

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
MAR.30,2005 11:28 AM
OTHER 06-07-209-013
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ORDINANCE 5527

**AMENDING ORDINANCE NO. 5289 GRANTING A
CONDITIONAL USE PURSUANT TO TITLE 15, CHAPTER
155, SECTION 155.416 (C) AND VARIATION FOR
REQUISITE PARKING**

PIN: 06-07-209-013

**Common Address: 10-12 S. Park Avenue,
Lombard, IL**

Return To:

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

ORDINANCE NO. 5527

**AN ORDINANCE AMENDING ORDINANCE NO. 5289 GRANTING
A CONDITIONAL USE PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 155.416 (C)
AND VARIATION FOR REQUISITE PARKING TO THE
LOMBARD ZONING ORDINANCE**

(PC 04-27: 10-12 South Park 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 is zoned B5PD Central Business District, Planned Development; and,

WHEREAS, the Corporate Authorities of the Village adopted Ordinance 5289 on May 15, 2003 which granted approval of a conditional use for an outside service area for a restaurant and for a variation from the parking requirements listed in Section 155.602, Table 6.3 of the Zoning Ordinance on the property described in Section 2 below; and,

WHEREAS, an application has been filed requesting an amendment to the conditions of approval associated with Ordinance 5289 on the property described in Section 2 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 16, 2004 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 amendment as 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;

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Re: PC 04-27

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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 Section 3 of Ordinance No 5289, adopted May 15, 2003 is hereby amended to read in its entirety as follows:

1. The outdoor dining activity shall be limited to Thursdays, Fridays, Saturdays, Sundays, or federal holidays between April 1 and October 31.
2. The outdoor dining activity shall not be open past 11:00 p.m. on Fridays and Saturdays and 9:00 p.m. on Thursdays, Sundays or federal holidays.
3. That all patrons shall leave the outdoor dining area no later than thirty minutes after the time in which the establishment is scheduled to close.
4. Associated with the outdoor dining area, the petitioner shall erect a removable wrought iron fence along the west side of the dining area. Said fence shall be in place during any outdoor dining periods.
5. That dumpsters shall not be physically located or visually seen from the dining area and this shall be overseen by the Director of Community Development.
6. That the commercial trailer currently parked in the 105 West St. Charles Road parking lot shall be relocated from its current location to another location not visible from public view.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 10-12 South Park Avenue, Lombard, Illinois and legally described as follows:

THAT PART OF LOT 1 IN BLOCK 19 IN TOWN OF "LOMBARD", DESCRIBED AS COMMENCING IN THE EAST LINE OF SAID LOT, 29.16 FEET NORTH OF THE SOUTHEAST CORNER THEREOF, THE SAME BEING THE CENTER OF A BRICK WALL, AS A POINT OF BEGINNING; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 1, 52.68 FEET TO THE JOINT IN THE BRICK WALL; THENCE WESTERLY ALONG A STRAIGHT LINE THROUGH SAID WALL, FOLLOWING THE LOT; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 54.88 FEET TO A POINT INTERSECTING A STRAIGHT LINE DRAWN WESTERLY FROM THE POINT OF BEGINNING THROUGH THE CENTER OF BRICK WALL TO THE WEST LINE OF SAID

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LOT; THENCE EASTERLY IN A STRAIGHT LINE 87.57 FEET TO A POINT OF BEGINNING, BEING A SUBDIVISION IN SECTIONS 5, 6, 7 AND 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868 AS DOCUMENT 9483 IN DU PAGE COUNTY, ILLINOIS.

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SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

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

First reading waived by action of the Board of Trustees this 19th day of August, 2004.

Passed on second reading this 19th day of August, 2004.

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

Nayes: None

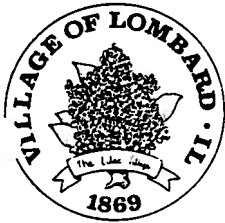
Absent: Trustee DeStephano

Approved this 19th day of August, 2004.


William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk



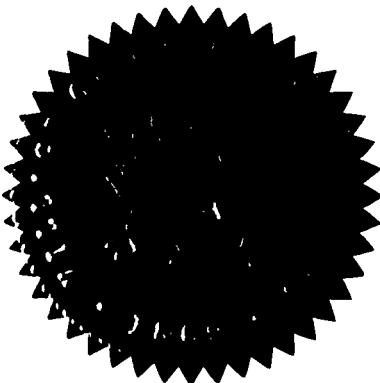
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President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

I further certify that attached hereto is a true and correct copy of ORDINANCE 5527

AN ORDINANCE AMENDING ORDINANCE
NUMBER 5289 GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155,
SECTION 155.416 (C) AND VARIATION FOR
REQUISITE PARKING FOR THE PROPERTY
LOCATED AT 10-12 SOUTH PARK AVENUE,
LOMBARD, DUPAGE COUNTY, ILLINOIS,
PIN 06-07-209-013

of the said Village as it appears from the official records of said Village duly passed on August 19, 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 22nd day of February, 2005.



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