

ORDINANCE NUMBER 2016- 14

MAP AMENDMENT FOR 3.1 ACRES

Rezone from B-1 to B-2

WHEREAS, the request is for a map amendment from B-1 to B-2, for part of property located on the north side of Light Road, just west of Illinois Route 31 in Section 7 of Oswego Township; and

WHEREAS, said property is identified with the tax identification number 03-07-278-011 and the part for rezoning is legally described below; and

That part of Lot 2 of the Resubdivision of part of Lot 5, of Unit Two, Marina Terrace (except those parts described as follows): commencing at the Southeast corner of Lot 5 in Unit Two, Marina Terrace; thence North 83 degrees, 39 minutes, 05 seconds West, along the Southerly line of Lot 5, 212.12 feet for a point of beginning; thence North 01 degree, 46 minutes, 00 seconds West, 272.52 feet; thence North 88 degrees, 14 minutes, 00 seconds, East 210.00 feet to a point on the East line of Lot 5; thence South 01 degree 46 minutes, 00 seconds East along said East line, 102.49 feet; thence South 88 degrees, 14 minutes, 00 seconds West, 200.00 feet; thence South 01 degree, 46 minutes, 00 seconds East, 171.48 feet to the Southerly line of Lot 5; thence North 83 degrees, 39 minutes 05 seconds West along said Southerly line, 10.10 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois and excepting that part of Lot 2 of the Resubdivision of part of Lot 5 of Unit Two, Marina Terrace, describe as follows: commencing at the Southwest corner of said Lot 2; thence South 83 degrees, 39 minutes, 05 seconds East along the most Southerly line of said lot, 389.46 feet for the point of beginning, thence North 01 degree, 46 minutes, 00 seconds West, 239.6 feet; thence North 88 degrees, 14 minutes, 00 seconds East 168 feet; thence North 01 degree, 46 minutes, 00 seconds West 24 feet; thence North 88 degrees, 14 minutes, 00 seconds East 245 feet to the most Easterly line of said lot; thence South 01 degree, 46 minutes, 00 seconds East along said Easterly line 20 feet; thence South 88 degrees, 14 minutes, 00 seconds West 210 feet; thence South 01 degree, 46 minutes, 00 seconds East 272.52 feet to a point on said Southerly line which is 10.10 feet West of the most Southerly Southeast corner thereof; thence North 83 degrees, 39 minutes, 05 seconds West along said Southerly line 205.09 feet to the point of beginning; in the Township of Oswego, Kendall County, Illinois and excepting that part of Lot 2, in the Resubdivision of part of Lot 5 of Unit Two, Marina Terrace, bounded by a line described as follows; beginning at the Northeast corner of Lot 1 (being also the most Northerly Northwest corner of said Lot 2), thence North 88 degrees, 14 minutes, 00 seconds East, along the North line of Lot 2, aforesaid, 230 feet to its most Northerly Northeast corner; thence South 01 degree, 46 minutes, 00 seconds East, along the East line thereof; 255 feet, thence South 88 degrees, 14 minutes, 00 seconds West, 245 feet; thence North 01 degree, 46 minutes, 00 seconds West, 84 feet to a point in the South line of said Lot 1; thence North 88 degrees, 14 minutes, 00 seconds East, along said South line, 15 feet to the Southeast corner of said Lot 1; thence South 01 degree, 46 minutes, 00 seconds East, along the West line of Lot 6 Unit Two in said Marina Terrace, 69 feet to the Southwest corner of said Lot 6, thence North 88 degrees, 14 minutes, 00 seconds East, along the South line of said lot, 200 feet, to the Southeast corner thereof; thence North 01 degree, 46 minutes, 00 seconds West, along the East line of said Lot 6, a distance of 200 feet to its Northeast corner; thence South 88 degrees, 14 minutes, 00 seconds West along the North line of said lot, 200 feet to the Northwest corner thereof; thence North 01 degree, 46 minutes, 00 seconds West, along the East line of Lot 1, aforesaid, 40 feet to the place of beginning in Oswego Township, Kendall County, Illinois.

WHEREAS, the petitioner desires to rezone the western portion of the 3.1-acre property to B-2 (General Business District) to match the existing zoning on the eastern portion of the parcel; and

WHEREAS, the proposed rezoning is consistent with the Future Land Use Plan contained in the Kendall County Land Resource Management Plan; 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 on August 29, 2016; and

WHEREAS, the findings of fact were approved as follows:

*Existing uses of property within the general area of the property in question. The existing uses of property within the area of this property are commercial and service oriented.*

*The Zoning classification of property within the general area of the property in question. The zoning classifications within the general area consist of B-1 (Local Shopping), B-2 (General Business) and B-3 (Highway Commercial).*

*The suitability of the property in question for the uses permitted under the existing zoning classification. The property will be developed in a manner that will require stormwater management facilities and will have ample space to provide for this requirement as well as being able to provide landscape buffering.*

*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 trend of development in that area is commercial with existing commercial zoning districts.*

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The rezoning to B-2 will be consistent with the proposed change to the County's Land Use Plan in the area as commercial.*

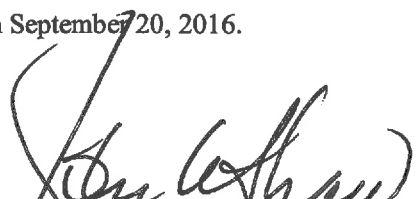
WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants a zoning map amendment from B-1 to B-2 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 20, 2016.

Attest:

  
Kendall County Clerk  
Debbie Gillette

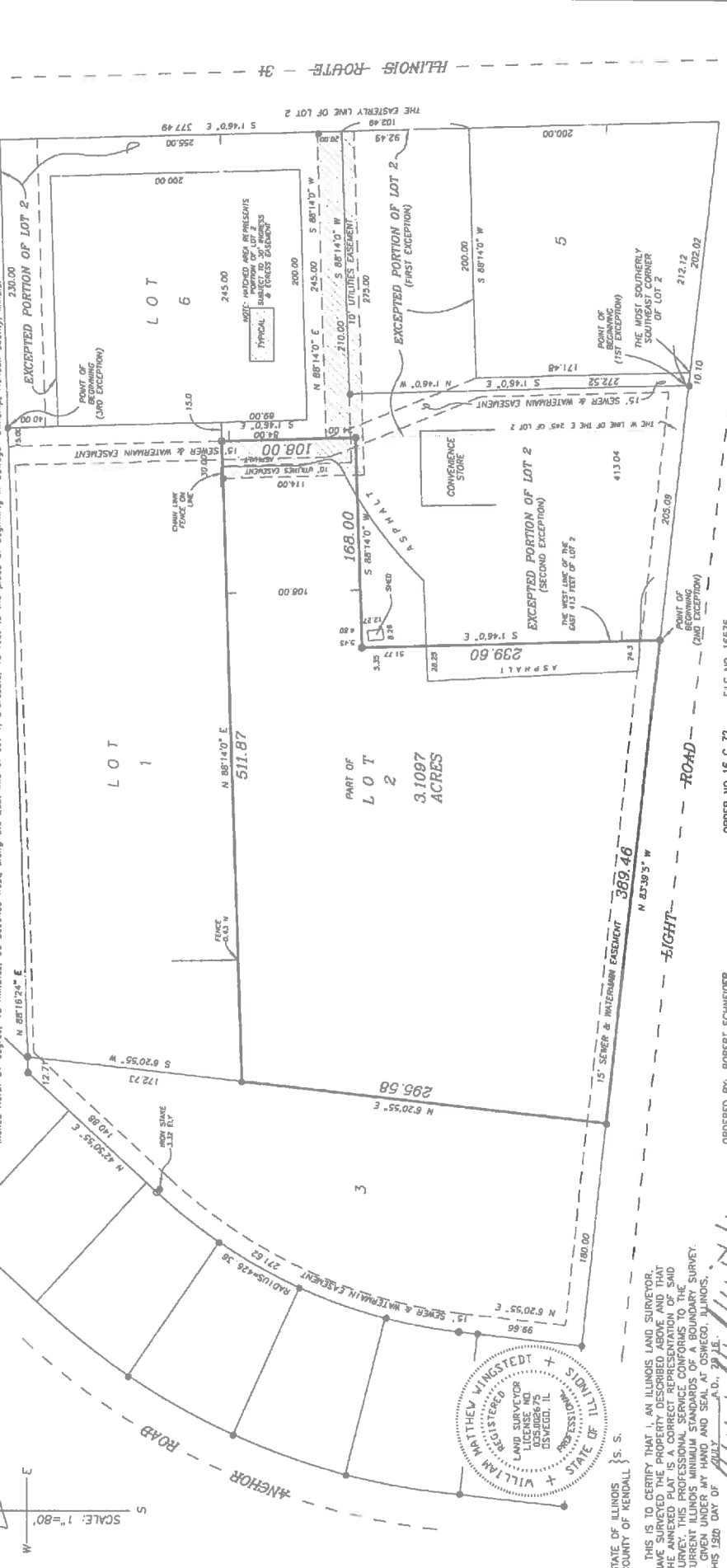
  
Kendall County Board Chairman  
John Shaw

# PLAT OF SURVEY OF

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SCALE: 1"=80'

That each of Lot 3, of the Block known as Lot 5 of Unit Two, Marina Terrace, (except those parts described as follows), comprising of the Southeast corner of Lot 5; Unit Two, Marina Terrace; thence North 83 degrees, 39 minutes, 00 seconds West along the South line of Lot 5; 212.12 feet to a point of beginning; thence North 01 degrees, 46 minutes, 00 seconds East along said East line; 102.49 feet; thence South 88 degrees, 14 minutes, 00 seconds West, 200.00 feet; thence South 01 degree, 46 minutes, 00 seconds East, 171.48 feet to the Southeast corner of Lot 3; thence South 01 degree, 46 minutes, 00 seconds West along said South line, 10.10 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois and excepting that portion of Lot 2 of the said Marina Terrace, described as follows: commencing at the Northwest corner of said Lot 2; thence South 83 degrees, 39 minutes, 00 seconds East, 168 feet; thence North 01 degree, 46 minutes, 00 seconds West 24 feet; thence North 88 degrees, 14 minutes, 00 seconds East 272.52 feet to a point on said South line which is 10.10 feet West of the most Southern Southeast corner thereof; thence South 83 degrees, 39 minutes, 00 seconds West along said South line 202.09 feet to the point of beginning; or if being also the most Northerly Northwest corner of said Lot 2, in the Township of Oswego, Kendall County, Illinois and excepting that part of Lot 2, in the Township of Oswego, Kendall County, Illinois, described as follows: beginning at the Northwest corner of Lot 1 (being also the most Northerly Northwest corner of said Lot 2, in the Township of Oswego, Kendall County, Illinois) and along the East line thereof; 245 feet; thence North 01 degree, 46 minutes, 00 seconds West, 84 feet to a point in the South line of said Lot 1; thence North 88 degrees, 14 minutes, 00 seconds East, along said South line; 15 feet to the Southeast corner of said Lot 1; thence South 01 degree, 46 minutes, 00 seconds East, along the South line of said Lot 1, 200 feet to the Southeast corner thereof; thence North 01 degree, 46 minutes, 00 seconds West, along the East line of Lot 1, aforesaid; 40 feet to the place of beginning in Oswego Township, Kendall County, Illinois.



STATE OF ILLINOIS } S.S.  
 COUNTY OF KENDALL }  
 THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE MADE A SURVEY OF THE ABOVE DESCRIBED PLAT AND THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL AT OSWEGO, ILLINOIS, THIS 15th DAY OF JULY, A.D., 2016.

WILLIAM M. WINGSTEDT  
 ILLINOIS PROFESSIONAL LAND SURVEYOR  
 329 WHITE PINES CIRCLE, OSWEGO, ILLINOIS 60543  
 PHONE: (630) 554-8209 FAX (630) 551-1207

ORDERED BY: ROBERT SCHNEIDER ORDER NO. 16.0.72 FILE NO. 16575

FIELD WORK COMPLETED, BUILDINGS AND OTHER IMPROVEMENTS LOCATED AS SHOWN ON THE 19th OF JULY, A.D., 2016.

LOT 2 LIGHT ROAD.DWG  
 ● = found iron stake  
 ○ = set iron stake