

ORDINANCE NUMBER 99- 24

GRANTING SPECIAL USE
LIBRADO AND JUAN JOAQUIN
Sale of Agricultural Products Not Grown on the Property

WHEREAS, Librado and Juan Joaquin filed a petition for a Special Use within the A-1 District, for property located 2543 Simons Road in Section 27 of Oswego 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; and

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

WHEREAS, said property is identified with the tax identification number 03-27-377-015 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 denial 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:

1. The north property line shall have a screening of at least twenty percent (20%) opacity;
2. Retail sales of agricultural products not grown on site shall be prohibited;
3. All existing driveway entrances shall be eliminated and a new single driveway on Simons Road shall be located and constructed as recommended by the Oswego Township Highway Commissioner;
4. Storage of products not grown on site shall be limited to trees and shrubs.
5. The storage area of products not grown on the property shall be limited to the area further legally described in Exhibit B;
6. An opaque fence shall be constructed along the perimeter of the area described in Exhibit B;
7. The hours of operation shall be limited to 7:00 a.m. to 8:00 p.m., six (6) days a week, Monday through Saturday;
8. The dumping or disposal of materials not grown on site shall be prohibited; and
9. The storage of chemicals or fertilizers shall be prohibited.


BE IT FURTHER ORDAINED, the site plan entitled "Special Use Zoning Plat," produced by Phillip D. Young and Associates, Inc., is hereby incorporated into this ordinance as Exhibit C.

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 August 17, 1999.



John A. Church
Kendall County Board Chairman



Paul Anderson
Kendall County Clerk

**EXHIBIT A: LEGAL DESCRIPTION
SPECIAL USE**

That part of the East Half of the East Half of the Southwest Quarter of Section 27, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Beginning at the Southeast Corner of said Southwest Quarter; thence North along the East Line of said Southwest Quarter, 328.73 feet; thence West, parallel with the South Line of said Southwest Quarter, 659.34 feet to the West Line of the East Half of the East Half of said Southwest Quarter; thence South along said West Line, 328.73 feet to the south Line of said Southwest Quarter; thence East, along the South Line, 659.25 feet to the point of beginning in Oswego Township, Kendall County, Illinois.

**EXHIBIT B: LEGAL DESCRIPTION
STORAGE AREA**

That part of the Southwest Quarter of Section 27, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Southeast Corner of said Southwest Quarter; thence westerly, along the South Line of said Southwest Quarter, 225.0 feet for the point of beginning; thence northerly, perpendicular to said South Line, 200.0 feet; thence westerly, parallel with said South Line, 250.0 feet; thence southerly, perpendicular to the last described course, 200.0 feet to said South Line; thence easterly, along said South Line, 250.0 feet to the point of beginning in Oswego Township, Kendall County, Illinois and containing 1.148 acres.