

ORDINANCE NUMBER 2022- 02

**MAP AMENDMENT FOR APPROXIMATELY NINETEEN POINT FIVE ACRES OF LAND
LOCATED ON THE WEST SIDE OF O'BRIEN ROAD ACROSS FROM 16924 O'BRIEN ROAD
(PIN: 09-29-400-005) 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 19.5 more or less acres located on the west side of O'Brien Road across from 16924 O'Brien Road and identified by Parcel Identification Number 09-29-400-005, 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 Robert J. Fisher and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about September 21, 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 October 7, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on November 1, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and their 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 November 1, 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 neutral recommendation 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

State of Illinois
County of Kendall

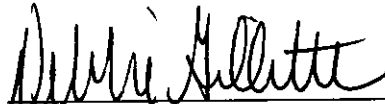
Zoning Petition
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the Findings of Fact and Conclusions of this Kendall County Board.

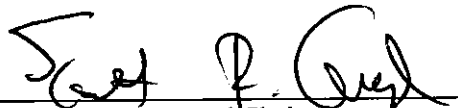
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to 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 4th day of January, 2022.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder



Exhibit A

LEGAL DESCRIPTION

THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, EXCEPTING THE NORTH 2008.02 FEET THEREOF. CONSISTING OF 19.51 ACRES, MORE OR LESS.

Exhibit B

The Kendall County Zoning Board of Appeals reviewed the Petition on November 1, 2021. Zero (0) members of the public testified in favor or in opposition to the request. On the same date, the Kendall County Zoning Board of Appeals issued the following recommendation by a vote of five (5) in favor and zero (0) in opposition. Members Cherry and Clementi were absent.

RECOMMENDATION

Approval