

ORDINANCE NUMBER 2007 - 07-54

GRANTING A SPECIAL USE for
OPERATION OF A MUSEUM to
HOWARD CHRISTENSEN, d/b/a THE OLD BARN MUSEUM

WHEREAS, Howard Christensen, d/b/a The Old Barn Museum, has filed a petition for a Special Use within the A-1 Agricultural Zoning District for the operation of a museum pursuant to Section 7.01.D.20 of the Kendall County Zoning Ordinance for property located on the westside of Oakbrook Road, approximately 1/4 mile north of Rogers Road, commonly known as 7127B Oakbrook Road, in Fox Township, as legally described in "Exhibit A"; and

WHEREAS, said petition is to allow the operation of a museum; 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; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit per section § 7.01.D.20 (A-1 Special Uses-Philanthropic Institution) to permit the use indicated in the recitals section of this Ordinance, subject to the following conditions:

1. The facility shall be open no more than 120 days per year and be limited to a maximum of 30 hours per month.
2. Maximum 3 tours per day (approximate times 9:30-11:30 a.m., 2:00-4:00 p.m. and 7:00-9:00 p.m.)
3. Maximum of 40 people at a time.
4. Visits shall be by appointment only.
5. Parking areas will be lit when people are there and only with low-intensity lighting that maintains a level of 0.2-foot candles or less at the property line.
6. No identification signage or directional signage will be permitted on the property other than for off-street parking
7. Petitioner has completed an initial building inspection by the County and has agreed to the following to be completed within 90 days of approval of this Special Use;
 - a. Provide one hardwired illuminated exit light with battery back-up lights at exit in case of power failure
 - b. Provide a minimum 36-inch wide ramp with a max slope of 1:8 at the stairs into the museum. A portable ramp would be acceptable.
 - c. Complete a building permit application for the work

8. Recording of an amended access easement of at least 22 feet in width across property that encompasses the existing shared driveway within 90 days of approval of the special use.
9. Dedication of the additional 15' road ROW of and granting of the drainage open space easements for the pond as depicted on the attached site plan within 90 days of approval of the special use.
10. Installation of landscape screening for western most parking lot shall be deferred until such time as the adjoining property owned by Judie K. Christensen is sold. At time of such sale, the seller shall notify the Planning, Building and Zoning Department immediately upon sale of property and PBZ shall notify museum owners to install required landscaping within 90 days of said notification unless otherwise agreed upon in writing.
11. The property shall be developed in substantial conformance with the site plan attached hereto and made a part hereof as Exhibit "B".

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 November 20, 2007.

Attest:


Renheta Mickelson
Kendall County Clerk


John A. Church
Kendall County Board Chairman