

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
MAR.03,2006 11:10 AM  
OTHER 06-18-207-030  
**005 PAGES R2006-038995**

**ORDINANCE 5789**

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

**PIN: 06-18-207-030**

**Address: 734 S. Elizabeth, Lombard**

**Return To:**

**Village of Lombard  
Department of Community Development  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 5789**

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

(ZBA 05-19: 734 S. Elizabeth Street)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

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

WHEREAS, an application has been filed with the Village of Lombard requesting a variation to Section 155.205(A)(1)(c)(3) of the Lombard Zoning Ordinance to allow a fence in a rear yard abutting the front yard of an adjacent lot to exceed four feet in height; and,

WHEREAS, said application also requests approval of a variation from Section 155.205(A)(1)(e)(2) to allow a solid fence within a clear line of sight area; and

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on November 16, 2005 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings with a recommendation of approval to the Board of Trustees for a variation to Section 155.205(A)(1)(c)(3) of the Lombard Zoning Ordinance to allow a fence in a rear yard abutting the front yard of an adjacent lot to exceed four feet in height and to deny all other requested relief; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve both of the requested variations subject to conditions.

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)(C)(3) of the Lombard Zoning Ordinance to allow a fence in a rear yard abutting the front yard of an adjacent lot to exceed four feet in height.

**SECTION 2:** That the variation noted in Section 1 above shall be subject to the following condition:

1. The fence height relief shall allow for a fence of up to six feet in height, provided that it is located as least twenty (20') away, rather than thirty feet (30') away from the corner side yard lot line and the relief shall only apply to the existing fence on the property. In event the fence is damaged, destroyed or is replaced, the new fence shall meet all provisions of the Zoning Ordinance.

SECTION 3: That a variation is hereby granted from the provisions of Title 15, Chapter 155, Section 155.205(A)(1)(e)(2) of the Lombard Zoning Ordinance to allow a solid fence within a clear line of sight area.

SECTION 4: That the variation noted in Section 3 above shall be subject to the following condition:

1. That the petitioner shall modify the fence to provide for at least a seven-foot by seven-foot clear line of sight triangle area. The fence modification shall be completed no later than July 1, 2006.

SECTION 5: This ordinance is limited and restricted to the property generally located at 734 S. Elizabeth Street, Lombard, Illinois, and legally described as follows:

LOT 2 OF BRYANT'S RESUBDIVISION BEING A RESUBDIVISION OF PART OF THE WEST HALF OF THE NORTHEAST ¼ OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THRID PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-18-207-030

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.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

First reading waived by action of the Board of Trustees this 1<sup>st</sup> day of December, 2005.

Passed on second reading this 1st day of December, 2005.

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

Nays: None

Ordinance No. 5789

Re: ZBA 05-19

Page 3

Absent: None

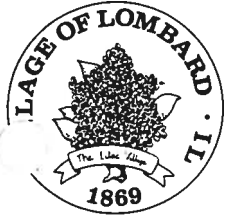
Approved this 1<sup>st</sup> day of December, 2005.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk

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I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

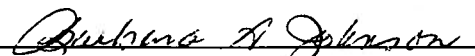
I further certify that attached hereto is a true and correct copy of ORDINANCE 5789

AN ORDINANCE APPROVING A VARIATION  
FOR THE PROPERTY LOCATED AT 734 S.  
ELIZABETH STREET, LOMBARD, DUPAGE  
COUNTY, ILLINOIS PIN # 06-18-207-030

of the said Village as it appears from the official records of said Village duly passed on December 1, 2005.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 28<sup>th</sup> day of February, 2006.





Barbara A. Johnson  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois