

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

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

(ZBA 05-20: 609 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 with the Village of Lombard requesting a variation from Title 15, Chapter 155, Section 155.415 (F) (1) of the Lombard Zoning Ordinance to reduce the front yard setback from thirty feet (30') to ten feet (10') in the B4 Corridor Commercial District; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on December 28, 2005 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings with a recommendation of approval to the Board of Trustees for the requested variation; 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 subject to conditions.

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 155.415 (F) (1) of the Lombard Zoning Ordinance for the property described in Section 2 below, as to reduce the front yard setback from thirty feet (30') to ten feet (10').

SECTION 2: This ordinance is limited and restricted to the property generally located at 609 E. St. Charles Road , Lombard, Illinois, and legally described as follows:

PARCEL 1

LOT 5 IN BLOCK 2, EXCEPT THE NORTHERLY PART THEREOF, MEASURING 50.55 FEET SOUTHERLY FROM THE NORTHWEST CORNER ALONG THE WESTERLY LINE OF SAID LOT, AND 54.9 FEET SOUTHERLY FROM THE NORTHEAST CORNER ALONG THE EASTERLY LINE OF SAID LOT 5; LOT 6 IN BLOCK 2 EXCEPT THE NORTHERLY PART THEREOF, MEASURING 20.3 FEET SOUTHWESTERLY FROM THE

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NORTHWEST CORNER ALONG THE WESTERLY LINE OF SAID LOT AND 289 FEET SOUTHWESTERLY FROM THE NORTHWEST CORNER OF SAID LOT 7, WHICH IS ALSO THE SOUTHERLY RIGHT-OF-WAY LINE OF CIRCLE AVENUE, ALL IN SUNNYSIDE ADDITION TO LOMBARD, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1925, AS DOCUMENT 191820, IN DUPAGE COUNTY, ILLINOIS. ALSO THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF LOTS 5, 6, AND 7 IN BLOCK 2 IN SUNNYSIDE ADDITION TO LOMBARD, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1925, AS DOCUMENT 191820 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST QUARTER OF LOT 5 IN BLOCK 2 SUNNYSIDE ADDITION TO LOMBARD; THENCE EAST ALONG THE SOUTH LINE OF LOTS 5, 6, AND 7 IN BLOCK 2, AFORESAID, TO THE SOUTHEAST CORNER OF LOT 7; THENCE SOUTHEASTERLY ALONG THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY LINE OF SAID LOT 7, BEING A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 476.28 FEET AND A CHORD DISTANCE OF 222.84 FEET, TO A POINT DISTANT 50.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE CHICAGO NORTHWESTERN TRANSPORTATION COMPANY AS SAID MAIN TRACK IS NOW LOCATED; THENCE WESTERLY PARRALLEL WITH SAID MAIN TRACK CENTERLINE 460.14 FEET, MORE OR LESS, TO THE WEST LINE OF LOT 5 EXTENDED SOUTH TO SAID NORTH RIGHT-OF-WAY-LINE; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 5 EXTENDED SOUTH, AS AFORESAID, TO THE PLACE OF BEGINNING IN DUPAGE COUNTY, ILLINOIS.

#### PARCEL 2

THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 28.0 FEET SOUTHEASTERLY OF THE NORTHWEST CORNER OF LOT 7 IN BLOCK 2 OF SUNNYSIDE ADDITION TO LOMBARD RECORDED APRIL 25, 1925, AS DOCUMENT 191820; THENCE EASTERLY ALONG A LINE 33.0 FEET SOUTH OF AND PARALLEL WITH THE CENTERLINE OF ST. CHARLES ROAD, 132.65 FEET; THENCE SOUTH 20 DEGREES 33 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF AN EXISTING CONCRETE PARKING LOT AND ITS NORTHERLY EXTENSION, A DISTANCE OF 45.22 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS IS 476.28 FEET, WHOSE CHORD BEARS NORTH 50 DEGREES 18 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 140.41 FEET, AN ARC DISTANCE OF 140.93 FEET TO THE PLACE OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-05-423-006, 009, 010, 012, 014

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

1. That the petitioner shall satisfactorily addresses all of the comments within the IDRC report, as follows:
  - a. The property owner shall submit the required building permit application and construction documents to the Building Department for proper review and permit issuance.
  - b. The construction of the already installed bay window will have to be inspected to determine if the code correct construction materials were used, including any and all electrical work installed within the bay construction.
  - c. It will also need to be determined if any fire protection devices are to be installed in order to make the construction code compatible with the rest of the building.
2. The petitioner/property owner shall apply for and receive approval from the Village for any requisite building permits prior to commencing work on the property.
3. The relief included as part of this petition shall only apply to the encroachment for the bay window on the subject property. This relief shall not apply to any existing building and structures on the subject property. If in the event that the principal building at 609 E. St. Charles Road is damaged or destroyed more than fifty percent of the value of the principal building, the relief shall no longer apply.

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 \_\_\_\_\_, 2006.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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

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

Nayes: \_\_\_\_\_

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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William J. Mueller, Village President

ATTEST:

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Brigitte O'Brien, Village Clerk

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