

**J.P. "RICK" CARNEY**  
DUPAGE COUNTY RECORDER  
OCT. 10, 2002 10:15 AM  
OTHER 06-30-200-008  
007 PAGES R2002-266874

**ORDINANCE NO. 5134**

**APPROVING CONDITIONAL USES AND VARIATIONS  
OF THE LOMBARD ZONING ORDINANCE AND  
VARIATIONS TO THE LOMBARD SIGN ORDINANCE**

**ADDRESS: 444 W. 22<sup>nd</sup> Street  
Lombard, IL**

**PIN: 06-30-200-008**

**Return To:**

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

**ORDINANCE NO. 5134**

**AN ORDINANCE GRANTING CONDITIONAL USES PURSUANT TO TITLE 15, CHAPTER 155, SECTIONS 155.414.C AND 155.208 OF THE LOMBARD ZONING ORDINANCE, VARIATIONS TO SECTIONS 155.414 (J) AND 155.707 AND GRANTING VARIATIONS TO TITLE 15, CHAPTER 153, SECTION 153.505 (B) OF THE LOMBARD SIGN ORDINANCE**

(PC 02-15: 444 W. 22<sup>nd</sup> Street (Northeast Corner of 22<sup>nd</sup> & Finley)

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 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,

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

WHEREAS, an application has been filed requesting approval of conditional uses to provide for gasoline sales, an automobile service use (car wash), and more than one (1) principal structure on one (1) lot of record on the property described in Section 4 below; and,

WHEREAS, said application also requests approval of a variation from Section 155.414 (J) of the Zoning Ordinance to reduce the transitional building setback to twenty-eight (28) feet from forty (40) feet; and a variation from Section 155.707 to reduce the transitional landscape yard to twenty-five (25) feet from thirty (30) feet; and

WHEREAS, said application also requests a variation from Section 153.505 (B) to allow for more than one (1) wall sign per street front exposure; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on April 22, 2002 pursuant to appropriate and legal notice; and,

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WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional uses and 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 Conditional Uses are hereby granted for the property described in Section 4 below and pursuant to Title 15, Chapter 155, Section 414 C of the Lombard Zoning Ordinance so as to allow said property to be used for automobile service uses including a gas station and an automotive service use (car wash); and that a conditional use is hereby granted pursuant to Title 15, Chapter 155, Section 208 to allow more than one (1) principal structure on one (1) lot of record.

SECTION 2: That a variation is hereby granted for the property described in Section 4 below and pursuant to Title 15, Chapter 155, Section 155.414 (J) of the Zoning Ordinance to reduce the transitional building setback to twenty-eight (28) feet from forty (40) feet, and a variation from Section 155.707 to reduce the transitional landscape yard to twenty-five (25) feet from thirty (30) feet.

SECTION 3: That a variation is hereby granted for the property described in Section 4 below and pursuant to Title 15, Chapter 153, Section 505 (B) of the Lombard Sign Ordinance to allow for more than one (1) wall sign per street front exposure.

SECTION 4: That this ordinance is limited and restricted to the property generally located at 444 W. 22<sup>nd</sup> Street, Lombard, Illinois and legally described as follows:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

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DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE NORTH LINE OF SAID SECTION 30 INTERSECTS WITH THE EAST RIGHT OF WAY LINE OF FINLEY ROAD, ACCORDING TO THE PLAT OF DEDICATION, RECORDED AS DOCUMENT NUMBER R67-31797, THENCE SOUTH 02 DEGREES 15 MINUTES 47 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 98.60 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE SOUTH 19 DEGREES 27 MINUTES 20 SECONDS EAST, A DISTANCE OF 74.43 FEET, TO THE NORTH RIGHT OF WAY LINE OF 22<sup>ND</sup> STREET, ACCORDING TO SAID PLAT OF DEDICATION DOCUMENT NUMBER R67-31797; THENCE SOUTH 74 DEGREES 47 MINUTES 59 SECONDS EAST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 74.43 FEET; THENCE NORTH 88 DEGREES 00 MINUTES 23 SECONDS EAST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 25.13 FEET TO A POINT OF CURVATURE; THENCE CONTINUING EASTERLY ALONG SAID NORTH RIGHT OF WAY LINE BEING A CURVE TO THE LEFT OF THE LAST DESCRIBED COURSE EXTENDED AND HAVING A RADIUS OF 1382.39 FEET, A DISTANCE OF 79.89 FEET; THENCE NORTH 13 DEGREES 35 MINUTES 25 SECONDS WEST A DISTANCE OF 244.28 FEET TO A POINT ON THE FORMER NORTH RIGHT OF WAY LINE OF 22<sup>ND</sup> STREET VACATED BY DOCUMENT NUMBER R67-31799 SAID POINT BEING 50.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 19; THENCE SOUTH 88 DEGREES 00 MINUTES 23 SECONDS WEST ALONG SAID NORTH LINE OF VACATED 22<sup>ND</sup> STREET, BEING PARALLEL WITH SAID SOUTH SECTION LINE, A DISTANCE OF 150.00 FEET TO A POINT 50.00 FEET EAST OF THE CENTER LINE OF FINLEY ROAD; THENCE SOUTH 02 DEGREES 15 MINUTES 47 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE PLACE OF BEGINNING.

ALSO DESCRIBED AS LOT 2 IN FINLEY ROAD SUBDIVISION, A SUBDIVISION SITUATED IN PART OF THE NORTHEAST QUARTER OF SECTION 30, AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 112, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER R68-43111, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number 06-30-200-008

(Hereinafter the "Subject Property")

SECTION 5: This ordinance shall be granted subject to compliance with the following conditions:

1. That the petitioner shall be required to apply for and receive Village building permits for the demolition of any existing structures on the premises and for the construction of any improvements on the subject property. The petitioner shall also apply for and receive all requisite State of Illinois and DuPage County Health Department permits as well.
2. That the site be developed in substantial compliance with the Proposed Site Plan, Building Floor Plan, Building Elevations, Car Wash Elevation, and Canopy Elevations submitted as part of this petition, and to include revisions as recommended as part of the IRDC comments.
3. That construction and site improvements shall be substantially underway within one (1) year from the date of Village Board approval and shall be completed eighteen (18) months thereof.
4. That the petitioner shall install a new solid fence of six feet in height and maintain it in good repair at all times along the north property line. The design of the fence shall be subject to the review and approval of the Director of Community Development.
5. That the petitioner record a cross-access easement to provide for vehicular access to the property east of the subject property. Should the abutting property owner agree to grant a cross-access easement on his/her parcel to connect to the subject property, the petitioner and/or future subject property owner shall be obligated to install a cross-access driveway at their own expense. Said cross-access driveway shall be constructed per Village of Lombard specifications.

SECTION 6: 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 2nd day of May, 2002.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

Passed on second reading this 6th day of May, 2002.


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Ayes: Trustees DeStephano, Koenig, Sebby, Florey, Soderstrom

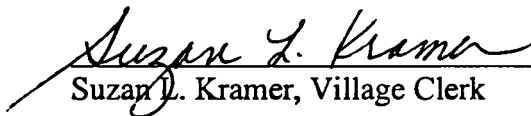
Nays: None

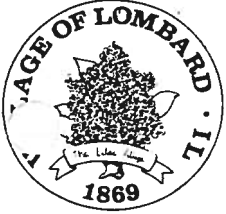
Absent: Trustee Tross

Approved this 16th, day of May, 2002.

  
William J. Mueller, Village President

ATTEST:

  
Suzan L. Kramer, Village Clerk



I, **Suzan L. Kramer**, hereby certify that I am the duly qualified Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such 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 5134  
AN ORDINANCE GRANTING CONDITIONAL  
USES PURSUANT TO TITLE 15, CHAPTER 115,  
SECTIONS 155.414.C AND 155.208 OF THE  
LOMBARD ZONING ORDINANCE, VARIATIONS  
TO SECTIONS 155.414 (J) AND 155.707 AND  
GRANTING VARIATIONS TO TITLE 15, CHAPTER  
153, SECTION 153.505 (B) OF THE LOMBARD,  
SIGN ORDINANCE  
PARCEL NUMBER 06-30-200-008

of the said Village as it appears from the official records of said Village, duly approved May 16, 2002

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 1<sup>st</sup> day of October, 2002.



*Suzan L. Kramer*  
Suzan L. Kramer  
Village Clerk  
Village of Lombard  
DuPage County, Illinois