

State of Illinois
County of Kendall

Zoning Petition
#0218

ORDINANCE NUMBER 2002-26

**GRANTING SPECIAL USE
LOCATED AT THE NORTHEAST CORNER
OF ROTH & WOOLEY ROAD
DAN KITTILSEN**

WHEREAS, Dan Kittilsen, owner and intended developer, filed a petition to amend a Special Use within the A-1 District, for property generally located at the northeast corner of Roth & Wooley Roads in Section 23 of Oswego Township; and

WHEREAS, said petition is for two (2) storage buildings, a barn/indoor arena, six (6) gated stalls and a manager's home as provided in Section 7.01.D.18 of the Kendall County Zoning Ordinance at the time of application; and

WHEREAS, said property is zoned A-1 Agricultural District; and

WHEREAS, said property is part of a parcel identified with the tax identification number 03-23-277-002 and is legally described as:

The East half of the Northeast Quarter of Section 23, Township 37 North, Range 8
East of the Third Principal Meridian, in Oswego Township, Kendall County, Illinois;
and

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

WHEREAS, the Kendall County Board finds that said petition, along with the conditions specified in this ordinance, is in conformance with the provisions and intent of the Kendall County Zoning Ordinance.

THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit on for property legally described as:

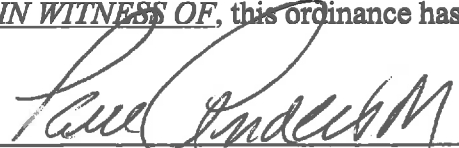
The East half of the Northeast Quarter of Section 23, Township 37 North, Range 8
East of the Third Principal Meridian, in Oswego Township, Kendall County, Illinois;
and

Said special use is hereby granted to allow for two (2) storage buildings, one (1) barn/indoor arena, six (6) gated stalls and one (1) manager's home in conformance with the Kendall County Zoning Ordinance and Building Codes, subject to the following conditions:

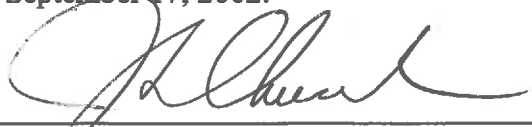
1. All parcels resulting and/or created from the division of PIN 03-23-277-002 must meet the 400' minimum lot width, the setback requirements of the A-1 zoning district, and all other applicable regulations.

2. The "manager house" shall not be used for any other purpose, nor shall it be sold to a person working off-site.
3. The proposed "manager house," or groomsman/employee-watchman residence, is not to exceed 2,000 square feet.
4. A maximum of one (1) employee and *his/her immediate family* shall be permitted to live on-site.
5. No mobile home permit shall be granted on this property for residential uses associated with the riding stables.
6. All signs shall be in conformance with the standards for Agricultural districts. For safety reasons, a special use is also granted to allow the sign to be illuminated with low level lighting. The intensity of the lighting shall be reviewed and approved by staff of the Planning, Building and Zoning Department as part of the sign permit process and shall be designed in a manner that minimizes glare and adverse impacts on surrounding properties.
7. Development of the subject property shall be in substantial conformance to the attached site Plan Exhibit "B". The location of all proposed buildings and parking areas shall generally conform to those depicted on the attached site plan. The final location of all buildings and parking/loading facilities shall be determine as part of the approval of the required site development permit and must satisfy all of the requirements of Section 7.01.H.3.a of the Zoning Ordinance regarding setbacks. In no event shall the total number of parking spaces provided be less than 23 stalls including handicapped spaces.
8. The site development permit shall address the comments noted in Review No. 3 issued by Strand & Associates, Inc. dated September 11, 2002.
9. A letter must be submitted annually to the Kendall County Planning Building & Zoning Department that verifies occupancy of the owner's house by a groomsman and his/her immediate family.
10. The manure storage area shall be located as attached site Plan Exhibit "B" as to be placed as far from the adjacent neighbors to the north and out of drainage areas as possible. In addition, appropriate management techniques including but not limited to partial removal of manure from the premises shall be employed to minimize adverse impacts on surrounding properties;
11. No retail sales of non-agricultural products shall be permitted on the site with the exception of vending machines; and
12. Expansion of permitted agricultural activities shall not result in an amendment to the special use.
13. 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 September 17, 2002.



 Attest:
 Paul Anderson
 Kendall County Clerk



 John A. Church
 Kendall County Board Chairman

Legal Description for 1135 Wooley Road, Oswego, IL:

That part of the East 1/2 of the Northeast 1/4 of Section 23, Township 37 North, Range 8, East of the Third Principal Meridian, described as follows: Beginning at the Southeast Corner of Lot 6 in Gustafson's Subdivision Unit One; thence South 88 Degrees 58 Minutes 56 Seconds West along the South line of said Lot 6 and the Westerly extension thereof 471.74 feet to the East line of Lot 7 in said Gustafson's Subdivision; thence south 01 degrees 33 minutes 34 seconds east along said East line 60.00 feet to the southeast corner of said Lot 7; Thence South 88 degrees 58 Minutes 56 Seconds West along the South line of said Lot 7 and the Westerly extension thereof 860.09 feet to the West line of the East 1/2 of said Northeast 1/4; thence South 01 degrees 32 Minutes 46 Seconds East along said West line 546.66 feet to the North line of the South 434.00 feet of said Northeast 1/4; thence North 89 degrees 01 Minutes 06 seconds East along said North line 450.02 feet to the East line of the West 450.00 feet of the East 1/2 of said Northeast 1/4; thence South 01 degrees 32 minutes 46 seconds east along said East line 150.00 feet; thence south 23 degrees 33 minutes 41 seconds East 307.59 feet to the south line of said Northeast 1/4; thence North 89 degrees 01 minutes 06 seconds East along said South line 766.743 feet to the East line of said Northeast 1/4; thence North 01 degrees 33 minutes 34 seconds west along said East line 1041.52 feet to the point of beginning, in Kendall County, Illinois.

"Exempt under provisions of Paragraph
Section 4. Real Estate Transfer Tax.
10/14/03
Buyer, Seller or Repres

Corrected legal
for Ordinance
2002-26