



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
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OTHER 06-07-209-009
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ORDINANCE 6238

**GRANTING A CONDITIONAL USE PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 155.418 (C)
AND GRANTING A VARIATION FROM 155.602
OF THE LOMBARD ZONING ORDINANCE**

Address: 117 W. St. Charles Road, Lombard, IL

PIN: 06-07-209-009

Return To:

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

ORDINANCE NO. 6238

**AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 155.418 (C) AND GRANTING A VARIATION
FROM 155.602 OF THE LOMBARD ZONING ORDINANCE**

(PC 08-24: 117 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, an application has heretofore been filed requesting approval of a conditional use for an outside service area on the subject property located within the B5 Central Business District; and,

WHEREAS, said application also requests approval of variation from Section 155.602 (C), Table 6.3 reducing the number of requisite parking spaces.

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 18, 2008 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 and variation 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 3 below and pursuant to Title 15, Chapter 155, Section 418 (C) of the Zoning Ordinance so as to allow an outside service area.

SECTION 2: That a variation is hereby granted for the property described in Section 3 below and pursuant to Title 15, Chapter 155, Section 155.602 (C), Table 6.3 of the Zoning Ordinance to reduce the number of requisite parking spaces.

Ordinance No. 6238

Re: PC 08-24

Page 2

SECTION 3: That the Ordinance is limited and restricted to the property generally located at 117 W. St. Charles Road, Lombard, Illinois, and legally described as follows:

LOT 2 IN BLOCK 19 IN ORIGINAL TOWN OF LOMBARD, BEING A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868 AS DOCUMENT 9483, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-07-209-009

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

1. The outdoor dining activity shall be limited to Thursdays, Fridays, Saturdays, Sundays, or federal holidays between April 1 and October 31.
2. The outdoor dining service shall not be open past 11:00 p.m. on Fridays and Saturdays and 9:00 p.m. on Thursdays and Sundays.
3. That all patrons shall leave the outdoor dining area no later than thirty minutes after the time in which the outdoor dining service is scheduled to close.
4. The petitioner shall erect a removable wrought iron-style fence along the south and west sides of the dining area. Said fence shall be in place during any outdoor dining periods.
5. The parking lot lights shall be removed from the Village controller and connected to a new controller that is installed and constructed to Village specifications and requirements. The disconnection of the lighting shall occur prior to the establishment of the outdoor dining activity.
6. The petitioner shall provide the Building Department with a plan showing vehicle barriers and handicap access/seating for review and approval prior to the establishment of the outdoor dining activity.
7. The petitioner shall provide an eight-foot wide diagonally striped access aisle adjacent to each accessible parking space.

Ordinance No. 6238
Re: PC 08-24
Page 3

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 _____ day of _____, 2008.

First reading waived by action of the Board of Trustees this 4th day of September, 2008.

Passed on second reading this 4th day of September, 2008.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick & Soderstrom

Nays: None

Absent: None

Approved this 4th day of September, 2008.



William J. Mueller, Village President

ATTEST:



Brigitte O'Brien, Village Clerk

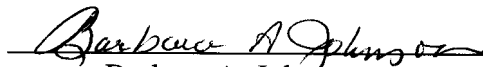


I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a
copy of ORDINANCE 6238
GRANTING A CONDITIONAL USE PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 155.418 (C)
AND GRANTING A VARIATION FROM 155.602 OF
THE LOMBARD ZONING ORDINANCE

of the said Village as it appears from the official records of said Village duly approved this 4TH day of September, 2008.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 30th day of October, 2008.

A handwritten signature in cursive script that reads "Barbara A. Johnson".

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

