ORDINANCE NUMBER 2006 - 58

GRANTING A CONDITIONAL USE for an A-1 SINGLE FAMILY BUILDING PERMIT
WITHERS

WHEREAS, Wayne & Loretta Withers filed a petition for a Conditional Use within the A-1 district, for the property generally located along the north side of U. S. Route 52 between Roods Road and Stephens Road in Section 20 of Big Grove Township; and

WHEREAS, said petitioner is seeking approval of a conditional use in the A-1 zoning district to allow for the issuance of one (1) A-1 building permit to allow for the development of one (1) single-family home as provided in Section 7.01.E.2 of the Kendall County Zoning Ordinance on approximately 2.99 acres (130,220.2 square feet) located in the eastern portion of PIN 07-20-400-003; and

WHEREAS, said property is presently zoned A-1; and

WHEREAS, said property is legally described as follows:

That part of the SE ¼ of Section 20, lying S of the Indian Boundary Line, T 35 N, R 6 E of the 3rd Principal Meridian being described by commencing at the SE corner of said SE ¼; thence N 01° 03' 05" W along the E line of said SE ¼, 36.92' to the N right-of-way (ROW) line of U. S. Route 52; thence S 89° 38' 29" W along said N ROW line, 664.76' for the point of beginning; thence N 00° 38' 05" W 320.00'; thence S 89° 21' 55" W, 409.35'; thence S 01° 03' 05" E parallel with said E line, 318.07' to a point on said N ROW line; thence N 89° 30' 54" E along said N ROW line, 407.04' to the point of beginning, all in the township of Big Grove, Kendall County, Illinois; and

WHEREAS, said property has existing woodland coverage of a substantial portion of the site containing trees in excess of six (6) inches in diameter measured at breast height, which makes the site incompatible with agricultural use per the provisions of Section 7.01.E.2 of the Kendall County Zoning Ordinance; and

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 Zoning Board of Appeals; 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 conditional use in the A-1 zoning district under the provisions of 7.01.E.2. of the Kendall County Zoning Ordinance to permit the development of one (1) single family home on the portion of the property depicted on the submitted zoning sketch, attached as Exhibit "A" to this Ordinance.

IN WITNESS WHEREOF, this ordinance has been enacted on October 17, 2006.

Attest:  

John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk