

**ORDINANCE 7580**

**PAMPHLET**

**ZBA 18-04: 49 N. GARFIELD STREET**



PUBLISHED IN PAMPHLET FORM THIS 21<sup>ST</sup> DAY OF SEPTEMBER 2018, BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS.

*Sharon Kuderna*

Sharon Kuderna  
Village Clerk

**ORDINANCE NO. 7580**

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

**(ZBA 18-04; 49 N. Garfield Street)**

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 required interior side yard setback from six feet (6') to three and one-half feet (3.5') for the subject property located within the R2 Single-Family Residence Zoning District; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on August 22, 2018, 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 required interior side yard setback from six feet (6') to three and one-half feet (3.5') for the subject property located within the R2 Single-Family Residence Zoning District.

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

1. The addition shall be constructed in substantial conformance to the plans submitted by the petitioners as noted in this IDRC report;
2. The petitioner shall apply for and receive a building permit for the proposed addition;

3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the variation; and
5. In the event that the building or structure on the subject property is damaged or destroyed, by any means, to the extent of more than 50 percent of the fair market value of such building or structure immediately prior to such damage, such building or structure shall not be restored unless such building or structure shall thereafter conform to all regulations of the zoning district in which such building or structure and use are located.

**SECTION 3:** This ordinance is limited and restricted to the property generally located at 49 North Garfield Street, Lombard, Illinois, and legally described as follows:

LOT 12 IN BLOCK 16 IN H.O. STONE AND COMPANY'S ADDITION TO LOMBARD, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 5, AND PART 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 26, 1924 AS DOCUMENT NUMBER 179463, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-05-319-006

**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 6<sup>th</sup> day of September, 2018.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston and Ware

Nays: None

Absent: Trustee Pike

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First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2018.

Passed on second reading this 20<sup>th</sup> day of September, 2018, pursuant to a roll call vote as follows:

Ayes: Trustee Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: Trustee Whittington

Approved by me this 20<sup>th</sup> day of September, 2018.

  
Keith T. Giagnorio, Village President

ATTEST:

  
Sharon Kuderna, Village Clerk

Published in pamphlet from this 21<sup>st</sup> day of September, 2018.

  
Sharon Kuderna, Village Clerk