

ORDINANCE NO. 6070

**AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 414 OF THE
LOMBARD ZONING ORDINANCE**

(PC 07-24: 330 E. North Avenue)

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 massage establishment on the property described in Section 2 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on July 16, 2007 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:

SECTION 1: That a Conditional Use is hereby granted for the property described in Section 2 below and pursuant to Title 15, Chapter 155, Section 414 (C) 17 of

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the Village of Lombard Zoning Ordinance to provide a massage establishment to be located on the Subject Property legally described in Section 2 below.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 330 E. North Avenue, Lombard, Illinois and legally described as follows:

The east 292.58 feet of the West 877.74 feet, both as measured on the North and South lines thereof, of the South 595.92 feet, as measured on the East and West lines thereof, of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 32, Township 40 North, Range 11 East of the Third Principal Meridian, excepting therefrom that part taken for highway purposes, to wit:

Beginning at the Southwest corner of the East 292.58 feet of the West 877.74 feet (as measured on the north and south lines thereof) of the south 595.52 feet as measured on the East and West lines thereof, of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 32; thence on an assumed bearing of North 2 degrees 13 minutes 23 seconds West along the West line of said East 292.58 feet, 116.43 feet; thence North 88 degrees 14 minutes 32 seconds East, 292.58 feet to the East line of said East 292.58 feet, also being the grantor's East property line, 116.42 feet to the South line of Section 32; thence South 88 degrees 14 minutes 24 seconds West along the South line of Section 32, 292.58 feet to the point of beginning, in DuPage County, Illinois.

Parcel Number: 03-32-301-037

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The conditional use for the physical culture and massage establishment is exclusively for the tenant space at 338 East North Avenue. Any expansion of the establishment within the existing shopping center beyond what was submitted as part of PC 07-24, shall require an amendment to the conditional use approval.
2. Any massage establishments to be located on the premises shall apply for and receive a business license from the Village of Lombard. Said establishments

shall meet all provisions of Chapter 12, Section 122 of the Village Code and shall keep their license in good standing. Moreover, all massage therapists employed on the premises must have a current license from the State of Illinois for the conditional use to apply.

3. The petitioner shall apply for and receive a building permit for any improvements to the interior of the tenant space prior to starting and build-out of the tenant space. Moreover, the petitioner shall apply for and receive approval of a Certificate of Occupancy/Zoning Certificate prior to opening the business establishment.

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 _____, 2007.

First reading waived by action of the Board of Trustees this 9th day of August, 2007.


Passed on second reading this 9th day of August, 2007.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitpatrick

Nays: None

Absent: Trustee Soderstrom

Approved this 9th day of August , 2007.


William J. Mueller, Village President

ATTEST:

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Brigitte O'Brien, Village Clerk

Published in pamphlet form this 9th day of August, 2007.



Brigitte O'Brien, Village Clerk

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