

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

\_\_\_\_\_  
  X    
\_\_\_\_\_

Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: May 26, 2005 (B of T) Date: June 2, 2005

TITLE: ZBA 05-05: 1475 Sycamore Court

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Zoning Board of Appeals transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests a variation to Section 155.406 (F) (4) of the Lombard Zoning Ordinance to reduce the required rear yard setback to twenty-nine feet (29'), where thirty-five feet (35') is required to allow for the construction of an addition to serve as a three season room in the R2 Single-Family Residence District. (DISTRICT #2)

The Zoning Board of Appeals had no recommendation, however, Trustee Tross contacted staff and requested that this item be placed on the consent agenda for approval with a waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X W.T. Lichter \_\_\_\_\_ Date 5/27/05

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
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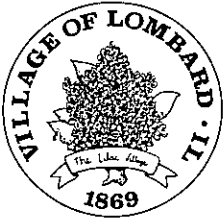
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## MEMORANDUM

**TO:** William T. Lichter, Village Manager

**FROM:** David A. Hulseberg, AICP, Director of Community Development *DAH*

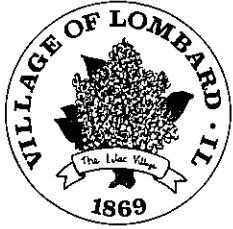
**DATE:** June 2, 2005

**SUBJECT:** ZBA 05-05: 1475 Sycamore Court

Attached please find the following items for Village Board consideration as part of the June 2, 2005, 2005 Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. IDRC report for ZBA 05-05 dated April 27, 2005;
3. IDRC report Addendum One dated May 26, 2005 for ZBA 05-05; and
4. Photographs and Plans associated with the petition.

Please contact me if you have any questions regarding the aforementioned materials.



## VILLAGE OF LOMBARD

255 E. Wilson Avenue  
Lombard, IL 60148-3926  
(630) 620-5700 FAX: (630) 620-8222  
TDD: (630) 620-5812  
www.villageoflombard.org

**Village President**  
William J. Mueller

**Village Clerk**  
Brigitte O'Brien

**Trustees**  
Greg Alan Gron, Dist. 1  
Richard J. Tross, Dist. 2  
John "Jack" T. O'Brien, Dist. 3  
Steven D. Sebby, Dist. 4  
Kenneth M. Florey, Dist. 5  
Rick Soderstrom, Dist. 6

**Village Manager**  
William T. Lichter

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business 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."

June 2, 2005

Mr. William J. Mueller  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: ZBA 05-05; 1475 Sycamore Court**

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 155.205(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback to twenty-nine feet (29') where thirty-five feet (35') is required to allow for the construction of an addition to serve as a three season room in the R2 Single-Family Residence District.

The Zoning Board of Appeals conducted a public hearing on May 26, 2005. Chairperson DeFalco stated that the petition was continued from the April 27, 2005 meeting. He stated that the members asked staff to provide more information regarding homes in the neighborhood. He stated that the members received the information within their packets. Chairperson DeFalco asked if the petitioner wanted to present anything further.

Amy Grandsard, property owner, asked if staff was going to read the comments outlined in the staff report. Angela Clark, Planner II, stated that she would summarize the report. Ms. Grandsard stated that she would like staff to speak first.

Ms. Clark stated that staff reviewed plats of survey for each property within the subdivision. She stated that the table on page two of the addendum outlined the setbacks for each property as well as setbacks from decking or patios. Ms. Clark stated that the lots in the subdivision were nearly identical and each lot was left with approximately one hundred and five (105) feet of area after accounting for the setbacks. Ms. Clark stated that regarding the property the petitioner identified during the previous meeting, staff found a building permit that was noted as a roofing and siding repair. She stated that while the permit implied repairs were being made to a nonconforming

structure, the enclosed screen room was actually constructed after issuance of the permit. She stated that the permit had been issued in error since staff believed the permit to be for repairs rather than new construction. She noted that staff has informed the property owner that the structure could not be reconstructed if damaged or destroyed. She noted that there was one other property in the neighborhood that received a variation for the rear yard setback. She stated that the property at 1500 Acorn Court was recommended for denial by staff. She stated that the ZBA recommended approval and the Board of Trustees subsequently approved the variation. She stated that the ZBA did not reference any findings upon recommendation of approval. Ms. Clark stated that she had the staff report and referral letter for the petition if there were further questions.

Ms. Grandsard asked for clarification regarding the table within the staff report. She asked what was the difference between the setbacks to the house and the setback to a patio or deck. Ms. Clark stated that there weren't any requirements for patios and decks are allowed to be as close as three feet from the property line. She stated that the column referencing patios and decks were the rear yard setbacks to those structures.

Ms. Grandsard stated that staff focuses on precedent. She stated that given the location of other structures within the neighborhood a precedent has already been set. She asked why staff would maintain a recommendation of denial if a precedent were already set.

Ms. Clark responded that staff's recommendation was based on whether or not there was a hardship on the lot. She stated that staff did not believe there was a hardship for the 1500 Acorn request and recommended denial. She stated that it is up to the discretion of the ZBA as to what their recommendation is as well as the discretion of the Village Board to whether or not the variation is approved. She stated that staff's findings were consistent with the standards regardless of the previous resulting actions of the ZBA or Village Board.

Ms. Grandsard asked why. Chairperson DeFalco stated that he did not want the hearing to be a discussion between staff and the petitioner. He stated that the Village Board made a judgment regarding the previous petition and the ZBA members would review Ms. Grandsard's petition and make a recommendation.

Ms. Grandsard stated that the existing utility lines and location of her home in reference to other properties represented the hardship on her lot. She stated that the neighboring properties did not have an existing patio when they constructed their screen room. She stated that other homes in the Pinebrook Subdivision have erected structures therefore a precedent has already been set.

Chairperson DeFalco then opened the meeting for public comment. No one spoke for or against the petition. Chairperson DeFalco stated that staff had already commented. He asked if staff had anything further to add. Ms. Clark stated that she did not.

Chairperson DeFalco opened the meeting for discussion among the members.

Mr. Bedard asked what was the rear yard setback when the property was constructed. Chairperson DeFalco stated that it may have been thirty feet then.

Mr. Young stated that we have made builders remove improperly placed foundations. He asked why wasn't the neighboring property owner being asked to remove the enclosed screen porch. He asked if removal was not requested since it was a staff error. Ms. Clark stated that this could be why it is not being removed.

Mr. Young asked for clarification about the 1500 Acorn property. He stated that the staff report indicated that the ZBA did not make a recommendation. Ms. Clark stated that the ZBA recommended approval of the petition. She stated that comment in the staff report referred to the lack of findings to substantiate the recommendation.

Dr. Corrado stated that the code change from thirty feet to thirty five feet was made to allow for a line of sight area within backyards. He stated that the petitioner's structure would not infringe on the sight of other structures or properties.

Mr. Young asked when was the property platted. Chairperson DeFalco referenced the 1982 date written in the staff report. He stated that the setbacks were thirty feet then.

Dr. Corrado stated that variations were granted in previous years for similar requests. He stated that if the structure did not infringe on someone's view it should be approved. He stated that she was asking for the same thing.

Mr. Polley stated that structures were located near the homes because of the slopes of the rear yards. He asked if the petitioner had submitted floor plans. Chairperson DeFalco stated that the plans were submitted with the original request.

Ms. Grandsard stated that the 16' by 11' patio was existing and they were hoping to enclose the structure.

Mr. Bedard agreed with Ms. Grandsard that a precedent had already been set and believed the petition should be approved.

Mr. Young stated that the ZBA recommends approval based on specific situations. He stated that recommending approval on a precedent is a stretch.

Mr. Bedard stated that the petitioner is asking for the same thing.

Dr. Corrado stated that there are no sight issues.

Mrs. Newman stated that the ZBA must justify or deny the petition on its own merits.

Ms. Grandsard stated that they have an existing patio. She stated that her sight is inhibited by the structure on the neighboring property. She stated that she took exception to the information provided by staff as there were other structures in rear yards.

Chairperson DeFalco stated that the petitioner should keep in mind that staff noted at the previous meeting that they cannot enter private property. He stated that the petitioner would not want to live in a Village where staff was allowed to enter private property. He stated that Mrs. Newman was correct in her statement that the petition must be judged on its own merit. He agreed that there was an allowance for 1500 Acorn Court. He stated that four members voted for the petition while the ZBA is a seven member board.

After due consideration of the submitted petition and the testimony presented, the Zoning Board of Appeals submits this petition to the Corporate Authorities with no recommendation for the requested variation.

The roll call vote was 3 to 3 to recommend approval of ZBA 05-05. The vote was as follows:

<u>Ayes</u>	<u>Nays</u>
Bedard	Newman
Polley	Young
Corrado	DeFalco

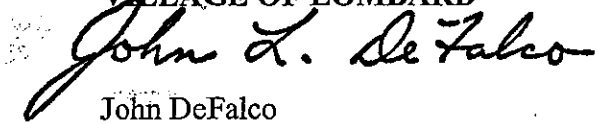
Since a majority consensus was not reached a reverse vote was taken for denial. The roll call vote was 3 to 3 to recommend denial of ZBA 05-05. The vote was as follows:

<u>Ayes</u>	<u>Nays</u>
Newman	Bedard
Young	Polley
DeFalco	Corrado

Re: ZBA 05-05  
June 2, 2005  
Page 5

Respectfully,

**VILLAGE OF LOMBARD**

A handwritten signature in black ink that reads "John L. DeFalco". The signature is written in a cursive style with a large, sweeping initial "J".

John DeFalco  
Chairperson  
Zoning Board of Appeals

att-

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**VILLAGE OF LOMBARD**  
**INTER-DEPARTMENTAL REVIEW GROUP REPORT**  
**ADDENDUM ONE**

TO:	Zoning Board of Appeals	HEARING DATE:	May 26, 2005
FROM:	Department of Community Development	PREPARED BY:	Michelle Kulikowski Associate Planner

**TITLE**

**ZBA 05-05; 1475 Sycamore Court:** The petitioner requests a variation to Section 155.406 (F) (4) of the Lombard Zoning Ordinance to reduce the required rear yard setback to twenty-nine feet (29'), where thirty-five feet (35') is required to allow for the construction of an addition to serve as a sunroom in the R2 Single-Family Residence District.

**GENERAL INFORMATION**

Petitioner/Property Owner: Jeff and Amy Grandsard  
1475 Sycamore St.  
Lombard, IL 60148

**PROPERTY INFORMATION**

Existing Zoning: R2 Single-Family Residence District  
Existing Land Use: Single-Family Residence  
Size of Property: Approximately 15,685 Square Feet

Surrounding Zoning and Land Use:

North:	R2 Single-Family Residence District; Single-Family Residences
South:	R2 Single-Family Residence District; Single-Family Residences
East:	R2 Single-Family Residence District; Single-Family Residences
West:	R2 Single-Family Residence District; Single-Family Residences

**ANALYSIS**

**SUBMITTALS**

This report is based on the following documents, which were filed with the Department of Community Development on March 24, 2005.

1. Petition for Public Hearing

2. Response to the Standards for Variation
3. Plat of Survey, Associated Surveying Group, dated September 22, 2003
4. Floor plan and elevation, prepared by K.F. Brandeis Architects, dated February 16, 2005.

## ANALYSIS

The Zoning Board of Appeals continued the public hearing for ZBA 05-05 in order to allow staff time to further review other properties on cul-de-sacs in the Pinebrook subdivision as it relates to rear yard setbacks.

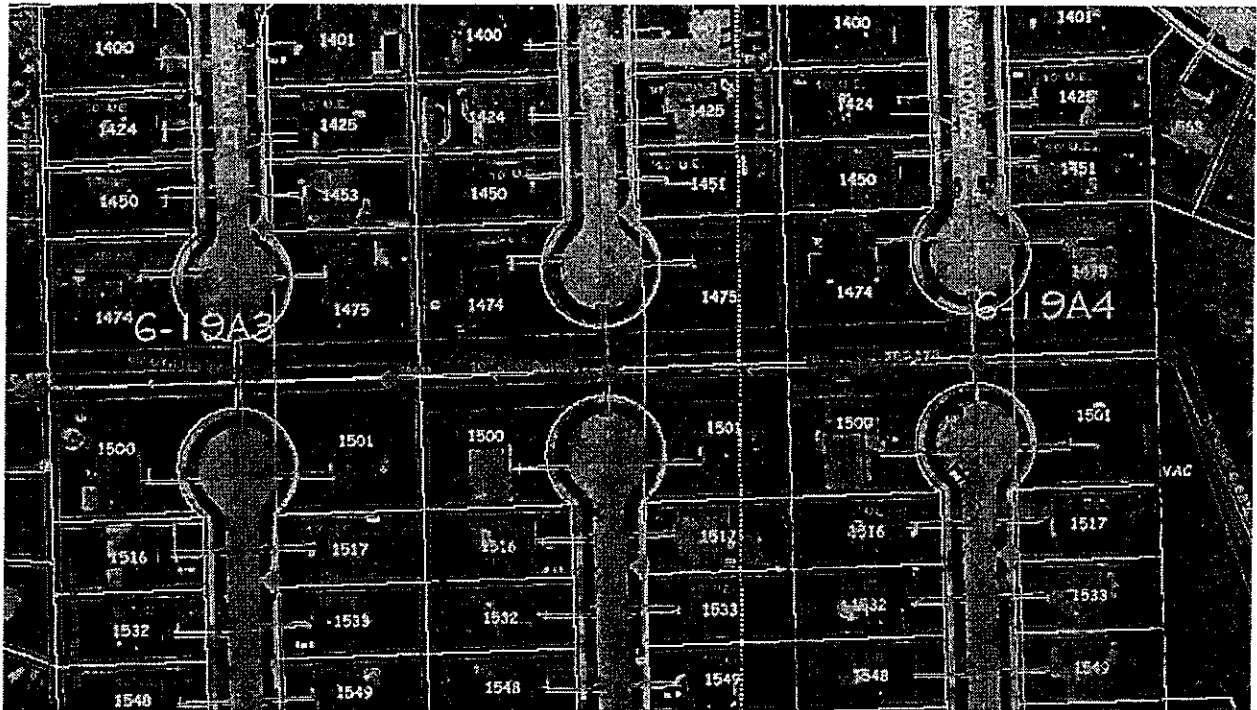
Staff was able to find plat of surveys for all properties located on cul-de-sacs within the Pinebrook subdivision with the exception of 1501 Walnut Court. The lot dimensions, lot areas and setbacks are listed in the table below.

**Figure 1: Setbacks on cul-de-sacs**

	Lot Width	Lot Depth	Lot Area	Front yard setback	Rear yard setback to house	Rear yard setback to deck/patio
1474 Poplar Ct.	125'	125'	15,625 s.f.	30'	36'	22'
1475 Poplar Ct.	125'	125'	15,625 s.f.	31'	42'	26'
1474 Sycamore Ct.	125'	125'	15,625 s.f.	30'	42'	8'
1475 Sycamore Ct.	125'	125'	15,625 s.f.	30'	40'	29'
1474 Oak Meadow Ct.	125'	125'	15,625 s.f.	30'	21'	21'
1475 Oak Meadow Ct.	125'	125'	15,625 s.f.	31'	39'	?
1500 Acorn Ct.	112'	125'	14,00 s.f.	31'	40'	28'
1501 Acorn Ct.	112'	125'	14,00 s.f.	31'	40'	?
1500 Spruce Ct.	112'	125'	14,00 s.f.	31'	40'	28'
1501 Spruce Ct.	112'	125'	14,00 s.f.	31'	42'	25'
1500 Walnut Ct.	112'	125'	14,00 s.f.	30'	42	?

Staff notes that all of the lots have the same depth, one hundred twenty-five feet (125'), but the lots south of the wooded area are approximately one hundred twelve feet (112') wide while the lots north of the wooded area are by one hundred twenty-five feet (125') wide. All are front yard setbacks either thirty feet (30') or thirty-one feet (31'). Because of standards and regulations required for cul-de-sac construction, all six of the cul-de-sacs in Pinebrook are nearly identical. Each of the lots listed in Table 1 are set back approximately twenty feet (20') farther than the respective adjacent property not fronting onto the cul-de-sac. Functionally, this leaves a lot depth of one hundred five feet (105'). Accounting for the rear and front yard setbacks, this allows for a house up to forty feet (40') deep. Staff does not find that forty feet (40') is unreasonable or constitutes a hardship.

**Figure 2: Aerial photo of Pinebrook**



*1474 Oak Meadow Court*

With respect to property to the east of the subject property, staff reviewed all permits associated with the respective address. Staff was previously unaware of the permit issued in 2000 for the enclosed structure to the rear of the house because it was listed on the permit address card as a siding and roof repair. Upon review of the permit file, staff noticed that the permit was approved as a deck repair. The information included with the permit application at the time of review by the Planning Services Division represented that the permit was for the repair of an existing non-conforming structure. In the recent follow-up to this matter, the property owner at 1474 Oak Meadow has indicated to staff that the structure was unenclosed prior to 2000 and that the enclosure was made subsequent to the permit issued in 2000.

As such, the permit was issued in error. The structure is constituted as non-conforming. Staff will be notifying the property owner at 1474 Oak Meadow Court that they do not have any rights to rebuild the enclosed porch and terrace.

