

ORDINANCE NUMBER 2005 - 37

GRANTING A SPECIAL USE
TIMOTHY WALLACE

WHEREAS, Timothy Wallace filed a Special Use Permit application within the A-1 district for 50 +/- acres located at the intersection of Brisbin and Whitewillow Roads in Seward Township as depicted in Exhibit "A" and legally described as follows:

That part of the North Half (N 1/2) of the Northwest Quarter (NW ¼) of Section Thirty-One (31), Township Thirty-Five (35) North, Range Eight (8), East of the Third Principal Meridian, described as follows: Commencing at the Northwest (NW) Corner of said Northwest Quarter (NW ¼), said point being the Point of Beginning; thence along the North Line of said Northwest Quarter (NW ¼) North 89 Degrees 28 Minutes 50 Seconds East for a distance of 1789.78 feet to a point on the East Line of said Northwest Quarter (NW ¼); thence along said East Line South 00 Degrees 35 Minutes 51 Seconds East for a distance of 1294.24 feet; thence South 88 Degrees 58 Minutes 23 Seconds West for a distance of 1803.50 feet to a point on the West Line of said Northwest Quarter (NW ¼); thence along said West Line North 00 Degrees 00 Minutes 00 Seconds East for a distance of 415.62 feet; thence North 90 Degrees 00 Minutes 00 Seconds East for a distance of 590.52 feet; thence North 00 Degrees 00 Minutes 00 Seconds East for a distance of 295.06 feet; thence South 90 Degrees 00 Minutes 00 Seconds West for a distance of 590.52 feet to a point on said West Line; thence along said West Line North 00 Degrees 00 Minutes 00 Seconds East for a distance of 599.60 feet to the point of beginning, containing 49.707 acres, more or less, all located in the County of Kendall, State of Illinois.

WHEREAS, said petition is to allow retail and wholesale of nursery and landscape supplies; 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 the special use zoning permit to allow retail and wholesale of nursery and landscape supplies subject to the following conditions:

1. Any truck traffic will not exceed the limits posted by the Kendall County Highway Department.
2. Development of the site in substantial conformance with the site plan attached here to as Group Exhibit "A".
3. The provision of permanent bathroom facilities within 90 days of zoning approval for customers and employees.
4. Review and approval of the proposed well and septic design by the Department of Environmental Health.
5. For aesthetic purposes, landscape materials for sale, such as mulch and decorative stone, will not be stored in the required front yard.

State of Illinois
County of Kendall

Zoning Petition
#05-15

6. Formal dedication of the right-of-way agreed upon by the petitioner and the County for Whitewillow (50 feet from the centerline of the road) and Brisbin Roads (45 feet from the centerline of the road) within 90 days of receipt of the Special Use 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 21st, 2005.

Attest:



Paul Anderson
Kendall County Clerk



John A. Church
Kendall County Board Chairman