

March 22, 2023

**Title**

ZBA 23-04

**Petitioner & Property Owner**

Manco Home Builders, Inc.  
723 N. Addison Rd. Suite 1  
Villa Park, IL 60181

**Property Location**

302 W. St. Charles Road

**Zoning**

R4 Limited General Residence

**Existing Land Use**

Single-Family Home

**Comprehensive Plan**

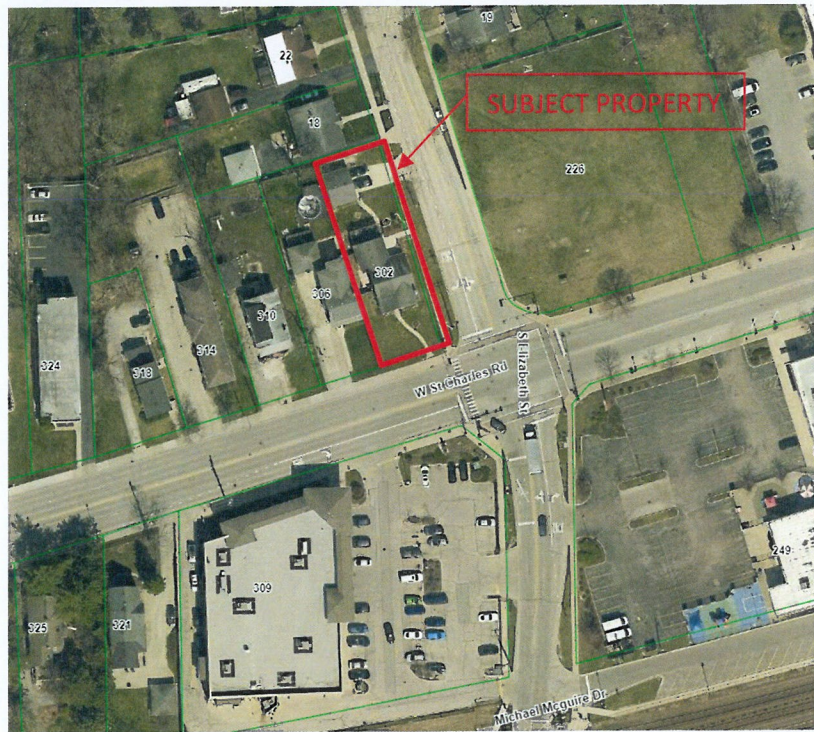
Low Density Residential

**Approval Sought**

A variation from Section 155.409(F)(1)(b) of the Lombard Zoning Ordinance to reduce the required corner side yard setback from twenty feet (20') to eight and four tenths feet (8.4').

**Prepared By**

Tami Urish  
Planner I



LOCATION MAP

**PROJECT DESCRIPTION**

The subject property is developed with a single-family home. The existing single-family home does not meet the required twenty-foot corner side yard setback or the six-foot interior side yard setback. The property owner applied for a permit to construct the proposed addition to the house and found that a variance would be required to obtain said permit. The proposed addition will maintain the existing eight and four tenths (8.4') corner side yard setback

**APPROVALS REQUIRED**

The petitioner requests that the Village approve a variation from Section 155.409(F)(1)(b) of the Lombard Zoning Ordinance to reduce the required corner side yard setback from twenty feet (20') to eight and four tenths feet (8.4') for the subject property located within the R4 Limited General Residence Zoning District. The requested relief is for an addition to an existing nonconforming single-family residence located on the subject property.

**EXISTING CONDITIONS**

The property contains an existing one-story single-family residence with a detached garage.



**PROJECT STATS**

**Lot Size**

Parcel Area: 8,424 SF

Parcel Width: 50 feet

**Setbacks with proposed addition**

Front (south) 44.15 feet

Corner Side (east) 7.36 feet

Side (west) 7.17 feet

Rear (north) 72 feet

**Surrounding Zoning & Land Use Compatibility**

North and West: R4 Limited General Residential

East: B5PD Central Business District Planned Development

East: B5APD Downtown Perimeter Planned Development

**Submittals**

1. Petition for public hearing;
2. Response to standards for variation;
3. Plat of survey prepared by Preferred Survey, Inc., dated 03/11/2014; and
4. Architectural plans, prepared by Jeffery J. Heaney, dated 5/30/2022.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no comments regarding the petition. Additional comments may be forthcoming during permit review.

**Fire Department:**

The Fire Department has no comments regarding the petition. Additional comments may be forthcoming during permit review.

**Private Engineering Services:**

Private Engineering Services (PES) has no comments regarding the petition. Additional comments may be forthcoming during permit review.

**Public Works:**

The Department of Public Works has no comments regarding the petition. Additional comments may be forthcoming during permit review.

