

**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.

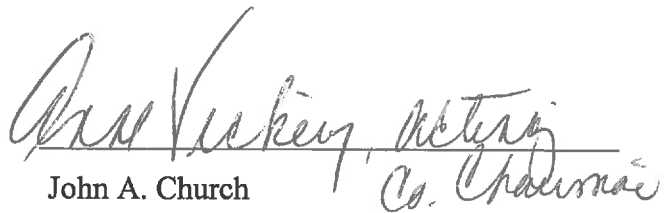
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

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

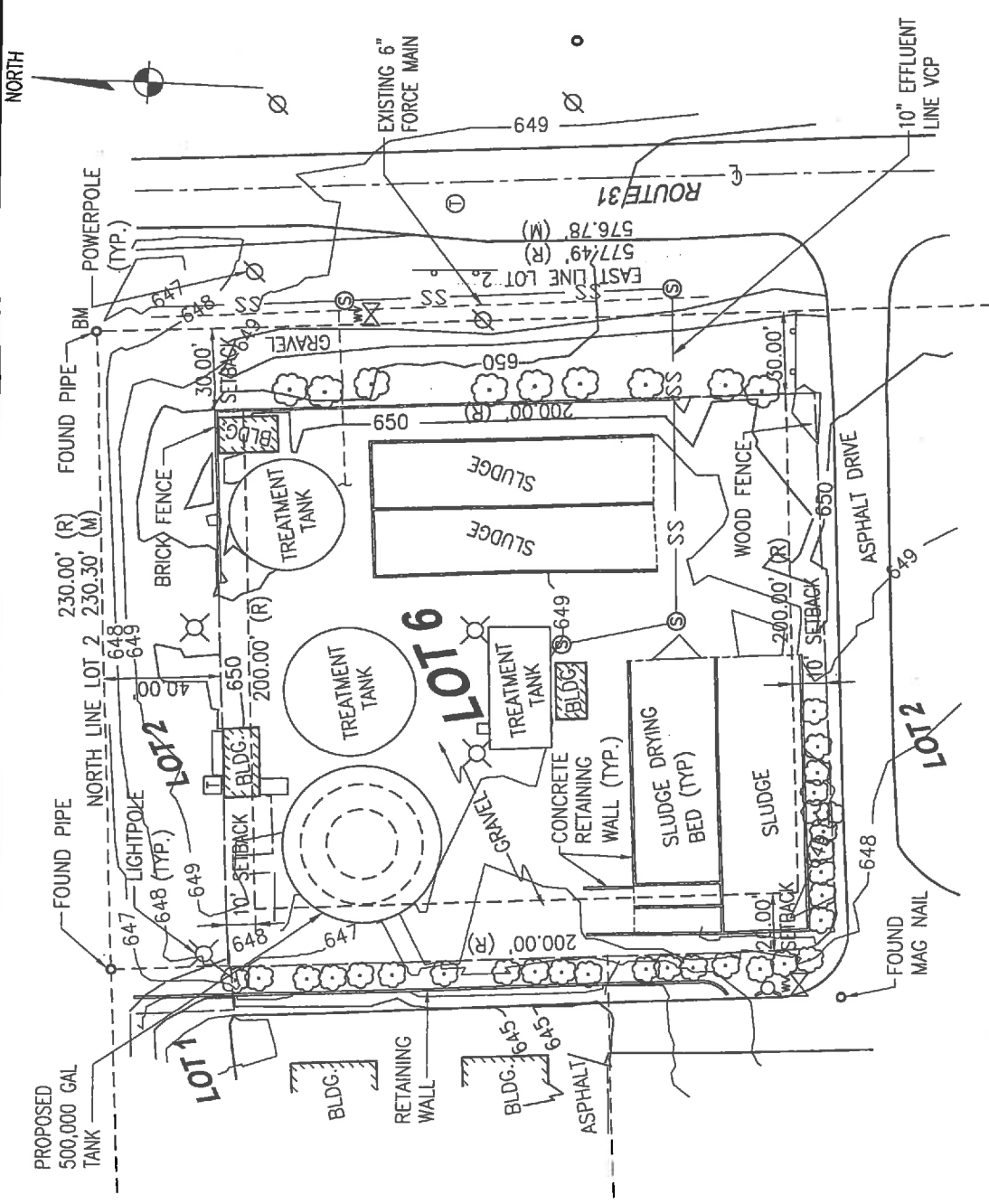
**Required Front Yard Setback:** 30 FT

**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

REVISIONS	DSGN	CHKD	APVD	DATE

DESIGNED	C. ZAMAITES
DRAWN	D. JACKSON
CHECKED	K. FRANK
APPROVED	
DATE	MARCH 12, 2008

**Stanley Consultants Inc.**  
 8501 West Higgins Road, Suite 730, Chicago, Illinois 60631-2801  
 www.stanleyconsultants.com

**Illinois-American Water Company**  
 VALLEY MARINA WATER TANK  
 OSWEGO, ILLINOIS

SCALE	AS NOTED
NO.	
REV.	0