

ORDINANCE NUMBER 2007- 08-01

**MAP AMENDMENT FOR 233.8 ACRES NEAR THE NW CORNER  
OF JOLIET ROAD AND ILLINOIS ROUTE 47**

Rezone from A-1 to M-3

WHEREAS, Vulcan Construction L.P.; Vulcan Lands, Inc.; and William Peart did file a petition for a Map Amendment from A-1 to M-3 for property located near the NW corner of Joliet Road and Illinois Route 47 in Sections 21 and 28 of Lisbon Township; and

WHEREAS, said property is identified with the tax identification numbers 08-21-300-003; 08-28-100-004; 08-28-100-005 as depicted in attached Exhibit "A" and is legally described as follows:

***Parcel 1:***

***The N W ¼ of Section 28, Township 35 North, Range 7 East of the 3<sup>rd</sup> Principal Meridian Lisbon Township, (Except the following: the south 26 Rods of the West 6 Rods thereof; the easterly 82.5 feet thereof), situated in Kendall County, Illinois.***

***Parcel 2:***

***The south ½ of the SW ¼ of Section 21, Township 35 North, Range 7 East of the 3<sup>rd</sup> Principal Meridian, except the easterly 82.5 feet and except the north 264 feet of the westerly 171 feet of the east 253.5 feet thereof; in the Township of Lisbon, Kendall County, Illinois.***

WHEREAS, said property is currently zoned A-1 and is improved with an existing single-family residence and several agricultural buildings; and

WHEREAS, the petitioner desires to rezone the property in order to develop a limestone quarry as permitted in the M-3 district upon issuance of a Kendall County Mine Operations Permit; and

WHEREAS, in the original petition, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, findings of fact, and recommendation by the Zoning Board of Appeals; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions of the Kendall County Zoning Ordinance; and


WHEREAS, the Kendall County Board is aware of a lawsuit filed by Vulcan Construction captioned *Vulcan Lands Inc., Vulcan Construction Materials, LP v. County of Kendall* case number 07 MR 112 and finds it in the best interest of the County to settle said litigation and;

WHEREAS, pursuant to the authority granted under 55 ILCS 5/1-6003 the Kendall County Board has the authority to settle the above mentioned lawsuit and grant the petitioners' map amendment requested herein.

**NOW, THEREFORE, BE IT ORDAINED**, that the Kendall County Board hereby grants a zoning map amendment from A-1 to M-3 on the tract of land legally described above. In the alternative, if a judge of the Circuit Court of Kendall County finds that further public hearings are necessary, then this petition is remanded to the Kendall County Zoning Board of Appeals for further hearings and subsequently to the Kendall County Board for consideration.

IN WITNESS OF, this ordinance has been enacted on January 15, 2008.

  
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John A. Church  
Kendall County Board Chairman

  
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Renetta Mickelson  
Kendall County Clerk