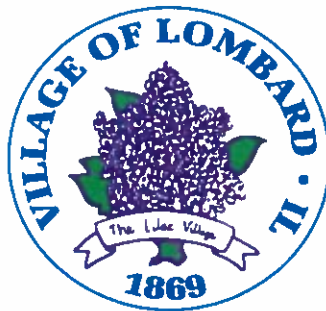


**ORDINANCE 7163
PAMPHLET**

**PC 15-29: 390-396 E. ST. CHARLES ROAD;
PIONEER DAY CARE**



PUBLISHED IN PAMPHLET FORM THIS 8th DAY OF JANUARY, 2016, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7163

AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO SECTION 155.414 (C)(5) OF THE LOMBARD ZONING ORDINANCE FOR A DAY CARE CENTER; A VARIANCE FROM SECTION 155.414 (F)(1) TO REDUCE THE REQUIRED FRONT YARD SETBACK FROM THIRTY FEET (30') TO THIRTEEN FEET (13'); AND VARIANCE FROM SECTION 155.414 (F)(4) TO REDUCE THE REQUIRED REAR YARD SETBACK FROM TWENTY FEET (20') TO ELEVEN FEET (11').

(PC 15-29; Pioneer Day Care, 390-396 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, 390-396 E. St. Charles Road, the Subject Property, is zoned B2 General Neighborhood Shopping District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Section 155.414 (C)(5) of the Lombard Zoning Ordinance for a day care center; a variance from Section 155.414 (F)(1) to reduce the required front yard setback from thirty feet (30') to thirteen feet (13'); and a variance from Section 155.414 (F) (4) to reduce the required rear yard setback from twenty feet (20') to eleven feet (11'); and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on December 21, 2015 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 petition as 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 follow:

SECTION 1: That the following relief is hereby granted for the Subject Property, as described in Section 2 below:

1. A conditional use, pursuant to Section 155.414 (C) (5) of the Zoning Ordinance, to allow for a day care center;
2. A variance from Section 155.414 (F) (1) to reduce the required front yard setback from thirty feet (30') to thirteen feet (13'); and
3. A variance from Section 155.414 (F) (4) to reduce the required rear yard setback from twenty feet (20') to eleven feet (11').

SECTION 2: That this Ordinance is limited and restricted to the property located at 390 E. St. Charles Road, Lombard, Illinois and legally described as follows:

LOT 4 IN HERBRECHT'S SUBDIVISION OF PARTS OF SECTIONS 5 AND 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDAN LYING NORTHEASTERLY OF A LINE DRAWN FROM THE SOUTHEAST CORNER OF SAID LOT 4 TO A POINT ON THE NORTH LINE THEREOF 30.05 FEET WEST OF THE NORTHEAST CORNER THEROF IN DUPAGE COUNTY, ILLINOIS.

Parcel Identification Number(s): 06-05-322-008; (the "Subject Property")

and 396 E. St. Charles Road, Lombard, Illinois and legally described as follows:

LOT 5 AND THAT PART OF LOT 4 LYING EASTERLY OF A LINE DRAWN FROM THE SOUTHEAST CORNER OF SAID LOT 4 TO A POINT ON THE NORTH LINE OF SAID LOT 4, SAID POING BEING 30.35 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 4 AS MEASURED ALONG THE SAID NORTH 4, IN HERBRECHT'S SUBDIVISION OF PART OF SECTIONS 5 AND 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1952 AS DOCUMENT 644910, IN DUPAGE COUNTY, ILLINOIS.

Parcel Identification Number(s): 06-05-322-009 and 06-05-322-006; (the "Subject Property")

SECTION 3: The relief, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans prepared by K2 Studio dated October 9, 2015 and submitted as part of this request;
2. The petitioner shall be required to apply for and receive building permits for any improvements to the site;
3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including the traffic memo by KLOA;
4. Pursuant to the Zoning Ordinance, project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) months from the date of approval if the proposed site improvements are not completed or an extension has been granted; and
5. For staff to research the property to the east for a possible easement.

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 ____, 2016.

First reading waived by action of the Board of Trustees this 7th day of January, 2016.


Passed on second reading this 7th day of January, 2016.

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


Nays: None

Absent: None


Approved this 7th day of January, 2016.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 8th day of January, 2016.


Sharon Kuderna
Village Clerk