

STATE OF ILLINOIS     )  
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COUNTY OF DEKALB    )

**ORDINANCE 07-19**

**AN ORDINANCE GRANTING AN INTERIM SPECIAL USE PERMIT  
TO ILLINI FARMS FOR AGRICULTURAL LABOR HOUSING  
ON PROPERTY COMMONLY KNOWN AS 31911 HUNTER ROAD  
IN KINGSTON TOWNSHIP**

WHEREAS, Illini Farms, Inc. has filed an application for an Interim Special Use Permit to approve the construction of a modular home as living quarters for employees of the 120-acre farm located on the west side of Hunter Road, approximately 2,000 feet south of State Rte. 72, in Kingston Township. The subject property, 31911 Hunter, is zoned A-1, Agricultural District with a Special Use Permit for one agricultural labor house granted by Count Ordinance 91-42, and is legally described as shown in Exhibit "A" attached hereto; and

WHEREAS, there exist on the subject property a farm dwelling as well as two mobile homes currently occupied by employees of the farm, and the petitioners intends to remove one of the mobile homes to accommodate the proposed modular home in order to maintain a total of three dwellings on the 120-acre farm, in compliance with the restrictions of Section 4.02.C.3.c. of the DeKalb County Zoning Ordinance; 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 November 15, 2007, at which the petitioner presented evidence, testimony, and exhibits in support of the requested Interim Special Use Permit, and no persons testified in favor 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 Interim Special Use Permit be approved to allow two agricultural labor houses in addition to the existing farm dwelling and subject to conditions, as set forth in the Findings of Fact and Recommendation of the DeKalb County Hearing Officer, dated November 15, 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 aforestated 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 Interim Special Use Permit be granted to allow two agricultural labor houses on the subject property, 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 has determined that granting the Interim Special Use Permit to allow two agricultural labor houses on the subject property is consistent with the requirements established by Section 9.02.B.3. 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 above 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, an Interim Special Use Permit is hereby granted to Illini Farms, Inc. to allow two agricultural labor houses on property legally described in Exhibit "A" attached hereto.

SECTION THREE: This approval of an Interim Special Use Permit is subject to the following conditions:

1. One of the two existing mobile homes on the subject property shall be removed, and a new modular home shall be constructed in the location depicted on the Site Plan submitted as part of the petitioner's application for an Interim Special Use Permit;
2. The existing septic system at the site of the new modular home shall be improved to the requirements of the DeKalb County Director of Environmental Health; and
3. The property owner shall annually provide to the DeKalb County Planning, Zoning and Building Department a notarized affidavit to confirm the occupation of the two agricultural labor housing units by employees of farm on the subject property, specifying the names of the individuals occupying the agricultural labor housing on a full-time basis, and that such occupancy shall be a condition of the continuation of the proposed Interim Special Use. At such time as these units are not occupied by full-time employees of the farm, the dwellings shall be removed.

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

SECTION FIVE: Failure of the owners or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 11.07.C. of the DeKalb County Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 19TH DAY OF DECEMBER, 2007, A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

**Legal Description of Subject Property**

The East half of the Northeast 1/4 of Section 27, Township 42 North East of the Third Principal Meridian and the Northeast 1/4 of the Southeast 1/4 of Section 27 of Township 42 North, Range 4 east of the Third Principal Meridian, in DeKalb County, Illinois.

P.I.N.s: 02-27-200-004 and 02-27-400-002.