

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 R. Niehaus, Village Manager

DATE : July 7, 2020 **(BOT) Date:** July 16, 2020

SUBJECT: ZBA 20-02, 210 S. Finley Road

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

BACKGROUND/POLICY IMPLICATIONS:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests that the Village grant a variation from Section 155.210(A)(3)(b) of the Lombard Code of Ordinances to allow for a detached garage with the vertical distance (height) measured from the average grade to the highest point on the roof or parapet for 19.5', where 17' is required in the R2 Single-Family Residence District.

The Zoning Board of Appeals made the recommendation of denial by a 4-2 vote. At the June 18, 2020 Village Board meeting, the Board directed staff to prepare an ordinance of approval for the July 16, 2020 meeting with a waiver of first.

Please place this petition on the July 16, 2020 Board of Trustees agenda. As the ZBA denied the request, the Village Board would need at least four (4) of the six (6) Trustees to vote in favor of the variation.

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 

MEETING DATE: July 16, 2020

SUBJECT: ZBA 20-02, 210 S. Finley Road

Please find an ordinance of approval for Village Board consideration as part of the July 16, 2020 Village Board meeting.

The Zoning Board of Appeals made a recommendation of denial by a 4-2 vote for the attached petition. However, at the June 18, 2020 Village Board meeting, the Board made findings of fact on a hardship for the requested variance. The Board directed staff to prepare an ordinance of approval for the July 16, 2020 meeting with a waiver of first.

Please place this petition on the July 16, 2020 Board of Trustees agenda with a waiver of first. As the ZBA denied the request, the Village Board would need at least four (4) of the six (6) Trustees to vote in favor of the variation.

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A VARIATION FROM TITLE XV, CHAPTER
155, SECTION 155.210(A)(3)(b) OF THE LOMBARD VILLAGE CODE IN
REGARD TO GARAGE HEIGHT**

(ZBA 20-02; 210 S. Finley Road)

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

WHEREAS, the property, as described in Section 4 below (the “Subject Property”), is zoned R2 Single-Family Residence Zoning District; and,

WHEREAS, an application has been filed with the Village requesting approval of a variation from Section 155.210(A)(3)(b) of the Village to allow for a detached garage with a vertical distance (height) measured from the average grade to the highest point on the roof or parapet of 19.5’, where 17’ is the maximum height allowed in the R2 Single-Family Residence District pursuant to the Lombard Zoning Ordinance (Title 15, Chapter 155 of the Village Code), and;

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on May 27, 2020, pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Village Board with a recommendation of denial for the requested variation; and,

WHEREAS, the Village Board hereby overturns the recommendation of the Zoning Board of Appeals, and approves the requested variation due to the fact that the proposed garage will be designed to be compatible with the nature of the house and characteristics of the surrounding neighborhood;

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 recitals, as set forth above, are hereby incorporated herein by reference.

SECTION 2: That a variation from Section 155.210(A)(3)(b) of the Village Code to allow for a detached garage with a vertical distance (height) measured from the average grade to the highest point on the roof or parapet of 19.5’, where 17’ is required in the R2 Single-Family Residence District pursuant to the Lombard Zoning Ordinance (Title

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15, Chapter 155 of the Village Code) is hereby granted for the Subject Property, subject to the condition set forth in Section 3 below:

SECTION 3: That the variation set forth in Section 2 above is subject to the condition that the garage be constructed in conformance with the plans therefor, as submitted as part of the petition for the variation.

SECTION 4: This Ordinance is limited and restricted to the property located at 210 S. Finley Road, Lombard, Illinois, and legally described as follows:

THE SOUTH 65.0 FT. OF LOT TWO AND THE NORTH 45.0 FT. OF LOT THREE IN BLOCK THREE IN Kiantone Addition to Lombard, Being a subdivision of part of the West half of Section Seven, Township Thirty-Nine North, Range Eleven, and part of the Southeast Quarter of Section Twelve, Township Thirty-Nine North, Range Ten, East of the Third Principal Meridian, according to the plat thereof recorded November 19, 1912 as Document No. 110072, in DuPage County, Illinois.

PIN: 06-07-109-008

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2020.

First reading waived by action of the Board of Trustees this _____ day of _____, 2020.

Passed on second reading this _____ day of _____, 2020, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

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Approved by me this _____ day of _____, 2020.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2020

Sharon Kuderna, Village Clerk