

1983-13A

ORDINANCE PERMITTING SPECIAL USE

WHEREAS, Lawrence Nelson and Pamela Nelson did petition the Zoning Board of Appeals of Kendall County for a public hearing in the manner prescribed by law and the ordinances of Kendall County, Illinois that a Special Use be permitted under the Kendall County Zoning Ordinance adopted January 16, 1940 as amended; and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said application as provided in said ordinance and by the statutes of the State of Illinois, and did hold a public hearing thereon on October 28, 1983 on the site described in the petition and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois that the application for a Special Use be granted; and

WHEREAS, the property which is the subject matter of said application is legally described on Exhibit 1 attached hereto and made a part hereof, and said property is presently, and has been prior hereto zoned A-1 (Agriculture District);

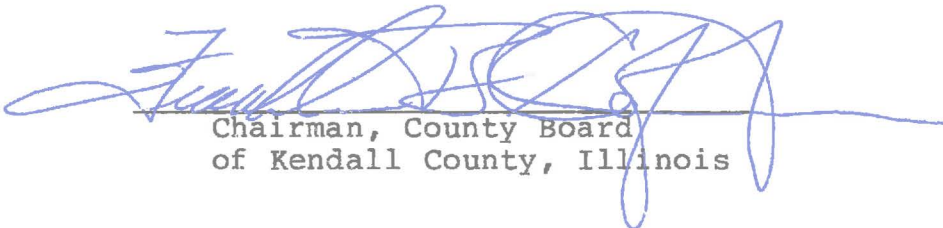
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NOW, THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois, as follows:

A. A Special Use is hereby permitted on and with respect to the property legally described on Exhibit 1 attached hereto and made a part hereof; namely, "Communications Use", said use being defined in the Kendall County Zoning Ordinance as: radio, television and satellite communication facilities (including towers, cable, telephone, telegraph and maintenance equipment accessory thereto), layout and design of newsprint, and general office activities accessory to these uses";

B. Said Special Use is made subject to the conditions set forth on Exhibit 2 attached hereto and made a part hereof, and shall be substantially in accord with the site plan attached hereto and made a part hereof as Exhibit 3.

Passed this 7 day of November, 1983.


Chairman, County Board
of Kendall County, Illinois

ATTEST:


County Clerk

EXHIBIT 1 TO ORDINANCE: LEGAL DESCRIPTION

Part of the South Half of Section 20, Township 37 North, Range 6 East of the Third Principal Meridian, Kendall County, Illinois, described as follows: Commencing at the Common Corner of Sections 17, 18, 19, and 20; thence Southerly along the West line of said Section 20, a distance of 5.00 chains more or less to the intersection with a claim and occupation line and also being the most Northerly corner of sub-lot 4 in said Section 20; thence South 41°-40' East along said claim and occupation line and also being the Northeasterly line of said sub-lot 4, a distance of 3848.1 feet to the center line of Frazier Road as shown on a plat of survey of said Road, dated December 1, 1970 and recorded in the recorders office of Kendall County on January 18, 1971 as Document Number 71-135 for the Place of Beginning; thence continuing Southeasterly along the last described course a distance of 400.0 feet; thence Southwesterly at an angle of 90°-00'00" measured counterclockwise from the last described course a distance of 435.0 feet; thence Southwesterly at an angle of 156°-36'-30" measured counterclockwise from the last described course a distance of 163.8 feet; thence Northwesterly at an angle of 105°-46'17" measured counterclockwise from the last described course a distance of 617.3 feet to the centerline of Frazier Road; thence Northeasterly at an angle of 63°-37'-13" measured counterclockwise from the last described course along the centerline of Frazier Road a distance of 129.61 feet to the point of Curvature of a Curve to the left having a radius of 1910.0 feet; thence Northeasterly along said Curve to the left a distance of 446.69 feet to the Place of Beginning containing in all 6.642 acres more or less.

EXHIBIT 2 TO ORDINANCE: CONDITIONS AND STIPULATIONS

1. There shall be a suitable buffer of non-deciduous coniferous plantings around all buildings, (except the north face of building #1), parking lots, tower base, and satellite dish area. The plantings shall be at least fifteen inches (15") in height when planted and shall be arranged per site plan (Exhibit 3). The plantings, upon reaching maturity, must be of sufficient height and density to block view from neighboring properties.

2. The tower base shall have a non-climbable screen as depicted on petitioner's Exhibit 2.* The guy wire anchors shall be fenced with a six-foot high cyclone-type fence.

3. The setbacks shall be at least ten (10) feet high on all sides for the guy wire anchors.

4. "Proposed drive" as shown on Exhibit 3 shall be for truck use only and gated with a simple pipe or wood gate.

5. Driveway and parking lots shall be of an A-2 surface, except that "proposed drive" shown on Exhibit 3 may be gravel.

6. There shall be no outside storage of any kind.

7. There shall be parking only in the designated parking areas shown on Exhibit 3.

8. There shall be no more than twenty (20) employees of the owners, lessors, and/or lessees of the premises on the premises on a regular basis at any one time.

9. Items #1, 2 and 5 above, except for the installation of the "proposed drive", shall be completed within one (1) year after granting of any special use for the premises.

10. There shall be no changes, amendments, or additions to the premises not shown on Exhibit 3 except as identified hereinbefore.

* before the Zoning Board of Appeals

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