

# ZONING BOARD OF APPEALS

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

### 103 N. CHASE AVENUE

March 13, 2019

#### Title

ZBA 19-03

#### Petitioner

Eileen Termunde  
1845 Gregory Ave.  
Glendale Heights, IL 60139

#### Property Owner

Eileen Termunde  
1845 Gregory Ave.  
Glendale Heights, IL 60139

#### Property Location

103 N. Chase Avenue

#### Zoning

R2 Residential Single Family

#### Existing Land Use

Residential Single Family

#### Comprehensive Plan

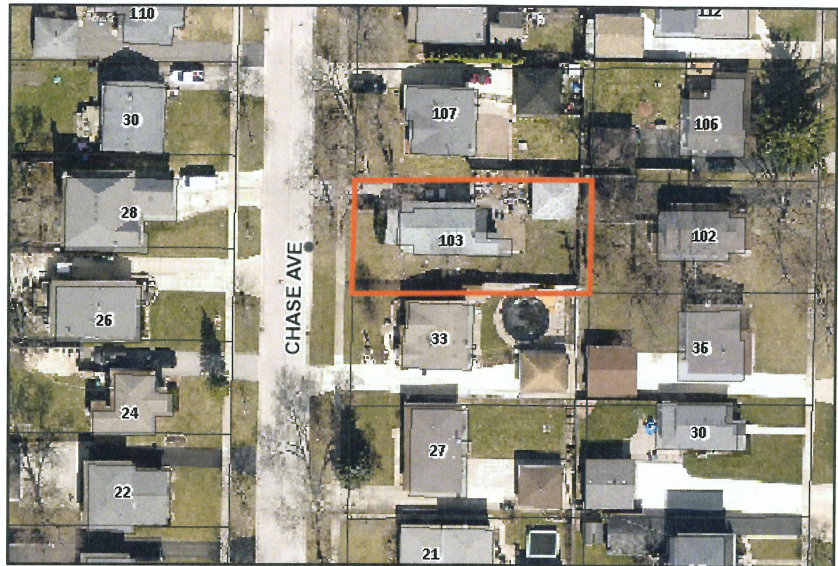
Low Density Residential

#### Approval Sought

A variation to allow an unenclosed roofed-over porch to be set back 22 feet from the front property line, where 25 feet is required for the front yard.

#### Prepared By

Anna Papke, AICP  
Senior Planner



LOCATION MAP

#### PROJECT DESCRIPTION

The subject property is located in the R2 Residential Single Family District. The subject property is developed with a single-family home with an enclosed front porch. The property owner intends to demolish the enclosed front porch and replace it with an unenclosed porch.

The Zoning Ordinance permits unenclosed, roofed-over porches to encroach into the required 30-foot front yard so long as they do not project more than seven feet from the front wall of the principal structure and maintain a 25-foot setback from the front property line. With a front setback of 22.81 feet, the proposed front porch will not meet the required 25-foot setback. Therefore, a variance is required.

The property owner also plans to build an addition onto the rear of the house. The addition does not require a variance, but is shown in the site plan submitted with the petition for reference purposes.

#### APPROVAL(S) REQUIRED

The petitioner requests that the Village approve a variation from Section 155.212 of the Lombard Zoning Ordinance to allow an unenclosed roofed-over porch to be set back twenty-two feet (22') from the front property line where twenty-five feet (25') is required for the front yard located in the R2 Single-Family Residence District.



## PROJECT STATS

### Lot & Bulk

Parcel size: 7,372 sq. ft.

Existing porch  
footprint: 130 sq. ft.

Proposed  
porch  
footprint: 170 sq. ft.

Lot coverage  
post-  
construction: approx. 49%

### Setbacks with proposed porch

Front (west) 22.81 feet

Side (north) 17.7 feet

Side (south) 6.0+ feet

Rear (West) 25.0+ feet

### Surrounding Zoning & Land Use Compatibility

North, east, south and west:  
R-2, Single Family Residential

### Submittals

1. Petition for public hearing;
2. Response to standards for variation;
3. Plat of survey;
4. Site plan, dated February 5, 2019;
5. Elevation of proposed porch, by Ronald T. Haas & Associates, Inc., dated February 5, 2019; and
6. Open space calculation, prepared by Ronald T. Haas, dated February 5, 2019.

## EXISTING CONDITIONS

The property contains a two-story frame single family residence with an existing enclosed front porch. The property also has a detached garage and associated driveway.

## INTER-DEPARTMENTAL REVIEW

### Building Division:

The Building Division has no comments on the subject petition. Additional comments may be forthcoming during permit review.

### Fire Department:

The Fire Department has no comments on the subject petition. Additional comments may be forthcoming during permit review.

### Private Engineering Services:

Public Works has no comments on the subject petition. Additional comments may be forthcoming during permit review.

### Public Works:

Public Works has no comments on the subject petition. Additional comments may be forthcoming during permit review.

### Planning Services Division:

The Zoning Ordinance allows roofed-over porches, which are unenclosed and projecting not more than seven feet from the front wall of the principal structure, as a permitted encroachment in the front yard provided that a minimum of 25-foot front setback is maintained. The petitioner is proposing to replace an existing enclosed roofed-over porch with an open front porch. The existing enclosed porch extends eight feet from the front wall of the principal structure, and has a front setback of 21.71 feet. The proposed open front porch will extend seven feet from the wall of the principal structure, and will be set back 22.81 feet from the front property line. Because the new porch will not meet the 25-foot setback requirement, a variance is necessary. Staff notes that the current front porch also does not meet the 25-foot setback requirement.

According to the York Township Assessor, the home on the property was built in 1924. The Lombard Historical Society maintains a file on the subject property, and has identified the home as a Sears kit home, model name Grant. The Grant was a bungalow style home with an open front porch. The below image from the Sears homes book shows how the home would have looked when originally constructed. The Village's building permit records indicate the porch was enclosed in 1972.



*House as depicted in Sears homes book.*



*103 N. Chase, current conditions*

The proposed front porch will be one component of a planned expansion and renovation of the existing home. In the response to standards, the petitioner states the current configuration of the enclosed front porch with side entry is awkward, and that the proposed open porch will improve both the function and appearance of the front of the house. Staff finds that the proposed porch is similar in style to the open porch that was originally constructed with the house.

The current Zoning Ordinance, which went into effect after the home was constructed, contains front yard setback provisions that the existing porch does not meet. This creates a hardship for the property owner, who cannot reconstruct a porch that is consistent with the original house as a result of the current setback regulations. Granting a variance in order to allow the proposed open porch would be consistent with the Village's interest in maintaining historic structures. It would also be consistent with previous variations granted by the Village Board for reconstructing porches on older homes (ZBA 16-05).

To be granted a variation, petitioners must show that they have affirmed each of the standards for variations outlined in Section 155.103(C)(7). Staff offers the following commentary on these standards with respect to this petition:

- a. *That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner has been shown, as distinguished from a mere inconvenience if the strict letter of the regulations were to be applied.*

Staff finds that the subject property does not have unique physical limitations. However, the placement of the existing porch on the property and the fact that the property owner would like to rebuild a porch that is consistent with the original porch does prevent the owner from meeting the intent of the



ordinance. The principal structure and porch were constructed prior to the Village adopting front yard setback provisions.

- b. *The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.*

This standard is affirmed. The petitioner is seeking to construct a porch similar in size and style to the porch originally constructed with the home in 1924. The original porch does not meet setback requirements that went into effect after the home and porch were built. These circumstances are unique to the subject property.

- c. *The purpose of the variation is not based primarily upon a desire to increase financial gain.*

This standard is affirmed.

- d. *The alleged difficulty or hardship is shown to be caused by this ordinance and has not been created by any person presently having an interest in the property.*

This standard is affirmed. The subject property is a nearly 100-year-old home that was built in 1924. The Zoning Ordinance, adopted after the home was constructed, includes front setback requirements that the existing home does not meet. Therefore, the Zoning Ordinance limits the property owner's ability to reconstruct an unenclosed roofed-over front porch consistent with architecture of the existing home.

- e. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

This standard is affirmed. Staff finds that granting the request would not be injurious to neighboring properties.

- f. *The granting of the variation will not alter the essential character of the neighborhood.*

This standard is affirmed. Staff notes that the requested variance will result in development that compliments the character of the neighborhood in that the rebuilt, unenclosed porch will be architecturally similar to the porch that was constructed when the house was built in 1924.

- g. *The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood*

This standard is affirmed.



In recent years there have been nine other ZBA petitions requesting relief for unenclosed, roofed-over front porches. Several have been similar in scope to the variation requested for 103 N. Chase Avenue. All of the below ZBA cases are related to the construction of front porches. The nine variations were ultimately granted.

Case No.	Address	Front Yard Relief Requested	ZBA Vote	BOT Action
ZBA 16-05	172 S. Stewart	Encroachment reduced from 25' to 21'	Approval	Approval
ZBA 13-08	353 N. Grace	Encroachment reduced from 25' to 22'	Approval	Approval
ZBA 13-07	330 W. Potomac	Encroachment reduced from 25' to 22'	Approval	Approval
ZBA 13-04	616 E. Madison	Encroachment reduced from 25' to 23'	Approval	Approval
ZBA 13-02	225 W. Potomac	Encroachment reduced from 25' to 23'	Approval	Approval
ZBA 10-12	544 S. Highland	Encroachment reduced from 25' to 22.5'	Approval	Approval
ZBA 07-05	208 S. Elizabeth	Encroachment reduced from 25' to 14.5'	Approval	Approval
ZBA 06-17	197 S. Craig	Corner side yard reduced from 20' to 9'	Approval	Approval
ZBA 06-03	121 N. Lincoln	Encroachment reduced from 25' to 23.5'	Approval	Approval

The proposed rebuilding of a front porch would not alter the essential character of the neighborhood. Staff is able to support the requested variation based upon established precedent for allowing unenclosed roofed-over porches to encroach into required setbacks.

## **FINDINGS & RECOMMENDATIONS**

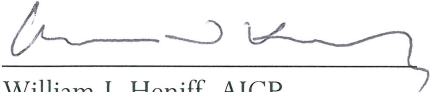
The Department of Community Development has determined that the information presented has affirmed the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the front yard setback variation to allow an unenclosed roofed-over front porch:

Based on the submitted petition and the testimony presented, the requested variations **do comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals adopt that the findings included as part of the Inter-departmental Review Report as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 19-03, subject to the following conditions:

1. The porch shall be developed in accordance with the submitted plans and elevations prepared by Ronald T. Haas & Associates, Inc., dated February 5, 2019, and made a part of the petition;
2. The petitioner shall apply for and receive a building permit for the proposed plans;
3. 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;

4. 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.
5. The roofed-over porch shall remain unenclosed.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development

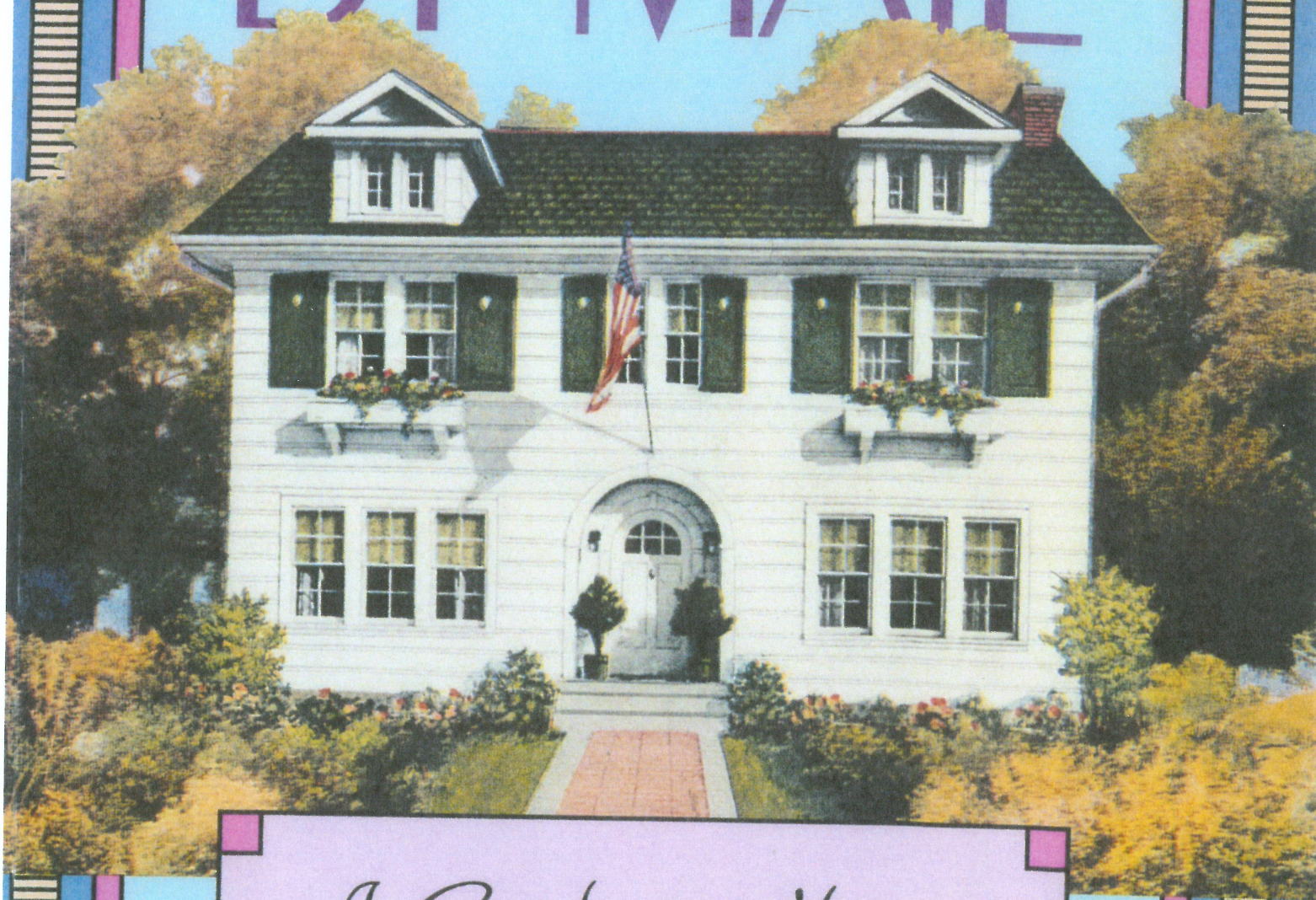
Exhibit: Items from Lombard Historical Society file on 103 N. Chase Avenue

c. Petitioner

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# HOUSES BY MAIL



*A Guide to Houses  
from Sears, Roebuck  
—and Company—*



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# THE HAMPTON



*B*ungalow architecture features the Hampton. The interior is designed along practical lines. Full use of space affords a greater amount of room than is usual in a house of this size. The location of each room and its relation to the rest of the house have been planned to promote the comfort of the family.

**Details and features:** Six rooms and one bath. Full-width front porch with hipped roof and tapered wood columns; exposed roof rafter tails; glazed front door.

**Years and catalog numbers:** 1925 (3208); 1926 (P3208); 1928 (C3208); 1929 (P3208)

**Price:** \$1,551 to \$1,681

**Similar to:** The Grant

**Difference:** Slightly simpler detailing

**Years and catalog numbers:** 1925 (6018); 1926 (P6018); 1928 (C6028)

**Price:** \$947 to \$999



*The Grant*

