

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A VARIATION FROM
SECTION 155.212, TABLE 2.1 THE LOMBARD ZONING ORDINANCE
PROVIDING FOR AN INCREASE IN ALLOWABLE DECK HEIGHT**

PC 06-33: 336 through 369 Buckingham Court (Buckingham Orchard Townhomes)

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 R4PD Limited General Residence District, Planned Development; and,

WHEREAS, an application has heretofore been filed requesting approval of a variation from to allow for a deck to be up to five and one-half feet (5.5') above grade within a required rear yard, where a maximum of three feet is allowed; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on October 16, 2006 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the variation described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

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 the ordinance is limited and restricted to the property generally located at 336 through 369 Buckingham Court, Lombard, Illinois and legally described as follows:

Blocks 1 through 4 and Lots 5 through 8 of the Final Planned Development Plat/Plat of Subdivision for Buckingham Orchard, being a resubdivision of part of Lots 18 and 19 in Milton Township Supervisors Assessment Plat No. 1 (also known as Pleasant Hills West) of part of the east ½ of Section 1, Township 39 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded December 7, 2005 as document R2005-271050, in DuPage County, Illinois.

Parcel Numbers: 05-01-207-001 through 003; 05-01-205-013 through 015; 05-01-401-054; and 05-01-408-007
(Hereinafter the "Subject Property").

SECTION 2: A variation from Section 155.212, Table 2.1 to allow for a deck to be up to five and one-half feet (5.5') above grade within a required rear yard, where a maximum of three feet is allowed, is hereby granted for the Subject Property, subject to the conditions set forth in Section 3 below:

SECTION 3: The variation set forth in Sections 2 above shall be granted subject to compliance with the following conditions:

1. Any proposed decks exceeding three feet in height above grade shall be constructed in accordance with the submitted plans prepared by Spaceco Inc., dated September 25, 2006 and the Typical Deck with Lookout Condition Exhibit, prepared by Dearborn Buckingham Group, received September 22, 2006.
2. The height of any decks within any rear yards within the planned development shall not exceed five and one-half feet (5.5') above grade. Any rear yard deck projections located more than ten feet (10') from the external wall of the adjacent residence shall not exceed three feet (3') above grade.
3. The staircases to any constructed rear yard decks shall be designed and installed to be parallel with and adjacent to the attached townhouse units.

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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 _____, 2006.

First reading waived by action of the Board of Trustees this ____ day of _____, 2006.

Passed on second reading this ____ day of _____, 2006.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____ day of _____, 2006.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2006.

Brigitte O'Brien, Village Clerk