

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

Resolution or Ordinance (Blue) \_\_\_\_\_  
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: April 30, 2008 (B of T) Date: May 15, 2008

TITLE: ZBA 08-05: 805 S. Main St.

SUBMITTED BY: Department of Community Development *John*

BACKGROUND/POLICY IMPLICATIONS:

The Zoning Board of Appeals transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests a variation from Section 153.504(B)(16)(b) of the Lombard Sign Ordinance to allow two (2) wall signs where only one (1) wall sign is permitted in the B1 Limited Neighborhood Shopping District. (DISTRICT #6)

The ZBA recommended approval of this petition with one condition. The ZBA also asked that the Village Board be notified of the petitioner's willingness to have the illuminated sign turned off by 9:15 p.m. in order to minimize the impact it has on the residents who live directly across the street from the subject property.

Please place this item on the May 15, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X

Finance Director X

Village Manager X

W.M.T. Lichter

Date

Date

Date

5/5/08

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 *DLH*  
Assistant Village Manager/ Director of Community Development

**DATE:** May 15, 2008

**SUBJECT:** ZBA 08-05; 805 S. Main St.

Please find the following items for Village Board consideration as part of the May 15, 2008 Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. IDRC report for ZBA 08-05;
3. An Ordinance granting approval of wall sign variations; and
4. Plans associated with the petition.

Please contact me if you have any questions regarding the aforementioned materials. The Zoning Board of Appeals recommended approval of the zoning actions associated with the petition.





**VILLAGE OF LOMBARD**

255 E. Wilson Avenue  
Lombard, IL 60148-3931  
(630) 620-5700 FAX: (630) 620-8222  
TDD: (630) 620-5811  
www.villageoflombard.org

May 15, 2008

Mr. William J. Mueller  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: ZBA 08-05; 805 S. Main St.**

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests a variation from Section 153.504(B)(16)(b) of the Lombard Sign Ordinance to allow two (2) wall signs where only one (1) wall sign is permitted in the B1 Limited Neighborhood Shopping District.

The Zoning Board of Appeals conducted a public hearing on April 23, 2008. Craig Kuelitzo, president of Lombard Pharmacy, presented the petition. Mr. Kuelitzo stated that when the pharmacy switched franchises they were required to display an additional illuminated sign on their building. The illuminated sign was permitted by the planning department, but the pharmacy would have to seek a variation for the existing second wall sign on the building. This sign has been in existence before the business was acquired by Mr. Kuelitzo. He believed that damage to the building may be visible were it to be removed. Also, a shadow of the sign may be left behind on the facade.

Chairperson DeFalco opened the meeting for public comment. Michael Porritt, 762 S. Main St., spoke against the petition. He stated that he lives across the street from the pharmacy. The signage at the pharmacy is much brighter than it used to be. He stated that he was concerned about the light pollution as the pharmacy is open until nine p.m. and the sign is often on until 11 p.m. He also stated the other businesses in the building might ask for more signs. Mr. Porritt stated that he believed the new illuminated sign was out of character with the other signs on the building.

Mr. Kuelitzo stated that his variation was intended to allow one of the original, non-illuminated wall signs. His illuminated sign was allowed by the Zoning

Village President  
William J. Mueller

Village Clerk  
Brigitte O'Brien

Trustees  
Greg Alan Gron, Dist. 1  
Richard J. Tross, Dist. 2  
John "Jack" T. O'Brien, Dist. 3  
Dana L. Morcau, Dist. 4  
Laura A. Fitzpatrick, Dist. 5  
Rick Soderstrom, Dist. 6

Village Manager  
William T. Lichter

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life."  
"The *Mission* of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Ordinance. He stated that he understood the concerns of Mr. Porritt and that he would arrange to have the sign turned off by 9:15 p.m.

Chairperson Defalco then requested the staff report.

Stuart Moynihan, Associate Planner, presented the staff report. Mr. Moynihan stated the subject property is located at the southeast corner of Harrison Road and Main Street. Lombard Pharmacy is the southernmost tenant within a multitenant commercial building on the property. The pharmacy currently has two existing wall signs facing Main Street. As a member of the Health Mart Pharmacy group, Lombard Pharmacy was required by the corporate entity to install an exterior, illuminated sign. In January 2008, Lombard Pharmacy was issued a building permit to attach the illuminated sign to an existing wall sign affixed to the building's cornice. Staff evaluated the addition of this sign to an existing wall sign as an expansion of an existing non-conformity. However, the petitioning pharmacy remains out of compliance with the Lombard Sign Ordinance. Therefore, the petitioner is requesting a variation from Section 153.504(B)(16)(b) of the Lombard Sign Ordinance to allow two (2) wall signs where only one (1) wall sign is permitted in the B1 Limited Neighborhood Shopping District.

The Sign Ordinance permits one (1) sign per business in the B1 Limited Neighborhood Shopping District. However, staff believes that the particular circumstances of the petitioning business merit an additional wall sign. The lower of the two wall signs provides only limited visibility to passersby of the pharmacy. Due to its placement, the sign can be completely obscured by larger vehicles parked in front of the pharmacy. The visibility of this sign is especially poor when traveling southbound on Main Street.

Due to its placement, the lower of the two signs seems to have a primary function of directing those patrons already on the site. Meanwhile, the wall affixed to the building's cornice primarily serves drivers on Main Street.

If this property were zoned B3 Community Shopping District, Lombard Pharmacy would be allowed a second wall sign as a matter of right. The land use and site design of the subject property does not differ significantly from properties north on Main Street that are zoned B3. Staff finds that the signs are appropriately sized and are reasonably located on the building. The addition of the illuminated Health Mart sign does not cause the pharmacy's signage to be excessive. The illuminated signage also provides some increased visibility for the pharmacy during evening hours. This is important as the pharmacy is open until nine p.m. four days of the week.

The approval of this petition would bring the subject property into compliance with the Lombard Sign Ordinance with regard to new the Health Mart signage and the two pre-existing wall signs. Staff is recommending approval of the petition subject to the condition in the staff report.

Mr. Tap asked if there was a freestanding sign on the property and if that sign was also related to this petition.

Mr. Kuelitzo stated that there was an old pylon sign on the property.

Mr. Moynihan stated that the existing freestanding sign was not part of this petition.

Chairperson Defalco stated that Mr. Z's signage rose concerns from neighbors concerning illumination. He asked if code identifies the permitted amount of illumination.

Mr. Moynihan stated that the amount of illumination is not reviewed by planning.

Chairperson Defalco asked about the number of watts used for the illuminated sign.

Mr. Kuelitzo stated four, thirty watt bulbs were used. He stated that his original signage was brighter but he was forced to change his wall sign by the property owner.

Chairperson Defalco asked Mr. Porritt if the lights being turned off at 9:15 would make him more amenable to the request.

Mr. Porritt answered yes but, he was still concerned about more signage at the property.

Mr. Kuelitzo stated that soon there would only be two tenants in the building.

Mr. Tap asked staff if the new wall sign's size conformed to the ordinance regarding the width of the tenant space.

Mr. Moynihan stated that the sign was reviewed by the planning department and was permitted.

On a motion by Mr. Polley and a second by Mr. Tap, the Zoning Board of Appeals recommended by a vote of 6 to 0 that the Village Board approve a variation to Section 153.504(B)(16)(b) of the Lombard Sign Ordinance to allow two (2) wall signs where only one (1) wall sign is permitted in the B1 Limited Neighborhood Shopping District subject to the following condition:

1. The wall sign for the pharmacy, or any future tenant, shall be limited to one wall sign

on the existing cornice and one wall sign on the west building elevation south of the existing window pane, as depicted on the submitted building permit applications issued as #05-1154 on 8/10/2005 and #08-86 on 1/31/2008.

Re: ZBA 08-05  
May 15, 2008  
Page 4

Respectfully,

**VILLAGE OF LOMBARD**  
*John A. DeFalco*

John DeFalco  
Chairperson  
Zoning Board of Appeals



**VILLAGE OF LOMBARD  
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Zoning Board of Appeals  
FROM: Department of Community Development  
PREPARED BY: Stuart Moynihan  
Associate Planner  
HEARING DATE: April 23, 2008

**TITLE**

**ZBA 08-05; 805 S. Main St.:** The petitioner requests a variation from Section 153.504(B)(16)(b) of the Lombard Sign Ordinance to allow two (2) wall signs where only one (1) wall sign is permitted in the B1 Limited Neighborhood Shopping District.

**GENERAL INFORMATION**

Petitioner: Lombard Pharmacy, Inc.  
805 South Main St.  
Lombard, IL 60148

Property Owner: Nupp Investments  
8585 Timber Ridge Drive  
Burr Ridge, IL 60527

**PROPERTY INFORMATION**

Existing Zoning: B1 Limited Neighborhood Shopping District  
Existing Land Use: Shopping plaza including subject pharmacy  
Size of Property: Approximately 21,000 Square Feet

**Surrounding Zoning and Land Use**

North: B1 Limited Neighborhood Shopping District; developed as a two-story apartment building.  
South: B1 Limited Neighborhood Shopping District; developed as office spaces.  
East: R2 Single-Family Residential District; developed as single family residences.  
West: R2 Single-Family Residential District; developed as single family residences.

## ANALYSIS

## SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on March 20, 2008.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, prepared by Harry A. Ekdahl and Associates Land Surveyors, (undated).
4. Photographs submitted by Lombard Pharmacy.

## DESCRIPTION

The subject property is located at the southeast corner of Harrison Road and Main Street. Lombard Pharmacy is the southernmost tenant within a multitenant commercial building on the property. The pharmacy currently has two existing wall signs facing Main Street. As a member of the Health Mart Pharmacy group, Lombard Pharmacy was required by the corporate entity to install an exterior, illuminated sign. In January 2008, Lombard Pharmacy was issued a building permit to attach the illuminated sign to an existing wall sign affixed to the building's cornice. Staff evaluated the addition of this signage to an existing wall sign as an expansion of an existing non-conformity. However, the petitioning pharmacy remains out of compliance with the Lombard Sign Ordinance. Therefore, the petitioner is requesting a variation from Section 153.504(B)(16)(b) of the Lombard Sign Ordinance to allow two (2) wall signs where only one (1) wall sign is permitted in the B1 Limited Neighborhood Shopping District.

## INTER-DEPARTMENTAL REVIEW COMMENTS

### ENGINEERING

Private Engineering Services

From an engineering or construction perspective, PFS has no comments.

Public Works Engineering

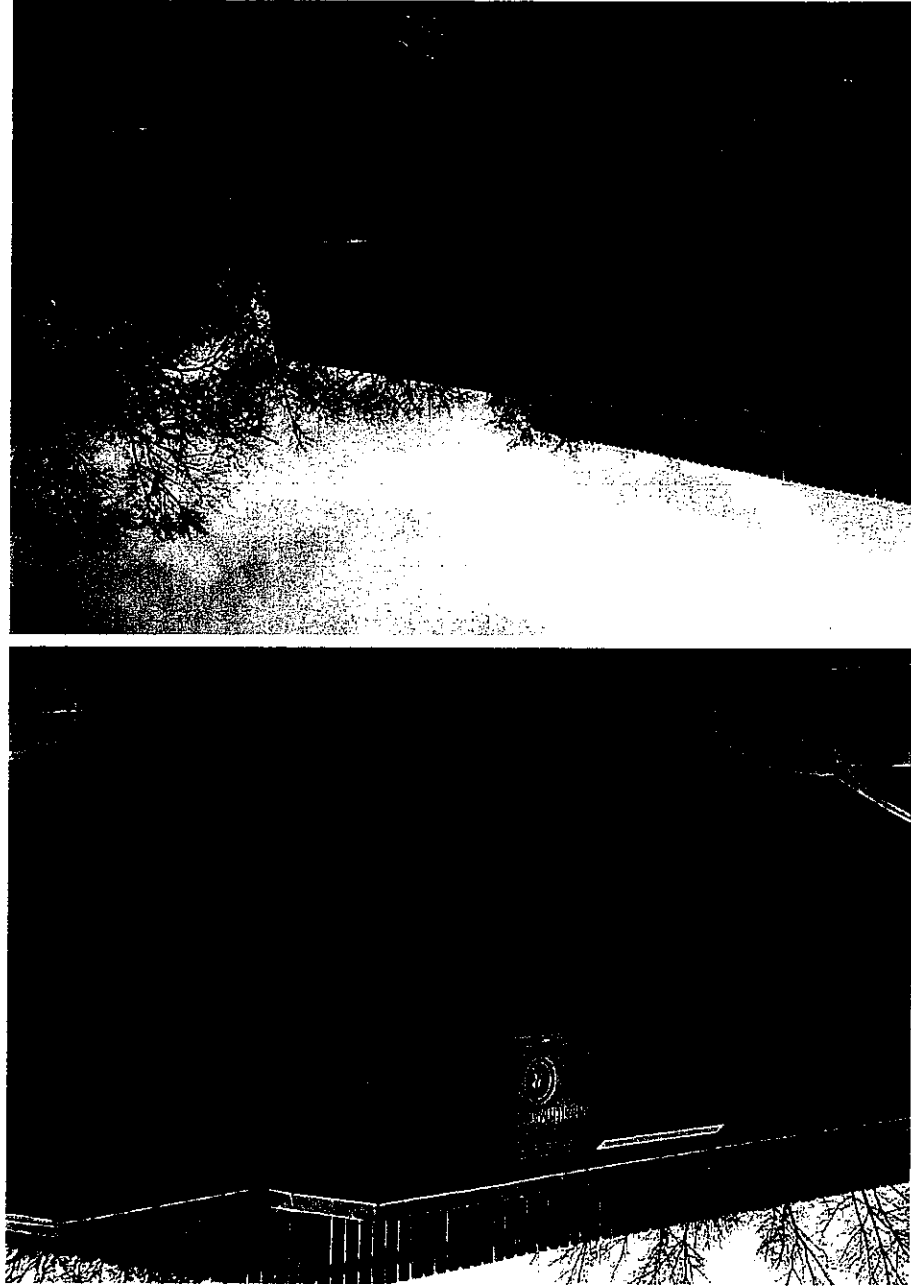
Public Works Engineering has no comments or changes.

### FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no comments.

## PLANNING

The Sign Ordinance permits one (1) sign per business in the B1 Limited Neighborhood Shopping District. However, staff believes that the particular circumstances of the petitioning business merit an additional wall sign. The lower of the two wall signs provides only limited visibility to passersby of the pharmacy. Due to its placement, the sign can be nearly completely obscured by larger vehicles parked in front of the pharmacy. The visibility of this sign is especially poor when traveling southbound on Main Street. Please see the photographs below.



Due to its placement, the lower of the two signs seems to have a primary function of directing those patrons already on the site. Meanwhile, the wall affixed to the building's cornice primarily serves drivers on Main Street. The petitioner does not believe that the removal of the lower wall sign would be desirable as it would result in visible damage to the building facade.

If this property were zoned B3 Community Shopping District, Lombard Pharmacy would be allowed a second wall sign as a matter of right. The land use and site design of the subject property does not differ significantly from properties north on Main Street that are zoned B3. Staff finds that the signs are appropriately sized and are reasonably located on the building. Also, the two preexisting signs are of a particularly understated nature due to their earthy color palette. The addition of the illuminated Health Mart sign does not cause the pharmacy's signage to be excessive. The illuminated signage also provides some increased visibility for the pharmacy during evening hours. This is important as the pharmacy is open until nine p.m. four days of the week.

The approval of this petition would bring the subject property into compliance with the Lombard Sign Ordinance with regard to new the Health Mart signage and the two pre-existing wall signs.

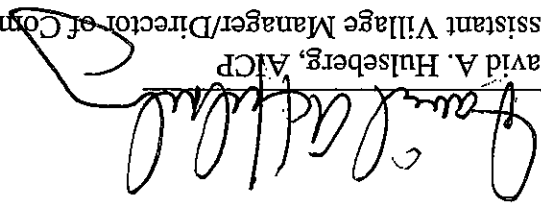
## FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented has affirmed the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending approval of the variation:

Based on the submitted petition and the testimony presented, the requested variation does comply with the Standards required for a variation by the Lombard Zoning and Sign Ordinances; and, therefore, I move that the Zoning Board of Appeals accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities approval of ZBA 08-05, subject to the following conditions:

1. The wall sign for the pharmacy, or any future tenant, shall be limited to one wall sign on the existing cornice and one wall sign on the west building elevation south of the existing window pane, as depicted on the submitted building permit applications issued as #05-1154 on 8/10/2005 and #08-86 on 1/31/2008.

Inter-Departmental Review Group Report Approved By:

  
David A. Hulseberg, AICP  
Assistant Village Manager/Director of Community Development

DAH

att-

c: Petitioner

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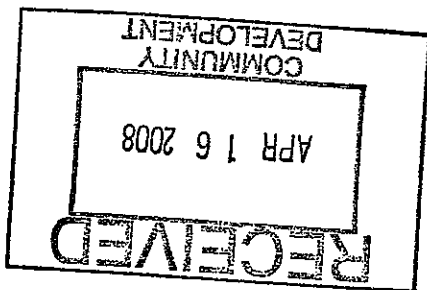
# Location Map

ZBA 08-05



April 15<sup>th</sup> 2008

Response to Notice of Public Hearing



To:

Village of Lombard  
 Department of Community Development  
 255 East Wilson Avenue  
 Lombard, Illinois 60148

From:

Robert K. Frytz  
 810 South Main Street  
 Lombard, Illinois 60148

Regarding Petition Case Number ZBA-08-05

Dear Village of Lombard Zoning Board of Appeals and all other interested parties,

In regards to Petition Case Number ZBA-08-05, where the petitioner has requested that the Village of Lombard take action by ALLOWING a variation from section 152.504(B)(16)(b) to allow two wall signs where only one (1) wall sign is permitted.

As a resident who lives within 250 feet (250') of the Lombard Property known as Parcel Number 06-07-113-017, I respectfully request that the Lombard Zoning Board of Appeals will decide to APPROVE the request by the Petitioner, for a Variation from section 152.504.(B)(16)(b).

Actions such as this are essential to keeping The Village of Lombard a hospitable locality for the small business community, to encourage new business owners to locate their businesses in Lombard and to encourage existing Lombard business owners to continue serving Lombard residents.

It is my sincere hope that the Village of Lombard Zoning Board of Appeals and all other interested parties permit the actions necessary to help nurture this local business so that it may continue to flourish while providing its essential requisite services to the neighborhood and to the Lombard community as a whole.

Very sincerely yours,

Robert K. Frytz





April 15<sup>th</sup> 2008

Response to Notice of Public Hearing

To:

Village of Lombard  
Department of Community Development  
255 East Wilson Avenue  
Lombard, Illinois 60148

From:

Donna K. Frytz  
810 South Main Street  
Lombard, Illinois 60148

Regarding Petition Case Number ZBA-08-05

Dear Village of Lombard Zoning Board of Appeals and all other interested parties,

In regards to Petition Case Number ZBA-08-05, where the petitioner has requested that the Village of Lombard take action by ALLOWING a variation from section 152.504(B)(16)(b) to allow two wall signs where only one (1) wall sign is permitted.

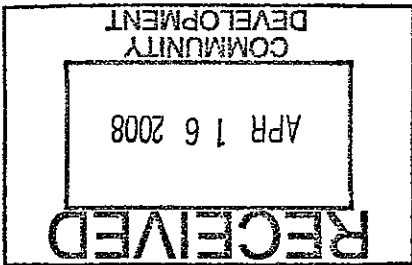
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It is my sincere hope that the Village of Lombard Zoning Board of Appeals and all other interested parties permit the actions necessary to help nurture this local business so that it may continue to flourish while providing its essential requisite services to the neighborhood and to the Lombard community as a whole.

Very sincerely yours,

Donna K. Frytz





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

AN ORDINANCE APPROVING A VARIATION  
OF THE LOMBARD SIGN ORDINANCE  
TITLE 15, CHAPTER 153 OF THE CODE OF LOMBARD, ILLINOIS

(ZBA 08-05: 805 S. Main St.)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned B1 Limited Neighborhood Shopping District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Section 153.504(B)(16)(b) of the Lombard Sign Ordinance to allow two (2) wall signs where only one (1) wall sign is permitted; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on April 23, 2008 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings and recommendations to the Board of Trustees with a recommendation of approval of the variation described herein; and,

WHEREAS, President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested variation.

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 from the provisions of Title 15, Chapter 153, Section 153.504(B)(16)(b) of the Lombard Sign Ordinance, for the property described in Section 2 below, to allow two (2) wall signs where only one (1) wall sign is permitted.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 805 S. Main St., Lombard, Illinois, and legally described as follows:

LOT 18 AND THAT PART OF LOT 17 DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 17; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 17, A DISTANCE OF 194.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 17; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 17, A DISTANCE OF 36.72 FEET; THENCE WESTERLY ALONG A LINE WHICH

INTERSECTS THE WEST LINE OF SAID LOT 17 35.78 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 17; A DISTANCE OF 194.00 FEET; THENCE NORTHLY ALONG SAID WEST LINE OF LOT 17, A DISTANCE OF 35.78 FEET TO THE PLACE OF BEGINNING, ALL BEING IN BLOCK 7 IN ARTHUR T MCINTOSH AND COMPANY'S LOMBARD GARDENS SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 174113, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-17-113-017

SECTION 3: This ordinance shall be granted subject to compliance with the following condition:

1. The wall sign for the pharmacy, or any future tenant, shall be limited to one wall sign on the existing cornice and one wall sign on the west building elevation south of the existing window pane, as depicted on the submitted building permit applications issued as #05-1154 on 8/10/2005 and #08-86 on 1/31/2008.

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 \_\_\_\_\_, 2008.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

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

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Brigitte O'Brien, Village Clerk

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