ORDINANCE NUMBER 2004 - 43
GRANTING SPECIAL USE
SOUTHEAST CORNER OF HAFENRICHTER AND ROUTE 34

WHEREAS, Centex Homes filed a petition for a Special Use within the M-2 district, for property generally located at the intersection of Hafenrichter and Route 34 in Oswego Township; and

WHEREAS, said petition is to allow an off-premise advertising sign, as provided in Sections 12.11 and 12.12 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is zoned M-2: Manufacturing; and

WHEREAS, said property is legally described as follows:

Part of the north half of Section 1, Township 37 North, Range 8 East of the Third Principal Meridian in Oswego Township Kendall County Illinois

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a SPECIAL USE PERMIT to permit an off-premise advertising sign on the subject parcel as depicted in Group Exhibits “A” and “B” attached hereto and made a part hereof, subject to the following conditions:

1. The sign will be removed or Centex Homes will apply to renew their special use in three years from the date of this ordinance.
2. The sign will not be illuminated; and
3. The advertising on the sign is restricted to Centex Homes’ developments.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on December 21, 2004.

Attest:

Paul Anderson
Kendall County Clerk

John A. Church
Kendall County Board Chairman
This is to certify that the Illinois Department of Surveying has surveyed that part of the South Half of Section 36, Township 38 North, Range 2 West, of the Third Principal Meridian, and part of the North Half of Section 40, Township 38 North, Range 2 West, of the Third Principal Meridian, as follows: Commencing at the southwest corner of said Section 36, thence northwesterly along the north line of said Section 36, 1760.00 feet (1.00 chain) for a point of beginning; thence northeasterly along the west line of said Section 36, 1420.00 feet to the center line of said U.S. Route 20; thence northeasterly along said center line 306.82 feet to the north line of a tract of land conveyed in A.M. Allen's original patent; thence southerly along said land conveyed in A.M. Allen's original patent, an angle of 139°02'00" with the last described course (measured clockwise from the south line of said Section 36), 997.33 feet to a point on the south line of said Section 36, that is 1972.32 feet (200.00 chains) southerly of the northeasterly course of said Section 36, thence southerly along the prolongation of the last described course 801.29 feet to the center line of said U.S. Route 20; thence westerly along said center line 496.50 feet to the center line of Hermitage Road; thence southerly along the center line of Hermitage Road 497.07 feet to the point of beginning.

EXHIBIT "B"

DATED AT GENEVA, ILLINOIS, APRIL 3, 1973

DONAHUE AND THORNHILL
GEOLOGY ILLINOIS

ILLINOIS REGISTERED LAND SURVEYOR NO. 1700
Crossings at Wolf Creek
Homes from $170's-$300's
South on Rte. 59 to 119th West

Springbrook at Farmington Lakes
Townhomes from $150's-$180's
Rte. 34 West to Douglas North