

ORDINANCE NUMBER 2007 - 46

GRANTING A CONDITIONAL USE

Mark and Vicki Nelson

WHEREAS, Mark and Vicki Nelson filed a petition for a Conditional Use within the A-1 district, for property located at 15250 Millhurst Road in Fox 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; 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. Prior to the issuance of a building permit on the property, the petitioner will need to
 - a. Fill out a Plat Act affidavit
 - b. Record the requested ROW dedication to the township
 - c. Record the open space deed restrictions over the flood prone portions of the property
 - d. Obtain approval for a Site Development Permit
 - e. Obtain approval of Well and Septic from the Health Department


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 18, 2007.

Attest:



Paul Anderson
Kendall County Clerk

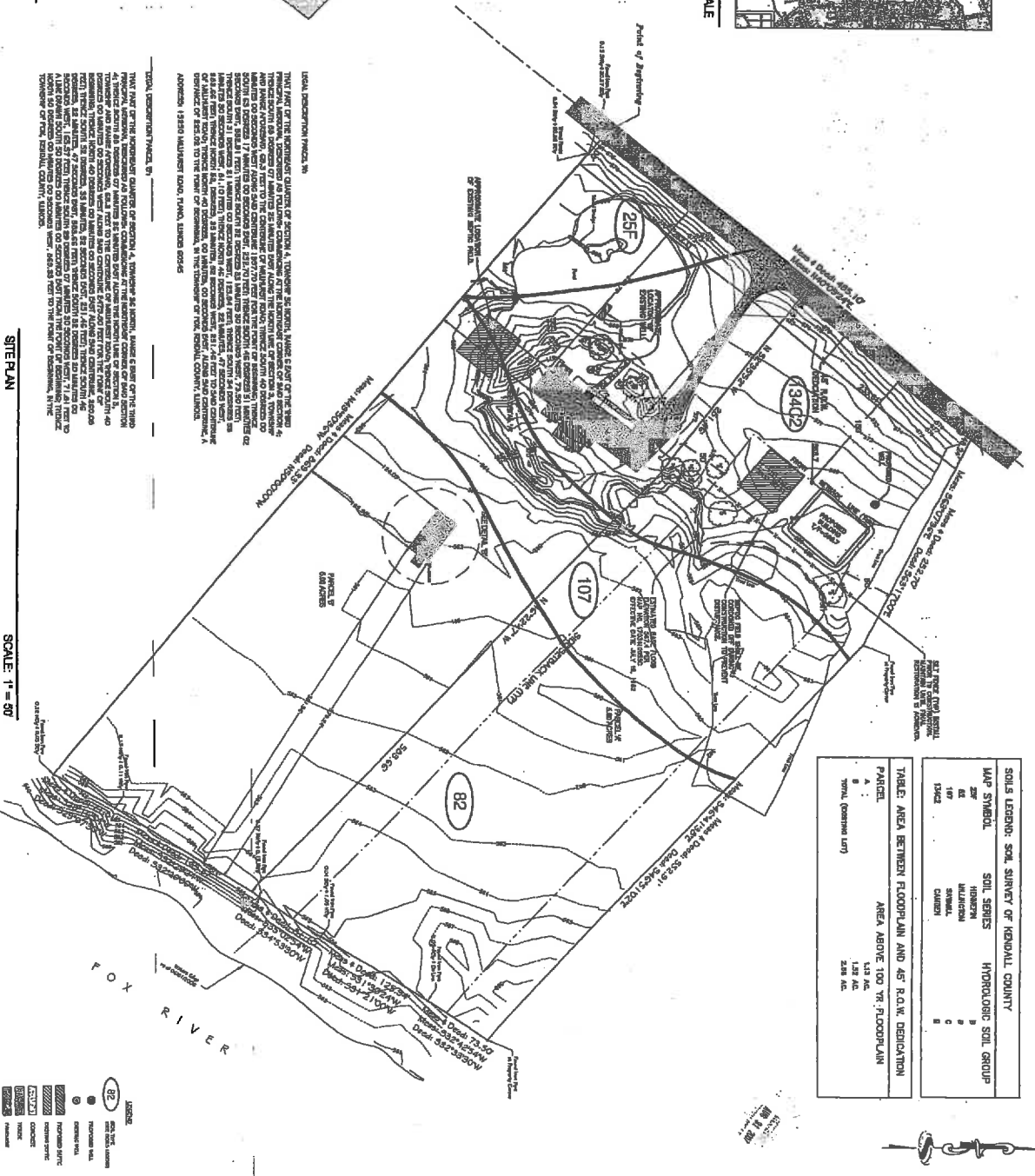
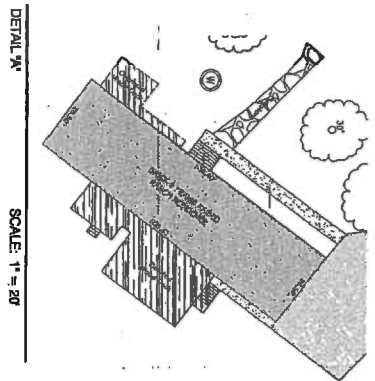
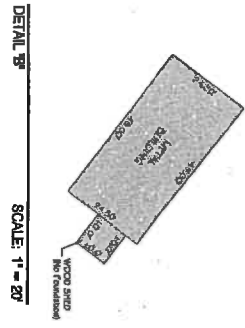
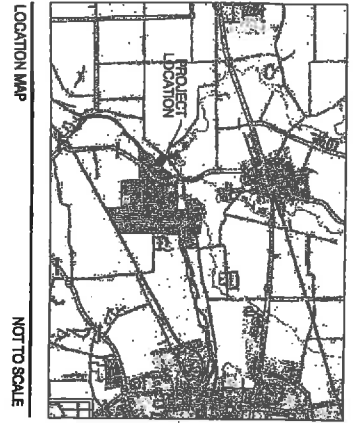

