

RESOLUTION 08-08**RESOLUTION GRANTING A SPECIAL USE PERMIT
FOR AN ARTIFICIAL LAKE IN OTIS WOODS
LAKE SUBDIVISION, 300 OTIS ROAD**

WHEREAS, the Zoning Board of Appeals has made a recommendation approving a special use permit for the construction, use and maintenance of an artificial lake on parcels owned by Nottingham Builders, Inc., located at 300 Otis Road (legally described on Exhibit A attached hereto), that was recently subdivided pursuant to the Otis Woods Lake Subdivision ("Otis Woods Subdivision") approved January 28, 2008 by the Village Board as Resolution 08-02 and on a parcel owned by Patti Ann Miles, as Trustee of the Patti Ann Miles Declaration of Trust dated August 7, 2003 located at 272 Otis Road (the "Miles Property") (legally described on Exhibit B attached hereto); and

WHEREAS, the Zoning Board of Appeals has included in its recommendation that the special use permit be conditioned upon the inclusion of language into the Covenants, Conditions & Restrictions of the Otis Woods Subdivision that allows the Village to maintain the artificial lake and lien the properties in the Otis Woods Subdivision should the Otis Woods Lake Subdivision Owners Association not fulfill its obligation to maintain the artificial lake.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake and McHenry Counties, Illinois as a Home Rule municipality, that a special use permit is hereby granted for the construction, use and maintenance of an artificial lake in the Otis Woods Subdivision at 300 Otis Road and the Miles Property at 272 Otis Road in Barrington Hills, Illinois;

BE IT FURTHER RESOLVED that the special use permit is hereby granted subject to the following conditions:

1. The lake, grading, and restoration shall occur in a manner consistent with the direction of the Village Engineer's office and any and all plans approved by the Village Engineer's office or as may be amended hereinafter to comply with any other applicable ordinances and regulations of the Village and conditions of the approval contained herein and specifically with the terms, conditions and restrictions set forth in the Plat of Subdivision of the Otis Woods Lake Subdivision approved January 28, 2008 by the Village Board pursuant to Resolution 08-02;
2. If for any reason the lake fails to hold water, it shall be the applicant's responsibility to refill the same or restore the property to its preexisting condition;
3. The restoration of the site in terms of landscaping shall substantially comply with the elements found on Exhibit C attached hereto as may be amended in accordance with the direction of the Village Engineer during the review of an application for a site development permit; and

3. The effectiveness of this special use as provided in Title 5, Chapter 10, Section 7 (H) of the Village Code shall be limited to six months from the effective date of this Resolution unless action is taken to obtain a site development permit or otherwise utilize the special use.

This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

APPROVED THIS 24th DAY OF March, 2008.

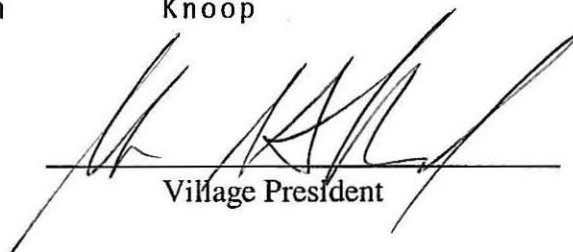
AYES: 5, NAYS: 1, ABSENT: 1.

Ramesh

Knoop

ATTEST:


Village Clerk


Village President