

ORDINANCE NO. 6822

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

(ZBA 13-03; 546 S. Lewis Ave.)

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 Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the required interior side yard setback to five feet (5') where six feet (6') is required for an existing residence and the construction of a roofed over front porch; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on April 24, 2013 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Board of Trustees with a recommendation of approval for the requested 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 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 required interior side yard setback to five feet (5') where six feet (6') is required.

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

1. The subject property shall be developed in substantial conformance with the site plan submitted on the Plat of Survey as part of the public hearing packet prepared by the petitioner and dated April 3, 2013.
2. The petitioner shall apply for and receive a building permit prior to starting construction.

3. The relief granted herein shall be limited and restricted to the existing residence and the proposed encroachment as set forth on the submitted plan set. If the existing structure is damaged or destroyed by more than 50% of the value of the structure, the request relief shall no longer apply and any future structures shall be required to meet the requisite yard setbacks.
4. Construction on the proposed deck shall commence within one year from the date of approval of the Ordinance, unless a time extension is granted by the Village Board of Trustees.

SECTION 3: This ordinance is limited and restricted to the property generally located at 546 S. Lewis Ave., Lombard, Illinois, and legally described as follows:

LOT 30 IN BLOCK 15 IN EDWIN CHASE'S LILAC LODGE SUBDIVISION IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE RIGHT-OF-WAY OF THE CHICAGO, AURORA AND ELGIN RAILROAD), ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1925 AS DOCUMENT 197654, IN DUPAGE COUNT, ILLINOIS.

Parcel No: 06-08-412-030

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 _____, 2013.

First reading waived by action of the Board of Trustees this 2nd day of May, 2013.

Passed on second reading this 2nd day of May, 2013.

Ayes: Trustee Whittington, Foltyniewicz, Breen, Fitzpatrick, and Ware

Nays: None

Absent: None

Approved this 2nd day of May, 2013


Keith Giagnorio, Village President

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Re: ZBA 13-03

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ATTEST:



Sharon Kuderna, Village Clerk

Published by me this 3rd day of May, 2013



Sharon Kuderna, Village Clerk