

DECEMBER 18, 2013

Title

ZBA 13-08

Petitioner

Seth Browleit
353 N. Grace Street
Lombard, IL 60148

Property Owner

Seth and Sarah Browleit
353 N. Grace Street
Lombard, IL 60148

Property Location

353 N. Grace Street
(06-05-400-023)

Zoning

R2 Residential Single Family

Existing Land Use

Residential Single Family

Comprehensive Plan

Low Density Residential

Approval Sought

A variation to allow an unenclosed roofed-over front porch to be set back twenty-two (22) feet where twenty-five (25) feet is required for the front yard.

Prepared By

Tami Urish
Planner I



LOCATION MAP

PROJECT DESCRIPTION

The petitioner is proposing to construct a replacement unenclosed roofed-over porch attached to the front wall of the single family structure. The size of the proposed front porch is one hundred and forty-seven (147) square feet; twenty-one (21) feet by seven (7) feet.

APPROVAL(S) REQUIRED

Per Section 155.212, Permitted Obstructions in Required Yards of the Lombard Zoning Ordinance, roofed over porches which are unenclosed, constructed on footings or piers, and projecting not more than seven (7) feet from the front wall of the principal structure, provided that a minimum twenty-five (25) foot front yard setback is maintained is a permitted obstruction. Therefore, a variation is needed to allow an unenclosed roofed-over front porch to be set back twenty-two (22) feet where twenty-five (25) feet is required for the front yard within the R-2 Residential Single Family Zoning District is required.

EXISTING CONDITIONS

The property contains a two-story frame single family residence with an existing one hundred and forty-seven (147) square foot front porch. The property also has a detached garage and associated driveway.

PROJECT STATS

Lot & Bulk

| | |
|----------------|----------------|
| Parcel Size: | 12,294 sq. ft. |
| Building Size: | 1352 sq. ft. |
| Tenant Space: | N/A |
| Lot Coverage: | Approx. 31% |

Setbacks

| | |
|--------------|-----------|
| Front (West) | 29 feet |
| Side (North) | 29 feet |
| Side (South) | 10.5 feet |
| Rear (East) | 101 feet |

Parking Spaces

Not applicable

Surrounding Zoning & Land Use Compatibility

North, East, South and West:
R-2; Single Family Residential

Submittals

1. Petition for Public Hearing
2. Response to Standards for Variation
3. Proof of Ownership
4. Plat of Survey
5. Plan and West Elevation; submitted by petitioner on 11/6/2013.
6. Existing conditions photo submitted by petitioner on 10/25/13.

INTER-DEPARTMENTAL REVIEW

Building Division:

A full review will be conducted during the building permit review process.

Fire Department:

The Fire Department has no issues/concerns regarding the project.

Private Engineering Services:

Private Engineering Services has no issues or concerns regarding the project.

Public Works:

The Department of Public Works has no issues or concerns regarding the project.

Planning Services Division:

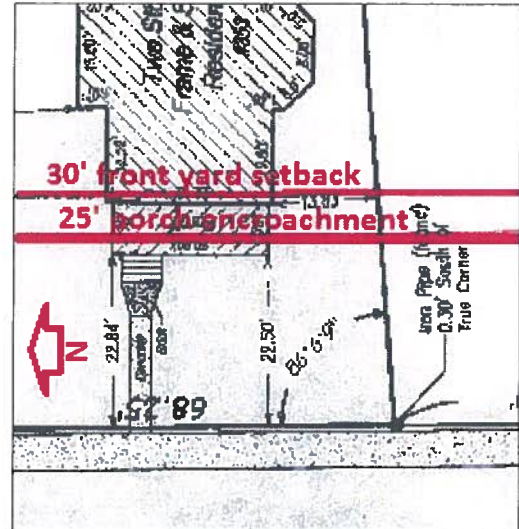
The Zoning Ordinance allows roofed-over porches, which are unenclosed and projecting not more than seven (7) feet, as a permitted encroachment in the front yard, provided that a minimum of twenty-five (25) foot front setback is maintained. Under the permitted obstructions provision, an unenclosed roofed-over porch could be constructed on the subject property approximately five feet (5') from the principal structure as a matter of right. The petitioner is proposing to replace an existing unenclosed roofed-over porch with that will extend (westward) seven (7) feet from the principal structure's closest point. This would result in a setback deficiency of three feet (3') as the structure would only be set back a distance of twenty-two feet (22') from the western property line, where twenty-five feet (25') is required. The existing principal structure is nonconforming as it is situated twenty nine feet (29') from the western property line of the southern majority of the structure at its closest point and gradually increasing to thirty feet (30') from the western property line on the northern corner of the structure. The existing porch is in significant disrepair due to age and requires replacement. The proposed new porch will duplicate the existing porch's dimensions. The degree of encroachment will remain identical.

Staff finds that the hardship for this variation is due to the location of the principal structure in relation to the western property line. Although this setback deficiency is minimal, it does reduce the property owner's ability to reconstruct an existing unenclosed roofed-over front porch that has been a historic feature to the house since it was built circa-1900.

To be granted a variation the petitioners must show that they have affirmed each of the “Standards for Variation” outlined in Section 155.103 (C) (7). Not all of the following standards have been affirmed but consideration of the circumstances for items a., b., d. and e. must be examined in further detail:

- a. *That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner has been shown, as distinguished from a mere inconvenience if the strict letter of the regulations were to be applied.*

Staff finds that the petitioner’s lot does not have unique physical limitations, however the placement of the existing structure on the property does limit the owner from meeting the intent of the ordinance. The principal structure and porch were constructed prior to front yard setback provisions.



- b. *The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.*

Staff finds that the conditions are not unique to the subject property. The design and layout of the petitioner’s property is typical of any R2 Single Family Residential lot in the Village of Lombard and the surrounding neighborhood with the exception that it is legal nonconforming in relation to the front yard setback only.

- c. *The purpose of the variation is not based primarily upon a desire to increase financial gain.*

This standard is affirmed.

- d. *The alleged difficulty or hardship is shown to be caused by this ordinance and has not been created by any person presently having an interest in the property.*

Staff finds that the hardship has not been caused by the ordinance and has instead been created by the petitioner’s preference to historically preserve the streetscape of the home. Staff finds that the hardship for this variation is due to the location of the principal structure in relation to the front yard setback. Although this setback deficiency is minimal, it does reduce the property owner’s ability to reconstruct the existing unenclosed roofed-over front porch.

- e. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

Staff finds that granting the request would not be injurious to neighboring properties.

- f. *The granting of the variation will not alter the essential character of the neighborhood.*

This standard is affirmed.

- g. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood*

This standard is affirmed.

Staff does not find a hardship in this case that would justify the requested setback variation based on the functionality of the use defined as egress and ingress purposes only. However, the desire to maintain and preserve the existing exterior appearance of the home is reasonable. According to records on file with the Historical Society, the house is known as the Schramm Farmhouse of Schramm Orchards without a precise year it was built. The museum's historic researcher has dated the farmhouse as circa-1900s. Although the house is not a local landmark or a recognized historic site, maintaining the original appearance of the house has significant merit.

In recent years there have been seven other ZBA petitions requesting relief for unenclosed, roofed-over front porches. Three cases within this current year have been similar in scope to the variation requested for 353 N. Grace Street. All of the below ZBA cases are related to the construction of front porches. The seven variations were ultimately granted.

| Case No. | Address | Front Yard Relief Requested | ZBA Vote | BOT Action |
|-----------------|------------------|---|-----------------|-------------------|
| ZBA 13-07 | 330 W. Potomac | Encroachment reduced from 25' to 22' | Approval | Approval |
| ZBA 13-04 | 616 E. Madison | Encroachment reduced from 25' to 23' | Approval | Approval |
| ZBA 13-02 | 225 W. Potomac | Encroachment reduced from 25' to 23' | Approval | Approval |
| ZBA 10-12 | 544 S. Highland | Encroachment reduced from 25' to 22.5' | Approval | Approval |
| ZBA 07-05 | 208 S. Elizabeth | Encroachment reduced from 25' to 14.5' | Approval | Approval |
| ZBA 06-17 | 197 S. Craig | Corner side yard reduced from 20' to 9' | Approval | Approval |
| ZBA 06-03 | 121 N. Lincoln | Encroachment reduced from 25' to 23.5' | Approval | Approval |

The proposed addition of a front porch would not alter the essential character of the neighborhood. On the contrary, the house pre-dates the neighborhood and a few new homes across the street appear to have emulated the style of this original farmhouse. Staff is able to support the requested variation based upon established precedence for unenclosed roofed-over porches allowed to encroach within the required setbacks in addition to preserving the streetscape of the neighborhood.

FINDINGS & RECOMMENDATIONS

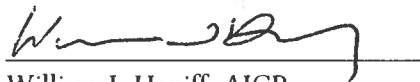
The Department of Community Development has determined that the information presented has affirmed the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the front yard setback variation to allow an unenclosed roofed-over front porch:

Based on the submitted petition and the testimony presented, the requested variations **do comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals adopt that the findings included as part of the

Inter-departmental Review Report as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 13-08; subject to the following conditions:

1. The porch shall be developed in accordance with the submitted plans prepared by Caleb Baer dated November 5, 2013 and made a part of the petition.
2. The petitioner shall apply for and receive a building permit for the proposed plans.
3. 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.
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 shall meet the required front yard setback.
5. The roofed-over porch shall remain unenclosed.

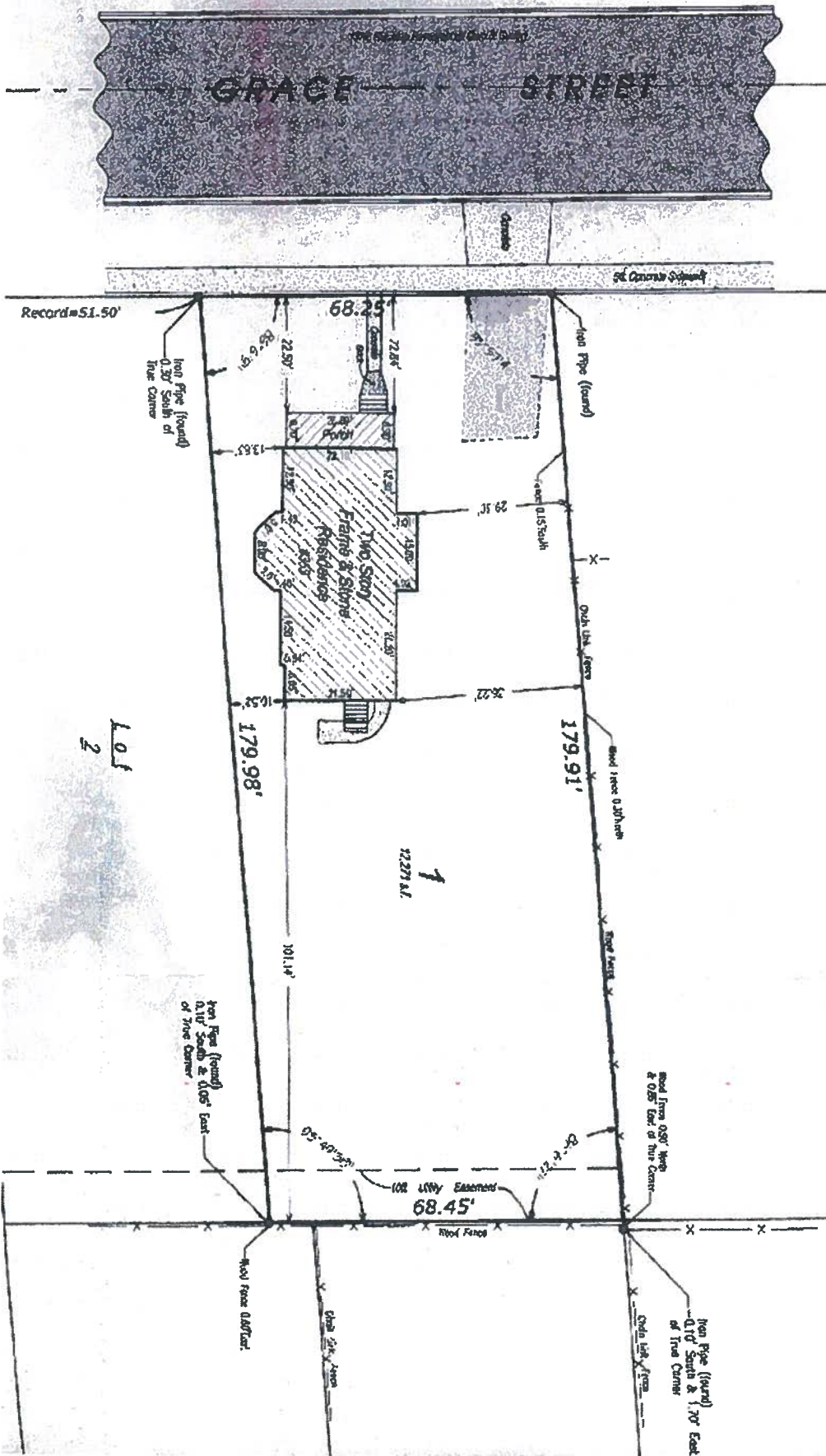
Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

EXHIBIT A – PLAT OF SURVEY

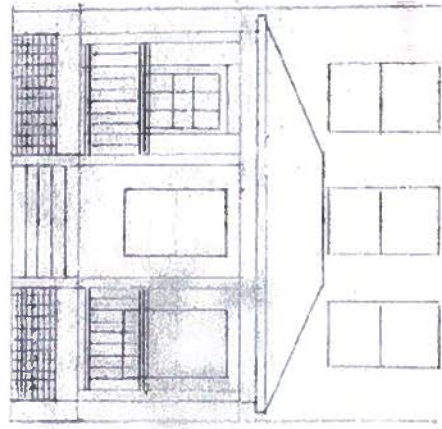


LOT 1 OVERLYING GRACE STREET RESUBDIVISION BEING A SUBDIVISION OF LOT 1 IN HAROLD PETERSON & SUBDIVISION IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 33 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, MADISON COUNTY, ALABAMA

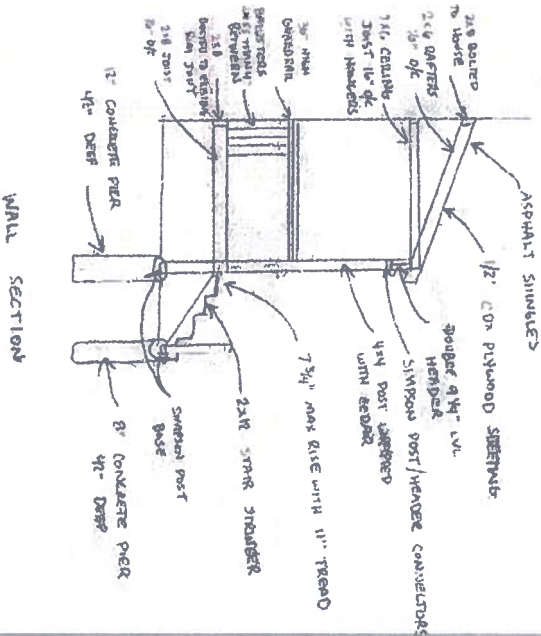
PLAT OF SURVEY

- of -

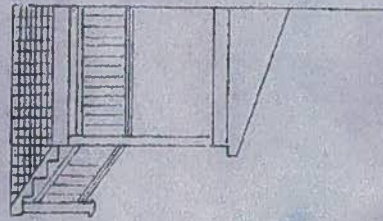
EXHIBIT B – 353 N. GRACE STREET, SUBMITTED PLANS



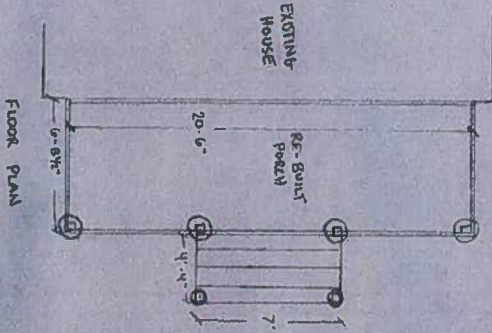
WEST ELEVATION



WALL SECTION



NORTH ELEVATION



FLOOR PLAN

- Scope:
- Remove existing porch
 - Dig and pour new concrete piers
 - Frame new porch (same size as existing)
 - Install all necessary Simpson Hangers and Post Bases
 - Install 1 1/4" x 4" Cedar Siding
 - Install 5/8" Thick Bead Board Ceiling
 - Install 2x2 Cedar Balusters
 - Install Asphalt Shingles
 - Install Lattice Siding

| | |
|------------------------------|--------------|
| THE BRODEUR RESIDENCE | |
| DATE: 4-15-13 | PROJECT NO.: |
| 353 N. GRACE ST. LOMBARD, IL | OWNER: |
| | DESIGNER: |
| | DATE: |

EXHIBIT C – 353 N. GRACE STREET, EXISTING CONDITIONS

