

ORDINANCE NUMBER 2007 - 20

**GRANTING A SPECIAL USE for
SOCCER FIELDS AND ACCESSORY PARKING to
HARLAN FARMS, LTD.**

WHEREAS, Harlan Farms, LTD. has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a Private Soccer Club and related fields to pursuant Section 7.01.D.22 (private clubs or lodges) and Section 7.01.D.19 (parks) of the Kendall County Zoning Ordinance for property adjacent to 4728 Chicago Road (south side of Chicago Road, ¼ mile east of Grove Road) in Seward Township, as legally described in "Exhibit A"; and

WHEREAS, said petition is to allow for the placement of two (2) soccer fields and associated accessory parking facilities; 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 site shall be developed in accordance with the controlling site plan attached hereto Exhibit "B". Any expansion of the use beyond the two existing fields and proposed parking spaces as shown on the controlling site plan, will require the submission of an amendment to the Special Use for review and approval in accordance with County procedures for approval of a Special Use permit.
- 2) The width of the proposed driveways and circulation aisles within the parking lot will be finalized to insure conformance with the County off-street parking regulations as part of the Site Development plan review.
- 3) The aprons for the parking lot should be paved with asphalt through the existing R.O.W. coming in off Chicago Road.
- 4) Unless otherwise agreed to by adjoining property owner to the west of subject parcel, prior to October 1, 2007 petitioner agrees to install a perimeter fence along south, east, and west property line. Said fence shall consist of a three (3) board vinyl fence. A copy of any such agreement between property owners regarding fence shall be supplied in writing to PBZ department for inclusion in the file.
- 5) The proposed fields shall not be illuminated.

- 6) No permanent or portable sound amplification systems for announcing games shall be permitted or used on the premises.
- 7) No Parking signs be shall be posted along Chicago Road subject to input by the Seward Township Highway Commissioner.
- 8) The hours of operation shall be limited as follows:
 - a. During the school year September to May 2:00 p.m. to dusk but not later than 7:30 p.m. Monday through Friday; from 9:00 a.m. to 7:30 p.m. on Saturday; and 9:00 a.m. to 6:30 p.m. on Sunday.
 - b. Summer hours from June to September are limited to 8:00 a.m. to 8:00 p.m. Monday through Friday; from 9:00 a.m. to 7:30 p.m. on Saturday; and 9:00 a.m. to 6:30 p.m. on Sunday.
- 9) Dedication of additional R.O.W. along Chicago Road shall be required in the event the petitioner wishes to add additional fields in the future.
- 10) The operator or organization utilizing this facility shall be required to supply the County with contact information annually at the beginning of each season to facilitate the coordination of Special Events and emergency response in the case of an emergency.
- 11) Prior to construction of the parking lot, the petitioner will need to submit for review and a site development plan and application for review and approval.

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 May 15, 2007.

Attest:



