



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 22-26

**14816 Galena Road (West of 14870 Galena Road)
Revocation of Special Use Permit for a Home Occupation of a
Manufacturer of Plaster or Cement Mantels and Similar
Architectural Components with More than Two (2) Non-
Resident Employees**

INTRODUCTION AND BACKGROUND

On February 21, 2006, the Kendall County Board granted a special use permit for a home occupation of a manufacturer of plaster or cement mantels and similar architectural components with more than two (2) non-resident employees at the subject property. Ordinance 2006-09 is included as Attachment 1.

Condition 10 of the special use permit stated that if the manufacture of plaster or cement mantels and similar architectural components ceased, the special use permit would expire.

On December 13, 2022, the Petitioner submitted a request for voluntary revocation of the special use permit. This request is included as Attachment 2.

The Petitioner plans to operate a custom steel fabrication and welding home occupation at the property. The home occupation would employ a maximum of two (2) non-resident employees, which is allowed under the Kendall County Zoning Ordinance without a special use permit. The Petitioner submitted the required home occupation affidavit for the new home occupation.

The draft revocation ordinance is included as Attachment 3.

The subject property is zoned A-1. If the special use permit is revoked, the property will retain its A-1 zoning classification.

RECOMMENDATION

Staff recommends approval of the proposed special use permit revocation.

ATTACHMENTS

1. Ordinance 2006-09
2. Revocation Request
3. Draft Revocation Ordinance

01-03-100-005



State of Illinois
County of Kendall

Zoning Petition
#05-52

ORDINANCE NUMBER 2006 - 09

**GRANTING SPECIAL USE
14780 GALENA ROAD
DENISE, TERRY, AND ERIC MAIER D/B/A MAIER PRECAST**

WHEREAS, Denise, Terry, and Eric Maier d/b/a Maier Precast filed a petition for a Special Use within the A-1 district, for property located at 14780 Galena Road in Little Rock Township; and

WHEREAS, said petition is to allow for the eventual expansion of the firm's plaster and cement mantel home occupation to include the hiring of employees not currently residing on the parcel; and

WHEREAS, said property is zoned A-1 Agricultural and the request is allowable upon issuance of a Special Use Permit per § 7.01.D.27 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is legally described as follows:

The W'ly 160.00' of the E'ly 464.00' of the N'ly 476.00' as measured along the E and N lines thereof, of the NW 1/4 of the NW fractional 1/4 of Section 3, T 37 N, R 6 E of the 3rd PM, in Little Rock Township, Kendall County, Illinois

w 160 E 464 n 476 nw 1/4 nw 3-37-6

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent 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 the use indicated in the recitals section of this Ordinance and as indicated on the submitted Site Plan included as Exhibit "A" and submitted Parking Plan included as Exhibit "B", attached hereto and incorporated herein, subject to the following conditions:

1. The petitioner agrees to construct the shell of the structure housing the proposed Special Use to Commercial standards at the time of building permit issuance, and agrees to construct the interior of the structure according to Commercial standards.
2. There shall be no outside storage of materials associated with the Special Use.

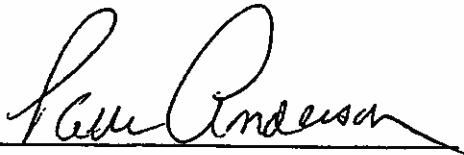
State of Illinois
County of Kendall

Zoning Petition
#05-52

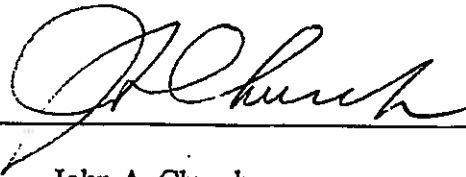
3. There shall be a maximum of seven (7) non-resident employees of the Special Use.
4. The handicapped-accessible parking stall shall be improved with a bituminous or other appropriate hard surface.
5. There shall be a maximum of twelve (12) semi-trailer deliveries to the site during any twelve-month time period.
6. The Kendall County Highway Department reserves the right to review the access entrance to the site if conditions warrant.
7. By approval of this Special Use ordinance, the County Board hereby approves a lot width under the 200' maximum per the authority given the County Board under § 7.01.H.1 of the Zoning Ordinance.
8. The petitioner agrees, within sixty (60) days of adoption by the County Board of the enabling ordinance authorizing the special use, to dedicate and record sufficient additional right-of-way on Galena Road to affect a total ROW distance of 60 feet from centerline.
9. The petitioner agrees, within sixty (60) days of adoption by the County Board of the enabling ordinance authorizing the special use, to dedicate and record an access easement over the shared access to the property subject to the special use.
10. In the event the manufacture of plaster or cement mantels and similar architectural components ceases at this location, it is understood that the special use automatically expires.

IN WITNESS OF, this ordinance has been enacted on February 21, 2006.

Attest:



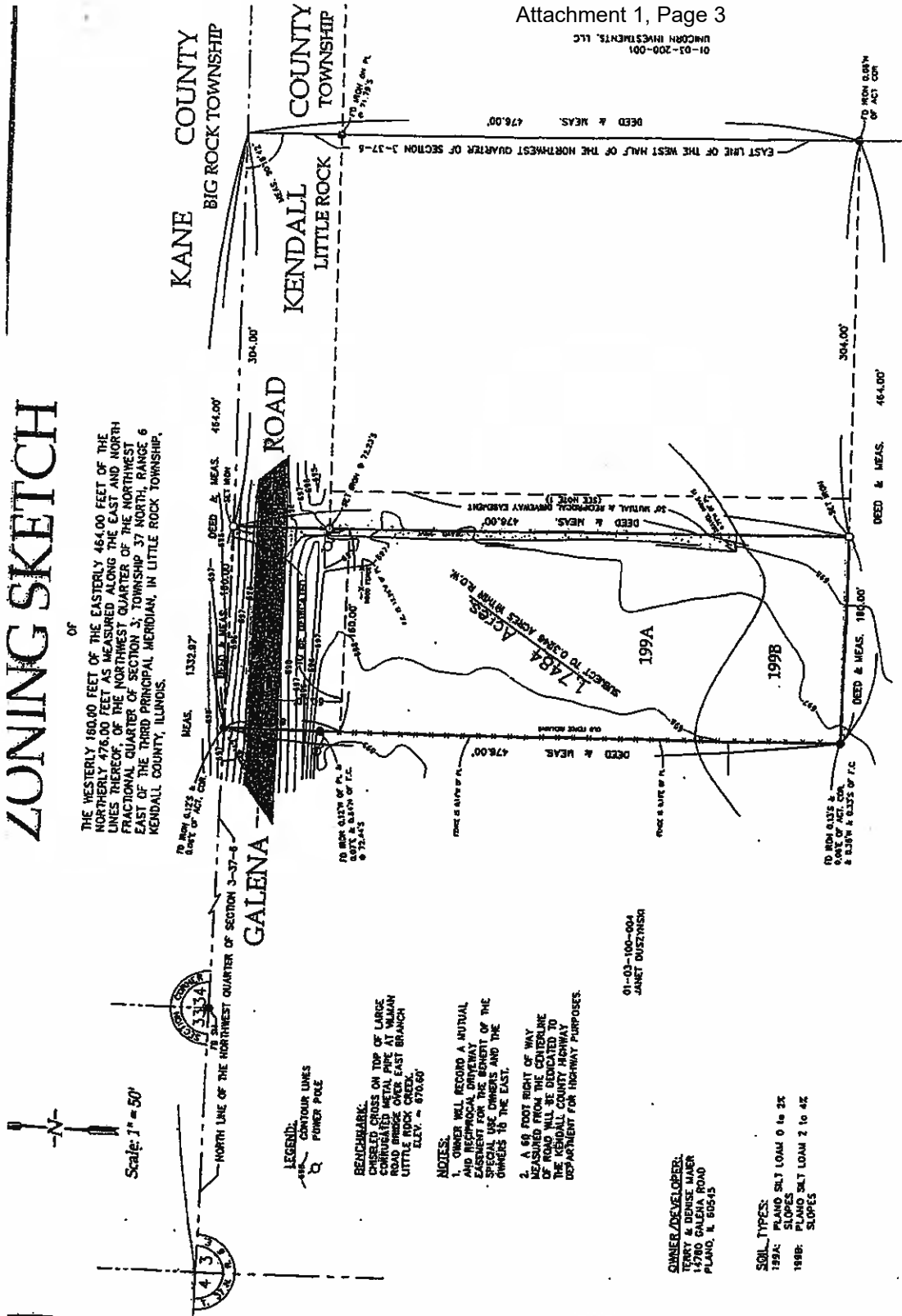
Paul Anderson
Kendall County Clerk



John A. Church
Kendall County Board Chairman

ZONING SKETCH

OF THE WESTERLY 180.00 FEET OF THE EASTERLY 464.00 FEET OF THE NORTHERLY 476.00 FEET AS MEASURED ALONG THE EAST AND NORTH LINES THEREOF, OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LITTLE ROCK TOWNSHIP, KENDALL COUNTY, ILLINOIS.



Scale: 1" = 50'



LEGEND:
 ○ CONTIGUOUS LINES
 □ POWER POLE

BENCHMARK:
 CHISEL CROSS ON TOP OF LARGE
 CHINA BRASS WELDED PIPE AT WILMAN
 ROAD BRIDGE OVER EAST BRANCH
 LITTLE ROCK CREEK
 ELEV. = 870.60'

NOTES:

1. OWNER WILL RECORD A MUTUAL AND RECIPROCAL DRIVEWAY EASEMENT FOR THE BENEFIT OF THE SUBJECT PARCELS, THE OWNERS AND THE OWNERS TO THE EAST.
2. A 60 FOOT RIGHT OF WAY MEASURED FROM THE CENTERLINE OF ROAD WILL BE DEDICATED TO THE KENDALL COUNTY HIGHWAY DEPARTMENT FOR HIGHWAY PURPOSES.

OWNER/DEVELOPER:
 TERRY & DENISE WALKER
 14700 GALENA ROAD
 PLANO, IL 60545

SOIL TYPES:
 199A: PLANO S&T LOAM 0 to 2% SLOPES
 199B: PLANO S&T LOAM 2 to 4% SLOPES

01-03-100-004
 JANET BUSZYNSKI

01-03-200-001
 UNICORP INVESTMENTS, LLC

R.B. & ASSOCIATES
LAND SURVEYORS, INC.
 4 West Main Street
 Plano, Illinois 60545
 (630) 552-7452

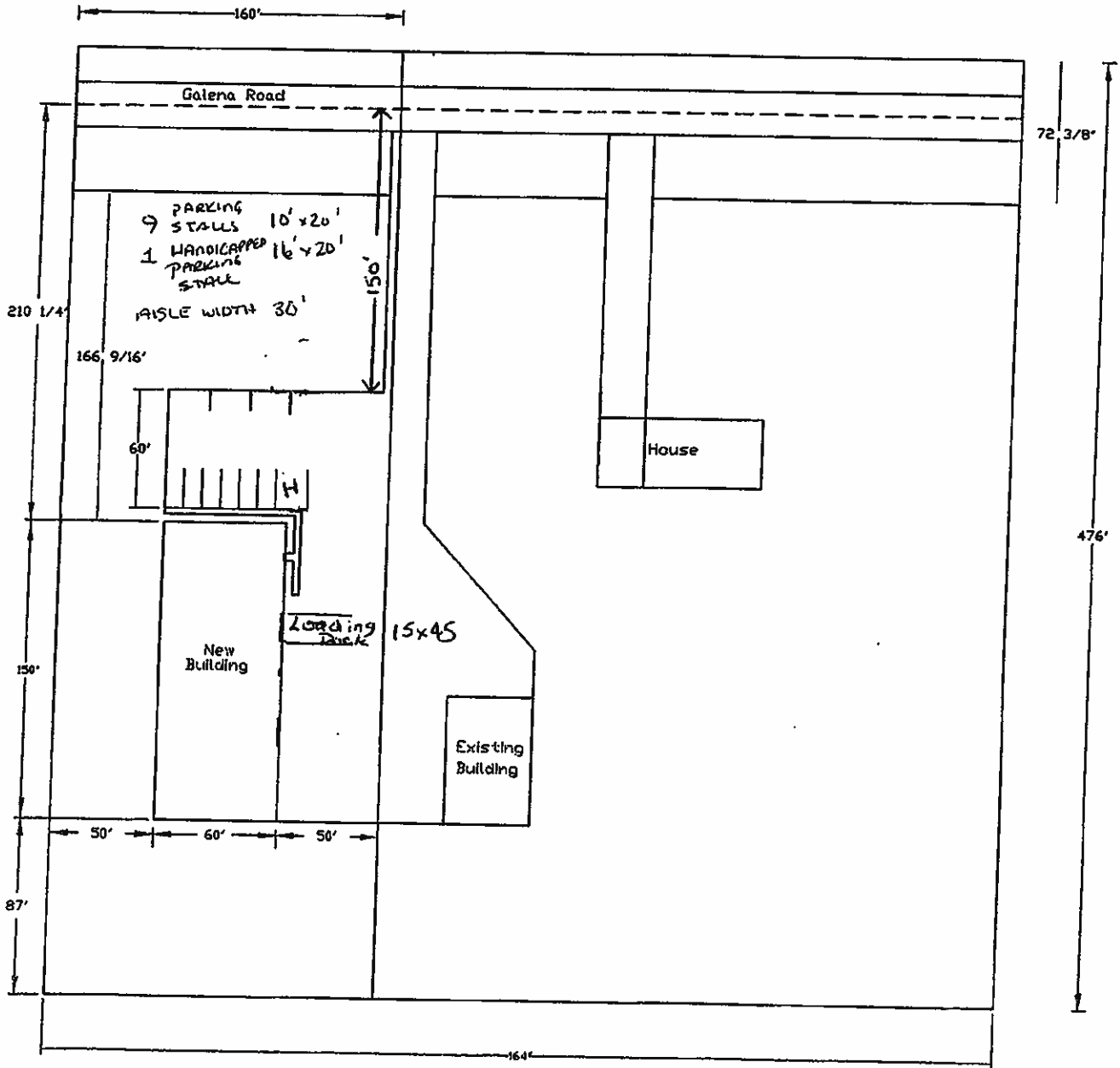
PREPARED: FEBRUARY 8, 2006

DESIGN FIRM NO. 184-004475
 DWG# 2006-12728-001 B (ZONE)

EXHIBIT
 # A
 DATE 2-8-06

EXHIBIT

B
DATE 2-8-06



Will be sharing this existing 22' entrance

OK
Lenny M...
02-15-06

Date

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139 Fax: 630.553.4179

We, Teodore and Theodore Vargas, are the owners of the parcel 01-03-100-005, more common known as 14816 Galena Road, Plano.

On February 21, 2006, the property was granted a special use (Ordinance 2006-09). The special use granted in 2006 was granted for the operation of a plaster and cement mantel home occupation with more than the allowed number of non-resident employees.

Pursuant to Section 13:08.F of the Kendall County Zoning Ordinance, we hereby voluntarily request that Kendall County revoke our special use on the above-referenced property. By signing below, we acknowledge that no public hearing shall be conducted for revocation of the special use. We understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, we hereby waive our right to a public hearing and formally request the above-referenced special use be removed from our property.

[Redacted Signature] _____
(Signatures)

12/13/2022

(Date)

Teodore Vargas

(Printed Names)

Attest [Redacted Signature] _____
Notary Public



State of Illinois
County of Kendall

Zoning Petition
#22-26

ORDINANCE NUMBER 2023-_____

**REVOKING A SPECIAL USE PERMIT FOR A HOME OCCUPATION OF A
MANUFACTURER OF PLASTER OR CEMENT MANTELS AND SIMILAR
ARCHITECTURAL COMPONENTS WITH MORE THAN TWO (2) NON-RESIDENT
EMPLOYEES GRANTED BY ORDINANCE 2006-09 AT 14816 GALENA ROAD
(PIN: 01-03-100-005) IN LITTLE ROCK TOWNSHIP**

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 13:08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13:08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; 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 District and consists of approximately 1.64 +/- acres and is identified by Parcel Identification Number 01-03-100-005, also known as 14816 Galena Road, in Little Rock 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 Kendall County Board granted a special use permit through Ordinance 2006-09 on the subject property on February 21, 2006, for a home occupation of a manufacturer of plaster or cement mantels and similar architectural components with more than two (2) non-resident employees; and

WHEREAS, Theodore Vargas, is the owner of record of the subject property and shall hereinafter be referred to as “The Petitioner”; and

WHEREAS, The Petitioner no longer desires the special use permit and has stated in a letter as provided in attached Exhibit “B” that they voluntarily request that Kendall County revoke the special use permit on the above-referenced property; and

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

1. The Kendall County Board hereby revokes the special use permit for a home occupation of a manufacturer of plaster or cement mantels and similar architectural components with more than two (2) non-resident employees granted by Ordinance 2006-09 and revokes Ordinance 2006-09 in its entirety.
2. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted by Ordinance 2006-09.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of January, 2023.

State of Illinois
County of Kendall

Zoning Petition
#22-26

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg

Exhibit A

The Northerly 476.0 feet of the Easterly 464.0 feet (except the Northerly 426.0 feet of the Easterly 314.0 feet thereof) as measured along the East and North lines thereof, of the Northwest Quarter of the Northwest Fractional Quarter of Section 3, Township 37 North, Range 6 East of the Third Principal Meridian, in the Township of Little Rock, Kendall County, Illinois;

Date

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139 Fax: 630.553.4179

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[Redacted Signature] _____
(Signatures)

12/13/2022

(Date)

Teodore Vargas

(Printed Names)

Attest [Redacted Signature] _____
Notary Public

