

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X *Waiver of First Requested*
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: November 20, 2015 (B of T) Date: December 3, 2015

TITLE: BOT 15-03: 836 and 840 S. Hammerschmidt Avenue Stormwater Variation

SUBMITTED BY: Department of Community Development *WA*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development and Public Works transmits for your consideration its recommendation regarding the above-referenced petition. Please find attached an Ordinance granting a variation from Chapter 50 "Combined Water and Sewer System," Section 50.026 "Prohibited Connections" for the property located at 836 and 840 S. Hammerschmidt Avenue.

Staff recommends approval of this Ordinance.

The petitioner requests a waiver of first reading of the Ordinance.

FISCAL IMPACT/FUNDING SOURCE:

The public improvements were constructed by the project owner at no cost to the Village.

REVIEW (AS NECESSARY):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

THROUGH: Carl S. Goldsmith, Director of Public Works *CS*
William J. Heniff, Director of Community Development *WH*

FROM: Jana Bryant, PE, Development Engineer *JB*

DATE: November 24, 2015

SUBJECT: STORMWATER DISCHARGE TO A COMBINED SEWER – 836 & 840 S. HAMMERSCHMIDT AVENUE

Please present the attached ordinance to the Board of Trustees for their review and approval at their December 3, 2015 meeting. The petitioner requests of variation from Chapter 50 “Combined Sewer and Water System,” Section 50.026 “Prohibited Connections.”

Based on the specific site constraints and existing structural flooding issues on the properties, the Private Engineering Services Division recommends approval of this ordinance. The Director of Public Works has conditionally approved the variation, and said condition is part of the attached ordinance.

JB:jb

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MEMORANDUM

TO: Carl S. Goldsmith, Director of Public Works

FROM: Jana Bryant, PE, Development Engineer

SUBJECT: **Combined Sewer Connection Variance – 836 & 840 S. Hammerschmidt Avenue**

DATE: November 3, 2015

Attached, please find the preliminary plan for 836 S. Hammerschmidt Avenue. The area is currently drained by a combined sewer system that runs east along Taylor Road to Hammerschmidt Avenue, and then north along Hammerschmidt Avenue. The existing building, is a single family residence. The nearest separated storm sewer is located in Wilson Avenue and is located approximately 850' to the south, the developer for this site is requesting a variance from Village Code Section 50.026, to allow for the property and the property to the south (840 S. Hammerschmidt Avenue) to connect to the combined system.

Based on previous discussions, it is my understanding that Public Works will no longer authorize any such variances. With that in mind, I would still like to highlight the benefits that this new development will provide in this area, and then ask for your final decision on the proposed development:

- 1.) The depressional areas in the rear yards affects approximately seven properties.
- 2.) 840 S. Hammerschmidt Avenue has had past flooding damage from the depressional area.
- 3.) Runoff from the site currently goes to the same combined sewer.
- 4.) The release rate will be restricted to a 2" restrictor.
- 5.) A backflow preventer will be installed to prevent any potential back up from the combined sewer onto the property.

The variance is: **Approved** **Conditions:** *The property owner will install and maintain the sewer through the private properties, including the restrictor and backflow prevention valve that is proposed to be located in the Taylor Street right-of-way.*

Denied



Carl S. Goldsmith, Director of Public Works

JB:jb

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Attachments: Exhibits

Nowakowski, Tamara

From: Bryant, Jana
Sent: Monday, November 16, 2015 12:31 PM
To: Nowakowski, Tamara
Subject: FW: wave the first reading

FYI, for the December 3 BOT Mtg for the Variance to 50.026
Jana

From: United Home Builders Inc [<mailto:unitedhome@sbcglobal.net>]
Sent: Monday, November 16, 2015 12:16 PM
To: Bryant, Jana
Subject: Re: wave the first reading

Jana Bryan, P.E.
Private Development Engineer
Village Of Lombard

Dear Jana,
I hereby request a "Waiver of the First Reading" with regards to the variance request of the storm inlet installation at 836, and 840 S. Hammerschmidt.
The reason for the request is to allow additional time to put in place the construction loan for the new residence to be built at 836 S. Hammerschmidt.
Respectfully,
Robert H, Mueller, President
United Home Builders, Inc.

Robert H. Mueller President
United Home Builders Inc.
Lombard, IL 60148
www.unitedhomebuildersoflombard.com

On Monday, November 16, 2015 8:40 AM, "Bryant, Jana" <BryantJ@villageoflombard.org> wrote:

Bob,
I just need an email requesting for a "Waiver of the First" reading and a reason (i.e. closing date, trying to get the project going, etc.). Generally, it can be a couple of sentences.


The following is what I found on the Village's website.

What is a *Waiver of the First*, and how do I request it?

If the Board of Trustees (BOT) takes action on an Ordinance, the petition must be heard at two "readings". In order to expedite this process, a request for a "Waiver of the First" reading may be submitted. If the BOT grants the "Waiver of the First" reading, then a decision is made at a single meeting. In order to request a waiver, the petitioner must submit a request in writing to the Community Development Department at least ten (10) days prior to the BOT meeting. The




letter must state the reasons why the waiver is necessary, i.e. a closing date on the property, etc.

Let me know if you have any other questions.



Jana Bryant, P.E.
Private Development Engineer
Village of Lombard
255 E Wilson Ave. Lombard, IL 60148

Phone: (630) 620-5973
Fax: (630) 620-2374
Email: bryantj@villageoflombard.org
Web: www.villageoflombard.org

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From: United Home Builders Inc [\[mailto:unitedhome@sbcglobal.net\]](mailto:unitedhome@sbcglobal.net)

Sent: Sunday, November 15, 2015 9:41 AM

To: Bryant, Jana

Subject: wave the first reading

Good Morning Jana,

What language do I use to ask for the first reading to be waived? Bob.

Robert H. Mueller President

United Home Builders Inc.

Lombard, IL 60148

www.unitedhomebuildersoflombard.com

ORDINANCE _____

AN ORDINANCE GRANTING A VARIATION FROM THE LOMBARD CODE OF ORDINANCES CHAPTER 50 "COMBINED WATER AND SEWER SYSTEM," SECTION 50.026 "PROHIBITED CONNECTIONS"

836 & 840 S. Hammerschmidt Avenue, Lombard, Illinois

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 50 "combined Water and Sewer System," Section 50.026 "Prohibited Connections"; and

WHEREAS, a public hearing has been conducted by the Board of Trustees on December 3, 2015 pursuant to appropriate and legal notice; 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 50 "combined Water and Sewer System," Section 50.026 "Prohibited Connections," of the Code of Lombard, Illinois, for the property described in Section 2 below, as to allow connection of the proposed storm sewer system into the combined sewer system.

SECTION 2: That this ordinance is limited and restricted to the properties generally located at 836 and 840 S. Hammerschmidt Avenue (PIN: 06-17-115-018 and 06-17-115-019), Lombard, Illinois and legally described as follows:

Legal Description for 836 S. Hammerschmidt (PIN 06-17-115-018)
LOT 7 (EXCEPT THE NORTH 16 FEET THEREOF) IN BLOCK 9 IN ARTHUR T. MCINTOSH AND COMPANY'S LOMBARD GARDENS SUBDIVISION, BEING A SUBDIVISION IN THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED FEBRUARY 8, 1924 AS DOCUMENT NO. 174113, IN DUPAGE COUNTY, ILLINOIS.

Ordinance No. _____

Page 2

Legal Description for 840 S. Hammerschmidt (PIN 06-17-115-019)
LOT 8 IN BLOCK 9 IN ARTHUR T. MCINTOSH AND COMPANY'S LOMBARD
GARDENS SUBDIVISION, BEING A SUBDIVISION IN THE WEST 1/2 OF THE
NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF
THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF,
RECORDED FEBRUARY 8, 1924 AS DOCUMENT NO. 174113, IN DUPAGE
COUNTY, ILLINOIS.

SECTION 3: 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 _____, 2015.

First reading waived by action of the Board of Trustees this _____ day of
_____, 2015.

Passed on second reading this _____ day of _____, 2015.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2015.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2015.

Sharon Kuderna, Village Clerk