

ORDINANCE NUMBER 2003 - 04

**GRANTING A CONDITIONAL USE for A-1 BUILDING PERMITS
FOX RIDGE TRUST**

WHEREAS, Fox Ridge Trust filed a petition for a Conditional use Special Use within the A-1 district, for property located at 9221 Finnie Road with the tax parcel identification number #04-19-100-001, in Fox Township; and

WHEREAS, said petitioner is seeking approval of a conditional use in the A-1 zoning district to allow for the issuance of five (5) A-1 building permits to allow for the development of five (5) single-family homes as provided in Section 7.01.E.2 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is presently zoned A-1; and

WHEREAS, said property is legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, said property is heavily wooded, has steep slopes, and has other barriers which make farming impractical including poor soils with a Land Evaluation rating of less than 75 point; and

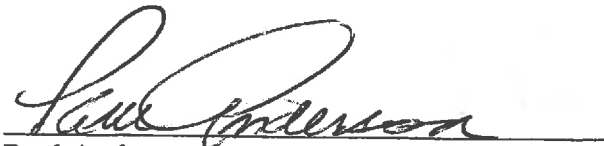
WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Zoning Board of Appeals; and

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 conditional use in the A-1 zoning district under the provisions of 7.01.E.2. of the Kendall County Zoning Ordinance to permit the development of five (5) single family homes on the acres identified as Lots 1-5 on Exhibit B, the preliminary and final plats of subdivision, attached hereto and made a part hereof.

IN WITNESS OF, this ordinance has been enacted on April 15, 2003.

Attest:



Paul Anderson
Kendall County Clerk



John A. Church
Kendall County Board Chairman