

STATE OF ILLINOIS     )  
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COUNTY OF DEKALB    )

**ORDINANCE 2008-15**

**AN ORDINANCE APPROVING AN AMENDMENT TO A SPECIAL USE PERMIT  
FOR AN RV CAMP AND LARGE-SCALE AGRITAINMENT USE  
ON PROPERTY COMMONLY KNOWN AS STONEHOUSE PARK  
ON THE NORTH SIDE OF SUYDAM ROAD  
IN PAW PAW TOWNSHIP**

WHEREAS, the DeKalb County Board approved Ordinance 76-20 on September 27, 1976 granting a Special Use Permit to allow the construction and operation of a private RV campground consisting of 100 camp sites on property located on the north side of Suydam Road, approximately 1/3 of a mile east of Hyde Road in Paw Paw Township, and said Special Use Permit was subsequently amended on March 18, 1987 by Ordinance 87-5, which increased the number of permitted camp sites to 200 and restricting the amount of time any one site could be occupied to not more than 250 days in any calendar year and prohibited any permanent residents on the subject property, and said Special Use Permit was amended a second time on October 20, 1993 by Ordinance 93-27, which allowed the placement of a permanent residence on the subject property for employee housing and restricted that the Special Use remain in force only so long as Leslie and Grace Smith and heirs are owners; and

WHEREAS, Gregg Larson, representing the property owners, has filed an application for an Amendment to a Special Use Permit for the Stonehouse Park RV Campground in accordance with Section 9.01 of the DeKalb County Zoning Ordinance to eliminate the restriction on ownership of the RV camp, to add the five-acre property containing the historic Nesbit Homestead (the Old Stone House), as well as an adjoining vacant 15-acre parcel, to the 32.3-acre camp property, to allow a number of site improvements, and to allow a variety of historical- and agricultural-themed activities to take place on the properties, said properties 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 September 4, 2008, at which the petitioners presented evidence, testimony, and exhibits in support of the requested Amendments to a Special Use Permit, and two members of the public testified in favor of the request 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 Amendments to a Special Use Permit be granted, subject to conditions, as set forth in the Findings of Fact and recommendation of the DeKalb County Hearing Officer, dated September 9, 2008, 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 testimony and exhibits presented at the public hearing and has considered the Findings of Fact and recommendation of the Hearing Officer, and has forwarded a recommendation to the DeKalb County Board that the requested Amendments to a Special Use Permit be approved with conditions; and

WHEREAS, the DeKalb County Board has considered the findings of fact and recommendation of the Hearing Officer and the recommendation of the Planning and Zoning Committee, and has determined that granting the Amendments to a Special Use Permit to allow the additions to the Stonehouse Park property, site improvements and a variety of historical- and agricultural-themed uses on the subject properties would be 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 report of the DeKalb County Hearing Officer, Exhibit "B" attached hereto, is hereby accepted and the findings 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, the request of Gregg Larson Amendments to the Special Use Permit granted by Ordinances 76-20, 87-5 and 93-27 for Stonehouse Park RV Campground on properties located on the north side of Suydam Road in Paw Paw Township, said properties being legally described in Exhibit "A" attached hereto, is hereby approved.

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

1. The approvals and conditions set forth in DeKalb County Board Ordinances 76-20, 87-5 and 93-27, are replaced in their entirety by the following;
2. Use and design of the RV campground and recreational and historical-themed uses shall be in substantial accordance with the plans and exhibits submitted as part of the petitioners' Special Use Permit application, including supplements, and the Site Plan submitted by the petitioner on September 22, 2008;
3. Permitted uses on the subject properties shall include:
  - a). Rental and use of 200 RV camp sites;
  - b). Rental and use of 25 "rustic" camp cabins;
  - c). Rental and use of the historic buildings and structures, including the relocated Old Rollo Schoolhouse, on the subject properties;
  - d). Pioneer living history demonstrations, and museum and historic building tours;
  - e). Historical re-enactments and festivals;
  - f). Equine events;
  - g). Dog-training and sheep-herding events and seminars;
  - h). Corporate retreats, family reunions, church and youth group activities, and group meetings and camping;
  - i). "U-pick" orchard;

