

ORDINANCE NUMBER 2001- 15

SPECIAL USE ORDINANCE  
997 HARVEY ROAD

WHEREAS, Phil Edwards filed a petition for a Special Use within the A-1 District, for property located at 997 Harvey Road in Oswego Township; and

WHEREAS, the petitioner wishes to operate a Landscaping Business, with one illuminated sign; and

WHEREAS, said petition may be permitted via a Special Use as provided in Section 7.01 D. 26. of the Kendall County Zoning Ordinance; and

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

WHEREAS, said property to be covered by Special Use ordinance is legally described in Exhibit "A"; 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

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 for a Landscaping Business with the following conditions:

1. The use of the property shall be a Special Use for a nursery, greenhouse, and landscaping business, and only those uses carried out on-site currently and in the past, as well as normally permitted A-1 uses, may be allowed, with the exception that one illuminated sign shall be allowed; and
2. This revised Special Use will only cover those parcels currently owned and used by Twin Oaks Landscaping, and legally described in Exhibit "A"; and
3. The portion of the original special use area which is not currently owned and used by Twin Oaks Landscaping is hereby rescinded; and
4. Any alteration or expansion of the special use, including new building construction, shall require review and approval by the PBZ Committee; and
5. The special use shall subject to site plan, attached as Exhibit "B".

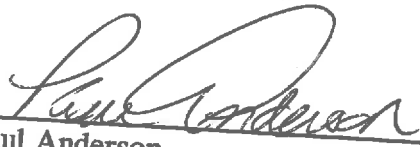
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

State of Illinois  
County of Kendall

Zoning Petition  
#0108

IN WITNESS OF, this ordinance has been enacted on May 15, 2001.

Attest:

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

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

EXHIBIT "A"

That part of the Southwest Quarter of Section 1 and part of the Southeast Quarter of Section 2, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of said Southwest Quarter; thence easterly along the South line of said Southwest Quarter 718.60 feet; thence northerly along a line which forms an angle of  $89^{\circ}52'00''$  with said south line, measured from east to north, 334.00 feet for a point of beginning; thence easterly, parallel with said south line, 271.52 feet to an iron stake monumenting an angle point in the south line of lands owned by the Lincoln Highway Cemetery Company; thence northeasterly along a line which forms an angle of  $157^{\circ}20'00''$  with the last described course, measured clockwise therefrom, 60.60 feet; thence southerly along a line which forms an angle of  $60^{\circ}00'00''$  with the last described course, measured counter-clockwise therefrom, 87.58 feet; thence easterly at right angles to the last described course, 90.0 feet to an angle point in the westerly line of a tract of land conveyed to James D. and Betty A. Meyers by a warranty deed dated February 7, 1974 and recorded February 27, 1974 as Document No. 74-778; thence southerly along a west line of said tract, which forms an angle of  $102^{\circ}45'00''$  with the last described course, measured counter-clockwise therefrom, 28.28 feet to the southwest corner of said tract; thence southeasterly along a line which forms an angle of  $167^{\circ}37'55''$  with the last described course, measured clockwise therefrom, 20.00 feet to the westernmost northwest corner of a tract of land conveyed to James B. and Nancy L. Ingraham by a Trustee's Deed recorded May 12, 1987 as Document 872808; thence southwesterly along a west line of said tract which forms an angle of  $217^{\circ}47'05''$  with the last described course, measured clockwise therefrom, 94.50 feet to the southwest corner thereof; thence easterly, parallel with the south line of said Southwest Quarter, being along a line which forms an angle of  $70^{\circ}00'00''$  with the last described course, measured clockwise therefrom, 240.00 feet to the center line of Harvey Road; thence southerly along said center line, which forms an angle of  $89^{\circ}57'51''$  with the last described course, measured counter-clockwise therefrom, 123.0 feet to the south line of said Southwest Quarter; thence westerly along said south line, which forms an angle of  $90^{\circ}02'09''$  with the last described course, measured counter-clockwise therefrom, 1,341.29 feet to the southwest corner of said Southwest Quarter; thence westerly along the south line of said Southeast Quarter, which forms an angle of  $179^{\circ}54'11''$  with the last described course, measured clockwise therefrom, 575.00 feet; thence northerly, parallel with the east line of said Southeast Quarter, being along a line which forms an angle of  $89^{\circ}41'49''$  with the last described course, measured counter-clockwise therefrom, 334.0 feet; thence easterly, along a line which forms an angle of  $90^{\circ}14'58''$  with the last described course, measured counter-clockwise therefrom a distance of 1,293.18 feet to the point of beginning in Oswego Township, Kendall County, Illinois.

