

ORDINANCE NUMBER 2003 - 39

GRANTING A CONDITIONAL USE for an A-1 SINGLE FAMILY BUILDING PERMIT
MALERT

WHEREAS, Rudolph A. and Suzette D. Malert, as owners of the 6.08 Acres property generally located on the south side of Hale Road, between Needham Road and Blackhawk Road, in Little Rock Township, further identified as tax parcel #01-35-100-012 and Legally described in attached Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, parcel #01-35-100-012 consists of approximately 6.08 Acres located in unincorporated Kendall County and zoned A-1 Agricultural; and

WHEREAS, Rudolph A. and Suzette D. Malert, as owners of the subject property have filed a petition and are 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 home on Parcel # 01-35-100-012 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 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:

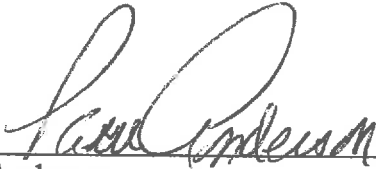
- 1) The site is limited to not more than one (1) dwelling unit on the entire 6.08 acre site; and
- 2) Development of the home within the proposed building envelope as depicted on the site plan marked "Exhibit B" attached hereto and made a part hereof.

State of Illinois
County of Kendall

Zoning Petition
#03-35

IN WITNESS OF, this ordinance has been enacted on November 10, 2003.

Attest:



Paul Anderson
Kendall County Clerk



John A. Church
Kendall County Board Chairman

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 26 AND THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT A FOUND STONE AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE NORTH 88 DEGREES 45 MINUTES 14 SECONDS WEST ALONG THE NORTH LINE OF SAID SECTION 35, 1728.16 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 33 SECONDS WEST, 450.66 FEET TO THE CENTER LINE OF HALE ROAD; THENCE NORTH 88 DEGREES 35 MINUTES 25 SECONDS WEST ALONG SAID CENTER LINE, 1061.83 FEET TO AN OLD OCCUPATIONAL FENCE LINE; THENCE NORTH 73 DEGREES 09 MINUTES 31 SECONDS WEST ALONG SAID CENTER LINE OF HALE ROAD, 17.23 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 73 DEGREES 09 MINUTES 31 SECONDS WEST ALONG SAID CENTER LINE, 59.50 FEET TO A POINT 51.64 FEET EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF COMMONWEALTH EDISON COMPANY AS MEASURED ALONG SAID CENTER LINE EXTENDED; THENCE SOUTH 00 DEGREES 22 MINUTES 13 SECONDS EAST, 426.70 FEET; THENCE NORTH 78 DEGREES 54 MINUTES 49 SECONDS WEST, 199.67 FEET; HENCE SOUTH 26 DEGREES 19 MINUTES 10 SECONDS WEST, PARALLEL WITH AND 50 FEET EASTERLY OF SAID EASTERLY RIGHT OF WAY LINE, 317.50 FEET; THENCE SOUTH 04 DEGREES 55 MINUTES 11 SECONDS WEST, 428.74 FEET; THENCE NORTH 82 DEGREES 10 MINUTES 35 SECONDS EAST, 98.50 FEET; THENCE NORTH 71 DEGREES 57 MINUTES 30 SECONDS EAST, 158.45 FEET; THENCE NORTH 89 DEGREES 52 MINUTES 43 SECONDS EAST, 160.90 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 17 SECONDS EAST PARALLEL WITH SAID OLD OCCUPATIONAL FENCE LINE, 1020.58 FEET TO THE POINT OF BEGINNING IN THE TOWNSHIP OF LITTLE ROCK, KENDALL COUNTY, ILLINOIS.

