



## **ANALYSIS**

### **SUBMITTALS**

This report is based on the following documents, which were filed with the Department of Community Development on May 21, 2009.

1. Petition for Public Hearing.
2. Response to the Standards for Variations.
3. Site plan based on the Plat of Survey prepared by Gentile and Associates, Inc., dated March 30, 2009, with the fence location.

### **DESCRIPTION**

The subject property is located at 460 S. Main Street, the intersection of West Washington Boulevard and South Main Street. The Public Works Department has recently replaced the deteriorated fencing at Lombard Cemetery with a new wrought iron-style fence four feet (4') in height. As part of this replacement, the existing brick pillars at the corners of the fence were reconstructed. As the two pillars at the corners of Washington Blvd. and Main St. are within clear line of sight areas, a variation is necessary to allow them to have a width greater than six inches (6").

### **INTER-DEPARTMENTAL REVIEW COMMENTS**

#### **ENGINEERING**

##### **Private Engineering Services**

The Private Engineering Services Division has no comments on the subject petition.

##### **Public Works Engineering**

Public Works Engineering has no comments regarding this request.

#### **FIRE AND BUILDING**

The Fire Department/Bureau of Inspectional Services has no comments regarding this request.

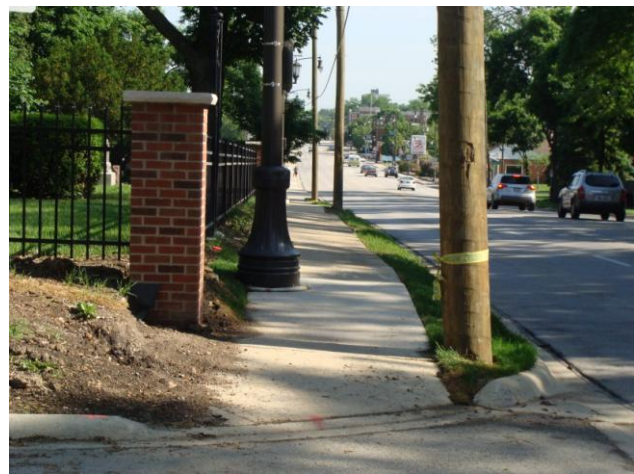
#### **PLANNING**

On April 16, 2009, the Village of Lombard Board of Trustees approved a contract with Action Fence Contractors, Inc. to replace the fence at Lombard Cemetery. The execution of this contract was overseen by the Public Works Department. The fence was contracted and was constructed at four feet in height. It is an ornamental aluminum fence which meets the requirement for fencing to be of open construction when in a clear line of sight area.

As part of the replacement, six brick pillars were reconstructed at their original dimensions and locations. However, as these pillars were non-conforming structures, reconstruction would require that new pillars meet all code requirements. The new pillars are approximately nineteen and one half inches (19.5") in width with a stone cap at the top that is approximately two feet (2') in width. The Zoning Ordinance requires that supporting members of a fence within the clear line of sight area be no greater than six inches (6") in width. Two of the reconstructed pillars are within clear line of sight areas. These two pillars are located at the intersections of Washington Boulevard and Main Street, one at the northern intersection and one at the southern intersection. As the width of these pillars exceeds six inches (6"), a variation is necessary.



*Looking South on Main St.: Pillar at northern intersection*

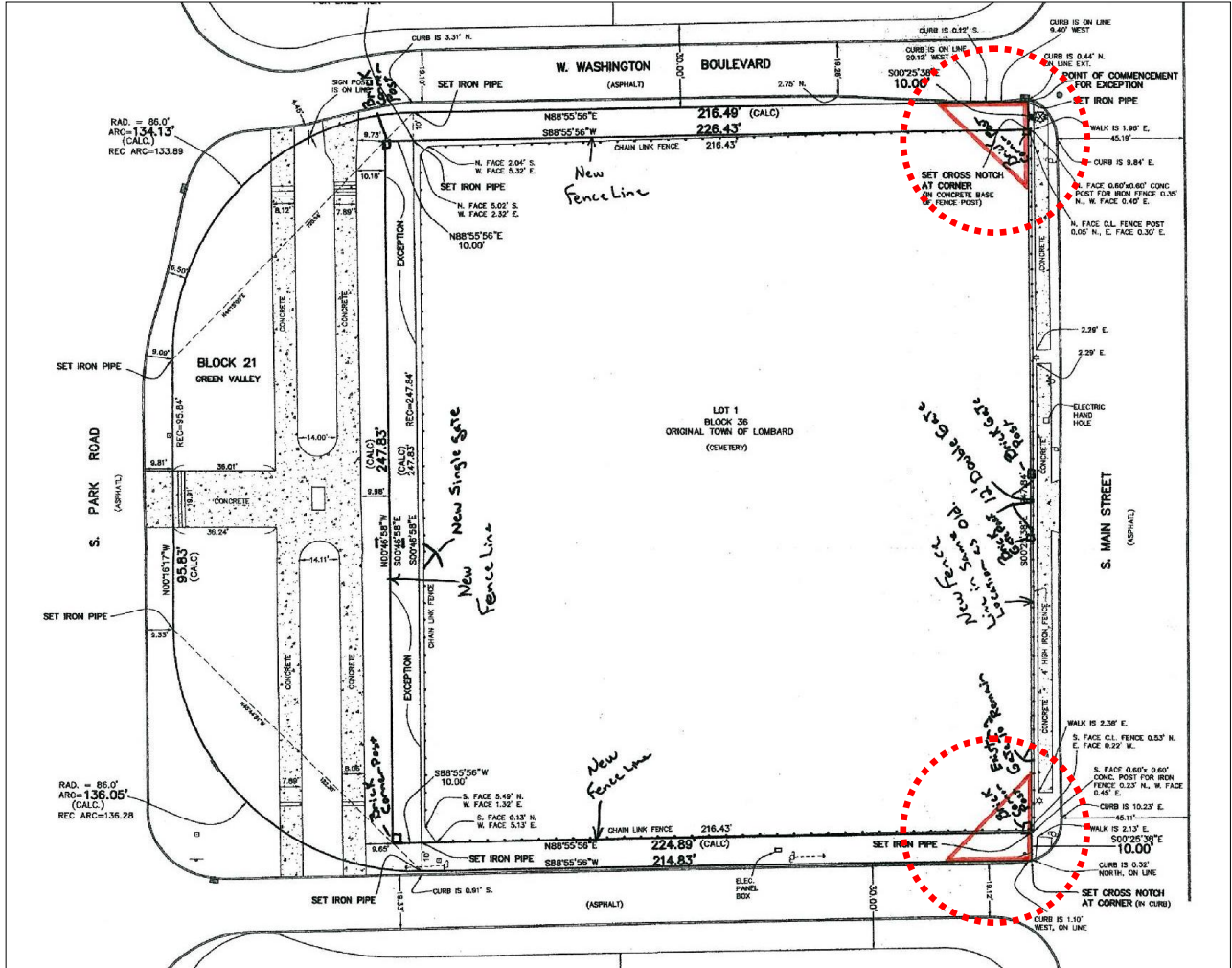


*Looking North on Main St.: Pillar at southern intersection*

The Zoning Ordinance requires that fencing and walls within a front yard does not exceed four feet (4'). Staff notes that the height of the pillars along Main Street varies but currently can be measured as high at five and one half feet (5.5') from the grade at the Main Street sidewalk. However, in this case the grade of the cemetery and the grade of the Main Street sidewalk differ considerably. If measured from the grade of the cemetery, the pillars have a height of approximately four feet and three inches (4'3"). Section 155.205(c)(4) of the Zoning Ordinance, permits an additional three inches (3") of height for grade changes and decorative elements. The Public Works Department is currently exploring options for the final grading along the fence line. One option being considered is the construction of a retaining wall which would bring the measured height of the pillars into compliance with code.

The Public Works Department has expressed its reasons for replacing the deteriorated fence and pillars with the same features and location. Foremost among these reasons is the status of the cemetery as a historic site in the Village of Lombard. Public Works determined that the historical character of the cemetery would be best preserved by constructing a fence which matched the previous one. Another important consideration is that if the fence was to be moved out of the clear line of sight area, some grave sites could be at least partially outside of the fenced area. The

Lombard Historical Commission also expressed its support for the fence replacement and recommended that the historical character of the fence be maintained.



The above plan shows the location of these pillars within clear line of sight triangles (in red). Currently, the pillar on the northern side of the cemetery is of minimal concern regarding visibility as the northern side of Washington Boulevard allows only one way westbound traffic. The pillar on the southern side of the cemetery could block some visibility to and from Main Street as the southern side of Washington Boulevard allows only one way eastbound traffic. However, as the pillars previously existed, no additional reduction in visibility should occur.

Staff is supportive of the proposed variation due to the historic nature of the site, the previously existing fence and pillars, and necessity to fence in all existing burial plots.

## **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 aforementioned variations:

Based on the submitted petition and the testimony presented, the requested variations **do comply** with the Standards required for variations by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals find that the findings included as part of the Inter-departmental Review Report be the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 09-05, subject to the following condition:

1. The variation to allow the brick pillars to remain in the clear line of sight area shall be applied only to the two pillars located at the intersections of West Washington Boulevard and South Main Street.

Inter-Departmental Review Group Report Approved By:

---

William J. Heniff, AICP  
Director of Community Development

WJH