

November 17, 2005

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

Subject: ZBA 05-18; 322 W. Central Ave.

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 rear yard setback from thirty-five feet (35') to thirty feet (30') to accommodate the construction of a one story addition in the R2 Single-Family Residence District.

The Zoning Board of Appeals conducted a public hearing on October 26, 2005. Patti Grobe, owner of the property presented the petition. She stated that she is requesting a variation from the rear yard setback for four extra feet to construct a three-season room addition. She noted that her husband is confined due to his medical condition and a three-season room will allow him to get fresh air without leaving the house. She stated that they have made other modifications to the home to accommodate his wheelchair and would like to do the same with this addition.

She stated that a rear yard variation was recently approved for another property in the neighborhood. She also mentioned that the back of her property backs up to Glenbard East High School.

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

William Heniff, Senior Planner presented the staff report. He gave a description of the property noting that the house is setback thirty feet (30') from the front property line and has a rear yard setback of forty-five feet (46'). The petitioner is proposing to add a three-season room to the rear of their house that would encroach into the rear yard.

Mr. Heniff stated while the petitioner has presented a hardship with her husband's medical condition, this does pose a challenge for staff as the request is based upon a personal situation and not a hardship based on the physical attributes of the property.

He noted that the property owner could construct a three-season room addition that would fulfill the requirements of the Zoning Ordinance by making the room slightly smaller. He noted that the house currently has a forty-six foot (46') rear yard setback, which would allow an addition to extend eleven feet (11') from the house and meet the minimum thirty-five foot rear yard setback. As such, staff did not meet the standards for a variation.

Mr. Heniff stated that back in February of this year, a similar variation request came before the Zoning Board of Appeals (ZBA 05-01) for a property three houses to the west of the subject property. He mentioned that the request was to reduce the rear yard setback from thirty-five feet (35') to thirty-one and sixty-five one hundredth feet (31.65') feet to allow for the construction of a family room addition.

Mr. Heniff noted that staff's recommendation was for denial of the petition. He stated that the Village Board approved the variation based on the rationale that the property abuts the athletic fields for Glenbard East High School, and therefore the encroachment in the rear yard does not affect residential properties to the rear. He stated that staff recommends denial of the petition, but staff provides an alternative recommendation that includes conditions of approval should the Board chose to recommend approval.

Chairperson DeFalco then opened the meeting for discussion among the ZBA members.

Mrs. Newman asked whether a sixteen-foot (16') width was needed for the room. Mrs. Grobe stated that architecturally it would work better if the room were square. She noted that they would like to add a recliner, table, chairs, as other equipment to the room. She stated that if the room were smaller it would be cluttered with the furniture and equipment.

Mrs. Newman also asked how the disability issue affects their consideration of the petition. Mr. Heniff stated that in some cases, the nature of the disability forces a variation, such as when a ramp needs to be installed to provide access to a resident. In other cases, the accommodation is requested to supplement the disabled resident's use of his home, such as a spa. The role of the ZBA is to weigh the level of impact requested by the petition relative to the level of accommodation necessary to meet the resident's needs.

In response to inquiries, Mrs. Grobe stated that the proposed addition will be lower than the existing rooflines surrounding the property and bushes would screen the addition.

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Chairperson DeFalco asked if the addition could be extended along the existing building so that the addition would not need a variance. Mrs. Grobe stated that if the addition continued along the building line, it would block the kitchen windows.

Mr. Polley made a motion to recommend approval of the petition, which was seconded by Mr. Corrado. The result of the roll call vote was 3-1 in favor of recommending approval. However, that was not sufficient for a favorable recommendation to the Board. Chairperson DeFalco then made a motion to deny the petition, but the motion failed for lack of a second. Therefore, the Zoning Board of Appeals does not forward a recommendation to the Village Board of Trustees for ZBA 05-18.

Respectfully,

VILLAGE OF LOMBARD

John DeFalco
Chairperson
Zoning Board of Appeals