



MEMORANDUM

TO: LOMBARD PLAN COMMISSION
Donald Ryan, Plan Commission Chairperson

FROM: Michael S. Toth, Planner I
Department of Community Development

DATE: March 15, 2010

SUBJECT: DuPage County Public Hearing Z10-010 Fitzpatrick

DuPage County has received a filing for a public hearing relative to a new subdivision identification sign. The proposed sign requires the following relief:

- A variation to reduce front side yard setback from fifteen feet (15') to three feet (3);
- A variation to reduce corner side yard setback from fifteen feet (15') to three feet; and
- A variation to reduce line-of-sight easement.

The petition is for the property located at 1720 S. Meyers Rd. (DuPage County ZBA Case Z10-010 Fitzpatrick). As the subject property is located within the ultimate municipal boundaries of the Village of Lombard, the Village has received notice of the public hearing from the County and has been asked to provide comments or concerns regarding this petition.

Staff would like to solicit the input and a recommendation of the Plan Commission regarding this petition. Staff has informed the County that this matter is being brought forward to the Plan Commission and the Village Board for consideration.

ANALYSIS

Sign Setback Variations

Per DuPage County Zoning Ordinance, the subject sign is required to be setback a minimum of fifteen feet (15') from all rights of way. As indicated on the submitted site plan, the sign is proposed to be setback at a distance of three feet (3'). While the Village of Lombard Sign Ordinance does not specify a required setback for Residential Subdivision Signs, complying with

the County's setback provision would bring the sign into closer compliance with the clear line of sight provision.

Clear Line of Sight Variation

Where improved rights of way intersect, the Village requires that a clear line of sight triangle be formed thirty feet (30') away using those intersecting points of right of way. Section 37-405.3 of the DuPage County Zoning Ordinance requires that a clear line of sight area be formed twenty-five feet (25') away from the intersecting point of rights of way. Also, DuPage County Code permits certain structures three feet (3') (or less) in height to be permitted in a clear line of sight area, whereas, the Village only permits certain structures two feet (2') (or less) in height in a clear line of sight area. The proposed new sign would be 4 feet high. Therefore the proposed sign does meet either the Village of Lombard Zoning Ordinance or the DuPage County Zoning Ordinance.

Staff does recognize that there is an existing subdivision identification sign on the subject property. The existing sign is also located within the clear line of sight area (as defined by the Village and County); however, this sign is placed on an angle (not to run parallel with either Westmore-Meyers Road or 18th Street) and stands at a greater height than the proposed sign. The proposed sign would not be placed on an angle and would run parallel to 18th Street. Staff also notes that there is also another subdivision identification sign on the property directly south of the subject property (across 18th Street); however, that sign is not a part of the subject County ZBA case.



(Existing sign)



(Existing sign – degree of angle shown)

Staff finds that there are no conditions related to the property that prevent compliance with the clear line of sight provisions (Village or County requirements). The petitioner's property does not have physical surroundings, shape, or topographical features that differ substantially from other corner lots in the neighborhood as to be demonstrative of a hardship. The property is relatively flat and the existing topography does not impact the ability of the property owner from meeting the clear line of sight provisions or reducing the degree of relief requested.

FINDINGS AND RECOMMENDATION

Based upon this review, the petition would be inconsistent with established Village policies and requirements. Therefore, staff recommends that the Plan Commission make the following motion regarding the petition:

Based upon a review of the petition submitted to DuPage County, the Plan Commission finds that the petition is inconsistent with the established codes and ordinances of the Village of Lombard, and does not meet the standards for variations as expressed within the DuPage County Zoning Ordinance. Therefore, the Plan Commission recommends that the Village Board adopt a Resolution of Objection for DuPage County ZBA Case Z10-010.