- j). Sweet and hard cider production, sales and “tasting” events;
  - k). Weekend festivals;
  - l). Camp store and associated retail sales;
  - m). Commercial kitchen for production and sales of baked goods, jams and food for sale to campers and visitors and for use by campers;
4. Approved site improvements include construction of 25 camp cabins, a new shower house, a camp kitchen, a low-flow bridge over the Indian Creek, parking lot and vehicle circulation areas, signage and lighting, a “summer kitchen” addition to the historic Old Stone House, installation of the historic Rollo schoolhouse on to the subject properties, and other site improvements as depicted on the Site Plan received on September 22, 2008. The final Site Plan for the subject properties shall be subject to review and approval by the Planning, Zoning and Building Department staff. All approved site improvements shall be completed by the end of September 2011;
  5. No RV camp site shall be occupied by persons nor shall any RV be parked at any camp site for more than 250 days in a calendar year. RV camping shall be permitted from April 1 to November 15. Year-round camping shall be permitted in the historic Old Stone House and the “rustic” camp cabins provided, however, that no permanent residents shall be permitted on the subject properties;
  6. The subject properties shall be maintained in a neat and orderly condition. Historic buildings and structures shall be restored and maintained in accordance with the standards and regulations of the National Register of Historic Places; and
  7. No camping activities shall be permitted on that portion of the subject properties located on the east side of the Indian Creek.

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 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 11.05.A. and B. of the DeKalb County Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 15TH DAY OF OCTOBER, 2008, A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

**Legal Description of Subject Property**

Stonehouse Park Recreational Camp:

Part of the Northeast Quarter of Section 22, Township 37 North, Range 3 East of the Third Principal Meridian, bounded and described as follows:

Beginning at the Northwest corner of the West One-Third of the Northwest Quarter of said Northeast Quarter; thence South 0°09'39" West, along the east line of said West One-Third, 1012.42 feet to the centerline of a public road known as Suydam Road; thence South 84°16'06" East, along said centerline, 286.41 feet; thence North 5°43'54" East, 159.65 feet; thence North 67°55'21" East, 159.34 feet; thence North 53°48'42" East, 252.04 feet; thence South 83°49'37" East, 163.06 feet; thence South 51°45'10" East, 118.64 feet; thence South 15°53'40" West, 46.84 feet; Thence South 80°55'41" East, 112.00 feet; then South 4°03'19" East, 53.63 feet; thence South 28°11'37" West, 89.24 feet; thence South 8°08'44" East, 154.04 feet to the said centerline of Suydam Road; thence South 84°16'06" East, 68.00 feet; thence South 86°52'25" East, 138.64 feet; thence North 88°40'52" East, 178.59 feet; thence North 83°40'39" East, 154.39 feet; thence North 79°54'27" East, 60.50 feet; thence North 2°43'46" West, 143.58 feet; thence North 2°58'37" West, 193.98 feet; thence North 28°32'12" east, 137.48 feet; thence North 27°43'29" West, 74.76 feet; thence North 20°52'30" West, 95.19 feet; thence North 31°55'04" West, 127.59 feet; thence North 33°48'28" West, 114.80 feet; then South 85°26'10" West, 97.89 feet; thence North 60°12'04" West, 119.70 feet; thence North 3°47'37" East, 158.09 feet; thence North 6°07'04" East, 99.91 feet to the north line of said Northeast Quarter; Point of Beginning contain 32.29 acres more or less. Subject to that land used for public road purposes. Situated in Paw Paw Township, DeKalb County, Illinois.

16.613 acre Parcel in DeKalb County, Illinois:

OF PROPERTY DESCRIBED AS: Part of the Northeast Quarter of Section 22, Township 37 North, Range 3 East of the Third Principal Meridian, bounded and described as follows:

Beginning at the Northeast Corner of said Section 22; thence south 0 degrees 11 minutes 36 seconds west along the East Line of Said Northeast Quarter, a distance of 957.21 feet to the Centerline of a public road designated Suydam Road; thence South 67 degrees 12 minutes 39 seconds West along said Centerline, a distance of 234.20 feet; thence continuing South 70 degrees 52 minutes 35 seconds West along said Centerline, a distance of 167.91 feet; thence continuing South 76 degrees 32 minutes 01 second West along said Centerline, a distance of 191.83 feet; thence continuing South 79 degrees 54 minutes 27 seconds West along said Centerline, a distance of 6.00 feet to a point on the Southerly Projection of the Westerly Bank of Indian Creek; thence North 2 degrees 43 minutes 46 seconds West along said Westerly Bank, a distance of 143.58 feet; thence continuing North 2 degrees 58 minutes 37 seconds West along said Westerly Bank, a distance of 193.98 feet; thence continuing North 28 degrees 32 minutes 12 seconds East along said Westerly Bank, a distance of 137.48 feet; thence continuing North 27 degrees

43 minutes 29 seconds West along said Westerly Bank, a distance of 74.76 feet; thence continuing North 20 degrees 52 minutes 30 seconds West along said Westerly Bank, a distance of 95.19 feet; thence continuing North 31 degrees 55 minutes 04 seconds West along said Westerly Bank, a distance of 127.59 feet; thence continuing North 33 degrees 48 minutes 28 seconds West along said Westerly Bank, a distance of 114.80 feet; thence continuing South 85 degrees 26 minutes 10 seconds West along said Westerly Bank, a distance of 97.80 feet; thence continuing North 60 degrees 12 minutes 04 seconds West along said Westerly Bank, a distance of 119.70 feet; thence continuing North 3 degrees 47 minutes 37 seconds East along said Westerly Bank, a distance of 158.09 feet; thence continuing North 6 degrees 07 minutes 04 seconds East along said Westerly Bank, a distance of 100.50 feet to the North Line of the Northeast Quarter of said Section 22; thence North 88 degrees 33 minutes 58 seconds East along said North Line, a distance of 901.99 feet to the Point of Beginning, containing 16.613 acres, more or less, subject to that land being used for public road purposes and also subject to all easements, agreements, county codes and/or ordinances of record, if any, all situated in the Township of Paw Paw, the County of DeKalb and the State of Illinois.

Stonehouse Residence

Part of the Northeast Quarter of Section 22. Township 37 North, Range 3 East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Northeast Corner of said Northeast Quarter; then South 88 33'58" West along the North Line of said Northeast Quarter, a distance of 2152.61 feet to an iron pin at the Northeast Corner of the West One-Third of the Northwest Quarter of said Northeast Quarter; thence South 0 09'39" seconds West along the East Line of Said West One-Third, a distance of 1012.42 feet to the Centerline of a public road known as Suydam Road, thence South 84 16'06" East along said Centerline, a distance of 309.70 feet to the Point of Beginning of the hereinafter described tract of land; thence North 5 44'04" East, a distance of 171.93 feet; then North 67 55'21" East, a distance of 133.01 feet; thence North 45 06'06" East, a distance of 122.30 feet; thence North 61 50'57" East, a distance of 132.46 feet; thence South 83 49'37" East, a distance of 163.06 feet; thence South 51 45'10" East, a distance of 124.64 feet; thence South 20 35'58" West, a distance of 40.51 feet; thence South 76 45'49" East, a distance of 104.66 feet; thence South 11 44'32" East, a distance of 35.34 feet; thence South 23 23'41" West, a distance of 102.99 feet; thence South 8 08'44" East, a distance of 154.04 feet to said Centerline of Suydam Road; then North 84 16'06" West along said Centerline, a distance of 683 feet to the Point of Beginning, containing 4.959 acres, more or less, subject to that land being used for public road purposes and also subject to all easements, agreements, county codes and/or ordinances of record, if any, all situated in the Township of Paw Paw Township, the County of DeKalb, and the State of Illinois.

P.I.N.s: 16-22-200-010, -011 and -012