

**ORDINANCE 7933  
PAMPHLET**

**ZBA 21-01: 217 S. BREWSTER AVENUE**



PUBLISHED IN PAMPHLET FORM THIS 19<sup>TH</sup> DAY OF MARCH 2021, BY ORDER  
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE  
COUNTY, ILLINOIS.

A handwritten signature in cursive script that reads "Sharon Kuderna".

Sharon Kuderna  
Village Clerk

**ORDINANCE NO. 7933**

**AN ORDINANCE APPROVING A VARIATION FROM TITLE XV, CHAPTER 155, SECTION 155.407(F)(3) OF THE LOMBARD VILLAGE CODE TO REDUCE THE REQUIRED INTERIOR SIDE YARD SETBACK IN THE R2 SINGLE-FAMILY RESIDENCE DISTRICT**

**(ZBA 21-01; 217 S. Brewster Avenue)**

WHEREAS, the President and Board of Trustees (the “Village Board”) of the Village of Lombard (the “Village”) have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Lombard Village Code (the “Village Code”); and,

WHEREAS, the property, as described in Section 3 below (the “Subject Property”), is zoned R2 Single-Family Residence Zoning District; and,

WHEREAS, an application has been filed with the Village requesting approval of a variation from Section 155.407(F)(3) of the Lombard Village Code to reduce the required interior side yard setback from six feet (6’) to four feet (4.0’) 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 February 24, 2021, pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings to the Village Board 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 Section 155.407(F)(3) of the Lombard Village Code to reduce the required interior side yard setback from six feet (6’) to four feet (4.0’) 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 proposed addition shall comply with all applicable building codes, including the 2018 IRC, Table R302.1(1);
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
5. This approval shall be subject to the construction commencement time provisions as set forth within Sections 155.103(C)(10) and (F)(11); and
6. 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 located at 217 S. Brewster Avenue, Lombard, Illinois, and legally described as follows:

LOT 5 IN BLOCK 6 IN WEST LOMBARD, BEING JOHNTON'S SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 27, 1873, AS DOCUMENT NO. 16718, IN DUPAGE COUNTY, ILLINOIS.

PIN: 06-07-215-005

**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 \_\_\_\_\_, 2021.

First reading waived by action of the Board of Trustees this 18<sup>th</sup> day of March, 2021.

Passed on second reading this 18<sup>th</sup> day of March, 2021, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Puccio, Foltyniewicz, Honig and Militello

Nays: None

Absent: Trustee Ware

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Re: ZBA 21-01

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Approved by me this 18<sup>th</sup> day of March, 2021.



Keith Giagnorio, Village President

ATTEST:



Sharon Kuderna, Village Clerk

Published by me in pamphlet form this 19<sup>th</sup> day of March, 2021.



Sharon Kuderna, Village Clerk