

ORDINANCE NO. _____

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

(ZBA 06-23: 145 E. Morningside 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 155.212 of said Zoning Ordinance, to allow a central air-conditioning unit as a permitted obstruction within an interior side yard in the R2 Single-Family Residence District; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on September 27, 2006 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 to allow a central air-conditioning unit as a permitted obstruction within an interior side yard; and,

WHEREAS, President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested variation subject to conditions.

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 155.212 of the Lombard Zoning Ordinance for the property described in Section 2 below, so as to allow a central air-conditioning unit as a permitted obstruction within an interior side yard.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 145 E. Morningside Avenue, Lombard, Illinois, and legally described as follows:

LOT 1 OF SUARINO'S RESUBDIVISION, BEING A RESUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

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

1. The variation shall be limited to the existing residence. Should the existing residence be damaged or destroyed by any means, any new air conditioning equipment shall meet the six foot (6') interior side yard provisions.

SECTION 4: That 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