

J.P. "RICK" CARNEY
DUPAGE COUNTY RECORDER
AUG.09,2004 2:25 PM
OTHER 06-17-316-006
005 PAGES R2004-212650

ORDINANCE 5495

**GRANTING A CONDITIONAL USE FOR AN OUTDOOR
SEATING AREA PURSUANT TO TITLE 15, CHAPTER 155,
SECTION 414**

PIN: 06-17-316-006

**Common Address: 340 E. ROOSEVELT RD.,
LOMBARD, ILLINOIS**

Return To:

**Village of Lombard
Department of Community Development
255 E. Wilson Avenue
Lombard, IL 60148**

ORDINANCE NO. 5495

**AN ORDINANCE GRANTING A CONDITIONAL USE
FOR AN OUTDOOR SEATING AREA
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 414 OF THE
LOMBARD ZONING ORDINANCE**

(PC 04-11: 340 E. Roosevelt 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, the subject property is zoned B4 Corridor Commercial Zoning District; and,

WHEREAS, an application has been filed requesting approval of a conditional use to provide for an outdoor seating area on the property described in Section 2 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on April 19, 2004 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation 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 2 below and pursuant to Title 15, Chapter 155, Section 414 (C) 17 of

Ordinance No. 5495

Re: PC 04-11

Page 2

the Village of Lombard Zoning Ordinance so as to allow said property to provide an outdoor service area;

SECTION 2: That this ordinance is limited and restricted to the property generally located at 340 E. Roosevelt Road, Lombard, Illinois and legally described as follows:

THE WEST 123.54 FEET OF THE EAST 343.54 FEET OF THE SOUTH 350.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Parcel No. 06-17-316-006

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall construct a trash enclosure for the restaurant dumpster(s) and grease containers on the subject property. The enclosure shall be designed consistent with the Zoning Ordinance provisions with the exterior enclosure walls being between six (6) and eight (8) feet in height and constructed of wood or a solid screening material.
2. The northern section of the parking lot must be patched or resurfaced, pursuant to Village Code.
3. That the petitioner shall supply the requisite number of accessible parking spaces on the subject property by adding an additional accessible parking space, with said space meeting the Illinois Accessibility Code provisions.
4. The petitioner shall obtain building permits for the construction of the outdoor seating area, parking lot repair and restriping, and trash enclosure.
5. That the discarded signage, sign structure and all other additional trash and debris shall be removed from the subject property.

Ordinance No. 5495

Re: PC 04-11

Page 3

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 6th day of May, 2004.

First reading waived by action of the Board of Trustees this 20th day of May, 2004.


Passed on second reading this 20th day of May, 2004.

Ayes: Trustee DeStephano, Tross, Koenig, Sebby, Soderstrom

Nays: None

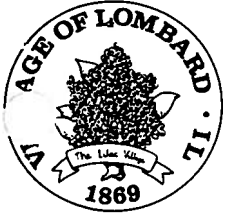
Absent: Trustee Florey

Approved this 20th day of May, 2004.


William J. Mueller, Village President

ATTEST:

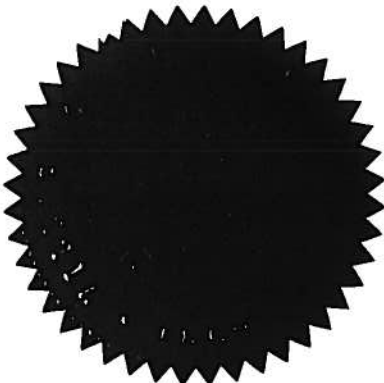

Barbara A. Johnson, Deputy Village Clerk

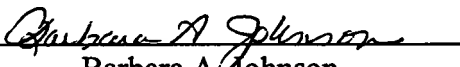


I, Barbara A. Johnson, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a true and correct copy of ORDINANCE 5495, AN ORDINANCE GRANTING A CONDITIONAL USE FOR AN OUTDOOR SEATING AREA PURSUANT TO TITLE 15, CHAPTER 155, SECTION 414 OF THE LOMBARD ZONING ORDINANCE IN REGARD TO THE PROPERTY LOCATED AT 340 EAST ROOSEVELT ROAD, PIN 06-17-316-006 of the said Village as it appears from the official records of said Village duly passed on May 20, 2004.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 13th day of July, 2004.




Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois