

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF SEPTEMBER 12, 2012**

**P/Z 12-029-Molly Tang re 430 South Linden Avenue, Westmont**

Request for a variances to allow the replacement of an existing non-conforming driveway which encroaches into the required side yard setback, lot coverage greater than 35% and to allow a lot with substandard lot area.

***CRITERIA NO. 1:** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

**FINDINGS OF FACT:** The property's driveway, lot coverage and lot area are existing legal non conformities. The Applicant would be unable to make safety and aesthetic upgrades to her property without these variances. The Applicant is not increasing these existing nonconformities.

***CRITERIA NO. 2:** The plight of the owner is due to unique circumstances.*

**FINDINGS OF FACT:** The owner did not self-create the existing non conformities, and is seeking these variances to improve the safety, aesthetics, usability and storm water flow for this property.

***CRITERIA NO. 3:** The variation, if granted, will not alter the essential character of the locality.*

**FINDINGS OF FACT:** The resurfaced driveway will remain at its current location and the existing non conformity will not be expanded. The proposed new garage will be at its existing location and the new garage will not increase the existing lot coverage. Overall, the Applicant is not increasing the existing non conformities of this property and will take steps to improve the storm water flow across this property. As a result, these variances will not alter the essential character of the area.

6 The Planning and Zoning Commission agrees with the above findings.

Ø The Planning and Zoning Commission does not agree with the above findings.