

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: February 7, 2007 (BOT) Date: February 15, 2007

TITLE: 506 E. St. Charles Road (Poolside Dogs) and 524 E. St. Charles Place  
 (Lombard Hobbies)

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration three ordinances:

1. Granting an amendment to the conditions of approval associated with Ordinance 5790 relative to a six-month time extension (August 15, 2007) in order for the property located at 506 E. St. Charles Place to complete development and qualify for grant funds.
  2. Granting an amendment to the conditions of approval associated with Ordinance 5734 relative to a six-month time extension (August 15, 2007) in order for the property located at 506 E. St. Charles Place to complete development.
  3. Granting an amendment to the conditions of approval associated with Ordinance 5807 relative to a six-month time extension (August 15, 2007) in order for the property located at 524 E. St. Charles Road to begin development.
- (DISTRICT #5)

Staff recommends approval of this request.

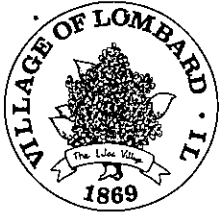
Staff recommends a waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <i>W. T. Lichter</i>	Date <u>2/7/07</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 *De H.*

**DATE:** February 15, 2007

**SUBJECT:** 506 E. St. Charles Road (Poolside Dogs) and 524 E. St. Charles Place (Lombard Hobbies) – Request for Time Extensions

Following up from several staff requests to the petitioner and property owner of 506 & 524 East St. Charles Place, staff has received the attached correspondence requesting time extensions to previous approvals granted by the Village for the subject property. The previous Ordinances of approval include expiration dates tied to the commencement or completion of construction activity on the subject property. To date, construction has not started to date on the 524 E. St. Charles Place building and construction is continuing on the 506 E. St. Charles Place building. In order to allow the approved Ordinances to remain valid, the Board will be required to adopt the following Ordinance. A discussion of each of the items is noted below.

### **Ordinance 5734**

On October 6, 2005, the Board approved Ordinance 5734 (PC 05-36) granting approval of amendments to Ordinances 5324 and 5691 associated with the Poolside Dogs rehabilitation project. Condition #7 of the attached Ordinance 5734 states:

7. That prior to final consideration of any Ordinances approving the requested actions on the subject property, the property owner shall provide the Village with a building elevation plan to improve the exterior of the Lombard Hobbies building so that it is compatible with the proposed Scoop's building. The Lombard Hobbies building improvements shall be completed within twelve (12) months from the date of approval of the aforementioned Ordinance.

As the Lombard Hobbies construction has not started, the petitioner is seeking a time extension to Ordinance 5734.

### **Ordinance 5790**

On January 5, 2006, the Board adopted Ordinance 5790 approving a Façade Grant in the amount of \$23,345 to improvements to the Poolside Dogs building. Section 3(b) required the petition to take all necessary steps to ensure completion of the project within six months of the date of approval of the Ordinance. As of this date, the petitioner has not completed all of the improvements for the site. Therefore, a time extension for Ordinance 5790 is requested as well.

**Ordinance 5807**

On February 2, 2006, the Board passed Ordinance 5807, which granted approval of setback and signage variations for the Lombard Hobbies building. The petitioner notes in his correspondence that a robbery and a slow insurance investigation has delayed him from commencing with the project. He also seeks an extension from Ordinance 5807 as well.

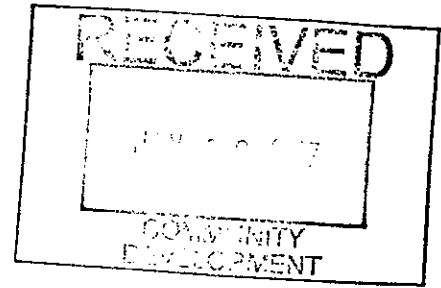
**RECOMMENDATION**

Staff recommends that the three aforementioned Ordinances be extended for an additional six month period (i.e., August 15, 2007). Staff supports this request as it is more desirable to grant the extension rather than requiring the petition to go through the public hearing and grant application process again, and preventing the Poolside Dogs operator from operating his business.

Staff also recommends a waiver of the first reading of the Ordinances.

## Lombard Hobbies

Lombard Hobbies  
524 E. St. Charles Place  
Lombard IL, 60148  
(630)-620-1084



January 29, 2007

Village of Lombard  
255 E. Wilson Ave.  
Lombard IL, 60148  
Attn: Mr. William J. Heniff

Dear Mr. Heniff:

I would like to apologize for the delay in the start of the fascia construction at 524 E. St. Charles Place. As you probably know I was a victim of a robbery last year and due to the slow insurance investigation process and settlement, I had to push back the start of the fascia project.

I would like to request an extension on the variance for both 524 & 506 E. St. Charles Place. I should have the permit document ready by the 25<sup>th</sup> of February 2007. I will put the project out for contractor bid: this should be completed approximately April 15<sup>th</sup> 2007. Construction will then start when the chosen contractor is available. I would also like to request that this delay does not hold up the occupancy approval for my tenant Poolside Dogs at 506 E. St. Charles Place.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffery Weinberg". The signature is stylized with a large, sweeping "J" and a long, horizontal stroke at the end.

Jeffery Weinberg  
Lombard Hobbies

**ORDINANCE NO. 5734**

**AN ORDINANCE GRANTING A FURTHER AMENDMENTS TO  
ORDINANCES 5324 AND 5691, A VARIATION TO THE FRONT YARD SETBACK  
REQUIREMENTS AND A CONDITIONAL USE FOR TWO PRINCIPAL  
SETUCTURES ON A LOT, PURSUANT TO TITLE 15, CHAPTER 155, SECTION  
155.305 OF THE LOMBARD ZONING ORDINANCE**

(PC 05-36: 506 East St. Charles Place)

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 is zoned B4 Corridor Commercial District; and,

WHEREAS, a legal non-conforming building located on the subject property was damaged greater than fifty percent of the value of the building as the result of a traffic accident in 1991; and

WHEREAS, Section 155.302 (G) of the Zoning Ordinance states that the legal non-conforming status of a building shall be lost if the damage or destruction caused by any means exceeds fifty percent of the market value of the building; and

WHEREAS, the Village adopted Ordinance 5324 on July 17, 2003 which granted a conditional use pursuant to Section 155.305 of the Zoning Ordinance to allow for the re-establishment of the legal nonconforming status of an existing building for the subject property; and

WHEREAS, the Village further adopted Ordinance 5691 on August 18, 2005 which granted an amendment to the conditions of approval conditional use associated with Ordinance 5324; and

WHEREAS, an application has been received requesting a variation from Section 155.415 (F)(1) of the Zoning Ordinance to allow for a variation in the front yard setback from thirty feet (30') to two feet (2'); and

WHEREAS, said application also requests a conditional use, pursuant to Section 155.208 (C) of the Zoning Ordinance, to allow for two principal buildings to be located on a lot of record; and

WHEREAS, the petition was subject to a public hearing before the Plan Commission on September 19, 2005 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended approval of the petition, subject to conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard hereby adopt the findings and recommendations of the Plan Commission as set forth herein, and make same part hereof, subject to certain revisions as more fully set forth below.

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 Ordinances 5324 and 5691 are hereby amended and that a variation is hereby granted from Section 155.415 (F)(1) of the Zoning Ordinance to allow for a variation in the front yard setback from thirty feet (30') to two feet (2') and a conditional use is hereby granted, pursuant to Section 155.208 (C) of the Zoning Ordinance, to allow for two principal buildings to be located on a lot of record, for the property legally described in Section 2 below (the "Subject Property"), subject to the conditions set forth in Section 3 below.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 506 East St. Charles Place, Lombard, Illinois and legally described as follows:

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) WHICH IS 726.1 FEET EAST OF THE EAST LINE OF GRACE STREET FOR A POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF THE HIGHWAY (NOW KNOWN AS EAST ST. CHARLES ROAD), MAKING AN ANGLE OF

26 DEGREES 2 MINUTES WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE FOR A DISTANCE OF 220.3 FEET TO AN IRON STAKE; WHICH IS ON THE SOUTH RIGHT OF WAY OF CHICAGO GREAT WESTERN RAILROAD; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID RAILROAD FOR A DISTANCE OF 138.2 FEET TO A STAKE; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 75 DEGREES 26 MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE A DISTANCE OF 62.6 FEET TO A STAKE ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE); THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) A DISTANCE OF 331.3 FEET, TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-05-427-001

SECTION 3: That the zoning actions set forth in Section 1 above shall be subject to the following conditions:

1. The property shall be developed in accordance with the site plan and building elevation packet prepared by Randy Pruyn, ALA, dated September 1, 2005 and made a part of this petition, except as varied by the conditions of approval.
2. The petitioner/property owner shall provide foundation landscaping around the building addition consistent with Section 155.708 of the Zoning Ordinance, consisting of shrubbery, evergreens and/or hedges placed along the foundation wall areas in addition to approved ground cover, with the final design subject to the Director of Community Development.
3. All private encroachments within the public right-of-way shall be removed.
4. The outdoor dining area shall be fenced, with the design of the fence subject to the approval of the Director of Community Development and pursuant to the fence regulations included within the Zoning Ordinance.
5. All other provisions associated with Ordinances 5324 and 5691 not amended by this Ordinance shall remain in full force and effect.
6. In the event that the provisions of Ordinances 5324 and 5691 are not met, the actions associated with this petition shall also immediately expire. Moreover, in the event that the Scoop's building is razed or is again damaged by more than fifty

percent of the value of the building, the relief associated with this petition shall also be null and void.

7. That prior to final consideration of any Ordinances approving the requested actions on the subject property, the property owner shall provide the Village with a building elevation plan to improve the exterior of the Lombard Hobbies building so that it is compatible with the proposed Scoop's building. The Lombard Hobbies building improvements shall be completed within twelve (12) months from the date of approval of the aforementioned Ordinance.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

First reading waived by action of the Board of Trustees this 6th day of October, 2005.

