

September 7, 2006

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

**Subject: PC 06-23; 1041 E. Maple Street**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of a Minor Plat of Resubdivision in the R2 Single-Family Residence District, along with one of the following zoning actions:

- a. A variation from Section 154.506 (G) of the Subdivision and Development Ordinance requiring lot lines to be generally perpendicular to the adjacent street; or in the alternative,
- b. A variation from Section 155.406 (F)(3) of the Zoning Ordinance to allow for a four-foot (4') interior side yard setback, where a minimum six-foot interior side yard setback is required.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 21, 2006. Faith McGowan, 16 Heather Lane, Oak Brook, presented the petition. She petitioned for a variance for a side setback line at 1041 E. Maple Avenue. She originally bought the property looking to tear down the fifty year old house. She designed a house for the corner lot, but the market in real estate changed. She rethought tearing down the ranch and rehabbing it instead. The existing garage breezeway and greenhouse are not attached to the foundation. The variation request is to rehabilitate the house and take off the garage, breezeway and greenhouse and leave the foundation wall where it is now. It would not make economic sense to tear down part of the foundation wall. She would like to add a detached garage, sunroom and have an additional lot.

Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition. He then requested the staff report.

William Heniff, Senior Planner, presented the staff report which was submitted to the public record. The subject property is improved with an existing house with an attached garage. The property meets current setback requirements. The property owner is proposing to subdivide the existing lot into two lots, one being a corner lot with frontage on Second Avenue and Maple Street and the other being an interior lot with frontage on Maple Street only.

As a vacant lot, the proposed lot could be subdivided into two lots of record without requiring any zoning relief. However, the petitioner is seeking approval of companion zoning relief to allow part of the existing residence to remain on the site. The petitioner proposes to raze the existing attached garage and construct a new detached garage south of the residence. Once this action is completed, the western portion of the lot could be developed into a new lot of record and constructed with a new residence provided that one of the two variations are granted.

The first request would create irregularly shaped parcels, but would keep the existing residence at least six feet from the interior property line. If the Village Board does not find this concept desirable, the petitioner would be amenable to zoning relief from the side yard setback requirements to allow for the interior side yard to be four feet rather than the required six feet.

He then referenced staff's response to the standards for variations. He noted that no hardship exists that warrants granting of the relief and that granting such relief would create an undesirable precedent. As such, staff recommends denial of the petition in its entirety.

Chairperson Ryan then opened the meeting for discussion among the Plan Commission members. Commissioner Flint concurred with the staff report, noting that the request could create an undesirable precedent.

After due consideration of the petition and the testimony presented, the Plan Commission found that the requested variations do not comply with the standards of the Subdivision and Development Ordinance nor Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4 to 0, recommended to the Corporate Authorities, **denial** of the request for a conditional use associated with PC 06-23.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Petitioner  
Lombard Plan Commission