

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on Board Agenda

Resolution or Ordinance (Blue)       X             X             X       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: January 25, 2006 (BOT) Date: February 2, 2006

TITLE: PC 05-44: 710 N. Main Street

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. Associated with a previous approval of a conditional use for a religious institution (Ordinance 5075), the petitioner requests approval of a variation from Section 15.212, Table 2.1 of the Zoning Ordinance to allow for a central air-conditioning system to be located within a corner side yard in the R2 Single Family Residence District. Staff is requesting waiver of first reading. (DISTRICT #1)

The Plan Commission recommended approval of this request with conditions.

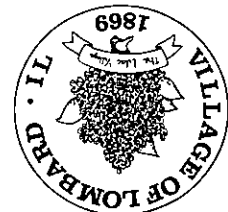
Staff is requesting a waiver of first reading

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_  
Finance Director X \_\_\_\_\_  
Village Manager X *M. N. S. L. C. H. R.* \_\_\_\_\_  
Date \_\_\_\_\_  
Date \_\_\_\_\_  
Date *1/26/06* \_\_\_\_\_

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, Director of Community Development *[Signature]*

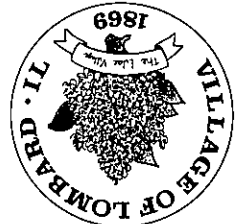
**DATE:** February 2, 2006

**SUBJECT:** PC 05-44: 710 North Main Street (St. Thomas Marthoma Church)

Attached please find the following items for Village Board consideration as part of the February 2, 2006 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC for PC 05-44, and
3. An Ordinance granting approval of an amendment to Ordinance 5075 with a variation to allow for an air-conditioning unit within the corner side yard.

As this project is currently under construction, staff recommends a waiver of first reading of the ordinance.



**VILLAGE OF LOMBARD**  
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 Lombard, IL 60148-3926  
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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  
 Steven D. Sebbj, Dist. 4  
 Kenneth M. Florey, Dist. 5  
 Rick Soderstrom, Dist. 6

Village Manager  
 William T. Lichter

February 2, 2006

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

**Subject: PC 05-44: 710 North Main Street; St. Thomas Marthoma Church**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition heard at the January 23, 2006 Plan Commission meeting. Associated with a previous approval of a conditional use for a religious institution (Ordinance 5075), the petitioner requests approval of a variation from Section 155.212, Table 2.1 of the Zoning Ordinance to allow for a central air-conditioning system to be located within a corner side yard in the R2 Single Family Residence District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 23, 2006.

Wesley Cover, of Kenneth Johnson, Associates, 191 West Irving Park Boulevard, Wood Dale, attorney for St. Thomas Marthoma Church, presented the petition on their behalf. He presented a brief overview of the petition, noting that the petitioner previously received conditional use approval for the church. This petition is to allow for an air conditioning unit to be located within the corner side yard. Responding to the standards for variations, he noted that its placement along North Avenue will minimize its visual and noise impact on adjacent residential properties. He noted that the traffic noise would be greater than the proposed unit. They submitted a landscape plan that will provide a level of screening of the unit. He also stated that from a visual standpoint the unit will not appear to be encroaching into the corner side yard, as the North Avenue pavement is over sixty feet from the unit's proposed location.

He mentioned that the primary purpose of relocating the unit from the south side of the building is to increase the unit's efficiency. Placing the unit on the south side of the building would also require additional basement duct work which would negatively affect their ability to use the area.

"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."

Chairperson then opened the meeting for public comment. No one spoke in favor or in opposition to the petition. He then requested the staff report.

William Heniff, Senior Planner, stated that the subject property is currently under development with a new religious institution, St. Thomas Marthoma Church. The property owner/petitioner received conditional use for the religious institution, with companion relief from open space requirements and for the church steeple as part of PC 02-01 (Ordinance 5075). The petitioner is proceeding with construction of the church per the approved plans. As part of the final building design, the petitioner proposes to locate the air conditioning units on the north side of the building. However, as the final location of the air conditioning unit is proposed to encroach within the requisite corner side yard, the petitioner is seeking additional relief accordingly.

He noted that the Zoning Ordinance sets forth conditions for the placement of central air conditioning unit compressors. The Ordinance allows for encroachments of up to two feet into requisite interior side yards. However these units are not permitted encroachments into front, corner side or rear yards. The intent of these regulations is to minimize the visual and noise impacts of such units on adjacent properties.

In consideration of the proposed location of the unit, staff notes that the north property line abuts the North Avenue right-of-way. While the outer edge of the unit will be approximately twelve feet (12') off of the property line, it will be located sixty-one feet (61') off of the North Avenue roadway. As such, while the placement of the unit constitutes an encroachment into the setback requirements, its relationship to the completed North Avenue pavement surface would not visually appear to be a visual encroachment into the requisite yard. The placement of the church to the far northeast corner of the property increases the building's prominence away from the residences and toward the adjacent non-residential uses. The proposed air conditioning unit location is also toward the north end of the property.

To ensure that its appearance does not detract from the overall appearance of the property and from the Main Street/North Avenue intersection, the petitioner has submitted a revised landscape plan showing that the unit will be screened by low growth evergreen and deciduous plant materials. The proposed relocation of the air conditioning unit will ensure that the unit will not be visible or audible from adjacent residences.

The Comprehensive Plan recommends Single Family Residential uses for this location. Institutional uses are generally considered to be supporting uses to the surrounding single-family residential uses. The placement of the unit away from existing residences would be consistent with the Plan objectives.

Chairperson Ryan opened the meeting for discussion among the Plan Commission members.

Commissioner Olbrysh stated that there is a valid reason to support this proposal. He noted that the proposed location would not affect adjacent residences, it would be partially screened and it would not appear to be an excessive encroachment into the yard.

After due consideration of the petition and the testimony presented, the proposed Ordinance amendment and variation does comply with the standards required by the Lombard Zoning Ordinance. Therefore, the Plan Commission by a roll call vote of 4-0 recommends to the Corporate Authorities **approval** of PC 05-44, subject to the following conditions:

1. The petitioner shall develop the site essentially in accordance with site plan prepared by Martin Design, Inc., dated January 4, 2005 and made a part of this request.
2. That all conditions associated with Ordinance 5075 not amended by this petition shall remain in full force and effect.

Respectfully,

VILLAGE OF LOMBARD



Donald F. Ryan

Chairperson

Lombard Plan Commission

Attachment

c. Petitioner

Lombard Plan Commission

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

**TO:** Lombard Plan Commission  
**FROM:** Department of Community Development  
**PREPARED BY:** William J. Heniff, AICP Senior Planner

**TITLE**

**PC 05-44; 710 North Main Street (St. Thomas Marthoma Church):** Associated with a previous approval of a conditional use for a religious institution (Ordinance 5075), the petitioner requests approval of a variation from Section 155.212, Table 2.1 of the Zoning Ordinance to allow for a central air-conditioning system to be located within a corner side yard in the R2 Single Family Residence District.

**GENERAL INFORMATION**

**Petitioner/Property Owner:** Chicago Marthoma Church  
776 11<sup>th</sup> Avenue  
Addison, IL 60101

**PROPERTY INFORMATION**

**Existing Land Use:** Church under construction  
**Size of Property:** Approximately 2.0 acres  
**Comprehensive Plan:** Recommends Single-Family Residential  
**Existing Zoning:** R2 Single-Family Residence District  
**Surrounding Zoning and Land Use:**

**North:** North Avenue and property zoned I Limited Industrial District; developed as industrial/warehouse uses  
**South:** R2 Single-Family Residence District; developed as single family residences  
**East:** Main Street and property zoned B3 Community Shopping District and developed as a Phillips 66 service station; and property zoned R2 Single Family Residence District – Planned Development and

developed as a detention pond for the Providence Glen Subdivision  
as well as single family residences  
R2 Single-Family Residence District; developed as single family  
residences  
West:

## ANALYSIS

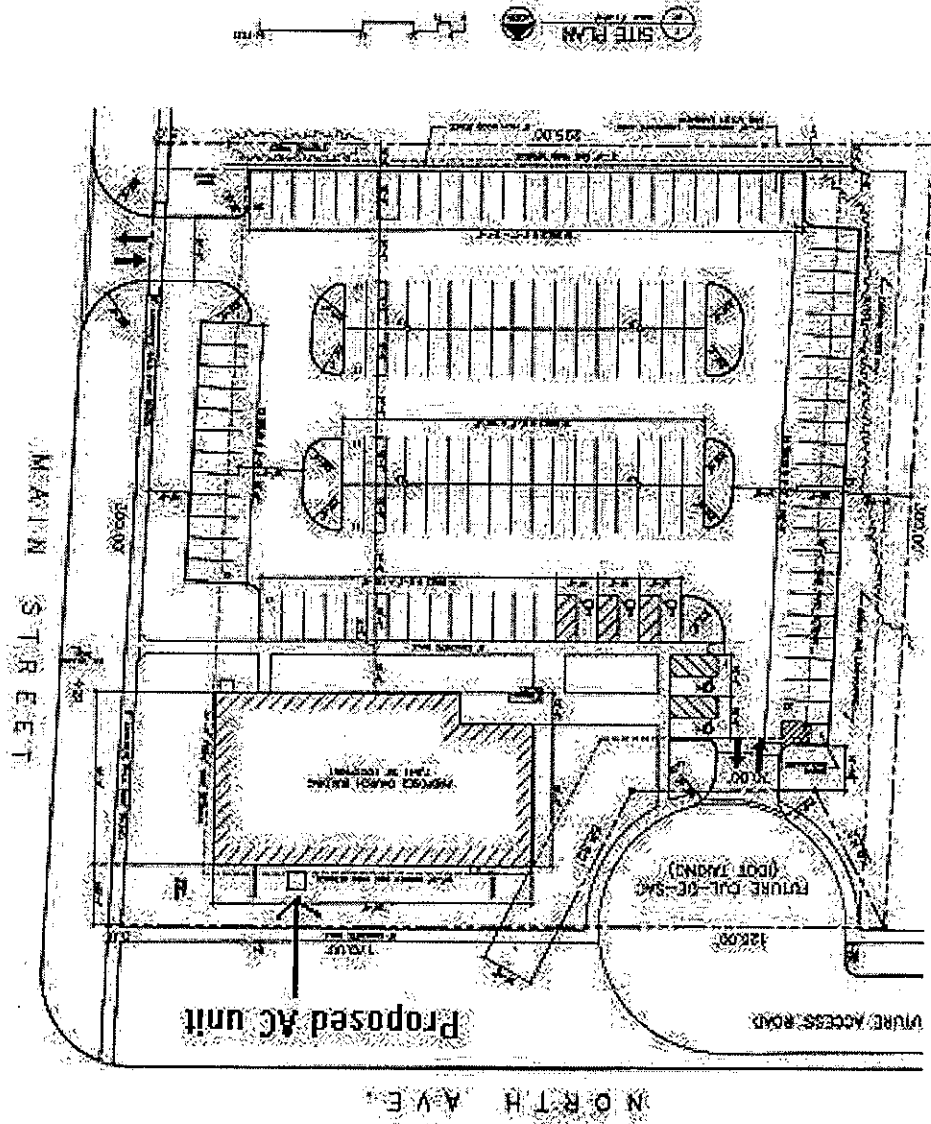
## SUBMITTALS

This report is based on the following documentation on file with the Department of Community  
Development:

1. Petition for Public Hearing: Signature dated November 4, 2005.
2. Response to Standards prepared by Kenneth P. Johnson, attorney, dated November  
22, 2005.
3. Plat of Survey: Prepared by Schlaf-Sedig & Associates, Inc., dated February 21,  
2001.
4. Approved site plan submittal, prepared by Intech Consultants, dated May 27, 2005.
5. Proposed concept landscape plan depicting air conditioning unit, prepared by Martin  
Design, dated January 4, 2005.

## BACKGROUND AND DESCRIPTION

The subject property is currently under development with a new religious institution, St. Thomas  
Marthoma Church. The property owner/petitioner received conditional use for the religious  
institution, with companion relief from open space requirements and for the church steeple as part  
of PC 02-01 (Ordinance 5075). The petitioner is proceeding with construction of the church per  
the approved plans. As part of the final building design, the petitioner's development team  
propose to locate the air conditioning units for the building on the north side of the building.  
However, as the final location of the air conditioning unit is proposed to encroach within the  
requisite corner side yard, the petitioner is seeking additional relief accordingly. A copy of  
Ordinance 5075 is attached for reference purposes.



### INTER-DEPARTMENTAL REVIEW COMMENTS

#### ENGINEERING

From an engineering or construction perspective, the Private Engineering Services Division has no comments on the petition.

#### FIRE AND BUILDING

The Bureau of Inspectional Services does not have any comments on the petition.



## PLANNING

### Compatibility with the Zoning Ordinance

The existing religious institution was approved as part of PC 02-01 (Ordinances 5075, with two time extensions granted attributable to the North Avenue reconstruction project). The proposed site plan will generally remain as originally approved by the Plan Commission and Village Board and in conformance with the building permit submittal. However, with the request to add the air conditioning unit to the north side of the building within the requisite corner side yard, the landscape plan is being amended to provide for additional landscape screening in this area.

### Variation Request

Section 155.212, Table 2.1 of the Zoning Ordinance sets forth conditions for the placement of central air conditioning unit compressors. The Ordinance allows for encroachments of up to two feet into requisite interior side yards. However these units are not permitted encroachments into front, corner side or rear yards. The intent of these regulations is to minimize the visual and noise impacts of such units on adjacent properties.

In consideration of the proposed location of the unit, staff notes that the north property line abuts the North Avenue right-of-way. While the outer edge of the unit will be approximately twelve feet (12') off of the property line, it will be located sixty-one feet (61') off of the North Avenue roadway. As such, while the placement of the unit constitutes an encroachment into the setback requirements, its relationship to the completed North Avenue pavement surface would not visually appear to be a visual encroachment into the requisite yard.

### Compatibility with the Surrounding Land Uses

The subject property is located at the southwest corner of North Avenue (a strategic regional arterial) and Main Street (a minor arterial). Surrounding uses include industrial activity to the north, commercial uses (gas station) to the east, and single-family residential properties to the west and south. The placement of the church to the far northeast corner of the property increases the building's prominence away from the residences and toward the adjacent non-residential uses. The proposed air conditioning unit location is also toward the north end of the property.

To ensure that its appearance does not detract from the overall appearance of the property and from the Main Street/North Avenue intersection, the petitioner has submitted a revised landscape plan showing that the unit will be screened by low growth evergreen and deciduous plant materials. The proposed relocation of the air conditioning unit will ensure that the unit will not be visible or audible from adjacent residences.

### Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Single Family Residential uses for this location. Comprehensive plans typically do identify specific locations for churches. Institutional uses are

generally considered to be supporting uses to the surrounding single-family residential uses. The placement of the unit away from existing residences would be consistent with the Plan objectives. Therefore, this use can be considered a compatible use with the Comprehensive Plan.

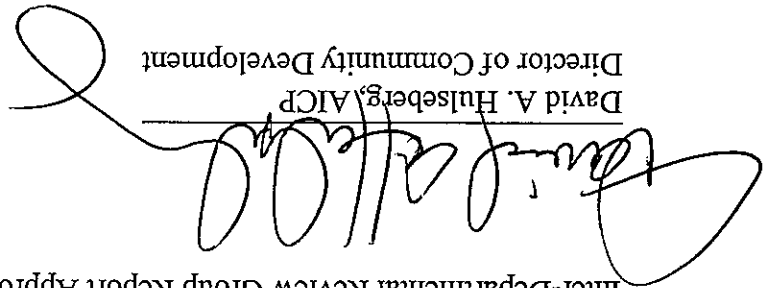
### FINDINGS AND RECOMMENDATIONS

Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition subject to the conditions as outlined:

Based on the submitted petition and the testimony presented, the proposed conditional use and variations do comply with the standards required by the Lombard Zoning Ordinance and Subdivision and Development Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission, and therefore, I recommend to the Corporate Authorities **approval** of PC 05-44, subject to the following conditions:

1. The petitioner shall develop the site essentially in accordance with site plan prepared by Martin Design, Inc., dated January 4, 2005 and made a part of this request.
2. That all conditions associated with Ordinance 5075 not amended by this petition shall remain in full force and effect.

Inter-Departmental Review Group Report Approved By:

  
David A. Hulseberg, AICP  
Director of Community Development

c: petitioner

**Appendix A**  
**Ordinance 5075**

ORDINANCE NO. 5075

AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO  
TITLE 15, CHAPTER 155, SECTION 405(C) OF THE  
LOMBARD ZONING ORDINANCE  
WITH VARIATIONS TO BUILDING HEIGHT AND OPEN SPACE

(PC 02-01: 710 North Main Street)

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 R2 Single-Family Residence District; and,

WHEREAS, an application has been filed requesting approval of a Conditional Use to provide for a religious institution described in Section 4 below; and,

WHEREAS, said application also requests approval of a variation from Section 155.406 (G) to allow for a church steeple exceeding the maximum building height, and a variation from Section 155.406 (H) to allow for a decrease in the 50% minimum lot area required to be preserved as open space; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on January 14, 2002 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional use described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations 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 a Conditional Use is hereby granted for the property described in Section 4 below and pursuant to Title 15, Chapter 155, Section 405 (C) of the Village of Lombard Zoning Ordinance so as to allow said property to be used for a religious institution.

**SECTION 2.** That a variation is hereby granted from Section 155.406 (G) to allow for a church steeple exceeding the maximum building height for the property described in Section 4 below.

**SECTION 3.** That a variation is hereby granted from Section 155.406 (H) to allow for a decrease in the 50% minimum lot area required to be preserved as open space for the property described in Section 4 below.

**SECTION 4.** That this ordinance is limited and restricted to the property located at 710 North Main Street, Lombard, Illinois and legally described as follows:

LOT 33 IN BLOCK 1 IN HARRIS' LOMBARD HILLS, BEING A SUBDIVISION IN THE NORTHEAST ¼ OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1950 AS DOCUMENT 600854, IN DU PAGE COUNTY, ILLINOIS.

Parcel No. 06-06-202-016

**SECTION 5.** This ordinance shall be granted subject to compliance with the following condition(s):

1. The petitioner shall develop the site essentially in accordance with site plan prepared by Crossroads Design, Inc., dated December 10, 2001 and made a part of this request.

2. That the conditional use shall be for the construction and operation of a religious institution on the subject property. Should the petitioner or any subsequent property owners seek to operate uses such as, but not limited to, day

care facility, pre-school activities, elementary school activities, a conditional use amendment will be required.

3. That the overall lot coverage not exceed 32.9% of the overall lot area.

4. That the petitioner apply for and receive a building permit for the proposed improvements. Said permit shall also include the following elements:

a. That the petitioner shall also submit a revised landscape plan with the building permit application that will specifically denote the existing vegetation that will be preserved as part of the development. Shall any of the designated trees die during the site development process, the petitioner shall replace it with new trees of equal caliper and subject to the approval of the Director of Community Development.

b. That the petitioner shall also submit a photometric lighting plan for the property consistent with Village Code.

c. That associated with the submittal of a building permit for the site, the petitioner shall also provide the Village with requisite fees to cover the costs of sidewalk and parkway improvements.

d. That the access driveway onto Main Street shall be designed and constructed as a right-in, right-out facility.

5. That the site shall be constructed and operated in conformance with the Lombard Village Codes.

6. That should cut-through traffic through the site be identified as a concern by the Village, the petitioner shall install a gate at the north entrance, subject to the discretion of the Director of Community Development.

SECTION 6. 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 7th day of February, 2002.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

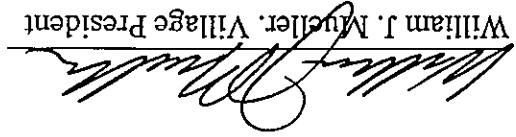
Passed on second reading this 21<sup>st</sup> day of February, \_\_\_\_\_, 2002.

Ayes: Trustees Destephano, Tross, Koenig, Florey, Soderstrom

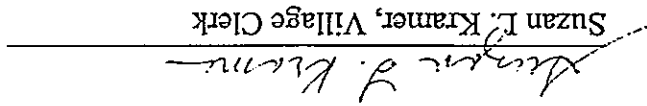
Nays: None

Absent: Trustee Seby

Approved this 21<sup>st</sup> day of February, \_\_\_\_\_, 2002.

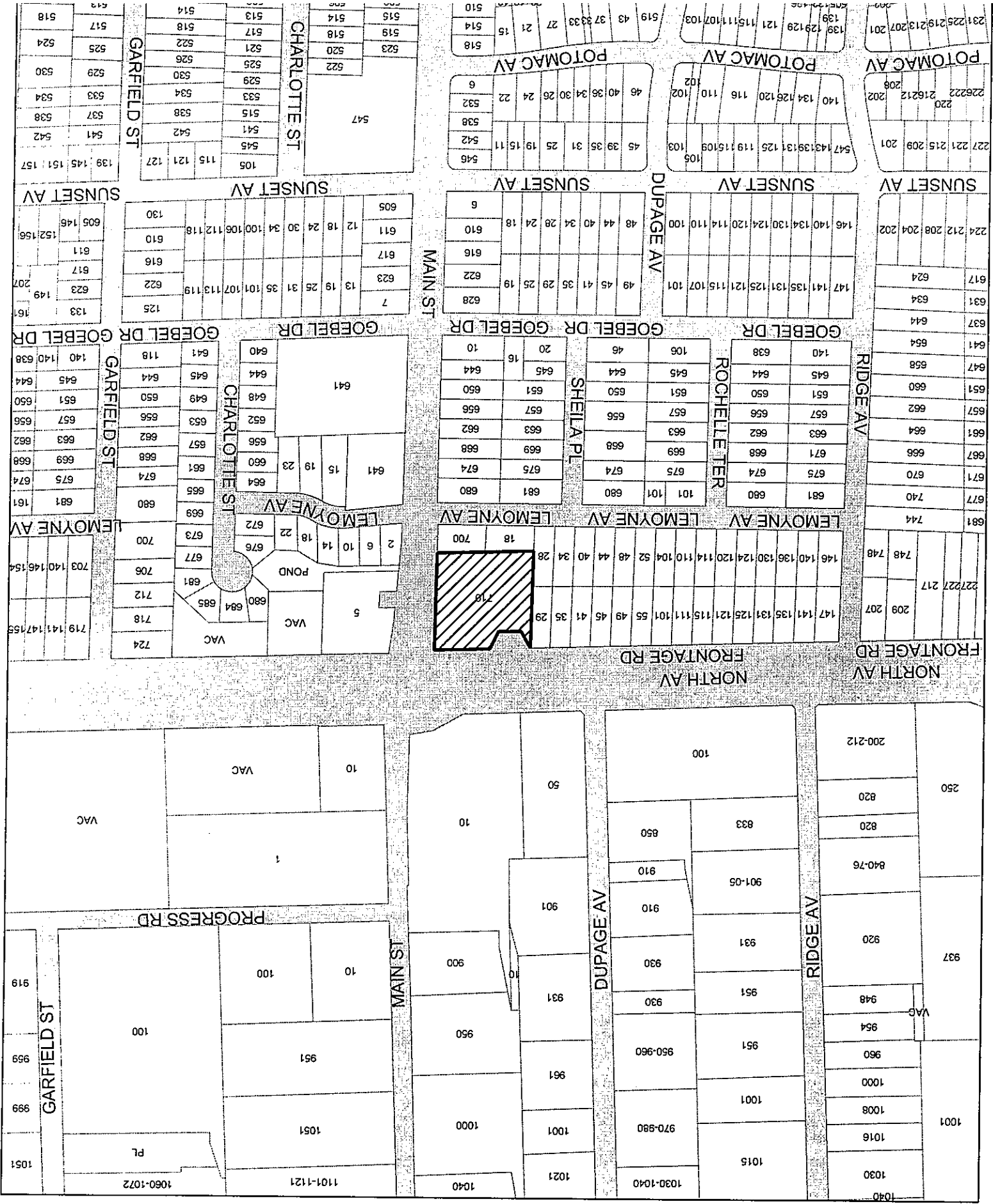
  
William J. Mueller, Village President

ATTEST:

  
Suzan L. Kramer, Village Clerk

# Location Map

PC 05-44  
710 N. Main Street





**Kenneth P. Johnson & Associates  
Attorneys at Law  
191 West Irving Park Road  
Wood Dale, Illinois 60191**



Fax (630) 860-8943

Phone (630) 595-0658

KPIASSOC@AOL.COM

Kenneth P. Johnson

November 22, 2005

William J. Heniff, Senior Planner  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148

RE: Standards for Conditional Uses  
Proposed Chicago Marthoma Church  
Southwest corner of North Ave./Main St.

Dear Mr. Heniff:

This letter serves as the above referenced applicant's response to "Standards for Conditional Uses" (Section 15.103 [F][8] of the Lombard Zoning Ordinance) in requesting a conditional use of the property at the Southwest corner of North Avenue and Main Street.

1. Standard: "*The establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.*"

Response: The HVAC unit is stationary and professional grade and shall pose no threat of any kind to the general public. meets standard

2. Standard: "*The conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located.*"

Response: Any noise produced by the HVAC unit will be drowned out by the usual traffic on North Avenue. The Chicago Marthoma Church takes a great deal of pride in their facilities and maintains their buildings and grounds in such a way that surrounding properties have experienced an increase in property values. meets standard

3. Standard: "*The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*"

Response: The petitioner already owns the property where the HVAC unit shall be placed. The surrounding properties are already developed as residential to the south and west, commercial to the east and industrial to the north. The proposed HVAC will not impede the development or redevelopment of these areas. meets standard

4. Standard: "The adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided."

Response: The HVAC unit shall have adequate electricity from the church building to operate. meets standard

5. Standard: "Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets."

Response: The HVAC unit does not impede on any means of ingress or egress and does not require a means of ingress and egress. meets standard

6. Standard: "The proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard."

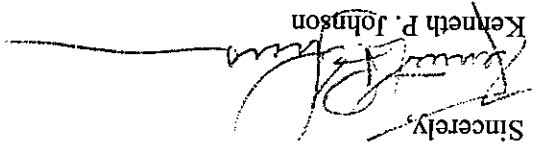
Response: The Comprehensive Plan for the Village of Lombard promotes and encourages not-for-profit community orientated facilities. The proposed HVAC unit placement shall facilitate the church's objectives to teach morals, citizenship, respect for authority and supports charity. meets standard

7. Standard: "The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission."

Response: The proposed church use shall conform in all respects, except for requested variances, to all other standards and regulations of the district. meets standard

Should you have any questions or wish to discuss any of the above responses, please contact me at 630-595-0658.

Sincerely,



Kenneth P. Johnson

KPJ/whc

**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 5075  
GRANTING A CONDITIONAL USE FOR A RELIGIOUS INSTITUTION AND A  
VARIATION TO THE CORNER SIDE YARD SETBACK REQUIREMENTS**

(PC 05-44: 710 North Main Street)

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 R2 Single-Family Residence District; and,

WHEREAS, on February 21, 2002, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5075 granting conditional use approval for a religious institution with a variation from Section 155.406 (G) for a church steeple exceeding the maximum building height and a variation from Section 155.406 (H) for a decrease in the 50% minimum lot area required to be preserved as open space, for the property at 710 North Main Street, Lombard; and,

WHEREAS, the President and Board of Trustees adopted Ordinance 5226 on January 16, 2003, granting an amendment to Ordinance 5075 which extended the period in which the petitioner shall obtain a building permit and start the associated project for a one-year period; and

WHEREAS, the President and Board of Trustees adopted Ordinance 5386 on November 18, 2003, granting an amendment to Ordinance 5075 which extended the period in which the petitioner shall obtain a building permit and start the associated project for an additional one-year period; and

WHEREAS, an application has been filed requesting approval of an amendment to Ordinance 5075 with a variation from Section 155.212, Table 2.1 of the Zoning Ordinance to allow for a central air-conditioning system to be located within a corner side yard in the R2 Single Family Residence District; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on January 23, 2006 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the ordinance amendment and variation described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations 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 an amendment to Ordinance 5075 and a variation is hereby granted from Section 155.212, Table 2.1 of the Zoning Ordinance to allow for an air-conditioning unit to be located within a corner side yard.

SECTION 2: That this ordinance is limited and restricted to the property located at 710 North Main Street, Lombard, Illinois and legally described as follows:

LOT 33 IN BLOCK 1 IN HARRIS' LOMBARD HILLS, BEING A SUBDIVISION IN THE NORTHEAST ¼ OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1950 AS DOCUMENT 600854, IN DU PAGE COUNTY, ILLINOIS, EXCEPTING FROM THAT PART OF THE PROPERTY TAKEN FOR PUBLIC ROADWAY PURPOSES.

Parcel Number: 06-06-202-035

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

1. The petitioner shall develop the site essentially in accordance with site plan prepared by Martin Design, Inc., dated January 4, 2005 and made a part of this request.

2. That all conditions associated with Ordinance 5075 not amended by this petition shall remain in full force and effect.

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: \_\_\_\_\_

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

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

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

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk