

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

TO: Zoning Board of Appeals HEARING DATE: March 23, 2011
FROM: Department of Community PREPARED BY: Michael S. Toth
 Development Planner I

TITLE

ZBA 11-01; 533 N. Columbine Ave.: The petitioner requests that the Village grant a variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the interior side yard setback to four and one half (4.5) feet where six (6) feet is required within the R2 Single-Family Residence District.

GENERAL INFORMATION

Property Owner/Petitioner: Chris Ikmanis
 533 N. Columbine Ave
 Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R2 Single-Family Residence District
Existing Land Use: Single-Family Residence
Size of Property: Approximately 13,350 square feet

Surrounding Zoning and Land Use:

North:	R2 - Single-Family Residence District; developed as Single-Family Residences
South:	R2 Single Family Residence District; developed as Single-Family Residences
East:	CR Conservation Recreation District; known as the Broadview Slough
West:	R1 - Single-Family Residence District; developed as Single-Family Residences

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on February 18, 2011.

1. Petition for Public Hearing.
2. Response to Applicable Standards.
3. Plat of Survey, prepared by ARS Surveying Service, LLC, dated September 12, 2001.
4. Proposed Site Plan, prepared by the petitioner on the plat of survey prepared by ARS Surveying Service, LLC, dated September 12, 2001.

DESCRIPTION

The property contains a raised ranch with a partial subterranean attached garage. The petitioner plans to close off the existing garage and construct an at-grade attached garage. The proposed garage would maintain the existing building line of the existing residence, which is set back 4.85 feet from the northern property line. The Zoning Ordinance requires that the new construction meet an interior side yard setback of six feet (6'). Therefore, a variation is necessary.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The PES Division of Community Development has the following comment on the above captioned petition:

- 1) The garage floor will need to be set at an elevation so as to provide a minimum 1% slope towards the ditch in the right-of-way.

PUBLIC WORKS

Public Works Engineering has no comments on this petition.

FIRE

The Fire Departments has no comments.

BUILDING DIVISION

The Building Division has no comments.

PLANNING

The petitioner is proposing to construct a 462 square foot (22'X21') attached garage on the western elevation of the existing residence. The proposed attached garage would maintain the building line of the existing residence, which is set back 4.85 feet from the northern property line (at its closest point). Staff notes that the existing home is slightly angled from the northern property line; therefore, the degree of non-conformity would be slightly increased. However, the increase in non-conformity would equate to less than two (2) inches. These setback deficiencies can be attributed, in part, to the width of the lot being fifty (50) feet. This lot width would be considered substandard by current Zoning Ordinance requirements that lots in the R2 – Single-Family District be sixty feet (60') in width. As the proposed garage is less than 500 square feet, it meets the square footage setback required of front entry attached garages. Staff has also reviewed the front setback provisions for detached single-family residences. When considering the average of the neighboring property's setbacks (36' & 25'), the required front yard setback on the subject property would be required to be no less than thirty and one-half (30.5) feet. As the attached garage addition would place the structure thirty-five (35) feet from the front property line, staff finds that the proposed attached garage meets the front yard setback requirement.



Illustration 1 – Subject Residence

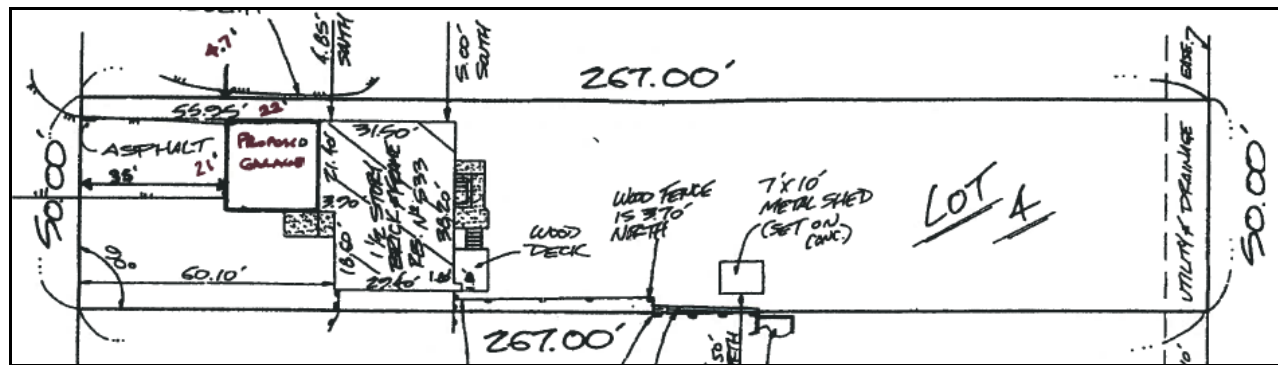


Diagram 1 – Proposed Site Plan

Listed below are several ZBA cases in which similar variation requests were made where the addition holds the setback of the existing residence. Examples of these variations include:

- 1) The property at 219 W. Hickory received approval of a variation to reduce the required interior side yard setback from six feet (6') to two and one-half feet (2.5') for an attached garage (ZBA 06-14).
- 2) The property at 259 N. Garfield received approval of a variation to reduce the required interior side yard setback from nine feet (9') to 7.88 feet for a second story addition holding the previously developed exterior wall of the residence (ZBA 07-12).
- 3) The property at 217 N. Craig Place received approval of a variation to reduce the required interior side yard setback from nine feet (9') to 7.9 feet for a sunroom at the rear of the home holding the previously developed exterior wall of the residence (ZBA 08-03).
- 4) The property at 126 S. Lombard received approval of a variation to reduce the required interior side yard setback from six feet (6') feet to four and one-half feet (4.5') for an addition that held the previous setback line (ZBA 09-04).
- 5) The property at 148 W. Park received approval of a variation to reduce the required interior side yard setback from six feet (6') feet to three feet (3') for an addition that held the previous setback line (ZBA 10-11).

Staff finds that this petition meets the Standards for Variations. The proposed location for the addition and garage are due to the existing configuration of improvements on the lot. The proposed attached garage would be constructed along the same building line as the existing legal non-conforming residence and would only slightly increase the degree non-conformity. Lastly, the southern portion of the neighboring property (directly to the north of the subject property) is improved with a driveway. As such, that residence (539 N. Columbine) has a side yard setback greater than six (6) feet. Furthermore, the separation between the subject principal structure and that of the neighbor to the north would be greater than twelve (12) feet, as demonstrated in Illustration 2.



Illustration 2 – Distance Between Residences

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 side yard setback variation:

Zoning Board of Appeals

Re: ZBA 11-01

Page 5

Based on the submitted petition and the testimony presented, the requested variation complies with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals recommend to the Corporate Authorities **approval** of ZBA 11-01, subject to the following conditions:

1. The garage shall be developed in accordance with the Site Plan, prepared by the petitioner on the plat of survey prepared by ARS Surveying Service, LLC, dated September 12, 2001.
2. The petitioner shall apply for and receive a building permit for the proposed plans.
3. Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.
4. In the event that the principal structure on the subject property is damaged or destroyed to fifty-percent (50%) of its value, the new structure shall meet the required side yard setback.
5. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed.

Inter-Departmental Review Group Report Approved By:

William J. Heniff, AICP
Director of Community Development

c: Petitioner

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