ORDINANCE NUMBER 2004 - 15

GRANTING SPECIAL USE
5605 ROUTE 34
FOX VALLEY WINERY

WHEREAS, Richard and Christine Faltz, dba Fox Valley Winery, filed a petition for a Special Use within the B-3 district, for property located at 5605 Route 34 in Oswego Township; and

WHEREAS, said petition is to allow conversion of an existing building to a micro-winery, wine-tasting, and wine sales facility, as provided in Section 9.04 of the Kendall County Zoning Ordinance (as interpreted by the County Board); and

WHEREAS, said property is zoned B-3 Highway Business District; and

WHEREAS, said property is legally described as:

Lots 71 and 73 of RIVERVIEW HEIGHTS, being a subdivision of Part of Sections 18 and 19, Township 37 North, Range 7 East of the Third Principal Meridian, in KENDALL COUNTY, ILLINOIS; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Zoning Board of Appeals; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to permit conversion of an existing building to a micro-winery, wine-tasting, and wine sales facility, subject to the following conditions:

1. The petitioner will control the ingress/egress truck traffic from Route 34. In the event this access is eliminated, the ingress / egress traffic would only be from West Street.

2. The applicant submits a detailed stormwater management plan that meets with the approval of the County’s contract civil engineer and the Director of Planning, Building, and Zoning (PBZ).

3. The applicant submits a detailed lighting plan that demonstrates to the satisfaction of the Director of PBZ retention of premise lighting on the property.
4. The applicants secure the required Kendall County Class H Liquor License, an Illinois Liquor Control Commission Specialty Liquor License, and an Illinois Manufacturer’s License. No certificate of occupancy shall be issued for this use until evidence of these requirements is submitted to the Kendall County Department of PBZ.

5. The hours of operation for the retail facility are restricted to 10:00 am – 6:00 pm Monday through Saturday and 12:00 pm – 5:00 pm on Sundays. During the holiday season from the end of October until January 1, the facility may extend the hours of operation until 8:00 pm for up to fifteen (15) special events with advance notification to PBZ staff.

6. The petitioner will be required to provide off-site parking for all overflow parking during special events.

7. The Site Shall be developed in substantial Conformance to the Site and Landscape plans attached hereto as Group Exhibit “A”

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

*IN WITNESS OF*, this ordinance has been enacted on May 18, 2004.

Attest: ________________________________

John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk