

ORDINANCE # 2012- 116

AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE
Sections 3.02- "Definitions" & Section 7.01.E "A-1 Agricultural Conditional Uses"

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

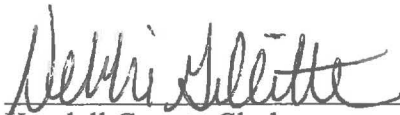
WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

WHEREAS, all administrative procedures for amendments have been followed including a Public Hearing held before the Kendall County Zoning Board of Appeals on July 30, 2012.

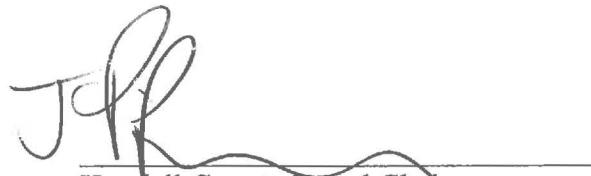
NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Section 3.02- "Definitions" & Section 7.01.E- "A-1 Agricultural Conditional Use" of the Kendall County Zoning Ordinance as provided in attached Exhibit "A".

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of August, 2012.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
John Purcell

EXHIBIT A

Section 3.02 Definitions

GUEST HOUSE. Living quarters within a detached accessory building located on the same premises with the principal building, for use by guests of the occupants of the premises no longer than 90 continuous days. Such quarters can have kitchen facilities and shall not be rented or otherwise used as a separate dwelling.

Section 7.01.E.Conditional Use

- e. Guest house with kitchen facilities provided it meets the following conditions:
 - i. The parcel must be 3.0 acres or greater in size and must be able to demonstrate the ability to provide adequate water and sanitary wastewater treatment facilities to service both the principle residence and guest house in accordance with all applicable Health Department regulations and guidelines in effect at the time of application.
 - ii. The guest house shall comply with the building setbacks of the Agricultural district and shall be a minimum of 20 feet from the principle structure.
 - iii. All guest houses shall not exceed the height of the main dwelling.
 - iv. Adequate off-street parking shall be available for the guest house.
 - v. Covenant or Deed Restrictions: As a condition of securing a Building Permit for construction of a guest house being added to an existing parcel containing a single-family home, the property owner shall record against the deed to the subject property, a covenant or deed restriction which shall prohibit the rental, lease or sale of the guest house separately from the rental, lease or sale of the main dwelling unit. Proof that such a covenant or deed restriction has been recorded shall be provided to the Kendall County Planning, Building and Zoning Department prior to the issuance of the Building Permit for the guest house.
 - vi. The materials, colors, and architectural style of the guest house shall be similar to the principal residence.
 - vii. The livable floor area of the guest house shall not exceed 50% (fifty percent) of the livable floor area of the principal residence.
 - viii. Construction of all guest houses shall meet applicable building codes.