

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 05-08: 714 S. Lodge

SUBMITTED BY: Department of Community Development *DLH*

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)(3) of the Lombard Zoning Ordinance to decrease the required interior side yard setback from nine feet (9') to eight and a half feet (8.5') in the R2 Single-Family Residence District. (DISTRICT #6)

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

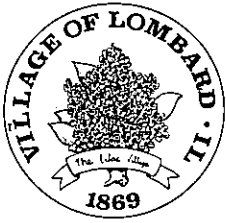
Staff is requesting waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>W. T. Lichter</i>	Date	<i>5/27/05</i>

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 *DCH*

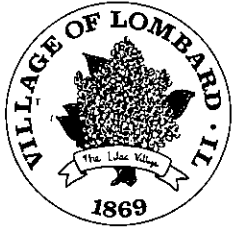
DATE: June 2, 2005

SUBJECT: ZBA 05-08: 714 S. Lodge

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 05-08;
3. An Ordinance granting approval of the requested variation; and
4. Plat of Survey associated with the petition.

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



VILLAGE OF LOMBARD

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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 05-08; 714 S. Lodge

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)(3) of the Lombard Zoning Ordinance to eight and a half feet (8.5') in the R2 Single-Family Residence District.

The Zoning Board of Appeals conducted a public hearing on May 26, 2005. Marcia Ivancevic, property owner, presented the petition. Ms. Ivancevic stated that the residence currently had a one car garage. She stated that she and her husband noticed that a two car garage was constructed on a neighboring lot. She stated that they believed the addition of a two story garage would help them meet the needs of their growing family. She stated that they applied for a building permit and were informed that the house didn't meet the required setback requirements.

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

Angela Clark, Planner II, presented the staff report. Ms. Clark stated that the existing residence had interior side yard setbacks of approximately eight and a half feet (8.5') on both sides. She stated that homes with detached garages are required to have a side yard with a minimum of six feet and at least one side yard with a minimum of nine feet. She stated that the nine foot (9') requirement is essentially to accommodate the driveway. Ms. Clark stated that the petitioner's property was short of the nine foot (9') requirement by approximately five inches. She stated that staff finds that a vehicle could navigate the driveway at eight and a half feet (8.5').

Ms. Clark noted that the existing driveway was gravel and the new driveway would be required to be paved. She stated that staff supported the request as the impact to neighboring properties would be minimal. She stated that two car garages have become typical of modern single family homes.

Chairperson DeFalco opened the meeting for discussion among the members.

Mr. Young stated that he did not a problem with the request however he asked what was the hardship. He asked if there was a hardship.

Ms. Clark stated that there did not appear to be one. She stated that if the property had a two car garage both side yards would be held to the six foot minimum required side yard setback. She stated that the garage could not be constructed otherwise.

Mr. Young stated that they would be limited to the one car garage.

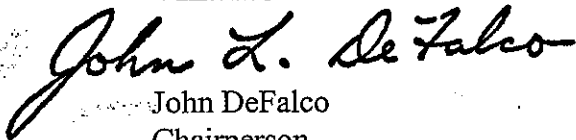
Chairperson DeFalco asked if the adjacent property owner had a fence near the proposed driveway location. Mrs. Ivancevic stated that the neighbor's fencing was located behind the house. She stated that it was a grassy area near the front end of the driveway.

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 of approval for the requested variation subject to the following conditions. The role call vote was 6 to 0.

1. That the petitioner shall apply for and receive a building permit for the driveway.
2. That the variation shall be limited to the existing residence. Shall the existing residence be reconstructed due to damage or destruction by any means, the residence will meet the current zoning requirements and setbacks

Respectfully,

VILLAGE OF LOMBARD



John DeFalco
Chairperson
Zoning Board of Appeals

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

TO:	Zoning Board of Appeals	HEARING DATE:	May 26, 2005
FROM:	Department of Community Development	PREPARED BY:	Angela Clark, AICP Planner II

TITLE

ZBA 05-08; 714 S. Lodge: The petitioner requests a variation to Section 155.406 (F)(3) of the Lombard Zoning Ordinance to decrease the required interior side yard setback from nine feet (9') to eight and a half feet (8.5') in the R2 Single-Family Residence District.

GENERAL INFORMATION

Petitioner/Owner: Zoran Ivancevic
 714 S. Lodge
 Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R2 Single Family Residential District

Existing Land Use: Residential

Size of Property: 9,100 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

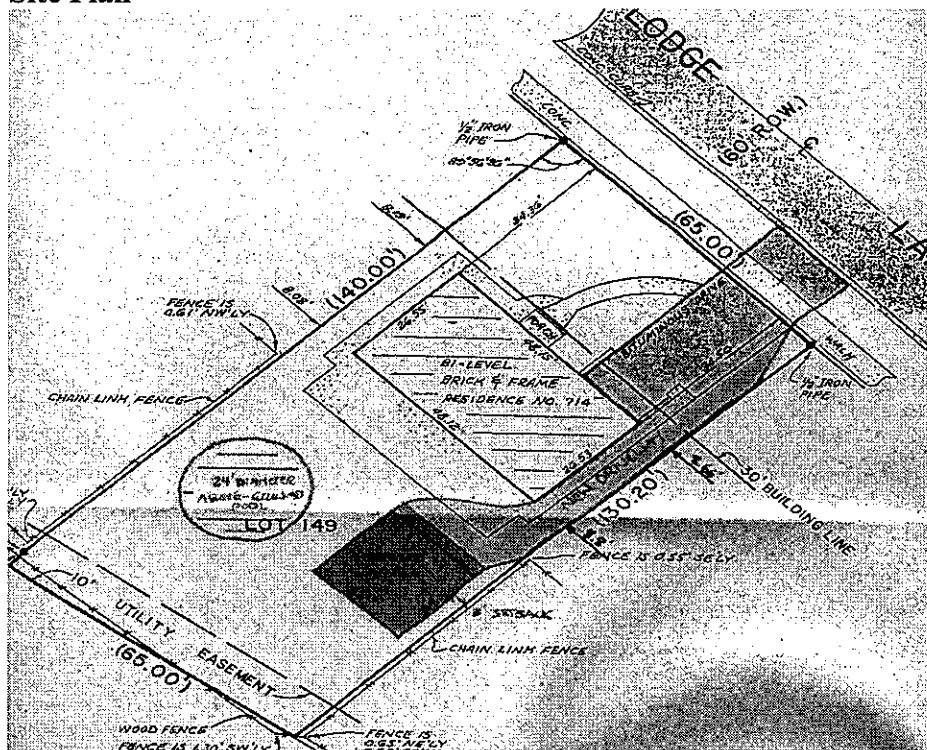
This report is based on the following documents, which were filed with the Department of Community Development on April 7, 2005.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, dated September 14, 1995, prepared by Response Land Surveying, Inc.

DESCRIPTION

The petitioner's residence presently has interior side yard setbacks of approximately eight and a half (8.5) feet on each side. The petitioner proposes to construct a two-car garage at the rear of the property. As the garage will be detached, the required minimum interior side yard setbacks are six (6) and nine (9) feet respectively. The nine-foot side yard is intended to accommodate the driveway area for detached garages. The petitioner requests a variation to the nine-foot setback at this time.

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 regarding this request.

Public Works Utilities had the following comments:

There is a private storm sewer and catch basin at the rear of this property that must not be impacted by this project.

FIRE AND BUILDING

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

PLANNING

The petitioner's residence currently has a one car attached garage. The petitioner proposes to construct a two-car garage at the rear of the property. The setbacks for residences with detached garages are a minimum of six feet on one side and nine feet on the other. The petitioner's residence has interior side yard setbacks of approximately eight and a half feet on both sides. As such, the construction of the detached garage requires that one of the side yards is at least nine feet. The proposed location of the driveway is approximately four inches short of the nine-foot requirement.

Staff can support the requested relief for the following reasons. The proposed garage structure and accompanying driveway will comply with all other aspects of the Zoning Ordinance. Two car garages have become typical of modern single family homes. Staff finds that there is adequate spacing for vehicle movement along side the residence. Staff finds that there will be minimal impact on surrounding properties as the requested relief is for a driveway area rather than a permanent structure. Furthermore, staff finds that the proposed paved driveway will be an overall improvement to the property as the current driveway is gravel.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented **has affirmed** the Standards for Variations for the requested relief. 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 fence height variation **does comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals find that the findings

Zoning Board of Appeals

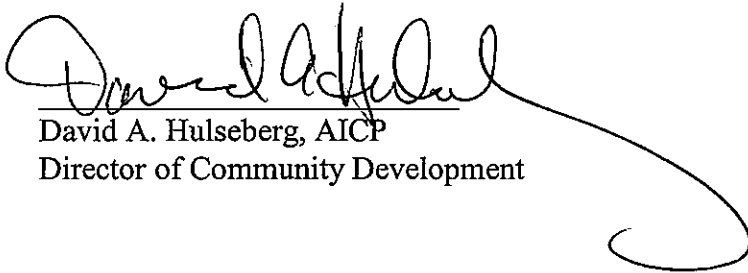
Re: ZBA 05-08

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included as part of the Inter-departmental Review Report be the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 05-08, subject to the following conditions:

1. That the petitioner shall apply for and receive a building permit for the driveway.
2. That the variation shall be limited to the existing residence. Shall the existing residence be reconstructed due to damage or destruction by any means, the residence will meet the current zoning requirements and setbacks.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP
Director of Community Development

att-

c: Petitioner

Location Map

ZBA 05-08: 714 S. Lodge Lane



MADISON MEADOW

MADISON MEADOW



April 8, 2005

To Whom It May Concern:

My name is Zoran Ivancevic and I have lived in Lombard for ten years. I am married and have three children. I am requesting a building permit to construct a driveway alongside our house and a two-car garage at the rear of our lot. The current ordinance states you need to have a nine foot area from the side of your home to the end of your property line. We are just short of the requirement with 8 feet 6.1 inches.

Our home currently has an attached one car garage and I know that as our children grow, we will need more room to accommodate our vehicles. The existing driveway and garage will not accommodate our future needs.

The area we live in has many homes that are similar in style, but the way in which they are situated on the property all vary.

The purpose of the garage is only to accommodate our needs and is not by any means to increase financial gain.

As I previously stated, I have resided in this home for ten years. I work at Union Pacific and my commute to work is approximately fifteen minutes. My wife works at Willowbrook High School and her commute to work is approximately five minutes. My children are situated in the Lombard schools and are involved in many different community activities (baseball, karate, band). We have absolutely no intention of uprooting our children and moving elsewhere nor has anyone showed an interest in the property, although this change would certainly be appealing to any future buyer.

If the board approves this petition, it will not by any means be detrimental to the public welfare or injurious to other property or improvements in our neighborhood.

The granting of the variation will not alter the essential character of the neighborhood but will enhance it. We are constructing the garage to look similar to those of our neighbors.

The garage will not impair an adequate supply of light and air to adjacent property nor will it increase the congestion of the public streets. In fact it will help to decrease the congestion of the public street as well will not need to park on the street. It will not increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or diminish or impair property value within the neighborhood. It will help to make our current home more appealing to the eye and will be constructed in a tasteful manner.

Thank you in advance for your cooperation with this matter.

Sincerely,

Zoran Ivancevic
714 S. Lodge Lane
Lombard, IL 60148
(630) 792-8559

To: Village of Lombard

From: Mary Ann Griffin

Re: Building of Garage at 714 S. Lodge Lane

Date: 4/7/05

Please be advised that I have no objection to the building of a garage at 714 S. Lodge Lane the residence of Zoran and Marcia Ivancevic.

I live to the east of this address at 718 S. Lodge Lane, Lombard.

If you need anything further or have any questions, please feel free to contact me at (630) 629-9596.

A handwritten signature in cursive script that reads "Mary Ann Griffin". The signature is written in black ink and is positioned above the printed name and address.

Mary Ann Griffin
718 S. Lodge Lane

ORDINANCE NO. _____

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

(ZBA 05-08: 714 S. Lodge)

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.3 of said Zoning Ordinance to reduce the interior side yard setback from nine feet (9') to eight and one-half feet (8.5') in the R2 Single-Family Residence District; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on May 26, 2005 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings with a recommendation of approval 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 subject to conditions.

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.3 of the Lombard Zoning Ordinance for the property described in Section 2 below, so as to reduce the required interior side yard setback from nine feet (9') to eight and one-half feet (8.5').

SECTION 2: This ordinance is limited and restricted to the property generally located at 714 S. Lodge, Lombard, Illinois, and legally described as follows:

LOT 149 IN LOMBARD MEADOWS, BEING A SUBDIVISION OF PART OF SECTIONS 16 AND 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED, JULY 23, 1957 AS DOCUMENT 850186, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-17-214-004

Ordinance No. _____

Re: ZBA 05-08

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

1. That the petitioner shall apply for and receive a building permit for the driveway.
2. That the variation shall be limited to the existing residence. Shall the existing residence be reconstructed due to damage or destruction by any means, the 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