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ORDINANCE NO. 5540

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

(BOT 04-13: 9 E. Ash Street, 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".

WHEREAS, a public hearing has been conducted by the Board of Trustees on September 2, 2004 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 151 of the Code of Lombard, Illinois, for the property described in Section 2 below to allow the construction of a parking lot expansion on said property, as shown on Exhibit A, without providing the required post-development stormwater detention storage volume and release rate.

Section 2: That this ordinance is limited and restricted to the property generally located at 9 E. Ash Street, Lombard, IL and legally described as follows:

LOT 102, 103, 104, 105, 106, 107, 108, AND 109 BOTH INCLUSIVE (EXCEPT THE SOUTH 100 FEET OF LOTS 106 TO 109) IN BLOCK 24 IN THE RESUBDIVISION BY N. MATSON AND OTHERS OF BLOCK 21, 22, 23, 24, 25, 26, 32, 33, 34, 35, AND 37 AND LOTS 16 TO 28 INCLUSIVE IN BLOCK 29 AND LOTS 2 TO 12 INCLUSIVE IN BLOCK 36 ALL IN THE ORIGINAL TOWN OF LOMBARD, 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 THEREOF RECORDED OCTOBER 13, 1873 AS DOCUMENT 16948 IN DUPAGE COUNTY, ILLINOIS.

PIN Number: 06-08-127-028

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

- A. That the normal fee of \$150.00 to process the variation (151.56.D) shall be collected from the petitioner.
- B. That a fee in lieu of detention as required by (151.57.A) shall be collected. The fee has been calculated to be \$6, 922.71.
- C. That this variation is only granted to that portion of the property being development for the parking lot expansion as shown on Exhibit A.
- D. Any future development on the remaining portion of the property shall either provide the required stormwater detention volume and meet the required release rate on site or apply for a separate variation for the said development.

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 2nd day of September, 2004.


Passed on second reading this 2nd day of September, 2004.

Ayes: Trustees Tross, Koenig, Sebby and Soderstrom

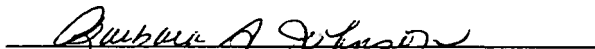
Nays: None

Absent: Trustees DeStephano and Florey

Approved this 2nd day of September, 2004.


William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk

