

ORDINANCE NO. 6079

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

(ZBA 07-09: 130 E. Sunset)

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 155.205(A)(1)(c)(2) of the Lombard Zoning Ordinance to increase the maximum allowable fence height in a corner side yard from four feet (4') to six feet (6'); and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on June 27, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings with a recommendation for denial to the Board of Trustees for the requested fence height variation; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve a five (5) foot fence height variation subject to conditions, and to deny all other requested relief.

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 155.205(A)(1)(c)(2) of the Lombard Zoning Ordinance to increase the maximum allowable fence height in a corner side yard from four feet (4') to five feet (5').

SECTION 2: This ordinance is limited and restricted to the property generally located at 130 E. Sunset, Lombard, Illinois, and legally described as follows:

LOT 5 IN BLOCK 8 IN FIRST ADDITION TO HARRIS' LOMBARD HILLS, BEING A SUBDIVISION IN THE NORTHWEST ¼ OF SECTION 5, TOWNSHIP 39, NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 10, 1951 AS DOCUMENT 628133, IN DUPAGE COUNTY, ILLINOIS.

Parcel No. 06-05-107-028

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

1. The fence shall be modified in order to comply Section 155.205(A)(1)(e) pertaining to fences within the clear line of sight area.

SECTION 4: All other relief associated with this petition is hereby denied.

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 _____, 2007.

First reading waived by action of the Board of Trustees this 9th day of August, 2007.


Passed on second reading this 9th day of August, 2007.

Ayes: Trustees Gron, Tross, O'Brien, Moreau & Fitzpatrick

Nays: None

Absent: Trustee Soderstrom

Approved this 9th day of August, 2007.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk