

ORDINANCE NUMBER 2009 - 13

**GRANTING AN AMENDMENT TO A SPECIAL USE TO
AMERICAN WATER COMPANY**

WHEREAS, American Water has an existing Special Use 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, as legally described in "Exhibit A" in Section 8 of Oswego Township; and

WHEREAS, American Water has filed an amendment to the Special Use granted in Ordinance 08-30 to place a 25'x50' logo depicting the phrase "Illinois American Water" as illustrated in attached "Exhibit B"; and

WHEREAS, the modification to the existing Special Use does not modify the original intent, purpose, or need of the Special Use; and

WHEREAS, the proposed amendment was submitted to and reviewed by the Planning, Building, & Zoning Department; and

WHEREAS, the requested amendment was forwarded to the Planning, Building & Zoning Committee for review; and

WHEREAS, the Planning, Building & Zoning Committee has found the proposed amendment to be consistent with the approved Special Use and will not modify the original intent, purpose, or need of the Special Use; 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, the restrictions and conditions of Ordinance 2008-30 granting a special use dated July 15, 2008, attached hereto and incorporated herein by reference as Group Exhibit "B", shall remain in full force and effect; 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 an amendment to Ordinance 2008-30 to permit the placement of a 25'x50' logo as depicted on "Exhibit C" attached hereto and incorporated herein, subject to the following conditions:

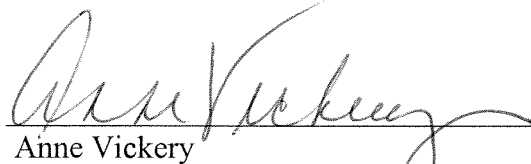
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on April 21, 2009.

Attest:



Debbie Gillette
Kendall County Clerk



Anne Vickery
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

ORDINANCE NUMBER 2008 - 30

EXHIBIT

Group B (1 of 2)

DATE _____

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.

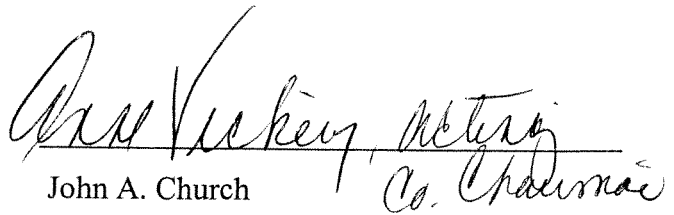
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on July 15, 2008.

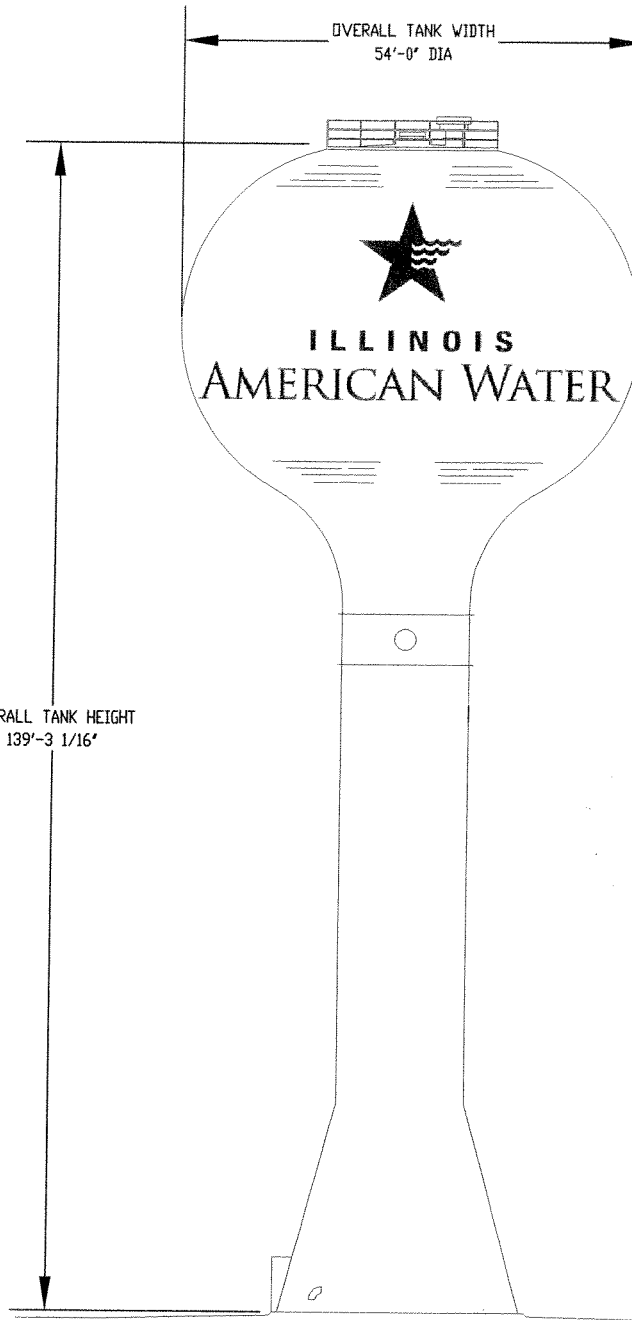
Attest:



Rennetta Mickelson
Kendall County Clerk



John A. Church
Kendall County Board Chairman



OVERALL TANK HEIGHT
139'-3 1/16"

OVERALL TANK WIDTH
54'-0" DIA

EXHIBIT

C
DATE _____

NOTES:

1. VIEW IS OF EAST SIDE OF TANK.
2. LOGO TO BE APPROX. 25' TALL BY 50' WIDE, CENTERED VERTICALLY AND ON EAST SIDE OF TANK.
3. FONT FOR "ILLINOIS" - HELVETICA NEU BOLD CONDENSED.
4. FONT FOR "AMERICAN WATER" - TROJAN PRO.
5. COLOR FOR STAR AND "ILLINOIS" - BLUE PMS 295.
6. COLOR FOR "AMERICAN WATER" - RED PMS 704.

CADD: A1-R4 © STANLEY CONSULTANTS

REVISIONS	DSGN	CHKD	APVD	DATE



Stanley Consultants INC.

DESIGNED ZM
 DRAWN ZM
 CHECKED CZ
 APPROVED _____
 APPROVED _____
 DATE 3/04/2009

ILLINOIS AMERICAN WATER COMPANY
 VALLEY MARINA ELEVATED WATER TANK
 OSWEGO TOWNSHIP, ILLINOIS

LOGO SCHEMATIC

SCALE: NONE

NO.	REV.