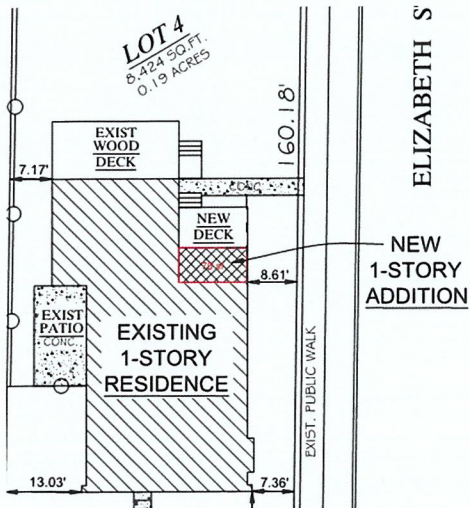
**Planning Services Division:**

The Zoning Ordinance requires single-family residences in the R4 District to maintain a minimum corner side yard setback of 20 feet and a minimum interior side yard setback of six feet from property line. The residence is not meeting the required 20-foot corner side yard setback relative to the east property line. The petitioner proposes to build a seventy (70) square foot one-story addition onto the house. The proposed addition will hold the existing corner side setback toward the rear of the house along Elizabeth Street.

The subject property is 50 feet wide, and is part of a subdivision of lots with widths ranging from 50 to 52 feet. The subdivision was platted in 1917 (Orchard Subdivision). Village Code currently requires a minimum lot width of 60 feet in the R2 Zoning District, though the subject property is a buildable lot under the 80% provision in Section 155.209.

According to the York Township Assessor, the home on the subject property was built in 1922. The Village has no permit on file for the construction of the house. Therefore, site plans for the original house are not available in Village records. Prior to 1960, it is not unusual that records were misfiled or damaged beyond saving however the house may have met all applicable development regulations in place at the time. The existing detached garage received a building permit in 1992.





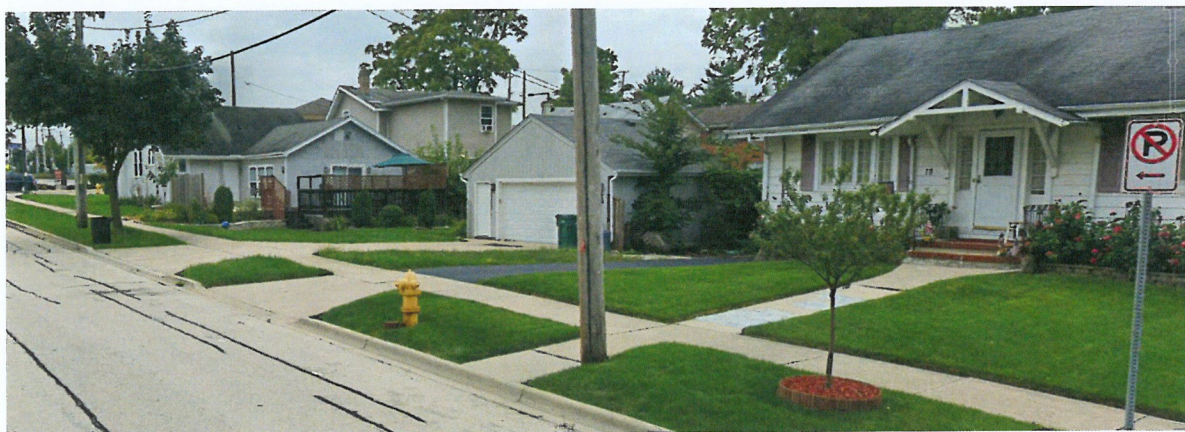
*Subject property*



*Subject property viewed from front yard (St. Charles Rd)*

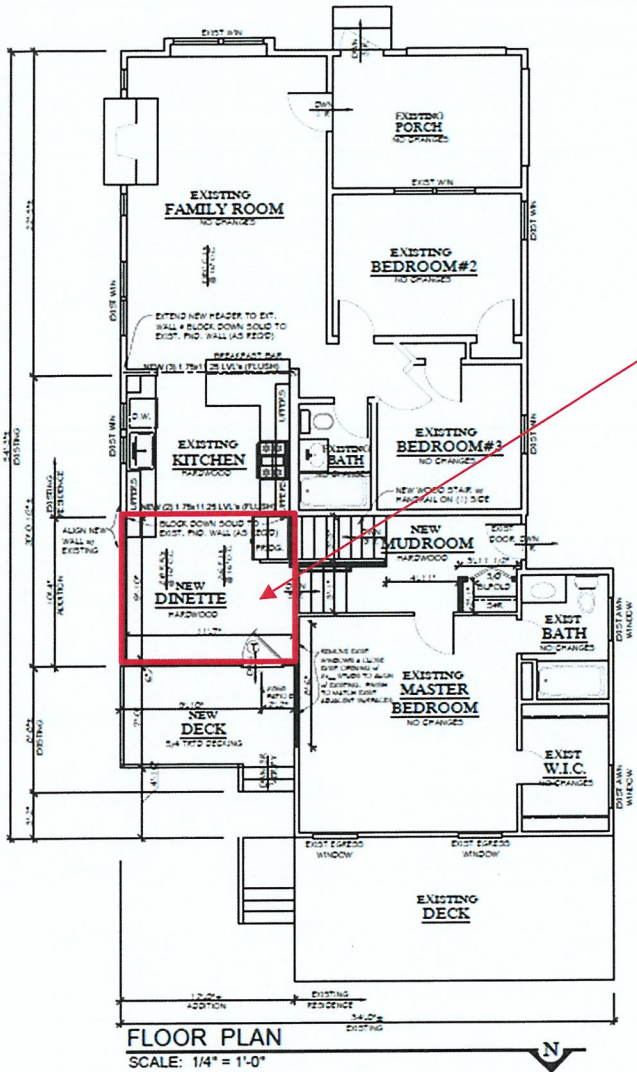


*Subject property viewed from corner yard (Elizabeth Street)*



*Subject property viewed from 18 N. Elizabeth Street (viewshed in line with the subject property's detached garage).*





The current Village Code went into effect after the subject property was developed, and contains lot width and setback requirements that the subject property does not meet. Staff recognizes that this development sequence creates a hardship for the property owner attempting to modify a home that was constructed prior to current zoning requirements. The floor plan of the house restricts the options for expanding the kitchen (shown in the red box) and therefore the placement of the addition.

Additionally, there are no residences immediately to the east of the subject property that would be directly impacted by the additional encroachment. The residence to the north is not directly impacted as the subject property's existing detached garage obstructs the view of the small addition.

To be granted a variation, petitioners must show that they have affirmed each of the standards for variations outlined in Section 155.407(F)(3). Staff offers the following commentary on these standards with respect to this petition:

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.*

The subject property is 50 feet wide, and is part of a subdivision platted in 1917. The current minimum lot width in the R4 Zoning District is 60 feet, though the subject property is a buildable lot under the 80% provision of Village code. A 50-foot lot width could be considered unique when compared to the overall Village housing stock. Further, the existing structure was constructed in 1922, prior to current yard setback provisions. The substandard lot width, combined with the placement of the existing structure on the property, limits the petitioner's ability to meet the current zoning requirements.

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.*

The subject property is a 50-foot wide lot of record in a legally established subdivision. The one-story addition will hold the corner side yard setback line of the existing house. These circumstances are specific to the subject property.



- 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 for this variation is due to the location and area of the existing structure in relation to the current corner side yard setback requirements. The existing house was built before the Village had adopted a Zoning Ordinance with setback and lot width requirements (1960). Presumably, the house met applicable standards at the time of construction. Current setback and lot width requirements do not reflect the conditions under which the existing house was built.

- 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.*

This standard is affirmed. The existing house was built prior to 1960. Since then, the house has not been detrimental to the public welfare or injurious to other properties. The proposed one-story addition will hold the corner side yard setback of the existing house and will not further encroach into the requisite yards.

Staff does not believe the proposed second-story addition will have a negative impact on adjacent properties. The height of the house with the proposed addition will be 24.75 feet (Village Code defines building height as the mean level between the eaves and the peak of the roof). Maximum building height in the R4 District is 30 feet.

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

Staff finds that this standard is affirmed. The one-story addition will maintain the existing corner side building line.

- 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*

The one-story addition will hold the corner side yard setback line of the existing house. The corner side setback ranges from 7.36 to 8.4 feet. The proposed addition will maintain the existing eight and four tenths (8.4') corner side yard setback, as the proposed addition is at that location of the house. The addition is not expected to impact light or air supply to the adjacent property.

In consideration of precedent, staff has identified similar cases that appeared before the Zoning Board of Appeals in recent years. All of the cases listed below were requests to reduce a corner side yard setback for an addition that held the setback of the existing residence. Several of these cases involved 50-foot wide lots with circumstances similar to those on the subject property.



CASE NO.	DATE	ADDRESS	SUMMARY	ZBA	BoT
ZBA 04-03	5/6/2004	310 W. Morris Ave.	16' Corner Side Yard	Approved, 5-0	Approved, 5-0
ZBA 05-03	4/7/2005	1051 S. Stewart Ave.	17.5' Corner Side Yard (Reverse Corner Lot)	Approved, 5-0	Approved, 6-0
ZBA 05-07	6/2/2005	403 S. Edson St.	12.36' Corner Side Yard (Reverse Corner Lot)	Approved, 6-0	Approved, 6-0
ZBA 05-09	7/21/2005	444 E. Taylor Rd.	22' Rear Yard (Corner Lot)	Approved, 5-0	Approved, 6-0
ZBA 06-01	2/6/2006	151 E. Berkshire Ave.	6' Corner Side Yard	Approved, 4-0	Approved, 6-0
ZBA 06-06	5/4/2006	302 W. Loy St.	10.5' Corner Side Yard (Reverse Corner Lot)	No Rec.	Partial App., 6-0*
ZBA 06-17	8/23/2006	197 S. Craig Pl.	9' Corner Side Yard	Approved, 6-0	Approved, 6-0
ZBA 06-22	9/27/2006	601 E. Sunset Ave.	10' Corner Side Yard	Approved, 6-0	Approved, 6-0
ZBA 06-24	12/7/2006	303 W. Harding Rd.	10' Corner Side Yard	Denial, 5-1	App., 6-0**
ZBA 06-26	1/4/2007	117 S. Stewart Ave.	14.67' Corner Side Yard	Approved, 5-0	Approved, 6-0
ZBA 07-02	2/15/2007	206 E. Hickory St.	15' Corner Side Yard	Approved, 4-1	Approved, 6-0
ZBA 08-01	3/6/2007	322 E. Elm St.	17.68' Corner Side Yard	Approved, 5-0	Approved, 6-0
ZBA 10-01	2/18/2010	41 S. 2 <sup>nd</sup> Ave.	16.8' Corner Side Yard	No Rec.	App., 6-0
ZBA 10-07	9/16/2010	103 W. Collen Dr.	14.5' Corner Side Yard (Reverse Corner Lot)	Approved, 6-0	Approved, 6-0
ZBA 10-08	9/16/2010	322 E. Elm St.	17.68' Corner Side Yard	Approved, 6-0	Approved, 6-0
ZBA 10-14	1/6/2011	1029 E. Woodrow Ave.	11.5' Corner Side Yard (Reverse Corner Lot)	Approved, 5-0	Approved, 6-0
ZBA 13-01	2/7/2013	236 E. Morningside Ave	15.7' Corner Side Yard	Approved, 4-0	Approved, 6-0
ZBA 15-03	2/5/2015	135 N. Broadview Ave.	14.3' Corner Side Yard	Approved, 5-0	Approved, 5-0
ZBA 20-06	11/19/20	353 E. Washington Bl	5' Corner Side Yard	Approved, 6-0	Approved, 5-0
ZBA 22-01	7/21/22	809 S. Elizabeth St.	14' Corner Side Yard	Approved, 7-0	Approved, 6-0
ZBA 23-02	2/22/23	1161 S. Finley Road	14' Corner Side Yard	Approved 6-1	No vote yet

Staff finds the variation request meets the standards for variation.

### **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 aforementioned 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 find that the findings as discussed at the public hearing, and those findings included as part of the Inter-Departmental Review Committee Report be the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities approval of ZBA 23-04 subject to the following 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 receive an approved building permit for the proposed addition;
3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;



4. This approval shall be subject to the construction commencement time provisions as set forth within Sections 155.103(C)(10);
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.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development

c. Petitioner

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## XI. STANDARDS FOR VARIATIONS

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all variations of the Lombard Zoning Ordinance and Lombard Sign Ordinance.

### SECTION 155.103.C.7 OF THE LOMBARD ZONING ORDINANCE:

The regulations of this ordinance shall not be varied unless findings based on the evidence presented are made in each specific case that affirms each of the following standards:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied. Since the house was built in 1922 the functionality of an existing kitchen and a staircase to the basement and riser exceed (10 inches in height) do not meet today's standard and therefore the existing kitchen is impossible to use and the existing staircase to the basement is hazard to all.
2. 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. We are not exceeding existing side yard setbacks with a new addition.
3. The purpose of the variation is not based primarily upon a desire to increase financial gain. We are trying to bring the house to today's standard and functionality
4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property. The property was built in 1922 therefore no one is involved with the original construction.
5. 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. We are not exceeding existing side yard setback. A proposed addition faces the street (No neighbors on that side of the house).
6. The granting of the variation will not alter the essential character of the neighborhood; and, No, since we are filling in a corner into the existing L- shape.



7. 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. No, since the proposed addition is facing outside corner of the property.







# Residential Addition & Remodel

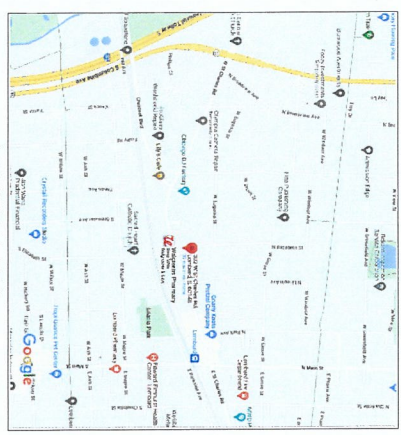
## 302 W. St. Charles Road Lombard, Illinois 60148



**ROBERT M. AKERS  
ARCHITECTURE LLC**  
Architect | Designer | Residential | Commercial  
202 Campbell Street, Geneva, IL 60134  
(630) 330-6176 • robert.akers@mcglobal.net  
www.mrarchitect.com

**STRUCTURAL DESIGN CRITERIA**  
Minimum soil bearing capacity 3,000 psf  
Specialty member:  
2" x 4's, 2x6's, 2x10's Spaced-Pole: F<sub>y</sub> (GFRP) grade 160.2 or better,  
2x12's: F<sub>y</sub> grade 160.2 or better  
2x12's: F<sub>y</sub> grade 160.2 or better  
Domestic Pipe, with an extreme fiber stress F<sub>y</sub> of 60.0 ksi min.  
Manufactured floor joists are not allowed  
Manufactured floor joists are not allowed  
Floor Joists = 40# TL, 12" DL, All Areas  
Ceiling Joists = 30# TL, 12" DL, All Areas  
Roof Joists = 30# TL, 12" DL, All Areas  
Roof Deck Joists = 40# TL, 12" DL, All Areas  
NOTE - ALL EXTERIOR TRUCK FRAMING MATERIAL SHALL BE SIF.  
F<sub>y</sub> = 425 OR BETTER RATED TO PREVENT ROY

**CODE REQUIREMENTS** VILLAGE OF LOMBARD, IL  
WITH LOCAL AMENDMENTS  
BUILDING CODES: 2018 INTERNATIONAL RESIDENTIAL CODE  
2018 INTERNATIONAL ENERGY CONSERVATION CODE  
2018 INTERNATIONAL FUEL GAS CODE  
2018 INTERNATIONAL MECHANICAL CODE  
2017 NATIONAL ELECTRIC CODE  
2014 ILLINOIS STATE PLUMBING CODE  
TITLE XV - ORDINANCE / AMENDMENTS

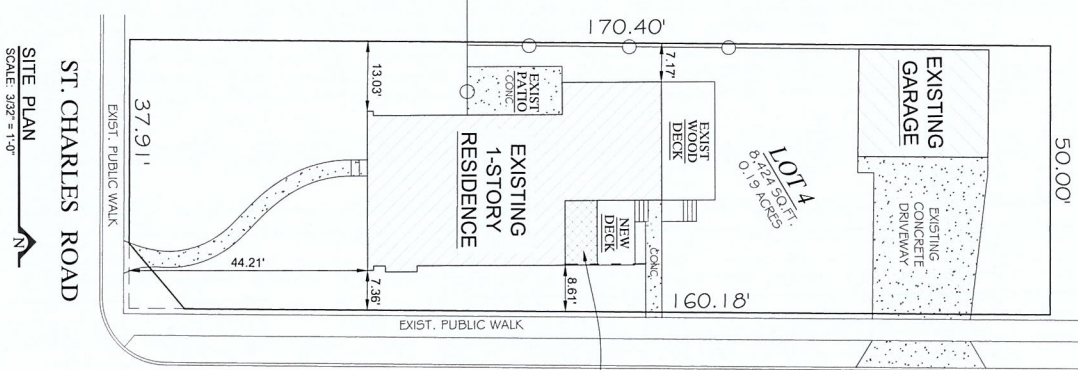


LOCATION MAP  
NOT TO SCALE

**DRAWING INDEX**  
T1.0 - TITLE SHEET  
SP.1 - SITE PLAN  
A1.0 - DEMO FLOOR PLAN, FOUNDATION PLAN  
A2.0 - EXISTING & NEW EXTERIOR ELEVATIONS  
A3.0 - SECTIONS, DETAILS, GENERAL NOTES  
E1.0 - ELECTRIC PLAN, NOTES & DETAILS

**JULIE HOTLINE**  
ALWAYS CALL BEFORE YOU DIG  
CALL 811 or (800) 892-0123





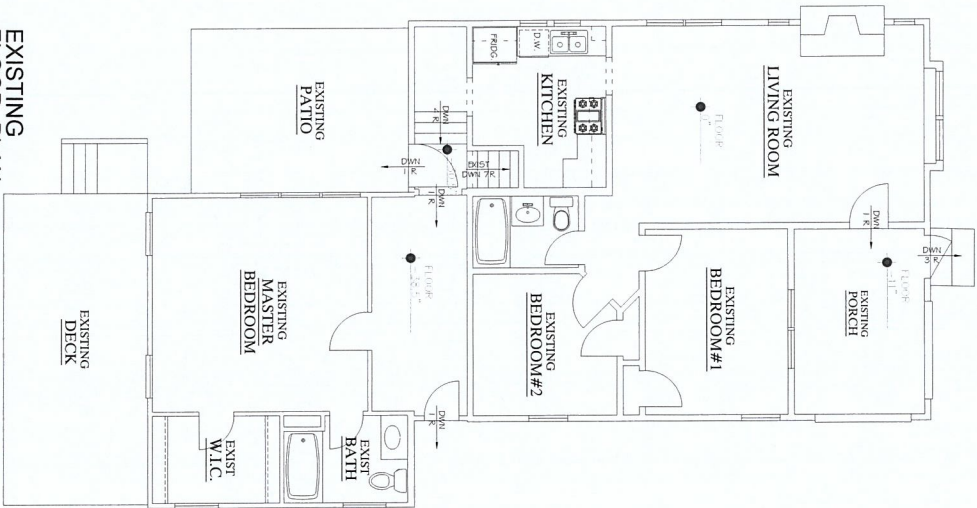
ST. CHARLES ROAD  
 SITE PLAN  
 SCALE: 3/32" = 1'-0"

ELIZABETH STREET

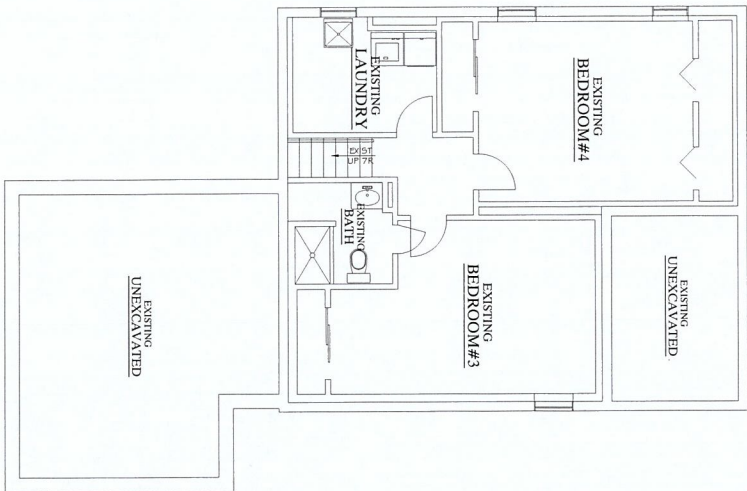
NEW  
 1-STORY  
 ADDITION

ZONING:	R4, Limited General Res.
MIN LOT AREA:	7,500 Sq Ft.
MIN LOT WIDTH:	60 Feet
MAX BUILDING HEIGHT:	36 Feet
MIN REQUIRED OPEN SPACE:	50%
NOTE: LOT & RESIDENCE ARE EXISTING NON CONFORMING	
ACTUAL LOT SIZE:	8,424 Sq.Ft.
ACTUAL LOT WIDTH:	50 Feet
ACTUAL BUILDING HEIGHT:	20 Feet
ACTUAL OPEN SPACE:	2,926 Sq.Ft. or 35%





**EXISTING FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**EXISTING FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"



Sheet  
**EX.1**  
Of 1 Sheet(s)

**EXISTING PLANS**  
New Addition to:  
The Residence at  
302 W. St. Charles Road  
Lombard, Illinois 60148

Date: 02/03/23  
Scale: AS NOTED  
Drawn: R.M.A.  
JAN 23 03:00



I hereby certify that these plans were prepared under my supervision and to the best of my knowledge they comply with the building ordinances, zoning ordinances and all other applicable codes and ordinances.  
Expires 11/30/24



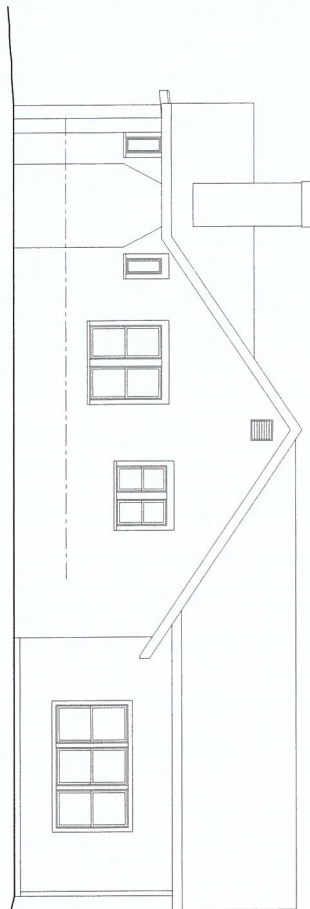
**ROBERT M. AKERS ARCHITECTURE LLC**  
ARCHITECT / DESIGNER / RESIDENTIAL / COMMERCIAL  
202 Campbell Street, Geneva, IL 60134  
(833) 330-6178 • 630-654-0200  
www.rmaarchitect.com

