

ORDINANCE # 2009- 27

**AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE SECTIONS
3.02 "Definitions – Accessory Buildings or Use" and 7.01.E.8 "A-1 Conditional uses"**

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

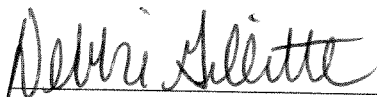
WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

WHEREAS, all administrative procedures for amendments have been followed including a Public Hearing held before the Kendall County Zoning Board of Appeals on July 28, 2009.

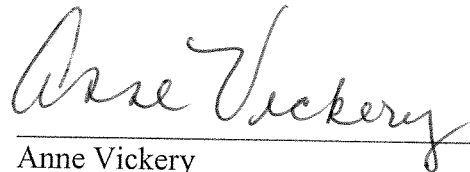
NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 3.02 "Definitions – Accessory Buildings or Use" and 7.01.E.8 "A-1 Conditional uses" of the Kendall County Zoning Ordinance as provided in attached Exhibit "A".

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 18th day of August, 2009.

Attest:



Kendall County Clerk
Debbie Gillette



Anne Vickery
Kendall County Board Chairman

EXHIBIT A

Section 3.02 of the Zoning Ordinance

Definitions:

- ACCESSORY BUILDINGS OR USE. An "accessory building or use" is one which,
1. Is subordinate to and serves a principal building or principal use;
 2. Contributes to the comfort, convenience, or necessity of occupants of the principal use served; and
 3. Includes but is not limited to the following:
 - a. A children's playhouse, garden house and private greenhouse;
 - b. A garage, shed or building for domestic storage;
 - c. Storage or merchandise normally carried in stock on the same lot with any retail service or business use, unless such storage is excluded by the district regulations;
 - d. Storage of goods used in or produced by manufacturing activities on the same lot or parcel of ground with such activities, unless such storage is excluded by the district regulations;
 - e. Incinerators incidental to residential use;
 - f. A non paying guest house **(without kitchen facilities)** or rooms for guests within an "accessory building" provided such facilities are used for the occasional housing of guests of the occupancy of the principal building and not for permanent occupancy by others. ~~as housekeeping units;~~ **(Only permitted on parcels of 3 acres or more in the A-1 district or R-1 district)**
 - g. ~~Servant's quarters comprising part of an accessory garage and solely for occupancy by a servant or household employee (and his or her family) of the occupants of the principal dwelling;~~
 - h. Swimming pool, private, for use by the occupant and his guests;
 - i. Off-street parking and loading facilities;
 - j. Signs (other than advertising signs) as permitted and regulated in each district incorporated in this Ordinance;
 - k. Carports as a separate structure;
 - l. Public utilities - telephone, electric, gas, water and sewer lines, their supports and incidental equipment.

Guest house definition to stay as originally written:

GUEST HOUSE. Living quarters within a detached accessory building located on the same premises with the principal building, for use by temporary guests of the occupants of the premises. Such quarters shall have no kitchen facilities nor be rented or otherwise used as a separate dwelling.

Section 7.01E of the Zoning Ordinance- Agricultural Conditional uses:

7. Guest House with kitchen facilities provided it is in an accessory structure.