August 17, 2006

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

Subject: ZBA 06-14; 219 W. Hickory

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)(3) of the Lombard Zoning Ordinance to reduce the minimum
required interior side yard setback from six (6) feet to approximately two and a half
(2.5) feet to allow for the construction of an attached garage in the R2 Single-
Family Residence District.

The Zoning Board of Appeals conducted a public hearing on July 26, 2006. Robert
Hurl, owner of the subject property, presented the petition. He stated that there is an
existing attached garage on the property. He mentioned he didn't know why it was
built so close to the property line, but it was grandfathered. He noted that he would
like a two car garage and the space from the edge of the existing garage to the bay
window is exactly enough room for a two car garage. He stated that his neighbors
didn't have any objection to the proposed garage.

Chairperson DeFalco then opened the meeting for public comment. There was no
one present to speak for or against the petition.

Chairperson DeFalco then requested the staff report.

Michelle Kulikowski, Planner I, presented the staff report. She noted that the
subject property is located in the Green Valley subdivision and is approximately 50
feet wide. She stated that the existing residence currently maintains a 6.2-foot side
yard to the west property line and the attached one car garage maintains a 2.5-foot
setback to the east property line. She mentioned that the property owner would like
to remove the one-car garage and replace it with a two-car garage. She noted that
the property owner has represented that the proposed garage cannot be placed
elsewhere on the lot due to the layout of the house. She stated that the garage would

be immediately adjacent to a bay window, and the bay window is adjacent to the entrance to the home. She mentioned that shifting the garage would block the window, and the Building Code would not allow the garage to block the window because of requirements for light and ventilation. She also noted that narrowing the garage below the proposed 18.5-foot width would prevent its use as a two-car garage. She stated that with existing side yard setbacks of 6.2 feet on the west and 2.5 feet on the east, there is not sufficient room to allow for a driveway and detached garage in the rear of the property. Also, the Zoning Ordinance would not permit a detached garage to be located in front of the house.

Ms. Kulikowski stated that the layout of the house and its location of the house on the subject property create a hardship. She noted that meeting the 6' side yard setback would only allow the petitioner to have a 14' wide garage, which can only accommodate one car, and without the requested relief, the property owner would essentially be prevented from having a two-car garage. She mentioned that two car garages are not uncommon within the Green Valley subdivision, so the request would not be incompatible with the surrounding neighborhood. She stated that the property owner does not have the option to construct a detached garage and that placing the garage in front of the bay window would impair the adequate supply of air and light to the residence. She noted that staff can also support the requested relief because the proposed garage would maintain the same setback as the existing garage and would not be increasing the degree of non-conformity. She also mentioned that there is precedence in the Green Valley subdivision for variances to allow attached garages and carports less than 6' from the side property line (ZBA 84-11: 118 Green Valley Drive, ZBA 91-13: 213 W. Hickory Drive, ZBA 78-04: 108 W. Hickory Drive). She noted that there are properties in the Green Valley subdivision that have legal non-conforming side yard setbacks, and the proposed garage will not alter the essential character of the neighborhood.

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

Mrs. Newman asked if a variation would be needed to construct an addition on the existing garage. Jennifer Backensto, Planner II, stated that a variation would not be needed because the new portion of the garage, or the addition, would comply with code.

Mr. Hurl stated that he can't do an addition because the existing garage is unsound construction. He noted that he has to tear down the garage and start from scratch. He mentioned that an addition probably wouldn't look good aesethicly. He also mentioned that he plans to add all new siding and a new roof to the house once the new garage is built.

Staff and the ZBA members discussed conditions of approval. Chairperson DeFalco noted that there wasn't a condition tying the variation to the existing residence. He asked if that should be included as a condition of approval.

After due consideration of the petition and testimony presented, the Zoning Board of Appeals found that the proposed variation complied with the Standards of the Zoning Ordinance. Therefore, on a motion by Mr. Polley and a second by Mrs. Newman, the Zoning Board of Appeals recommended approval of ZBA 06-14 by a roll call vote of 5 to 0 subject to the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of the petition.

2. That the petitioner shall apply for and receive a building permit for the proposed improvements associated with this petition.01

3. 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

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