

**ORDINANCE NO. 6816**

**AN ORDINANCE GRANTING A CONDITIONAL USE  
PURSUANT TO TITLE 15, CHAPTER 155, SECTION  
155.417(G)(2)(a) OF THE LOMBARD ZONING ORDINANCE**

(PC 13-03; 801 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 as defined below is zoned B4A - Roosevelt Road Corridor District ; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 417(G)(2)(a) of the Lombard Village Code to provide for an outside service area for outdoor dining; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on April 15, 2013 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 Subject Property, as described in Section 2 below, pursuant to Title 15, Chapter 155, Section 417(G)(2)(a) of the Lombard Village Code to provide for outside service area for outdoor dining.

SECTION 2: That this Ordinance is limited and restricted to the property located at 801 E. Roosevelt Road, Lombard, Illinois and legally described as follows:

THAT PART OF THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION , SAID POINT BEING 68.80 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE WEST 298.00 FEET TO A POINT, SAID POINT BEING 66.18 FEET SOUTH OF THE NORTH LINE OF SAID SECTION ; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID SECTION 169.42 FEET; THENCE WEST 2.00 FEET TO A POINT THAT IS 235.60 SOUTH OF THE NORTH LINE OF SAID SECTION; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID SECTION 104.98 FEET; THENCE EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 300.00 FEET OF THE EAST LINE THEREOF; THENCE NORTH ALONG SAID EAST LINE 271.78 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-20-204-008; (the “Subject Property”)

SECTION 3: The conditional use, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The property shall be developed in substantial compliance with the site plan developed and submitted as part of this petition.
2. The petitioner shall apply for and receive a building permit for any improvements to be constructed on the subject property. The permit shall satisfactorily address any comments included within the Inter-departmental Review Report.
3. To meet Illinois Accessibility Code (IAC) requirements, an additional accessible space shall be placed along the south row of the north parking lot, with the space(s) meeting IAC requirements.
4. The outdoor dining activity shall not be operated after 11:00 p.m. on weeknights and 1:00 a.m. on Friday and Saturday nights. Wait staff shall be available for the outdoor dining area and shall monitor operations to ensure that the use is operated properly and legally.

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.

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Re: PC 13-03  
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Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

First reading waived by action of the Board of Trustees this 2nd day of May, 2013.

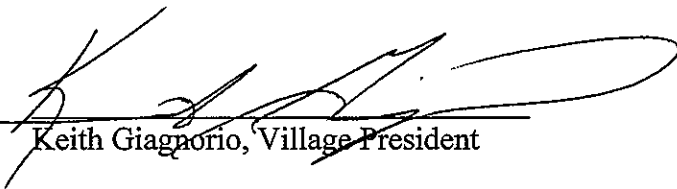
Passed on second reading this 2nd day of May, 2013, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Foltyniewicz, Breen, Fitzpatrick, and Ware

Nays: None

Absent: None

Approved by me this 2nd day of May, 2013.

  
\_\_\_\_\_  
Keith Giagnorio, Village President

ATTEST:

  
\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this 3rd day of May, 2013.

  
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Sharon Kuderna, Village Clerk