

ORDINANCE NUMBER 2020- 01

**REVOKING A SPECIAL USE PERMIT FOR A PLACE OF WORSHIP GRANTED BY  
ORDINANCE 2015-15 AT 81 BOULDER HILL PASS (PIN: 03-05-401-003)  
IN OSWEGO TOWNSHIP**

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 13:08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13:08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the B-3 Highway Business District and consists of approximately 7.8 acres and is identified by Parcel Identification Number 03-05-401-003 in Oswego Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, Rhonda Miller petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a place of worship in the portion of subject property addressed as 81 Boulder Hill Pass in 2015; and

WHEREAS, the Kendall County Board granted a special use permit through Ordinance 2015-15 at the portion of the subject property addressed as 81 Boulder Hill Pass on August 18, 2015, for the operation of a place of worship; and

WHEREAS, Condition #1 of Ordinance 2015-15 requires that the special use permit be restricted to the Strong Tower of Refuge Ministries only and that any new place of worship wishing to locate in 81 Boulder Hill Pass obtain a new special use permit; and

WHEREAS, Boulder Hill Property, LLC, as represented by Sunny Simon, is the owner of record of the subject property and shall hereinafter be referred to as “The Petitioner”; and

WHEREAS, following visual inspection of the exterior of the subject property, on October 19, 2020, the Kendall County Planning, Building and Zoning Department mailed a letter to The Petitioner requesting confirmation that the Strong Tower of Refuge Ministries was still a tenant at the subject property; and

WHEREAS, The Petitioner no longer desires the special use permit and has stated in a letter as provided in attached Exhibit “B” that they voluntarily request that Kendall County revoke the special use permit on the above-referenced property; and

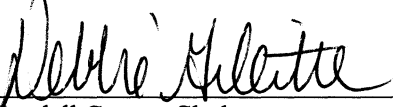
**NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS**, as follows:

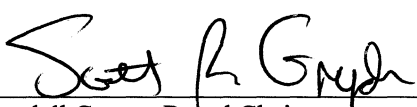
1. The Kendall County Board hereby revokes the special use permit for a public of worship granted by Ordinance 2015-15.

2. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted by Ordinance 2015-15.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 19<sup>th</sup> day of January, 2021.

Attest:

  
\_\_\_\_\_  
Kendall County Clerk  
Debbie Gillette

  
\_\_\_\_\_  
Kendall County Board Chairman  
Scott R. Gryder



## Exhibit A

That portion of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows:

Commencing at the most Westerly corner of Boulder Hill, Kendall County, Illinois, Unit 1, said point being the point of intersection of the center line of Illinois State Highway No. 25 with the Southwesterly line of Boulder Hill Pass extended Northwesterly; thence S. 49° 13' 28" E. along said Southwesterly line 197.50 feet to a point of curvature; thence continuing along said Southwesterly line, being along a curve to the right, having a radius of 3171.60 feet, an arc distance of 52.50 feet to the point of beginning; thence continuing along said curve being along said Southwesterly line, an arc distance of 509.69 feet to a point of compound curvature thence continuing along said Southwesterly line, being along a curve to the right, having a radius of 731.25 feet, an arc distance of 182.71 feet to a point lying 200.72 feet Northwesterly of the Northeast corner of Boulder Hill, Kendall County, Illinois, Unit 9, (as measured along the last described curb); thence S. 64° 31' 02" W. 553.54 feet to a point lying 25 feet Northerly of the Northerly line of Hillstone Road (as measured at right angles thereto); thence S. 07° 23' 49" E. to said Northerly line; thence S. 82° 36' 11" W. along said Northerly line 75.00 feet to the Northwest corner of said Unit 9; thence N. 84° 57' 25" W. 119.46 feet to the Easterly line of the Burlington Northern Railroad right-of-way; thence Northerly along said Easterly line being along a curve to the left, having a radius of 1050.48 feet, an arc distance of 453.80 feet; thence N. 42° 36' 23" E. 201.40 feet to a point lying 250 feet Southeasterly of the center line of Illinois State Highway No 25 (as measured at right angles thereto); thence N. 40° 46' 32" E. 249.56 feet to the point of beginning and containing 7.818 acres in Oswego Township, Kendall County, Illinois.

RECEIVED

NOV 05 2020

KENDALL COUNTY  
PLANNING, BUILDING  
& ZONING

Month Day, Year

Kendall County  
Planning, Building and Zoning  
Attn: Matthew H. Asselmeier  
111 West Fox Street Room 203  
Yorkville, IL 60560-1498  
Phone: 630-553-4139 Fax: 630.553.4179

I, Sunny Simon am the owner at 81 Boulder Hill Pass, Montgomery, IL  
(First & Last Name) (Address of property)

On August 18, 2015, the property was granted a special use (Ordinance 2015-15). The special use granted in 2015 was granted for the operation of a place of worship at 81 Boulder Hill Pass

Pursuant to Section 13:08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

[Signature]  
(Signature)

11/2/2020  
(Date)

Sunny Simon  
(Printed Name)

Attest: Elvira Aguirre  
Notary Public

