

ORDINANCE NUMBER 2006 - 40

GRANTING SPECIAL USE

244 JETER ROAD

SHE BEAR, LLC

WHEREAS, Robert E. Davidson, d/b/a She Bear, LLC, filed a petition for a Special Use within the A-1 district, for property located at 244 Jeter Road in Little Rock Township; and

WHEREAS, said petition is to allow for the usage of a portion of the parcel for a commercial pet cemetery; 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.7 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is legally described as follows:

That part of the N ½ of Section 1, T 37 N, R 6 E of the 3rd Principal Meridian described as follows: Beginning at the intersection of the present centerline of Galena Road (as depicted in a Right-Of-Way Plat recorded December 9, 1965 as Document 150467) and the E'ly Right-of-Way of Jeter Road, as fenced, extended from the N; thence N 00° 18' 00" E, along said extended E'ly line and said E'ly line, 360.0'; thence N 57° 14' 28" E, 125.0'; thence S 83° 52' 00" E, 384.0'; thence S 55° 11' 29" E, 126.40'; thence S 04° 06' 38" W, 367.62' to said present centerline of Galena Road; thence W'ly, along said centerline, being a curve to the left with a radius of 11,460.0' and a chord bearing of N 84° 22' 54" W, an arc distance of 322.0' to appoint of tangency; thence N 85° 11' 12" W, along said centerline, 246.66' to the point of beginning in Little Rock Township, Kendall County, Illinois, and containing 5.6033 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 one hundred twenty (120) days after approval of the special use by the County Board, the petitioner will record a parcel division of the subject property separating the special use parcel from the adjacent residential parcel.
2. Within one hundred twenty (120) days after approval of the special use by the County Board, the petitioner will record an access easement granting access to the special use

- using the driveway portion of the residential use, as indicated on the submitted site plan.
3. Within one hundred twenty (120) days after approval of the special use by the County Board, the petitioner will dedicate a roadway improvement and drainage easement of a variable distance north of the existing northern right-of-way line of Galena Road to effect a total distance from the centerline of Galena Road of sixty (60) feet, subject to the approval of the Kendall County State's Attorney.
 4. The development of the special use will be in general conformance with the submitted site plan.

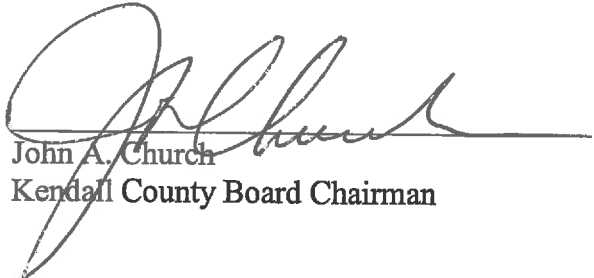
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

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

