

ORDINANCE # 2007- 47

AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE SECTION
"7.01.D.33 "A-1 Agricultural District – Special Uses Permitted – Pottery, Art, and Home
Décor Sales"

WHEREAS, Kendall County regulates development under authority of its Zoning Ordinance and related ordinances; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

WHEREAS, all administrative procedures for amendments have been followed including a Public Hearing held before the Kendall County Zoning Board of Appeals.

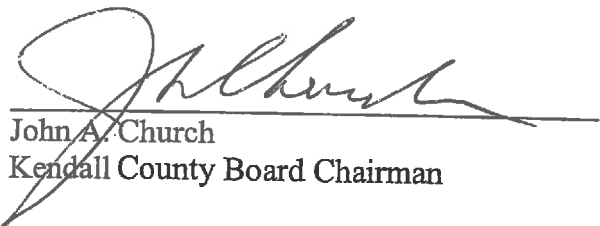
NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 7.01.D.33 "A-1 Agricultural District – Special Uses Permitted – Pottery, Art, and Home Décor Sales" of the Kendall County Zoning Ordinance as provided in attached Exhibit "A".

IN WITNESS OF, this Amendment to the Kendall County Zoning Ordinance was approved by the Kendall County Board on September 18, 2007.

Attest:



Paul Anderson
Kendall County Clerk



John A. Church
Kendall County Board Chairman

Exhibit "A"

SECTION 7.00

AGRICULTURAL DISTRICTS

D. SPECIAL USES PERMITTED

33. Retail or Wholesales sales of pottery, art, or home décor products, alone or together with the operation of a tea room, sit-down food sale area for food sales on-premises incidental to the operation of the primary retail sales use provided that the subject parcel is not less than 3.0 acres in size, has hard-surfaced road frontage onto an arterial or major collector roadway as depicted on the Kendall County Land Resource Management Plan; and is located in an area not designated on the Land Resource Management Plan as dedicated for agricultural uses.

a. The following purpose is served:

1. To encourage the preservation of existing farmhouses, barns and related structures and the pastoral setting and viewscapes they provide.
2. To allow for the establishment of low intensity retail or wholesale uses within existing structures that will serve as transitional uses between agricultural areas and advancing suburban development.
3. To prevent spot zoning of parcels for commercial uses and the expansion of commercial strips along the County's arterial roadways.

b. All special use permit applications for a retail or wholesale use must meet the following requirements:

1. Unless otherwise approved by the County Board, the retail or wholesale use shall be conducted within one or more buildings or structures on a qualifying zoning lot unless the applicant can demonstrate to the County's satisfaction that conversion of an existing structure is not feasible due to structural or other similar limitations.
2. If any proposed additions or new structure are to be built on the property, (a) the architectural design of those structures must be reflective of the existing architecture on the site; (b) the additional square footage may not exceed fifty (50) percent of the combined square footage of the existing structures on the parcel; and (c) placement of any new structures or additions to existing buildings shall be done in a manner that does not detract from the maintenance of the existing viewscape of the locality.
3. There shall be no outside display of goods or outside storage of equipment, materials, or motor vehicles utilized in conducting the retail or wholesale use.
4. The retail or wholesale use shall not generate noise, vibration, glare, fumes, odors, or electrical interference

Exhibit "A"

- beyond that which normally occurs in the A-1 zoning district.
5. Limited demolition of an existing farmhouse, barn, or accessory structure may be permitted upon the submission of a site plan and architectural drawings for review and approval by the county as part of any such special use request for retail or wholesale uses provided that such demolition shall not exceed 15% of the combined square footage of all existing structures on the premises. The combined square footage of existing structures shall be defined as the sum total of the square footage of all existing structures situated on a qualifying zoning parcel at the time of submission and approval of the first application for such a special use on said qualifying parcel.
 6. Submission of a site plan and drawings indicating the location of existing structures and any proposed or existing additions thereto shall be supplied to demonstrate how the special use will serve to preserve or enhance the architecture of the existing structures and agricultural character of the property. Such plans and drawings shall include details regarding facilities for traffic movement, parking and loading; the design and appearance of all sides of any existing or future buildings to be maintained on the premises including any areas of demolition or expansion and the size thereof; details of any proposed landscaping or buffering as are necessary or appropriate to maintain the agricultural character of the premises and to fit harmoniously with the character, use and zoning of adjoining surrounding properties and to avoid any appreciable adverse effect upon such properties.
 7. No sign, other than one identification sign as permitted in Chapter 12 of this ordinance shall be allowed.
 8. Off-street parking shall be provided in accordance with the provisions of Chapter 11 of this ordinance.