

ORDINANCE # 2017- 25

REVOKING A SPECIAL USE for
**PROPERTY LOCATED AT THE NORTHWEST CORNER OF CRIMMIN ROAD AND
FOX RIVER DRIVE INCLUDING 10123 FOX RIVER DRIVE, NEWARK
AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS
04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 AND
04-20-300-002 IN FOX TOWNSHIP**

WHEREAS, Gene Whitfield petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the development of a planned unit development at the northwest corner of Fox River Drive and Crimmin Road, in Fox Township; and

WHEREAS, said property is legally described as follows:

That part of the Southeast Quarter of Section 19, part of the Southwest Quarter of Section 20, part of the Northwest Quarter of Section 29 and part of the Northeast Quarter of Section 30, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of said section 20; thence North 89° 15'14" west along the south line of said Section 20, 891.0 feet; thence north 0°30'12" East, 25.74 feet; thence North 79°32'34" West, 850.64 feet; thence North 25°42'41" East, 26.64 feet; thence North 81°50'28" West, 4,764.34 feet for a point of beginning; thence South 18°47'55" West, 944.76 feet to the south line of Lot 1 of said Section 30 as shown in Plat Book 3, page 20; thence South 82°19'24" East along said south line, 182.16 feet; thence South 30°13'28" West parallel with the Burlington Northern, Inc. Railroad Company right of way through said Section 30, 368.28 feet; thence South 29°43'28" West, 935.33 feet to the northerly line of Comb's Subdivision; thence South 82°04'11" East along said northerly line and said northerly line extended, to the center line of Crimmin Road; thence northerly along said center line; to a line drawn South 81°50'28" East from the point of beginning; thence North 81°50'28" West to the point of beginning in Fox Township, Kendall County, Illinois.

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 86-12 on November 10, 1986; and

WHEREAS, the properties identified by Parcel ID Numbers 04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 and 04-20-300-002 are located within the development awarded a special use permit by Ordinance 86-12; and

WHEREAS, the Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield have owned the properties identified by parcel identification numbers 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 since at least 2005; and

WHEREAS, R W and K J Whitfield have owned the property identified by parcel identification number 04-20-300-002 since at least 2005; and

WHEREAS, Donald and Colleen Zitt purchased the property identified by parcel identification number 04-29-100-005 from the Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield on or about September 14, 2016; 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

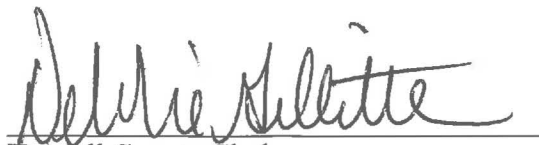
WHEREAS, Donald and Colleen Zitt, owners, Joanne Whitfield, owner, and Richard Whitfield, representing R W & K J Whitfield have stated in letters as provided in attached Exhibits "A" "B" and "C" that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property and waived their right to a public hearing for the revocation; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 86-12 as applied to the properties identified by Parcel ID Numbers 04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 and 04-20-300-002, including the property also known as 10123 Fox River Drive, Newark, be revoked as of the date of this Ordinance.

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 on the subject property granted under Ordinance 86-12.

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

October 26, 2017

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

I, Donald Zitt, am the owner at 10123 Fox River Drive, Newark.

On November 10, 1986, the property was granted a special use (Ordinance 86-12). The special use granted in 1986 was granted for the creation of a residential subdivision with various lot sizes.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I 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, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

Colleen Zitt
(Signature)

10/30/2017
(Date)

Colleen Zitt
(Printed Name)

Attest: Pamela A Herber
Notary Public

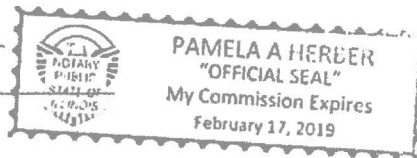


Exhibit B

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

I, Joanne E. Whitfield the owner of properties near the Intersection of Fox River Drive and Crimmin Road identified by Parcel Identification Numbers 04-19-400-009 and 04-30-200-002.

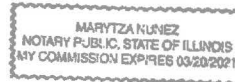
On November 10, 1986, these properties were granted a special use (Ordinance 86-12). The special use granted in 1986 was granted to allow for the development of a forty-two (42) lot residential subdivision with lot sizes ranging from one (1) acre to twenty-four point one (24.1) acres.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I 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, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

Joanne E. Whitfield
(Signature)

11-1-17
(Date)

JOANNE E. Whitfield
(Printed Name)



Attest: Marytza Nunez
Notary Public

Exhibit C

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

I, Richard W. Whitfield the owner of property near the Intersection of Fox River Drive and Crimmin Road identified by Parcel Identification Number 04-20-300-002.

On November 10, 1986, the property was granted a special use (Ordinance 86-12). The special use granted in 1986 was granted to allow for the development of a forty-two (42) lot residential subdivision with lot sizes ranging from one (1) acre to twenty-four point one (24.1) acres.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I 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, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

Richard W. Whitfield
(Signature)

11-1-17
(Date)

Richard W. Whitfield
(Printed Name)

Attest: Denise M Krafft
Notary Public

