

ORDINANCE 2005 - 21

**AN ORDINANCE AMENDING THE SPECIAL USE FOR A PLANNED  
UNIT DEVELOPMENT FOR THE BLUFFS SUBDIVISION  
(LOT 2)**

WHEREAS, Eugene Zizas, Robert Carpenter, Gene & Judy Staberow, and Theodore & Nancy Poss did file for a Plat of Resubdivision and Consolidation transferring approximately 65,000 square feet of the westernmost portion of Lot 2 of The Bluffs PUD to Lot 5 and a portion of Lot 4 of the Owner's Resubdivision of Abergeldie subdivision; and

WHEREAS, Lot 2 of The Bluffs is presently zoned R-2 with a Special Use for a Planned Unit Development (PUD) as part of the overall Bluffs PUD pursuant to the provisions of Ordinance # 98-15 as adopted by the Kendall County Board; and,

WHEREAS, the proposed transfer of approximately 65,000 square feet of the westernmost portion of Lot 2 of The Bluffs PUD involves a rezoning of the property from R-2 PUD to R-3 in order to provide for the creation of a single lot under a unified zoning designation; and

WHEREAS, the easternmost balance of Lot 2 which will consist of approximately 87,120 square feet will be proposed to remain part of the Bluffs PUD; and

WHEREAS, the proposed square footage of the reconfigured Lot 2 is substantially less than the 3.54 acres depicted on the recorded final PUD and subdivision plat approved as a supporting document to the special use and is less than the 90,000 square foot minimum lot size requirement of the underlying R-2 Zoning District; and

WHEREAS, the proposed modification of Lot 2 constitutes a change in the Special Use for a Planned Unit Development previously granted to the property per Ordinance #98-15; and

WHEREAS, Eugene Zizas, Robert Carpenter, Gene & Judy Staberow, and Theodore & Nancy Poss in order to effectuate the proposed plat of Resubdivision and Consolidation did file a request for an amendment to the Special Use with the County of Kendall as it pertains to the reconfiguration of Lot 2 of the Bluffs PUD; and

WHEREAS, it was agreed in Paragraph 1B of the original Planned Unit Development Agreement that the Bluffs Subdivision would be developed with no more than seven (7) individual single family residences; and

WHEREAS, the proposed plat of Resubdivision and consolidation does not result in an increase in the number of lots beyond the seven (7) lots originally proposed; and

WHEREAS, a variance was requested and the necessary hearings were held before the Zoning Board of Appeals to allow the easternmost balance of Lot 2 to be less than the 90,000 square foot minimum lot size requirement of the underlying R-2 Zoning District; and

WHEREAS, the Zoning Board of Appeals approved said variance request; and

WHEREAS, the required public hearings were conducted before the Special Use Hearing Officer concerning the proposed amendment to the Special Use for the Planned Unit Development; and

WHEREAS, the Hearing Officer found that the proposed amendment which alters the configuration of Lot 2 of the Bluffs Subdivision to 87, 120 square feet does not result in an increase above the maximum of seven (7) building lots within the original Bluffs PUD and recommended approval of the requested amendment of the Special Use for a Planned Unit Development;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants an amendment to the Special Use to the PUD for the Bluffs Subdivision which alters the boundaries of the PUD and parcel configuration of Lot 2 of the Bluffs PUD and Subdivision Plat as legally described and depicted in "Exhibit A" attached hereto and made a part hereof.

IN WITNESS OF, this ordinance has been enacted on April 19, 2004.

  
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John A. Church  
Kendall County Board Chairman

  
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Paul Anderson  
Kendall County Clerk

# EXHIBIT OF THE BLUFFS P.U.D.

