

**ORDINANCE 7609  
PAMPHLET**

**PC 17-01: OAKVIEW ESTATES PHASE II,  
400 E. ST. CHARLES ROAD, THIRD TIME EXTENSION REQUEST**



PUBLISHED IN PAMPHLET FORM THIS 7<sup>TH</sup> DAY OF DECEMBER 2018, BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS.

A handwritten signature in black ink that reads "Sharon Kuderna". The signature is written in a cursive style and is positioned above the printed name and title.

Sharon Kuderna  
Village Clerk

**ORDINANCE NO. 7609**

**AN ORDINANCE GRANTING A THIRD TIME EXTENSION TO  
ORDINANCE 7342 GRANTING MAJOR CHANGES TO A PLANNED  
DEVELOPMENT PURSUANT TO TITLE 15, CHAPTER 155, SECTION  
155.504 OF THE LOMBARD ZONING ORDINANCE; APPROVING A  
CONDITIONAL USE TO ALLOW THREE PRINCIPAL BUILDINGS  
ON A LOT OF RECORD PURSUANT TO SECTION 155.208 OF THE  
LOMBARD ZONING ORDINANCE; AND APPROVING COMPANION  
VARIATIONS FOR THE PROPERTY AT 400 E. ST. CHARLES ROAD  
IN THE OAKVIEW ESTATES PLANNED DEVELOPMENT, AS  
ESTABLISHED BY ORDINANCE 5488**

(PC 17-01: Oakview Estates Planned Development Phase II – 400 E. St. Charles Road)

WHEREAS, on March 16, 2017, the President and Board of Trustees of the Village of Lombard adopted Ordinance 7342 which granted approval of major changes to a planned development; approval of a conditional use to allow three principal buildings on a lot of record; and approval of companion variations; and,

WHEREAS, pursuant to Section 155.103(F) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, a conditional use shall become null and void unless work thereon is substantially underway within twelve (12) months from the date of issuance, unless further action is taken by the Village Board; and,

WHEREAS, at the request of the petitioner, on March 15, 2018, the Village Board approved Ordinance 7484, extending the approvals granted by Ordinance 7342 to June 17, 2018; and

WHEREAS, at the request of the petitioner, on May 17, 2018, the Village Board approved Ordinance 7529, extending the approvals granted by Ordinance 7342 to December 17, 2018; and

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinance 7342 and extended by Ordinances 7484 and 7529; and

WHEREAS, the Village has received a letter from the project team requesting a third time extension of Ordinance 7342, for an additional six months; 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 7342 is hereby further 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 of the expiration date of Ordinance 7529 (i.e., June 17, 2019).

SECTION 2: That all other provisions associated with Ordinance 7342 not amended by this Ordinance shall remain in full force and effect.

SECTION 3: That this Ordinance is limited and restricted to the property located at 400 E. St. Charles Road, Lombard, Illinois and legally described as follows:

THAT PART OF LOT 1 IN OAKVIEW ESTATES RESUBDIVISION BEING A RESUBDIVISION IN PART OF THE SOUTHEAST QUARTER OF SECTION 5, AND THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AS DOCUMENT NUMBER R2006-038979 AND CERTIFICATE OF CORRECTION FILED APRIL 27, 2006 AS DOCUMENT R2006-077790, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING THE MOST WESTERLY CORNER ON THE MOST NORTHERLY LINE OF LOT 1 AFORESAID AND RUNNING THENCE NORTH 67 DEGREES 31 MINUTES 49 SECONDS EAST ALONG SAID NORTHERLY LINE OF LOT 1, A DISTANCE OF 441.47 FEET; THENCE SOUTH 22 DEGREES 25 MINUTES 50 SECONDS EAST, A DISTANCE OF 52.24 FEET; THENCE NORTH 67 DEGREES 34 MINUTES 10 SECONDS EAST, A DISTANCE OF 25.69 FEET; THENCE SOUTH 18 DEGREES 47 MINUTES 44 SECONDS EAST, A DISTANCE OF 105.28 FEET; THENCE SOUTH 70 DEGREES 44 MINUTES 29 SECONDS WEST, A DISTANCE OF 27.98 FEET; THENCE SOUTH 77 DEGREES 19 MINUTES 05 SECONDS WEST, A DISTANCE OF 100.24 FEET; THENCE SOUTH 81 DEGREES 45 MINUTES 05 SECONDS WEST, A DISTANCE OF 90.17 FEET; THENCE SOUTH 08 DEGREES 01 MINUTE 37 SECONDS EAST, A DISTANCE OF 7.01 FEET; THENCE SOUTH 81 DEGREES 49 MINUTES 50 SECONDS WEST, A DISTANCE OF 206.98 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET AND WHOSE CHORD BEARS NORTH 56 DEEGREES 09 MINUTES 42 SECONDS WEST, A CHORD DISTANCE OF 81.99 FEET (AN ARC DISTANCE OF 90.26 FEET) TO A POINT OF TANGENCY; THENCE NORTH 01 DEGREE 20 MINUTES 01 SECOND WEST, A DISTANCE OF 4.30 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PROPERTY COMMONLY KNOWN AS: 400 EAST ST. CHARLES RAOD,  
LOMBARD, ILLINOIS 60148

CONTAINING: 51,906.12 SQ. FT., 1.19 ACRES

PIN: 06-05-426-009

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 \_\_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this 6<sup>th</sup> day of December, 2018.

Passed on second reading this 6<sup>th</sup> day of December, 2018, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

Approved by me this 6<sup>th</sup> day of December, 2018.

  
Keith Giagnorio, Village President

ATTEST:

  
Sharon Kuderna, Village Clerk

Published in pamphlet from this 7<sup>th</sup> day of December, 2018.

  
Sharon Kuderna, Village Clerk