

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
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OTHER 06-05-423-006
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ORDINANCE NO 5926

**APPROVING A VARIATION OF THE LOMBARD ZONING
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF
LOMBARD, ILLINOIS**

PIN: 06-05-423-006, 009, 010, 012, and 014

Address: 601-609 E. St. Charles Road, Lombard

Return To:

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

ORDINANCE NO. 5926

**AN ORDINANCE APPROVING A VARIATION
OF THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(ZBA 06-19: 601-609 E. 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 B4 Corridor Commercial District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 155, Section 205 (A) (2) (c) (2) of the Lombard Zoning Ordinance to allow an eight-foot high fence in the required front yard where a maximum height of four feet is permitted; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 155, Section 205 (A) (2) (e) to allow a solid fence within a clear line of sight area; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on August 23, 2006 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings with a recommendation for approval to the Board of Trustees for the requested variations described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested variation.

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 205 (A) (2) (c) (2) of the Lombard Zoning Ordinance to allow an eight-foot high fence in the required front yard where a maximum height of four feet is permitted.

SECTION 2: That a variation is hereby granted from the provisions of Title 15, Chapter 153, Section 205 (A) (2) (e) to allow a solid fence within a clear line of sight area.

SECTION 3: This ordinance is limited and restricted to the property generally located at 601-609 E. St. Charles Road, Lombard, Illinois, and legally described as follows:

THE EAST 43.25 FEET AS MEASURED ON THE NORTH LOT LINE AND THE EAST 39.37 FEET AS MEASURED ON THE SOUTH LOT LINE OF LOT 1 IN BLOCK 2; LOTS 2, 3, AND 4 IN BLOCK 2; LOT 5 IN BLOCK 2, EXCEPT THE NORTHERLY PART THEREOF, MEASURING 50.55 FEET SOUTHERLY FROM THE NORTHWEST CORNER ALONG THE WESTERLY LINE OF SAID LOT, AND 54.9 FEET SOUTHERLY FROM THE NORTHEAST CORNER ALONG THE EASTERLY LINE OF SAID LOT 5; LOT 6 IN BLOCK 2 EXCEPT THE NORTHERLY PART THEREOF, MEASURING 20.3 FEET SOUTHWESTERLY FROM THE NORTHWEST CORNER ALONG THE WESTERLY LINE OF SAID LOT AND 289 FEET SOUTHWESTERLY FROM THE NORTHWEST CORNER OF SAID LOT 7, WHICH IS ALSO THE SOUTHERLY RIGHT-OF-WAY LINE OF CIRCLE AVENUE, ALL IN SUNNYSIDE ADDITION TO LOMBARD, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THRID PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1925, AS DOUMENT 191820, IN DUPAGE COUNTY, ILLINOIS.

ALSO THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF LOTS 2, 3, 4, 5, 6, AND 7 IN BLOCK 2 IN SUNNYSIDE ADDITION TO LOMBARD, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1925, AS DOUMENT 191820 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST QUARTER OF LOT 2 IN BLOCK 2 SUNNYSIDE ADDITION TO LOMBARD; THENCE EAST ALONG THE SOUTH LINE OF LOTS 2, 3, 4, 5, 6, AND 7 IN BLOCK 2, AFORESAID, TO THE SOUTHEAST CORNER OF LOT 7; THENCE SOUTHEASTERLY ALONG THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY LINE OF SAID LOT 7, BEING A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 476.28 FEET AND A CHORD DISTANCE OF 222.84 FEET, TO A POINT DISTANT 50.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE CHICAGO NORTHWESTERN TRANSPORATATION COMPANY AS SAID MAIN TRACK IS NOW LOCATED; THENCE WESTERLY PARRALLEL WITH SAID MAIN TRACK CENTERLINE 903.14 FEET, MORE OR LESS, TO THE WEST LINE OF LOT 2 EXTENDED SOUTH TO SAID NORTH RIGHT-OF-WAY-LINE; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 2 EXTENDED SOUTH, AS AFORESAID, TO THE PLACE OF BEGINNING IN DUPAGE COUNTY, ILLINOIS.

ALSO THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 28.0 FEET SOUTHEASTERLY OF THE NORTHWEST CORNER OF LOT 7 IN BLOCK 2 OF SUNNYSIDE ADDITION TO LOMBARD RECORDED APRIL 25, 1925, AS

DOCUMENT 191820; THENCE EASTERLY ALONG A LINE 33.0 FEET SOUTH OF AND PARALLEL WITH THE CENTERLINE OF ST. CHARLES ROAD, 132.65 FEET; THENCE SOUTH 20 DEGREES 33 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF AN EXISTING CONCRETE PARKING LOT AND ITS NORTHERLY EXTENSION, A DISTANCE OF 45.22 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS IS 476.28 FEET, WHOSE CHORD BEARS NORTH 50 DEGREES 18 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 140.41 FEET, AN ARC DISTANCE OF 140.93 FEET TO THE PLACE OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-05-423-006, 009, 010, 012, 014

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

1. The petitioner shall apply for and receive a building permit for the proposed fence.
2. Any gates located along the fence between the 601 E. St. Charles Road and 609 E. St. Charles Road buildings may not open outward toward St. Charles Road.
3. The finished or decorative side of the fence shall face St. Charles Road.
4. The variations shall be limited to the existing property. Should the property be damaged or destroyed by any means, any new fencing shall meet all provisions of the Lombard Sign 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 7th day of September, 2006.

First reading waived by action of the Board of Trustees this day of , 2006.

Passed on second reading this 21st day of September, 2006.

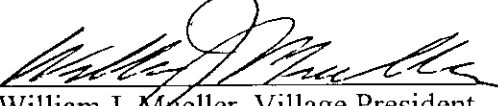
Ayes: TRUSTEES GRON, TROSS, O'BRIEN, SEBBY, FLOREY & SODERSTROM

Nayes: NONE

Absent: NONE

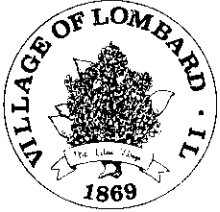
Ordinance No. 5926
Re: ZBA 06-19
Page 4

Approved this 21st day of September, 2006.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, 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 Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

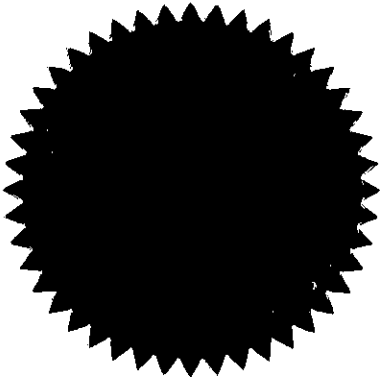
I further certify that attached hereto is a
copy of ORDINANCE 5926
APPROVING A VARIATION OF THE LOMBARD ZONING
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF
LOMBARD, ILLINOIS

601-609 E. ST. CHARLES ROAD, LOMBARD

PIN: 06-05-423-006, 009, 010, 012, AND 014

of the said Village as it appears from the official records
of said Village duly approved September 21, 2006.

In Witness Whereof, I have hereunto affixed my official signature and
the Corporate Seal of said **Village of Lombard**, Du Page County,
Illinois this 2nd day of February, 2007



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