

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
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OTHER 06-07-209-020  
006 PAGES R2011-014742

**ORDINANCE 6519**

**GRANTING A CONDITIONAL USE PURSUANT TO TITLE  
15, CHAPTER 155, SECTION 155.103(F)(13) OF THE LOMBARD  
ZONING ORDINANCE**

**PIN: 06-07-209-020**

**Address: 229 W. St. Charles Road, Lombard, IL 60148**

**Return To:  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 6519**

**AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO  
TITLE 15, CHAPTER 155, SECTION 155.103 (F) (13)  
OF THE LOMBARD ZONING ORDINANCE**

(PC 10-06: 229 W 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, the subject property is zoned B5 Central Business District,

WHEREAS, on November 19, 1992, the Village of Lombard Board of Trustees approved Ordinance 3623 granting a conditional use for an outside service area on the subject property located within the B5 Central Business District and,

WHEREAS, the current property wishes to expand the outside service area and extend the original hours of operation established in Ordinance 3623 and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use amending Ordinance 3623 to allow for an expansion and changes to the existing outdoor dining area and amendments to the original conditions of approval pursuant to Section 155.103 (F) (13) of the Lombard Zoning Ordinance on the subject property located within the B5 Central Business District and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on July 19, 2010 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, subject to conditions; 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:

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Re: PC 10-06

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**SECTION 1:** That a Conditional Use is hereby granted for the property described in Section 3 below and pursuant to Title 15, Chapter 155, Section 103 (F) (13) of the Zoning Ordinance so as to allow for an expansion and changes to the existing outdoor dining area and amendments to the original conditions of approval.

**SECTION 2:** That the Ordinance is limited and restricted to the property generally located at 229 W St. Charles Road, Lombard, Illinois, and legally described as follows:

LOT 1 IN BELFAST CONSOLIDATION PLAT, BEING A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JANUARY 23, 1984 AS DOCUMENT NO. R1984-6799 IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-07-209-020

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

1. The subject property shall be developed and maintained in substantial compliance with the site plan prepared by Village staff depicting the existing conditions on July 1, 2010, except as they may be changed to meet Village Codes and the following conditions below.
2. The petitioner shall satisfactorily address all IDRC comments.
3. The outdoor dining activity shall not be open past 12:30 AM on Sundays through Thursday and 1:30 AM on Friday and Saturday.
4. All patrons shall leave the outdoor dining area no later than thirty minutes after the time in which the outdoor seating area is scheduled to close.
5. The outside service area shall be kept free from all litter and debris.
6. All tables, chairs and umbrellas shall be removed from the outdoor seating area during the cold weather months (generally the end of October to March).
7. All outside music and/or entertainment shall cease at 10:30 PM on Sundays through Thursday and 11:30 PM on Friday and Saturday.

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8. The petitioner shall provide clear access to the adjacent Dentists office located at 233 W St. Charles Road at all times that the dentists office is open for business.

**SECTION 4:** This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder

**SECTION 5:** 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 19<sup>th</sup> day of August, 2010.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2010.


Passed on second reading this 2nd day of September, 2010.

Ayes: Trustees Giagnorio, Wilson, Moreau, Fitzpatrick and Ware and Gron

Nays: None

Absent: - None

Approved this 2<sup>nd</sup> day of September, 2010

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk

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Published by me this 3rd day of September , 2010

  
\_\_\_\_\_  
Brigitte O'Brien, Village Clerk



I, **Denise R. Kalke**, 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 Deputy 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  
copy of

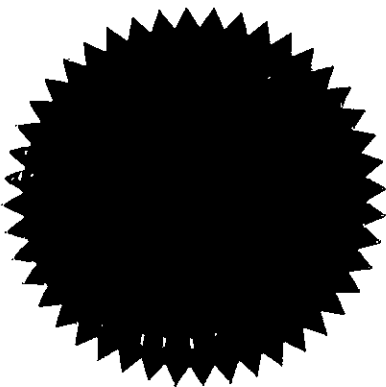
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of the said Village as it appears from the official records of said Village duly approved this 2<sup>nd</sup> day of September, 2010.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 22<sup>nd</sup> day of September, 2010.



Denise R. Kalke  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois