

**FRED BUCHOLZ**

DUPAGE COUNTY RECORDER

APR.03,2012

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OTHER

05-24-301-007

006 PAGES

R2012-042947

**ORDINANCE 6673**

**GRANTING A CONDITIONAL USE FOR  
NONCOMPLIANCE WITH THE REQUIREMENTS OF THE  
ZONING ORDINANCE PERTAINING TO PERSONAL  
WIRELESS SERVICE FACILITIES (AS PER SECTION  
155.206(A)(2) OF THE ZONING ORDINANCE) WITH  
COMPANION VARIATIONS, LOCATED IN THE CR  
CONSERVATION RECREATION ZONING DISTRICT**

**Address: 21W555 Bemis Road, Lombard, IL 60148**

**PIN: 05-24-301-007, 008, 009 and 05-24-302-017 and 019**

**Return To:  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 6673**

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR NONCOMPLIANCE WITH THE REQUIREMENTS OF THE ZONING ORDINANCE PERTAINING TO PERSONAL WIRELESS SERVICE FACILITIES (AS PER SECTION 155.206(A)(2) OF THE ZONING ORDINANCE) WITH COMPANION VARIATIONS, LOCATED IN THE CR CONSERVATION RECREATION ZONING DISTRICT**

(PC 12-02: 21W555 Bemis 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 property legally described in Section 3 below is located at 21W555 Bemis Road is zoned CR Conservation Recreation District; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for noncompliance with the requirements of the Zoning Ordinance pertaining to personal wireless service facilities (as per Section 155.206(A)(2) of the Zoning Ordinance); and

WHEREAS, said application includes requests for five variations; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on January 23, 2012 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees recommending approval of the petition, subject to conditions of approval; 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 the following relief is hereby granted for the Subject Property, as described in Section 2 below, subject to the conditions set forth in Section 3 below:

1. A conditional use for noncompliance with the requirements of the Zoning Ordinance pertaining to personal wireless service facilities (as per Section 155.206(A)(2) of the Zoning Ordinance);
2. A variation from Section 155.205(A)(4) to allow for the use of barbed wire as part of a seven-foot high chain link fence;
3. A variation from Section 155.206(A)(6) to allow for a personal wireless service facility without full landscape screening;
4. A variation from Section 155.206(B)(2)(a)(ii) to allow for a personal wireless service facility in the CR District;
5. A variation from Section 155.206(B)(2)(b)(i) to allow for a personal wireless service facility in excess of 45 feet in height;
6. A variation from Section 155.206(B)(2)(d)(i) to allow for a 100-foot high personal wireless service facility to be less than 105 feet from the nearest property line.

**SECTION 2:** This ordinance is limited and restricted to the property generally located at 21 W555 Bemis Road, Lombard, Illinois and legally described as follows:

Lot 67 (except the North 62 feet of the West 133 feet thereof) and Lots 20, 21, and 22 in F. H. Bartlett's Sunnyside Farms, a subdivision of part of the West 2013 feet of the Northwest Quarter and the Southwest Quarter of Section 24, Township 39 North, Range 10, East of the Third Principal Meridian, in DuPage County, Illinois; and

That part of the Southwest Quarter of Section 24, Township 39 North, Range 10, East of the Third Principal Meridian, described by beginning at the Southwest corner of said Section 24; thence North, along the West line of said Section 24, 30.0 feet; thence South 89 degrees 50 minutes east, parallel with the South line of said section, 1983.0 feet; thence North 0 degrees 10 minutes East, at right angles to the South line of said Section 24, 570.0 feet; thence South 89 degrees 50 minutes East, parallel with the South line of said Section 24, to the East line of the Southwest Quarter of said section; thence South to the Southeast corner of said Southwest Quarter; thence North 89 degrees 50 minutes West to the place of beginning, all in DuPage County, Illinois.

PIN: 05-24-301-007, -008, and -009; 05-24-302-017, -019

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

1. The petitioner shall develop the site in substantial conformance with the plans submitted as part of this petition.
2. All IDRC comments must be addressed prior to the issuance of a building permit.
3. The petitioner shall enter into all requisite agreements with the property owner and Glenbard Wastewater Authority.

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.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2012.

First reading waived by action of the Board of Trustees this 2<sup>nd</sup> day of February, 2012.

Passed on second reading this 2<sup>nd</sup> day of February, 2012.

Ayes: Trustees Gron, Giagnorio, \_\_\_\_\_, Breen, Fitzpatrick and Ware

Nays: Trustee Wilson

Absent: None

Approved this 2<sup>nd</sup>, day of February, 2012.

  
William J. Mueller, Village President

ATTEST:


  
Brigitte O'Brien, Village Clerk

Ordinance No. 6673

Re: PC 12-02

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Published by me in pamphlet form this 3<sup>rd</sup> day of February, 2012

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

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I, **Denise R. Kalke**, 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 6673

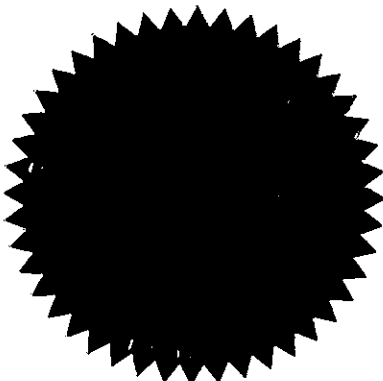
GRANTING A CONDITIONAL USE FOR NONCOMPLIANCE  
WITH THE REQUIREMENTS OF THE ZONING ORDINANCE  
PERTAINING TO PERSONAL WIRELESS SERVICE FACILITIES  
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PIN : 05-24-301-007, 008, 009 AND 05-24-302-017 & 019

ADDRESS: 21W555 Bemis Rd., Lombard, IL 60148

of the said Village as it appears from the official records of said Village duly approved this 2nd day of February, 2012.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 7<sup>th</sup> day of March, 2012.



Denise R. Kalke  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois