

ORDINANCE NUMBER 2012 - 10

GRANTING SPECIAL USE FOR THE TENANTS AT
71 BOULDER HILL PASS
YARN FOUNDATION INC.

WHEREAS, Yarn Foundation Inc. has filed a petition for a Special Use within the B-3 Highway Business Zoning District for a 4,800 square foot tenant space on an overall 7.82 acre property located in the Boulder Hill Marketplace on the east side of Boulder Hill Pass, approximately 0.15 miles north of Route 25 (PIN# 03-05-401-003), in Oswego Township; and

WHEREAS, said petition is to allow the operation of a Community Center/ After school programs/ Educational Center; and

WHEREAS, said property is currently zoned B-3 Highway Business District; and

WHEREAS, said property is legally described as:

THAT PART OF THE EAST HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPLE MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE 25 AND THE EAST RIGHT OF WAY LINE OF THE C.B. & Q. RAILROAD, THENCE SOUTH ALONG SAID EAST RIGHT OF WAY LINE OF THE C.B. & Q. RAILROAD FOR A DISTANCE OF 2000 FEET; THENCE EAST ON A LINE SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5 TO A POINT WHERE THE SAID LINE INTERSECTS THE WEST RIGHT OF WAY LINE OF BOULDER HILL PASS (AS SHOWN ON THE SUBDIVISION PLAT OF BOULDER HILL UNIT #1) EXTENDED IN SAME ARC AS SHOWN; THENCE NORTHWESTERLY ALONG THE WEST RIGHT OF WAY LINE OF SAID BOULDER HILL PASS EXTENDED, TO A POINT WHERE THE SAID LINE INTERSECTS THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE 25; THENCE SOUTHWESTERLY ALONG THE SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer on June 4, 2012; and

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be run with the tenant, Yarn Foundation Inc. at 71 Boulder Hill Pass; and

WHEREAS, if the Yarn Foundation Inc. was to move out of the building the special use would

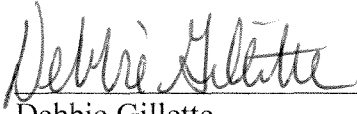
dissolve at that time; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit operate a Community Center/ After school programs/ Educational Center in the 4,800 square feet of building space located at 71 Boulder Hill Pass.

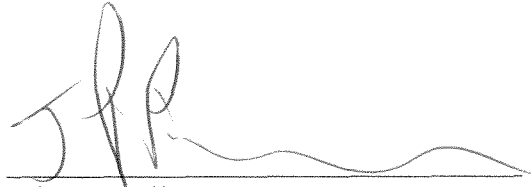
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on June 19th 2012.

Attest:



Debbie Gillette
Kendall County Clerk



John Purcell
Kendall County Board Chairman