

February 3, 2005

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

Subject: PC 05-04; 2080 South Valley Road

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a deviation to reduce the required interior side yard setback, per Ordinance 1351, from ten (10) feet to nine (9) feet to accommodate the construction of a second story addition in the R5PD General Residential Planned Development District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 24, 2005.

Seymour Turner, contractor for the petitioner, presented the petition. He noted the property is within a planned development, which established ten-foot interior yard setbacks. The house was erected in 1986 with the exterior wall being approximately nine-feet from the side property line.

They are proposing a second story addition to the existing residence. They propose to hold the existing building line. However as the existing wall is within the approved side yard, relief will be required. He then submitted petitions to the file noting that the adjacent property owners have reviewed the petition and do not object to their request. He noted that the proposed addition will be compatible with the existing neighborhood and will not negatively impact adjacent properties.

Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition.

William Heniff, Senior Planner, presented the staff report. The subject property is located within the Oak Creek Planned Development. The planned development regulations call for ten-foot front and interior side yard setbacks for residential properties.

The petitioner's home was constructed in 1986. While the requirements for the planned development were in place at the time, a building permit was issued for the construction of the residence with a nine-foot interior side yard setback. As such, the residence is considered nonconforming. The petitioner proposes to construct a second story addition to the home while maintaining the existing building line. Since the residence encroaches into the interior side yard setback a deviation from the planned development regulations is required in order to proceed with the addition.

As the requested relief constitutes a deviation from the approval requirements of the established planned development (as opposed to a variation from the general development regulations), this petition would follow the procedures for an amendment to a planned development and the public hearing would be held by the Plan Commission.

He noted that there were no comments or concerns raised by other members of the Inter-departmental Review Committee. Staff is supportive of the petition as the proposed addition will be comparable in height to other homes in the surrounding area. Many of the surrounding residences within the subdivision are two-story homes. Granting the request would not be injurious to neighboring properties, as the requested relief would not change the visual and aesthetic character of the neighborhood. Furthermore, staff has traditionally supported petitions that do not extend beyond the existing building line. The petitioner's proposal will not increase the lot area coverage of the subject property.

Chairperson Ryan then opened the meeting for discussion among the Plan Commission members.

Commissioner Olbrysh stated that he visited the site, reviewed the housing in the neighborhood and found that the proposed relief can be supported as the plans are consistent with the neighborhood.

Commissioner Olbrysh made a motion to accept the findings of the Inter-Departmental Review Committee as the findings of the Plan Commission and recommend approval of the petition, which was seconded by Commissioner Sweetser.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petitioner's request complies with the standards of the Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4 to 0, accepted the findings of the Inter-departmental Review Report as the findings of the Plan Commission and recommended to the Corporate Authorities, **approval** of the following relief associated with PC 05-04, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the plans prepared by Airoom Architects and Builders, dated December 7, 2004 and made a part of this petition.

2. That the petitioner shall apply for and receive a building permit for the proposed improvement to the property prior to the start of construction.
3. That all other provisions of Ordinance 1351 not amended by this petition shall remain in full force and effect.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission