

ORDINANCE 2009 - 26
Stormwater Management Variance
SEWARD TOWNSHIP

WHEREAS, the Township of Seward has submitted final engineering plans prepared by B.P. Miller Consultants to allow for the construction of a structure and parking area for the Township located on the west side of O'Brien Road, approximately 970' south of Route 52 (PIN #09-17-400-005), legally described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, Seward Township, through their engineers at B.P. Miller Consultants, has petitioned the Planning, Building and Zoning Committee for approval of a variance to Section 301.0.2 of the Kendall County Stormwater Management Ordinance dated September 19, 2002; and

WHEREAS, Section 301.0.2 requires stormwater runoff storage facilities for a property which is being developed, which is not a single-family detached residential development and is a non-residential land use, which totals three acres or more in size and results in 45,000 square feet or more of total development; and

WHEREAS, although the total amount of impervious surface proposed will be less than 32,000 square feet, the total amount of development, including grading, will exceed 45,000 square feet; and

WHEREAS, the topography of the site and the adjacent area is very flat and the relatively small area would be very difficult to provide detention that has a positive outlet and would provide freeboard to the proposed building at the same time; and

WHEREAS, the petitioner is therefore providing stormwater management with a flat swale planted with native plants to provide water quality benefits and to provide some water quantity benefits through increased infiltration of the soil; and

WHEREAS, the Planning, Building and Zoning Committee reviewed the requests at a special PBZ meeting on August 4, 2009; and

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

WHEREAS, the County's Consulting engineer, Wills Burke Kelsey, LTD. has reviewed and recommended approval of the stormwater management variance request for the project; and

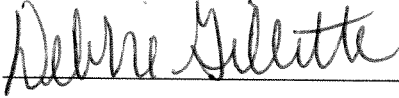
WHEREAS, the Zoning Administrator has evaluated the request against the standards for granting a variance to the Kendall County Stormwater Management Ordinance, and has recommended approval of the variation request; and

WHEREAS, a drainage ditch lies west and nearby to the property and the discharge to a formal drainage system allows flows to be managed and expected by downstream land owners and said variation should not have a negative effect on adjacent properties; and

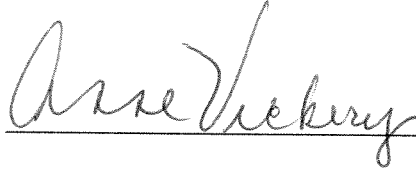
NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby approves a variation to Section 301.0.2 of the Kendall County Stormwater Ordinance to be developed in accordance with the site plan depicted as "Exhibit B" attached hereto and made a part hereof. Any additional improvements made to the site that will exceed the amount of impervious surface and development as depicted in "Exhibit B" will require the review by PBZ Staff.

IN WITNESS OF, this ordinance has been enacted on August 4, 2009.

Attest:



Debbie Gillette
Kendall County Clerk



Anne Vickery
Kendall County Board Chairman



EXHIBIT "A"

Legal Description

THE SOUTH 360 FEET OF THE EAST 605 FEET OF THE NORTH HALF OF THE
SOUTHEAST QUARTER OF SECTION 17, IN TOWNSHIP 35 NORTH, AND IN RANGE 8
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS

