



## **ANALYSIS**

### **SUBMITTALS**

This report is based on the following documents, which were filed with the Department of Community Development on March 30, 2011.

1. Petition for Public Hearing.
2. Standards to Variations.
3. Site Plan, prepared by Steinbrecher Land Surveyors, Inc., dated February 24, 2011.

### **DESCRIPTION**

The petitioner is proposing to construct a new single-family residence seventy-two (72) feet from the front lot line. Section 155.407(F)(1)(a)(6) of the Lombard Zoning Ordinance states that a detached single family residence shall not be constructed more than fifty (50) feet from the front lot line in the R2 Single-Family Residence District. The new single-family residence is required to meet the current zoning ordinance provisions, unless a variation is granted by the Village.

### **INTER-DEPARTMENTAL REVIEW COMMENTS**

#### **ENGINEERING**

The PES Division of Community Development has no comments.

#### **PUBLIC WORKS**

Public Works Engineering has no comments.

#### **FIRE DEPARTMENT**

The Fire Department has no comments.

#### **BUILDING DIVISION**

The Building Division has no comments.

#### **PLANNING**

In October 2008, the Village Board formally adopted the text amendments associated with residential development (PC 08-21), which included the residential front yard setbacks. As a result of said amendments, setbacks for all detached single-family homes are now required to consider the average front setback of adjacent properties to determine the required front setback for a given property. In addition to the average setback requirement, the amendments associated with PC 08-21

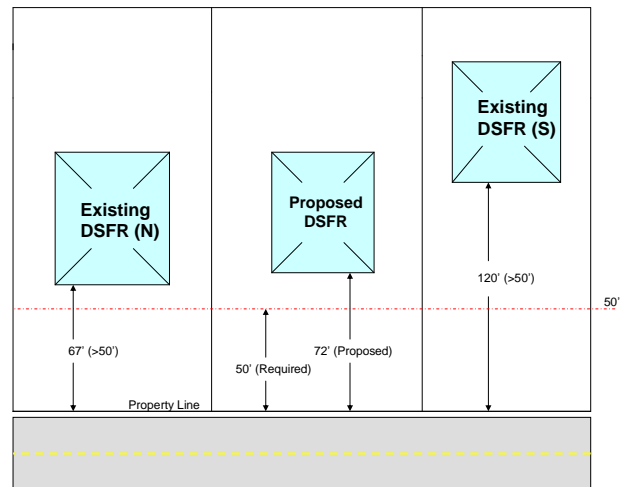
included a maximum ‘build-to’ line. The theory was that establishing a maximum front yard setback will help maintain neighborhood homogeneity by over time creating consistent front yard setback parameters. Prior to the amendment; if someone wanted to construct a new attached single family residence deep into the lot, the only limitation would be the thirty-five (35) foot rear yard setback requirement.

Existing Conditions

The subject property is located on Fairfield Avenue between Central Avenue and Roosevelt Road. The subject property once contained a two-story single family residence that was recently demolished. As such, the lot currently remains vacant. At its longest point, the lot itself is three hundred (300) feet in length. The setback of the previous residence was one hundred and twenty-six (126) feet from the front property line.

Proposed Conditions

The petitioner is proposing to construct a new two-story single-family residence on the subject property. The abutting property to the north of the subject property has a front yard setback approximately sixty-seven (67) feet and the abutting property to the south has a front yard setback of approximately one hundred and twenty (120) feet. According to Section 155.407(F)(1)(a)(5) of the Zoning Ordinance, lots having single family dwellings located more than fifty (50) feet from the front lot line shall be considered to have a default fifty (50) foot setback. As both abutting properties are greater than fifty (50) feet from the front lot line, they both have a default fifty (50) foot setback. Furthermore, Section 155.407(F)(1)(a)(6) of the Lombard Zoning Ordinance states that a detached single family residence shall be constructed no more than fifty (50) feet from the front lot line, which means that the residence on the subject property would have to be built at exactly fifty (50) feet from the front property line.



Maximum Building Line

Since adoption in 2008, staff has faced a number of challenges with regard to the amended front setback provisions. One of the challenges is the maximum building line. Moreover, by requiring a fifty (50) foot maximum building line, an absolute setback is created for properties located in a neighborhood consisting of properties of greater depth, when neighboring properties are setback greater than fifty (50) feet. This is consistent with the subject variation. Moreover, the PC 08-21 staff report states that absolute setbacks can have negative implications in established neighborhoods. Staff recently conducted a workshop on the specific issues pertaining to average front yard setbacks at the March 21, 2011 Plan Commission meeting. During such meeting, the Plan Commission instructed staff to review the code provisions relative to average setbacks and the maximum building line. Under the Plan Commission’s direction, staff will be proposing amendments that refine these regulations.

## **FINDINGS AND RECOMMENDATIONS**

The Department of Community Development has determined that the information presented **has affirmed** the Standards for Variations for the requested variations. 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 variations:

Based on the submitted petition and the testimony presented, the requested variations **does comply** with the Standards required for a variation by 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 Report be the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 11-04, subject to the following conditions:

1. The single family residence shall be developed in accordance with the site plan, prepared by Steinbrecher Land Surveyors, Inc., dated February 24, 2011.
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.

Inter-Departmental Review Group Report Approved By:

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William Heniff, AICP  
Director of Community Development

c: Petitioner