

ORDINANCE NUMBER 2010 - 19

GRANTING A B-2 SPECIAL USE to
1100 Route 34
Ed Weis, Brandon Weis, Bear Wegener d/b/a EBB Holdings, Inc.
For a Free-Stranding Drive-Up ATM

WHEREAS, Ed Weis, Brandon Weis, and Bear Wegener d/b/a EBB Holdings, Inc. has filed a petition for a Special Use within the B-2 General Business District for a 1.486 acre property located at 1100 Route 34, (PIN# 03-02-277-002; 03-02-277-002), in Oswego Township; and

WHEREAS, said petition is to authorize a free-standing drive-up ATM; and

WHEREAS, said property is currently zoned B-2; and

WHEREAS, said property is legally described as:

THAT PART OF THE EAST HALF OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE SOUTH 89°35'32" WEST ALONG THE SOUTH LINE OF SAID SECTION, 577.50 BEGINNING; THENCE NORTH 00°02'30" WEST 2686.06 FEET FOR A POINT OF BEGINNING; THENCE NORTH 34°04'00" WEST 142.59 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT A"; THENCE NORTH 34°04'00" WEST, 327.43 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE NO 34; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 281.88 FEET TO A LINE DRAWN NORTHERLY, PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION FROM A POINT ON SAID SOUTH LINE WHICH IS 577.50 FEET WESTERLY OF SAID SOUTHEAST CORNER; THENCE SOUTH 00°06'17" EAST, ALONG SAID PARALLEL LINE, 350.62 FEET TO A LINE DRAWN NORTH 68°03'00" EAST FROM "POINT A" AFORESAID; THENCE NORTH 68°03'00" EAST 3.36 FEET TO A LINE DRAWN NORTH 00°02'30" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 00°02'30" EAST, 150.27 FEET TO THE POINT OF BEGINNING IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 1.486 ACRES

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 September 28, 2010; and

WHEREAS, the Kendall County Regional Plan Commission approved a variance to Section 11.04 of the Kendall County Zoning Ordinance to allow a reduction of the required number of stacked vehicles from four (4) to two (2) on August 25, 2010;

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance except the following variances approved at the September 28, 2010 ZBA meeting:

1. Permit three (3) parking stalls to encroach into the 50' front yard setback and within the 50' side yard setback;
2. Permit the ATM to encroach into the required 50' front yard setback.

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns of the property owner as to the same special use conducted on the property; and

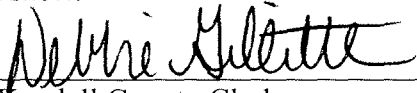
NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit per section §9.03.C.11 (B-2 Special Uses – Drive Up Facilities) to permit an free-standing, drive up ATM and as indicated on the submitted Site Plan included as Exhibit "A" attached hereto and incorporated herein, subject to the following conditions:

1. The site shall be developed in substantial compliance with the proposed site plan dated 7/23/10, titled "Fifth Third Bank", prepared by Charles Vincent George Design Group attached as "Exhibit A" hereto and incorporated herein;
2. The ATM shall be consistent with proposed ATM elevation plan dated 1/26/09, titled Fifth Third Bank Branding Standards, prepared by Charles Vincent George Design Group attached as "Exhibit B" hereto and incorporated herein;
3. Prior to the release of a building permit for the ATM, the following shall occur:
 - a. Approval from IDOT concerning the altered access onto Route 34 within the Route 34 R.O.W shall be obtained
 - b. A landscape plan for landscaping located in front of the ATM shall be submitted to the PBZ Department for review and approval. Such landscaping should not fully screen the ATM nor create any safety hazards in and around the ATM;
4. The 3 proposed parking stalls shall be constructed no later than sixty (60) days after the completion of the ATM;
5. Signage shall be limited to no more than 1.66 square feet on each side of the ATM and no more than 15 square feet on one side of the canopy.

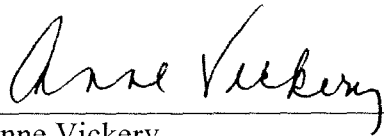
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on October 19, 2010.

Attest:

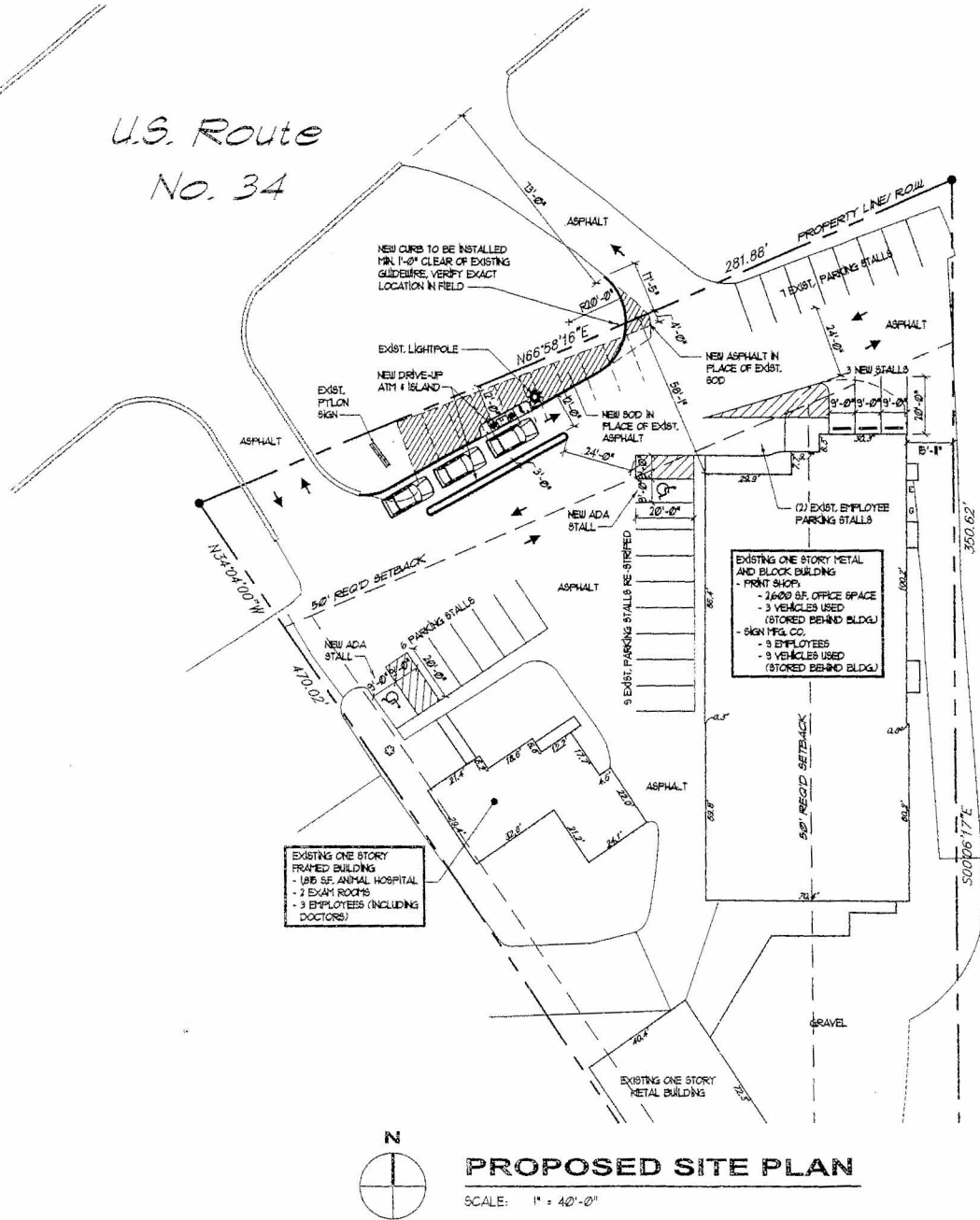


Kendall County Clerk
Debbie Gillette



Anne Vickery
Kendall County Board Chairman

U.S. Route
No. 34



PROPOSED SITE PLAN

SCALE: 1" = 40'-0"



Fifth Third Bank

FREESTANDING ATM
1100 RTE. 34
OSWEGO, IL

REVISED 07-23-2010
CVG # 2009-071



Charles Vincent George

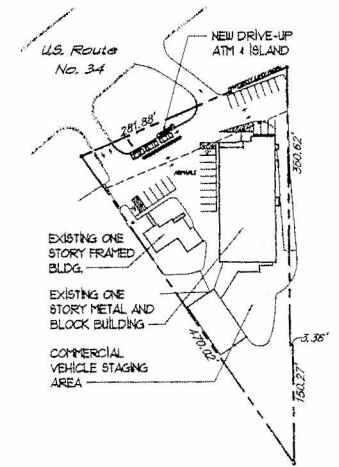
Design Group, Inc.

ARCHITECTS

604 NORTH WASHINGTON ST.
NAPERVILLE, ILLINOIS 60563

ZONING: B-2 LOT SIZE: 1.486 ACRES

* LOT SIZE IS AN APPROXIMATION



KEY SITE PLAN

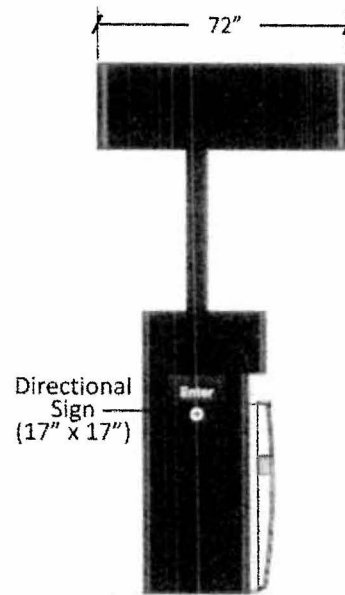
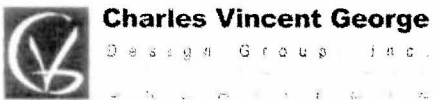
SCALE: N.T.S.

Branding Detail

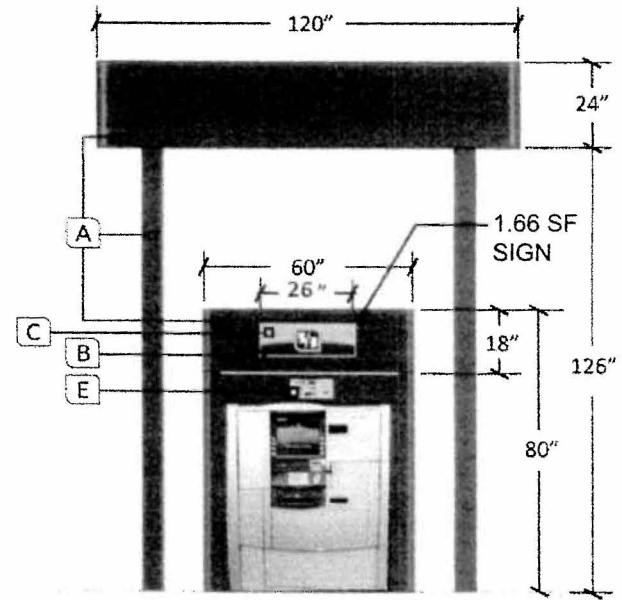
- A** Sapphire Blue Paint
Spec: Match of MP55619
Finish: Egg Shell/Satin
- B** Silver Paint (frame angle)
Spec: Match of MP55607
Finish: Approved 5/3 Texture
- C** Backlit Graphics (applied to white plex)
Color: Sapphire Blue
Spec: 3M #3632-8607
Color: Sky Blue
Spec: 3M #3632-8043
Color: Vivid Green
Spec: 3M #3632-156
- D** Non-Backlit Vinyl Graphics
Color: White
Spec: 3M #680-10 White (reflective)
Color: Red
Spec: 3M #680-72
- E** Horizon Frame & Graphic Insert

NOTES:
v.o. = visual opening

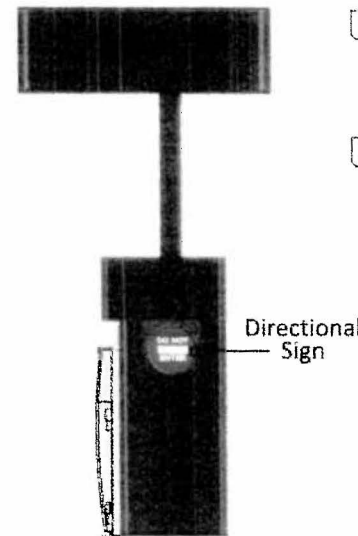
EXHIBIT B



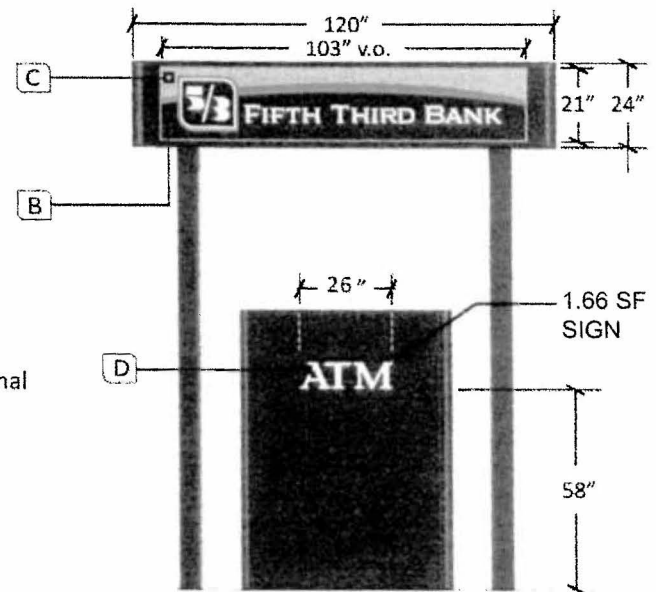
Left Elevation



Front Elevation



Right Elevation



Rear Elevation



PROJECT NAME:	FIFTH THIRD BANK BRANDING STANDARDS	▲
LOCATION:		▲
ADDRESS:		▲
CITY, STATE, ZIP:		▲
PRODUCT:		▲

All designs depicted herein are the sole property of Fifth Third Bank, created specifically for branding application. Use of this information for any purpose other than...