

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 *WJH*

MEETING DATE: November 2, 2017

SUBJECT: **PC 17-14, Nuts & Volts Auto Repair, 333 S. Main Street – Time Extension Request**

The Board of Trustees approved Ordinance 7368 (PC 17-14) on May 4, 2017 which granted approval of a conditional use for motor vehicle rental, as an accessory use. Per the ordinance, the petitioner was to complete parking lot repairs by November 1, 2017.

After being advised that the approved zoning relief would expire prior to the slated construction finish date, the petitioner has submitted the attached letter requesting an extension of the approval granted by the Village Board to June 1, 2018.

A copy of Ordinance 7368 is attached for your reference.

ACTION REQUESTED

Staff recommends that the Village Board approve an Ordinance extending the time period to complete construction of the parking lot repairs until June 1, 2018. The petitioner is requesting a waiver of first reading of the Ordinance.

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A TIME EXTENSION TO
ORDINANCE 7386 GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.419(C)
OF THE LOMBARD ZONING ORDINANCE**

(PC 17-14; 333 S. Main Street, Nuts & Volts Auto Repair)

WHEREAS, on May 4, 2017, the President and Board of Trustees of the Village of Lombard adopted Ordinance 7386 which granted approval of a conditional use pursuant to Section 155.417(C) of the Lombard Zoning Ordinance to provide for motor vehicle repair, as an accessory use; and,

WHEREAS, pursuant to Ordinance 7368, "A permit for the parking lot repairs must be submitted and the work must be completed with a passed final inspection by November 1, 2017. The parking lot shall remain in good repair." and,

WHEREAS, construction has not commenced and no building permit has been issued; and

WHEREAS, the Village has received a letter from the owner requesting a time extension; 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 time 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 7386 is hereby further amended and extended and shall be null and void unless a building permit is obtained and the project is complete by June 1, 2018.

SECTION 2: That all other provisions associated with Ordinance 7386 not amended by this Ordinance shall remain in full force and effect.

SECTION 3: That this Ordinance is limited and restricted to the property located at 333 S. Main Street, Lombard, Illinois and legally described as follows:

LOT ONE (1) IN OETKE'S ADDITION TO LOMBARD, BEING A SUBDIVISION OF LOT FOUR (4) EXCEPT THE NORTH ONE HUNDRED FORTY (140) FEET THEREOF, OF THE PLAT OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION EIGHT (8), TOWNSHIP THIRTY NINE (39) NORTH, RANGE ELEVEN (11) EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 16, 1922 IN BOOK 9 OF PLATS ON PAGE 120 AS DOCUMENT 153288 IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS

Parcel Identification Number(s): 06-08-301-002; (the "Subject Property")

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 _____, 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: _____

Nayes: _____

Absent: _____

Approved by me this _____ day of _____, 2017.

Keith Giagnorio, Village President

ATTEST:

Ordinance No. _____
Re: PC 17-14 – Time Extension
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Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2017.

Sharon Kuderna, Village Clerk

Ganser, Jennifer

From: Gaylord Goclan <boper39@aol.com>
Sent: Friday, October 13, 2017 1:29 PM
To: Ganser, Jennifer
Subject: Request for Extension of Time on Construction.

I am requesting an extension of my agreement with the village to update my property at 333 South Main Street, Lombard.

It has taken a considerable amount of time to obtain financing over the last five months, and now the permit process is still on going as of today. After talking to my contractor, I am informed that this process is in the final stage so work can begin soon after finalization.

To adequately cover the time of the job to be done, I am requesting an extension to June 1st, 2018

With winter coming on, this would allow for inclement weather where construction may be impacted.

Thank you in advance

Gaylord G Goclan

Nuts and Volts Auto Repair

333 South Main Street

Lombard, IL

ORDINANCE NO. 7368

**AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 155.419(C) OF THE LOMBARD
ZONING ORDINANCE**

PC 17-14: 333 S. Main Street, Nuts & Volts Auto Repair

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 described in Section 2 below, is zoned B5A Downtown Perimeter District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 155.419(C) of the Lombard Village Code to provide for motor vehicle rental, as an accessory use, in conformance with Section 155.210 of this Ordinance in the B5A Zoning District; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on April 17, 2017 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 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 for motor vehicle rental, as an accessory use, in conformance with Section 155.210 of this Ordinance is hereby granted for the Subject Property, as described in Section 2 below, pursuant to Title 15, Chapter 155, Section 155.419(C) of the Lombard Village Code.

SECTION 2: That this Ordinance is limited and restricted to the property located at 333 S. Main Street, Lombard, Illinois and legally described as follows:

LOT ONE (1) IN OETKE'S ADDITION TO LOMBARD, BEING A SUBDIVISION OF LOT FOUR (4) EXCEPT THE NORTH ONE HUNDRED FORTY (140) FEET THEREOF, OF THE PLAT OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION EIGHT (8), TOWNSHIP THIRTY NINE (39) NORTH, RANGE ELEVEN (11) EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 16, 1922 IN BOOK 9 OF PLATS ON PAGE 120 AS DOCUMENT 153288 IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS

Parcel Number: 06-08-301-002; (the "Subject Property").

SECTION 3: The conditional use, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the motor vehicle rental, as an accessory use, is not established by said date, this relief shall be deemed null and void;
4. A maximum of four (4) trucks for rent shall be allowed on-site at a given time;
5. A permit for the parking lot repairs must be submitted and the work must be completed with a passed final inspection by November 1, 2017. The parking lot shall remain in good repair.

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 ____, 2017.

First reading waived by action of the Board of Trustees this 4th day of May, 2017.

Passed on second reading this 4th day of May, 2017.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

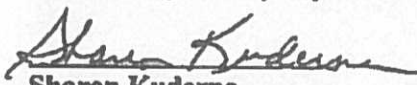
Approved this 4th day of May, 2017.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 5th day of May, 2017


Sharon Kuderna
Village Clerk