

ORDINANCE NUMBER 2006 - 39

GRANTING SPECIAL USE
17516 GALENA ROAD
TRI-COUNTY TRENCHING

WHEREAS, Tod, Gerald, and Donna Needham, d/b/a Tri-County Trenching, filed a petition for a Special Use within the A-1 district, for property located at 17516 Galena Road in Little Rock Township; and

WHEREAS, said petition is to allow for the continued usage of the parcel for a commercial electrical cable trenching business; and

WHEREAS, said property is zoned A-1 Agricultural and the request is allowable upon issuance of a Special Use Permit per § 7.01.D.25 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is legally described as follows:

That part of the NW ¼ of Section 6, T 37 N, R 6 E of the 3rd Principal Meridian described as follows: Commencing at the SW corner of said NW ¼; thence N'ly along the W line of said SW corner 448.43' to the tangent center line of Galena Road; thence easterly along said tangent center line and said center line 2182.27' for a point of beginning; thence E'ly along said center line 542.93'; thence S'ly along a line which forms an angle of 90° 54' 11" with the last described course, measured counterclockwise therefrom, 447.36'; thence W'ly along a line which forms an angle of 79° 00' 49" with the last described course, measured counterclockwise therefrom, 624.22'; thence N'ly along a line which forms an angle of 89° 15' 49" with the last described course, measured counterclockwise therefrom, 344.13' to the point of beginning in Little Rock Township, Kendall County, Illinois and containing 5.253 acres.

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 for the use indicated in the recitals section of this Ordinance and as indicated on the submitted Site Plan included as Exhibit "A" attached hereto and incorporated herein, subject to the following conditions:

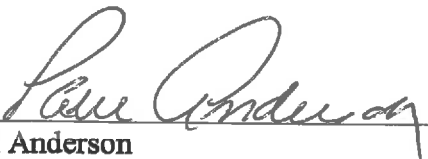
1. Within thirty (30) days after approval of the special use permit by the County Board, the petitioner will execute and record a parcel division separating the area governed by the special use from the balance of the property.

2. The number of full-time, permanent non-resident employees reporting to the site is limited to a maximum of five (5).
3. In the event the business expands or renovates an existing structure used for the special use, or if the business hires a handicapped employee, the petition will be required to either (a) renovate the existing bathroom facility to make it handicapped-accessible per the requirements of the Americans With Disabilities Act, or (b) construct a new bathroom facility to those standards. The petitioner will also be required, in those same events, to construct a handicapped-accessible parking stall per the requirements of the Americans with Disabilities Act.
4. The number of deliveries of cable spools, light fixtures, and other materials used in the business is restricted to thirty-six (36) per any rolling calendar year.
5. The petitioner is required to install the screening of the outside storage area no later than November 1, 2006.
6. Before construction of the berm is to take place, the petitioner will need to secure a site development permit from the County. Included in the application materials for the site development permit, the petitioner will need to include the type, species, diameter, and location on the berm of the required landscaping.
7. At the time when the new structure is built on the property, it shall be placed generally within the area identified on the amended site plan and must comply with all of the applicable zoning and building code requirements. The structure does not qualify for an "ag-exempt" building permit.

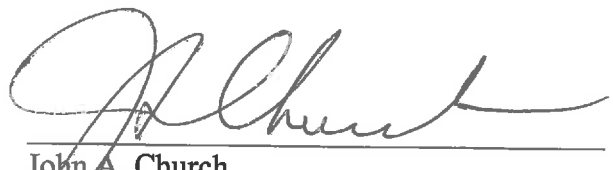
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on June 20, 2006.

Attest:

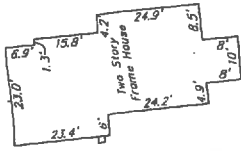


Paul Anderson
Kendall County Clerk



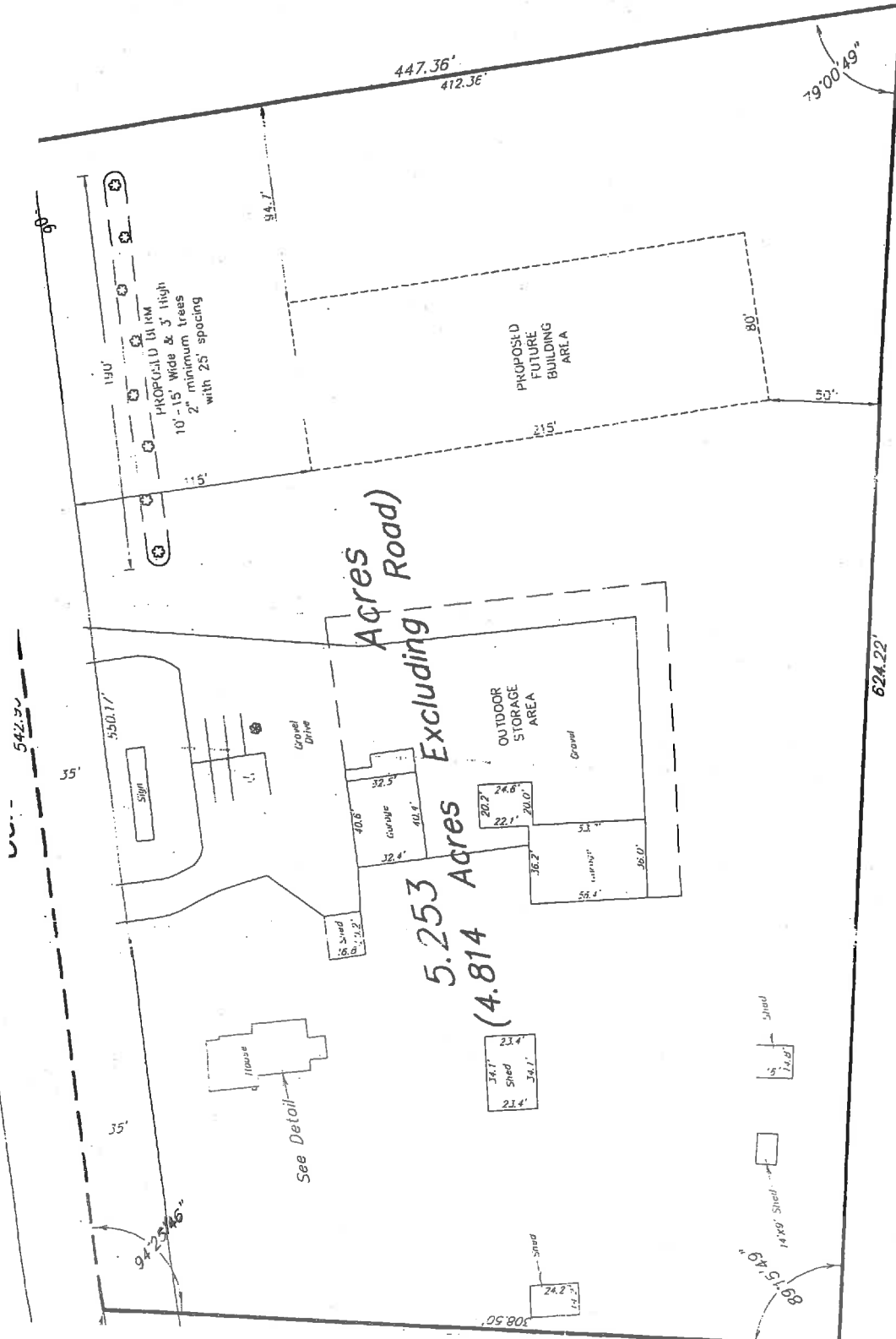
John A. Church
Kendall County Board Chairman

Detail
1" = 30'



EXHIBIT

A
DATE 6-20-06



tion
of the Northwest Quarter of Section 6, Township 37 North, Range 6 East
Principal Meridian described as follows: Commencing at the Southwest
ner 448.43 feet to the tangent center line of Galena Road; thence
said tangent center line and said center line 2182.27 feet for a point
thence easterly along said center line 542.93 feet; thence southerly
interclockwise therefrom, 447.36 feet; thence westerly along a line which
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