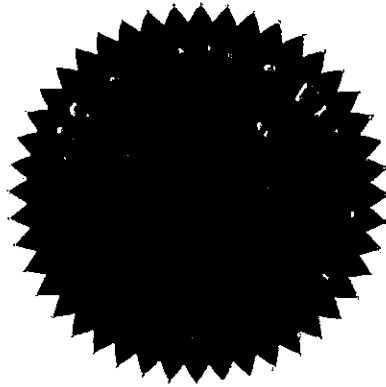


ORDINANCE
4456 - Conditional Use
4457 - Variation

PAMPHLET

FRONT OF PAMPHLET

CONDITIONAL USE FOR A DRIVE-THROUGH AND
VARIATION FROM SIGN ORDINANCE
844 E. ROOSEVELT



PUBLISHED IN PAMPHLET FORM THIS 13th DAY OF MAY, 1998.
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.

Lorraine G. Gerhardt
Lorraine G. Gerhardt
Village Clerk

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

(PC 98-11: 844 E. Roosevelt Road, Lombard, Illinois)
(El Famous Burrito)

(Also see 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 B3 Community Shopping District; and,

WHEREAS, an application has been filed requesting approval of a Conditional Use to provide for a drive-through 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 8, 1998 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 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 of the Village of Lombard Zoning Ordinance so as to allow said property to be used for a restaurant with a drive-through area.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 844 E. Roosevelt Road, Lombard, Illinois and legally described as follows:

Of Parcel 1: A tract of land in the Southeast Quarter of Section 17, Township 39 North, Range 11, East of the third Principal Meridian, described as follows: Commencing at a point on the North right-of-way line of Roosevelt Road as dedicated 53 feet West of the East line of said Section 17; thence North 88°44'51" West 3 feet on last said North line to a point of curve; thence West 19,148.61 feet; an arc distance of 180 feet and chord bearing of North 89° West; thence due North 214.87 feet to the South line of the North 2,402 feet of said Southeast Quarter; thence South 89°47'30" East 208 feet along last said South line to a line 28 feet West of and parallel to the East line of said Section 17; thence South 0°00'35" West 104.54 feet along last said line to a point of curve; thence Southerly on a curve convex to the East having a radius of 55 feet, an arc distance of 32.18 feet and chord bearing of South 16°52'53" West to a point of reverse curve; thence continuing on a curve convex to the West having a radius of 95 feet, an arc distance of 55.54 feet and chord bearing of South 16°45'35" West to a point of tangent; thence South 0°00'35" West 30 feet to the place of beginning, all in DuPage County, Illinois.

Also Parcel 2: A non-exclusive easement appurtenant to Parcel 1 for ingress and egress over and across: A tract of land in the Southeast Quarter of Section 17, Township 39 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at a point on the North right-of-way line of Roosevelt Road, as dedicated, 28 feet West of the East line of said Section 17, thence North 88°44'51" West 25 feet on the last said North line, thence North 0°00'35" East 30 feet to a point of curve; thence Northerly on a curve convex to the West having a radius of 95 feet, an arc distance of 55.54 feet and a chord bearing of North 16°45'35" East to a point of reverse curve; thence Northerly on a curve convex to the East having a radius of 55 feet, an arc distance of 32.18 feet and a chord bearing of North 16°52'53" East; thence South 0°00'35" West 113.34 feet to a place of beginning, all in DuPage County, Illinois. Also, the West 25 feet of the East 28 feet of the Southeast Quarter of Section 17, Township 39 North, Range 11, lying North of the right-

of-way line of Roosevelt Road as dedicated and South of the North 2,320 feet of said Southeast quarter.

Parcel Number: 06-17-406-035

SECTION 3: This ordinance shall be granted subject to compliance with the following condition(s):

1. The fence around the refuse area must be repaired;
2. The handicapped parking stalls must be appropriately striped and signed;
3. The pipes extending out of the ground near the front door must be fixed.

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 16th day of April, 1998.

First reading waived by action of the Board of Trustees this _____ day of _____, 1998.

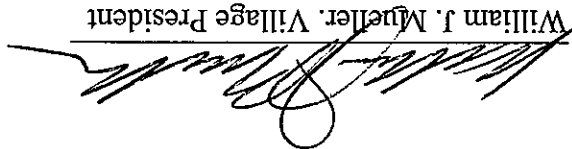
Passed on second reading this _____ day of _____, 1998.

Ayes: Trustees Borgatell, Tross, Schafter, Jaugilas, Gatz and Kutrín

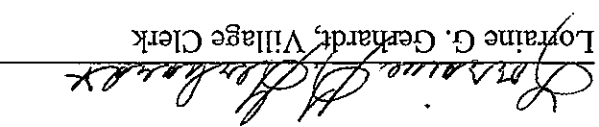
Nays: None

Absent: None

Approved this 7th day of May, 1998.


William J. Mueller, Village President

ATTEST:


Loraine G. Gehardt, Village Clerk

AN ORDINANCE APPROVING A VARIATION
OF THE LOMBARD SIGN ORDINANCE
TITLE 15, CHAPTER 153 OF THE CODE OF LOMBARD, ILLINOIS

(PC 98-11: 844 E. Roosevelt Road, Lombard, Illinois)

(El Famous Burrito)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and,

and, WHEREAS, the subject property is zoned B3 Community Shopping District;

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 153, Section 153.505 B.5.c. of said Sign Ordinance to allow a freestanding sign fronting on a state right-of-way to be set back a minimum of sixty feet (60') from the centerline of the adjacent right-of-way, where seventy-five feet (75') is required; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 153, Section 153.505 B.5.e. of said Sign Ordinance to allow a freestanding sign on a property not described as a parcel of property, where one is not permitted.

WHEREAS, a public hearing has been conducted by the Plan Commission on April 8, 1998 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 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 variation is hereby granted from the provisions of Title 15, Chapter 153, Section 153.505 B.5.c. of the Lombard Sign Ordinance, for the property described in Section 3 below to allow a freestanding sign fronting on a state right-of-way to be set back a minimum of sixty feet (60') from the centerline of the adjacent right-of-way.

Section 2: That a variation is hereby granted from the provisions of Title 15, Chapter 153, Section 153.505 B.5.e., of the Lombard Sign Ordinance, for the property described in Section 3 below to allow a freestanding sign.

Section 3: That this ordinance is limited and restricted to the property generally located at 844 E. Roosevelt Road, Lombard, Illinois, and legally described as follows:

Of Parcel 1: A tract of land in the Southeast Quarter of Section 17, Township 39 North, Range 11, East of the third Principal Meridian, described as follows: Commencing at a point on the North right-of-way line of Roosevelt Road as dedicated 53 feet West of the East line of said Section 17; thence North 88°44'51" West 3 feet on last said North line to a point of curve; thence Westerly or a curve convex to the North having a radius of 19,148.61 feet; an arc distance of 180 feet and chord bearing of North 89° West; thence due North 214.87 feet to the South line of the North 2,402 feet of said Southeast Quarter; thence South 89°47'30" East 208 feet along last said South line to a line 28 feet West of and parallel to the East line of said Section 17; thence South 0°00'35" West 104.54 feet along last said line to a point of curve; thence Southerly on a curve convex to the East having a radius of 55 feet, an arc distance of 32.18 feet and chord bearing of South 16°52'53" West to a point of reverse curve; thence continuing on a curve convex to the West having a radius of 95 feet, an arc distance of 55.54 feet and chord bearing of South 16°45'35" West to a point of tangent; thence South 0°00'35" West 30 feet to the place of beginning, all in DuPage County, Illinois.

Also Parcel 2: A non-exclusive easement appurtenant to Parcel 1 for ingress and egress over and across: A tract of land in the Southeast Quarter of Section 17, Township 39 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at a point on the North right-of-way line of Roosevelt Road, as dedicated, 28 feet West of the East line of said Section 17, thence North 88°44'51" West 25 feet on the last said North line, thence North 0°00'35" East 30 feet to a point of curve; thence Northerly on a curve convex to the West having a radius of 95 feet, an arc distance of 55.54 feet and a chord bearing of North 16°45'35" East to a point of reverse curve; thence Northerly on a curve convex to the East having a radius of 55 feet, an arc distance of 32.18 feet and a chord bearing of North 16°52'53" East; thence South 0°00'35" West 113.34 feet to a place of beginning, all in DuPage County, Illinois. Also, the West 25 feet of the East 28 feet of the Southeast Quarter of Section 17, Township 39 North, Range 11, lying North of the right-of-way line of Roosevelt Road as dedicated and South of the North 2,320 feet of said Southeast quarter.

Parcel Number: 06-17-406-035

Section 4: This ordinance shall be granted subject to compliance with the following conditions:

1. The sign shall be a ground-mounted sign;
2. The sign shall not exceed four feet (4') in height;

3. The allowable area of the sign shall be determined at the discretion of the Director of Community Development Director;

4. The setback from the centerline of Roosevelt Road shall be a minimum of sixty feet (60');

5. All other requirements of the Sign Ordinance must be met; and

6. This ordinance shall become null and void unless the sign is substantially under way within twelve months of the effective date of this ordinance.

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 16th day of April, 1998.

First reading waived by action of the Board of Trustees this _____ day of _____, 1998.

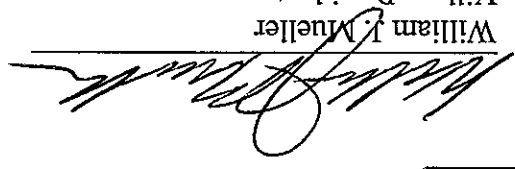
Passed on second reading this _____ day of _____, 1998.

Ayes: Trustees Borgatell, Tross, Schaffer, Jaugilas, Gatz and Kutrln

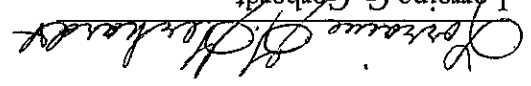
Nays: None

Absent: None

Approved this 7th day of May, 1998.


William J. Mueller
Village President

ATTEST:


Lorraine G. Gerhardt
Village Clerk

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