

c/d

ORDINANCE NO. 5639

**AN ORDINANCE GRANTING A VARIATION FROM ARTICLE 10, SECTION 15-135.4
OF THE DU PAGE COUNTY COUNTYWIDE STORMWATER AND FLOODPLAIN
MANAGEMENT ORDINANCE**

(BOT 05-02: Lombard Road Right-of-Way, Lombard, IL)

WHEREAS, the Village of Lombard has adopted the DuPage Countywide Stormwater and Floodplain Management Ordinance (hereinafter the "Countywide Ordinance") with the status of a partial waiver community, and;

WHEREAS, the Village of Lombard has petitioned for a variation from the requirements of Article 10, Section 15-135.4 of the Countywide Ordinance; and

WHEREAS, Article 16 of the DuPage Countywide Stormwater and Floodplain Management Ordinance grants partial waiver communities the authority to grant variations from the requirements of the Countywide Ordinance provided that the DuPage County Stormwater Oversight Committee has considered the variation, and;

WHEREAS, the DuPage County Stormwater Oversight Committee considered the above-referenced variation request on April 5, 2005 and voted to not object to the variation; and

WHEREAS, a public hearing was conducted by the President and Board of Trustees on April 21, 2005 pursuant to appropriate and legal notice; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of staff relative to the above-referenced variation request 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 the provisions of Article 10, Section 15-135.4 of the Countywide Ordinance for the property described in Section 2 below, so as to waive the requirement to mitigate wetland environment lost to construct typical roadway improvements.

SECTION 2: That this Ordinance is limited and restricted to that portion of the Lombard Road Right-of-Way that is legally described as follows:

THAT PART OF THE LOMBARD ROAD RIGHT-OF-WAY LYING SOUTH OF THE SOUTH LINE OF THE ILLINOIS CENTRAL RAILROAD RIGHT-OF-WAY AND NORTH OF THE SOUTH LINE OF THE COMMONWEALTH EDISON COMPANY RIGHT OF WAY IN THE NORTHEAST ¼ OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

Ordinance No. 5639

Page 2 of 2

SECTION 3: That 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 21st day of April, 2005.

First reading waived by action of the Board of Trustees this _____ day of _____, 2005.

Passed on second reading this 5th day of May, 2005, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

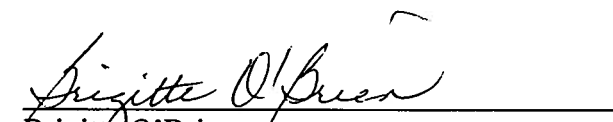
Nayes: None

Absent: None

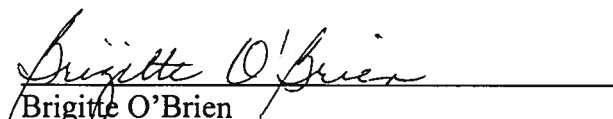
Approved by me this 5th day of May, 2005.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien
Village Clerk

Published by me in pamphlet form this 10th day of May, 2005.


Brigitte O'Brien
Village Clerk