

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
FEB.08,2010 11:09 AM  
OTHER 06-18-218-008  
006 PAGES R2010-018228

**ORDINANCE 6420**

**APPROVING VARIATIONS OF THE LOMBARD ZONING  
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF  
LOMBARD, ILLINOIS**

**PIN: 06-18-218-008**

**Address: 418 W. Wilson Ave., Lombard, IL**

**Return To:  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 6420**

**AN ORDINANCE APPROVING VARIATIONS  
OF THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(ZBA 09-10: 418 W. Wilson Avenue)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned R2 Single Family Residence District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 155, Section 155.407(H) of the Lombard Zoning Ordinance to reduce the minimum required open space on the subject property from fifty percent (50%) to forty-two and fifty-five one-hundredths percent (42.55%); and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 155, Section 155.212, Table 2.1, Footnote (A) of the Lombard Zoning Ordinance to reduce the required interior side yard setback to 0.35 feet (0.35') where two feet (2') is required to allow for an open deck not over three feet (3') above the average level of the adjoining ground; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on October 28, 2009 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings and recommendations to the Board of Trustees with a recommendation of approval of the requested variations; and,

WHEREAS, the President and Board of Trustees does concur with the findings of the Zoning Board of Appeals; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested variations.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That a variation is hereby granted from the provisions of Title 15, Chapter 155, Section 155.407(H) of the Lombard Zoning Ordinance to reduce the

minimum required open space on the subject property from fifty percent (50%) to forty-two and fifty-five one-hundredths percent (42.55%); and,

**SECTION 2:** That a variation is hereby granted from the provisions of Title 15, Chapter 155, Section 155.212, Table 2.1, Footnote (A) of the Lombard Zoning Ordinance to reduce the required interior side yard setback to 0.35 feet (0.35') where two feet (2') is required to allow for an open deck not over three feet (3') above the average level of the adjoining ground.

**SECTION 3:** This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall remove all impervious surface indicated on the "Proposed Reductions" exhibit submitted as part of this public hearing.
2. The petitioner shall apply for and receive a building permit for the existing deck.
3. In the event that the pavement and paver bricks around the garage are removed, the site shall be left at original grade. Additional gravel or fill material is not permitted. Grade shall be consistent with what was previously at these locations prior to being improved and it shall match the grade with the adjoining properties. Final grade is subject to the approval of the Director of Community Development.
4. The downspout at the southeast corner of the home shall be extended into the front yard.
5. The approval related to this petition shall only apply to the existing construction. Any future construction on the subject property shall meet all current Code requirements.
6. The petitioner shall apply for and receive a permit to install a drainage trench to be backfilled with gravel along the eastern edge of the driveway on the subject property beginning from the southern property line extending north approximately seventy-seven feet (77'). The final design of this trench, including the dimensions, is subject to the approval of the Director of Community Development.
7. The downspouts from the garage shall be directed to the west of the garage and discharge in the center of the rear yard on a grassed or landscaped area.

**SECTION 4:** This ordinance is limited and restricted to the property generally located at 418 W. Wilson Avenue, Lombard, Illinois, and legally described as follows:

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LOT 8 IN BLOCK 13 IN LOMBARD PARK MANOR, BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 (EXCEPT EAST 1 ACRE THEREOF) DEEDED TO PUBLIC HIGHWAY OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED OCTOBER 9, 1924 AS DOCUMENT NO. 183452 IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-18-218-008

**SECTION 4:** This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

First reading waived by action of the Board of Trustees this 19th day of November, 2009.

Passed on second reading this 19th day of November, 2009.

Ayes: TRUSTEES GRON, TROSS, WILSON, MOREAU & FITZPATRICK

Nayes: \_\_\_\_\_

Absent: NONE

Approved this 19 day of November, 2009.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk

Published by me this 20th day of November, 2009.

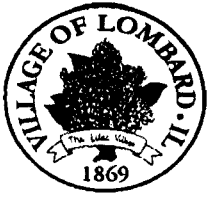
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\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

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I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a  
copy of

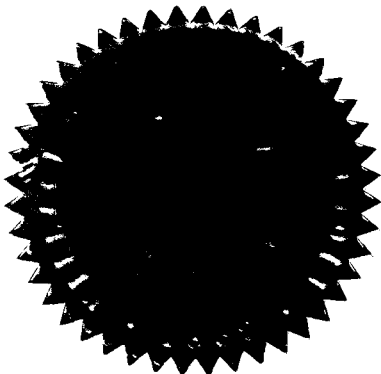
ORDINANCE 6420  
APPROVING VARIATIONS OF THE LOMBARD ZONING  
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LOMBARD, ILLINOIS

PIN: 06-18-218-008

Address: 418 W. Wilson Ave., Lombard, IL *60148*

of the said Village as it appears from the official records of said Village duly approved this 19th day of November, 2009.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 23<sup>rd</sup> day of December, 2009.



*Barbara A. Johnson*

Barbara A. Johnson  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois