

STATE OF ILLINOIS     )  
  )SS  
COUNTY OF DEKALB    )

**ORDINANCE 2008-11**

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT  
FOR A LANDSCAPING BUSINESS ON PROPERTY LOCATED  
AT 20608 AIRPORT ROAD  
IN CORTLAND TOWNSHIP**

WHEREAS, Chad and Jennifer Daring have filed an application for a Special Use Permit in accordance with Section 9.02 of the DeKalb County Zoning Ordinance to allow the continued operation of a landscaping business on property located at 20608 Airport Road in Cortland Township, said property 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 April 24, 2008, at which the petitioners presented evidence, testimony, and exhibits in support of the requested Special Use Permit, and no members of the public spoke in favor of or 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 Special Use Permit be granted, as set forth in the Findings of Fact and recommendation of the DeKalb County Hearing Officer, dated April 24, 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, but has forwarded a recommendation to the DeKalb County Board that the requested 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 Special Use Permit to allow the operation of a landscaping business on the subject property 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 Chad and Jennifer Daring for a Special Use Permit to allow the operation of a landscaping business on property located at 20608 Airport Road in Cortland Township, said property 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. All fertilizers and pesticides shall be stored inside a building on the property;
2. The construction trailer shall be removed from the subject property not later than December 31, 2008;
3. A revised Site Plan be submitted by the applicants, subject to review and approval by Staff, detailing landscape screening of the parking lot and marking a specifically delineated area outdoors for storage of ancillary materials;
4. The landscaping business shall be restricted from operation during hours of darkness during the period from March through October; and
5. The business shall be operated in conformance with the details in the application for Special Use Permit.

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 17TH DAY OF SEPTEMBER, 2008, A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

**Legal Description of Subject Property**

Part of Section 22, Township 40 North, Range 5 East of the Third Principal Meridian, bounded and described as follows: Commencing at the intersection of the South line of the North Half of the South Half of Section 22 and the centerline of Airport Road; thence North 17 degrees 00 minutes 47 seconds West along said centerline, 1098.89 feet to the point of beginning; thence continuing North 17 degrees 00 minutes 47 seconds West along said centerline, 285.79 feet; thence North 15 degrees 54 minutes 08 seconds West along said centerline, 249.37 feet; thence North 89 degrees 50 minutes 39 seconds East, 545.45 feet; thence South 0 degrees 33 minutes 55 seconds West, 513.56 feet; thence South 89 degrees 50 minutes 39 seconds West, 388.44 feet to the point of beginning; all situated in the Township of Cortland, DeKalb County , Illinois.

P.I.N.: 09-22-100-008

STATE OF ILLINOIS        )  
  )SS  
COUNTY OF DEKALB        )

**ORDINANCE 2008-12**

**AN ORDINANCE APPROVING A ZONING MAP AMENDMENT  
FOR THE HARVEY CREEK CONSERVATION AREA  
LOCATED ON THE NORTH SIDE OF LIONS ROAD  
IN SANDWICH TOWNSHIP**

WHEREAS, the Sandwich Park District, the property owner, has submitted an application for a Zoning Map Amendment for the Harvey Creek Conservation Area located on the north side of Lions Road in Sandwich Township and legally described as shown in Exhibit "A" attached hereto, to rezone the 22.8-acre subject property from A-1, Agricultural District to FP/C, Floodplain/Conservation District, said application having been submitted in accordance with the requirements of Article 10 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 July 24, 2008 at which the petitioner presented evidence, testimony, and exhibits in support of the requested Zoning Map Amendment, and no members of the public spoke in favor of the request and one spoke in opposition thereto; and

WHEREAS, the Hearing Officer has considered the evidence, testimony and exhibits presented at the public hearing and has made findings of fact and recommended that the Zoning Map Amendment be approved, as set forth in the Findings of Fact and Recommendation of the DeKalb County Hearing Officer, dated July 24, 2008, a copy of which is appended hereto as Exhibit "B"; and

WHEREAS, the Planning and Zoning Committee of the DeKalb County Board has considered the evidence and testimony from the public hearing and the findings of fact and recommendations of the Hearing Officer, and has forwarded to the DeKalb County Board a motion to approve the requested Zoning Map Amendment; and

WHEREAS, the DeKalb County Board has considered the recommendation of the Planning and Regulations Committee and the report and findings of fact of the Hearing Officer, and has determined that the requested Zoning Map Amendment to change the zoning of the Harvey Creek Conservation Area from A-1, Agricultural District to FP/C, Floodplain/Conservation District would be consistent with the findings required by Section 10.04.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 report and findings of fact and recommendation of the DeKalb County Hearing Officer, Exhibit "B" attached hereto, are hereby adopted as the findings of fact and conclusions of the DeKalb County Board.

SECTION TWO: Based on the findings of fact adopted herein, the Harvey Creek Conservation Area located on the north side of Lion Road in Sandwich Township, legally described as shown in Exhibit "A" attached hereto, is hereby rezoned from A-1, Agricultural District to FP/C, Floodplain/Conservation District and the DeKalb County Zoning Map shall be Amended to reflect said zone change.

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 17TH DAY OF SEPTEMBER, 2008, A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

**Legal Description of the Subject Property**

That part of the North Half of Section 36, Township 37 North, Range 5 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the South line of the North Half of said Section 36 with the center line of Dayton Street; thence North, along said center line, 303.71 feet; thence East 163.0 feet from the point of beginning; thence North 588.96 feet to the center line of a drainage ditch; thence North 86 degrees, 18 minutes 40 seconds East along said centerline, 611.26 feet; thence North 68 degrees, 02 minutes 57 seconds East, along said center line 899.94 feet to the East line of the Southwest Quarter of the Northeast Quarter of said Section 36; thence South 0 degrees, 02 minutes 13 seconds West along said East line, 1024.70 feet to a point 243.71 feet to the South line of the North half of said Section 36; thence West along said South line 772.04 to a point 626.13 feet East of the center line of Dayton Street; thence North parallel with said center line. 208.71 feet; thence West parallel with the South line of the North 95.0 feet; thence West 254.42 feet to the point of beginning, in Sandwich Township, DeKalb County, Illinois.

P.I.N.s: 19-36-251-002.