

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR
A PLANNED DEVELOPMENT WITH LOT WIDTH DEVIATIONS**

(PC 04-04: 19W416 and 312 E. 18th Street/Regency Estates Subdivision)

(See also Ordinance Nos. _____)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Ordinance No. 3274; and,

WHEREAS, the subject property is zoned R2 Single-Family Residence District; and,

WHEREAS, an application has been filed requesting approval of a Conditional Use Planned Development to provide for the construction of a 13-lot detached single-family subdivision, commonly referred to as the Regency Estates Subdivision, on the property described in Section 2 below; and,

WHEREAS, said application also included deviations in the minimum lot width for Lots 6 through 9 within the proposed subdivision; and,

WHEREAS, public hearings on such application have been conducted by the Village of Lombard Plan Commission on January 26, 2004 pursuant to appropriate and legal notice; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have reviewed the request and find that based upon a review of the petitioner's initial submitted plan, it would not be in the best interest of the Village to grant said Conditional Use Planned Development; and

WHEREAS, the President and Board of Trustees of the Village of Lombard tabled consideration of the petition at their meeting of February 19, 2004 so that an alternate plan could be submitted for consideration; and

WHEREAS, the petitioner has filed a new plan for consideration that reduces the requested relief for the proposed single family lots and removes the need for a deviation in lot width for the proposed Lot 9 of the development; and

WHEREAS, the President and Board of Trustees of the Village of Lombard have reviewed the request and find it would be in the best interest of the Village to grant said Conditional Use Planned Development based upon the revised site plan submittal, subject to the terms and conditions established by this ordinance.

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 Conditional Use for a Planned Development is hereby granted for the property described in Section 2 below, to provide for the construction of Regency Estates Subdivision, with minimum lot width deviations, as follows:.

- a. For Lot 6 of the proposed subdivision, a reduction in the minimum lot width from sixty (60) feet to fifty-five and forty eight one hundredths feet (55.48') is hereby granted;
- b. For Lot 7 of the proposed subdivision, a reduction in the minimum lot width from from sixty (60) feet to fifty-five and forty eight one hundredths feet (55.48') is hereby granted; and
- c. For Lot 8 of the proposed subdivision, a reduction in the minimum lot width from sixty (60) feet to fifty-five and forty eight one hundredths feet (55.48') is hereby granted.

SECTION 2: That this ordinance is limited and restricted to the property located at 19W416 and 312 E. 18th Street, Lombard, Illinois and legally described as follows:

LOTS 17 AND 18 IN YORK TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1 (ALSO KNOWN AS HIGHLAND ROAD FARMS) OF THE EAST HALF OF THE

SOUTHWEST QUARTER, THE WEST HALF OF THE SOUTHEAST QUARTER AND THE SOUTH 1332 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DU PAGE COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 23, 1943 AS DOCUMENT NO. 45575, IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-20-306-013 and 014.

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

1. The site shall be developed in substantial compliance with the submitted Final Plat of Subdivision exhibit prepared by Arc Design Resources, Inc., revised March 24, 2004.
2. Final Engineering shall be approved prior to consideration of the Final Plat of Subdivision by the Board of Trustees.
3. That the front yard building setbacks for Lots 6 through 8 of the proposed subdivision shall be as depicted as part of the petitioner's preliminary plat submittal.
4. That in order to provide of appropriately graded slopes for the proposed detention facility, Lot 10 of the proposed subdivision shall be reserved for open space and detention purposes. The proposed detention facility shall be graded with at least three sides with not less than 3:1 slopes and shall be subject to the review and approval of the Director of Community Development.
5. That the petitioner shall fully improve 18th Street from the eastern end of the subject property to Stewart Avenue, consistent with the petitioner's submittal and the provisions of the annexation agreement for the subject property.
6. That the petitioner shall provide a solid 6-foot board-on-board fence along the western property line of the subject property.

Ordinance No. _____
Re: PC 04-04
Page 4

7. That the petitioner shall provide a vegetation screen along the north and east property lines of the subject property.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this ____ day of _____, 2004.

First reading waived by action of the Board of Trustees this ____ day of _____, 2004.

Passed on second reading this ____ day of _____, 2004.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____, day of _____, 2004.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk