

ORDINANCE NO. 5505

AN ORDINANCE AMENDING TITLE 15, CHAPTER 151, SECTION 151.56 OF THE LOMBARD VILLAGE CODE REGARDING STORM WATER DETENTION VARIANCES

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That Title 15, Chapter 151, Section 151.56 of the Code of Lombard is amended to read in its entirety as follows:

“§ 151.56 VARIANCE PROCEDURES.

(A) In the event the owner or developer of the property is unable to meet the requirements of § 151.55 and seeks a variance, the variance may only be considered in the following situations:

(1) Detention or retention is to be provided off site, but in a manner which is satisfactory or acceptable to the Village; or

(2) The property had previously been developed prior to the Village requiring retention or detention and an improvement is being added to the property which will have some impact on the property, but complete on-site detention is practically not available; or

(3) The property to be developed cannot adequately provide on-site water detention, but the Village deems it necessary or beneficial to develop said property with the detention/retention to be met in some other fashion than on-site detention.

(B) A fee of \$150 shall be charged to process any simple variance requests. Said fee is to cover the costs of the hearing and engineering work. Any variance requiring detailed engineering review shall be charged an additional \$500.

(C) The Board of Trustees of the Village shall hear any variance request. Applications are to be made to the Director of Community Development on approved forms of the village.

(D) The Director of Community Development may require engineering studies to be provided by the petitioner before any variance hearing is held.

(E) At the public hearing, it shall be the owner or developer's responsibility to put forth a case in favor of the variance. The Director of Community Development shall respond, and shall make any recommendations, or suggest any conditions, deemed necessary to the granting or denial of the variance.

(F) A variance may be granted under any terms and conditions as the Board of Trustees deem reasonable and/or necessary.
(Ord. 2967, passed 7-9-87)

(G) Notwithstanding subsections (C) through (F) above, the Director of Community Development may grant an administrative variance for areas totaling, in the aggregate (inclusively of previously granted variances), less than 500 square feet. Such an administrative variance shall not require a public hearing or approval by the Board of Trustees. Where an administrative variance is granted, a fee as required by Section 151.57 below as well as a \$50 administrative processing fee shall be deposited into the detention fund for the appropriate watershed.”

SECTION 2: 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 20th day of May, 2004, pursuant to a roll call vote as follows:

First reading waived by action of the Board of Trustees this _____ day of _____, 2004.

Passed on second reading this 3rd day of June, 2004.

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

Nays: None

Absent: Trustee DeStephano

Approved by me this 3rd, day of June, 2004.


William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk

Published by me in pamphlet form this 7th, day of June, 2004.


Barbara A. Johnson, Deputy Village Clerk