

**ORDINANCE NUMBER 2014 - 08**

**GRANTING A SPECIAL USE FOR  
1542 PLAINFIELD ROAD**

WHEREAS, Candice Hadley has filed a petition for a Special Use within the R-3 Residential Zoning District for a 5 acre property located on the south side of Plainfield Road about 1.1 miles west of Ridge Road, commonly known as 1542 Plainfield Road (PIN#03-35-377-003), in Oswego Township, and;

WHEREAS, said petition is to hold weddings and special events on site. This use would be considered a unique use: (Uses, not otherwise listed herein, may be granted special use approval if such uses conform to the purpose, goals and objectives of the Residential Zoning Districts as described in Section 8.01.); and

WHEREAS, said property would be considered unique due to home being historic and eligible to apply for the National Registry of Historic Places, the house was built in 1865 by Gilbert Gaylord; and

WHEREAS, said property would be considered unique due to the size of the lot and being able to meet all the conditions of a banquet hall if located in the A-1 Agricultural District as a special use; and

WHEREAS, said property is currently zoned R-3 Residential with an existing Special Use for the operation of a bed and breakfast; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for as Ordinance 1995-07 on April 18, 1995; and

WHEREAS, said property is legally described as:

LOT 107 OF THE COUNTY CLERK'S SUBDIVISION OF A PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373; IN THE TOWNSHIPS OF OSWEGO AND NA-AU-SAY, KENDALL COUNTY, ILLINOIS

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 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on January 27, 2014; and

WHEREAS, the findings of fact were approved as follows:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The special use will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.*

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The petitioner is not proposing to change the site but have a temporary tent up during events therefore keeping with the residential character of the neighborhood.*

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The special use will not be adding any new utilities, roadways or drainage to the property. They will use the current access points onto Plainfield Road, have 2 septic systems currently and have some hard surface areas for parking.*

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. The special use will be considered a unique use and will meet other regulations like the noise ordinance and parking regulations during events.*

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This special use will not be every weekend so most of the time it will just be residential uses and not events.*

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to hold weddings and special events on site subject to the following conditions:

1. The principal use of the property is for residential purposes.
2. A maximum of 100 persons at any one time
3. All events must end at 10pm on weeknights and 11pm on weekends.
4. All events must be catered unless modifications are made to the kitchen and approved by the Health Department.
5. Compliance with applicable building codes and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.
6. Allow a lit sign only to be lighted during the event and not to exceed 16 square feet in size. The lights must go off no later than the times specified in the special use. No electronic billboard.

State of Illinois  
County of Kendall

Zoning Petition  
#13-31

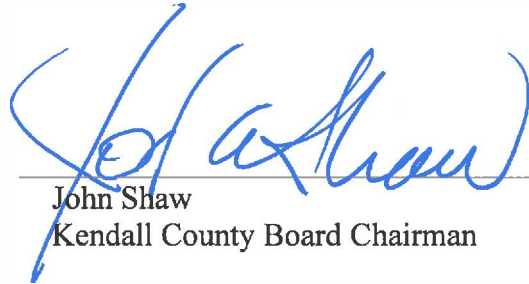
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on January 21<sup>st</sup>, 2014.

Attest:



Debbie Gillette  
Kendall County Clerk



John Shaw  
Kendall County Board Chairman