from Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to thirty feet (30') for proposed Lot 2 located at 251 N. Grace Street and within the R2 Single-Family Residence Zoning District.

The Zoning Board of Appeals conducted a public hearing on October 28, 2015.

Chairperson DeFalco began the public hearing by reviewing the procedures and noting that the case was previously heard by the Zoning Board of Appeals in September 2015, but it was remanded back to them by the Village Board of Trustees. Because the case was remanded, Chairperson DeFalco asked Ms. Ganser to summarize the remand and how it would impact the evening's public hearing.

Jennifer Ganser, Assistant Director, stated that the staff memo is to be entered into the public record in its entirety as well as the supplemental staff memo delivered at the ZBA meeting. Ms. Ganser said that ZBA 15-12 was being remanded back to the ZBA from the Board of Trustees to discuss three (3) items:

1. The hardship any individual or entity would have in order to develop a new single-family home without the requested relief;
2. The impacts of the shallow depth of the lot to develop a modern single-family home with an attached garage; and
3. The applicable front and rear yard setbacks as compared to the requested relief from the petitioners.

She noted that the Board always has the option to remand a case back to the Plan Commission or Zoning Board of Appeals. She reviewed the procedures of the meeting. Next, Ms. Ganser summarized the two staff memos. She said that the project and the variances requested have not changed and staff is still recommending approval. She said the petitioner represents that the standards for a front and rear yard setback have been affirmed and notes the hardship of the lot shape and depth. The plat of subdivision was approved administratively because the lots met the bulk requirements per the Zoning Ordinance. In the R2 district the bulk requirements include a minimum lot area of 7,500 square feet, and a minimum lot width of sixty (60) feet. Lombard does not have a requirement for lot depth. She said there are unique dimensions of the lot that would create a hardship in building a single-family home with attached garage.

Ms. Ganser referred the ZBA to the exhibits in the staff memo showing the buildable area of the lot with the required yard setbacks. As seen, the setbacks greatly impact the footprint of buildable space. The proposed maximum depth of the home would be approximately eighteen (18) feet on the west side and thirty-two (32) feet on the east side of the property. Many garages have a depth of at least twenty (20) feet, which would make the west side of the property unavailable for an attached garage. Using the setbacks required by the Zoning Ordinance, both the proposed house and garage encroach over the setback lines.

She said that prior to the subject property being resubdivided, it was part of one corner lot. The corner side yard setback is twenty (20) feet, meaning that a garage or home could have been built to that line. The petitioner is requesting a twenty-five (25) foot front yard setback variance.

Ms. Ganser then noted the exhibit with the requested setbacks, as proposed. The requested setbacks increase the lot depth, and therefore the footprint of buildable space. The proposed depth of the home would be approximately twenty-eight (28) feet on the west side and forty-two (42) feet on the east side of the property. This would allow for a modern single-family home and attached garage to be built on the property.

Ms. Ganser then reviewed the supplemental memo. She discussed the setbacks of the neighboring properties on Prairie Avenue. Of the sixteen (16) homes, eight (8) homes have a front yard setback of thirty feet (30') or more. Four (4) homes have a setback of less than thirty feet (30'); ranging from approximately 26.31 feet to 27.52 feet. There were four (4) homes where the information could not be found. She said the home with an attached garage directly to the east, 414 E. Prairie Avenue, does comply with the front yard setback at approximately thirty (30) feet from the property line. It should be noted that the lot depth of 414 E. Prairie Avenue is approximately 110 feet on the east side and approximately 97 feet on the west side (abutting Lot 2 of 251 N. Grace Street). She then reviewed the regulations for a detached garage and the height requirements in the R2 zoning district. She noted that the petitioner would prefer to utilize the existing curb cut for access to a future attached garage.

Ms. Ganser concluded that staff recommends approval as the lot depth is causing a hardship for the petitioners to build a single-family home with attached garage on Lot 2. She then reminded the ZBA that the Village Board requested that they vote on each of the requested variations separately.

Chairperson DeFalco questioned if there was anyone else present to speak in favor of or against the petition. Hearing none, the petitioner was asked for their presentation.

Mr. Frank LaGambina showed exhibits of the property with the required setbacks, the rear yard setbacks only, and the requested setbacks. He noted that the house can be modified, but the garage cannot because it needs to function as place to park vehicles. He said the house footprint of 1,200 square feet is one that he has previously built in Lombard. He noted a detached garage would mean a longer driveway, adding more impervious area to the lot. He did not feel this was a good solution due to water runoff and flooding problems in the area.

Chairperson DeFalco then opened the meeting for discussion by the ZBA members.

Chairperson DeFalco read the seven standards for a variance. In regards to the Village Board's first item for additional discussion, he asked if a garage could be built on the east side of the property. Mr. LaGambina referred to his exhibit and showed that the home would not fit in the required setbacks if the garage was to the east. Mr. Bedard said perhaps only a rear yard setback was needed. Ms. Newman asked to see the houses on the exhibit without the requested variances.

Chairperson DeFalco said he did research on homes for sale in Lombard and found examples of homes between 1,200 and 1,700 square feet with 3-4 bedrooms and approximately 2 bathrooms. He said these homes were on lots of varying widths and depths, but were not as deep as the homes shown by Mr. LaGambina. Mr. LaGambina reviewed the materials and noted that the example homes were built in a time period when that was a popular size and style of home. He said that current buyers are looking for a 1,200 footprint, with two stories and an attached garage. He said that is comparable to the homes he has built in Lombard. Chairperson DeFalco said the neighborhood has smaller homes, of the size that he found in his research. Mr. LaGambina said the homes on Grace Street and LaLonde Avenue are of larger size, comparable to what he intends to build. He said the neighborhood character is changing with the new homes being built.

Mr. Bedard said he feels a hardship is shown for the rear yard setback that relates to first two points from the Board. He asked staff to clarify point number 3. Ms. Ganser said that the intention is to compare the existing setbacks, required by the Zoning Ordinance, to the requested setback variations.

Chairperson DeFalco said the petitioner opted to subdivide the lot and therefore they created the hardship, not the Zoning Ordinance. Ms. Newman agreed. Chairperson DeFalco noted that the curb cut on the west side can be changed to the east side.

Mr. Tap asked for clarification as to whether the two variances were voted on separately or collectively at the September ZBA meeting, to which Ms. Ganser answered that the items were voted on collectively.

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Chairperson DeFalco asked if Lot 1 will have a detached garage and Mr. LaGambina said yes because an attached garage will not fit on the lot. Ms. Ganser reminded the ZBA that they need to stay on task with the three points from the Board. Lot 1 does not impact Lot 2.

Chairperson DeFalco noted there are numerous detached garages in the immediate neighborhood. Mr. Bedard said the word modern is the key word in the second item from the Board. Ms. Newman said modern was a matter of opinion.

Chairperson DeFalco said he felt the petitioner demonstrated a home could be built without the front yard setback. Dr. Corrado asked Chairperson DeFalco to repeat the request for the front yard setback and Chairperson DeFalco said it was a request to have a twenty-five (25) foot setback.

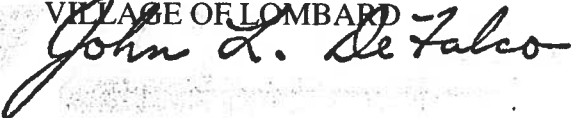
On a motion by Mr. Bedard, and a second by Mr. Tap, the Zoning Board of Appeals recommended by a vote of 5-0 that the Village Board deny the front yard setback variation associated with ZBA 15-12.

Chairperson DeFalco reminded the ZBA members of standards 3 and 4.

A motion was made by Mr. Tap, seconded by Dr. Corrado, that the Zoning Board of Appeals recommends the rear yard setback variation for approval by the Village Board, subject to the two conditions noted in the staff report. By a vote of 3 to 2 the motion failed because it did not receive the necessary four votes to pass.

A motion was made by Ms. Newman, seconded by Chairperson DeFalco, that the Zoning Board of Appeals recommends denial of the rear yard setback variation to the Village Board. By a vote of 2 to 3 the motion failed because it did not receive the necessary four votes to pass.

Respectfully,


VILLAGE OF LOMBARD


John DeFalco
Chairperson
Zoning Board of Appeals



MEMORANDUM

TO: LOMBARD ZONING BOARD OF APPEALS
John DeFalco, Zoning Board of Appeals Chairperson

FROM: Jennifer Ganser, Assistant Director 
Department of Community Development

DATE: October 28, 2015

SUBJECT: ZBA 15-12; 251 N. Grace Street

At the October 15, 2015 Village Board of Trustees meeting, ZBA 15-12 was remanded back to the Zoning Board of Appeals for consideration at their October 28, 2015 meeting. The Village Board asks that the following three items be discussed relative to the case:

1. The hardship any individual or entity would have in order to develop a new single-family home without the requested relief;
2. The impacts of the shallow depth of the lot to develop a modern single-family home with an attached garage; and
3. The applicable front and rear yard setbacks as compared to the requested relief from the petitioners.

As this case is being remanded back to the ZBA for discussion of the three items above, only those three items shall be discussed. The Village Board also requests that the ZBA vote on the two variances separately.

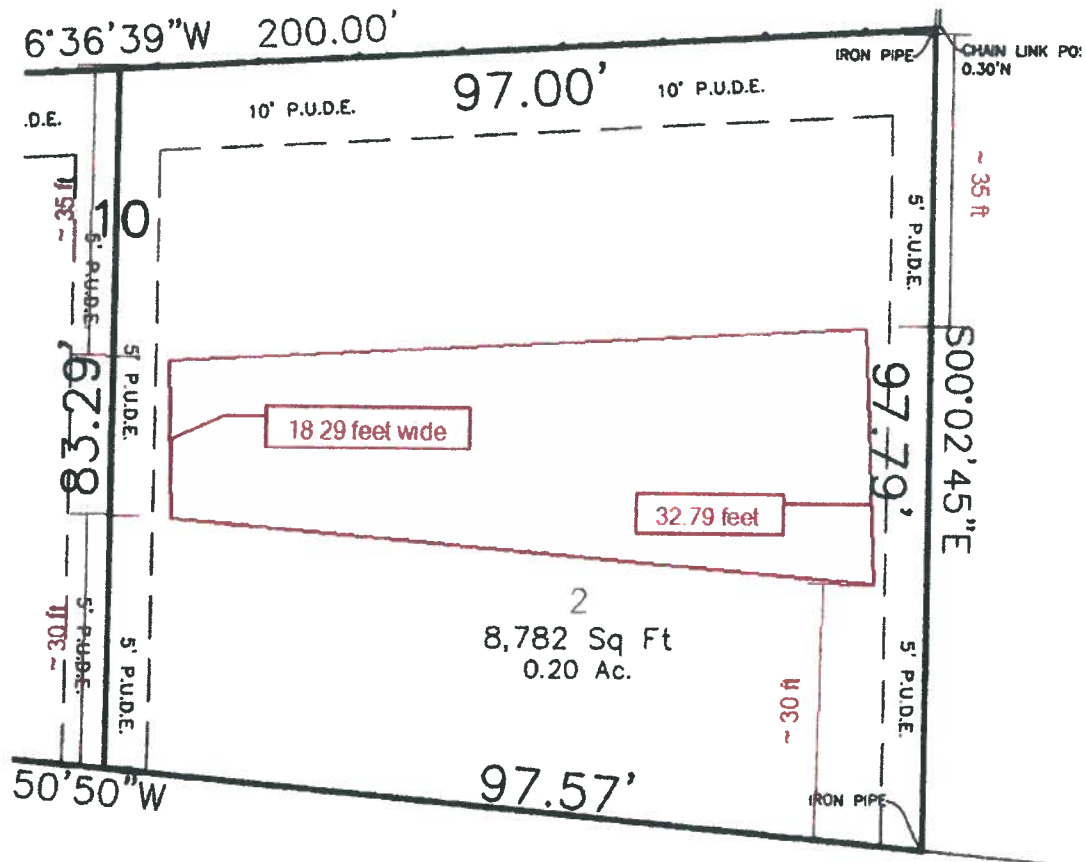
1. The petitioner represents that the standards for a front and rear yard setback have been affirmed and notes the hardship of the lot shape and depth. The plat of subdivision was approved administratively since the lots met the bulk requirements per the Zoning Code. When a lot split requires a variance before the split can occur (for example, the lot will be less than sixty (60) feet wide) the subdivision is taken before the Plan Commission for a recommendation to the Village Board of Trustees. In the R2 district the bulk requirements include a minimum lot area of 7,500 square feet, and a minimum lot width of sixty (60) feet. Lombard does not have a requirement for lot depth. The subdivision created two (2) lots, both of which are building lots and meet the bulk requirements per the Zoning Code.

The petitioners noted the unique dimensions of the lot that would create a hardship in building a single-family home with attached garage. The petitioners note that the proposed front yard setback to twenty-five (25) feet would be consistent with the look of

the existing neighborhood, especially along Prairie Avenue, as the requested relief is consistent with the location of the existing attached garage.

2. Lot 2 has a depth of approximately 83.29 feet on the west side and 97.79 feet on the east side. Per Code, in the R2 District the front yard setback is thirty (30) feet and the rear yard setback is thirty-five (35) feet. Staff used the plat of subdivision to mark the setbacks and then drew a polygon to approximate the area that a single-family home and garage could be built onto. As seen, the setbacks greatly impact the footprint of buildable space. The proposed depth of the home would be approximately eighteen (18) feet on the west side and thirty-two (32) feet on the east side of the property. Many garages have a depth of at least twenty (20) feet, which would make the west side of the property unavailable for an attached garage.

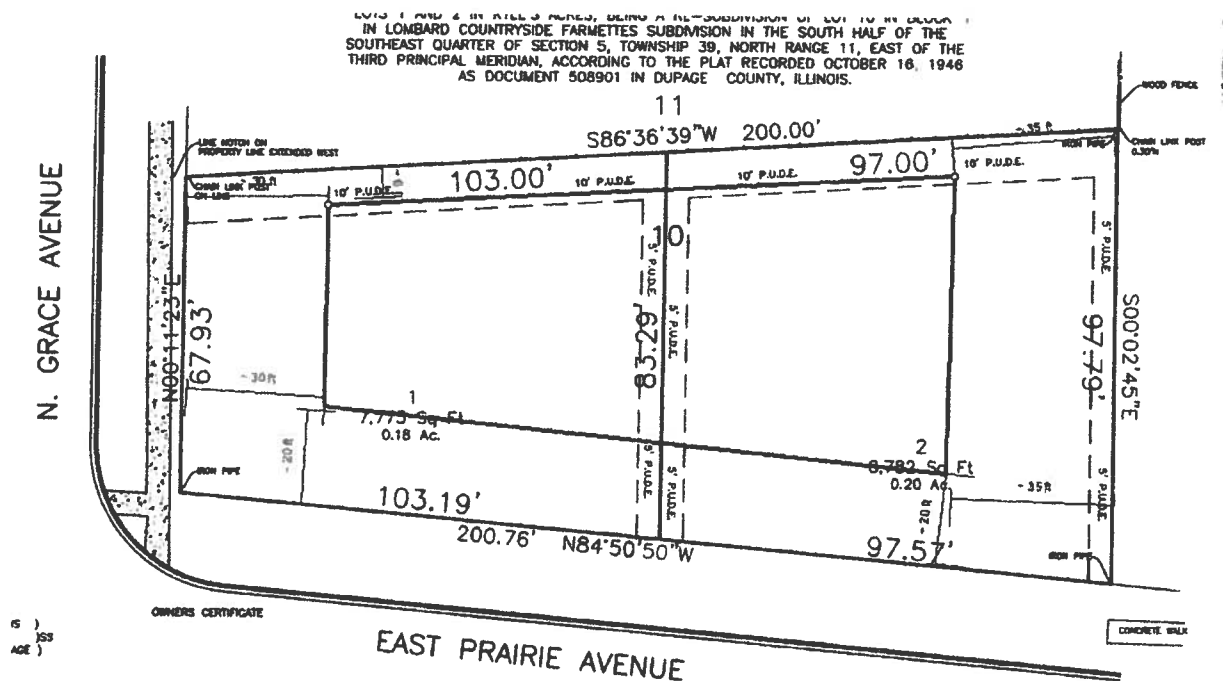
Existing yard setback requirements for the subject property



There is a driveway on the west side of lot two that is setback approximately twelve (12) feet from the interior property line with a detached garage. The petitioner would be able to use the existing driveway curb cut for a new single-family house on lot 2.

The petitioner prepared an exhibit using two floors plans of homes built in Lombard. Each footprint is approximately 1,200 square feet, plus an attached garage. When the setbacks are per Code both the proposed house and garage encroach over the setback lines. The petitioner expanded the buildable area on his example by reducing the rear yard setback to thirty (30) feet. Again, the house and garage cannot be built within the setbacks.

Existing yard setbacks requirements for the property (prior to subdivision)



The graphic above shows the setbacks and buildable area (outlined in blue) of the lot, prior to the subdivision. As the lot was a corner lot, the setback on Prairie would be twenty (20) feet, less than the requested relief being sought.

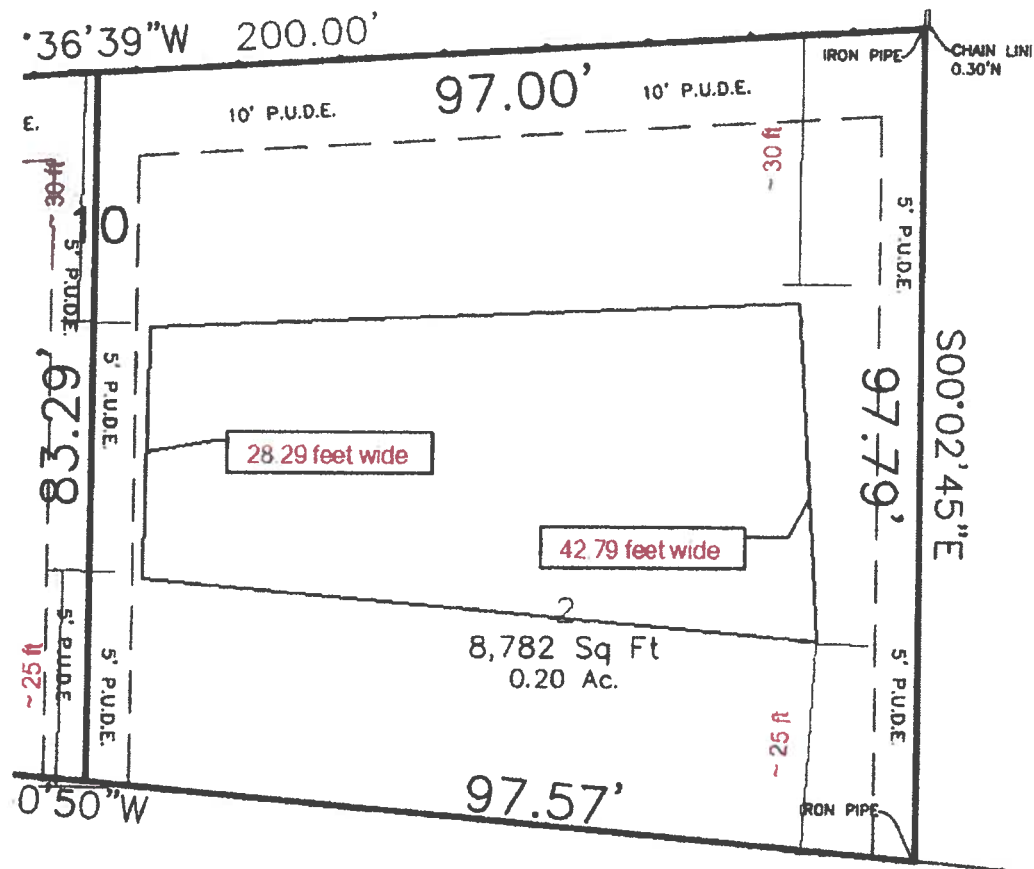
3. Noting the requested variance, staff used the same plat of subdivision to mark the requested setbacks and then drew a polygon to approximate the area that a single-family home and garage could be built onto. As seen, the requested setbacks decrease the impact of the hardship for lot depth and increase the footprint of buildable space. The proposed depth of the home would be approximately twenty-eight (28) feet on the west side and forty-two (42) feet on the east side of the property. This would allow for a modern single-family home and attached garage to be built on the property.

Lastly, the petitioner expanded the front and rear yard setback to the requested relief. In this example, both house floor plans as well as an attached garage can be built within the requested setbacks. Staff took this exhibit and imposed it on an aerial photograph of the

immediate neighborhood (attached). The proposed house would be consistent with the neighborhood.

As exhibited, the lot depth is causing a hardship for the petitioners to build a single-family home on the lot. The requested front and rear yard setback variances allow for a single-family home to be built consistent with the neighborhood, Comprehensive Plan, and Zoning Ordinance.

Requested yard setback relief sought by the petitioner



MEETING FORMAT

The format of the Zoning Board of Appeals meeting will be as follows:

1. Staff Presentation – staff will outline the reason for the Special Meeting and will note the actions to be considered as part of the meeting. Staff will provide a very brief history of the petition and will summarize the zoning actions and development regulations associated with the petition. Staff will also review the items that the Village Board requested the ZBA to consider or reconsider as part of their review.

2. Upon completion of staff presentation, the petitioner will be offered the opportunity to present his presentation specially addressing the questions associated with the remand only. Once completed, an opportunity for the public to provide testimony will be provided. The testimony should be limited to the items as set forth by the Village Board and shall relate specifically to his presentation. The petitioner has the opportunity to respond to any testimony.
3. Upon completion of the petitioner's presentation, the public participation period will be closed. The ZBA shall then be given an opportunity to discuss the petition. Questions may be asked to staff and any supporters or objectors or the petitioner.
4. The ZBA shall then vote to deny, approve, or approve the petition subject to conditions. The ZBA does have the ability to add any conditions they deem appropriate (regardless of whether they relate to bulk issues) should they recommend approval. The Village Board requested that each item of relief be voted on separately.
5. The recommendation will be forwarded to the Village Board for consideration at their November 19, 2015 meeting.

REFERENCE MATERIALS

For the ZBA's reference, staff is providing a copy of the following information:

1. IDRC staff report as previously presented;
2. Minutes of the September 23, 2015 ZBA meeting; and
3. Any supplemental information provided by the petitioner and staff relative to the remand.

ACTION TO BE TAKEN

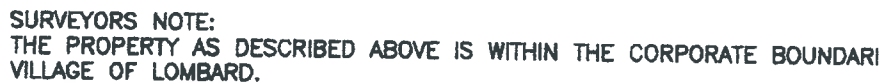
At such time that the ZBA is ready to make a motion, the ZBA has the following options:

1. If the motion is to approve the petition, the language included within the September 23, 2015 IDRC staff report can be used. The ZBA does have the ability to add or strike any conditions as they deem appropriate.
2. If the motion is for denial for either variance requests, the ZBA could reiterate this motion or amend it as they deem appropriate, provided that the reasons for denial are tied to the standards for variations and the materials and testimony presented through the public hearing process.

ZBA 15-12; 251 N. Grace Street
October 28, 2015
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Petitioner's Exhibits Relative to the Setback Relief Request

BEING A RE-SUBDIVISION OF LOT 10 IN BLOCK 1
TTES SUBDIVISION IN THE SOUTH HALF OF THE
, TOWNSHIP 39, NORTH RANGE 11, EAST OF THE
ING TO THE PLAT RECORDED OCTOBER 16, 1946
01 IN DUPAGE COUNTY, ILLINOIS.



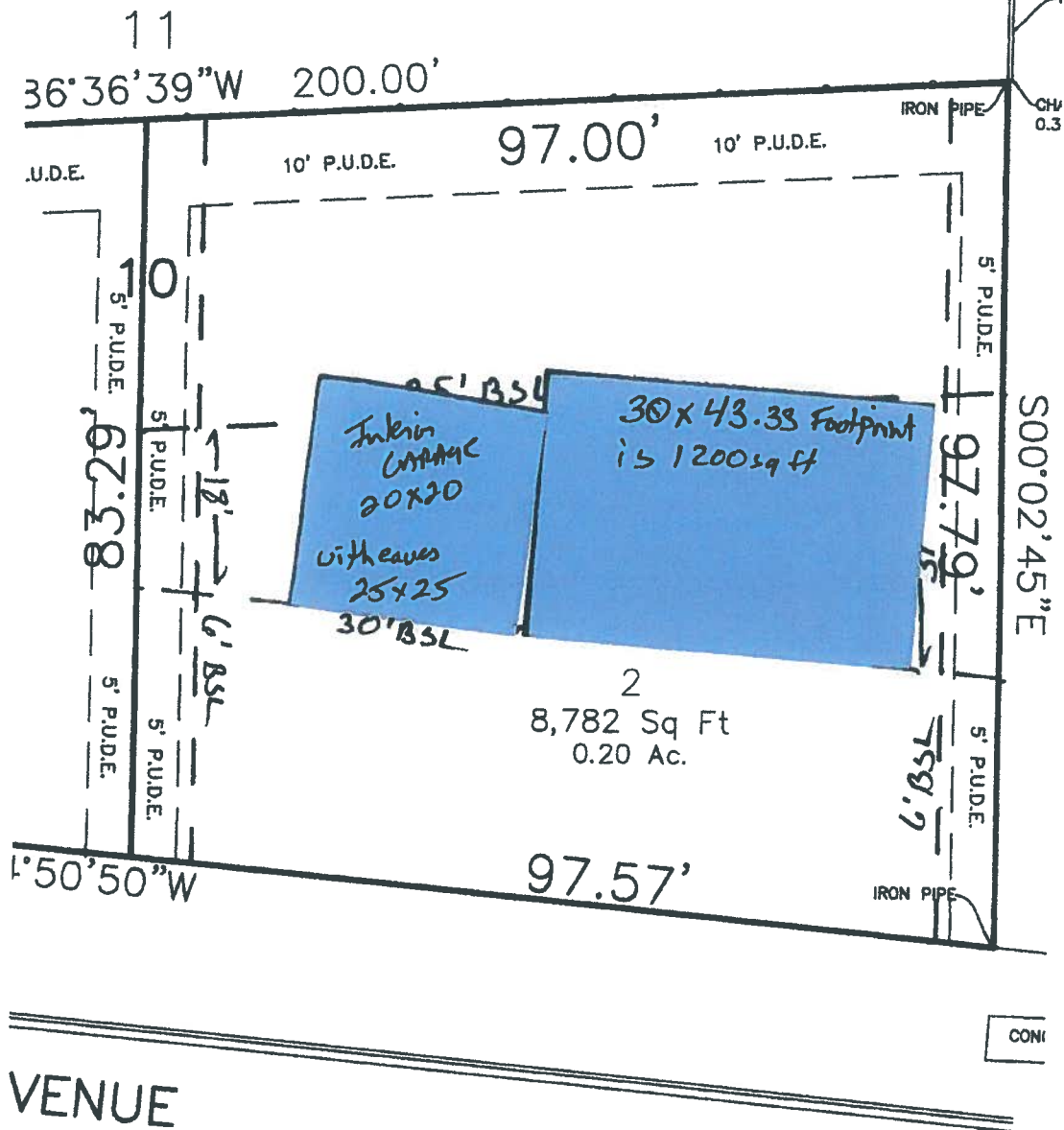
THE PROPERTY IS NOT RELATIVE TO A SPECIAL FLOOD HAZARD AREA AS D
FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RAT
MAP NUMBER:17043C0601H, EFFECTIVE DATE: 12-16-2004

STATE OF ILLINOIS) DIRECTOR OF COMMUNITY DEVELOPMENT CERTIFICATE

1. A. R. R. S.

ES RESUBDIVISION

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SURVEYORS NOTE:
THE PROPERTY AS DESCRIBED ABOVE IS WITHIN THE CORPORATE BOUNDARI
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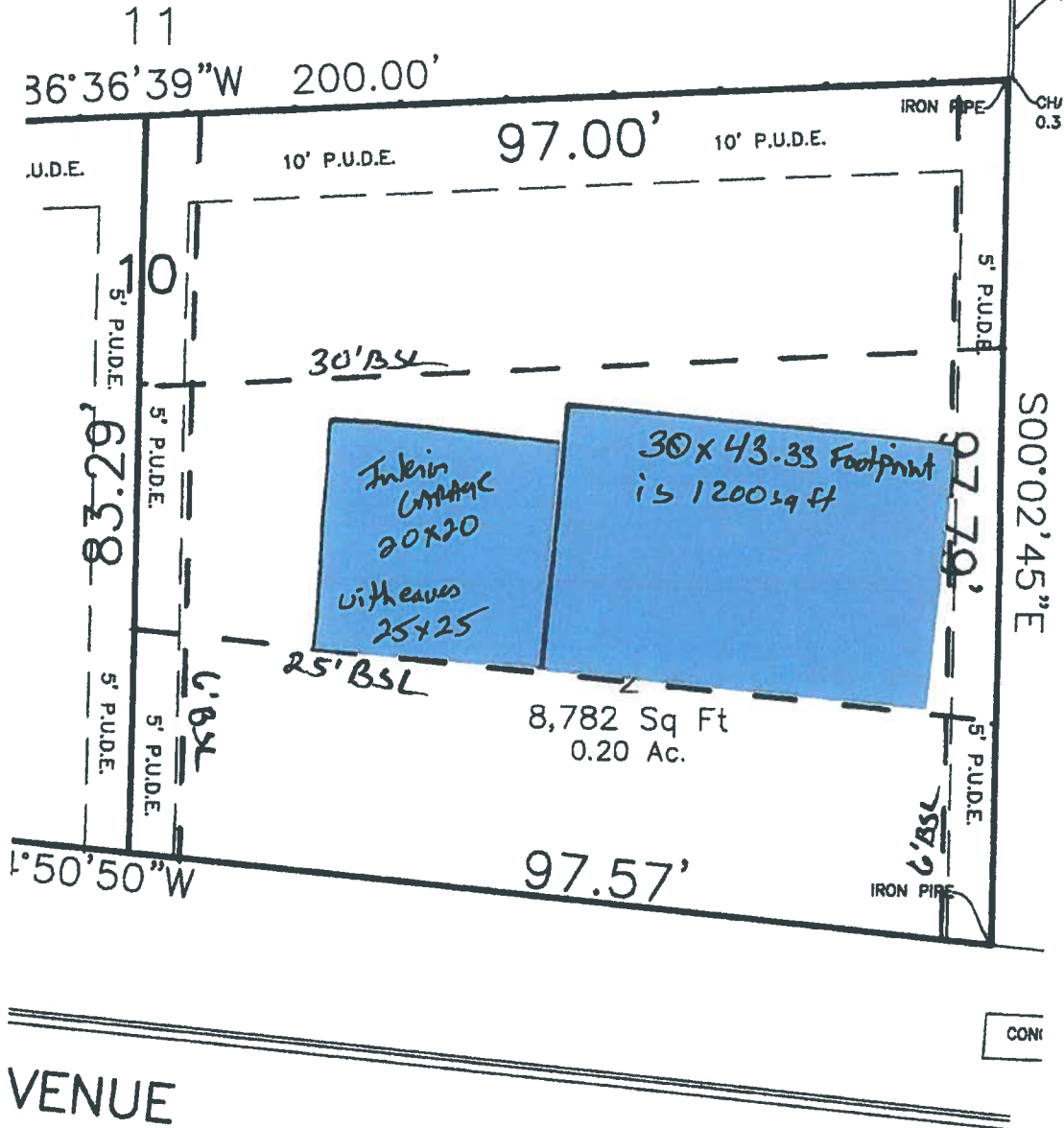
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STATE OF ILLINOIS) DIRECTOR OF COMMUNITY DEVELOPMENT CERTIFICAT

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Petitioner's Response to Standards, Updated

Standards for Variations Responses

- 1) We are seeking a variation for front yard setback to 25', and we are seeking a variation for Rear yard setback to 30'. These requests are being made to accommodate attached garage which is a typical feature in the Village of Lombard.
- 2) This is a unique property as the dimensions of the lot starting with the front (clockwise) are 97.57', 83.29', 97.00', and 97.79' which would leave a buildable footprint of 85' Wide by only 18.29' deep (On the West side) and 32.79' deep (On the East side). If the variance is granted the buildable area will be 88' Wide by 28.29' deep (On the West side) and 42.79' deep (On the East side). The difficulty in this lot is in the typical home footprint and the typical garage footprint. Typical home footprints including eave overhangs are (25 x 52) or (30 x 43) neither of which fit under the current setback requirements. When you attach a garage (Typically 25 x 25) to the home you overhang the setback even farther. If we reduce the rear setback to 30' from 35' the narrow footprint home (25x52) will fit, however an attached garage does not meet the setback requirements. If we reduce both front and rear setback lines by 5' each both (typical) home footprints will fit but now a typical attached garage fits as well.
- 3) The variation is being requested because; while the lot meets all village bulk requirements it has a depth of 83' on the west side of the lot and 98' on the east side of the lot. The primary reason for this request is to have a lot that will accommodate a modest home with an attached garage (A typical Lombard home).
- 4) The difficulty is being caused by the depth of the lot and the setbacks required. The difficulty is not caused by anyone currently involved with this property. The difficulty is being caused due to the shape of the lot.
- 5) The granting of the variation will not negatively impact the public welfare, other properties, in fact conversely it will improve the aesthetics of the neighborhood and its surroundings.
- 6) The variation request (Front yard setback reduction from 30' to 25', and rear yard setback from 35' to 30') will not alter the character of the neighborhood, and by granting the variance, a typical Lombard Home (2400 sq. ft. with an attached Garage) can be constructed. Having a home on the legal lot will enhance the existing character of the neighborhood, by not having a vacant lot.
- 7) There will be no negative impact on any adjacent property, as this is a single family home, which will not obstruct the wind, drainage, or sun in any way that a home of any footprint wouldn't. The homes have a southerly facing direction, and the home will not obstruct the sun in any way. The home will not increase the danger of fire, endanger public safety. Finally it does not diminish or impair property values in the neighborhood in a negative way, but rather by increasing the value of the neighborhood as a whole.

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Staff Exhibit

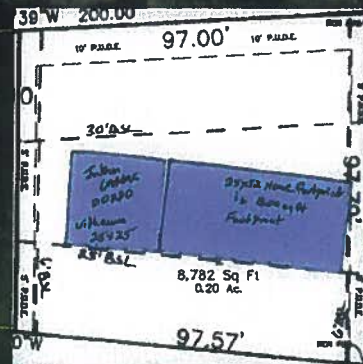
1"=50'

GRACE ST

PRAIRIE AVE

GRACE ST

PRAIRIE AVE



ZONING BOARD OF APPEALS

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

251 N. Grace Street

September 23, 2015

Title

ZBA 15-12

Petitioner

LaGambina Homes Inc.

251 N. Fairfield

Lombard IL 60148

Property Owner

Luxica LLC

(same address as petitioner)

Property Location

251 N. Grace Street, (06-05-414-009), Trustee District #4

Zoning

R2 Single Family Residence

Existing Land Use

Single Family Home

Comprehensive Plan

Low Density Residential

Approval Sought

A variation from Section 155.407(F)(1)(a) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-five feet (25') and a variation from Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to thirty feet (30') for proposed Lot 2 located at 251 N. Grace Street and within the R2 Single-Family Residence Zoning District

Prepared By

Jennifer Ganser, Assistant
Director



LOCATION MAP

PROJECT DESCRIPTION

The petitioner is proposing an administrative plat of subdivision at 251 N. Grace. The proposed lot 2 (to the east) would include an existing driveway and garage. The petitioner proposes to demolish the garage and build a new single family home with a new garage in the future. A front and rear yard setback variance is being requested for Lot 2. Both lots meet the bulk requirements.

APPROVALS REQUIRED

The petitioner requests a variation from Section 155.407(F)(1)(a) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-five feet (25') and a variation from Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to thirty feet (30') for proposed Lot 2 located at 251 N. Grace Street and within the R2 Single-Family Residence Zoning District.

EXISTING CONDITIONS

The property contains a single family home with detached garage. The property will be subdivided via an administrative plat into two (2) lots. Lot 2 will contain the existing lot and driveway. As the garage does not meet the setbacks of the R2 zoning district it shall be demolished within one year of the recording of the plat. The petitioner will give the Village a \$2,000.00 bond. Should the garage be removed the Village will refund the bond. Should the zoning relief requested be granted by the Lombard Board of Trustees, and a permit issued for a new single family residence on the proposed lot 2, the Village would also refund the bond.

PROJECT STATS

Lot & Bulk (for Lot 2)

Parcel Size: 8,782 sq. ft.

Reqd. Setbacks & Proposed Dimensions (in parens.)

Front (south) 30' (25')

Side (east) 6' (6')

Side (west) 6' (6')

Rear (north) 35' (30')

Submittals

1. Petition for Public Hearing;
2. Response to Standards for Variation; and
3. Plat of Survey, prepared by Tom Atkins, P.L.S., dated August 28, 2015.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no issues or concerns regarding the project. A full review will be conducted during the building permit review process.

Fire Department:

The Fire Department has no issues or concerns regarding the project.

Private Engineering Services:

Private Engineering Services (PES) has no issues or concerns regarding the project.

Public Works:

The Department of Public Works has no issues or concerns regarding the project.

Planning Services Division:

A variation may only be granted if there is a demonstrated hardship that distinguishes the subject property from other properties in the area. Staff finds that the standards have been affirmed for the front and rear yard setback variations.

Staff can support the requested variance for the front and rear yard setback for the following reasons:

1. There is precedence for variations to front and rear yard setbacks on similar lots that lack lot depth for single family homes. With the subtraction of both the required front and rear yard setbacks from the depth of the lot, the result is a thirty-two foot (32') buildable depth for a house on the east side and eighteen feet (18') on the west side.
2. The proposed improvements will not adversely affect this or other properties in the neighborhood and will be consistent with the surrounding neighborhood.

Surrounding Zoning & Land Use Compatibility

	Zoning District	Land Use
North	R2	Single Family Residential
South	R2	Single Family Residential
East	R2	Single Family Residential
West	R2	Single Family Residential

The existing neighbors are single family homes, which is the type of building the petitioner proposes to build. Neighboring homes have front yard setbacks of between 25-30 feet. The property to the east has rear yard setback of approximately 30 feet, with a deck encroaching into the rear yard. Staff researched the front yard setbacks in the surrounding area and found numerous properties. The attached map shows properties in red that are interior lots with a front yard setback estimated at less than thirty (30) feet. Lot 2 of 251 N. Grace Street will also be an interior lot. Staff feels a front yard setback will not be out character with the neighborhood since many homes also do not meet this Code.

In consideration of precedent, staff has identified similar rear yard setback cases that appeared before the Zoning Board of Appeals within the past five (5) years:

CASE NO.	DATE*	ADDRESS	SUMMARY	ZBA	BoT
ZBA 10-13	12/15/10	320 S. Martha Court	23' Rear Yard	Approved, 5-0	Approved, 6-0
ZBA 13-01	2/7/13	236 E. Morningside Ave.	15.7' Corner Side Yard & 29.5' Rear Yard	Approved, 4-0	Approved, 6-0
ZBA 14-03	4/23/14	304 N. Park Avenue	11.9' Corner Side Yard & 25' Rear Yard	Partial approval (not on rear portion)	Approved, 6-0
ZBA 14-06	6/19/14	505 E. Sunset Ave.	30' Rear Yard	Approved, 6-0	Approved, 6-0
ZBA 15-08	6/25/15	1057 Daniel Court	25' Rear Yard	Approved, 6-0	Approved, 6-0

*There were thirteen (13) approved rear yard variances from 2005 through 2010. Since 1998, there have been forty-two (42) requests brought before the ZBA for a rear yard variance.

3. The subject property is uniquely shaped creating a hardship to properly position a principal structure of reasonable size. Since lot 1 and lot 2 meet the bulk requirements of the Zoning Ordinance, the plat of subdivision can be approved administratively. The lot division creates a hardship for lot 2 in that the lot is not even. The depth of the lot also creates a hardship in that the buildable depth for a single family home would be reduced greatly.

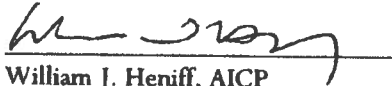
FINDINGS & RECOMMENDATIONS

The Department of Community Development has determined that the information presented has affirmed the Standards for Variations for the requested front and rear yard setback. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the aforementioned front and rear yard setback variations:

Based on the submitted petition and the testimony presented, the requested variations to reduce the front and rear yard setback **does comply** with the Standards for Variations in the Lombard Zoning Ordinance and therefore, I move that the Zoning Board of Appeals find that the findings included as part of the Inter-Departmental Review Committee Report be the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 15-12, subject to the following conditions:

1. The petitioner shall apply for and receive a building permit for the proposed plans.
2. Such approval shall become null and void unless work thereon is substantially under way within twelve (12) months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

Standards for Variations Responses

- 1) Since the structure (Garage) is existing and is currently only 27' from the south property line at the SW corner and 29' from the south property line on the SE corner, we are seeking a variation for front yard setback to 25'. The NE corner of the Garage is 32.82' off the north property line and the NW corner of the Garage is 30.84' off the north property line, we are seeking a variation for Rear yard setback to 30'.
- 2) This is a unique property as the dimensions of the lot starting with the front (clockwise) are 100.58', 82.84', 100.00', and 97.79' which would leave a buildable footprint of 88' Wide by only 17.84' deep (On the West side) and 32.79' deep (On the East side). If the variance is granted the buildable area will be 88' Wide by 27.84' deep (On the West side) and 42.79' deep (On the East side).
- 3) This variation request is not based primarily upon a desire to increase financial gain. The primary reason is to maintain the aesthetics of the block. The variation request is to make the buildable area suitable to building a home consistent with those on the block.
- 4) The difficulty is being caused not by this ordinance, nor anyone currently involved with this property. The difficulty is being caused due to the shape of the lot.
- 5) The granting of the variation will not negatively impact the public welfare, other properties, in fact conversely it will improve the aesthetics of the neighborhood and its surroundings.
- 6) The variation request (Front yard setback reduction from 30' to 25', and rear yard setback from 35' to 30') will not alter the character of the neighborhood, and by granting the variation, we will be able to build a home which will allow the property to further enhance the existing character of the neighborhood, by having a home on each lot.
- 7) There will be no negative impact on any adjacent property, as this is a single family home, which will not obstruct the wind, drainage, or sun in any way that a home of any footprint wouldn't. The homes have a southerly facing direction, and the home will not obstruct the sun in any way. The home will not increase the danger of fire, endanger public safety. Finally it does not diminish or impair property values in the neighborhood in a negative way, but rather by increasing the value of the neighborhood as a whole.

ZBA 15-12

 Properties Estimated with
< 30' Front Yard Setback

 Study Area

SEPTEMBER
2015





MEMORANDUM

TO: LOMBARD ZONING BOARD OF APPEALS
John DeFalco, Zoning Board of Appeals Chairperson

FROM: Jennifer Ganser, Assistant Director
Department of Community Development 

DATE: October 28, 2015

SUBJECT: ZBA 15-12; 251 N. Grace Street, supplemental material

Following the distribution of ZBA 15-12, members of the ZBA contacted staff with additional questions. This memo will answer the questions and serve as additional information for ZBA 15-12.

What are the setbacks of the surrounding neighborhood?

Staff researched building permit files to review the front yard setbacks on existing homes between 199 – 455 E. Prairie Avenue. Staff did not find any variances for those homes. Of those addresses there are sixteen (16) homes. Eight (8) homes have a front yard setback of thirty feet (30') or more. Four (4) homes have a setback of less than thirty feet (30') ranging from approximately 26.31 feet to 27.52 feet. There were four (4) homes where the information could not be found.

The home directly to the east, 414 E. Prairie Avenue with an attached garage, does comply with the front yard setback at approximately thirty (30) feet from the property line. It should be noted that the lot depth of 414 E. Prairie Avenue is approximately 110 feet on the east side and approximately 97 feet on the west side (abutting lot 2 of 251 N. Grace Street).

What are the setbacks for a detached garage? Could this property have a detached garage without the need for a variance?

Single-family homes are allowed to have a detached garage as an accessory structure. The garage would require a setback of three feet from both the rear and interior side yard.

When the lot split occurred, staff requested easements be placed on both lot 1 and 2. Permanent structures, like garages, are not allowed in easements unless the property receives approval from the utility companies and the Village. Otherwise, the garage must be located outside the easements. The easements at lot 2 are ten (10) feet in the rear and five (5) feet on each side.

What are the height requirements in the R2 District?

Section 155.802 of the Village of Lombard Zoning Ordinance defines building height as, "the vertical distance measured from the reference level (curb level, or its equivalent, or the average

elevation of the finished lot grade in front of the building) to the highest point of the roof surface of a flat roof; to the deck of a mansard roof; and to the mean height level between eave and ridge of gable, hip, pitch and gambrel roofs.”

Section 155.407 (G) of the Village of Lombard Zoning Ordinance specifies that the maximum permitted height for a single-family home in the R2 Single Family Residence District is, “two and one-half stories or 30 feet in height, whichever is less.”

The petitioner has not submitted elevations of the proposed home on lot 2, but has expressed that it will meet Code. The type of roof will dictate where the measurements are taken.

Nowakowski, Tamara

From: Heniff, William
Sent: Friday, October 30, 2015 12:31 PM
To: Ganser, Jennifer
Subject: FW: 251 N Grace Lot 2



William J. Heniff, AICP

Director of Community Development
Village of Lombard
255 E. Wilson Ave. Lombard, IL 60148

Phone: (630) 620-3599

Fax: (630) 629-2374

Email: heniffw@villageoflombard.org

Web: www.villageoflombard.org

Follow us:   

From: Frank La Gambina [<mailto:flagambina@sbcglobal.net>]

Sent: Thursday, October 29, 2015 11:21 PM

To: Heniff, William

Subject: 251 N Grace Lot 2

Bill,

Per our discussion I would like to abandon the request for the front yard setback, and pursue the rear yard setback as we discussed, based upon the recommendations of Scott Niehaus, Trustee Johnston, and yourself. I believe a garage will fit if we are granted a five foot variance in the rear yard setback.

Frank La Gambina
La Gambina Homes Inc / Luxica LLC



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

October 15, 2015

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, 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 Giagnorio
Village President, and
Board of Trustees
Village of Lombard

Subject: ZBA 15-12; 251 N. Grace Street – Variances

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner Requests a variation from Section 155.407(F)(1)(a) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-five feet (25') and a variation from Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to thirty feet (30') for proposed Lot 2 located at 251 N. Grace Street and within the R2 Single-Family Residence Zoning District.

The Zoning Board of Appeals conducted a public hearing on September 23, 2015.

Mr. Jasper LaGambina began his presentation by stating that he intends to build a house on Lot 2, but front and rear yard setback variations are requested due to the shape and size of the lot. He said the variances would be consistent with surrounding homes. He has built several homes in the Village and believes a new house would help increase the value of the neighborhood.

Chairperson DeFalco questioned if there was anyone present to speak in favor of or against the petition. Hearing none, he asked staff for their presentation.

Jennifer Ganser, Assistant Director, stated that the IDRC report is to be entered into the public record in its entirety. Ms. Ganser said the administrative plat has already been recorded. Lot 2 contains an existing driveway and garage and would be demolished for a new home. Front and rear yard setbacks are being proposed. The Village did receive a bond in case the garage is not demolished with one year. The Inter-Departmental Review Committee had no comments. Staff supports the variance because of precedence of past variations and consistency with the neighborhood. She noted that neighboring

homes have front yard setbacks between 25-30 feet. Ms. Ganser referenced an attached map to show interior lots with less than a 30 foot setback. Finally she noted the lot is uniquely shaped and the hardship is the lack of depth of the buildable area.

Chairperson DeFalco opened the meeting for discussion by the ZBA members.

Chairperson DeFalco questioned if the bulk requirements were met and Ms. Ganser said yes. He also said he did not feel the standard regarding financial gain was met. Mr. LaGambina noted that the property was purchased with the intent to divide it into two (2) lots and they need to sell the second lot to make a profit.

Chairperson DeFalco asked if Mr. LaGambina was currently living in the home at 251 N. Grace Street, to which Mr. LaGambina responded in the negative.

Chairperson DeFalco asked Mr. LaGambina if he would be building the proposed new home, to which Mr. LaGambina responded that he and his son's company, LaGambina Homes, will be building the new home.

Based on the Standards for a Variation, Chairperson DeFalco asked Mr. LaGambina to identify how the requested variations are not for his financial gain. Mr. LaGambina stated that in order to invest in the renovation of the existing home at 251 N. Grace Street, he needed to sell Lot 2.

Mr. Young asked if Mr. LaGambina or his son will live in either home once completed, to which Mr. LaGambina responded in the negative. Chairperson DeFalco asked for clarification as to whether or not anyone was currently living in the home at 251 N. Grace Street. Mr. LaGambina responded that in its current condition the home is not habitable.

Chairperson DeFalco stated that the property to the east looks similar to the subject property and asked staff how the adjacent property was approved. Ms. Ganser responded that she was not certain if it received any zoning relief, but the petitioner's request is consistent with the surrounding neighborhood. Chairperson DeFalco concurred that the request is consistent with the surrounding neighborhood, but emphasized his belief that the request for the variations was primarily for financial gain and therefore did not affirm all of the Standards for a Variation.

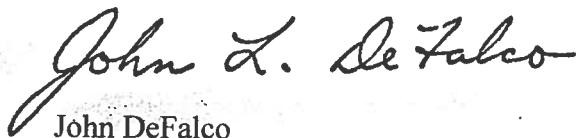
A motion was made by Mr. Young, seconded by Mr. Bedard, that the Zoning Board of Appeals recommend the requested variations for approval by the Village Board, subject to the two conditions noted in the staff report. By a vote of 3 to 3 the motion failed because it did not receive the necessary four votes to pass.

On a motion by Ms. Newman, and a second by Mr. Bartels, the Zoning Board of Appeals recommended by a vote of 4-2 that the Village Board deny the variations associated with ZBA 15-12.

Respectfully,

VILLAGE OF LOMBARD

Re: ZBA 15-12
October 15, 2015
Page 3

A handwritten signature in black ink that reads "John L. DeFalco". The signature is written in a cursive, flowing style.

John DeFalco
Chairperson
Zoning Board of Appeals

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ZONING BOARD OF APPEALS

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

251 N. Grace Street

September 23, 2015

Title

ZBA 15-12

Petitioner

LaGambina Homes Inc.

251 N. Fairfield

Lombard IL 60148

Property Owner

Luxica LLC

(same address as petitioner)

Property Location

251 N. Grace Street, (06-05-414-009), Trustee District #4

Zoning

R2 Single Family Residence

Existing Land Use

Single Family Home

Comprehensive Plan

Low Density Residential

Approval Sought

A variation from Section 155.407(F)(1)(a) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-five feet (25') and a variation from Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to thirty feet (30') for proposed Lot 2 located at 251 N. Grace Street and within the R2 Single-Family Residence Zoning District

Prepared By

Jennifer Ganser, Assistant
Director



LOCATION MAP

PROJECT DESCRIPTION

The petitioner is proposing an administrative plat of subdivision at 251 N. Grace. The proposed lot 2 (to the east) would include an existing driveway and garage. The petitioner proposes to demolish the garage and build a new single family home with a new garage in the future. A front and rear yard setback variance is being requested for Lot 2. Both lots meet the bulk requirements.

APPROVALS REQUIRED

The petitioner requests a variation from Section 155.407(F)(1)(a) of the Lombard Zoning Ordinance to reduce the required front yard setback from thirty feet (30') to twenty-five feet (25') and a variation from Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to thirty feet (30') for proposed Lot 2 located at 251 N. Grace Street and within the R2 Single-Family Residence Zoning District.

EXISTING CONDITIONS

The property contains a single family home with detached garage. The property will be subdivided via an administrative plat into two (2) lots. Lot 2 will contain the existing lot and driveway. As the garage does not meet the setbacks of the R2 zoning district it shall be demolished within one year of the recording of the plat. The petitioner will give the Village a \$2,000.00 bond. Should the garage be removed the Village will refund the bond. Should the zoning relief requested be granted by the Lombard Board of Trustees, and a permit issued for a new single family residence on the proposed lot 2, the Village would also refund the bond.

PROJECT STATS

Lot & Bulk (for Lot 2)

Parcel Size: 8,782 sq. ft.

Reqd. Setbacks & Proposed Dimensions (in parens.)

Front (south) 30' (25')

Side (east) 6' (6')

Side (west) 6' (6')

Rear (north) 35' (30')

Submittals

1. Petition for Public Hearing;
2. Response to Standards for Variation; and
3. Plat of Survey, prepared by Tom Atkins, P.L.S., dated August 28, 2015.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no issues or concerns regarding the project. A full review will be conducted during the building permit review process.

Fire Department:

The Fire Department has no issues or concerns regarding the project.

Private Engineering Services:

Private Engineering Services (PES) has no issues or concerns regarding the project.

Public Works:

The Department of Public Works has no issues or concerns regarding the project.

Planning Services Division:

A variation may only be granted if there is a demonstrated hardship that distinguishes the subject property from other properties in the area. Staff finds that the standards have been affirmed for the front and rear yard setback variations.

Staff can support the requested variance for the front and rear yard setback for the following reasons:

1. There is precedence for variations to front and rear yard setbacks on similar lots that lack lot depth for single family homes. With the subtraction of both the required front and rear yard setbacks from the depth of the lot, the result is a thirty-two foot (32') buildable depth for a house on the east side and eighteen feet (18') on the west side.
2. The proposed improvements will not adversely affect this or other properties in the neighborhood and will be consistent with the surrounding neighborhood.

Surrounding Zoning & Land Use Compatibility

	Zoning District	Land Use
North	R2	Single Family Residential
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West	R2	Single Family Residential

The existing neighbors are single family homes, which is the type of building the petitioner proposes to build. Neighboring homes have front yard setbacks of between 25-30 feet. The property to the east has rear yard setback of approximately 30 feet, with a deck encroaching into the rear yard. Staff researched the front yard setbacks in the surrounding area and found numerous properties. The attached map shows properties in red that are interior lots with a front yard setback estimated at less than thirty (30) feet. Lot 2 of 251 N. Grace Street will also be an interior lot. Staff feels a front yard setback will not be out character with the neighborhood since many homes also do not meet this Code.

In consideration of precedent, staff has identified similar rear yard setback cases that appeared before the Zoning Board of Appeals within the past five (5) years:

CASE NO.	DATE*	ADDRESS	SUMMARY	ZBA	BoT
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ZBA 14-06	6/19/14	505 E. Sunset Ave.	30' Rear Yard	Approved, 6-0	Approved, 6-0
ZBA 15-08	6/25/15	1057 Daniel Court	25' Rear Yard	Approved, 6-0	Approved, 6-0

**There were thirteen (13) approved rear yard variances from 2005 through 2010. Since 1998, there have been forty-two (42) requests brought before the ZBA for a rear yard variance.*

- The subject property is uniquely shaped creating a hardship to properly position a principal structure of reasonable size. Since lot 1 and lot 2 meet the bulk requirements of the Zoning Ordinance, the plat of subdivision can be approved administratively. The lot division creates a hardship for lot 2 in that the lot is not even. The depth of the lot also creates a hardship in that the buildable depth for a single family home would be reduced greatly.

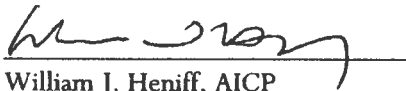
FINDINGS & RECOMMENDATIONS

The Department of Community Development has determined that the information presented **has affirmed** the Standards for Variations for the requested front and rear yard setback. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the aforementioned front and rear yard setback variations:

Based on the submitted petition and the testimony presented, the requested variations to reduce the front and rear yard setback **does comply** with the Standards for Variations in the Lombard Zoning Ordinance and therefore, I move that the Zoning Board of Appeals find that the findings included as part of the Inter-Departmental Review Committee Report be the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 15-12, subject to the following conditions:

1. The petitioner shall apply for and receive a building permit for the proposed plans.
2. Such approval shall become null and void unless work thereon is substantially under way within twelve (12) months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

Standards for Variations Responses

- 1) Since the structure (Garage) is existing and is currently only 27' from the south property line at the SW corner and 29' from the south property line on the SE corner, we are seeking a variation for front yard setback to 25'. The NE corner of the Garage is 32.82' off the north property line and the NW corner of the Garage is 30.84' off the north property line, we are seeking a variation for Rear yard setback to 30'.
- 2) This is a unique property as the dimensions of the lot starting with the front (clockwise) are 100.58', 82.84', 100.00', and 97.79' which would leave a buildable footprint of 88' Wide by only 17.84' deep (On the West side) and 32.79' deep (On the East side). If the variance is granted the buildable area will be 88' Wide by 27.84' deep (On the West side) and 42.79' deep (On the East side).
- 3) This variation request is not based primarily upon a desire to increase financial gain. The primary reason is to maintain the aesthetics of the block. The variation request is to make the buildable area suitable to building a home consistent with those on the block.
- 4) The difficulty is being caused not by this ordinance, nor anyone currently involved with this property. The difficulty is being caused due to the shape of the lot.
- 5) The granting of the variation will not negatively impact the public welfare, other properties, in fact conversely it will improve the aesthetics of the neighborhood and its surroundings.
- 6) The variation request (Front yard setback reduction from 30' to 25', and rear yard setback from 35' to 30') will not alter the character of the neighborhood, and by granting the variation, we will be able to build a home which will allow the property to further enhance the existing character of the neighborhood, by having a home on each lot.
- 7) There will be no negative impact on any adjacent property, as this is a single family home, which will not obstruct the wind, drainage, or sun in any way that a home of any footprint wouldn't. The homes have a southerly facing direction, and the home will not obstruct the sun in any way. The home will not increase the danger of fire, endanger public safety. Finally it does not diminish or impair property values in the neighborhood in a negative way, but rather by increasing the value of the neighborhood as a whole.

ZBA 15-12



Properties Estimated with
< 30' Front Yard Setback



Study Area

SEPTEMBER
2015



NOT TO SCALE



ORDINANCE NO. _____

**AN ORDINANCE APPROVING A VARIATION OF THE LOMBARD ZONING
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD,
ILLINOIS**

(ZBA 15-12; 251 N Grace 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 is zoned R2 Single-Family Residence District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Section 155.407 (F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to thirty feet (30') for Lot 2; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on September 23 and October 28, 2015 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Board of Trustees with no recommendation for the requested variation; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested variation.

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 a variation from Section 155.407 (F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to thirty feet (30') for Lot 2.

SECTION 2: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall apply for and receive a building permit for the proposed plans; and
2. Such approval shall become null and void unless work thereon is substantially under way within twelve (12) months of the date of issuance, unless extended by the Board of Trustees prior to the expiration date of the ordinance granting the variation.

Ordinance No. _____
Re: ZBA 15-12
Page 2

SECTION 3: This ordinance is limited and restricted to the property generally located at 251 N. Grace Street, Lot 2, Lombard, Illinois, and legally described as follows:

LOT 2 IN KYLE'S ACRES, BEING A RE-SUBDIVISION OF LOT 10 IN BLOCK 1 IN LOMBARD COUNTRYSIDE FARMETTES SUBDIVISION IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39, NORTH RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED OCTOBER 16, 1946 AS DOCUMENT 508901 IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-05-414-025

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 _____, 2015.

First reading waived by action of the Board of Trustees this _____ day of _____, 2015.

Passed on second reading this _____ day of _____, 2015.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____ day of _____, 2015

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Ordinance No. _____

Re: ZBA 15-12

Page 3

Published by me this _____ day of _____, 2015

Sharon Kuderna, Village Clerk

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