

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: August 17, 2006 (B of T) Date: September 7, 2006

TITLE: BOT 06-09: 525 West St. Charles Road, Stormwater Detention Variation

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development staff transmits for your consideration its recommendation regarding the above-referenced petition. This petitioner has requested a variation to grant relief from the Lombard Code of Ordinances Chapter 151: "Flood Control"; Subsections 151.55 "Retention/Detention Basins" and 151.57 "Detention Variance Fee Program" to waive the requirements for on-site detention and any fee in lieu of detention. (DISTRICT #1)

Staff recommends approval of the variation with conditions.

In order to provide for the approval of the companion ordinance associated with BOT 06-08 and the motion to approve the final plat of subdivision, staff requests a waiver of first reading.

Fiscal Impact/Funding Source: None required.

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X *W.T. Lichter* Date *8/30/06*



**VILLAGE OF LOMBARD  
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

**TO:** Board of Trustees  
**FROM:** Department of Community Development  
**PREPARED BY:** David P. Gorman, PE  
Development Engineer  
**DATE:** August 21, 2006

**TITLE**

**BOT 06-09: 525 W. ST. CHARLES ROAD, STORMWATER DETENTION VARIATION**

**GENERAL INFORMATION**

**Petitioner and Property Owner:**  
Lincoln Maple Partners, Inc.  
400 East 22<sup>nd</sup> Street, Suite 400A  
Lombard, IL 60148

**Size of Property:** 1.08 acres

**Comprehensive Plan:** Recommends Single-Family Residential  
**Existing Zoning:** R2 Single-Family Residences

**Surrounding Zoning and Land Use:**

**North:** R2 Single-Family Residence District; developed as single family residences  
**South:** R2 Single-Family Residence District; developed as single family residences  
**East:** R2 Single-Family Residence District; developed as single family residences  
**West:** R2 Single-Family Residence District; developed as single family residences

**ANALYSIS**

**SUBMITTALS**

This report is based on the following documentation, which was filed with the Department of Community Development on November 28, 2005:

1. Letter dated August 18, 2006 from Lincoln Maple Partners, Inc. requesting a variation from stormwater detention requirements.

2. Plat of Resubdivision, prepared by Gentile & Associates, dated June 22, 2006.

## DESCRIPTION

The petitioner, Lincoln Maple Partners, Inc., has requested a variation from Chapter 151: "Flood Control"; Subsections 151.55 "Retention/Detention Basins" and 151.57 "Detention Variance Fee Program" to waive the requirements for on-site detention and any fee in lieu of detention. This petition is proceeding concurrently with another petition to resubdivide the one existing parcel into two. This would be a major subdivision as defined by Village Code since the area is over one acre. Stormwater detention is normally required by Village Code for major subdivisions. Furthermore, a fee in lieu of detention is normally required if a variation is sought to waive the requirement for on-site detention. Such detention is not required per the Countywide Ordinance since the area is less than three acres.

A variance to waive the requirements on-site detention and any fee in lieu of detention was previously approved for this property by Ordinance No. 5792 on January 5, 2006. However, that prior variation is no longer valid since the proposed subdivision has been reconfigured to remove the property at 42 S. Glenview Avenue. Therefore, Ordinance No. 5792 will be repealed before this variation is voted on by the Board of Trustees.

## INTER-DEPARTMENTAL REVIEW COMMENTS

### Public Works and Community Development Departments

There is currently one house on the parcel to be resubdivided. The construction of a second house would not add much more runoff since the house would be designed, as is typical, to drain the driveway and front half of the roof to the St. Charles Road right-of-way.

The Private Engineering Services and Public Works Engineering Divisions both support the requested variation to waive the Village Code requirement for detention provided that the following condition is added to the approval of the variation request:

The \$150 administrative fee for variation as well as the \$150 administrative fee for the repealed Ordinance No. 5792 shall be remitted for deposit into the Village's stormwater detention fund for the East Branch DuPage River Watershed.

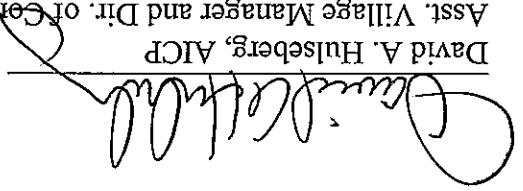
The Directors of Community Development and Public Works both concur with the engineers' recommendation.

## FINDINGS AND RECOMMENDATIONS

Based on the above considerations, staff recommends approval of the variation with the following condition:

The \$150 administrative fee for variation as well as the \$150 administrative fee for the repealed Ordinance No. 5792 shall be remitted for deposit into the Village's stormwater detention fund for the East Branch DuPage River Watershed.

Inter-Departmental Review Group Report Approved By:

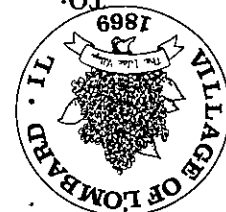


David A. Hulseberg, AICP

Asst. Village Manager and Dir. of Community Development

DAH/DG:dg H:\CD\WORD\USER\BOT\06-09\Staff Report.doc  
cc. Petitioner





MEMORANDUM

TO: Wesley B. Anderson, PE, Director of Public Works  
FROM: David P. Gorman, PE, Development Engineer *DPG*  
DATE: August 18, 2006  
SUBJECT: BOT 06-09: 525 West St. Charles Road, Stormwater Detention Variation

The petitioner, Lincoln Maple Partners, Inc., has requested a variation from Chapter 151: "Flood Control"; Subsections 151.55 "Retention/Detention Basins" and 151.57 "Detention Variance Fee Program" to waive the requirements for on-site detention and any fee in lieu of detention.

The subject petition is proceeding concurrently with another petition to resubdivide the parcels to create a second buildable lot on St. Charles Road. This would be a major subdivision as defined by Village Code since the area is 1.08 acres. Stormwater detention is normally required if a variation is sought to waive the requirement for on-site detention. Such in lieu of detention is not required per the Countywide Ordinance since the area is less than three acres.

There is currently one house on the parcel to be resubdivided. The construction of a second house would not add much more runoff since the house would be designed, as is typical, to drain the driveway and front half of the roof to the St. Charles Road right-of-way. Therefore, there is no concern regarding the minor amount of runoff that may be generated solely by a second house.

A prior variation was passed for the subject site by Ordinance No. 5792 last January. However, that prior variation is no longer valid since the proposed subdivision has been reconfigured to remove the property at 42 S. Glenview Avenue. Therefore, Ordinance No. 5792 will be repealed before this variation is approved by the Board of Trustees.

**Recommendation:**

I recommend that the Board of Trustees approve the variation request to Subsections 151.55 and 151.57 to waive the requirements for on-site detention and any fee in lieu of detention. The Village Engineer concurs with my recommendation. However, the approval should be conditioned as follows:

The \$150 administrative fee for variation as well as the \$150 administrative fee for the repealed Ordinance No. 5792 shall be remitted for deposit into the Village's stormwater detention fund for the East Branch DuPage River Watershed.

Please call me at x-5973 if you have any questions.

The petition is:  Approved  Denied

Conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Wesley B. Anderson*  
Wesley B. Anderson, PE  
Director of Public Works





August 18, 2006

Mr. David Gorman,  
Department of Community Development  
Village of Lombard  
255 E. Wilson Ave.  
Lombard, IL 60148

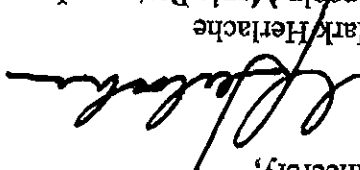
Dear Mr. Gorman,

Last winter the Village of Lombard approved a request for a variance from the storm water detention requirements for a Major Plat of Resubdivision, which included our property located at 525 W. St. Charles Road. Due to circumstances beyond our control, that plat has not been filed and we have a new Plat of Resubdivision of this property going before the Planning Commission on August 21, 2006.

This new plat also qualifies as a Major Plat and we ask the Village to grant a new variance from the required storm detention rules. The new Plat of Resubdivision will produce only two lots. One lot, which includes an existing single-family residence, and one unimproved lot, that will be used for the construction of a new single-family residence.

Please accept our apologies to the Department and to the Village for our having to ask you to go through these requests a second time for the same property. We appreciate all your efforts on our behalf.

Sincerely,

  
Mark Herlache  
Lincoln Maple Partners, Inc.



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE GRANTING A VARIATION OF THE LOMBARD CODE OF ORDINANCES CHAPTER 151 "FLOOD CONTROL"; SUBSECTIONS 151.55 "RETENTION/DETENTION BASINS" AND 151.57 "DETENTION VARIANCE FEE PROGRAM" (BOT 06-09: 525 WEST ST. CHARLES ROAD)

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"; Subsections 151.55 "Retention/Detention Basins" and 151.57 "Detention Variance Fee Program"; and;

WHEREAS, a public hearing has been conducted by the Board of Trustees on September 7, 2006 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 waive the requirements to provide stormwater detention on the subject property and to pay any fee in lieu of such detention.

Section 2: That this Ordinance is limited and restricted to the property located at 525 W. St. Charles Road, Lombard, Illinois and legally described as follows:

THE WESTERLY 145.70 FEET (EXCEPT THE SOUTHERLY 20 FEET AND EXCEPT THAT PART DEDED FOR ROADWAY PURPOSES BY DOCUMENT NO. R86-81725) OF LOT 10 IN E. W. ZANDER AND COMPANY'S ADDITION TO LOMBARD A SUBDIVISION OF PARTS OF SECTIONS 1 AND 12, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PARTS OF SECTIONS 6 AND 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 20, 1906 AS DOCUMENT NO. 88217, IN DUPAGE COUNTY, ILLINOIS

CONTAINING TOTAL AREA 46,976 SQ. FT. (1.08 ACRES)

Section 3: That this ordinance shall be subject to the condition that the \$150 administrative fee for variation as well as the \$150 administrative fee for the repealed Ordinance No. 5792 shall be remitted for deposit into the Village's stormwater detention fund for the East Branch DuPage River Watershed.

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 \_\_\_\_\_, 2006.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Brigitte O'Brien, Village Clerk