

**VILLAGE OF LOMBARD**  
**REQUEST FOR BOARD OF TRUSTEES ACTION**  
**For Inclusion on Board Agenda**


  X   Resolution or Ordinance (Blue)        X   Waiver of First Requested  
       Recommendations of Boards, Commissions & Committees (Green)  
       Other Business (Pink)

**TO :** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott R. Niehaus, Village Manager

**DATE :** December 28, 2022                      **(BOT) Date:** January 6, 2022

**SUBJECT:** PC 21-29; 640 E. St. Charles Road, Recycled Auto Parts

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development 

**BACKGROUND/POLICY IMPLICATIONS:**

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following actions on the subject property located within B4 Corridor Commercial District, to provide for the construction of a new principal building:

1. Conditional use pursuant to Section 155.305 to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building;
2. Conditional use pursuant to Section 155.416(C)(18) for off-site parking, which is an existing condition;
3. Variance for a front yard setback of 3' where 30' is required, pursuant to Section 155.416(F);
4. Variance for a side yard setback of 4', 4" where 10' is required, pursuant to Section 155.416(F);
5. Variance for open space of 2.23% where 10% is required, pursuant to Section 155.416(M), where the property currently has 0% open space; and
6. Variance for fence height of 14' where 4' is required pursuant to Section 155.205(A)(2);
7. Variance for a fence in the clear line of sight pursuant to Section 155.205(A)(2)(e).

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the January 6, 2022, Board of Trustees agenda with a waiver of first reading as requested by the petitioner.

**Fiscal Impact/Funding Source:**

Review (as necessary):

Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development *WJH*

**MEETING DATE:** January 6, 2022

**SUBJECT:** **PC 21-29; 640 E. St. Charles Road, Recycled Auto Parts**

Please find the following items for Village Board consideration as part of the January 6, 2022 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 21-29;
3. An Ordinance granting approval of a conditional use and variances for the property located at 640 E. St. Charles Road.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the January 6, 2022, Board of Trustees agenda with a waiver of first reading as requested by the petitioner.





## VILLAGE OF LOMBARD

255 E. Wilson Ave.  
Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
[www.villageoflombard.org](http://www.villageoflombard.org)

January 6, 2022

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Liz Brezinski

**Trustees**  
Brian LaVaque, Dist. 1  
Anthony Puccio, Dist. 2  
Bernie Dudek, Dist. 3  
Andrew Honig, Dist. 4  
Dan Militello, Dist. 5  
Bob Bachner, Dist. 6

**Village Manager**  
Scott R. Niehaus

*"Our shared **Vision** for Lombard is a community of excellence exemplified by its government working together with residents and businesses 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."*

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: PC 21-29; 640 E. St. Charles Road, Recycled Auto Parts**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following actions on the subject property located within B4 Corridor Commercial District, to provide for the construction of a new principle building:

1. Conditional use pursuant to Section 155.305 to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building;
2. Conditional use pursuant to Section 155.416(C)(18) for off-site parking, which is an existing condition;
3. Variance for a front yard setback of 3' where 30' is required, pursuant to Section 155.416(F);
4. Variance for a side yard setback of 4', 4" where 10' is required, pursuant to Section 155.416(F);
5. Variance for open space of 2.23% where 10% is required, pursuant to Section 155.416(M), where the property currently has 0% open space; and
6. Variance for fence height of 14' where 4' is required pursuant to Section 155.205(A)(2);
7. Variance for a fence in the clear line of sight pursuant to Section 155.205(A)(2)(e).

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on December 20, 2021. Sworn in to present the petition was Jennifer Ganser, Assistant Director and Stephen Flint and Tom Partridge on behalf of the petitioner.

Acting Chairperson Sweetser read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Mr. Flint reviewed a powerpoint. He went over the zoning actions requested and the current business operations. He said there are one to two customers per week and they do not go into the salvage yard. He said the new building will allow for cars to be stripped inside and make less noise. He said the taller fence will ensure cars are no longer stacked above the fence. He showed an aerial map and reviewed the surrounding land uses. He discussed the landscaping. He showed elevations of the new building and noted it will be masonry and the parapet wall will screen the rooftop mechanicals. He showed the interior layout. He addressed the Building and Fire comments from the staff report. He summarized by saying the new building will decrease car operations outside and noise outside, there will be no cars stacked above the fence, and will be added landscaping.

Commissioner Verson asked if area adding any trees since they are removing two. Mr. Flint said they will add two trees back and other low vegetation.

Commissioner Johnston said the building looks nice and should help the aesthetics of the corridor. He asked if trailer unload in the back for deliveries. Mr. Flint said they will no longer park on St. Charles Road. They will pull into the yard or use the overhead doors. Commissioner Johnston asked if multiple deliveries come at once and Mr. Partridge said no and noted they have never had a stacking issue.

Commissioner Spreenbourg asked why a taller fence is needed. Mr. Partridge said it currently difficult to stack items and stay below the fence, which they want to do to be a good neighbor. The taller fence will allow for car stacking, but they will stay below the fence height.

Commissioner Giuliano asked if the new fence will be on three sides and Mr. Flint said yes, around 50' along the residential property to the north. Commissioner Giuliano asked about the height of the current fence near the resident and Mr. Partridge said it is 12' tall.

Acting Chairperson Sweetser asked if any person would like to speak in favor or against this petition, or for public comment.

Ms. Reina Rodriguez said she lives in the house behind RAP. She had questions about the fence. She said she can see cars and car parts and noted on windy days the existing fence has fallen. She said she will call RAP and they then fix the fence. Mr. Partridge said the fence will be 14' tall about 44' towards the residential property and meet her existing fence. He said he'll have the existing RAP fence inspected and secured. Mr. Flint said there would be approximately 20' left that the fence could be extended and Mr. Partridge said he is agreeable to extending the fence. Mr. Rodriguez thanked the petitioner. Mr. Flint said that can be an additional condition of the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. Recycled Auto Parts (RAP) is an existing Lombard business. They acquire late model vehicles



that have been in accidents, removes valuable working components from the damaged vehicles and sells those products to other repair businesses. The remainder of the vehicle may then be made available for salvage or sold off for salvage/scrap metal purposes. RAP acquired the property in 2015 from Lombard Auto Wreckers, a long-time salvage business that had been located on the premises for decades. RAP proposes to raze the existing office and smaller garage space that is currently located on the premises and replacing it with a larger building (7,806 square feet) that will allow for much of the existing operations to be located indoors. The building is intended to be a masonry with aesthetic enhancements to soften the aesthetic toward St. Charles Road. The property is legal nonconforming and operates under a court decree. The new building and fence require zoning relief. Other elements on the property will remain legal non-conforming such as the out buildings and landscaping. The following zoning relief is being petitioned for:

- Conditional use to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building. This will allow the use (auto salvage yard) to operate on site as demolishing the existing building, and building a new building, would cause them to lose their legal nonconforming status.
- Conditional use for off-site parking, which is an existing condition. This is to memorialize the current off-site parking. No changes are planned for the parking lot.
- Variance for a front yard setback and side yard setback. The proposed new building is larger than the existing building and would allow for additional work to be done inside, as opposed to outside. The existing building does not meet the front or side yard setback.
- Variance for open space. The property currently does not meet Code for open space. The additional landscaping in the front will allow for some open space, however, a variance is still needed.
- Variance for fence height of 14' and for a fence in the clear line of sight. The current fence height is 12', per the court decree car and car parts are allowed to be stacked above the fence line. The owner proposed a 14' tall fence and noted with this taller fence, car and car parts will no longer need to be stacked above the fence line. This is listed as a condition, should the petition be approved. The current fence is in the clear line of sight, as well as the proposed fence. Staff notes the vehicles entering and existing from the fenced area will mainly be employees and therefore are familiar with the site and existing fence height and location.

Acting Chairperson Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

On a motion by Commissioner Verson, and a second by Commissioner Giuliano, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 21-29 subject to the eight (8) conditions in the staff report, including a new ninth condition:

1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
2. That the petitioner shall be required to apply for and receive building permits prior to construction;
3. The petitioner shall submit a plat of consolidation, to make the property into a lot of record, before building permits shall be issued;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11);

5. The conditional use is for the current use of an auto salvage business, permitted previously by the Court Decree of the Circuit Court of DuPage County in case No. 82 CH 327, consolidated with case numbers 82 OV 930 and 931;
6. The use shall not expand in size by the purchase of additional land or enlarging the buildings. Should this occur, the property owner would need to petition the Plan Commission for an expansion of a conditional use, and any other required zoning relief;
7. RAP, and other future owners and/or tenants, shall not pile or stack materials in whole or in part above the fenced level. Cars and car parts is included as materials;
8. If, for any reason, the parcel to the south (PIN 0605428001) becomes unavailable for off-site parking related to 640 E. St. Charles Road, an amendment to the conditional use and/or any necessary variations must be obtained in order to continue the use.
9. The extension of the new fence on the north side of the property should extend to the west side of the current lean-to structure. The fence should be the same 14' masonry fence to match the rest of the proposed fence.

Respectfully,

**VILLAGE OF LOMBARD**

Ruth Sweetser, Acting Chairperson  
Lombard Plan Commission



# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

### Recycled Auto Parts – 640 E. St. Charles Road

December 20, 2021

**Title**

PC 21-29

**Petitioner**

Stephen Flint  
Flint Architects LLC  
314 S. Westmore  
Lombard, IL 60148

**Property Owner**

RAPI LLC  
180 N. Dinah Road  
Medinah, IL 60157

**Property Location**

640 E. St. Charles Road  
06-05-425-016, 06-05-425-015  
and 06-05-428-001  
Trustee Districts 4 and 5

**Zoning**

B4 Corridor Commercial District

**Existing Land Use**

Recycled Auto Parts

**Comprehensive Plan**

Community Commercial

**Approval Sought**

Conditional uses and variances

**Prepared By**

Jennifer Ganser, AICP  
Assistant Director



LOCATION MAP

### PROJECT DESCRIPTION

Recycled Auto Parts (RAP) is an existing Lombard business. They acquire late model vehicles that have been in accidents, removes valuable working components from the damaged vehicles and sells those products to other repair businesses. The remainder of the vehicle may then be made available for salvage or sold off for salvage/scrap metal purposes. RAP acquired the property in 2015 from Lombard Auto Wreckers, a long-time salvage business that had been located on the premises for decades.

RAP developed plans that would allow for more efficient property utilization and in the process address potential neighborhood concerns. The result of this effort is a larger vision to bring more of the dismantling operations into a new principal building. RAP proposes to raze the existing office and smaller garage space that is currently located on the premises and replacing it with a larger building (7,806 square feet) that will allow for much of the existing operations to be located indoors. The building is intended to be a masonry with aesthetic enhancements to soften the aesthetic toward St. Charles Road.



## PROJECT STATS

### Lot & Bulk

Parcel Size:	0.96 acres
Parking lot parcel size	0.49 acre

### Submittals

1. Petition for a public hearing;
2. Response to Standards, prepared by the petitioner;
3. Plat of Survey, prepared by Gentile & Associates, Inc. dated 7/30/21;
4. Sign plan, prepared by Chicagoland Signs, dated 11/22/2021;
5. Engineering plans, prepared by CivWorks, dated 11/12/21;
6. Landscape plans, prepared by LG Workshop, dated 11/11/21;
7. Architectural plans, prepared by Flint Architects, dated 11/12/21;
8. Rendering, prepared by Flint Architects, dated 11/12/21;
9. 2016 workshop materials.

## APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following actions on the subject property located within B4 Corridor Commercial District, to provide for the construction of a new principle building:

1. Conditional use pursuant to Section 155.305 to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building;
2. Conditional use pursuant to Section 155.416(C)(18) for off-site parking, which is an existing condition;
3. Variance for a front yard setback of 3' where 30' is required, pursuant to Section 155.416(F);
4. Variance for a side yard setback of 4', 4" where 10' is required, pursuant to Section 155.416(F);
5. Variance for open space of 2.23% where 10% is required, pursuant to Section 155.416(M), where the property currently has 0% open space; and
6. Variance for fence height of 14' where 4' is required pursuant to Section 155.205(A)(2);
7. Variance for a fence in the clear line of sight pursuant to Section 155.205(A)(2)(e).

## INTER-DEPARTMENTAL REVIEW

### Building Division:

The Building Division has the following comments:

1. The new structure will be required to have fire sprinklers;
2. The new structure will be required to have a new water service and ensure the old sewer is serviceable or replaced with new;
3. The West wall will need to be fire resistant and fire rated due to its proximity to the lot line;
4. The new building will need to have an oil separation system installed for all floor drains to be connected to;
5. The approval of the new building is not to be construed as an approval of the existing structures referred to in the plan as lean-to buildings if not previously approved. These structures would still need to meet minimum design standards to withstand snow loads etc. as we do not have any plans from the past for these structures; and
6. Additional comments may be forthcoming during permit/occupancy review.

### Fire Department:

The Fire Department offers that the new building will need to have a full fire sprinkler and fire alarm system, along with making sure that the hydrant is located within 75-100' of Fire Department Connection and the entrance gates will have override for Fire Department access. Additional comments may be forthcoming during permit/occupancy review.



**Public Works:**

Public Works notes that any refuse and recycling containers need to be screened on all sides per Section 155.710. Additional comments may be forthcoming during permit/occupancy review.

**Private Engineering Services:**

Private Engineering Services (PES) notes that an erosion control plan should be included in the plan submittal. At a minimum, there should be inlet filters in the curb inlets. Additional comments may be forthcoming during permit/occupancy review.

**EXISTING CONDITIONS**

The subject property is owned and operated by RAP as an auto salvage yard. This property was discussed at a Plan Commission workshop in December 2016. The Plan Commission was conceptually supportive of providing for a new ~~principle~~ structure on the premises associated with the legal nonconforming use.

*principal*

**Planning Services Division:**

The Planning Services Division (PSD) notes the following:

***1. Surrounding Zoning & Land Use Compatibility***

	<b>Zoning Districts</b>	<b>Land Use</b>
<b>North</b>	R2	Single Family Homes
<b>South</b>	B4	RAP Parking Lot
<b>East</b>	B4	Commercial
<b>West</b>	B4PD	Safeguard Self Storage

Staff notes the property is along a commercial corridor, St. Charles Road. The property has existed as an auto salvage yard for decades. The subject property is owned and operated by RAP. The property is improved with a small office building and several non-conforming accessory structures. The accessory buildings are staying as-is. Existing conditions on the property are legal non-conforming and were granted by Court Decree of the Circuit Court of DuPage County in case No. 82 CH 327, consolidated with case numbers 82 OV 930 and 931. The existing use and activities were allowed through the Court Decree. The final order does allow for the use to continue on the subject property, subject to the provisions in the order and the nonconforming provisions in the Zoning Ordinance (Section 155.300 et. seq. of Village Code). The sale and use of the property continued seamlessly in 2015 when Lombard Auto Wreckers sold the property to Recycled Auto Parts.

The auto salvage business is deemed to be a legal non-conforming use and is still subject to provisions of Village Code, including the Zoning Ordinance and Business Regulations. Additionally, the property is subject to the Court Decree of the Circuit Court of DuPage County in case No. 82 CH 327, consolidated with case numbers 82 OV 930 and 931.

The new building will:

1. Replace the existing non-conforming building along St. Charles Road that can accommodate the RAP use;
2. Meet current building code provisions and could be adaptable for a future permissible land use;
3. Allow for more work to be done inside, such as parts collection activities from vehicles;
4. Benefit the business by creating a climate-controlled environment for work activity and can minimize external noise from business operations (which is required by code within Section 155.416(K)(2)); and
5. Bring the property into closer compliance with code and decrease the degree of incompatibility with adjacent residential properties.

## **2. Comprehensive Plan Compatibility**

The property has a Comprehensive Plan designation of Community Commercial. The proposed site improvements would make the property in closer compliance with the Comprehensive Plan.

## **3. Zoning Compatibility**

As noted, the property is legal nonconforming and operates under a court decree. The new building and fence also require zoning relief as the project is not to Code. Other elements on the property will remain legal nonconforming such as the out buildings and landscaping.

- Conditional use pursuant to Section 155.305 to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building – this allow the use (auto salvage yard) to operate on site. Demolishing the existing building, and building a new building, would cause RAP to lose their legal nonconforming status.
- Conditional use pursuant to Section 155.416(C)(18) for off-site parking, which is an existing condition – this is to memorialize the current off-site parking. No changes are planned for the parking lot. Parking is discussed more in Section 5 of this report.
- Variance for a front yard setback of 3' where 30' is required, pursuant to Section 155.416(F) – the existing building does not meet the front yard setback. The proposed new building is larger than the existing building and would allow for additional work to be done inside, as opposed to outside.
- Variance for a western interior side yard setback of 4', 4" where 10' is required, pursuant to Section 155.416(F) – the existing building does not meet the side yard setback.
- Variance for open space of 2.23% where 10% is required, pursuant to Section 155.416(M), where the property currently has 0% open space – the property currently does not meet the open space requirement of 10%. The additional landscaping in the front will allow for some open space, however, a variance is still needed.
- Variance for fence height of 14' where 4' is required pursuant to Section 155.205(A)(2) – the current fence height is 12', per the court decree car and car parts are allowed to be stacked above the fence line. The owner proposed a 14' tall fence and noted with this taller fence, car and car parts will no longer need to be stacked above the fence line. This is listed as a condition, should the petition be approved.
- Variance for a fence in the clear line of sight pursuant to Section 155.205(A)(2)(e) – the current fence is in the clear line of sight, as well as the proposed fence. Staff notes the vehicles entering and existing from the fenced area will mainly be employees and therefore are familiar with the site and existing fence height and location.

A color rendering is attached. The building will be masonry with brown and tan colors. The trash pad will be behind the fence; therefore, the refuse company will pull inside the area to remove trash. There will be no trash containers outside the fence enclosure.

## **4. Signage**

Wall Signage is shown that meets the provisions of Chapter 153 of Village Code (the Sign Ordinance).

## **5. Traffic and Parking**

There is a gravel parking lot on the south side of St. Charles Road owned by RAP, and was previously owned by Lombard Auto Wreckers. It is subject to the nonconforming provisions as set forth within Section 155.300 et. seq. of the Village Code. The lot can stay as a gravel lot but cannot be expanded. Parking in the lot is limited to employee and customer parking and should not be used for vehicle salvage or storage purposes. The owner is not seeking to take any development actions on the parking lot property at this time.



The conditional use is to memorialize the off-site parking for RAP. There is a corresponding condition of approval that if the parking lot was ever sold, RAP would need to make provisions for the lost parking. The (previous) property owner appealed the decision of the (previous) Community Development Director on the nature of the parking lot and an expansion in ZBA 00-10. The ZBA concurred with the Director that the property owner should obtain a conditional use permit for the off-site parking, but the Ordinance is not to be interpreted to mean that making parking lot improvements (such as paving) is inconsistent with the intent of the Code.

The site plan includes two (2) parking spaces on the north side of St. Charles Road. One is an ADA accessible space, closest to the entrance, and the second space is along St. Charles Road. No repurposed cars will be stored in these parking spaces. RAP does not have frequent customers to the site.

### **FINDINGS & RECOMMENDATIONS**

Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

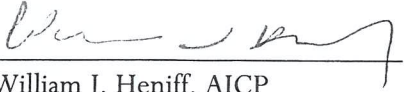
The Inter-Departmental Review Committee has reviewed the standards for the requested zoning relief and finds that the proposed use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 21-29:

Based on the submitted petition and the testimony presented, the proposed conditional uses and variances do comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional use permit is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Committee Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 21-29, subject to the following conditions:

1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
2. That the petitioner shall be required to apply for and receive building permits prior to construction;
3. The petitioner shall submit a plat of consolidation, to make the property into a lot of record, before building permits shall be issued;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11);
5. The conditional use is for the current use of an auto salvage business, permitted previously by the Court Decree of the Circuit Court of DuPage County in case No. 82 CH 327, consolidated with case numbers 82 OV 930 and 931;
6. The use shall not expand in size by the purchase of additional land or enlarging the buildings. Should this occur, the property owner would need to petition the Plan Commission for an expansion of a conditional use, and any other required zoning relief;
7. RAP, and other future owners and/or tenants, shall not pile or stack materials in whole or in part above the fenced level. Cars and car parts is included as materials;

8. If, for any reason, the parcel to the south (PIN 0605428001) becomes unavailable for off-site parking related to 640 E. St. Charles Road, an amendment to the conditional use and/or any necessary variations must be obtained in order to continue the use.

Inter-Departmental Review Committee Report approved by:

A handwritten signature in black ink, appearing to read 'William J. Heniff', written over a horizontal line.

William J. Heniff, AICP  
Director of Community Development

c. Petitioner



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

**AN ORDINANCE GRANTING APPROVAL OF CONDITIONAL USES  
AND COMPANION VARIANCES FROM THE LOMBARD CODE OF  
ORDINANCES**

**(PC 21-29: 640 E. St. Charles Road, Recycled Auto Parts)**

(See also Ordinance No(s). \_\_\_\_\_)

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, an application has heretofore been filed requesting approval of a conditional use and companion variances from the Lombard Zoning Ordinance (Title 15, Chapter 155 of the Village Code); and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on December 20, 2021, 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 uses and companion variances 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 conditional uses and the following companion variances from the Lombard Code of Ordinances, as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

1. Conditional use pursuant to Section 155.305 to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building;

2. Conditional use pursuant to Section 155.416(C)(18) for off-site parking, which is an existing condition;
3. Variance for a front yard setback of 3' where 30' is required, pursuant to Section 155.416(F);
4. Variance for a side yard setback of 4', 4" where 10' is required, pursuant to Section 155.416(F);
5. Variance for open space of 2.23% where 10% is required, pursuant to Section 155.416(M), where the property currently has 0% open space; and
6. Variance for fence height of 14' where 4' is required pursuant to Section 155.205(A)(2);
7. Variance for a fence in the clear line of sight pursuant to Section 155.205(A)(2)(e).

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 640 W. St. Charles Road, Lombard, Illinois, and legally described as follows:

LOT 2, 3, 4, 5, 6, AND LOT 22, EXCEPT THE WEST 50 FEET THEREOF, IN BLOCK 5 IN SUNNYSIDE ADDITION TO LOMBARD, A SUBDIVISION OF PART OF THE SOUTHEAST 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.

PIN(s): 06-05-425-016 and 06-05-425-015

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST, EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 8, DISTANT 15 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (FORMERLY THE CHICAGO GREAT WESTERN RAILWAY COMPANY) AS SAID MAIN TRACK IS NOW LOCATED; THENCE WESTERLY, PARALLEL WITH SAID MAIN TRACK CENTERLINE A DISTANCE OF 610 FEET; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 35 FEET, MORE OR LESS, TO A POINT DISTANT 50 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE MINNESOTA AND NORTHWESTERN RAILROAD COMPANY (LATER THE CHICAGO GREAT WESTERN RAILWAY COMPANY, NOW THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY), AS



SAID MAIN TRACK CENTERLINE WAS ORIGINALLY LOCATION AND ESTABLISHED ACROSS SAID SECTIONS 5 AND 8; THENCE EASTERLY PARALLEL WITH SAID ORIGINAL MAIN TRACK CENTERLINE, SAID (LAST DESCRIBED) PARALLEL LINE BEING ALSO THE SOUTHERLY LINE OF ST. CHARLES ROAD, A DISTANCE OF 610 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF SAID SECTION 8; THENCE SOUTHERLY ALONG SAID EAST LINE OF SECTION 8, A DISTANCE OF 35 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PIN 06-05-428-001

SECTION 3: This Ordinance is approved subject to compliance with the following conditions:

1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
2. That the petitioner shall be required to apply for and receive building permits prior to construction;
3. The petitioner shall submit a plat of consolidation, to make the property into a lot of record, before building permits shall be issued;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11);
5. The conditional use is for the current use of an auto salvage business, permitted previously by the Court Decree of the Circuit Court of DuPage County in case No. 82 CH 327, consolidated with case numbers 82 OV 930 and 931;
6. The use shall not expand in size by the purchase of additional land or enlarging the buildings. Should this occur, the property owner would need to petition the Plan Commission for an expansion of a conditional use, and any other required zoning relief;
7. RAP, and other future owners and/or tenants, shall not pile or stack materials in whole or in part above the fenced level. Cars and car parts is included as materials;
8. If, for any reason, the parcel to the south (PIN 0605428001) becomes unavailable for off-site parking related to 640 E. St. Charles Road, an amendment to the conditional use and/or any necessary variations must be obtained in order to continue the use.
9. The extension of the new fence on the north side of the property should extend to the west side of the current lean-to structure. The fence should be the same 14' masonry fence to match the rest of the proposed fence.

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 \_\_\_\_\_, 2022.

Ordinance No. \_\_\_\_\_  
Re: PC 21-29  
Page 4

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022, pursuant to a roll call vote as follows:

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

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

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk



## Ganser, Jennifer

---

**From:** Stephen Flint <seflint@flintarch.com>  
**Sent:** Wednesday, December 22, 2021 12:54 PM  
**To:** Ganser, Jennifer  
**Cc:** Tom Partridge (tpartridge619@yahoo.com)  
**Subject:** PC 21-29 RAP 640 E. St. Charles Road Approval Request

### Please be cautious

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Jennifer

As Petitioner of the above project, I request wavier of first reading and pass on second reading for approval at the January 6<sup>th</sup> Board Meeting. Let me know if you need anything else.

Thank you

Steve

Stephen E. Flint, AIA  
Principal

### Flint Architects, LLC

314 S. Westmore Avenue

Lombard, Illinois 60148

630.953.9220 Phone

630.953.9440 Fax

630.336.3340 Cell

[seflint@flintarch.com](mailto:seflint@flintarch.com)

[www.flintarch.com](http://www.flintarch.com)



**CONFIDENTIALITY NOTICE:** This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, privileged or other information, protected by law. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.