

FRED BUCHOLZ

DUPAGE COUNTY RECORDER

OCT. 28, 2009

10:54 AM

OTHER

03-32-414-015

006 PAGES

R2009-163355

ORDINANCE 6376

**ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION
155.416(C)(4) AND (5) OF THE LOMBARD ZONING
ORDINANCE**

**PIN: 03-32-414-015 through -017; 03-32-414-024;
and 03-32-414-026**

Address: 404 E. North Avenue, Lombard, IL 60148

Return To:

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

ORDINANCE NO. 6376

**AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION
155.416(C)(4) and (5) OF THE LOMBARD ZONING ORDINANCE**

(PC 09-10; 404 East 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 Shopping District; and,

WHEREAS, an application has been filed requesting approval conditional uses pursuant to Section 155.416(C)(4) and (5) of the Lombard Zoning Ordinance to allow automobile service and automobile repair; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on July 20, 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 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 the following conditional uses as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

Grant conditional uses pursuant to Section 155.416(C)(4) and (5) of the Lombard Zoning Ordinance to allow automobile service and automobile repair in the B4 Corridor Commercial Shopping District.

SECTION 2: That this Ordinance is limited and restricted to the properties located at 404 East 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, 024 and 026; (the "Subject Property").

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 and landscape plans prepared by KB Partnership, dated May 19, 2009 and submitted as part of this petition, except as they may be changed to conform with to Village codes and the following conditions below.
2. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the five (5) lots and the vacated alley into one lot no later than three (3) months from the approval of the ordinance.
3. Vehicles from the subject property which are for sale, being serviced, or being repaired shall not be driven for testing purposes in the residential neighborhood north of the subject property or within the parking lot on the subject property.

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4. The conditional uses for automobile service and automobile repair shall be limited to vehicles for sale by European Auto Exchange and the personal automobiles of their customers.
5. Any violation of the provisions set forth within the approved conditional use may result in a revocation of the Conditional Use for the property.
6. As part of the approval, the petitioner shall also address all comments included within the IDRC Report.
7. The petitioner shall address all Private Engineering Services punch list items as outlined in the May 13, 2009 letter including the installation of the sidewalk along Grace Street and Lalonde Avenue in a manner acceptable to the Director of Community Development no later than three (3) months from the approval of the ordinance.
8. All conditions associated with Ordinance 6161 (PC 08-05) shall remain in full force and effect.
9. No automobile service or automobile repair shall occur on the subject property later than 9 p.m.

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 20th day of August, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.

Passed on second reading this 3rd day of September, 2009, pursuant to a roll call vote as follows:

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

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Nays: None

Absent: None

Approved by me this 3rd day of September, 2009.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published in pamphlet from this 4th day of September, 2009.


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

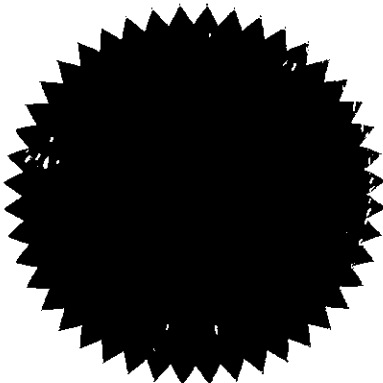
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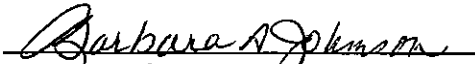
PIN: 03-32-414-015 through -017; 03-32-414-024 and
03-32-414-026

Address: 404 E. North Avenue, Lombard, IL

of the said Village as it appears from the official records of said Village duly approved this 3rd day of September, 2009.

In **Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 14th day of September, 2009.




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