

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
OCT. 17, 2008 3:25 PM  
OTHER 03-32-414-015  
006 PAGES R2008-154897

## **ORDINANCE 6161**

### **GRANTING A CONDITIONAL USE PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.416(C) OF THE LOMBARD ZONING ORDINANCE**

**Address: 404 E. North Avenue, Lombard, IL**

**PIN's: 03-32-414-015, 016, 017, ~~022~~<sup>024</sup> and ~~023~~**

#### **Return To:**

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

**ORDINANCE NO. 6161**

**AN ORDINANCE GRANTING A CONDITIONAL USE  
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.416 (C)  
OF THE LOMBARD ZONING ORDINANCE**

(PC 08-05: 404 E. North Avenue)

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 B4 Corridor Commercial District; and,

WHEREAS, an application has been filed requesting approval of a conditional use, pursuant to Section 155.416 (C) of the Zoning Ordinance, to allow for a motor vehicles sales establishment; and

WHEREAS, a public hearings on the forgoing application were conducted by the Village of Lombard Plan Commission on March 24, 2008 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 described herein, 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 variation from Section 153.503(B)(12)(b) of the Sign Ordinance to allow for a third wall sign per street front exposure, where a maximum of two wall signs are permitted pursuant to Ordinance 5917, is hereby granted for the Property, as described in Section 2 below and subject to the conditions set forth in Section 3 below.

SECTION 2: That this Ordinance is limited and restricted to the property located at 404 E. North Avenue , Lombard, Illinois and legally described as follows:

LOT 1 IN ADDISON INVESTER'S SUBDIVISION OF LOTS 8, 9, AND 10 IN BLOCK 15 IN NORTH AVENUE MANOR, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID ADDISON INVESTER'S SUBDIVISION RECORDED NOVEMBER 3, 1969 AS DOCUMENT R69-47783 AND LOTS 5 THROUGH 7, BOTH INCLUSIVE, IN BLOCK 15, SAID NORTH AVENUE MANOR, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 14, 1928 AS DOCUMENT 269443, AND ALL THAT PART OF THE SOUTH HALF OF THE VACATED ALLEY LYING NORTH OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY, ALL IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 03-32-414-015, 016, 017, ~~022~~<sup>024</sup> and ~~023~~

SECTION 3: The conditional use, as provided for in Sections 1 of 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 and landscape plans prepared by KB Partnership, dated February 19, 2008 and submitted as part of this petition.
2. The petitioner shall apply for and receive a building permit for all improvements to be constructed on the subject property. Said permit(s) shall satisfactorily address all building, fire and stormwater comments set forth within the IDRC Report.
3. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the five (5) lots and the vacated alley into one lot.
4. The petitioner shall submit a final photometric plan showing that the existing or any proposed lighting complies with the Zoning Ordinance.
5. A solid fence of no less than six feet (6') and no greater than eight feet (8') in height shall be maintained along the northern property line.

6. The petitioner shall erect a *no left turn* sign at the access drive for vehicles exiting the property to LaLonde Avenue.
7. The petitioner shall limit the number of unregistered vehicles on the lot to a maximum of seventy (70) cars. Each car shall be permitted on the lot for a period of no more than six (6) months. A log of the unregistered vehicles with dates of arrival to the lot must be kept on site at all times, with access to the log by an employee of the Community Development Department of the Village of Lombard permitted at any time during business hours.
8. Any violation of the provisions set forth within the approved conditional use may result in a revocation of the Conditional Use for the property.

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 \_\_\_\_\_, 2008.

First reading waived by action of the Board of Trustees this 3rd day of April, 2008.

Passed on second reading this 3rd day of April, 2008, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Tross, O'Brien, Fitzpatrick and Soderstrom

Nays: None

Absent: Trustee Moreau

Approved by me this 3rd day of April, 2008.

  
William J. Mueller, Village President

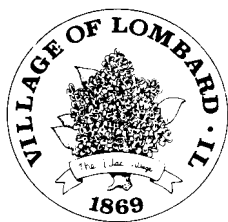
Ordinance No. 6161  
Re: PC 08-05  
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ATTEST:

  
\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published in pamphlet from this 7<sup>th</sup> day of April, 2008.

  
\_\_\_\_\_  
Brigitte O'Brien, Village Clerk



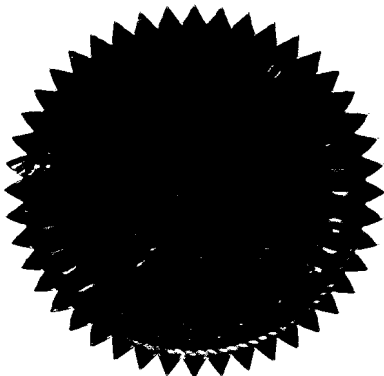
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the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


I further certify that attached hereto is a  
copy of ORDINANCE 6161  
GRANTING A CONDITIONAL USE PURSUANT TO  
TITLE 15, CHAPTER 155, SECTION 155.416(C) OF  
THE LOMBARD ZONING ORDINANCE

PIN: 03-32-414-015, 016, 017, ~~022~~<sup>024</sup> AND ~~023~~<sup>024</sup>  
ADDRESS: 404 E. NORTH AVE., LOMBARD, IL

of the said Village as it appears from the official  
records of said Village duly approved this 3rd  
day of April, 2008.

In **Witness Whereof**, I have hereunto affixed my official signature and  
the Corporate Seal of said **Village of Lombard**, Du Page County,  
Illinois this 22nd day of April, 2008.



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