

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on Board Agenda

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: December 19, 2007 (BOT) Date: January 3, 2008

TITLE: PC 07-33: 5 E. North Avenue

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests that the Village grant a variation from Section 153.505 (B)(6)(d)(2) of the Sign Ordinance to allow for an increase in the height of a freestanding sign from twenty five feet (25) to a height of thirty (30) feet, located within the B3 Community Shopping District. (DISTRICT #4)

The Plan Commission recommended approval of this petition with amended conditions.

Please place this item on the January 3, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_  
Finance Director X *W.T. Lichter*  
Village Manager X \_\_\_\_\_  
Date \_\_\_\_\_  
Date \_\_\_\_\_  
Date *12/19/07*

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



**MEMORANDUM**

**TO:** William T. Lichter, Village Manager

**FROM:** David A. Huliseberg, AICP  
Assistant Village Manager/Director of Community Development

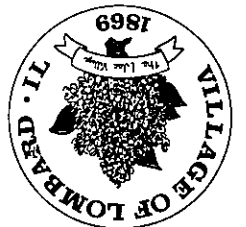
**DATE:** January 3, 2008

**SUBJECT:** PC 07-33; 5 E. North Avenue

Attached are the following items for Village Board consideration as part of the January 3, 2008 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 07-33;
3. An Ordinance granting approval of a freestanding sign height variation; and
4. Plans associated with the petition.

Please contact me if you have any questions regarding the aforementioned materials.



**VILLAGE OF LOMBARD**

255 E. Wilson Avenue  
Lombard, IL 60148-3931  
(630) 620-5700 FAX: (630) 620-8222  
TDD: (630) 620-5811  
www.villageoflombard.org

January 3, 2008

Mr. William J. Mueller,

Village President, and

Board of Trustees

Village of Lombard

**Subject: PC 07-33: 5 E. North Avenue**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant a variation from Section 153.505 (B)(6)(d)(2) of the Sign Ordinance to allow for an increase in the height of a freestanding sign from twenty five feet (25) to a height of thirty (30) feet, to the subject property located within the B3 Community Shopping District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition December 17, 2007.

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life."

"The *Mission* of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Skip Spanjer of North Shore Signs, 1925 Libertyville, IL presented the petition. Mr. Spanjer stated that his client wishes to increase the height of his freestanding sign from twenty-five (25) feet to thirty (30) feet by adding to the existing steel posts. Mr. Spanjer then mentioned that the existing freestanding sign was erected prior to the barrier wall on North Avenue being built in 2003. He added that the sign is difficult to see while traveling west to east along North Avenue and increasing the height would allow a better viewing distance. Mr. Spanjer then stated that increasing the height would make it easier for potential customers to see the sign then be able to slow down and make a safe turn into the gas station. He added that staff took two excellent pictures of the existing conditions. Mr. Spanjer finished by again stating that an additional five (5) feet in height would help people see the sign while traveling eastbound along North Avenue.

Chairperson Ryan then opened the meeting for public comment.

Mohammed Hockla, owner of the Phillips 66 gas station, at 5 E. North Avenue, Lombard, IL spoke on his concerns of condition number three listed in the staff report, which pertains to the burying of the overhead line. Mr. Hockla stated that the condition to bury the overhead line is already listed as a condition of approval for his 25 E. North Avenue development. He added that condition number three listed in the staff report would only delay his sign permit. Mr. Hockla stated that it would take a lot of time to coordinate the burying of the line.

Chairperson Ryan then requested the staff report.

William Heniff, Senior Planner, presented the staff report which is submitted to the public record. Mr. Heniff stated that the petitioner wishes to increase the height of his freestanding sign from twenty-five (25) to thirty (30) feet. He added that in 2003 a barrier wall was built to the west of the subject property along North Avenue, which creates a visual barrier. Mr. Heniff stated that staff can conceptually support the variation as the hardship was created by the barrier wall and by no actions of the property owner. He added that increasing the visibility of the sign would allow people traveling eastbound along North Avenue to see the sign and slow down in time to make a safe turn into the gas station.

Mr. Heniff then stated that the proposed sign would only create minimal visual or light impacts on the surrounding properties as the sign is approximately 370 feet from the home at 680 N. Charlotte Street. He noted that staff superimposed the sign in Photoshop to illustrate how the neighboring properties would view it.

Mr. Heniff made note to condition three of the staff report, which pertains to the burying of the overhead line. He stated that burying the line would reduce the visual impact of the property, which was required of the 25 E. North Avenue development.

Chairperson Ryan opened the meeting for comments from the Plan Commission.

Commissioner Sweetser asked how the timeline for condition number three of the staff report would work.

Mr. Heniff stated that permit for burying the overhead line would have to be concurrent with the freestanding sign permit or the development of 25 E. North Ave., whichever is first.

Commissioner Sweetser stated that weather conditions could delay the burial of the overhead line.

Mr. Heniff added that they could not obtain the sign permit without addressing the burial of the overhead line because staff would have no mechanism to ensure that the line actually gets buried.

Commissioner Sweetser stated that she was unsure of the implementation process for the burying of the line.

Mr. Heniff responded to Commissioner Sweetser's comment by stating that the burial of the cable would have to be done either in conjunction with the sign permit or the 25 E. North development.

Chairperson Ryan stated that getting the electric company out to the site could take time. He then asked how this would affect the sign permit.

Mr. Heniff stated that the petitioner would have to apply for permit for burial permit concurrently with the sign permit. He added that there might be scheduling issues. He then added that the petitioner could get the burial permit before the sign permit is approved. The objective is that staff does not want them to erect the sign without the burial of the overhead line.

Chairperson Ryan then asked if the burial does not have to come before to the sign permit.

Mr. Heniff stated that the permits could be issued at the same time or burial could be done before the sign permit. He then added that there could be no sign permit without the burial permit.

Commissioner Burke added that just because the petitioner gets a permit, it does not mean he has to perform the work. He stated that the petitioner could erect the sign then sit on the burial permit.

Mr. Heniff stated that the Plan Commission could amend condition number three to state that the burial must occur before sign permit is issued.

Chairperson Ryan stated that he was against amending condition number three to state that the burial has to be completed first. He added that the petitioner would be dealing with the electric company, which is already two years behind.

Commissioner Sweetser stated that just because they get a permit doesn't mean that there is a completion date.

Mr. Heniff replied that the permit would have to be completed in a timely manner or it would expire.

Commissioner Sweetser stated that the Commission should determine leverage with a reasonable completion date.

Mr. Heniff added that the Plan Commission would want to make sure there is a nexus to the burial of the line, but take into consideration that this is winter. He stated that an example would be to complete the burial within 6 months.

Commissioner Burke stated that the burial should occur at least within six months, but that provision could be arbitrary and provides no leverage.

Mr. Heniff stated that the Plan Commission should make sure that the conditions are satisfied.

Commissioner Burke then asked how important is it to staff to have cable lines buried.

Mr. Heniff stated that it is very important to get it done because if 25 E. North never gets developed then the line would not get buried.

Commissioner Burke suggested that the conditions should be approved, as written.

Chairperson Ryan stated that if the wall went up after the sign was built then we are penalizing him with this condition. He added that the timeframe for this sign along with the other location would be enough leverage to get the line buried.

Commissioner Burke stated that the petitioner should go ahead and put the sign up then deal with ComEd and attach a fine as an incentive to bury the line.

Mr. Heniff stated that if work is not done then the variation could be revoked which would require the sign to be taken down if the line is not buried.

Commissioner Olbrysh stated that the petitioner should not be penalized if the permit expires because of ComEd.

Chairperson Ryan stated that the Plan Commission should come up with compromise.

Counselor Wagner stated that another alternative would be that the line must be buried within six months to a year.

Commissioner Nelson asked if the Commissioners would even be talking about the burial issue without the signage request.

Mr. Heniff replied that they are two different issues but the burial of the line is a condition of the petition.

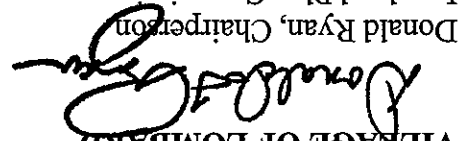
After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed variation does comply with the standards of the Lombard Zoning and Sign Ordinances and is in the public interest. Therefore, the Plan Commission, by a roll call vote of 5-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 07-33 subject to the following conditions, as amended:

1. The approved sign shall be designed and constructed consistent with the drawings of the proposed sign prepared by North Shore Sign, dated November 5, 2007 and the Site Plan, prepared by Illini Consulting Group, Inc, dated January 8, 1998, and shall not exceed thirty feet in height.

2. The petitioner shall apply for and receive a building permit from the Village prior to making any modifications to the sign.
3. The property owner/petitioner shall bury any electrical service lines required to serve the subject property. Compliance shall consist of the removal of the existing overhead electric line crossing Main Street, which serves the subject property and replacing the overhead line with a buried line to be located underneath Main Street and/or North Avenue, with buried service lines to the buildings and structures on the subject property. The utility line burial shall be completed within one year from the date of Ordinance approval. If the one year completion date cannot be met as a result of actions beyond of the petitioner's control, this time period may be extended by the Director of Community Development. The petitioner shall apply for the utility burial permit concurrent with the sign permit.

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairman  
Lombard Plan Commission

c. Petitioner  
Lombard Plan Commission

**VILLAGE OF LOMBARD  
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

**TO:** Lombard Plan Commission  
**FROM:** Department of Community Development  
**HEARING DATE:** December 17, 2007  
**PREPARED BY:** Michael S. Toth  
Planner I

**TITLE**

**PC 07-33; 5 E. North Avenue:** The petitioner requests that the Village grant a variation from Section 153.505 (B)(6)(d)(2) of the Sign Ordinance to allow for an increase in the height of a freestanding sign from twenty five feet (25) to a height of thirty (30) feet, located within the B3 Community Shopping District.

**GENERAL INFORMATION**

**Petitioner:**

Skip Spanjer  
North Shore Sign  
1925 Industrial Dr.  
Libertyville, IL 60048

**Property Owner:**

Mohammed Hockla  
5 E. North Ave  
Lombard, IL 60148

**PROPERTY INFORMATION**

**Existing Land Use:**

Philips 66 Gas Station/Mini-Mart

**Size of Property:**

Approximately 58,900 square feet

**Comprehensive Plan:**

Recommends Community Commercial

**Existing Zoning:**

B3 Community Shopping District

**Surrounding Zoning and Land Use:**

**North:** I Limited Industrial District; developed as office/contractor's yard  
known as Adjustable Forms.  
**South:** R2PD Single Family Residential Planned Development District;  
developed as single family residences.



East: B3 Community Shopping District; currently undeveloped property.  
West: R2 Single Family Residential District; developed as a religious institution (St. Thomas Marthoma Church).

## ANALYSIS

## SUBMITTALS

This report is based on the following documents filed on November 13, 2007 with the Department of Community Development:

1. Petition for Public Hearing.
2. Drawings of the proposed sign, prepared by North Shore Sign, dated November 5, 2007.
3. Site Plan, prepared by Illini Consulting Group, Inc, dated January 8, 1998.

## DESCRIPTION

The subject property currently is improved with a Phillips 66 Gas Station/Mini-Mart, which was originally considered as part of a conditional use approval for automobile service (gas station/mini-mart and car wash) and conditional use approval for two principal structures on one lot-of-record (PC 98-18). A twenty-five (25) foot freestanding sign is located on the northwest corner of the subject property. To increase the visibility of the freestanding sign to patrons traveling eastbound on North Avenue, the petitioner wishes to increase the height of the sign to thirty (30) feet.

## INTER-DEPARTMENTAL REVIEW COMMENTS

### ENGINEERING

The Private Engineering Services Division has no comments regarding the petition.

### PUBLIC WORKS

The Department of Public Works, Engineering Division has no comments regarding the petition.

### FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no comments at this time.

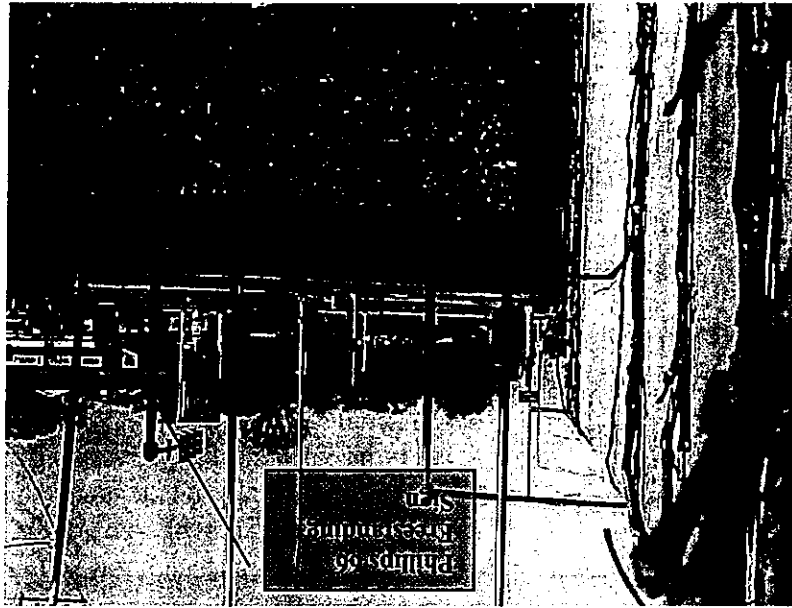
PLANNING

Compatibility with the Sign Ordinance

The existing freestanding sign on the subject property is for business identification and gasoline price advertisement. The franchisee of the Phillips 66 gas station is proposing to increase their existing twenty-five (25) foot high freestanding sign to thirty (30) feet in height. He is also proposing other modifications to the sign cabinets as shown on the plan set, but the overall sign area will not change. No LED signage is included as part of the sign modifications.

The Phillips 66 gas station received approval in 1998 (PC 98-18) to establish their business on the property. A solid concrete noise/visual barrier wall was erected in 2003 along the southern portion of the North Avenue right of way, directly west of the subject property. The wall was constructed to act as a buffer between North Avenue and the adjacent residential properties. With the wall in place, the petitioner believes the previously approved sign is not sufficient to provide adequate visibility for North Avenue motorists.

In consideration of the petitioner's request, staff surveyed the existing site conditions. As shown on the attached photographs, the existing sign was readily visible prior to the wall installation. The second photograph shows the limited ability motorists have for the sign as one approaches the eastbound leg of the North Avenue/Main Street intersection. In this instance, the sign is still not visible adjacent to the St. Thomas Marthoma Church and the right turn lane onto Main Street.



(A view of the Phillips 66 sign from the aforementioned barrier wall along North Avenue)



(A view from eastbound North Avenue traveling toward the intersection of North Ave. and Main St.)

Staff can conceptually support the increase in sign height for the subject property as a visibility hardship was created by the construction of the concrete wall by the Illinois Department of Transportation (IDOT) and not by any actions of the owner of the subject property. Moreover, the additional height of the sign would allow motorists to see the sign earlier and make the appropriate traffic movements to safely turn into the establishment.

### Compatibility with Surrounding Land Uses

The St. Thomas Marthoma Church building itself already screens much of the sign's visibility from many residential properties west of Main Street. For the residential properties to the east, staff attempted to Photoshop the proposed sign onto a photograph taken from 680 N. Charlotte Street (Appendix A). This effort shows that the proposed sign would now be visible from the neighboring Charlotte Street properties. However, as the sign is approximately 370 feet from the home at 680 N. Charlotte Street, visual and light impacts from the sign would be minimal.

As a separate but related issue, the subject property is served by an overhead electrical utility line extending from an existing pole on the west side of Main Street. In consideration of a previous zoning approval for an adjacent retail center at 25 E. North Avenue (ZBA 03-27), which is also owned by the same property owner, the Village added as a subsequent condition of approval that the existing overhead utility line serving both sites be buried. Since the subject property is also

served by the same line, the requested action involves electrical improvements and modifications and that the burial would also help reduce overall visual impacts of the development, staff suggests that the same condition of approval be applied to this petition as well.

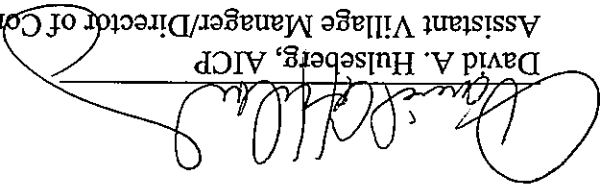
### FINDINGS AND RECOMMENDATIONS

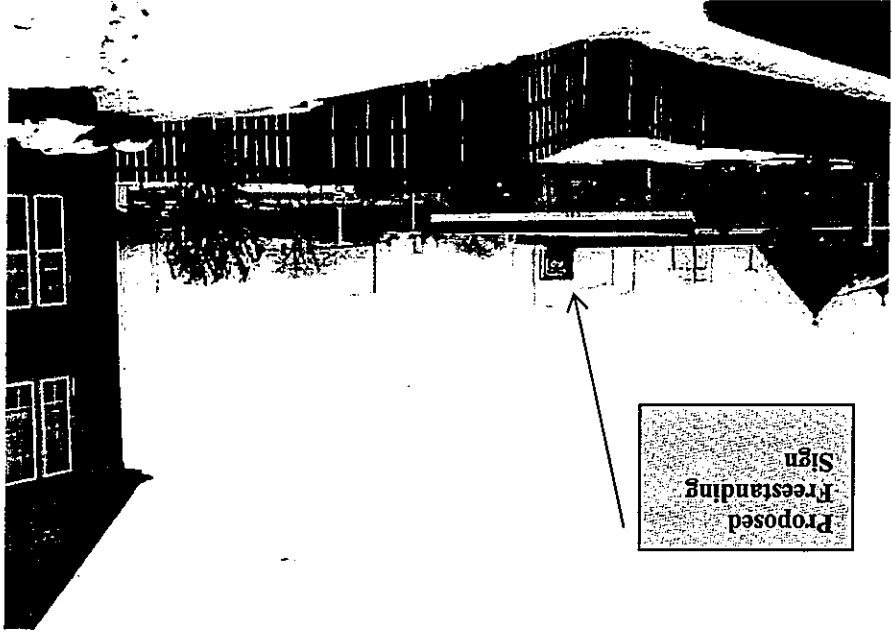
Staff finds that the information presented **have affirmed** the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposal **does comply** with the standards required by the Lombard Zoning and Sign Ordinances; and therefore, I move that the Plan Commission find that the findings included as part of the Inter-department Review Report shall be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of PC 07-33, subject to the following conditions:

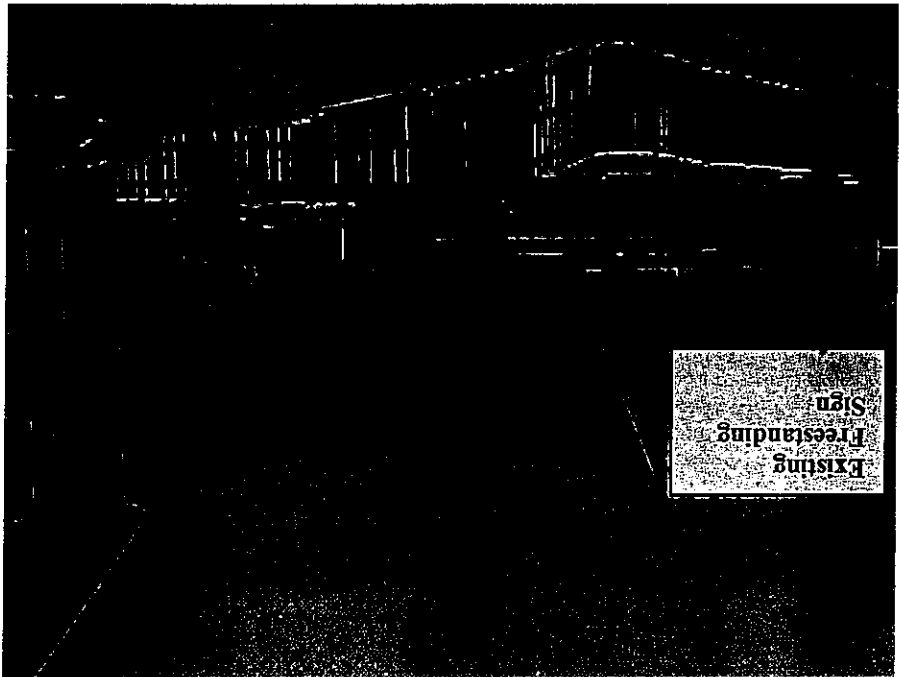
1. The approved sign shall be designed and constructed consistent with the drawings of the proposed sign prepared by North Shore Sign, dated November 5, 2007 and the Site Plan, prepared by Illini Consulting Group, Inc, dated January 8, 1998, and shall not exceed thirty feet in height.
2. The petitioner shall apply for and receive a building permit from the Village prior to making any modifications to the sign.
3. The property owner/petitioner shall bury any electrical service lines required to serve the subject property. Compliance shall consist of the removal of the existing overhead electric line crossing Main Street, which serves the subject property and replacing the overhead line with a buried line to be located underneath Main Street and/or North Avenue, with buried service lines to the buildings and structures on the subject property.

Inter-Departmental Review Report Approved By:

  
David A. Hulseberg, AICP  
Assistant Village Manager/Director of Community Development



(A view of the Phillips 66 gas station sign from the Charlotte Street cul-de-sac.)

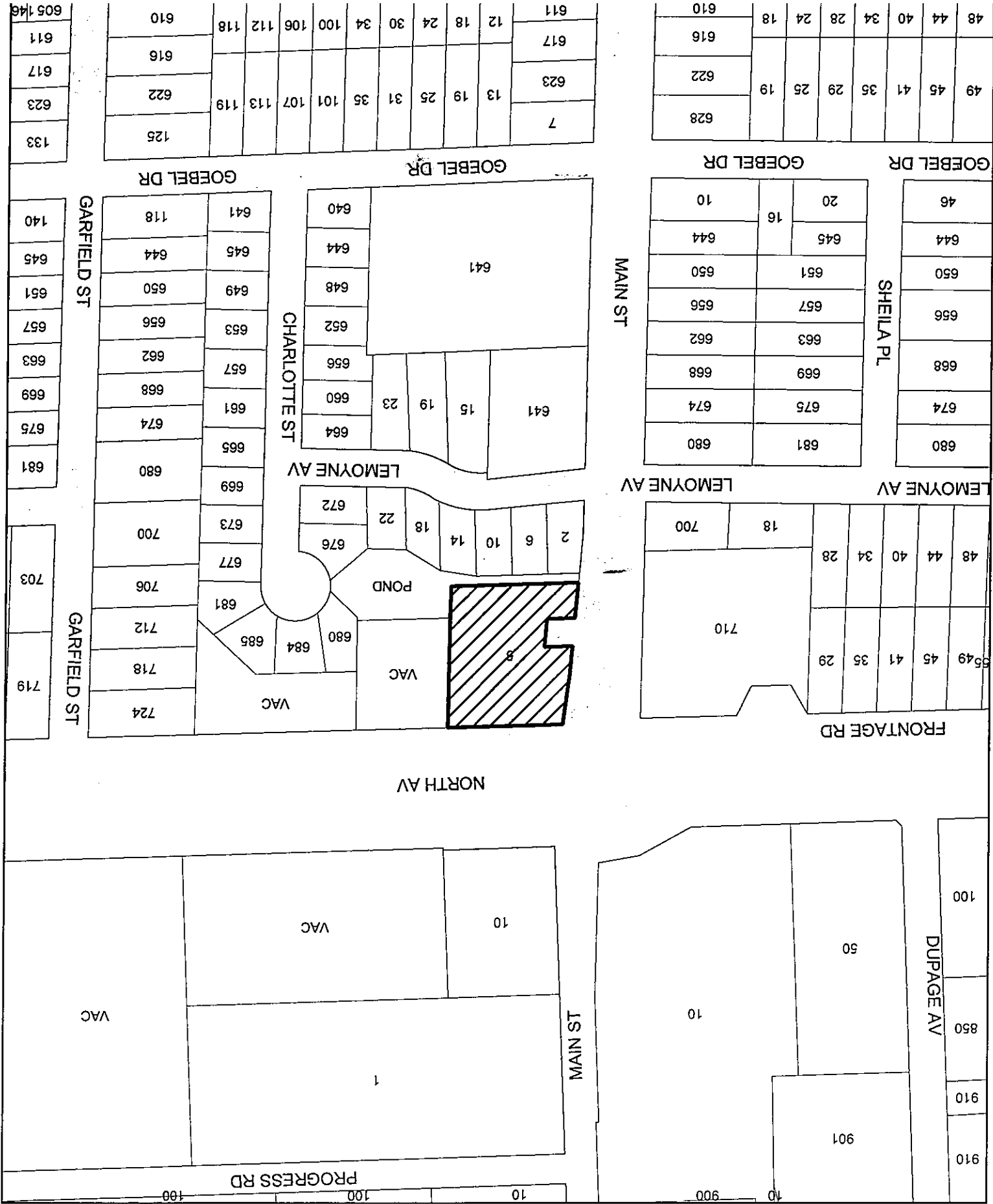


(A view of the Phillips 66 gas station sign from the Charlotte Street cul-de-sac.)

APPENDIX A

# Location Map

PC 07-33



48	44	40	34	28	24	18	610
49	45	41	35	29	25	19	616
628							

GOEBEL DR		GOEBEL DR		GOEBEL DR			
46	644	650	656	668	674	680	
20	645	651	657	663	669	675	681
16							
10	644	650	656	662	668	674	680

LEMOYNE AV		LEMOYNE AV		LEMOYNE AV		
48	44	40	34	28	18	700
49	45	41	35	29		
710						

611	617	623	7	610				
12	18	24	30	34	100	106	112	118
13	19	25	31	35	101	107	113	119
616								
622								
125								

GOEBEL DR		GOEBEL DR		GOEBEL DR		
640	644	648	652	656	660	664
641						
15	19	23				
641						
LEMOYNE AV		LEMOYNE AV		LEMOYNE AV		
2	6	10	14	18	22	672
676						
677						
673						
700						
681						
685						
680						
684						
681						
706						
712						
718						
724						

605	611	617	623	133
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GARFIELD ST		GARFIELD ST		GARFIELD ST			
140	645	651	657	663	669	675	681
703							
719							

NORTH AV		NORTH AV		NORTH AV	
10	VAC				
1					
VAC					

FRONTAGE RD		FRONTAGE RD		FRONTAGE RD	
100	850	910	910		
50					
10					
901					

Nov. 12, 2007

Village of Lombard  
Planning Commission  
255 E. Wilson Ave.  
Lombard, IL 60148-3931  
Attn: William J. Heniff

RE: Phillips 66  
5 E. North Ave  
Lombard, IL

Variation  
RE: Conditional Use  
B-3 & B-4 Zoning

A.) that the physical surroundings, shape or topographical condition of the property would result in hardship upon owner, as distinguished from a mere inconvenience, if the provisions of the Ordinance were followed;  
**Response:** The petitioner is asking to extend the height of the sign and place a new sign on the existing 8" x 8" schedule 40 steel pole. See photo where the sign is blanketed by the sound barrier wall along the street.

B.) that the conditions, which are unique to the property, exist and are not applicable to other properties within the same zoning classification;  
**Response:** North Ave. (West of property) was widened and sound barrier wall was constructed which blocked the visibility of the properties owner's 25' high sign when approaching from the West.

C.) that the Variation sought is not based exclusively upon the desire to make the property more profitable;  
**Response:** The Variation sought to give the owner the same visibility before the wall was built.

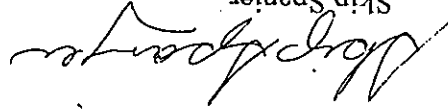
D.) that the hardship or alleged difficulty is caused by the Ordinance and not by any person presently having an interest in the property;  
**Response:** The sign in its existing site is blocked by the barrier wall.

E.) That the Variation will not be detrimental to the public welfare or injurious to other properties or improvements in the neighborhood;  
**Response:** The granting of this Variation will have no detrimental effect on any nearby property or the public health.

E.) the Variation will not impair an adequate supply of light and air to adjacent properties, substantially increase congestion in the public streets, increase the danger of fire, cause increased flooding risk to adjacent property, endanger public safety or substantially diminish or impair property values within the adjacent neighborhoods;

**Response:** The new sign will not impair an adequate supply of light and air to adjacent properties, substantially increase congestion in the public streets, increase the danger of fire, cause increased flooding risk to adjacent property, endanger public safety or substantially diminish or impair property value within the adjacent neighborhood.

Sincerely,



Skip Spanjer  
 North Shore Sign  
 847-816-7020



AN ORDINANCE GRANTING APPROVAL OF A FREESTANDING SIGN HEIGHT  
VARIATION IN THE B3 COMMUNITY SHOPPING DISTRICT

(PC 07-33; 5 E. North Avenue)

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

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, said application requests approval of a deviation from Section 153.505 (B)(6)(d)(2) of the Sign Ordinance to allow for an increase in the height of a freestanding sign from twenty five feet (25) to a height of thirty (30) feet.

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on December 17, 2007 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 variation 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 variation is hereby granted from Section 153.505 (B)(6)(d)(2) of the Sign Ordinance to allow for an increase in the height of a freestanding sign

from twenty five feet (25) to a height of thirty (30) feet for the subject property legally described in Section 2, subject to the conditions set forth in Section 3.

SECTION 2: This ordinance is limited and restricted to the property generally located at 5 E North Ave., Lombard, Illinois, and legally described as follows:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER AND RUNNING THENCE SOUTH 03 DEGREES 25 MINUTES 23 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION, 103.50 FEET TO THE SOUTH LINE OF THE RIGHT OF WAY OF STATE HIGHWAY ROUTE 64, (ALSO KNOWN AS NORTH AVENUE); THENCE SOUTH 89 DEGREES 29 MINUTES 06 SECONDS EAST ALONG SAID SOUTH LINE, 80.11 FEET TO THE EAST LINE OF MAIN STREET, AS DEDICATED BY DOCUMENT RECORDED SEPTEMBER 11, 1928 AS NO. 265516; FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 29 MINUTES 06 SECONDS EAST ALONG SAID LINE, 234.36 FEET; THENCE SOUTH 03 DEGREES 25 MINUTES 23 SECONDS WEST, 251.32 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 06 SECONDS WEST, 234.36 FEET; THENCE NORTH 03 DEGREES 25 MINUTES 23 SECONDS EAST, 251.32 FEET TO THE POINT OF BEGINNING, IN YORK TOWNSHIP, DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: Parcel Number: 06-05-100-055

SECTION 3: The variation set forth in Section 1 above shall be granted subject to compliance with the following conditions:

1. The approved sign shall be designed and constructed consistent with the drawings of the proposed sign prepared by North Shore Sign, dated November 5, 2007 and the Site Plan, prepared by Illini Consulting Group, Inc, dated January 8, 1998, and shall not exceed thirty feet in height.

2. The petitioner shall apply for and receive a building permit from the Village prior to making any modifications to the sign.

3. The property owner/petitioner shall bury any electrical service lines required to serve the subject property. Compliance shall consist of the removal of the existing overhead electric line crossing Main Street, which serves the subject property and replacing the overhead line with a buried line to be located underneath Main Street and/or North Avenue, with buried service lines to the buildings and structures on the subject property. The utility line burial shall be completed within one year from the date of Ordinance approval. If the one year completion date cannot be met as a result of actions beyond of the petitioner's control, this time period may be extended by the Director of Community Development. The petitioner shall apply for the utility burial permit concurrent with the sign permit.

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 \_\_\_\_\_, 2008.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

William J. Mueller, Village President

Ordinance No. \_\_\_\_\_  
Re: PC 07-33  
Page 4

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Brigitte O'Brien, Village Clerk

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