

J.P. "RICK" CARNEY
DUPAGE COUNTY RECORDER
OCT. 10, 2002 10:15 AM
OTHER 06-18-102-023
005 PAGES R2002-266878

ORDINANCE NO. 5162

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

**ADDRESS: 726 S. Finley
Lombard, IL**

PIN: 06-18-102-023

Return To:

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

ORDINANCE NO. 5162

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

(ZBA 02-14: 726 S. Finley)

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 155.205 (A)(1)(c)(2), of said Zoning Ordinance, to allow a six foot (6') tall fence in the corner side yard, where a four foot (4') tall fence is permitted, and a variation from Title 15, Chapter 155, Section 155.205 (A)(1)(e), of said Zoning Ordinance, to allow for a six foot (6') tall fence within the clear line-of-sight triangles, and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on May 22, 2002, pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Board of Trustees recommending that said variation in the clear line of sight area requirements be approved; and recommending that a variation to allow a six foot (6') tall fence in a corner side yard be denied; and,

WHEREAS, the President and Board of Trustees concur with the recommendation of the Zoning Board of Appeals and have determined that it is in the best interest of the Village of Lombard to approve the requested variation for a fence within the clear line of sight area for the petitioner's driveway only; and

WHEREAS, the President and Board of Trustees do not concur with the recommendation of the Zoning Board of Appeals to deny the requested variation to allow for a six foot fence in the corner side yard; 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 fence height 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 for the property described in Section 3 below from the provisions of Title 15, Chapter 155, Section 155.205 (A)(1)(e), of the said Zoning Ordinance, to allow for a reduction in the clear line-of-sight triangle only in the corner side yard of said property next to the garage associated with the property from twenty feet (20') by twenty feet (20') to ten feet (10') by ten feet (10') to allow for a six foot (6') high fence in the corner side yard where four feet (4') is allowed also in the R2 Single-Family Residence District.

SECTION 2: That a variation is hereby granted for the property described in Section 3 below from the provisions of Title 15, Chapter 155, Section 155.205 (A)(1)(c)(2), of the Lombard Zoning Ordinance to allow a six foot (6') tall fence in the corner side yard, where a four foot (4') tall fence is permitted in the R2 Single-Family Residence District.

SECTION 3: That this Ordinance is limited and restricted to the property generally located at 726 S. Finley, Lombard, Illinois, and legally described as follows:

THE EAST 200 FEET OF LOT 58 (EXCEPT THE NORTH 120 FEET THEREOF AND EXCEPT THE SOUTH 33 FEET THEREOF) OF SURGES FARM ESTATES, BEING A SUBDIVISION OF PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 7 AND OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE ON OCTOBER 19, 1943 AS DOCUMENT 454869, IN DU PAGE COUNTY ILLINOIS.

Parcel No: 06-18-102-023

SECTION 4: That said variations shall be subject to the following conditions:

1. That the petitioner applies for a fence permit for the proposed fence.
2. That the fence location shall be located as per the petitioner's submitted plan.
3. That the variation in the clear line of sight area shall be for the petitioner's driveway only. That the clear line of sight as defined in the Lombard Zoning Ordinance be maintained relative to the driveway

of the abutting property west of the subject property.

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 6th day of June, 2002.

First reading waived by action of the Board of Trustees this ____ day of _____, 2002.


Passed on second reading this 20th day of June, 2002

Ayes: Trustees Tross, Sebby, Florey, Soderstrom

Nayes: Trustees DeStephano and Koenig

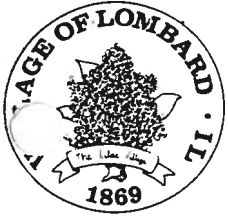
Absent: None

Approved this 20th, day of June, 2002.


William J. Mueller, Village President

ATTEST:


Suzan C. Kramer, Village Clerk



I, **Suzan L. Kramer**, hereby certify that I am the duly qualified Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such 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
copy of ORDINANCE 5162
AN ORDINANCE APPROVING VARIATIONS OF
THE LOMBARD ZONING ORDINANCE TITLE 15,
CHAPTER 155 OF THE LOMBARD CODE OF
ORDINANCES, FOR 726 S. FINLEY,
LOMBARD, ILLINOIS
PARCEL NUMBER 06-18-102-023

of the said Village as it appears from the official records of said Village, duly approved July 18, 2002

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 1st day of October, 2002.



Suzan L. Kramer
Suzan L. Kramer *Deputy Village Clerk*
Village Clerk
Village of Lombard
DuPage County, Illinois