

ORDINANCE NUMBER 2017- 07

**MAP AMENDMENT FOR AN 3.2 ACRE PARCEL LOCATED AT THE NORTHEAST CORNER
OF BURKHART DRIVE AND DOUGLAS ROAD (2380 DOUGLAS ROAD)**

Rezone from R-1 to R-3

WHEREAS, the John and Sharon Pagel Living Trust submitted a request for a map amendment from R-1 to R-3, for a property located at the northeast corner of the intersection of Burkhart Drive and Douglas Road in Oswego Township, more commonly known as 2380 Douglas Road; and

WHEREAS, said property is identified with the tax identification number 03-15-251-009 and the part for rezoning is legally described below; and

THAT PART OF THE NORTH HALF OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF SAID NORTH HALF WITH THE CENTERLINE OF DOUGLAS ROAD; THENCE NORTHERLY, ALONG SAID CENTERLINE OF DOUGLAS ROAD, 488 FEET FOR THE POINT OF BEGINNING; THENCE NORTHERLY, ALONG SAID CENTERLINE, 223.20 FEET; THENCE EASTERLY, PARALLEL WITH THE SOUTHERLY LINE OF SAID NORTH HALF, 643.85 FEET; THENCE SOUTHERLY, PARALLEL WITH SAID CENTERLINE OF DOUGLAS ROAD, 223.20 FEET; THENCE WESTERLY, PARALLEL WITH THE SOUTHERLY LINE OF SAID NORTH HALF, 643.85 FEET TO THE POINT OF BEGINNING IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS.

WHEREAS, the petitioner desires to rezone 3.2 acres to R-3 (One Family Residential District) for the purposes of subdividing the lot and constructing a new home on the proposed eastern lot; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.07.F of the Zoning Ordinance, and recommendation for approval by the Zoning Board of Appeals with a vote of 6 ayes and 1 nay on May 1, 2017; and

WHEREAS, the findings of fact were approved as follows:

Existing uses of property within the general area of the property in question. There are rural residential county subdivisions and Village of Oswego municipal subdivisions within the general area.

The Zoning classification of property within the general area of the property in question. A mix of County R-1, R-2, and R-3 as well as Village of Oswego R-1 and R-2 Zoning classifications are in the area.

The suitability of the property in question for the uses permitted under the existing zoning classification. True, the property is suitable to fulfill the petitioner's desires to rezone the property in order to divide the parcel to construct a smaller home.

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

State of Illinois
County of Kendall

Zoning Petition
#16-26

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 proposed amendment is for the benefit of the petitioner.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The current zoning of the property is consistent with the Land Resource Management Plan.

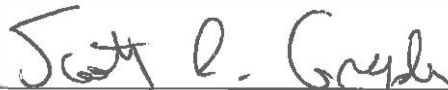
NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants a zoning map amendment from R-1 to R-3 on the tract of land located and depicted on the drawing attached as "Exhibit A" hereto and incorporated herein.

IN WITNESS OF, this ordinance has been enacted on May 16, 2017.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

ZONING PLAT OF PART OF THE NORTH HALF OF SECTION 15, T37N-R8E, 3rd PM OSWEGO TOWNSHIP KENDALL COUNTY ILLINOIS

DEVELOPER:
John and Sharon Pagel
2380 Douglas Road
Oswego, Illinois 60543

AREA TO BE REZONED:
143645 Sq.Ft. = 3.2972 Acres

PRESENT ZONING:
R-1 (Residential District)

PROPOSED ZONING:
R-3 (Residential District)

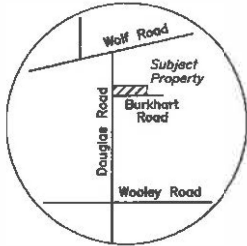
P.I.N.
03-15-251-009

PIN 03-15-176-002
Ronald L. & Barbara I. Youniss
R-3
Lot 3

PIN 03-15-176-008
John R. & Pamela B. Campbell
R-3
Lot 4

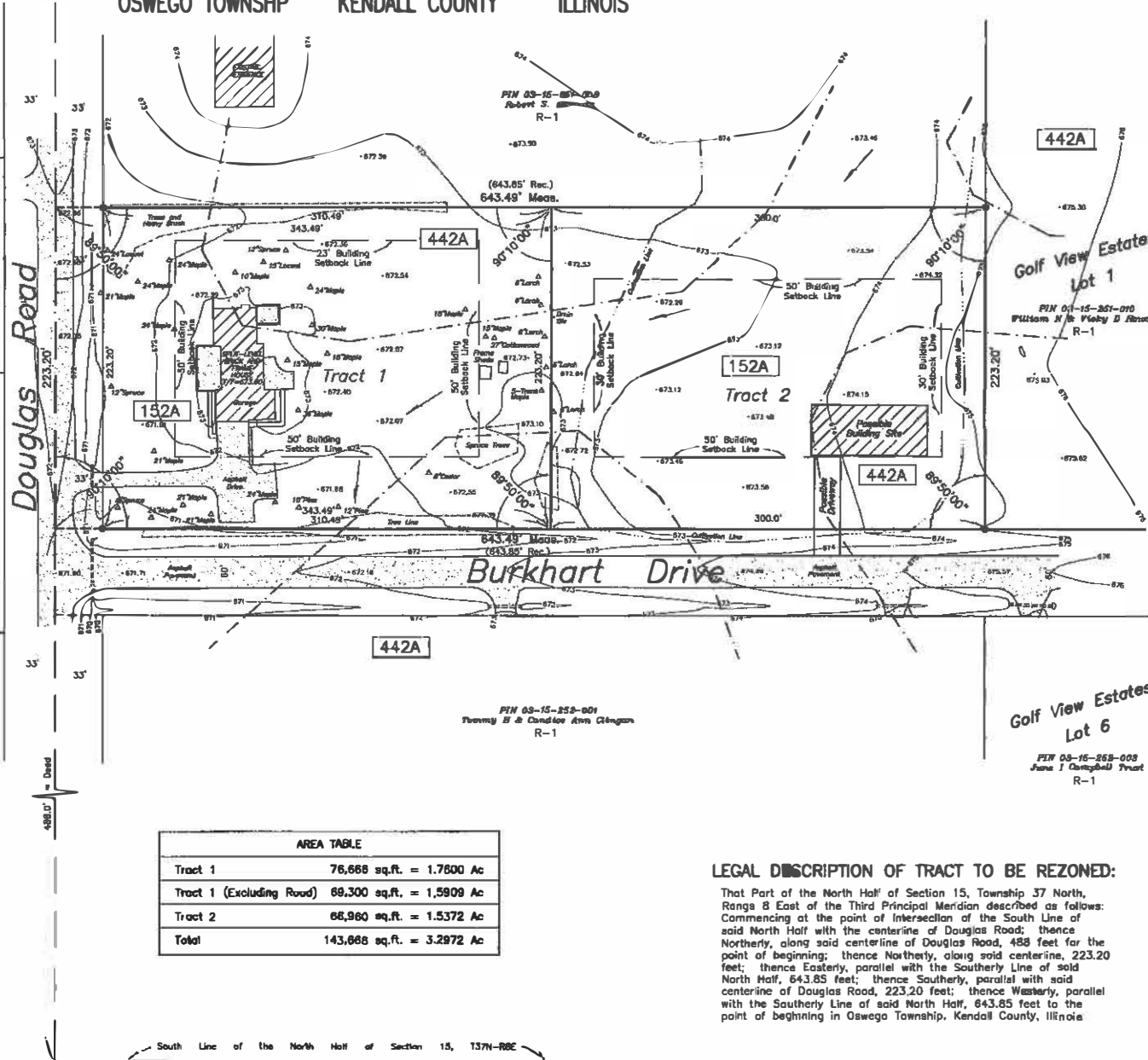
PIN 03-15-17-004
Paul M. & Betty J. Younger Trust
R-3
Lot 5

PIN 03-15-176-005
Baine M. Nichols
R-3
Lot 6



LOCATION SKETCH
Not to Scale

Kesterleber Acres



SCALE
1"=50'

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Line of Fence
- - - Indicates Soils Boundary
- - - Indicates Direction of Drainage
- 872.48 Indicates Existing Spot Elevation
- 872. - Indicates Existing Contour Elevation

NOTE: This property is commonly known as 2380 Douglas Road.

Soil Type
(USDA/NRCS - Kendall County, 2015)

- 152A** Drummer Silty Clay Loam, 0%-2% slopes
- 442A** Mundelein Silt Loam, 0%-2% slopes

NOTE: The Subject Property is located in Zone X (areas determined to be outside the 0.2% annual chance floodplain) as depicted on FEMA Flood Insurance Rate Map Number 17093C0058G with an effective date of February 4, 2009.

AREA TABLE	
Tract 1	76,668 sq.ft. = 1.7600 Ac
Tract 1 (Excluding Road)	69,300 sq.ft. = 1.5909 Ac
Tract 2	66,960 sq.ft. = 1.5372 Ac
Total	143,668 sq.ft. = 3.2972 Ac

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

That Part of the North Half of Section 15, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the point of Intersection of the South Line of said North Half with the centerline of Douglas Road; thence Northerly, along said centerline of Douglas Road, 488 feet for the point of beginning; thence Northerly, along said centerline, 223.20 feet; thence Easterly, parallel with the Southerly Line of said North Half, 643.85 feet; thence Southerly, parallel with said centerline of Douglas Road, 223.20 feet; thence Westerly, parallel with the Southerly Line of said North Half, 643.85 feet to the point of beginning in Oswego Township, Kendall County, Illinois.

August 1, 2016

1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580

Philip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

JOB NO. 16062	JOB NAME PAGEL	DWG FILE 16062
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