

**ORDINANCE NUMBER 2000- 22**

**GRANTING SPECIAL USE  
MID-AMERICA NURSERY & LANDSCAPING, INC  
Sale and Storage of Agricultural Products Not Grown on the Property**

WHEREAS, Floyd and Carol Lindholm, record owners, and Curtis W. Hobough, intended developer, filed a petition for a Special Use within the A-1 District, for property along Highpoint Road in Section 18 of Kendall Township; and

WHEREAS, said petition is for the sale of agricultural products not grown on the property, as provided in Section 7.00B.25 of the Kendall County Zoning Ordinance at the time of application; and

WHEREAS, said property is zoned A-1 Agricultural District; and

WHEREAS, said parcel is part of property identified with the tax identification number 05-18-400-001 and is legally described on the attached Exhibit A: Legal Description; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, findings of fact, and recommendation of approval by the Zoning Board of Appeals; and

WHEREAS, the Kendall County Board finds that said petition, along with the conditions specified in this ordinance, 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 approves a special use zoning permit for the sale of agricultural products not grown on the property, subject to the following conditions:

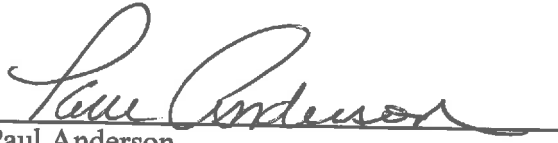
- a. The operation shall not involve retail sales.
- b. Truck storage shall be within an enclosed building or opaque fence and/or dense landscape screening.
- c. The petitioner shall reduce sign size as indicated on the site plan, incorporated herein a Exhibit "B," to conform to A-1 District standards.
- d. Operations shall be limited to Monday through Saturday.
- e. Deliveries shall be limited to between 8:00 a.m. and 5:00 p.m., Monday through Saturday.
- f. The petitioner shall prepare and submit a landscape plan to be approved by the Zoning Administrator.
- g. Dedication of thirty-five (35) feet of right-of-way from centerline of Highpoint Road.
- h. Dust control on the driveway shall be done on an "as needed" basis.

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 June 20, 2000.

  
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John A. Church  
Kendall County Board Chairman

Attest:

  
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Paul Anderson  
Kendall County Clerk

**EXHIBIT A: LEGAL DESCRIPTION  
SPECIAL USE**

That part of the South Half of Section 18, Township 36 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at a point in the centerline of Highpoint Road, being the Southwest Corner of "Highpoint Hills, Kendall Township, Kendall County, Illinois" according to the plat thereof recorded as Document No. 80-1 in Cabinet B of Plats at Slot 331A on January 2, 1980; thence North 72°45'00" East, along said centerline, 4.22 feet to a Westerly Line of a Tract described in a Quit Claim Deed to Donald L. Lindholm and Angeline M. Lindholm recorded as Document No. 139868 in Book 128 at Page 324 on November 19, 1962 for the point of beginning; thence North 72°45'00" East, along said centerline, 175.50 feet; thence North 63°29'00" East, along said centerline, 148.93 feet to the Westerly Line of a Tract described in a Warranty Deed to Roger L. Gilbert and Jo Ann H. Gilbert recorded as Document No. 149035 in Book 142 at Page 708 on July 6, 1965; thence South 26°31'00" East, along said Westerly Line and its extension, 790.59 feet; thence South 56°17'32" West, 217.10 feet to said Westerly Line of said Lindholm Tract; thence North 33°42'28" West, along said Westerly Line, 852.74 feet to the point of beginning in Kendall Township, Kendall County, Illinois and containing 5.000 acres.