

STATE OF ILLINOIS)
)SS
COUNTY OF DEKALB)

ORDINANCE 2007-11

**AN ORDINANCE GRANTING A USE VARIATION
FOR A SINGLE FAMILY HOME ON A VACANT PARCEL
LOCATED ON THE NORTH SIDE OF HARTER ROAD
IN PIERCE TOWNSHIP**

WHEREAS, David and Sharon Heyob have filed an application for a Use Variation to allow the construction of one single-family home on a vacant 0.72-acre parcel located on the north side of Harter Road, approximately 1,250 feet west of East County Line Road, in Pierce Township, said property having been legally recorded and existing prior to October 20, 1976, being zoned A-1, Agricultural District, and legally described as shown in Exhibit "A" attached hereto; and

WHEREAS, following due and proper notice by publication in the Daily Chronicle not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least ten (10) days prior thereto, the DeKalb County Hearing Officer conducted a public hearing on March 1, 2007, at which the petitioner presented evidence, testimony, and exhibits in support of the requested Use Variation, and no members of the public testified in favor of the petition and none in opposition thereto; and

WHEREAS, the Hearing Officer, having considered the evidence, testimony and exhibits presented, has made his findings of fact and recommended that the requested Use Variation be approved, as set forth in the Findings of Fact and Recommendation of the DeKalb County Hearing Officer, dated March 1, 2007, a copy of which is appended hereto as Exhibit "B"; and

WHEREAS, the Planning and Zoning Committee of the DeKalb County Board has reviewed the exhibits presented at the aforesated public hearing and has considered the findings of fact and recommendations of the Hearing Officer, and has forwarded a recommendation to the DeKalb County Board that the Use Variation be granted in accordance with the recommendation of the Hearing Officer; and

WHEREAS, the DeKalb County Board has considered the findings of fact and recommendations of the Hearing Officer and Planning and Zoning Committee, and the DeKalb County Board has determined that granting the Use Variation to allow the construction of one single-family home is consistent with the requirements established by Section 10.01.F of the DeKalb County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS, as follows:

SECTION ONE: The Findings of Fact and Recommendation of the DeKalb County Hearing Officer, Exhibit "B" attached hereto, is hereby accepted, and the findings of fact set forth therein are hereby adopted as the findings of fact and conclusions of the DeKalb County Board.

SECTION TWO: Based on the findings of fact set forth above, a Use Variation is hereby granted to allow the construction of one single-family home on property legally described in Exhibit "A" attached hereto.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of DeKalb County, Illinois.

PASSED BY THE COUNTY BOARD THIS 18TH DAY OF APRIL, 2007 A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

Exhibit "A"

Legal Description of Subject Property

LOT 9 IN GIANFRANCISCO ESTATES, UNIT NO. 1, PIERCE TOWNSHIP, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 5, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "P" OF PLATS, PAGE 81 AS DOCUMENT NO. 363441 ON JANUARY 25TH, 1972

PIN(S): 12-12-476-002