

FRED BUCHOLZ

DUPAGE COUNTY RECORDER

APR. 15, 2010

11:31 AM

OTHER

06-09-108-001

006 PAGES

R2010-049161

DuPage County

ORDINANCE 6448

**APPROVING VARIATIONS OF THE LOMBARD ZONING
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF
LOMBARD, ILLINOIS**

PIN: 06-09-108-001

Address: 41 S. 2nd Street, Lombard, Illinois 60148

**Return To:
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148**

ORDINANCE NO. 6448

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

(ZBA 10-01: 41 S 2nd 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)(2) of the Lombard Zoning Ordinance to reduce the required corner side yard setback from twenty feet (20') to sixteen and eight-tenths feet (16.8'); 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 ninety-five one-hundredths feet (3.95'); and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 155, Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to six feet (6'); and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on January 27, 2010 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Board of Trustees with no recommendation of the requested variations; 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 variations.

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)(2) of the Lombard Zoning Ordinance to reduce the

required corner side yard setback from twenty feet (20') to sixteen and eight-tenths feet (16.8'); and,

SECTION 2: 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 ninety-five one-hundredths feet (3.95'); and,

SECTION 3: That a variation is hereby granted from the provisions of Title 15, Chapter 155, Section 155.407(F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty-five feet (35') to six feet (6'); and

SECTION 4: This ordinance shall be granted subject to compliance with the following conditions:

1. The subject property shall be developed in substantial conformance with the drawing labeled "Site Plan" submitted as part of the public hearing packet prepared by the petitioner and dated December 7, 2009.
2. The approved setback variations shall apply only to the principal residence on the subject property.
3. All portions of the existing residence within six feet (6') of the rear lot line, including the foundation, shall be removed and positive grading established via a swale that directs flow from the south to the north.
4. In the event that the detached garage on the subject property is damaged or destroyed to fifty-percent (50%) of its value, any new garage shall meet the required interior side yard setback.
5. That the petitioner shall satisfactorily address all comments included within the IDRC report.
6. Prior to the issuance of the building permit, the petitioner shall submit for final approval, a Plat of Subdivision. The plat shall include a minimum five foot (5') easement along the rear yard and a statement that requires the existing garage to be moved out of the interior side yard setback at such time that it is reconstructed.

SECTION 5: This ordinance is limited and restricted to the property generally located at 41 S 2nd Avenue, Lombard, Illinois, and legally described as follows:

THE WEST HALF OF THE NORTH HALF OF LOT 37 (EXCEPT THAT PART TAKEN FOR ROADWAY PURPOSES) IN HOME ACRES SUBDIVISION OF

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PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9,
TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS
DOCUMENT 95054, IN COOK COUNTY, ILLINOIS.

Parcel No: 06-09-108-001

SECTION 6: 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 _____, 2010.

First reading waived by action of the Board of Trustees this 18th day of February, 2010.


Passed on second reading this 18th day of February, 2010.

Ayes: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

Nays: None

Absent: none

Approved this 18th day of February, 2010


William J. Mueller, Village President

ATTEST:

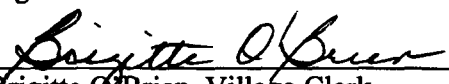

Brigitte O'Brien, Village Clerk

Published by me this 1st day of March, 2010

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Brigitte O'Brien, Village Clerk

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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

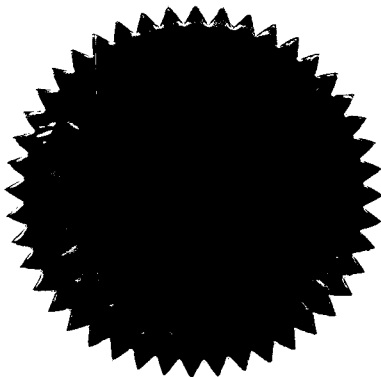
ORDINANCE 6448
APPROVING VARIATIONS OF THE LOMBARD ZONING
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF
LOMBARD, ILLINOIS


PIN: 06-09-108-001

Address: 41 S. 2nd Street, Lombard, IL

of the said Village as it appears from the official records of said Village duly approved this 18th day of February, 2010.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 1st day of March, 2010.





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