

April 7, 2005

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

Subject: ZBA 05-03; 1051 S. Stewart

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests a variation from Section 155.406(F)(2) of the Lombard Zoning Ordinance to reduce the required corner side yard setback from twenty feet (20') to eighteen feet (18') to accommodate the construction of a new single family residence in the R2 Single-Family Residence District.

The Zoning Board of Appeals conducted a public hearing on March 2, 2005. Joe DeFrancesco presented the petition. He referenced the letter and response to standards for variations included with his application. He stated that he had nothing further to add and would answer any questions the members had.

Chairperson DeFalco then opened the meeting for public comment. No one spoke for or against the petition.

Angela Clark, Planner II, presented the staff report. She stated that the subject lot was fifty feet in width while sixty feet is required in the R2 Single Family Residential District. Ms. Clark stated that the lot is a lot of record therefore it is considered buildable since it meets eighty percent of the lot area and width requirements. She noted that the new residence could only be twenty-four feet in width if the petitioner were to construct the home according to the current code requirements. She stated that this would be comparable to the width of a two car garage.

Ms. Clark stated that the construction of the new residence would reduce the degree of the existing nonconformity therefore staff supported the petition. She noted that there were two items on the site plan that would need

modification. She stated that bay windows are not permitted within interior side yards and the petitioner would need to address this. She also noted that there is a provision within the code that requires accessory structures that are within the rear fifteen feet of a reverse corner lot to meet the front yard setback of the neighboring lot. She stated that the petitioner's proposed garage would be subject to this requirement. She stated that the petitioner would have to move the garage seven feet to the west in order to meet code.

Chairperson DeFalco asked if the petitioner understood the requirements for the accessory structure. Mr. DeFrancesco asked for clarification on the requirements.

Chairperson DeFalco explained that the rear yard of the petitioner's property abutted the front yard of the neighboring property, therefore the proposed garage could not be placed in front of the neighbor's residence.

Mr. DeFrancesco asked if the garage could be placed in the same location on the site plan if it were thirty feet from the property line. Ms. Clark stated that it could. Chairperson DeFalco stated that there would not be adequate room to move the garage back to meet the thirty-foot setback. Mr. DeFrancesco stated that he would move the garage to the west to meet the requirement.

Mr. Young asked about the code requirement in question. Ms. Clark stated that the provision was only for accessory structures within the rear fifteen feet of the yard.

Mr. Bedard stated that the proposed residence would be an improvement to the neighborhood.

After due consideration of the submitted petition and the testimony presented, the Zoning Board of Appeals on a roll call vote of 5-0 submits this petition to the Corporate Authorities with a recommendation for **approval** of the requested variation subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the plans submitted as part of the petition and dated January 26, 2005, with the following modifications to the plans:
 - a. That the bay window on the south side of the proposed residence shall be removed or modified to meet the six foot (6') interior side yard setback requirements.

Re: ZBA 05-03
March 17, 2005
Page 3

That the proposed detached garage be relocated at least seven feet (7') to the west on the subject property in order to meet reverse corner yard setback requirements as set forth in Section 155.210 (B)(3) of the Zoning Ordinance.

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

Respectfully,

VILLAGE OF LOMBARD

John DeFalco
Chairperson
Zoning Board of Appeals

att-

H:\CD\WORDUSER\ZBA Cases\2005\05-03\Referral Let 05-03.doc