

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE : September 26, 2017 **(BOT) Date:** October 5, 2017

SUBJECT: PC 17-30, 428 W. Crescent Boulevard, Crescent Hill Apartments

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission requests that the Village grant the following variations in the R4 General Residence District:

1. Approve a variation from Section 155.210 (D)(1) to allow garbage dumpsters and recycling bins to be located in the front yard with the required screening in accordance with Section 155.710 where a garbage dumpster is not permitted; and
2. Approve a variation from Section 155.709 (B) to reduce the required parking lot perimeter landscape yard of five feet (5') in width to two feet (2') in width.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the October 5, 2017 Board of Trustees agenda with a waiver of first reading as requested by the petitioner.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

MEETING DATE: October 5, 2017

SUBJECT: **PC 17-30, 428 W. Crescent Boulevard**

Please find the following items for Village Board consideration as part of the October 5, 2017 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 17-30;
3. An Ordinance granting approval of the requested variances.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the October 5, 2017 Board of Trustees agenda with a waiver of first reading as requested by the petitioner.



VILLAGE OF LOMBARD

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October 5, 2017

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 17-30, 428 W. Crescent Boulevard

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition, the petitioner, Crescent Hill Apartments, requests that the Village take the following actions on the subject property within the R4 Limited General Residence District: approve a variation from Section 155.210 (D)(1) to allow garbage dumpsters and recycling bins to be located in the front yard with the required screening in accordance with Section 155.710 where a garbage dumpster is not permitted; and approve a variation from 155.709 (B) to reduce the required parking lot perimeter landscape yard of five feet (5') in width to two feet (2') in width.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on September 18, 2017. Sworn in to present the petition were the petitioner James Limparis and Jennifer Ganser of the Village of Lombard.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Mr. Limparis said he is seeking approval for two variances for a dumpster in the front yard. He said it is currently in the front yard and is legal non-conforming.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner, the owners of Crescent Hill Apartments, proposes to construct a garbage dumpster enclosure in front of the parking lot within the front yard. Dumpsters are not permitted in the front yard or in front of the building. The subject property is currently developed with a three story multi-family building and associated parking lot in front of the building. The current location of the unenclosed dumpster is on the grass in front of the parking lot. The apartment building was constructed in 1964 and does not meet current required setbacks or required parking spaces. Due to the eight foot side yard setbacks of the building and the steep grade change at the front half of the lot, a proposed dumpster enclosure cannot be access by a garbage truck if located in the rear yard. In addition, the dumpster enclosure cannot be located in the parking because the loss of any parking spaces would require an amendment to Ordinance 4664 whereas the site is already under parked. Given the limitations of the site, staff finds that the proposed garbage dumpster enclosure is compatible with the area and will not create any adverse impacts.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Sweetser said given the circumstances this solution is acceptable and noted the dumpster would not be visible to the public. Commission Olbrysh asked how high the enclosure is and Mr. Limparis said it starts at two feet and goes to four feet and then six feet.

On a motion by Commissioner Olbrysh, and a second by Commissioner Sweetser, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 17-30, subject to two (2) conditions:

1. The petitioner shall develop the site in accordance with the plans (Exhibit B) prepared and submitted by the petitioner on August 22, 2017 as part of this request;
2. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the dumpster enclosure is not established by said date, this relief shall be deemed null and void.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission
c. Lombard Plan Commission

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A VARIANCE FOR A GARBAGE
DUMPSTER LOCATION PURSUANT TO TITLE 15, CHAPTER 155,
SECTION 155.210 (D)(1) AND SECTION 155.709 (B) OF THE
LOMBARD ZONING ORDINANCE**

PC 17-30; 428 W. Crescent Boulevard

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned B4 Limited General Residence District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting the following a variances within the R4 Limited General Residence District:

1. A variation from Section 155.210 (D)(1) to allow garbage dumpsters and recycling bins to be located in the front yard with the required screening in accordance with Section 155.710 where a garbage dumpster is not permitted; and
2. A variation from 155.709 (B) to reduce the required parking lot perimeter landscape yard of five feet (5') in width to two feet (2') in width.

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on September 18, 2017 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees recommending approval of the variations described here in, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the following variances are hereby granted:

Ordinance No. _____

Re: PC 17-30

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1. A variation from Section 155.210 (D)(1) to allow garbage dumpsters and recycling bins to be located in the front yard with the required screening in accordance with Section 155.710 where a garbage dumpster is not permitted; and
2. A variation from 155.709 (B) to reduce the required parking lot perimeter landscape yard of five feet (5') in width to two feet (2') in width.

SECTION 2: That this Ordinance is limited and restricted to the property located at 428 W. Crescent Blvd., Lombard, Illinois and legally described as follows:

LOT 4 IN ST. CHARLES/CRESCENT RESUBDIVISION, BEING A SUBDIVISION IN THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED APRIL 4, 2000 AS DOCUMENT NUMBER R2000-047385, IN DUPAGE COUNTY, ILLINOIS.
CONTAINING TOTAL AREA: 22,954.79 sq. ft. (0.53 acres)

Parcel Number: 06-07-105-065; (the "Subject Property").

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans prepared and submitted by the petitioner on August 22, 2017 as part of this request;
2. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the dumpster enclosure is not established by said date, this relief shall be deemed null and void.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this ____ day of _____, 2017.

First reading waived by action of the Board of Trustees this ____ day of _____, 2017.

Passed on second reading this ____ day of _____, 2017.

Ayes: _____

Ordinance No. _____

Re: PC 17-30

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Nays: _____

Absent: _____

Approved this _____ day of _____, 2017.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2017.

Sharon Kuderna, Village Clerk

Ganser, Jennifer

From: James Limparis <crescenthillapartments@hotmail.com>
Sent: Tuesday, September 19, 2017 4:04 PM
To: Urish, Tami
Subject: RE: PC 17-30, 428 W. Crescent Blvd.

Tami,

I would like to request a waiver of first reading for our variances.

Thanks – Jimmy limparis

Sent from [Mail](#) for Windows 10

From: [Urish, Tami](#)
Sent: Tuesday, September 19, 2017 11:34 AM
To: [James Limparis](#)
Subject: RE: PC 17-30, 428 W. Crescent Blvd.

No, not at all, we do it all the time. It's just a quicker way to process items that are found to be easy and straight forward. You can do two readings but the construction season is winding down and if you want to build it before the weather gets too cold, it is understandable that a delay could interfere with that plan.
Reply to my email saying you would like to request a waiver of first reading if that is what you want to do.



Tami Urish
Planner I
Village of Lombard
255 E. Wilson Ave. Lombard, IL 60148

Phone: (630) 620-5750
Fax: (630) 629-2374
Email: urisht@villageoflombard.org
Web: www.villageoflombard.org

Follow us:   

From: James Limparis [<mailto:crescenthillapartments@hotmail.com>]
Sent: Tuesday, September 19, 2017 10:10 AM
To: Urish, Tami
Subject: RE: PC 17-30, 428 W. Crescent Blvd.

Tami,

That would be great. What do I need to do to request the waiver? By requesting it I'm not stepping on any toes am I ?

Thanks - Jimmy

Sent from [Mail](#) for Windows 10

From: [Urish, Tami](#)

Sent: Tuesday, September 19, 2017 9:47 AM

To: [James Limparis](#)

Subject: RE: PC 17-30, 428 W. Crescent Blvd.

James,

Since your petition was recommended with approval by the Plan Commission last night with no objections, you can request a waiver of first reading. This means that your petition can be heard by the Board of Trustee once on October 5th. Without this waiver, your petition would have to be heard at two meetings: October 5th and October 19th. This could delay any building permits until October 20th. Please respond to this email if you wish to request a waiver of first reading.

Thank you,



Tami Urish

Planner I

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