Passed on second reading this 6th day of October, 2005.

Ayes: Trustees Gron, Tross, O'Brien, Sebby and Florey

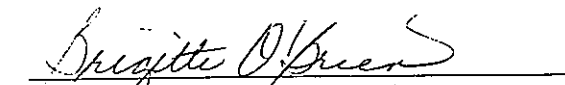
Nays: None

Absent: Trustee Soderstrom

Approved this 6th day of October, 2005.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk



Ca

ORDINANCE. NO 5790

**AN ORDINANCE AUTHORIZING A DOWNTOWN FAÇADE  
IMPROVEMENT GRANT FOR THE PROPERTY LOCATED AT  
506 E. ST. CHARLES PLACE**

WHEREAS, the Village is an agent for disbursement of funds for the Downtown Improvement and Renovation Grant Program under the authority granted by the Village Board and will provide monetary grants to qualified property owners in the Lombard Downtown Tax Increment Financing (TIF) District to enhance and improve downtown buildings and parking areas (hereinafter referred to as the "Program"); and,

WHEREAS, Michael Trombetta, wishes to participate in this program for façade renovation for the building located at 506 E. St. Charles Road, Lombard, Illinois; and,

WHEREAS, Jeffrey Weinberg (hereinafter referred to as "Owner"), supports an application to participate in this program for façade renovation for the building located at 506 E. St. Charles Road, Lombard, Illinois; and,

WHEREAS, the Project will complement and support the Village's plans to maintain a quality Central Business District;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That the Village shall provide Owner with a grant of up to \$23,345 pursuant to the Program (hereinafter referred to as the "Grant"). Such Grant shall be available to Owner upon the authorization of the Village's Director of Community Development, after receipt of satisfactory evidence that the Project has been completed and Owner has paid all invoices for labor and materials in connection therewith.

**SECTION 2:** The Applicant and Owner of 506 E. St. Charles Road agree that the project will be performed in accordance with the Building Elevations prepared by Randy B. Pruyn, dated October 27, 2005 and attached as Exhibit "A," Site Plan prepared by Randy B. Pruyn, dated October 27, 2005 and attached as Exhibit "B," and the project cost estimates, attached hereto as Exhibit "C."

**SECTION 3:** The Owner will comply with the following/taking the following actions in connection with the Project:

- a. Comply with all regulations and standards of the Program and all applicable building codes of the Village.
- b. Take all reasonable action to assure completion of the Project within six (6) months from the date of the adoption of this Ordinance. Failure to complete the Project within six (6) months from the date of the adoption of this Ordinance shall result in forfeiture of the Grant.
- c. Allow inspection of the Project by authorized employees of the Village to assure compliance with federal, state, and local regulations related to the Grant, as well as compliance with applicable building codes of the Village.
- d. Maintain the financial records that pertain to the Project, and allow access thereto by authorized employees of the Village. At a minimum, all contracts, change order, bills, invoices, receipts, cancelled checks and partial and final waivers of liens shall be maintained and made available to the authorized employees of the Village.
- e. Submit copies of all final waivers of lien, cancelled checks and invoices related to the Project to the Department of Community Development.

**SECTION 4:** The Owner agrees to maintain the business at 506 E. St. Charles Place Avenue in accordance with all Village codes and ordinances and agrees not to substantially change the use of the interior space of the building for which this Grant was received for a period of not less than three (3) years from the date of this Ordinance. Failure to maintain the business in accordance with all Village codes and ordinances, changing the use of the interior space within said three (3) year period, other than with the prior written authorization of the Village, or failing to otherwise fully comply with the terms and conditions of this Ordinance will require the Owner to make pro rated repayment of the Grant funds received by the Owner to the Village based on the following formula:

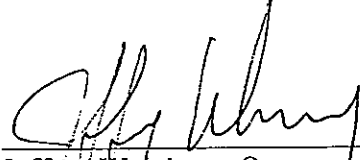
$$\begin{array}{rcccl} \text{Grant} & & \text{Number of Days from Ordinance adoption} & & \\ \text{Amount} & \times & \text{to event triggering repayment obligation} & = & \text{Repayment} \\ & & 1096 & & \text{Amount} \end{array}$$

**SECTION 5:** The Owner agrees that this Ordinance shall be recorded against the title to the property located at 506 E. St. Charles Place said property being legally described in Exhibit "B" attached hereto and made part hereof to serve notice upon future purchasers, assigns, estate representatives, successors, and all other interested persons of the conditions outlined in this Ordinance.

Ordinance No. 5790  
506 E. St. Charles Place  
Page 3


**SECTION 6:** A lien is hereby declared against the property described in Exhibit "B" in the amount of up to \$23,345, subject to said lien being released, in whole or in part, upon the Owner's compliance with the terms and conditions of this Ordinance. In the event of any such partial or full release, the Village shall record a partial or full release document to evidence same.

**SECTION 7:** Jeffrey Weinberg, being the legal title holder of the property described in Exhibit "B", hereby acknowledges that he has read the terms and conditions applicable to the receipt of the Grant, as set forth in this Ordinance, and agree to be bound thereby and to bind the property set forth in Exhibit "B" with the lien set forth in Section 6 above.

  
\_\_\_\_\_  
Jeffrey Weinberg, Owner

SUBSCRIBED and SWORN to  
before me this 16<sup>th</sup> day of  
March, 2006.



  
\_\_\_\_\_  
NOTARY PUBLIC

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2006.

First reading waived by action of the Board of Trustees this 5th day of January, 2006.

Passed on second reading this 5th day of January, 2006.

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

Nays: None

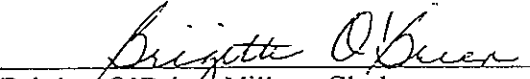
Absent: None

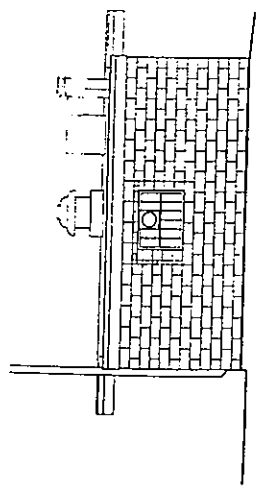
Ordinance No. 5790  
506 E. St. Charles Place  
Page 4

Approved this 5th day of January, 2006.

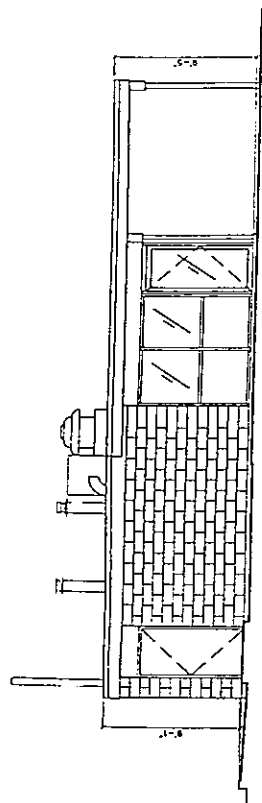
  
William J. Mueller, Village President

ATTEST:

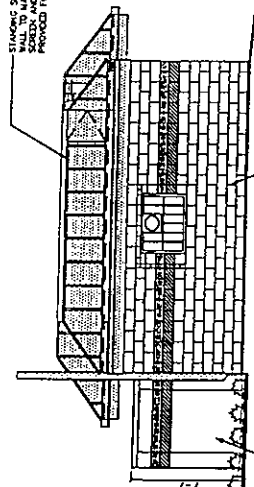
  
Brigitte O'Brien, Village Clerk



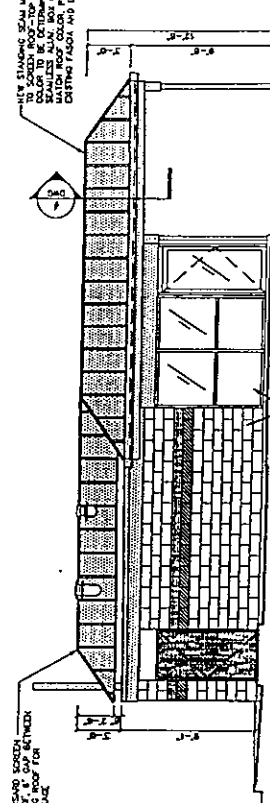
EXISTING EAST ELEVATION  
SCALE 1/8" = 1'-0"



EXISTING NORTH ELEVATION  
SCALE 1/8" = 1'-0"

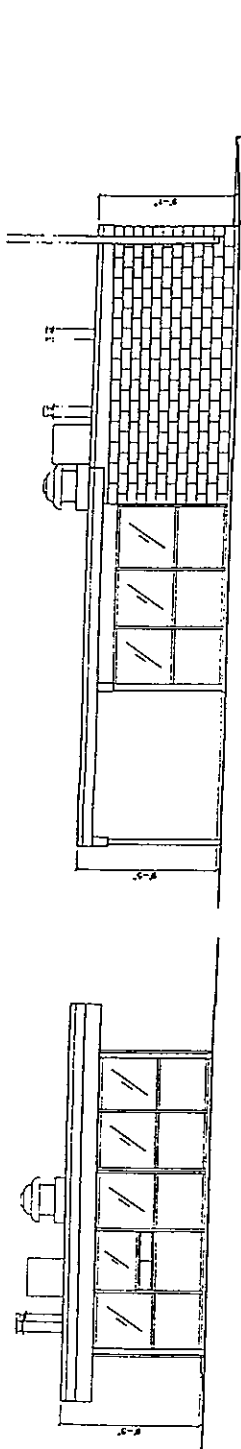


PROPOSED EAST ELEVATION  
SCALE 1/8" = 1'-0"



PROPOSED NORTH ELEVATION  
SCALE 1/8" = 1'-0"



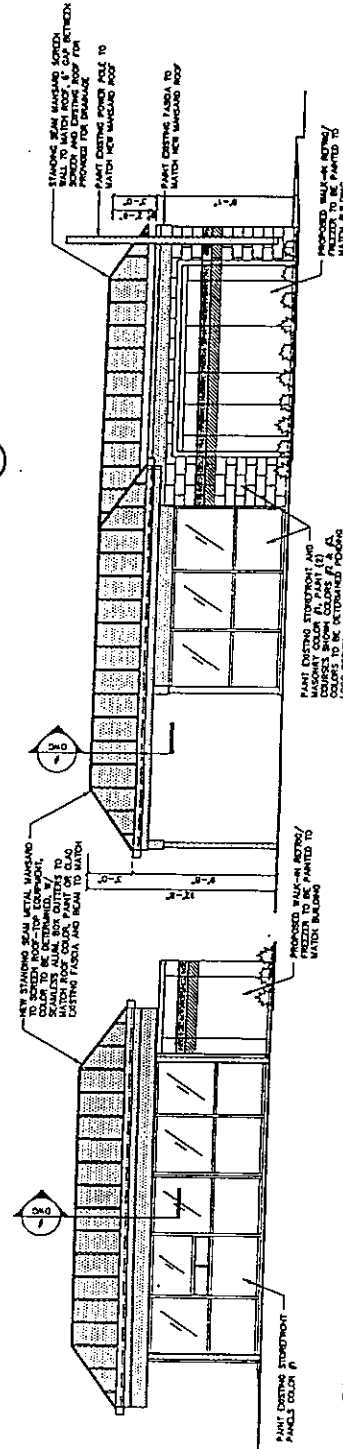


EXISTING WEST ELEVATION

SCALE 1/8" = 1'-0"

EXISTING SOUTH ELEVATION

SCALE 1/8" = 1'-0"

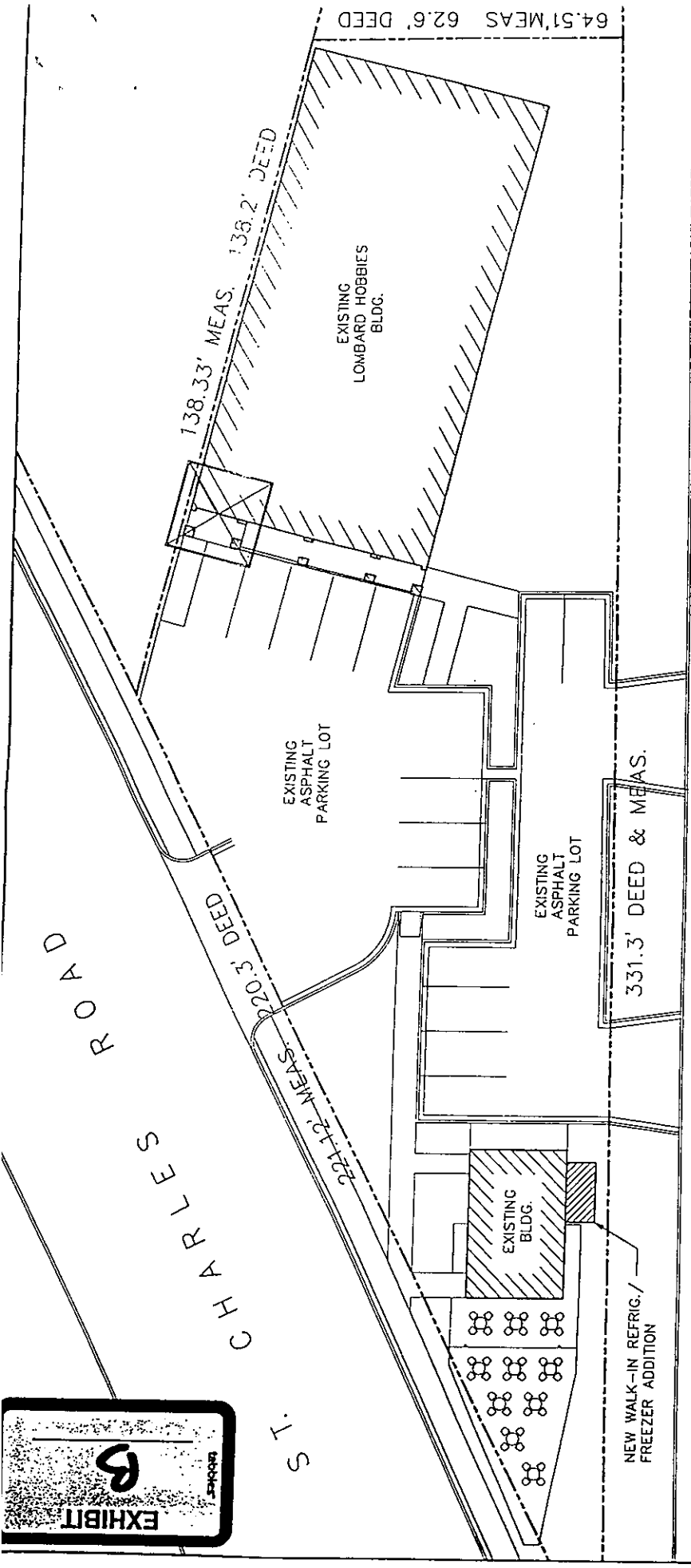


PROPOSED WEST ELEVATION

SCALE 1/8" = 1'-0"

PROPOSED SOUTH ELEVATION

SCALE 1/8" = 1'-0"



S T. C H A R L E S   P L A C E

SITE PLAN  
SCALE 1" = 20'-0"



POOLSIDE DOG  
FORMER 3000  
306 EAST ST. CHARLES PL.  
LOMBARD, ILL.  
10/27/

Phone: (630) 458-8707  
Fax:..(630).458-8709

603 C Factory Road  
Addison, IL 60101

PROPOSAL

**BRIGHT  
SIGNS  
& AWNINGS**

EXHIBIT

C

Date 11-30-05

Proposal Submitted To

Work To Be Performed At

Name POOLSIDE DOGS 1/2 MIKE  
Street 506 N. ST CHARLES PL.  
City LOMBARD  
State IL.  
Telephone Number (630) 439-5030

Street SAME  
City \_\_\_\_\_ State \_\_\_\_\_

We hereby propose to furnish the materials and perform the labor necessary for the completion of

☒ ILLUMINATED CHANNEL LETTERS:

BURGER BARK HOT DOGS FRIES 1/2"

☒ ILLUMINATED CABINET SIGN: 36" X 8'  
PLASTIC GLASS FACES 3/16" - LATTING TO MATCH DRAWING

☒ REPAIR POLE SIGN FACES + BOLTS WITH BALLAST  
(PAINT POLE)

☒ ILLUMINATED OUTSIDE NEON - 100'

(PRICE INCLUDES INSTALLATION)

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of Dollars (\$ 19,890.00).

with payments to be made as follows:

1/2, 1/2

All material property of Bright Signs until paid in full. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work.

Respectfully submitted



Note — This proposal may be withdrawn  
by us if not accepted within \_\_\_\_\_ days

#### ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature X

Date X

Signature \_\_\_\_\_

Bright Signs & Awnings has the right to remove any sign off any premise if not paid in full.



**JOHN BOUDREAU INC.  
336 W NAPERVILLE RD  
WESTMONT ILLINOIS  
60559**

**847-514-4999  
JTBHOMES @ COMCAST.NET**

## **PROPOSAL**

**SUMMITTED TO: Michael Trombetta 52 Orchard Terrace Lombard  
Illinois 60148**

**ADDRESS: Re: Poolside Dogs 506 East St. Charles Place Lombard  
Illinois 60148**

### **SCOPE OF WORK**

- \*Prepare roof for mansard construction  
Leveling and demolition as necessary**
  - \*Install metal framing for mansard parapet per plans**
  - \*Install metal roof on mansard and parapet mechanically fastened  
(MBCI or equiv.)**
  - \*Install seamless gutters with flashing, color coordinated**
  - \*Install new modified bitumen rubber roof with flashing**
  - \*Install steel door with steel frame in masonry construction**
  - \*Install approx. 100' of 42" fencing around seating perimeter per plans**
  - \*Patch, repair or replace approx. 500' of asphalt in seating area**
- \$26800.00**

### **WARRANTY**

**Manufacture warranties will be provided  
2 year labor warranty by JB Inc.**

### **TERMS**

**50% down payment, balance will be upon completion**

**ORDINANCE NO. 5807**

**AN ORDINANCE GRANTING VARIATIONS TO SECTIONS 155.415  
(F) (2), 155.415 (F) (4), AND 155.506 (B) (19) (A) (2) OF THE  
LOMBARD ZONING ORDINANCE**

(PC 06-03: 524 E. St. Charles Place)

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 B3 Community Commercial District; and,

WHEREAS, an application has been filed requesting approval of a variation from Section 155.415 (F)(2) of the Lombard Zoning Ordinance to allow for a variation in the corner side yard setback from thirty feet (30') to twenty-two feet (22'); and

WHEREAS, said application also requests approval of a variation from Section 155.415 (F)(4) of the Zoning Ordinance to allow for a variation in the rear yard setback from thirty feet (30') to zero feet (0'); and,

WHEREAS, said application also requests approval of a variation from Section 153.506 (B)(19)(a)(2) of the Sign Ordinance to allow a variation for three (3) wall signs; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on January 23, 2006 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 variation and conditional use described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees did 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;

Ordinance No. 5807

Re: PC 06-03

Page 2

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 is hereby granted for the property described in Section 3 below to allow for a variation in the corner side yard setback from thirty feet (30') to twenty-two feet (22'), subject to the conditions set forth in Section 5 below.

SECTION 2: That a variation is hereby granted for the property described in Section 3 below to allow for a variation in the rear yard setback from thirty feet (30') to zero feet (0'), subject to the conditions set forth in Section 5 below.

SECTION 3: That a variation is hereby granted for the property described in Section 3 below to allow a variation for three (3) wall signs, subject to the conditions set forth in Section 5 below.

SECTION 4: That this Ordinance is limited and restricted to the property located at 524 E. St. Charles Place, Lombard, Illinois and legally described as follows:

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) WHICH IS 726.1 FEET EAST OF THE EAST LINE OF GRACE STREET FOR A POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF THE HIGHWAY (NOW KNOWN AS EAST ST. CHARLES ROAD), MAKING AN ANGLE OF 26 DEGREES 2 MINUTES WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE FOR A DISTANCE OF 220.3 FEET TO AN IRON STAKE; WHICH IS ON THE SOUTH RIGHT OF WAY OF CHICAGO GREAT WESTERN RAILROAD; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID RAILROAD FOR A DISTANCE OF 138.2 FEET TO A STAKE; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 75 DEGREES 26 MINUTES

TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE A DISTANCE OF 62.6 FEET TO A STAKE ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE); THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) A DISTANCE OF 331.3 FEET, TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-05-427-001; (the "Subject Property").

SECTION 4: The variations as provided for in Sections 1, 2, and 3 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The property shall be developed in accordance with the site plan and building elevation packet prepared by Randy Pruyn, ALA, dated December 14, 2005 and made a part of this petition.
2. The petitioner shall apply for and receive a building permit for the proposed improvements on the property.
3. The project shall be developed consistent with Village Code.

SECTION 5: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

SECTION 6: 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 \_\_\_\_\_, 2006.

First reading waived by action of the Board of Trustees this 2nd day of February, 2006.

Passed on second reading this 2nd day of February, 2006, pursuant to a roll call vote as follows:

Ordinance No. 5807

Re: PC 06-03

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Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

Nays: None

Absent: None

Approved by me this 2nd day of February, 2006.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk

Published in pamphlet from this 6th day of February, 2006.

  
Brigitte O'Brien, Village Clerk

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING AN AMENDMENT TO  
THE CONDITIONS OF APPROVAL ASSOCIATED WITH ORDINANCE 5734**

(PC 05-36: 506 E. St. Charles Place (Poolside Dogs))

WHEREAS, on October 6, 2005, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5734 granting amendments to Ordinances 5324 and 5691, a variation from Section 155.415 (F)(1) of the Zoning Ordinance reducing the front yard setback from thirty feet (30') to two feet (2') and a conditional use, pursuant to Section 155.208 (C) of the Zoning Ordinance, to allow for two principal buildings to be located on a lot of record, for the property located at 506 E. St. Charles Place (hereinafter the "Subject Property"); and

WHEREAS, Condition number 7 of Ordinance 5734 states "That prior to final consideration of any Ordinances approving the requested actions on the subject property, the property owner shall provide the Village with a building elevation plan to improve the exterior of the Lombard Hobbies building so that it is compatible with the proposed Scoop's [Poolside Dogs] building. The Lombard Hobbies building improvements shall be completed within twelve (12) months from the date of approval of the aforementioned Ordinance"; and

WHEREAS, the owner has not started on the building improvements associated with the Lombard Hobbies building within twelve (12) months from date of approval of Ordinance 5734; and

WHEREAS, the Village has received a letter requesting a time extension associated with Ordinance 5734 as it relates to the aforementioned condition number 7; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said time 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: Condition number 7 of Ordinance 5734 is hereby amended and extended and shall read as follows:

7. The Lombard Hobbies building improvements shall be completed within six (6) months from the date of approval of the this Ordinance (i.e., August 15, 2007).

SECTION 2: That all other provisions associated with Ordinance 5734 shall remain in full force and effect.

SECTION 3: This Ordinance is limited and restricted to the property generally located at 506 East St. Charles Place, Lombard, Illinois and legally described as follows:

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) WHICH IS 726.1 FEET EAST OF THE EAST LINE OF GRACE STREET FOR A POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF THE HIGHWAY (NOW KNOWN AS EAST ST. CHARLES ROAD), MAKING AN ANGLE OF 26 DEGREES 2 MINUTES WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE FOR A DISTANCE OF 220.3 FEET TO AN IRON STAKE; WHICH IS ON THE SOUTH RIGHT OF WAY OF CHICAGO GREAT WESTERN RAILROAD; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID RAILROAD FOR A DISTANCE OF 138.2 FEET TO A STAKE; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 75 DEGREES 26 MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE A DISTANCE OF 62.6 FEET TO A STAKE ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE); THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) A DISTANCE OF 331.3 FEET, TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-05-427-001

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 \_\_\_\_\_, 2007.

Ordinance No. \_\_\_\_\_  
Re: PC 05-36 – Extension  
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First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_,  
2007.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

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

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING AN AMENDMENT TO  
THE CONDITIONS OF APPROVAL ASSOCIATED WITH ORDINANCE 5790**

(PC 05-36: 506 E. St. Charles Place (Poolside Dogs) – Façade Improvement Grant)

WHEREAS, on January 5, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5790 authorizing a façade improvement grant for the building located at 506 E. St. Charles Place, also known as the Poolside Dogs building, (hereinafter the “Subject Property”); and

WHEREAS, Condition number 3b of Ordinance 5790 states that the owner of the Subject Property shall:

- b. Take all reasonable action to assure completion of the Project within six (6) months from the date of the adoption of this Ordinance. Failure to complete the Project within six (6) months from the date of the adoption of this Ordinance shall result in forfeiture of the Grant.

WHEREAS, while the owner/tenant have started on the building improvements associated with the Poolside Dogs building, the project has not been completed to date and no conditional or final Certificates of Occupancy has been issued for the Subject Property; and

WHEREAS, the Village has received a letter requesting a time extension associated with Ordinance 5790 as it relates to the aforementioned condition number 3b; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said time 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: Condition number 3b of Ordinance 5790 is hereby amended and extended and shall read as follows:

Ordinance No. \_\_\_\_\_

Re: Poolside Dogs Façade Grant Extension

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- b. Take all reasonable action to assure completion of the Project within six (6) months from the date of the adoption of this Ordinance (i.e., August 15, 2007). Failure to complete the Project within six (6) months from the date of the adoption of this Ordinance shall result in forfeiture of the Grant.

SECTION 2: That all other provisions associated with Ordinance 5790 shall remain in full force and effect.

SECTION 3: This Ordinance is limited and restricted to the property generally located at 506 East St. Charles Place, Lombard, Illinois and legally described as follows:

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) WHICH IS 726.1 FEET EAST OF THE EAST LINE OF GRACE STREET FOR A POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF THE HIGHWAY (NOW KNOWN AS EAST ST. CHARLES ROAD), MAKING AN ANGLE OF 26 DEGREES 2 MINUTES WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE FOR A DISTANCE OF 220.3 FEET TO AN IRON STAKE; WHICH IS ON THE SOUTH RIGHT OF WAY OF CHICAGO GREAT WESTERN RAILROAD; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID RAILROAD FOR A DISTANCE OF 138.2 FEET TO A STAKE; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 75 DEGREES 26 MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE A DISTANCE OF 62.6 FEET TO A STAKE ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE); THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) A DISTANCE OF 331.3 FEET, TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-05-427-001

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.

Ordinance No. \_\_\_\_\_  
Re: Poolside Dogs Façade Grant Extension  
Page 3

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

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

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING AN AMENDMENT TO  
THE CONDITIONS OF APPROVAL ASSOCIATED WITH ORDINANCE 5807**

(PC 06-03: 524 E. St. Charles Place (Lombard Hobbies))

WHEREAS, on February 2, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5807 granting a variation from Section 155.415 (F)(2) of the Lombard Zoning Ordinance to allow for a corner side yard setback reduction from thirty feet (30') to twenty-two feet (22'); a variation from Section 155.415 (F)(4) of the Zoning Ordinance to allow for a reduction in the rear yard setback from thirty feet (30') to zero feet (0'); and of a variation from Section 153.506 (B)(19)(a)(2) of the Sign Ordinance to allow a variation for three (3) wall signs; and

WHEREAS, pursuant to Section 155.103 (C)(10) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, variations 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, construction has not commenced and no building permit has been issued for the development granted by Ordinance 5807; and,

WHEREAS, the Village has received a letter requesting an extension of Ordinance 5807; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said time 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: Ordinance 5807 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within six (6) months (i.e. August 15, 2007) of the date of adoption of this Ordinance.

SECTION 2: That all other provisions associated with Ordinance 5807 shall remain in full force and effect.

SECTION 3: This Ordinance is limited and restricted to the property generally located at 524 East St. Charles Place, Lombard, Illinois and legally described as follows:

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) WHICH IS 726.1 FEET EAST OF THE EAST LINE OF GRACE STREET FOR A POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF THE HIGHWAY (NOW KNOWN AS EAST ST. CHARLES ROAD), MAKING AN ANGLE OF 26 DEGREES 2 MINUTES WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE FOR A DISTANCE OF 220.3 FEET TO AN IRON STAKE; WHICH IS ON THE SOUTH RIGHT OF WAY OF CHICAGO GREAT WESTERN RAILROAD; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID RAILROAD FOR A DISTANCE OF 138.2 FEET TO A STAKE; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 75 DEGREES 26 MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE A DISTANCE OF 62.6 FEET TO A STAKE ON THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE); THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF ST. CHARLES ROAD (NOW KNOWN AS ST. CHARLES PLACE) A DISTANCE OF 331.3 FEET, TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-05-427-001

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 \_\_\_\_\_, 2007.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Ordinance No. \_\_\_\_\_  
Re: PC 06-03 – Extension  
Page 3

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

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

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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