



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Zoning Board of Appeals

*John DeFalco, Chairperson
Mary Newman, Raymond Bartels,
Greg Young, Keith Tap,
Ed Bedard and Val Corrado
Staff Liaison: Jennifer Ganser*

Wednesday, April 27, 2016

7:00 PM

Village Hall Board Room

Call to Order

Chairperson DeFalco called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Chairperson DeFalco led the Pledge of Allegiance.

Roll Call of Members

Present 5 - John DeFalco, Raymond Bartels, Greg Young, Keith Tap, and Ed Bedard

Absent 2 - Mary Newman, and Val Corrado

Also present: Jennifer Ganser, Assistant Director of Community Development.

Public Hearings

[160132](#)

ZBA 16-02: 515 N. Lombard Avenue

Requests that the Village grant a variation from Section 155.407(H) of the Lombard Zoning Ordinance to allow for less than the minimum of 50 percent of the lot area to be open space, as required by Code, from 50% to 48.5%. (DISTRICT #4)

Mr. Eric Luedtke, Ms. Laura Misek and staff were sworn in by Chairperson DeFalco to offer testimony. Ms. Misek said she has lived in the house with her husband since 1999 and in another house in Lombard for seven years prior to that. They are outgrowing their current house and would like to build an addition. Mr. Luedtke stated he is the architect and said when a permit was applied for the lot coverage issue was raised. He noted they were unaware of the lot

coverage and that the deck had been built without a permit on record. He worked with staff and revised the drawings to work toward a 50% lot coverage, which includes moving the garage approximately 7.5 feet forward. As they are still short on open space, a variance is being requested.

Chairperson DeFalco questioned if there was anyone else present to speak in favor of or against the petition. Hearing none, staff was asked for their presentation.

Jennifer Ganser, Assistant Director, stated that the IDRC report is to be entered into the public record in its entirety. Ms. Ganser said the petitioner owns a single-family home with a detached garage and a deck. When a permit was applied for a home addition in 2015, it was noted that the property is currently over the 50% lot coverage. The architect revised the plans and a variance is being requested in order to complete the project. The Village does not have a record of a building permit for the deck; perhaps as such permits were not required during the period in which the deck may have been built. The project now includes removal of the deck, construction of an addition (expanded kitchen and new deck), and a new garage moved to a location currently covered by the existing driveway. Though a variance for open space is being requested, should this variance be approved by the Village Board, the amount of open space on the lot will increase from 46.52% to 48.65%.

Ms. Ganser said open space is defined as "that portion of a lot or property maintained as lawn, garden, field, woods, wetland, or other natural landscape area and is free of buildings, structures and impervious surfaces". Open Space is reviewed by Planning staff. Engineering staff reviews permits for stormwater and pervious versus impervious coverage. Some items, like a deck or permeable pavers, may receive credit from engineering for stormwater, but are still considered lot coverage by Planning staff.

Staff found six (6) lot coverage cases before the ZBA since 2000, all ultimately approved by the Board of Trustees. Staff finds that the hardship for the variation is due to the location of the existing single family home and detached garage on the lot. The ordinance has created the hardship. Ms. Ganser referred to the letter from a neighbor as well as two emails that were submitted after the mailing was sent. All were in support of the project.

Chairperson DeFalco then opened the meeting for discussion by the ZBA members.

Mr. Young noted that their neighbor's driveway encroaches on to their

property. Ms. Ganser agreed and said it is still counted as coverage and that the petitioner's driveway encroaches on another neighbor's property.

Mr. Bedard asked what the rectangle on the driveway is. Ms. Ganser said it represents a car making the turning movement to get into the garage.

Chairman DeFalco noted the plat of survey is from 1999 and asked what was used to calculate open space. Ms. Ganser said the architectural drawings were used since they showed the most recent improvements. She noted a new survey was not needed since there were no new improvements like a pool or patio.

Mr. Bartels asked why the garage is being moved and Mr. Luedtke said it is being moved to allow more open space on the lot and get closer to the 50%.

Mr. Bedard asked about the walkway in the front and Mr. Luedtke said it is already gone.

Chairman DeFalco said the past cases were approved because the petitioner worked with the Village to reduce the open space as little as possible. He briefly discussed the case on Wilson.

Mr. Tap asked about the comments from Private Engineering Services. Ms. Ganser noted the engineer in Community Development is not objecting to the petition, just stating what the current design standards are. She said the petitioner will have more open space on the property, should this petition be approved.

Chairman De Falco reviewed the four conditions from the staff report.

On a motion by Mr. Bedard, and a second by Mr. Tap, that the Zoning Board of Appeals recommend a variation from Section 155.407(H) of the Lombard Zoning Ordinance to allow for less than the minimum of 50 percent of the lot area to be open space, as required by Code, from 50% to 48.5% for approval of ZBA 16-02 by a vote of 5 to 0 to the Village Board, subject to the four (4) conditions:

- 1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 2. The petitioner shall demolish the existing detached garage and deck and replace it with new structures consistent with the submitted site plan and exhibits prepared by SSL Architects, dated November 24, 2015 and included as part of this petition.**
- 3. Such approval shall become null and void unless work thereon is**

substantially under way within twelve (12) months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation; and

4. In the event that the principal structure on the subject property is damaged or destroyed to fifty-percent (50%) of its value, the new structure and accessory structures shall meet all Code provisions.

The motion carried by the following vote:

Aye: 5 - John DeFalco, Raymond Bartels, Greg Young, Keith Tap, and Ed Bedard

Absent: 2 - Mary Newman, and Val Corrado

Business Meeting

Approval of Minutes

A motion was made by Mr. Bedard, seconded by Mr. Young, to approve the minutes of the February 24, 2016 meeting. The motion passed by a unanimous vote.

Planner's Report

Unfinished Business

New Business

Ms. Carmela Serritella asked if the new homes near 501 N. Grace received any variances when they were built. Ms. Ganser said she would need exact address to look at a variation and added that if they did a notice would have went out to all property owners within 250 feet of the property. Ms. Serritella said her mother had called the Village when the homes were being built and inquired about her taxes. Ms. Ganser said that she should contact York Township if they have questions about their property taxes and any potential increases.

Adjournment

A motion was made by Mr. Young, seconded by Mr. Tap, to adjourn the meeting at 7:31 p.m. The motion passed by a unanimous vote.

*John DeFalco, Chairperson
Zoning Board of Appeals*

*Jennifer Ganser, Assistant Director of Community Development
Zoning Board of Appeals*