

**ORDINANCE NO. 6794**

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

**(ZBA 13-01; 236 E. Morningside Ave.)**

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 Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the rear yard setback to twenty-nine and one half (29.5) feet where thirty-five (35) feet is required and maintain the corner side yard setback of fifteen and seven-tenths (15.7) feet where twenty (20) feet is required; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on January 23, 2013 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 of approval for the requested variation; 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 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 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the rear yard setback to twenty-nine and one half (29.5) feet where thirty-five (35) feet is required and maintain the corner side yard setback of fifteen and seven-tenths (15.7) feet where twenty (20) feet is required.

**SECTION 2:** This ordinance shall be granted subject to compliance with the following conditions:

1. The subject property shall be developed in substantial conformance with the site plan submitted on the Plat of Survey as part of the public hearing packet prepared by the petitioner and dated November 26, 2012.

2. No roofed-over accessory structures shall be permitted in the rear yard east of the proposed addition.
3. The petitioner shall satisfactorily address all comments included within the IDRC report, including the required hard surface driveway.
4. The second floor storage/work area immediately above the proposed garage addition shall not be utilized as a separate dwelling unit.
5. In the event that the principal structure on the subject property is damaged or destroyed to fifty-percent (50%) of its value, any new structure shall meet the required side yard setback at the time of its construction.

**SECTION 3:** This ordinance is limited and restricted to the property generally located at 236 E. Morningside Ave., Lombard, Illinois, and legally described as follows:

LOT 63 IN H. W. ELMORE AND COMPANY'S RIDGEVIEW SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED JUNE 15, 1925, AS DOCUMENT 194671, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-08-314-009

**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 \_\_\_\_\_, 2013.

First reading waived by action of the Board of Trustees this 7<sup>th</sup> day of February, 2013.

Passed on second reading this 7<sup>th</sup> day of February, 2013.

Ayes: Trustees Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

Nays: None

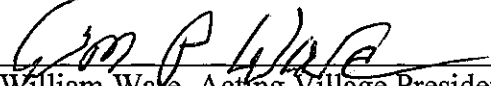
Absent: None

Approved this 7<sup>th</sup> day of February, 2013

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Re: ZBA 13-01

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William Wale, Acting Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk

Published by me this 8<sup>th</sup> day of February, 2013

  
Brigitte O'Brien, Village Clerk