

**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 :** February 7, 2023                      **(BOT) Date:** February 16, 2023

**SUBJECT:** PC 21-08; 352 E. Roosevelt Road – Time Extension Request

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development *WJH*

**BACKGROUND/POLICY IMPLICATIONS:**

The Board of Trustees approved Ordinance 7930 (PC 21-08) on March 4, 2021, which granted approval of a conditional use for motor vehicle service and a variance for a transitional building setback to allow for a car wash. Per the provisions of Ordinance 7930, if construction has not begun within twenty-four (24) months from the date of approval, the zoning relief granted is null and void unless an extension is granted by the Board of Trustees.

Staff recommends that the Village Board approve an Ordinance extending the time period to start construction of the proposed project for an additional twelve-month period (i.e., until March 4, 2024). The petitioner is requesting a waiver of first reading of the Ordinance.

**Fiscal Impact/Funding Source:**

Review (as necessary):

Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_


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

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

**MEETING DATE:** February 16, 2023

**SUBJECT:** **PC 21-08; 352 E. Roosevelt Road – Time Extension Request**

The Board of Trustees approved Ordinance 7930 (PC 21-08) on March 4, 2021, which granted approval of a conditional use for motor vehicle service and a variance for a transitional building setback to allow for a car wash. Per the provisions of Ordinance 7930, if construction has not begun within twenty-four (24) months from the date of approval, the zoning relief granted is null and void unless an extension is granted by the Board of Trustees.

After being advised that the approved zoning relief would expire prior to their slated construction start, the property owner has requested an extension of the approval granted by the Village Board. Permits are under review; however, they are close to issuance. The extension will allow the property owner to start construction this year.

A copy of Ordinance 7930 is attached for your reference.

### **ACTION REQUESTED**

Staff recommends that the Village Board approve an Ordinance extending the time period to start construction of the proposed project for an additional twelve-month period (i.e., until March 4, 2024). The petitioner is requesting a waiver of first reading of the Ordinance.

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

**AN ORDINANCE GRANTING A TIME EXTENSION TO  
ORDINANCE 7930 APPROVING A CONDITIONAL USE FOR  
MOTOR VEHICLE SERVICE (CAR WASH) AND A  
TRANSITIONAL BUILDING SETBACK VARIANCE FOR THE  
PROPERTY AT 352 E. ROOSEVELT ROAD WITHIN THE B4A  
ROOSEVELT ROAD CORRIDOR DISTRICT**

(PC 21-08: 352 E. Roosevelt Road)

WHEREAS, on March 4, 2021, the President and Board of Trustees of the Village of Lombard adopted Ordinance 7930 which approved a conditional use and a variance to allow for a car wash; and,

WHEREAS, pursuant to Ordinance 7930 the zoning relief shall become null and void unless work thereon is substantially underway within twenty-four (24) months from the date of issuance, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and a building permit is under review for the development granted by Ordinance 7930; and

WHEREAS, the Village has received a request from the owner for a time extension of said Ordinance; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinance 7930 is hereby further amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the expiration date of this Ordinance (i.e., March 3, 2024).

SECTION 2: That all other provisions associated with Ordinance 7930 not amended by this Ordinance shall remain in full force and effect.

Ordinance No. \_\_\_\_\_  
Re: PC 21-08, Time Extension  
Page 2

SECTION 3: That this ordinance is limited and restricted to the subject property generally located at 352 E. Roosevelt Road, Lombard, Illinois, and more specifically legally described as set forth below:

LOT 1 IN NOLDEN'S ASSESSMENT PLAT, BEING THE EAST 220.00 FEET OF THE SOUTH 350.00 OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDAN, IN DUPAGE COUNTY, ILLINOIS.

PIN: 06-17-316-007

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 \_\_\_\_\_, 2023.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2023, pursuant to a roll call vote as follows:

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

Nayes: \_\_\_\_\_

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

ATTEST:

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2023.



Ordinance No. \_\_\_\_\_  
Re: PC 21-08, Time Extension  
Page 3

---

Elizabeth Brezinski, Village Clerk

**ORDINANCE 7930  
PAMPHLET**

**PC 21-08: CAR WASH – 352 E. ROOSEVELT ROAD**



PUBLISHED IN PAMPHLET FORM THIS 4<sup>TH</sup> DAY OF MARCH 2021, BY ORDER  
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE  
COUNTY, ILLINOIS.

*Sharon Kuderna*

Sharon Kuderna  
Village Clerk

**ORDINANCE NO. 7930**

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A MOTOR VEHICLE SERVICE (CAR WASH) AND A TRANSITIONAL BUILDING SETBACK VARIANCE FOR THE PROPERTY AT P352 E. ROOSEVELT ROAD WITHIN THE B4A ROOSEVELT ROAD CORRIDOR DISTRICT**

**(PC 21-08: Car Wash, 352 E. Roosevelt 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 as defined below is zoned B4A Roosevelt Road Corridor District Planned Development; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a motor vehicle service (car wash) and a variance for a transitional building setback of 30', where 40' is required, for a payment canopy on the north side pursuant to the Lombard Zoning Ordinance (Title 15, Chapter 155 of the Village Code) as set forth in Section 1 below; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on January 25, 2021 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional use and variance, subject to certain terms and conditions; 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 for a motor vehicle service and a variance for a transitional building setback, is hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3.

SECTION 2: That this Ordinance is limited and restricted to the property at 352 E. Roosevelt Road, Lombard, Illinois, and legally described as follows:

LOT 1 IN NOLDEN'S ASSESSMENT PLAT, BEING THE EAST 220.00 FEET OF THE SOUTH 350.00 OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH,



Ordinance No. 7930  
Re: PC 21-08  
Page 2

RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDAN, IN DUPAGE COUNTY,  
ILLINOIS.

PIN: 06-17-316-007

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

1. That the petitioner shall be required to apply for and receive building permits prior to construction;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. That the petitioner shall satisfactorily address all comments noted by KLOA, as referenced in this report; and
4. This relief shall be valid pursuant to timing in Sections 155.103(C)(10) and (F)(11).

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this 18<sup>th</sup> day of February, 2021.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of March, 2021.

Passed on second reading this 4<sup>th</sup> day of March, 2021, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Puccio, Foltyniewicz, Honig, Militello and Ware

Nays: None

Absent: None

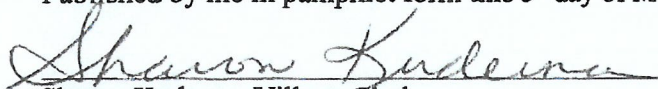
Approved by me this 4<sup>th</sup> day of March, 2021.

  
Keith T. Giaghorio, Village President

ATTEST:

  
Sharon Kuderna, Village Clerk

Published by me in pamphlet form this 5<sup>th</sup> day of March, 2021.

  
Sharon Kuderna, Village Clerk