

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

____X____

Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager *DAH*
DATE: December 16, 2010 (B of T) Date: January 6, 2011
TITLE: ZBA 10-13: 320 S. Martha Court
SUBMITTED BY: Department of Community Development *WJ*

BACKGROUND/POLICY IMPLICATIONS:

The Zoning Board of Appeals transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests a variation to Section 155.407(F)(4) to reduce the rear yard setback from thirty-five feet (35') to twenty-three feet (23') to allow for the construction of an addition in the R2 Single Family Residential District.

The Zoning Board of Appeals recommended approval of this petition with conditions.

Please place this item on the January 6, 2011 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <i>DAH</i> _____	Date <u>12/20/10</u>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP,
Director of Community Development *WH*

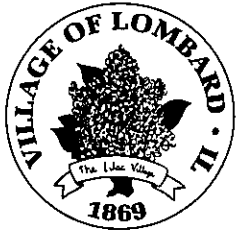
DATE: January 6, 2011

SUBJECT: ZBA 10-13; 320 S. Martha Ct.

Please find the following items for Village Board consideration as part of the January 6, 2011 Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. An Ordinance granting approval of a variation to Section 155.407(F)(4) to reduce the rear yard setback from thirty-five feet (35') to twenty-three feet (23') to allow for the construction of an addition in the R2 Single Family Residential District.
3. IDRC report for ZBA 10-13; and,
4. Plans associated with the petition.

The Zoning Board of Appeals recommended approval of this petition with conditions. Please place this petition on the January 6, 2011 Board of Trustees consent agenda.



VILLAGE OF LOMBARD

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Lombard, Illinois 60148-3926
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Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees
Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
David A. Hulseberg

January 6, 2011

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

Subject: ZBA 10-13; 320 S. Martha Ct

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests a variation to Section 155.407(F)(4) to reduce the rear yard setback from thirty-five feet (35') to twenty-three feet (23') to allow for the construction of an addition in the R2 Single Family Residential District.

The Zoning Board of Appeals conducted a public hearing on December 15, 2010.

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Barb Hansen, 337 S. Martha Ct., presented the petition. Ms. Hansen stated that she is the daughter of the property owner and is presenting the petition on behalf of her parents. She stated that her parents wish to tear down the existing deck in the rear of the house and construct a three-season room. She stated that the addition would face the Prairie Path. Ms. Hansen stated that they spoke with all of the neighbors and none of them had a problem with the addition. She then stated that her father has Parkinson's disease and needs a place to enjoy where he will not be bothered by bugs. She added that the interior of the home will also be remodeled to accommodate her father's condition. Lastly, Ms. Hansen stated that the addition will be smaller than the existing deck, which will increase the amount of open space on the property.

Marsha Huber, 337 S. Martha Ct. stated that she is also a daughter of the property owners. She stated that the majority of the homes in the immediate area have also been updated. She added that her parents want to add an addition to stay in line with the neighborhood.

Michael Toth, Planner I, presented the staff report. The existing residence on the subject property is setback thirty-five (35) feet from the rear property line. The petitioner is proposing to construct a twelve foot by fourteen foot (12'x14') (168

sq. ft.) one-story addition, which would subsequently reduce the rear yard setback to twenty-three (23) feet.

The property currently maintains sixty-three percent (63%) open space. The petitioner plans to remove the two hundred and forty (240) square foot wood deck on the northwest portion of the house and construct the one hundred and sixty-eight (168) square foot addition. As such, the amount of open space would actually be increased to sixty-four percent (64%).

In their response to standards, the petitioner cites irregular lot configuration as the reason for needing a variation. The minimum lot width in the R2 – Single Family District is sixty (60) feet with a minimum lot area of 7,500 square feet; however, the Zoning Ordinance does not require a minimum lot depth. According to the definition of ‘lot width’, the subject lot is approximately sixty (60) wide and is 8,136 square feet in area. As such, the lot width and area requirements are met. However, due to the trapezoidal configuration of the subject lot, the lot depth is substandard to the typical depth of a lot in the R2 – Single Family District. If the minimum area is 7,500 square feet and the lot width has to be a minimum of sixty (60) feet, this suggests that the minimum lot depth would need to be at least one hundred and twenty-five (125) feet ($7,500/60 = 125$). The subject lot is one hundred and seventeen (117) in depth (at its longest point); therefore, the lot could be considered substandard in depth, which reduces the buildable area of the lot.

The residence located on the subject property has a front setback of thirty (30) feet and a rear setback of thirty-five (35) feet. As such, the residence was built to the maximum buildable area relative to the front and rear yard requirements of lots in the R2 – Single Family District. Due to the trapezoidal configuration of the subject lot, the side yard setbacks are greater (16.75’, 14.45’, 10.85’ & 6.08’) than a typical lot in the R2 – Single Family District. However, the buildable area within the side yards is still not enough area to construct a three-season room. There is additional buildable area within the front yard; however, (for aesthetic reasons) staff does not recommend constructing a three-season room in the front of the residence.

The proposed addition would be constructed on the northern portion of the building in the rear portion of the property. The rear of subject property directly abuts the Illinois Prairie Path, which runs the entire length of the rear yard. As there are no abutting properties to the north, the proposed addition would have a minimal impact on the surrounding residential neighborhood.

In 2006, the Village Board approved a variation to reduce the rear yard setback to twenty-one feet (21’) where thirty-five feet (35’) is required to allow for the construction of an addition for the property located at 332 S. Martha (ZBA 06-09). 332 S. Martha is located two lots to the west of the subject property. At the May 24, 2006 Zoning Board of Appeals meeting, the ZBA discussed the intent of the ordinance as it relates to the rear yard setback. The ZBA noted that the intent of the ordinance was to give a sense of openness in rear yards. The ZBA made a finding of fact that in the case of 332 S. Martha, the intent of the ordinance was met. The ZBA also noted that there

have been two rear yard variations granted in the past because the properties backed up to Glenbard East. Moreover, the ZBA specifically stated that the properties located behind 332 S. Martha would be most impacted. Lastly, based upon the testimony of the petitioner, who stated that the rear yard of the property was lined with trees on their property, the ZBA stated that the addition will have very little impact on the neighboring properties because it would not be visible.

Staff believes that because the subject property abuts the Illinois Prairie Path, the proposed addition would not have a significant impact on the surrounding neighborhood.

Concluding, Mr. Toth stated that staff is recommending approval of ZBA 10-13, subject to the five conditions outlined in the staff report.

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

Mr. Bartels stated that he belongs to the Illinois Prairie Path Association and does not like that staff disregarded the Illinois Prairie Path in the staff report.

Chairperson DeFalco stated that staff mentioned the Prairie Path as not being a residential property and that the addition would not affect any residential properties.

Mr. Bedard agreed with Chairperson DeFalco and stated that the staff report states that, aside from the two neighboring properties, there are no other residential properties that would be affected by the addition.

Mr. Tap asked if the addition would be a four-season room.

Ms. Hansen stated that it will be a three-season room as there will be no heat or air-conditioning.

Chairperson DeFalco read the five conditions associated with the case.

Chairperson DeFalco stated that the plat associated with the case was done in 1972. He then asked staff if the Village requires new plats for variations.

Mr. Toth stated that (due to cost) the Village does not require that the plat be current, but the Village does require that all improvements on the property are depicted on the plan and that the plat is accurately scaled.

Chairperson DeFalco then referred to a past ZBA case on Wilson Avenue where the plat was inaccurate, which caused issues with the case. He stated that it should be required of all petitioners to have an up-to-date plat of survey.

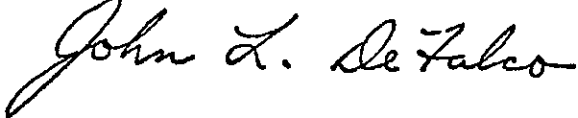
Mr. Bedard stated that condition #1 in the staff report should read something other than 'substantial'. He stated that the property should be developed in exact conformance with the submitted plans.

On a motion by Bedard and a second by Tap, the Zoning Board of Appeals recommended by a vote of 5 to 0 that the Village Board **approve** the variation associated with ZBA 10-13, subject to the following conditions:

- 1) The subject property shall be developed in substantial conformance with the building plans and site plan drawn by the petitioner on the plat of survey, prepared by Webster and Associates, dated March 29, 1972.
- 2) The petitioner shall apply for and receive a building permit for the proposed plans.
- 3) The proposed addition shall not exceed one-story in height.
- 4) Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.
- 5) 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 shall meet the required rear yard setback.

Respectfully,

VILLAGE OF LOMBARD

A handwritten signature in black ink, reading "John L. DeFalco". The signature is written in a cursive style with a large, stylized 'J' and 'D'.

John DeFalco
Chairperson
Zoning Board of Appeals

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO:	Zoning Board of Appeals	HEARING DATE:	December 15, 2010
FROM:	Department of Community Development	PREPARED BY:	Michael S. Toth Planner I

TITLE

ZBA 10-13; 320 S. Martha Ct.: The petitioner requests a variation to Section 155.407(F)(4) to reduce the rear yard setback from thirty-five feet (35') to twenty-three feet (23') to allow for the construction of an addition in the R2 Single Family Residential District.

GENERAL INFORMATION

Petitioner/Property Owner:	Barbara & Elwaine Hardtke 320 S. Martha Ct. Lombard, IL 60148
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PROPERTY INFORMATION

Existing Zoning:	R2 Single Family Residential District
Existing Land Use:	Single Family Residential
Size of Property:	Approximately 8,136 Square Feet

Surrounding Zoning and Land Use

North:	R2 Single Family Residential District; developed as the Illinois Prairie Path
South:	R2 Single Family Residential District; developed as Single Family Residences
East:	R2 Single Family Residential District; developed as Single Family Residences
West:	R2 Single Family Residential District; developed as Single Family Residences

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on November 10, 2010.

1. Petition for Public Hearing
2. Response to the Standards for Variations
3. Plat of Survey, prepared by Webster and Associates, dated March 29, 1972.
4. Site Plan, drawn by petitioner on plat of survey, prepared by Webster and Associates, dated March 29, 1972.
5. Building elevation plan and illustration.

DESCRIPTION

The existing residence is currently situated thirty-five feet (35') from the northern property line. The petitioner wishes to construct an addition to the northern elevation of the residence. Because the proposed addition would have a rear yard setback of twenty-three feet (23') where thirty-five feet (35') is required, a variation is needed.

INTER-DEPARTMENTAL REVIEW COMMENTS

FIRE

The Fire Department has no comments.

BUILDING DIVISION

The Building Division has no comments.

PUBLIC WORKS

Public Works Engineering has no comments.

PRIVATE ENGINEERING

The Private Engineering Services Division has no comments.

PLANNING

The existing residence on the subject property is setback thirty-five (35) feet from the rear property line. The petitioner is proposing to construct a twelve foot by fourteen foot (12'x14') (168 sq. ft.) one-story addition, which would subsequently reduce the rear yard setback to twenty-three (23) feet.

The property currently maintains sixty-three percent (63%) open space. The petitioner plans to remove the two hundred and forty (240) square foot wood deck on the northwest portion of the house and construct the one hundred and sixty-eight (168) square foot addition. As such, the amount of open space would actually be increased to sixty-four percent (64%).

In their response to standards, the petitioner cites irregular lot configuration as the reason for needing a variation. The minimum lot width in the R2 – Single Family District is sixty (60) feet with a minimum lot area of 7,500 square feet; however, the Zoning Ordinance does not require a minimum lot depth. According to the definition of ‘lot width’, the subject lot is approximately sixty (60) wide and is 8,136 square feet in area. As such, the lot width and area requirements are met. However, due to the trapezoidal configuration of the subject lot, the lot depth is substandard to the typical depth of a lot in the R2 – Single Family District. If the minimum area is 7,500 square feet and the lot width has to be a minimum of sixty (60) feet, this suggests that the minimum lot depth would need to be at least one hundred and twenty-five (125) feet ($7,500/60 = 125$). The subject lot is one hundred and seventeen (117) in depth (at its longest point); therefore, the lot could be considered substandard in depth, which reduces the buildable area of the lot.

The residence located on the subject property has a front setback of thirty (30) feet and a rear setback of thirty-five (35) feet. As such, the residence was built to the maximum buildable area relative to the front and rear yard requirements of lots in the R2 – Single Family District. Due to the trapezoidal configuration of the subject lot, the side yard setbacks are greater (16.75', 14.45', 10.85' & 6.08') than a typical lot in the R2 – Single Family District. However, the buildable area within the side yards is still not enough area to construct a three-season room. There is additional buildable area within the front yard; however, (for aesthetic reasons) staff does not recommend constructing a three-season room in the front of the residence.

The proposed addition would be constructed on the northern portion of the building in the rear portion of the property. The rear of subject property directly abuts the Illinois Prairie Path, which runs the entire length of the rear yard. As there are no abutting properties to the north, the proposed addition would have a minimal impact on the surrounding residential neighborhood.

332 S.
Martha

Subject
Property



In 2006, the Village Board approved a variation to reduce the rear yard setback to twenty-one feet (21') where thirty-five feet (35') is required to allow for the construction of an addition for the property located at 332 S. Martha (ZBA 06-09). 332 S. Martha is located two lots to the west of the subject property. At the May 24, 2006 Zoning Board of Appeals meeting, the ZBA discussed the intent of the ordinance as it relates to the rear yard setback. The ZBA noted that the intent of the ordinance was to give a sense of openness in rear yards. The ZBA made a finding of fact that in the case of 332 S. Martha, the intent of the ordinance was met. The ZBA also noted that there have been two rear yard variations granted in the past because the properties backed up to Glenbard East. Moreover, the ZBA specifically stated that the properties located behind 332 S. Martha would be most impacted. Lastly, based upon the testimony of the petitioner, who stated that the rear yard of the property was lined with trees on their property, the ZBA stated that the addition will have very little impact on the neighboring properties because it would not be visible.

Staff believes that because the subject property abuts the Illinois Prairie Path, the proposed addition would not have a significant impact on the surrounding neighborhood. As such, staff recommends approval.

FINDINGS AND RECOMMENDATIONS

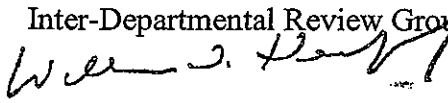
The Department of Community Development has determined that the information presented **has affirmed** the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the variation:

Based on the submitted petition and the testimony presented, the requested variation **does comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 10-13, subject to the following conditions:

- 1) The subject property shall be developed in substantial conformance with the building plans and site plan drawn by the petitioner on the plat of survey, prepared by Webster and Associates, dated March 29, 1972.
- 2) The petitioner shall apply for and receive a building permit for the proposed plans.
- 3) The proposed addition shall not exceed one-story in height.
- 4) Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.

- 5) 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 shall meet the required rear yard setback.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP

Director of Community Development

WJH:MST

c: Petitioner

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ZBA 10-13: 320 S Martha Ct

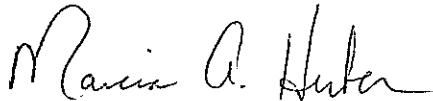


11/9/10

Zoning Board of Appeals,

I am Marcia Huber, the owner of 337 S. Martha Ct. and daughter of Elwaine and Barbara Hardtke. I am speaking as a neighbor and daughter when I request this variation. My father-in-law in Buffalo, NY also has Parkinson's Disease and spends several hours a day enjoying a room very similar to the room that my parents would like to build. It is extremely helpful having my parents live this close. They enjoy the comforts of independence while having help a moment away. The variance really would not impact anyone else due to the surroundings and would make my father's life that much more enjoyable. Recently, we and many of the other homes in the neighborhood have made several improvements. This variance would certainly be in keeping with the neighborhood improvements. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Marcia A. Huber". The signature is written in dark ink and is positioned below the word "Sincerely,".

Marcia A. Huber

11/3/10

Zoning Board of Appeals,

My wife and I are owners of the property at 326 S Martha Ct. adjacent to Elwaine and Barbara Hardtke's property. We are aware of their desire to construct a three-season room. We hereby give our consent for the variance and do not feel it will impair or diminish property values in the neighborhood in any way.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Thomas", with a long horizontal flourish extending to the right.

Jim Thomas

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A VARIATION
OF THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(ZBA 10-13; 320 S. Martha Ct.)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned R2 Single Family Residence District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation to Section 155.407(F)(4) to reduce the rear yard setback from thirty-five feet (35') to twenty-three feet (23') to allow for the construction of an addition; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on December 15, 2010 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Board of Trustees with a recommendation of approval for the requested variation; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested variation.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a variation is hereby granted from the provisions of Title 15, Chapter 155, Section 155.407(F)(4) to reduce the rear yard setback from thirty-five feet (35') to twenty-three feet (23') to allow for the construction of an addition in the R2 Single Family Residential District.

SECTION 2: This ordinance shall be granted subject to compliance with the following conditions:

- 1) The subject property shall be developed in substantial conformance with the building plans and site plan drawn by the petitioner on the plat of survey, prepared by Webster and Associates, dated March 29, 1972.
- 2) The petitioner shall apply for and receive a building permit for the proposed plans.

- 3) The proposed addition shall not exceed one-story in height.
- 4) Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation.
- 5) 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 shall meet the required rear yard setback.

SECTION 3: This ordinance is limited and restricted to the property generally located at 320 S. Martha Ct., Lombard, Illinois, and legally described as follows:

LOT 5 IN BRETSNYDER'S RESUBDIVISION OF PARTS LOTS 1, 2, 3 AND ALL OF LOT 4 OF HICKORY ROAD HOMESITES, AND PART OF LOT 1 OF PLAT OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF LOMBARD, ACCORDING TO THE PLAT OF SAID BRETSNYDER'S RESUBDIVISION THEREOF RECORDED JULY 14, 1971 AS DOCUMENT R71-33203, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-08-302-027

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2011.

First reading waived by action of the Board of Trustees this _____ day of _____, 2011.

Passed on second reading this _____ day of _____, 2011.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____ day of _____, 2011.

Ordinance No. _____
Re: ZBA 10-13
Page 3

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me this _____ day of _____, 2011

Brigitte O'Brien, Village Clerk

Standards for Variations

The following 7 responses are hereby submitted as requested to obtain a variance from the zoning ordinance in regards to the property at 320 S. Martha Court by the owners, Elwaine and Barbara Hardtke.

1. Because of the particular surrounding area, the back lot is the only useable area in this case. The current house is built to the 35' set back and therefore we need the variance. The property backs up to the Prairie Path which also limits possibilities. The side area is not an option as the houses in this subdivision are all built as closely as possible. The eight sites around the subdivision are irregular in shape and shallower in size. This is not the first property to apply for a variance.
2. As you can see from the way the original lots were divided, we are the only property in the subdivision that backs directly up to the Prairie Path with no other side yard option. We have one of the smallest lots in the subdivision and therefore simply have no other option for a chance to build a protected area to enjoy the outdoors. Having irregular lots, we believe this to be the only location situated on a cul-de-sac backing up to the Prairie Path.
3. The purpose of the variance is to build a three-season room. We have lived in Lombard for 38 years. We raised seven children at this location. Six of them still live within ½ mile of us, our daughter's family lives just 3 doors away at 337 S. Martha Ct. We looked into downsizing and decided against it, with talk that someday one of the kids might be interested in keeping the house in the family. We love to sit and enjoy the outdoors, however, the bugs prevent us from doing this most times. A current deck exists now with French doors leading out to the deck from the dining room. We rarely use the back deck, as is, because the mosquitoes and bugs are especially bad due to the Prairie path directly behind us. We would like to replace the deck with a three-season room that is handicap accessible. Elwaine has Parkinson's Disease, a degenerative disease. He would enjoy sitting outside to read his paper, to watch or listen to the Cubs (that alone should be hardship enough!), or to take a nap in his chair. The eventual goal will most likely be to convert the dining room into a bedroom. The French doors and transition will be replaced and the three-season room will be wheelchair accessible.
4. The hardship is caused by this ordinance. Given our property, we simply have nowhere else to go. The open space is not an issue for us. We will actually be increasing the open space by replacing the 12' x 20' deck with a smaller 12' x 14' three-season room.
5. The granting of the variation will not be detrimental to the public welfare or injurious to other properties. It is secluded area and not heavily traveled. The egress and ingress to the property is only available from Hickory Street to Martha Ct. The subject's rear property line connects to the Prairie Path but does not cause any additional traffic. We

have talked to and received letters from our direct neighbors. They both think that it would be nice. The three-season room would be replacing an older deck and would again be actually increasing open space which would allow for more landscaping possibilities. Due to the mature trees and growth of foliage on the Prairie Path, the public will not even be able to see it for most of the year.

6. The granting of the variation will not alter the essential character of the neighborhood. It would actually enhance the neighborhood by removing the older deck and replacing it with a more up-to-date structure. Many homes in the subdivision have been updating their homes very recently. This enhancement to our home would actually help us stay more in line with the improvements that our neighbors have been doing. "Pride of ownership" has and always will be a priority to us. The plan for this high quality three-season room has been well thought out with a reputable BBB endorsed company, Timber Built of St. Charles, certainly in line with the character of the neighborhood.
7. The proposed variation will not impair adequate light or air to adjacent property. The proposed variation will be mostly windows in order to retain the beauty of the outdoors. It is in the rear of the property and replacing an old deck, so increase of congestion, fire, natural drainage or public safety are not increased at all. It will certainly not diminish property values in the neighborhood but rather help increase those values. As stated earlier with our neighbor's improvements, this variation will actually help us stay more in line with our neighbor's houses.