

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
JUL. 19, 2006 3:30 PM  
OTHER 06-09-101-015  
006 PAGES R2006-138330

**ORDINANCE NO 5822**

**GRANTING AN AMENDMENT TO ORDINANCE 5508  
APPROVING VARIATIONS TO THE MINIMUM LOT  
AREA AND REAR YARD SETBACK REQUIREMENTS;  
LOCATED IN THE B4 CORRIDOR COMMERCIAL  
DISTRICT**

**Addresses: 935 E. St. Charles Road, Lombard**

**PINs: 06-09-101-015**

**Return To:**

**Village of Lombard  
Department of Community Development  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 5822**

**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 5508  
APPROVING VARIATIONS TO THE MINIMUM LOT AREA  
AND REAR YARD SETBACK REQUIREMENTS;  
LOCATED IN THE B4 CORRIDOR COMMERCIAL DISTRICT**

(ZBA 06-04: 935 E. St. Charles 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 B4 Corridor Commercial District; and,

WHEREAS, on June 17, 2004, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5508, which granted approval of a variation from Title 15, Chapter 155, Section 155.415 (D) of the Zoning Ordinance to reduce the required minimum lot area from 40,000 square feet to 16,994 square feet and a variation from Section 155.415 (F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty (30) feet to ten (10) feet to allow for the construction of a commercial strip center; and

WHEREAS, said approval was subject to conditions of approval as set forth in Ordinance 5508; and

WHEREAS, an application has heretofore been filed to amend the approved building elevations associated with Ordinance 5508; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Zoning Board of Appeals on February 22, 2006 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has filed its recommendations with the President and Board of Trustees recommending approval of the amendment as described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Zoning Board of Appeals and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

Ordinance No. 5822

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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: This Ordinance is limited and restricted to the property generally located at 935 E. St. Charles Road, Lombard, Illinois, and legally described as follows:

LOT 1 (EXCEPT THAT PART BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1 AND RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 14.00 FEET; THENCE WEST, PERPENDICULAR TO THE EAST LINE OF SAID LOT 1, A DISTANCE OF 4.00 FEET; THENCE NORTH, PARALLEL WITH THE EAST LINE OF SAID LOT 1, A DISTANCE OF 5.77 FEET, MORE OR LESS TO A POINT OF INTERSECTION WITH A LINE DRAWN FROM A POINT ON THE NORTH LINE OF SAID LOT, 12.00 FEET SOUTH OF THE NORTHEAST CORNER THEREOF TO A POINT ON THE NORTH LINE OF SAID LOT, 13.00 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE NORTHWESTERLY, ALONG SAID LAST DESCRIBED LINE, A DISTANCE OF 6.41 FEET, MORE OR LESS, TO A POINT ON A LINE THAT IS 4.0 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, AND PARALLEL WITH THE NORTH LINE OF SAID LOT 1: THENCE WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 11.41 FEET, MORE OR LESS TO A POINT ON A LINE DRAWN PERPENDICULAR TO THE NORTH LINE OF SAID LOT 1 AT A POINT 20.00 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE NORTH ALONG SAID LAST DESCRIBED PERPENDICULAR LINE, A DISTANCE OF 4.00 FEET TO THE NORTH LINE OF SAID LOT 1: THENCE EAST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 20.00 FEET TO THE PLACE OF BEGINNING) IN SHELL OIL COMPANY ASSESSMENT PLAT OF PART OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1961 AS DOCUMENT 996799, IN DU PAGE COUNTY, ILLINOIS.

Parcel No: 06-09-101-015 (hereinafter the "Subject Property")

SECTION 2: An amendment to Ordinance 5508, granting a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the required minimum lot area from 40,000 square feet to 16,994 square feet and a variation from the provisions of Section 155.415 (F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty (30) feet to ten (10) feet, is hereby granted for the Subject Property, subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the building elevation plans prepared by Ekash Associates, Ltd., dated November 15, 2004 and submitted as part of this request.
2. All other conditions associated with Ordinance 5508 not amended by this petition 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 \_\_\_\_\_, 2006.

First reading waived by action of the Board of Trustees this 2nd day of March, 2006.

Passed on second reading this 2nd day of March, 2006.

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

Nayes: None

Absent: None

Approved by me this 2nd, day of March, 2006.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk

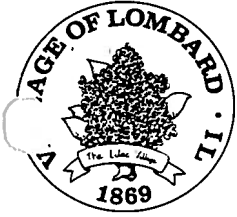
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Published by me in pamphlet form this 6th day of March, 2006.

  
Brigitte O'Brien, Village Clerk



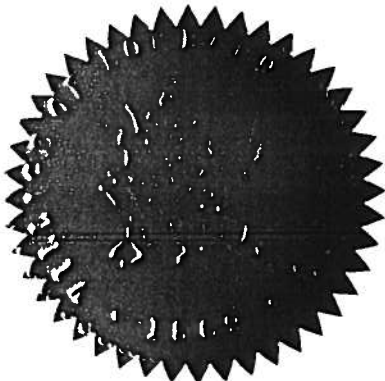
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

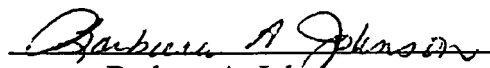
I further certify that attached hereto is a true and correct copy of ORDINANCE 5822

AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 5508, APPROVING VARIATIONS TO THE MINIMUM LOT AREA AND REAR YARD SETBACK REQUIREMENTS IN REGARD TO THE PROPERTY LOCATED AT 935 E. ST. CHARLES ROAD, LOMBARD, DUPAGE COUNTY, ILLINOIS, PIN 06-09-101-015.

of the said Village as it appears from the official records of said Village duly passed on March 2, 2006.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 20<sup>th</sup> day of June, 2006.





Barbara A. Johnson  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois