

State of Illinois
County of Kendall

Zoning Petition
Petition 04-04
(Fox Valley Winery)

ORDINANCE 2004 - 16

Detention Variance

**Lot 71 & 73 in Riverview Heights Subdivision (Fox Valley Winery)
1.83 Acres located at the Southeast Corner of Route 34 and Cherry Drive
Common Street Address of 5600 Route 34 Oswego, Illinois -Oswego Township**

WHEREAS, Richard and Christine Faltz, dba Fox Valley Winery, Inc. as owners have submitted final engineering plans to allow for the development of a 13,339 sq. ft. facility for the sales and manufacture of wine on a 1.83 acre parcel of land commonly known as Lot 71 & 73 in Riverview Heights Subdivision (PIN #03-18-377-001); and

WHEREAS, the property is legally described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, Fox Valley Winery, Inc has petitioned the Planning, Building and Zoning Committee For approval of a variance to Section 403.0 Paragraph 1 of the Kendall County Stormwater Management Ordinance dated September 19, 2002; and

WHEREAS, the ordinance requires the release of stormwater from a two year storm event at a restricted rate of 0.04 cubic feet per second to facilitate improved water quality; and

WHEREAS, compliance with this standard would require the installation of a restrictor pipe with a diameter of less than 2.0 inches which due to it's relatively small diameter could become an ongoing maintenance problem; and

WHEREAS, the Committee reviewed the request at its meeting on May 10, 2004; and

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

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

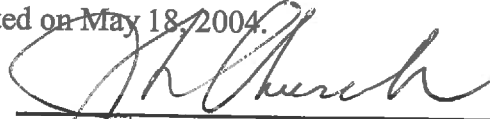
WHEREAS, the Zoning Administrator has evaluated the request against the standards for granting a variance to the Kendall County Stormwater Management Ordinance, and has recommended approval of the variation request; and

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

WHEREAS, the size and topography of the property, scope of improvements and design of the basin will facilitate improved water quality and accommodate stormwater runoff without impacting adjacent properties.

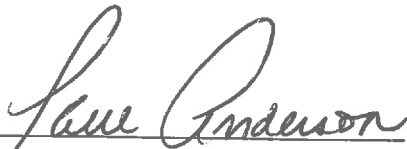
NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby approves a variation to Section 403.0 Paragraph 1 of the Kendall County Stormwater Ordinance to allow construction of a detention basin that does not comply with the required two year storm event release rate of 0.04 cubic feet per second to serve the development of a facility for the sales and manufacture of wine on Lot 71 & 73 in Riverview Heights Subdivision as depicted on "Exhibit B" attached hereto and made a part hereof.

IN WITNESS OF, this ordinance has been enacted on May 18, 2004.



John A. Church
Kendall County Board Chairman

Attest:



Paul Anderson
Kendall County Clerk

LEGAL DESCRIPTION

LOTS 71 AND 73 OF RIVERVIEW HEIGHTS, BEING A SUBDIVISION OF PART OF SECTIONS 18 AND 19, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF SECTION 13 AND 24, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.