

ORDINANCE NUMBER 2002- 35

**GRANTING SPECIAL USE
LOCATED AT 934 VILMIN ROAD
SLAS**

WHEREAS, Frank P. & Karen M. Slas filed a petition for a Special Use within the A-1 District, for property located at 934 Vilmin Road in Section 3 & 10 of Little Rock Township; and

WHEREAS, said petition is for a horse boarding facility and a horse training facility as provided in Section 7.01.D.26 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 01-03-352-002 & 01-10-101-001 and is legally described as "Exhibit A" here to and made part here of Little Rock 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.

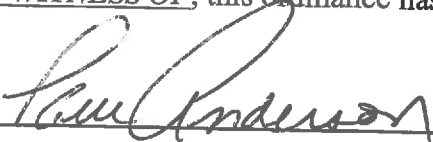
THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit on for property legally described as above and further described as "Exhibit B" here to and made part here of Little Rock Township, Kendall County, Illinois"; and:

Said special use is hereby granted to allow a horse boarding facility and a horse training facility in conformance with the Kendall County Zoning Ordinance and Building Codes, subject to the following conditions:

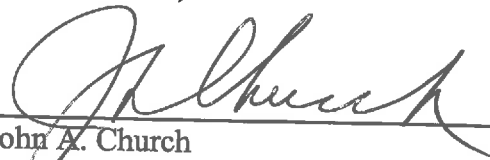
1. Auctions would take place once a year, hours of operation 9am-9pm with not more than twenty-five (25) people on the grounds at one time.
2. No less than ten parking spaces (including required handicapped stalls) shall be provided on the premises.
3. The area behind (south of) the barn/arena will be reserved for pasture as well as serve for overflow parking when needed.
4. A maximum of 15 horses will be allowed on the subject parcel.
5. Hours of operation for the conduct of riding classes shall be limited from 9am-9pm. Monday – Sunday.

6. The subject parcel will be allowed to have storage for 3-4 horse trailers, to be located behind (south of) the proposed arena.
7. One 4' x 8' un-lit wooden sign may be erected on the property identifying and describing the business, ~~but not including the tack shop.~~
8. An accessory tack shop of not more than 150 sq. ft. in area will be allowed within the proposed building. No advertising of the tack shop will be allowed on the sign.
9. Documentation that the 4 recommendations included in the 12/4/02 letter from Health and Human Services (attached here to as "Exhibit C") have been addressed prior to issuance of any building permits.
10. Approval of the necessary permits for any new driveways and related culverts by the appropriate authorities.
11. Submittal of the required "Step 3" Site Development Permit addressing the following:
 - a. Details on the location of the proposed storage area for the horse trailers and related landscaping that adequately screens the trailers from surrounding residential properties to the north, south and east.
 - b. Details regarding the direction and flow of stormwater across the property relative to the location of pasture and manure storage areas to insure adequate measures are taken to prevent pollution of surface water run-off and surrounding creeks.
 - c. Details on the location of any new driveways or access points serving the property along with detail on the location and actual number of all parking spaces to be provided and related landscaping.
 - d. Location of all existing and/or proposed well and septic systems.
 - e. Details regarding the 100 year flood elevation for the remainder of the creek and associated tributary traversing the northern portion of the subject property.
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 December 17, 2002.



Attest:
Paul Anderson
Kendall County Clerk



John A. Church
Kendall County Board Chairman

LEGAL DESCRIPTION

Exhibit A

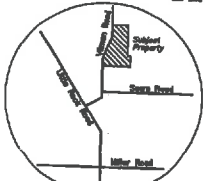
That part of the Southwest Quarter of Section 3, and that Part of the Southeast Quarter of Section 4, Township 37 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of Lot 10 in Stainfield Subdivision; thence South $00^{\circ}19'50''$ East, along the West Line of said Subdivision, 326.70 feet for the point of beginning; thence South $00^{\circ}19'50''$ East, along said West Line, 482.67 feet to the Northwest Corner of Lot 22 of Unit Two, Stainfield Subdivision; thence South $00^{\circ}39'53''$ East, along the West Line of said Lot 22, a distance of 38.38 feet; thence South $89^{\circ}20'07''$ West, 458.60 feet to the centerline of Vilman Road thence Northerly, along said centerline, 540.08 feet to a line drawn North $88^{\circ}51'57''$ West from the point of beginning; thence South $88^{\circ}51'57''$ East, 398.49 feet to the point of beginning in Little Rock Township, Kendall County, Illinois and containing 5.001 acres.

That part of the Southwest Quarter of Section 3, Part of the Southeast Quarter of Section 4, part of the Northeast Quarter of Section 9 and part of the Northwest Quarter of Section 10, all in Township 37 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of Lot 10 in Stainfield Subdivision; thence South $00^{\circ}19'50''$ East, along the West Line of said Subdivision, 326.70 feet for the point of beginning; thence North $88^{\circ}51'57''$ West, along a line forming an angle of $88^{\circ}32'07''$ with the last described course, measured counterclockwise therefrom, 398.49 feet to the centerline of Vilman Road, this point hereinafter referred to as Point A; thence South $00^{\circ}25'09''$ East, along said centerline, 171.24 feet; thence southerly, along said centerline, being along a tangential curve to the right having a 955.37 foot radius, 231.44 feet; thence South $13^{\circ}27'12''$ West, along said centerline, 159.52 feet; thence southerly, along said centerline, being along a curve to the left having a 1068.01 feet radius, 262.78 feet; thence South $00^{\circ}38'38''$ East, along said centerline, 169.12 feet to a point which is 944.10 feet, as measured along said centerline, southerly of Point A aforesaid; thence South $89^{\circ}08'10''$ East, along a line forming an angle of $88^{\circ}29'32''$ with the prolongation of the last described course, measured counterclockwise therefrom, 518.64 feet to the West Line of Unit Two, Stainfield Subdivision; thence North $00^{\circ}41'00''$ West, along said West Line, 299.79 feet to the South Line of Lot 22 in said Unit Two; thence North $89^{\circ}06'50''$ West, along said South Line, 47.07 feet to the Southwest Corner of said Lot 22; thence North $00^{\circ}39'53''$ West, along the West Line of said Lot 22, a distance of 202.52 feet to the Northwest Corner of said Lot 22; thence North $00^{\circ}19'50''$ West, along the West Line of said Stainfield Subdivision, 482.67 feet to the point of beginning in Little Rock Township, Kendall County, Illinois and containing 10.455 acres.

ZONING PLAT OF PART OF THE SOUTHWEST QUARTER OF SECTION 3, and PART OF THE SOUTHEAST QUARTER OF SECTION 4, and PART OF THE NORTHEAST QUARTER OF SECTION 9, and PART OF THE NORTHWEST QUARTER OF SECTION 10, T37N-R6E, 3rd PM LITTLE ROCK TOWNSHIP KENDALL COUNTY ILLINOIS

LEGAL DESCRIPTION OF "A-1" TRACT TO BE REZONED "A-1":
That part of the Southwest Quarter of Section 3 and that part of the Southeast Quarter of Section 4, Township 37 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of Lot 10 in Subdivision 11, thence South 07°19'00" East, along the West Line of said Subdivision, 328.70 feet to the point of beginning; thence South 07°19'00" East, along said West Line, 482.87 feet to the Northwest Corner of Lot 23 of Unit Two, Standard Subdivision One; thence South 07°23'00" East, along the West Line of said Lot 23, a distance of 28.23 feet to the point of beginning; thence South 07°23'00" East, along said West Line, 45.00 feet to the Northwest Corner of Unit Two; thence North, along said West Line, 164.00 feet to the corner North 07°19'00" East from the point of beginning; thence South 07°19'00" East, 358.68 feet to the point of beginning in Little Rock Township, Kendall County, Illinois and containing 5.001 acres.

LEGAL DESCRIPTION OF TRACT TO BE REZONED "A-1" CONDITIONAL USE:
That part of the Southwest Quarter of Section 3, Part of the Southwest Quarter of Section 4, Part of the Northwest Quarter of Section 9 and part of the Northwest Quarter of Section 10, all in Township 37 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of Lot 10 in Subdivision 11, thence South 07°19'00" East, along the West Line of said Subdivision, 328.70 feet to the point of beginning; thence South 07°19'00" East, along said West Line, 482.87 feet to the Northwest Corner of Lot 23 of Unit Two, Standard Subdivision One; thence South 07°23'00" East, along the West Line of said Lot 23, a distance of 28.23 feet to the point of beginning; thence South 07°23'00" East, along said West Line, 45.00 feet to the Northwest Corner of Unit Two; thence North, along said West Line, 164.00 feet to the corner North 07°19'00" East from the point of beginning; thence South 07°19'00" East, 358.68 feet to the point of beginning in Little Rock Township, Kendall County, Illinois and containing 10.455 acres.



SCALE
1" = 100'

--- Indicates Line of Fence
--- Indicates Contour Elevation
--- Indicates Soils Boundary

BENCHMARK --- (D40223)
BM1 on F214 Pole No. 173241-0015-C
Obtained cross on top of large depressed metal sign at Wilman Road 1/4 mile over East Branch of Little Rock Creek.
Elevation = 676.83

NOTE: Show Flood Elevation (FE) on the Subject Property is 674 as shown on F214 Flood Insurance Rate Map Community Flood No. 173241-0015-C with an effective date of July 18, 1982.

SOILS (From USCS Soils Map)

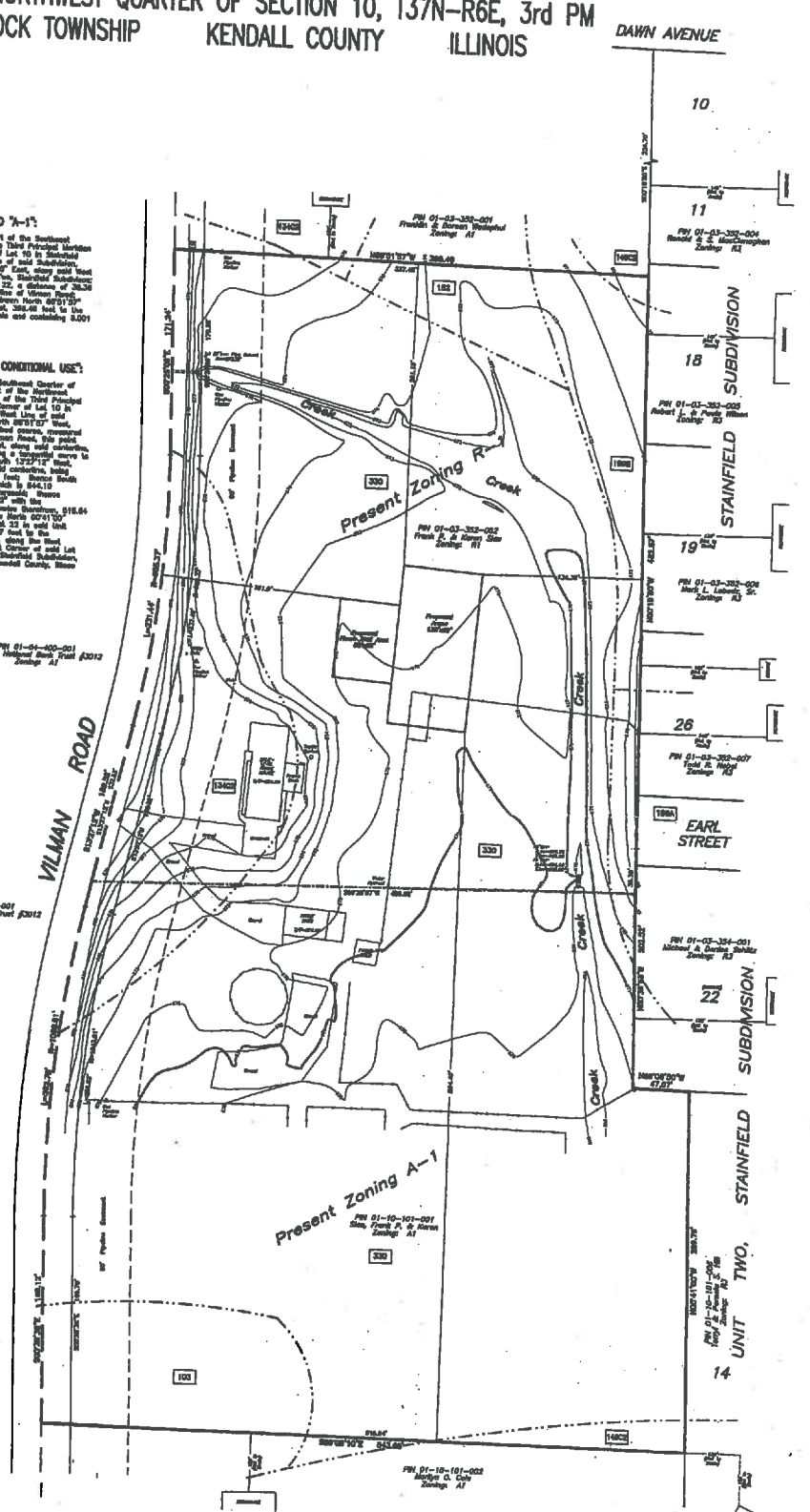
103	Houghton Muck
1242	Camden SR Loam, 4-7% slopes, eroded
2482	Proctor SR Loam, 4-7% slopes, eroded
142	Drummer Silty Clay Loam
198A	Plane SR Loam, 0-2% slopes
198B	Plane SR Loam, 2-4% slopes
330	Parsons Silty Clay Loam

AREA TO BE REZONED:
"A-1" to "A-1" = 5.001 Acres
Entire Tract: 10.455 Acres

PRESENT ZONING:
A1 / R1

PROPOSED ZONING:
A-1 Conditional Use

DEVELOPER:
Mr. Frank Sias
834 Wilman Road
Piano, Illinois 60545



JOB NO. 01082
JOB NAME SLAS
DWG FILE 01082003

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580

EXHIBIT C



KENDALL COUNTY HEALTH AND HUMAN SERVICES

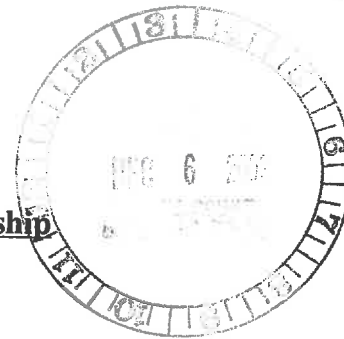
500A Countryside Center Yorkville, IL 60560

Ph. 630/553-9100

Fax: 630/553-0167

December 4, 2002

Mr. Frank Slas
934 Vilmin Road
Plano, IL 60545



RE: ZPAC Petition #02-37, 934 Vilmin Road, Little Rock Township

Dear Mr. Slas,

On October 1, 2002, you approached the Kendall County Zoning and Platting Advisory Committee to request Special Use approval(s) to establish and operate a horse boarding facility and riding stables. During this meeting, the Kendall County Department of Health and Human Services was asked to comment on said request.

The following comments are to serve as planning **recommendations** you may choose follow while considering the establishment and operation of a horse boarding facility and riding stables:

1. The Department recommends that you **identify and protect any existing on-site wastewater disposal and potable water supply systems** serving this property. The following statements demonstrate the importance of this recommendation:
 - According to the Illinois Water Well Construction Code, a potable water supply (or private well) *must* not be located any closer than 50 feet from a manure pile, and 75 feet from an animal confinement lot.
 - According to the Illinois Private Sewage Licensing Act and Code, the area used for a private sewage disposal system *shall* be maintained free from encroachment by underground utilities, building structures, parking lots, etc., and should be protected from compaction.
2. The Department recommends that you **determine whether or not the existing on-site wastewater disposal and potable water supply systems are designed to serve the future needs** of a horse boarding facility and riding stables, and/or performing a site investigate to determine the feasibility of installing additional systems that meet or exceed all applicable state and local codes.
3. The Department recommends that you develop a **waste management plan** for the sanitary storage and disposal of horse manure, intended to prevent ground and surface water contamination, and nuisance odors.

4. The Department recommends that you contact the Illinois Department of Agriculture (IDA) to determine whether or not your operation will fall under any requirements set forth in the **Livestock Management Facilities Act**. The IDA can be reached at (217) 782-2172.

Should you have any questions, please feel free to call me at (630) 553-9100, ext. 164.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Curatti". The signature is fluid and cursive, with a large initial "S" and "C".

Steve Curatti, LEHP
Director, Environmental Health & Human Services

Cc: David Orrico, Kendall County Planner