

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda


  X   Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: July 7, 2017 (B of T) Date: July 20, 2017

TITLE: 1 E. St. Charles Road; BP Gas Station

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an Ordinance terminating the Freestanding Sign Prohibition relative to the property located at 1 East St. Charles Road, and amending Ordinance No. 3352, adopted January 3, 1991, and Ordinance No. 5292, adopted May 15, 2003, in relation thereto.

As a companion to the proposed Ordinance, the Plan Commission recommended approval of a variance from Section 506(A)(6)(c) to allow for the subject freestanding sign of seventeen (17') in height, where six feet (6') is allowed with conditions (PC 17-22).

Staff recommends approval of this request.

Staff requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_


Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X \_\_\_\_\_ Date \_\_\_\_\_



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development 

**MEETING DATE:** July 20, 2017

**SUBJECT:** **1 E. St. Charles Road; BP Gas Station**

Please find the following items for Village Board consideration as part of the July 20, 2017 Board meeting:

1. An Ordinance terminating the freestanding sign prohibition relative to the Property located at 1 E. St. Charles Road, and amending Ordinance 3352, adopted January 3, 1991, and Ordinance 5292, adopted May 15, 2003.
2. Supporting documents for reference.

This prohibition was part of an agreement between the Village and a previous gas station owner (not the current owner) in 1990 associated with “old lighting standards being replaced with new Downtown lighting standards.” It was agreed that the gas station owner at the time would replace the existing free standing sign with a canopy-mounted price sign (R55-91).

Subsequently, the gas station owner pursued a variance (ZBA 90-16) for a larger canopy-mounted price sign. The variance (Ordinance 3352) was granted with a condition that stated “there shall be no freestanding signs on the subject property.”

In 2003, the gas station owner pursued the re-establishment of a freestanding sign (ZBA 03-06). This request was not approved however an additional wall sign variance was granted (Ordinance 5292).

As a companion to the proposed Ordinance, the Plan Commission recommended approval of a variance from Section 506(A)(6)(c) to allow for the subject freestanding sign of seventeen (17') in height, where six feet (6') is allowed with conditions (PC 17-22).

Please place this petition on the July 20, 2017 Board of Trustees agenda with a waiver of first reading as requested by Village staff.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TERMINATING THE FREESTANDING SIGN PROHIBITION  
RELATIVE TO THE PROPERTY LOCATED AT 1 EAST ST. CHARLES ROAD,  
AND AMENDING ORDINANCE NO. 3352, ADOPTED JANUARY 3, 1991,  
AND ORDINANCE NO. 5292, ADOPTED MAY 15, 2003, IN RELATION THERETO**

**WHEREAS**, on November 11, 1990, the Village of Lombard (the "Village") and the owners of a portion of the Subject Property, (as defined in Section 3 below), entered into an agreement, in further settlement of an eminent domain proceeding from 1986 (the "1990 Agreement"); and

**WHEREAS**, pursuant to Village Ordinance No. 3352, dated January 3, 1991, the Village approved a variation from the provisions of the Lombard Sign Ordinance, to allow for the maximum size of a service station rate sign to be increased from eighteen (18) square feet to thirty-four (34) square feet, relative to a service station rate sign to be installed on a portion of the Subject Property, (as defined in Section 3 below), (the "1991 Ordinance"); and

**WHEREAS**, pursuant to Village Ordinance No. 5292, dated May 15, 2003, the Village approved a variation from the provisions of the Lombard Sign Ordinance, to allow for more than one (1) wall sign per street front exposure, relative to the Subject Property, (as defined in Section 3 below), (the 2003 Ordinance"); and

**WHEREAS**, Section 9 of the 1990 Agreement prohibited freestanding signs on a portion of the Subject Property, (as defined in Section 3 below); and

**WHEREAS**, in light of the provisions of Section 9 of the 1990 Agreement, Section 3 of the 1991 Ordinance prohibited freestanding signs on a portion of the Subject Property, (as defined in Section 3 below); and

**WHEREAS**, in light of the provisions of Section 9 of the 1990 Agreement, Section 2 of the 2003 Ordinance prohibited freestanding signs on a portion of the Subject Property, (as defined in Section 3 below), by limiting the development of the Subject Property, (as defined in Section 3 below), to a specific site plan that did not include a freestanding sign; and

**WHEREAS**, the current owner of the Subject Property, (as defined in Section 3 below), desires to construct a freestanding sign on the Subject Property, (as defined in Section 3 below); and

**WHEREAS**, but for the prohibitions set forth in Section 9 of the 1990 Agreement, Section 3 of the 1991 Ordinance and Section 2 of the 2003 Ordinance, a freestanding sign would be allowed on the Subject Property, (as defined in Section 3 below), based on the zoning district in which the Subject Property, (as defined in Section 3 below), is located; and

**WHEREAS**, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to terminate the freestanding sign prohibition applicable to the Subject Property, (as defined in Section 3 below);

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

**SECTION 1:** That the freestanding sign prohibition, as set forth in Section 9 of the 1990 Agreement, is hereby waived by the Village.

**SECTION 2:** That, based on the waiver set forth in Section 1 above, Section 3 of the 1991 Ordinance is hereby repealed.

**SECTION 3:** That, based on the waiver set forth in Section 1 above, Section 2 of the 2003 Ordinance is amended by adding the following to the end of subsection 1 thereof: “except that a freestanding sign shall be allowed, if a freestanding sign is allowed in the zoning district in which the property is located.”

**SECTION 4:** That this Ordinance is limited and restricted to the property generally located at 1 East St. Charles Road, Lombard, Illinois, and legally described as follows:

LOT THIRTEEN (13) IN BLOCK SEVENTEEN (17) OF THE ORIGINAL PLAT OF THE TOWN, NOW VILLAGE, OF LOMBARD, BEING THAT PART OF THE NORTHWEST QUARTER (NW ¼) OF SECTION EIGHT (8) IN TOWNSHIP THIRTY-NINE (39) NORTH, RANGE ELEVEN (11), EAST OF THE THIRD PRINCIPAL MERIDIAN (3RD P.M.), DESCRIBED BY COMMENCING AT AN IRON BOLT IN THE WEST LINE OF THE SECTION IN THE CENTER OF LAKE STREET (FORMERLY ST. CHARLES AND CHICAGO STATE ROAD) WHICH POINT IS ELEVEN AND TWENTY-THREE HUNDREDTHS (11.23) CHAINS SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 8 AND RUN THENCE SOUTH THREE-QUARTERS OF A DEGREE WEST (S ¾ DEGREES W) TWO AND SEVENTY-TWO HUNDREDTH (2.72) CHAINS TO THE NORTH LINE OF RAILROAD RIGHT OF WAY, THENCE NORTH EIGHTY-EIGHT AND THREE-QUARTERS DEGREES EAST (N 88-¾ DEGREES E) ALONG RAILROAD RIGHT OF WAY TWO AND FORTY-THREE HUNDREDTHS (2.43) CHAINS, THENCE NORTH TWENTY-TWO AND ONE-HALF DEGREES WEST (N22-½ DEGREES W) TWO AND FORTY-FIVE HUNDREDTHS (2.45) CHAINS TO THE CENTER OF ROAD, THENCE SOUTH SEVENTY DEGREES WEST (S 70 DEGREES W) ONE AND FORTY-SEVEN HUNDREDS (1.47) CHAINS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PART THEREOF CONVEYED BY WEST SUBURBAN BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 2, 1984 AND KNOWN AS TRUST NUMBER 3370 TO VILLAGE OF LOMBARD BY INSTRUMENT RECORDED JANUARY 28, 1987 AS DOCUMENT R1987-013238 FOR ROADWAY PURPOSES.

EXCEPTING, HOWEVER, THEREFROM ALL THAT PART OF THEREOF CONVEYED BY THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY TO THE VILLAGE OF LOMBARD BY DEED DATED DECEMBER 19, 1922 AND THEREIN DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT ON THE SOUTH LINE OF LAKE STREET TWENTY-TWO AND TWENTY-FOUR HUNDREDTHS FEET (22.24 FEET) WESTERLY FROM ITS INTERSECTION WITH THE EAST LINE OF MAIN STREET EXTENDED SOUTH FROM THE NORTH; THENCE SOUTHERLY ONE HUNDRED TWENTY-SEVEN AND TWO-TENTHS FEET (127.2 FEET) TO A POINT WHICH IS TWENTY-TWO AND FIFTY-FIVE HUNDREDTHS FEET (22.55) WEST AT RIGHT ANGLES FROM SAID EXTENDED EAST LINE OF MAIN STREET; THENCE SOUTHWESTERLY TWENTY-FIVE AND FIVE TENTHS FEET (25.5 FEET) TO A POINT WHICH IS FIFTY FEET (50 FEET) NORTHERLY AT RIGHT ANGLES FROM THE CENTER LINE BETWEEN THE TWO MAIN TRACKS OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, AS SAID TRACKS ARE NOW LOCATED AND CONSTRUCTED AND TWENTY EIGHT AND SIX-TENTHS (28.6 FEET) WESTERLY AT RIGHT ANGLES FROM SAID EXTENDED EAST LINE OF MAIN STREET; THENCE WESTERLY ON A LINE PARALLEL WITH AND FIFTY FEET (50 FEET) DISTANT FROM SAID CENTER LINE BETWEEN SAID MAIN TRACKS ELEVEN FEET (11 FEET) MORE OR LESS TO THE WEST LINE OF SAID SECTION EIGHT (8) THENCE NORTH ON SAID SECTION LINE TO THE SOUTH LINE OF LAKE STREET; THENCE EASTERLY TO THE PLACE OF BEGINNING.

EXCEPTING, HOWEVER, ALSO FROM THE ABOVE DESCRIBED PREMISES A STRIP OF LAND TEN FEET (10 FEET) WIDE NORTH OF AND ADJOINING THE SOUTHERLY BOUNDARY LINE OF SAID DESCRIBED PREMISES, MEASURED AT RIGHT ANGLES THERETO.

**PARCEL 2:**

THE WEST 28 FEET OF LOT 12 IN BLOCK 17 IN THE TOWN OF LOMBARD, BEING A SUBDIVISION OF 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 NUMBER 9433, IN DUPAGE COUNTY, ILLINOIS.

CONTAINING TOTAL AREA: 14,830.39 sq. ft. (0.34 acres);

Parcel Number: 06-08-108-010;

(the "Subject Property").

**SECTION 5:** That this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2017.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017, pursuant to a roll call vote as follows.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Keith Giagnorio, Village President

**ATTEST:**

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

R E S O L U T I O N  
R 55 91

A RESOLUTION AUTHORIZING SIGNATURE OF  
PRESIDENT AND CLERK ON AN AGREEMENT

WHEREAS, the Corporate Authorities of the Village of Lombard have received an Agreement between the Village of Lombard, West Suburban Bank Land Trust No. 3370 and Robert Bartel, as attached hereto and marked Exhibit "A"; and

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve such agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

Section 1: That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard said agreement as attached hereto.

Section 2: That the Village Clerk be and hereby is authorized to attest said agreements as attached hereto.

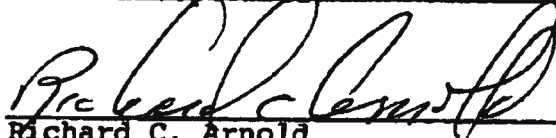
Adopted this 20th day of September, 1990

Ayes: KRISCH, TROSS, VAZQUEZ, TULLY, FRANCIS, KUFRIN

Nays: NONE

Absent: NONE

Approved this 20th day of September, 1990

  
Richard C. Arnold  
Village President

ATTEST:

  
Lorraine G. Gerhardt  
Village Clerk

APPROVAL AS TO FORM:

AGREEMENT

This Agreement made on Nov. 11<sup>th</sup>, 1990  
between the VILLAGE OF LOMBARD ("LOMBARD"), WEST  
SUBURBAN BANK LAND TRUST NO. 3370 ("SUBURBAN"), and  
ROBERT BARTEL, BENEFICIARY OF WEST SUBURBAN BANK  
LAND TRUST NO 3370 ("BARTEL").

WHEREAS, LOMBARD and BARTEL have completed  
the transfer of real estate as agreed in DuPage  
County Case No. 86ED8; and

WHEREAS, on the closing date (January 26,  
1987) the Lights and Price Sign of BARTEL had not  
been moved as per the Order entered in Case No.  
86ED8; and

WHEREAS, the parties hereto on January 26,  
1987, entered into an agreement so as to complete the  
conveyance of the real estate and establish an Escrow  
to guarantee that the Lights and Price Sign were  
moved to places designated by BARTEL; and

WHEREAS, the parties to said January 26, 1987  
Agreement, wish to amend the terms of said Agreement  
so as to finally accomplish the intent of said  
Agreement;

NOW, THEREFORE, in consideration of the  
foregoing and the mutual covenants contained herein,  
the parties agree as follows:



1. LOMBARD agrees to remove the existing free standing Price Sign from the Northwest Corner of the Property (said property being described on Exhibit "A" attached hereto and made part hereof) and will dispose of said price sign. Lombard agrees not to remove said sign until the sign referenced in paragraph 8 below has been erected.

2. LOMBARD agrees to replace the existing light pole on the Northeast corner of the property with the standard Downtown ornamental lighting fixture as shown on Exhibit "B" attached hereto and made part hereof. The timing of the said replacement shall be in accordance with the Downtown Phase I Construction schedule on St. Charles Road.

3. LOMBARD agrees to remove the light currently located at the South End of the Property and will replace it with the standard Downtown ornamental lighting fixture as shown on Exhibit "B" attached hereto and made part hereof. The timing of the said replacement shall be in accordance with the Main Street Viaduct Construction schedule on St. Charles Road.

4. SUBURBAN and BARTEL agrees to allow for the elimination of one curb cut, Northwestern Most along Main Street, which currently serves BARTEL'S Property.

5. LOMBARD shall provide a single curb cut to serve SUBURBAN'S and BARTEL'S Property from Main Street, with width measurements of fifty-five (55) feet on the Main Street side of the sidewalk and fifty (50) feet on the Property side of the sidewalk as shown on Exhibit B attached hereto and made part hereof. The timing of the said

provision shall be in accordance with the Main Street Viaduct contract schedule.

6. Lombard shall provide a single driveway to serve Suburban's and Bartels property from St. Charles Road, with width measurements of Fifty (50) feet on the St. Charles Road side of the sidewalk and Forty-five (45) feet on the property side of the sidewalk. Said driveway, as measured at the property line, shall begin 15.5 feet west of North East property corner. The timing of said provision shall be in accordance with the Downtown Phase I Construction schedule on St. Charles Road.

7. The parties shall take all action, and execute all documents necessary to release the three thousand and no/100 dollars (\$3,000.00) currently being held in escrow by ROBERT O. KUEHN, Escrow Agent under the January 26, 1987 Agreement between the parties, to BARTEL for the purpose of installing a new price sign on the Northwest facing portion of BARTEL'S current canopy. BARTEL shall install said sign at his own cost and expense within six (6) months of the date of this agreement. If said sign is not installed within said six (6) month time period, the \$3,000.00 shall be returned to the VILLAGE by BARTEL.

8. LOMBARD shall petition for and obtain all sign variations necessary for the proposed canopy sign 30" high by 146" long.

9. BARTEL and SUBURBAN agree to permanently eliminate all free standing signs from the Property.

10. That any provisions of the January 26, 1987 Agreement between the parties hereto which are in conflict herewith, inconsistent herewith, or which provide for actions by the parties not contemplated herein, are hereby declared null and void.

11. It is expressly agreed by SUBURBAN and BARTEL that SUBURBAN'S and BARTEL'S undertakings and agreements, as set forth herein, shall be covenants running with the land, and shall be binding upon SUBURBAN'S and BARTEL'S successor(s) in interest and assign(s).

12. This Agreement shall be recorded in the Office of the DuPage County Recorder of Deeds.

Signed at Lombard, Illinois on Nov 11<sup>th</sup>, 1990.

WEST SUBURBAN BANK LAND TRUST NO. 3370

BY: *Patricia L. Luchman*  
TRUST OFFICER

ATTEST: *Cassie Ann Macaski*  
TRUST OFFICER

BY: *Robert L. Bartel*  
ROBERT BARTEL, BENEFICIARY

VILLAGE OF LOMBARD

BY: *Richard L. Smith*  
VILLAGE PRESIDENT

*Doraine H. Herberich*  
VILLAGE CLERK

**EXHIBIT A**

**LEGAL DESCRIPTION**

Lot 13, in Block 17 of the Original Town of Lombard Subdivision in the Northwest Quarter of Section 8, Township 39 North, Range 11 East of the Third Principal Meridian in DuPage County, Illinois.

*planning*

**ORDINANCE NO. 3352**

**AN ORDINANCE GRANTING A VARIATION  
OF THE LOMBARD SIGN ORDINANCE,  
ORDINANCE NO. 2644**

(ZBA 90-16: 1 East St. Charles Rd., Lombard, IL)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Ordinance No. 2644; and,

WHEREAS, the subject property is zoned B5 Central Business District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from said Sign Ordinance Section 19.50.200 to provide for the maximum size of a service station rate sign to be increased from 18 square feet to 34 square feet; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on November 28, 1990 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals and the Board of Trustees of the Village of Lombard have heard testimony regarding the health, safety, and general welfare of the general public;

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 variation is hereby granted from the provisions of Lombard Sign Ordinance, Ordinance No. 2644, Section 19.50.200 for the property described in Section 2 below and to provide for the maximum size of a service station rate sign to be increased from 18 square feet to 34 square feet; and,

Section 2: That this ordinance is limited and restricted to the property generally located at 1 East St. Charles Road, Lombard, Illinois and legally described as follows:

Lot 13, in Block 17 of the Original Town of Lombard Subdivision in the Northwest Quarter of Section 8, Township 39 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois.

Parcel No. 06-08-108-010

Section 3: That the granting of this variation is subject to the following condition:

- 1. There shall be no free-standing signs on the subject property.

Section 4: This ordinance shall become null and void unless work thereon is substantially under way within twelve months of the date of issuance, unless extended by the Board of Trustees at a public hearing.

First reading waived by action of the Board of Trustees this 21st day of December, 1991.

Passed on second reading this 3rd day of January, 1991.

Ayes: FRANCIS, KUFRIN, KRISCH, VAZQUEZ, TULLY

Ordinance No. 3352

Re: ZBA 90-16


Page 2

ABSTAIN: TROSS

Nayes: NONE

Absent: NONE

Approved this 3rd day of January, 1991.

  
Richard C. Arnold  
Village President

ATTEST:

  
Lorraine G. Gerhardt  
Village Clerk

APPROVAL AS TO FORM:

\_\_\_\_\_  
Thomas P. Bayer  
Village Attorney

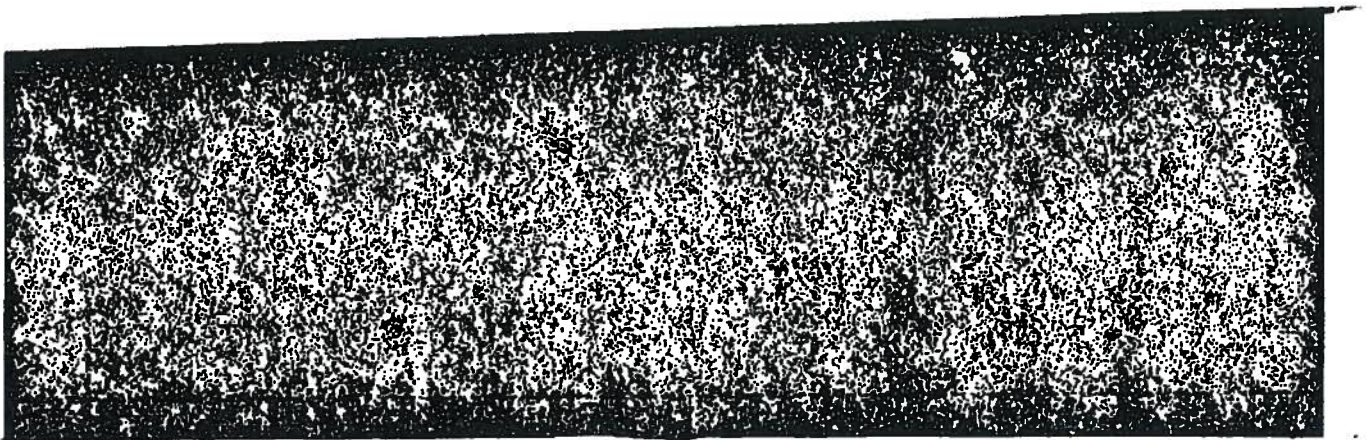
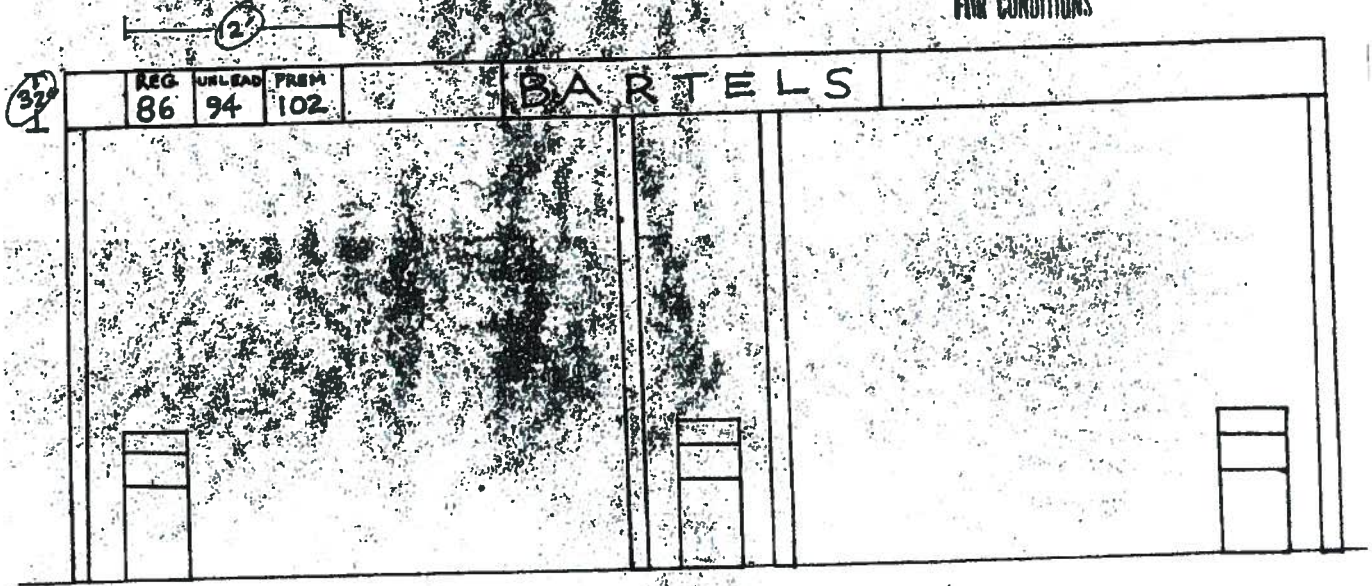
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Thomas P. Bayer  
Village Attorney

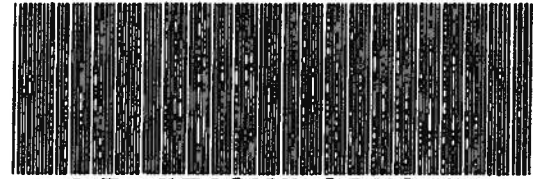
32' x 12' = 32'

Variation  
Approved By OAD # 3352  
1/13/91

PLANNING & ZONING  
APPROVED *[Signature]*  
DATE 1/23/91

SEE PERMIT # 48724  
FOR CONDITIONS





**J.P. "RICK" CARNEY**  
DUPAGE COUNTY RECORDER

OCT.27,2003

10:58 AM

OTHER

06-08-108-010

004 PAGES

R2003-411411

**ORDINANCE NO. 5292**

**APPROVING A VARIATION OF THE LOMBARD ZONING  
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF  
LOMBARD, ILLINOIS**

**Address: 1 E. St. Charles Road, Lombard, IL**

**PIN: 06-08-108-010**

**Return To:**

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



**ORDINANCE NO. 5292**

**AN ORDINANCE APPROVING VARIATIONS  
OF THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 153 OF THE CODE OF LOMBARD, ILLINOIS**

(ZBA 03-06: 1 E. St. Charles Road)

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 B5 Central Business District; and,

WHEREAS, said application 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 has been conducted by the Zoning Board of Appeals on March 26, 2003 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings and recommendations to the Board of Trustees with a recommendation of approval of the requested variations, subject to four conditions; and,

WHEREAS, the President and Board of Trustees does concur with the findings of the Zoning Board of Appeals; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested variation subject to conditions. :

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 variation is hereby granted for the property described in Section 3 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, subject to the conditions noted in Section 2 below.

**SECTION 2:** That the variation noted in Section 1 above shall be subject to the following conditions:

- 1) The petitioner shall develop the property in accordance with the site plan prepared by Ahern Signs, hand dated February 26, 2003 and submitted as part of the request.

Ordinance No. 5292  
Re: ZBA 03-06  
Page 2

2) The approved wall signage shall meet all other codes of the Village.

**SECTION 3:** This ordinance is limited and restricted to the property generally located at 1 E. St. Charles Road, Lombard, Illinois, and legally described as follows:

THE WEST 28 FEET (AS MEASURED AT RIGHT ANGLES TO THE WEST LINE) OF LOT 12, AND ALL OF LOT 13, IN BLOCK 17 OF THE ORIGINAL TOWN OF LOMBARD, A SUBDIVISION OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART TAKEN FOR STREETS AND EXCEPT THE SOUTH 10 FEET OF LOT 13, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-08-108-010

**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 1st day of May, 2003.

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

Passed on second reading this 15th day of May, 2003.  
Ayes: Trustees DeStephano, Koenig, Sebby, Florey, Soderstrom

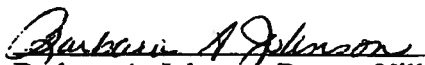
Nays: None

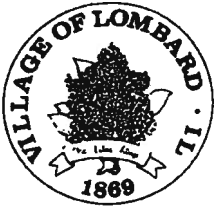
Absent: Trustee Tross

Approved this 15th day of May, 2003.

  
William J. Mueller, Village President

ATTEST:

  
Barbara A. Johnson, Deputy Village Clerk

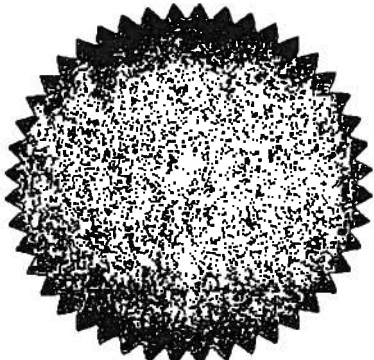


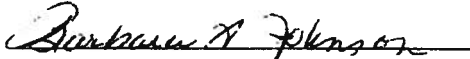
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the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

I further certify that attached hereto is a  
copy of ORDINANCE 5292  
AN ORDINANCE APPROVING A VARIATION OF THE  
LOMBARD ZONING ORDINANCE TITLE 15, CHAPTER  
153 OF THE CODE OF LOMBARD, ILLINOIS FOR  
1 E. ST. CHARLES ROAD  
PARCEL NUMBER 06-08-108-010

of the said Village as it appears from the official records  
of said Village duly approved 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 1<sup>st</sup> day of October, 2003.



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