



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Zoning Board of Appeals

*John DeFalco, Chairperson
Mary Newman, Raymond Bartels, Keith Tap,
Ed Bedard, Val Corrado and Michelle Johnson
Staff Liaison: Jennifer Ganser*

Wednesday, August 22, 2018

7:00 PM

Village Hall Board Room

Call to Order

Chairperson DeFalco called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Chairperson DeFalco led the Pledge of Allegiance.

Roll Call of Members

Present 6 - John DeFalco, Mary Newman, Raymond Bartels, Ed Bedard, Val Corrado,
and Michelle Johnson
Absent 1 - Keith Tap

Also present: Anna Papke, AICP, Senior Planner

Swearing in of new member Michelle Johnson

Ms. Papke conducted the swearing in of the new Zoning Board of Appeals Member Michelle Johnson.

Public Hearings

[180341](#)

ZBA 18-04: 49 North Garfield Street

Requests that the Village approve a variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the required interior side yard setback from six feet (6') to three and one-half feet (3.5') for the subject property located within the R2 Single-Family Residence Zoning District. The requested relief is for an addition to an existing single family residence located on the subject property (DISTRICT #1)

Kevin and Tara Corral, petitioners, and staff were sworn in by Chairperson DeFalco to offer testimony.

Mr. Corral presented the petition. He stated that he and his wife have lived in their house for 10 years, and have other longstanding ties to Lombard. The Corrals are proposing an addition to their home in order to expand the living space to accommodate their family. Due to the layout of the existing home, the proposed addition would be on the side of the house, where it requires a setback variance in order to maintain the building line of the existing house/garage. Mr. Corral stated the additional two and a half feet the variance would provide are crucial to the proposed floorplan. He said the proposed addition with the variance will not impact the neighboring property any differently than would an addition built to meet the six-foot setback requirement in the Zoning Ordinance. He mentioned that the neighbor to the north was not supportive of the requested variance. Mr. Corral said he was surprised by this because the neighbor had initially helped the Corrals draw up potential plans for the addition.

Chairperson DeFalco questioned if there was anyone else present to speak in favor of or against the petition. No one came forward.

Chairperson DeFalco asked for the staff report. Anna Papke, Senior Planner, presented the IDRC report, which was entered into the record in its entirety. Ms. Papke stated that the subject property is a 50-foot wide lot of record in a legally established subdivision. There is an existing house with attached garage on the property; the garage is set back about 3.5 feet from the interior side property line. The petitioners are proposing to build an addition that would maintain the existing 3.5-foot side setback.

The subject property is narrower than the current minimum lot width for properties in the R2 zoning district, and was developed prior to the Village adopting a zoning ordinance with setback requirements. The setback and lot width standards required by the current Zoning Ordinance do not reflect the conditions under which the existing house and garage were built. Staff notes that the proposed addition will not further encroach into the required yard. The Village has approved several similar requests in the past for additions holding the setback of an existing residence. Staff finds that the variation request meets the standards for variation.

Ms. Papke noted that staff had received a letter of objection from the neighboring property owner at 53 N. Garfield. A copy of that letter was included with the ZBA packets. Further, the petitioners had submitted additional written comments that had been emailed to the ZBA

members prior to the meeting.

Mr. Bedard asked if the addition will change the height of the building. Mr. Corral said it will not, the addition will be one story like the existing house.

Mr. Bedard asked how the alternate plans drawn by the neighbor had differed from the plans ultimately submitted to the ZBA. Mr. Corral and Mrs. Corral said the side setback was the same, but the location of the door and an interior wall were different.

Mr. DeFalco suggested that if the ZBA recommended approval, they should add a condition of approval stating that if the house is damaged to a level greater than 50 percent of the value of the building it must be rebuilt to meet setbacks and other requirements of the Zoning Ordinance.

Mr. DeFalco summarized the petition. He noted that the petitioner expressed a need for more living space, while the neighbor had written a letter of objection stating concerns about light and air.

Mr. DeFalco provided some background on the standards for variation as stated in the Zoning Ordinance for the benefit of the new ZBA member, Ms. Johnson.

Mr. DeFalco noted that it was not practical for the petitioner to build an addition onto the rear of the house due to the layout of the existing house.

Mr. DeFalco asked for a motion.

On a motion by Mr. Bedard, and a second by Mr. Bartels, the Zoning Board of Appeals voted 6-0 to recommend that the Village Board approve the petition associated with ZBA 18-04, subject to the following five (5) 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 apply for and receive a building permit for the proposed addition;**
- 3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 4. Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless**

extended by the Board of Trustees prior to the expiration of the ordinance granting the variation; and

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.

The motion carried by the following vote:

Aye: 6 - John DeFalco, Mary Newman, Raymond Bartels, Ed Bedard, Val Corrado, and Michelle Johnson

Absent: 1 - Keith Tap

Business Meeting

Approval of Minutes

A motion was made by Ms. Newman, seconded by Dr. Corrado, the minutes for the July 26, 2017 meeting were approved. The motion passed by a unanimous vote.

Aye: 4 - John DeFalco, Mary Newman, Ed Bedard, and Val Corrado

Abstain: 2 - Raymond Bartels, and Michelle Johnson

Absent: 1 - Keith Tap

Approval of Minutes

A motion was made by Mr. Bartels, seconded by Mr. Bedard, the minutes for the April 25, 2018 meeting were approved with noted corrections. The motion passed by a unanimous vote.

Aye: 3 - John DeFalco, Raymond Bartels, and Ed Bedard

Abstain: 3 - Mary Newman, Val Corrado, and Michelle Johnson

Absent: 1 - Keith Tap

Planner's Report

Unfinished Business

New Business

Chair DeFalco stated that the ZBA will need to elect a Vice-Chairperson at the next ZBA meeting.

Mr. Bartels asked if there was anything on the agenda for the next

month. Ms. Papke said that the Village had not received any petitions at this point.

Dr. Corrado asked why it seemed the ZBA saw so few requests for variances. Chair DeFalco said the rear setback requirement for R2 had recently been reduced. He also said staff worked with residents to come up with alternatives to requesting a variance. Both were factors in reducing the number of petitions to the ZBA.

Adjournment

A motion was made by Ms. Newman, seconded by Dr. Corrado. to adjourn the meeting at 7:32 p.m. The motion passed by a unanimous vote.

*John DeFalco, Chairperson
Zoning Board of Appeals*

*Jennifer Ganser, Assistant Director of Community Development
Zoning Board of Appeals*