

# **Village of Lombard**

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



## **Minutes**

**Wednesday, May 27, 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 No. 2020-07 which suspends 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, multiple members of the Plan Commission/ZBA will be participating in the meeting through a virtual meeting platform.**

**Physical attendance at this public meeting will be restricted solely to specified Village officials, staff, consultants and zoning applicant. Residents may view the meeting 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 via email to [communitydevelopment@villageoflombard.org](mailto:communitydevelopment@villageoflombard.org) or by calling and leaving a voicemail at (630) 620-5758. The Village requests that comments be submitted to the Village by 4:00 p.m. on Wednesday, May 27, 2020. Notwithstanding this request, all comments received before the public comment portion of the agenda will be read into the public meeting record. The physical attendance restrictions in place for this meeting have been adopted to comply with Governor Pritzker's Executive Orders regarding social distancing and the need to maximize residential self-isolation to slow the spread of COVID-19 to the greatest extent possible.**

**Additionally, all interested persons will be given the opportunity to participate in the public hearing on ZBA 20-01 and ZBA 20-02 via telephone or submission of public comments or evidence in advance of the meeting**

- **email to [communitydevelopment@villageoflombard.org](mailto:communitydevelopment@villageoflombard.org)**
- **calling and leaving a voicemail at 630-620-5758**
- **letter mail to:**

**Community Development Department**

**Attn: Zoning Board of Appeals**

**Village of Lombard**

**255 E. Wilson Avenue****Lombard IL 60148**

**Persons interested in participating in the public hearing on ZBA 20-01 and ZBA 20-02 via telephone shall contact the Village in advance by any of the above methods to obtain information necessary for telephonic participation in the hearing. The Village requests that comments be submitted to the Village by 4:00 p.m. on Wednesday, May 27, 2020. Notwithstanding this request, all comments or evidence received before the public comment portion of the public hearing will be read into the public meeting record.**

**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** 6 - John DeFalco, Mary Newman, Raymond Bartels, Keith Tap, Ed Bedard, and Michelle Johnson

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

*Also present: Anna Papke, AICP, Senior Planner Community Development, Jason Guisinger, legal counsel to the Zoning Board of Appeals and Jennifer Ganser, AICP, Assistant Director of Community Development attended remotely.*

**Public Hearings**

[200149](#)

**ZBA 20-01: 117 West Windsor Ave**

Requests that the Village grant a variation from Section 155.407(H) of the Lombard Code of Ordinances to allow for 49 percent of the lot area to be preserved in open space, where a minimum of 50% lot area preserved in open space is required in the R2 Single-Family Residence District.

(DISTRICT #1)

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

*Ms. Pattison presented the request. She plans to build a ramp and deck expansion on the rear of the house to provide access to the house for her husband. The proposed plan would preserve as much green space on the property as possible. She noted her husband has limited options to access the house, and the propose ramp offers the best point of access for him. A stair lift would not be an option due to mobility concerns and other logistics.*

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

*Hearing none 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 proposes to extend an existing deck and install a ramp on the rear of the home to provide accessibility for one of the residents of the house. The proposed improvements will leave the lot with 49% open space, where the Village Code requires a minimum of 50% open space.*

*In consideration of the petition, staff notes that the subject property is an especially small lot at 6,250 square feet. Minimum lot size in the R2 Zoning District is 7,500 square feet, and other lots in the immediate neighborhood are noticeably larger than the subject property. The small lot size limits the petitioner's ability to construct improvements on the property. Staff considers the small lot size to be sufficient hardship to justify the requested variance, and notes the petitioner has worked with staff to develop a plan that minimizes additional coverage on the subject property. Staff recommended approval of the petition subject to the conditions in the staff report.*

*Ms. Papke also noted that the neighboring property owner at 136 N. Park Avenue had submitted an email in support of the petition. That email was included in the materials sent to the ZBA members with the staff report.*

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

*Mr. Bartels asked why the petitioner needed to request a variance if the proposed deck and ramp were needed to address an ADA issue for one of the residents. Ms. Papke said that the proposed ramp and deck would leave the subject property without the required minimum open space required by the Village Code. Staff could not approve a building permit for work that would not meet Village Code, hence the request for the variance.*

*Mr. Bartels asked if the Village Code could be changed so that variations needed as a result of a disability on the part of a resident could be approved at staff level. Ms. Papke said staff could look into such a text amendment.*

*Mr. Tap asked what kind of material would be used for the deck and ramp. Ms. Pattison said they would use a composite such as Trex or something similar.*

*Mr. Tap asked if there would be concrete or some other finished surface under the deck. Ms. Pattison said there would be gravel under the deck. She also noted that the slats in the deck boards would allow water to reach the gravel underneath.*

**Mr. DeFalco summarized the petition and asked for a motion from the Board. On a motion by Mr. Bedard, and a second by Ms. Johnson, the Zoning Board of Appeals voted 6-0 that the Village Board approve the petition associated with ZBA 20-01, subject to the following four (4) conditions:**

- 1. The deck and ramp shall be developed 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 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; and**
- 4. In the event that the building or structure on the subject property is damaged or destroyed, by any means, to the extent of more than 50 percent of the fair market value of such building or structure immediately prior to such damage, such building or structure shall not be restored unless such building or structure shall thereafter conform to all regulations of the zoning district in which such building or structure and use are located.**

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

**Aye:** 6 - John DeFalco, Mary Newman, Raymond Bartels, Keith Tap, Ed Bedard, and Michelle Johnson

[200174](#)

**ZBA 20-02: 210 S. Finley Road**

Requests that the Village grant a variation from Section 155.210(A)(3)(b) of the Lombard Code of Ordinances to allow for a detached garage with the vertical distance (height) measured from the average grade to the highest point on the roof or parapet for 19.5', where 17' is required in the R2 Single-Family Residence District (DISTRICT #1)

*Mr. Joe Bonham and Ms. Michelle Bonham, petitioners, and staff were sworn in by Chairperson DeFalco to offer testimony.*

*Ms. Bonham thanked the ZBA for hearing the request. She said they lived here since 1994 and this home since 2002. At their previous home they built a new garage, but it lacked architectural interest and didn't enhance the house. This time they hope to maintain the historical period of house and history of neighborhood. They propose to build a garage with small second story. The roof pitch requires a height code variance. Due to the lot and location of the house it would not work to build an attached garage. They are aware of many garages that are over 17'. This would be keeping in character with the neighborhood. She noted the lot is 110' wide and the garage would be set back over 100' feet from the street. It would not be a negative impact to the neighborhood. Mr. Bonham said he agrees, and the proposed garage would keep in character with neighborhood*

*Chairperson DeFalco asked if anyone from the public wanted to address the petitioner. He noted that one email was received. Hearing none asked for the staff report.*

*Jennifer Ganser, Assistant Director, presented the staff report, which was entered into the record in its entirety. The property owner proposes to build a new garage that is taller than Code allows at approximately 19.5'. The proposed garage meets other provisions of Code such as size, location, and setbacks. It does exceed the height of 17', and therefore, the petitioner is applying for a variance. The petitioner proposes a two-story, two-car garage at approximately 24'x30'. Currently, there is a two-car garage on the property that would be demolished for the proposed garage. Staff finds that the subject property does not have unique physical limitations for garage height not meeting Code, nor is there a hardship. The location of the garage is separate from the height. The garage footprint could be expanded as the petitioners have a large lot. Per Code, a detached garage is*

*allowed at 1,000 square feet assuming open space and other provisions are met. There are two similar past cases that received a variance for a taller garage. Staff notes that there were unique circumstances in each case. Staff notes that one email was received in support of the variance. Staff does not support the variance for 210 S. Finley Road.*

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

*Ms. Newman asked when did Board change the Code on garage height. Ms. Ganser said 2001. Ms. Newman said there is no hardship, and this could set a precedence.*

*Mr. Bartels stated he had no questions.*

*Mr. Tap asked what the second story would be used for. Ms. Bonham said storage and small office facing to the yard.*

*Mr. Bedard stated he had no questions.*

*Ms. Johnson asked if the roof pitch would match opposite of the house. Ms. Bonham said yes, because of the depth. She noted the blueprints aren't complete yet. Mr. Bonham said if it was the same direction the pitch would be different, and roofline would be taller perhaps over 20'. Ms. Johnson asked if they could match the house pitch. Ms. Bonham said maybe if the depth could be met, it could make the garage deeper as you could go to 1,000 square feet. Mr. Bonham noted the lot slopes down and a bigger footprint requires a bigger foundation and more concrete.*

*Chairperson DeFalco noted there are large trees and asked how close will new garage be. Ms. Bonham said one mulberry tree would be lost, the cotton wood would be saved. Chairperson DeFalco asked if the garage was 1,000 square feet would the cotton wood be saved, and Ms. Bonham said it would be close and would hope not to lose the tree. Chairperson DeFalco noticed across the street there is a large 2-story garage. Ms. Bonham said that is correct and said that garage is about 25' from road. It is consistent with the neighborhood.*

**On a motion by Ms. Newman, and a second by Mr. Tap, the Zoning Board of Appeals voted 4-2 that the Village Board deny the petition associated with ZBA 20-02.**

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

**Aye:** 4 - Mary Newman, Keith Tap, Ed Bedard, and Michelle Johnson

**Nay:** 2 - John DeFalco, and Raymond Bartels

## **Business Meeting**

*Chairperson DeFalco requested information regarding the vacancy of the seventh member of the Zoning Board of Appeals.*

## **Approval of Minutes**

A motion was made by Mr. Bedard, seconded by Mr. Bartels, the minutes for the December 4, 2019 meeting were approved. The motion passed by a unanimous vote.

## **Planner's Report**

## **Unfinished Business**

## **New Business**

## **Adjournment**

A motion was made by Mr. Bartels, seconded by Mr. Tap to adjourn the meeting at 7:40 p.m. The motion passed by a unanimous vote.

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*John DeFalco, Chairperson  
Zoning Board of Appeals*

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*Jennifer Ganser, Assistant Director of Community Development  
Zoning Board of Appeals*



