



**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
FEB.08,2010 11:09 AM  
OTHER 06-05-221-005  
**005 PAGES R2010-018229**

**ORDINANCE 6433**

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

**PIN: 06-05-221-005**

**Address: 617 E. Berkshire, Lombard, IL**

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

**ORDINANCE NO. 6433**

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

(ZBA 09-11: 617 E. Berkshire 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 155.205(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 December 16, 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 variation; 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 variation.

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 six feet (6'); and,

**SECTION 2:** This ordinance shall be granted subject to compliance with the following condition:

1. Should the fence be destroyed or deconstructed to fifty percent (50%) of its value, the fence shall be brought into full compliance with Village codes.

**SECTION 3:** This ordinance is limited and restricted to the property generally located at 617 E. Berkshire Avenue, Lombard, Illinois, and legally described as follows:

LOT 1 IN BLOCK 13 IN LOMBARD VISTA, BEING A SUBDIVISION OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 14, 1927 AS DOCUMENT 243024, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-05-221-005

**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 7<sup>th</sup> day of January, 2010.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2010.


Passed on second reading this 21<sup>st</sup> day of January, 2010.

Ayes: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

Nayes: None

Absent: None

Approved this 21<sup>st</sup> day of January, 2010.

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

ATTEST:

Ordinance No. 6433  
Re: ZBA 09-11  
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\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published by me this 22<sup>nd</sup> day of January, 2010.

  
\_\_\_\_\_  
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

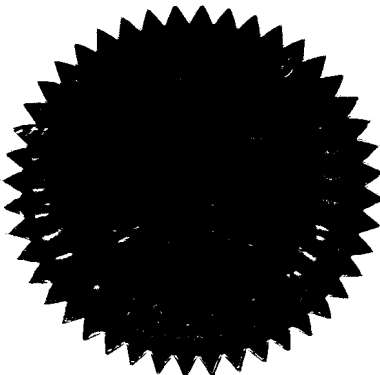
ORDINANCE 6433  
APPROVING A VARIATION OF THE LOMBARD ZONING  
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of the said Village as it appears from the official records of said Village duly approved this 19th day of November, 2009.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 21<sup>st</sup> day of January, 2010.



*Barbara A. Johnson*

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