

ORDINANCE NUMBER 2007 - 18

**GRANTING A SPECIAL USE for
AGRICULTURAL LABOR HOUSING to
CHARLES AND CAROL ALLEN**

WHEREAS, Charles and Carol Allen have filed a petition for a Special Use within the A-1 Agricultural Zoning District for Agricultural Labor Housing pursuant to Section 7.01.D.2 of the Kendall County Zoning Ordinance for property commonly known as 3827 Van Dyke Road in Seward Township, and as legally described in "Exhibit A"; and

WHEREAS, said petition is to allow for the continued placement of agricultural labor housing, in the form of a mobile home, on the subject property; 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; 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 special use zoning permit to permit the use indicated in the recitals section of this Ordinance subject to the following conditions:

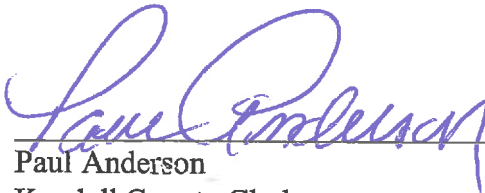
1. The petitioner will be required to submit documentation to the PBZ Department at the start of each growing season documenting the name and occupation of the individual(s) occupying the trailer. Occupancy of the trailer shall be limited to the employee and his/her immediate family.
2. The trailer shall only be occupied from April 1st through November 30th of each year.
3. Annual renewal of the Agricultural Labor Housing Mobile Home permit including payment of the applicable renewal fee until such time that either:
 - a. The use of the trailer for agricultural labor ceases: or
 - b. The trailer is installed on a permanent frost depth foundation.
4. In the event use of the trailer for agricultural labor housing is discontinued or remains unoccupied in any one season, or in the event the property is sold to another owner, the special use shall lapse.
5. Upon a lapse or expiration of the special use, the trailer shall be removed from the premises within 60 days unless otherwise approved by the Planning Building and Zoning committee of

the County Board provided just cause for the delay can be demonstrated. In no event shall the trailer be permitted to remain on the premises for more than six months following the lapse or expiration of the special use.

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 _____, 2007.

Attest:



Paul Anderson
Kendall County Clerk



John A. Church
Kendall County Board Chairman