

ORDINANCE NO. _____

AN ORDINANCE APPROVING A VARIATION FROM TITLE XV, CHAPTER 155, SECTION 155.407(F)(3) TO REDUCE THE INTERIOR SIDE YARD SETBACK, FOR A PROPERTY LOCATED WITHIN THE R2 SINGLE-FAMILY RESIDENCE DISTRICT

(ZBA 23-06: 525 S. Edson Avenue)

WHEREAS, the President and Board of Trustees (the “Village Board”) of the Village of Lombard (the “Village”) have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Lombard Village Code (the “Village Code”); and,

WHEREAS, the property, as described in Section 3 below (the “Subject Property”), is zoned R2 Single-Family Residence Zoning District; and,

WHEREAS, an application has been filed with the Village requesting approval of a variation from Section 155.407(F)(3) to reduce the required interior side yard setback from six feet (6’) to three and five tenths feet (3.5’), for the subject property located within the R2 Single-Family Residence Zoning District, and;

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on August 23, 2023, pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Village Board 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 variations are hereby granted from the provisions of Section 155.407(F)(3) to reduce the required interior side yard setback from six feet (6’) to three and five tenths feet (3.5’), for the subject property located within the R2 Single-Family Residence Zoning District.

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

1. The addition shall be constructed in substantial conformance to the plans submitted by the petitioners as noted in this IDRC report;

2. The petitioner shall apply for and receive a building permit for the proposed addition;
3. The proposed addition shall comply with all applicable building codes, including the 2018 IRC, Table R302.1(1);
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report after clarification of the Building Division that frost protection applies to the addition only.
5. In the event that the building or structure on the subject property is damaged or destroyed, by any means, to the extent of more than 50 percent of the fair market value of such building or structure immediately prior to such damage, such building or structure shall not be restored unless such building or structure shall thereafter conform to all regulations of the zoning district in which such building or structure and use are located.
6. This approval shall be subject to the construction commencement time provisions as set forth within Sections 155.103(C)(10) and (F)(11).

SECTION 3: This Ordinance is limited and restricted to the property located at 525 S. Edson Avenue, Lombard, Illinois, and legally described as follows:

THE WEST 210.50 FEET OF THE NORTH 67.54 FEET OF LOT 3 IN BLOCK 5, IN LOMBARD FARMS SUBDIVISION, BEING A SUBDIVISION IN SECTIONS 7 AND 18, TOWNSHIP 39 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1917, AS DOCUMENT 128539, IN DUPAGE COUNTY, ILLINOIS.

PIN: 06-07-406-060

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 _____, 2023.

First reading waived by action of the Board of Trustees this _____ day of _____, 2023.

Passed on second reading this _____ day of _____, 2023, pursuant to a roll call vote as follows:

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Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2023.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2023

Elizabeth Brezinski, Village Clerk