

**ORDINANCE 7414
PAMPHLET**

PC 17-29: 783 E. BUTTERFIELD ROAD



PUBLISHED IN PAMPHLET FORM THIS 8th DAY OF SEPTEMBER, 2017, BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS.

A handwritten signature in black ink that reads "Sharon Kuderna". The signature is written in a cursive style and is positioned above the printed name and title.

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7414

AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO SECTION 155.415 (C)(20) OF THE LOMBARD ZONING ORDINANCE FOR OUTSIDE SERVICE AREAS (OUTDOOR DINING) FOR OTHER PERMITTED OR CONDITIONAL USE IN THIS DISTRICT, AMENDING A PREVIOUS CONDITIONAL USE FOR OUTDOOR DINING APPROVED AS ORDINANCE 7150;

(PC 17-29; 783 E. Butterfield 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 783 E. Butterfield Road, the Subject Property, is zoned B3 Community Shopping District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Section 155.415 (C)(20) of the Lombard Zoning Ordinance for outside service areas (outdoor dining) for other permitted or conditional use in this district, amending a previous conditional use for outdoor dining approved as Ordinance 7150; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 21, 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 petition as 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 follow:

SECTION 1: That the following relief is hereby granted for the Subject Property, as described in Section 2 below:

1. A conditional use pursuant to Section 155.415 (C)(20) of the Lombard Zoning Ordinance for outside service areas (outdoor dining) for other permitted or conditional use in this district, amending a previous conditional use for outdoor dining approved as Ordinance 7150;

SECTION 2: That this Ordinance is limited and restricted to the property located at 783 E. Butterfield Road, Lombard, Illinois and legally described as follows:

LOT 2 IN FREED SUBDIVISION, BEING A SUBDIVISION IN SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 29, 1982 AS DOCUMENT R82-44604, IN DUPAGE COUNTY, ILLINOIS

Parcel Identification Number(s): 06-29-201-007; (the "Subject Property")

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

1. The petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report specifically the comments from the Building and Engineering Division;
3. Pursuant to the Zoning Ordinance, outdoor dining shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void twelve (12) months from the date of approval if the proposed outdoor seating is not completed or an extension has been granted; and
4. The petitioner shall be required to apply for and receive building permits for any improvements to the site.

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 7th day of September, 2017.

Passed on second reading this 7th day of September, 2017.

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

Nays: None

Absent: None

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Approved this 7th day of September, 2017.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 8th day of September, 2017.


Sharon Kuderna
Village Clerk