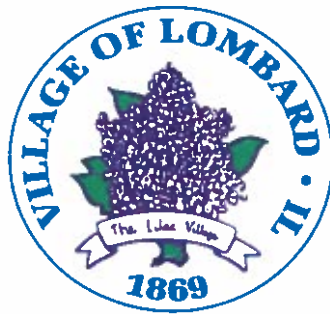


**ORDINANCE 7246
PAMPHLET**

**PC 16-13: 1101 N. DUPAGE AVENUE
EVEREST SNOW MANAGEMENT**



PUBLISHED IN PAMPHLET FORM THIS 22nd DAY OF JULY, 2016, 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 fluid and cursive.

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7246

AN ORDINANCE GRANTING A CONDITIONAL USE FOR A CONTRACTORS, ARCHITECTS AND ENGINEERS EQUIPMENT AND MATERIAL STORAGE YARD PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.420(C) AND A VARIATION FROM SECTION 155.420(L)(2) OF THE LOMBARD ZONING ORDINANCE

PC 16-13; 1101 N. DuPage Avenue (Everest Snow Management, Inc.)

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 as defined below is zoned I Limited Industrial District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Section 155.420(C) of the Lombard Zoning Ordinance to allow a contractors, architects, and engineers equipment and material storage yard and a variation from Section 155.420(L)(2) to allow for stored materials to be visible above the fence;

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on June 20, 2016 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional uses, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions herein by reference as if they were fully set forth herein;

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 the following conditional use for a contractors, architects, and engineers equipment and material storage yard is hereby granted for the Subject Property legally described in Section 3 and subject to the conditions set forth in Section 4.

SECTION 2: That a variation is hereby granted from Section 155.420(L)(2) to allow for materials to be stored above the fence height for the Subject Property legally described in Section 3 and subject to the conditions set forth in Section 4.

SECTION 3: That this Ordinance is limited and restricted to the property located at 1101 N. DuPage Avenue, Lombard, Illinois and legally described as follows:

PARCEL 1:

LOT 2 IN SAM B. GOTTLIEB DEVELOPMENT CORPORATION ASSESSMENT PLAT NUMBER ONE, BEING IN THE SOUTH EAST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 12, 1973 AS DOCUMENT R73-S8487, IN DUPAGE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2 (NORTHWEST CORNER OF LOT 2 BEING THE POINT OF INTERSECTION OF THE EAST LINE OF DUPAGE AVENUE AND A POINT 100.00 FEET SOUTH OF THE SOUTH LINE CLEARING INDUSTRIAL DISTRICT INC. ASSESSMENT PLAT NO. 6); THENCE SOUTH 89 DEGREES 57 MINUTES 17 SECONDS EAST ALONG THE NORTH LINE OF LOT 2 A DISTANCE OF 195.10 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 456.68 FEET AND WHOSE CHORD BEARS NORTH 25 DEGREES 45 MINUTES 05 SECONDS EAST FOR AN ARC DISTANCE OF 150.78 FEET TO A POINT; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 456.68 FEET AND WHOSE CHORD BEARS SOUTH 16 DEGREES 50 MINUTES 31 SECONDS WEST FOR AN ARC DISTANCE OF 141.84 FEET TO A POINT (SAID POINT BEING THE INTERSECTION OF THE EAST LINE OF SAID LOT 2 AND THE NORTH LINE OF SAID LOT 2 AN ITS EASTERLY EXTENSION THEREOF); THENCE NORTH 89 DEGREES 57 MINUTES 17 SECONDS WEST ALONG SAID EASTERLY EXTENSION A DISTANCE OF 24.28 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

AN EXCLUSIVE, PERPETUAL EASEMENT AND RIGHT OF WAY FOR PARCEL 1 FOR THE FULL AND FREE RIGHT, PRIVILEGE AND AUTHORITY OF ACCESS AND PARKING VEHICLES TO AND FROM, IN, ON, UPON, OVER, THROUGH AND ACROSS THE FOLLOWING DESCRIBED LAND UNDER AND BY VIRTUE OF GRANT OF PARKING EASEMENT RECORDED DECEMBER 26, 1995 AS DOCUMENT R95-182123, AS FOLLOWS: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 AFORESAID AND RUNNING THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 411.12 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 17 SECONDS WEST, 421.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 57 MINUTES 17 SECONDS WEST ALONG THE NORTH LINE OF SAM B. GOTTLIEB

DEVELOPMENT CORP. ASSESSMENT PLAT NUMBER 1 A DISTANCE OF 195.10 FEET TO A POINT IN THE EAST LINE OF DUPAGE AVENUE; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE OF DUPAGE AVENUE A DISTANCE OF 24.00 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 17 SECONDS EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAM B. GOTTLIEB DEVELOPMENT CORP. ASSESSMENT PLAT NUMBER 1 A DISTANCE OF 97.11 FEET TO A POINT OF INTERSECTION WITH A CURVE; THENCE SOUTHEASTERLY ALONG SAID CURVE, CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 345.97 FEET, AN ARC DISTANCE OF 102.22 FEET, WHOSE CHORD BEARS SOUTH 81 DEGREES 29 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 104.75 FEET TO A POINT OF INTERSECTION WITH A CURVED LINE; THENCE SOUTHWESTERLY ALONG SAID CURVE, CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 456.68 FEET, AN ARC DISTANCE OF 9.41 FEET, WHOSE CHORD BEARS SOUTH 16 DEGREES 52 MINUTES 59 SECONDS WEST FOR A DISTANCE OF 9.41 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY ILLINOIS.

Parcel Number: 03-31-402-039; (the "Subject Property").

SECTION 4: This ordinance shall be granted subject to compliance with the following conditions:

1. That this relief is limited to the operation of a contractors, architects, and engineers equipment and material storage yards only, and any physical site improvement or alterations to the Subject Property require approval through the Village;
2. That the petitioner must obtain a permit for and construct the proposed exterior concrete block bin wall/fence line between six (6) and eight (8) feet in height for the outside storage;
3. That the petitioner shall develop the Subject Property in accordance with plans submitted as part of this request;
4. The salt storage is permitted to be above the proposed exterior concrete block bin wall/fence line between September 1 through May 1;
5. The parking lot shall be configured so as to meet all Illinois Accessibility Code requirements, and Lombard Zoning Ordinance requirements; and
6. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the contractor's yard is not established by said date, this relief shall be deemed null and void.

7. The petitioner shall review and work with Village staff on their final on-site salt storage plan to address possible salt run-off impacts into the public sewer system.

SECTION 5: 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 _____, 2016.

First reading waived by action of the Board of Trustees this 21st day of July, 2016.

Passed on second reading this 21st day of July, 2016.

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

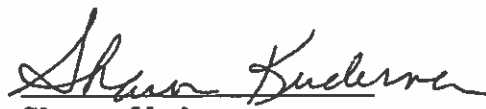
Nays: None

Absent: Trustee Pike


Approved this 21st day of July, 2016.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 22nd day of July, 2016.


Sharon Kuderna
Village Clerk