

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on Board Agenda

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: June 7, 2006 (B of T) Date: June 15, 2006

TITLE: ZBA 06-09: 332 South Martha Court

SUBMITTED BY: Department of Community Development *WTH*

BACKGROUND/POLICY IMPLICATIONS:

The Zoning Board of Appeals transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests Requests approval of a variation to Section 155.406 (F)(4) to reduce the rear yard setback to twenty-one feet (21') where thirty-five feet (35') is required to allow for the construction of an addition within the R2 Single Family Residential District. (DISTRICT #5)

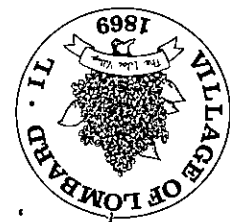
The petitioner is requesting a waiver of first reading.

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

Fiscal Impact/Funding Source:
Review (as necessary):

Village Attorney X
Finance Director X
Village Manager X *WTH*
Date
Date
Date *6/7/06*

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 *DH*

DATE: June 15, 2006

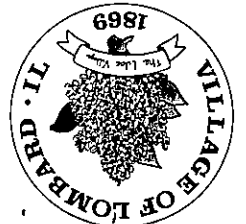
SUBJECT: ZBA 06-09: 332 S. Martha Court

Attached please find the following items for Village Board consideration as part of the June 15, 2006 Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. IDRC report for ZBA 06-09;
3. An Ordinance granting approval of the requested variation; and
4. Plans associated with the petition.

Also attached for the Board's reference is a letter from the petitioner requesting that the Village Board waive a first reading of the aforementioned Ordinance due to time constraints associated with the project.

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



VILLAGE OF LOMBARD
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Lombard, IL 60148-3926
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Village President
William J. Mueller

Village Clerk
Bridgette 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

June 15, 2006

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

Subject: ZBA 06-09; 332 S. Martha

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests approval of a variation to Section 155.406 (F)(4) to reduce the rear yard setback to twenty-one feet (21') where thirty-five feet (35') is required to allow for the construction of an addition within the R2 Single Family Residential District.

The Zoning Board of Appeals conducted a public hearing on May 24, 2006. Don Meyer, owner of the property, presented the petition. He stated that he would like to build a twelve and one-half foot (12.5') by twelve and one-half foot (12.5') addition. He noted that his property is located on a cul-de-sac and that his house's orientation on the lot is angled two different ways. He stated that he considered building the addition further to the north, but the addition would block windows to the bedroom. He noted that the proposed location functionally makes the most sense. The addition would be off of the living room, and an existing window would be replaced with a door. He mentioned that the only other way would be to build up, but because of his age, he did not want to add stairs to his home. Mr. Meyer stated that the front yard is sloped toward the street and the backyard is relatively flat. The runoff pattern would remain the same. He mentioned that he would also be doing construction at the front entrance which does not need a variance. He stated that his property is unique for a cul-de-sac, and if the variation was approved, it would not be setting a precedent for very many properties. He also noted that it is just the very corner of the addition that would be setback 21' from the property line; the rest of the addition would be setback farther.

Chairperson DeFalco then opened the meeting for public comment. No one spoke in favor of or against the petition. He then requested the staff report.

"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."

Michelle Kuilikowski, Planner I, presented the staff report. She stated that the subject property is a "pie-shaped" lot located on a cul-de-sac with a depth that ranges from one hundred eleven feet (111') to one hundred fifty-nine feet (159'). She noted that the subject property is approximately twenty-six feet (26') wide at the front property line and one hundred forty one feet (141') at the rear property line. She mentioned that the existing residence is currently legal non-conforming with a twenty-eight foot (28') rear yard setback. She stated that the petitioner is proposing a one story addition to the rear of the home that would be setback twenty-one feet (21') from the property line, and because the proposed addition would expand the degree of non-conformity, a variation is needed in order to construct the addition. Ms. Kuilikowski noted that the proposed addition is twelve and one half by twelve and one half foot (12.5'x12.5'). She mentioned that the proposed addition could be built meeting the rear yard setback if it were moved six feet to the northwest. However, the addition would be adjacent to one of the bedrooms, thus blocking the windows to the exterior. Building Code requires windows in bedrooms for the purposes of light and ventilation.

Ms. Kuilikowski stated that staff has conducted a review of all the petitions for rear yard variations since 2000. She noted that staff has only recommended approval for rear yard variations in situations when the proposed improvement maintained the existing building line or where the depth of the lot was unusual (e.g., less than one hundred feet (100') in depth). She stated that staff remains consistent in its interpretation of the standards for variations and finds that the standards for variations have not been affirmed. She noted that the shape of subject property is typical for a lot located on a cul-de-sac and that the property has sufficient depth ranging from one hundred eleven feet (111') to one hundred fifty-nine feet (159'). She mentioned that there are not any unique differences between the petitioner's lot and others with the R2 Single Family District with respect to the depth of the property and the required front and rear yard setbacks. She stated that the 35-foot rear yard setback for R2 properties has been consistently applied throughout the Village. She noted that staff finds that the hardship has not been created by the ordinance, and the requested relief is needed due to a personal preference for an office addition to the existing residence. She noted that the granting of the requested relief will set an undesirable precedent.

Chairperson DeFalso then opened the meeting for discussion by the Board Members.

Mr. Bedard asked about locating the addition so that the addition maintained at least the existing twenty-eight foot (28') building line.

Mr. Meyer stated that it wouldn't work because his property is an odd shaped lot.

Chairperson DeFalso asked about moving the addition to the north so that it met the setback and constructing a hallway through the corner bedroom to access the addition.

Mr. Meyer stated that the corner bedroom is already small and he wouldn't even be able to put a bed in the room if the room were made any smaller.

Chairperson Defalco noted that the petitioner's house is not visible from the Prairie Path.

Mr. Polley stated that the intent of the ordinance would still be fulfilled because the petitioner's property is a unique lot.

Chairperson Defalco mentioned a previous ZBA case on Sycamore Court in which the Zoning Board of Appeals discussed the intent of the ordinance as it relates to the rear yard setback. He noted that the intent of the ordinance was to give a sense of openness in rear yards. He stated that in the Sycamore case the intent of the ordinance was not met, but in this case it would be.

Mr. Meyer noted that there is a line of trees along the west property line.

Chairperson Defalco noted that there have been two rear yard variations granted in the past because the properties backed up to Glenbard East. He also noted that the properties located at 323 and 329 Garfield are the most impacted.

Mrs. Newman stated that she agreed that those properties are the most impacted, but if the property owners were concerned, they would probably have come to the meeting.

Chairperson Defalco noted the Building Code requirement for windows that was mentioned in the staff report. He asked whether the Village would allow the petitioner to build the addition further to the north in compliance with the thirty-five foot setback.

Ms. Kulikowski stated that the Village would not issue a permit for the addition to be located there. The addition would be blocking the windows to one of the bedrooms and would not comply with building code requirements for light and ventilation in bedrooms.

Mr. Meyer stated that the proposed layout for the addition is the most appropriate for the interior.

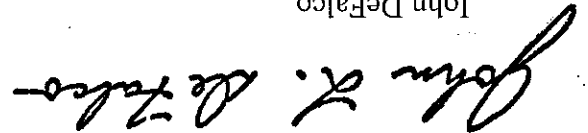
Dr. Corrado stated that the addition will have very little impact on the neighboring properties because it will not be visible.

After due consideration of the petition and testimony presented, the Zoning Board of Appeals found that the requested corner side yard variation complied with the Standards of the Zoning Ordinance. Therefore, on a motion by Dr. Corrado and a second by Mr. Polley, the Zoning Board of Appeals recommended approval of the requested rear yard variation associated ZBA 06-09 by a roll call vote of 5 to 0, subject to the following conditions:

1. That the variation shall be limited to the existing residence. Should the existing residence be damaged or destroyed by any means, to the extent of more than fifty percent (50%) of the fair market value of the residence, then any new structures shall meet the full provisions of the Zoning Ordinance.

Respectfully,

VILLAGE OF LOMBARD



John DeFalco

Chairperson

Zoning Board of Appeals

att-

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Zoning Board of Appeals
FROM: Department of Community Development
PREPARED BY: Michelle Kulikowski
Planner I

HEARING DATE: May 24, 2006

TITLE

ZBA 06-09; 332 South Martha Court: The petitioner requests approval of a variation to Section 155.406 (F)(4) to reduce the rear yard setback to twenty-one feet (21') where thirty-five feet (35') is required to allow for the construction of an addition within the R2 Single Family Residential District.

GENERAL INFORMATION

Petitioner/Property Owner:

Don W. Meyer
332 S. Martha Ct.
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R2 Single Family Residential District

Existing Land Use:

Single Family Residential

Size of Property: Approximately 8,680 Square Feet

Surrounding Zoning and Land Use

North: R2 Single Family Residential District; developed as Single Family Residences
South: R2 Single Family Residential District; developed as Single Family Residences
East: R2 Single Family Residential District; developed as Single Family Residences
West: R2 Single Family Residential 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 April 15, 2006.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, prepared by Harry A. Ekdahl and Associates, dated June 9, 1979.
4. Site Plan, prepared by the petitioner, showing existing and proposed improvements.
5. Interior floor plans, prepared by the petitioner, showing the interior layout.

DESCRIPTION

The subject property is a "pie-shaped" lot located on a cul-de-sac. The depth of the lot ranges from one hundred eleven feet (111') to one hundred fifty-nine feet (159'). The subject property is approximately twenty-six feet (26') wide at the front property line and one hundred forty one feet (141') at the rear property line. The existing residence is currently legal non-conforming with a twenty-eight foot (28') rear yard setback. The petitioner is proposing a one story addition to the rear of the home that would be setback twenty-one feet (21') from the property line. Because the proposed addition would expand the degree of non-conformity, a variation is needed to construct the addition.

INTER-DEPARTMENTAL REVIEW COMMENTS

Fire and Building

Fire and Building have no comments on this petition.

Public Works Engineering

Public Works has no comments on this petition.

Private Engineering

Private Engineering Services has no comment on this petition.

Planning

The existing residence on the subject property is setback twenty-eight feet (28') from the rear property line at its closest point and is considered legal non-conforming as it was constructed prior to the current thirty-five foot (35') rear yard setback requirements. The petitioner is proposing a twelve and one half by twelve and one half foot (12.5'x12.5') (156.25 sq. ft.) addition, which would reduce the rear yard setback to twenty-one feet (21'), thus further decreasing the degree of non-conformity of the property. The proposed addition could be built meeting the rear yard setback if it were moved six feet to the northwest. However, the addition would be adjacent to one of the bedrooms, thus blocking the windows to the exterior. Building Code requires windows in bedrooms for the purposes of light and ventilation.

Staff has conducted a review of all the petitions for rear yard variations since 2000. Staff has only recommended approval for rear yard variations in situations when the proposed improvement maintained the existing building line or where the depth of the lot was unusual (e.g., less than one hundred feet (100') in depth). Staff remains consistent in its interpretation for the standards for variations. The following standards have not been affirmed:

1. *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.*
- Staff finds that there is no demonstrated physical hardship, nor are there any unique topographical conditions related to this property that would prevent compliance with the ordinance. The shape of subject property is typical for a lot located on a cul-de-sac. The property has sufficient depth ranging from one hundred eleven feet (111') to one hundred fifty-nine feet (159').

2. *The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.*

Staff finds that there are not any unique differences between the petitioner's lot and others with the R2 Single Family District with respect to the depth of the property and the required front and rear yard setbacks.

3. *The alleged difficulty or hardship is caused by the ordinance and has not been created by any person presently having an interest in the property.*

The 35-foot rear yard setback for R2 properties has been consistently applied throughout the Village. Staff finds that the hardship has not been created by the ordinance. The requested relief is needed due to a personal preference for an office addition to the existing residence.

4. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

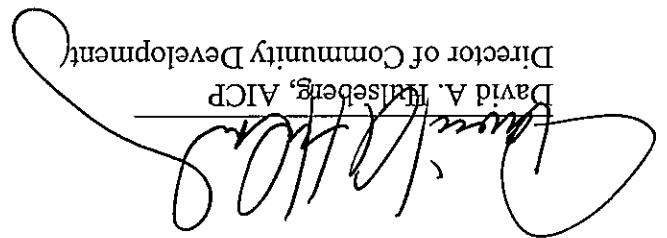
Staff believes that the granting of the requested relief will set an undesirable precedent.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented has **not 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 **denial** of the variation:

Based on the submitted petition and the testimony presented, the requested variation **does not comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **denial** of ZBA 06-09.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP
Director of Community Development

DAH:MK

att-

c: Petitioner

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MAPLE ST

5	25	27	31	35	219
6	20	24	30	34	38

CHARLOTTE ST

101	107	109	115	121	125	131
102	106	110	114	118	122	126
						218
						208
						130

MAPLE ST

205	205	206
205	211	212
215	219	218
223	224	224
202	210	232
232	232	232

MARTHA ST

MAPLE ST

201	255	208
211	212	214
215	217	218
221	225	230
233	234	234

CRAIG PL

MAPLE ST

201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500
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STEWART AV

ASH ST

ASH ST

21	29	33	35	39	43	101	105	111	115	119	125	125	131	135	203	205	209	213	304	306	310	314
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ASH ST

ASH ST

ASH ST

CRAIG PL

STEWART AV

301	304	306	310	314
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ILLINOIS PRAIRIE PATH

ILLINOIS PRAIRIE PATH

ILLINOIS PRAIRIE PATH

IPP

IPP

IPP

24	324	328	332	342	344	323	329	331	335	345	128	130	136	136	206	210	216	343	337	334	340	344	348	350
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GARFIELD TER

MARTHA ST

CRAIG PL

STEWART AV

HICKORY ST

HICKORY ST

HICKORY ST

HICKORY ST

HICKORY ST



ZBA 06-09: 332 Martha Court

1 in. = 191.4 feet



STANDARDS FOR A VARIATION

THE REAR FOOTAGE REQUIRED IS 35 FEET. I AM ASKING FOR A
VARIANCE TO 21 FEET.

1. THE PROPERTY IS A STRANGE CONFIGURATION BECAUSE I LIVE
ON A CUL-DE-SAC. THE PROPERTY IS NOT SQUARE BUT PIE SHAPED
SO THAT I HAVE A STRANGE REAR YARD.
2. BECAUSE OF THE PIE SHAPED LOT MY PROPERTY IS UNIQUE. THE
VARIATION IS REQUESTED BECAUSE THE PROPERTY IS NOT A
STANDARD LOT. THE ADDITION WOULD NOT BLOCK VIEWS OF
NEIGHBORS.
3. THE PURPOSE OF THE VARIATION IS TO ACCOMMODATE MY
PERSONAL NEEDS. I AM MOVING MY BUSINESS OFFICE INTO MY
HOME AND MY DAUGHTER IS HAVING A CHILD LATE IN 2006.
4. I PURCHASED THE PROPERTY AFTER THE HOME WAS BUILT.
5. MY WEST AND NORTH EAST PROPERTY LINE TOUCHES THE PRAIRIE
PATH. ONLY RESIDENTS TO THE NORTH OF THE PRAIRIE PATH
WOULD VIEW THE PROPERTY FROM THE NORTH. I HAVE TWO
HOUSES TO THE SOUTH OF ME, ONE RIGHT NEXT DOOR AND ONE
THAT FACES HICKORY STREET. THE HOUSE NEXT DOOR WOULD SEE
THE ADDITION. I HAVE TWO RESIDENCES WEST OF ME AND THEY
WOULD BOTH BE ABLE TO SEE THE ADDITION. THERE ARE TREES
AND SCRUBS ALONG THE LOT LINE THAT WOULD BLOCK THEIR
VIEW. THE RESIDENCE TO THE NORTH EAST WOULD BE ABLE TO SEE
THE ADDITION. THEIR LOT IS SIMILAR IN SHAPE TO MINE. NO TREE
REMOVAL WOULD BE REQUIRED.
6. THE 12'X12' ADDITION WOULD NOT ALTER THE CHARACTER OF THE
NEIGHBORHOOD. THE ROOF WOULD BE PITCHED NOT GABLE. AT
MOST FIVE NEIGHBORS WOULD BE AWARE OF ITS PRESENCE.
7. THE TOPOGRAPHICAL CONDITIONS OF MY PROPERTY AND OTHERS
AROUND ME IS FLAT. I SEE NO DRAINAGE PROBLEMS FOR
ADJACENT PROPERTIES. THE ADDITION WOULD NOT BLOCK LIGHT
OR AIR TO ADJACENT PROPERTY. NO PUBLIC STREET INVOLVED. NO
INCREASE OF FIRE. NO DANGER OF PUBLIC SAFETY. NO PROPERTY
VALUES WOULD BE DEMINISHED.

ADDITIONAL INFORMATION-ROOM ADDITION NORTHWEST SIDE OF HOUSE. SIZE 12'6"X12'6". ROOF TO BE PITCHED NOT GABLE.

I AM REQUESTING A VARIANCE TO ADD A ROOM TO MY HOUSE. I WILL SOON BE RETIRING MY BUSINESS TO MY HOME. I AM NOW USING BEDROOM # 2 FOR MY HOME OFFICE. MY BUSINESS REQUIRES ME TO HAVE A DRAFTING TABLE AND TWO COMPUTERS. I AM ALSO A PAINTER AND NEED SPACE FOR MY EASEL AND PAINTS. BEDROOM # 2 IS TOO SMALL FOR ME TO USE FOR THAT PURPOSE. BEDROOM # 1 IS A GUEST BEDROOM. THE LOCATION OF THE ADDITION WOULD HAVE AN ENTRANCE FROM MY LIVING ROOM AND COULD BE USED IN THE FUTURE FOR A HOME OFFICE OR A BEDROOM. THE ADDITION COULD BE BUILT OFF BEDROOM #2, HOWEVER WHEN THAT IS DONE I WOULD NOT HAVE MUCH ROOM FOR A BED. THE TRAFIC PATTERN INTO THAT ROOM WOULD NOT BE A DESIRABLE ONE. THE WINDOWS WOULD HAVE TO HAVE A MAJOR CHANGE AS WELL. BY HAVING THE ADDITION ENTRANCE COMING FROM THE LIVING ROOM I WOULD NOT BE GOING THROUGH A BEDROOM TO GET TO THE NEW ROOM. I ALSO WOULD HAVE TO JUST REPLACE A WINDOW WITH A DOOR IN THE SAME LOCATION. I AM ALSO BECOMING A GRANDFATHER SOON AND WANT TO SET UP BEDROOM #2 FOR THAT NEW PERSON IN MY LIFE. BECAUSE OF THE STRANGE CONFIGURATION OF MY LOT LINE I DO NOT THINK THAT THIS VARIANCE WOULD BLOCK VIEWS OR LOOK OUT OF PLACE. I AM DOING ADDITIONAL WORK ON MY HOME THIS SUMMER AND WOULD LIKE TO INCLUDE THIS IN THAT PROJECT.

May 14, 2006

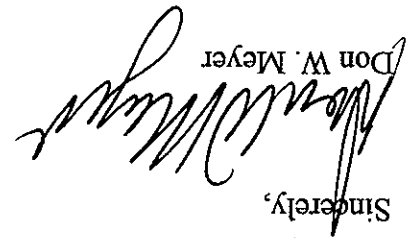
Don W. Meyer Design
332 South Martha Court
Lombard, IL 60148

Lombard Community Development Department

This is a request for "Waiver of the First" reading. I have applied for a variance to build an addition to my home.

I am requesting the waiver so that construction deadlines can coincide with contractor's availability.

Thank you for your consideration in the matter.

Sincerely,

Don W. Meyer

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

(ZBA 06-09: 332 Martha Court)

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)(4) to reduce the rear yard setback to twenty-one feet (21') where thirty-five feet (35') is required to allow for the construction of an addition within the R2 Single Family Residential District.

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on May 24, 2006 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings with a recommendation for 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, from Title 15, Chapter 155, Section 155.406 (F)(4) to reduce the rear yard setback to twenty-one feet (21') where thirty-five feet (35') is required to allow for the construction of an addition within the R2 Single Family Residential District.

SECTION 2: This ordinance is limited and restricted to the property generally located at 332 Martha Court, Lombard, Illinois, and legally described as follows:

LOT 3 IN BRETSNYDER'S RESUBDIVISION OF PARTS OF LOTS 1, 2, 3, AND ALL OF LOT 4 OF HICKORY ROAD HOMESITES, AND PART OF LOT 1 OF THE PLAT OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF LOMBARD, ACCORDING TO THE PLAT OF SAID BRETSNYDER'S RESUBDIVISION RECORDED JULY 14, 1971 AS DOCUMENT R71-33203, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-08-302-025

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

1. That the variation shall be limited to the existing residence. Should the existing residence be damaged or destroyed by any means, to the extent of more than fifty percent (50%) of the fair market value of the residence, then any new structures shall meet the full provisions of the Zoning Ordinance

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 _____, 2006.

First reading waived by action of the Board of Trustees this _____ day of _____, 2006.
Passed on second reading this _____ day of _____, 2006.

Ayes: _____

Naves: _____

Absent: _____

Approved this _____ day of _____, 2006.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk