

ORDINANCE NUMBER 2008 - 16

GRANTING A CONDITIONAL USE
LAWNSKEEPER, Inc.

WHEREAS, Lawnskeeper, Inc. filed a petition for a Conditional Use within the A-1 district, for an 18.3 acre property located on the north side Van Dyke Road one-quarter mile west of McKanna Road (PIN# 09-05-400-012) in Seward Township, as 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 A-1; 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 March 25, 2008; and

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

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, subject to the following conditions:

1. Any new structures to be constructed shall be setback 160' from the centerline of Van Dyke Road
2. The Conditional Use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same Conditional Use conducted on the property.
3. Prior to the issuance of a building permit on the property, the petitioner shall:
 - a. Record an Open Space/Drainage Easement or covenant across flood prone portions of the site
 - b. Record 20' trail easement for future 10' regional trail outside of area reserved for future R.O.W.
 - c. Obtain approval for a Site Development Permit

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 April 15, 2008.

Attest:



John A. Church
Kendall County Board Chairman

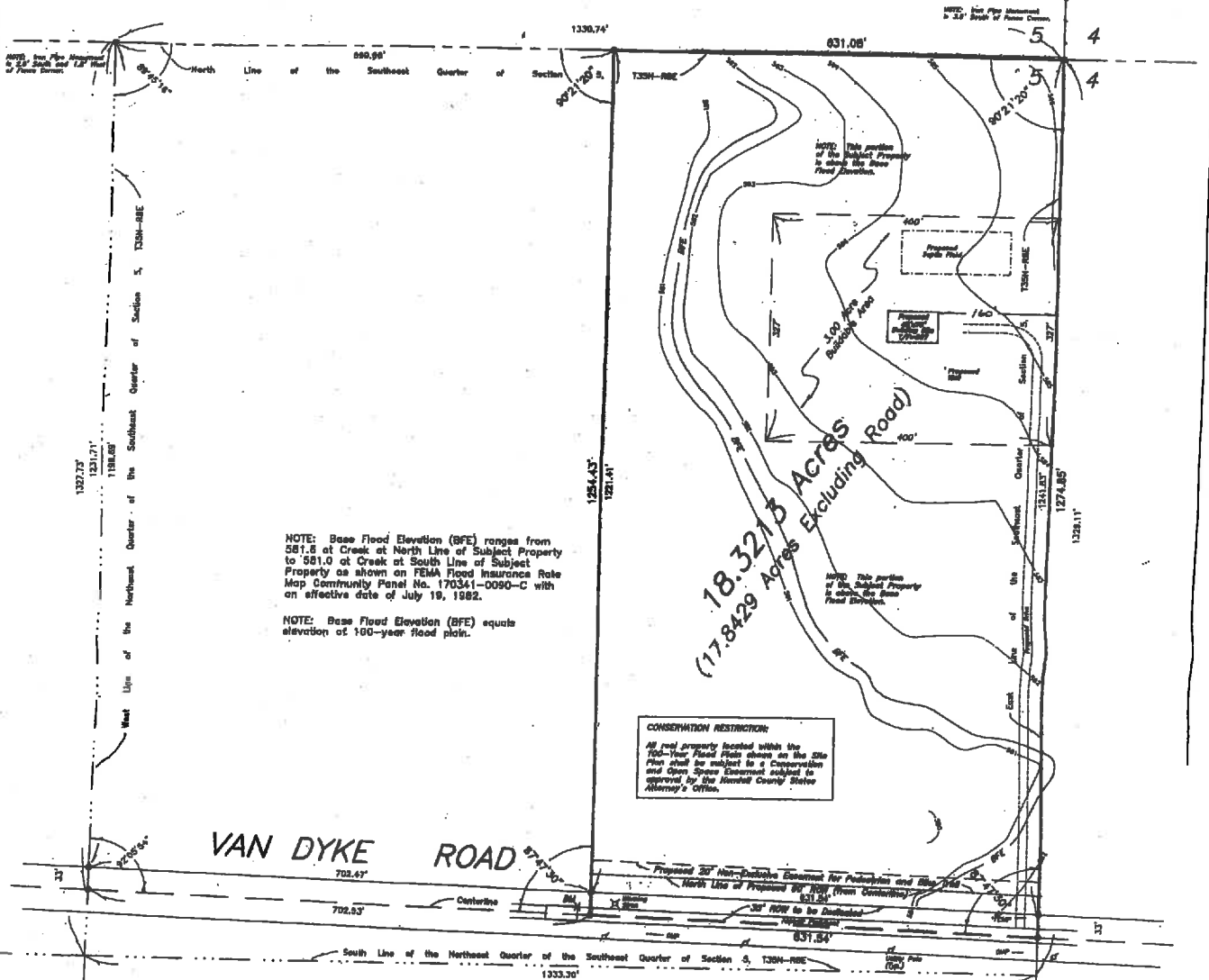

Renetta Mickelson
Kendall County Clerk

EXHIBIT "A"

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN WHICH LIES NORTH OF THE CENTER LINE OF A ROAD RUNNING EASTERLY FROM THE OTTAWA AND CHICAGO ROAD (SAID ROAD NOW KNOWN AS VAN DYKE ROAD), IN THE TOWNSHIP OF SEWARD, KENDALL COUNTY, ILLINOIS, AND CONTAINING 18.3213 ACRES.

PLAT OF SURVEY OF
PART OF THE SOUTHEAST QUARTER OF SECTION 5, T35N-R8E, 3rd PM
SEWARD TOWNSHIP KENDALL COUNTY ILLINOIS

REDUCED



NOTE: Base Flood Elevation (BFE) ranges from 561.6 at Creek at North Line of Subject Property to 561.0 at Creek at South Line of Subject Property as shown on FEMA Flood Insurance Rate Map Community Panel No. 170341-0090-C with an effective date of July 19, 1982.

NOTE: Base Flood Elevation (BFE) equals elevation at 100-year flood plain.

CONSERVATION RESTRICTION:
All real property located within the 100-year Flood Plain shown on the EIR Plan shall be subject to a Conservation and Open Space Easement subject to approval by the Kendall County State Attorney's Office.

LEGAL DESCRIPTION:

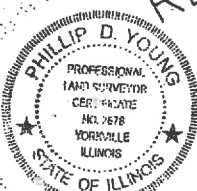
The East 631.08 feet (as measured along the North Line) of the Northeast Quarter of the Southeast Quarter of Section 5, Township 35 North, Range 8 East of the Third Principal Meridian lying North of the centerline of a road running Easterly from the Ottawa and Chicago Road (said road, now known as Van Dyke Road); all in Seward Township, Kendall County, Illinois, and containing 18.3213 acres.

State of Illinois }
County of Kendall } SS

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed the above described tract as shown by the plat hereon drawn which is a representation of said survey. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated October 2, 2007 at Yorkville, Illinois

Phillip D. Young
Phillip D. Young
Illinois Professional Land Surveyor No. 2678 (Expires 11/30/08)



REDUCED

- Indicates Iron Stake Found
- Indicates Stone Monument Found
- Indicates Iron Stake Set
- Indicates Line of Fence

BENCHMARK -- (NGVD29)
Chieftain Square on East end of North Curb of Van Dyke Road bridge over Middle AuxSable Creek. (FEMA Reference Mark #52).
Elevation = 561.55

SCALE
1"=100'

December 7, 2007

JOB NO.	07075
JOB NAME	CARLSON
JWG FILE	07075Brd

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

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