

ORDINANCE NUMBER 2003 - 05

GRANTING SPECIAL USE  
1070 ROUTE 71  
LANIOSZ

WHEREAS, Daniel Laniosz filed a petition for to amend a Special Use within the A-1 district, for property located at 1070 Route 71 in Kendall Township; and

WHEREAS, said petition is to allow a lighted sign at the entrance to the facility, as provided in Section 12.12 of the Kendall County Zoning Ordinance; and

WHEREAS, said petition further requests an amendment to the existing Special Use is to allow for a nursery center involving retail or wholesale sales of agricultural products including but not limited to fruits, vegetables, flowers, plants, etc. not grown on the premises as provided in Section 7.01.D.23 and 7.01.D.26 (uses similar and compatible to those allowed as permitted or conditional uses in the district) of the Kendall County Zoning Ordinance and for those uses Section; and

WHEREAS, said property was zoned A-1 Special Use to allow for the operation of a facility engaged in the grinding, mixing, storage and sales of animal feed upon adoption of the revised County Zoning Ordinance and Zoning Maps, as originally adopted by the County Board June 10, 1974 and subsequently revised July 9, 1974; and

WHEREAS, said property is legally described in attached Exhibit "A" attached hereto and made a part hereof; 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 special use zoning permit to permit a lighted sign subject to the following conditions:

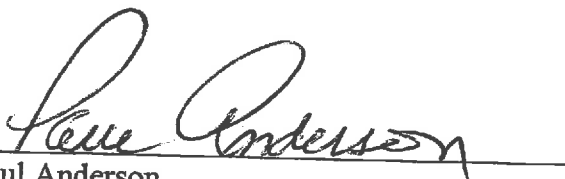
1. The proposed illuminated signage shall conform to Section 12.00 of the County ordinance regulating signage.
2. A landscape plan that provides plantings around the perimeter of each parking lot as well as screening of the outdoor storage bins shall be submitted for review and approved by staff as part of final engineering review and approval.

3. Any future additions or expansion of the buildings or parking areas depicted on the attached site plan (with the exception of the proposed future canopy at the NW corner of the building) will require an amendment to the special use.
4. The petitioner must secure the necessary permits and approvals as required by the County's building codes regulating this type of use.
5. A maximum of six (6) employees are permitted for the landscape nursery which includes two (2) part-time employees.
6. The landscape nursery and D&H AG center will be allowed to operate six (6) days a week, however closed on Mondays. Deliveries would occur three (3) times a week using one (1) 20' box truck.
7. Storage of gravel, stone, paving bricks or blocks shall not be permitted with this special use request.
8. The entrance into the nursery/AG center shall be improved to provide safer ingress/egress. The design of the entrance and driveway plan shall be approved by IDOT as part of the required access permit.
9. The outdoor display areas shall conform to the B-1 outdoor storage standards in the County Zoning Ordinance except for provision 2 (ii) and all live plant stock shall be exempted from the outdoor storage standards.
10. The site shall be developed in substantial conformance with the controlling site plan dated 2/14/2003, last revised 4/1/2003 attached hereto as Exhibit "B". Minor changes to the site layout affecting building and parking locations resulting from the review and approval of final engineering, may be approved by the Zoning Administrator, provided the changes do not involve the need for additional variances beyond those granted by the ZBA. Modifications determined by the Zoning Administrator to be significant modifications to the site layout or proposed building and parking locations, shall require the processing of an amendment to the special use.

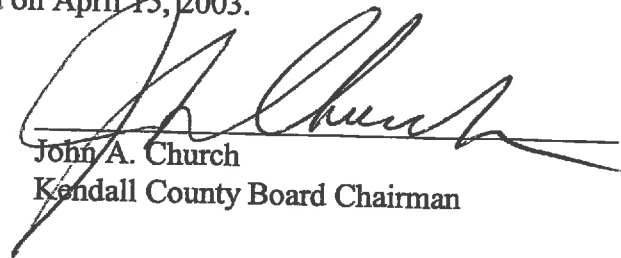
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

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

Attest:



Paul Anderson  
Kendall County Clerk



John A. Church  
Kendall County Board Chairman