

J.P. "RICK" CARNEY

DUPAGE COUNTY RECORDER

DEC.31,2003

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06-09-101-018

006 PAGES

R2003-485326

ORDINANCE 5288

GRANTING A CONDITIONAL USE AND VARIATIONS PURSUANT TO TITLE 15, CHAPTER 155, SECTION 415 OF THE LOMBARD ZONING ORDINANCE

Address: 825 E. St. Charles Road, Lombard

PIN: 06-09-101-018

Return To:

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

ORDINANCE NO. 5288

**AN ORDINANCE GRANTING A CONDITIONAL USE
AND VARIATIONS PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 415 OF THE
LOMBARD ZONING ORDINANCE**

(PC 03-10: 825 East 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 requesting approval of a conditional use to provide for a contractor's office and storage yard for an electrical contractor's business on the property described in Section 2 below; and,

WHEREAS, the petitioner also requests approval of variations from Section 153.415 (F)(3) and (4) to reduce the required interior side yard setback from 10 feet to 9.84 feet and reduce the rear yard setback from 30 feet to 16.42 feet, and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on April 21, 2003 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation 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:

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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 415 (C) 8 of the Village of Lombard Zoning Ordinance so as to allow said property to provide a contractor's office and storage yard;

SECTION 2: That variations from Section 153.415 (F)(3) and (4) of the Village of Lombard Zoning Ordinance to reduce the required interior side yard setback from 10 feet to 9.84 feet and reduce the rear yard setback from 30 feet to 16.42 feet are hereby granted for the property described in Section 3 below;

SECTION 3: That this ordinance is limited and restricted to the property generally located at 825 East St. Charles Road, Lombard, Illinois and legally described as follows:

Parcel 1: That part of the Northwest Quarter of the Northwest Quarter of Section 9, Township 39 North, Range 11, East of the Third Principal Meridian, bounded as follows: On the West by the Southerly extension of the West line of Lot 1 in Sullen's Resubdivision of Lot 2 in Robertson's Addition to Home Acres; on the Northerly side by the Southerly line of said Lot 1, being a line parallel with and distant 50 feet northerly, measured at right angles, from the center line of the main track of the Minnesota and Northwestern Railroad Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established across said Section 9; on the East by Southerly extension of the East line of said Lot 1; and on the Southerly sides by a line parallel with and distance 15 feet Northerly, measured at right angles, from the center line of the main track of the Chicago and Northwestern Transportation Company (formerly the Chicago Great Western Railroad Company), as said main track is now located.

Parcel 2: Lot One in Sullen's Resubdivision of Lot 2 in Robertson's Addition to Home Acres, a subdivision of part of the West half of the Northwest Quarter of Section 9, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded October 16, 1978 as Document Number R78-99332, formerly known as: The East 108 feet of Lot 2 as measured along the North line thereof in Robertson's addition to Home Acres, being a subdivision in the West half of the Northwest Quarter of Section 9, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded April 16, 1909 as Document 96660, all in DuPage County, IL.

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

1. That the petitioner shall develop the site consistent with the site plan submitted as part of the petition by Gentile & Associates and made part of the request.
2. That the petitioner shall satisfactorily address the comments noted within the IDRC report.
3. Associated with the conditional use approval, the petitioner shall submit a landscape and photometric plan showing that the property will be in compliance with Code.
4. That overnight storage of commercial vehicles on the property shall be exclusively within the existing building.
5. Outside storage of contractor materials and equipment shall be prohibited.
6. That the site shall be developed and operated consistent with Village Code.
7. That the petitioner shall install a solid board on board fence eight feet in height along the southern property line.
8. That the petitioner shall provide the Village with a pedestrian easement for the existing public sidewalk on the northeast corner of the subject property.

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 1st day of May, 2003.

First reading waived by action of the Board of Trustees this _____ day of _____, 2003.

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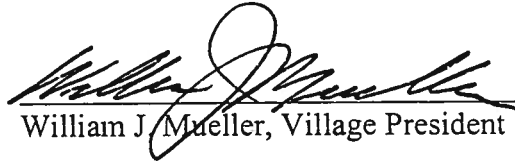
Passed on second reading this 15th day of May, 2003.

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

Nayes: None

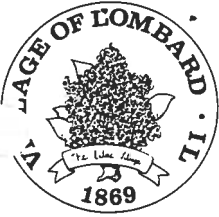
Absent: Trustee Tross

Approved this 15th, day of May, 2003.


William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy 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 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 true and correct copy of ORDINANCE 5288

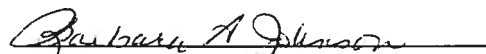
AN ORDINANCE GRANTING A CONDITIONAL
USE AND VARIATIONS PURSUANT TO TITLE 15,
CHAPTER 155, SECTION 415 OF THE LOMBARD
ZONING ORDINANCE

825 E. ST. CHARLES ROAD

of the said Village as it appears from the official records
of said Village duly passed on May 15, 2003.

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 December, 2003.





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