

**ORDINANCE NUMBER 2003 - 29**

**GRANTING A CONDITIONAL USE for an A-1 SINGLE FAMILY BUILDING PERMIT  
PLM& B (LaVerne Wilkening)**

WHEREAS, PLM & B Inc. as owner of the 3.3 Acres property located at the Northwest corner of Oakbrook Road and Rogers Road Fox Township identified as tax parcel #04-08-200-026 and Legally described in attached Exhibits "A" & "B" attached hereto and made a part hereof; and

WHEREAS, parcel #04-08-200-026 consists of approximately 3.3 Acres located in unincorporated Kendall County and zoned A-1 Agricultural; and

WHEREAS, PLM & B Inc., as owner of the subject property has filed a petition and is seeking approval of a conditional use in the A-1 zoning district to allow for the issuance of one (1) A-1 building permit to allow for the development of one (1) single-family homes on Parcel # 04-08-200-026 as provided in Section 7.01.E.2 of the Kendall County Zoning Ordinance; and

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

WHEREAS, said property is heavily wooded, has poor soils with a Land Evaluation rating of less than 75 points; slopes between 15 and 30% and other physical barriers which make farming impractical; 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 one (1) single family home subject to the following two (2) conditions:


- 1) The dedication of the requested R.O.W. of 35 feet along Rogers Road and 35 feet along Oak Brook Road.
- 2) Noting in the approval that prior to the dedication of the requested R.O.W. the existing property complies with the minimum lot size of 130,000 sq. ft. and that upon dedication of the requested road R.O.W. the parcel will be considered a legally non-conforming lot.

State of Illinois  
County of Kendall

Zoning Petition  
#03-23

IN WITNESS OF, this ordinance has been enacted on September 16, 2003.

Attest:

  
\_\_\_\_\_  
Paul Anderson  
Kendall County Clerk

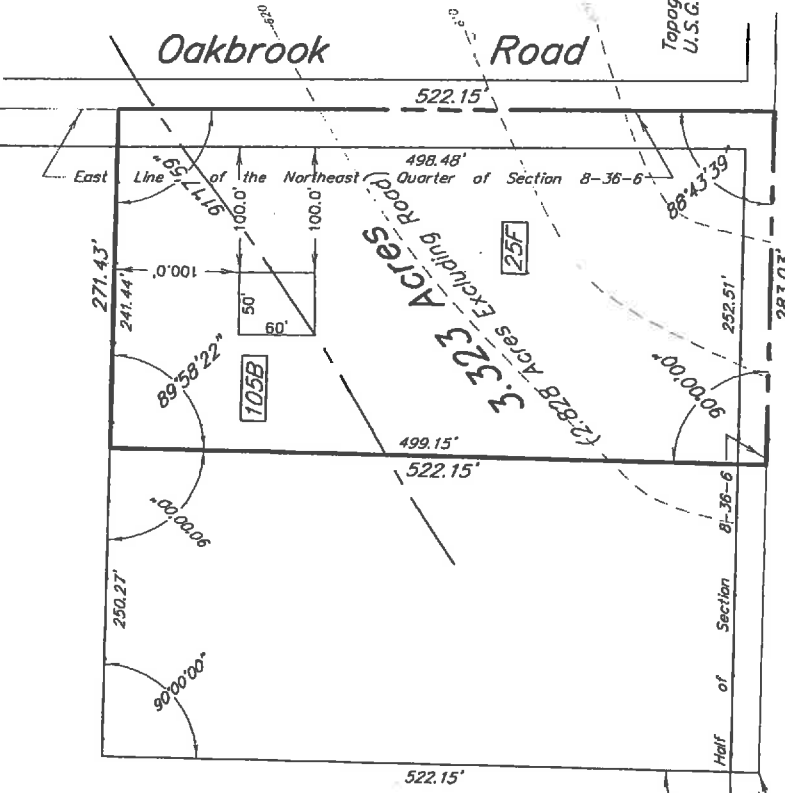
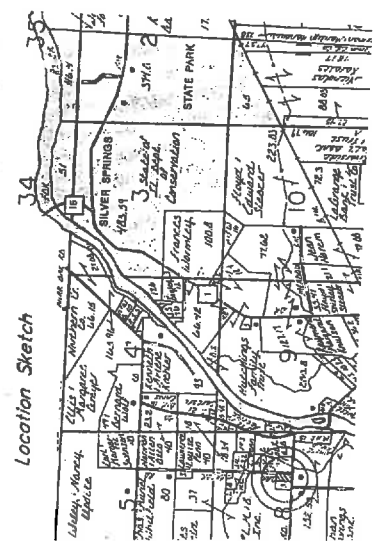
  
\_\_\_\_\_  
John A. Church  
Kendall County Board Chairman

*Legal Description:*

*That part of the Northeast Quarter of Section 8, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Southwest corner of the Northeast Quarter of said Section 8; thence easterly along the South line of said Northeast Quarter 3424.70 feet; thence northerly at right angles to the last described course 522.15 feet; thence easterly at right angles to the last described course 250.27 feet for a point of beginning; thence southerly at right angles to the last described course 522.15 feet to said South line; thence easterly along said South line 283.07 feet to the Southeast corner of the Southwest Quarter of said Northeast Quarter; thence northerly along the East line of the Southwest Quarter of said Northeast Quarter 522.15 feet; thence westerly, parallel with said South line, 271.43 feet for the point of beginning in Fox Township, Kendall County, and containing 3.323 acres.*

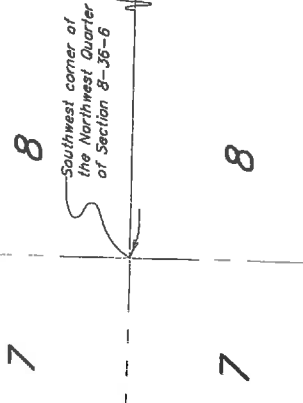
EXHIBIT A

# Plat of Part of the Northeast Quarter of Section 8-36-6 Fox Township Kendall County Illinois



Note: Property observed to be mostly densely wooded and having a change in elevation of greater than 25'.

Soils as indicated in "Soils Survey of Kendall County, Illinois"  
25F Hennessee silt loam, 15-30% slopes  
105B Batavia silt loam, 2-4% slopes



Topographic source:  
U.S.G.S. Quadrangle M...

Rogers Road

**Legal Description:**  
That part of the Northeast Quarter of Section 8, Township 36 North, Range 6 East of the Third Principal Meridian easterly along the South line of said Northeast Quarter 342.70 feet; thence northerly at right angles to the last described course 522.15 feet; thence easterly at right angles to the last described course 250.27 feet for a point of beginning; thence southerly at right angles to the last described course 522.15 feet to said South line; thence easterly along said South line 283.07 feet to the Southeast corner of the Southwest Quarter of said Northeast Quarter; thence westerly, parallel with said South line, 271.43 feet for the point of beginning in Fox Township, Kendall County, and containing 3.323 acres.