

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
JAN.29,2008 3:40 PM
OTHER 05-01-207-001
006 PAGES R2008-015429

ORDINANCE 6139

**GRANTING A VARIATION FROM SECTION
155.205(A)(1)(c)(1) OF THE LOMBARD ZONING
ORDINANCE PROVIDING FOR AN INCREASE IN FENCE
HEIGHT**

**PIN: 05-01-207-001 through 003; 05-01-205-013 through 015;
05-01-401-054; and 05-01-408-007**

**ADDRESS: 336 through 369 Buckingham Court
Lombard, Illinois**

Return To:

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

ORDINANCE NO .6139

**AN ORDINANCE GRANTING A VARIATION FROM
SECTION 155.205 (A)(1)(c)(1) OF THE LOMBARD ZONING ORDINANCE
PROVIDING FOR AN INCREASE IN FENCE HEIGHT**

PC 07-44: 336 through 369 Buckingham Court (Buckingham Orchard Townhomes)

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 R4PD Limited General Residence District, Planned Development; and,

WHEREAS, an application has heretofore been filed requesting approval of a variation from Section 155.205 (A)(1)(c)(1) of the Zoning Ordinance to allow for an increase in fence height of up to eight feet in height along the rear property line of land abutting the Illinois State Toll Highway Authority property, where a maximum of six feet is allowed; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on December 17, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the variation described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

Ordinance No. 6139

Re: PC 07-44

Page 2

SECTION 1: This ordinance is limited and restricted to the property generally located at 336 through 369 Buckingham Court, Lombard, Illinois and legally described as follows:

Blocks 1 through 4 and Lots 5 through 8 of the Final Planned Development Plat/Plat of Subdivision for Buckingham Orchard, being a resubdivision of part of Lots 18 and 19 in Milton Township Supervisors Assessment Plat No. 1 (also known as Pleasant Hills West) of part of the east ½ of Section 1, Township 39 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded December 7, 2005 as document R2005-271050, in DuPage County, Illinois.

Parcel Numbers: 05-01-207-001 through 003; 05-01-205-013 through 015; 05-01-401-054; and 05-01-408-007
(hereinafter the "Subject Property")

SECTION 2: A variation from Section 155.205 (A)(1)(c)(1) of the Zoning Ordinance to allow for an increase in fence height of up to eight feet in height along the rear property line of land abutting the Illinois State Toll Highway Authority property, where a maximum of six feet is allowed, is hereby granted for the Subject Property, subject to the conditions set forth in Section 3 below:

SECTION 3: The variation set forth in Section 2 above shall be granted subject to compliance with the following conditions:

1. The proposed fence shall be constructed in accordance with the submitted plans as shown on the Buckingham Orchard Landscape Plan Exhibit (with proposed fence location), dated October 25, 2006, prepared by Pugslye & Lahaie Ltd.; consistent with the petitioner's submitted photographs of the proposed 8' fence.
2. The petitioner's proposed fence shall be permitted along the west property line of the approved planned development and abutting the adjacent tollway property, from the Pleasant Lane public right-of-way to the southern extent of the approved planned development. Any other fencing within the planned development shall meet the provisions of the Zoning Ordinance.

Ordinance No. 6139
Re: PC 07-44
Page 3

3. The petitioner shall apply for a building permit for the proposed fence prior to installation. The permit should also satisfactorily address any companion engineering issues as well.

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 3rd day of January, 2008.

First reading waived by action of the Board of Trustees this ____ day of _____, 2008.

Passed on second reading this 17th day of January, 2008.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nays: None

Absent: None

Approved this 17th day of January, 2008.


William J. Mueller, Village President

ATTEST:



Brigitte O'Brien, Village Clerk

Ordinance No. 6139

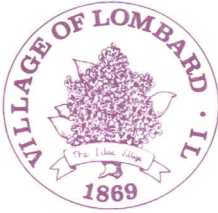
Re: PC 07-44

Page 4

Published by me in pamphlet form this 18th day of January, 2008.



Brigitte O'Brien, Village Clerk



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
copy of ORDINANCE 6139

GRANTING A VARIATION FROM SECTION
155.205(A)(1)(c)(1) OF THE LOMBARD ZONING
ORDINANCE PROVIDING FOR AN INCREASE IN
FENCE HEIGHT

ADDRESS: 336 through 369 BUCKINGHAM COURT,
LOMBARD, IL

PIN: 05-01-207-001 through 003; 05-01-205-013
through 015; 05-01-401-054; and 05-01-408-007

of the said Village as it appears from the official records of
said Village duly approved January 17, 2008.

In Witness Whereof, I have hereunto affixed my official signature and the
Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this
28th day of January, 2008.



A handwritten signature in cursive script that reads "Barbara A. Johnson".

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