

ORDINANCE NUMBER 2017- 15

MAP AMENDMENT FOR A 3.86 ACRE +/- PARCEL LOCATED IN THE 14000 BLOCK OF BUDD ROAD APPROXIMATELY 0.98 MILES FROM MILLBROOK ROAD ON THE NORTH SIDE OF BUDD ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 04-15-200-023 IN FOX TOWNSHIP

Rezone from A-1 to R-1

WHEREAS, the Tom McNelis submitted a request for a map amendment from A-1 to R-1, for a property located in the 14000 block of Budd Road approximately 0.98 miles from Millbrook Road on the north side of Budd Road in Fox Township; and

WHEREAS, said property is identified with the tax identification number 04-15-200-023 and the part for rezoning is legally described below; and

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN AS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 15; THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 14 OF SAID TOWNSHIP 330.0 FEET; THENCE SOUTH 00 DEGREES 22 MINUTES 19 SECONDS EAST 274.56 FEET TO THE CENTERLINE OF BUDD ROAD; THENCE NORTH 89 DEGREES 26 MINUTES 38 SECONDS ALONG SAID CENTERLINE 539.64 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 21 DEGREES 06 MINUTES 41 SECONDS WEST ALONG SAID CENTERLINE 497.15 FEET TO A POINT HEREAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 21 DEGREES 06 MINUTES 41 SECONDS WEST ALONG SAID CENTERLINE, 388.77 TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST ALONG SAID CENTERLINE 147.01 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST ALONG SAID CENTERLINE 209.74 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 83 DEGREES 46 MINUTES 31 SECONDS WEST ALONG SAID CENTERLINE 88.38 FEET; THENCE NORTH 04 DEGREES 53 MINUTES 29 SECONDS WEST 305.0 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 29 SECONDS WEST 150.0 FEET; THENCE NORTH 02 DEGREES 59 MINUTES 31 SECONDS EAST 212.16 FEET TO A LINE DRAWN NORTH 89 DEGREES 26 MINUTES 38 SECONDS WEST FROM POINT A AFORESAID; THENCE SOUTH 89 DEGREES 26 MINUTES 38 SECONDS EAST 408.03 FEET TO A LINE DRAWN NORTH 04 DEGREES 53 MINUTES 29 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 04 DEGREES 53 MINUTES 29 SECONDS EAST, 426.73 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

WHEREAS, the petitioner desires to rezone approximately 3.86 acres to R-1 (One Family Residential District) for the purposes of having the ability to construct a single-family house on the property; 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 7 ayes and 0 nays on August 28, 2017; and

WHEREAS, the Findings of Fact were approved as follows:

Existing uses of property within the general area of the property in question. The area is a mix of agricultural, farmstead, rural estate residential and countryside residential.

The Zoning classification of property within the general area of the property in question. All of the adjacent properties are zoned A-1. Some of these properties have special use permits and/or agricultural building permits.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is too small for most agricultural uses. Homes are located on adjoining properties and the subject property lacks an agricultural housing allocation which prevents the construction of a home on the property.

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 proposed amendment fits the development of the area and benefits the petitioner by giving him the opportunity to sell the property for a residential purpose instead of a purely agricultural use.

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

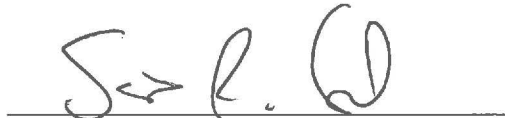
NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants a zoning map amendment from A-1 to R-1 on the tract of land located and depicted on the drawing attached as "Exhibit A" hereto and incorporated herein.

IN WITNESS OF, this ordinance has been enacted on September 19, 2017.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

