

ORDINANCE # 2017- 23

REVOKING A SPECIAL USE for
**A PRIVATE LANDING AIR STRIP IN THE 10000 BLOCK OF WALKER ROAD ON
THE NORTH SIDE OF WALKER ROAD (PARCEL ID NUMBERS 05-20-300-004 AND
05-20-300-005) IN KENDALL TOWNSHIP**

WHEREAS, Howard and Blanche Smith petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a private landing air strip on their property located in the 10000 Block of Walker Road on the north side of Walker Road in Kendall Township, now identified by Parcel Identification Numbers 05-20-300-004 and 05-20-300-005; and

WHEREAS, said property is legally described below; and

THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 36 NORTH,
RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KENDALL TOWNSHIP,
KENDALL COUNTY, ILLINOIS.

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 72-12 on May 9, 1972; and

WHEREAS, restriction number 3 of the special use permit awarded by Ordinance 72-12 requires the special use be subject to renewal every 5 years; and

WHEREAS, restriction number 4 of the special use permit awarded by Ordinance 72-12 stated the special use be revoked in case of abandonment; and

WHEREAS, Carol Christian purchased said property on August 1, 2010; and

WHEREAS, Carol Christian divided said property in 2016; and

WHEREAS, Carol Christian retained ownership of the portion of the property identified by Parcel Identification Number 05-20-300-004; and

WHEREAS, Robert Toftoy purchased the remaining portion of the property from Carol Christian on December 1, 2016; and

WHEREAS, Robert Toftoy's portion of the property is identified by Parcel Identification Number 05-20-300-005; 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, Carol Christian and Robert Toftoy, owners, no longer desire the special use permit and have stated in a letter as provided in attached Exhibits "A" and "B" 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 72-12 be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 72-12.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

Exhibit A

Matt Asselmeier

From: duane christian [duanesmassey@att.net]
Sent: Tuesday, September 26, 2017 8:23 PM
To: Matt Asselmeier
Subject: Re: Ordinance # 1972 - 12 / 10729 Walker Road / 05-20-300-001

The above referenced special use permit does not need to be renewed. It is no longer in use.

Thank you.

Carol Christian.

Exhibit B

Matt Asselmeier

From: Robert Toftoy [toftoyfarms@newarknet.net]
Sent: Tuesday, October 17, 2017 8:08 AM
To: Matt Asselmeier
Subject: ordinance#1972-12/05-20-300-005

I have plowed the airstrip up. before I bought that farm I checked with the morris airport to see if this airstrip had been registered with any governing body and it had not been. I do not want the special use permit any longer you may cancel it at any time. Robert toftoy owner. any questions call me at 815-228-3933