

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO:	Zoning Board of Appeals	HEARING DATE:	January 25, 2006
FROM:	Department of Community Development	PREPARED BY:	Michelle Kulikowski Planner I

TITLE

ZBA 06-01; 151 E. Berkshire Avenue: The petitioner requests a variation to Section 155.415(F)(2) to reduce the corner side yard setback from twenty feet (20') to six feet (6') to allow for the construction of a roof over an entry stoop on an existing legal non-conforming structure in the R2 Single Family Residential District.

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GENERAL INFORMATION

Petitioner/Property Owner: Karen Herbert
151 E. Berkshire Avenue
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R2 Single-Family Residence District

Existing Land Use: Single-Family Residence

Size of Property: Approximately 9,340 Square Feet

Surrounding Zoning and Land Use:

North:	R2 Single-Family Residence District; developed as Single-Family Residences
South:	R2 Single-Family Residence District; developed as Single-Family Residences
East:	R2 Single-Family Residence District; developed as Single-Family Residences
West:	R2 Single-Family Residence District; developed as Single-Family Residences

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on December 20, 2005.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, prepared by Kabal Engineering Company, dated February 24, 1973
4. Drawings of Proposed Improvements

DESCRIPTION

The subject property is a corner lot, sixty feet (60') wide by approximately one hundred fifty-six feet (156') deep. The house is setback approximately thirty feet (30') from the front property line along Garfield Street and ten and one-half feet (10.5') from the corner side property line along Berkshire Avenue. The house was built in 1955 and is considered legal non-conforming with respect to the corner side yard setback. The petitioner is proposing several renovations to the house, which include adding a roof over the existing entry stoop located within the corner side yard. The existing stoop is a permitted encroachment in the corner side yard. However, by adding a roof, the stoop will then be considered a roofed-over porch. Roofed-over porches are not a permitted encroachment in the corner side yard, and therefore, the petitioner is seeking a variation.

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 petitioner is proposing to replace an existing stoop with a stoop that is six feet (6') wide and projects four feet (4') from the house. The stoop will be one step above grade level and will have a gable roof supported by two columns. The gable roof will match the dormers that the petitioner is proposing on the second floor above the entry stoop. The adjacent property to the east (199 E. Berkshire Avenue) has a similar roof over the entry in the corner side yard. The petitioner has stated that they liked the way the neighbor's entry looked and wanted to incorporate a similar

entry roof with their renovations. Staff was unable to determine when the entry roof was constructed and if it was originally part of the house.

The property owner of 199 E. Berkshire received a variation (ZBA 98-10) from the corner side yard setback requirements and a building permit for an addition. The plans submitted as part of the permit indicated that the entry roof was existing and that the roof shingles would be replaced in conjunction with the construction of the addition. Their house is also legal non-conforming with respect to the corner side yard setback, as the house is only setback ten feet (10') from the corner side property line. Code would require that the new addition meet the twenty foot (20') corner side yard setback. The variance was necessary in order to allow the addition to be built maintaining the existing building line. The variance did not grant any relief for the existing roofed-over entry stoop. The building plans for the addition show that the roofed-over entry stoop is five and one half feet (5.5') wide and projects approximately four feet from the house, thus maintaining only a six foot (6') corner side yard setback.

Staff is able to support the variation request for the following reasons. All of the homes along Berkshire Avenue between Main Street and Grace Street are corner lots with their corner side yards abutting Berkshire Avenue. Most of these homes are also legal non-conforming with respect to the corner side yard setback. Therefore, staff finds that the proposed improvements will not alter the essential character of the neighborhood. Also, there is a precedent for corner side yard variations in the area as the adjacent property (199 E. Berkshire) received a variation in 1998. Also, the proposed roofed-over entry will be very similar in size and appearance to the entry on the adjacent property. While the requested relief is substantial relative to the twenty-foot (20') setback requirement, staff finds that the proposed improvements will not have a negative impact. The entry will remain unenclosed and will not add visual bulk within the corner side yard or impair supply of light and air to adjacent properties. Staff also finds that the roof element over the entry stoop will be an aesthetic enhancement to the house.

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 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 on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 06-01 subject to the following conditions:

1. That the petitioner shall apply for and receive a building permit for the roof over the entry stoop.

2. That the variation shall be limited to the existing residence. Should the existing residence be damaged or destroyed by any means, any new structures shall meet the twenty foot (20') corner side yard provisions.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH:MK

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c: Petitioner

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