

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITIONAL USE FOR DRIVE-THROUGH SERVICES IN A B5A DOWNTOWN PERIMETER DISTRICT

(PC 04-07; 309 & 315 W. St. Charles Road)

(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, the subject property is zoned B5A Downtown Perimeter District; and,

WHEREAS, an application has heretofore been filed requesting approval of: a conditional use for drive-through services in a B5A Downtown Perimeter District; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on June 21, 2004 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, signage deviations, and variations 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 for drive-through services is hereby granted for the Subject Property legally described in Section 2 below.

SECTION 2: That the ordinance is limited and restricted to the properties generally located 309 W. St. Charles Road and 315 W. St. Charles Road, Lombard, Illinois, and legally described as follows:

LOT 1, 2, AND 3 IN MARQUARDT'S RESUBDIVISION OF PART OF LOTS 9 THROUGH 12 AND PART OF LOT 13 IN SUBDIVISION OF OUTLOT 10 OF THE TOWN OF LOMBARD, IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1967 AS DOCUMENT R67-16393 AND CORRECTED BY CERTIFICATE RECORDED JUNE 13, 1967 AS DOCUMENT R67-19517, IN DUPAGE COUNTY, ILLINOIS.

EXCEPT:

PLAT OF DEDICATION OF RIGHT OF WAY ON FEBRUARY 23, 1998: THAT PART OF LOT 1 IN MARQUARDT'S RESUBDIVISION OF PART OF LOTS 9 THROUGH 12 AND PART OF LOT 13 IN SUBDIVISION OF OUTLOT 10 OF THE TOWN OF LOMBARD, IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1967 AS DOCUMENT R67-16393, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 AND HEADING SOUTH ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 12.95 FEET TO A POINT; THENCE NORTH 51 DEGREES 15 MINUTES 50 SECONDS WEST, A DISTANCE OF 15.32 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF ST. CHARLES ROAD; THENCE NORTH 74 DEGREES 15 MINUTES 00 SECONDS EAST, A DISTANCE OF 12.41 FEET TO THE POINT OF BEGINNING, CONTAINING 77.3681 SQUARE FEET OR 0.0018 ACRES MORE OR LESS, IN DUPAGE COUNTY, ILLINOIS.

PARCEL NO. 06-07-208-016, -021, -022

SECTION 3: 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 _____, 2004.

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Re: PC 04-07
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First reading waived by action of the Board of Trustees this ____ day of _____,
2004.

Passed on second reading this ____ day of _____, 2004.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____ day of _____, 2004.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk