

ORDINANCE NUMBER 2011 - 21

GRANTING SPECIAL USE FOR
7336A ROUTE 34
ALFRED & JACQUELINE JONGEJAN

WHEREAS, Alfred & Jacqueline Jongejan has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 2.43 acre property located on the southeast side of Route 34, approximately 0.42 miles northeast of Bristol Ridge Road (PIN# 02-23-202-008), in Bristol Township; and

WHEREAS, said petition is to allow the operation of a Bed and Breakfast; and

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

WHEREAS, said property is legally described as:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF US ROUTE 34 WITH THE WESTERLY LINE OF LYNWOOD SUBDIVISION EXTENDED NORTHERLY; THENCE SOUTH 46°48'00" WEST ALONG SAID CENTER LINE, 425.04 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 46° 48'00" WEST ALONG CENTER LINE 251.91 FEET: THENCE SOUTH 34°51'22" EAST 224.29 FEET: THENCE SOUTH 46°16'35" EAST 180.84 FEET; THENCE NORTH 47°16'30" EAST 255.27 FEET TO THE EASTERLY LINE OF A TRACT DESCRIBED IN A WARRANTY DEED FROM J.F. BETZ AND SARA BETZ TO JUNE TRENARY HUNT AND JOHN HUNT RECORDED NOVEMBER 19, 1925 IN BOOK 75 ON PAGE 393 AND MONUMENTED BY THE POINT OF BEGINNING AND BY AN IRON STAKE WHICH IS 470.32 FEET SOUTH 40°26'32" EAST FROM THE POINT OF BEGINNING; THENCE NORTH 40°26'32" WEST ALONG SAID EASTERLY LINE 405.08 FEET TO THE POINT OF BEGINNING IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 2.442 ACRES.

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 Special Use Hearing Officer on August 1, 2011; and

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a

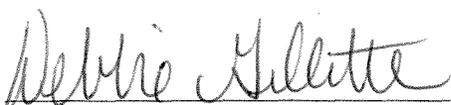
special use zoning permit operate a bed and breakfast and depicted on the site plan attached as “Exhibit B” hereto and incorporated herein subject to the following conditions:

1. A septic evaluation must be conducted by a licensed septic installer to determine that the current sewage disposal system in place is adequate for the business and is in compliance with the 2003 IL Private Sewage Disposal Licensing Act and Code.
2. A private water well evaluation must be conducted to determine that the system is in compliance with the current IL Water Well Construction Code, year 2000.
3. Shall have no more than five (5) guest rooms for rent.
4. Shall be in operation for not less than six (6) nights in a six (6) month period.
5. Shall maintain a guest register which shall be available at all times for inspections.
6. Shall be located in a single-family detached dwelling, not an accessory building or garage.
7. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
8. In addition to the parking requirements for a single-family detached dwelling, the bed and breakfast establishment shall provide one (1) additional space for each guest room. The off-street parking for a bed and breakfast establishment shall not be located in any required yard, but it shall be screened from adjacent properties by a landscape screen of at least fifty (50) percent capacity.
9. Only one (1) sign shall be permitted for each bed and breakfast establishment. The maximum size of such sign shall be four (4) square feet per sign face.
10. Each guest room may have its own private bath. No guest room shall have any kitchen facilities.
11. Guest room shall mean sleeping room intended to serve no more than two (2) adult transient guests per night.
12. Accommodations shall be provided in guest rooms only. The length of stay in a bed and breakfast establishment shall be a maximum of One (1) week.
13. Any application for a special use shall include, in addition to all other documents required for a special use application, floor plans drawn to scale accurately showing the guest rooms in relation to the rest of the single-family detached dwelling.

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 August 16, 2011.

Attest:



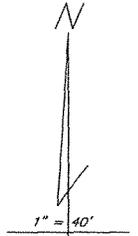
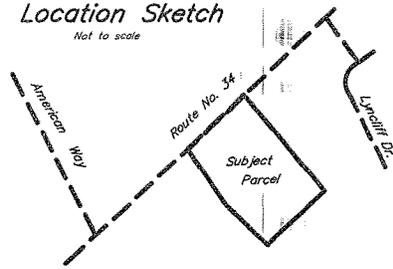
Debbie Gillette
Kendall County Clerk



John Purcell
Kendall County Board Chairman

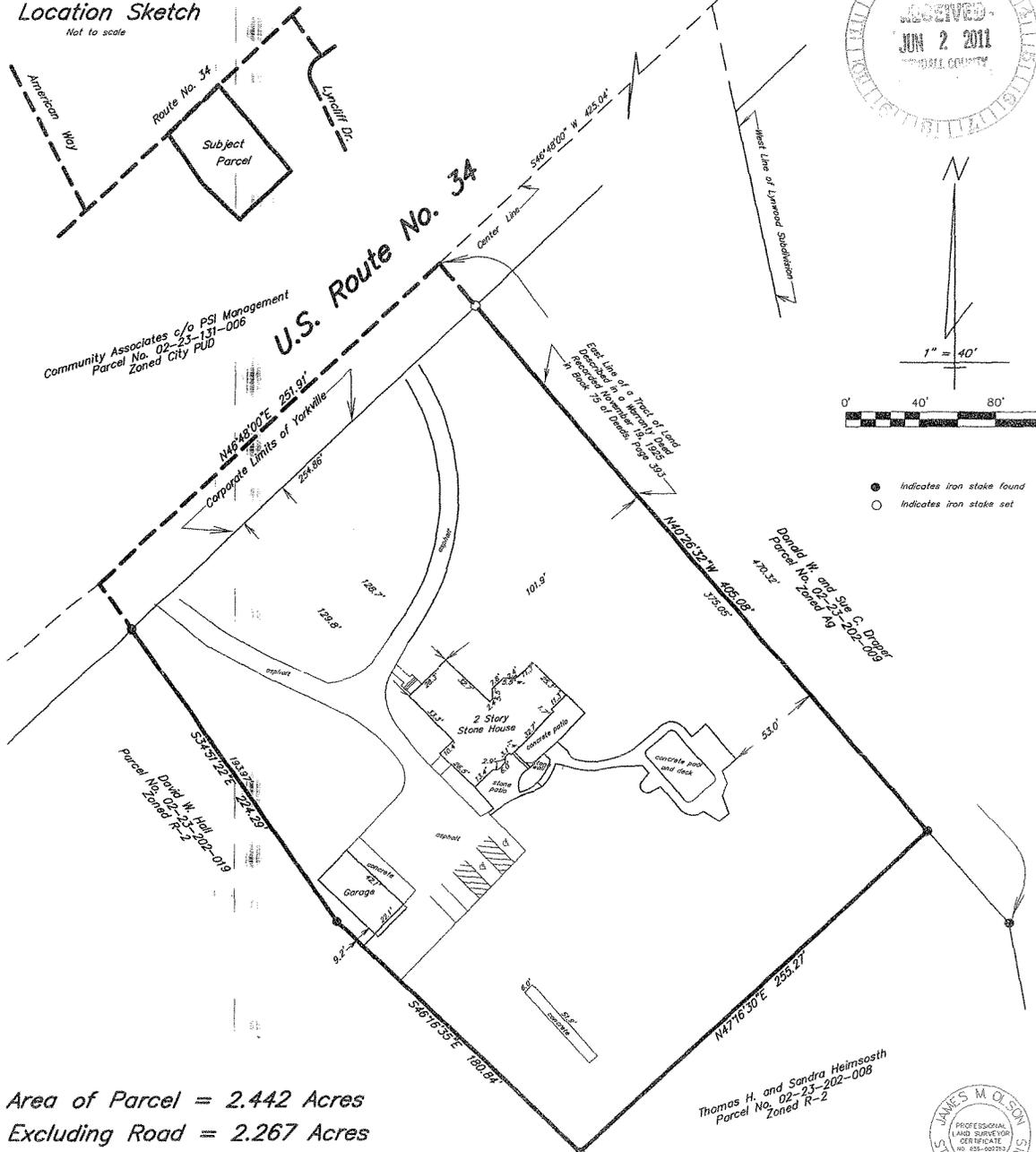
Plat of Survey of
Part of the Northeast Quarter of 23-37-7
Bristol Township Kendall County Illinois
Special Use Zoning Exhibit

Location Sketch
Not to scale



Community Associates c/o PSI Management
Parcel No. 02-23-131-006
Zoned City RUD

U.S. Route No. 34



● Indicates iron stake found
○ Indicates iron stake set

Area of Parcel = 2.442 Acres
Excluding Road = 2.267 Acres

Thomas H. and Sandra Helmsosth
Parcel No. 02-23-202-008
Zoned R-2



That part of Northeast Quarter of Section 23, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the intersection of the center line of U.S. Route No. 34 with the westerly line of Lynwood Subdivision extended northerly; thence South 46°48'00" West along said center line, 425.04 feet for a point of beginning; thence South 46°48'00" West along said center line 251.91 feet; thence South 34°51'22" East 224.29 feet; thence South 46°15'35" East 180.84 feet; thence North 47°16'30" East 255.27 feet to the easterly line of a tract described in a Warranty Deed from J. F. Betz and Sara Betz to June Trenary Hunt and John Hunt recorded November 19, 1925 in Book 75 on page 393 and monumented by the point of beginning and by an iron stake which is 470.32 feet South 40°29'32" East from the point of beginning; thence North 40°26'32" West along said easterly line 405.08 feet to the point of beginning in Bristol Township, Kendall County, Illinois and containing 2.442 acres.

State of Illinois: :SS
County of Kendall:

This is to certify that I, James M. Olson, an Illinois Professional Land Survey employed by James M. Olson Associates, Ltd., have surveyed and located improvements on the foregoing described property as shown by the plat hereon drawn which is a correct representation of said survey. The field work was completed May 2, 2011. This professional service conforms to the current Illinois Minimum Standards for a Boundary Survey.

Dated at Yorkville, Illinois May 9, 2011

James M. Olson

James M. Olson
Illinois Professional Land Surveyor No. 2253
License expires November 30, 2012
James M. Olson Associates, Ltd.
107 West Madison Street
Yorkville, Illinois 60560
(630) 553-0050