

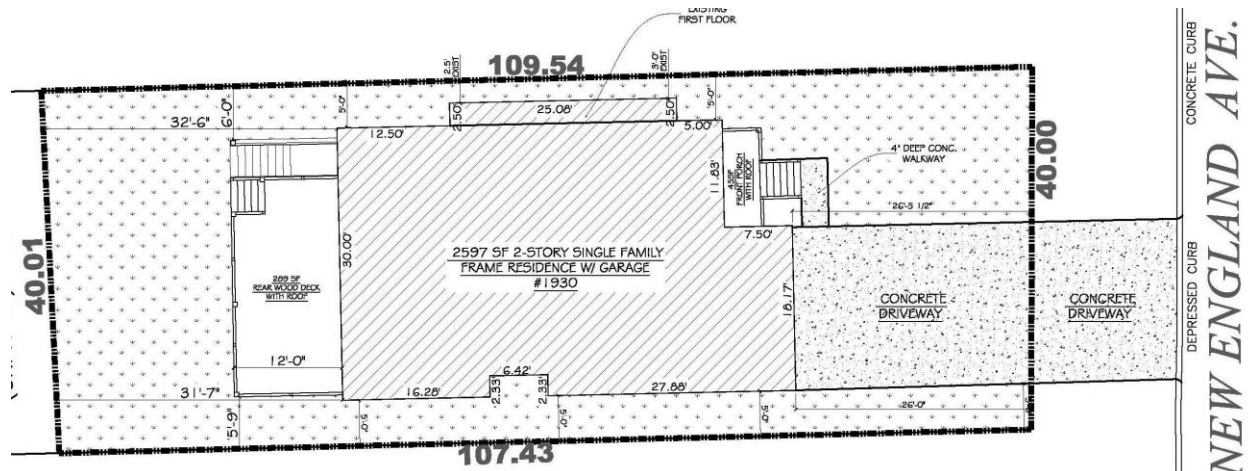
Map #1: Property Location and Context Map

Project Proposal

The existing structure is non-conforming with respect to the north side yard setback, which is 2.5 ft., where the Unified Development code requires a 5 ft. setback (Section 12-4-2:D). In addition, the existing lot is non-conforming with respect to the lot width and area. The lot width is 40 ft. where the code requires a minimum 45 ft. for lots recorded before August 4, 1959 and 50 ft. for lots recorded after, and the lot area is 4,332 sq. ft., where the code requires a minimum of 5,000 sq. ft. for lots recorded before August 4, 1959 and 5,900 sq. ft. for lots recorded after (Section 12-4-2:D)

Mr. Kris Chlanda, the property owner and applicant, is proposing to expand the building footprint and convert the existing 1-1/2 story structure into a 2-story residence. Although a portion of the existing structure encroaches into the north side yard setback, the proposed ground floor and 2nd floor additions will be stepped back from the north property line such that the new building additions comply with all of the setback requirements, and the overall expanded residence will comply all the R2 District bulk and height requirements. The applicant also proposes to demolish the existing detached garage as the proposed expansion of the single-family residence includes a new attached garage.

In order to complete this project, the applicant is requesting approval from the ZBA to allow for the alteration and expansion of a non-conforming structure on a non-conforming lot.



Site Plan: Proposed Expanded Residence with Attached Garage

Zoning Relief

The following chart provides a summary of the existing and proposed conditions, based on the ordinance requirements:

DIMENSIONAL CONTROL	REQUIRED	EXISTING	PROPOSED	REQUESTED VARIANCE
Front Yard Setback	25 ft., (Sec. 12-2-6:D)	25 ft.	26 ft.	Compliant
Side Yard Setback	5 ft. - north property line 5 ft. - south property line (Sec. 12-4-2:D.3)	2.5 ft. 12.7 ft.	2.5 ft. - existing 5 ft. – new additions	Non-Conforming Compliant
Rear Yard Setback	30 ft. (Sec. 12-4-2:D.3)	41 ft.	31.58 ft.	Compliant
Building Height	28 ft. (Sec. 12-4-2:D.4)	24ft.	28 ft.	Compliant
FAR	0.6 (Sec. 12-4-2:D.5)	0.33	0.60	Compliant
Rear Yard Lot Coverage	50% (Sec. 12-2-6:G.3)	29%	20%	Compliant
Accessory Structure Lot Coverage	30% (Sec. 12-2-6-G-3)	27%	20%	Compliant
Lot Width	45 ft. (Sec. 12-4-2-D:2)	40 ft.	40 ft.	Non-conforming
Lot Area	5,000 sq. ft. (Sec. 12-4-2:D.2)	4,320 sq. ft.	4,320 sq. ft.	Non-conforming
Expansion of non-conforming structures	Administrative review if site/project meets listed conditions (Sec. 12-15-4:A)	Non-conforming due to north side yard setback	Administrative review not allowed on substandard lots	Approval required for expansion or addition of structures/non-conforming lots
Expansion or Alteration of structure(s) on non-conforming lot	Permitted if ZBA finds it meets variance standards and does not adversely affect the adjoining property (Sec 12-15-5:A)	Non-conforming as to lot width and lot area	Alteration/ expansion of existing residence	Approval required for expansion or alteration of structure(s) on non-conforming lots

Requested Waivers

As shown in the table above, in order to complete the proposed project, the following waivers and/or approvals would be required:

- Section 12-15-4.: Approval to allow for the expansion or alteration of a non-conforming structure provided and that it meets the criteria of an authorized variation by the zoning board of appeals, for the following:

- *Expansion/Alteration to the Principal Residence:* The applicant proposes to expand the building footprint and convert the existing 1-½ story structure into a 2-story residence. The existing residence has a 2.5 ft. setback which will be maintained. Although the proposed additions will comply with the current setback requirements, Administrative Review process is not permitted due to the non-conforming lot.
- Section 12-15-5.: Approval to allow for the expansion or alteration of a structure on a non-conforming lot provided that the expansion or alteration meets the criteria of an authorized variation by the zoning board of appeals, for the following:
 - *Expanded Residence:* The applicant proposes to expand the building footprint and convert the existing 1-½ story structure into a 2-story residence on a non-conforming lot. The lot is substandard with respect to both lot width and lot area.

Discussion

The applicant purchased the property in August 2016 and shortly thereafter contacted the Village with conceptual renovation plans. Initially, the applicant proposed a much more significant expansion. However, after reviewing the plans and code requirements with staff, the applicant redesigned the project to meet Village FAR requirements and ensured that the expanded structure complies with all current setback, bulk, and height requirements.

As previously noted the existing residence is non-conforming with respect to the north side yard setback, which is 2.5 ft. versus the 5 ft. required minimum. Although the applicant is proposing to retain that portion of the structure that encroaches into the north side yard setback, the proposed ground and 2nd floor additions will comply with the current setback requirements and height and bulk regulations.

Staff notes that Section 12-15-4:A allows allow a non-conforming building to be modified and approved administratively if the proposal (1) does not expand the non-conforming nature of the structure and (2) the alterations/expansions otherwise comply with all the dimensional, height and bulk requirements. However, one of the conditions for Administrative Review is that the non-conforming structure must be on a conforming lot. Although the proposed additions comply with the other aspects of 12-15-4:A, this project requires ZBA approval because the existing lot is substandard with respect to lot width and lot area.

Variation Standards

The Zoning Board of Appeals can approve the application as presented, approve it with conditions, or deny the application based on the following standards established in the Unified Development Code Section 12-16-3:A.

- a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.
- c. Not Detrimental To Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- d. Not Detrimental To Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets,

increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The applicant has provided their responses to these in the submitted application.

Recommendation

Should the Board approve ZBA Case#16-10, staff suggests the following motion and conditions:

The Zoning Board of Appeals approves Case #ZBA16-10 for the expansion/alteration of a non-conforming structure, on a non-conforming lot, in accordance with Section 12-15-4 and 12-15-5. to expand the footprint and convert the existing non-conforming 1-½ story single-family residence to 2 stories , whereby the new building additions comply with all the current dimensional, bulk and height requirements, at 9130 New England Avenue, with the following conditions:

- 1. The new addition and modification shall be constructed and located in accordance with the plans prepared by ABD & Associate dated 10/16/2016 unless noted:
 - a. Site Plan, Sheet T2; and*
 - b. Elevations, A5*
 - c. Plat of Survey, 09/19/2016, Spiewak Consulting**
- 2. The applicant shall file all necessary plans for review and approval, and secured all necessary building permits prior to the commencement of construction.*

Attachments

Application and related materials (submitted by applicant)

VARIATION APPLICATION



Village of Morton Grove

Department of Community Development

6101 Capulina Avenue Morton Grove, Illinois 60053

(847)470-5231 (p) (847)965-4162 (f)

CASE NUMBER: _____ DATE APPLICATION FILED: _____

APPLICANT INFORMATION

Applicant Name: KRIS CHLANDA

Applicant Address: 9130 N NEW ENGLAND AVE

Applicant City / State / Zip Code: 60053

Applicant Phone: (773) 319 5352

Mobil / Other: (773) 319 5352

Applicant Email: MJZHOMEDSIGN@GMAIL.COM

Applicant Legal Interest in Property (Owner, Tenant, Etc.): OWNER

Applicant Signature: 

PROPERTY INFORMATION

Common Address of Property: 9130 NEW NEWENGLAND

Property Identification Number (PIN): _____

Zoning District: R-2 Property's Current Use: SINGLE FAMILY HOUSE

APPLICANT'S REQUEST (ATTACH ADDITIONAL SHEETS AS NECESSARY):

1. Applicant is requesting a Variation from the following section of the Unified Development Code: _____

for the following: to convert existing a 1 and 1/2 story home into a 2-story costum home with
attached 2-car garage. Existing detached garage will be demolished.

2. Please provide detailed information to explain why the variation is being requested:

Proposed plans meets all code requirements but that lot is non-comforming with village regulatons.

Proposed plans was already redesigned to comply village zoning ordinance when I found out that FAR is different than Chicago zoning regulation

3. Provide responses to the Variation standards as listed in Section 12-16-3-A-2 of the Unified Development Code. The Variation standards are as follows:

a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

Proposed home do not need a variance. The home was designed to comply with all bulk regulations, the lot was non-comforming when I purchased it.

b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.

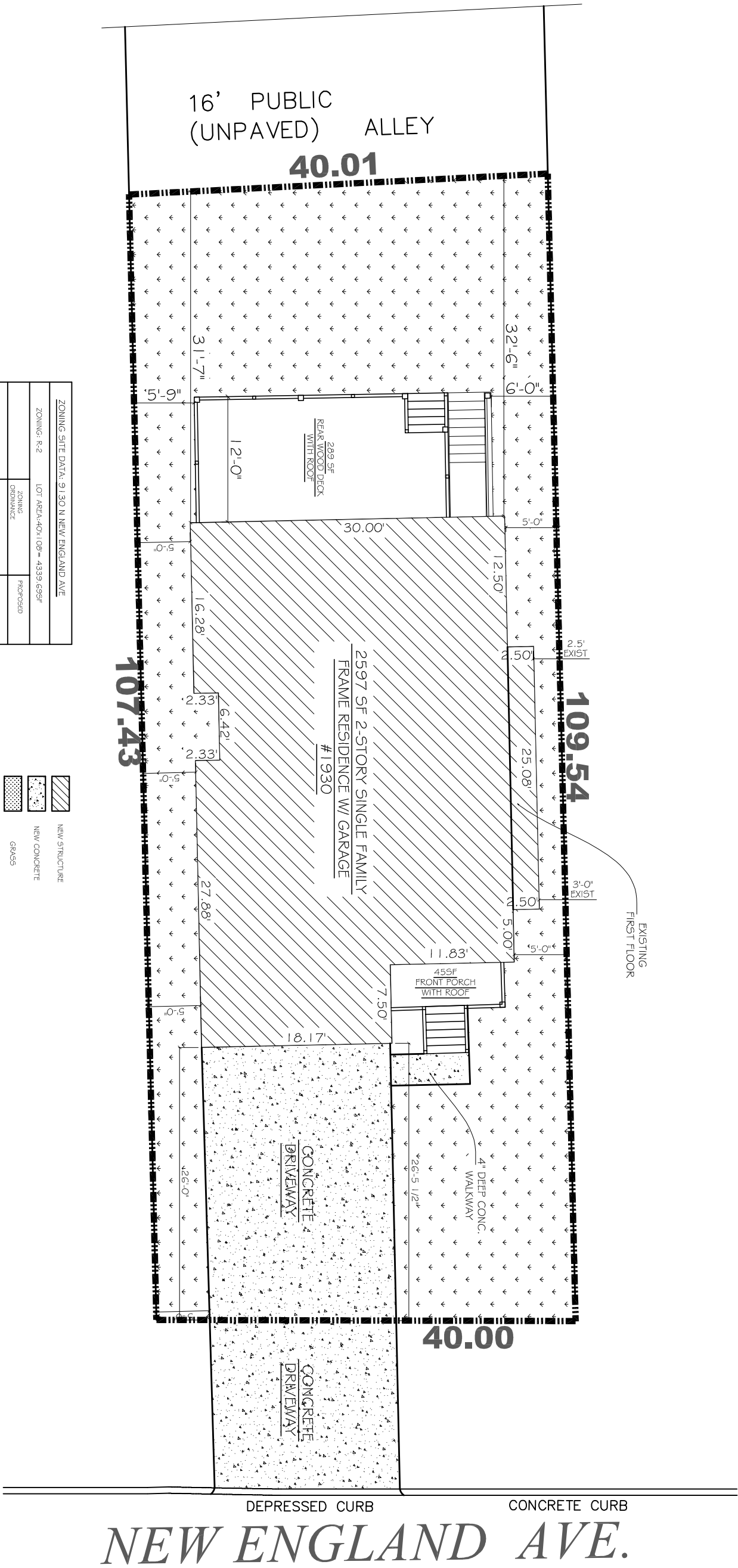
I designed the home to comply with zoning regulations to provide for my family as much space as possible within the regulation

c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

I believe that my proposed home will fit in with character of the neighborhood. The house is going from 1 and 1/2" story home to a 2-story home. There are a lot two story homes on my block.

d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The home was designed to comply with all bulk regulations, the new portition of the home will comply with the zoning code setback regulations. The proposed home will not impair an adequate supply of light and air to adjacent property.



ZONING SITE DATA: 9130 N NEW ENGLAND AVE			
ZONING: R-2	LOT AREA: 40x108 = 4339.69SF		
	ZONING ORDINANCE	PROPOSED	
MIN. FRONT YARD	29.0'	26.0'	
MIN. SIDE YARD	5'	5' - NORTH - NEW 5' - SOUTH - NEW	
MIN. REAR YARD	30'	31' - 7" (NEW)	
MAX. BUILDING HEIGHT	28.0'	28.0'	
MAX. BUILDING SIZE (0.60 OF LOT AREA)	0.6 x 4339.69 = 2603.8 SF	2597.00 SF	
	FIRST FLOOR	1461.00SF	
	SECOND FLOOR	1136.00SF	
	TOTAL: 2597.00 SF		

NEW STRUCTURE

NEW CONCRETE

GRASS

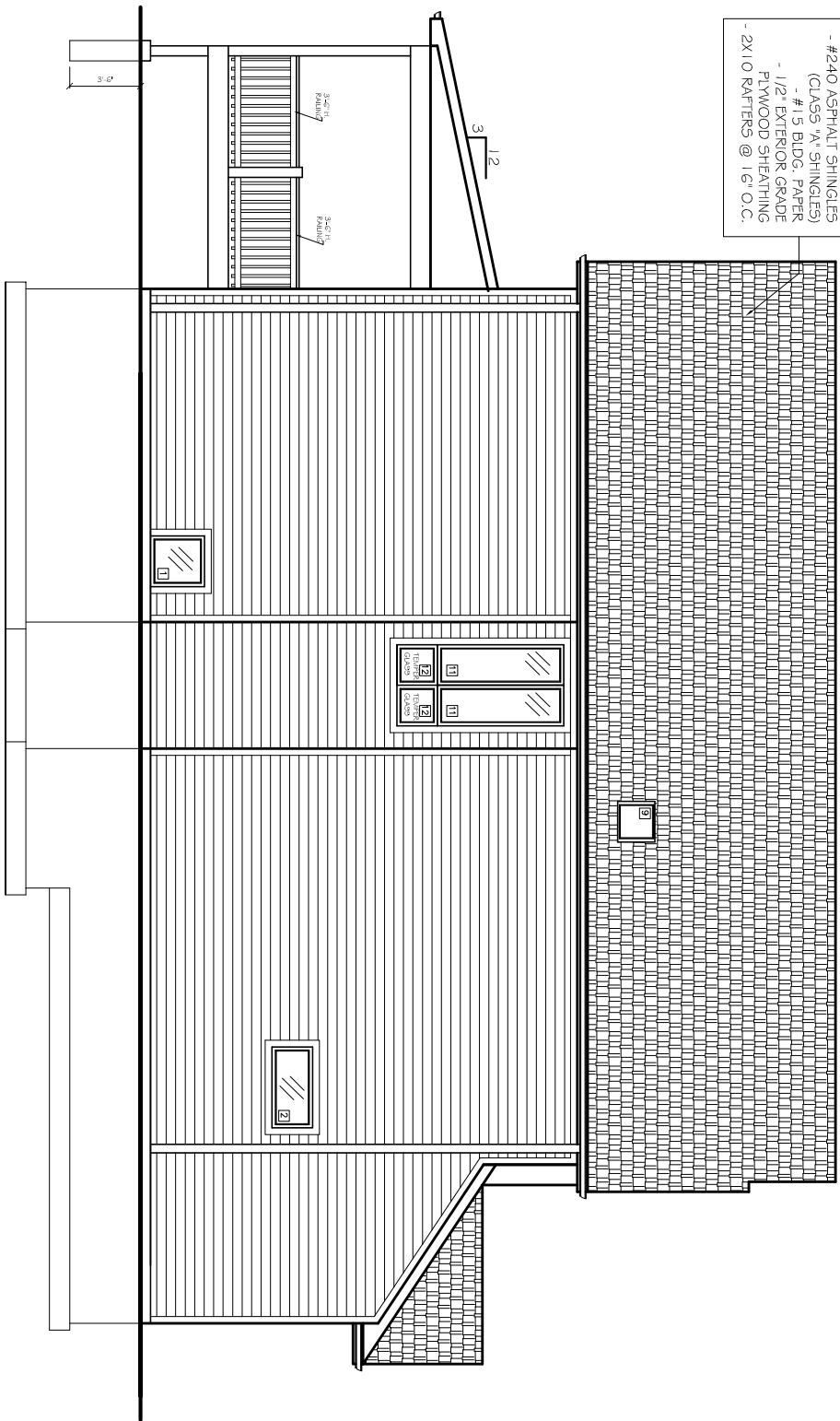
SITE PLAN

SCALE: N.T.S.

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SHEET NO. T2	DATE: 10/09/2016		ADDRESS: 9130 NEW ENGLAND AVE MORTON GROVE ILLINOIS	OWNER KRIS & JOLANTA CHLANDA	<div>ABD & ASSOCIATES, LTD PROFESSIONAL DESIGN FIRM - NO: 184-005725 8747 W. BRYN MAWR AVE., #505, CHICAGO, IL 60631 PHONE: 773-864-9764 FAX: 773-864-9406 PHONE: 773-319-5352</div>	JOB #N12
	PROJECT: M1Z - M1Z					

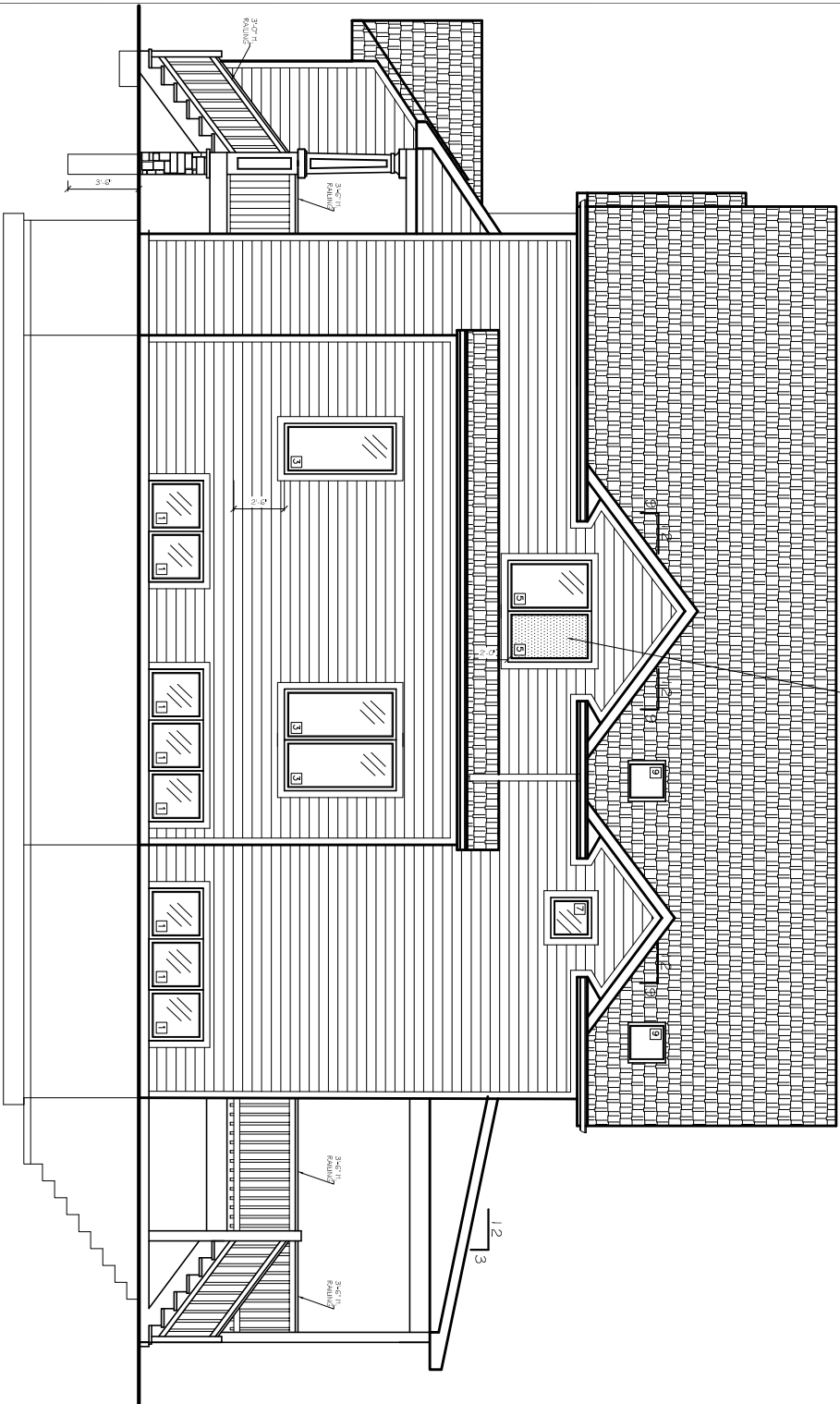
ROOF CONSTRUCTION
- #240 ASPHALT SHINGLES
(CLASS "A" SHINGLES)
- #15 BLDG. PAPER
- 1/2" EXTERIOR GRADE
PLYWOOD SHEATHING
- 2X10 RAFTERS @ 16" O.C.



SIDE ELEVATION - SOUTH

SCALE 1/4" = 1'-0"

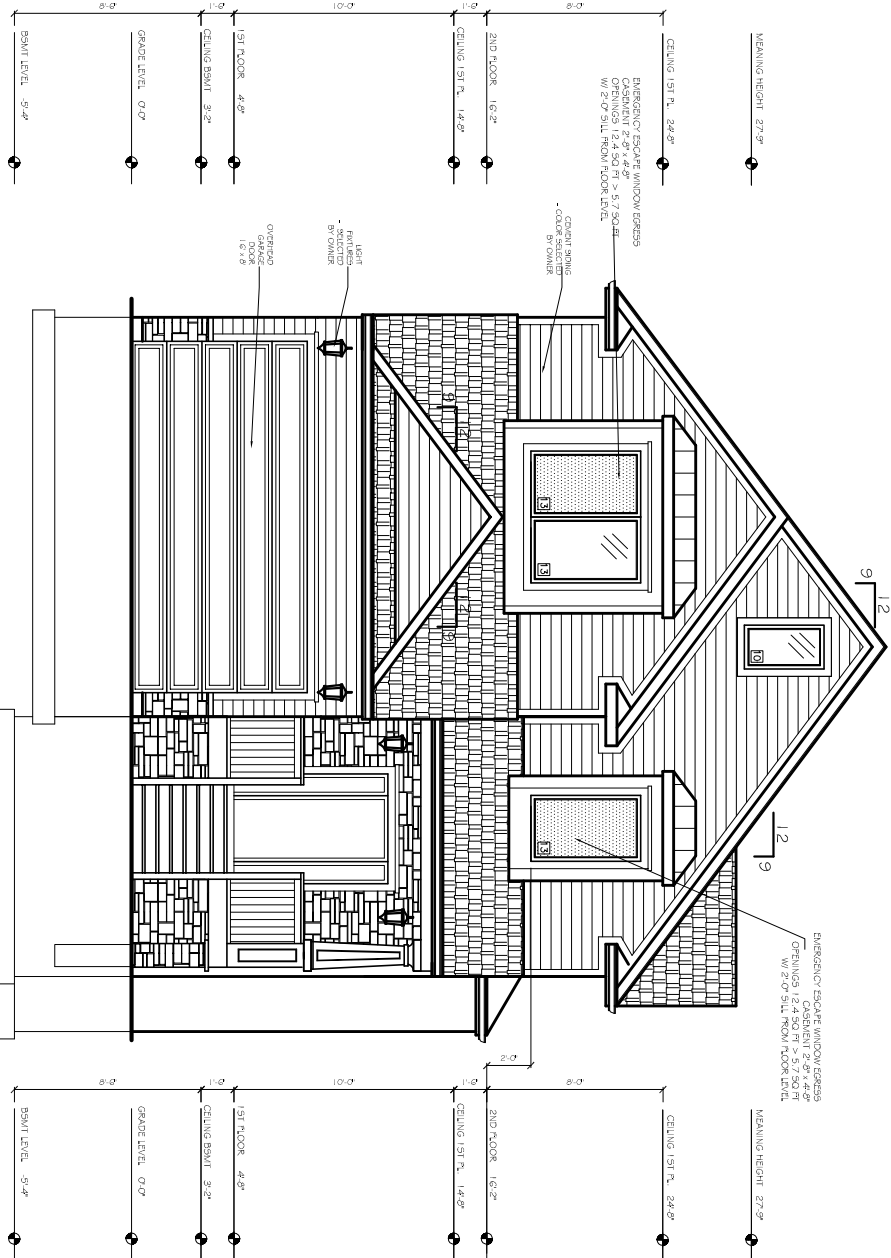
1" 2" 4" 8"



SIDE ELEVATION - NORTH

SCALE 1/4" = 1'-0"

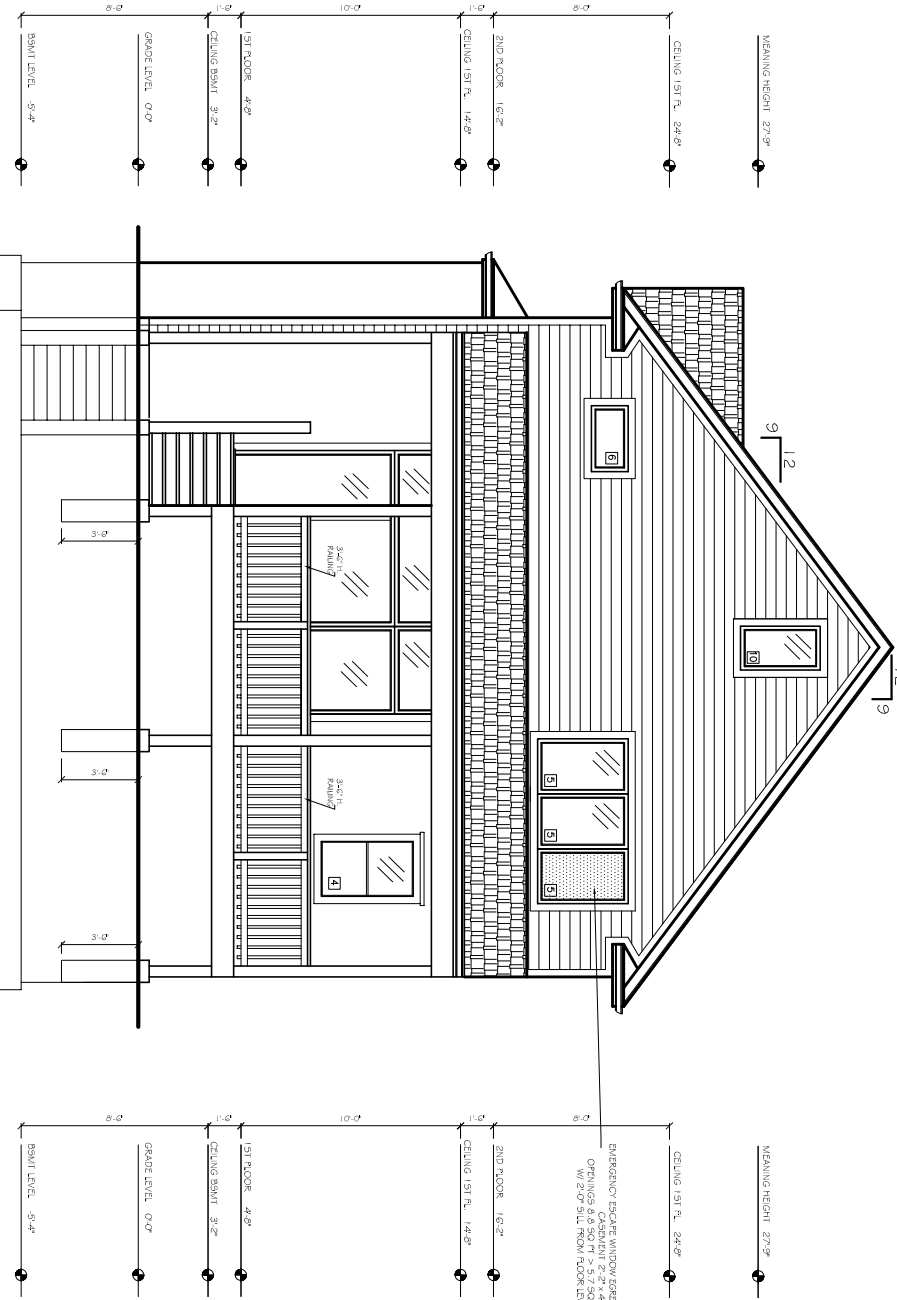
1" 2" 4" 8"



FRONT ELEVATION - EAST

SCALE 1/4" = 1'-0"

1" 2" 4" 8"



REAR ELEVATION - WEST

SCALE 1/4" = 1'-0"

1" 2" 4" 8"

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ADDRESS:
9130 NEW ENGLAND AVE
MORTON GROVE ILLINOIS

OWNER
KRIS & JOLANTA
CHLANDA



ABD & ASSOCIATES, LTD
PROFESSIONAL DESIGN FIRM - NO: 184-005725
8747 W. BRYN MAWR AVE. #505, CHICAGO, IL 60631
PHONE: 773-864-9754 FAX: 773-864-9406
PHONE: 773-319-5352

JOB #N12

DATE:
10/19/2016

PROJECT:
MIZ - MIZ

SHEET NO.

A5

8 OF 11