

March 30, 1999

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

**Subject: ZBA 99-02: 9 South Edgewood**

Dear President and Trustees:

Your Zoning Board of Appeals transmits for your consideration its recommendation on the above-referenced petition. The petitioner requests a variation to the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to thirty feet (30') and to reduce the required side yard setback from six feet (6') to four feet (4') in the R2 Single-Family Residence District.

Mr. David S. Hauke, representing the property owners, presented the petition. He explained that his clients would like to put in a screened in porch on the south side of the residence. When trying to find adequate dimensions for the porch, the petitioner realized that they were going to have to encroach five feet (5') into the rear yard and two feet (2') into the side yard to make the porch functional. After receiving the staff report, Mr. Hauke stated the client is willing to reduce the size of the porch to a minimum of ten feet by twelve feet (10' x 12') from the original request of twelve feet by twelve feet (12' x 12'). Therefore, the porch would encroach into the rear yard only three feet (3') as opposed to five feet (5').

Mr. Hauke stated there is a door on the south side of the house which would be the access to the porch. There is also an extensive rock garden along the south side of the house, extending to the west. In order for the porch to be built, a portion of this will have to be removed, but the property owners want to limit the amount of rocks they will have to remove because they were very expensive.

Mr. Hauke also stated there is an existing deck on the back of the house that is approximately four feet by seven feet (4' x 7'), and is basically nonfunctional. The goal of the property owners is to remove the existing deck and about five feet (5') of the rock garden. In the staff report, staff is recommending to displace the rocks and build a longer, narrower deck than what the property owners are

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proposing. The property owners want a more square deck than the staff-proposed rectangular deck.

There was no one to speak for or against the petition.

Amy Willson, Planner I, presented the staff report. She stated that staff recommended denial of the variation request, as described in the Inter-Departmental Review Group Report prepared for the March 24, 1999 Zoning Board of Appeals meeting. She stated that the petitioners have not expressed a hardship in that they do not need to build this porch and that it can only be of certain dimensions that would encroach into the rear and side yard setbacks. Ms. Willson gave other options as to where the porch could be located, without encroaching into required yards, and achieving the same square footage as the petitioner is proposing. Finally, Ms. Willson discussed a letter that was sent to her from the property owners to the south regarding a concern for flooding. She then noted that the flooding issue was discussed with Private Engineering Services, who stated that the porch, if it was of the proposed dimensions (12' x 12'), would not cause any additional flooding problems.

Mr. Polley asked if the porch will obstruct the view of the property owners to the east. Nancy Hill stated that there are no people here who wish to speak for or against the petition, therefore we cannot determine the thoughts of the other neighbors.

Mrs. Newman stated that the house is on a corner lot, so there will already be somewhat of an obstruction due to the house layout facing Edgewood Avenue.

Mr. Young confirmed that the house faces west. Then he asked about the change of the ordinance regarding rear and side yard setbacks for accessory structures.

Ms. Hill explained that the recent change in the Zoning Ordinance related to detached garages. She added that because the porch is covered and above three feet (3') off of the ground, it is not reviewed as an accessory structure.

Mrs. Newman asked for clarification regarding the porch encroaching into the side yard. The petitioner explained that the landing and stairs will encroach. The property owners want to maximize the floor area that is covered by a roof, without eliminating more rocks from the rock garden. Therefore, the landing and stairs (uncovered) would have to extend beyond the house and encroach into the side yard. Mr. Young stated that he could understand this reasoning.

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Mr. Polley asked if the current porch will be removed. The petitioner stated that the intention is to remove the existing porch and replace it with the porch as proposed. Mr. Polley then asked what objections the property owners had with making the new porch narrower so as to not encroach. The petitioner answered that his clients spent a lot of money on the rock garden, and do not wish to remove more than they are proposing. They also do not think that a seven foot (7') deep porch is deep enough to place chairs, etc. and move around.

Mr. Young agreed that that is a fair statement, but wanted to know what the property owners would do if this petition was denied. If the clients build, for example, a seven foot by twenty foot (7' x 20') porch, will it cost substantially more? The petitioner replied that it would, because of the removal of the rocks.

Mrs. Newman asked if the property owners have even considered not encroaching into the required yards, since they have considered making the porch slightly smaller. The petitioner stated that his clients thought that ten feet (10') is the smallest they could make the porch before it is not functional. Mrs. Newman agreed that seven feet (7') is not very wide for a porch. The petitioner then added that seven feet (7') does not provide ample space for furniture, plus the need for room at the doorway from the house. His clients, if willing to make the porch ten feet (10') deep, would still want the porch to be twelve feet (12') long, thus encroaching into the side yard.

Ms. Hill pointed out that if the porch were to be made smaller, the stairs would still encroach into the sideyard. The petitioner stated that his clients would not want the stairs on the west side of the porch, because it would not look nice visually. Also, with the location of the door from the house, the stairs seem more functional on the east side.

Mr. Young clarified that the ZBA would actually be approving two (2) variations, one for the side yard and one for the rear yard.

Mr. Polley asked if the porch is going to be screened in. The petitioner confirmed that it would be.

Chairperson Everitt asked the petitioner how long the property owners have lived in this house. The petitioner replied that they have lived there for about three (3) years; the house was built at this time.

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Mr. Polley stated that most of the neighbors have something on the backs of their houses.

Mr. Young asked about how far the bay window, on the east side of the property, extends beyond the house and asked if the stairs will extend beyond this. The petitioner stated that the stairs would. Mr. Young continued, stating that one would be able to see the stairs from St. Charles Place extending out further than the bay window, if looking south onto the property. The petitioner added that there is a fence on the east side of the property, and that the house to the east is on a higher slope, and, therefore, would probably not see the landing.

Chairperson Everitt asked if we could recommend different dimensions than what the petitioner is proposing. Ms. Hill explained that the members could make a motion for a porch with different dimensions if they wanted.

Mr. Young stated that he did not have a problem with the rear yard setback being thirty feet (30') rather than thirty-five feet (35'). He said he is more concerned with the stairway encroaching into the side yard, and being able to see it from St. Charles Place. He added that, depending on the landscaping that is on the east side of the property, one may not be able to see the landing from St. Charles Place. He continued, stating that he liked the look of the proposed porch, and the roof-line seems to be pretty clean. He stated that he would be willing to make a motion to approve the variation for the rear yard, and did not see a problem with approving the side yard variation, since the side yard is in back of the house, and no one will see it.

Mrs. Newman asked if there was a structure on the property to the east that is even with this proposed stairway of the porch. She stated she is concerned with the distance between the two (2) structures. Mr. Young stated that the neighbor's house is not setback nearly as deep on the lot (to the south), as the petitioner's clients house is wide (extends to the south).

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 4 to 0 to approve ZBA 99-02.

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Respectfully,

**VILLAGE OF LOMBARD**

William J. Everitt  
Chairperson  
Zoning Board of Appeals

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