NO.	DESCRIPTION

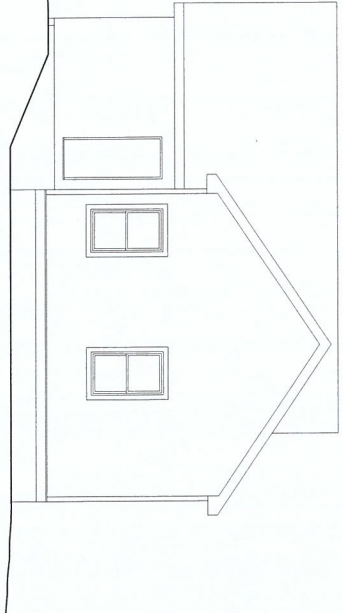




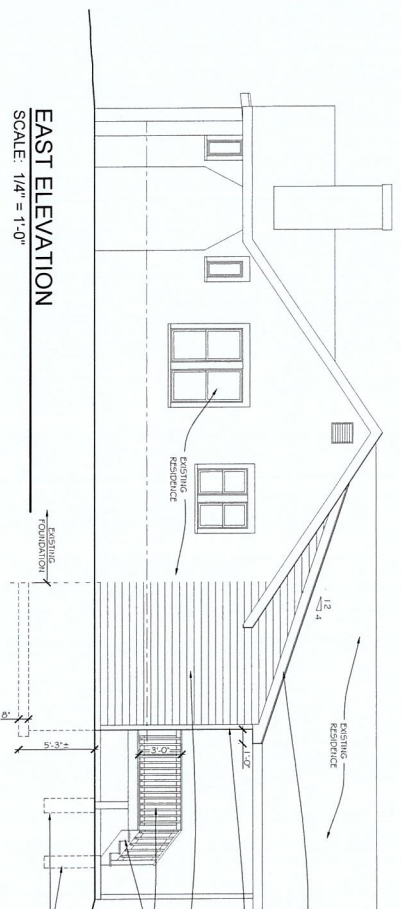




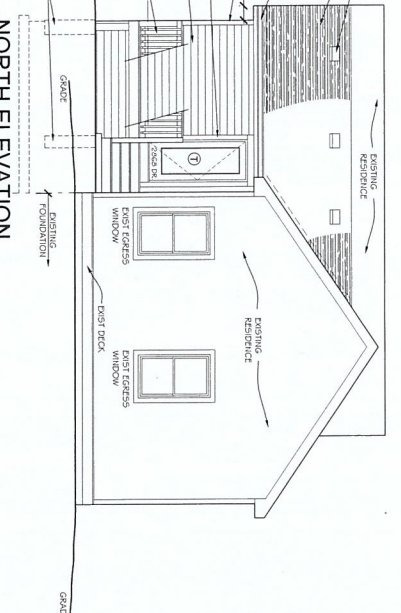
**EXISTING EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



**EXISTING NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"



**EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



**NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"

- (E) INDICATES WINDOWS THAT MEET OR EXCEED MIN. EGRESS REQUIREMENTS
- 1. MIN. NET CLEAR HEIGHT OF 6'7" O.C.
- 2. MIN. NET CLEAR OPENING HEIGHT OF 24"
- 3. MIN. NET CLEAR OPENING WIDTH OF 20"
- 4. MAX. SILL HEIGHT OF 44"
- (T) INDICATES GLASS LOCATIONS IN WINDOWS. TO BE TEMPERED PER SECTION R-308.4 2018 IBC

WINDOW FALL PROTECTION SHALL FOLLOW IBC 531.2.2 OF THE 2018 IBC AS REQUIRED  
NOTE:  
ALL WINDOWS ARE MAKEUP ELEVATE OR BUILDER APPROVED EQUAL  
NOTE:  
ALL WINDOWS SHALL HAVE A U-FACTOR OF LESS THAN 0.30. SIGNICERS TO REMAIN ON WINDOWS FOR INSULATION.



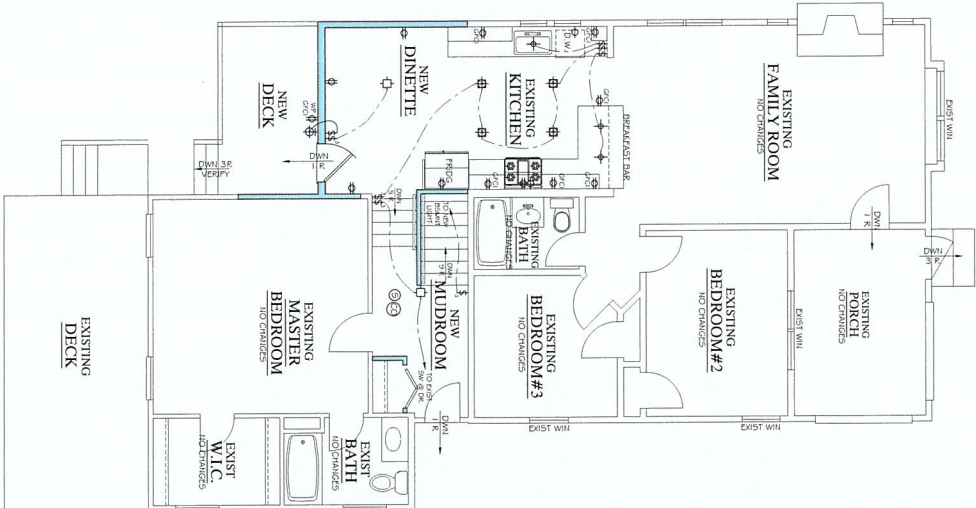




ELECTRICAL SYMBOLS	
⊖	ALARM
⊖	CABLE OUTLET
⊖	DUPLEX OUTLET MID-15' AFF
⊖	DUPLEX OUTLET (DECK/CEILING)
⊖	DUPLEX OUTLET (GROUND FAULT)
⊖	ELECTRICAL SWITCH MID-4'6" AFF
⊖	ELECTRICAL SUBPANEL
⊖	MOTOR
⊖	FAN / LIGHT
⊖	TELEPHONE JACK
⊖	COMPUTER MODERN CONNECTION
⊖	THERMOSTAT
⊖	110V INTERLOCKED SPACE DETECTOR
⊖	SURFACE MOUNTED INCANDESCENT
⊖	PENDANT
⊖	RECESSED LED LIGHT
⊖	WALL MOUNTED SCORCE
⊖	CARBON MONOXIDE DETECTOR
⊖	FLUSH MOUNTED FEATURE

**ELECTRICAL NOTES**

1. All electrical work shall conform to the National Electrical Code (NEC) 2017.
2. Electric service to building.
3. Voltage shall be 120V.
4. All electrical work shall be installed in accordance with the National Electrical Code (NEC) 2017.
5. Every floor shall have a 110V interlocked smoke detector. All history building and there shall be a 110V interlocked smoke detector in all bedrooms.
6. Electric outlets shall be mounted 15" above finished floor.
7. Electric switches shall be mounted 48" finished floor.
8. Type size, where conductors are required, for bedrooms shall be 14/2 minimum.
9. All electrical work shall be installed in accordance with the National Electrical Code (NEC) 2017.
10. All 200 amp circuits shall be 20kV, schedule 40 of heavier.
11. Minimum wire sizes shall be: three core #12; and all runs over 75' #10.
12. All 100 amp circuits shall be 20kV, schedule 40 of heavier.
13. All 60 amp circuits shall be 20kV, schedule 40 of heavier.
14. A number of 500' of air can pipe and permanently installed meters shall be provided for each service.
15. The equipment outlet shall be provided within 25' of each air conditioning unit.
16. All branch circuits that supply 125-volt, single phase, 15- and 20-ampere circuits installed in sleeping and living rooms, dining rooms, living rooms, or other similar rooms shall be protected by an arc-fault circuit interrupter (AFCI).
17. 120V receptacle outlets required as per NEC 2017 Article 406.12.
18. All electrical work shall be installed in accordance with the National Electrical Code (NEC) 2017.
19. All new receptacle outlets shall be installed in accordance with the National Electrical Code (NEC) 2017.
20. All new receptacle outlets shall be installed in accordance with the National Electrical Code (NEC) 2017.
21. All new receptacle outlets shall be installed in accordance with the National Electrical Code (NEC) 2017.
22. All 200 amp circuits shall have 20 amp receptacles.
23. All 100 amp circuits shall have 20 amp receptacles.
24. All 60 amp circuits shall have 20 amp receptacles.
25. All 20 amp receptacles shall have their own circuit.
26. All 15 amp receptacles shall have their own circuit.
27. All 15 amp receptacles shall have their own circuit.
28. All 15 amp receptacles shall have their own circuit.
29. All 15 amp receptacles shall have their own circuit.
30. All 15 amp receptacles shall have their own circuit.
31. All 15 amp receptacles shall have their own circuit.
32. All 15 amp receptacles shall have their own circuit.
33. All 15 amp receptacles shall have their own circuit.
34. All 15 amp receptacles shall have their own circuit.



**ELECTRICAL PLAN**  
SCALE: 1/4" = 1'-0"



<p>MANCO HOME BUILDERS</p> <p>I hereby certify that these plans were prepared by me or under my direct supervision and to the best of my knowledge they comply with the building ordinances, zoning ordinances and all other applicable codes and ordinances.</p> <p>Expires: 11/30/24</p>	<p>ROBERT M. AKERS ARCHITECTURE LLC</p> <p>ARCHITECT / DESIGNER / RESIDENTIAL / COMMERCIAL</p> <p>202 Campbell Street, Geneva, IL 60134 (831) 330-6176 • info@rma-architect.com</p>	<p>REVISIONS</p> <p>BY</p>