John A. Church
Kendall County Board Chairman

"EXHIBIT A"

LEGAL DESCRIPTION

THAT PART OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4; THENCE SOUTH 88 DEGREES 07' 26" EAST ALONG THE NORTH LINE OF SECTION 3, TOWNSHIP AND RANGE AFORESAID, 69.3 FEET TO THE CENTERLINE OF MILLHURST ROAD; THENCE SOUTH 40 DEGREES 00' 00" WEST ALONG SAID CENTERLINE 2479.80 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 40 DEGREES 00' 00" EAST ALONG SAID CENTERLINE, 485.10 FEET; THENCE SOUTH 63 DEGREES 17' 00" EAST, 252.70 FEET; THENCE SOUTH 46 DEGREES 51' 02" EAST, 552.91 FEET; THENCE SOUTH 32 DEGREES 33' 30" WEST, 73.5 FEET; THENCE SOUTH 31 DEGREES 21' 00" WEST, 125.94 FEET; THENCE SOUTH 34 DEGREES 53' 30" WEST, 81.10 FEET; THENCE SOUTH 32 DEGREES 20' 00" WEST, 165.57 FEET; THENCE SOUTH 29 DEGREES 07' 30" WEST, 71.81 FEET TO A LINE DRAWN SOUTH 50 DEGREES 00' 00" EAST FROM THE POINT OF BEGINNING; THENCE NORTH 50 DEGREES 00' 00" WEST, 869.33 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

PP. 01 01 000 005



MAP SYMBOL	SOIL SERIES	HYDROLOGIC SOIL GROUP
82	MILLBURN	A
107	SHAWNA	C
134C2	CADENA	B

TABLE: AREA BETWEEN FLOODPLAIN AND 45' R.O.W. DEDUCTION	
AREA ABOVE 100 YR. FLOODPLAIN	
A :	1.3 AC.
B :	1.28 AC.
TOTAL (COLUMNS 1-2)	2.58 AC.

Exhibit "B"

REVISION SCALE AS SHOWN SHEET	SHEET TITLE ZONING SKETCH	PREPARED FOR MARK NELSON 15250 MILLHURST ROAD THE ARLING, IL	PROJECT 7855 DRAWN BY DAM DESIGNED BY DAM CHECKED BY HM	R.O.W. DESCRIPTION REVISED PER REVIEW ISSUED FOR REVIEW	8/20/07 6/24/07 4/26/07	4551 MIDWAY AVENUE, SUITE 100 Lisle, Illinois 60532-0910 PHONE: (630) 894-8900 FAX: (630) 894-8907 ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 084-001134 COPYRIGHT © 2007 SIEBEAT ENGINEERS INC. ALL RIGHTS RESERVED	
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