



## ANALYSIS

### SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on June 27, 2006.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, prepared by L.S.C.I., dated June 29, 1994.
4. Proposed building plans (unsigned, no date).

### DESCRIPTION

The subject property currently has a one-car attached garage with an interior side yard setback of approximately 2.5 feet. The property owner wishes to remove the one-car garage and replace it with a two-car attached garage, maintaining the current 2.5-foot setback.

### INTER-DEPARTMENTAL REVIEW COMMENTS

#### **Fire and Building**

Fire and Building has no objection to this petition.

#### **Public Works Engineering**

Public Works has no comments on this petition.

#### **Private Engineering**

The Private Engineering Services Division has no comments on this petition.

#### **Planning**

##### *Background*

The subject property is located in the Green Valley subdivision and is approximately 50 feet wide. 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. The property owner would like to remove the one-car garage and replace it with a two-car garage. The property owner has represented that the proposed garage cannot be placed elsewhere on the lot due to the layout of the house. As proposed, the garage would be immediately adjacent to a bay window, and the bay window is adjacent to the entrance to the home. Shifting the garage

would block the window. The Building Code would not allow the garage to block the window because of requirements for light and ventilation. Narrowing the garage below the proposed 18.5-foot width would prevent its use as a two-car garage. Furthermore, 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. The Zoning Ordinance would not permit a detached garage to be located in front of the house.

#### *Standards for Variations*

Staff finds that the layout of the house and its location of the house on the subject property create a hardship. Meeting the 6' side yard setback would only allow the petitioner to have a 14' wide garage, which can only accommodate one car. Without the requested relief, the property owner would essentially be prevented from having a two-car garage. Two car garages are not uncommon within the Green Valley subdivision, so the request would not be incompatible with the surrounding neighborhood.

The property owner does not have the option to construct a detached garage. Placing the garage in front of the bay window would impair the adequate supply of air and light to the residence. 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.

Furthermore 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). 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.

#### **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 variation:

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 accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 06-14, subject to the following conditions:

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

Zoning Board of Appeals

Re: ZBA 06-14

Page 4

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

Inter-Departmental Review Group Report Approved By:

---

David A. Hulseberg, AICP  
Assistant Village Manager/Director of Community Development

DAH:MK

att-

c: Petitioner

H:\CD\WORDUSER\ZBA Cases\2006\ZBA 06-14\Report 06-14.doc