



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 22-17

15625 Burr Oak Road

**Revocation of Special Use Permit for a Commercial Broadcasting
Station and Radio Tower**

INTRODUCTION AND BACKGROUND

On May 8, 1973, the Kendall County Board granted a special use permit for a commercial broadcasting station and radio tower at the subject property; this property was the original home of WSPY Radio. Ordinance 1973-9 is included as Attachment 1.

Condition 1 of Ordinance 1973-9 required the special use permit be reviewed every three (3) years. Condition 2 of Ordinance 1973-9 stated that the special use permit shall be revoked if the FCC permit was revoked. A check of FCC licensed towers on July 25, 2022, indicated that the subject tower was no longer permitted by the FCC.

On July 25, 2022, the owner of record submitted a request for voluntary revocation of the special use permit. This request is included as Attachment 2.

The draft revocation ordinance is included as Attachment 3.

The subject property is zoned A-1. If the special use permit is revoked, the property will retain its A-1 zoning classification and the tower may remain on the property.

RECOMMENDATION

Staff recommends approval of the proposed special use permit revocation.

ATTACHMENTS

1. Ordinance 1973-9
2. Revocation Request
3. Draft Revocation Ordinance

Pl 01-33-200-001
Pl 01-33-100-005

ORDINANCE
73-9

AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

WHEREAS, John Silver and "SPY" Broadcasting Systems, Inc. did petition the Zoning Board of Appeals of Kendall County for a public hearing in the manner required by law and the ordinances of Kendall County, Illinois for a proposed amendment to the Kendall County Zoning Ordinance adopted May 10, 1960, and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 27th day of April, A.D. 1973 on the site described in the petition and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois that the petition be granted and the Zoning maps and ordinance be amended in the manner required by law.

NOW THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be and it is hereby rezoned from "A" Agricultural District to "A" Agricultural District Special Use for a commercial broadcasting station and radio tower and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

A five (5) acre tract situated in the southwest quarter of Section 33, Township 37 North, Range 6, east of the third principal meridian, fronting on Burr Oak Road, (The southeast corner of the five-acre tract is approximately 450 feet from the point at which the half section line and Burr Oak Road intersect) in the Township of Little Rock, Kendall County, Illinois.

A1-SU

vague

BE IT FURTHER ORDAINED that the above Special Use classification shall be expressly made subject to the following conditions:

1. That the Special Use be reviewed every three years.
2. That the Special Use be revoked in case F.C.C. permit was revoked.
3. That the granting of the rezoning would be an asset to the surrounding Communities.

Passed this 8th day of May, 1973.

James C Mann
Chairman County Board, Kendall County

ATTEST:

John P. Brady
County Clerk

July 12, 2022

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 Stephanie Stevenson am the owner at 15625 Burr Oak Road (PINs:01-33-200-005 and 01-33-100-042)
(First & Last Name) (Address of property)

On May 8, 1973, the property was granted a special use (Ordinance 1973-09). The special use granted in 1973 was granted for a commercial broadcasting station and radio tower.

Pursuant to Section 13:08.F of the Kendall County Zoning Ordinance, we 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)

7-20-22
(Date)

Stephanie Stevenson
(Printed Name)

Attest: _____
Notary Public



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July 12, 2022

Stephanie Stevenson
c/o C. Wahlgren



*Cliff house = 01-33-20005
Farm House 01-33-100-042
100-043 Steph's house
MAIL Address below update*

Re: Special Use Permit for a Commercial Broadcasting Station and Radio Tower at 15625 Burr Oak Road, Plano, IL

Dear Stephanie Stevenson:

The Kendall County Planning, Building and Zoning Department is currently reviewing special use permits issued by Kendall County over the last few years.

According to our records, you own the properties identified by Parcel Identification Numbers 01-33-200-005 and 01-33-100-042 at 15625 Burr Oak Road, Plano, Illinois. This property has a special use permit from 1973 allowing a commercial broadcasting station and radio tower on the property. A copy of the special use permit is attached. Pursuant to condition #3, this special use permit shall be reviewed every three (3) years.

We would like to know if you desire to keep this special use permit. If you would like to keep the special use permit, no further action is needed. If you would like the special use permit revoked, please complete the attached revocation form. There is no cost to you for revoking the special use permit and your property would retain its current A-1 zoning classification.

If you have any questions regarding this letter, please contact Matt Asselmeier, Senior Planner at 630-553-4139 or masselmeier@kendallcountyil.gov.

Thank you for your assistance on this matter.

Sincerely,

COUNTY OF KENDALL

Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc: Ordinance 1973-09
Revocation Letter

Mailing change of address:

c/o C. Wahlgren



State of Illinois
County of Kendall

Zoning Petition
#22-17

ORDINANCE NUMBER 2022-_____

REVOKING A SPECIAL USE PERMIT FOR A COMMERCIAL BROADCASTING STATION AND RADIO TOWER GRANTED BY ORDINANCE 1973-9 AT 15625 BURR OAK ROAD (PINS: 01-33-200-005 AND 01-33-100-042) IN LITTLE ROCK 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 A-1 Agricultural District and consists of approximately 35.55 acres of which approximately 5.00 acres has a special use permit and is identified by Parcel Identification Numbers 01-33-200-005 and 01-33-100-042, also known as 15625 Burr Oak Road, in Little Rock 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, the Kendall County Board granted a special use permit through Ordinance 1973-9 on the subject property on May 8, 1973, for a commercial broadcasting station and radio tower; and

WHEREAS, Condition 1 of Ordinance 1973-9 requires that the special use permit be reviewed every 3 years; and

WHEREAS, Stephanie Stevenson c/o C. Wahlgren is the owner of record of the subject property and shall hereinafter be referred to as “The Petitioner”; 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 church, parsonage, church school, and church daycare granted by Ordinance 1973-9.
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 1973-9.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of August, 2022.

State of Illinois
County of Kendall

Zoning Petition
#22-17

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

LEGAL DESCRIPTION

PARCEL ONE

THAT PART OF SECTION 33, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF DEER RIDGE P.U D BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 32 AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, LITTLE ROCK TOWNSHIP, KENDALL COUNTY, ILLINOIS, ACCORDING TO SUBDIVISION PLAT OF RECORD DOCUMENT #2001-1549, SAID POINT BEING A POINT ON THE CENTERLINE OF BURR OAK ROAD FOR THE POINT OF BEGINNING, THENCE NORTH 38 DEGREES 21 MINUTES 56 SECONDS EAST ALONG THE EAST LINE OF SAID DEER RIDGE P U D. 1072 82 FEET TO THE NORTHEAST CORNER OF SAID DEER RIDGE P U D., THENCE SOUTH 89 DEGREES 41 MINUTES 34 SECONDS EAST ALONG THE SOUTH LINE OF THE BLUFFS P U D BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, LITTLE ROCK TOWNSHIP, KENDALL COUNTY, ILLINOIS, ACCORDING TO SUBDIVISION PLAT OF RECORD DOCUMENT #2000-00949, A DISTANCE OF 697 69 FEET TO THE SOUTHEAST CORNER OF SAID THE BLUFFS P U D , THENCE NORTH 01 DEGREE 55 MINUTES 26 SECONDS WEST ALONG THE EAST LINE OF SAID THE BLUFFS P.U D 199 71 FEET TO THE CENTERLINE OF LITTLE ROCK CREEK, THENCE SOUTH 41 DEGREES 58 MINUTES 26 SECONDS EAST ALONG SAID CENTERLINE 123.87 FEET, THENCE SOUTH 16 DEGREES 16 MINUTES 49 SECONDS EAST ALONG SAID CENTERLINE, 235.75 FEET, THENCE SOUTH 19 DEGREES 30 MINUTES 57 SECONDS WEST ALONG SAID CENTERLINE, 193 72 FEET; THENCE SOUTH 54 DEGREES 06 MINUTES 26 SECONDS WEST ALONG SAID CENTERLINE, 108 41 FEET, THENCE SOUTH 28 DEGREES 24 MINUTES 03 SECONDS WEST ALONG SAID CENTERLINE, 403 33 FEET, THENCE SOUTH 14 DEGREES 13 MINUTES 24 SECONDS EAST ALONG SAID CENTERLINE, 343 35 FEET, THENCE SOUTH 48 DEGREES 35 MINUTES 22 SECONDS EAST ALONG SAID CENTERLINE, 221 89 FEET, THENCE SOUTH 66 DEGREES 22 MINUTES 14 SECONDS EAST ALONG SAID CENTERLINE, 242 19 FEET, THENCE NORTH 83 DEGREES 13 MINUTES 28 SECONDS EAST ALONG SAID CENTERLINE, 117 54 FEET, THENCE NORTH 55 DEGREES 09 MINUTES 51 SECONDS EAST ALONG SAID CENTERLINE, 208.38 FEET, THENCE NORTH 34 DEGREES 08 MINUTES 56 SECONDS EAST ALONG SAID CENTERLINE, 67 60 FEET, THENCE NORTH 02 DEGREES 53 MINUTES 11 SECONDS WEST ALONG SAID CENTERLINE, 40 11 FEET; THENCE NORTH 39 DEGREES 04 MINUTES 14 SECONDS WEST ALONG SAID CENTERLINE, 80 65

FEET, THENCE NORTH 52 DEGREES 46 MINUTES 45 SECONDS WEST ALONG SAID CENTERLINE, 43 96 FEET, THENCE NORTH 18 DEGREES 06 MINUTES 58 SECONDS EAST ALONG SAID CENTERLINE, 57 38 FEET, THENCE NORTH 57 DEGREES 00 MINUTES 22 SECONDS EAST ALONG SAID CENTERLINE, 53 78 FEET, THENCE SOUTH 48 DEGREES 14 MINUTES 23 SECONDS EAST ALONG SAID CENTERLINE, 227 44 FEET, THENCE SOUTH 34 DEGREES 17 MINUTES 13 SECONDS EAST ALONG SAID CENTERLINE, 68 55 FEET, THENCE SOUTH 32 DEGREES 44 MINUTES 15 SECONDS WEST, 922 37 FEET TO A POINT ON THE CENTERLINE OF SAID BURR OAK ROAD, THENCE NORTH 57 DEGREES 39 MINUTES 44 SECONDS WEST ALONG SAID CENTERLINE OF SAID BURR OAK ROAD, 1946 16 FEET TO THE POINT OF BEGINNING CONTAINING 40 0000 ACRES MORE OR LESS, ALL IN THE TOWNSHIP OF LITTLE ROCK, KENDALL COUNTY, ILLINOIS

EXCEPTING THEREFROM THE FOLLOWING PART THEREOF, TO-WIT

THAT PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF DEER RIDGE PUD. BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 32 AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, LITTLE ROCK TOWNSHIP, KENDALL COUNTY, ILLINOIS, ACCORDING TO SUBDIVISION PLAT OF RECORD DOCUMENT #2001-1549, SAID POINT BEING A POINT ON THE CENTERLINE OF BURR OAK ROAD FOR THE POINT OF BEGINNING, THENCE NORTH 38 DEGREES 21 MINUTES 56 SECONDS EAST ALONG THE EAST LINE OF SAID DEER RIDGE PUD, A DISTANCE OF 394.97 FEET, THENCE SOUTH 57 DEGREES 39 MINUTES 44 SECONDS EAST PARALLEL WITH THE CENTERLINE OF SAID BURR OAK ROAD, A DISTANCE OF 534.79 FEET, THENCE SOUTH 32 DEGREES 20 MINUTES 16 SECONDS WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 392.79 FEET TO A POINT IN SAID CENTERLINE OF BURR OAK ROAD; THENCE NORTH 57 DEGREES 39 MINUTES 44 SECONDS WEST ALONG SAID CENTERLINE OF BURR OAK ROAD, A DISTANCE OF 576 26 FEET TO THE POINT OF BEGINNING, ALL IN THE TOWNSHIP OF LITTLE ROCK, KENDALL COUNTY, ILLINOIS

Common Address 15625 Burr Oak Road, Plano, Illinois
15681 Burr Oak Road, Plano, Illinois

PIN 01-33-100-042 and 01-33-200-005

July 12, 2022

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

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(Signature)

7-20-22
(Date)

Stephanie Stevenson
(Printed Name)

Attest: _____
Notary Public



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If you have any questions regarding this letter, please contact Matt Asselmeier, Senior Planner at 630-553-4139 or masselmeier@kendallcountyil.gov.

Thank you for your assistance on this matter.

Sincerely,

COUNTY OF KENDALL

Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc: Ordinance 1973-09
Revocation Letter

Mailing change of address:

c/o C. Wahlgren

