

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue)  *Waiver of First Requested*  
Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: June 9, 2009 (B of T) Date: June 18, 2009

TITLE: ZBA 09-04: 126 S. Lombard Avenue

SUBMITTED BY: Department of Community Development *WLD*

BACKGROUND/POLICY IMPLICATIONS:

The Zoning Board of Appeals transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests that the Village grant a variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the interior side yard setback to four and one-half feet (4.5') where six feet (6') is required within the R2 Single-Family Residence District. (DISTRICT #4)

The ZBA recommended approval of this petition with amended conditions.  
Please place this item on the June 18, 2009 Board of Trustees agenda.

Fiscal Impact/Funding Source:  
Review (as necessary):

Village Attorney X

Finance Director X

Village Manager X

*David A. Hulseberg*

Date

Date

Date

*6/9/09*

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.





**MEMORANDUM**

**TO:** David A. Hulseberg, Village Manager  
**FROM:** William Heniff, AICP, *WH*  
Director of Community Development  
**DATE:** June 18, 2009  
**SUBJECT:** ZBA 09-04; 126 S. Lombard Avenue

Please find the following items for Village Board consideration as part of the June 18, 2009 Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. IDRC report for ZBA 09-04;
3. Plans associated with the petition; and
4. An Ordinance granting approval of the requested variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the interior side yard setback to four and one-half feet (4.5') where six feet (6') is required within the R2 Single-Family Residence District.

The petitioner has submitted a letter requesting a waiver of first reading due the cancellation of the July Board of Trustees meetings.

Please contact me if you have any questions regarding the aforementioned materials. The Zoning Board of Appeals recommended approval of the zoning actions associated with the petition.



**VILLAGE OF LOMBARD**  
255 E. Wilson Ave.  
Lombard, Illinois 60148-3931  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org



Village President  
William J. Mueller

Village Clerk  
Brigitte O'Brien

Mr. William J. Mueller  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: ZBA 09-04; 126 S. Lombard Avenue**  
Dear President and Trustees:

Greg Alan Gron, Dist. 1  
Richard J. Tross, Dist. 2  
Zachary C. Wilson, Dist. 3  
Dana L. Moreau, Dist. 4  
Laura A. Fitzpatrick, Dist. 5  
William "Bill" Ware, Dist. 6

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests that the Village grant a variation from Section 15.5.407(F)(3) of the Lombard Zoning Ordinance to reduce the interior side yard setback to four and one-half feet (4.5') where six feet (6') is required within the R2 Single-Family Residence District.

Village Manager  
David A. Hulseberg

The Zoning Board of Appeals conducted a public hearing on May 27, 2009. Rhonda Heabel, presented the petition. Ms. Heabel began by stating the home currently has a setback of 4.5 feet and she would like it to stay this way. This would allow her and her husband to construct a one car attached garage and a dining area.

"Our shared vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

Scott Heabel, 126 S. Lombard Avenue, stated that they would like to demolish what is currently there and replace it by constructing in the same area. They would just like to update their home.

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Chairperson Defalco asked if anyone was present to speak for or against the petition. There was nobody present to speak for or against the petition. Chairperson Defalco then requested the staff report. Stuart Moynihan, Associate Planner, read the staff report. Mr. Moynihan stated that the property contains a two-story single family residence built approximately four and one-half feet (4.5') from the southern side property line. Currently, a carport and a three-season room are the southernmost parts of the residence. The petitioner plans to demolish these areas of the residence in order to construct an attached garage, kitchen, and dining area. The new construction would maintain the current setback of four and one-half feet (4.5'). Due to the demolition, the Zoning Ordinance would require

that the new construction meet an interior side yard setback of six feet (6'). Therefore, a variation is necessary.

The carport and three season room were permitted in 1960 and 1962 respectively and are considered legal non-conforming with regard to the interior side yard setback. These portions of the residence are currently four and one-half feet (4.5') from the side lot line and are one-story in height. The proposed residential addition would occupy the footprint of the carport and three season room as well as additional areas to the east and west. The addition would also be set back four and one-half feet (4.5') and would be one-story in height.

Mr. Moynihan reference five previous variations listed in the staff report in which similar relief was granted.

1) The property at 576 Green Valley Drive received approval of a variation to reduce the required interior side yard setback from six feet (6') to two feet (2') for the conversion of a carport into a garage and for a residential addition (ZBA 03-10).

2) The property at 828 S. Fairfield received approval of a variation to reduce the required interior side yard setback from six feet (6') to two and one-half feet (2.5') for a residential addition (ZBA 05-14).

3) The property at 219 W. Hickory received approval of a variation to reduce the required interior side yard setback from six feet (6') to two and one-half feet (2.5') for an attached garage (ZBA 06-14).

4) The property at 259 N. Garfield received approval of a variation to reduce the required interior side yard setback from nine feet (9') to 7.88 feet for a second story addition holding the previously developed exterior wall of the residence (ZBA 07-12).

5) The property at 217 N. Craig Place received approval of a variation to reduce the required interior side yard setback from nine feet (9') to 7.9 feet for a sunroom at the rear of the home holding the previously developed exterior wall of the residence (ZBA 08-03).

As the proposed addition would maintain the existing building line, it would not increase the degree of encroachment into the existing non-conforming setback. Staff notes that a front-loaded attached garage could not be constructed at the north side of the property as the existing setback is insufficient in this area as well. These setback deficiencies can be attributed, in part, to the width of the lot being fifty feet (50').

The adjacent lot to the south, 128 S. Lombard Avenue, is developed with a single-family residence built approximately 9.8 feet from the property's northern side lot line. The Zoning

Ordinance requires that the northern side yard setback for the 128 S. Lombard Avenue property be nine feet (9') as there is no attached garage. If the proposed addition at 126 S. Lombard Avenue is built at a setback for four and one-half feet (4.5'), the separation between the homes would be approximately 14.3 feet. This distance is greater than the twelve feet (12') that would be established by maintaining the standard code requirement for an interior side yard which is six feet (6') on each property.

In order to avoid the undesired effects of increased physical or perceived bulk to the neighboring properties, staff suggests that a condition be added to any motion for approval that any new construction built within the six foot (6') setback area be limited to one-story in height.

Staff finds that this petition meets the Standards for Variations. The proposed location for the addition and garage are due to the existing configuration of improvements on the lot and the desire to conserve open space on the property. Mr. Moynihan stated that the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make a motion recommending **approval** of the side yard setback variation subject to the conditions in the staff report.

Chairperson DeFalso then opened the meeting for discussion by the Board Members. He asked if the proposed addition would meet the thirty foot front yard setback. He clarified by stating that the site plan depicts the southern portion of the home at a setback of 29.7 feet.

Mr. Moynihan stated that, although the site plan does not show it, the construction plans show the front wall of the garage set back an additional two feet. Therefore, it would meet the thirty foot setback.

Mr. Tap asked the petitioner if his boat will fit within the garage.

Mr. Heabel stated that he had measured to ensure that it would fit in the garage.

Mr. Tap also stated that there seems to be a large tree where the new construction is proposed.

Mr. Heabel stated that it would have to be removed.

Mr. Young asked if there is a twelve foot separation requirement between buildings and if this would have an effect on the neighboring residence.

Chairperson DeFalso stated that the neighboring residence would have to be setback more than six feet if rebuilt.

Mr. Moynihan stated that this requirement only applies to detached garages.

Mr. Young asked if the original carport was allowed in the setback as an accessory structure.

Mr. Moynihan stated that the carport would have been considered part of the principal structure as it is attached to the home, just like an attached garage.

Chairperson DeFalco stated that the third condition in the staff report usually has a requirement about 50% of the value of the structure.

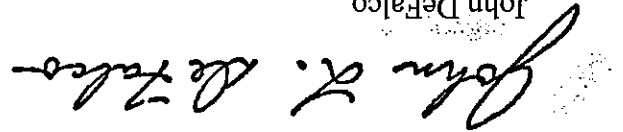
Mr. Moynihan stated that this could be added to the condition.

On a motion by Mr. Bedard and a second by Mr. Tap, the Zoning Board of Appeals recommended by a vote of 6 to 0 that the Village Board **approve** a variation to reduce the interior side yard setback to four and one-half feet (4.5') where six feet (6') is required within the R2 Single-Family Residence District, subject to the following conditions:

1. The addition and garage shall be developed in accordance with the site plan drawn on the August 8, 2000 Plat of Survey submitted April 23, 2009 as part of this petition.
2. The proposed addition and garage along with any future additions to the residence, which are set back less than six feet (6') from the interior side property line, shall not exceed a height of one-story.
3. The variation shall only apply to the proposed addition and the existing residence. Should the existing residence be damaged or destroyed by any means, to the extent of more than fifty percent (50%) of the fair market value of the residence, any new structures shall meet the full provisions of the Zoning Ordinance.

Respectfully,

VILLAGE OF LOMBARD



John DeFalco

Chairperson

Zoning Board of Appeals



**VILLAGE OF LOMBARD  
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

**TO:** Zoning Board of Appeals  
**FROM:** Department of Community Development  
**PREPARED BY:** Stuart Moynihan  
Associate Planner

**HEARING DATE:** May 27, 2009

**TITLE**

**ZBA 09-04; 126 S. Lombard Avenue:** The petitioner requests that the Village grant a variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the interior side yard setback to four and one-half feet (4.5') where six feet (6') is required within the R2 Single-Family Residence District.

**GENERAL INFORMATION**

**Petitioner/Property Owner:** Scott and Rhonda Heibel  
126 S. Lombard Avenue  
Lombard, IL 60148

**PROPERTY INFORMATION**

**Existing Zoning:** R2 Single-Family Residence District  
**Existing Land Use:** Single-Family Residence  
**Size of Property:** Approximately 7,940 square feet

**Surrounding Zoning and Land Use:**

**North:** R2 Single-Family Residence District; developed as Single-Family Residences  
**South:** R2 Single-Family Residence District; developed as Single-Family Residences  
**East:** R2 Single-Family Residence District; developed as Single-Family Residences  
**West:** R2 Single-Family Residence District; developed as Single-Family Residences

## ANALYSIS

## SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on April 23, 2009.

1. Petition for Public Hearing.
2. Response to Applicable Standards.
3. Plat of Survey, prepared by ARS Surveying Service and dated August 8, 2000, showing the proposed construction.

## DESCRIPTION

The property contains a two-story single family residence built approximately four and one-half feet (4.5') from the southern side property line. Currently, a carport and a three-season room are the southernmost parts of the residence. The petitioner plans to demolish these areas of the residence in order to construct an attached garage, kitchen, and dining area. The new construction would maintain the current setback of four and one-half feet (4.5'). Due to the demolition, the Zoning Ordinance would require that the new construction meet an interior side yard setback of six feet (6'). Therefore, a variation is necessary.

## INTER-DEPARTMENTAL REVIEW COMMENTS

### ENGINEERING

#### Private Engineering Services

The Private Engineering Services Division has no comments at this time.

#### Public Works Engineering

The Engineering Division of Public Works has no comments.

### FIRE AND BUILDING

The Bureau of Inspectional Services has no comments regarding the request at this time.

### PLANNING

The carport and three season room were permitted in 1960 and 1962 respectively and are considered legal non-conforming with regard to the interior side yard setback. These portions of the residence are currently four and one-half feet (4.5') from the side lot line and are one-story in

height. The proposed residential addition would occupy the footprint of the carport and three season room as well as additional areas to the east and west. The addition would also be set back four and one-half feet (4.5') and would be one-story in height. Please see Attachment A for architectural drawing of the proposed first floor and Attachment B for the proposed site plan.

Following the proposed construction, open space on the subject property would be approximately sixty-three percent (63%), exceeding the Village code requirement. Staff notes that the petitioner has expressed concerns that constructing a detached garage and the additional rooms at the rear of the home could result in a significant reduction in existing open space or even a deficiency in the amount of required open space.

Listed below are several ZBA cases in which similar variation requests were made where the addition holds the setback of the existing residence and does not further encroach into the requisite yard. Examples of these variations include:

- 1) The property at 576 Green Valley Drive received approval of a variation to reduce the required interior side yard setback from six feet (6') to two feet (2') for the conversion of a carport into a garage and for a residential addition (ZBA 03-10).
- 2) The property at 828 S. Fairfield received approval of a variation to reduce the required interior side yard setback from six feet (6') to two and one-half feet (2.5') for a residential addition (ZBA 05-14).
- 3) The property at 219 W. Hickory received approval of a variation to reduce the required interior side yard setback from six feet (6') to two and one-half feet (2.5') for an attached garage (ZBA 06-14).
- 4) The property at 259 N. Garfield received approval of a variation to reduce the required interior side yard setback from nine feet (9') to 7.88 feet for a second story addition holding the previously developed exterior wall of the residence (ZBA 07-12).
- 5) The property at 217 N. Craig Place received approval of a variation to reduce the required interior side yard setback from nine feet (9') to 7.9 feet for a sunroom at the rear of the home holding the previously developed exterior wall of the residence (ZBA 08-03).

As the proposed addition would maintain the existing building line, it would not increase the degree of encroachment into the existing non-conforming setback. Staff notes that a front-loaded attached garage could not be constructed at the north side of the property as the existing setback is insufficient in this area as well. These setback deficiencies can be attributed, in part, to the width of the lot being fifty feet (50'). This lot width would be considered substandard by current Zoning Ordinance requirements that lots zoned R2 must be sixty feet (60') in width.

The adjacent lot to the south, 128 S. Lombard Avenue, is developed with a single-family residence built approximately 9.8 feet from the property's northern side lot line. The Zoning Ordinance requires that the northern side yard setback for the 128 S. Lombard Avenue property be nine feet (9') as there is no attached garage. If the proposed addition at 126 S. Lombard Avenue is built at a

setback for four and one-half feet (4.5'), the separation between the homes would be approximately 14.3 feet. This distance is greater than the twelve feet (12') that would be established by maintaining the standard code requirement for an interior side yard which is six feet (6') on each property.

In order to avoid the undesired effects of increased physical or perceived bulk to the neighboring properties, staff suggests that a condition be added to any motion for approval that any new construction built within the six foot (6') setback area be limited to one-story in height.

**Front of Subject Property with Carport**



Staff finds that this petition meets the Standards for Variations. The proposed location for the addition and garage are due to the existing configuration of improvements on the lot and the desire to conserve open space on the property. Much of the proposed addition and garage would be constructed within the footprint of an existing legal non-conforming structure, would maintain the building line, and would therefore not increase the degree of setback non-conformity.

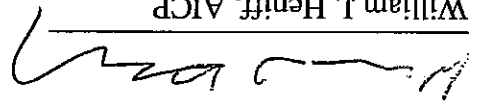
**FINDINGS AND RECOMMENDATIONS**

The Department of Community Development has determined that the information presented has affirmed the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the side yard setback variation:

Based on the submitted petition and the testimony presented, the requested variation complies with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals recommend to the Corporate Authorities **approval** of ZBA 09-04, subject to the following conditions:

1. The addition and garage shall be developed in accordance with the site plan drawn on the August 8, 2000 Plat of Survey submitted April 23, 2009 as part of this petition.
2. The proposed addition and garage along with any future additions to the residence, which are set back less than six feet (6') from the interior side property line, shall not exceed a height of one-story.
3. The variation shall be limited to the existing residence. Should the existing residence be reconstructed due to damage or destruction by any means, any new buildings or structures shall meet the applicable underlying R2 Single Family Residential District setback requirements.

Inter-Departmental Review Group Report Approved By:

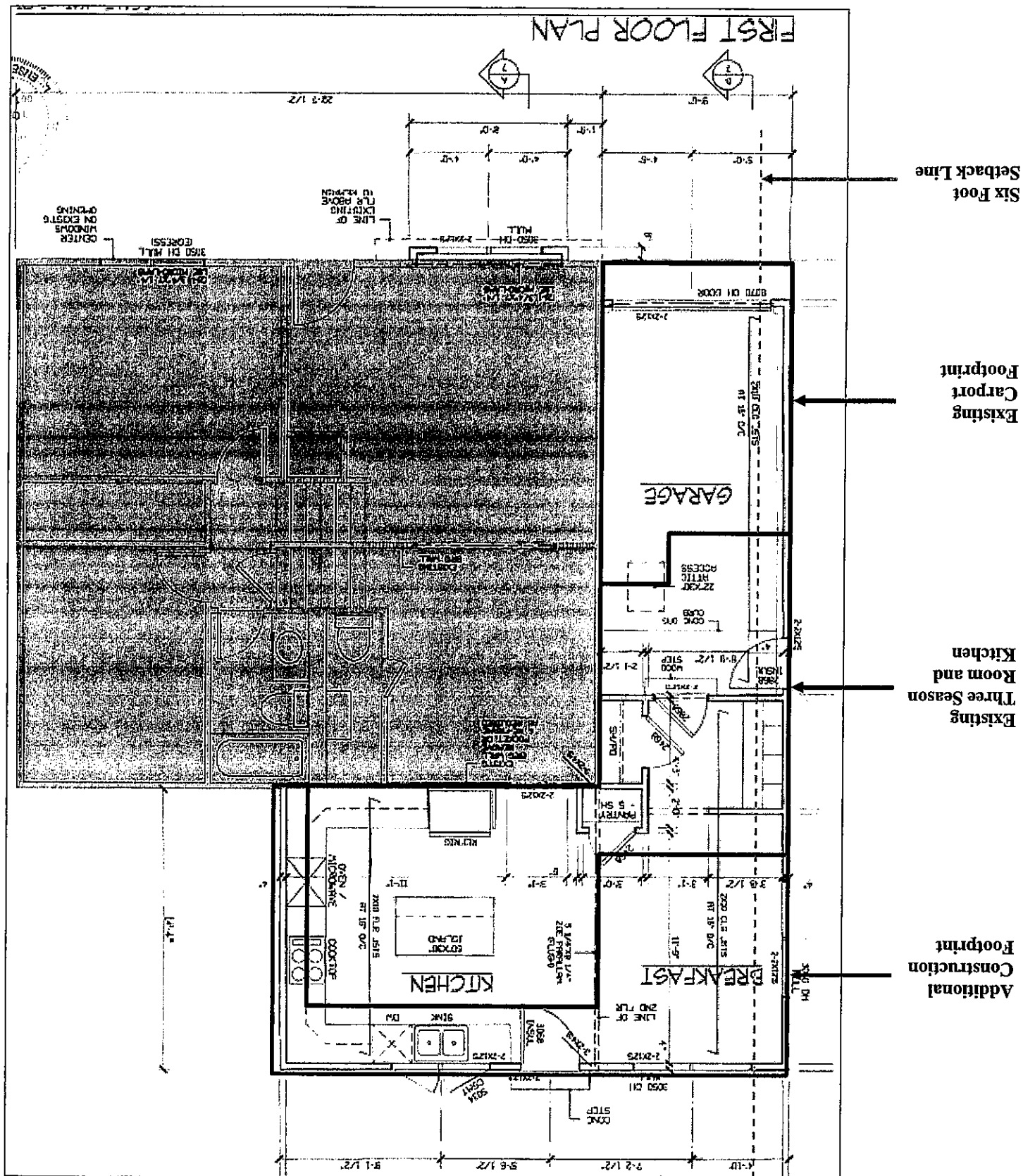


William J. Heniff, AICP

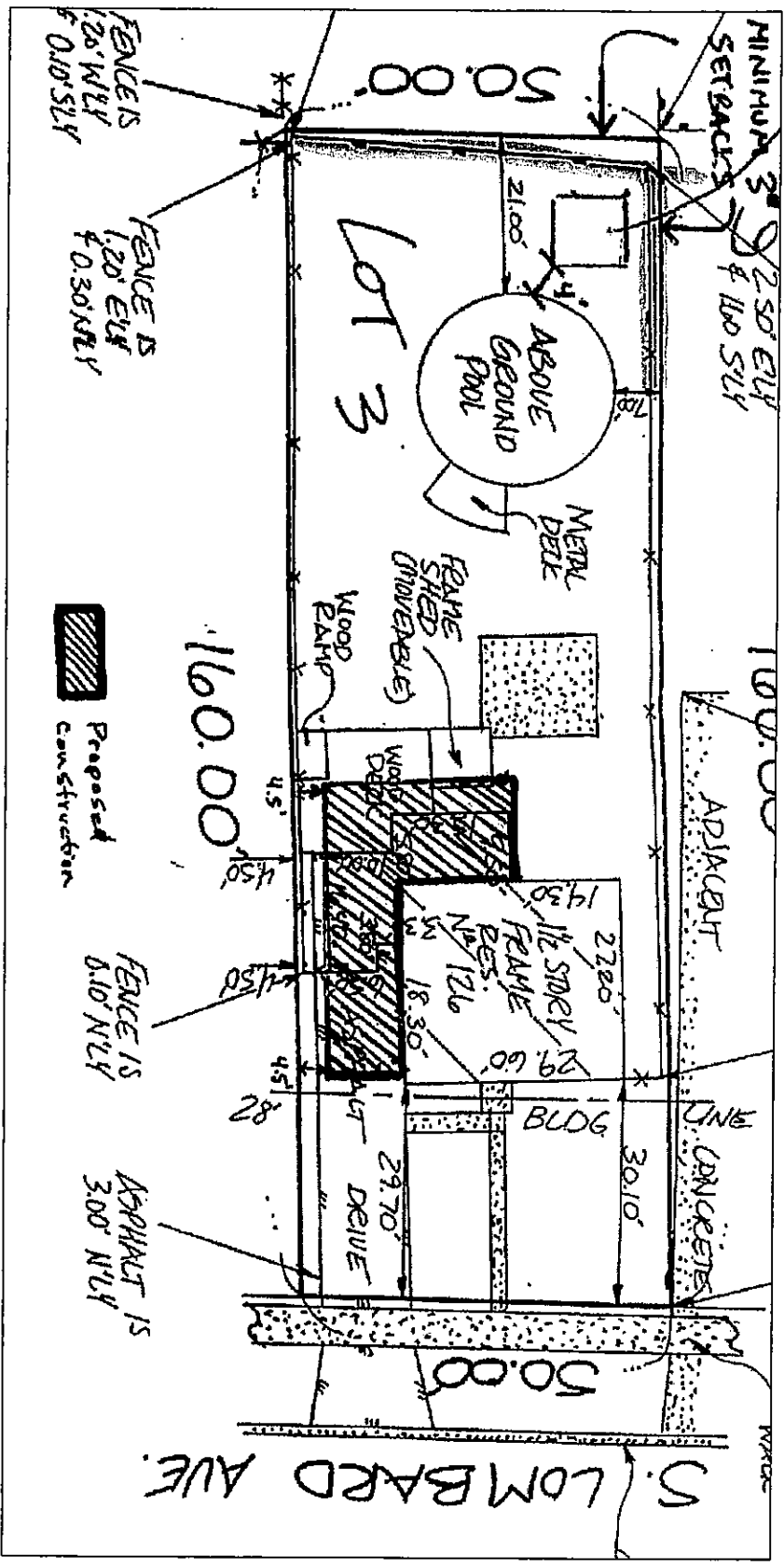
Director of Community Development

c: Petitioner

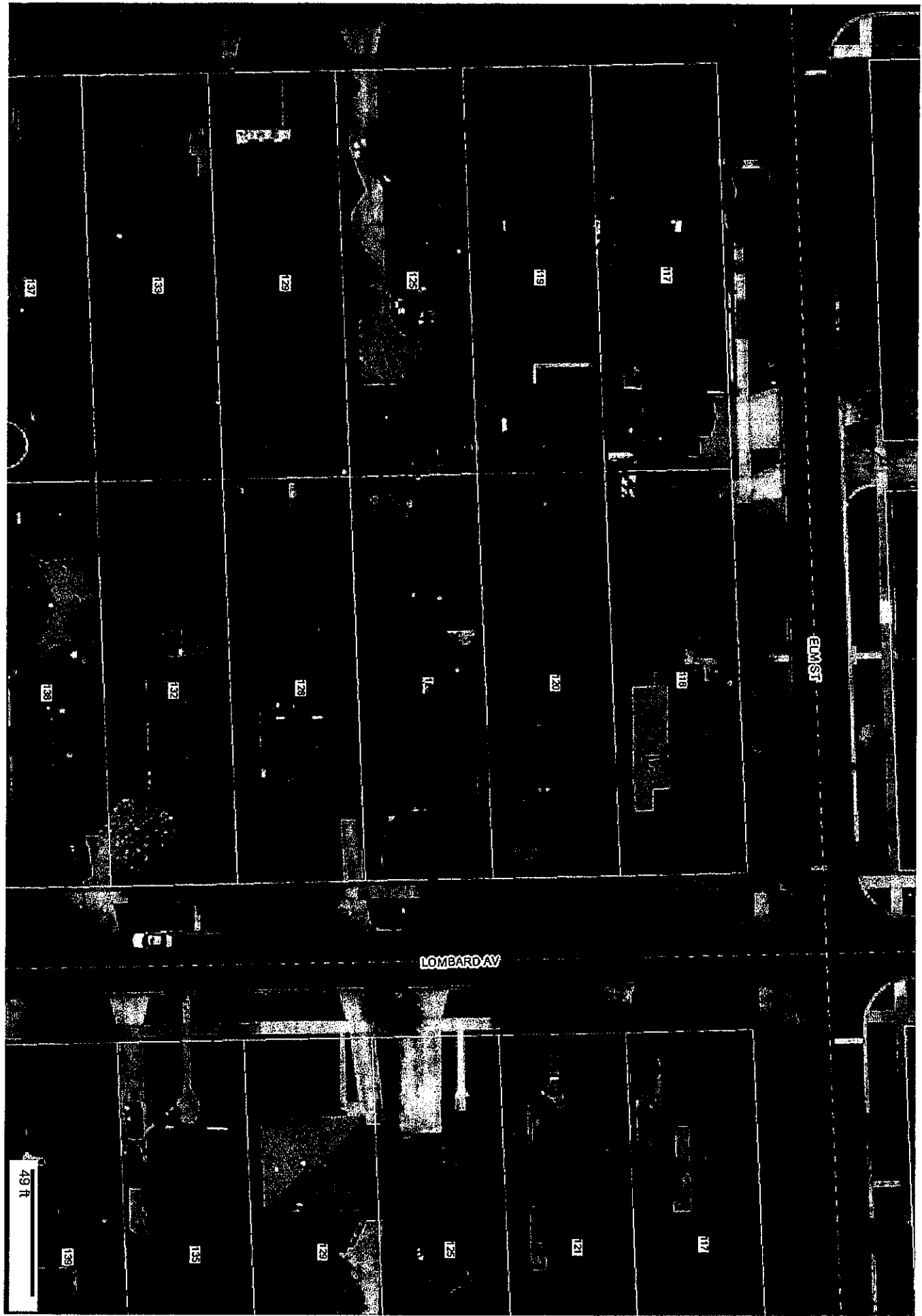
**Attachment A - Proposed House Improvements**



Attachment B - Proposed Site Plan



# 126 S. Lombard Ave.





April 22, 2009

Scott & Rhonda Heabel  
126 S. Lombard Ave.  
Lombard, IL 60148

Village of Lombard  
Attn: Department of Community Development  
And Zoning Board of Appeals  
255 E. Wilson Ave.  
Lombard, IL 60148

To Whom It May Concern:

We respectfully request that Village staff and the Zoning Board of Appeals consider our petition for a variation to the Zoning Ordinance regarding our property at 126 S. Lombard Avenue. As you know, zoning code for R2 Single Family Residence requires a six (6) foot setback on the side yard. We are requesting Village staff and the ZBA consider our petition of a variance to decrease the side yard setback on the south side of our property line to 4 ½ feet to allow for a one-car attached garage.

At this time we have an attached one-car car port that extends to 4½ feet from the south side of our property line. We are requesting that the car port be removed so that we may construct a one-car garage in its place. In addition to the proposed one-car garage, we would like to expand our kitchen to extend as far as the garage as it will be located directly behind the garage. At this time, we have a Florida room (three season enclosed room) that extends to 4½ feet from the south side of our property line. Therefore, what we are requesting is to maintain the existing width of these structures in order to allow for a usable one-car garage.

Please allow us to provide a detailed response to all seven (7) Standards for Variations in Section 155.103.C.7 of Lombard's Zoning Ordinance to explain why we are requesting a variation for our proposed construction.

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.

We are requesting the variance to provide for an attached one-car garage. Currently, we have a car port and Florida room that extend 4 ½ feet from our south side property line on our side yard. We would like to remove the car port and Florida room and replace them with an attached one-car enclosed garage and an extension of our kitchen. If we were merely suggesting extended our kitchen, we would have no problem with staying within the 6 foot minimum required. However, following the strict letter of the

regulation presents a hardship for us in the case of the attached one-car proposed garage. In order to have a usable garage, we would have to maintain the same extension in width as we currently have.

If we went another direction in order to follow the strict letter of the regulations and consider a detached garage, we would be presented with an even greater hardship. We would need to remove our swimming pool and possibly even our children's wood playground. In addition, our property drops in elevation immediately on the west side of our house (backyard) so it would take large amounts of concrete and earth to level out the property for a driveway and garage. In addition, likely we would still need to petition for a variation, as in this case we would be in jeopardy of surpassing the 50% land use policy.

**2. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.**

Our existing car port and Florida room already extend to 4 1/2 feet from our property line on the south side. Our request is unique based on the condition that most homes within the R2 Single Family Residence zoning classifications already have garages and not many homes only have a car port, let alone a car port currently attached to the home at the exact width needed to sustain a one-car garage albeit nonconforming to the current code.

**3. The purpose of the variation is not based primarily upon a desire to increase financial gain.**

The purpose of the variation is based entirely on the desire for an enclosed one-car attached garage to provide protection for our belongings and to provide for a more presentable and aesthetically pleasing appearance from the street.

**4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.**

The difficulty is that we cannot construct an enclosed attached one-car garage unless we are granted a variation from 6 feet to 4 1/2 feet for the setback of the south side of our interior side yard. This difficulty is caused solely by this ordinance and has not been created by any person presently having an interest in our property.

**5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.**

If this variance were granted, there would be no change in where the structure sits in relation to the property line from where the current structure presently sits at a 4 1/2 foot setback on the interior side yard. Therefore, the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which our property is located.

**6. The granting of the variation will not alter the essential character of the neighborhood; and**

As discussed previously, the new structure would remain in the same location as the current structure. An enclosed attached one-car garage would not alter the essential character of the neighborhood since there are a number of attached enclosed one-car garages in the neighborhood. In fact, there are far more attached one-car garages than there are car ports so not only will it not alter the essential character it will be more in keeping with the essential character of the neighborhood.

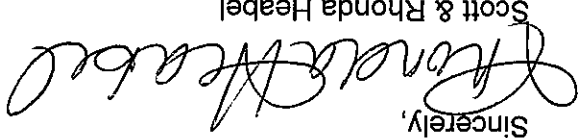
**7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

Again, the proposed variation would be in the same location and maintain the same extension as the current structure. Therefore, it will not impact the supply of light and air to adjacent property nor increase the congestion of the public streets. In addition, the proposed variation would not increase the danger of fire, nor impair natural drainage nor create drainage problems on adjacent properties, nor endanger the public safety, nor substantially diminish nor impair property values within the neighborhood.

We would like to point out that our neighbors on either side of our property lines to the north and south have driveways that run adjacent to our property line. Therefore, sufficient separation already exists between structures. We also believe that a garage not only provides protection for our belongings but also makes for a cleaner more aesthetically pleasing appearance for us, our neighbors and any passers-by.

Thank you for allowing us to address these standards. We respectfully request that you give careful consideration to our petition. Should you have any further questions, we will be in attendance at the next Zoning Board of Appeals meeting on Wednesday May 27, 2009 and would be happy to address them at that time.

Sincerely,



Scott & Rhonda Heabel



May 29, 2009

Scott & Rhonda Heabel  
126 S. Lombard Ave.  
Lombard, IL 60148

Village of Lombard  
Attn: Department of Community Development  
And Village Board of Trustees  
255 E. Wilson Ave.  
Lombard, IL 60148

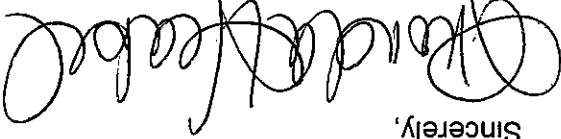
To Whom It May Concern:

The purpose of this letter is to request a waiver of first reading with respect to Zoning Board of Appeals Case ZBA 09-04.

We respectfully request that the first reading be waived due to the Village Board of Trustees cancellation of meetings for the month of July and the first meeting in August. If first reading were not waived, second reading would not take place until the next scheduled Village Board of Trustees meeting on August 20, 2009.

The additional two months of time to move our home improvement project along would be very much appreciated. Therefore, we appreciate your consideration of this request.

Sincerely,



Scott & Rhonda Heabel



ORDINANCE NO. \_\_\_\_\_

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

(ZBA 09-04: 126 S. Lombard Avenue)

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 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the interior side yard setback to four and one-half feet (4.5') where six feet (6') is required to allow for a residential addition; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on May 27, 2009 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings and recommendations to the Board of Trustees with a recommendation of approval of the requested interior side yard setback; and,

WHEREAS, the President and Board of Trustees does concur with the findings of the Zoning Board of Appeals; 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 interior side yard setback to four and one-half feet (4.5') where six feet (6') is required to allow for a residential addition; and,

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

1. The addition and garage shall be developed in accordance with the site plan drawn on the August 8, 2000 Plat of Survey submitted April 23, 2009 as part of this petition.

2. The proposed addition and garage along with any future additions to the residence, which are set back less than six feet (6') from the interior side property line, shall not exceed a height of one-story.

3. The variation shall only apply to the proposed addition and the existing residence. Should the existing residence be damaged or destroyed by any means, to the extent of more than fifty percent (50%) of the fair market value of the residence, any new structures shall meet the full provisions of the Zoning Ordinance.

**SECTION 3:** This ordinance is limited and restricted to the property generally located at 126 S. Lombard Avenue, Lombard, Illinois, and legally described as follows:

LOT 3 IN BLOCK 5 IN CAMBRIDGE MANOR, BEING A SUBDIVISION IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JUNE 10, 1924 AS DOCUMENT 178816, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-08-119-024

**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 \_\_\_\_\_, 2009.  
First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2008.  
Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Ayes: \_\_\_\_\_  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_



Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Brigitte O'Brien, Village Clerk