

**MEMORANDUM**

**TO:** William T. Lichter, Village Manager

**FROM:** David A. Hulseberg, AICP, Assistant Village Manager/Director of Community Development *DH*

**DATE:** September 7, 2006

**SUBJECT:** PC 05-30: 369 N. Stewart (Lombard Gospel Chapel) – Request for Time Extension

The Board of Trustees approved Ordinance 5719 (PC 05-30) on September 15, 2005 which granted approval of conditional use for a religious institution and variations to allow the construction of an addition to Lombard Gospel Chapel. Per the conditional use provisions, if construction has not begun within one (1) year from the date of approval, the conditional use is null and void unless an extension is granted by the Board of Trustees.

After being advised that the conditional use was about to expire, the petitioner submitted a letter requesting an extension of the conditional use. Staff believes that granting an extension is in the best interest of the Village, provided that the petitioner adheres to conditions incorporated in the attached Ordinance 5719.

**RECOMMENDATION**

Staff recommends that the Village Board approve an Ordinance extending the time period for construction of the conditional use for an additional twelve month period. Staff is also requesting a waiver of first reading in order to avoid the conditional use from expiring.



AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO  
TITLE 15, CHAPTER 155, SECTIONS 155.406.C AND GRANTING VARIATIONS TO  
SECTIONS 155.406 AND 155.602 OF THE  
LOMBARD ZONING ORDINANCE

(PC 05-30: 369 N. Stewart)

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 R2 Single Family Residential District,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for an existing religious institution on the subject property located within the R2 Single Family Residence District; and,

WHEREAS, said application also requests approval of the following variations from the Zoning Ordinance on the property described in Section 7 below:

- a) A variation from Section 155.406 (G) to allow for a church spire that will exceed the maximum building height;
- b) A variation from Section 155.406 (F) to reduce the minimum required front yard setback from thirty (30) feet to six (6) feet;
- c) A variation from Section 155.602 (C) to reduce the number of minimum required parking spaces;
- d) A variation from Section 155.406 (H) to exceed the minimum required 50% open space.
- e) A variation from Section 155.602 (A)(C) reducing the minimum parking space and aisle dimensions.

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 15, 2005 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, 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:

**SECTION 1:** That a Conditional Use is hereby granted for the property described in Section 7 below and pursuant to Title 15, Chapter 155, Section 406 (C) of the Zoning Ordinance so as to allow a religious institution.

**SECTION 2:** That a variation is hereby granted for the property described in Section 7 below and pursuant to Title 15, Chapter 155, Section 155.406 (G) of the Zoning Ordinance to allow for a church spire that will exceed the maximum building height.

**SECTION 3:** That a variation is hereby granted for the property described in Section 7 below and pursuant to Title 15, Chapter 155, Section 155.406 (F) of the Zoning Ordinance to reduce the front yard setback from thirty (30) feet to six (6).

**SECTION 4:** That a variation is hereby granted for the property described in Section 7 below and pursuant to Title 15, Chapter 155, Section 155.602 (C) of the Zoning Ordinance to reduce the minimum number of required parking spaces from sixty-eight (68) to forty-two (42).

**SECTION 5:** That a variation is hereby granted for the property described in Section 7 below and pursuant to Title 15, Chapter 155, Section 155.406 (H) of the Zoning Ordinance to reduce the minimum required open space from fifty (50) percent to ten (10) percent.

**SECTION 6:** That a variation is hereby granted for the property described in Section 7 below and pursuant to Title 15, Chapter 155, Section 155.602 (F) of the Zoning Ordinance to reduce the minimum parking space and aisle dimensions.

**SECTION 7:** That the Ordinance is limited and restricted to the property generally located at 369 N. Stewart Avenue, Lombard, Illinois, and legally described as follows:

Lots 34, 35, 36 and 37 in block 2 in H.O. Stone and Company's addition to Lombard, being a subdivision of part of the southwest quarter of section 5 and

part of the northwest quarter of section 8, township 39 north, range 11 east of the third principal meridian, according to the plat thereof recorded June 26, 1924 as document number 179463 in DuPage County, Illinois.

Parcel Number: 06-05-305-001

SECTION 7: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site essentially in accordance with site plan prepared by Church Building Architects, Inc., dated July 15, 2005 and made a part of this request, except where amended by the conditions of approval.

2. That the petitioner shall satisfactorily address the comments included within the IDRRC report.

3. That the petitioner will resubmit a parking lot striping plan reflecting the noted changes within the IDRRC report. The petitioner shall provide a minimum of 42 parking spaces on the subject property.

SECTION 8: 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 1st day of September, 2005.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Passed on second reading this 15th day of September, 2005.

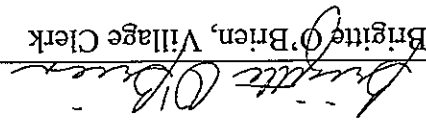
Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

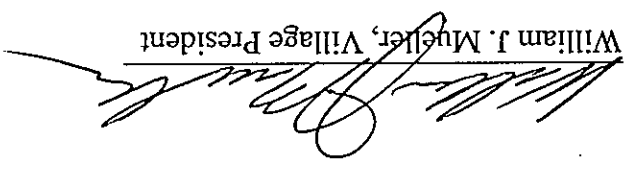
Nays: None

Absent: None

Approved this 15th day of September, 2005.

ATTEST:

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

  
\_\_\_\_\_  
William J. Mueller, Village President



# **Lombard Gospel Chapel**

369 N. Stewart Avenue / Lombard, Illinois 60148 / 630-620-9700

August 28, 2006

Board of Trustees  
The Village of Lombard  
255 E. Wilson Avenue  
Lombard, Illinois 60148

To whom it may concern:

We are requesting an extension of the variances previously granted to Lombard Gospel Chapel at 369 N. Stewart Avenue in Lombard.

In September of 2005, the Lombard Village Board of Trustees graciously approved the variances needed to do remodeling work at our church building. For that, we are very thankful. Since that time, two things have happened. First of all, our architect took much longer than we anticipated in order to complete his work. Secondly, our initial estimates of costs were much higher than we originally anticipated. At this juncture, we are in the process of trying to slightly modify the project (with the same variances) and in the process of raising more funds for this building project. Therefore, we are requesting an extension of the variances. Thank you for your kind consideration of this extension request. Thank you also for your continued excellent service to the village.

Sincerely yours,



David C. Brown

Director of Pastoral Ministries



ORDINANCE NO. \_\_\_\_\_  
AN ORDINANCE GRANTING  
AN EXTENSION OF ORDINANCE 5719

(PC 05-30: Lombard Gospel Chapel (369 N. Stewart Avenue)

WHEREAS, on September 15, 2005, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5719 granting approval for a conditional use and approval of the following variations from the Zoning Ordinance:

- a) A variation from Section 155.406 (G) to allow for a church spire that will exceed the maximum building height;
  - b) A variation from Section 155.406 (F) to reduce the minimum required front yard setback from thirty (30) feet to six (6) feet;
  - c) A variation from Section 155.602 (C) to reduce the number of minimum required parking spaces;
  - d) A variation from Section 155.406 (H) to exceed the minimum required 50% open space;
  - e) A variation from Section 155.602 (A)(C) reducing the minimum parking space and aisle dimensions;
- all associated with the property described in Section 3 below located in the R2 Single Family Residential District; and

WHEREAS, pursuant to Sections 155.103 (C)(10) and 155.103 (F)(11) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, variations and conditional uses are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the conditional use and variations granted by Ordinance 5719; and,

WHEREAS, the Village has received a letter requesting an extension of Ordinance 5719; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinance 5719 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of adoption of this Ordinance, and all construction is completed per the approved plans within eighteen (18) months from the date of adoption of this Ordinance.

SECTION 2: That all other provisions associated with Ordinance 5719 shall remain in full force and effect.

SECTION 3: This Ordinance is limited and restricted to the property generally located at 369 N. Stewart Avenue, Lombard, Illinois and legally described as follows:

Lots 34, 35, 36 and 37 in block 2 in H.O. Stone and Company's addition to Lombard, being a subdivision of part of the southwest quarter of section 5 and part of the northwest quarter of section 8, township 39 north, range 11 east of the third principal meridian, according to the plat thereof recorded June 26, 1924 as document number 179463 in DuPage County, Illinois.

Parcel No.: 06-05-305-001

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 \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Ayes: \_\_\_\_\_  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

Approved this \_\_\_\_\_, day of \_\_\_\_\_, 2006.

William J. Mueller  
Village President

ATTEST:

Brigitte O' Brien  
Village Clerk

Published in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2006

Brigitte O' Brien  
Village Clerk