

April 1, 2010

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

Subject: DuPage County ZBA Case Z10-010 - Fitzpatrick

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced case under review by DuPage County. Christopher Stilling, Assistant Community Development Director, presented the petition. DuPage County has received a filing for a public hearing relative to a new subdivision identification sign. There are three variations associated with the sign; 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 (3'); and a variation to reduce line-of-sight easement.

Christopher Stilling presented the petition. The petition is for the property located at 1720 S. Meyers Road and is unincorporated. 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.

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.

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 in height. Therefore the proposed sign does not 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 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; however, that sign is not a part of the subject County ZBA case. Staff has put an inquiry with the County as to whether or not the sign on the south side of 18th Street is to be removed – the County has yet to respond.

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. As such, staff recommends that the Plan Commission make a finding of denial to the County.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweetser stated she agreed with staff

After due consideration, the Plan Commission recommended by a roll call vote of 4 to 0, that the Board of Trustees adopt a Resolution of Objection for DuPage County ZBA Case Z10-010.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

Re: DuPage Co. ZBA Case Z10-010
April 1, 2010
Page 3

c. Lombard Plan Commission

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