

Village of Lombard

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



Minutes

Wednesday, July 24, 2024

7:00 PM

Village Hall Board Room

Zoning Board of Appeals

*John DeFalco, Chairperson
Raymond Bartels, Keith Tap,
Michelle Johnson, Brian Conway and
Zach Meadows
Staff Liaison: Anna Papke*

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 4 - John DeFalco, Raymond Bartels, Michelle Johnson, and Brian Conway

Absent 2 - Keith Tap, and Zach Meadows

Also present: Tami Urish, Planner 1, of Community Development

Public Hearings

[240236](#)

ZBA 24-03: 374 W. Grove Street

The petitioner requests that the Village approve a variation from Section 155.407(F) to allow a new single family residential structure to encroach into the front yard setback on the subject property located in the R2 Single-Family Residence District. (DISTRICT #1)

John Novak, petitioner, and Tami Urish, Planner I, were sworn in by Chair DeFalco to offer testimony.

Mr. Novak presented the petition. He said he proposes to build a new house at 374 W. Grove but before submitting for a permit, the front yard setback needs to be addressed. Due to the unique curvature of Grove Street, the house at 374 W. Grove would be pushed back out of alignment with where 376 W. Grove is located. The submitted Exhibit B illustrates how far back the house at 374 would need to be compared to the house at 376. Exhibit A illustrates the side-by-side homes lined up. It gives the appearance of both houses setback at fifty plus feet. The hardship occurs in the manner of where the setback is measured at the unique curve of the street.

Chair DeFalco asked if anyone from the public or the ZBA had any additional questions or comments.

John Rosenberg was sworn in and stated he was concerned about the speeding of cars on the street that has resulted in the damage of several light and utility poles. He is also concerned about maintaining the appearance of the neighborhood. The house across the street

appears to be setback less than 50 feet. If both houses are less than fifty feet, it will create a crowded and tunnel like appearance. It would seem to be a choke point for traffic that should be mitigated.

Chair DeFalco closed the public participation after hearing no other requests from the audience and asked for the staff report.

Ms. Urish presented the staff report, which was entered into the record in its entirety. It was noted on page five of the staff report that condition number one erroneously says addition instead of house and will be corrected for the Village Board submittal. The subject property is a vacant lot that was recently subdivided from 376 W. Grove. The abutting properties determine a fifty-foot setback by the mean of their setbacks. However the street curves to the north on the eastern portion creating an irregular front property line as opposed to a straight perpendicular line of a standard lot.

The proposed site plan does not require variances from the interior side or rear yards. The attached exhibit demonstrates the hardship of meeting the standard. In order to meet the required 50-foot setback the house would need to be 84 feet from the front property line on the western portion and would then encroach into the rear yard setback. The petitioner is requesting a variance to permit a house to encroach 17 feet into the front yard setback at the most eastern point. The result would be a front yard setback of 33 feet that will gradually increase to 60 feet. Staff found these circumstances meet the standards for a variance and recommends approval of the request subject to the conditions in the staff report.

Chair DeFalco asked if there were any questions or comments on the staff report.

Mr. Bartels asked if the curve in Grove Street was a recent change. Ms. Urish responded that the curve in the street has likely been there approximately one hundred years based on the age of some of the houses on the street.

Chair DeFalco stated the concern raised of the house across the street appears to be less than fifty feet setback from the street. He explained the recent text amendment that changed the absolute thirty-foot setback with porches at a setback of 25 feet to the average setback of the houses on either side of a new house. The maximum setback for this formula was determined to be fifty feet to provide symmetry of the street view. The drawings submitted by the petitioner show that requesting the thirty-three-foot on the eastern portion of the lot would align with the house on the west side. When traveling on Grove Street from the west, both houses at 376 and 374 W. Grove

would appear to be in alignment. The house could be built fifty feet back on the eastern portion but would drastically reduce the size of the rear yard resulting in an exceptionally large front yard. The petitioner identifies the curve of the street to be a unique feature not found elsewhere throughout the Village.

Mr. Bartels requested confirmation that the variance request is shown on Exhibit A and if Exhibit B is an option. Mr. Novak confirmed that Exhibit A represents his request and Exhibit B would be an option without the variance.

Mr. Conway asked if there was consideration to build the house at 376 W. Grove further back to better match the subject property. Mr. Novak responded that the house at 376 W. Grove is setback further than fifty feet.

Ms. Johnson asked if the house on the west side, 380 W. Grove, was aligned with 376 W. Grove. Mr. Novak responded that they do seem in alignment.

Chair DeFalco noted that when he visited the site, the house portion of 380 W. Grove appeared to be in alignment with the foundation of 376 W. Grove however the attached garage portion of 380 W. Grove appeared closer to the street than 376 W. Grove.

Mr. Bartels asked if the house could be positioned in another manner such as a feature to work with the curvature of the street. Mr. Novak responded that it would look like the house would have the corner clipped off and that lining up the houses instead would look better overall as most of 374 W. Grove will be setback sixty feet with the variance.

Chair DeFalco asked if the planned house will have an attached garage that extends past the house portion as shown in the elevation examples. Mr. Novak responded that he generally avoids that style of house and with a porch, the façade of the house is relatively even.

Chair DeFalco noted that there is an issue with the 370 W. Grove's trees and shrubs on the property line impacting a potential driveway. Mr. Novak responded that there is a ten-foot easement on 374 W. Grove along that shared property line.

Chair DeFalco listed the contributing factors of the petition as the revised ordinance changing the setback determination, the curvature of the street and proceeded to match the hardships to the seven standards for a variance. Financial gain is not a factor as the petitioner plans to build the house with or without the variance. The setbacks of

the houses on Grove Street making up the neighborhood vary from thirty feet to over fifty feet.

Mr. Bartels asked which elevation goes with which exhibit. Chair DeFalco responded that there does not appear to be a correlation between the documents. Mr. Novak responded that Example 2 provided is from the plans of the house under construction at 376 W. Grove. The driveway for 374 W. Grove could be located on either side of the property. Chair DeFalco stated the approval would be based on the footprint of a house as shown on Exhibit A as recommended by staff.

Chair DeFalco asked if there was additional discussion. Hearing none, he asked for a motion from the ZBA members.

Mr. Bartels made a motion to recommend approval of the petition. Ms. Johnson seconded the motion. The Zoning Board of Appeals voted 4-0 that the Village Board approve the petition associated with ZBA 24-03, subject to the following four (4) conditions:

- 1. The new single-family residence shall be constructed in substantial conformance to the plans submitted by the petitioner as noted in the IDRC report;**
- 2. The petitioner shall apply for and receive a building permit for the proposed single-family residence.**
- 3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and**
- 4. This approval shall be subject to the construction commencement time provisions as set forth within Sections 155.103(C)(10).**

The motion carried by the following vote:

Aye: 4 - John DeFalco, Raymond Bartels, Michelle Johnson, and Brian Conway

Absent: 2 - Keith Tap, and Zach Meadows

Business Meeting

Approval of Minutes

A motion was made by Mr. Conway, seconded by Ms. Johnson, to approve the minutes for the January 26, 2024 meeting with noted corrections. The motion passed by a unanimous vote.

Planner's Report

There was no Planner's Report.

Unfinished Business

There was no Unfinished Business.

New Business

There was no New Business.

Adjournment

A motion was made by Mr. Bartels, seconded by Ms. Johnson to adjourn the meeting at 7:33 p.m. The motion passed by a unanimous vote.