

ORDINANCE NO. 6465

AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.418(C)(7) OF THE LOMBARD ZONING ORDINANCE

(PC 10-03; 115 E. St. Charles Road [Hammerschmidt Parking Lot])

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 defined below is zoned B-5 – Central Business District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Section 155.418(C)(7) of the Lombard Zoning Ordinance for a university (non-boarding) as set forth herein for the property described in Section 2 below; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on March 15, 2010 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 zoning actions described herein, subject to conditions; 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 zoning actions 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 conditional use is hereby granted for the property described in Section 2 below and pursuant to Title 15, Chapter 155, Section 155.418(C)(7) of the Village of Lombard Zoning Ordinance so as to allow said property to be used for a

Farmer's Market (French Market); subject to compliance with the conditions set forth in Section 3 below:

SECTION 2: That this Ordinance is limited and restricted to the properties located at 115 E. St. Charles, Lombard, Illinois and legally described as follows:

ALL OF BLOCK 15 AND BLOCK 16 OF THE ORIGINAL TOWN OF LOMBARD, A SUBDIVISION OF SECTION 5, 6, 7, AND 18 IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NUMBER 9483, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-08-108-013, 06-08-110-003; (the "Subject Property").

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

1. The Farmer's/French Market shall operate in accordance with the site plan prepared by Village staff, dated March 9, 2010 and included as part of this petition.
2. That the Farmer's/French Market shall be operated in accordance with a Market Operator's Agreement approved by the Village of Lombard Board of Trustees.
3. The conditional use for the operation of a Farmer's/French Market shall be on Saturdays between May 1 and October 31. Moreover, the operator shall designate four (4) spaces for temporary accessible parking during the hours that the French Market is operating.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

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Passed on first reading this 1st day of April, 2010.

First reading waived by action of the Board of Trustees this ____ day of _____, 2010.

Passed on second reading this 15th day of April, 2010, pursuant to a roll call vote as follows:

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

Nays: None

Absent: None

Approved by me this 15th day of April, 2010.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published in pamphlet from this 16th day of April, 2010.


Brigitte O'Brien, Village Clerk