

ORDINANCE # 2017- 18

REVOKING A SPECIAL USE for
**AGRICULTURAL LABOR HOUSING AT THE PROPERTY LOCATED AT THE
NORTHWEST CORNER OF THE INTERSECTION OF VAN DYKE AND McKANNA
ROADS ALSO KNOWN AS 3827 VAN DYKE ROAD AND IDENTIFIED BY PARCEL
ID NUMBER 09-04-300-016 IN SEWARD TOWNSHIP**

WHEREAS, Charles and Carol Allen petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the placement of agricultural labor housing on their property located at the northwest corner of Van Dyke and McKanna Roads in Seward Township also known as 3827 Van Dyke Road, identified by Parcel Identification Number 09-04-300-016; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 2007-18 on May 15, 2007; and

WHEREAS, restriction number 3 of the special use permit awarded by Ordinance 2007-18 requires the owners of the special use permit to annually renew the special use permit awarded by Ordinance 2007-18; 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

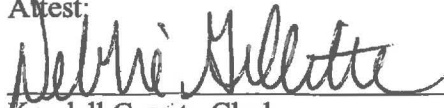
WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Charles and Carol Allen, owners, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit "A" that they voluntarily requests 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 that the special use permit granted under Ordinance 2007-18 be revoked as of the date of this Ordinance and the owners of the property known as 3827 Van Dyke Road shall remove the mobile home previously allowed by Ordinance 2007-18 on or before July 1, 2018.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 19th day of September, 2017.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

Exhibit A, Page 1

August 14, 2017

To: Kendall County Building and Zoning Committee

Subject: Zoning Revocation request

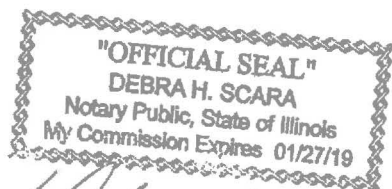
We request a revocation of the 'Special Use Permit' granted by Ordinance #2007-18 for the mobile home (located at address of 3875 Van Dyke Rd, Minooka, IL 60447) before summer 2018.

Respectfully,

Charles J. Allen



Carol A. Allen



Debra H. Scara
8/22/2017

Petition #06-44

After Mr. Dudgeons review of Petition #06-44, Member Welshi moved to approve a Special Use for Agricultural Labor Housing to Charles and Carol Allen. Member Martin seconded the motion.

Charles and Carol Allen
ORDINANCE NUMBER 2007 - 18
Granting a Special Use for
AGRICULTURAL LABOR HOUSING to
CHARLES AND CAROL ALLEN

WHEREAS, Charles and Carol Allen have filed a petition for a Special Use within the A-1 Agricultural Zoning District for Agricultural Labor Housing pursuant to Section 7.01.D.2 of the Kendall County Zoning Ordinance for property commonly known as 3827 Van Dyke Road in Seward Township, and as legally described in "Exhibit A"; and

WHEREAS, said petition is to allow for the continued placement of agricultural labor housing, in the form of a mobile home, on the subject 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, 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 to permit the use indicated in the recitals section of this Ordinance subject to the following conditions:

1. The petitioner will be required to submit documentation to the PEZ Department at the start of each growing season documenting the name and occupation of the individual(s) occupying the trailer. Occupancy of the trailer shall be limited to the employee and their immediate family.
2. The trailer shall only be occupied from April 1st through November 30th of each year.
3. Annual renewal of the Agricultural Labor Housing Mobile Home permit including payment of the applicable removal fee until such time that either:
 - a. The use of the trailer for agricultural labor ceases; or
 - b. The trailer is installed on a permanent frost depth foundation.
4. In the event use of the trailer for agricultural labor housing is discontinued or remains unoccupied in any one season, or in the event the property is sold to another owner, the special use shall lapse.
5. Upon a lapse or expiration of the special use, the trailer shall be removed from the premises within 60 days unless otherwise approved by the Planning Building and Zoning committee of the County Board provided just cause for the delay can be demonstrated. In no event shall the trailer be permitted to remain on the premises for more than six months following the lapse or expiration of the special use.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on May 15, 2007.

Paul Anderson
Kendall County Clerk

John Church
Kendall County Board Chairman

Chairman Church asked for a roll call vote on the motion with the exception of Member Purcell who voted present.
Motion carried.