

**AN ORDINANCE GRANTING A SPECIAL USE AND VARIANCE
(3810 Industrial Avenue)**

WHEREAS, on August 2, 2011, the Plan Commission conducted a public hearing for the purpose of considering granting a Special Use to allow permanent outdoor storage and variances from the side yard and rear yard setbacks for the area commonly known as 3810 Industrial Avenue, Rolling Meadows, Illinois; and

WHEREAS, the Plan Commission conducted a public hearing on the Special Use and variance from the front and rear yard setbacks as required by Sec. 122-227(c) of the City's Zoning Code after notice of public hearing as required by law; and

WHEREAS, the Plan Commission has submitted its report and recommendation to grant the Special Use and Variances to the Mayor and City Council of the City of Rolling Meadows, which report has been considered by the Mayor and City Council; and

WHEREAS, the City Council having received the minutes, recommendation and findings of fact of the Plan Commission; and

WHEREAS, the City Council finds that the evidence is such as to establish the following beyond a reasonable doubt:

That the proposed use at the particular location required is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will constitute to the general welfare of the neighborhood or the community; and

That such use will not under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity; and

That the proposed use will comply with the regulations and the conditions specified in the City's Comprehensive Zoning Code for such use and with the stipulations and conditions made a part of the authorization granted by the City Council; and

WHEREAS, the City Council has determined that special circumstances exist, in this instance, based upon the location of the property, and that the variations from the setback requirements will not cause any injury to the value of other property in the vicinity nor will the variances to be the set back required by Section 122-227 (c) of the Zoning Code be detrimental to the public safety or welfare in the neighborhood.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois:

SECTION ONE: Snowpusher, Inc. (“Petitioner”), 3810 Industrial Avenue, Rolling Meadows, Illinois is hereby granted a Special Use pursuant to Section 122-27(c)(1) of the Comprehensive Zoning Code to allow permanent outdoor storage subject to the following conditions:

1. The petitioner is permitted to continue the salt facility in its present location immediately to the north and abutting the building.
2. The salt storage facility may not be moved onto the property to the north until the paving violation is corrected and an approved paved surface is installed.
3. The salt storage facility may not be located onto the property to the north until such time as staff has received written approval from the existing industrial condominium association or a letter reviewed and approved by the City Attorney indicating that the petitioner has rightful access to this property without the condo association=s approval
4. No outside storage is allowed within the required sideyard setback to the east until the area is properly restored or paved.
5. The number of storage containers is limited to two.
6. There shall be no blockage of access points into/out of the building.
7. The salt storage structure is to be constructed on impermeable asphalt or concrete.
8. A drainage plan is submitted with the building permit application for the salt storage structure to direct drainage a) away from the salt pile to the extent practicable; b) away from existing storm sewers; and c) away from other salt vulnerable areas.

9. Any drainage problems arising as a result of this petition shall be immediately mitigated.
10. Spills of salt are to be collected and returned to the storage pile
11. Snow that has been plowed shall be stored in areas where melted water will be directed away from the proposed salt storage area.
12. The structure and storage area shall be maintained and kept in an orderly manner.

SECTION TWO: The City Council hereby grants a variance to allow an encroachment of the 15 foot side yard and 25 foot rear yard setbacks.

SECTION THREE: This Ordinance shall be in full force and effect from and after its date of passage and approval as required by law.

SECTION FOUR: This Ordinance shall be printed and published in pamphlet form by order of the City Council of Rolling Meadow, Illinois.

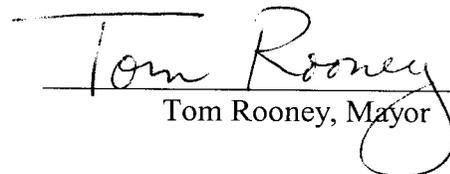
YEAS: Cannon, Allen, Buske, Judd, Banger, D'Astice, Larsen

NAYS: 0

ABSENT: 0

Passed this 11th day of October 2011.

Approved this 11th day of October 2011.



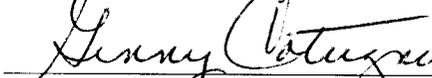
Tom Rooney, Mayor

ATTEST:



Ginny Cotugno, Deputy City Clerk

Published this 12th day of October 2011.



Ginny Cotugno, Deputy City Clerk