

# **Village of Lombard**

*Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org*



## **Meeting Minutes**

**Wednesday, August 4, 2010**

**7:30 PM**

**SPECIAL MEETING**

**Village Hall Board Room**

## **Zoning Board of Appeals**

*John DeFalco, Chairperson  
Mary Newman, Greg Young,  
Val Corrado, Ed Bedard,  
Keith Tap and Ray Bartels  
Staff Liaison: Michael Toth*

## Call to Order

*Chairperson DeFalco called the meeting to order at 7:30 p.m.*

## Pledge of Allegiance

*Chairperson DeFalco led the Pledge of Allegiance.*

## Roll Call of Members

**Present:** Chairperson John DeFalco, Val Corrado, Mary Newman, Greg Young, Ed Bedard, Keith Tap and Raymond Bartels

*Also present: Michael Toth, Planner I.*

## Public Hearings

### 100395

#### **ZBA 10-08: 322 E. Elm Street**

Requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District:

1. A variation from Section 155.407(F)(2) of the Lombard Zoning Ordinance to reduce the corner side yard setback to (17.68) feet where 20 feet is required to allow for a second-story addition.
2. A variation from Section 155.407(F)(2) of the Lombard Zoning Ordinance to reduce the corner side yard setback to (13.69) feet where 20 feet is required to allow for the enclosure of an existing roofed-over porch, which was granted per Ordinance 5033. (DISTRICT #4)

*The petitioners, Larry and Jodi Coveny of 322 E. Elm Street were present. Mr. Coveny stated that he was before the ZBA two years ago for the same variations. He stated that the addition plans were to remain the same as they did two years ago. Mr. Coveny reiterated that the 2nd story addition is on the existing house and would not encroach any further into the setback and the enclosed porch on the side of the house is the main entrance to the house. He added that the enclosure of the porch would allow for safe entrance into the home.*

*Chairperson DeFalco asked if anyone was present to speak for or against the petition. There was nobody in the audience to speak for or against the petition.*

*Chairperson DeFalco then requested the staff report. Michael Toth, Planner I, stated that the property contains a one-story single family residence built approximately 17.7 feet from the side property line along Stewart Avenue. The petitioner's request has been separated into two separate approvals as each poses its own unique land use issues. The first action requiring relief is to erect a second-story addition above the existing structure that will hold the same setback that the house currently maintains. The second action is to enclose an existing covered side stoop/porch, also located within the required corner side yard. As the house is legal non-conforming due to the insufficient*

corner sideyard setback, a variation is required for both proposals. All other setback requirements relating to the principal structure are presently conforming.

The petitioner had already received prior approval of both of the aforementioned variations in 2008, per Ordinance 6159. However, construction had not commenced on the subject property within one year of approval. As such, Ordinance 6159 subsequently expired March 20, 2009.

As part of ZBA 08-01, staff originally recommended denial of the corner side yard porch enclosure, due to a lack of hardship. However, the Zoning Board of Appeals overturned staff's recommendation and recommended approval. Subsequently, the Village Board approved the variation. Staff believes that precedence has been established that the porch enclosure in the corner side yard is appropriate for the subject property. As such, staff is now recommending approval of the porch enclosure. Also, staff still supports the variation for the second-story addition.

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

Mr. Bartels asked the Zoning Board of Appeals what was the hardship associated with the porch enclosure. He stated that he was not on the ZBA during the first petition and was just curious.

Mr. Bedard stated that the hardship was associated with the lack of space provided to get into the home (at that entrance). He added that the enclosure is only a small platform, but due to the configuration of the internal staircases, it allows the family enough space to get into the home safely.

Mr. Tap added that the enclosure is not usable space. He added that there isn't enough room there to place any furniture.

Larry Coveny confirmed that the enclosure area is only four (4) feet by five (5) feet.

Mr. Tap asked the petitioner if the plans were to remain the same as they were in 2008.

Mr. Coveny replied, yes.

**It was moved by Bedard, seconded by Tap, that this matter be recommended to the Corporate Authorities for approval subject to conditions. The motion carried by the following vote:**

**Aye:** 7 - Chairperson John DeFalco, Corrado, Newman, Young, Tap, Bedard and Bartels

1. The subject property shall be developed in substantial conformance with the building elevations and site plan prepared by M.A.R.S. Design and Construction, dated June 16, 2010.
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 corner side yard setback

## **Business Meeting**

*The business meeting convened at 7:45 p.m.*

## **Approval of Minutes**

*Chairperson DeFalco referred to page 2, third paragraph from the bottom. He requested that verbage be added to the sentence to reflect that the meeting was open for public comment in addition to discussion by the ZBA members.*

*On a motion by Bartels and seconded by Bedard the minutes from the June 23, 2010 meeting were unanimously approved by the members present with the aforementioned change.*

## **Planner's Report**

## **New Business**

## **Unfinished Business**

## **Adjournment**

*The meeting adjourned at 7:46 p.m.*

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*John DeFalco, Chairperson  
Zoning Board of Appeals*

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*Michael Toth, Planner I  
Zoning Board of Appeals*