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**ORDINANCE NO. 5240**

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

(ZBA 02-27: 342 N. Martha Street)

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 155.406(H) of said Zoning Ordinance, to decrease the amount of required open space in the R2 Single-Family Residence District; and,

WHEREAS, public hearings have been conducted by the Zoning Board of Appeals on December 18, 2002 and January 22, 2003 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 to approve the variation to decrease the required amount of open space, subject to conditions; and,

WHEREAS, 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 155.406(H) of the Lombard Zoning Ordinance, for the property

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described in Section 2 below, so as to reduce the required amount of open space, subject to the conditions noted in Section 3 below.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 342 N. Martha Street, Lombard, Illinois, and legally described as follows:

LOT 7 IN BLOCK 5 IN H.O. STONE AND COMPANY'S ADDITION TO LOMBARD, IN THE SOUTHWEST QUARTER OF SECTION 5, AND PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED JUNE 26, 1924, AS DOCUMENT 179463, IN DUPAGE COUNTY, ILLINOIS.

PIN: 06-05-302-024

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

1. That the proposed deck shall be constructed in accordance with the petitioner's amended plans dated January 22, 2003 and shall not exceed 264 square feet in area.
2. That the proposed deck and the area underneath the proposed deck shall consist of a permeable surface.

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 \_\_\_\_\_, 2003.

First reading waived by action of the Board of Trustees this 6th day of February, 2003.

Passed on second reading this 6th day of February, 2003.

Ayes: Trustees DeStephano, Tross, Koenig, Sebby, Florey, Soderstrom

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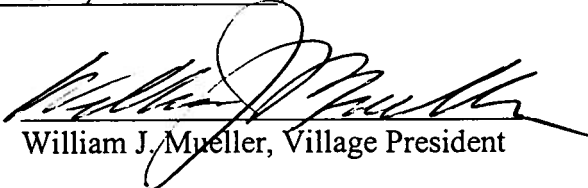
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Nayes: None

Absent: None

Approved this 6th day of February, 2003.

  
William J. Mueller, Village President

ATTEST:

  
Suzan L. Kramer, Village Clerk