

ORDINANCE # 2010-21

**AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE SECTIONS
8.07.A & 8.08.A "Residential Districts – R-2 – Permitted Uses & Residential Districts – R-3
– Permitted 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 September 28, 2010.

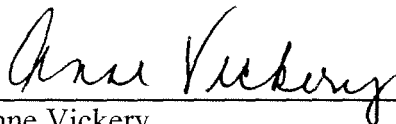
NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 8.07.A & 8.08.A "Residential Districts – R-2 – Permitted Uses & R-3 Permitted Uses" of the Kendall County Zoning Ordinance as provided in attached Exhibit "A".

IN WITNESS OF, this Amendment to the Kendall County Zoning Ordinance was approved by the Kendall County Board on October 19, 2010.

Attest:



Debbie Gillette
Kendall County Clerk



Anne Vickery
Kendall County Board Chairman

EXHIBIT "A"

8.02 R-1 ONE-FAMILY ESTATE RESIDENCE DISTRICT.

12. Farm type animals shall be permitted in accordance with the following:

a. On lots less than one (1) acre, no farm-type animals shall be permitted.

b. On lots at least one acre but less than three acres in size, a maximum of one horse and a maximum combined total of five ducks, rabbits, chickens, or goats, with the following exception: The number of horses permitted on lots less than three acres in size created prior to October 17, 2000, shall be determined in accordance with the methodology as specified in Section 8.02-A.12.d.

c. On lots three acres or more in size, one horse per acre shall be permitted provided that 21,780 square feet of contiguous land is dedicated as pasture for each horse permitted on a lot. Any lot with more than three horses shall submit a manure management plan to PBZ Staff for review. In addition, for lots over 3 acres but less than 5 acres, maximum combined total of ten ducks, rabbits, chickens or goats is allowed. Additional farm type animals may be permitted temporarily for 4-H projects.

d. Lots at least one (1) acre in size but less than five (5) acres shall be permitted to keep up to twelve (12) chickens.

e. On lots of 5 acres or more, the following animals are permitted in any combination provided that there shall not be in excess of two-thirds of an animal unit per acre in accordance with the following table. The animal unit permitted for any animal not listed shall be determined by the Director of Planning, Building and Zoning and shall as nearly as possible approximate one of the listed animals:

EXHIBIT "A"

NUMBER OF ANIMAL UNITS PER ANIMAL	TYPE OF ANIMAL
1.4	Dairy Cattle
1.0	Beef Cattle
0.66	Horses
0.8	Lamas
0.4	Ostrich
0.4	Goats
0.4	Hogs
0.2	Ducks
0.1	Sheep
0.02	Turkeys
0.02	Rabbits
0.01	Chickens

The formula for calculating the number of animals allowed on parcels in excess of five acres in size shall be as follows:

(Acreage of the property x 0.66) = Total Number of Animal units allowed.

Example: 5.0 Acres x 0.66 = 3.33 Animal Units. Based on the Table above, the following mix of animals would be permitted:

(2 Dairy Cattle = 2.8 Animal Units) + (1 Goat = 0.4 animal Units) + (1 Sheep = 0.10 Animal Units) + (3 Chickens = 0.03 Animal Units) = 3.33 Total Animal Units. (AMENDED 9/15/09)

8.07 R-2 ONE-FAMILY RESIDENCE DISTRICT.

A. PERMITTED USES. The following uses are permitted:

1. Any permitted use in the R-1 One-Family Estate Residence District, Section 8.02-A except 8.02-A (3). Uses permitted in Section 8.02-A (12) shall also be prohibited in the R-2 District with the exception of chickens.
2. Keeping of up to twelve (12) chickens on a zoning lot, provided that:
 - a. The lot is a minimum one (1) acre.
 - b. No roosters shall be kept on any zoning lot
 - c. No other poultry, including but not limited to geese, ducks, turkeys shall be kept on the property
 - d. All chickens shall be confined within a covered enclosure or an uncovered fenced enclosure at all times to prevent chickens from encroaching onto neighboring properties.
 - e. All confinements shall be located at least 10' from all residentially zoned lots.
 - f. All uncovered fenced enclosures shall be at least four feet in height.

EXHIBIT "A"

- g. No eggs or chickens shall be offered for sale on the premises
- h. All standards adopted by the Illinois Department of Agriculture and the Kendall County Health Department shall apply.

8.08 R-3 ONE-FAMILY RESIDENCE DISTRICT.

A. PERMITTED USES. The following uses are permitted:

1. Any permitted use in the R-1 One-Family Estate Residence District, Section 8.02-A except 8.02-A (3). Uses permitted in Section 8.02-A (12) shall also be prohibited in the R-2 District with the exception of chickens.
2. Keeping of up to twelve (12) chickens on a zoning lot, provided that:
 - a. The lot is a minimum one (1) acre.
 - b. No roosters shall be kept on any zoning lot
 - c. No other poultry, including but not limited to geese, ducks, turkeys shall be kept on the property
 - d. All chickens shall be confined within a covered enclosure or an uncovered fenced enclosure at all times to prevent chickens from encroaching onto neighboring properties.
 - e. All confinements shall be located at least 10' from all residentially zoned lots.
 - f. All uncovered fenced enclosures shall be at least four feet in height.
 - g. No eggs or chickens shall be offered for sale on the premises
 - h. All standards adopted by the Illinois Department of Agriculture and the Kendall County Health Department shall apply.