

ORDINANCE NUMBER 98- 23

**GRANTING SPECIAL USE
TRIAx CABLEVISION
Public Utility and Public Services; Antenna Tower**

WHEREAS, Dale Peters of Triax Cablevision did file a petition for a Special Use within the A-1 District, for property located at 17800 Galena Road, Plano in Section 1 of Little Rock Township; and

WHEREAS, said petition was for Public Utility and Public Services, specifically an antenna tower; and

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

WHEREAS, said property is identified with the tax identification number 01-06-100-002 and is legally described on the attached Exhibit A: Legal Description; and

WHEREAS, said property was formally a site for an antenna, of which some accessory structures continue to exist; 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

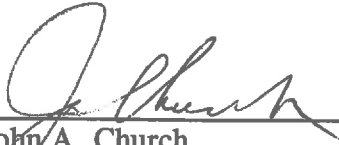
WHEREAS, the Kendall County Board finds that said petition, along with the conditions specified in this ordinance, is in conformance with the provisions of the Kendall County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit for an antenna tower on the property at 17800 Galena Road in conformance with the Kendall County Zoning Ordinance, Building Codes, and the following conditions:

1. The tower is to be limited to one hundred fifty (150) feet in height,
2. The facility, tower, and satellite dishes shall receive signals only and shall not broadcast signals,
3. The building shall be limited to twenty (20) feet by twenty-four (24) feet in dimensions and shall not be occupied as office space,
4. The fuel oil tank shall be removed,
5. The access road shall be gated,
6. The fence height shall be limited to six (6) feet in height,
7. Dedication of fifteen (15) feet of additional right of way along Galena Road, and
8. A ten (10) foot easement for a hiking and biking trail.

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 October 20, 1998



John A. Church
Kendall County Board Chairman



Paul Anderson
Kendall County Clerk

EXHIBIT A: LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE NORTHERLY ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 842.47 FEET TO THE CENTER LINE OF GALENA ROAD; THENCE NORTH 80 DEGREES EAST ALONG SAID CENTER LINE 766.92 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 3 DEGREES EAST 409.67 FEET; THENCE WESTERLY ALONG A LINE IF EXTENDED IS PERPENDICULAR TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION, 352.22 FEET TO A POINT ON A LINE 423.09 FEET EAST OF (MEASURED AT RIGHT ANGLES THERETO) AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE NORTHERLY ALONG SAID PARALLEL LINE 352.22 FEET TO THE CENTER LINE OF GALENA ROAD; THENCE NORTH 80 DEGREES EAST ALONG SAID CENTER LINE 337.67 FEET TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF LITTLE ROCK, KENDALL COUNTY, ILLINOIS.