

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
MAR.30,2005 11:28 AM  
OTHER 06-07-208-016  
005 PAGES R2005-064508

**ORDINANCE 5572**

**AMENDING ORDINANCE NO. 5555 (ADOPTED  
SEPTEMBER 16, 2004) GRANTING A CONDITIONAL USE  
FOR A PLANNED DEVELOPMENT WITH DEVIATIONS**

**PIN: 06-~~06~~-07-208-016, 021 AND 022**

**Common Address: 309 & 315 W. St. Charles Road,  
Lombard, IL**

**Return To:**

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

**ORDINANCE NO. 5572**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 5555  
(ADOPTED SEPTEMBER 16, 2004) GRANTING A CONDITIONAL USE  
FOR A PLANNED DEVELOPMENT WITH DEVIATIONS**

**(PC 04-34: 309 & 315 W. St. Charles Road)  
(Walgreens Planned Development)**

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, on September 16, 2004, the President and Board of Trustees adopted Ordinance 5555, granting a conditional use for a planned development with deviations for the property legally described herein pursuant to Title 15, Chapter 155, Section 155.501 et seq. of the Code of Lombard (hereinafter the "Subject Property"); and

WHEREAS, Title 15, Chapter 155, Section 155.504 allows for amendment of an ordinance granting a conditional use for a Planned Development after a public hearing before the Village's Plan Commission; and

WHEREAS, pursuant to an application to amend Ordinance 5555 to provide for an exception from Section 155.205 (A) (3) (c) of the Lombard Zoning Ordinance to allow an 8-foot high wall within a front yard and an exception from Section 155.205 (A) (3) (e) of the Lombard Zoning Ordinance to allow an 8-foot high wall within a clear line of sight area, proper and legal notice was provided and a public hearing was held before the Lombard Plan Commission on October 18, 2004; and

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendment described herein; 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:

Ordinance No. 5572

Re: PC 04-34

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SECTION 1: The following amendments to Ordinance 5555 are hereby approved, as follows:

1. An exception is hereby granted from Section 155.205 (A) (3) (c) of the Lombard Zoning Ordinance to allow an 8-foot high wall within a front yard; and
2. An exception is hereby granted from Section 155.205 (A) (3) (e) of the Lombard Zoning Ordinance to allow an 8-foot high wall within a clear line of sight area.

SECTION 2: The aforementioned planned development amendments are limited and restricted to the property legally described as follows:

LOT 1, 2, AND 3 IN MARQUARDT'S RESUBDIVISION OF PART OF LOTS 9 THROUGH 12 AND PART OF LOT 13 IN SUBDIVISION OF OUTLOT 10 OF THE TOWN OF LOMBARD, IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1967 AS DOCUMENT R67-16393 AND CORRECTED BY CERTIFICATE RECORDED JUNE 13, 1967 AS DOCUMENT R67-19517, IN DUPAGE COUNTY, ILLINOIS.

EXCEPT:

PLAT OF DEDICATION OF RIGHT OF WAY ON FEBRUARY 23, 1998: THAT PART OF LOT 1 IN MARQUARDT'S RESUBDIVISION OF PART OF LOTS 9 THROUGH 12 AND PART OF LOT 13 IN SUBDIVISION OF OUTLOT 10 OF THE TOWN OF LOMBARD, IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1967 AS DOCUMENT R67-16393, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 AND HEADING SOUTH ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 12.95 FEET TO A POINT; THENCE NORTH 51 DEGREES 15 MINUTES 50 SECONDS WEST, A DISTANCE OF 15.32 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF ST. CHARLES ROAD; THENCE NORTH 74 DEGREES 15 MINUTES 00 SECONDS EAST, A DISTANCE OF 12.41 FEET TO THE POINT OF BEGINNING, CONTAINING 77.3681 SQUARE FEET OR 0.0018 ACRES MORE OR LESS, IN DUPAGE COUNTY, ILLINOIS.

Parcel Identification Numbers: 06-07-208-016, -021, -022

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**SECTION 3:** That all other provisions of Ordinances 5553, 5554, 5555 and 5556 and Resolution R51-05 approved by the Corporate Authorities not amended by the this Ordinance shall remain in full force and effect.

**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 \_\_\_\_\_, 2004.

First reading waived by action of the Board of Trustees this 4th day of November, 2004.

Passed on second reading this 4th day of November, 2004.

Ayes: Trustees Williams, Tross, Koenig, Sebby, Florey, Soderstrom

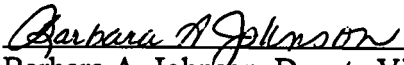
Nays: None

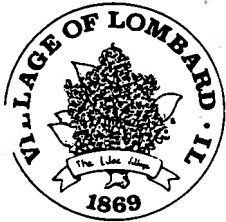
Absent: None

Approved this 4th, day of November, 2004.

  
William J. Mueller, Village President

ATTEST:

  
Barbara A. Johnson, Deputy Village Clerk



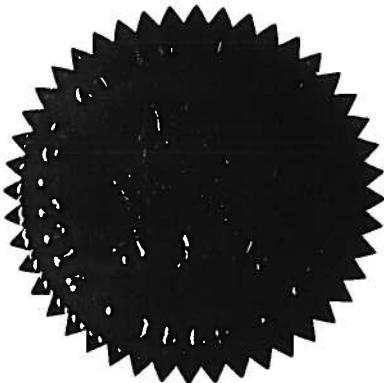
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President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

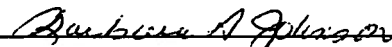
I further certify that attached hereto is a true and correct copy of ORDINANCE 5572

AN ORDINANCE AMENDING ORDINANCE  
NUMBER 5555, (ADOPTED SEPTEMBER 16, 2004)  
GRANTING A CONDITIONAL USE FOR A  
PLANNED DEVELOPMENT WITH DEVIATIONS,  
FOR THE PROPERTY LOCATED AT 309 & 315 W.  
ST. CHARLES ROAD, LOMBARD, DUPAGE  
COUNTY, ILLINOIS, PIN 06-07-208-016, -021, -022

of the said Village as it appears from the official records of said Village duly passed on November 4, 2004.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 22<sup>nd</sup> day of February, 2005.





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