

ORDINANCE NUMBER 2008- 40

**RECINDING ORDINANCE 08-26
GRANTING A CONDITIONAL USE for
CAMELOT FARMS**

WHEREAS, Camelot Farm Oswego, LLC, has filed a petition for an A-1 Conditional use for an A-1 Building permit for property located on the west side of Chippewa Drive, commonly known as 55 Chippewa Drive, in Section 6 of NaAuSay Township; and

WHEREAS, said property is identified with the tax identification number 06-06-251-007 and is legally described on the attached "Exhibit A": Legal Description; and

WHEREAS, a petition granting a conditional use was approved by the Kendall County Board on July 15, 2008, as Ordinance Number 08-26; 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, said property has a land evaluation rating of less than 75 points indicating the presence of poor soils which makes farming impractical; 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 Special Use Hearing Officer on June 24, 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; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall

County Ordinance #08-26 in its entirety and 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. Prior to the issuance of a building permit on the property, the petitioner shall 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 September 16, 2008.

Attest:



Rennetta Mickelson
Kendall County Clerk



John A. Church
Kendall County Board ~~Vice~~ Chairman

EXHIBIT A

Legal Description for Massimo Bianchini Tract to be an A-1 Special Use

That part of the Waish-Kee-Shaw Reservation described as follows: commencing at the northeast corner of Lot 20 in Na-Au-Say Woods, Unit 2, as depicted on a plat recorded May 14, 1991 as document no. 913133; thence westerly along the north line of said unit 2, a distance of 300.00 feet for a point of beginning; thence northerly, parallel with the west line of Chippewa Drive, 305.0 feet; thence easterly, parallel with said north line 300.00 feet to said east line; thence northerly along said east line, 454.02 feet; thence northerly along said east line, being along a tangential curve to the left, having a radius of 267.0 feet, an arc distance of 38.53 feet to the south line of Na-Au-Say Woods, as depicted on a plat recorded October 14, 1977 as document No. 890117; thence westerly along said south line, 1087.53 feet to the west line of said subdivision; thence southerly along said west line extended, which forms an angle $89^{\circ}28'25''$ with the last described course, measured clockwise therefrom, 797.31 feet to the northwest corner of lot 17 in said unit 2; thence easterly along a north line of said unit 2 which forms an angle of $90^{\circ}31'35''$ with the last described course, measured clockwise therefrom, 795.22 feet to the point of beginning in Na-Au-Say Township, Kendall County, Illinois and containing 17.900 acres as shown by the plat hereon drawn which is a correct representation of said survey.

Except that part of the Waish-Kee-Shaw Reservation described as follows: Beginning at the Southeast corner of Lot 9 in Na-Au-Say Woods Subdivision; thence westerly along the South line of said subdivision 269.65 feet; thence southerly along a line which forms an angle of $89^{\circ}06'33''$ with the last described course measured clockwise therefrom, 211.02 feet; thence easterly at right angles to the last described course 272.39 feet to the west line of Chippewa Drive; thence northerly along said west line 168.45 feet to a point of curvature; thence northerly along said west line, being along a tangential curve to the left having a radius of 267.0 feet an arc distance of 38.53 feet to the point of beginning in Na-Au-Say Township and containing 1.305 acres.

EXHIBIT B

