

ORDINANCE NUMBER 2006 - 59

GRANTING SPECIAL USE  
11210 ASHLEY ROAD  
RICHARD J. & PATRICIA K. LUTZ

WHEREAS, Richard J. & Patricia K. Lutz filed a petition for a Special Use within the A-1 district, for property generally located at 11210 Ashley Road in Section 35 of Kendall Township; and

WHEREAS, the legal description of the parcel is as follows:

*That part of the N 1/4 of the NW 1/4 of Section 35, T 36 N, R 7 E of the 3rd Principal Meridian, described as follows: Commencing at the NW corner of said NW 1/4; thence E along the N line of said NW 1/4, 1053.58'; thence S at right angles to the last described course, 873.72' for the point of beginning; thence continuing S along the last described course, 447.99' to the S line of said N 1/2; thence N 89° 57' 46" W along said S line, 1069.24' to the SW corner of said NW 1/4; thence N 00° 31' 58" E along the W line of said NW 1/4, 448.00'; thence S 89° 57' 46" E parallel with said S line, 1063.93' to the point of beginning, in the Township of Kendall, Kendall County, Illinois; and*

WHEREAS, said petition is to allow the construction and operation of a public horse boarding facility, including training and riding lessons for the public; and

WHEREAS, said property is zoned A-1 Agricultural and the request is allowable upon adoption by the Kendall County Board of a Special Use ordinance per Section 7.01.D.26 of the Kendall County Zoning Ordinance; 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;


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. A maximum of twenty (20) horses are allowed to be housed in the stable.
2. If any signage is desired in the future, said signage on the property is to be unlit and shall comply with the provisions of the sign regulations as outlined in Section 12 of the Kendall County Zoning Ordinance.
3. The special use will at all times conform to the structural and operational standards as specified in the Illinois Livestock Management Facilities Act.
4. Except for security lighting at low wattage, there is to be no outside lighting of the riding arena.
5. Manure storage is to be in accordance with the recommendations of the Department of Environmental Health, attached as Exhibit "B" to this ordinance, and be placed a minimum distance of 500 feet from the channel of the tributary of the Middle Aux Sable Creek.
6. The hours of operation are restricted to sunrise to 9:00 pm.

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 October 17, 2006

Attest:

  
Paul Anderson  
Kendall County Clerk

  
John A. Church  
Kendall County Board Chairman

MEADOW CREEK FARMS, INC.

EUGENE R. & BARBARA A. JANOSKI

# EXHIBIT

# A  
DATE 10-17-06

# ASHLEY ROAD



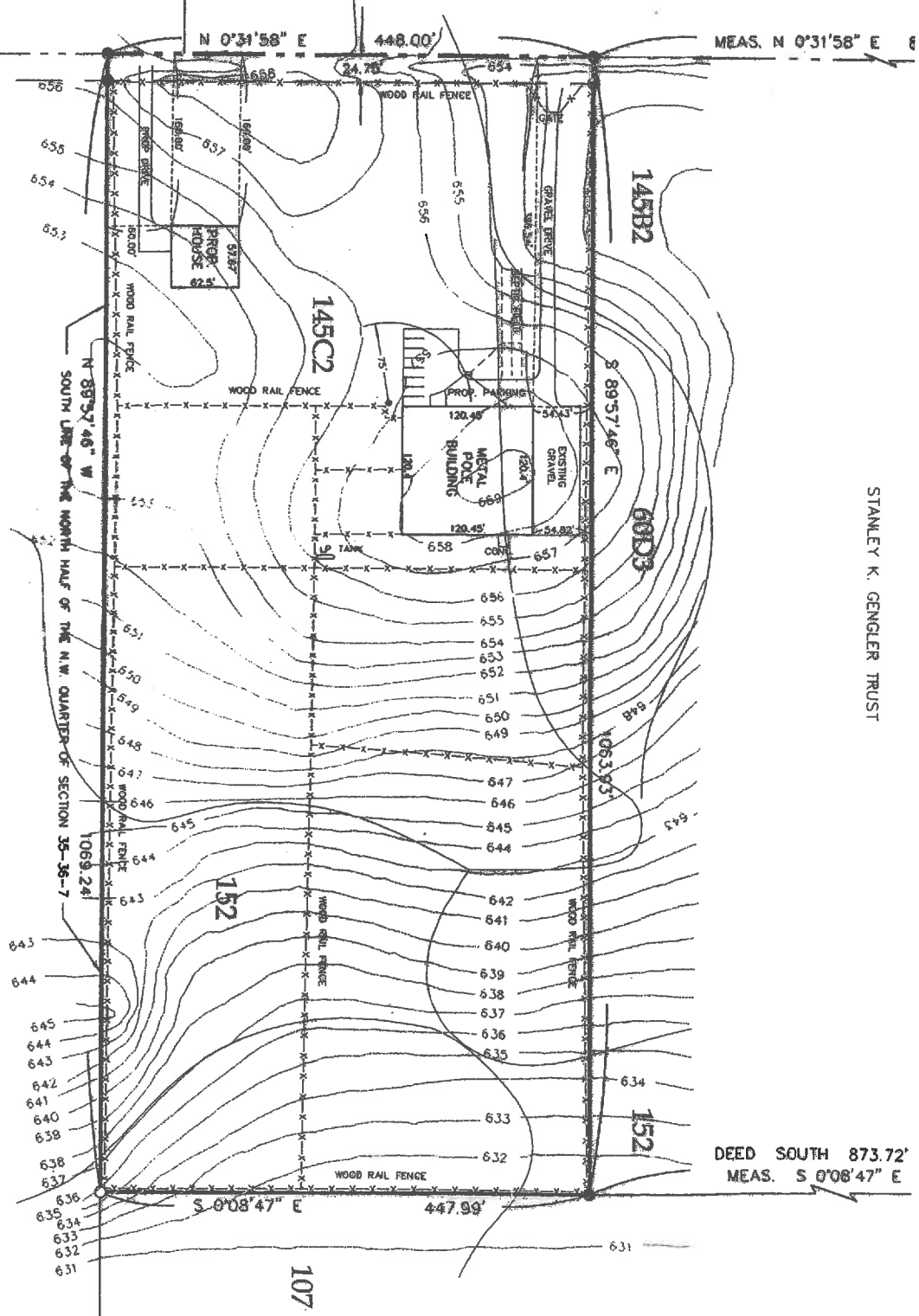
RECEIVED  
 SEP 25 2006  
 KENDALL COUNTY  
 BUILDING DEPARTMENT

MEADOW CREEK FARMS, INC.

**OWNERS:**  
 RICHARD & PATRICIA LUTZ  
 85 OLD POSE ROAD  
 OSWEGO, IL 60543

PRESENT ZONING: A1  
 PROPOSED ZONING: A1 SPECIAL USE  
 10.969 ACRES PROPOSED FOR REZONING

**SOILS IDENTIFICATION:**  
 60D3  
 107



STANLEY K. GENGLER TRUST

DEED SOUTH 873.72'  
 MEAS. S 0°08'47" E

JOHN T. MCKAY, JR.  
 & DONNA MCKAY

# Memorandum

## Kendall County Health Department Environmental Health Unit

Date: 9/5/06

To: Jerry Dudgeon, Director, Planning, Building & Zoning  
Dale Powers, Senior Planner

From: Steve Curatti, Director, Environmental Health

Subj.: Manure Management for Recreational Horse Owners

EXHIBIT

# B  
DATE 10-17-06

The following health department recommendations are offered in response to a recent rash of residential complaints received by both our departments alleging the improper management (i.e., storage and/or spreading) of horse manure on various properties occupied by recreational horse owners/operations. These recommendations, based in large part on recommendations published by the University of Minnesota and the Penn State Cooperative Extension Services, may be referenced when crafting Special Use Permits to address the manure management-related activities of recreational horse owners not subject to regulation by the Illinois Department of Agriculture under the Illinois Livestock Facilities Management Act (ILCS).

### Manure Storage

- To temporarily store manure, surround the manure pile with a narrow ledge or berm to guard against nutrient or pathogen run-off and prevent nutrient leaching.
- Avoid stockpiling manure in or near surface waters.
- Keep the manure stockpile from surface drainage inlets.
- Do not store manure for more than one year.

### Manure Spreading

- Do not spread manure:
  - on soils with a high water table (< 2' below grade);
  - on floodplains;
  - on lakes, seasonal streams, and ditches;
  - on grassed waterways;
  - on frozen soils with slopes greater than 15 percent; and
  - near direct groundwater conduits (i.e., well heads and quarries).

### Recommended MINIMUM Separation Distances (feet)

Between manure and...	Surface Spreading (no incorporation)	Surface spreading (incorporation)
Streams or rivers	300	200
Lakes	300	200
Water wells	200	200
Individual dwelling	100	50
Residential development	300	300
Public roadways	25	10

Additional considerations:

- Locate the manure storage site downwind of residential areas to minimize odor problems.
- Keep the storage site screened from view with vegetation, fencing and/or by location in a visually remote area.
- Plan on 180 days of stockpile storage space (for cold Midwest climate)
- A covered storage area will have much less leachate than one exposed to precipitation.
- A concrete pad with sidewalls will be necessary to contain leachate from very large uncovered piles.
- Leachate may need to be diverted to a treatment system such as a grass infiltration area, especially for geologically and socially sensitive area where runoff is a concern.
- Manure must be applied in a thin layer over soil; a thin layer is essential for drying of the manure to discourage fly breeding.
- Weekly spreading of a thin layer of manure will disrupt fly breeding and egg development cycles.