Paul Anderson
Kendall County Clerk



John A. Church
Kendall County Board Chairman

**HARLAN FARMS, LTD.
SPECIAL USE APPLICATION
LEGAL DESCRIPTION**

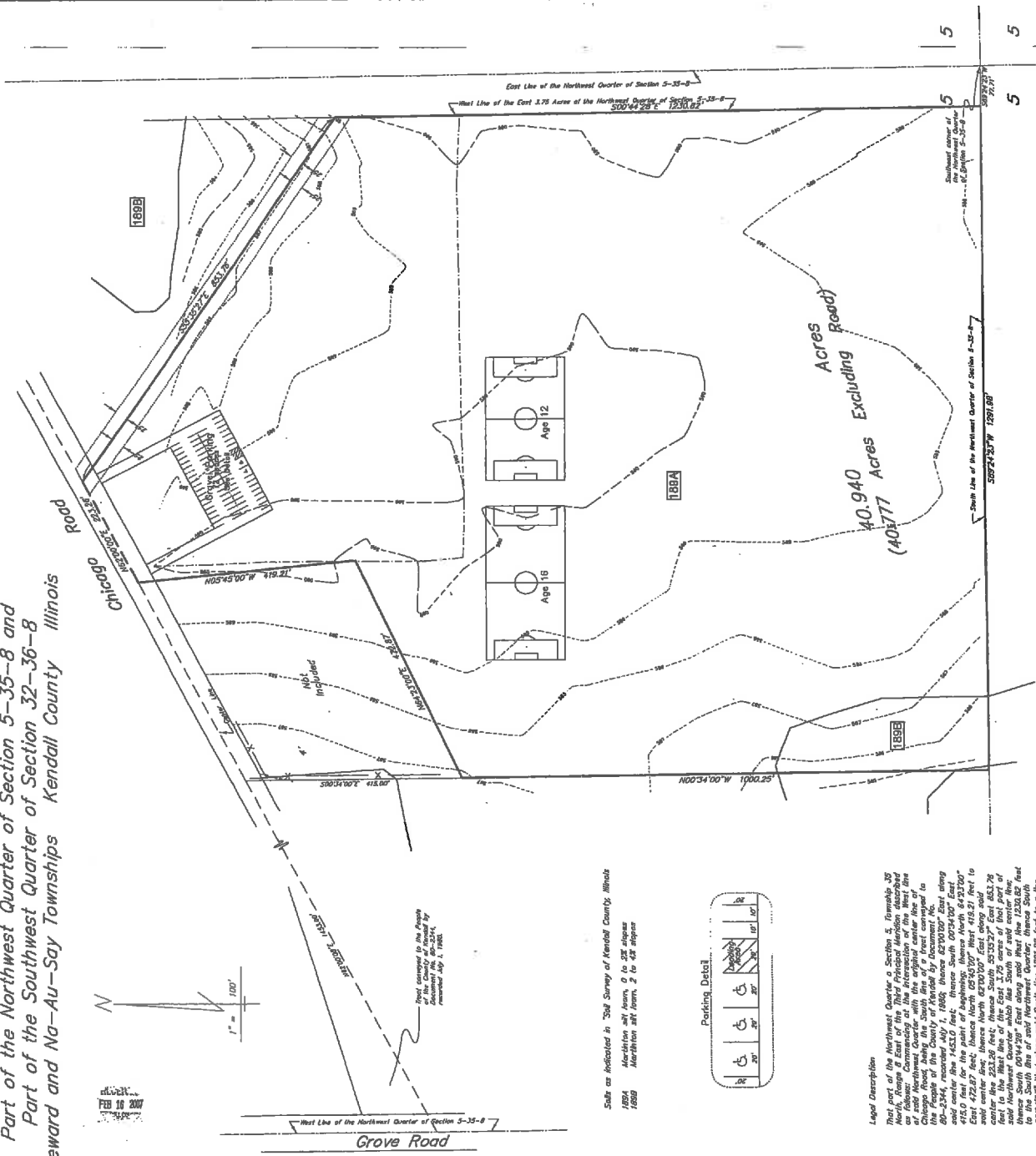
THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID NORTHWEST QUARTER WITH THE ORIGINAL CENTER LINE OF CHICAGO ROAD, BEING THE SOUTH LINE OF A TRACT CONVEYED TO THE PEOPLE OF THE COUNTY OF KENDALL BY DOCUMENT NO. 80-2344, RECORDED JULY 1, 1980; THENCE 62°00'00" EAST ALONG SAID CENTER LINE 1453.0 FEET; THENCE SOUTH 00°34'00" EAST 415.0 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 64°23'00" EAST 472.87 FEET; THENCE NORTH 05°45'00" WEST 419.21 FEET TO SAID CENTER LINE; THENCE NORTH 62°00'00" EAST ALONG SAID CENTER LINE 223.26 FEET; THENCE SOUTH 55°35'27" EAST 853.76 FEET TO THE WEST LINE OF THE EAST 3.75 ACRES OF THAT PART OF SAID NORTHWEST QUARTER WHICH LIES SOUTH OF SAID CENTER LINE; THENCE SOUTH 00°44'28" EAST ALONG SAID WEST LINE 1230.82 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°24'23" WEST ALONG SAID SOUTH LINE 1291.98 FEET TO A LINE DRAWN SOUTH 00°34'00" EAST FROM THE POINT OF BEGINNING; THENCE NORTH 00°34'00" WEST ALONG SAID LINE 1000.25 FEET TO THE POINT OF BEGINNING, KENDALL COUNTY, ILLINOIS AND CONTAINING 40.940 ACRES.

C:\Shared 2007\Zoning.2007\Harlan Farms\Legal Description.rtf

EXHIBIT

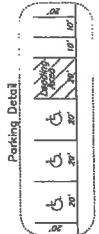
A
DATE _____

Special Use Zoning Sketch
 Part of the Northwest Quarter of Section 5-35-8 and
 Part of the Southwest Quarter of Section 32-36-8
 Seward and Na-Au-Say Townships Kendall County Illinois



Not covered in the Previous Survey of the Northwest Quarter of Section 5-35-8 recorded July 1, 1888.

Scale as indicated in "Soil Survey of Kendall County, Illinois"
 1889
 Meridian all Iron, 0 to 25 degrees
 1888
 Meridian all Iron, 2 to 45 degrees



Legal Description
 That part of the Northwest Quarter of Section 5, Township 35 North, Range 8 East of the 3rd Principal Meridian within the East 1/2 of said Northwest Quarter with the original center line of Chicago Road, the County of Kendall by Document No. 80-2344, recorded July 1, 1888; thence South 62°00'00" East along said center line 1452.0 feet; thence South 02°54'00" East 1251.59 feet; thence North 62°56'00" West 419.81 feet to said center line; thence North 62°56'00" East along said center line 282.26 feet; thence South 02°54'00" East 1251.59 feet; thence North 62°56'00" West 419.81 feet to a line drawn South 02°54'00" East from the point of beginning 80°24'33" West along said South line 1251.59 feet to a line drawn South 02°54'00" East from the point of beginning 80°24'33" West along said South line 1251.59 feet and containing 40.940 acres.

Prepared for:
 Dr. David J. Smith
 3540 W. 111th St.
 Oak Lawn, Illinois 60453

Prepared by:
 James M. Olson Associates, Ltd.
 107 West Madison Street
 Chicago, Illinois 60602
 January 24, 2007

EXHIBIT
 # B
 DATE _____