

Village of Lombard

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



Minutes

Wednesday, August 23, 2023

7:00 PM

Village Hall Board Room

Zoning Board of Appeals

*John DeFalco, Chairperson
Mary Newman, Raymond Bartels, Keith Tap,
Michelle Johnson, Brian Conway and Zach Meadows
Staff Liaison: Anna Papke*

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 4 - John DeFalco, Mary Newman, Michelle Johnson, and Zach Meadows

Absent 3 - Raymond Bartels, Keith Tap, and Brian Conway

Also present: Tami Urish, Planner of Community Development

Public Hearings

[230269](#)

ZBA 23-06: 525 S. Edson Avenue

The petitioner requests that the Village approve a variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the required interior side yard setback from six feet (6') to three and five tenths feet (3.5') for the subject property located within the R2 Single-Family Residence Zoning District. The requested relief is for an addition to an existing nonconforming single-family residence located on the subject property. (DISTRICT #1)

Mark Heidkamp, petitioner, and Tami Urish, Planner I, were sworn in by Chairperson DeFalco to offer testimony.

Mr. Heidkamp presented the petition. He explained that he purchased the house in 2013 and needs to replace the roof of the house and he would like to extend the size of the attached garage and reroof all at the same time. He is requesting a variance to add more storage space to the home. The proposed project would include removing the old shed that is in the same location and is two feet from the south property line. The proposed addition would also provide privacy from the patio located to the north. He said that he spoke to his neighbor to the south and indicated that they are in favor of the addition.

Chairperson DeFalco asked if anyone from the public had any questions or comments. Hearing none, he asked for the staff report.

Ms. Urish presented the staff report, which was entered into the record in its entirety. As previously noted the petitioner is seeking a variance

to reduce the interior side setback from 6 feet to 3.5 feet to expand the garage. In consideration of the petition, staff notes that the house was not built square on the property and the distance from the proposed addition and the property line increases from west to east. The house was built in 1924 and the subdivision was created in 1917 well before the current Village Code. Staff recognizes that this development sequence creates a hardship. In consideration of precedent, staff has identified similar cases that were approved in the past. In conclusion, staff finds that the variance request meets the standards for a variation.

Chairperson DeFalco opened the meeting up for discussion among the ZBA members.

Mr. Meadows asked what the height of the addition is proposed to be. Mr. Heidkamp responded that it will be the same height of the existing garage. Mr. Meadows asked if the neighbor directly adjacent to the addition is ok with it. Mr. Heidkamp responded that he is on good terms with his neighbor. He noted that both of their houses have a large front yard setback and the neighbor appreciates the privacy the addition will add to both of their back yards. Mr. Meadows asked if the proposed addition would have a negative impact on the neighboring property regarding sunlight. Mr. Heidkamp responded that that it is one-story and the back yards face east and gets morning sun. He also added that there are trees that shade the area.

Chairperson DeFalco summarized the petition and asked for a motion from the Board.

Ms. Johnson made a motion to recommend approval of the petition. Ms. Newman seconded the motion. Chairperson DeFalco read the conditions. Mr. Meadows asked staff if condition number four applied to the addition or the entire garage floor including the existing part. Ms. Urish responded that she was not aware if the condition applied to the existing garage floor and the Building Division would review the addition during the permitting process. Chairperson DeFalco proposed adding the phrase "after clarification of the Building Division that the frost protection applies to the addition only" to condition number four.

Chairperson DeFalco asked Ms. Johnson if she is agreed to the revision of her original motion. She responded that she agreed. The Zoning Board of Appeals voted 4-0 that the Village Board approve the petition associated with ZBA 23-06, subject to the following six (6) conditions:

- 1. The addition shall be constructed in substantial conformance to the plans submitted by the petitioners as noted in this IDRC report;**
- 2. The petitioner shall apply for and receive a building permit for the proposed addition;**
- 3. The proposed addition shall comply with all applicable building codes,**

including the 2018 IRC, Table R302.1(1);

4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report after clarification of the Building Division that frost protection applies to the addition only;

5. In the event that the building or structure on the subject property is damaged or destroyed, by any means, to the extent of more than 50 percent of the fair market value of such building or structure immediately prior to such damage, such building or structure shall not be restored unless such building or structure shall thereafter conform to all regulations of the zoning district in which such building or structure and use are located;

6. This approval shall be subject to the construction commencement time provisions as set forth within Sections 155.103(C)(10) and (F)(11).

The motion carried by the following vote:

Aye: 4 - John DeFalco, Mary Newman, Michelle Johnson, and Zach Meadows

Absent: 3 - Raymond Bartels, Keith Tap, and Brian Conway

Business Meeting

Approval of Minutes

A motion was made by Mr. Meadows and seconded by Ms. Newman, the minutes for the May 31, 2023 meeting were approved with noted corrections. The motion passed by a unanimous vote.

Planner's Report

None

Unfinished Business

None

New Business

None

Adjournment

A motion was made by Ms. Newman, seconded by Ms. Johnson to adjourn the meeting at 7:23 p.m. The motion passed by a unanimous vote.

*John DeFalco, Chairperson
Zoning Board of Appeals*

*Anna Papke, AICP, Planning and Zoning Manager, Community
Development*