

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

 X

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: August 6, 2004 (B of T) Date: August 19, 2004

TITLE: PC 04-24: 1101 & 1105 E. High Ridge Road

SUBMITTED BY: Department of Community Development *Qatt*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration a petition requesting that the following actions be taken on the subject property:

1. Annexation to the Village of Lombard;
2. Approval of a five-lot major plat of subdivision with the following variations:
 - a. For Lot 4 of the proposed subdivision: A variation from Title 15, Chapter 155, Section 405 (E) of the Village of Lombard Zoning Ordinance to reduce the minimum lot width from 75 feet to 35 feet in the R1 Single-Family Residence District;
 - b. For Lot 5 of the proposed subdivision: A variation from Title 15, Chapter 154, Section 506 (D) of the Village of Lombard Subdivision and Development Ordinance to allow for a lot without public street frontage.

The Plan Commission recommended approval of this petition with conditions.

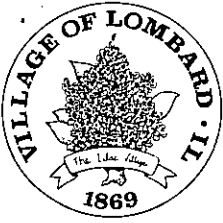
The petitioner is requesting waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <i>William T. Lichter</i>	Date <i>8/11/04</i>

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: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Director of Community Development *DHWA*

DATE: August 19, 2004

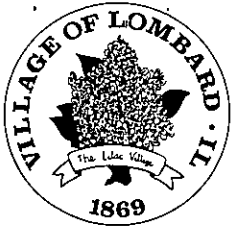
SUBJECT: **PC 04-24: 1101 & 1105 High Ridge Road**

Attached please find the following items for Village Board consideration as part of the August 19, 2004 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 04-24;
3. An Ordinance annexing the property into the Village;
4. An Ordinance granting approval of a subdivision with variations to lot width for an unbuildable lot and for a lot without street frontage, subject to conditions.
5. Companion plans associated with the petition.

The proposed development will create three buildable single family lots. A companion variation request from the Village stormwater requirements that would require a stormwater detention outlot will be placed on the September 2, 2004 Village Board agenda.

The petitioner is also requesting a waiver of first reading of the aforementioned Ordinances.



VILLAGE OF LOMBARD

255 E. Wilson Ave.

Lombard, Illinois 60148

630/620-5700 FAX: 630/620-8222

TDD: 630/620-5812

www.villageoflombard.org

August 19, 2004

Village President

William J. Mueller

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

Trustees

Joan DeStephano, Dist. 1

Richard J. Tross, Dist. 2

Karen S. Koenig, Dist. 3

Steven D. Sebby, Dist. 4

Kenneth M. Florey, Dist. 5

Rick Soderstrom, Dist. 6

Subject: PC 04-24; 1101 & 1105 E. High Ridge Road

Dear President and Trustees:

Village Manager

William T. Lichter

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. This petition was heard at the July 19, 2004 Plan Commission meeting.

The petitioner requests that the following actions be taken on the subject property:

1. Annexation to the Village of Lombard;
2. Approval of a five-lot major plat of subdivision with the following variations:
 - a) For Lot 4 of the proposed subdivision: A variation from Title 15, Chapter 155, Section 405 (E) of the Village of Lombard Zoning Ordinance to reduce the minimum lot width from 75 feet to 35 feet in the R1 Single-Family Residence District;
 - b) For Lot 5 of the proposed subdivision: A variation from Title 15, Chapter 154, Section 506 (D) of the Village of Lombard Subdivision and Development Ordinance to allow for a lot without public street frontage.

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

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

Waheed Saeed, 221 Forest Trail, Oak Brook, stated that he wishes to annex 1101 and 1105 E. High Ridge Road into the Village. His subdivision proposal is based upon the Village's recommendations, and he believes that it is appropriate. The property will be divided into five lots. Lots 1, 2, and 3 will exceed the zoning requirements at 75 feet wide and 300 feet deep. They will each be greater than ½-acre. Lot 4 will require a variation for a 35-foot width and it will not be buildable. Lot 5 is mostly within a floodplain and it may be given to the County in the future.

Vice-Chairperson Flint then opened the meeting for public comment.

Nancy Walker, 1108 E. High Ridge Road, stated that she lives directly across the street from the property. At the May 17 Plan Commission meeting, she and a

group of other residents suggested that the lot be split into two 87-foot wide lots and one 86-foot lot. The proposed Lot 4 will create a gap in the flow of homes and could become a prairie. It will not be maintained and it could become an eyesore. She does not believe that the property owner to the east would be willing to sell his lot to the petitioner. She is concerned that Lot 4 will be developed as an access road for Lot 5, which will destroy the block frontage and negatively impact traffic, creating a public safety hazard.

The petitioner stated that even if he is unable to purchase the property to the east, someone eventually will. Builders want bigger lots, and in this high-demand area it is hard to find available land. Lot 4 won't remain undeveloped forever.

Commissioner Sweetser inquired as to the upkeep of Lot 4, stating that the neighbors would like to see something in excess of what is required by Code. The petitioner responded that the Village's Code Enforcement staff makes sure that all land is maintained. They do not allow tall grass, and the Village's ordinances will be enforced. He will be happy to maintain the lot as long as he owns it.

Bob Walker, 1108 E. High Ridge Road, stated that the property has been a mess for some time. He stated that the petitioner's proposal is fine, but he would like assurances that the 35-foot wide lot will be landscaped and will not be turned into a road. He does not want kids back there. He is in favor of a proposal that would only create three residential lots because a homeowner caring for the land will keep it better maintained.

The petitioner stated that Lombard's regulations are stricter than DuPage County's and the lots will be maintained properly. A developer will eventually purchase Lot 4 and use it to the best of his ability.

Vice-Chairperson Flint then requested the staff report. William Heniff, Senior Planner, stated that this petition has been modified from a previously denied petition. Lots 1, 2, and 3 will meet the R1 lot width requirement of 75 feet and they will be buildable. Lot 4 and 5 require a public hearing to approve variations for width and street access.

Mr. Heniff stated that if the subject property is not annexed into the Village, the proposed Lot 5 could be built upon as a matter of right under DuPage County's regulations. However, the Village does not allow this type of lot, as it does not provide for continuity or emergency access to properties. Staff would prefer to have Lot 4 and Lot 5 under the Village's jurisdiction to prevent the possibility of development on these lots. Also, Code Enforcement would be better able to enforce property maintenance requirements.

Mr. Heniff stated that the 35-foot strip would be unbuildable, as would Lot 5. This gives the assurance of no additional structures. If the property at 1111 E. High Ridge annexes into the Village, they could look at incorporating Lot 4 into a different project. Lot 5 is a floodplain area

that may be dedicated to the forest preserve. Staff believes that only three single-family residences should be built on this property, and recommends approval subject to the conditions noted in the staff report. These conditions have been reviewed and approved by Village counsel.

Ms. Walker asked if a road could be put on Lot 4 or anything other than grass. Mr. Heniff stated that if the forest preserve or park district wanted to locate a recreational facility or something of that nature, it would need to come back before the Plan Commission for approval because that is not part of this request. Right now, Lot 4 and Lot 5 are not buildable, and the 35-foot lot width is not wide enough to accommodate the 66 feet necessary for a public right of way.

Commissioner Olbrysh referred to a number of lots in the School/Ahrens area that are wider than 75 feet. He asked why the 35-foot strip is not being incorporated into the other three lots, since larger lots would be more valuable and would not require a width variation. Mr. Heniff stated that he believes the petitioner wanted to create three lots that meet Code. The petitioner stated that Lot 5 cannot be built upon because of the floodplain. As far as the 35-foot lot is concerned, someone will buy it. The neighboring property owner might purchase it to build two houses and make a lot of money. If the neighbor does not buy the lot, some small local builder will and it will end up being beneficial to the community as a whole.

Commissioner Sweetser asked if Lot 4 could be used as an access to a possible pedestrian path on Lot 5, should the forest preserve take over Lot 5. Mr. Heniff stated that staff has not looked at any development on Lot 4 and Lot 5, but the forest preserve has eminent domain powers to create an access road, if necessary.

Commissioner Burke asked if it would be appropriate to add a condition that Lot 4 must be landscaped at the time Lot 3 is landscaped, and it must be maintained consistently with Lot 3.

Commissioner Sweetser suggested that Lot 4 be landscaped with Lot 3 and kept in a manner that meets or exceeds Code.

Mohammed A. Saleem, 230 N. Cardinal Avenue, Addison, stated that he purchased Lot 3 and he does not want any development on Lot 4 to invade his privacy. He would like assurances that it will not be built upon. Mr. Heniff stated that the Plat of Resubdivision will show the lots as non-buildable, and Lot 4 will be landscaped when Lot 3 develops. As they are not buildable, they will remain as open space.

The petitioner responded that staff has explained several times that Lot 4 is not buildable. It will be a separate lot on paper, but because it will be maintained the same as Lot 3, no one will notice that it is legally a separate lot.

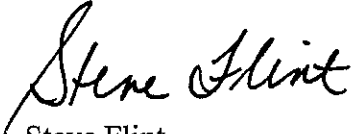
There were not further questions from the Plan Commission. Commissioner Burke moved to approve the petition, subject to the amended conditions. The motion was seconded by Commissioner Sweetser.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed request complies with the standards of the Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities **approval** of PC 04-24, subject to the following conditions, as amended:

1. The proposed Lot 4 and Lot 5 shall not be considered buildable lots of record;
2. The proposed Lot 5 shall be relabeled as "Outlot A;"
3. The proposed Lot 4 shall be relabeled as "Outlot B;"
4. The petitioner shall submit a complete and corrected Plat of Resubdivision prior to consideration by the Board of Trustees; and
5. Lot 4 shall be maintained in accordance with Village Code. Additionally, when Lot 3 is developed, Lot 4 shall be landscaped with materials subject to the approval of the Director of Community Development.

Respectfully,

VILLAGE OF LOMBARD



Steve Flint
Vice-Chairperson
Lombard Plan Commission

DR:JB

attachments

c. Petitioner
Lombard Plan Commission

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: July 19, 2004

FROM: Department of
Community Development

PREPARED BY: Jennifer Backensto
Planner I

TITLE

PC 04-24; 1101 & 1105 E. High Ridge Road: The petitioner requests that the following actions be taken on the subject property:

1. Annexation to the Village of Lombard;
2. Approval of a five-lot major plat of subdivision with the following variations:
 - a) For Lot 4 of the proposed subdivision: A variation from Title 15, Chapter 155, Section 405 (E) of the Village of Lombard Zoning Ordinance to reduce the minimum lot width from 75 feet to 35 feet in the R1 Single-Family Residence District;
 - b) For Lot 5 of the proposed subdivision: A variation from Title 15, Chapter 154, Section 506 (D) of the Village of Lombard Subdivision and Development Ordinance to allow for a lot without public street frontage.

GENERAL INFORMATION

Petitioner: Waheed Saeed
121 E. Roosevelt Road
Lombard, IL 60148

PROPERTY INFORMATION

Existing Land Use: Single-family residence

Size of Property: Approximately 1.79 acres

Comprehensive Plan: Recommends Estate Residential

Existing Zoning: Unincorporated DuPage County R-4 Single Family

Surrounding Zoning and Land Use:

North: R1 Single-Family Residence District – single-family homes

South: Unincorporated DuPage County R-4 Single Family – single-family homes

East: Unincorporated DuPage County R-4 Single Family – single-family homes

West: R4 Limited General Residence District – Westmore Apartments

ANALYSIS

SUBMITTALS

This report is based on the following documents filed on July 19, 2004 with the Department of Community Development:

1. Petition for Public Hearing.
2. Response to Standards for Variations.
3. Plat of Resubdivision, prepared by DuPage Surveying, Inc. and dated June 30, 2004.

DESCRIPTION

This petition is a revision of two previous Plan Commission cases, PC 04-18 and PC 04-19. The subject property currently consists of two unincorporated lots that are improved with single-family residences. As a companion to annexation, the petitioner proposes to resubdivide the subject property into five lots of record. The petitioner's current proposal will establish three buildable lots of over ½ acre each, one 1.8-acre lot that will be dedicated as open space, and a 10,384 square foot remnant lot.

The petitioner requests approval of a Major Plat of Resubdivision to include a variation to reduce the minimum lot width for one of the lots (Lot 4) from 75 feet to 35 feet. This lot will not be a buildable lot, as it will be incorporated into a future subdivision involving the property immediately to the east.

The petition also requests a variation from the Village of Lombard Subdivision and Development Ordinance to allow for a lot without public street frontage for Lot 5, which will be an unbuildable lot that will be donated to a public open space agency.

Staff will be developing a companion annexation agreement that will be heard before the Board of Trustees.

INTER-DEPARTMENTAL REVIEW COMMENTS

Public Works

Public Works has no comments at this time.

Private Engineering Services

From an engineering or construction perspective, PES has no comments.

Building and Fire

The Fire Department/Bureau of Inspectional Services has no comments at this time.

Planning

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends that the subject property be developed as Estate Residential, which is defined as no more than four dwelling units per acre. The petitioner’s proposal will establish three buildable lots of over ½ acre each, which gives a density of 1.9 units per acre. The R1 zoning classification is consistent with the Comprehensive Plan that identifies the subject property for Estate Residential development. Therefore, the resubdivision is consistent with the provisions of the Comprehensive Plan.

Compatibility with the Surrounding Land Uses

The property is bordered on the west by the Westmore Apartments. Single-family residences border the other three sides of the property. The incorporated properties to the north are zoned R1. The proposed subdivision would be compatible with the existing neighboring residential properties.

Compatibility with the Zoning Ordinance

Upon annexation, the subject property will automatically be placed within the R1 Single-Family Residence District. No changes to the zoning designation are requested, as the three buildable lots meet or exceed the minimum requirements for the R1 District.

	Width		Area	
	Required in R1	Proposed	Required in R1	Proposed
Lot 1	75 ft.	75 ft.	10,000 sq. ft.	22,584 sq. ft.
Lot 2		75 ft.		22,584 sq. ft.
Lot 3		75 ft.		22,584 sq. ft.
Lot 4		35 ft.		10,384 sq. ft.
Lot 5		260 ft.		77,732 sq. ft.

Lot Width

Section 155.405 (E) of the Zoning Ordinance requires a minimum lot width of seventy-five feet (75’) in the R1 Single-Family Residence District. The total width of the property is 260 feet, which allows for three lots that meet the 75-foot width requirement with a 35-foot remnant.

Although this remnant could be incorporated into the proposed subdivision, the petitioner intends to purchase the property immediately to the east for an additional subdivision. However, he was not able to get that property under contract in time for this hearing. The proposed variation would allow the petitioner to develop and sell the proposed 75-foot lots as single-family homes, while reserving the 35-foot strip for future development. Lot 4 would remain as undeveloped open space until such a resubdivision occurs.

The proposed Lot 4 would not be a buildable lot. To make this clear, staff recommends that it be relabeled on the Plat of Resubdivision as an outlot.

Public Access

Lot 5 of the proposed subdivision will either be donated to a public open space agency or dedicated as open space. No structures or filling will be permitted on the property. The Board has previously allowed a lot of record without public access in the Terrace Lakes Subdivision (PC 03-26 & 03-27), where virtually the entire parcel was located within a wetlands area. Nearly the entirety of the proposed Lot 5 is within a Class A flood zone, making construction prohibitive. Staff feels that, given the environmental characteristics of this lot, it would be preferable to preserve the lot in its natural state rather than allow construction. As this lot will never be built upon, staff recommends that the variation for a lot without public street frontage be approved. Staff also recommends that this lot be relabeled as an outlot.

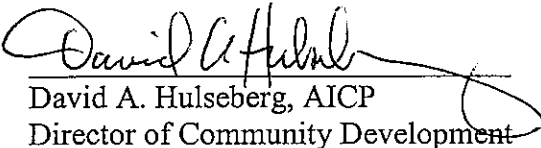
FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested relief complies with the standards required by the Lombard Subdivision and Development Ordinance and the Lombard Zoning Ordinance. Therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 04-24, subject to the following conditions:

1. The proposed Lot 4 and Lot 5 shall not be considered buildable lots of record;
2. The proposed Lot 5 shall be relabeled as "Outlot A;"
3. The proposed Lot 4 shall be relabeled as "Outlot B;" and
4. The petitioner shall submit a complete and corrected Plat of Resubdivision prior to consideration by the Board of Trustees.

Inter-Departmental Review Group Report Approved By:

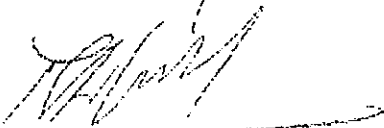

David A. Hulseberg, AICP
Director of Community Development

DAH:JB:jd

Response to Standard for Variations

- 1- note flood plain adjacent apt.
- 2- Back 1/2 undevelopable
- 3- Best utilizes the property
- 4- Relief is associated with flood issue vs ownership interest
- 5- consistent to single family at N.
- 6- Still single family.
- 7- Variation meant to address drainage / flood plain issue.

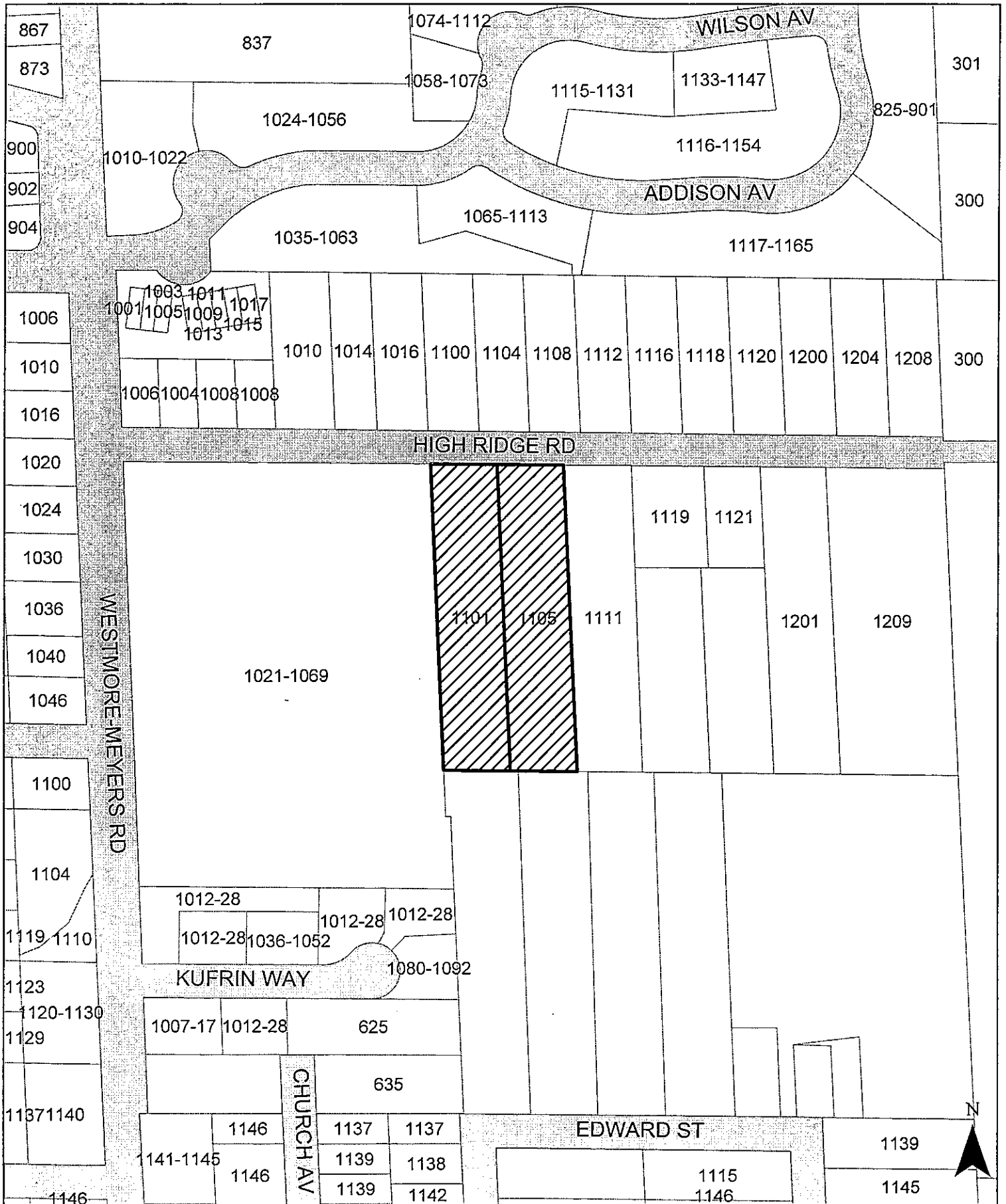
Sincerely,



WAHEED CAEED

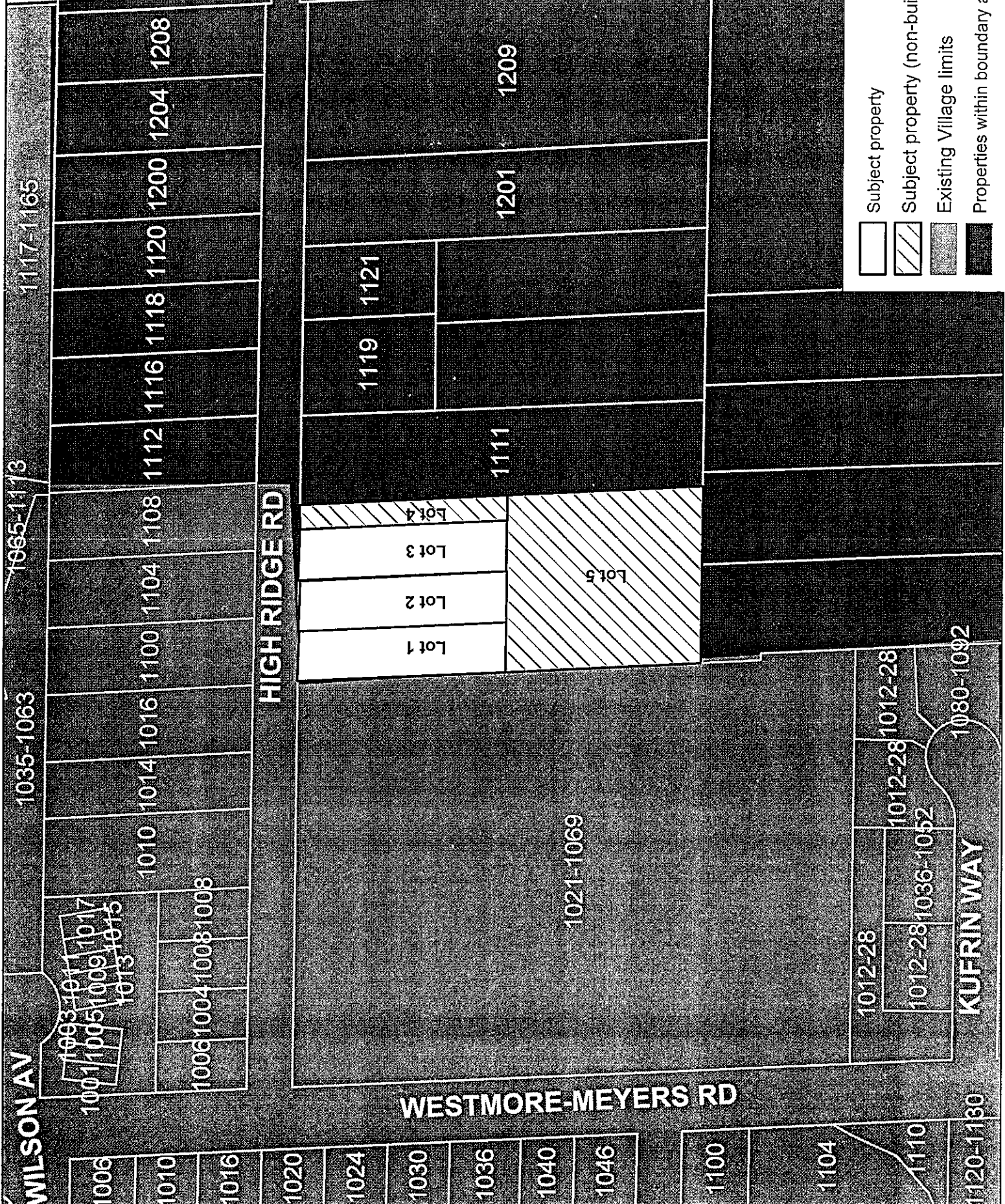
Location Map





PC 04-24: 1101 & 1105 E. High Ridge Road





NOT TO SCALE



-  Subject property
-  Subject property (non-buildable)
-  Existing Village limits
-  Properties within boundary agreement

WILSON AV

1035-1063

1065-1113

1117-1165

1006

1010

1016

1020

1024

1030

1036

1040

1046

1100

1104

1110

1120-1130

1003-1015

1006-1008

1010-1016

1104-1108

1112-1116

1118-1120

1200-1204

1208

HIGH RIDGE RD

WESTMORE-MEYERS RD

Lot 1
Lot 2
Lot 3
Lot 4

Lot 5

1119 1121

1111

1201

1209

1021-1069

1012-28
1012-28
1036-1052

KUFRIN WAY

1080-1092

ORDINANCE _____

AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS

(PC 04-24: 1101 & 1105 E. High Ridge Road, Lombard, Illinois)

(See also Ordinance Nos. _____)

WHEREAS, a written petition, signed by the legal owners and electors of record of all land within the territory hereinafter described, has been filed with the Village Clerk of the Village of Lombard, DuPage County, Illinois, requesting that said territory be annexed to the Village of Lombard; and,

WHEREAS, the said territory is not within the corporate limits of any municipality, but is contiguous to the Village of Lombard; and,

WHEREAS, all notices of said annexation, as required by Chapter 65 ILCS 5/7-1-1, have been given to the appropriate parties in a timely manner as required by Statute (copies of said Notices being attached hereto as Exhibit "A", and made part hereof); and,

WHEREAS, it is in the best interest of the Village of Lombard that said territory be annexed thereto.

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 the territory described in Section 2 below be and the same is hereby annexed to the Village of Lombard, DuPage County, Illinois, pursuant to Chapter 65 ILCS 5/7-1-8.

SECTION 2: This ordinance is limited and restricted to the property indicated on the Plat of Annexation attached hereto as Exhibit "B", and located at 1101 & 1105 E. High Ridge Road, Lombard, Illinois, and legally described as follows:

THE SOUTH 633.05 FEET OF THE NORTH 966.1 FEET MEASURED ON THE WEST LINE (EXCEPT THE WEST 617.03 FEET MEASURED ON THE NORTH LINE OF LOT 14, ALSO THE WEST 116.1 FEET MEASURED ON THE NORTH LINE OF THE SOUTH 633.05 FEET OF THE NORTH 966.1 FEET MEASURED ON THE WEST LINE OF LOT 13 OF SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN SCHOOL LANDS RECORD, ON PAGE 21, IN DUPAGE COUNTY, ILLINOIS;

AND

Ordinance No. _____
Re: PC 04-24
Page 2

THE EAST 130 FEET OF THE WEST 246.1 FEET, MEASURED ON THE NORTH LINE OF THE SOUTH 633.05 FEET OF THE NORTH 966.1 FEET MEASURED ON THE WEST LINE OF LOT 13 OF SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-16-313-006; 06-16-313 -007

SECTION 3: The new boundary of the Village of Lombard shall extend to the far side of any adjacent rights-of-way, and shall include all of every right-of-way within the area annexed hereby.

SECTION 4: The Village Clerk is hereby directed to record with the Recorder of Deeds and to file with the County Clerk, a certified copy of this Ordinance, and the original Plat of Annexation.

SECTION 5: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on first reading this ____ day of _____, 2004.

First reading waived by action of the Board of Trustees this ____ day of _____, 2004.

Passed on second reading this ____ day of _____, 2004.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____, day of _____, 2004.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE GRANTING APPROVAL OF A
PLAT OF SUBDIVISION WITH VARIATIONS FROM
THE LOMBARD ZONING ORDINANCE**

(PC 04-24: 1101 & 1105 E. High Ridge Road, Lombard, Illinois)

(See also Ordinance(s) _____)

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 President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Subdivision and Development Ordinance, otherwise known as Title 15, Chapter 154 of the Code of Lombard, Illinois; and,

WHEREAS, an application has been filed with the Village for approval of a plat of subdivision of greater than one (1) acre in size that includes a variation from the Subdivision and Development Ordinance and a variation from the Zoning Ordinance; and,

WHEREAS, Title 15, Chapter 154, Section 154.203 (E) allows for the consideration of variations associated with plats of subdivision after a public hearing before the Village's Plan Commission is held; and,

WHEREAS, proper and legal notice was provided and a public hearing was held before the Village's Plan Commission on July 19, 2004; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the plat of subdivision with variations 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:

SECTION 1: That the Plat of Subdivision with the following variations are hereby granted relative to the Subject Property legally described in Section 2 below and subject to the conditions set forth in Section 3 below:

- A. That a variation is hereby granted from the requirements of Section 154.506 (D) to allow for Lot 4 of the proposed subdi to be without public street frontage.
- B. That a variation is hereby granted from the requirements of Section 155.405 (E) to allow for a 35-foot wide lot on Lot 5 of the proposed subdivision where a minimum of 75 feet in width is required.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 1101 & 1105 E. High Ridge Road, Lombard, Illinois, and legally described as follows:

THE SOUTH 633.05 FEET OF THE NORTH 966.1 FEET MEASURED ON THE WEST LINE (EXCEPT THE WEST 617.03 FEET MEASURED ON THE NORTH LINE OF LOT 14, ALSO THE WEST 116.1 FEET MEASURED ON THE NORTH LINE OF THE SOUTH 633.05 FEET OF THE NORTH 966.1 FEET MEASURED ON THE WEST LINE OF LOT 13 OF SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN SCHOOL LANDS RECORD, ON PAGE 21, IN DUPAGE COUNTY, ILLINOIS;

AND

THE EAST 130 FEET OF THE WEST 246.1 FEET, MEASURED ON THE NORTH LINE OF THE SOUTH 633.05 FEET OF THE NORTH 966.1 FEET MEASURED ON THE WEST LINE OF LOT 13 OF SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-16-313-006; 06-16-313 -007

SECTION 3: That the aforementioned approval is subject to the following terms and conditions:

1. The proposed Lot 4 and Lot 5 shall not be considered buildable lots of record;
2. The proposed Lot 5 shall be relabeled as "Outlot A;"
3. The proposed Lot 4 shall be relabeled as "Outlot B;"

4. The petitioner shall submit a complete and corrected Plat of Resubdivision prior to consideration by the Board of Trustees; and
5. Lot 4 shall be maintained in accordance with Village Code. Additionally, when Lot 3 is developed, Lot 4 shall be landscaped with materials subject to the approval of the Director of Community Development.

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 _____, 2004.

First reading waived by action of the Board of Trustees this ____ day of _____, 2004.

Passed on second reading this ____ day of _____, 2004.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____, day of _____, 2004.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk