

ORDINANCE NUMBER 2011- 04

GRANTING A CONDITIONAL USE for
BENJAMIN EIPERS

WHEREAS, Benjamin Eipers, has filed a petition for an A-1 Conditional use for an A-1 Building permit for property located on the East side of Sandy Bluff Road, approximately 2,000' north of Route 34, in Section 30 of Little Rock Township; and

WHEREAS, said property is identified with the tax identification number 01-30-276-008 and is legally described in Exhibit "A"; and

WHEREAS, said petition is to allow for the issuance of one (1) building permit in the A-1 Agricultural zoning district to allow for the construction of one (1) single-family home as provided in Section 7.01.E.2 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is presently zoned R-3 and is concurrently asking for rezoning to A-1; and

WHEREAS, said property has a land evaluation rating of less than 75 points indicating the presence of poor soils which makes farming impractical; and

WHEREAS, said property has excessive slopes; and

WHEREAS, said property has other physical features which serve as barriers to farm operations such as streams, rock outcroppings and property configuration in relationship to wetlands, flood-prone areas or buildings; and

WHEREAS, said property has existing woodland coverage of a substantial portion of the site containing trees in excess of 6" in diameter measured at breast height; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Zoning Board of Appeals on January 3, 2011; and

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 approval of a Conditional Use in the A-1 Agricultural zoning district to permit the development of one (1) single family home on the property legally described above and graphically portrayed as Exhibit "B" attached to and incorporated within.

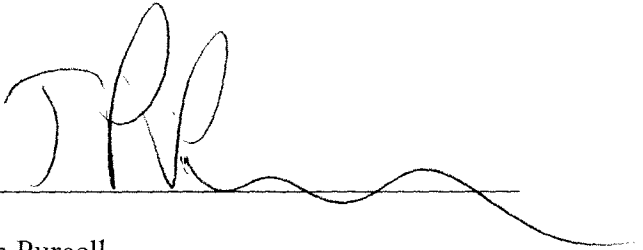
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on January 18, 2011.

Attest:



Debbie Gillette
Kendall County Clerk



John Purcell
Kendall County Board Chairman

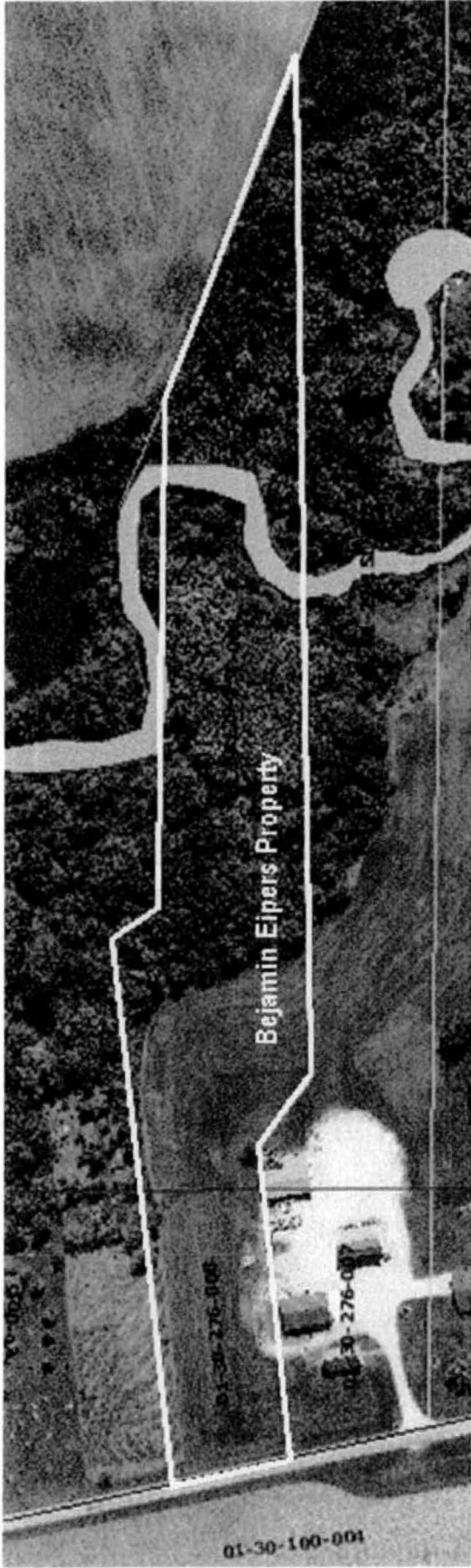


EXHIBIT B