*1500 Acorn Court*

A variation was approved for 1500 Acorn Court to reduce the rear yard setback to twenty-eight (28') to allow the construction of a sunroom (ZBA 99-12). This petition was very similar to the petition associated with the subject property. Based on the standards for variations, the staff report for ZBA 99-12 recommended denial of the petition. In review of the referral letter to the Board of Trustees, it does not appear that the Zoning Board of Appeals made any findings

relevant to the standards to variations. Staff remains consistent with the interpretation of the standards of variation in relation to ZBA 99-12, and thus, recommends the current petition, ZBA 05-05, for denial.

#### **FINDINGS AND RECOMMENDATIONS**

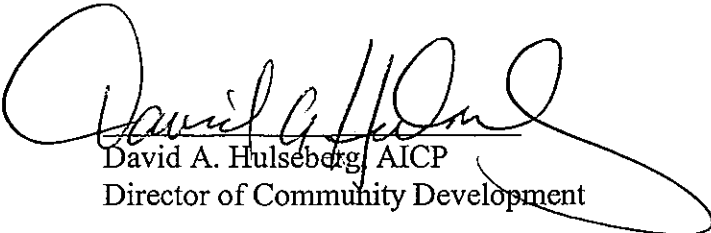
Upon further review of cul-de-sac properties within the Pinebrook subdivision, staff has not found any evidence affirming the standards for variations. Staff does not feel that the size or shape of the lots located on cul-de-sacs constitute a hardship. Even though there is a farther setback as a result of the cul-de-sac bulb, the lot depths are still reasonable for providing for a single family home. As mentioned in the previous staff report, arced front property line is inherent of lots located on cul-de-sacs and the property owners were aware of this when they purchased the home.

Two other properties on cul-de-sacs in the Pinebrook subdivision have enclosed additions encroaching into the rear yard setback. Staff does not feel that these properties are necessarily relevant to the petition associated with the subject property. Staff has reviewed the petition in the context of the standards of variations as they apply to the subject property.

The Department of Community Development has determined that the information presented **has not 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 denial of the rear yard setback variation:

Based on the submitted petition and the testimony presented, the requested variation **does not comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **denial** of ZBA 05-05.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP  
Director of Community Development

DAH:MK

att-

c: Petitioner

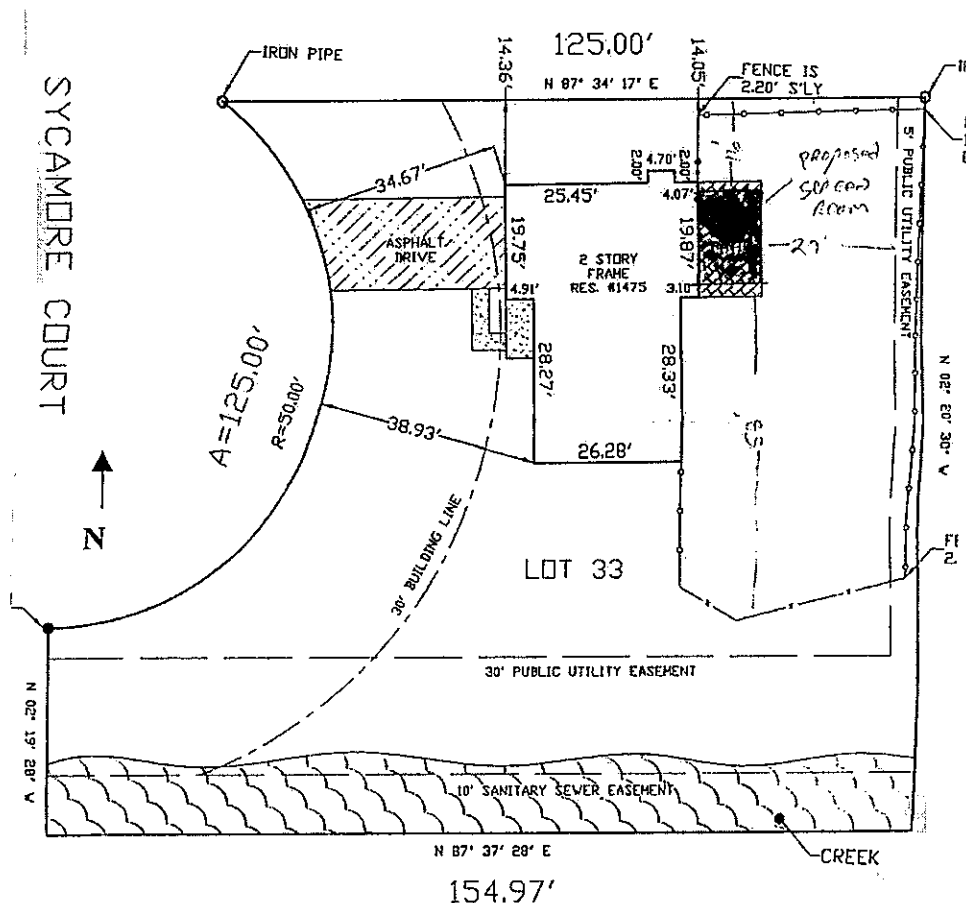


2. Response to the Standards for Variation
3. Plat of Survey, Associated Surveying Group, dated September 22, 2003
4. Floor plan and elevation, prepared by K.F. Brandeis Architects, dated February 16, 2005.

### DESCRIPTION

The subject property is located on a cul-de-sac in the Pinebrook subdivision and is approximately one hundred twenty-five feet (125') wide with an average depth of one hundred forty feet (140'). The existing house is setback thirty-one feet (31') from the front property line and forty feet (40') from the rear property line. Currently, a brick patio, eleven feet (11') by sixteen feet (16') is located to the rear of the house. The petitioner is looking to enclose the area where the patio is located to create a sunroom addition.

### Existing Site Plan



## **ENGINEERING**

### **Private Engineering Services**

From an engineering or construction perspective, PES has no comments.

### **Public Works Engineering**

Public Works Engineering has no comments or changes.

## **FIRE AND BUILDING**

The Fire Department/Bureau of Inspectional Services has no comments.

## **PLANNING**

In order to grant a variation, the petitioner must show that they have affirmed each of the "Standards for Variation". The following standards have not been affirmed:

- 1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.*

Staff finds that there is no demonstrated physical hardship, nor are there any unique topographical conditions related to this property that would prevent compliance with the ordinance. Staff finds that the shape of subject property is typical for a lot located on a cul-de-sac. The property does substantially slope towards the south. The southern thirty-five (35') of the property is wooded with a creek running along the southern property line. However, these conditions do not restrict the subject property from placing a sunroom addition or screen-enclosed accessory structure on the property in a manner that would comply with the zoning ordinance. The subject property is a large lot and there are several other options as far as constructing a sunroom addition or screen-enclosed accessory structure.
- 2. 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.*

The condition upon which the application for variation is based is the distance between the house and the rear property line to the east. The slope of the lot towards the south has no relevance to rear yard setback. Staff finds that there are not any unique differences between the petitioner's lot and others with the R2 Single Family District with respect to the depth of the property and the required front and rear yard setbacks. The semicircular front property line is inherent of properties located on a cul-de-sac.
- 3. The alleged difficulty or hardship is caused by the ordinance and has not been created by any person presently having an interest in the property.*

The 35-foot rear yard setback for R2 properties has been consistently applied throughout the Village. Staff finds that the hardship has not been created by the ordinance. The requested

relief is needed due to a personal preference for the location of the sunroom addition. A sunroom extending eight feet (8') from the house could be located to the south of the existing patio. There is also room for an addition along the south side of the house. The property owners could also construct a gazebo to serve as a screened-in enclosure.

4. *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.*  
Staff believes that the granting of the requested relief will set an undesirable precedent.

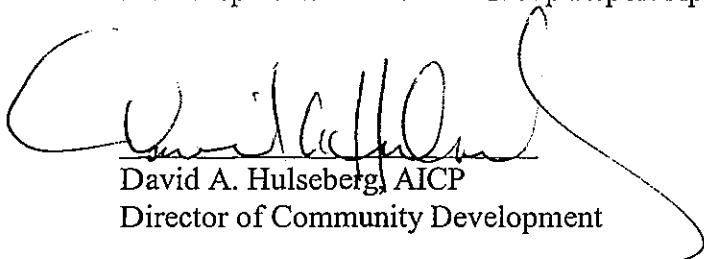
5. *The granting of the variation will not alter the essential character of the neighborhood.*  
There isn't a neighbor immediately to the south of the subject property. The distance to the closest house to the south is approximately 120'. This house is located on Spruce Court and is separated from the subject property by a wooded area and a creek. The proposed sunroom addition would have a minimal effect on the neighbor to the south. A retaining wall separates the subject property from the property to the north, which is approximately four feet higher in elevation. With the existing topographical conditions, the proposed sunroom addition would have less of an impact on the property to the north than if the grade of the properties were level. However, the proposed sunroom addition would create a negative impact on the property to the east by increasing the visual bulk.

## FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented **has not 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 denial of the rear yard setback variation:

Based on the submitted petition and the testimony presented, the requested variation **does not comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **denial** of ZBA 05-05.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP  
Director of Community Development



Jeffrey A. Grandsard  
Amy R. Grandsard  
1475 Sycamore Court  
Lombard, IL 60148  
(630) 519-3027

March 24, 2005

Village of Lombard  
Zoning Board of Appeals  
255 E. Wilson Ave.  
Lombard, IL 60148

Ladies and Gentlemen of the Board,

Thank you in advance for your time in this matter. The purpose of this letter is to petition the Zoning Board of Appeals to accept our variation from the standard Zoning Code regulations which exist in the Village of Lombard. We are seeking approval to build an 11' x 16' enclosed screen deck over our existing patio which measures 11' x 20'. The proposed screen deck would result in a 29' setback from our rear property line, 6' beyond the Village's Regulation of 35'.

Our house is located at the end of a cul de sac, which is set back from other houses because of the circular street, surrounded by two neighbors who share our property lines. The neighbor to our North at 1451 Sycamore Ct., is approximately 3 1/2' above grade from our property and is separated from our property by a retention wall. The neighbor does not have any windows, doors or a walkway on the Southern part of their home directly adjacent to the property line we share. The neighbor to our East, located behind us at 1474 Oak Meadow Ct. (lot 40), is also the last house on a cul de sac. The neighbor's home appears to be set back as far as our home. This neighbor, on the rear of their home, has an attached screen room approximately 11' x 16'. This screen room also has a terrace on top that is accessible from their second floor bedroom.

Reducing the size of the proposed screen deck by 6' would render the space useless, resulting 5' in depth from the rear of our house. Our house only has one rear entrance/exit which consists of a patio door that opens outward extending 3'. This would only leave 2' of usable space. There is no other option in building a screen deck in the rear of our house because of the one entrance/exit.

One characteristic, which was a selling point for our home, was the fact that our home sets on a large wooded lot. We love our new home, the beautiful surroundings and plan on staying in our home long term. Our decision to build is not based on financial gain. Our screen deck in no way would affect the public, our neighbors to the North, to East (behind us), or would cause hardship to the general public. The screen deck would be located directly behind our home away from any public view and congestion. The screen deck would not block any light from our neighbors. Our property is approximately 3 1/2' below our neighbor's grade.

Jeffrey A. Grandsard  
Amy R. Grandsard  
1475 Sycamore Court  
Lombard, IL 60148  
(630) 519-3027

Our house is unique from other homes, because it is set back at least 6' further than other homes as a result of it being located at the end of a cul de sac. Our rear property is steeply graded to a retention creek that runs through our property. The creek frequently floods leaving pools of standing water which is a breeding ground for mosquitos. The mosquitos are extremely active during the day and at night which makes enjoying our wooded lot next to impossible. The creek is also home to racoons, skunks, opossum, fox, and most recently coyotes. Fox and coyotes are seen running through the wooded creek area, and in our rear yard during the day. The screen deck would not only add safety and security to our large wooded lot, which was a selling point to our home purchase, but would also offer additional privacy in our existing living space from our neighbor's second floor terrace.

Regards,

Jeffrey Grandsard

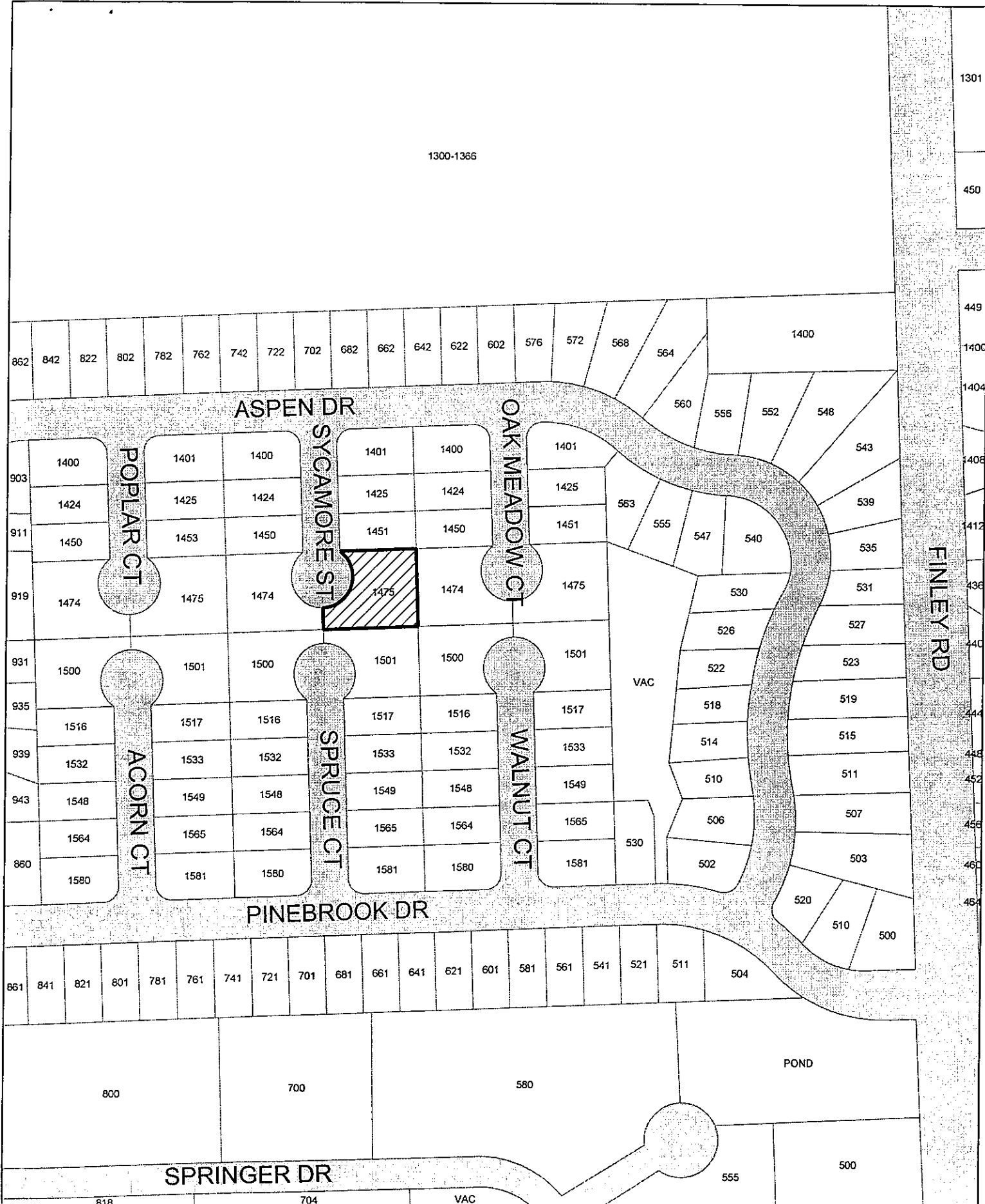


Amy Grandsard



# Location Map

ZBA 05-05: 1475 Sycamore Court



ORDINANCE NO. \_\_\_\_\_

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

(ZBA 05-05: 1475 Sycamore Ct.)

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 Title 15, Chapter 155, Section 155.406.F.4 of said Zoning Ordinance to reduce the rear yard setback from thirty-five feet (35') to twenty-nine (29') to allow for the construction of a three-season room addition in the R2 Single-Family Residence District; and,

WHEREAS, public hearings have been conducted by the Zoning Board of Appeals on April 18, 2005 and May 26, 2005 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings without a recommendation to the Board of Trustees 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 is hereby granted from the provisions of Title 15, Chapter 155, Section 155.406.F.4 of the Lombard Zoning Ordinance for the property described in Section 2 below, so as to reduce the required rear yard setback from thirty-five feet (35') to twenty-nine feet (29') for the construction of a three-season room addition.

SECTION 2: This ordinance is limited and restricted to the property generally located at 1475 Sycamore Court, Lombard, Illinois, and legally described as follows:

LOT 33 IN PINEBROOK OF MILLERS MEADOW PHASE 1, BEING A RESUBDIVISION OF PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 10, 1979 AS DOCUMENT NUMBER R79-03223, AND CERTIFICATES OF CORRECTION RECORDED APRIL 24, 1979 AS DOCUMENT R79-32497 AND MAY 4, 1981 AS DOCUMENT R81-22249, IN DUPAGE COUNTY, ILLINOIS.

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SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. That the petitioner shall develop the site in accordance with the plans submitted as part of the petition, prepared by K.F. Brandeis Architects and dated February 16, 2005.
2. That the petitioner shall apply for and receive a building permit for the proposed improvements associated with this petition.
3. That the variation shall be limited to the existing residence. Should the existing residence be reconstructed in its entirety due to damage or destruction by any means, the new residence shall meet the current zoning requirements and setbacks.

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 \_\_\_\_\_, 2005.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk