

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO:	Zoning Board of Appeals	HEARING DATE:	August 25, 1999
FROM:	Department of Community Development	PREPARED BY:	Amy Willson Planner I

TITLE

ZBA 99-20; 581 South Edgewood Avenue: Requests a variation to the Lombard Zoning Ordinance to reduce the side yard (east) setback for a deck less than thirty-six inches (36") in height to 0, where two feet (2') is required.

GENERAL INFORMATION

Petitioner/Property Owner: Louis Santelli
581 South Edgewood Avenue
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R2 Single-Family Residence
Existing Land Use: Single-Family Residence
Size of Property: Approximately 7,500 square feet

Surrounding Zoning and Land Use:

North:	R2 Single-Family Residence District, Single-Family Residence
South:	CR Conservation / Recreation District, Madison Meadow Park
East:	R2 Single-Family Residence District, Single-Family Residence
West:	R2 Single-Family Residence District, Single-Family Residence

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on July 29, 1999:

1. Petition for Public Hearing.
2. Response to Applicable Standards.
3. Plat of Survey prepared by Glen D. Krisch, dated March 9, 1962.
4. Deck Plan and elevation, prepared by The Planter's Palette.

DESCRIPTION

The petitioner is proposing to erect a deck that is attached to the east side of his house and wraps slightly around the south side of the house. The proposed deck has a trellised wall, approximately four feet (4') in height, which extends completely around the deck to enclose it. At the south end of the proposed deck will be an arbor that covers the area abutting the south end of the house. The proposed deck is approximately two hundred sixty-one (261) square feet, with the width of the deck in the rear of the house being about six feet (6'). Additionally, the deck is approximately thirty inches (30") in height. The lot is a corner lot with the front of the house facing Edgewood Avenue. The house currently has a setback of five feet, eleven inches (5'11"). The required side yard setback is six feet (6') in the R2 Single-Family Residence District. The proposed deck extends from the house to the property line. In order to construct the deck as proposed, a variation is necessary.

PLANNING

A corner lot has a front yard setback as well as a corner side yard setback. Although the house on the subject property faces Edgewood Avenue, the front yard is actually off of Madison Street. Therefore, the corner side yard is off of Edgewood Avenue, thereby leaving the interior side yard to be the east side of the property. When the house was constructed, it was situated to meet the side yard setback requirement, but the construction was not exact. In fact, the southeast corner of the house has only a five foot, eleven inch (5'11") side yard setback, as opposed to the required six foot (6') side yard setback.

Any deck that is thirty-six inches (36") or less in height (from grade to the floor of the deck) are permitted to encroach into the required yard, as long as a minimum side yard setback of two feet (2') is maintained. Those decks that are taller than thirty-six inches (36") must maintain a side

yard setback of six feet (6'), which is the required setback for a principal structure in the R2 Single-Family Residence District. The proposed deck floor is shown to be level with the house on the submitted plans, and is approximately thirty inches (30") in height. Access from the house to the proposed deck is through the kitchen, and the floor of the deck will be flush with the floor of the house. According to the Zoning Ordinance, this deck may encroach into the side yard, but a minimum setback of two feet (2') must be maintained. The petitioner is proposing to reduce the side yard setback to zero (0).

The deck will have an impact on the adjoining property to the east. Currently, the neighboring house to the east has a side yard setback of approximately twelve feet (12'); therefore, there is an eighteen foot (18') separation between the two structures. If the proposed deck is erected, the separation will be reduced to twelve feet (12'). If an addition were to be built onto the house to the east so that the addition extended westward (towards the subject property), it would be permitted to be six feet (6') from its side property line. The remaining separation between buildings would then be twelve feet (12') without the proposed deck, or six feet (6') with the proposed deck.

Building Inspectional Services and Private Engineering Services do not have any objections to the proposed deck.

No hardship has been demonstrated in this petition; therefore staff is recommending denial. The deck is not necessary to exit the back door of the kitchen. If the deck on the east side of the house is proposed for the purpose of accessing the portion of the deck on the south side of the house (where the arbor will be), the proposed deck could easily be narrowed to four feet (4') in width. The deck would then meet the required two foot (2') side yard setback. Although four feet (4') is an adequate width to walk and possibly set a chair, it is not a comfortable width for a sitting area. A four foot (4') wide area would better serve as an access area, meeting the requirements of the Zoning Ordinance.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented has not affirmed the Standards for 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 this petition:

Based on the submitted petition and the testimony presented, the requested variation does not comply with the Standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals recommend to the Corporate Authorities **denial** of ZBA 99-20.

Zoning Board of Appeals

Re: ZBA 99-20

Page 4

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH:ACW:jd

att-

c: Petitioner

H:\CDEVAPPS\WORDUSER\ZBACASES\99\99-20\REPORT.doc