

ORDINANCE # 93-4

BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL, STATE OF ILLINOIS, that the Zoning Ordinance adopted on January 16, 1940, and as subsequently amended, is hereby revised and amended to read as follows:

SECTION I - That Section 7.01 A-1 AGRICULTURAL DISTRICT is amended as follows:

PREAMBLE

The regulations for the Agricultural District are intended to govern the use of the land and buildings and structures, and the uses thereof within the areas of the County where soil, topographic and other conditions are best adapted to the pursuit of agriculture. These regulations are also intended to provide for the protection, conservation, and utilization of natural resources; to preserve the value of existing and future open space and recreation facilities; to prevent or minimize conflicts between agricultural and non-agricultural land uses, and to provide for low density residential development in areas where such development is compatible with agricultural uses. It is essential that scattered, indiscriminate urban development within areas best suited for agriculture be precluded and that orderly urban development be facilitated.

It is hereby declared the legislative intent and purpose of this Section that land in the County which is productive should remain in productivity for agricultural purposes until such time as the natural growth of municipalities precludes preservation thereof. It is further the declared intent that single family dwelling, or any residential use, be limited since the primary purpose of dwellings in agriculture zoned lands should be subservient to and in connection with the productivity of said lands. It is further expressly noted that the frequency of parcels of land less than 60 acres in size used for agricultural purposes is minimal; that the greater preponderance of parcels used for productive agricultural purposes exceed 60 acres in size. It is acknowledged however, that some lands, because of topographical or other unusual conditions may be properly used for limited residential purposes, and pursuant thereto isolated residential zoning may be allowed and such limited residential purpose shall recognize the agricultural uses which exist in proximity thereto.

A. PERMITTED USES.

1. Agricultural.
2. Single Family Residential Use, provided:
  - a. Single Family Dwellings on zoning lots approved pursuant to the applicable regulations prior to 8th day of March, 1977.


- b. One Single Family Dwelling in addition to those existing on 7th day of March, 1977 for each zoning lot existing on 7th day of March, 1977 which exceeds sixty (60) acres in size.
- c. Single Family Dwellings under the following conditions:
  - 1) Each such dwelling shall be located on a zoning lot which meets the standards of single-family residential lots, 45,000 sq. ft. minimum.
  - 2) Septic suitability is approved by the Health Department.
  - 3) Not to exceed two (2) such dwellings for any parcel or general geographic location. It is the intent to limit such usage, and if, in the judgment of the Zoning Administrator, contiguous parcels requesting approval hereunder represent an unwarranted expansion of this usage, then denial is warranted. Despite possible land configuration, which could meet the criteria under this section for more than 2 dwellings, it is the policy to limit the application hereunder. Such land configurations may, however, qualify for reclassification.
  - 4) That application be made on forms provided by the Zoning Administrator.
  - 5) That such application shall be presented to the Plan Commission for Review; that the Zoning Board of Appeals shall conduct a public hearing to determine compliance with all criteria enumerated herein; and that the County Board may grant or deny such application.
  - 6) That the site for the proposed use must be incompatible with agricultural use which may be evidenced by establishment of one or more of the following criteria:
    - (a) Existing woodland coverage of a substantial portion of the site;
    - (b) Soils which have a land evaluation ranking from the Kendall County Soil & Water Conservation District of 75 or less;
    - (c) Excessive slopes;
    - (d) Other physical features which serve as barriers to farm operations such as streams, rock outcroppings and property configuration in relationship to wetlands, flood-prone areas or buildings.

It is the policy that allowance of dwellings under this section shall not change the general character of agricultural use.

SECTION II - That pending applications for rezoning to R-1 from A-1 may be, at the option of applicant, be treated as applications for single family dwelling under this amendment upon completion of such forms as the Zoning Administrator may require. All proceedings which have taken place pursuant to the original application will be accepted as being pursuant to this amendment.

SECTION III - That all existing provisions of the Kendall County Zoning Ordinance, other than those amended hereto, are expressly ratified and confirmed.

Adopted this 19th day of January, 1993.

  
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Chairman, County Board of  
Kendall County, Illinois

ATTEST:

  
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County Clerk