

August 26, 1999

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

Subject: ZBA 99-18: 415 S. Craig Place

Dear President and Trustees:

Your Zoning Board of Appeals transmits for your consideration its recommendation on the above-referenced petition. The petitioner requests a variation to the Lombard Zoning Ordinance to reduce the required building separation from four feet (4') to three feet two inches (3.2'), in the R2 Single-Family Residence District.

Mr. Walter Bock, property owner, presented the petition. He stated that there was a miscommunication between the Building Department and himself. He stated that when he decided he was going to build the addition to the house he was going to a full basement from a crawl space. He stated he spoke to the excavator he had hired to do the job and that it could be done for a minimal expense. Mr. Bock also stated that he had spoke to Bob Witting, an inspector from the Building Department, and that Bob Witting said his plans were fine. The petitioner stated that he went ahead with the work. Mr. Bock also stated that Mr. Witting did the inspections for the footings and that everything was going well.

When the Private Engineering Services Division came out to do the final inspection, they noticed that the building separation was not large enough. The petitioner stated he spoke with Ms. Costello, Planner I / Civil Engineering Technician with the Village of Lombard, who had told the petitioner at the time he would need a variation. The petitioner also stated that he didn't think it would be very easy to move the addition in order to meet the separation.

There was no one present to speak in favor or against this petition.

Christine Costello, Planner I / Civil Engineering Technician, presented the staff report. She stated that the petitioner was issued a building permit for a proposed addition on September 29, 1998, and that the petitioner came back to Village Hall on October 2, 1998, to see if he could change the crawl space to a full basement. Ms. Costello also noted that this change was never made to the approved plans for the expansion of the addition. Ms. Costello also stated that this oversight was not noticed until Private Engineering Services went to inspect the structure, in order to return the bond money. She stated that there were no comments from any other departments. She also stated that

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the staff received one letter from a neighbor who had no objection and thought the petitioner had done a wonderful job in restoring the home.

Dr. Corrado asked why there is a four foot (4') separation. Chairperson DeFalco explained that the ordinance states that four feet (4') between the garage and a primary residence is required.

Dr. Corrado asked why the Zoning Ordinance requires four feet (4'). Ms. Hill, Planner II, stated that she could not explain exactly why it is four feet (4') that is required because the staff that is here today was not here when the Zoning Ordinance was established in 1990. She also stated that separation may have been established because it is far enough away to reduce the spread of fire from one building to another.

Mrs. Newman asked if the petitioner was charged for this petition because this seemed to be from staff error. Ms. Hill stated that staff does not have the power to waive fees, but petitioner can ask the Board of Trustees to refund the \$100 public hearing fee.

After due consideration of the submitted petition and the testimony presented, by a roll call vote of 4 to 0, the Zoning Board of Appeals recommend approval of the petition associated with ZBA 99-18 with the following condition:

1. The variation shall become null and void unless thereon is substantially under way within twelve months of the effective date of approval by the Board of Trustees as per Section 103-C, paragraph 10 of the Zoning Ordinance.

Respectfully,

VILLAGE OF LOMBARD

John DeFalco
Chairperson
Zoning Board of Appeals

JD:CRC;jd
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