

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Huliseberg, Village Manager *DAH*

DATE: May 21, 2010 (BOT) Date: June 3, 2010

TITLE: PC 09-15: 275 W. Roosevelt Road (Roundheads Pizza)

SUBMITTED BY: Department of Community Development *WJH*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance granting a time extension to Ordinance 6341 extending the time period for construction of the conditional use approval of an outdoor dining area for an additional twelve month period (June 2, 2011).

Staff recommends approval of this request.

Staff requests a waiver of first reading.

Please place this item on the June 3, 2010 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_  
Finance Director X \_\_\_\_\_  
Village Manager *David A. Huliseberg* \_\_\_\_\_  
Date \_\_\_\_\_  
Date \_\_\_\_\_  
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:** David A. Hulseberg, Village Manager

**FROM:** William Heniff, AICP  
Director of Community Development *WH*

**DATE:** June 3, 2010

**SUBJECT:** Ordinance Extension-PC 09-15; 275 W. Roosevelt Road  
(Roundheads Pizza)

The Board of Trustees approved Ordinance 6341 (PC 09-15) on June 4, 2009 which granted conditional use approval for an outdoor dining area in the B4A Roosevelt Road Corridor District.

Per the provisions of Sections 155.103 (F)(11) and (C)(10) of the Zoning Ordinance, if construction has not begun within one (1) year from the date of approval, a conditional use is null and void unless an extension is granted by the Board of Trustees. A copy of Ordinance 6341 is attached for your reference.

After being advised that the relief was about to expire, the petitioner submitted a letter requesting an extension of the relief for an additional year to allow them more time to complete the project. Staff believes that granting an extension is in the best interest of the Village, provided that the petitioner adheres to conditions incorporated in the Ordinance 6341.

**RECOMMENDATION:**

Please place this on the June 3, 2010 Village Board agenda. Staff recommends that the Village Board approve an Ordinance extending the time period for the previously approved conditional use for an additional twelve month period from the original Ordinance expiration date, thus expiring June 2, 2011. Staff also recommends a waiver of first reading.



Stillling, Christopher

**From:** Chris Stillling [chrissilling@sbcglobal.net]  
**Sent:** Wednesday, May 26, 2010 11:56 AM  
**To:** Stillling, Christopher  
**Subject:** Fwd: Roundheads Outdoor Patio

Sent from my iPhone

Begin forwarded message:

**From:** jay nagy <nagman17@sbcglobal.net>  
**Date:** May 26, 2010 11:46:48 AM CDT  
**To:** chrissilling@sbcglobal.net  
**Subject:** Roundheads Outdoor Patio

Chris,

Thank you for all your help with our outdoor seating. Due to unseen problems and new endeavors we will not be able to start on the patio this year. Please extend our permits and variances that we applied for until we are able to start our patio which should be on track for next spring. Thanks again for all your help.  
Jay Nagy, Roundheads Pizza



Return To:

Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148

Address: 275 W. Roosevelt Road, Lombard, IL

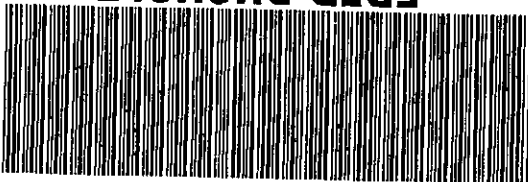
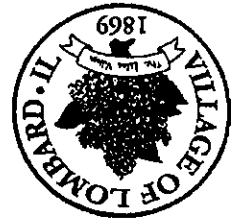
PIN: 06-19-201-021 and -022

GRANTING A CONDITIONAL USE PURSUANT TO TITLE  
15, CHAPTER 155, SECTION 155.417 (G) (2) (a) OF THE  
LOMBARD ZONING ORDINANCE

ORDINANCE 6341

60148

FRED BUCHOLZ  
DUPAGE COUNTY RECORDER  
JUL 01, 2009 3:18 PM  
OTHER 06-19-201-021  
005 PAGES R2009-101453



**ORDINANCE NO. 6341**

**AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO  
TITLE 15, CHAPTER 155, SECTION 155.417 (G) (2) (a)  
OF THE LOMBARD ZONING ORDINANCE**

(PC 09-15: 275 W Roosevelt Road)

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 is zoned B4A Roosevelt Road Corridor District;

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for an outside service area on the subject property located within the B4A Roosevelt Road Corridor District; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on May 18, 2009 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 conditional use, subject to conditions; 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 Conditional Use is hereby granted for the property described in Section 3 below and pursuant to Title 15, Chapter 155, Section 417 (G) (2) (a) of the Zoning Ordinance so as to allow an outside service area.

**SECTION 2:** That the Ordinance is limited and restricted to the property generally located at 275 W Roosevelt Road, Lombard, Illinois, and legally described as follows:

LOT 1 IN ROOSEVELT PLAZA, BEING A SUBDIVISION IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE



11, EAST OF THE THIRD MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 6, 1966 AS DOCUMENT R66-25777, IN DUPAGE COUNTY, ILLINOIS, (EXCEPTING THEREFROM THE PROPERTY DESCRIBED IN A DEDICATION AND PLAT FAVOR OF THE VILLAGE OF LOMBARD, ILLINOIS DATED APRIL 11, 1973 AND RECORDED JUNE 11, 1973 AS DOCUMENT R73-33871 AND CERTIFICATE OF CORRECTION RECORDED AS DOCUMENT R78-14380).

Parcel Number: 06-19-201-021 and -022

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

1. The subject property shall be developed in substantial compliance with the site plan, floor plan, landscape plan, and west elevation plan (D) prepared by William R Gleason, dated 4/7/09, except as they may be changed to meet Village Codes and the following conditions below.

2. The petitioner shall apply for and receive a building permit for the proposed outdoor dining area. Said permit shall satisfactorily address all IDRC comments.
3. The proposed plans shall be revised to reflect the existing 20' sanitary sewer easement. No structures other than the curb and grass area shall encroach into the easement area. No permanent landscaping shall be installed along the entire western edge of the patio in-between the fence and curb. Plans shall be revised in a manner acceptable to the Director of Community Development.

**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.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

First reading waived by action of the Board of Trustees this 4<sup>th</sup> day of June, 2009.

Passed on second reading this 4<sup>th</sup> day of June, 2009.

Ayes: Trustees Cron, Tross, Moreau, Fitzpatrick and Ware

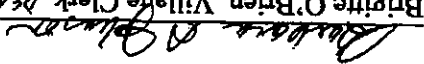
Nays: None

Absent: Wilson

Approved this 4<sup>th</sup> day of June, 2009.

  
William J. Mitchell, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk Deputy

**COPIED**

**AN ORDINANCE GRANTING  
A TIME EXTENSION TO ORDINANCE 6341**

(PC 09-15: 275 W Roosevelt Road)

ORDINANCE NO. \_\_\_\_\_

WHEREAS, on June 4, 2009, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6341, granting a conditional use approval for an outdoor dining area in the B4A Roosevelt Road Corridor District; and

WHEREAS, pursuant to Section 155.103 (F)(12) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, conditional uses are null and void if the conditional use ceases for more than one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinances 6341; and,

WHEREAS, the Village has received a request to extend the time period of said Ordinances for 1 year; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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:** Ordinance 6341 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of the adoption of the original Ordinance (i.e., June 3, 2011).

**SECTION 2:** That all other provisions associated with Ordinance 6341, not amended by this Ordinance, shall remain in full force and effect.

**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 \_\_\_\_\_, 2010.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

William J. Mueller  
Village President

ATTEST:

Brightie O'Brien  
Village Clerk

Published by me in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2010

Brightie O'Brien  
Village Clerk