

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X *Waiver of First Requested*
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: November 8, 2004 (B of T) Date: November 18, 2004

TITLE: PC 02-01: 710 North Main Street

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance granting a further extension of Ordinances 5075, 5226, and 5386 for a conditional use with variations for the purpose of constructing a religious institution at 710 N. Main Street. (DISTRICT #1)

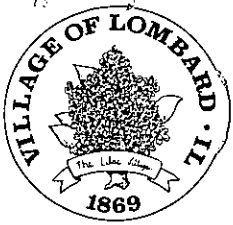
Staff is requesting waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <u>W.T. Lichter</u>	Date <u>11/10/04</u>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Director of Community Development *DH*

DATE: November 18, 2004

SUBJECT: Extension of Ordinances 5075, 5226 and 5386 (PC 02-01; 710 North Main Street/St. Thomas Marthoma Church)

Background:

The Board of Trustees approved Ordinances 5075, 5226 and 5386 (PC 02-01) which granted conditional use approval for a religious institution with a variation to open space requirements for the property at 710 North Main Street. Per the conditional use provisions, if construction has not begun within one (1) year from the date of approval, the conditional use is null and void unless an extension is granted by the Board of Trustees.

After being advised that the conditional use was about to expire, the petitioner submitted a letter requesting another extension of the conditional use. The property has been used by the Illinois Department of Transportation (IDOT) as part of the North Avenue Reconstruction project since 2002. With the completion of the work by IDOT, the Church has submitted engineering plans to the Village for review and they hope to commence work on the project by year's end.

Recommendation

Staff recommends that the Village Board approve an Ordinance further extending the time period an additional twelve months from the date of Ordinance approval to start construction (i.e., November 18, 2005) and eighteen months to complete construction (i.e., May 18, 2006). Staff also requests a waiver of first reading.

**Chicago Mar Thoma Church
240 Potter Road,
Des Plains, IL 60016**

November 8, 04.

Village of Lombard
Attn. William Heniff, AICP
255 E. Wilson Ave.
Lombard, IL 60148

Ref. **PC 02-01: 710 N. Main Street, Lombard** - Ordinance No. 5075

Dear Mr. Heniff

I refer to the above Zoning Ordinance in respect of the property on SW corner of North Ave. and Main Street.

Last several months accessibility to the above property has been hindered by the major road construction along North Avenue and Main Street. This project has been further delayed due to some technical difficulties we encountered at the sight such as Proper Topographic Survey, construction of retention wall and foot path around the property etc. .

How ever Construction drawing for the Sight development has been submitted for approval and the other drawings will be ready shortly. Currently we are identifying a Contractor for the construction and the ground braking of the project is expected to be in January 2005 if the weather permits.

As the due date for the completion of the proposed Church Building is fast approaching I request your kind permission to extend the completion date of the Church building for another year from the current expiry date.

Sincerely



Jacob Chacko

Building Committee Convener
Chicago Mar Thoma Church.

ORDINANCE NO. _____

**AN ORDINANCE GRANTING
A FURTHER EXTENSION OF ORDINANCES 5075 AND 5226 AND 5386**

(PC 02-01: St. Thomas Marthoma Church (710 North Main Street))

WHEREAS, on February 21, 2002, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5075 granting conditional use approval for a religious institution with a variation from Section 155.406 (G) for a church steeple exceeding the maximum building height and a variation from Section 155.406 (H) for a decrease in the 50% minimum lot area required to be preserved as open space, for the property at 710 North Main Street, Lombard, Illinois and located in an R2 Single Family Residential District; and,

WHEREAS, pursuant to Sections 155.103 (C)(10) and 155.103 (F)(11) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, variations and conditional uses are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, the President and Board of Trustees adopted Ordinance 5226 on January 16, 2003, granting an amendment to Ordinance 5075 which extended the period in which the petitioner shall obtain a building permit and start the associated project for a one-year period; and

WHEREAS, the President and Board of Trustees adopted Ordinance 5386 on November 18, 2003, granting an amendment to Ordinance 5075 which extended the period in which the petitioner shall obtain a building permit and start the associated project for a one-year period; and

WHEREAS, the subject property has been used by the Illinois Department of Transportation (IDOT) for the purposes of facilitating construction activities for the North Avenue widening project; and

WHEREAS, said activities by IDOT has precluded the petitioner from proceeding with construction activities as approved by the Village; and

WHEREAS, construction has not commenced and no building permit has been issued for the conditional use granted by Ordinances 5075, 5226 and 5386; and

WHEREAS, the Village has received a letter requesting a further extension of Ordinances 5075, 5226 and 5386; and

Ordinance No. _____
Re: PC 02-01 – Third Extension
Page 2

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinances 5075, 5226 and 5386 are hereby further amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of adoption of this Ordinance, and all construction is completed per the approved plans within eighteen (18) months from the date of adoption of this Ordinance.

SECTION 2: That all other provisions associated with Ordinances 5075, 5226 and 5386 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 _____, 2004.

First reading waived by action of the Board of Trustees this _____ day of _____, 2004.

Passed on second reading this _____ day of _____, 2004.

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____, day of _____, 2004.

Ordinance No. _____
Re: PC 02-01 – Third Extension
Page 3

William J. Mueller
Village President

ATTEST:

Barbara A. Johnson
Deputy Village Clerk

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