


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


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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager 

DATE: April 26, 2010 (B of T) Date: May 6, 2010

TITLE: ZBA 09-04: 126 S. Lombard Avenue

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance granting a time extension to Ordinance 6348 extending the time period for construction of the variation associated with the building addition for an additional twelve month period (June 18, 2010).

Staff recommends approval of this request.

Please place this item on the May 6, 2010 Board of Trustees agenda.

Fiscal Impact/Funding Source:
Review (as necessary):

Village Attorney X _____

Finance Director X _____

Village Manager X 

Date _____

Date _____

Date 4/27/10

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: David A. Hulseberg, Village Manager

FROM: William J. Heniff, AICP, Community Development Director *WJH*

DATE: May 6, 2010

SUBJECT: Variation Extension -- 126 S. Lombard Ave. (ZBA 09-04)

Ordinance 6348, which was associated with the ZBA 09-04, granted a variation to reduce the interior side yard setback requirement from six feet (6') to four and one-half feet (4.5') to allow a building addition on the subject property. Pursuant to Section 155.103 (C)(10) of the Lombard Zoning Ordinance, variations expire if construction is not substantially underway within one year from the date of approval unless a time extension is granted by the Village Board.

The petitioner has provided the attached written correspondence requesting a one year extension of the variation associated with ZBA 09-04. The petitioner has verbally indicated to staff that due to economic reasons, they have delayed the start of construction of their project at this time, but intend to start on the project in the very near future.

RECOMMENDATION:

Staff recommends that the Village Board approve an Ordinance extending the time period for construction of the variation an additional twelve (12) months, until June 18, 2011.

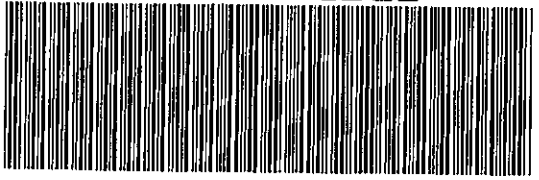
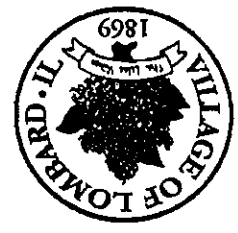
Return To:
prepared by
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148

Address: 126 S. Lombard Avenue, Lombard, IL 60148

PIN: 06-08-119-024

ORDINANCE 6348
APPROVING A VARIATION OF THE LOMBARD ZONING
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF
LOMBARD, ILLINOIS

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
JUL 28, 2009 10:38 AM
OTHER 06-08-119-024
005 PAGES R2009-116706



ORDINANCE NO. 6348

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

(ZBA 09-04: 126 S. Lombard 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(F)(3) of the Lombard Zoning Ordinance to reduce the interior side yard setback to four and one-half feet (4.5') where six feet (6') is required to allow for a residential addition; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on May 27, 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 interior side yard setback; 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 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the interior side yard setback to four and one-half feet (4.5') where six feet (6') is required to allow for a residential addition; and,

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

1. The addition and garage shall be developed in accordance with the site plan drawn on the August 8, 2000 Plat of Survey submitted April 23, 2009 as part of this petition.

2. The proposed addition and garage along with any future additions to the residence, which are set back less than six feet (6') from the interior side property line, shall not exceed a height of one-story.

3. The variation shall only apply to the proposed addition and the existing residence. Should the existing residence be damaged or destroyed by any means, to the extent of more than fifty percent (50%) of the fair market value of the residence, any new structures shall meet the full provisions of the Zoning Ordinance.

SECTION 3: This ordinance is limited and restricted to the property generally located at 126 S. Lombard Avenue, Lombard, Illinois, and legally described as follows:

LOT 3 IN BLOCK 5 IN CAMBRIDGE MANOR, BEING A SUBDIVISION IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JUNE 10, 1924 AS DOCUMENT 178816, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-08-119-024

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 18th day of June, 2008.

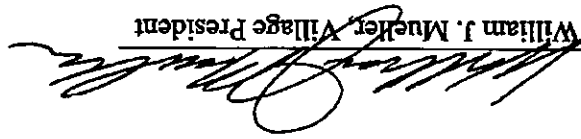
Passed on second reading this 18th day of June, 2009.

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

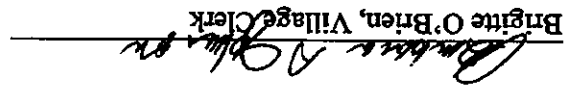
Nays: None

Absent: None

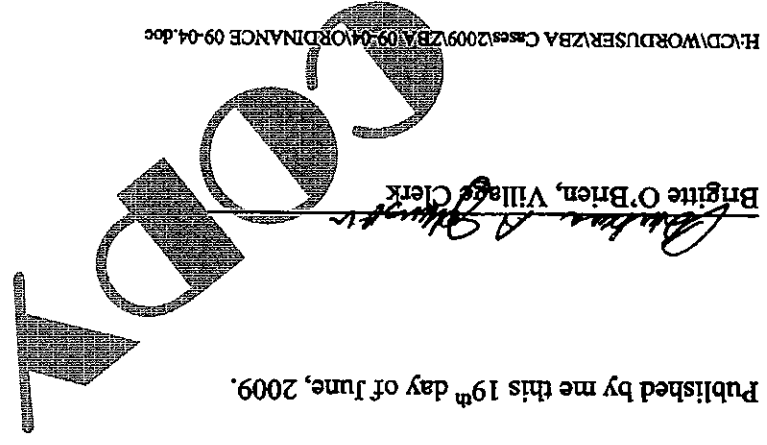

Approved this 18th day of June, 2009.


William J. Muehler, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published by me this 19th day of June, 2009.



Brigitte O'Brien, Village Clerk

Toth, Michael

From: srymheabel@comcast.net

Sent: Thursday, April 22, 2010 11:08 AM

To: Toth, Michael

Subject: Variation for 126 S Lombard Ave

Hi! Mike -

Scott and I need to request a renewal or extension of our variation which was approved by the Village Board on June 18, 2009. It is ordinance 6348 for 126 S Lombard Ave. Due to various reasons, not the least of which is the unstable economy, we have been unable to begin work on this home project. However, we plan to begin the project this summer. Please let me know what I need to do to ensure that we are granted an extension/renewal of the approved variation.

Thank you for your assistance!

Rhonda Heabel
126 S Lombard Ave
630-705-0773 home
630-620-5914 work

ORDINANCE NO. _____

**AN ORDINANCE GRANTING
A TIME EXTENSION TO ORDINANCE 6234**

(ZBA 09-04; 126 S. Lombard Avenue)

WHEREAS, on June 18, 2009, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6348, granting a variation of the Lombard Zoning Ordinance for the property at 126 S. Lombard Avenue; and

WHEREAS, pursuant to Section 155.103 (C)(10) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, variations are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinances 6348; and,

WHEREAS, the Village has received notification requesting a time extension of said Ordinances; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinance 6348 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of the adoption of this Ordinance (i.e., June 18, 2011).

SECTION 2: That all other provisions associated with Ordinance 6348, not amended by this Ordinance, shall remain in full force and effect.

SECTION 3: 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 _____, 2010.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.

Passed on second reading this _____ day of _____, 2010.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2009.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

Published by me in pamphlet from this _____ day of _____, 2010

Brigitte O'Brien
Village Clerk