

**ORDINANCE NO. 6968**

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

**(ZBA 14-07; 100 E. Taylor Road)**

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 155.205 (A)(1)(e) of the Lombard Zoning Ordinance to allow a forty-two inch (42") tall fence, that is not a minimum seventy-five percent (75%) open construction, within the required clear line of sight area; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on June 25, 2014 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 155.205 (A)(1)(e) of the Lombard Zoning Ordinance to allow a forty-two inch (42") tall fence, that is not a minimum seventy-five percent (75%) open construction, within the required clear line of sight area.

**SECTION 2:** This ordinance is limited and restricted to the property generally located at 100 E. Taylor Road, Lombard, Illinois, and legally described as follows:

LOT 1 IN UNITED HOME BUILDERS RESUBDIVISION, A RESUBDIVISION OF LOTS 10 AND 11 IN BLOCK 8 IN ARTHUR T. MCINTOSH AND COMPANY'S LOMBARD GARDENS, A SUBDIVISION OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 27, 2000 AS DOCUMENT R2000-097320, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-17-114-020

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

1. The zoning relief shall be limited to the existing forty-two inch (42") tall picket fence currently located on the subject property. In the event that the existing fence is damaged or destroyed to fifty-percent (50%) of its value, any new fence shall meet all Village Code requirements; and
2. If the existing fence is found to be located within the public right-of-way, the property owner shall enter into an encroachment agreement with the Village of Lombard, subject to approval by the President and Board of Trustees.

**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 \_\_\_\_\_, 2014.

First reading waived by action of the Board of Trustees this 17th day of July, 2014.

Passed on second reading this 17th day of July, 2014.

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


Nays: None

Absent: None

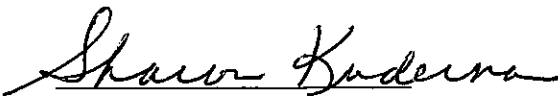
Approved this 17th day of July, 2014.

  
**Keith T. Giagnorio**  
Village President

ATTEST:

  
**Sharon Kuderna**  
Village Clerk

Published by me in pamphlet form on this 18th day of July, 2014.

  
**Sharon Kuderna**  
Village Clerk