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**ORDINANCE NO. 5531**

**AN ORDINANCE GRANTING A VARIATION OF THE LOMBARD CODE OF  
ORDINANCES CHAPTER 151 "FLOOD CONTROL";  
SUBSECTION 151.55 "RETENTION/DETENTION BASINS"**

(BOT 04-08: 401 W. St. Charles Road, Lombard, IL)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Code of Lombard, Illinois, and;

WHEREAS, a request has been made for the Village of Lombard to grant a variation from Chapter 151 "Flood Control"; Subsection 151.55 "Retention/Detention Basins", and;

WHEREAS, a public hearing has been conducted by the Board of Trustees on August 19, 2004 pursuant to appropriate and legal notice; and

WHEREAS, there is an available stormwater detention volume balance to allocate 0.07 ac-ft for this site in the Village's Finley-Crescent Basin; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of staff 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 Chapter 151 of the Code of Lombard, Illinois, for the property described in Section 2 below to allocate 0.07 ac-ft of detention volume off-site in the Village's Finley-Crescent Basin.

Section 2: That this ordinance is limited and restricted to the property located at 401 W. St. Charles Road, Lombard, IL and legally described as follows:

PARCEL 1: THAT PART OF LOT 4 IN BLOCK 1 IN ANDERSON AND BURKE SUBDIVISION IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 29, 1924 AS DOCUMENT NUMBER 175793, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4 AND RUNNING THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 65.00 FEET; THENCE SOUTHEASTERLY IN A STRAIGHT LINE A DISTANCE OF 154.99 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 4 A DISTANCE OF 174.50 FEET TO THE POINT OF BEGINNING, ALL IN DU PAGE COUNTY, ILLINOIS.

ALSO

PARCEL 2: LOT 13, 14 AND 15 IN OWNER'S SUBDIVISION, BEING A RESUBDIVISION OF OUTLOT 9, IN THE TOWN OF LOMBARD, BEING A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID OWNER'S SUBDIVISION RECORDED SEPTEMBER 21, 1925 AS DOCUMENT NUMBER 200027, IN DU PAGE COUNTY, ILLINOIS.

Section 3: That this ordinance shall be subject to the following conditions:

- A. That the normal fee of \$150.00 to process the variation (151.56.D) shall be waived.
- B. That 0.07 ac-ft of detention volume shall be deducted from the available balance in the Finley-Crescent Basin.

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 \_\_\_\_\_, 2004.

First reading waived by action of the Board of Trustees this 19th day of August, 2004.

Passed on second reading this 19th day of August, 2004.

Ayes: Trustees Tross, Koenig, Sebby, Florey and Soderstrom

Nayes: None

Absent: Trustee DeStephano

Approved this 19th day of August, 2004.

  
William J. Mueller, Village President

ATTEST:

  
Barbara A. Johnson, Deputy Village Clerk