

February 16, 2006

Mr. William J. Mueller
Village President, and
Board of Trustees
Village of Lombard

Subject: ZBA 06-01; 151 E. Berkshire Ave.

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. 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.

The Zoning Board of Appeals conducted a public hearing on January 25, 2006. Karen Herbert, owner of the subject property, presented the petition. She stated that a roofed-over entryway was needed for safety reasons. She noted that the roof would prevent ice from forming on the concrete stoop, and the railings would give her something to grab on to. She also mentioned that their neighbors had a similar roofed-over entry stoop. She stated that they liked the way that it looked and wanted to incorporate a similar roof over their entryway.

Chairperson DeFalco opened the meeting for public comment. No one spoke for or against the petition. He then requested the staff report.

Michelle Kulikowski, Planner I, presented the staff report. She stated that the subject existing house was 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. She noted that the house was built in 1955 and is considered legal non-conforming with respect to the corner side yard setback. She mentioned that 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. Ms. Kulikowski noted that the existing stoop is a permitted encroachment in the corner side yard, but by adding a roof, the stoop will then be considered a roofed-over porch. She stated that the roofed-

over porches are not a permitted encroachment in the corner side yard, and therefore, the petitioner is seeking a variation.

Ms. Kulikowski described the proposed roofed-over entry stoop. She stated that 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. She noted that the stoop will be one step above grade level and will have a gable roof supported by two columns. She mentioned that the gable roof will match the dormers that the petitioner is proposing on the second floor above the entry stoop.

She noted that the adjacent property to the east (199 E. Berkshire Avenue) has a similar roof over the entry in the corner side yard, and 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. She noted that staff was unable to determine when that entry roof was constructed and if it was originally part of the house.

Ms. Kulikowski stated that 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. She noted that 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. She mentioned that 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, and that code would require that the new addition meet the twenty foot (20') corner side yard setback. She stated that the variance was necessary in order to allow the addition to be built maintaining the existing building line. She noted that the variance did not grant any relief for the existing roofed-over entry stoop. She mentioned that 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.

Ms. Kulikowski stated that staff is able to support the variation request for several reasons. She pointed out that all of the homes along Berkshire Avenue between Main Street and Grace Street are corner lots with their corner side yards abutting Berkshire Avenue. She mentioned that most of these homes are also legal non-conforming with respect to the corner side yard setback. She stated that the proposed improvements will not alter the essential character of the neighborhood. She noted that there is a precedent for corner side yard variations in the area as the adjacent property (199 E. Berkshire) received a variation in 1998. She mentioned that the proposed roofed-over entry will be very similar in size and appearance to the entry on the adjacent property. She noted that 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. She stated that 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. She also noted that staff finds that the roof element over the entry stoop will be an aesthetic enhancement to the house.

Chairperson DeFalco opened the meeting for discussion among the members.

Chairperson DeFalco suggested that a condition of approval be added that would prevent the property owner from enclosing the entryway.

Mr. Polley agreed with the suggested condition and stated that enclosing the porch would have a different visual impact on the property and the neighborhood.

After due consideration of the submitted petition and the testimony presented, the Zoning Board of Appeals submits this petition to the Corporate Authorities with a recommendation of approval of ZBA 06-01 by a roll call vote of 4-0, subject to the following amended 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.
3. That the roofed-over entry-way stoop shall remain unenclosed.

Respectfully,

VILLAGE OF LOMBARD

John DeFalco
Chairperson
Zoning Board of Appeals