ORDINANCE NUMBER 2008 - 30

GRANTING A SPECIAL USE TO
AMERICAN WATER COMPANY

WHEREAS, American Water Company, has filed a petition for a Special Use within the B-1 Local Shopping District to erect a 500,000 gallon elevated water storage tank and continued operations of the waste water treatment plant pursuant to Section 9.02.C.7.a (B-1 Special uses Permitted: Public service use: filtration plant and water reservoir) of the Kendall County Zoning Ordinance for property located on the west side of Route 31, north of Light Road, commonly known as 1317 C Route 31, in Section 8 of Oswego Township; and

WHEREAS, said property is identified with the tax identification number 03-08-151-001 and is legally described on the attached “Exhibit A”: Legal Description; and

WHEREAS, said petition is to erect a 500,000 gallon elevated water storage tank, continued operations of the waste water treatment plant and request a variances for the height of the proposed water tank; 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 Special Use Hearing Officer on June 24, 2008; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance except those variances requested under conditions; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and
WHEREAS, any change or modification to the Special Use that does not modify the original intent, purpose, or need for the Special Use, shall be submitted to and reviewed by the Planning, Building, & Zoning Department who shall forward the request for change or modification to the Planning, Building & Zoning Committee. The Committee may return the matter to ZPAC and/or Plan Commission for further consideration and findings or forward the matter to the full County Board to grant, deny, or return the requested change or modification to the Committee for further consideration and findings, and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit per section § 9.02.C.7.a (B-1 Special uses Permitted: Public service use: filtration plant and water reservoir) to permit the use indicated in the recitals section of this Ordinance and as indicated on the submitted Site Plan included as Exhibit “B” attached hereto and incorporated herein, subject to the following conditions:

1. No additional structures may be constructed on-site which are not shown on the site plan without prior approval of the PBZ Committee.

2. The following variance be granted:
   a. The proposed water storage tank is proposed to be 160’ high.

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 July 15, 2008.

Attest:

Rennetta Mickelson
Kendall County Clerk

John A. Church
Kendall County Board Chairman
Legal Description

Lot 6 of Marina Terrace Unit 2 & Part of Lot 2 Resub part of Lot 5 Marina Terrace Unit 2, in Oswego Township, Kendall County, Illinois.

EXHIBIT A
EXHIBIT B

Zoning: B-1 Local Shopping District
Current Use: Sewage Treatment Facility
Future Use(s): Sewage Treatment Facility with Elevated Water Storage Reservoir
Lot size required: 10,000 SF minimum
Lot size provided: 40,000 SF

Lot coverage:
Maximum floor ratio: 50%
Proposed floor ratio: 3.3%
  Control Building: 365 SF
  Control Building: 262 SF
  Control Building: 215 SF
  Tank Base: 490 SF
  1332 SF

Lot width required: 100 FT minimum
Lot width provided: 200 FT
Required Front Yard Setback: 30 FT
Required Side Yard Setback: 10 FT
Required Rear Yard Setback: 20 FT
Maximum Building Height: 35 FT
Proposed Tank Height: 140 FT

PLAN
SCALE: 1" = 40'

BENCHMARK: FOUND IRON PIPE ELEV. 647.31

ILLINOIS-AMERICAN WATER COMPANY
VALLEY MARINA WATER TANK
OSWEGO, ILLINOIS

DESIGNED: C. JAMIES
DRAWN: D. JACOB
CHECKED: K. BULK
APPROVED: MARCH 15, 2008