

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: July 12, 2005 (B of T) Date: July 21, 2005

TITLE: ZBA 05-09: 444 E. Taylor Road

SUBMITTED BY: Department of Community Development 

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 from Section 155.406 (F) (4) of the Lombard Zoning Ordinance to reduce the required rear yard setback to twenty-two feet (22'), where thirty-five feet (35') is required to allow for the construction of an addition in the R2 Single-Family Residence District.

The Zoning Board of Appeals recommended approval of this petition with amended conditions.

The petitioner is requesting a waiver of first reading.

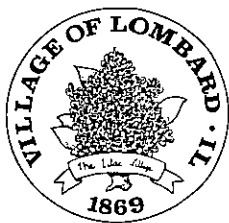
The petitioner is also requesting a waiver of public hearing fees. The initial variance request was granted in 2003 but due to his deployment to Iraq the petitioner was unable to begin the project and the variance approval expired.

Fiscal Impact/Funding Source:

Review (as necessary):


Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <u>William T. Lichter</u>	Date <u>7/13/05</u>

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.



## MEMORANDUM

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

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

**DATE:** July 21, 2005

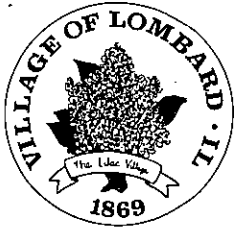
**SUBJECT:** ZBA 05-09: 444 E. Taylor Road.

Attached please find the following items for Village Board consideration as part of the July 21, 2005, Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. IDRC report for ZBA 05-09 dated June 22, 2005;
3. An Ordinance granting approval of the requested variation;
4. Plat of survey associated with the petition; and
5. Plans associated with the petition.

Staff is requesting a waiver of first reading due to the summer schedule for Board of Trustees meetings. The petitioner is also requesting a waiver of public hearing fees. This petition is a result of the previous variance approval expiring while he was serving in Iraq.

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



## VILLAGE OF LOMBARD

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**Village President**  
William J. Mueller

July 21, 2005

**Village Clerk**  
Brigitte O'Brien

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

**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

**Subject: ZBA 05-09: 444 E. Taylor Road**

**Village Manager**  
William T. Lichter

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 to Section 155.406 (F) (4) of the Lombard Zoning Ordinance to reduce the required rear yard setback to twenty-two feet (22'), where thirty-five feet (35') is required to allow for the construction of an addition in the R2 Single-Family Residence District.

"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 petitioner, Sean Carney, 444 E. Taylor Road, stated he is requesting a variation so that he can build an addition to his house. He stated that the variance request was granted in 2003. He noted that he did not get a chance to start the project before his deployment to Iraq. He stated that his request is basically a renewal of the variance granted in 2003. He noted that he is not moving the garage, he would be connecting the garage to the house with a new addition where a screened patio currently exists.

Chairperson DeFalco then opened the meeting for public comment. No one spoke for or against the petition.

"The *Mission* of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Michelle Kulikowski, Associate Planner, presented the staff report. She stated that the petitioner intends to replace a concrete patio and screen porch with a one-story addition. She stated that the proposed addition will not encroach any further into the rear yard than the existing detached garage (maintaining the rear yard setback at approximately 22 feet), and the addition will meet all other setbacks. She noted that the proposed addition will maintain the lines of the existing home and will be attached to the house. Ms. Kulikowski mentioned that this will make the garage an attached garage and as such requires a 35 foot setback. She stated that the screen porch is set back 5 feet from the interior yard property line and the new addition will be setback 7 feet from the side property line which will bring the structure into conformance in this area. Ms. Kulikowski noted that staff has

July 21, 2005  
Re: ZBA 05-09  
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traditionally supported variations that would allow an addition to match an existing building line, and since the variation will not decrease the rear setback, staff supports this request.

Ms. Kulikowski noted that staff would like to add a fourth condition of approval limiting the variance to the existing structure so in the event the house is destroyed, the new residence must meet all current zoning requirements.

Chairperson DeFalco opened the meeting for discussion and questions by the Board Members.

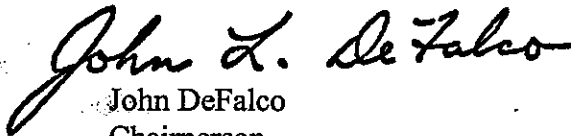
Chairperson DeFalco asked if any of the plans had changed since the variance request in 2003. Mr. Carney stated that the plans were the same.

Chairperson DeFalco called for additional comments or discussion, there being none the vote was called.

After due consideration of the submitted petition and the testimony presented, the Zoning Board of Appeals submits this petition to the Corporate Authorities with a recommendation for **approval**. The roll call vote was 5-0 to approve ZBA 05-09.

Respectfully,

**VILLAGE OF LOMBARD**



John DeFalco  
Chairperson  
Zoning Board of Appeals

JDF:MK:jd  
att-

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

TO: Zoning Board of Appeals                      HEARING DATE: June 22, 2005  
FROM: Department of Community                  PREPARED BY: Michelle Kulikowski  
            Development    Associate Planner

**TITLE**

**ZBA 05-09 444 E. Taylor Road:** Requests a variation from Section 155.406 (F) (4) of the Lombard Zoning Ordinance to reduce the required rear yard setback to twenty-two feet (22’), where thirty-five feet (35’) is required to allow for the construction of an addition in the R2 Single-Family Residence District.

**GENERAL INFORMATION**

Petitioner/Property Owner: Sean P. Carney  
444 East Taylor Road  
Lombard, IL 60148

**PROPERTY INFORMATION**

Existing Zoning: R2 Single-Family Residence District

Existing Land Use: Single-Family Residence

Size of Property: Approximately 9,577 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 May 17, 2005.

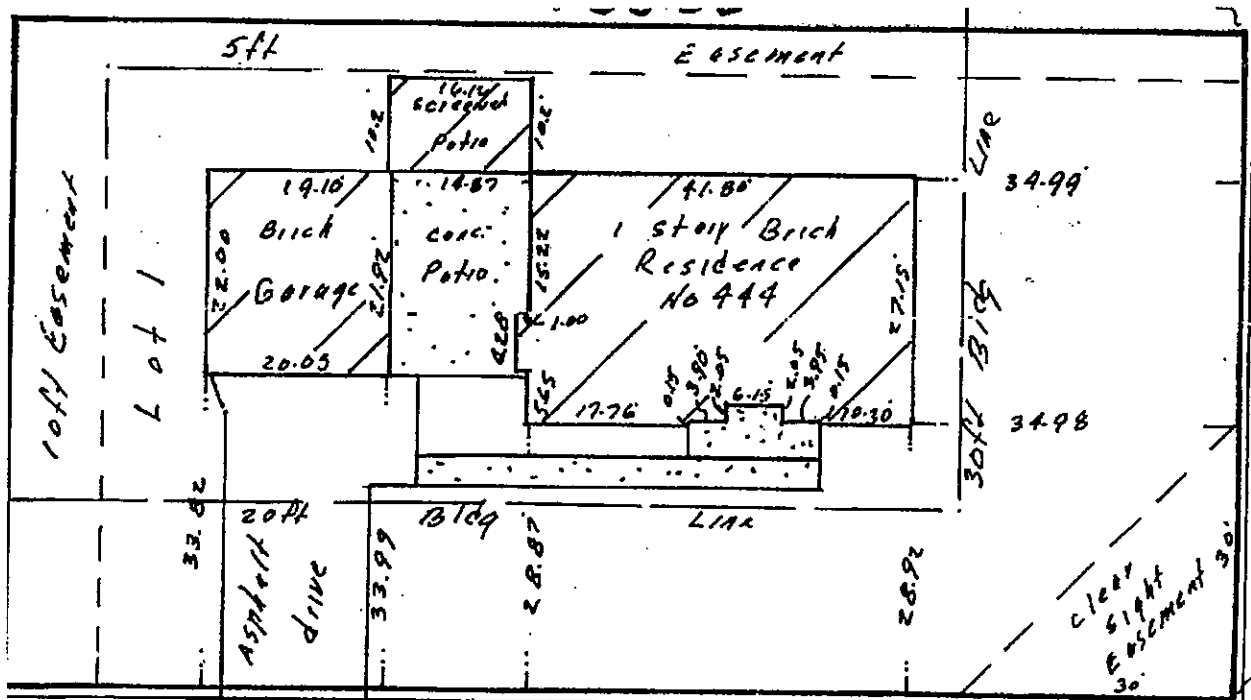
1. Petition for Public Hearing dated May 17, 2005.
2. Response to Applicable Standards.
3. Plat of Survey, prepared by James M. Ellman, dated May 19, 1998.
4. Proposed floor plans and elevations submitted by the petitioner and dated May 17, 2005.
5. Proposed site plan submitted by the petitioner and dated May 17, 2005.

### DESCRIPTION

The petitioner originally requested the variation back in 2002, and it was approved as part of ZBA 02-07. The granted variation has expired because substantial work was not under way within twelve months of the date of issuance. The current petition is functionally a request to renew the variation granted in 2002.

The petitioner intends to replace a concrete patio and screen porch with a one-story addition. The proposed addition will not encroach any further into the rear yard than the existing detached garage (maintaining the rear yard setback at approximately 22 feet), and the addition will meet all other setbacks. Also the proposed addition will maintain the lines of the existing home and will be attached to the house. This will make the garage an attached garage and as such requires a 35 foot setback.

### PLAT OF SURVEY



Zoning Board of Appeals

Re: ZBA 05-09

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## ENGINEERING

### Private Engineering Services

The Private Engineering Services Division of the Community Development Department has no concerns regarding the petitioner's request.

### Public Works Engineering

The Engineering Division of Public Works has no concerns regarding the petitioner's request.

## FIRE AND BUILDING

The Fire Prevention Bureau and Bureau of Inspectional Services will require the new one story addition between the house and the garage would have a full foundation, since it will be connected to the house and the new addition. Also, the new addition would have to meet the current building codes.

## PLANNING

The petitioner is requesting to build a one-story house addition in between the principal residence and the detached garage on the property. The garage is currently set back 22 feet from the back property line but as this is a detached garage this meets code requirements. Attaching the house to the garage with the addition means that the garage becomes part of the house and therefore must meet setback requirements for the principal residence which is 35 feet. The basic footprint of the buildings however will not change, and the rear setback is not decreasing. Currently a concrete patio and screen porch are built in the area where the proposed addition will be constructed. The petitioner states he will demolish both of these. The screen porch is set back 5 feet from the interior yard property line and the new addition will be setback 7 feet from the side property line which will bring the structure into conformance in this area.

Staff has traditionally supported variations that would allow an addition to match an existing building line, and since the variation will not decrease the rear setback, staff supports this request.

## FINDINGS AND 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 requested variation:

Based on the submitted petition and the testimony presented, the requested variation **does comply** with the Standards required for a variation by the Lombard Zoning Ordinance;

Zoning Board of Appeals

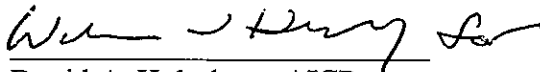
Re: ZBA 05-09

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and, therefore, I move that the Zoning Board of Appeals accept the findings of the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and therefore recommend to the Corporate Authorities **approval** of ZBA 05-09, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the plans submitted as part of the petition and dated May 17, 2005.
2. That the existing screen porch and patio be demolished entirely before construction of the addition.
3. Any new foundations shall be installed per code and tied into the house and garage foundations.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP  
Director of Community Development

MK:jd

att-

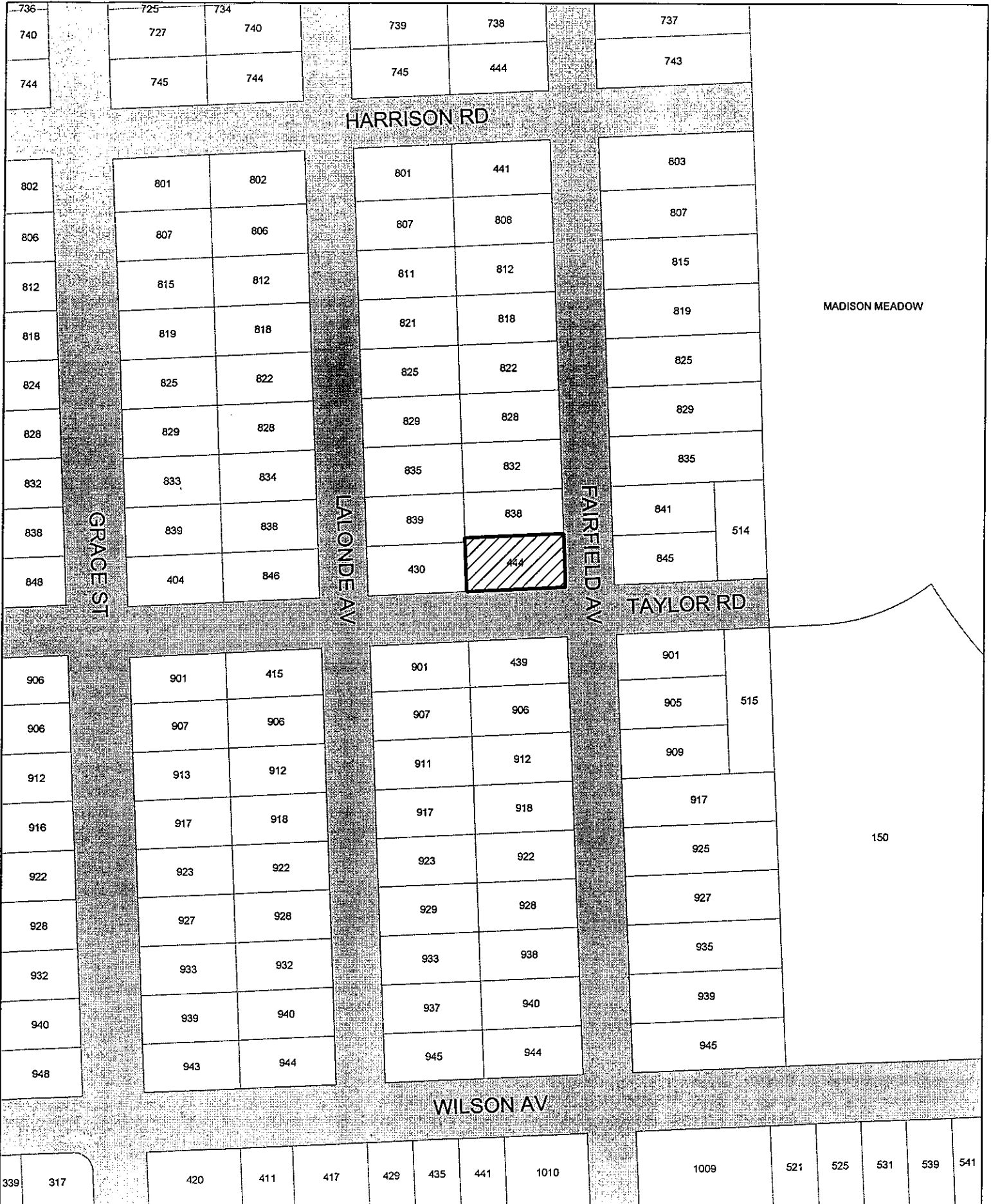
c: Petitioner

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# Location Map

ZBA 05-09; 444 E. Taylor Road



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

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

(ZBA 05-09: 444 E. Taylor Road)

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 required rear yard setback from thirty-five feet (35') to twenty-two feet (22') in the R2 Single-Family Residence District; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on June 22, 2005 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Board of Trustees with a recommendation to approve the variation for a principal structure to be located twenty-two feet (22') from the rear lot line; and,

WHEREAS, 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 rear yard setback to twenty-two feet (22').

SECTION 2 That this ordinance is limited and restricted to the property generally located at 444 E. Taylor Road Lombard, Illinois, and legally described as follows:

LOT 1 OF C.A. WILLIAMS RESUBDIVISION OF LOTS 8 AND 9 IN BLOCK 10 IN ARTHUR T. MCINTOSH AND COMPANY'S HOME ADDITION TO LOMBARD, IN THE NORTH ½ OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRDED PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 9, 1925 AS DOCUMENT 204464, IN DUPAGE COUNTY, ILLINOIS.

PIN: 06-17-207-021

SECTION 3: That this ordinance shall be subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the plans submitted as part of the petition and dated May 17, 2005.
2. That the existing screen porch and patio be demolished entirely before construction of the addition.
3. Any new foundations shall be installed per code and tied into the house and garage foundations.
4. The variation shall be limited to the existing residence. Shall the existing residence be reconstructed in its entirety due to damage or destruction by any means, the new residence will 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: \_\_\_\_\_

Nayes: \_\_\_\_\_

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

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

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

ATTEST:

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