

ORDINANCE NUMBER 98- 02

GRANTING SPECIAL USE ZONING PERMIT
R.J. KUHN AND UNIVERSAL OUTDOOR, INC.
BILLBOARD - 585 IL. ROUTE 31

WHEREAS, R.J. Kuhn, owner of property at 585 IL. Route 31 in Section 5 of Oswego Township, and Universal Outdoor, Inc. filed a petition for special use approval of a billboard; and

WHEREAS, said property is approximately 1.7 acres, is currently zoned M-1 Limited Manufacturing District, with tax parcel identification number 03-05-301-001, and is further identified on the attached Exhibit A: Legal Description; and

WHEREAS, said property and project site is further detailed on the attached Exhibit B: Drainage Plan; and

WHEREAS, said property contains a self-storage warehouse and plumbing businesses; and

WHEREAS, the surrounding property includes the Caterpillar Plant (M-2) to the north and west, the Burlington Northern Railroad right-of-way between the Caterpillar Plant and said property, the Fox Metro Sanitary District Processing Plant (R-1 SU) to the east, and residential (R-3 and R-1) to the south; and

WHEREAS, the IL Route 31 bridge over the Burlington Northern Railroad is approximately thirty feet higher than said property; and

WHEREAS, said petition is for a billboard that would be one sided, facing north, illuminated, no higher than fifty feet above said property at base of sign, and conforming to all other regulations; and

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

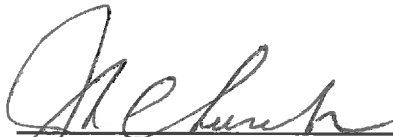
WHEREAS, the Kendall County Board finds that said petition, along with the conditions specified in this ordinance, is in conformance with the provisions of the Kendall County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to construct a billboard on the property at 585 IL Route 31 at the site specified on Exhibit B in conformance to the Kendall County Zoning Ordinance and the following conditions:

1. The height of the billboard not to exceed fifty feet above the ground at the base of the sign;
2. To be restricted to one side, facing north; and
3. The lighting being only until midnight.

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 February 17, 1998.



John A. Church
Kendall County Board Chairman



Paul Anderson
Kendall County Clerk

LEGAL DESCRIPTION

9712

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION 628.45 FEET TO THE EASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE 406.79 FEET; THENCE EASTERLY ALONG A LINE FORMING AN ANGLE OF 61 DEGREES 19 MINUTES 75 SECONDS MEASURED CLOCKWISE WITH THE LAST DESCRIBED LINE, 402.87 FEET TO THE CENTER LINE OF STATE ROUTE 31; THENCE NORTHERLY ALONG SAID CENTER LINE ON A CURVE TO THE LEFT HAVING A RADIUS 8356.48 FEET, 360.43 FEET, TO THE NORTH LINE OF SAID QUARTER SECTION; THENCE WEST ALONG SAID NORTH LINE 224.56 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART FALLING IN STATE ROUTE NO. 31), IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS

EXHIBIT (A)

ORDINANCE 98-

DATE 2/17/98

PETITION 9712

KUHN/UNIVERSAL

SCM