

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager
DATE: July 29, 2011 (B of T) Date: August 18, 2011
TITLE: ZBA 06-21: 820 E. St. Charles Road
SUBMITTED BY: Department of Community Development *NLA*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a request granting a further time extension (12 month) of Ordinance 5935 as amended by Ordinances 6094, 6247, 6373 and 6515 relative to the approval of a reduction in the minimum required lot area for the property located at 820 E. St. Charles Road.

Staff recommends approval of this request.

Please place this item on the August 18, 2011 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WH*

DATE: August 18, 2011

SUBJECT: ZBA 06-21: 820 E. St. Charles Road

On October 19, 2006, the Village Board adopted Ordinance 5935, which granted approval of a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet in the B4 Corridor Commercial District. Pursuant to Section 155.103 (C)(10) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, variations are null and void if construction is not substantially underway within one year from the date of granting thereof, unless a time extension is granted by the Village Board.

Attached please find a letter from the petitioner requesting an additional extension to the Ordinance of approval. This request will allow the petitioner to proceed with the development as it was originally approved by the Village Board without the need for a new public hearing.

ACTION REQUESTED

A letter from the petitioner and a draft Ordinance is attached for Board consideration. Please place this item on the August 18, 2011 Board agenda with a recommendation to approve the attached Ordinance.

Robert H. Mueller
738 S. Elizabeth Street
Lombard, Illinois 60148

July 29, 2011

Mr. Bill Heniff
Village of Lombard
255 E. Wilson Ave.
Lombard, Illinois 60148

RE: ZBA 06-21 : 820 E. St. Charles Road

Dear Mr. Heniff;

On October 19, 2006 the Lombard Village Board voted on and approved a request of a lot variation from section 155.415 (D) of the Zoning Ordinance to reduce the required minimum lot area from 40,000 sq .ft to 20,727.26 sq ft in the B-4 Corridor Commercial District.

I have previously requested an extension of the approved variation which has a time limit of 1 year, and was granted that extension.

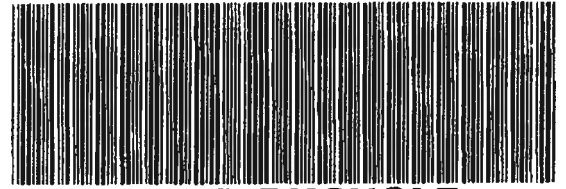
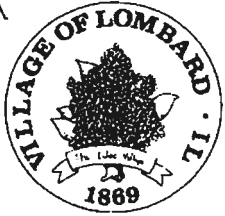
Due to the current market and economic conditions, I am again asking for a continuation of the approved variation for a period of hopefully 1 additional year with hopes that the U. S. economy will turn around and I will be able to proceed with my construction plans.

Your assistance in this matter is greatly appreciated, please do not hesitate to contact me at 630-627-6244.

Respectfully,



Robert H. Mueller



FRED BUCHOLZ

DUPAGE COUNTY RECORDER

MAR. 01, 2007

4:07 PM

OTHER

06-04-310-047

004 PAGES

R2007-037350

ORDINANCE NO 5935

**APPROVING A VARIATION OF THE LOMBARD ZONING
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF
LOMBARD, ILLINOIS**

PIN: 06-04-310-047

Address: 820 E. St. Charles Road, Lombard

Return To:

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

ORDINANCE NO. 5935

**AN ORDINANCE APPROVING A VARIATION
OF THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(ZBA 06-21: 820 E. St. Charles Road)

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 is zoned B4 Corridor Commercial District; and,

WHEREAS, an application has been filed requesting a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on September 27, 2006 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings with a recommendation for approval to the Board of Trustees for the requested variation described herein; 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 variation.

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 Title 15, Chapter 155, Section 415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 820 E. St. Charles Road, Lombard, Illinois, and legally described as follows:

LOT 1 IN ROSE'S PLAT OF CONSOLIDATION OF LOTS 1, 2 AND 3 IN A SUBDIVISION OF LOTS 56 & 57 IN ROBERTSON'S ST. CHARLES ROAD ADDITION TO WESTMORE, IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8,

Ordinance No.: 5935
Re: ZBA 06-21
Page 2

1987 AS DOCUMENT R87-135515, AND CERTIFICATE OF CORRECTION
RECORDED AS DOCUMENT R88-43687, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-04-310-047

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 _____ day of _____, 2006.

First reading waived by action of the Board of Trustees this 19th day of October, 2006.

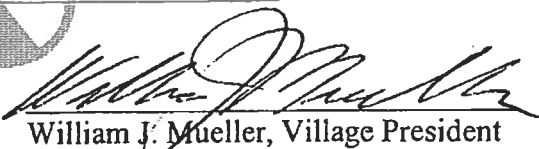
Passed on second reading this 19th day of October, 2006.

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

Nayes: None

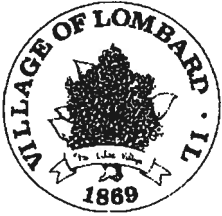
Absent: None

Approved this 19th day of October, 2006.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

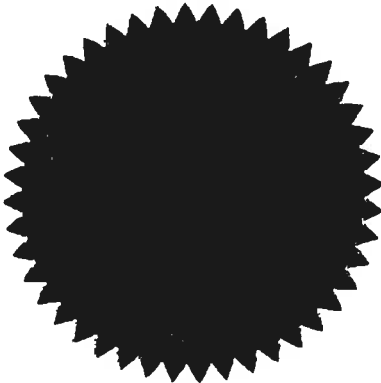


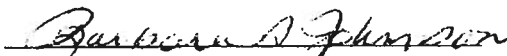
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a
copy of ORDINANCE 5935
APPROVING A VARIATION OF THE LOMBARD ZONING
ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE OF
LOMBARD, ILLINOIS
820 E. ST. CHARLES ROAD, LOMBARD
PIN: 06-04-310-047

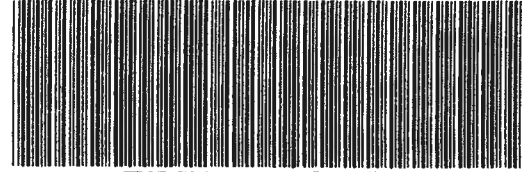
of the said Village as it appears from the official records
of said Village duly approved October 19, 2006.

In Witness Whereof, I have hereunto affixed my official signature and
the Corporate Seal of said **Village of Lombard**, Du Page County,
Illinois this 2nd day of February, 2007





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



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
MAR.06,2008 3:30 PM
OTHER 06-04-310-047
005 PAGES R2008-036395

ORDINANCE 6094

**GRANTING A TIME EXTENSION
OF ORDINANCE 5935**

PIN: 06-04-310-047

ADDRESS: 820 E. St. Charles Road, Lombard, IL

Return To:

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

ORDINANCE NO. 6094

**AN ORDINANCE GRANTING
A TIME EXTENSION OF ORDINANCE 5935**

(ZBA 06-21: 820 E. St. Charles Road)

WHEREAS, on October 19, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5935, which granted approval of a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet in the B4 Corridor Commercial District; and

WHEREAS, pursuant to Section 155.103 (C)(10) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, variations are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinance 5935; and,

WHEREAS, the Village has received a letter requesting an extension of Ordinance 5935; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinance 5935 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of adoption of this Ordinance.

SECTION 2: That all other provisions associated with Ordinance 5935, not amended by this Ordinance, shall remain in full force and effect.

Ordinance No. 6094
Re: ZBA 06-21
Page 2

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 _____, 2007.

First reading waived by action of the Board of Trustees this 18th day of October, 2007.

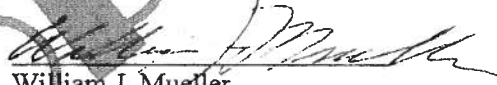
Passed on second reading this 18th day of October, 2007.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nays: None

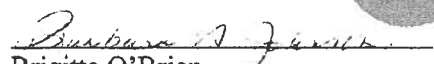
Absent: None

Approved this 18th, day of October, 2007.



William J. Mueller
Village President

ATTEST:



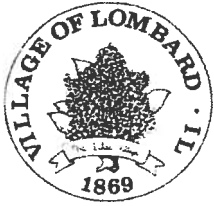
Brigitte O'Brien
Village Clerk

LOT 1 IN ROSE'S PLAT OF CONSOLIDATION OF LOTS 1, 2 AND 3 IN A
SUBDIVISION OF LOTS 56 & 57 IN ROBERTSON'S ST. CHARLES ROAD
ADDITION TO WESTMORE, IN THE SOUTHWEST QUARTER OF SECTION 4,
TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8,
1987 AS DOCUMENT R87-135515, AND CERTIFICATE OF CORRECTION
RECORDED AS DOCUMENT R88-43687, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-04-310-047

Address: 820 E. St. Charles Road, Lombard, IL

COPY



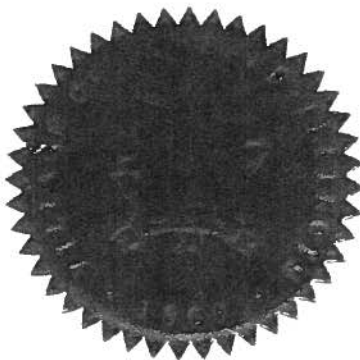
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a
copy of ORDINANCE 6094
GRANTING A TIME
EXTENSION OF ORDINANCE 5935.

ADDRESS: 820 E. ST. CHARLES ROAD, LOMBARD, IL
PN: 06-04-310-047

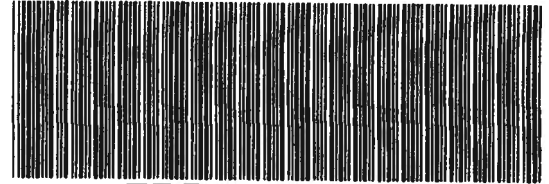
of the said Village as it appears from the official records of
said Village duly approved October 18, 2007.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 22th day of February, 2008.





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



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
DEC.30,2008 2:50 PM
OTHER 06-04-310-047
005 PAGES R2008-181923

ORDINANCE 6247

**GRANTING A TIME EXTENSION
OF ORDINANCE 5935**

Address: 820 E. St. Charles Road, Lombard, IL 60148

PIN: 06-04-310-047

Return To:

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

ORDINANCE NO. 6247

**AN ORDINANCE GRANTING
A TIME EXTENSION OF ORDINANCE 5935**

(ZBA 06-21: 820 E. St. Charles Road)

WHEREAS, on October 19, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5935, which granted approval of a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet in the B4 Corridor Commercial District; and

WHEREAS, on October 18, 2007, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6094, which a time extension of said lot area variation to October 18, 2008; and

WHEREAS, pursuant to Section 155-103 (C)(10) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, variations are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinance 5935; and,

WHEREAS, the Village has received a letter requesting a second extension of Ordinance 5935; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinance 5935 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of adoption of this Ordinance.

Ordinance No. 6247
Re: ZBA 06-21
Page 2

SECTION 2: That all other provisions associated with Ordinance 5935, not amended by this Ordinance, shall remain in full force and effect.

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 _____, 2008.

First reading waived by action of the Board of Trustees this 16 day of October, 2007.

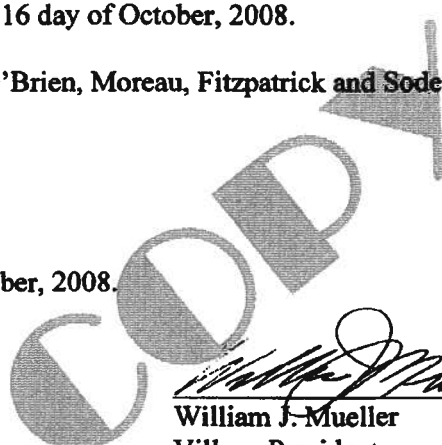

Passed on second reading this 16 day of October, 2008.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nays: None

Absent: None

Approved this 16, day of October, 2008.



William J. Mueller
Village President

ATTEST:


Brigitte O'Brien
Village Clerk

LOT 1 IN ROSE'S PLAT OF CONSOLIDATION OF LOTS 1, 2 AND 3 IN A
SUBDIVISION OF LOTS 56 & 57 IN ROBERTSON'S ST. CHARLES ROAD
ADDITION TO WESTMORE, IN THE SOUTHWEST QUARTER OF SECTION 4,
TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8,
1987 AS DOCUMENT R87-135515, AND CERTIFICATE OF CORRECTION
RECORDED AS DOCUMENT R88-43687, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 06-04-310-047

Address: 820 E. St. Charles Road, Lombard, IL

COPY

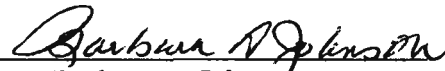


I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

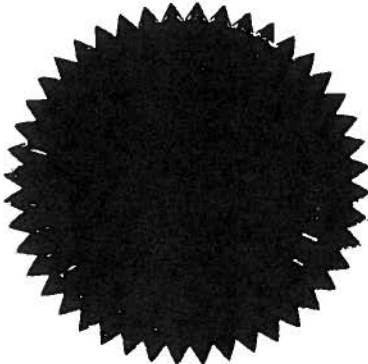
I further certify that attached hereto is a
copy of ORDINANCE 6247
GRANTING A TIME EXTENSION
OF ORDINANCE 5935

of the said Village as it appears from the official records of said Village duly approved this 16th day of October, 2008.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 6th day of November, 2008.

A handwritten signature in cursive script that reads "Barbara A. Johnson".

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





FRED BUCHOLZ
DUPAGE COUNTY RECORDER
FEB. 15, 2011 9:29 AM
OTHER 06-04-310-047
005 PAGES R2011-023218

ORDINANCE 6515

GRANTING A TIME EXTENSION OF ORDINANCE 5935

PIN: 06-04-310-047

Address: 820 E. St. Charles Road, Lombard, IL 60148

COPY

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

ORDINANCE NO. 6515

**AN ORDINANCE GRANTING
A TIME EXTENSION OF ORDINANCE 5935**

(ZBA 06-21: 820 E. St. Charles Road)

WHEREAS, on October 19, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5935, which granted approval of a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet in the B4 Corridor Commercial District; and

WHEREAS, on October 18, 2007, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6094, which granted a time extension of said lot area variation to October 18, 2008; and

WHEREAS, on October 16, 2008, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6247, which granted a second time extension of said lot area variation to October 16, 2009; and

WHEREAS, on September 3, 2009, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6373, which granted a third time extension of said lot area variation to September 3, 2010; and

WHEREAS, pursuant to Section 155.103 (C)(10) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, variations are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinance 5935; and,

WHEREAS, the Village has received a letter requesting a third extension of Ordinance 5935; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinance 5935 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of adoption of this Ordinance.

SECTION 2: That all other provisions associated with Ordinance 5935, not amended by this Ordinance, shall remain in full force and effect.

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 19th day of August, 2010.

First reading waived by action of the Board of Trustees this _____ day of _____, 2010.


Passed on second reading this 2nd day of September, 2010.

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

Nayes: None

Absent: . . . None

Approved this 2nd day of September, 2010.


William J. Mueller
Village President

ATTEST:


Brigitte O'Brien
Village Clerk

LOT 1 IN ROSE'S PLAT OF CONSOLIDATION OF LOTS 1, 2 AND 3 IN A
SUBDIVISION OF LOTS 56 & 57 IN ROBERTSON'S ST. CHARLES ROAD
ADDITION TO WESTMORE, IN THE SOUTHWEST QUARTER OF
SECTION 4, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD
PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF
RECORDED SEPTEMBER 8, 1987 AS DOCUMENT R87-135515, AND
CERTIFICATE OF CORRECTION RECORDED AS DOCUMENT R88-43687,
IN DUPAGE COUNTY, ILLINOIS.

PIN: 06-04-310-047

ADDRESS: 820 E. ST. CHARLES ROAD, LOMBARD IL

COPIA



I, **Denise R. Kalke**, 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

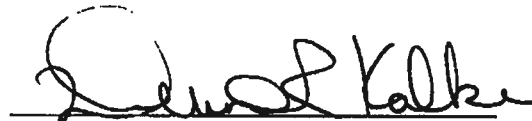
ORDINANCE 6515
GRANTING A TIME EXTENSION OF ORDINANCE 5935

PIN: 06-04-310-047

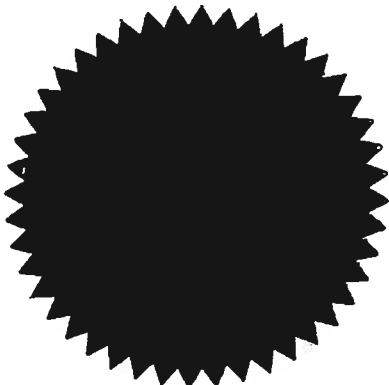
Address: 820 E. St. Charles Road, Lombard IL 60148

of the said Village as it appears from the official records of said Village duly approved this 2nd day of September, 2010.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 28th day of December, 2010.



Denise R. Kalke
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois



ORDINANCE NO. _____

**AN ORDINANCE GRANTING
A TIME EXTENSION OF ORDINANCE 5935**

(ZBA 06-21: 820 E. St. Charles Road)

WHEREAS, on October 19, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5935, which granted approval of a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the minimum required lot area from 40,000 square feet to 20,727.26 square feet in the B4 Corridor Commercial District; and

WHEREAS, on October 18, 2007, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6094, which granted a time extension of said lot area variation to October 18, 2008; and

WHEREAS, on October 16, 2008, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6247, which granted a second time extension of said lot area variation to October 16, 2009; and

WHEREAS, on September 3, 2009, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6373, which granted a third time extension of said lot area variation to September 3, 2010; and

WHEREAS, on August 19, 2010, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6515, which granted a fourth time extension of said lot area variation to August 19, 2011; and

WHEREAS, pursuant to Section 155.103 (C)(10) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, variations are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinance 5935; and,

WHEREAS, the Village has received a letter requesting a third extension of Ordinance 5935; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

Ordinance No. _____
Re: ZBA 06-21
Page 2

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: Ordinance 5935 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of adoption of this Ordinance.

SECTION 2: That all other provisions associated with Ordinance 5935, not amended by this Ordinance, shall remain in full force and effect.

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 _____, 2011.

First reading waived by action of the Board of Trustees this ____ day of _____, 2011.

Passed on second reading this ____ day of _____, 2011.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____, day of _____, 2011.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk