

DECEMBER 14, 2016

Title

ZBA 16-05

Petitioner

Stephen E. Flint, Flint Architects
314 S. Westmore Avenue
Lombard, IL 60148

Property Owner

Dave and Amy Dybowski
172 S. Stewart Avenue
Lombard, IL 60148

Property Location

172 S. Stewart Avenue

Zoning

R2 Residential Single Family

Existing Land Use

Residential Single Family

Comprehensive Plan

Low Density Residential

Approval Sought

The following variations for an unenclosed front porch: (1) allow setback of 21 feet where 25 feet is required for the front yard; allow porch to project eight feet beyond front wall of principal structure where not more than seven feet is required; allow steps in front yard to be 5'3" above grade where up to 4' above grade is permitted.

Prepared By

Anna Papke, AICP
Senior Planner



LOCATION MAP

PROJECT DESCRIPTION

The petitioner is proposing to rebuild an existing unenclosed roofed-over porch attached to the front wall of a single family residence. The Zoning Ordinance permits unenclosed, roofed-over porches to encroach into the required 30-foot front yard so long as they do not project more than seven feet from the front wall of the principal structure and maintain a 25-foot setback from the front property line. The front wall of the residence on the subject property observes the 30-foot front yard setback requirement. However, the existing porch projects approximately eight feet from the front wall of the house and has just over a 21-foot setback from the front property line.

Similarly, the Zoning Ordinance permits steps that are four feet or less above grade necessary to access a permitted structure to encroach into the 30-foot front yard. The existing steps encroach into the front yard and are five feet three inches (5'3") above grade.

The existing porch and steps are in disrepair and the property owner would like to replace them. The petitioner proposes to reconstruct the front portion of the porch in substantially the same footprint as the existing porch, and requires a variance from the above-mentioned requirements in order to do so.

Staff notes that the portion of the proposed porch on the side of the house will have a slightly different footprint than the side of the existing porch. However, the side portion of the porch meets side

PROJECT STATS

Lot & Bulk

Parcel Size: 8,000 sq. ft.

House

Footprint: 1,751 sq. ft.

Porch

Footprint: 262 sq. ft.

Lot Coverage: Approx. 50%

Setbacks with porch

Front (East) 21 feet

Side (North) 7 feet

Side (South) 8.5 feet

Rear (West) 50+ feet

Surrounding Zoning & Land Use Compatibility

North, East, South and West:
R-2; Single Family Residential

Submittals

1. Petition for public hearing;
2. Response to standards for variation;
3. Plat of survey;
4. Site plan, by Flint Architects, dated October 27, 2016;
5. Existing conditions photo submitted by petitioner on 11/07/2016; and
6. Elevation of proposed porch, submitted by petitioner on 11/07/2016.

yard setbacks and does not require a variance.

APPROVAL(S) REQUIRED

The petitioner requests the following approvals, per Section 155.212 of the Lombard Zoning Ordinance, Permitted Obstructions in Required Yards, in order to rebuild the porch as proposed:

1. A variation from Section 155.212 of the Lombard Zoning Ordinance to allow an unenclosed roofed-over porch to be set back twenty-one feet (21') from the front property line where twenty-five feet (25') is required for the front yard;
2. A variation from Section 155.212 of the Lombard Zoning Ordinance to allow an unenclosed roofed-over porch that encroaches into the front yard to project eight feet (8') from the front wall of the principal structure, where a projection of not more than seven feet (7') is permitted; and
3. A variation from Section 155.212 of the Lombard Zoning Ordinance to allow steps projecting into the front yard to be five feet three inches (5'3") above grade, where a maximum of four feet (4') above grade is permitted.

EXISTING CONDITIONS

The property contains a two-story frame single family residence with an existing front porch that wraps around the side of the home. The property also has a detached garage and associated driveway.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments in relation to the petition. Additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department has no issues or concerns. Additional comments may be forthcoming during permit review.

Private Engineering Services:

Public Works has no comments on the subject petition. Additional comments may be forthcoming during permit review.

Public Works:

Public Works has no comments on the subject petition. Additional comments may be forthcoming during permit review.

Planning Services Division:

The Zoning Ordinance allows roofed-over porches, which are unenclosed and projecting not more than seven feet from the front wall of the principal structure, as a permitted encroachment in the front yard, provided that a minimum of 25-foot front setback is maintained. Under the permitted obstructions provision, an unenclosed roofed-over porch extending five feet from the principal structure could be constructed on the subject property as a matter of right. The petitioner is proposing to replace an existing unenclosed roofed-over porch that extends eight feet from the front wall of the principal structure. The existing front porch is set back approximately 21 feet from the front property line, where 25 feet is required.

The existing porch is in disrepair and requires replacement. The front portion of the new porch will be identical to the currently existing porch. The degree of encroachment into the front yard will remain identical. Similarly, the steps, which encroach into the front yard, will be rebuilt to their present height and location.

Staff notes that the intent of the property owner is to rebuild the porch in a manner that is consistent with the original porch in terms of size and style. In the response to standards for variations, the petitioner states that the proposed porch will be rebuilt using materials (concrete and masonry) that are the same as those used in the existing porch. The petitioner also states that the existing porch roof will remain with modifications.

The existing house at 172 S. Stewart Avenue is a historic home within Lombard as identified in the 2014 Village of Lombard Architectural and Historical Survey. The survey entry for the subject property describes the house as an example of the Tudor Revival architectural style, and notes that it has a wraparound porch. The survey entry indicates the home was constructed in 1897. The Lombard Historical Society also maintains a file on this property, including photos from the early 20th century that show the front porch. The survey entry and documents from the Historical Society are included as an exhibit to this report.

The current Zoning Ordinance, which went into effect after the home was constructed, contains front yard setback provisions that the existing porch does not meet. This creates a hardship for the property owner, who cannot rebuild the existing porch and maintain the historic character of the home as a result of the current setback regulations. Granting a variance in order to allow reconstruction of the existing porch would be consistent with the Village's interest in maintaining historic structures.

To be granted a variation, petitioners must show that they have affirmed each of the standards for variations outlined in Section 155.103(C)(7). Staff offers the following commentary on these standards with respect to this petition:

- a. *That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner has been shown, as distinguished from a mere inconvenience if the strict letter of the regulations were to be applied.*

Staff finds that the subject property does not have unique physical limitations. However, the placement of the existing porch on the property and the fact that the property owner would like to rebuild a porch that is consistent with the original porch does prevent the owner from meeting the intent of the ordinance. The principal structure and porch were constructed prior to the Village adopting front yard setback provisions.

- b. *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.*

This standard is affirmed. Staff finds that the conditions upon which this petition is based are unique to the subject property in that it is one of a limited number of properties identified in the Village's Architectural and Historical Survey. Inclusion in the survey suggests that the Village is supportive of maintaining the defining characteristics of the property, including the porch that does not meet current front yard setback requirements.

- c. *The purpose of the variation is not based primarily upon a desire to increase financial gain.*

This standard is affirmed.

- d. *The alleged difficulty or hardship is shown to be caused by this ordinance and has not been created by any person presently having an interest in the property.*

This standard is affirmed. The subject property is a historic home that was built in 1897. The Zoning Ordinance, adopted after the home was constructed, includes front setback requirements that the existing home does not meet. Therefore, the Zoning Ordinance limits the property owner's ability to reconstruct the existing unenclosed roofed-over front porch.

- e. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

This standard is affirmed. Staff finds that granting the request would not be injurious to neighboring properties.

- f. *The granting of the variation will not alter the essential character of the neighborhood.*

This standard is affirmed. Staff notes that the requested variance will result in development that compliments the character of the neighborhood in that the rebuilt porch will be architecturally consistent with the porch that was constructed when the house was built in 1897.

- g. *The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood*

This standard is affirmed.

In recent years there have been eight other ZBA petitions requesting relief for unenclosed, roofed-over front porches. Several have been similar in scope to the variation requested for 172 S. Stewart

Avenue. All of the below ZBA cases are related to the construction of front porches. The eight variations were ultimately granted.

Case No.	Address	Front Yard Relief Requested	ZBA Vote	BOT Action
ZBA 13-08	353 N. Grace	Encroachment reduced from 25' to 22'	Approval	Approval
ZBA 13-07	330 W. Potomac	Encroachment reduced from 25' to 22'	Approval	Approval
ZBA 13-04	616 E. Madison	Encroachment reduced from 25' to 23'	Approval	Approval
ZBA 13-02	225 W. Potomac	Encroachment reduced from 25' to 23'	Approval	Approval
ZBA 10-12	544 S. Highland	Encroachment reduced from 25' to 22.5'	Approval	Approval
ZBA 07-05	208 S. Elizabeth	Encroachment reduced from 25' to 14.5'	Approval	Approval
ZBA 06-17	197 S. Craig	Corner side yard reduced from 20' to 9'	Approval	Approval
ZBA 06-03	121 N. Lincoln	Encroachment reduced from 25' to 23.5'	Approval	Approval

The proposed rebuilding of a front porch would not alter the essential character of the neighborhood. Staff is able to support the requested variation based upon established precedence for unenclosed roofed-over porches allowed to encroach into required setbacks. The variance would also preserve the features of a property identified in the Village of Lombard Architectural and Historical Survey.

FINDINGS & RECOMMENDATIONS

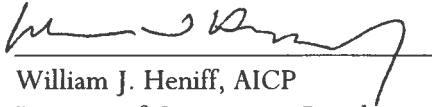
The Department of Community Development has determined that the information presented has affirmed the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the front yard setback variation to allow an unenclosed roofed-over front porch:

Based on the submitted petition and the testimony presented, the requested variations **do comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals adopt that the findings included as part of the Inter-departmental Review Report as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 16-05, subject to the following conditions:

1. The porch shall be developed in accordance with the submitted plans and elevations prepared by Flint Architects, dated October 27, 2016, November 7, 2016, and made a part of the petition;
2. The petitioner shall apply for and receive a building permit for the proposed plans;
3. 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;
4. In the event that the principal structure on the subject property is damaged or destroyed to fifty-percent (50%) of its value, the new structure shall meet the required front yard setback; and

5. The roofed-over porch shall remain unenclosed.

Inter-Departmental Review Committee Report approved by:

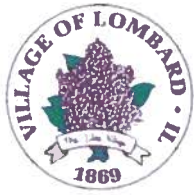


William J. Heniff, AICP
Director of Community Development

Exhibits: Village of Lombard Architectural and Historical Survey, entry for 172 S. Stewart Avenue
Items from Lombard Historical Society file on 172 S. Stewart Avenue

c. Petitioner

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VILLAGE OF LOMBARD ARCHITECTURAL AND HISTORICAL SURVEY

2014

GENERAL INFORMATION

Street Number: 172
Former Street Number: -
Street: South Stewart Avenue
PIN Number: 06-08-118-034
Construction Date (s): 1897
Current Function: Single family residential
Historic Function: Single family residential



PHYSICAL EVALUATION

Condition: Good
Integrity: Excellent
Secondary Structure: -
Secondary Condition: -
Secondary Integrity: -

Alterations:

Brick painted; rear addition

SIGNIFICANCE

Landmark/National Register: No
National Register Eligible: No
National Register Criterion:
LHS Plaque: No **LHC Landmark:** No

Reason for Significance:

ARCHITECTURAL DESCRIPTIONS

Architectural Style: Tudor Revival
Building Form: - **No. of Stories:** 2
Current Wall Materials: Brick
Original Wall Materials: Brick
Ornamentation: Brick corbels & parapets
Storefront Materials: -
Roof Type: Cross gable **Materials:** Asphalt shingle
Roof Ornamentation: Decorative parapets
Foundation Material: Stone
Porch Type: Wrap around
Door Detailing: -
Window Type: Double hung 1/1
Window Configuration: Single
Window Material: Wood
Window Detailing: -

Significant Features:

Brick detailing, porch columns



VILLAGE OF LOMBARD ARCHITECTURAL AND HISTORICAL SURVEY

2014

HISTORICAL RESEARCH

Original Owner: Karl & Lisette Geiersbach
Historic Name: Karl Geiersbach House
Current Name: -
Original Architect: -
Alternate Architect: -
Original Contractor: Karl Geiersbach
Alternate Contractor: -
Developer: -
Construction Cost: -
Permit: -
Subdivision: -

Research & Archival Sources:

Extensive file at Lombard Historical Society

NOTES

Karl Geiersbach was a German brick mason. He built the house using local Hammerschmidt Brick & added a rear addition in 1930. He sold the house to Herbert & Mata Hover about 1935.

SURVEY INFORMATION

Surveyor: Douglas Gilbert, AIA
Survey Date: June 12, 2014



Figure 2



Figure 3



Figure 4



This property and the lot to the south was purchased in 1896 from Thomas A. Stewart by Karl Geierbach.

The street was later named Stewart after the developer.

Karl Geierbach came from Germany and was a bricklayer by trade. He completed construction of this house for himself and his wife in 1897.

The brick came from the Hammerschmidt Brick Company, where Karl was employed. There are still a few other examples of Hammerschmidt brick homes standing in Lombard to this day.

The outside construction of this house is of particular note. It seems more ornate than other Hammerschmidt homes. The pillars which go around the veranda are wood, and the brick (Chicago street brick) was carved out to mold around them. Most of the glass windows are original.

At the back of the property is a free-standing coach house. Longtime residents of the neighborhood can recall chickens and a horse grazing there.

The addition at the back of the house is thought to be approximately sixty years old. Without changing the exterior appearance, the addition has itself been remodeled.

Autumn Harvest of Home
10-18-92

The exterior brick was painted and has recently been sandblasted to restore its original color

Extensive remodeling and redecorating has been done to the interior of the home by its current owners.

Rumor has it that strong spirits were produced and dispensed from this address during Prohibition..

Autumn Harvest of Horn
10 01

172 S. Stewart

Lombard

Ba.



1 car

\$16,900

1100

