

ORDINANCE NUMBER 2008 - 08-21

GRANTING A SPECIAL USE for the
OPERATION OF A CHURCH to
SOUTHWEST COMMUNITY CHURCH

WHEREAS, Southwest Community Church, has filed a petition for a Special Use within the A-1 Agricultural Zoning District for the operation of a church pursuant to Section 7.01.D.7 of the Kendall County Zoning Ordinance for a 23 acre property located on the north side of Van Dyke Road between Grove Road and Mc Kanna Road, commonly known as 4405 Van Dyke Road (Pin # 09-05-400-020 & 09-05-400-021), in Seward Township, as legally described in "Exhibit A"; and

WHEREAS, said petition was approved on April 15, 2008 by the County Board as ordinance #08-11 for the operation of a church;

WHEREAS, said ordinance stipulated Southwest Community Church would utilize the existing barn for administrative purposes limited to 3-4 full time employees and group meetings;

WHEREAS, the testimony indicated the administration building would be utilized as administrative offices and meeting room space for church groups;

WHEREAS, the church now desires to utilize the existing residence as an administration office for 3-4 full time employees while retaining the ability to utilize the barn as meeting room space for church groups;

WHEREAS, the change is in keeping with the intended use of the property as approved by the Board and does not result in an increase in intensity of said use;

WHEREAS, the Kendall County Board 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 treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby amends ordinance #08-11 to provide for the following: approval of a special use zoning permit per section § 7.01.D.7 (A-1 Special Uses-Churches) to permit the use indicated in the recitals section of this Ordinance and as indicated on the submitted Site Plan included as Exhibit “B” attached hereto and incorporated herein,, subject to the following conditions:

1. The future church campus be submitted for site plan approval through the standard process called out in Section 13 of the Zoning Ordinance to make sure all requirements are met for the future buildings, including landscape plans and elevations.
2. The sign can be submitted as a building permit before site plan approval as long as it is in the same location shown on the plan.
3. Certificate of Occupancy and change in use is required prior to occupying and using the barn as an administration building.
4. Dedication of 20’ trail easement prior to Certificate of Occupancy.

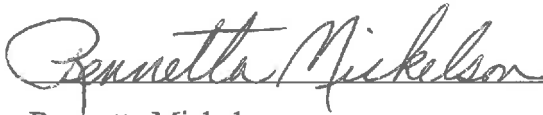
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on June 3, 2008.

Attest:



John A. Church
Kendall County Board Chairman



Renetta Mickelson
Kendall County Clerk