

ORDINANCE NO. 5969

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

(ZBA 06-20: 614 E. Berkshire 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 205 (A)(1)(c)(2) to allow a six-foot high fence in a required corner side yard where a maximum height of four feet is permitted; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 155, Section 205 (A)(1)(c)(3) of the Lombard Zoning Ordinance to allow a six-foot high fence in a required rear yard abutting the front yard of an adjacent lot where a maximum height of four feet is permitted; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 155, Section 205(A)(1)(e) to allow a solid fence within a clear line of sight area; and,

WHEREAS, public hearing have been conducted by the Zoning Board of Appeals on September 27, 2006 and November 29, 2006 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings with a recommendation for approval to the Board of Trustees for the two of the requested variations described herein, subject to conditions; 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 variations.

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 205 (A)(1)(c)(2) to allow a six-foot high fence in a required corner side yard where a maximum height of four feet is permitted.

SECTION 2: That a variation is hereby granted from the provisions of Title 15, Chapter 155, Section 205 (A)(1)(c)(3) of the Lombard Zoning Ordinance to allow a six-foot high fence in a required rear yard abutting the front yard of an adjacent lot where a maximum height of four feet is permitted.

SECTION 3: That all other relief requested as part of this petition is hereby denied.

SECTION 4: This ordinance is limited and restricted to the property generally located at 614 E. Berkshire Avenue, Lombard, Illinois, and legally described as follows:

LOTS 9 AND 10 IN LOMBARD VISTA, BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 14, 1927 AS DOCUMENT 243024 IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-05-213-019

SECTION 5: This ordinance shall be granted subject to compliance with the following conditions:

1. The variations shall be limited to the requested relief for fence height and a 20-foot clear line of sight triangle shall be preserved on both sides of the driveway.
2. The proposed fence shall be developed in compliance with the revised site plan, prepared by the petitioner and date-stamped October 23, 2006.
3. The petitioner shall apply for and receive a building permit for the fence.
4. In the event that the fence is damaged or destroyed more than fifty percent of its value, any new fence shall meet the full provisions of the Zoning Ordinance.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

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Re: ZBA 06-20

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Passed on first reading this 7th day of December, 2006.

First reading waived by action of the Board of Trustees this ____ day of _____, 2006.


Passed on second reading this 4th day of January, 2007

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey & Soderstrom

Nayes: None

Absent: None

Approved this 4th day of January, 2006.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk