

**ORDINANCE 7650
PAMPHLET**

**PC 19-03: 830 FOXWORTH BOULEVARD
CLOVER CREEK APARTMENT TRASH COMPACTOR BUILDING**



PUBLISHED IN PAMPHLET FORM THIS 19th DAY OF APRIL 2019, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.

A handwritten signature in black ink that reads "Sharon Kuderna".

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7650

**AN ORDINANCE GRANTING A MAJOR CHANGE TO A
PLANNED DEVELOPMENT PURSUANT TO SECTION 155.504
OF THE LOMBARD ZONING ORDINANCE TO APPROVE A
DEVIATION TO ALLOW AN ACCESSORY STRUCTURE
WITH A VERTICAL DISTANCE OF 20.5 FEET FROM GRADE
TO HIGHEST POINT OF ROOF IN THE OAK CREEK
PLANNED DEVELOPMENT, AS ESTABLISHED BY
ORDINANCE 1351**

(PC 19-03: Clover Creek/Residences at Lakeside – 830 Foxworth Boulevard)

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, as described in Section 2 below, is zoned R5PD General Residence District Planned Development; and,

WHEREAS, the Subject Property, as described in Section 2 below, is subject to the standards for the Oak Creek Planned Development, as adopted by the President and Board of Trustees of the Village of Lombard by Ordinance 1351; and,

WHEREAS, an application has heretofore been filed requiring approval of the following action on the subject property located within the R5PD Planned Development District: Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Oak Creek Planned Development to approve a deviation from Section 155.210(A)(3)(b) of the Lombard Zoning Ordinance to allow an accessory structure (trash compactor building) with a vertical distance from grade to the highest point of the roof of twenty and a half (20.5) feet where a maximum of seventeen (17) feet is permitted; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on March 18, 2019, 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 major change and deviation; 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 a major change and deviation for a portion of a planned development as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Oak Creek Planned Development to approve a deviation from Section 155.210(A)(3)(b) of the Lombard Zoning Ordinance to allow an accessory structure (trash compactor building) with a vertical distance from grade to the highest point of the roof of twenty and a half (20.5) feet where a maximum of seventeen (17) feet is permitted

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 830 Foxworth Boulevard, Lombard, Illinois, and more specifically legally described as set forth below:

PARCEL 1:

THAT PART OF THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 19 AND THE NORTHWEST FRACTIONAL 1/4 OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 1 IN FOXWORTH OF LOMBARD UNIT ONE; THENCE NORTH 14 DEGREES 14 MINUTES 14 SECONDS WEST, 154.89 FEET TO THE SOUTHERLY LINE OF FOXWORTH BOULEVARD AS DEDICATED; THENCE (THE FOLLOWING FOUR COURSES BEING ALONG THE RIGHT-OF-WAY OF SAID FOXWORTH BOULEVARD) NORTHEASTERLY ALONG A CURVED LINE, CONVEX TO THE SOUTHEAST, HAVING A RADIUS OF 473.00 FEET, A DISTANCE OF 70.35 FEET; THENCE NORTH 57 DEGREES 24 MINUTES 01 SECONDS EAST, 230.00 FEET; THENCE NORTHEASTERLY ALONG A CURVED LINE, CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 267.00 FEET, A DISTANCE OF 44.40 FEET; THENCE NORTH 66 DEGREES 55 MINUTES 39 SECONDS EAST, 99.33 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF F.A. ROUTE 61 (AS RECORDED BY DOCUMENT R68-59201); THENCE (THE FOLLOWING THREE COURSES BEING ALONG SAID RIGHT-OF-WAY LINE) SOUTH 21 DEGREES 54 MINUTES 45 SECONDS EAST, 35.85 FEET THENCE SOUTH 32 DEGREES 55 MINUTES 06 SECONDS EAST, 192.98 FEET; THENCE SOUTH 19 DEGREES 14 MINUTES 53 SECONDS EAST, 182.27 FEET TO THE NORTH LINE OF UNITS 8 AND 9 IN BUTTERFIELD SUBDIVISION, THENCE NORTH 89 DEGREES 58 MINUTES 07 SECONDS WEST, ALONG SAID LINE, 526.49 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 AND THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID F.A. ROUTE 61 AND THE NORTHERLY LINE OF SAID FOXWORTH BOULEVARD AND RUNNING THENCE (THE FOLLOWING FOUR COURSES BEING THE NORTHERLY LINE OF SAID FOXWORTH BOULEVARD) SOUTH 66 DEGREES 55 MINUTES 39 SECONDS WEST, 100.67 FEET; THENCE SOUTHWESTERLY ALONG A CURVED LINE, CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 333.00 FEET, A DISTANCE OF 55.37 FEET, THENCE SOUTH 57 DEGREES 24 MINUTES 01 SECONDS WEST, 230.00 FEET, THENCE SOUTHWESTERLY ALONG A CURVED LINE, CONVEX TO THE SOUTHEAST, HAVING A RADIUS OF 407.00 FEET, A DISTANCE OF 200.76 FEET TO THE SOUTHEASTERLY CORNER OF LOT 9 IN FOXWORTH OF LOMBARD UNIT ONE; THENCE (THE FOLLOWING TWELVE COURSES BEING ALONG THE NORTHEASTERLY BOUNDARY OF SAID UNIT ONE) NORTH 11 DEGREES 16 MINUTES 46 SECONDS WEST, 111.03 FEET, THENCE NORTH 50 DEGREES 43 MINUTES 41 SECONDS WEST, 111.15 FEET; THENCE SOUTH 88 DEGREES 06 MINUTES 05 SECONDS WEST, 110.80 FEET; THENCE SOUTH 48 DEGREES 39 MINUTES 10 SECONDS WEST, 25.03 FEET; THENCE NORTH 35 DEGREES 18 MINUTES 43 SECONDS WEST, 171.35 FEET; THENCE NORTH 24 DEGREES 58 MINUTES 50 SECONDS WEST, 255.34 FEET; THENCE NORTH 19 DEGREES 58 MINUTES 43 SECONDS WEST, 18.90 FEET; THENCE NORTH 0 DEGREES 52 MINUTES 51 SECONDS EAST, 110.80 FEET; THENCE NORTH 40 DEGREES 17 MINUTES 23 SECONDS WEST, 110.80 FEET; THENCE NORTH 81 DEGREES 27 MINUTES 37 SECONDS WEST, 110.80 FEET; THENCE SOUTH 57 DEGREES 22 MINUTES 09 SECONDS WEST, 110.80 FEET; THENCE SOUTH 19 DEGREES 45 MINUTES 28 SECONDS WEST, 7.02 FEET TO THE NORTHEASTERLY CORNER OF LOT 156 IN FOXWORTH OF LOMBARD UNIT TWO; THENCE (THE FOLLOWING THREE COURSES BEING ALONG THE NORTHEASTERLY BOUNDARY OF SAID UNIT TWO) NORTH 70 DEGREES 14 MINUTES 32 SECONDS WEST, 180.00 FEET; THENCE NORTH 66 DEGREES 50 MINUTES 23 SECONDS WEST, 116.17 FEET; THENCE NORTH 52 DEGREES 05 MINUTES 39 SECONDS WEST, 114.22 FEET; THENCE NORTH 20 DEGREES 48 MINUTES 08 SECONDS EAST, 48.97 FEET; THENCE NORTH 11 DEGREES 54 MINUTES 11 SECONDS WEST, 125.22 FEET; THENCE NORTH 54 DEGREES 27 MINUTES 56 SECONDS WEST, 125.22 FEET; THENCE SOUTH 83 DEGREES 41 MINUTES 54 SECONDS WEST, 150.33 FEET; THENCE NORTHEASTERLY ALONG A CURVED LINE, CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 300.00 FEET, A DISTANCE OF 242.94 FEET THENCE NORTH 39 DEGREES 41 MINUTES 35 SECONDS EAST, 571.91 FEET TO THE SAID WESTERLY RIGHT-OF-WAY LINE OF F.A. ROUTE 61; THENCE (THE NEXT FIVE COURSES BEING ALONG THE SAID RIGHT-OF-WAY LINE) SOUTHEASTERLY ALONG A CURVED LINE, CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 4,179.41 FEET, A DISTANCE OF 310.04 FEET; THENCE SOUTH 45 DEGREES 38 MINUTES 28 SECONDS EAST, 205.71 FEET; THENCE SOUTH 54 DEGREES 38 MINUTES 59 SECONDS EAST, 480.67 FEET; THENCE SOUTHEASTERLY ALONG A CURVED LINE, CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 2,704.79 FEET, A DISTANCE OF 944.15 FEET; THENCE SOUTH 21 DEGREES 54 MINUTES 45 SECONDS EAST, 180.90 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 05-24-402-024, 06-19-301-006, and 06-19-302-007

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

1. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
3. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, or this approval shall become null and void unless a time extension has been granted by the Village Board.

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.

Ordinance No. 7650

Re: PC 19-03

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Passed on first reading this 4th day of April, 2019.

First reading waived by action of the Board of Trustees this _____ day of _____, 2019.

Passed on second reading this 18th day of April, 2019, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

Approved by me this 18th day of April, 2019.



Keith T. Giagnorio, Village President

ATTEST:



Sharon Kuderna, Village Clerk

Published in pamphlet from this 19th day of April, 2019.



Sharon Kuderna, Village Clerk