

October 19, 2006

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

Subject: ZBA 06-21; 820 E. St. Charles Road

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests approval of a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the required minimum lot area from 40,000 square feet to 20,727.26 square feet in the B4 Corridor Commercial District.

The Zoning Board of Appeals conducted a public hearing on September 27, 2006. Robert Mueller presented the petition. He described the location of the subject property as well as the surrounding zoning and land uses. There was previously a dilapidated residence on the property that has been removed. He became aware of the need for a lot area variation after submitting plans for a building permit. In this case there is no way to meet the lot area requirement because there is no available land.

Chairperson DeFalco then opened the meeting for public comment. There was no one present to speak for or against the petition.

Chairperson DeFalco then requested the staff report.

Jennifer Backensto, Planner II, presented the staff report. The subject property is currently a legal Lot of Record; however, it does not meet the minimum lot area requirements for the B4 District. The petitioner is requesting a lot area variation to allow for the redevelopment of the property as an office building. Aside from the lot area requirement, no other zoning relief is being requested.

When this property was developed as a single-family residence in 1927, there were no minimum lot area requirements. In 1986, the Village approved a rezoning of the western side of the block from B4 to R2, leaving two remainder B4 parcels that did not meet the minimum lot area requirements for that district.

Staff finds that the physical surroundings of the subject property create a hardship. Due to the configuration and zoning of the adjacent lots, there is no way this property could be redeveloped without some sort of zoning relief. There are three scenarios under which redevelopment could occur, all of which would require approval through the public hearing process: the proposed lot area variation, rezoning of at least three of the single-family residential properties to the north and consolidation with those properties, or a variation to the subdivision regulations regarding lot configuration. Staff feels that a lot area variation would be the most appropriate type of zoning relief in this case as it would avoid both the encroachment of commercial development into the neighboring residential area as well as setting a precedent to allow unusual, "L" shaped lots.

Although the B4 zoning within the East St. Charles Road corridor reflects the Village's general desire to see redevelopment of entire block faces within this corridor, the previous approval of R2 zoning at 806 E. St. Charles Road prevents such a consolidated development. The granting of the requested lot area variation would not alter the character of the neighborhood or negatively impact the surrounding properties as the subject property has maintained the same boundaries since its development in 1927. Furthermore, the granting of this variation would not grant a precedent for other properties within the corridor as the nearby R2 zoning and irregular lot configurations present a unique situation that is not found elsewhere in the corridor.

Chairperson DeFalco then opened the meeting for discussion by the Board Members.

Mr. Young asked if there were any other issues associated with the redevelopment. Ms. Backensto stated that the permit had already been reviewed and the lot area variation was the only relief necessary. All transitional yards and other B4 District requirements will be met.

After due consideration of the submitted petition and the testimony presented, the Zoning Board of Appeals, by a roll call vote of 6-0, submits this petition to the Corporate Authorities with a recommendation of approval for the requested variation.

Respectfully,

VILLAGE OF LOMBARD

John DeFalco
Chairperson
Zoning Board of Appeals

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