

ANALYSIS

SUBMITTALS

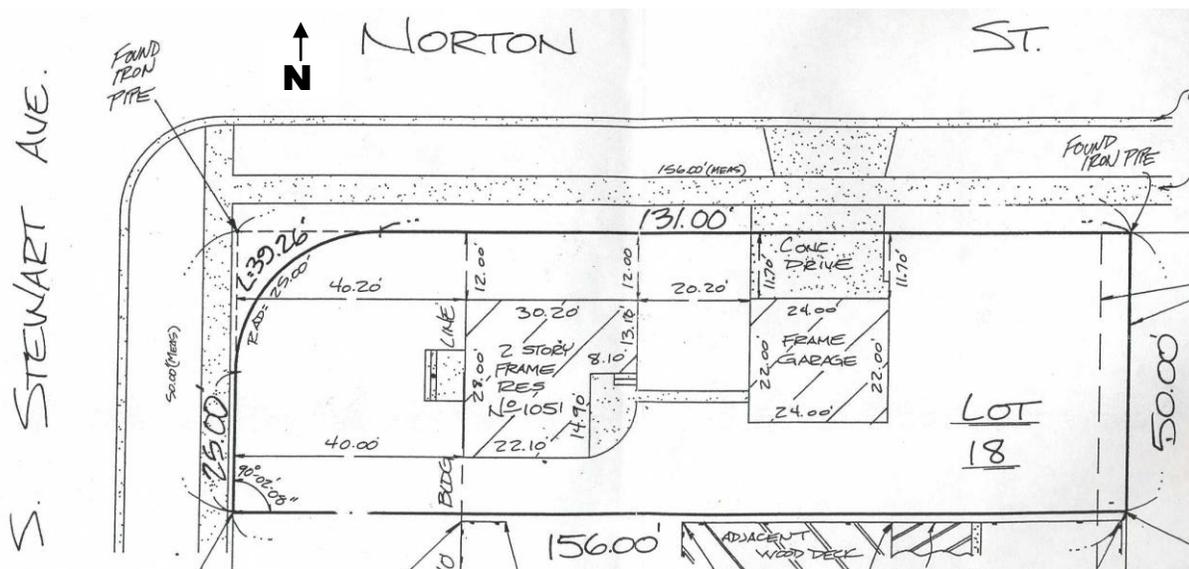
This report is based on the following documents, which were filed with the Department of Community Development on January 26, 2005.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, prepared by ARS Surveying, dated August 2, 2004
4. Site Plan, submitted by petitioner and dated January 26, 2005
5. Floor plan drawings, submitted by petitioner and dated January 26, 2005
6. Elevation drawings, submitted by petitioner and dated January 26, 2005

DESCRIPTION

The subject property is a corner lot that is fifty feet (50') wide by one hundred fifty-six feet (156') deep. The existing house on the property is in poor condition and has been vacant for several years. The petitioner is proposing to demolish the existing house and detached garage in order to construct a 2,688 square foot, two-story single family residence with a detached garage. The existing house, built in 1947 is considered legal non-conforming because it only maintains a twelve-foot (12') corner side yard setback. The property was developed prior to annexation into the Village. The current zoning regulations require a twenty-foot (20') corner side yard setback, which would only allow for a single-family residence that is twenty-four feet (24') wide.

Existing Site Plan



ENGINEERING

Private Engineering Services

From an engineering or construction perspective, PES has no comments.

Public Works Engineering

Public Works Engineering has no comments or changes.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no comments.

PLANNING

The subject property is a fifty-foot (50') wide corner lot. The minimum lot width for the R2 Single Family Residential District is sixty feet (60'). The subject property is considered a buildable lot because it is a lot of record, and because Section 155.209 of the Zoning Ordinance allows for the construction of a single-family dwelling on lots meeting at least eighty percent (80%) of the width requirement for the applicable zoning district, provided that the lot of record was established prior to the effective date the Zoning Ordinance. Under the current yard setback requirements, the maximum allowable width for the proposed residence is twenty-four feet (24'). Twenty-four feet (24') is comparable to the width of a two-car garage.

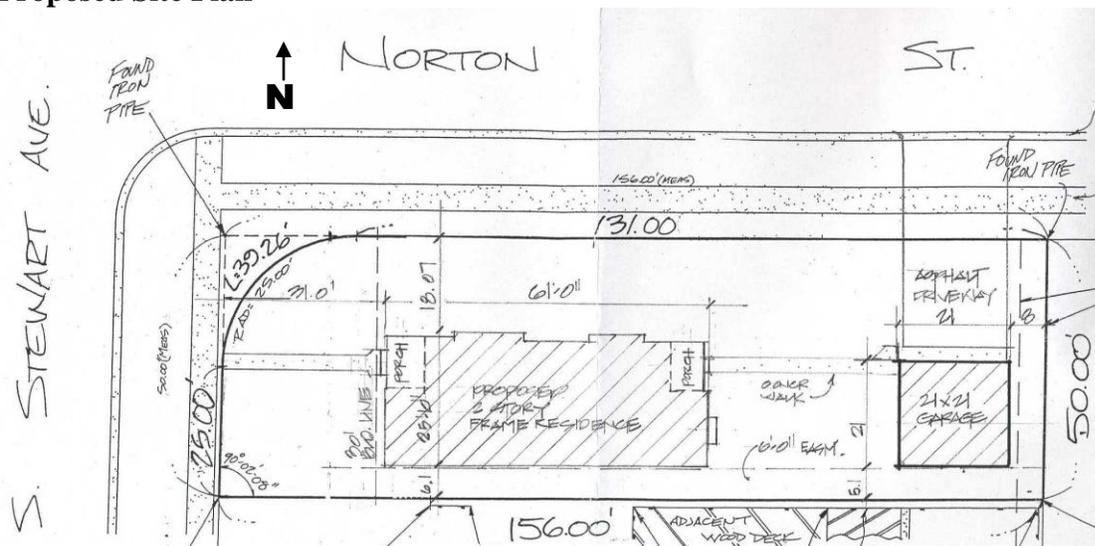
The proposed improvements will decrease the degree of non-conformity as it relates to the corner side yard setback. The existing house only maintains a twelve-foot (12') corner side yard setback, while the proposed single-family residence will maintain a seventeen and one half foot (17.5') corner side yard setback. The requested variance would reduce the setback by thirteen percent (13%). The proposed single-family residence meets other open space and setback requirement applicable to the R2 Single Family Residence District.

	Existing conditions	Proposed plan	Zoning Ordinance regulations
Open space	78%	66 %	50%
Front yard setback	40'	31'	30'
Interior side yard setback	10'	6'	6'
Corner side yard setback	12'	17.5'	20'

Staff would like to note two issues with the proposed site plan that will need to be addressed. First, the proposed plan indicates a bay window within the interior side yard. Section 155.212 of the Zoning Ordinance does not list bay windows as a permitted obstruction in the interior side yard. Bay windows are permitted obstructions within the front, rear, and corner side yard.

Second, because the property is a reverse corner lot, the new detached garage would have to be moved relative to the front yard setback of the adjacent property to the east. Section 155.210(B)(3)(a) of the Zoning Ordinance states that if an accessory structure is located within 15 feet of the rear property line on a reverse corner lot, it shall be located no closer than the required front yard setback of the lot abutting the rear lot line. The detached garage would have to be moved seven feet (7') to the west to meet this provision of the Zoning Ordinance.

Proposed Site Plan



Staff also feels that granting the requested variation will not be injurious or have a negative effect on the surrounding neighbors. The existing house is in poor condition and has been vacant for several years. The proposed single-family residence will be a substantial improvement to the property and the neighborhood. Staff feels that the width of the lot creates a hardship on the property. The yard setback requirements unreasonably restrict the size of house that could be placed on the property. Also, the proposed improvements will decrease the degree of nonconformity associated with the Village's yard setback requirements

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 requested 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 of the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and

therefore recommend to the Corporate Authorities **approval** of ZBA 05-03, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the plans submitted as part of the petition and dated January 26, 2005, with the following modifications to the plans:
 - a. That the bay window on the south side of the proposed residence shall be removed or modified to meet the six foot (6') interior side yard setback requirements.
 - b. That the proposed detached garage be relocated at least seven feet (7') to the west on the subject property in order to meet reverse corner yard setback requirements as set forth in Section 155.210 (B)(3) of the Zoning Ordinance.
2. That the petitioner shall apply for and receive a building permit for the proposed improvements associated with this petition.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH:MK
att-
c: Petitioner