

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue)     X     *Waiver of First Requested*  
    X     Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: January 26, 2005 (BOT) Date: February 3, 2005

TITLE: PC 05-04: 2080 S. Valley Road

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation pursuant to Section 155.504(A)(12) of the Lombard Zoning Ordinance, a deviation to reduce the required interior side yard setback, per Ordinance 1351, from ten (10) feet to nine (9) feet to accommodate the construction of a second story addition in the R5PD General Residential Planned Development District. (DISTRICT #2)

The Plan Commission recommended approval of this petition with conditions.

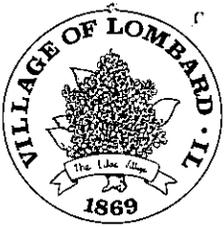
The petitioner is requesting waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X William T. Lichter Date 1/26/05

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** William T. Lichter, Village Manager

**FROM:** David A. Hulseberg, AICP, Director of Community Development 

**DATE:** February 3, 2005

**SUBJECT: PC 05-04: 2080 S. Valley Road**

Attached please find the following items for Village Board consideration as part of the February 3, 2005 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 05-04;
3. An Ordinance approving an amendment to the approved conditional use for a planned development for the subject property; and
4. Plans associated with the petition.

The petitioner also requests a waiver of first reading of the petition.



## VILLAGE OF LOMBARD

255 E. Wilson Ave.

Lombard, Illinois 60148

630/620-5700 FAX: 630/620-8222

TDD: 630/620-5812

www.villageoflombard.org

### Village President

William J. Mueller

### Trustees

Tyler L. Williams, Dist. 1

Richard J. Tross, Dist. 2

Karen S. Koenig, Dist. 3

Steven D. Sebby, Dist. 4

Kenneth M. Florey, Dist. 5

Rick Soderstrom, Dist. 6

### Village Manager

William T. Lichter

February 3, 2005

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

**Subject: PC 05-04; 2080 South Valley Road**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a deviation to reduce the required interior side yard setback, per Ordinance 1351, from ten (10) feet to nine (9) feet to accommodate the construction of a second story addition in the R5PD General Residential Planned Development District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 24, 2005.

Seymour Turner, contractor for the petitioner, presented the petition. He noted the property is within a planned development, which established ten-foot interior yard setbacks. The house was erected in 1986 with the exterior wall being approximately nine-feet from the side property line.

They are proposing a second story addition to the existing residence. They propose to hold the existing building line. However as the existing wall is within the approved side yard, relief will be required. He then submitted petitions to the file noting that the adjacent property owners have reviewed the petition and do not object to their request. He noted that the proposed addition will be compatible with the existing neighborhood and will not negatively impact adjacent properties.

Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition.

William Heniff, Senior Planner, presented the staff report. The subject property is located within the Oak Creek Planned Development. The planned development regulations call for ten-foot front and interior side yard setbacks for residential properties.

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life."

"The *Mission* of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

The petitioner's home was constructed in 1986. While the requirements for the planned development were in place at the time, a building permit was issued for the construction of the residence with a nine-foot interior side yard setback. As such, the residence is considered nonconforming. The petitioner proposes to construct a second story addition to the home while maintaining the existing building line. Since the residence encroaches into the interior side yard setback a deviation from the planned development regulations is required in order to proceed with the addition.

As the requested relief constitutes a deviation from the approval requirements of the established planned development (as opposed to a variation from the general development regulations), this petition would follow the procedures for an amendment to a planned development and the public hearing would be held by the Plan Commission.

He noted that there were no comments or concerns raised by other members of the Inter-departmental Review Committee. Staff is supportive of the petition as the proposed addition will be comparable in height to other homes in the surrounding area. Many of the surrounding residences within the subdivision are two-story homes. Granting the request would not be injurious to neighboring properties, as the requested relief would not change the visual and aesthetic character of the neighborhood. Furthermore, staff has traditionally supported petitions that do not extend beyond the existing building line. The petitioner's proposal will not increase the lot area coverage of the subject property.

Chairperson Ryan then opened the meeting for discussion among the Plan Commission members.

Commissioner Olbrysh stated that he visited the site, reviewed the housing in the neighborhood and found that the proposed relief can be supported as the plans are consistent with the neighborhood.

Commissioner Olbrysh made a motion to accept the findings of the Inter-Departmental Review Committee as the findings of the Plan Commission and recommend approval of the petition, which was seconded by Commissioner Sweetser.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petitioner's request complies with the standards of the Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4 to 0, accepted the findings of the Inter-departmental Review Report as the findings of the Plan Commission and recommended to the Corporate Authorities, **approval** of the following relief associated with PC 05-04, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the plans prepared by Airoom Architects and Builders, dated December 7, 2004 and made a part of this petition.

2. That the petitioner shall apply for and receive a building permit for the proposed improvement to the property prior to the start of construction.
3. That all other provisions of Ordinance 1351 not amended by this petition shall remain in full force and effect.

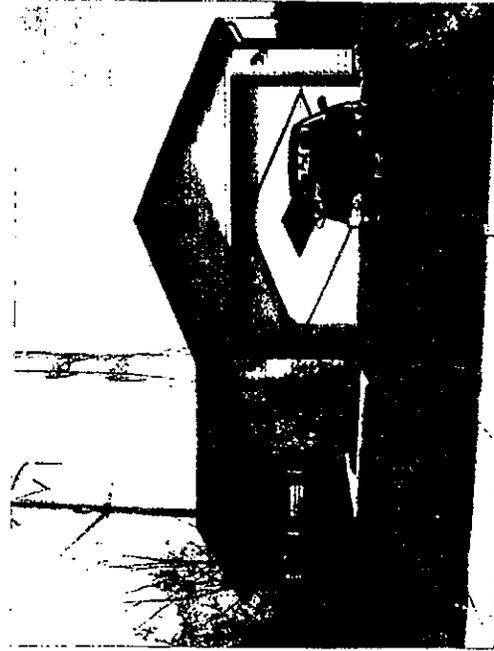
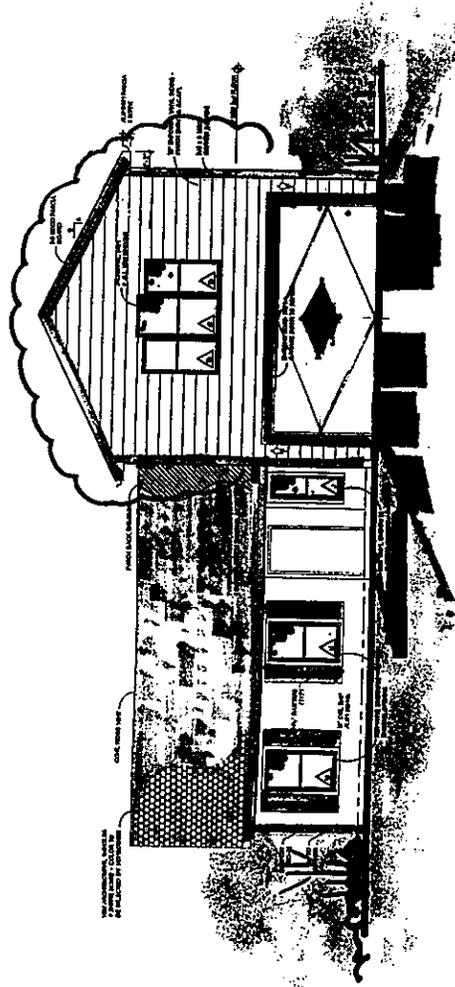
Respectfully,

**VILLAGE OF LOMBARD**

A handwritten signature in black ink, appearing to read "Donald Ryan", written in a cursive style.

Donald Ryan, Chairperson  
Lombard Plan Commission

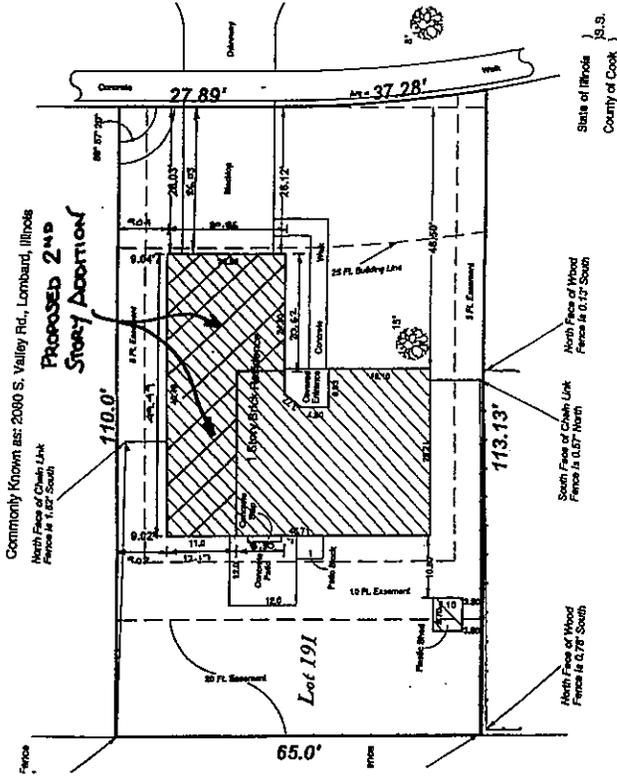
c. Petitioner  
Lombard Plan Commission



Existing Property

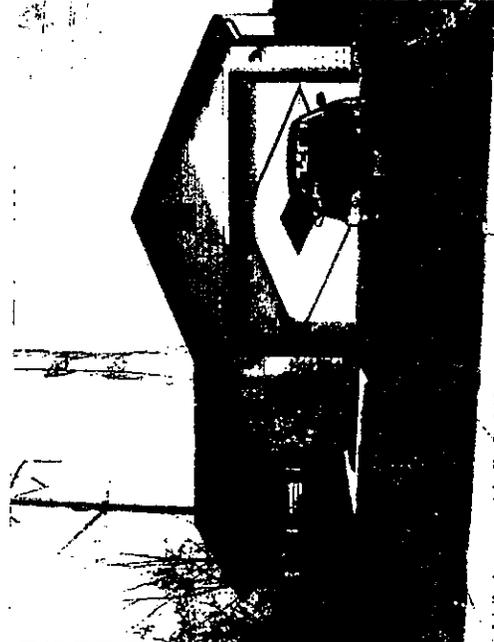
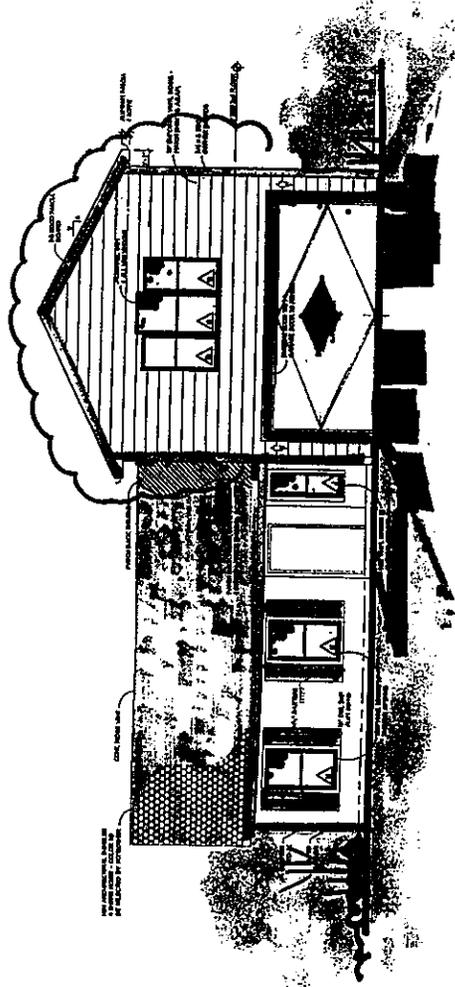
I/we have reviewed this plan for the proposed addition at the Winkler Residence at 2080 S. Valley Rd. in Lombard, IL and I/we have no objection to the improvement.

Name: Clem & Kai Salzer  
 Address: 2001 Greenburg Ct.  
 Signature: Clem Salzer  
 Date: June 18, 2016



**WINKLER RESIDENCE**  
**LOMBARD, IL**

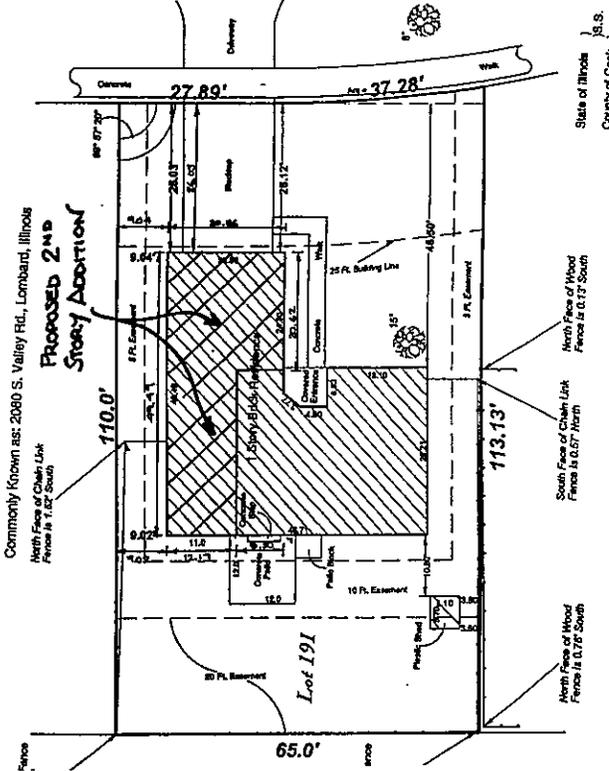
Since  
 Custom Home Additions  
 Custom Kitchens  
 Custom Homes  
 Everything To Imagination  
 Nothing To Chance



Existing Property

I/we have reviewed this plan for the proposed addition at the Winkler Residence at 2080 S. Valley Rd. in Lombard, IL and I/we have no objection to the improvement.

Name: Joe D. S. L.  
 Address: 2051 Valley Rd  
 Signature: [Signature]  
 Date: 11/15/10

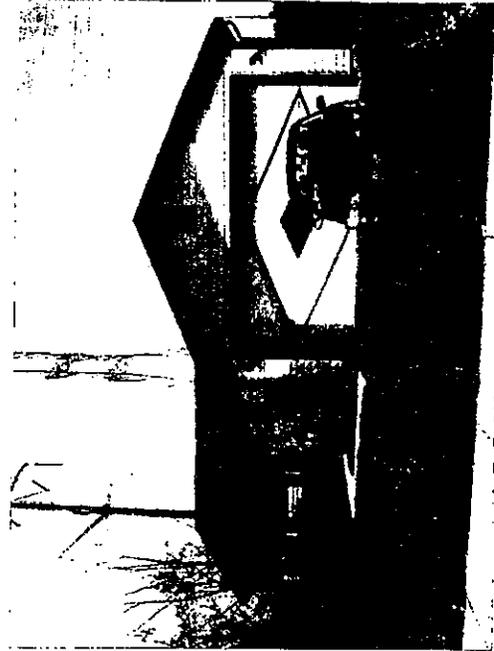
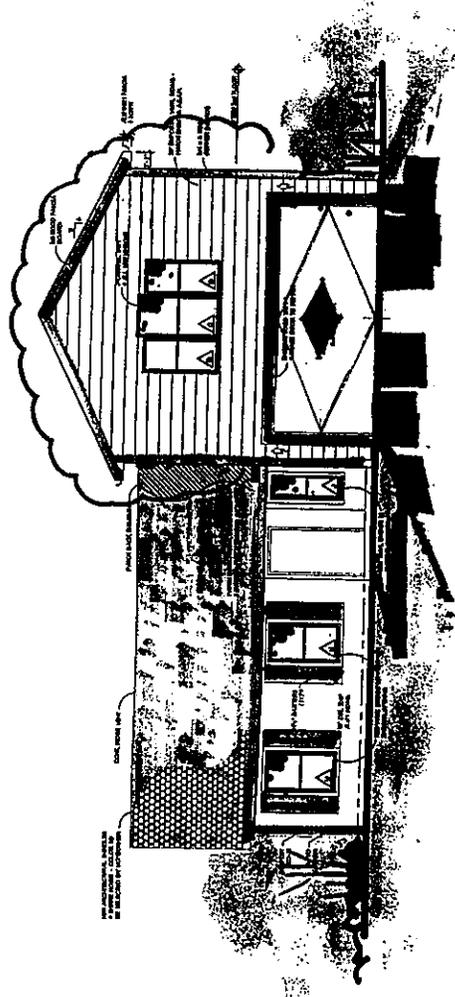


Commonly Known as: 2080 S. Valley Rd., Lombard, Illinois  
 Proposed 2nd Story Addition

WINKLER RESIDENCE  
 LOMBARD, IL

Custom Home Additions  
 Custom Kitchens  
 Custom Homes  
 Everything To Imagination  
 Nothing To Chance

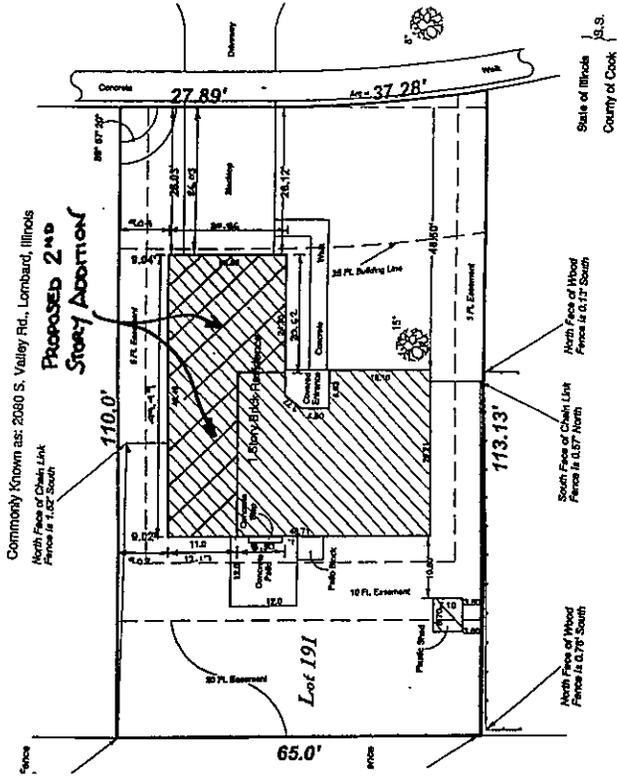
Since



Existing Property

I/we have reviewed this plan for the proposed addition at the Winkler Residence at 2080 S. Valley Rd. in Lombard, IL and I/we have no objection to the improvement.

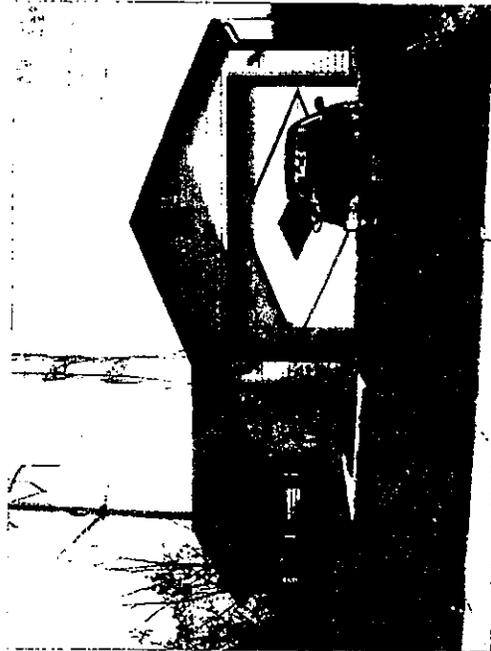
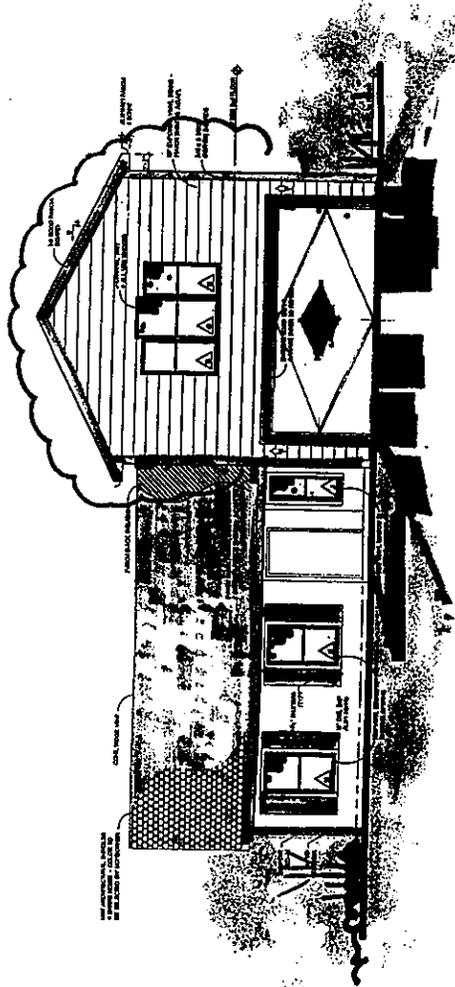
Name: RON BANILCO  
 Address: 2080 VALLEY RD LOMBARD, IL 60148  
 Signature: [Handwritten Signature]  
 Date: 10 Jan 2005



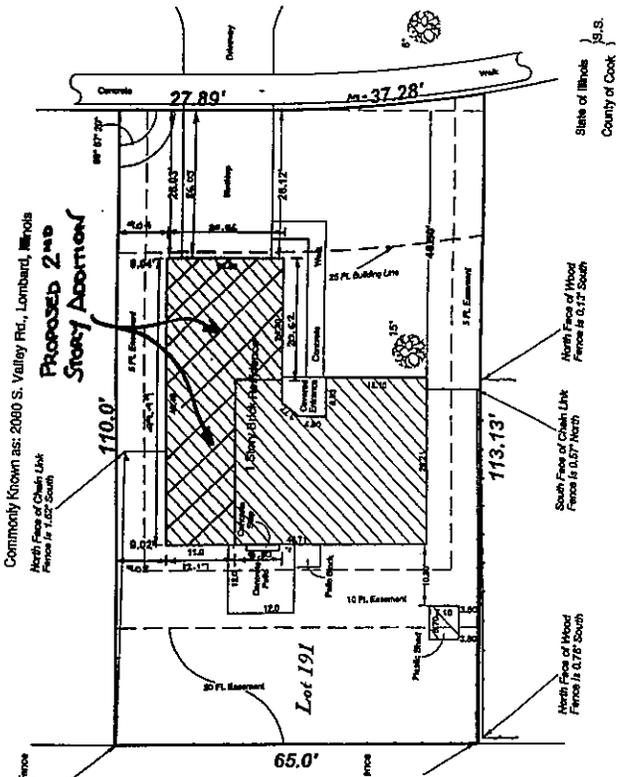
**WINKLER RESIDENCE**  
**LOMBARD, IL**

Custom Home Additions  
 Custom Kitchens  
 Custom Homes  
 Everything To Imagination  
 Nothing To Chance

Since



Existing Property



I/we have reviewed this plan for the proposed addition at the Winkler Residence at 2080 S. Valley Rd. in Lombard, IL and I/we have no objection to the improvement.

Name: Murphy Susan

Address: 2080 S. Valley Lombard, IL

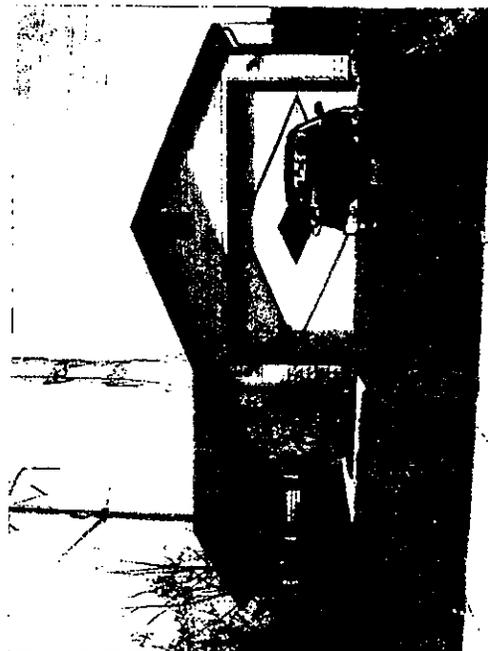
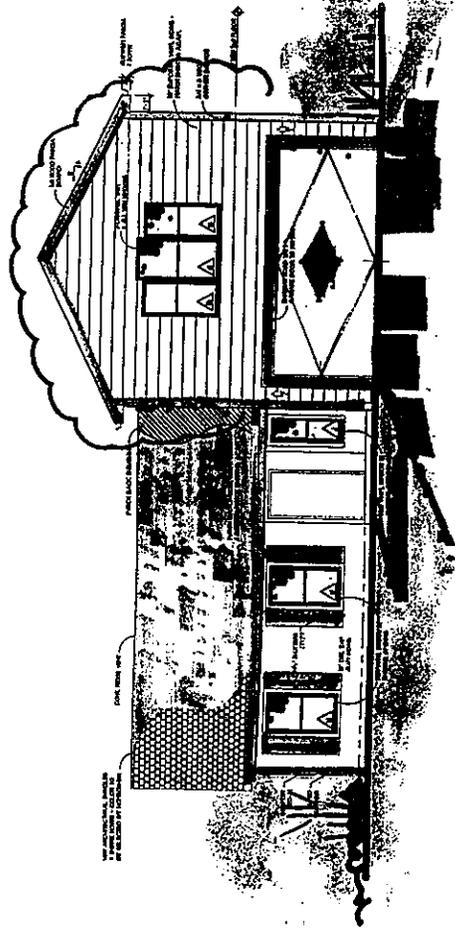
Signature: [Handwritten Signature]

Date: 1/14/2005

**WINKLER RESIDENCE**  
**LOMBARD, IL**

Custom Home Additions  
 Custom Kitchens  
 Custom Homes  
 Everything To Imagination  
 Nothing To Chance

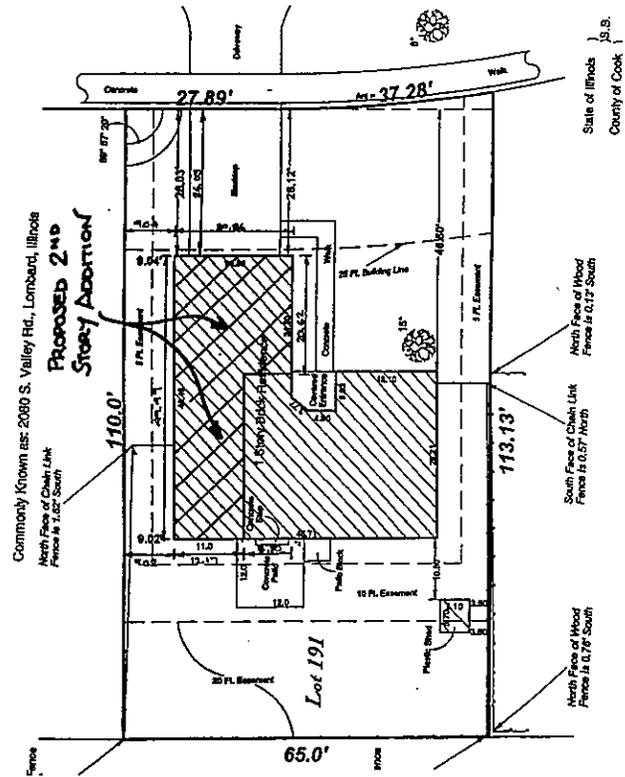
Since 1988



Existing Property

I/we have reviewed this plan for the proposed addition at the Winkler Residence at 2080 S. Valley Rd. in Lombard, IL and I/we have no objection to the improvement.

Name: Cathy Winkler  
 Address: 2080 VALLEY  
 Signature: Cathy Winkler  
 Date: 1-19



State of Illinois  
 County of Cook

**WINKLER RESIDENCE**  
**LOMBARD, IL**

Custom Home Additions  
 Custom Kitchens  
 Custom Homes  
 Everything To Imagination  
 Nothing To Chance

Since



## ANALYSIS

### SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on December 22, 2004.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, dated October 4, 2004, prepared by Central Survey Company, Inc.
4. Proposed Site Plan, dated October 4, 2004, prepared by Central Survey Company, Inc.
5. Proposed and Existing Floor Plans and Elevations, dated December 7, 2004, prepared by Airoom Architects and Builders

### DESCRIPTION

The subject property is located within the Oak Creek Planned Development. The planned development regulations call for ten-foot front and interior side yard setbacks for residential properties. The petitioner's home was constructed in 1986. While the requirements for the planned development were in place at the time, a building permit was issued for the construction of the residence with a nine foot interior side yard setback. As such, the residence is considered nonconforming. The petitioner proposes to construct a second story addition to the home while maintaining the existing building line. Since the residence encroaches into the interior side yard setback a deviation from the planned development regulations is required in order to proceed with the addition.

As the requested relief constitutes a deviation from the approval requirements of the established planned development (as opposed to a variation from the general development regulations), this petition would follow the procedures for an amendment to a planned development and the public hearing would be held by the Plan Commission.

### INTER-DEPARTMENTAL REVIEW COMMENTS

#### ENGINEERING

##### Private Engineering Services

From an engineering or construction perspective, PES has no comments.

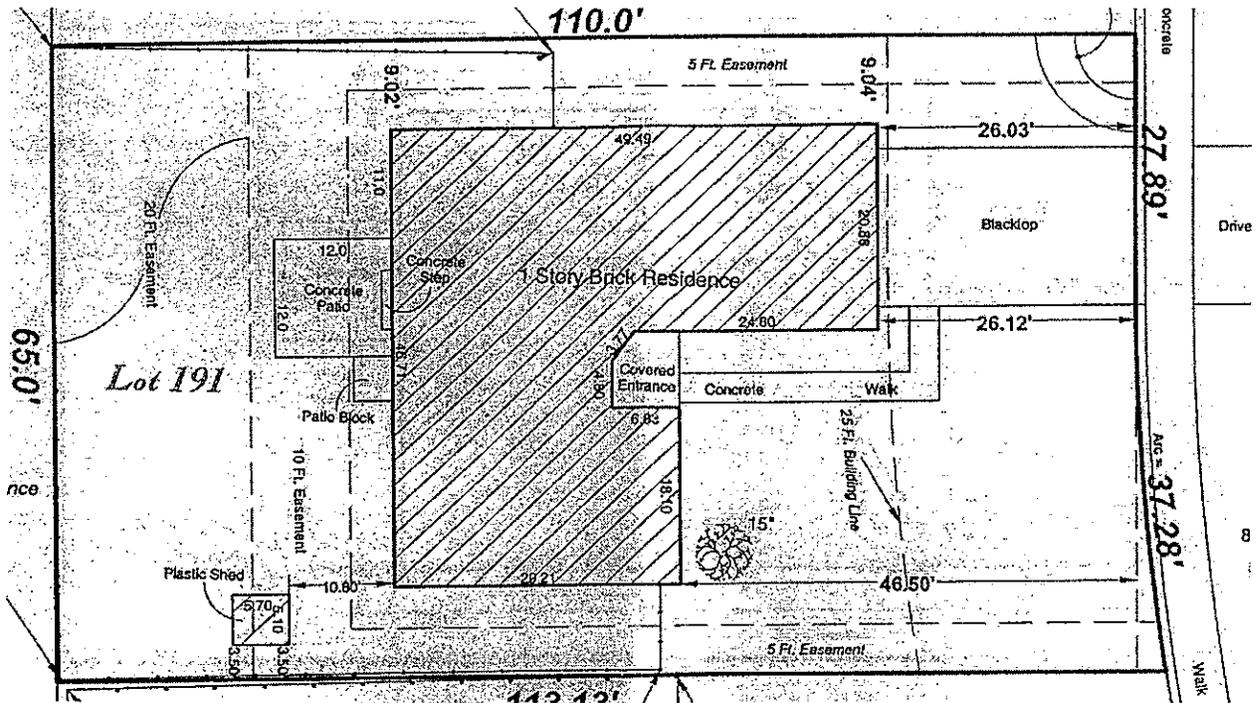
##### Public Works Engineering

Public Works Engineering has no comments on the petition.

## FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has the following comments:

### Site Plan



## PLANNING

The subject property was annexed into the Village in 1968. The annexation agreement called for the rezoning of the territory to R4 General Residence District as well as the issuance of a special use (conditional use) for a planned development (Ordinance 1351 attached). In lieu of front, interior, and rear yard setbacks the agreement stipulated that the minimum setback for detached single family homes would be ten feet.

The building permit issued for the construction of the residence in 1986 was approved with a nine-foot interior side yard setback - therefore the house currently encroaches approximately one foot into the required interior side yard. The petitioner is proposing to construct a second story addition that will be congruent with the existing building lines hence a deviation from the planned development regulations is necessary to proceed.

Staff finds that the request meets the standards for variations and is supportive of the petition for the following reasons. The proposed addition will be comparable in height to other homes in the

surrounding area. Many of the surrounding residences within the subdivision are two-story homes. Granting the request would not be injurious to neighboring properties, as the requested relief would not change the visual and aesthetic character of the neighborhood. Furthermore, staff has traditionally supported petitions that do not extend beyond the existing building line. The petitioner's proposal will not increase the lot area coverage of the subject property.

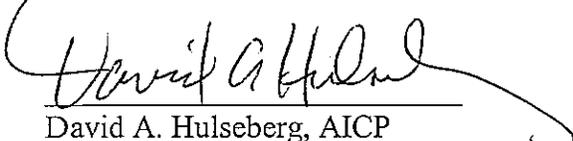
## FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition subject to the conditions as outlined:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission, and therefore, I recommend to the Corporate Authorities **approval** of the requests associated with PC 05-04, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the plans prepared by Airoom Architects and Builders, dated December 7, 2004 and made a part of this petition.
2. That the petitioner shall apply for and receive a building permit for the proposed improvement to the property prior to the start of construction.
3. That all other provisions of Ordinance 1351 not amended by this petition shall remain in full force and effect.

Inter-Departmental Review Group Report Approved By:

  
\_\_\_\_\_  
David A. Hulseberg, AICP  
Director of Community Development

DAH:AC

att-

c: Petitioner

APPROVED  
FEB. 6, 1968

ZIMMERLING FARM  
OAK CREEK / FOXWORTH  
S. FINLEY / 22ND

ORDINANCE NO. 1351

AN ORDINANCE AMENDING ORDINANCE NO. 842,  
BEING THE LOMBARD ZONING ORDINANCE  
ADOPTED BY THE PRESIDENT AND BOARD OF  
TRUSTEES ON JANUARY 4, 1960, AS FROM  
TIME TO TIME AMENDED

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard as follows:

Section 1. The special use permit issued under date of May 16, 1966 to the La Salle National Bank as Trustee under Trust No. 33195 is hereby cancelled.

Section 2. The Clerk of the Village of Lombard shall forthwith upon the adoption of this ordinance issue a special use permit for a Planned Development covering the territory described in the rider hereto attached and hereby incorporated herein, permitting the construction of a Planned Development upon the following terms and conditions:

A. USE OF LAND

1. Upon any part of the territory, all manner of residential uses, including without limitation, single family dwellings, detached dwellings, attached dwellings, semi-detached dwellings, two family or duplex dwellings, and multi-family dwellings;
2. Office use including without limitation business offices, professional offices, and public offices;
3. Hotel, resort hotel, apartment hotel, motor hotel, motor lodge, resort motel, and motel;
4. All manner of convention facilities;
5. All manner of recreational facilities;
6. Convenience shopping centers;
7. Theatres;
8. Schools;
9. In addition to the uses heretofore specified herein, there shall be included as "Permitted Uses" for the territory those uses listed in rider #2, hereto attached and hereby incorporated herein;
10. All manner of uses either similar to, accessory to, complementary to, or supplementary to any use designated herein.

B. ALLOCATION OF LAND USES

1. Any portion of the territory may be used for residential uses;
2. Not more than 25% of the territory may be used for office uses; and
3. Not more than 25% of the territory may be used for other designated uses.

C. FLOOR AREA RATIO AND DENSITY REQUIREMENTS

1. The floor area ratio for residential uses shall not exceed 1.5. In determining the floor area ratio the factor of 1.5 shall be applied to the total acreage in the territory excluding therefrom such portion or portions of the territory as shall have been taken for uses other than residential uses;
2. The floor area ratio for office uses including uses which are either similar to, accessory to, complementary to, or supplementary to office uses shall not exceed 2.0;
3. The floor area ratio for all other uses including uses either similar to, accessory to, complementary to, or supplementary to such other uses shall not exceed 3.0; and
4. In computing the floor area ratio, floor area used for either parking facilities or uses accessory to parking facilities shall not be included;
5. Under no circumstances may there be a total number of dwellings exceeding 40 times the total number of acres in the territory excluding therefrom;
  - a. such portion or portions of the territory as shall have been taken for uses other than residential uses;
  - b. such portion or portions of the territory as shall have been taken by either the State or the County for either roads or highways;
  - c. such portion or portions of the territory as may be used for collectors streets.

Other than hereinabove specified, streets, alleys, pedestrian ways, rights of way, parkways, cul-de-sacs, etc. installed in the Planned Development as part of such development shall not be excluded from the gross acreage in determining total density.

D. BULK REGULATIONS-ZONING REGULATIONS-SUBDIVISION REGULATIONS. The following bulk regulations, zoning regulations, and/or subdivision regulations and only those herein specifically set forth shall apply to the territory covered by this ordinance;

1. The floor area ratios shall be as to heretofore herein set forth;
2. Lot requirements. There shall be no requirement to create lots. Should the owner see fit to create lots, then the same shall be treated for purposes of identification only and no requirements which apply to lots other than those provided for in this ordinance shall apply;
3. Yard setbacks. In lieu of front yard setbacks, side yard setbacks and rear yard setbacks, the following shall apply;
  - a. The minimum setback for single family detached dwellings shall be 10 feet;

- b. There shall be not less than 50 feet between Multiple-Family Buildings for Multiple-Family Buildings up to and including two (2) stories in height. For each story of more than two, an additional five (5) feet for each story shall be provided between Multiple-Family Buildings.
  - c. Along the periphery of the territory, yards shall be provided not less than those required by the regulations of the district in which said development is located.
4. There shall be no height limitations;
  5. One and a half parking spaces shall be provided for each dwelling unit;
  6. Subdivision requirements.
    - a. Streets, cul-de-sacs, alleys, parkways, rights of way, pedestrian ways, or roadways may be either public or private as the owner may designate. To the extent that there are dedications the same need include only that portion of land required for the width of the street to be installed including the curb and gutter;
    - b. Pedestrian walks where installed shall be not less than five feet wide, and pedestrian ways where installed shall not be less than 10 feet wide. There shall be no spacing requirements between pedestrian walks, and no fencing shall be required in the case of either pedestrian walkscor pedestrian ways. Such pedestrian walks or pedestrian ways must be paved with asphalt or dust-free surface.
    - c. There shall be no requirement for the installation of pedestrian ways or walks, sidewalks or planting strips in the street right of way.
    - d. Cul-de-sac streets, regardless of use, shall be allowed to be a maximum of 1000 feet in length with a terminus having a minimum diameter of 100 feet.
- E. Any bond required in connection with improvements to be installed or made by the owner in the territory or in any part thereof shall be performance bonds from subcontractor or subcontractors installing any such improvements which said performance bonds shall run in favor of the owner and which said performance bonds shall by the owner be assigned to the Village. The total of all such bonds shall be an amount equal to 100% of the cost as estimated by the Village engineer or at the election of the owner or any other method provided for in the presently existing Subdivision Bond Ordinance.
  - F. All services of the Village engineer in connection with the offsite improvements to be made by the owner as above specified including inspections, shall be included in the fee of 1% of the cost of the improvements.

Section 3. The following findings of the Plan Commission are hereby incorporated into this ordinance;

- A. Exceptions to the applicable bulk regulations, the zoning regulations, and the subdivision regulations for the Planned Development authorized by this ordinance are solely for the purpose of promoting a unified site plan;
1. The overall floor area ratio, the minimum lot area-per-building-unit requirements, the minimum amount of land area pertaining to such dwelling unit intensity, and the spacing between principal buildings and residential planned development have been modified only to the extent that the petitioner for the Planned Development, at the public hearing, did provide satisfactory engineering evidence to the Plan Commission as to the extent of the intended use, and that such intended use shall not create any unusual or foreseeable greater hazard to the public health, welfare and safety;
  2. Along the periphery of such Planned Development, yards will be provided not less than those required by the regulations of the district in which said development is located;
  3. The uses permitted by this ordinance are necessary and desirable and are appropriate with respect to the primary purpose of the development;
  4. The uses permitted by this ordinance are not of such nature or so located as to exercise a detrimental influence on the surrounding neighborhood.

Section 4. The Village Board hereby finds that;

- A. The special use hereby authorized is deemed necessary for the public convenience at that location;
- B. Such special use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; and
- C. Such special use will not cause substantial injury to the value of other property in the neighborhood in which it is located.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval as by statute in such cases made and provided.

Passed and approved by the President and Board of Trustees of the Village of Lombard this 5th day of February, 1968.

Approved: Charles F. Payne  
President

ATTEST:

A. Edward Harris  
Clerk

APPROVED as to Form:

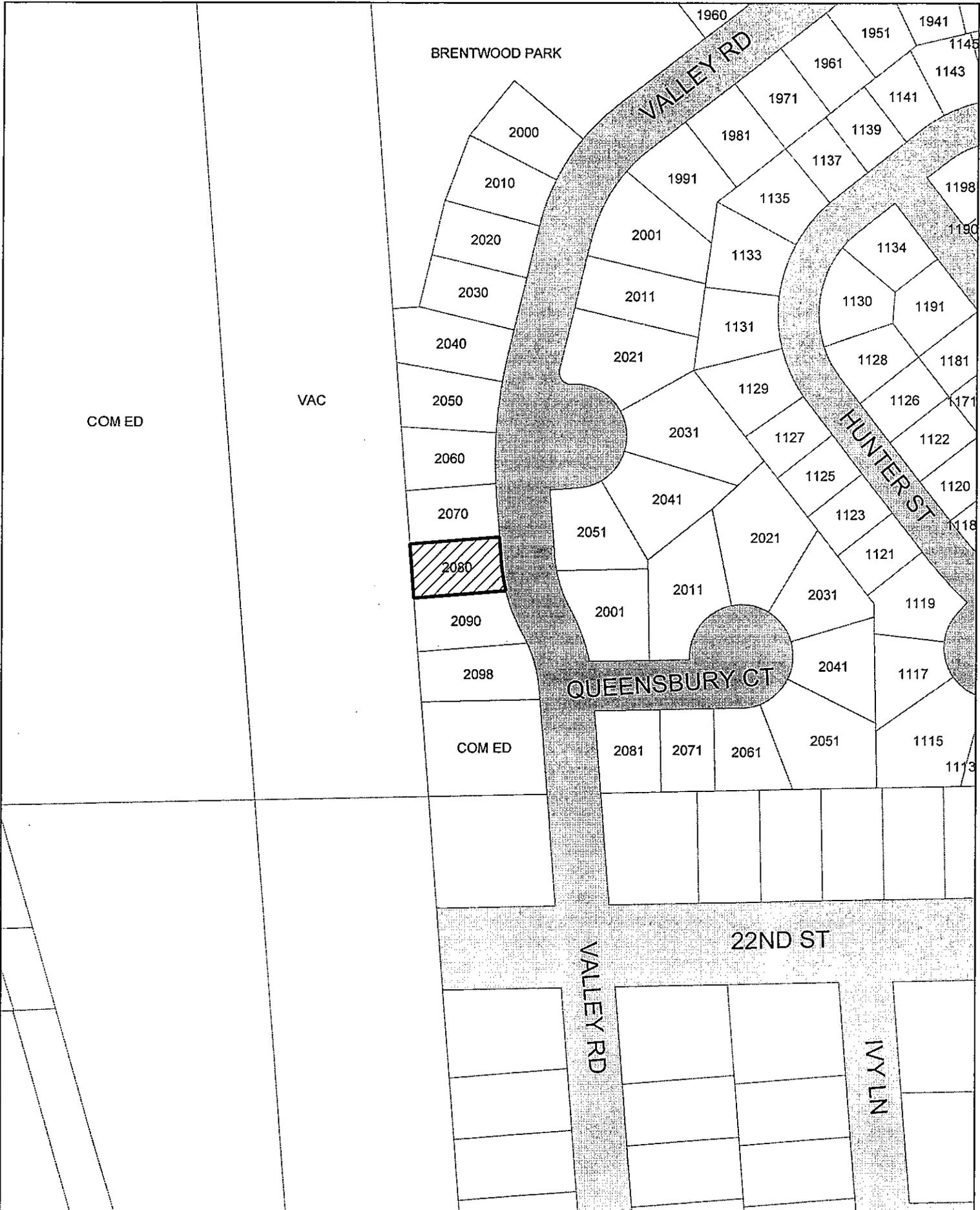
Stanley A. Kula, Village Attorney

AYES 5

NAVS -

# Location Map

PC 05-04: 2080 Valley Road



**VILLAGE OF LOMBARD  
ZONING BOARD OF APPEALS  
2080 SOUTH VALLEY ROAD – Steve and Tami Winkler**

- 1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.**

The existing residence does not satisfy the sideyard setback requirements established by the PUD ordinance that regulates this neighborhood. Each yard is required to be 10 feet, however the original construction located the foundation at only a 9.02-foot setback from the north property line and a 9.37-foot setback from the south property line. The proposed project seeks to modernize the existing residence by adding two additional bedrooms on the new second floor. If the strict requirements of the zoning ordinance were to be applied then this second story addition could not be completed as the additional foot (reduction) needed to achieve the required setback would detrimentally impact the width of the proposed rooms and the final architecture of the home. Without relief from the strict application of the PUD bulk regulations, a hardship would result for the owner as the proposed modernization could not be completed.

- 2. 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.**

The conditions that precipitate this request for variation are based on the original location of the home's foundation and the construction of the existing main living floor. Had the home been originally located within the required building envelope as required by the PUD ordinance, then there would be no necessity for this variation request. With 10-foot required sideyard setbacks, and two existing (approximately) 9-foot setbacks, there is little opportunity to provide an addition that matches the existing architecture of the home (while not adding to the lot coverage on the site) without applying for a variation. There are already numerous two-story homes in the neighborhood.

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

This second story addition is proposed to provide two bedrooms on the second floor (with an existing 1<sup>st</sup> floor bedroom converted to accommodate access to the 2<sup>nd</sup> floor), resulting in a net gain of one bedroom. Consideration was given to building over the existing one-story element that houses the main living areas for the home, but due to the existing framing of the home (that creates a vaulted space in the living area) it was decided to work over the north wing of the home and preserve the existing internal character of the residence. Such an addition over the living space would have created a very tall addition, quite out of character with the existing home. So the proposed work, over the existing non-conforming setback is simply to add one bedroom for the long term occupation of the current owners and is not being considered solely as a financial gain.

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

The existing conditions that precipitate this variation request have not been created by the current owners of the property. Rather, it was the original developers of this residence as part of the PUD process that created the necessity for a variation due to the incorrect location of the foundation during the development phase.

- 5. 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.**

The public welfare will not be impacted detrimentally by this addition, nor will other neighborhood property or improvements be affected.

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

If this variation were to be granted, it would not detrimentally impact the neighborhood as the addition would be in character with the existing two-story homes in the area.

- 7. 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.**

The supply of light and air to adjacent residences will not be impacted as a result of this project. There is approximately 18-20 feet between structures, and with the ridge line of the proposed second story addition only 24 feet, the supply of light and air will be maintained for the neighboring home to the north. There will be no increase in the danger from fire, nor an increase in congestion, nor additional drainage problems as a result of this addition. It is also likely that an addition would have a beneficial impact on the neighborhood property values.



6825 N. Lincoln Ave. – Lincolnwood, IL 60712  
Phone: 847-763-1100 Fax: 847-679-6277

Board of Trustees  
Village of Lombard  
235 E. Wilson Ave.  
Lombard, IL 60148

**RE: 2080 SOUTH VALLEY ROAD, WAIVER OF FIRST READING**

Dear President and Board:

We respectfully request that you consolidate the readings for this project and complete both processes at your February 3<sup>rd</sup>, 1005 meeting.

This is a second story addition that the Plan Commission has already provided its approval for and we are looking to get our permit processed through the Building Department to get moving on our project.

Thank you for your consideration on this matter

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Venamore". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrew Venamore  
Permit and Zoning Director  
Airoom Inc.

CC.: Tami Winkler.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 1351,  
ADOPTED FEBRUARY 5, 1968,  
GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT**

(PC 05-04: 2080 S. Valley Road)

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

WHEREAS, on February 5, 1968, the President and Board of Trustees adopted Ordinance 1351, granting a conditional use for a R5PD General Residence District/Planned Development for property legally described herein and commonly known as the Oak Creek Planned Development pursuant to Title 15, Chapter 155, Section 155.501 et seq. of the Code of Lombard; and

WHEREAS, Title 15, Chapter 155, Section 155.504 allows for amendment of an ordinance granting a conditional use for a Planned Development after a public hearing before the Village's Plan Commission; and

WHEREAS, Section 2 D 3 a. of Ordinance 1351 established an interior side yard setback requirement of ten (10) feet within the planned development; and

WHEREAS, the petitioner is requesting an amendment to the planned development conditions of approval to allow for the construction of a second story addition to an existing single family residence located within the planned development that will be located nine feet from the interior side yard lot line; and

WHEREAS, pursuant to an application to amend the provisions associated with Ordinance 1351 for the subject property, proper and legal notice was provided and a public hearing was held before the Village's Plan Commission on January 24, 2005; and

Ordinance No. \_\_\_\_\_  
Re: PC 05-04  
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WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendment described herein, subject to terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have reviewed the request and hereby adopt the findings and recommendations of the Plan Commission as set forth herein, and make same part hereof, subject to the terms and conditions established by this ordinance as more fully set forth below.

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 Ordinance No. 1351 adopted February 5, 1968, is hereby amended for the property legally described in Section 2 below to allow for an a deviation to reduce the required interior side yard setback, per Ordinance 1351, from ten (10) feet to nine (9) feet to accommodate the construction of a second story addition in the R5PD General Residential Planned Development District, subject to the conditions noted in Section 9 below.

SECTION 2: That this ordinance is limited and restricted to the property located at 2080 South Valley Road, Lombard, Illinois and legally described as follows:

LOT 191 IN BRENTWOOD UNIT 1, BEING A SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 9, 1985 AS DOCUMENT R85-87477, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 05-24-412-026

SECTION 3: That the deviation set forth in Section 1 above shall be granted subject to compliance with the following conditions:

1. That the petitioner shall develop the site in accordance with the plans prepared by Airoom Architects and Builders, dated December 7, 2004 and made a part of this petition.

Ordinance No. \_\_\_\_\_  
Re: PC 05-04  
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2. That the petitioner shall apply for and receive a building permit for the proposed improvement to the property prior to the start of construction.
3. That all other provisions of Ordinance 1351 not amended by this petition shall remain in full force and effect.

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

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Ayes: \_\_\_\_\_

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

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk