ORDINANCE NUMBER 2009 - 07

GRANTING AN A-1 CONDITIONAL USE FOR

Kurt and Karen Jungkans

WHEREAS, Kurt and Karen Jungkans filed a petition for a Conditional Use within the A-1 district, for an 8.9 acre property located on the north side Millhurst, 360’ east of Whitfield Road (PIN# 04-04-100-005) in Fox Township, as legally described in Exhibit “A”, and

WHEREAS, said petition is to allow for the issuance of one (1) building permit in the A-1 Agricultural zoning district to allow for the construction of one (1) single-family home as provided in Section 7.01.E.2 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is presently zoned A-1; 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 on February 24, 2009; 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 Agricultural zoning district to permit the development of one (1) single family home on the property legally described above and graphically portrayed as Exhibit “B” attached to and incorporated within, subject to the following conditions:

1. The Conditional Use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same Conditional Use conducted on the property.
2. Prior to the issuance of a building permit on the property, the petitioner shall:
   a. Dedicate 45’ of R.O.W. on the north side of Millhurst Road to Fox Township
   b. Obtain approval for a Site Development Permit

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 March 17, 2009.

Attest:

Debbie Gillette
Kendall County Clerk

Anne Vickery
Kendall County Board Chairman
LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF SECTION 4 IN TOWNSHIP 36
NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED
AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE
NORTHWEST QUARTER OF SAID SECTION 4; THENCE SOUTH 88 DEGREES 56
MINUTES 03 SECONDS EAST 1376.32 FEET ALONG THE SOUTH LINE OF SAID
NORTHWEST QUARTER OF SAID SECTION 4 TO THE TRUE POINT OF
BEGINNING; THENCE NORTH 15 DEGREES 27 MINUTES 40 SECONDS EAST
629.60 FEET TO A POINT; THENCE SOUTH 59 DEGREES 11 MINUTES 50
SECONDS EAST 74.15 FEET TO A RECOVERED PIPE; THENCE NORTH 54
DEGREES 58 MINUTES 39 SECONDS EAST 512.01 FEET TO A RECOVERED
PIPE; THENCE SOUTH 0 DEGREES 03 MINUTES 19 SECONDS WEST 874.78
FEET TO A RECOVERED NAIL; THENCE NORTH 88 DEGREES 56 MINUTES 03
SECONDS WEST 650.10 FEET ALONG THE SOUTH LINE OF SAID NORTHWEST
QUARTER OF SAID SECTION 4 TO A POINT OF BEGINNING ALL SITUATED IN
KENDALL COUNTY, ILLINOIS

EXHIBIT

# A

DATE