

**ORDINANCE NO. 11- 146**  
**AN ORDINANCE AMENDING ORDINANCE NUMBERS 10-156 AND 10-165 TO  
EXTEND A TEMPORARY MORATORIUM ON DEVELOPMENT IN A DEFINED  
GEOGRAPHIC AREA**

WHEREAS, the Village of Westmont is a home rule municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, on September 20, 2010, the Village of Westmont Village Board adopted Ordinance 10-156, entitled "An Ordinance Approving a Temporary Moratorium on Development in a Defined Geographical Area"; and

WHEREAS, on October 4, 2010, the Village of Westmont Village Board adopted Ordinance 10-165, entitled "An Ordinance Approving an Amended Map for the Area Subject to a Temporary Moratorium on Development, Westmont"; and

WHEREAS, the Village Board has determined that it is necessary and desirable to further consider and evaluate the geographical area near the intersection of Warwick Avenue and Melrose Avenue, Westmont, Illinois, because residents and businesses continue to experience persistent and widespread storm water flooding problems; and

WHEREAS, the Village of Westmont previously retained the services of Christopher Burke Engineering to perform a storm water management study of said area, along with other areas within the Village, to assist in developing a remedial action plan for the flooding problems in this area; and

WHEREAS, the Village of Westmont Board of Trustees has determined that it is reasonable and necessary to continue the temporary moratorium in order to continue to evaluate and develop an action plan for the area in order to protect the residents from worsening flooding in this area and to protect residents tributary to this area; and

WHEREAS, the Village of Westmont Board of Trustees finds that the approval of this extension of the temporary moratorium on development in said geographic area will promote and protect public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, as follows:

Section 1: The above-stated Recitals are hereby restated as though fully set forth herein.

Section 2: There is hereby imposed an extension on the temporary moratorium on development within the geographic area listed in Ordinance 10-165 for an additional period of twelve (12) months. No new developments (excluding conforming accessory structures) and no expansion of existing principal structures shall be permitted within this time period, except as allowed in Section 3 below.

Section 3: New development of principal structures or expansion of existing principal structures within said geographic area will be permitted, despite this temporary moratorium on development, provided the following criteria are met: (1) the development or expansion is for a single-family residential home or a duplex residential home, (2) the development or expansion complies with all Codes and Ordinances of the Village of Westmont, and (3) the proposed new development or expansion is engineered in compliance with all Village engineering requirements and it is justified to the Village that the new development or expansion will not increase storm water runoff or flooding in the area.

Section 4: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 5: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, this 19<sup>th</sup> day of September, 2011.

Ayes: 5 Nays: 0 Absent: 1

APPROVED:

  
William H. Rahn, Mayor

ATTEST:

  
Virginia Szymanski, Village Clerk



**ORDINANCE NO. 10- 165**  
**AN ORDINANCE APPROVING AN AMENDED MAP FOR THE AREA SUBJECT TO  
A TEMPORARY MORATORIUM ON DEVELOPMENT**

WHEREAS, the Village of Westmont is a home rule municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, on September 20, 2010, the Village of Westmont Board of Trustees approved an ordinance entitled "An Ordinance Approving A Temporary Moratorium On Development In A Defined Geographic Area;" and,

WHEREAS, attached to said ordinance as Exhibit "A" was a map with a designated geographic area subject to this temporary moratorium on development; and,

WHEREAS, after approval of this ordinance, Village staff determined that several properties were mistakenly included within this geographic area and that, in certain areas, the exact boundary lines of the area were not clear; and

WHEREAS, Village staff has prepared an amended map which more clearly defines the geographic area subject to the temporary moratorium on development and also has prepared an address list depicting all addresses on the perimeter of this defined geographic area for further clarity, and the Village of Westmont Board of Trustees desires to approve this amended map as an amendment to the prior ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, as follows:

Section 1: The above-stated Recitals are hereby restated in this Section 1 as though fully set forth herein.

Section 2: The Village Board of Trustees hereby approves an amended map along with a corresponding address list, copies of which are attached hereto as Exhibit "A," and said map and address list shall replace the original map attached as Exhibit "A" to the Ordinance approving a Temporary Moratorium on Development in a Defined Geographic Area, approved on September 20, 2010. All other provisions of said ordinance approved on September 20, 2010 shall remain in full force and effect.

Section 3: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 4: This ordinance shall be in full force and effect after its passage, approval and recording as provided by law.

PASSED AND APPROVED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, this 4<sup>th</sup> day of October, 2010.

Ayes: 6 Nays: 0 Absent: 0

APPROVED:

  
William H. Rahn, Mayor

ATTEST:

  
Virginia Szymski, Village Clerk

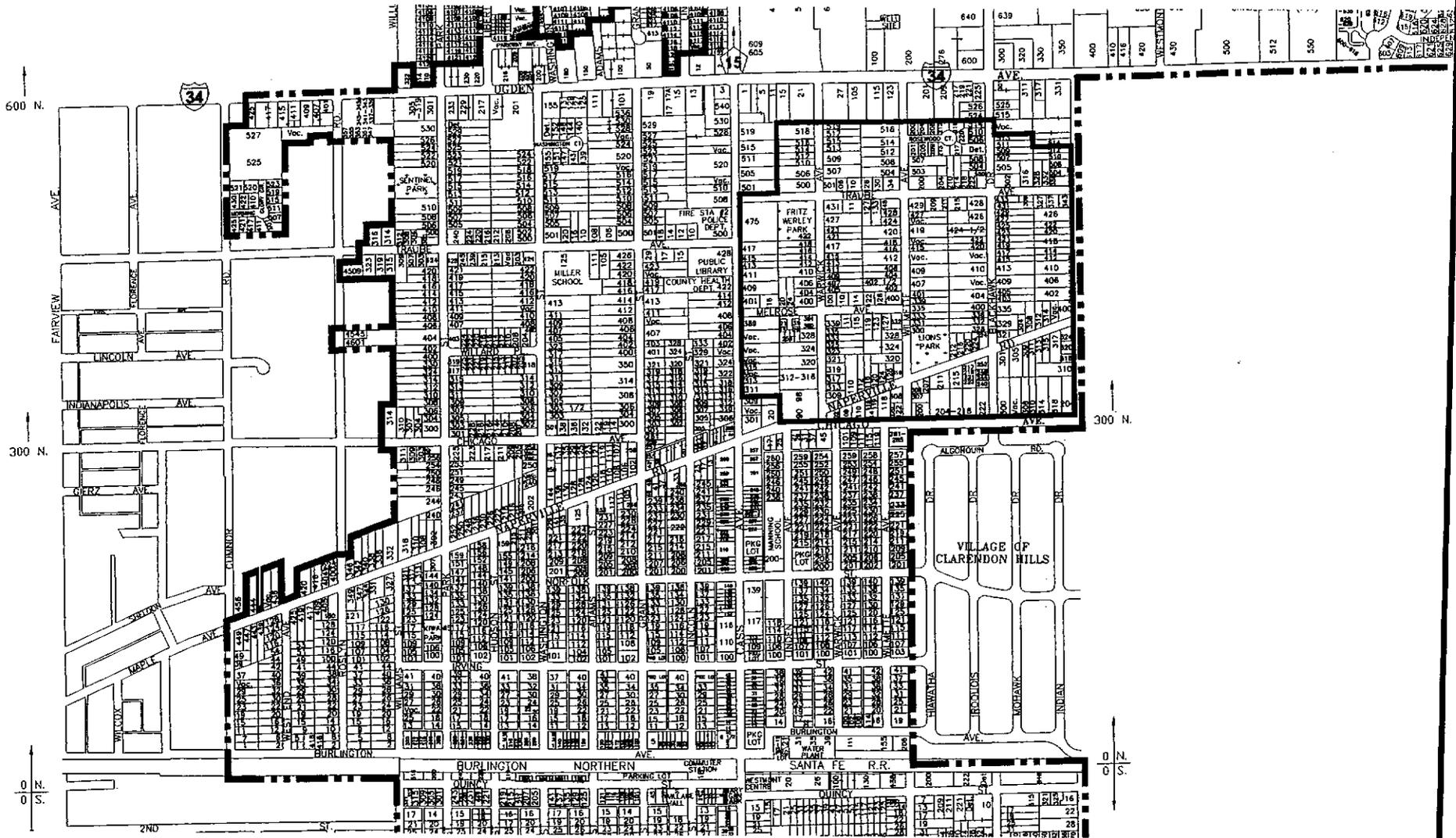


**EXHIBIT "A"**

**AMENDED MAP OF DEVELOPMENT MORATORIUM AREA WITH  
ACCOMPANYING ADDRESS LIST**

# BUILDING MORATORIUM LIMITS

10/04/2010



**ORDINANCE NO. 10- 156**  
**AN ORDINANCE APPROVING A TEMPORARY MORATORIUM ON  
DEVELOPMENT IN A DEFINED GEOGRAPHIC AREA**

WHEREAS, the Village of Westmont is a home rule municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, there exists a geographic area near the intersection of Warwick Avenue and Melrose Avenue, Westmont, Illinois, which area is depicted on the map attached hereto as Exhibit "A," in which residents and businesses are experiencing persistent and widespread storm water flooding problems; and

WHEREAS, residents of said area fear that new dense development will further exacerbate the storm water flooding problems due, in part, to insufficient storm sewer capacity as well as a lack of storm water detention/retention areas; and

WHEREAS, the Village of Westmont has retained the services of Christopher Burke Engineering to perform a storm water management study of said area, along with other areas within the Village, to assist in developing a remedial action plan for the flooding problems in this area; and

WHEREAS, the Village of Westmont Board of Trustees believes that a temporary moratorium on development in said area is warranted and necessary in order to protect the residents from worsening flooding in this area and to protect residents tributary to this area; and

WHEREAS, the Village of Westmont Board of Trustees has also determined that it is necessary to reexamine the R-4 General Residence Zoning District located within said area to determine whether the allowance of multi-family uses in this area constitutes the highest and best use; and

WHEREAS, the Village of Westmont Board of Trustees also desire to study the maximum lot coverage requirements for residential districts within the Village, currently set at 40% for the R-1 through R-3 Districts, and which currently do not provide any maximum lot coverage requirement for the R-4 and R-5 Districts, in order to promote additional green space and alleviate potential flooding problems; and

WHEREAS, the Village of Westmont Board of Trustees desires to impose this temporary moratorium while it studies these flooding and zoning issues, but desires to allow single-family and duplex development within said geographic area where the lot coverage is 30% or less, and where all Codes and Ordinances and engineering requirements of the Village of Westmont are met; and

WHEREAS, the Village of Westmont Board of Trustees finds that the approval of this temporary moratorium on development in said geographic area, with the exceptions listed herein, will promote and protect public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, as follows:

Section 1: The above-stated Recitals are hereby restated as though fully set forth herein.

Section 2: There is hereby imposed a temporary moratorium on development within the geographic area listed in Exhibit "A" for a period of twelve (12) months. No new developments (excluding conforming accessory structures) and no expansion of existing principal structures shall be permitted within this time period, except as allowed in Section 3 below.

Section 3: New development of principal structures or expansion of existing principal structures within said geographic area will be permitted, despite this temporary moratorium on development, provided the following criteria are met: (1) the development or expansion is for a single-family residential home or a duplex residential home, (2) the development or expansion complies with all Codes and Ordinances of the Village of Westmont, and (3) the proposed new development or expansion is engineered in compliance with all Village engineering requirements and it is justified to the Village that the new development or expansion will not increase storm water runoff or flooding in the area.

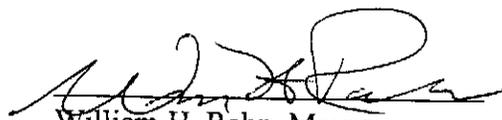
Section 4: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 5: This ordinance shall be in full force and effect after its passage, approval and recording as provided by law.

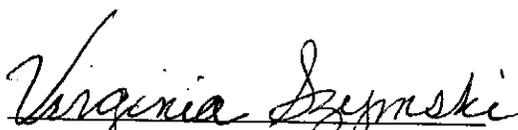
PASSED AND APPROVED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, this 20<sup>th</sup> day of September, 2010.

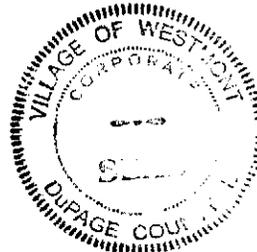
Ayes: 6 Nays: 0 Absent: 0

APPROVED:

  
William H. Rahn, Mayor

ATTEST:

  
Virginia Szynski, Village Clerk



**EXHIBIT "A"**

**GEOGRAPHIC AREA SUBJECT TO TEMPORARY MORATORIUM ON  
DEVELOPMENT**

# 2010 ADDRESS MAP

02/22/2010

