

**VILLAGE OF LOMBARD  
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO:	Zoning Board of Appeals	HEARING DATE:	September 22, 2010
FROM:	Department of Community Development	PREPARED BY:	Michael S. Toth Planner I

**TITLE**

**ZBA 10-11; 148 W. Park Dr:** The petitioner requests that the Village grant a variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the interior side yard setback to three feet (3') where six feet (6') is required within the R2 Single-Family Residence District.

**GENERAL INFORMATION**

Petitioner:	Karolina Boldyrew 6663 W. 88 <sup>th</sup> Place Oak Lawn, IL 60453
Property Owner:	Harry Rehfeldt 148 W. Park Lombard, IL 60148

**PROPERTY INFORMATION**

Existing Zoning:	R2 Single-Family Residence District
Existing Land Use:	Single-Family Residence
Size of Property:	Approximately 7,759 square feet

Surrounding Zoning and Land Use:

North:	R2 Single-Family Residence District; developed as Single-Family Residences
South:	R2 Single Family Residence District; developed as Single-Family Residences

East: R2 Single-Family Residence District; developed as Single-Family Residences

West: R2 Single-Family Residence 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 April 23, 2009.

1. Petition for Public Hearing.
2. Response to Applicable Standards.
3. Plat of Survey, prepared by Lambert & Associates
4. Elevation & Site Plan

### **DESCRIPTION**

The property contains a split-level single family residence which once contained a carport on the eastern portion of the residence. Due to recent fire damage, the residence has undergone a number of internal improvements. Unrelated to the fire damage, the carport was also demolished. The petitioner now plans to construct an attached garage where the carport once existed. The new construction would maintain the original carport setback of three feet (3'). The Zoning Ordinance requires that the new construction meet an interior side yard setback of six feet (6'). Therefore, a variation is necessary.

### **INTER-DEPARTMENTAL REVIEW COMMENTS**

#### **ENGINEERING**

The Private Engineering Services has no comments.

#### **PUBLIC WORKS**

Public Works Engineering has no comments on this petition.

#### **FIRE**

The Fire Departments has no comments.

**BUILDING DIVISION**

The Building Division has no comments.

**PLANNING**

The petitioner is proposing to construct an attached garage where a carport once existed. The original carport was three feet (3') from the side lot line. The proposed attached garage addition would occupy the same footprint of the carport. Therefore, the addition would be set back three feet (3') and would be one-story in height.

As the proposed addition would maintain the building line of the original carport, it would not increase the degree of encroachment into the side yard. Staff notes that a two-car attached garage could not be constructed in any other portion of the house. The eastern portion of the existing residence (directly north of the proposed garage location) maintains a six foot (6') setback and the western portion of the residence is setback eight feet (8'), respectively. As such, there is inadequate space to allow a driveway to the rear of the residence to construct a detached garage. These setback deficiencies can be attributed, in part, to the width of the lot being fifty-four feet (54'). This lot width would be considered substandard by current Zoning Ordinance requirements that lots zoned R2 must be sixty feet (60') in width.



**Proposed Garage Footprint**

Listed below are several ZBA cases in which similar variation requests were made where the addition holds the setback of the existing residence and does not further encroach into the requisite yard. Examples of these variations include:

- 1) The property at 576 Green Valley Drive received approval of a variation to reduce the required interior side yard setback from six feet (6') to two feet (2') for the conversion of a carport into a garage and for a residential addition (ZBA 03-10).
- 2) The property at 828 S. Fairfield received approval of a variation to reduce the required interior side yard setback from six feet (6') to two and one-half feet (2.5') for a residential addition (ZBA 05-14).
- 3) The property at 219 W. Hickory received approval of a variation to reduce the required interior side yard setback from six feet (6') to two and one-half feet (2.5') for an attached garage (ZBA 06-14).
- 4) The property at 259 N. Garfield received approval of a variation to reduce the required interior side yard setback from nine feet (9') to 7.88 feet for a second story addition holding the previously developed exterior wall of the residence (ZBA 07-12).
- 5) The property at 217 N. Craig Place received approval of a variation to reduce the required interior side yard setback from nine feet (9') to 7.9 feet for a sunroom at the rear of the home holding the previously developed exterior wall of the residence (ZBA 08-03).
- 6) The property at 126 S. Lombard received approval of a variation to reduce the required interior side yard setback from six feet (6') feet to four and one-half feet (4.5') for an addition that held the previous setback line (ZBA 09-04).

Staff finds that this petition meets the Standards for Variations. The proposed location for the addition and garage are due to the existing configuration of improvements on the lot. The proposed attached garage would be constructed within the footprint of the previously existing legal non-conforming structure and would therefore not increase the degree of setback non-conformity than what previously existed for many years. Lastly, the western portion of the neighboring property (directly to the east of the subject property) is improved with a driveway. As such, that residence (144 W. Park) has a side yard setback of eleven (11) feet. Furthermore, the separation between the subject principal structure and that of the neighbor to the east would be fourteen (14) feet.

In order to avoid the undesired effects of increased physical or perceived bulk to the neighboring properties, staff suggests that a condition be added to any motion for approval that any new construction built within the six foot (6') setback area be limited to one-story in height.

## **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 side yard setback variation:

Based on the submitted petition and the testimony presented, the requested variation complies with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals recommend to the Corporate Authorities **approval** of ZBA 10-11, subject to the following conditions:

1. The addition and garage shall be developed in accordance with the submitted site and elevation plan submitted as part of this petition.
2. The proposed addition and garage along with any future additions to the residence, which are set back less than six feet (6') from the interior side property line, shall not exceed a height of one-story.
3. The petitioner shall apply for and receive a building permit for the proposed plans.
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 side yard setback.

Inter-Departmental Review Group Report Approved By:

---

William J. Heniff, AICP  
Director of Community Development

c: Petitioner