

ORDINANCE 2004 - 37
STORMWATER MANAGEMENT VARIANCE
HENNEBERRY WOODS
594.39 ACRES LOCATED AT THE SOUTHWEST CORNER OF GROVE ROAD
AND CHERRY ROAD [EXTENDED]
NA-AU-SAY TOWNSHIP

WHEREAS, Moser Enterprises, Inc. and Crestview Builders petitioned the Planning, Building and Zoning Committee for approval of a proposed three hundred fifty-seven (357) lot Residential Planned Development and Subdivision plat; and

WHEREAS, the property is legally described in Exhibit "A"; and

WHEREAS, the Committee reviewed the request at its meeting on November 8, 2004; and

WHEREAS, the Committee, after reviewing the request recommended 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 plans submitted include stormwater basins (detention and retention) with a normal-water-to-100-year high elevation of 6.0 feet; and

WHEREAS, Section 409.1.4 of the County's Stormwater Management Ordinance establishes a maximum depth of 4.0 feet from normal-water-to-100-year high elevation for stormwater basins; and

WHEREAS, the plans submitted include stormwater basins (detention and retention) with a side slope ratio from normal water elevation to the safety ledge of 5:1; and

WHEREAS, Section 408.2.1 of the County's Stormwater Management Ordinance establishes a maximum stormwater basin side slope ratio from normal water elevation to the safety ledge of 4:1; and


WHEREAS, the Zoning Administrator has evaluated the standards for a stormwater variation, and has recommended approval of the variation request; and

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

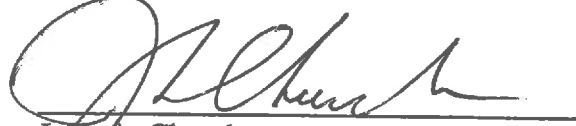
WHEREAS, the scope of improvements and size and topography of the property allows the accommodation of stormwater runoff without impacting adjacent properties.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby approves a variation to allow for the construction of the stormwater basins with a maximum normal-water-to-100-year high elevation of six (6.0) feet; and for construction of the stormwater basins with a maximum side slope ratio from normal water elevation to the safety ledge of 5:1 for the preliminary plat and subsequent final plats of Henneberry Woods as depicted on "Exhibit B" attached hereto and made a part hereof.

IN WITNESS OF, this ordinance has been enacted on November 16, 2004.



Attest:



John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk

LEGAL DESCRIPTION

Parcel One – Henneberry Parcel

06-05-300-001

06-05-400-001

06-06-400-001

part of 06-06-400-001

06-07-200-001

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE CENTER LINE OF GROVE ROAD, IN KENDALL COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE WAISH-KEE-SHAW RESERVATION; THENCE NORTHERLY, ALONG THE EAST LINE OF THE WAISH-KEE-SHAW RESERVATION, 1737.98 FEET TO ITS POINT OF INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, FOR A POINT OF BEGINNING; THENCE NORTHERLY, ALONG SAID EAST LINE 111.84 FEET TO AN EXISTING FENCE; THENCE EASTERLY, ALONG SAID EXISTING FENCE LINE, WHICH FORMS AN ANGLE OF 89 DEGREES 36 MINUTES 07 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE, THEREFROM, 2324.21 FEET, TO THE CENTERLINE OF GROVE ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, 51.80 FEET, TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE WESTERLY ALONG SAID NORTH LINE, 2296.96 FEET, TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

AND

THAT PART OF THE WAISH-KEE-SHAW RESERVATION IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID RESERVATION; THENCE NORTH, ALONG THE EAST LINE THEREOF 49.38 CHAINS, TO THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION; THENCE WEST, ALONG SAID NORTH LINE 87.98 CHAINS, TO A POINT 10 CHAINS EAST OF THE WEST LINE OF SAID RESERVATION; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF SAID RESERVATION, 18.653 CHAINS; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION, 10 CHAINS; THENCE SOUTH, ALONG SAID WEST LINE 23.907 CHAINS; THENCE EAST, PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION, 31.497 CHAINS; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF SAID RESERVATION, 6.33 CHAINS, TO THE SOUTH LINE OF SAID RESERVATION; THENCE EAST, ALONG THE SOUTH LINE OF SAID RESERVATION, TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

AND
LOTS 1, 2, 3, 12, 13 AND 14, IN TOWNSENDS' SUBDIVISION OF THE NORTH HALF OF
FRACTIONAL SECTION 7, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY,
ILLINOIS.

LEGAL DESCRIPTION

06-05-400-004

06-08-200-001

THAT PART OF THE SOUTH HALF OF SECTION 5 AND PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 479.16 FEET, TO THE CENTER LINE OF GROVE ROAD, FOR A POINT OF BEGINNING; THENCE NORTHERLY, ALONG SAID WEST LINE 1738.67 FEET, TO THE SOUTH LINE OF THE FORMER WAISH-KEE-SHAW RESERVATION; THENCE EASTERLY, ALONG SAID SOUTH LINE, 137.70 FEET, TO THE SOUTHEAST CORNER THEREOF; THENCE NORTHERLY, ALONG THE EAST LINE OF SAID RESERVATION 691.68 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF $81^{\circ}-25'-00''$, WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 435.60 FEET; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF $11^{\circ}-51'-00''$, WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 854.0 FEET; THENCE WESTERLY, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 25.0 FEET; THENCE SOUTHERLY, PARALLEL WITH THE SAID WEST LINE, 713.98 FEET, TO THE CENTER LINE OF GROVE ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTER LINE, 904.60 FEET, TO THE POINT OF BEGINNING IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.