

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: October 8, 2007 (B of T) Date: October 18, 2007

TITLE: ZBA 06-21: 820 E. St. Charles Road

SUBMITTED BY: Department of Community Development *John*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a request granting a 12-month time extension of Ordinance 5935 relative to the approval of a reduction in the minimum required lot area for the property located at 820 E. St. Charles Road. (DISTRICT #4)

Staff is requesting a waiver of first reading.

Staff recommends approval of this request.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X

Finance Director X

Village Manager X

*David A. Johnson*

Date  
Date  
Date

10/9/07

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  
Assistant Village Manager/Director of Community Development

**DATE:** October 18, 2007

**SUBJECT:** ZBA 06-21: 820 E. St. Charles Road

On October 19, 2006, the Village Board adopted Ordinance 5935, which granted approval of a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet in the B4 Corridor Commercial District. Pursuant to Section 155.103 (C)(10) of the Lombard Zoning Ordinance, other variations 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 a time extension is granted by the Village Board.

Attached please find a letter from the petitioner requesting an extension to the Ordinance of approval. This request will allow the petitioner to proceed with the development as it was originally approved by the Village Board without the need for a new public hearing.

**ACTION REQUESTED**

A letter from the petitioner and a draft Ordinance is attached for Board consideration. Please place this item on the October 18, 2007 Board agenda with a recommendation to approve the attached Ordinance.

Staff also requests a waiver of first reading of the Ordinance.

Robert H. Mueller  
738 S. Elizabeth St.  
Lombard, Illinois 60148  
(630) 627-6244

October 5, 2007

Mr. David A. Hulseberg  
Village of Lombard  
255 E. Wilson Ave.  
Lombard, Illinois 60148

RE: ZBA 06-21 : 820 E. St. Charles Road


Dear Mr. Hulseberg:

On October 19, 2006 the Lombard Village Board voted on and approved a request of a lot variation from section 155.415 (D) of the Zoning Ordinance to reduce the required minimum lot area from 40,000 sq ft to 20,727.26 sq ft in the B-4 Corridor Commercial District.

Due to the high construction cost estimates I received with regards to the proposed plan for this site, I am currently redesigning a more cost effective structure. As I understand the variation that was granted had a time limit of 1 year, and I am in need of an extension of the lot size variation, I hereby request an extension thru October, 2008.

Your assistance in this matter is greatly appreciated, do not hesitate to contact me at 630-627-6244.

Respectfully,



Robert H. Mueller

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

Return To:

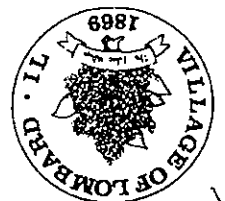
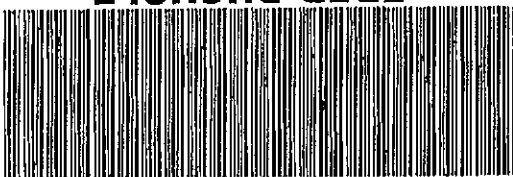
Address: 820 E. St. Charles Road, Lombard

PIN: 06-04-310-047

ORDINANCE NO 5935  
APPROVING A VARIATION OF THE LOMBARD ZONING  
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF  
LOMBARD, ILLINOIS

ORDINANCE NO 5935

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
MAR. 01, 2007  
4:07 PM  
OTHER  
06-04-310-047  
004 PAGES R2007-037350



AN ORDINANCE APPROVING A VARIATION  
OF THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS

(ZBA 06-21: 820 E. St. Charles Road)

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, an application has been filed requesting a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on September 27, 2006 pursuant to appropriate and legal notice; and,

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

WHEREAS, the 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 155, Section 415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 820 E. St. Charles Road, Lombard, Illinois, and legally described as follows:

LOT 1 IN ROSE'S PLAT OF CONSOLIDATION OF LOTS 1, 2 AND 3 IN A  
SUBDIVISION OF LOTS 56 & 57 IN ROBERTSON'S ST. CHARLES ROAD  
ADDITION TO WESTMORE, IN THE SOUTHWEST QUARTER OF SECTION 4,  
TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8,

1987 AS DOCUMENT R87-135515, AND CERTIFICATE OF CORRECTION  
RECORDED AS DOCUMENT R88-43687, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-04-310-047

SECTION 3: That 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 19th day of October \_\_\_\_\_, 2006.

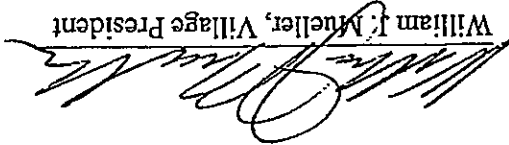
Passed on second reading this 19th day of October \_\_\_\_\_, 2006.

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

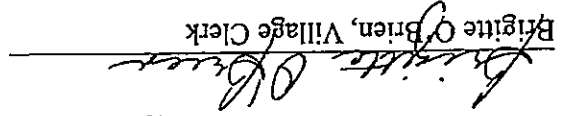
Nays: \_\_\_\_\_ None

Absent: \_\_\_\_\_ None

Approved this 19th day of October \_\_\_\_\_, 2006.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk

ORDINANCE NO. \_\_\_\_\_  
AN ORDINANCE GRANTING  
A TIME EXTENSION OF ORDINANCE 5935  
(ZBA 06-21: 820 E. St. Charles Road)

WHEREAS, on October 19, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5935, which granted approval of a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet in the B4 Corridor Commercial District; 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 5935; and,

WHEREAS, the Village has received a letter requesting an extension of Ordinance 5935; 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 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 5935 is hereby 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.

SECTION 2: That all other provisions associated with Ordinance 5935, not amended by this Ordinance, 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 \_\_\_\_\_, 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 this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

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

ATTEST:

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