

ORDINANCE 2006 - 15

STORMWATER MANGEMENT VARIANCE
STONE CITY SOFTBALL, INC.

WHEREAS, Stone City Softball, Inc. was granted a Special Use Permit within the A-1 district for 10 +/- acres of a 40 acre property located on Bell Road, Minooka in Seward Township as depicted in Exhibit "A" and legally described as follows:

A parcel of 10 +/- acres, measuring 1320 feet by 330 feet subject to survey, located in the Southeast Quarter of the Northwest Quarter of Section 20, in Township 35 North, Range 8 East of the Third Principal Meridian, in the Township of Seward, Kendall County, Illinois.

WHEREAS, said special use allows for the development and operation of an athletic park which includes two softball fields with concessions, a press box, dugouts, bleachers, a building for restrooms, equipment storage, and utilities, as well as a 20,000 square foot indoor training facility and associated parking; and

WHEREAS, the review and approval of engineering plans was established as a condition in the ordinance granting the special use permit that was required to be met prior to the issuance of a building permit; and

WHEREAS, the County's Consulting Engineer Strand Associates, Inc. has reviewed and recommended approval of the final engineering for the project; and

WHEREAS, the plans submitted include three dry turf-bottom detention basins; and

WHEREAS, Section 409.1.4 of the Kendall County Stormwater Management Ordinance states that the peak 100-year detention elevation shall not be greater than four feet (4') above the bottom of the outlet and further states that where turf grasses are proposed, the basin depth from outlet to high water level shall not exceed two feet (2'). establishes a maximum depth of 4.0 feet for detention basins; and

WHEREAS, the developer is seeking a variance from this provision to allow the construction of three detention basins utilizing turf grass bottoms having a variable depth from outlet to high water level of five feet (5') to six feet (6') which do not comply with the required standards as outlined in said Section 409.1.4 of the Kendall County Stormwater Management Ordinance; and

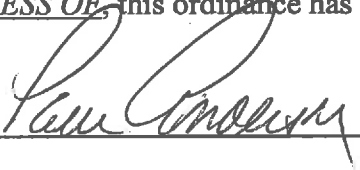
WHEREAS, the Zoning Administrator has evaluated the standards for a stormwater variation, under Section 605.0.3 (a-d) and determined that:

- a) Due to the particular physical surroundings, shape or topographic conditions of the specific property involved a particular hardship to the owner would result as distinguished from a mere inconvenience if the strict letter of the regulations were carried out; and
- b) The conditions on which the request for variance is based are unique to the property for which the variation is sought and are not applicable, generally, to other property and have not been caused by any person having an interest in the property, ~~and of the property;~~ and
- c) The purpose of the variation is not based upon economic hardship; and
- d) The granting of the variation will not be detrimental to the public, health, safety or welfare, or injurious to other property or improvements in the locale in which the property is located.

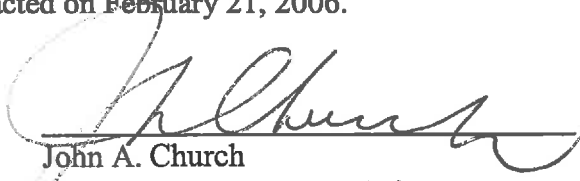
WHEREAS, the Planning Building and Zoning Committee of the Kendall County Board has concurred with the findings and recommendations of the Zoning Administrator and has recommended approval of the requested variance to the Kendall County Board.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby approves a variation to Section 409.1.4 of the Kendall County Stormwater Management Ordinance to allow the construction of three detention basins utilizing turf grass for the bottoms having a variable depth from outlet to high water level of five feet (5') to six feet (6') which do not comply with the required standards as outlined in said Section 409.1.4 of the Kendall County Stormwater Management Ordinance.

IN WITNESS OF, this ordinance has been enacted on February 21, 2006.



Attest:



John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk