## ORDINANCE NUMBER 2006 - 40

## GRANTING SPECIAL USE 244 JETER ROAD SHE BEAR, LLC

<u>WHEREAS</u>, Robert E. Davidson, d/b/a She Bear, LLC, filed a petition for a Special Use within the A-1 district, for property located at 244 Jeter Road in Little Rock Township; and

<u>WHEREAS</u>, said petition is to allow for the usage of a portion of the parcel for a commercial pet cemetery; and

<u>WHEREAS</u>, said property is zoned A-1 Agricultural and the request is allowable upon issuance of a Special Use Permit per § 7.01.D.7 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is legally described as follows:

That part of the N½ of Section 1, T 37 N, R 6 E of the 3<sup>rd</sup> Principal Meridian described as follows: Beginning at the intersection of the present centerline of Galena Road (as depicted in a Right-Of-Way Plat recorded December 9, 1965 as Document 150467) and the E'ly Right-of-Way of Jeter Road, as fenced, extended from the N; thence N 00° 18' 00" E, along said extended E'ly line and said E'ly line, 360.0'; thence N 57° 14' 28" E, 125.0'; thence S 83° 52' 00" E, 384.0'; thence S 55° 11' 29" E, 126.40'; thence S 04° 06' 38" W, 367.62' to said present centerline of Galena Road; thence W'ly, along said centerline, being a curve to the left with a radius of 11,460.0' and a chord bearing of N 84° 22' 54" W, an arc distance of 322.0' to appoint of tangency; thence N 85° 11' 12" W, along said centerline, 246.66' to the point of beginning in Little Rock Township, Kendall County, Illinois, and containing 5.6033 acres.

<u>WHEREAS</u>, 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; and

<u>WHEREAS</u>, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance;

<u>NOW, THEREFORE, BE IT ORDAINED</u>, that the Kendall County Board hereby grants approval of a Special Use zoning permit for the use indicated in the recitals section of this Ordinance and as indicated on the submitted Site Plan included as Exhibit "A" attached hereto and incorporated herein, subject to the following conditions:

- 1. Within one hundred twenty (120) days after approval of the special use by the County Board, the petitioner will record a parcel division of the subject property separating the special use parcel from the adjacent residential parcel.
- 2. Within one hundred twenty (120) days after approval of the special use by the County Board, the petitioner will record an access easement granting access to the special use

using the driveway portion of the residential use, as indicated on the submitted site plan.

- 3. Within one hundred twenty (120) days after approval of the special use by the County Board, the petitioner will dedicate a roadway improvement and drainage easement of a variable distance north of the existing northern right-of-way line of Galena Road to effect a total distance from the centerline of Galena Road of sixty (60) feet, subject to the approval of the Kendall County State's Attorney.
- 4. The development of the special use will be in general conformance with the submitted site plan.

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 June 20, 2006.

Attest:

Paul Anderson

Kendall County Clerk

John A. Churc

Kendall County Board Chairman

1107£ South Bridge Street Yorkville, Wincis 60560 Telephone (1.30)-52-1580 Young and Associates, Inc. - TOPOGRAPHIC MAPPING - LIC #184-000775 TAND SURVEYING Phillip D. 11 M BI-BI-BOD-BB2 11 May Canninghem M-I April 12, 2006 Die A. Sein. Marken, all Berale Trusse MI — ] NORTH HALF OF SECTION 1, T37N-R6E, 3rd PM ROAD Phen V. & Dune V 4798 CALENA KENDALL COUNTY Christian President of Minasa Silt Loam, 15 to 30% stupes (From USCS Soils Map) Comdet. Six Losm, 1 to 4% stopes LITTLE ROCK TOWNSHIP 36 36 SOILS Location Sketch (Not to Scale) \$\times \text{PLOM\_VARABLE\_NOTE}\$. This property is not located within the Libbook Hearth Zone, as shown by the Libbook Hearth Zone, and the Community Found from Prancyces Reight on effective date of July 16, 1882—WITAMOS WIEL Place of the Section of the Section of Management on this treet. Then part on the shorth held of Saction 1, Trainching 27 birds, Brouge e East of the Construction characteristical of bildness application of the Saction 10 becomen 150,000 m food for displication of Reference Held Performance 150,000 m food for displication of Reference Held Performance 150,000 m food for displication of Reference Held Performance 150,000 m food for displication of the Reference Held Performance Held Performan LEGAL DESCRIPTION OF TRACT TO BE REZONED. AREA OF PARENT TRACT: 23,000 Acres (21.061 Acres Excluding Road) AREA TO BE REZONED: 5.6033 Acres (5.0029 Acres Excluding Road) brdicons from Stoke Found Indicates from Stoke Set Materies Contour Eavation Indicates Line at Fance Indicates Soits Boundary A1-SU (Pet Cemetery) LEGAL DESCRIPTION OF PARENT TRACT PROPOSED ZONING: PRESENT ZONING: Robert Davidson 109 East Hydraulic Yorkvills, IL 60560 DEVELOPER; • 0 #