

ORDINANCE NUMBER 2021- 19

**MAP AMENDMENT FOR APPROXIMATELY TWELVE POINT SIX ACRES OF LAND
LOCATED ACROSS FROM 14776 JUGHANDLE ROAD (ON THE WEST SIDE OF
JUGHANDLE ROAD) (EASTERN PORTION OF PIN: 09-15-300-021) IN
SEWARD TOWNSHIP**
Rezone from A-1 to R-1

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 12.671 acres located on the west side of Jughandle Road across the street from 14776 Jughandle Road (Eastern Portion of PIN: 09-15-300-021), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is currently owned by Brian and Jennifer Gore hereinafter shall be referred to as “Petitioner”; and

WHEREAS, on or about June 30, 2021, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on August 5, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on August 30, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public testified in favor or in opposition or expressed concerns regarding the requested Map Amendment; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 30, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested Map Amendment; and

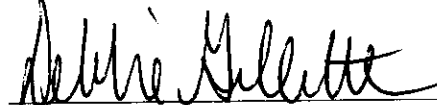
WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

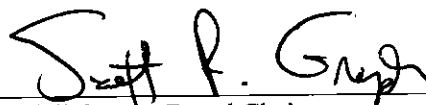
1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of September, 2021.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

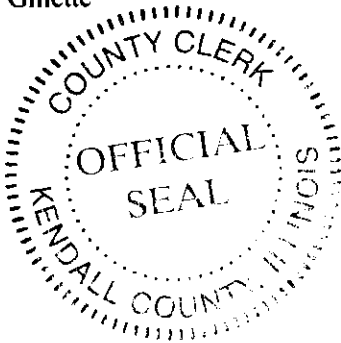


Exhibit A

BRIAN & JENNIFER GORE

TRACT 1:

THE EAST 350.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF LANDS CONVEYED BY QUIT CLAIM DEED, RECORDED AS DOCUMENT NUMBER 201500000055, SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 7.023 acre more or less.

TRACT 2

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 426.00 FEET TO THE NORTHEAST CORNER OF LANDS CONVEYED BY QUIT CLAIM DEED, RECORDED AS DOCUMENT NUMBER 201500000055, SAID CORNER BEING THE POINT OF BEGINNING (TRACT 2); THENCE CONTINUING NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG SAID EAST LINE, 901.42 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE SOUTH 88 DEGREES 21 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 550.01 FEET TO A POINT ON THE WEST LINE OF THE EAST 550.00 FEET OF NORTHEAST QUARTER OF AFORESAID SOUTHWEST QUARTER, SAID POINT BEING THE SOUTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 199607024; THENCE SOUTH 11 DEGREES 56 MINUTES 54 SECONDS WEST 862.92 FEET TO THE NORTHWESTERLY CORNER OF AFORESAID QUIT CLAIM DEED; THENCE NORTH 74 DEGREES 08 MINUTES 06 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID QUIT CLAIM DEED, A DISTANCE OF 112.00 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 08 SECONDS EAST ALONG SAID NORTHERLY LINE, 386.00 FEET; THENCE SOUTH 04 DEGREES 21 MINUTES 06 SECONDS WEST ALONG SAID NORTHERLY LINE, 36.00 FEET; THENCE SOUTH 85 DEGREES 38 MINUTES 54 SECONDS EAST ALONG SAID NORTHERLY LINE, 260.00 FEET TO THE POINT OF BEGINNING (TRACT 2); EXCEPTING THEREFROM THE EAST 350.00 FEET THEREOF, SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 5.648 acre more or less.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 30, 2021, by a vote of six (6) in favor and zero (0) in opposition. Member Fox was absent.

FINDINGS OF FACT

*Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.***

*The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1. There are R-1, R-1 PUD, and R-3 zoned parcels within one half (1/2) mile of the subject property.***

*The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where new single-family homes could be built.***

*The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. **The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.***

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.***

RECOMMENDATION

Approval

