

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: May 27, 2015 (B of T) Date: June 18, 2015

TITLE: PC 15-05; 324, 334, and 351 N. Buckingham Court

SUBMITTED BY: Department of Community Development *SK*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant approval of a major amendment to a planned development, as established by Ordinance Numbers 5586 and 5855, with companion interior side yard setback deviations from the Lombard Zoning Ordinance (Title 155 of the Village Code) and within R4PD Limited General Residential District Planned Development (Buckingham Orchard / Lyonhart Manor Planned Development). (DISTRICT #1)

The Plan Commission recommended approval of this petition by a vote of 6-0.

Staff requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

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: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

DATE: June 18, 2015

SUBJECT: **PC 15-05; 324, 334, and 351 N. Buckingham Court (Buckingham Orchard / Lyonhart Manor Planned Development) – Major Amendment to a Planned Development (Interior Side Yard Setback Deviations)**

Please find the following items for Village Board consideration as part of the June 18, 2015 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 15-05;
3. Project Narrative with Completed Standards for a Planned Development with Other Exceptions;
4. Plans associated with the petition; and
5. An Ordinance granting a major amendment pursuant to Title 15, Chapter 155, Section 155.504 of the Lombard Zoning Ordinance for the Buckingham Orchard / Lyonhart Manor Planned Development, as established by Ordinance Numbers 5586 and 5855, with the following companion deviations:
 1. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 14.36' interior side yard setback on an exterior lot where fifteen (15') is required for the property at 324 N. Buckingham Court;
 2. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 13.85' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property at 334 N. Buckingham Court; and
 3. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for an 11.70' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property at 351 N. Buckingham Court.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the June 18, 2015 Board of Trustees agenda.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

June 18, 2015

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses 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."

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 15-05; 324, 334, and 351 N. Buckingham Court (Buckingham Orchard / Lyonhart Manor Planned Development) – Major Amendment to a Planned Development (Interior Side Yard Setback Deviations)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant approval of a major amendment to a planned development, as established by Ordinance Numbers 5586 and 5855, with companion interior side yard setback deviations from the Lombard Zoning Ordinance (Title 155 of the Village Code) and within R4PD Limited General Residential District Planned Development (Buckingham Orchard / Lyonhart Manor Planned Development).

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on May 18, 2015. Sworn in to present the petition was Matt Panfil, AICP, Senior Planner, and the petitioners, Rob Zoromski of M/I Homes, LLC, and Bill Zalewski, P.E. of VantagePoint Engineering, a consultant for M/I Homes, LLC.

Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.

Mr. Zalewski began by explaining that M/I Homes purchased and finished completion of the empty lots in the Buckingham Orchard subdivision and then proceeded to finish the vacant lots in the Lyonhart Manor subdivision. The townhome buildings were constructed in compliance with the required thirty foot (30') minimum

separation between groups of attached single-family homes. After the construction was completed, three (3) of the homes had side yard setbacks less than the minimum required fifteen foot (15') setback. He noted that changing the property lines would have been a monumental task and rewriting legal descriptions would be very complicated. Since they did meet the thirty foot (30') separation between building requirement, this compensated for the fifteen foot (15') side yard setback deficiencies. Everything else meets code and the Lombard Fire Department is satisfied. They are requesting a variance in three locations to be under the fifteen foot (15') minimum side yard setback requirement.

Mr. Zoromski stated that he wanted to clarify that when mentioning the thirty foot (30') setback, him and Mr. Zalewski are referencing the fire separation requirement. The fifteen foot (15') side yard setback is the regulation within the Zoning Ordinance of which they are requesting variances. They have met with both of the homeowners associations and everyone is in agreement.

Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.

Mr. Panfil submitted the staff report to the public record in its entirety. Mr. Panfil began his presentation by stating that there was a small error in regards to the specific ordinances identified for amendment by the public notice and IDRC Report. Ordinance Number 5586 is correct in all documents; however, any reference to Ordinance Number 5848 should have referenced Ordinance Number 5855. Staff consulted with the Village Attorney regarding the error and the Village Attorney has determined that the error did not impact the request to the extent that a new notice was required.

Mr. Panfil stated that for the R4 Limited General Residence District the Lombard Zoning Ordinance requires a fifteen foot (15') setback for interior side yards of exterior townhome units. The Zoning Ordinance also requires a thirty foot (30') separation between structures in the R4 District. The request at hand is the result of the final as-built documents depicting three (3) instances where the interior side yards of exterior units were less than the required fifteen feet (15'). However, in all instances the thirty foot (30') minimum building separation has been maintained.

Mr. Panfil stated that per the Lombard Zoning Ordinance, reductions in the dimensions of peripheral yards are considered to be a major change to a planned development and therefore require a public hearing before the Plan Commission.

Mr. Panfil then cited the specific deviations requested from Section 155.409 (F)(3)(c)(ii): a 14.36' interior side yard setback on an exterior where fifteen feet (15') is required for the property located at 324 N. Buckingham Court; a 13.85' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property located at 334 N. Buckingham Court; and an 11.70' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property located at 351 N. Buckingham Court.

There were no issues or concerns expressed by the Inter-Departmental Review Committee.

Mr. Panfil concluded that staff finds the proposal to be consistent with the surrounding zoning and land uses, the objectives of the Zoning Ordinance, Buckingham Orchard / Lyonhart Manor Planned Development, and the intent of the Comprehensive Plan. As the request is to accept the subject properties as existing, there are no recommended conditions of approval.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

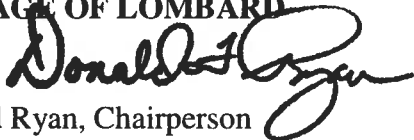
Commissioner Sweetser asked where the errors in the construction process occurred, to which Mr. Panfil replied that in his estimation it seems the thirty foot (30') building separation was kept in mind at all times, but there may have been some oversight of the equal fifteen foot (15') side yard setbacks.

Commissioner Burke stated that for the properties adjacent to the subject properties it would appear that they would be able to construct a small addition and still meet their minimum required side yard setback, but then create nonconformity in regards to the required thirty foot (30') building separation. Mr. Panfil responded that the petitioner may be able to confirm, but he did not believe the homeowners associations would approve such a request. Mr. Zoromski confirmed that there is a declaration for the homeowners association that would not allow such an addition. Mr. Panfil added that even if the homeowners association were to approve of such an addition, the thirty foot (30') building separation is still a part of Village Code and any encroachment into the space would be caught during the Village's building permit review process.

On a motion by Commissioner Burke, and a second by Commissioner Sweetser, the Plan Commission voted 6 to 0 to recommend that the Village Board approve the amendment to the Buckingham Orchard / Lyonhart Manor Planned Development to allow for interior side yard setback deviations, associated with PC 15-05, subject to no conditions.

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

MAJOR CHANGE TO A P.D. – BUCKINGHAM ORCHARD / LYONHART MANOR

MAY 18, 2015

Title

PC 15-05

Petitioner

VantagePoint Engineering
c/o Bill Zalewski, P.E.
18311 North Creek Drive, Ste. F
Tinley Park, IL 60477

Property Owner

M/I Homes LLC
400 E. Diehl Road, Ste. 230
Naperville, IL 60563

Status of Petitioner

Consultant Contractor for Owner

Property Location

324 (05-01-401-091), 334 (05-01-401-086), & 351 (05-01-205,015 & -020) N. Buckingham Ct. –
Trustee District #1

Zoning

R4PD – Limited General Res.
Planned Development (Lyonhart
Manor / Buckingham Orchard)

Existing Land Use

Attached Single-Family Residential

Comprehensive Plan

Low-Medium Density Residential

Approval Sought

Amendment to the Lyonhart Manor /
Buckingham Orchard Planned
Development (Ord. Nos. 5586 &
5848) to allow for side yard setback
deviations for the properties at 324,
334, and 351 N. Buckingham Ct.

Prepared By

Matt Panfil, AICP, Senior Planner



LOCATION MAP

DESCRIPTION

The underlying R4 Limited General Residence District requires a fifteen foot (15') setback for each instance of an interior side yard on an exterior unit as well as a thirty foot (30') separation between structures. However, once construction of the units was complete, the as-built documents depicted three (3) instances where the exterior unit side yards were less than the required fifteen feet (15'). This issue is being brought forth at this time because the project is being completed and the common areas surrounding the units are being turned over to the homeowner associations.

All properties within the Planned Development are compliant with the required thirty feet (30') minimum separation between groups of attached single-family dwellings established by Section 155.409 (K)(3).

APPROVAL(S) REQUIRED

Per Section 155.504 (A) reductions to the dimensions of peripheral yards are considered to be a major change to a planned development and therefore require the Plan Commission to hold a public hearing and make a recommendation vote to the Village Board. The petitioner is specifically requesting that the Village amend Ordinance Nos. 5586 and 5848 to grant the following deviations:

1. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 14.36' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property located at 324 N. Buckingham Court;
2. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 13.85' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property located at 334 N. Buckingham Court; and
3. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 11.70' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property located at 351 N. Buckingham Court.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no issues or concerns regarding the proposed amendment.

Fire Department:

The Fire Department has no issues or concerns regarding the proposed amendment.

Private Engineering Services:

Private Engineering Services (PES) has no issues or concerns regarding the proposed amendment.

Public Works:

The Department of Public Works has no issues or concerns regarding the proposed amendment.

Planning Services Division:

The Planning Services Division (PSD) notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	R4PD	Attached Single-Family Residence
South	R4PD	Attached Single-Family Residence
East	R4PD (324 and 334 N. Buckingham Ct.) & R4 (351 N. Buckingham Ct.)	Attached Single-Family Residence
West	Interstate 355 (324 and 334 N. Buckingham Ct.) & R4PD (351 N. Buckingham Ct.)	Interstate Highway and Single-Family Residences

Staff finds that the proposed amendment to the planned development does not affect the existing zoning or land use of the subject property or the surrounding properties.

2. Comprehensive Plan Compatibility

The proposed amendment to the planned development is consistent with the Comprehensive Plan.

3. Zoning Ordinance & Planned Development Compatibility

In consideration that the intent of the fifteen foot (15') exterior unit side yard setback for attached single-family residences is to provide a minimum thirty foot (30') separation between structures and the petitioner has provided said minimum thirty foot (30') separation staff can support the proposed amendment to the planned development.

Aside from the previously identified deviations, the Lyonhart Manor / Buckingham Orchard Planned Development complies with all other lot, bulk, and setback standards established by either the Zoning Ordinance R4 Limited General District or by Ordinances Nos. 5586 and 5848.

SITE HISTORY

PC 04-28

Amendment to the Village Comprehensive Plan to redesignate the property from Estate Residential to Low-Medium Density Residential, authorization to execute an annexation agreement, annexation, map amendment to rezone the property from R1 Single-Family Residence to R4 Limited General Residence, and a conditional use for a planned development with deviations (Ord. Nos. 5582 – 5586).

PC 06-10

Authorization of a first amendment to Ord. No. 5583, annexation, map amendment, conditional use for a planned development deviations, and variations to the Subdivision and Development and Zoning Ordinances (Ord. Nos. 5848, 5852 – 5857).

PC 06-33

Variation providing for an increase in allowable deck height from three feet (3') to five and one-half feet (5.5') for the properties at 336 through 369 Buckingham Court (Ord. No. 5943).

PC 07-44

Variation to allow for an increase in fence height of up to eight feet (8') in height along the rear property line of land abutting the Illinois State Toll Highway Authority property.

SPA 12-06ph

Site Plan Approval to allow a development sign to exceed nine (9) square feet in area and to allow a freestanding sign to exceed four feet (4') in height.

FINDINGS & RECOMMENDATIONS

Staff finds the proposed amendment to the planned development to be consistent with the objectives of the Zoning Ordinance, Lyonhart Manor / Buckingham Orchard Planned Development, and the intent of the Comprehensive Plan in general.

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Zoning Ordinance. As such, 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 conditional use amendment **complies** with the standards required by the Village of Lombard Zoning Ordinance; and, 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 15-05.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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EXHIBIT A – STANDARDS FOR PLANNED DEVELOPMENTS WITH OTHER EXCEPTIONS



April 15, 2015

Lyonhart Manor Townhomes & Buckingham Orchards

Summary of variance being requested:

The Village of Lombard requires a building to building separation (for a side yard) to be 30 feet. M/I Homes has met and maintained this separation for the townhome buildings at the Lyonhart Manor & Buckingham Orchards Subdivisions. The Village of Lombard requires a minimum distance from a building to the side yard property line to be 15 feet. We have not met this requirement. The variance being requested is to allow the distance between the side of a building to the property line to be less than 15 feet.

There are two (2) locations where the dimension between the property line and the building is less than 15 feet. The building to building separation in these two (2) locations meets or exceeds the 30 foot requirement.

By granting this variance we avoid a very complicated and laborious process of deeding a sliver of property from one property owner to another AND in one case from one HOA to another HOA.

STANDARDS FOR PLANNED DEVELOPMENT

C. STANDARDS FOR PLANNED DEVELOPMENTS WITH OTHER EXCEPTIONS

1. Any reduction in the requirements of this Ordinance is in the Public Interest.

The reduction in the side yard setback reduces the complication of transferring title, record keeping of lot descriptions among property owners, taxing bodies and title companies when ownership is transferred by a sale.

2. The proposed exceptions would not adversely impact the value or use of any other property.

Nothing physically will be changed, therefore the value will not be impacted.

3. That such exceptions are solely for the purpose of promoting better development which will be beneficial to the residents or occupants of the planned development as well as those of the surrounding properties.

The variance being requested is the last step in the final acceptance and approval required with the Village of Lombard to demonstrate that all aspects of ordinance have been met.

4. That the overall floor area of the planned development shall not exceed by more than 40% townhome maximum floor area permitted for the individual uses in each applicable district.

The floor area has not been affected by this request.

Civil Engineering | Land Planning | Surveying

vpeng.com | 18311 North Creek Dr., Suite F | Tinley Park, IL 60477 | 708.478.4004

5. That in residential planned developments the maximum number of dwelling units allowed shall not exceed by more than 40% the number of dwelling units permitted in the underlying district.

The number of dwelling units is not changing as a result of this request.

6. That all buildings are located within the planned development in such a way as to dissipated any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to the following:

- a. The front, side or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning district(s) or the zoning district underlying the subject site, whichever is greater.

The front, side or rear yard setbacks on the perimeter of the development will not change as a result of this request.

- b. All transitional yards and transitional landscape yards of the underlying zoning district are complied with.

The transitional yards and transitional landscape yards will remain as approved and will not change as a result of this request.

- c. If required transitional yards and transitional yards are not adequate to protect the privacy and enjoyment of property adjacent to the development, the Plan Commission shall recommend either of both of the following requirements:

- 1) All structures located on the perimeter of the planned development must set back by the distance sufficient to protect the privacy and amenity of adjacent existing uses;

All of the existing structures meet the perimeter setback and will not change as a result of this request.

- 2) All structures located along the entire perimeter of the planned development must be permanently screened with sight-proof screening in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.

The variance being requested will not impact the previously approved screening.

7. That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district.

The open space provided, and previously approved, is not being revised or changed All of the existing structures meet the perimeter setback and will not change as a result of this request.

EXHIBIT B - SITE PLAN

SITE PLAN

4. ACTUAL BUILDING FOOTPRINTS MAY VARY DEPENDING ON FINAL ARCHITECTURAL LAYOUT.

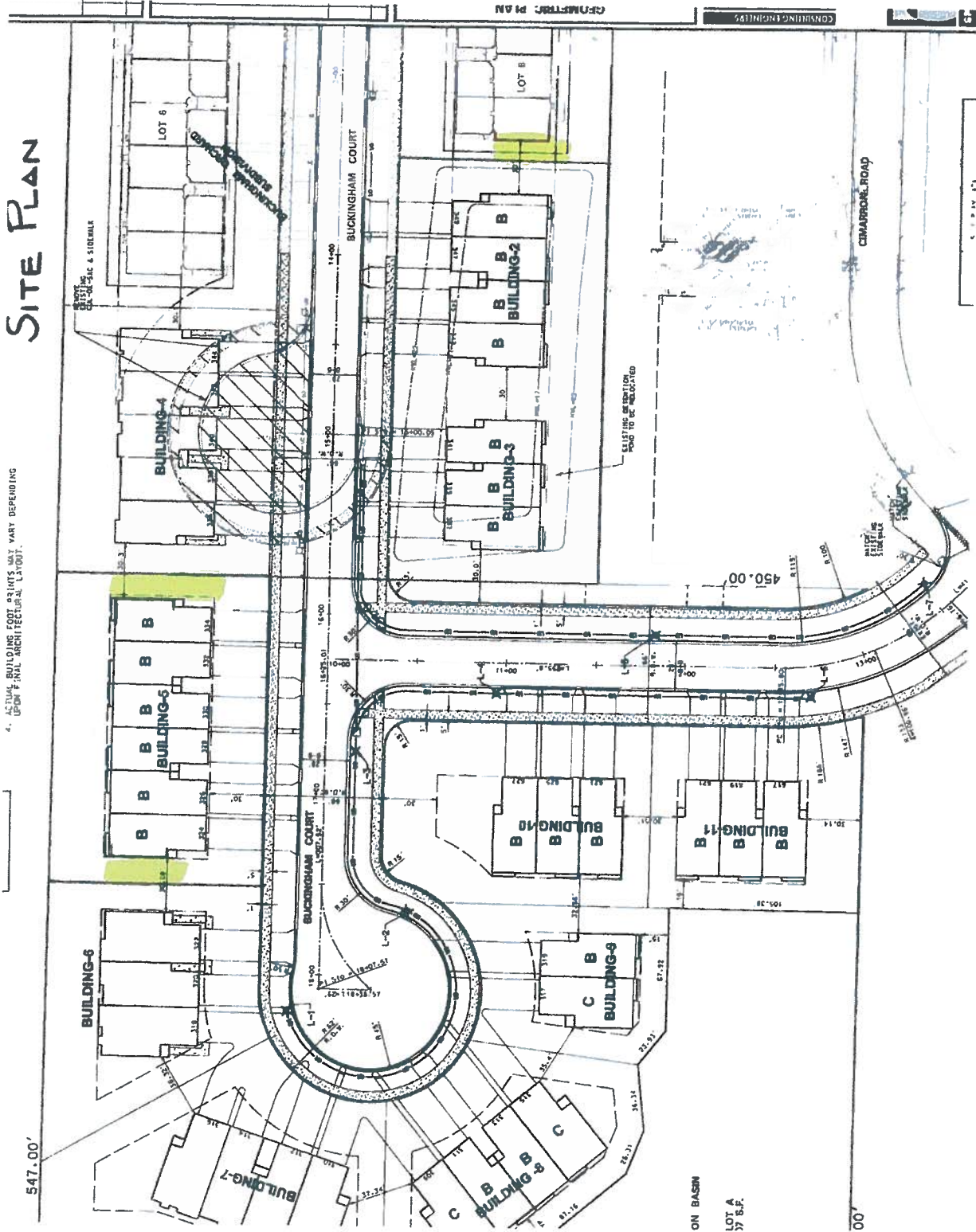
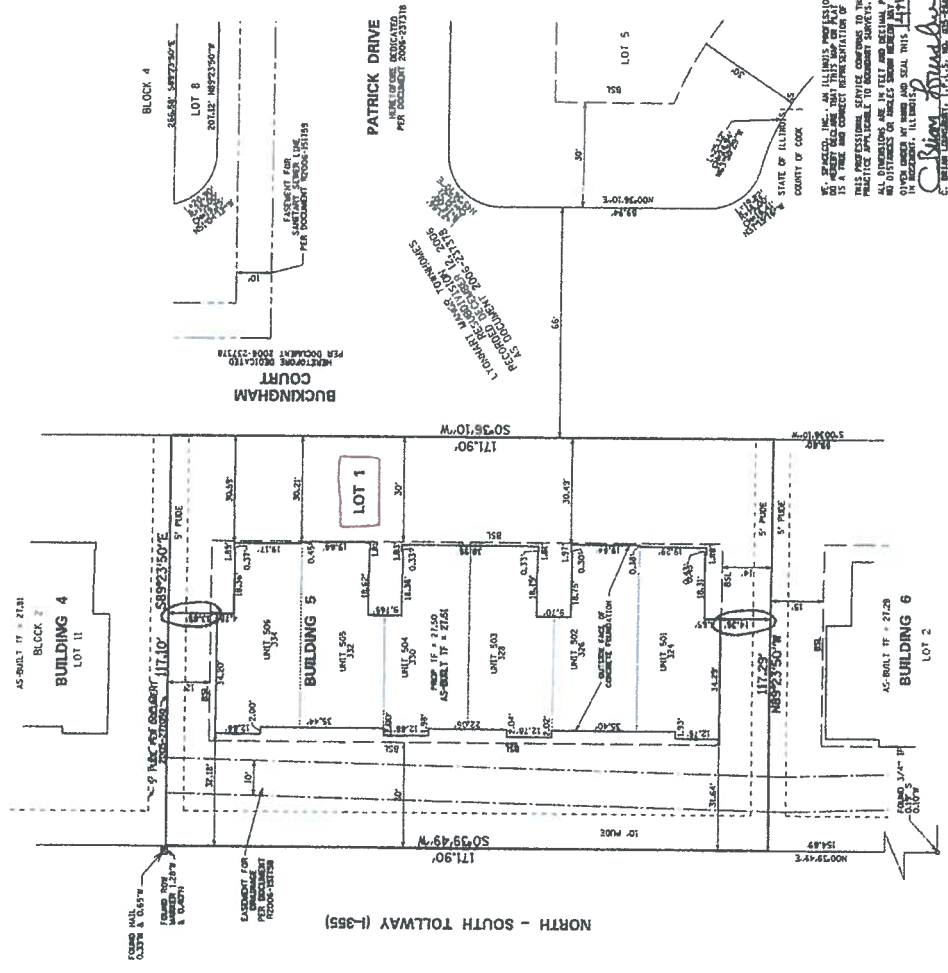


EXHIBIT C - 324 & 334 N. BUCKINGHAM COURT SIDE YARD SETBACK DEVIATIONS

PLAT OF SURVEY

LOT 11, UNIT 11, BUILDING 4, FROM CASE NO. 2008-21028, IN THE COUNTY OF COOK, ILLINOIS, AS PART OF THE EAST HALF OF THE SEVENTH QUARTER OF SECTION 11, TOWNSHIP 33 NORTH, RANGE 10 WEST, RECORD 1000-21028, AS DOCUMENT 2008-21028, IN COOK COUNTY, ILLINOIS, RECORDED RECORD 1000-21028.



ABBREVIATIONS
 IF TOP OF FINISHMENT
 OF ELEVATION AT CORNER IS 1' OF -1'
 TO TOP OF COMPRESSED CURB
 ELEVATION OF WALL
 ELEVATION OF WALL

BENCHMARK
 CORNER (COMMON) ON THE COUNTY BENCHMARK MAPS
 IS LOCATED IN THE EAST HALF OF SECTION 11, TOWNSHIP 33 NORTH, RANGE 10 WEST, RECORD 1000-21028, AS DOCUMENT 2008-21028, IN COOK COUNTY, ILLINOIS, RECORDED RECORD 1000-21028. THIS BENCHMARK IS A 1' x 1' x 1' CONCRETE BENCHMARK WITH A BRASS NAIL IN THE CENTER OF THE TOP SURFACE. THE BENCHMARK IS 1.5' HIGH AND 1.5' WIDE. THE BENCHMARK IS 1.5' FROM THE EAST LINE OF THE LOT AND 1.5' FROM THE SOUTH LINE OF THE LOT. THE BENCHMARK IS 1.5' FROM THE EAST LINE OF THE LOT AND 1.5' FROM THE SOUTH LINE OF THE LOT.

PREPARED FOR:
 M/T HOMES INC.
 CHICAGO DIVISION
 SUITE 230
 MAPLEVILLE, ILLINOIS 60563

LEGEND
 --- DRAINAGE & UTILITY EASEMENT
 --- BUILDING SETBACK LINE

FIELD WORK COMPLETED 08-10-2013



SPOT SURVEY

CONSTRUCTION
 RESURFACING
 9025 W. Maple Road, Suite 200
 Rosemont, IL 60018
 Phone: (847) 896-4000 Fax: (847) 896-4045

STATE OF ILLINOIS
 COUNTY OF COOK
 JUDGE CLERK: 11-30-2014
 I, JUDITH A. SPENCER, CLERK OF THE CLERK'S OFFICE, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF COOK, ILLINOIS, ON 08/10/2013.

SPACI CO INC.
 9025 W. Maple Road, Suite 200
 Rosemont, IL 60018
 Phone: (847) 896-4000 Fax: (847) 896-4045

DATE: 08/14/2013
 JOB NO: 7372
 FIELD NO: 7372-0010-0501

STATE OF ILLINOIS
 COUNTY OF COOK
 JUDGE CLERK: 11-30-2014
 I, JUDITH A. SPENCER, CLERK OF THE CLERK'S OFFICE, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF COOK, ILLINOIS, ON 08/10/2013.

STATE OF ILLINOIS
 COUNTY OF COOK
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STATE OF ILLINOIS
 COUNTY OF COOK
 JUDGE CLERK: 11-30-2014
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STATE OF ILLINOIS
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STATE OF ILLINOIS
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STATE OF ILLINOIS
 COUNTY OF COOK
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STATE OF ILLINOIS
 COUNTY OF COOK
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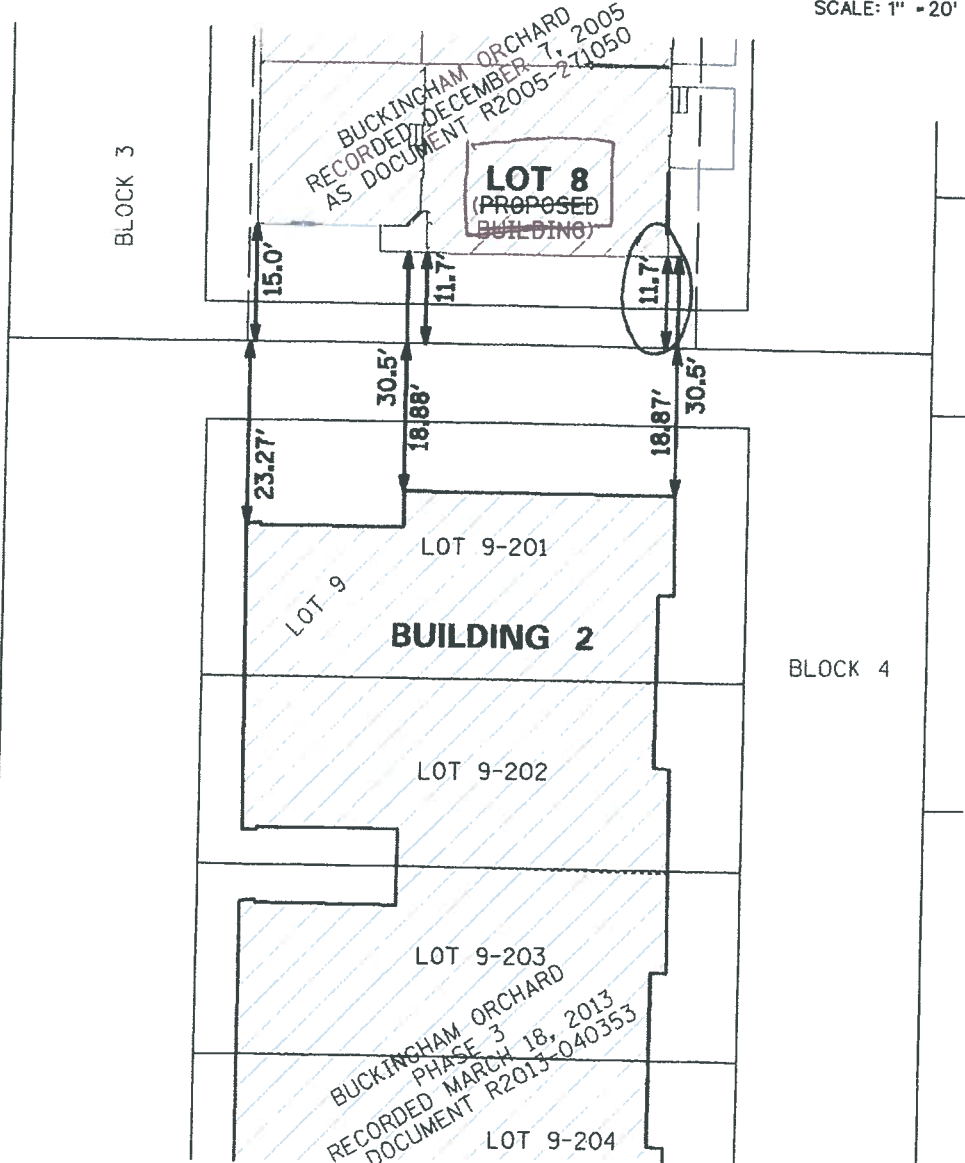
EXHIBIT D – 351 N. BUCKINGHAM COURT SIDE YARD SETBACK DEVIATIONS

**EXHIBIT
BUILDING 2 AND BUILDING ON LOT 8
BUILDING TO BUILDING TIES**



SCALE: 1" = 20'

BUCKINGHAM COURT



BUCKINGHAM ORCHARD
RECORDED DECEMBER 7, 2005
AS DOCUMENT R2005-271050

BUCKINGHAM ORCHARD
PHASE 3
RECORDED MARCH 18, 2013
AS DOCUMENT R2013-040353



9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018 Phone: (847) 696-4060 Fax: (847) 696-4065

CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

DATE: 02/24/2015

JOB NO: 7372

FILENAME: 7372EXB-03

PAGE 1 OF 1

ORDINANCE NO. _____

AN ORDINANCE GRANTING A MAJOR AMENDMENT PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.504 OF THE LOMBARD ZONING ORDINANCE FOR THE BUCKINGHAM ORCHARD / LYONHART MANOR PLANNED DEVELOPMENT, AS ESTABLISHED BY ORDINANCE NUMBERS 5586 AND 5855, WITH COMPANION DEVIATIONS ASSOCIATED WITH INTERIOR SIDE YARD SETBACKS

(PC 15-05: 324, 334, and 351 N. Buckingham Court)

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 properties legally described in Section 2 below are located at 324, 334, and 351 N. Buckingham Court and are zoned R4 PD Limited General Residence District – Planned Development; and,

WHEREAS, on November 18, 2004, the Corporate Authorities approved Ordinance Number 5586 which granted approval of a conditional use for a planned development (Buckingham Orchard Subdivision) with deviations in an R4 Limited General Residential District; and,

WHEREAS, on May 4, 2006, the Corporate Authorities approved Ordinance Number 5855 which granted approval of a conditional use for a planned development (Lyonhart Manor Subdivision) with deviations in an R4 Limited General Residential District; and,

WHEREAS, Title 15, Chapter 155, Section 155.504 allows for amendment of an ordinance granting a conditional use for a Planned Development after a public hearing before the Village's Plan Commission; and,

WHEREAS, an application has heretofore been filed requesting approval of a major amendment to a planned development, as established by Ordinance Numbers 5586 and 5855, with companion interior side yard setback deviations from the Lombard Zoning Ordinance (Title 155 of the Village Code) as set forth in Section 1 below, on the subject properties described in Section 2 below, and subject to the conditions set forth in Section 3 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on May 18, 2015 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the petition as 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 follow:

SECTION 1: That the following relief is hereby granted for the Subject Properties, as described in Section 2 below:

1. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 14.36' interior side yard setback on an exterior lot where fifteen (15') is required for the property at 324 N. Buckingham Court;
2. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 13.85' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property at 334 N. Buckingham Court; and
3. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for an 11.70' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property at 351 N. Buckingham Court.

SECTION 2: That this Ordinance is limited and restricted to the properties located at 324, 334, and 351 N. Buckingham Court, Lombard, Illinois and legally described as follows:

LOT 1 IN LYONHART MANOR TOWN HOMES RESUBDIVISION, BEING A RESUBDIVISION OF PART OF THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD

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PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF
RECORDED DECEMBER 12, 2006 AS DOCUMENT R2006-237378, IN
DUPAGE COUNTY, ILLINOIS.

AND

LOT 8 IN BUCKINGHAM ORCHARD, BEING A RESUBDIVISION OF PART
OF LOTS 18 AND 19 IN MILTON TOWNSHIP SUPERVISOR'S
ASSESSMENT PLAT NO. 1 (ALSO KNOWN AS PLEASANT HILLS WEST)
IN THE EAST ½ OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10, EAST
OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT
THEREOF RECORDED SAID BUCKINGHAM ORCHARD SUBDIVISION
RECORDED DECEMBER 7, 2005 AS DOCUMENT R 2005-271050, IN
DUPAGE COUNTY, ILLINOIS.

Parcel Identification Number(s): 05-01-205-015, 05-01-205-020, 05-01-401-
086, and 05-01-401-091

SECTION 3: 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 _____, 2015.

First reading waived by action of the Board of Trustees this _____ day of
_____, 2015.

Passed on second reading this _____ day of _____, 2015, pursuant to a
roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2015.

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Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2015.

Sharon Kuderna, Village Clerk