

**ORDINANCE 7433  
PAMPHLET**

**PC 17-20: OAK CREEK PLANNED DEVELOPMENT  
CORRECTED LEGAL DESCRIPTION**



PUBLISHED IN PAMPHLET FORM THIS 3<sup>rd</sup> DAY OF NOVEMBER, 2017, BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS.

  
Sharon Kuderna  
Village Clerk

**ORDINANCE NO. 7433**

**AN ORDINANCE REPEALING ORDINANCE 7397 AND  
AMENDING ORDINANCE 1351 TO ALLOW FOR MODIFICATIONS TO THE  
INTERIOR SIDE YARD SETBACKS FOR SINGLE FAMILY DETACHED DWELLINGS  
IN THE OAK CREEK PLANNED DEVELOPMENT**

(PC 17-20: Oak Creek Planned Development)

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 President and Board of Trustees of the Village of Lombard have heretofore adopted Ordinance 1351, issuing a special use permit for the Oak Creek Planned Development and establishing terms and conditions for the construction of said Planned Development, including yard setbacks for single family detached dwellings;

WHEREAS, Ordinance 1351 was amended by the Consent Judgment and Decree entered into June 19, 1978, in the Circuit Court of DuPage County in Case No. 78 MR 28 and subsequent amendments thereto (collectively the “Consent Decree”);

WHEREAS, the Consent Decree did not affect the yard setbacks for single family detached dwellings established by Ordinance 1351;

WHEREAS, a public hearing to consider an amendment to the Oak Creek Planned Development, in the form of an amendment to Ordinance 1351, has been conducted by the Village of Lombard Plan Commission on June 19, 2017, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

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, Pursuant to Section 155.504(A) of the Lombard Zoning Ordinance (major changes to a planned development), the following amendment to Ordinance 1351 is hereby granted for the Subject Property legally described in Section 2:

D. Bulk Regulations – Zoning Regulations – Subdivision Regulations.

3. Yard setbacks. In lieu of front yard setbacks, side yard setbacks and rear yard setbacks, the following shall apply;

- a. The minimum setback for front, rear and corner side yards for single family detached dwellings shall be 10 feet; the minimum interior side yard setback single family detached dwellings shall be six feet, except where no attached garage is constructed, one side yard must be nine feet in width.
- b. There shall be not less than 50 feet between Multiple-Family Buildings for Multiple-Family Buildings up to and including two (2) stories in height. For each story of more than two, an additional five (5) feet for each story shall be provided between Multiple-Family Buildings.
- c. Along the periphery of the territory, yards shall be provided not less than those required by the regulations of the district in which said development is located.

SECTION 2: That this Ordinance is limited and restricted to the properties located in the Oak Creek Planned Development, Lombard, Illinois and legally described as follows:

Lots 1 thru 50 in Foxworth of Lombard Unit One Subdivision, a subdivision of parts of the southeast  $\frac{1}{4}$  of Section 24, Township 39 North, Range 10 East of the third principal meridian, the southwest fractional  $\frac{1}{4}$  of Section 19 and the northwest fractional  $\frac{1}{4}$  of Section 30, all in Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lots 51 thru 162 in Foxworth of Lombard Unit Two Subdivision, a subdivision of part of the southeast  $\frac{1}{4}$  of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian, in DuPage County, Illinois;

Outlot 1 and Lots 163 thru 218 in the Brentwood Unit One Subdivision, being a subdivision of part of the southeast quarter of Section 24, Township 39 North, Range 10, East of the Third Principal Meridian, in DuPage County, Illinois;

Parcels One and Two in Clover Creek Apartments Assessment Plat, located in the southwest fractional quarter of Section 19 and the northwest fractional quarter of Section 30, Township 39 North, Range 11, and the southeast quarter of Section 24, Township 39 North, Range 10, East of the Third Principal Meridian, in DuPage County, Illinois;

Lots 1 and 2 in Lexington Health Care Systems Subdivision, located in the southwest fractional quarter of Section 19 and the northwest fractional quarter of Section 30, Township 29 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois;

Lot One in Oak Creek Resubdivision Unit No. 15, located in the southwest fractional quarter of Section 19, Township 39 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois;

Lots 1 and 2 in Oak Creek Unit 10 Subdivision, being a subdivision of part of the southwest Fractional  $\frac{1}{4}$  of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lot 8 in Oak Creek Unit 3 Subdivision, being a subdivision of part of the southwest fractional  $\frac{1}{4}$  of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lots 16 and 20 in Oak Creek – Unit 6 Subdivision, being a subdivision of part of the southeast  $\frac{1}{4}$  of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian and part of the southwest fractional  $\frac{1}{4}$  of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lot One in Resubdivision of Oak Creek Unit No. 6 of Lots 17, 18, and 19 in Oak Creek Unit 6, being a subdivision of part of the southeast quarter of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian, and part of the southwest fractional quarter of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lot One in Oak Creek Unit No. 11 Subdivision, being a resubdivision of the southeasterly 65.0 feet of Lot 10 and all of Lot 11 in Oak Creek Unit 4, being a subdivision of part of the southeast quarter of Section 24, Township 39 North, Range 10, East of the Third Principal Meridian and part of the southwest fractional quarter of Section 19, Township 39 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois;

Lot 1 in Oak Creek Unit No. 16 Subdivision, being a resubdivision of Lot 9 and Lot 10, except the southeasterly 65.0 feet of Lot 10, in Oak Creek Unit 4, being a subdivision of part of the southeast quarter of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian and part of the southwest fractional quarter of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lot 21 in Oak Creek – Unit 7 Subdivision, being a subdivision of part of the southeast  $\frac{1}{4}$  of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian, in DuPage County, Illinois;

Lot 1 in Oak Creek Unit No. 14 Subdivision being a subdivision of part of the southeast quarter of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian, in DuPage County, Illinois;

Lots 1 thru 3 in Quaker Oats Resubdivision, being a resubdivision of Oak Creek Unit 9, a subdivision of part of the southwest fractional quarter of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian and part of the southeast quarter of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian, in DuPage County, Illinois;

Lots 1 thru 4 in Oak Creek – 1<sup>st</sup> Resubdivision of Unit 1 being a resubdivision of Lots 1 through 4, inclusive, in Oak Creek Unit 1, a subdivision of part of the southwest fractional ¼ of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian and part of the southeast ¼ of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian, all in DuPage County, Illinois;

Lot 1 in Oak Creek 2<sup>nd</sup> Resubdivision of Unit 1 being a resubdivision of the south 35.0 feet of Lot 5 and all of Lot 6 in Oak Creek Unit No. 1, being a subdivision of part of the southwest fractional quarter of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian and part of the southeast quarter of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian, in DuPage County, Illinois;

Lot 1 in Oak Creek – 3<sup>rd</sup> Resubdivision of Unit 1, being a resubdivision of Lot 5, except the south 35.0 feet thereof, in Oak Creek Unit No. 1, being a subdivision of part of the southwest fractional quarter of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian and part of the southeast quarter of Section 24, Township 39 North, Range 10 East of the Third Principal Meridian, in DuPage County, Illinois;

Lots 12 thru 15 in Oak Creek – Unit 5 Subdivision being a subdivision of part of the southwest fractional ¼ of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lot 1 in Oak Creek Subdivision No. 17 being a subdivision of part of the southwest fractional ¼ of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lots 1 and 1-A in Resubdivision of Oak Creek – Unit 2 being a resubdivision of part of the southwest fractional ¼ of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lot 22 in Oak Creek – Unit 8 Subdivision being a subdivision of part of the southwest fractional ¼ of Section 19, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois; and

a portion of Lot 1 in Forest Preserve District I-355 Assessment Plat No. 3 in the east half of Section 24, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

Parcel Numbers: 05-24-400-016; 05-24-401-003; 05-24-401-005; 05-24-402-001 thru -014; 05-24-402-016 thru -022; 05-24-402-024; 05-24-402-026 thru -029; 05-24-403-001 thru -047; 05-24-404-001 thru -024; 05-24-405-001; 05-24-405-002; 05-24-406-001 thru -044; 05-24-407-001 thru -016; 05-24-408-001 thru -024; 05-24-409-008; 05-24-409-010; 05-24-412-001 thru -028; 06-19-301-003 thru -006; 06-19-302-001 thru -007; 06-19-303-010; 06-19-303-012; 06-19-303-013; 06-19-303-015; 06-19-304-006; 06-19-304-010; 06-19-304-014; 06-19-304-015; 06-19-304-017 thru -019; 06-19-305-003 thru -006; 06-19-

305-013 thru -016; 06-19-306-005; 06-19-306-007; 06-19-307-002; 06-19-307-003; 06-19-308-001; (the "Subject Property").

SECTION 3: That Ordinance No. 7397, adopted on July 20, 2017, is hereby repealed.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

SECTION 5: 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 \_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this 2<sup>nd</sup> day of November, 2017.

Passed on second reading this 2<sup>nd</sup> day of November, 2017.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

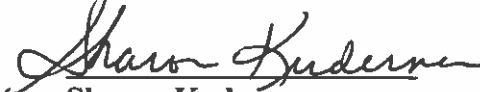
Absent: None

Approved this 2<sup>nd</sup> day of November, 2017.



**Keith T. Giagnorio**  
Village President

ATTEST:



**Sharon Kuderna**  
Village Clerk

Published by me in pamphlet form on this 3<sup>rd</sup> day of November, 2017.



**Sharon Kuderna**  
Village Clerk