

***ALTERNATIVE DRAFT ORDINANCE –
MODIFIES LANDSCAPING & SCREENING PROVISIONS ALONG
DEVELOPMENT PERIMETER***

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR
A PLANNED DEVELOPMENT WITH LOT WIDTH DEVIATIONS**

(PC 04-04: 19W416 and 312 E. 18th Street/Regency Estates Subdivision)

(See also Ordinance Nos. _____)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Ordinance No. 3274; and,

WHEREAS, the subject property is zoned R2 Single-Family Residence District; and,

WHEREAS, an application has been filed requesting approval of a Conditional Use Planned Development to provide for the construction of a 13-lot detached single-family subdivision, commonly referred to as the Regency Estates Subdivision, on the property described in Section 2 below; and,

WHEREAS, said application also included deviations in the minimum lot width for Lots 6 through 9 within the proposed subdivision; and,

WHEREAS, public hearings on such application have been conducted by the Village of Lombard Plan Commission on January 26, 2004 pursuant to appropriate and legal notice; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have reviewed the request and find it would be in the best interest of the Village to grant said Conditional Use Planned Development subject to the terms and conditions established by this ordinance.

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 Conditional Use for a Planned Development is hereby granted for the property described in Section 2 below, to provide for the construction of Highland Estates Subdivision, with minimum lot width deviations, as follows:.

- a. For Lot 6 of the proposed subdivision, a reduction in the minimum lot width from sixty (60) feet to approximately forty-five (45) feet is hereby granted;
- b. For Lot 7 of the proposed subdivision, a reduction in the minimum lot width from from sixty (60) feet to approximately forty-three and one-half (43.5) feet is hereby granted;
- c. For Lot 8 of the proposed subdivision, a reduction in the minimum lot width from sixty (60) feet to forty-two and one-half (42.5) feet is hereby granted; and
- d. For Lot 9 of the proposed subdivision, a reduction in the minimum lot width from sixty (60) feet to forty-nine and one-half (49.5) feet is hereby granted.

SECTION 2: That this ordinance is limited and restricted to the property located at 19W416 and 312 E. 18th Street, Lombard, Illinois and legally described as follows:

LOTS 17 AND 18 IN YORK TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1 (ALSO KNOWN AS HIGHLAND ROAD FARMS) OF THE EAST HALF OF THE SOUTHWEST QUARTER, THE WEST HALF OF THE SOUTHEAST QUARTER AND THE SOUTH 1332 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DU PAGE COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 23, 1943 AS DOCUMENT NO. 45575, IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-20-306-013 and 014.

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

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1. The site shall be developed in substantial compliance with the submitted Final Plat of Subdivision prepared by Arc Design Resources, Inc., dated January 21, 2004.
2. Final Engineering shall be approved prior to consideration of the Final Plat of Subdivision by the Board of Trustees.
3. That the front yard building setbacks for Lots 6 through 9 of the proposed subdivision shall be as depicted as part of the petitioner's preliminary plat submittal.
4. That in order to provide of appropriately graded slopes for the proposed detention facility, Lots 13 and 14 be reserved for open space and detention purposes. The proposed detention facility shall be graded with at least three sides with not less than 3:1 slopes and shall be subject to the review and approval of the Director of Community Development.
5. That the petitioner shall fully improve 18th Street from the eastern end of the subject property to Stewart Avenue, consistent with the petitioner's submittal and the provisions of the annexation agreement for the subject property.
- ~~6. That the petitioner shall provide a solid 6-foot board-on-board fence along the western property line of the subject property.~~
- ~~7. That the petitioner shall provide a vegetation screen along the north and east property lines of the subject property.~~
6. That the petitioner shall install an snow/construction fencing along the north, west and east perimeter of the subject property to prevent or minimize damage to the existing vegetation located along the perimeter of the subject property. Said fencing shall be located at least fifteen (15) off of the property line and shall remain in place until such time that all construction has been completed on the lot in which the fencing is erected.
7. That the petitioner shall provide additional landscaping, consisting of at least one tree every forty (40) feet along the north, west and east property lines. Deciduous trees shall be of at least a 2 ½ inch caliper and any coniferous trees shall be at least six (6) feet in height.

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SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication 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