

ORDINANCE NO. _____

**AN ORDINANCE GRANTING
STORMWATER VARIANCE FOR 1111 WARREN AVENUE**

WHEREAS, the Village has previously adopted the Downers Grove Stormwater & Flood Plain Ordinance (Chapter 26 of the Downers Grove Municipal Code, herein after referred to as the "Stormwater Ordinance"); and

WHEREAS, pursuant to the Stormwater Ordinance, new developments are to provide certain levels of flood protection; and

WHEREAS, pursuant to the Stormwater Ordinance, an application may be made for a variance for unique and extraordinary circumstances; and

WHEREAS, application has been made by the owners of the property located at 1111 Warren Avenue requesting a variance from certain parking lot flood protection elevations; and

WHEREAS, a public hearing was held on August 18, 2004 before the Downers Grove Stormwater and Flood Plain Oversight Committee which has recommended the granting of the variance request subject to receipt of a signed agreement for indemnification from petitioner for any future flood damage (see attached Exhibit A); and

WHEREAS, the Downers Grove Village Council has considered this matter and has determined that the applicant meets the requirements for a variance from the Stormwater Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Village Council of the Village of Downers Grove as follows:

1. That a variance is hereby granted to permit the proposed parking lot surface elevation of 2.7 feet below the base flood elevation, in lieu of the allowable one (1) foot limit required per Section 26-62.4 of the Stormwater Ordinance.
2. This variance is conditioned upon compliance with all applicable Village Ordinances, including those related to the location and construction of the two-story retail banking facility with drive through.
3. This ordinance shall be in full force and effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Attest: _____
Village Clerk