

FRED BUCHOLZ

DUPAGE COUNTY RECORDER

OCT. 28, 2009

10:54 AM

OTHER

06-29-402-016

006 PAGES

R2009-163356

ORDINANCE 6379

ORDINANCE GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.502(F)(3) OF THE LOMBARD ZONING ORDINANCE WITH DEVIATIONS TO THE LOMBARD SIGN ORDINANCE

PIN: 06-29-402-016

Address: 555 E. Butterfield Road, Lombard, IL 60148

Return To:

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

ORDINANCE NO. 6379

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A PLANNED
DEVELOPMENT PURSUANT TO TITLE 15, CHAPTER 155, SECTION
155.502(F)(3) OF THE LOMBARD ZONING ORDINANCE WITH DEVIATIONS
TO THE LOMBARD SIGN ORDINANCE**

(PC 09-22; 555 E. Butterfield Road [Comar Offices Planned Development])

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 O – Office District; and,

WHEREAS, an application has been filed requesting approval of a conditional use for a planned development pursuant to Section 155.502(F)(3) of the Lombard Zoning Ordinance with deviations to the Lombard Sign Ordinance as set forth herein for the property described in Section 2 below; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on July 20, 2009 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 zoning actions described herein, subject to conditions; 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 zoning actions 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 is hereby granted for the property described in Section 2 below and pursuant to Title 15, Chapter 155, Section 155.502(F)(3)

of the Village of Lombard Zoning Ordinance so as to allow said property to be used for a planned development with the following deviations, subject to compliance with the conditions set forth in Section 3 below:

- a. A deviation from Section 153.502(B)(5)(b) of the Sign Ordinance to increase the maximum allowable area of a freestanding sign from thirty (30) square feet to ninety-eight (98) square feet.
- b. A deviation from Section 153.502(B)(5)(c) of the Sign Ordinance to increase the maximum allowable height of a freestanding sign from six (6) feet to twenty (20) feet.

SECTION 2: That this Ordinance is limited and restricted to the properties located at 555 E. Butterfield Road , Lombard, Illinois and legally described as follows:

THAT PART OF LOTS 1 AND 2 (TAKEN AS A TRACT) IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOTS 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED SEPTEMBER 22, 1959, AS DOCUMENT 940835, DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 14 DEGREES 01 MINUTE WEST, ALONG THE EAST LINE OF SAID LOT 2, 38.50 FEET FOR A POINT OF BEGINNING; THENCE SOUTHWESTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CHORD BEARING SOUTH 77 DEGREES 50 MINUTES 12 SECONDS WEST AND A RADIUS OF 840.00 FEET FOR A DISTANCE OF 359.60 FEET ARC MEASURE, TO A POINT ON A LINE CONVEYED FOR HIGHWAY FROM LOT 1 (SAID LINE CONVEYED FOR HIGHWAY HAVING A BEARING OF SOUTH 57 DEGREES 59 MINUTES WEST AND A DISTANCE OF 100.14 FEET), SAID POINT ON SAID HIGHWAY LINE BEING 17.50 FEET FROM THE WESTERLY END OF SAID HIGHWAY LINE, AS MEASURED ALONG SAID LINE; THENCE NORTH 57 DEGREES 59 MINUTES EAST, ALONG SAID HIGHWAY LINE, 82.64 FEET; THENCE NORTH 5 DEGREES 27 MINUTES EAST, ALONG THE SOUTHEASTERLY LINE OF SAID HIGHWAY, 230.82 FEET TO A POINT IN THE WEST LINE OF SAID LOT 2, 36.31 FEET SOUTH 13 DEGREES 42 MINUTES EAST FROM THE NORTHWEST CORNER OF SAID LOT 2; THENCE NORTH 44 DEGREES 40 MINUTES EAST, ALONG THE SOUTHERLY LINE OF SAID HIGHWAY,

71.76 FEET; THENCE NORTH 55 DEGREES 10 MINUTES EAST, ALONG THE SOUTHERLY LINE OF PROPERTY CONVEYED FOR HIGHWAY, 151.51 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 14 DEGREES 01 MINUTE EAST, ALONG THE EAST LINE OF SAID LOT 2, 347.06 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-29-402-016; (the "Subject Property").

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

1. The proposed sign shall be constructed in accordance with the plans prepared by Grate Signs, Inc., dated May 26, 2004, revised March 25, 2009 and as depicted in Exhibit A, and made a part of this petition, except as they may be changed to conform with Village code and the conditions below.
2. The proposed freestanding sign shall have a setback of no less than ten feet (10') from all property lines.
3. The existing retaining wall surrounding the sign shall be removed from the public right-of-way and shall be sufficiently set back from all property lines so as to not conflict with public utilities. All disturbed areas shall be restored with topsoil and sod in a manner acceptable to the Director of Community Development.
4. The petitioner shall submit a Plat of Resubdivision to establish a Lot of Record on the subject property.
5. As part of the approval, the petitioner shall also address the comments included within the IDRC Report.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

Ordinance No. 6379
Re: PC 09-22
Page 4

SECTION 5: 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 20th day of August, 2009.

First reading waived by action of the Board of Trustees this ____ day of _____, 2009.

Passed on second reading this 3rd day of September, 2009, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

Nays: None

Absent: None

Approved by me this 3rd day of September, 2009.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published in pamphlet from this 4th day of September, 2009.


Brigitte O'Brien, 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

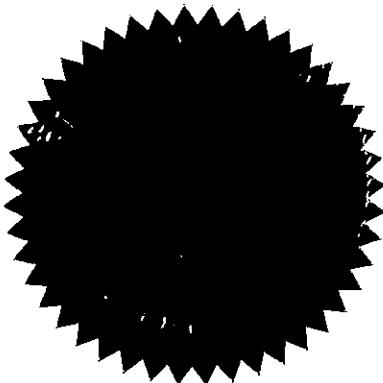
ORDINANCE 6379
ORDINANCE GRANTING A CONDITIONAL USE FOR A
PLANNED DEVELOPMENT PURSUANT TO TITLE 15,
CHAPTER 155, SECTION 155.502(F)(3) OF THE
LOMBARD ZONING ORDINANCE WITH DEVIATIONS
TO THE LOMBARD SIGN ORDINANCE

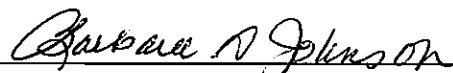
PIN: 06-29-402-016

Address: 555 E. Butterfield Road, Lombard, IL

of the said Village as it appears from the official
records of said Village duly approved this 3rd
day of September, 2009.

In Witness Whereof, I have hereunto affixed my official signature and
the Corporate Seal of said **Village of Lombard**, Du Page County,
Illinois this 14th day of September, 2009.





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