

RESOLUTION

Resolution Authorizing Execution of a Stormwater Management Conservation Easement In lieu of Stormwater Storage for Permit SW-26-009 at 14814, IL RT 176, Woodstock, IL 60098 Seneca Township (10)

WHEREAS, 55 IL CS 5/5-1062 grants counties authority to manage and mitigate the effects of stormwater drainage and flooding through ordinance rules and regulations; and

WHEREAS, McHenry County adopted the McHenry County Stormwater Management Ordinance on January 20, 2004, with the most recent amended version dated September 15, 2020; and

WHEREAS, the Stormwater Management Ordinance contains stormwater storage exemption provisions under Article VI, Section B, Paragraph 5.a; and

WHEREAS, the Department of Planning and Development, Water Resources Division, has reviewed and is ready to issue Permit SW-26-009 for conformance with the applicable provisions of the SMO; and

WHEREAS, the Water Resources Division staff have approved the use of the conservation easement in lieu of stormwater storage for other adjoining properties; and

WHEREAS, the Planning, Environment and Development Committee has reviewed the resolution.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby authorizes the County Board Chairman to execute a conservation easement in lieu of stormwater storage for Permit SW-26-009 on the property located at 14814, IL RT 176, Woodstock, IL 60098 in Seneca Township as provided for in the Stormwater Management Ordinance; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the County Administrator, County Recorder, Director of Planning and Development, Chief Stormwater Engineer, State's Attorney's Office, and Office of Assessments.

DATED at Woodstock, Illinois, this 21st day of April, A.D., 2026.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Authorizing Execution of a Stormwater Management Conservation Easement In lieu of Stormwater Storage for Permit SW-26-009 at 14814, IL RT 176, Woodstock, IL 60098 Seneca Township (10)

Board / Committee Action Requested:

To approve a resolution authorizing the County Board Chairman to execute a conservation easement in lieu of stormwater storage as part of Permit SW-26-009 on the property located at 14814, IL RT 176, Woodstock, IL 60098, in Seneca Township, as provided in the Stormwater Management Ordinance.

Background and Discussion: The McHenry County Stormwater Management Ordinance was adopted by the County Board on January 20, 2004, with the most recent amended version dated September 15, 2020. The Stormwater Management Ordinance includes a provision allowing the use of a conservation easement on a property in lieu of stormwater storage under Article VI, Section B, Paragraph 5.a. Under this provision, stormwater storage is not required for impervious areas placed within a conservation easement if that impervious area does not exceed 5% of the contiguous property.

Permit SW-26-009 was issued for additional impervious area to accommodate the owner's agricultural practices and agrotourism practices. The expansion occurred gradually over the course of multiple years under the previous owners. The majority of the surface drainage flows overland northward toward the depressional area on site. The property had already received a conservation easement under a previous permit (J-5545). This request is to amend the already recorded easement due to the expansion and other changes proposed on the site.

Staff have reviewed the plans and completed on-site inspections for the proposed design and the use of the conservation easement. It was determined the project meets the criteria for use of the conservation easement provision of the Stormwater Management Ordinance. Once signed by both the applicant and the County, the conservation easement document will be recorded with the County Recorder's Office. The conservation easement may be modified in the future, as necessary, to accommodate future improvement changes.

Impact on Human Resources: None.

Impact on Budget (Revenue; Expenses, Fringe Benefits): None.

Position Reclassification or Regrade, please address the following: None.

Impact on Capital Expenditures: None.

Impact on Physical Space: None.

Impact on Other County Departments or Outside Agencies: None.

Conformity to Board Ordinances, Policies and Strategic Plan: Conforms to all relevant ordinances, policies, and the Strategic Plan.