

ORDINANCE 2009 - 09-03
Stormwater Management Variance
EQUINE DREAMS

14.7 Acres located on the west side of Fox River Drive, 200' north of Walker Road in Fox Township

WHEREAS, Equine Dreams as Owner of the 14.7 acre property located on the west side of Fox River Drive, 200' north of Walker Road has petitioned for approval of a variance to Division 301.0 Paragraph 2 of the Kendall County Stormwater Management Ordinance dated September 19, 2002; and

WHEREAS, the property is legally described in Exhibit "A" (PIN #04-20-300-004, 04-19-400-008) attached hereto and made a part hereof; and

WHEREAS, Division 301.0 Paragraph 2 of the ordinance requires that stormwater detention be provided on parcels of more than three acres in size when the proposed amount of development exceeds 45,000 square feet; and

WHEREAS, the subject property consists of natural features including heavily wooded areas; and

WHEREAS, the petitioner is attempting to disturb as little of the natural characteristics of the property as possible; and

WHEREAS, construction a of storm water storage facility would damage the natural characteristics of this property; and

WHEREAS, Equine Dreams has requested an exemption from the requirement to provide detention as required by the stormwater ordinance; and

WHEREAS, Equine Dreams has proposed to restore open areas of the property to prairie and implement infiltration practices to reduce runoff quantity and improve the water quality of said runoff; and

WHEREAS, restoration of the property to prairie plantings should create an improvement of the existing onsite conditions by replacing the existing row crops; and

WHEREAS, the County's Consulting engineer Strand Associates, Inc. has reviewed and recommended approval of the stormwater variance based on the low intensity of the proposed development and the natural characteristics of the property ; and

WHEREAS, the Zoning Administrator has evaluated the request against the standards for granting a variance to the Kendall County Stormwater Management Ordinance, and has recommended approval of the variation request; and

WHEREAS, said variation would not have a negative effect on adjacent properties; and

WHEREAS, the existing natural features of the property, restoration of prairie plantings to open areas, and the implementation of infiltration practices allows the accommodation of stormwater runoff without impacting adjacent properties.

WHEREAS, the Planning, Building and Zoning Committee reviewed the request at its meeting on January 12, 2009; and

WHEREAS, the Committee, after reviewing the request recommended approval subject to final engineering review and approval; and

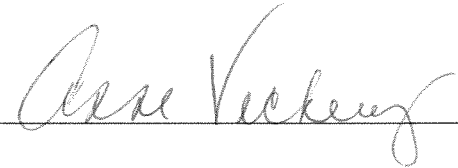
NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby approves a variation to eliminate the requirements for stormwater detention at the Equine Dreams site as depicted on Exhibit "B" attached hereto and made a part hereof..

IN WITNESS OF, this ordinance has been enacted on January 20, 2009.

Attest:



Debbie Gillette
Kendall County Clerk

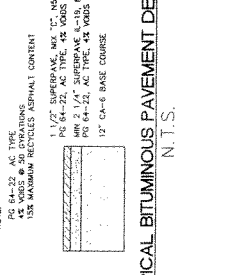
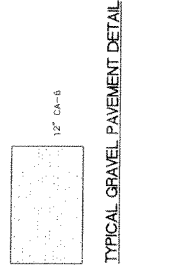
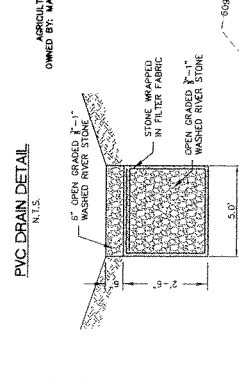
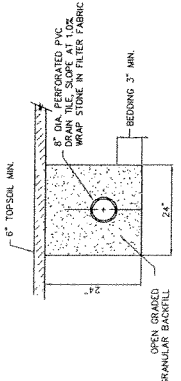
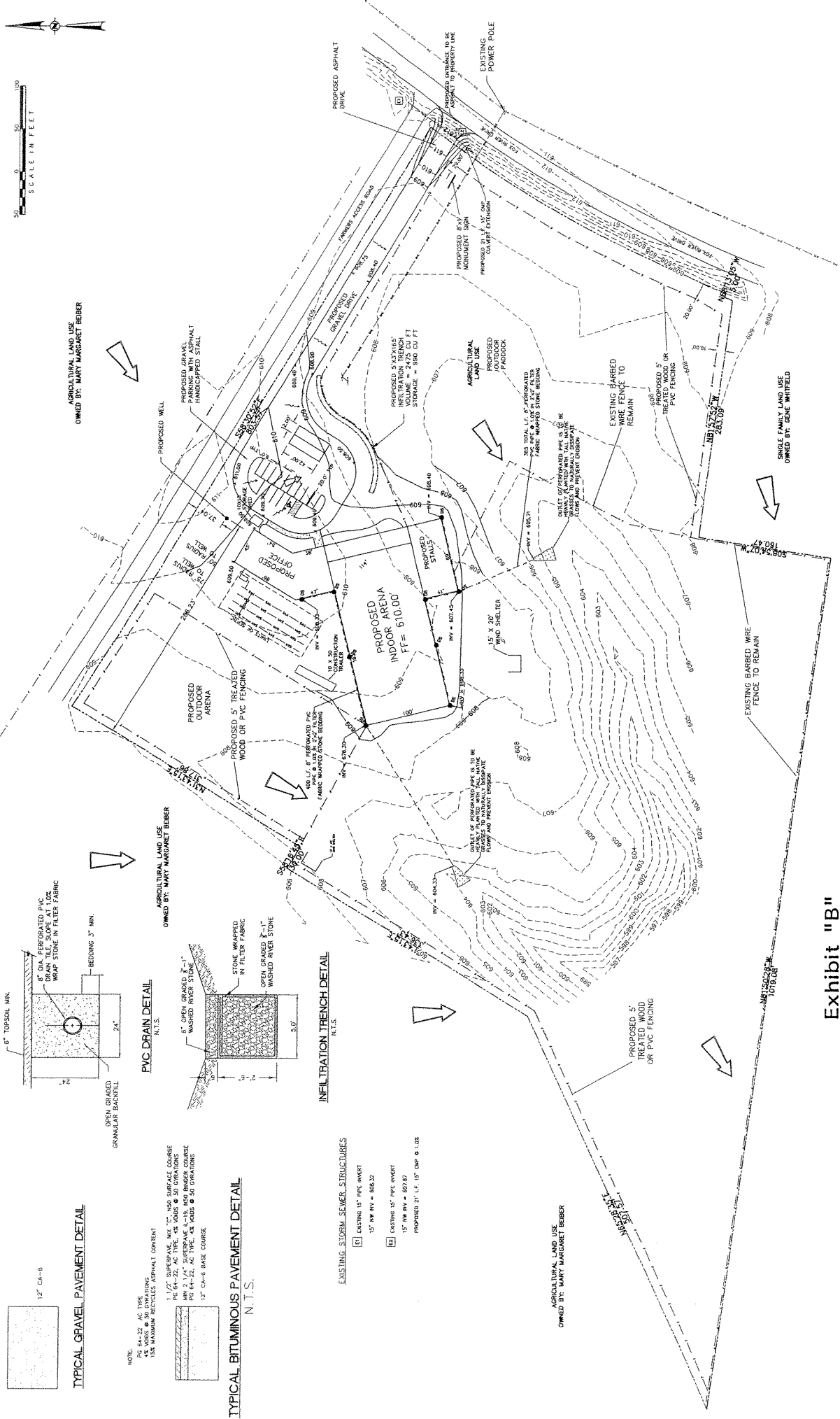
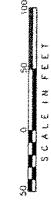


Kendall County Board Chairman

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 20 AND SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 20; THENCE NORTH $89^{\circ}15'14''$ WEST ALONG THE SOUTH LINE OF SAID SECTION 20, 891.0 FEET; THENCE NORTH $0^{\circ}30'12''$ EAST 25.74 FEET; THENCE NORTH $79^{\circ}32'34''$ WEST 850.64 FEET; THENCE NORTH $25^{\circ}42'21''$ EAST 26.64 FEET; THENCE NORTH $81^{\circ}50'28''$ WEST 2945.22 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTH $81^{\circ}50'28''$ WEST 1019.08 FEET; THENCE NORTH $65^{\circ}28'35''$ EAST 507.57 FEET; THENCE NORTH $31^{\circ}43'15''$ EAST 336.43 FEET; THENCE SOUTH $58^{\circ}16'45''$ EAST 30.00 FEET; THENCE NORTH $31^{\circ}43'15''$ EAST 317.86 FEET; THENCE SOUTH $58^{\circ}30'52''$ EAST 803.57 FEET TO THE WESTERLY RIGHT OF WAY LINE OF FOX RIVER DRIVE; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE, BEING A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1583.50 FEET AND A CHORD BEARING SOUTH $29^{\circ}02'38''$ WEST AN ARC DISTANCE OF 401.40 FEET; THENCE NORTH $68^{\circ}13'05''$ WEST ALONG SAID WESTERLY RIGHT OF WAY LINE 5.00 FEET; THENCE SOUTHLY ALONG SAID WESTERLY RIGHT OF WAY LINE, BEING A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1588.50 FEET AND A CHORD BEARING SOUTH $21^{\circ}36'05''$ WEST AN ARC DISTANCE OF 10.00 FEET; THENCE NORTH $81^{\circ}57'52''$ WEST 283.09 FEET; THENCE SOUTH $8^{\circ}54'07''$ WEST 160.47 FEET TO THE POINT OF BEGINNING, IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 14.701 ACRES.

"EXHIBIT A"



EXISTING SEWER STRUCTURES

- 1. EXISTING 12" PIPE INVERT
- 2. EXISTING 15" PIPE INVERT
- 3. EXISTING 15" PIPE INVERT
- 4. PROPOSED 21" I.F. 15" DIA. @ 1.0%

Exhibit "B"

AGRICULTURAL LAND USE
OWNED BY: GENE & RICHARD WHITFIELD