

ORDINANCE # 2012- 11

AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE
Section 10.00- "Manufacturing District" & Section 13.00- "Administration"

WHEREAS, Kendall County regulates development under authority of its Zoning Ordinance and related ordinances; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

WHEREAS, all administrative procedures for amendments have been followed including a Public Hearing held before the Kendall County Zoning Board of Appeals on June 4, 2012.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Section 10.00- "Manufacturing District" & Section 13.00- "Administration" of the Kendall County Zoning Ordinance as provided in attached Exhibit "A".

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 19th day of June, 2012.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
John Purcell

10.01 M-1 LIMITED MANUFACTURING DISTRICT

- E. BUILDING COVERAGE. Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings.

10.02 M-2 HEAVY INDUSTRIAL DISTRICT

- F. BUILDING COVERAGE. Not more than seventy percent (70%) of the area of a lot may be covered by buildings or structures, including accessory buildings.

13.01 ADMINISTRATIVE

13.04 VARIATIONS

A. PURPOSE AND CONDITIONS.

2. Variations shall run with the land and are transferred to the new owner provided a building permit has been issued (if required) and the use or structure has been lawfully established within one year of variation approval.

- B. AUTHORIZED VARIATIONS. Variation from the regulations of this amended ordinance shall be granted by the Zoning Board of Appeals only in accordance with the standards set forth in subsection 13.04-A hereof and may be granted for any item except for a use.

13.05 ADMINISTRATIVE VARIATIONS

A. PURPOSE AND CONDITIONS.

1. Administrative variations are intended to provide a streamlined approval procedure for minor modifications of zoning ordinance regulations while keeping with the general purpose and intent of zoning ordinance regulations and the established character of the area in which it is located.
2. Variations shall run with the land and are transferred to the new owner provided a building permit has been issued (if required) and the use or structure has been lawfully established within one year of variation approval.

B. AUTHORIZED ADMINISTRATIVE VARIATIONS.

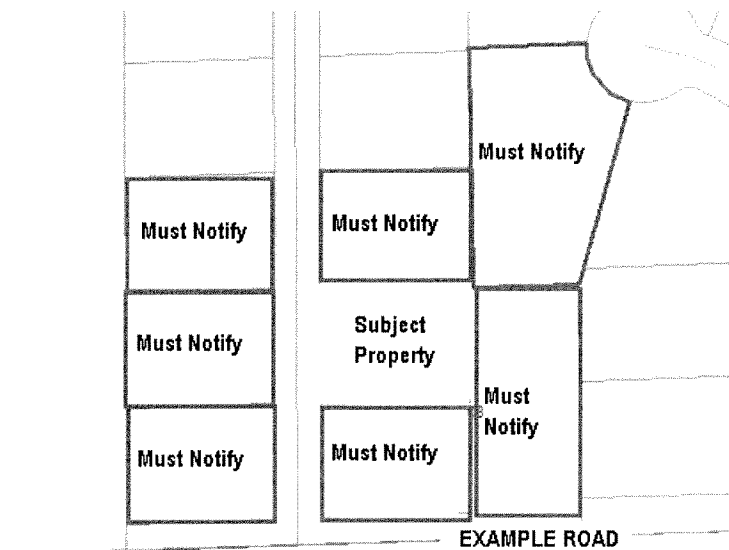
1. The Planning, Building and Zoning Director or persons designated by the County Board is authorized to grant relief from any numerical or quantitative standard in

this zoning ordinance by up to 10%.

2. The Administrative Variation may not be approved unless the Planning, Building and Zoning Director or persons designated by the County Board makes a written finding that the requested variation will not have significant adverse impact on the health, safety, or general welfare of surrounding property owners or the general public and that any adverse impact resulting from the administrative variance will be mitigated to the maximum extend feasible.

C. APPLICATION FOR ADMINISTRATIVE VARIATION:

1. A complete application for Administrative Variation must be filed with the Planning, Building and Zoning Department.
2. After the application and site plan are received, the applicant will need to provide notice via postal certificate of mailing to all adjoining property owners, even those located across the street. Proof of the mailing will need to be provided to the Planning, Building and Zoning Department.



3. If no written objection is received within 15 days of the postal certificate of mailing, the Planning, Building and Zoning Director or persons designated by the County Board may either grant or deny the application. If the petition is denied, or a written objection is received in a timely manner, the applicant will need to apply for a standard Variation in front of the Zoning Board of Appeals. If the Planning, Building and Zoning Director or persons designated by the County Board does not feel comfortable making a recommendation the Director or persons designated may take the petition to the PBZ Committee for a final decision. Also in the case of denial from the Director or persons designated by

the County Board and the petitioner does not agree with the recommended denial the petition can then be taken to the PBZ Committee for a final decision.

4. In granting an Administrative Variation, the Planning, Building and Zoning Director or persons designated by the County Board may impose conditions upon the subject property that are necessary to reduce or minimize any potentially adverse impacts on other property in the surrounding areas, and to carry out the state purpose and intent of this zoning ordinance.