

KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE MEETING
111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

Monday, May 7, 2018 – 6:30 p.m.

CALL TO ORDER:

ROLL CALL: Lynn Cullick, Bob Davidson (Chair), Judy Gilmour, Scott Gryder, and Matt Kellogg (Vice Chair)

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes from April 9, 2018 Meeting (Pages 3-18)

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 19-20)

PUBLIC COMMENT:

PETITIONS:

1. **18 – 18 – Carol S. Hamman (Pages 21-28)**
Request: Residential Allocation on Property Less Than 40 Acres But Greater Than 20 Acres That Existed in Its Current Configuration Prior to March 8, 1977
PIN: 01-23-100-005
Location: West Side the T-Intersection Created by Faxon and Needham Roads, Little Rock Township
Purpose: Petitioner would like the Ability to Construct a Single-Family Home on the Property

NEW BUSINESS:

1. None

OLD BUSINESS:

1. Approval of Amendments to Petition 17-28 Pertaining to Outdoor Target Practice and Shooting Zoning Regulations
2. Approval of a Resolution to Release All Claims on a Bank Account Owned by Whitetail Ridge Golf Club, LLC at First National Bank in the Amount of \$3,000.00 Pursuant to Condition 18 of Ordinance 2016-11 (Granting a Special Use Permit at 9111 Ashley Road in Kendall Township to Operate a Banquet Hall) (Pages 29-34)
3. Request from the Kendall County Regional Planning Commission to Amend Petition 18-03 Pertaining to Removing the Requirements for the Zoning, Platting and Advisory Committee and the Kendall County Regional Planning Commission to Meet and Issue Recommendations on Proposed Map Amendments, Special Use Permits, Major Amendments to Special Use Permits, and Text Amendments on Matters Not Involving the Powers and Duties of the Zoning, Platting and Advisory Committee or the Kendall County Regional Planning Commission and Related Zoning Text Citation Amendments- Committee Could Vote to Amend or Withdraw the Petition (Pages 35-69)

4. Request from the Kendall County Regional Planning Commission to Amend Petition 18-07 Pertaining to Establishing Procedures for Renewing Special Use Permits-Committee Could Vote to Amend the Petition (Pages 70-77)
5. Update on 45 Cheyenne Court-Committee Could Approve Forwarding Violation to State's Attorney's Office (Pages 78-80)
6. Update on Petition 18-04-Request from the Kendall County Regional Planning Commission to Amend the Future Land Use Map Pertaining to Properties Adjacent to Route 47 in Lisbon Township-Committee Could Vote to Offer Input on the Proposal (Pages 81-105)

REVIEW VIOLATION REPORT: (Page 106)

REVIEW NON-VIOLATION COMPLAINT REPORT: (Page 107)

UPDATE FOR HISTORIC PRESERVATION COMMISSION:

REVIEW PERMIT REPORT: (Pages 108-117)

REVIEW REVENUE REPORT: (Page 118)

CORRESPONDENCE:

1. Correspondence Related to Churchill Club Stormwater Issue (Pages 119-168)
2. March 30, 2018 Article from Crain's Chicago Business RE: Growth in Kendall County (Pages 169-171)
3. Correspondence Related to 21 Dawn Avenue (Pages 172-179)
4. National Flood Fight Material Center Industry Day Invitation (Page 180)

PUBLIC COMMENT:

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

ADJOURNMENT:

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 & 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of April 9, 2018 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Bob Davidson at 6:33 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Bob Davidson (Chairman), Judy Gilmour, Scott Gryder, and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Dan Kramer, Nick Porter, Mark Antos, Jim Williams, David Lombardo, and Nate Howell

APPROVAL OF AGENDA

Motion by Member Gryder, seconded by Member Gilmour, to approve the agenda as presented. With a voice vote of five ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Member Gilmour, seconded by Member Cullick, to approve the minutes of the March 12, 2018 meeting. With a voice vote of five ayes, the motion carried.

EXPENDITURE REPORT

The Committee reviewed the claims report. Mr. Asselmeier noted that a bill of Eighty-Eight Dollars and Seventy-Eight Cents (\$88.78) was on the report from Automotive Specialties, Inc. for working on the Ford truck. Mr. Asselmeier explained that a squirrel or mouse climbed under the hood and gnawed through one (1) of the electrical wires causing the ABS and parking brake lights to turn on without being engaged.

Motion by Member Gilmour, seconded by Member Cullick, to forward the claims to the Finance Committee. With a voice vote of five ayes, the motion carried.

PUBLIC COMMENT

None

PETITIONS

Petition 18-05-Keith and Kathleen Warpinski's Request for a Map Amendment Rezoning Their Property on the North Side of Walker Road Approximately 0.31 Miles East of Route 47 in Kendall Township (PIN 05-21-400-011) from A-1 to R-1

Mr. Asselmeier summarized the request. Keith and Kathleen Warpinski are requesting a map amendment rezoning the subject property from A-1 to R-1 in order to have the ability to construct a single-family home on their property located approximately zero point three one (0.31) miles east of Route 47 on the north side of Walker Road.

Two (2) houses are located east of the property; one (1) house is located to the south of the property; one (1) house is located west of the property.

Staff recommended approval of the request because the request complied with the future land use map contained in the Land Resource Management Plan.

Petition information was sent to Kendall Township on February 20, 2018. The Kendall Township Planning Commission met on February 7, 2018 and the Township Board met on February 20, 2018. Both bodies recommended denial of the request. No written reason for recommending denial was provided. Kendall Township verbally informed Staff that they would not submit a formal objection to the proposed map amendment.

Petition information was sent to the United City of Yorkville February 20, 2018. The Yorkville Planning and Zoning Commission met on March 14, 2018 and unanimously recommended approval of the proposal. The Yorkville City Council reviewed this proposal on March 27, 2018 and expressed no objections.

ZPAC met on this proposal on March 6, 2018 and unanimously recommended approval.

The Kendall County Regional Planning Commission reviewed this proposal on March 28, 2018. They asked why the petitioners were pursuing a map amendment instead of an A-1 building permit. The petitioners' attorney responded that the publication and notification requirements were stricter for map amendments. Also, the County Board had a similar petitioner in 2017 and favored the map amendment approach instead of an A-1 building permit. The Kendall County Regional Planning Commission unanimously recommended approval of the proposal.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on April 2nd. The petitioners' attorney was the only person that testified on the proposal; no one from the public submitted comments or questions at the hearing. The Kendall County Zoning Board of Appeals unanimously recommended approval of the request.

Member Gilmour asked why Kendall Township recommended denial of the proposal. Mr. Asselmeier responded that Kendall Township did not want any more houses constructed in the area and questioned how the existing houses were allowed to be constructed.

Member Gryder discussed the farm tile that runs through the property and some neighbors had concerns about flooding.

Member Kellogg asked if the forty (40) acre property to west could divide property and create a new buildable lot. Mr. Asselmeier responded that the Plat Act allows property owners to cut five (5) acres off of a larger property. However, the Kendall County Zoning Ordinance requires two hundred feet (200') of frontage along a road. Also, because no housing allocations exist for the property, the owner would have to rezone the property in order to construct a home.

Dan Kramer, attorney for the petitioner, explained the previous versions of the forty (40) acre rule. Mr. Kramer did not believe the neighboring parcels could be subdivided without going through the subdivision process. He noted the location of the BP gas pipeline on the property; the home would need to be setback approximately two hundred feet (200'). There is small tile on the property. Easements for trails will be preserved on the north and south sides of the property.

Member Gryder asked about Yorkville's plan. Mr. Kramer noted that Yorkville's plan calls for low density residential development.

Motion by Member Gilmour, seconded by Member Gryder, to forward the petition to the County Board.

Yeas (4): Cullick, Davidson, Gilmour, and Gryder
Nays (1): Kellogg
Abstain (0): None
Absent (0): None

The motion carried. Because Kendall Township has not submitted an objection or approval in writing, this matter will go to the County Board on May 15th which is after the formal objection period ends.

Petition 18-10-LaSalle National Trust #47016 Represented by Drew Daniels Requests a Temporary Use Permit to Operate a Temporary Concrete Ready-Mix or Asphalt Plant at 11443 U.S. Route 34, Yorkville, Bristol Township (PINs: 02-30-200-023, 02-19-400-009, and 02-19-400-010)

Mr. Asselmeier summarized the request. The LaSalle National Trust #47016 owns three (3) parcels of the property on the north side of U.S. Route 34 across the street from the Fox Hill Subdivision. Plote Construction Company was awarded the Illinois Department of Transportation, U.S. Route 34 Reconstruction and Widening Project. Plote Construction Company desires to use a portion of the property owned by the LaSalle National Trust #47016 for an onsite concrete plant. At its closest point, the proposed facility will be three hundred eighteen feet (318') from the nearest occupied principal structure which required a variance because this type of facility had to be a minimum one thousand feet (1,000) from the nearest occupied structure.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on April 2nd. One (1) neighbor expressed opposition to the proposal because he believed adequate space existed to move the proposed plant the required distance from occupied principal structures without a variance. The resident also expressed concerns regarding noise and dust. A ten foot (10') noise wall will be constructed on the south side of U.S. Route 34 by the Fox Hill Subdivision. Discussion also occurred regarding setting the start time of crushing until 8:30 a.m. However, the Zoning Board of Appeals decided against that restriction due to labor costs and the noise already caused by the road project. Jason Engberg, Senior Planner for the United City of Yorkville, expressed Yorkville's support of the proposed variance.

The Kendall County Zoning Board of Appeals approved the variance, in part, because, if the variance had been denied, Plote Construction Company would do crushing in the right-of-way closer to the existing homes. The Kendall County Zoning Board of Appeals unanimously approved the requested variance subject to the following conditions:

1. The site shall be developed in accordance with the attached site plan.
2. The Petitioner shall resolve all outstanding alleged Zoning Ordinance violations prior to the commencement of operations.
3. The Petitioner shall secure all applicable permits prior to the construction and use of the proposed plant.

4. The Petitioner shall comply with any restrictions or conditions imposed as part of the temporary use permit.
5. The variance allowed by this Variance Ordinance shall expire at the same time as the temporary use permit expires.
6. Between six inches (6") and twelve inches (12") of top soil be shall hauled onto the concrete crushing area upon conclusion of operations.

Bristol Township has not submitted comments on the proposal.

The proposed use requires a temporary use permit from the Kendall County Planning, Building and Zoning Committee in addition to the proposed variance. Pursuant to Section 4.19 of the Kendall County Zoning Ordinance, the operation of a concrete ready mix or asphalt plant, when necessary or incidental to a major construction project in any Agricultural, Business, or Manufacturing District is a temporary use and must meet the following criteria or obtain a variance:

1. Each such permit shall be valid for a period of not more than one (1) year and shall not be renewed for more than two (2) successive periods at the same location.
2. The plant shall be located a minimum of one thousand (1,000) feet from any occupied principal structure. (Variance Granted 4-4-18 by Kendall County ZBA)
3. All facilities placed or located on the site shall be removed and the site restored to its original condition within the time frame of the permit. The operator of the facility shall guarantee the proper removal of all facilities with good and sufficient security as approved by the Zoning Administrator.
4. The plant shall produce product only for the specific parcel for which the temporary use is permitted. For plants constructed to support a major road project, the plant shall be located adjacent to the roadway.
5. Hours of operation must be 7am-5:30pm Monday thru Saturday unless otherwise permitted.
6. Before the issuance of the temporary use permits, the septic field shall be roped off and the water well shall be clearly staked to allow for the protection of both of these utilities. The areas shall remain marked or roped off through the duration of the project.

Because the requested variance and temporary use permit are sought to expedite a public project on a highly trafficked State-maintained highway, Staff recommended approval of the variance and temporary use permit subject to the following conditions:

1. This temporary use permit shall be valid until December 31, 2019, at the location and configuration shown on the attached site plan marked as Exhibit A.
2. The plant shall be located a minimum of three hundred eighteen feet (318') from any occupied principal structure.
3. All facilities placed or located on the site shall be removed and the site restored to its original condition on or before the expiration date of this temporary use permit. The operator of the facility shall guarantee the proper removal of all facilities with good and sufficient security as approved by the Zoning Administrator.
4. The plant shall produce product only for the U.S. Route 34 project adjacent to the subject property and Eldamain Road U.S. 34 to River Road Project.
5. The hours of operation must be 7am-5:30pm Monday thru Friday.
6. Before the issuance of the temporary use permits, the septic field shall be roped off and the water well shall be clearly staked to allow for the protection of both of these utilities. The areas shall remain marked or roped off through the duration of the project.
7. All outstanding Zoning Ordinance violations shall be resolved prior to the commencement of operations.

8. All applicable permits shall be secured prior to the construction and use of the proposed plant.
9. All restrictions imposed by the variance allowing the operations to be up to three hundred eighteen feet (318') from any occupied principal structure shall be followed.
10. If the variance allowing the operations to be up to three hundred eighteen feet (318') from any occupied principal structure is revoked, this temporary use permit shall be revoked simultaneously.

Chairman Davidson asked if the wells were capped. Nick Porter, Plote Construction Company, said the wells were sealed.

The subdivision south of Route U.S. 34 is inside Yorkville.

Member Gilmour favored the one thousand foot (1,000') distance because of the location and number of nearby homes. Discussion occurred about the noise involved with the project. Mr. Porter said that they will put the operations as far north as they are able. Plote Construction Company is not leasing the tillable area.

The permit will be valid until December 31, 2019.

The sound wall will be permanent and will go west of the subdivision.

Motion by Member Gryder, seconded by Member Kellogg to forward the proposal to the County Board. Mr. Asselmeier informed the Committee that this matter does not go to the County Board; the Committee makes the final determination on temporary use permits. Member Gryder withdrew his motion and Member Kellogg withdrew his second.

Motion by Member Gryder, seconded by Member Kellogg, to approve the temporary use permit with the conditions proposed by Staff.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Petition 18-12-Mary C. Auer's Request for the Revocation of a Special Use Permit for a Gravel Mining Operator Awarded by Ordinance 72-08 on the East Side of West Beecher Road Approximately 2.5 Miles South of Galena Road in Bristol Township (PIN: 02-06-400-005)

Mr. Asselmeier summarized the request. On March 5, 2018, Mary Auer submitted a request to revoke a special use permit for gravel mining on her property located approximately 2.5 miles south of Galena Road on the east side of W. Beecher.

In 2017, through Ordinance 2017-24, the County Board revoked the special use permit for gravel mining on the property immediately to the east of the subject property. Mr. Asselmeier provided a map showing the area in question.

The subject property is zoned A-1 Agricultural. If the special use permit is revoked, the subject properties would retain the A-1 Agricultural zoning classification.

Motion by Member Kellogg, seconded by Member Cullick, to forward the petition to the County Board.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the County Board on April 17th.

Amended Petition 17-29-Kendall County Planning, Building and Zoning Committee's Request for a Text Amendment to Section 13.08.H of the Kendall County Zoning Ordinance by Increasing the Notification Requirements for Applications for Special Use Permits on A-1 Agricultural Zoned Property and Clarifying Notification Requirements for Special Use Permits on Properties not Zoned A-1 Agricultural

Mr. Asselmeier summarized the request. At the March 15th Committee of the Whole meeting, the Committee referred Petition 17-29 pertaining to increasing the notification distance for applications for special use permits on A-1 zoned property to one thousand feet (1,000') and requiring that only adjacent property owners be notified of special use applications on properties not zoned A-1 to the Planning, Building and Zoning Committee.

It is Staff's interpretation that the Committee of the Whole would like further review of the notification requirements of specific A-1 special uses. On October 24, 2017, Staff prepared a memo regarding requiring some special uses to have a larger notification area than other special uses in the A-1 Zoning District. This memo, the current list of A-1 special use permits, and maps of specific case studies used for previous meetings were reviewed by the Committee.

The current practice of Kendall County is to require notification of all property owners within five hundred (500') feet of requests for special use permits on properties zoned A-1 and that adjacent property owners are notified of applications for special use permits on properties not zoned A-1. This requirement is not listed in the Kendall County Zoning Ordinance.

On September 11, 2017, the Planning, Building and Zoning Committee originally proposed increasing the notification requirement to two thousand, six hundred feet (2,600). When ZPAC reviewed the original proposal, they requested the Planning, Building and Zoning Committee to amend their proposal. The Planning, Building and Zoning Committee amended the proposal to the proposed one thousand foot (1,000') notification requirement.

ZPAC reviewed the revised proposal on December 5th. The Kendall County Regional Planning Commission reviewed the proposal on January 24th. The Kendall County Zoning Board of Appeals held the public hearing on this proposal on January 29th. All of the advisory board unanimously recommended setting the notification requirement at five hundred feet (500') for special use permits on A-1 zoned property and only adjoining property owners be notified of special use permit applications on non-A-1 zoned property. The record of decision from this hearing and the minutes of all of the advisory committees can be found at https://www.co.kendall.il.us/wp-content/uploads/Petition_17-29.pdf.

The reasons for the recommendation were:

1. A one thousand foot (1,000') requirement was larger than neighboring counties (ZPAC).
2. The cost of Six Dollars and Seventy-Four Cents (\$6.74) to do the mailings to more people would be a burden to petitioners (ZPAC, RPC, ZBA).
3. The added time for the applicant to mail the notices (ZPAC).
4. The added time for Staff to process the additional green cards (ZPAC).
5. No method exists to notify everyone that thinks they should be notified (ZPAC)
6. Anyone could attend the hearing and the testimony of the person that received notice has equal weight as a person that did not receive the notice (ZBA).
7. Neighbors tell neighbors; social media allows neighbors to communicate and mailing the notice is not the only way neighbors find out about hearings (ZBA).

One member of the ZBA favored the proposal in agricultural areas, but did not see how the Department could separate an A-1 zoned area near residential use with an A-1 zoned property in the middle of agricultural lands.

This amended proposal was mailed to each township on December 5th and each township was notified of the recommendation of the Kendall County Zoning Board of Appeals on January 30th. No township filed a formal objection or submitted any comments on the proposal.

The Planning, Building and Zoning Committee reviewed this proposal on March 11th. The PBZ Committee, by a vote of 3-2, approved forwarding the proposal to the Committee of the Whole.

This proposal applies on only special use permit applications, major amendments to special use permits, and non-owner initiated special use revocations.

Discussion occurred about creating a new zoning district. Mr. Asselmeier said that the creation of a new zoning district would require review and update of the Land Resource Management Plan to reflect the location of the new zoning district.

Discussion occurred about reviewing and possibly amending the list of special uses in the A-1 District. The consensus of the Committee was that this review could occur at a later date.

The Committee was concerned that breaking up notification by use could be seen as arbitrary.

Motion by Member Kellogg, seconded by Member Cullick to amend the notification distance for applications for special use permits on A-1 zoned property to seven hundred fifty feet (750').

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Motion by Member Davidson, seconded by Member Cullick, to recommend the amended proposal and that the amended proposal be forwarded to the Committee of the Whole.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the Committee of the Whole on April 12th.

NEW BUSINESS

Request from the Kendall County Regional Planning Commission to Amend Petition 18-07 Pertaining to Establishing Procedures for Renewing Special Use Permits

Mr. Asselmeier summarized the request. The Kendall County Regional Planning Commission met on March 28th and reviewed Petition 18-07 regarding establishing procedures for renewing special use permits. The PBZ Committee previously approved initiating this text amendment on February 13th.

The Kendall County Regional Planning Commission expressed concerns that the County Board could amend special use permits at the time of renewal or review. The Commission was concerned that such changes could be arbitrary and that business owners could see a loss of their investment if the County Board changed the rules on a special use permit holder. The Commission also did not like the language regarding previous owners in the proposal. The Commission's proposed changes are attached.

The Kendall County Regional Planning Commission also requested that Staff examine the renewal procedures of neighboring counties. DeKalb, Kane, DuPage, and McHenry require renewals to go through the complete special use application process. Grundy County requires special use permits go through the entire process only if a violation occurred. If no violation occurred, then the special use permit was automatically renewed.

Chairman Davidson said that he wanted super majority votes to amend or revoke special use permits. Chairman Davidson requested the input of the Kendall County Regional Planning Commission.

The consensus of the Committee was to keep the language regarding previous owners because businesses can change their legal name or identity.

The consensus of the Committee was to have the Kendall County Regional Planning Commission provide comments and changes.

Approval of Proposal from WBK Engineering for Work Related to the Submittal of the Annual Report for the 2018 NPDES – MS4 Requirements in the Amount of \$1,700 Plus Reimbursable Costs (Costs + 10%)

Mr. Asselmeier summarized the proposal. Kendall County is required to submit certain documents annually as required by its NPDES Permit. The proposed scope of work and costs are the same as the 2017 work.

Motion by Member Gryder, seconded by Member Kellogg, to forward the proposal to the County Board.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the County Board on April 17th.

Approval of an Intergovernmental Agreement between the Village of Plattville and the County of Kendall to Administer the County's Ordinances for Zoning, Building Code, Subdivision Control, Comprehensive Plan, and Stormwater Management within the Jurisdiction of the Village of Plattville for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Plattville to the County of Kendall

Mr. Asselmeier summarized the proposal. The intergovernmental agreement between Kendall County and the Village of Plattville expires in June. The Planning, Building and Zoning Department does not propose any changes to the body of the agreement. The Planning, Building and Zoning Department proposes changes to Exhibit A to reflect the transfer of certain powers and duties of the Hearing Officer to the Zoning Board of Appeals.

Unlike the Village of Millbrook, the Village of Plattville agreed to the insurance language contained in the 2016 agreement and included in the 2017 agreement.

Motion by Member Gryder, seconded by Member Cullick, to forward the proposal to the County Board after approval of the Village of Plattville.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. The proposal will be mailed to the Village of Plattville.

Review and Approval of Fees for Special Use Related Applications to Reflect Transfer of Hearing Authority from the Hearing Officer to the Zoning Board of Appeals

Mr. Asselmeier summarized the proposal. On March 21st, the County Board approved Ordinance 18-04 transferring certain powers and duties from the Hearing Officer to the Zoning Board of Appeals. The existing fee schedule of the Planning, Building and Zoning Department references the Hearing Officer for certain applications. Staff requests that the reference to the Hearing Officer be changed to the Zoning Board of Appeals.

In addition, the Zoning Board of Appeals is currently paid on a per meeting basis regardless of the length of time a hearing occurs. Staff requests that the language regarding the One Hundred Dollars (\$100) for each additional hour be removed from the fee schedule as well.

Motion by Member Kellogg, seconded by Member Gryder, to forward the proposal to the County Board.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the County Board on April 17th.

Approval of a Procedure for Prosecuting Ordinance Violations

Mr. Asselmeier read his memo on the subject. The State's Attorney's Office would like the Committee to approve a motion deciding whether alleged planning, building, zoning, and related

violations will go to court or to the Hearing Officer before the State's Attorney's Office starts reviewing the ordinances for corrections.

The County Administrator and the State's Attorney's Office favor sending alleged violations to court. Animal Control recently approved a motion sending their alleged violations to court.

Discussion occurred regarding the work load of the State's Attorney's Office. Administrative adjudication cases can be appealed to court.

Motion by Member Gryder, seconded by Member Cullick, to create a procedure forwarding ordinance violations to the State's Attorney's office for prosecution.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Discussion of Holding a Training Seminar for Township Planning Commissioners and Other Interested Parties

Chairman Davidson suggested that the Planning, Building and Zoning Department hold a training session for township planning commissioners.

Four (4) townships do not have plan commissions.

The suggestion was made to make the information available to the townships instead of having a training session and doing the presentation multiple times a year.

The suggestion was made to send a letter to township supervisors asking them to appoint township planning commissioners and that the County will provide periodic training.

OLD BUSINESS

Approval of a Resolution to Release All Claims on a Bank Account Owned by Whitetail Ridge Golf Club, LLC at First National Bank in the Amount of \$3,000.00 Pursuant to Condition 18 of Ordinance 2016-11 (Granting a Special Use Permit at 9111 Ashley Road in Kendall Township to Operate a Banquet Hall)

Mr. Asselmeier summarized the request. Whitetail Ridge Golf Club, LLC established a bank account at First National Bank in the amount of Three Thousand Dollars (\$3,000) as required by Ordinance 2016-11. The owner of 9092 Ashley Road has not submitted a request for an appraisal or proof that an appraisal occurred. Whitetail Ridge Golf Club, LLC has completed the requirement of the applicable restriction imposed by Ordinance 2016-11 and the County's claims could be withdrawn. At the March meeting, the Committee gave the owners of 9092 Ashley Road an additional month to consider whether or not an appraisal would be pursued.

The consensus of the Committee was to give the owners of 9092 Ashley Road one (1) more month to decide whether or not they would like an appraisal of their property.

Motion by Member Kellogg, seconded by Member Gryder, to have the Planning, Building and Zoning Department send a registered letter to the owners of 9092 Ashley Road indicating that

the Planning, Building and Zoning Committee will issue a recommendation on this issue at the May meeting.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the County Board on April 17th.

The Planning, Building and Zoning Department will investigate the allegations stated in Ms. Schnabel's letter.

Approval of Amendments to Petition 17-28 Pertaining to Outdoor Target Practice and Shooting Zoning Regulations

Mr. Asselmeier distributed the email and redlined version of the proposal from the State's Attorney's Office to the Committee and noted that the document was considered attorney-client privilege.

The consensus of the Committee was to have members review the document after the meeting and bring any questions about the State's Attorney's Office comments and suggestions to the May Committee meeting.

Authorize State's Attorney to Initiate Litigation against Mark Antos and Any Other Owners for the Removal of the Culvert Crossing of Aux Sable Creek near 13360 McKanna Road, Minooka, Illinois - Committee Could Also Grant Mr. Antos' Request to Complete Bridge by the End of Spring or Summer 2018

Mr. Asselmeier read the memo from Brian Holdiman on the subject. Mr. Antos requested to have until the end of spring or summer 2018 to complete the bridge.

Mark Antos, owner, said that the weather has not allowed him to pour the deck of the new bridge. Mr. Antos requested time to construct the bridge.

Member Kellogg explained the time it takes at the State's Attorney's Office and courts to prosecute the case. He also expressed concern that the low water crossing was not constructed as originally permitted. Member Kellogg expressed his concerns about the County's liability on this matter.

Mr. Antos noted that the creek has not dried up in recent years. Mr. Antos said completion was getting the deck poured and getting the low water crossing out of the creek.

The consensus of the Committee was to give Mr. Antos until the beginning of June to remove the culvert crossing. Mr. Antos will bring an update to the June 11th Committee meeting with the intention that the project be completed by July 1st.

Planning, Building and Zoning Staffing Issues-Recommendation on Senior Planner Job Description

Mr. Asselmeier provided the redlined version of the job description of the Senior Planner. The Senior Planner would assume the duties of the Zoning Administrator and the Plat Officer. The

Senior Planner would also supervise the part-time staff of the Planning, Building and Zoning Department.

Motion by Member Gryder, seconded by Member Kellogg, to recommend approval of the job description of the Senior Planner as proposed and to place the item on the preliminary agenda at the Committee of the Whole.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Update on 45 Cheyenne Court-Committee Could Approve Forwarding Violation to Either State's Attorney's Office or Hearing Officer

Mr. Asselmeier provided updated information on 45 Cheyenne Court. He noted that the Committee previously approved sending a letter to the owner and the owner responded to that letter. A neighbor expressed concerns regarding the time taken to complete the project.

The consensus of the Committee was to have the Planning, Building and Zoning Department send the owner of 45 Cheyenne Court a letter requesting a timeline for project completion and to invite them to the next meeting to discuss the timeline.

REVIEW VIOLATION REPORT

The Committee reviewed the Violation Report.

Mr. Asselmeier noted that the inoperable vehicle at 190 Boulder Hill Pass, Montgomery was moved the day after the March Planning, Building and Zoning Committee meeting.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the Non-Violation Report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Approval of a Proclamation Declaring May Historic Preservation Month in Kendall County

Mr. Asselmeier noted that the proposed proclamation was the same as last year's proclamation with the exception of the year change. The Historic Preservation Commission would like the proclamation read at the May 1st County Board meeting.

Motion by Member Kellogg, seconded by Member Cullick, to forward the proclamation to the County Board.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. The proclamation will go to the County Board on May 1st.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report.

CORRESPONDENCE

None

PUBLIC COMMENT

Jim Williams, Boulder Hill, commended the Committee for their work. Mr. Williams discussed his efforts to get issued resolved. Discussion occurred about publicizing ordinances.

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

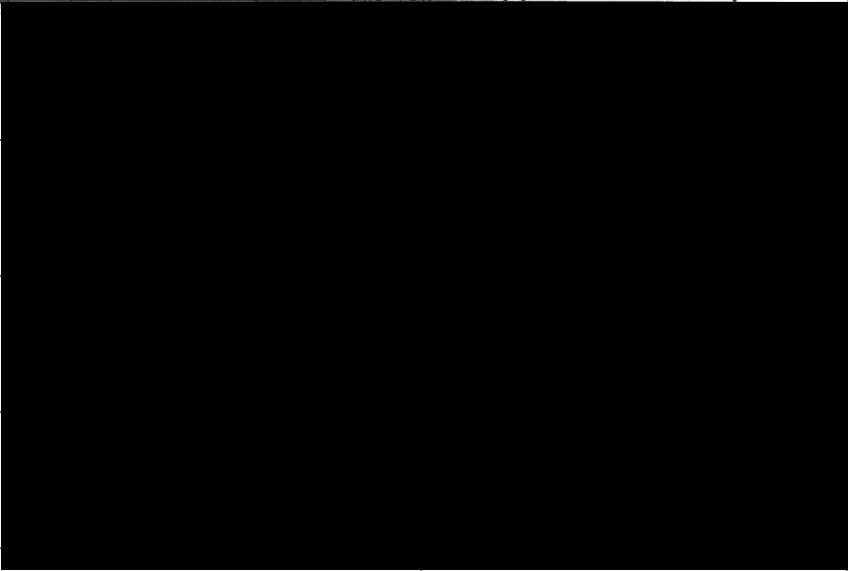
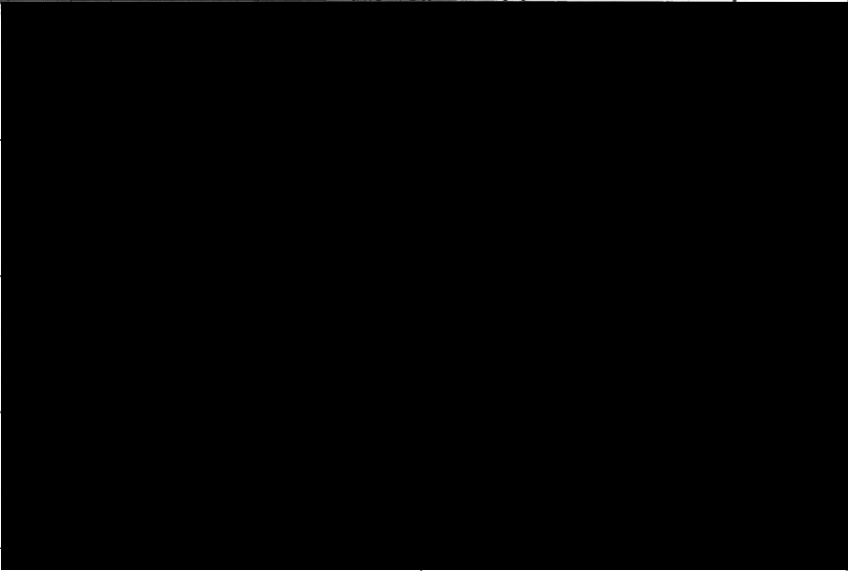
ADJOURNMENT

Member Cullick motioned to adjourn, seconded by Member Gilmour. With a voice vote of five ayes, Chairman Davidson adjourned the meeting at 8:40 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, Senior Planner

Encs.

**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
APRIL 9, 2018**

NAME	ADDRESS	EMAIL ADDRESS
Don Kramer		
Vin R. Williams		
DAVID LOMBARDI		
Nick Porter		

April 9, 2018

To: Matt Asselmeier

RE: Bond for appraisal of 9092 Ashley rd

CC: Judy Gilmour, Matt Kellogg, Scott Gryder, Bob Davidson, Lynn Cullick, Scott Koeppel

Dear Mr. Asselmeier

Thank you for confirming what we already knew. Mr. Asselmeier, you hit the nail on the head when you wrote that Kendall county 'could' pursue legal action. Could is like saying maybe we will or maybe we won't. Our experience throughout this process, dating back to May 2016, is the latter, won't. It seems like quite a bit of effort, hoops we must jump through, for nothing outlined, detailed in writing, in the restrictions and thus no guarantee. The Walkers/Whitetail Ridge do not abide by what they so willingly agreed to and when they violate restrictions there are no penalties or consequences. They got what they wanted and there is nothing any of you can or will do. It is dumbfounding that the county has the power to approve something like this in an area not slated for commercial use but the county does not have the power nor the means to enforce their own words. You put homeowners in a place in which they must police special use owners by phone calls, emails, board meetings, and/or taking photos, and for what, there is no punishment, no ramifications! I for one do not appreciate being put in a position to keep the Walkers honest with phone calls, photos and meetings. Honesty is something most of us would say should come naturally, intuitively, and not forced to act in accordance with what they agreed to, whether verbal or written.

Although several of the PBZ members have encouraged us to pursue this avenue, listed below are just a few of the experiences that have left us with little faith and trust.

- The Kendall Township wording, detailing the purposes for Evergreen trees *"to provide screening to the property across the street and to serve as a buffer to prevent noise from leaving the property"* and a berm *"to add additional screening and noise prevention onto surrounding properties"* were conveniently left off the restrictions. Where are the checks and balances to prevent something like this from occurring? Not one board member out of the 8 voting board members caught this, nor did the any of the administrative staff?
- An October 15, 2016 wedding was held on the property before a change of occupancy permit was issued. **Violation of Restriction #2**, which states *"A change of occupancy permit shall be secured for all buildings associated with the banquet hall use prior to events occurring on site."* Change of occupancy permit was issued on 10/21/16, after we brought it to the attention of the Kendall County Board at the October 18, 2016 (Tuesday morning) board meeting.
- A wedding (10/15/16), a baby shower (10/9/16), a chamber of commerce event (10/18/16), and an open house (February 19, 2017) were all held on the property before the Evergreen trees were planted and a "berm" was constructed. Restrictions #16 & #17 were recommended in June 2016 and the Walkers had the same time frame (3 months) to complete restrictions #16 & #17 as was spent on 1) seal coating the driveway, 2) replacing the roofs on 2 barns, 3) constructing a large patio from the reception hall barn to the Chapel with a landscaped

courtyard between the 2 buildings, 4) installing sewer/plumbing for bathrooms & food prep in the steel barn, 5) remodeling of the reception barn and Chapel.

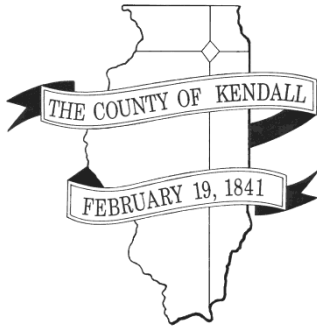
- The chamber of commerce event was held on a weekday, (Tuesday, October 18, 2016), not a weekend
- September 22, 2017 an uber driver sat at the end of my north driveway waiting to pick up a fare at the Ashley Farms. How do I know this . . . because after seeing him drive through the property across the street, pull in my driveway and sit with his interior lights on, I confronted the driver. I asked if there was a problem, he responded no. He said he was an uber driver waiting to pick someone up from across the street, at the wedding, and was early. I informed him this was a private drive and he would need to wait elsewhere. He brushed me off with a yay, yay, I repeated myself and he finally sped off in a huff.
- Cars parked along Ashley Road on October 7, 2017 during a Saturday evening wedding. From day one, Mr. Kramer and Jon Sterret stated that the hayfield on the southern portion of the property will remain in case there is ever additional parking that is needed for use. Additionally, Mr. Davidson confirmed in the July 11th, 2016 PBZ meeting that there would be no parking along Ashley Rd.
- October 8th an event was held, called Spirits on the Farm, in which live music was played with speakers outside the west main barn, on the patio. **Violation of Restriction #14** *"No music shall occur outside the confines of any structure on the property with the exception of processional and recessional music for a wedding ceremony."* A video demonstrating this is posted on their own facebook page. It can be found under videos (listed on the left side of page), click on the video: *Spirits on the Farm is under way. 2nd session is 4-6, come on out!* 800 views – October 8, 2017. Here is the link:
<https://www.facebook.com/AshleyFarmWeddings/videos/vb.503975679808968/692636350942899/?type=2&theater>
If by chance you cannot find the video, I have a copy of it.
- A guest from the October 8th, Spirits on the Farm trespassed on our property. The individual exited their south gravel driveway and parked at the entrance of their north blacktop driveway (the ingress) across the street. He then walked over onto my property to take a photo, but I guess the angle wasn't good enough, because he then climbed our fence on the southwest corner of our property and snapped his award winning photo.
- And the latest . . . a bond was posted on February 28th 2017, 224 days after the passage of said ordinance. **Violation of Restriction #18** that states *"the petitioner shall submit to the county within sixty (60) days of the approval of this special use ordinance . . ."* Again, 60 days not 224 days.

Everything listed above is why we do not feel that our interest will ever be protected.

Tom and Vicki Schnabel

frmPrctClaim	Kendall County	Claims Listing			04/03/18	9:07:56 AM	Page 001
Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
BUILDING AND ZONING							
1 191522	SOURCE ONE OFFICE PRODUCTS	532222	OFFICE SUPPLIES	04/03/18	01020026200	OFFICE SUPPLIES	71.59 71.59*
2 020541	BUILDING & ZONING PETTY CASH	3/28/18	IL. AMERICAN PLANNIN	04/03/18	01020026204	CONFERENCES	15.00 15.00*
3 220620	VERIZON	9803900082	2/21/ - 3/20/18 INVO	04/03/18	01020026207	CELLULAR PHONE	11.16 11.16*
4 110531	KENDALL CO HIGHWAY DEPT	MARCH 2018	MARCH FUEL PBZ TRUCK	04/03/18	01020026217	VEHICLE MAINT/REPAIRS	56.64 56.64*
5 261005	RANDY ERICKSON	MARCH	MARCH 2018 16 INSPEC	04/03/18	01020026361	PLUMBING INSPECTIONS	2,240.00 2,240.00*
Total BUILDING AND ZONING							2,394.39*
GRAND TOTAL							2,394.39**

firmPrclClaim	Kendall County	Supplemental Claims Listing			04/18/18	8:45:41 AM	Page 001
Vendor #	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
BUILDING AND ZONING							
1 110565	KENDALL PRINTING	18-0417-3	INSPECTION FORMS	04/18/18	01020026200	OFFICE SUPPLIES	74.50
2 191522	SOURCE ONE OFFICE PRODUCTS	532505	OFFICE SUPPLIES - BU	04/17/18	01020026200	OFFICE SUPPLIES	37.00
3 191522	SOURCE ONE OFFICE PRODUCTS	532356	OFFICE SUPPLIES - MA	04/17/18	01020026200	OFFICE SUPPLIES	34.51
							146.01*
4 020541	BUILDING & ZONING PETTY CASH	4/16/18	MATT ASSELMETTER - LU	04/17/18	01020026206	TRAINING	14.32
							14.32*
5 190816	SHAW MEDIA	031810101009	3/1 & 3/8/18 LEGAL N	04/17/18	01020026209	LEGAL PUBLICATIONS	187.24
							187.24*
6 230933	WBK ENGINEERING, LLC	18845	KC REVIEW SERVICES 2	04/17/18	01020026363	CONSULTANTS	94.50
							94.50*
7 110545	KENDALL COUNTY RECORDER	908	1/1/18 - 1/31/18 - 3	04/17/18	01020026370	RECORDING EXPENSE	149.00
							149.00*
8 190816	SHAW MEDIA	3/31/18	ZBA HEARING NOTICE	04/17/18	01020026381	ZONING BOARD OF APPEALS	149.42
							149.42*
9 151988	OSWEGOLAND PARK DISTRICT	MAY 2018	PRAIRIEFEST 2018 EXP	04/18/18	01020026383	HISTORICAL PRESERVATION C	250.00
							250.00*
Total BUILDING AND ZONING							990.49*
ENGINEERING/CONSULTING ESCROW ACCT							
10 230933	WBK ENGINEERING, LLC	18876	JOLIET PARK DISTRICT	04/17/18	59020000039	GROVE ROAD PARK SITE SP 1	189.00
							189.00*
11 230933	WBK ENGINEERING, LLC	18846	FOX METRO EXPANSION	04/17/18	59020000046	FOX METRO WATER REC DIST	1,737.28
							1,737.28*
12 230933	WBK ENGINEERING, LLC	18847	NICOR - MINOOKA	04/17/18	59020000059	NICOR-AUX SABLE CREEK-CO	489.88
							489.88*
Total ENGINEERING/CONSULTING ESCROW							2,416.16*
GRAND TOTAL							3,406.65**



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 18-18**Carol S. Hamman****Housing Allocation on Parcel 20 Acres in Size that Existed
Prior to March 8, 1977****INTRODUCTION**

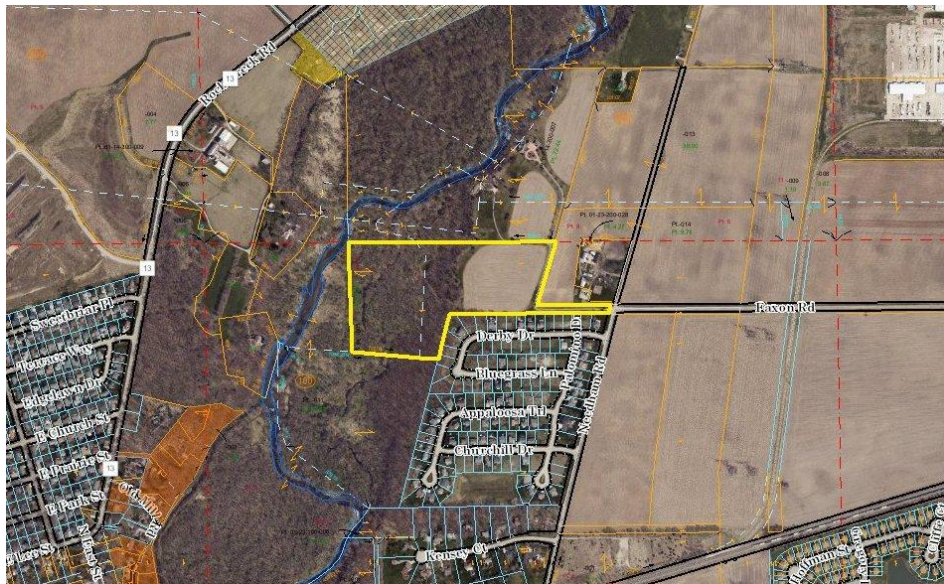
Carol S. Hamman is requested an agricultural housing allocation on the subject property in order to be able to construct a house on the property for her son.

SITE INFORMATION

PETITIONER: Carol S. Hamman

ADDRESS: No Current Address

LOCATION: West Side of the T-Intersection Created by Faxon and Needham Roads



TOWNSHIP: Little Rock

PARCEL #: 01-23-100-005

LOT SIZE: 29.34 Acres

EXITING LAND USE: Agricultural

ZONING: A-1 Agricultural District

GENERAL INFORMATION

The Petitioner desires the housing allocation in order to have the ability to construct a house on the subject property.

Pursuant to Section 7.01.C.18.c, any lot greater than twenty (20) acres that existed prior to March 8, 1977, is considered an "Existing Approved Lot."

Section 7.01.C.18.f states the following:

"Parcels classified as "Existing Approved Lots" under subsection 16.c (incorrect reference) above shall be registered on or before December 29th, 2005. If an owner declines to register a parcel by this date, the burden of proof of the availability of a permit will shift to the owner, who shall be required to prove, by clear and convincing evidence, that a building permit allocation is applicable to the parcel in question. After December 29th, 2005, the owner of a zoning lot meeting the standards of 16.c (incorrect reference) above shall file a petition with the Kendall County Planning, Building and Zoning Department to construct a new single family dwelling on an unregistered prior zoning lot. The petition shall be reviewed by the Zoning Administrator and approved, denied, or referred to the Planning, Building, and Zoning Committee of the County Board."

The Petitioner provided evidence from the 1975 Kendall County Plat Book that the parcel existed in its current configuration prior to March 8, 1977 (See Attachment 1). The structures shown on the parcel are structures that the Petitioner's son would like to construct on the property.

No allocations were previously applied for at this parcel.

FINDINGS OF FACT

In considering the request, pursuant to Section 7.01.C.18.f of the Kendall County Zoning Ordinance, the Planning, Building and Zoning Committee shall consider the following Findings of Fact.

The Petitioner Must Have Purchased the Property Prior to May 1, 2000. Based on the attached Quit Claim Deed, the Petitioner has owned the property since September 1995 (See Attachment 2).

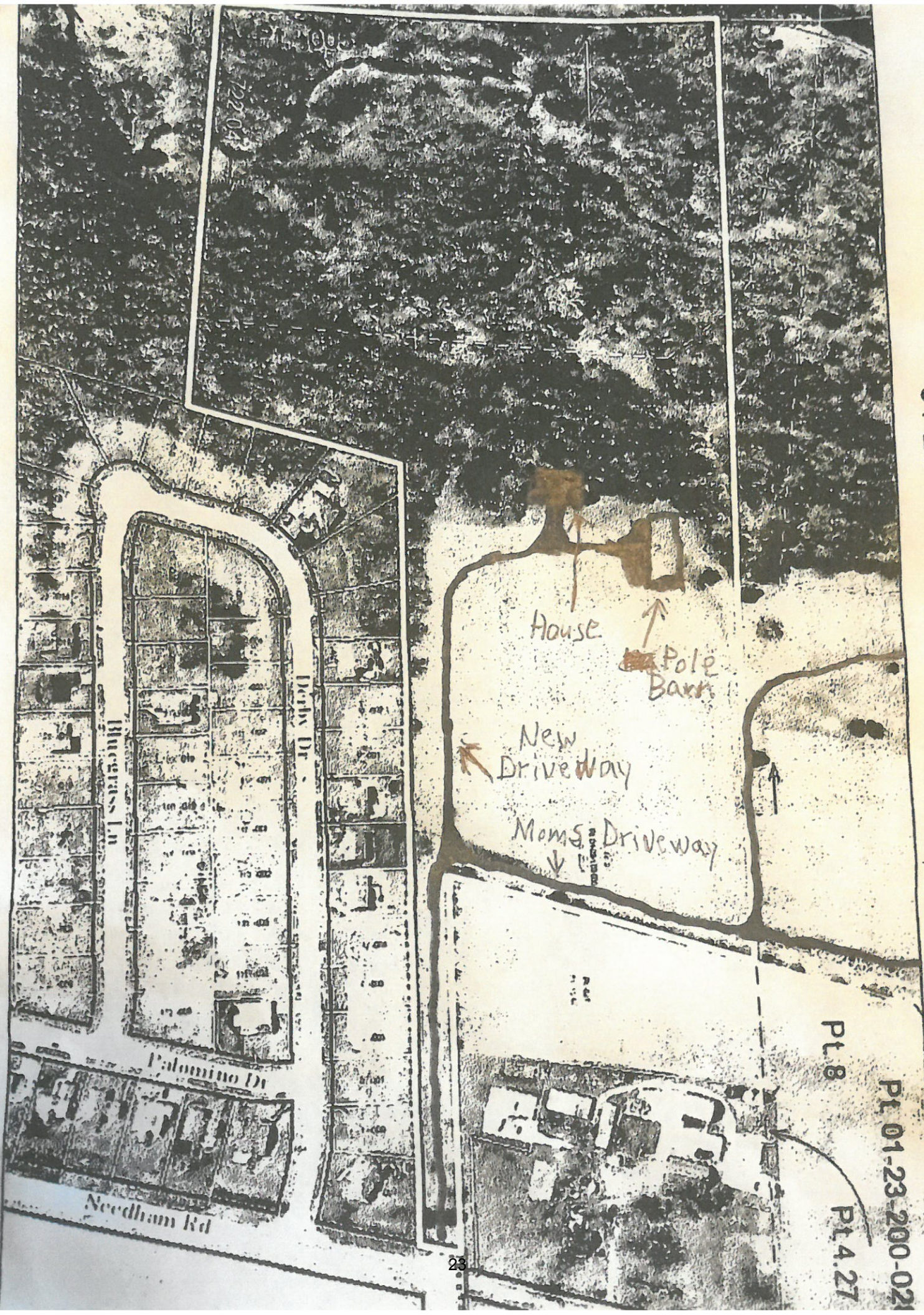
The Petitioner Must Demonstrate That The Property Was Buildable Under the Applicable Zoning Regulations at the Time It Was Purchased. Based on the research of the Kendall County Planning, Building and Zoning Department, the subject parcel was buildable at the time of purchase.

RECOMMENDATION

Staff recommends approval of the requested allocation.

ATTACHMENTS

1. 1975 Plat Book Aerial
2. Deed



QUIT CLAIM DEED

(Individual to)

425235

9507602

09/19/1995 01:46P

1 of 2

Paul Anderson, Kendall County, IL Recorder

GRANTOR, DONALD J. HAMMAN, of the City of Oswego, County of Kendall, State of Illinois, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, **CONVEYS** and **QUIT CLAIMS** to the **GRANTEE(S)**, **DONALD J. HAMMAN** and **CAROL S. HAMMAN**, husband and wife, as joint tenants, with right of survivorship

all interest in the following described Real Estate situated in the County of Kendall in the State of Illinois, to wit:

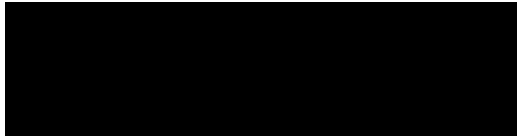
SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Index No. 01-23-100-005 & 01-14-300-007

Commonly Known As: 13351 Faxon Road, Plano, Illinois

Dated: This 6th day September, 1995



This transaction is exempt under provisions of Paragraph E,
Section 4, Real Estate Transfer Tax Act.

Date

9/6/95

Chicago Title Insurance Company
207 Hillcrest Avenue
Yorkville, Illinois 60560

Prepared by and Return Recorded Document to:

John P. Duggan, Esq.
Lowe & Steinmetz, Ltd.
407 W. Galena Blvd.
Aurora, IL 60506-1625

Send future tax bills to:

Donald & Carol Hamman
6275 Route 71
Oswego, IL 60543

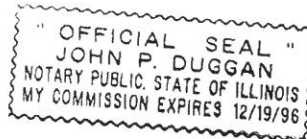
Attachment 2, Page 2

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Donald J. Hamman, personally know to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and that he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 6th day of Sept, 1995.

[REDACTED]
Notary Public



Attachment 2, Page 3

THAT PART OF THE SOUTH 1/2 OF SECTION 14 AND PART OF THE NORTH 1/2 OF SECTION 23, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 14; THENCE SOUTH 0 DEGREES, 08 MINUTES, 35 SECONDS EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 14, 3863.63 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 0 DEGREES, 08 MINUTES, 15 SECONDS EAST ALONG SAID EAST LINE, 657.86 FEET; THENCE SOUTH 53 DEGREES, 21 MINUTES, 25 SECONDS WEST, 242.88 FEET; THENCE NORTH 56 DEGREES, 38 MINUTES, 35 SECONDS WEST, 1418.97 FEET TO THE LINE OF A FENCE EXTENDED FROM THE SOUTH FOR A POINT OF BEGINNING; THENCE SOUTH 0 DEGREES, 14 MINUTES, 59 SECONDS WEST ALONG SAID EXTENDED FENCE LINE AND SAID FENCE LINE, 2,348.09 FEET TO AN IRON STAKE; THENCE SOUTH 87 DEGREES, 59 MINUTES, 10 SECONDS EAST, 724.37 FEET TO AN IRON STAKE ON THE WESTERLY LINE OF A TRACT OF LAND CONVEYED TO WARREN C. BURGESS AND WIFE BY DEED RECORDED JANUARY 12, 1938 IN BOOK 90 OF DEEDS AT PAGE 142; THENCE NORTH 15 DEGREES, 44 MINUTES, 46 SECONDS EAST ALONG THE WESTERLY LINE OF SAID BURGESS TRACT, 380.23 FEET TO A LINE DRAWN NORTH 89 DEGREES, 27 MINUTES, 04 SECONDS WEST FROM AN IRON BOLT IN THE CENTER LINE OF NEEDHAM ROAD AND ON THE SOUTH LINE OF FAXON ROAD EXTENDED WESTERLY; THENCE SOUTH 89 DEGREES, 27 MINUTES, 04 SECONDS EAST, 1330.61 FEET TO THE WESTERLY LINE OF NEEDHAM ROAD; THENCE NORTH 15 DEGREES, 29 MINUTES, 23 SECONDS EAST ALONG SAID WESTERLY LINE OF NEEDHAM ROAD AND SAID WESTERLY LINE EXTENDED, 62.74 FEET; THENCE NORTH 89 DEGREES, 27 MINUTES, 04 SECONDS WEST, 635.30 FEET; THENCE NORTH 17 DEGREES, 17 MINUTES, 44 SECONDS EAST, 2052.35 FEET TO A POINT WHICH IS 760.64 FEET EASTERLY OF AND ON A LINE DRAWN EASTERLY FROM POINT "A" AFORESAID, WHICH FORMS AN ANGLE OF 91 DEGREES, 24 MINUTES, 22 SECONDS WITH SAID EAST LINE OF THE WEST 1/2 OF SAID SECTION 14, MEASURED FROM NORTH TO EAST; THENCE NORTH 88 DEGREES, 44 MINUTES, 13 SECONDS WEST 760.64 FEET TO SAID POINT "A"; THENCE NORTH 0 DEGREES, 08 MINUTES, 35 SECONDS WEST ALONG SAID EAST LINE, 592.15 FEET; THENCE SOUTH 65 DEGREES, 56 MINUTES, 30 SECONDS WEST, 1507.96 FEET TO THE POINT OF BEGINNING, IN LITTLE ROCK TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Attachment 2, Page 4

AFFIDAVIT - PLAT ACT

STATE OF ILLINOIS }
 } ss
COUNTY OF KENDALL }

JOHN P. DUGAN, being duly sworn on oath, states that they reside at Oswego, Illinois. That the attached deed is not in violation of Section 1 of Chapter 109 of the Illinois Revised Statutes for one of the following reasons:

1. The sale or exchange is of an entire tract of land not being a part of a larger tract of land.
2. The division or subdivision of land is into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access.
3. The division is of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
5. The conveyance is of parcels of land or interests therein for use as right-of-way for railroads or other public utility facilities, which does not involve any new streets or easements of access.
6. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance is of land for highway or other public purpose or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with public use.
8. The conveyance is made to correct descriptions in prior conveyances.
9. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
10. The sale is of a single lot of less than 5 acres from a larger tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configuration of said larger tract on October 1, 1973, and no sales, prior to this sale, of any lot or lots from said larger tract having taken place since October 1, 1973, and a survey of said single lot having been made by a registered land surveyor.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

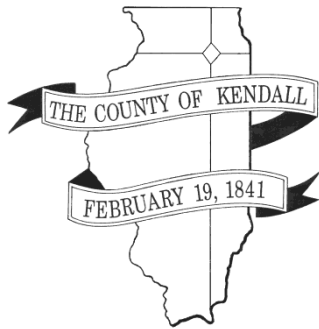
Attachment 2, Page 5

AFFIANT further states that they make this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording, and that all local requirements applicable to the subdivision of land are met by the attached deed and the tract described therein.

SUBSCRIBED and SWORN to before me this 6th day of Sept, 1995.



Notary Public



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Planning, Building & Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: May 1, 2018
Re: Request to Release Funds from a Bank Account Owned by Whitetail Ridge Golf Club, LLC at First National Bank in the Amount of \$3,000

When the Kendall County Board approved the special use permit for a banquet facility at 9111 Ashley Road in 2016, they included a condition that required Whitetail Ridge Golf Club, LLC to create a bond in the amount of Three Thousand Dollars (\$3,000) to cover the costs of an appraisal of 9092 Ashley Road. The ordinance establishing the special use permit at 9111 Ashley Road (Ordinance 2016-11) required the owner of 9092 Ashley Road to pursue and complete an appraisal of 9092 Ashley Road within one (1) year of the establishment of the special use permit or the money would be returned to Whitetail Ridge Golf Club, LLC. The special use permit was established on July 19, 2016; Whitetail Ridge Golf Club, LLC established the bank account on February 28, 2017.

On January 25, 2018, the Planning, Building and Zoning Department sent a letter to the owner of 9092 Ashley Road requesting an update on the status of the appraisal. The owner of 9092 Ashley Road was also informed that the bank account could be liquidated after February 28th. As of the close of business on February 28th, the Kendall County Planning, Building and Zoning Department has not received an update from the owner of 9092 Ashley Road regarding the status of the appraisal. At the April Planning, Building and Zoning Committee meeting, the Committee requested that owners of 9092 Ashley Road be sent a registered letter informing them that the Committee will take action at the May meeting. A copy of this letter is included. The owners of 9092 Ashley Road received the letter on April 13, 2018.

Accordingly, the Planning, Building and Zoning Department believes that Whitetail Ridge Golf Club, LLC has completed the requirements of condition 18 of Ordinance 2016-11 and the restriction on their bank account at First National Bank could be lifted. A resolution and letter to that effect is attached.

If you have any questions, please let me know.

MHA

ENC: Resolution
Letter Withdrawing Claims
April 11, 2018 Letter to Thomas and Vicki Schnabel

LAW OFFICES
OF

Daniel J. Kramer

1107A SOUTH BRIDGE STREET
YORKVILLE, ILLINOIS 60560
(630) 553-9500
Fax: (630) 553-5764

DANIEL J. KRAMER

**KELLY A. KRAMER
D.J. KRAMER**

May 1, 2018

Matt Asselmeier
Kendall County Planning, Building & Zoning

Via Email: masselmeier@co.kendall.il.us

RE: Walker's Ashley Road Special Use

Dear Mr. Asselmeier:

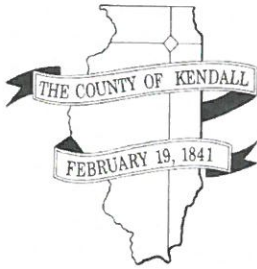
Could you please have the Planning, Building & Zoning Committee release the Bond that had previously been posted by Walker Custom Homes, Inc. for their Wedding Venue on Ashley Road. We have heard nothing further about getting an Appraisal and we believe now that the matter has been extended several times that it is time to release the same. Thank you for the consideration of the Committee and yourself.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK:rg



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

April 11, 2018

Thomas Schnabel, Jr. and Vicki Schnabel
9092 Ashley Road
Yorkville, IL 60560

RE: Bond for Appraisal of 9092 Ashley Road

Dear Thomas Schnabel, Jr. and Vicki Schnabel:

At their meeting on April 9, 2018, the Kendall County Planning, Building and Zoning Committee voted to give you additional time to consider completing an appraisal of your property at 9092 Ashley Road. Though not taking a formal position on the matter, several Committee members stated that they would like you to complete the appraisal as allowed by Ordinance 2016-11.

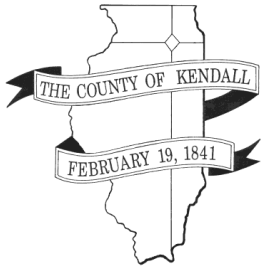
The Planning, Building and Zoning Committee requests a response from you on or before **May 7, 2018**. The Planning, Building and Zoning Committee will again meet on this topic on May 7th at 6:30 p.m. in the County Board Room on the second floor of 111 W. Fox Street in Yorkville.

If the Planning, Building and Zoning Committee does not hear from you on or before May 7th or if you inform the Committee that you do not want the appraisal conducted, the Committee will recommend to the County Board that a release of all claims on the account holding funds to cover the cost of the appraisal occur.

If you have any questions, please contact me at 630-553-4139 or masselmeier@co.kendall.il.us.

Sincerely,

Matthew H. Asselmeier, AICP
Senior Planner



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

May 16, 2018

Brent Ekwinski
First National Bank
109 W. Veterans Parkway
Yorkville, IL 60560

RE: Whitetail Ridge Golf Club, LLC Bank Account

Dear Brent Ekwinski:

According to the records of Kendall County, Whitetail Ridge Golf Club, LLC established a bank account at First National Bank on February 28, 2017. The balance of the account was Three Thousand Dollars (\$3,000) and the funds were to be used to finance an appraisal of 9092 Ashley Road per the requirements of Kendall County Ordinance 2016-11. A restriction was placed on this account requiring the approval of the Kendall County Planning, Building and Zoning Department and Whitetail Ridge Golf Club, LLC before the release of funds.

Please let this letter serve as Kendall County's written permission to allow Whitetail Ridge Golf Club, LLC to withdraw any and all funds from this account. Kendall County hereby releases any and all claims that Kendall County may have/had on the subject bank account effective May 15, 2018.

If you have any questions, please contact Matt Asselmeier, Kendall County Senior Planner at 630-553-4139 or masselmeier@co.kendall.il.us.

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board

KENDALL COUNTY
Resolution No. _____

***Resolution to Release All Claims on a Bank Account Owned by
Whitetail Ridge Golf Club, LLC at First National Bank in the Amount of \$3000.00***

WHEREAS, in April 2016, Whitetail Ridge Golf Club, LLC petitioned the Kendall County Board for a special use permit to operate a banquet hall at 9111 Ashley Road in Kendall Township; and

WHEREAS, during the adoption process for the special use permit, the property owner of 9092 Ashley Road expressed concerns that the issuance of the requested special use permit would cause the devaluation of their property at 9092 Ashley Road; and

WHEREAS, on July 19, 2016, the Kendall County Board approved the issuance of a special use permit for the operation of a banquet hall at 9111 Ashley Road by Ordinance 2016-11; and

WHEREAS, Ordinance 2016-11 placed 19 conditions on the special use permit allowing the operation of a banquet hall at 9111 Ashley Road; and

WHEREAS, condition 18 of Ordinance 2016-11 required the petitioner to establish a bond in the amount of \$3,000.00 to ensure the completion of an appraisal of the property located at 9092 Ashley Road; and

WHEREAS, condition 18 of Ordinance 2016-11 stipulated that the property owner at 9092 Ashley Road must request and complete the appraisal of the property at 9092 Ashley Road within 1 year of the approval of the special use ordinance or the bond would be released to the petitioner; and

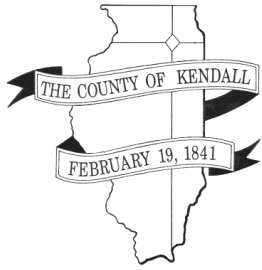
WHEREAS, on February 28, 2017, the petitioner, Whitetail Ridge Golf Club, LLC, established a bank account at First National Bank in the amount of \$3,000.00 to cover the costs of the appraisal required by condition 18 of Ordinance 2016-11; and

WHEREAS, a requirement was placed on the bank account owned by Whitetail Ridge Golf Club, LLC at First National Bank requiring the approval of Kendall County for the liquidation of the bank account; and

WHEREAS, on January 25, 2018, the Kendall County Planning, Building and Zoning Department contacted the owner of 9092 Ashley Road requesting an update on the appraisal process and notifying the property owner of 9092 Ashley Road of the potential liquidation of the subject bank account per the requirement of condition 18 of Ordinance 2016-11; and

WHEREAS, as of the close of business on February 28, 2018, the owner of 9092 Ashley Road has not provided the Kendall County Planning, Building and Zoning Department with an update of the status of an appraisal at 9092 Ashley Road; and

WHEREAS, as of March 1, 2018, 1 year has passed since Whitetail Ridge Golf Club, LLC established a bank account at First National Bank in the amount of \$3,000.00 to cover the costs of the appraisal required by condition 18 of Ordinance 2016-11; and



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: May 1, 2018
Re: 18-03 Proposed Text Amendments to Sections 4.17.H, 7.01.D.53.b.vi, 8.08.B.2.h, 10.01.C.27.b.vi, 11.02.C, 11.02.D, 11.04, 11.04.A, 13.01.C, 13.07.B, 13.07.C and 13.08.C of the Kendall County Zoning Ordinance by Removing the Requirements for the Zoning, Platting and Advisory Committee and the Kendall County Regional Planning Commission to Meet and Issue Recommendations on Proposed Map Amendments, Special Use Permits, Major Amendments to Special Use Permits, and Text Amendments on Matters Not Involving the Powers and Duties of the Zoning, Platting and Advisory Committee or the Kendall County Regional Planning Commission and Related Zoning Text Citation Amendments.

At their meetings on March 28th and April 25th, the Kendall County Regional Planning Commission reviewed this proposal and unanimously recommended denial. The reasons for their denial recommendation were as follows:

1. The Kendall County Regional Planning Commission would like the proposal to go to the Comprehensive Land Plan and Ordinance Committee to work out issues.
2. The Kendall County Regional Planning Commission had concerns regarding the due process for petitions.
3. The Kendall County Regional Planning Commission felt that Kendall County Regional Planning Commission meetings were the appropriate setting for creating conditions and restrictions for special use permits (express the values of the community).
4. Removing the Kendall County Regional Planning Commission meeting from the timeline for adoption does not slow down the approval process; the Senior Planner indicated that no extra time was needed for Kendall County Regional Planning Commission meetings.
5. The Kendall County Regional Planning Commission had concerns about a lack of thorough vetting of the implications of proposals if the Kendall County Regional Planning Commission did not meet and review proposals.

Commissioner Larry Nelson circulated a draft email to the Planning, Building and Zoning Committee and requested input from Commissioners. A copy of this draft email is attached. Commissioner Nelson wanted to ensure that the Planning, Building and Zoning Committee possessed a history of the process and role of the Commission. One (1) Commissioner also requested that the Planning, Building and Zoning Committee be informed of the level of experience on the Commission.

According to the original proposal, ZPAC and the Kendall County Regional Planning Commission would not have formal meetings for the following applications:

1. Map Amendments
2. Special Use Permits
3. Major Amendments to Special Use Permits
4. Text Amendments to the Zoning Ordinance Not Impacting the Powers and Duties of ZPAC and/or Kendall County Regional Planning Commission

Members of ZPAC and the Kendall County Regional Planning Commission would continue to receive notifications of the above types of applications and individual members of these committees could submit comments on the proposals, but neither body would be required to meet and issue recommendations on these types of applications.

ZPAC would continue to meet for the following types of applications:

1. Site Plan Reviews
2. Text Amendments to the Zoning Ordinance Impacting Its Powers and Duties
3. Amendments to the Kendall County Subdivision Control Ordinance
4. Preliminary Plat Approval
5. Final Plat Approval
6. RPD Related Plat Approvals

The Kendall County Regional Planning Commission would continue to meet for the following types of applications:

1. Text Amendments to the Zoning Ordinance Impacting Its Powers and Duties
2. Changes to the Land Resource Management Plan
3. Amendments to the Kendall County Subdivision Control Ordinance
4. Preliminary Plat Approval
5. Final Plat Approval
6. RPD Related Plat Approvals
7. Requests by the County Board and/or Planning, Building and Zoning Committee for Research on Planning, Zoning, and Development Related Topics

A redlined narrative of the proposed text amendments and flow charts of applications is attached for your review.

The Committee of the Whole discussed this proposal at their meeting on December 14th and no one objected to the proposal.

The Planning, Building and Zoning Committee reviewed this matter at their meeting on January 8th and unanimously recommended approval of initiating the text amendment as proposed.

ZPAC reviewed this proposal on February 6th and unanimously recommended approval.

The Kendall County Regional Planning Commission reviewed this proposal on March 28th and unanimously recommended denial. The reasons for their denial recommendation were as follows:

If you have any questions prior to the meeting on this topic, please let me know.

Thanks,

PBZ Memo
May 1, 2018

MHA

ENC Proposed Redlined Changes to Zoning Ordinance
Existing and Amended Flow Charts
2.6.18 ZPAC Minutes
3.28.18 KCRPC Minutes
4.25.18 KCRPC Minutes

Zoning, Platting & Advisory Committee and Kendall
County Regional Planning Commission Amendments

Ref: Ordinance 66-4 (February 1966) RPC Powers

4.17.H Small Wind Energy Systems

Visual Effects and Safety. All reasonable visual and safety concerns of adjacent property owners must be resolved before Construction/Use Permit will be issued. When an applicant intends to submit a Construction/Use Permit Application to the Planning, Building and Zoning Department, he/she must also submit a copy of the completed conditional use application form to each adjacent neighbor at least 15 days prior to the issuance of a conditional use permit. If there are negative comments from neighbors, staff will attempt to resolve these negative neighbor comments with the applicant. If staff is unsuccessful in resolving concerns of the neighbors with the applicant, staff will schedule and provide notice of a public hearing before the Kendall County **Planning Commission Zoning Board of Appeals** to review and make a determination on the pending application and unresolved issues. At this public hearing the Kendall County **Planning Commission Zoning Board of Appeals** will take testimony from staff, the neighbors and the applicant, and then will make a determination, based on the evidence presented, to approve, conditionally approve or deny the application. Any decision by staff or the **Planning Commission Zoning Board of Appeals** may be appealed to the County Board.

7.01.D.53.b.vi Special Use in A-1-Wind Farm, Commercial-Performance Standards

Lighting - Individual wind turbine heights and markings shall comply with Federal Aviation Administration (FAA) regulations. Approval from the FAA stating that the turbines will not pose a hazard to aviation must be obtained prior to final recommendation by the Kendall County **Regional Plan Commission Zoning Board of Appeals**. If lighting of turbines, or other structures, is required, “daytime white-nighttime red” shall be the only type of lighting allowed unless prohibited by law. All required lighting effects shall be in synchronization with each turbine located on the same or contiguous zoning lot and under the same ownership of a single wind energy system organization. All turbines and towers shall be a shade of white in color.

8.08.B.2.h Special Use in R-3-Retail Shops or Office Use

Expansion of a residential building, structure, or of any accessory building in which an office or retail use is proposed to be situated may be permitted upon the submission of a site plan and accurate drawings showing all elevations of such proposed building or structure to the **plan commission Zoning Board of Appeals** for its review and recommendation, and upon approval by the County Board. The current structures and any new structures must maintain a residential appearance and match the surrounding neighborhood architecture.

10.01.C.27.b.vi Special Use in M-1 and M-2-Wind Farm, Commercial-Performance Standards

Lighting - Individual wind turbine heights and markings shall comply with Federal Aviation Administration (FAA) regulations. Approval from the FAA stating that the turbines will not pose a hazard to aviation must be obtained prior to final recommendation by the Kendall County **Regional Plan Commission Zoning Board of Appeals**. If lighting of turbines, or other structures, is required, “daytime white-nighttime red” shall be the only type of lighting allowed unless prohibited by law. All required lighting effects shall be in synchronization with each

turbine located on the same or contiguous zoning lot and under the same ownership of a single wind energy system organization. All turbines and towers shall be a shade of white in color.

11.02.C Shared Parking Facilities

Shared parking may be permitted upon written documentation submitted to the ~~Plan~~ **Commission Zoning Board of Appeals** and County Board demonstrating evidence that parking spaces will be shared at specific times of the day (where one activity uses the spaces during daytime hours and another activity uses the spaces during evening hours.) The Shared Parking report published by the Urban Land Institute may be used as a guideline in the estimation of parking demand for mixed-use buildings and sites.

11.02.D Mixed Uses (Parking)

When two or more uses are located on the same zoning lot or within the same building, parking spaces equal in number to the sums of the separate requirements for each such use shall be provided. No parking space or portion thereof shall serve as a required space for more than one use unless otherwise authorized by the ~~Regional Plan-Commission~~ **Zoning Board of Appeals** and approved by the County Board.

11.04 Schedule of Parking Requirements

For the following uses, accessory off-street parking spaces shall be provided as required hereinafter. However, if the property owner can provide clear evidence indicating that less parking is required, ~~the Regional Planning Commission may approve a reduction in the requirements of this section. Such decisions may be appealed to the Planning Building and Zoning Committee. Applicants may also property owners may~~ file for a variation from ~~theses~~ requirements following the procedures outlined in Section 13.04 of this Zoning Ordinance. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both on the premises at any one time.

11.04 Schedule of Parking Requirements

Airports or aircraft landing field

Heliports

Convents and monasteries

Crematories and mausoleums

Fraternal institutions

Outdoor amusement establishments -

fairgrounds, permanent carnivals, kiddy

parks and other similar amusement centers

Municipal or privately owned recreation

buildings, community centers, club houses,

or other recreational uses such as ball fields

or golf courses

Penal and correctional institutions

Rectories and parish houses

Swimming pools

Parking spaces shall be provided in adequate number as determined by the **Regional Plan Commission Zoning Board of Appeals** and approved by the County Board to serve persons employed or residing on the premises as well as the visiting public.

11.04.A Schedule of Parking Requirements-Other Uses

For uses not listed heretofore in this schedule of parking requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Zoning Administrator. Such determination may be appealed to the **Regional Plan Commission Zoning Board of Appeals**.

13.01.C Kendall County Regional Planning Commission

The Planning Commission shall have the following duties under this ordinance:

~~1. To receive from the Zoning Administrator copies of all applications for amendments and special use permits along with the committee report from the Zoning and Platting Advisory Committee (ZPAC) and report thereon with its recommendations.~~

2 1. To hold conferences in regard to proposed plan developments under this Ordinance **and the Kendall County Subdivision Control Ordinance** and submit a written report with its recommendations.

~~3 2.~~ To initiate, direct and review a study of the provisions of ~~this Ordinance and the zoning map attached hereto~~ **the Kendall County Land Resource Management Plan** and to make reports on its recommendation to the County Board not less frequently than annually.

3. To review and issue recommendations on text amendments to this Ordinance related to the powers and duties of the Kendall County Regional Planning Commission. The Kendall County Regional Planning Commission may also initiate text amendments to this Ordinance on matters impacting the duties and powers of the Kendall County Regional Planning Commission.

4. Those powers and duties assigned to the Kendall County Regional Planning Commission in Special Use Ordinances approved by the Kendall County Board prior to the approval of this text amendment.

5. Members of the Kendall County Regional Planning Commission shall receive application information for map amendments, text amendments not impacting the duties and powers of the Kendall County Regional Planning Commission, special use permits and major amendments to special use permits. However, the Kendall County Regional Planning Commission shall not meet on these applications. Individual members of the Kendall County Regional Planning Commission may submit comments on these applications to the Zoning Administrator.

13.07.B Amendments-Initiation of Amendments

Amendments may be proposed by the County Board, a Committee designated by the County Board, the Zoning Board of Appeals, ~~the Regional Plan Commission~~ or by a person, firm or corporation having a possessory interest which is specifically enforceable on the land which is described in the application for an amendment. **The Regional Planning Commission may initiate text amendments to this Ordinance on matters impacting the duties and powers of the Kendall County Regional Planning Commission.**

13.07.C Application for Amendment

1. An application for an amendment shall be filed with the Zoning Administrator.
2. A copy of such application shall thereafter be forwarded ~~to the Zoning, Platting & Advisory Committee (ZPAC), the Regional Plan Commission and~~ to the County Zoning Board of Appeals with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.
3. For all proposed map amendments, the Applicant will promptly forward via certified mail return receipt requested a copy of the complete application and notice of public hearing to the Township containing the subject parcel, and to any municipality within one and one-half (1½) miles of the subject parcel.
- 4. Applications for map amendments shall be forwarded to the Zoning, Platting & Advisory Committee and the Kendall County Regional Planning Commission for review and comment. The Zoning, Platting & Advisory Committee and the Kendall County Regional Planning Commission shall not meet to consider map amendments. Individual members of the Zoning, Platting & Advisory Committee and the Kendall County Regional Planning Commission may forward comments on proposed map amendments to the Zoning Administrator prior to the date of the public hearing before the Kendall County Zoning Board of Appeals.**
- 5. Applications for text amendments not involving matters impacting the duties and powers of the Zoning, Platting & Advisory Committee or the Kendall County Regional Planning Commission shall follow the same procedure listed in 13.07.C.4 above.**
- 6. The Zoning, Platting & Advisory Committee shall meet and issue a recommendation on proposed text amendments impacting the duties and powers of the Zoning, Platting & Advisory Committee. Said recommendation shall be issued within sixty (60) days of date of application submittal. If no recommendation is issued, the Kendall County Board shall consider the recommendation to be a positive recommendation and the proposal shall be forwarded to the Kendall County Zoning Board of Appeals for a hearing.**
- 7. The Kendall County Regional Planning Commission shall meet and issue a recommendation on proposed text amendments impacting the duties and powers of the Kendall County Regional Planning Commission. Said recommendation shall be issued within sixty (60) days of date of application submittal. If no recommendation is issued, the Kendall County Board shall consider the recommendation to be a positive recommendation and the proposal shall be forwarded to the Kendall County Zoning Board of Appeals for a hearing.**

13.08.C Special Uses Processing

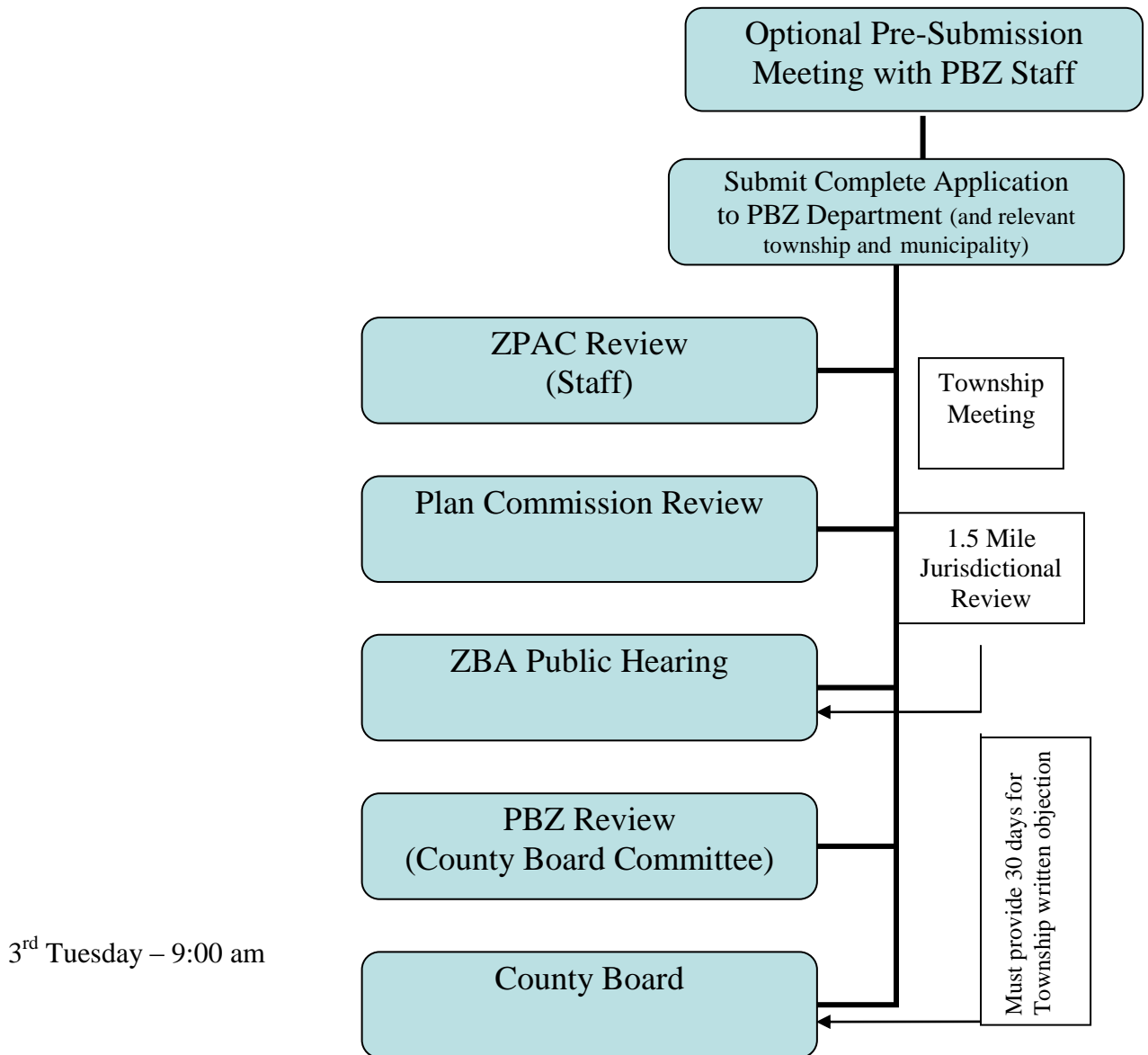
1. An application for a special use shall be filed with the Zoning Administrator.
2. A copy of such application shall be forwarded to ~~the members of~~ the Zoning, ~~and~~ Platting Advisory Committee (ZPAC) for review, ~~and~~ comment, ~~and recommendation~~. **The Zoning, Platting and Advisory Committee (ZPAC) shall not meet to consider the application. However, individual members may forward their comments to the Zoning Administrator prior to the public hearing on the application.**
- ~~3. A copy of such application and the committee report from the Zoning and Platting Advisory Committee (ZPAC) shall thereafter be forwarded to the Planning Commission for review, comment, and recommendation.~~
- 3. A copy of such application shall be forwarded to the members of the Kendall County Regional Planning Commission for review and comment. The Kendall County Regional**

Planning Commission shall not meet to consider the application. However, individual members may forward their comments to the Zoning Administrator prior to the public hearing on the application.

4. A copy of such application ~~and the reports from the Zoning and Platting Advisory Committee (ZPAC) and Planning Commission~~ and any comments submitted by individual members of the Zoning, Platting Advisory Committee (ZPAC) or the Kendall County Regional Planning Commission shall thereafter be forwarded to the Zoning Board of Appeals with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.

5. The recommendation and findings of the Zoning Board of Appeals shall be forwarded to the Planning, Building and Zoning (PBZ) Committee of the County Board for review and recommendation prior to final action by the County Board.

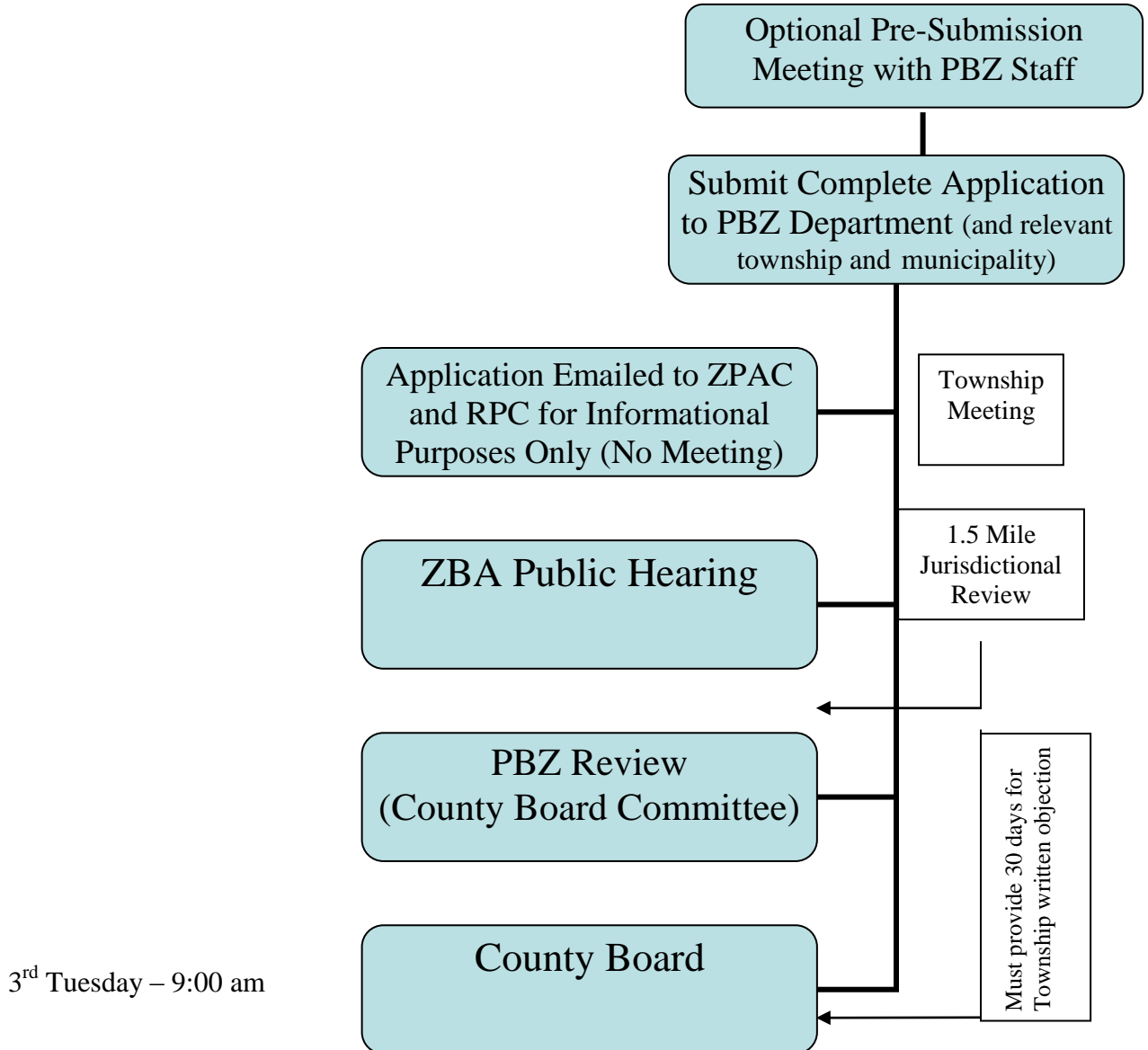
Existing Kendall County Rezoning Process (Map Amendment)



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The Plan Commission, ZBA, PBZ and County Board may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.
3. Current policy (as provided on application forms) requires the petition to be heard and discussed by the affected Township and Municipality prior to being placed on the RPC agenda. However, Statute only requires that they (Township and Municipality) provide comments prior to action by the County Board. Given the expedited timeline noted above, a formal response from the Township and Municipality may not be available at the RPC or ZBA Hearing.

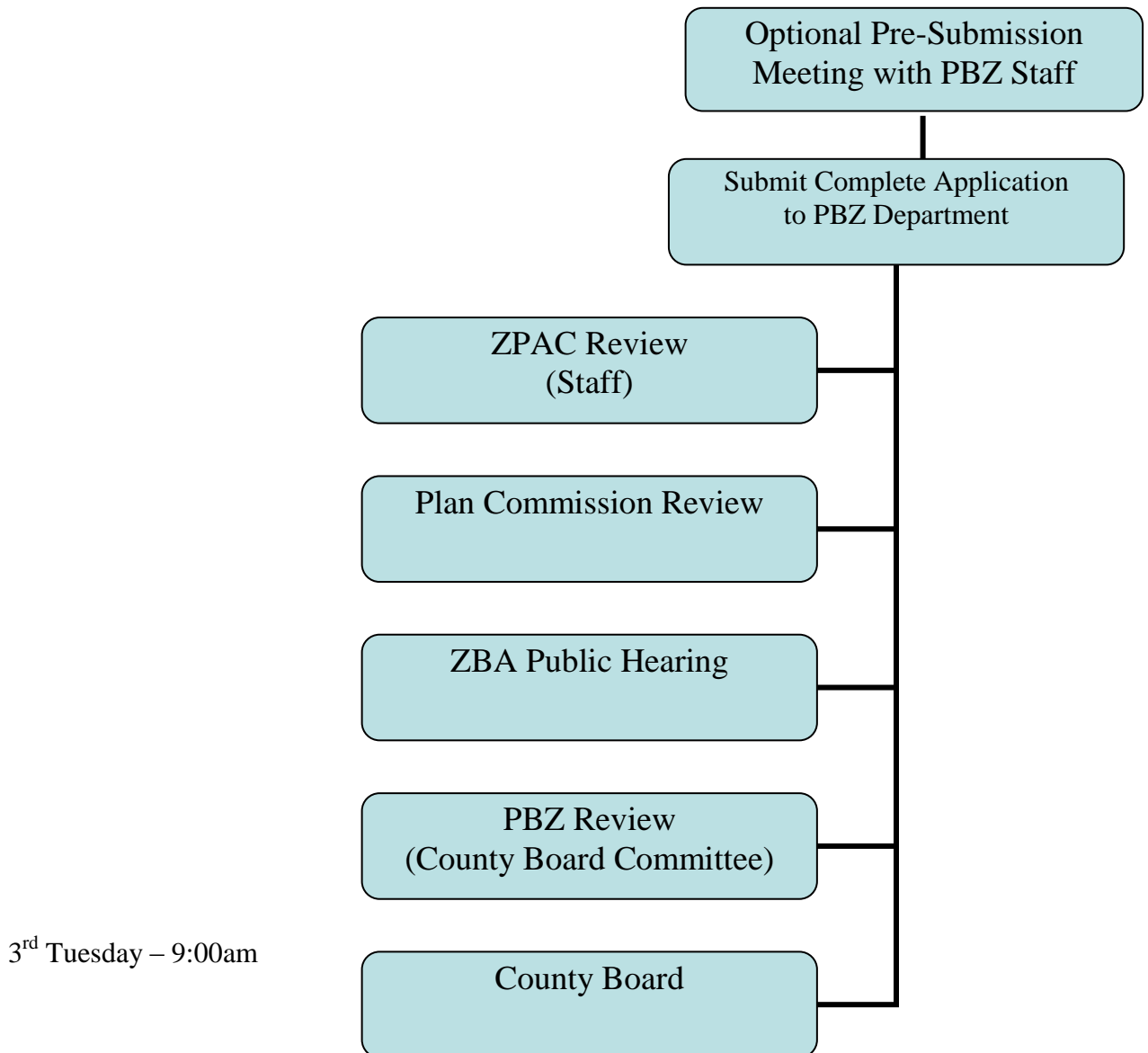
Proposed Amended Kendall County Rezoning Process (Map Amendment)



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The **Plan Commission**, ZBA, PBZ and County Board may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.
3. Current policy (as provided on application forms) requires the petition to be heard and discussed by the affected Township and Municipality prior to being placed on the **ZBA RPC** agenda. However, Statute only requires that they (Township and Municipality) provide comments prior to action by the County Board. Given the expedited timeline noted above, a formal response from the Township and Municipality may not be available at the **RPC** or ZBA Hearing.

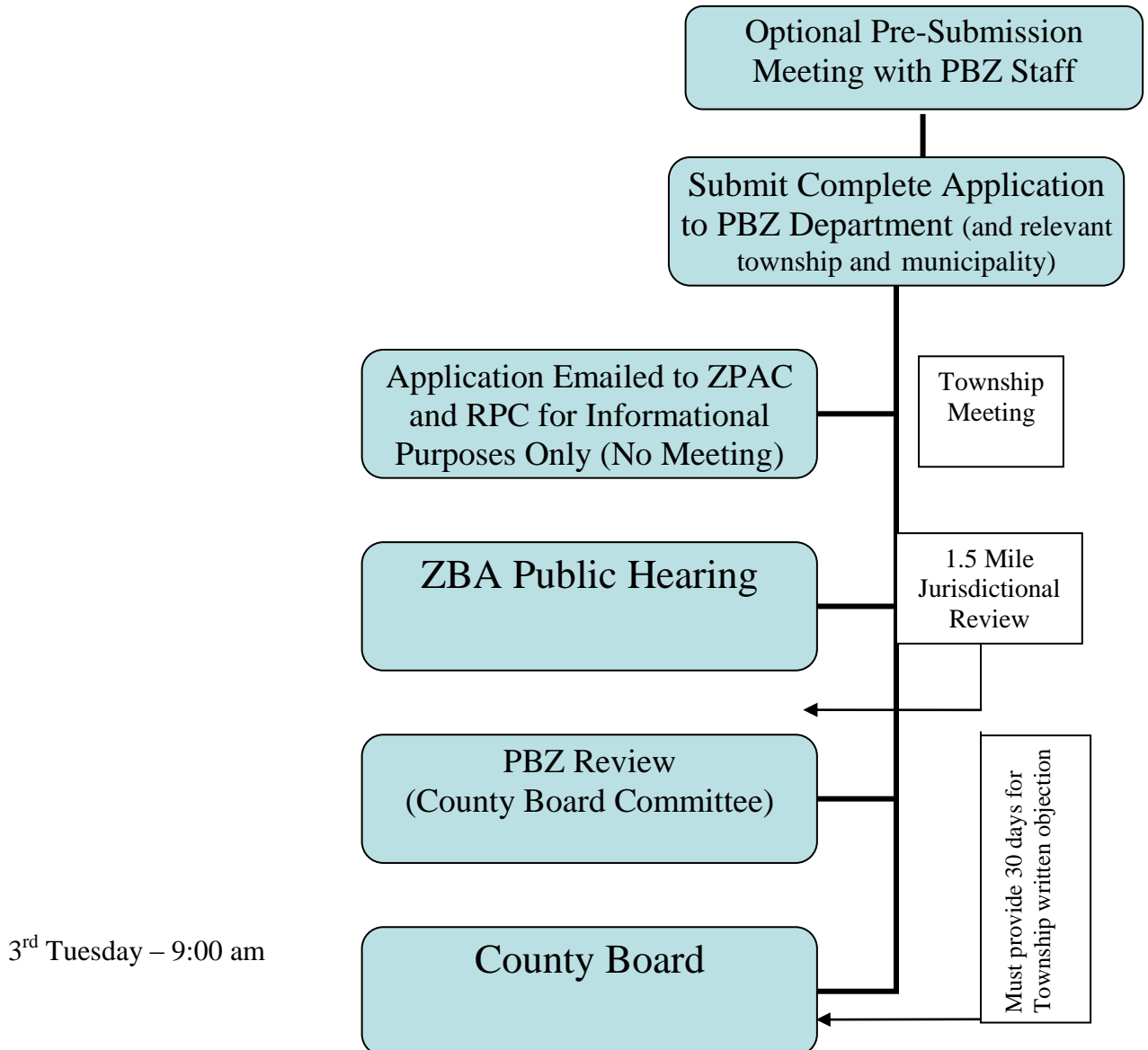
Existing Kendall County Text Amendment Process



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The Plan Commission, ZBA, PBZ and County Board may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.

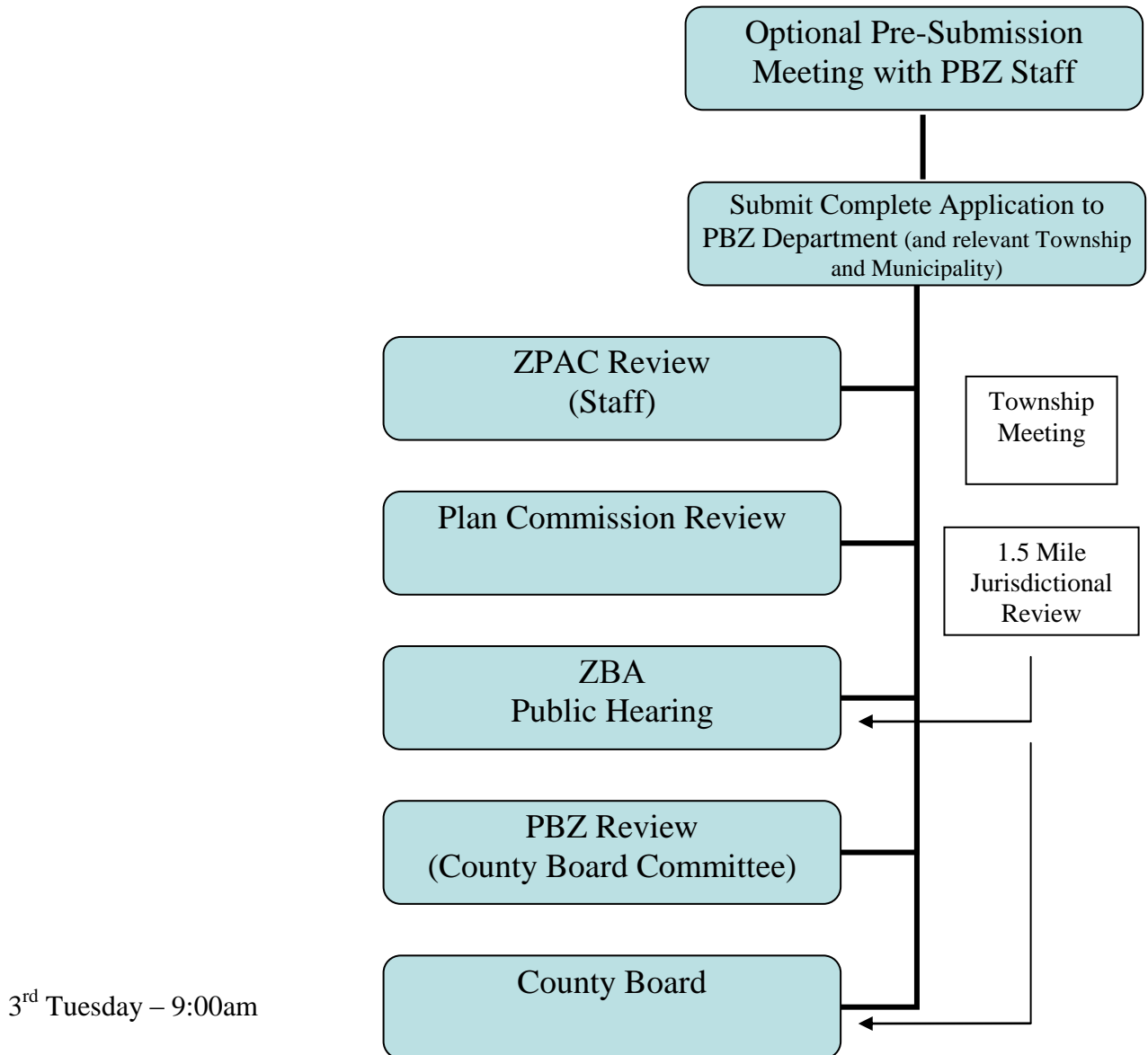
Proposed Amended Kendall County Text Amendment Process



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The **Plan Commission**, ZBA, PBZ and County Board may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.
3. Current policy (as provided on application forms) requires the petition to be heard and discussed by the affected Township and Municipality prior to being placed on the **ZBA RPC** agenda. However, Statute only requires that they (Township and Municipality) provide comments prior to action by the County Board. Given the expedited timeline noted above, a formal response from the Township and Municipality may not be available at the **RPC** or ZBA Hearing.
4. **The Plan Commission and ZPAC shall review all text amendments involving their powers and duties.**

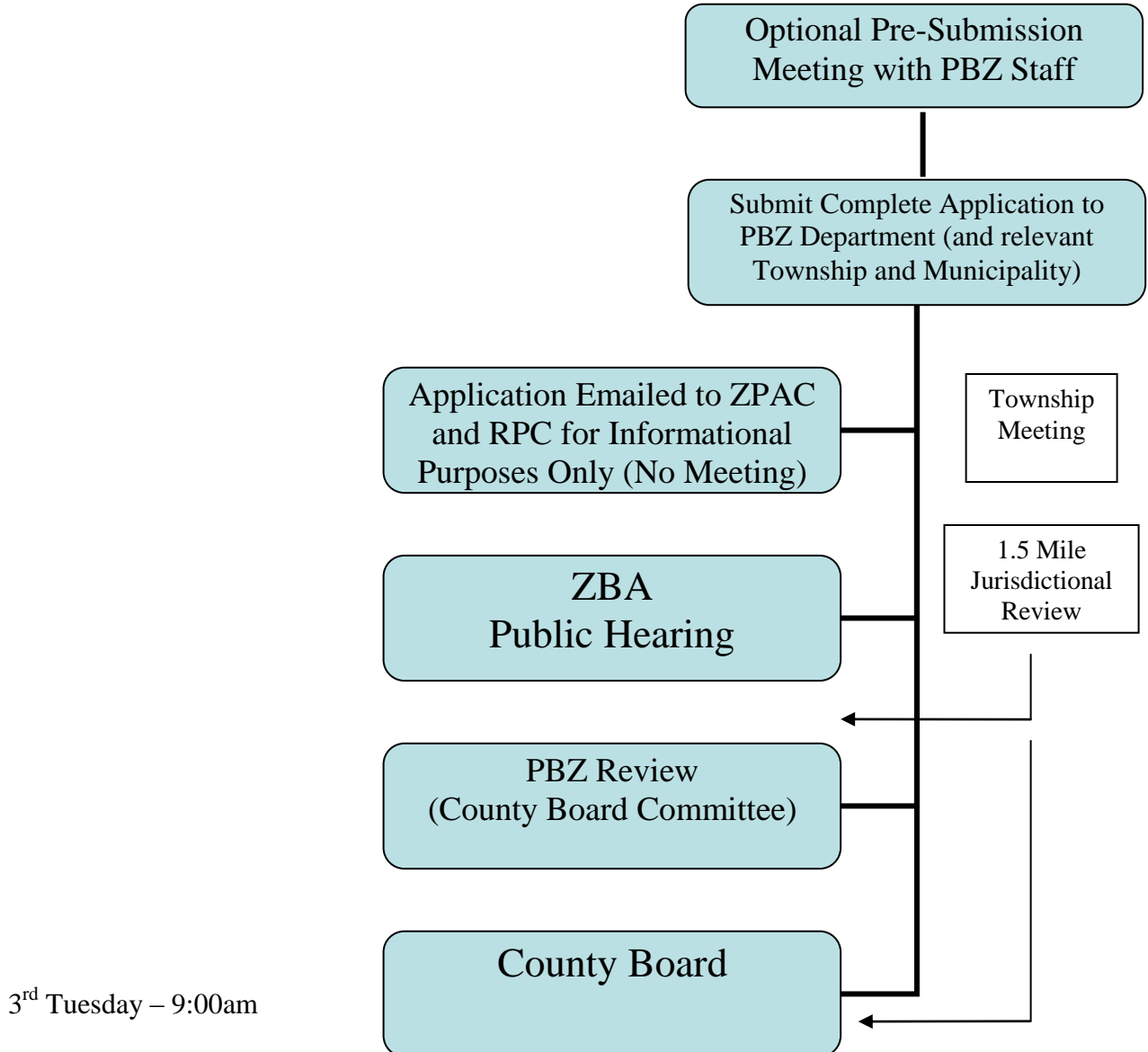
Existing Kendall County Special Use Process



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The Plan Commission, Zoning Board of Appeals, and County Board may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.
3. Major amendments to an approved Special Use would also follow this process.

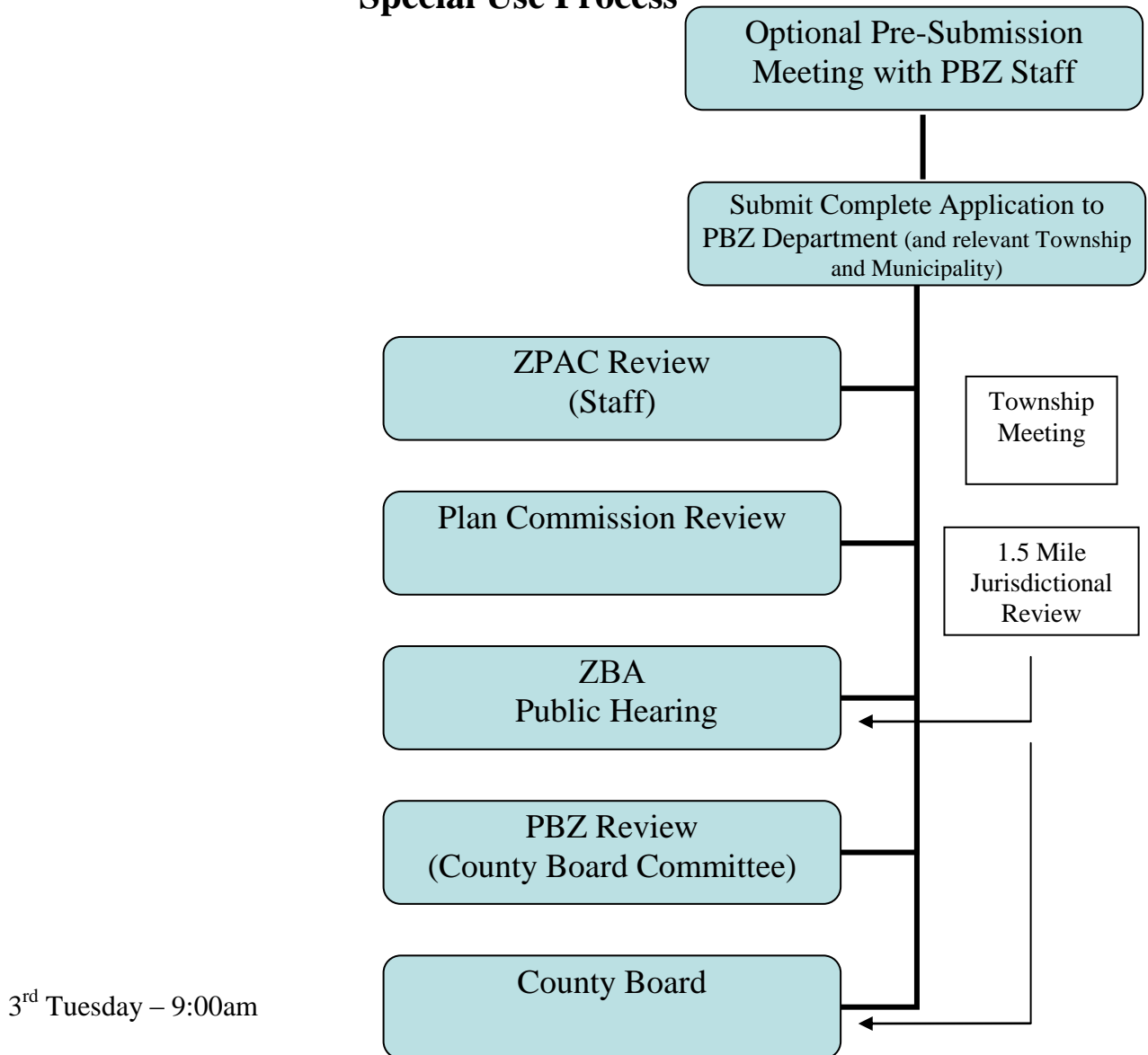
Proposed Amended Kendall County Special Use Process



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The ~~Plan Commission~~, Zoning Board of Appeals, and County Board may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.
3. Major amendments to an approved Special Use would also follow this process.

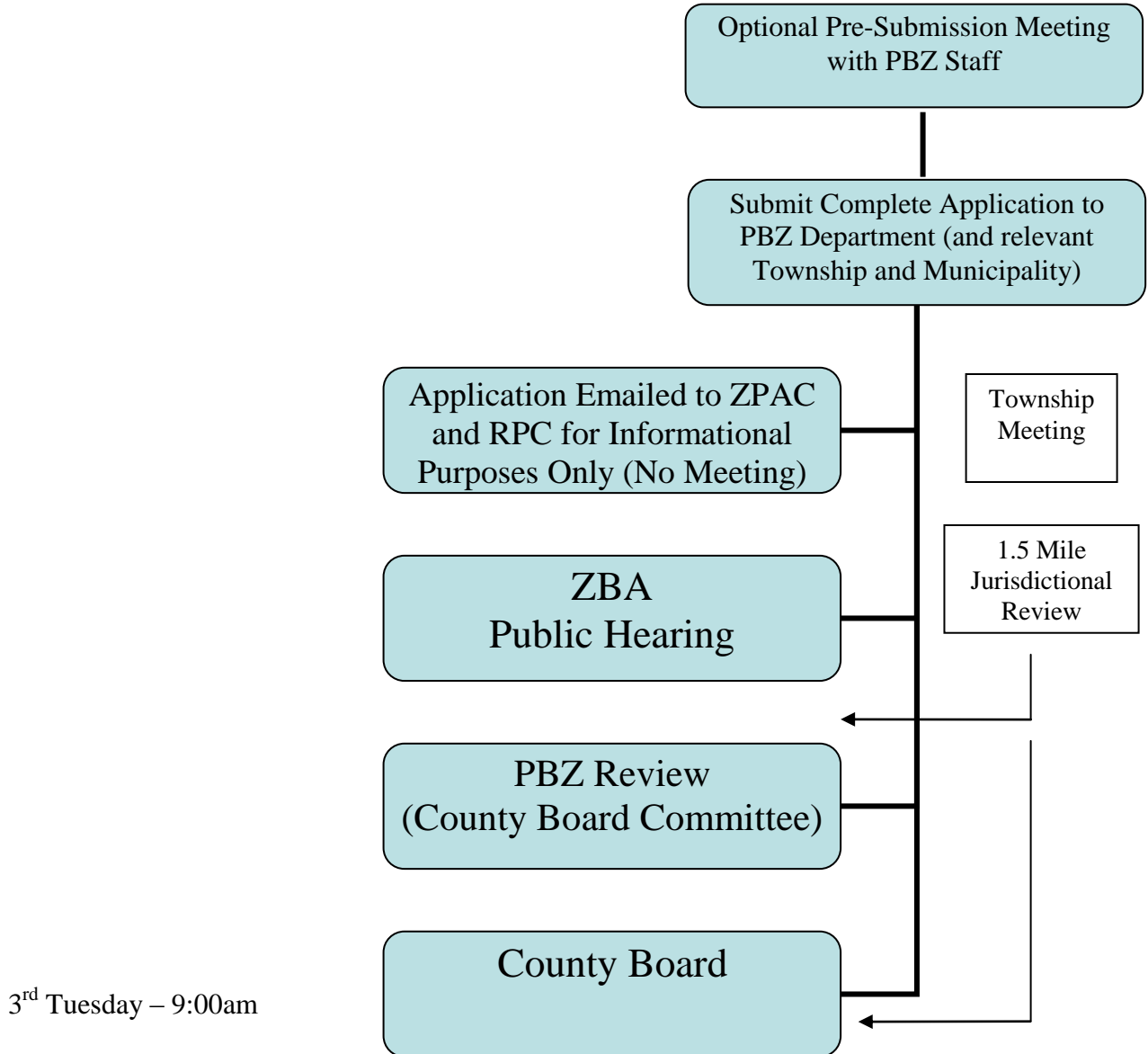
Existing Kendall County Major Amendment Special Use Process



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The Plan Commission, Zoning Board of Appeals, and County Board may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.
3. Major amendments to an approved Special Use would also follow this process.

Proposed Amended Kendall County Major Amendment to an Existing Special Use Process

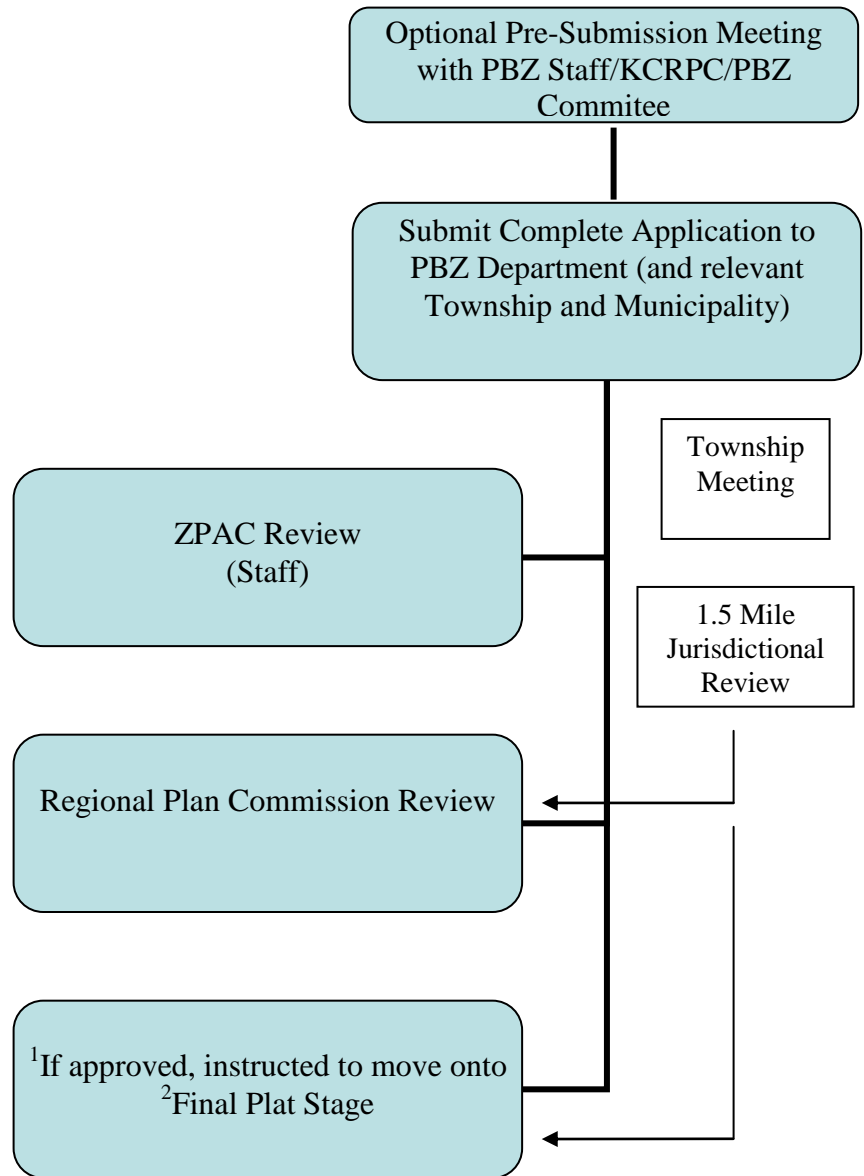


Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The ~~Plan Commission~~, Zoning Board of Appeals, and County Board may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.
3. Major amendments to an approved Special Use would also follow this process.

Existing-No Changes Proposed

Kendall County Preliminary Plat Process

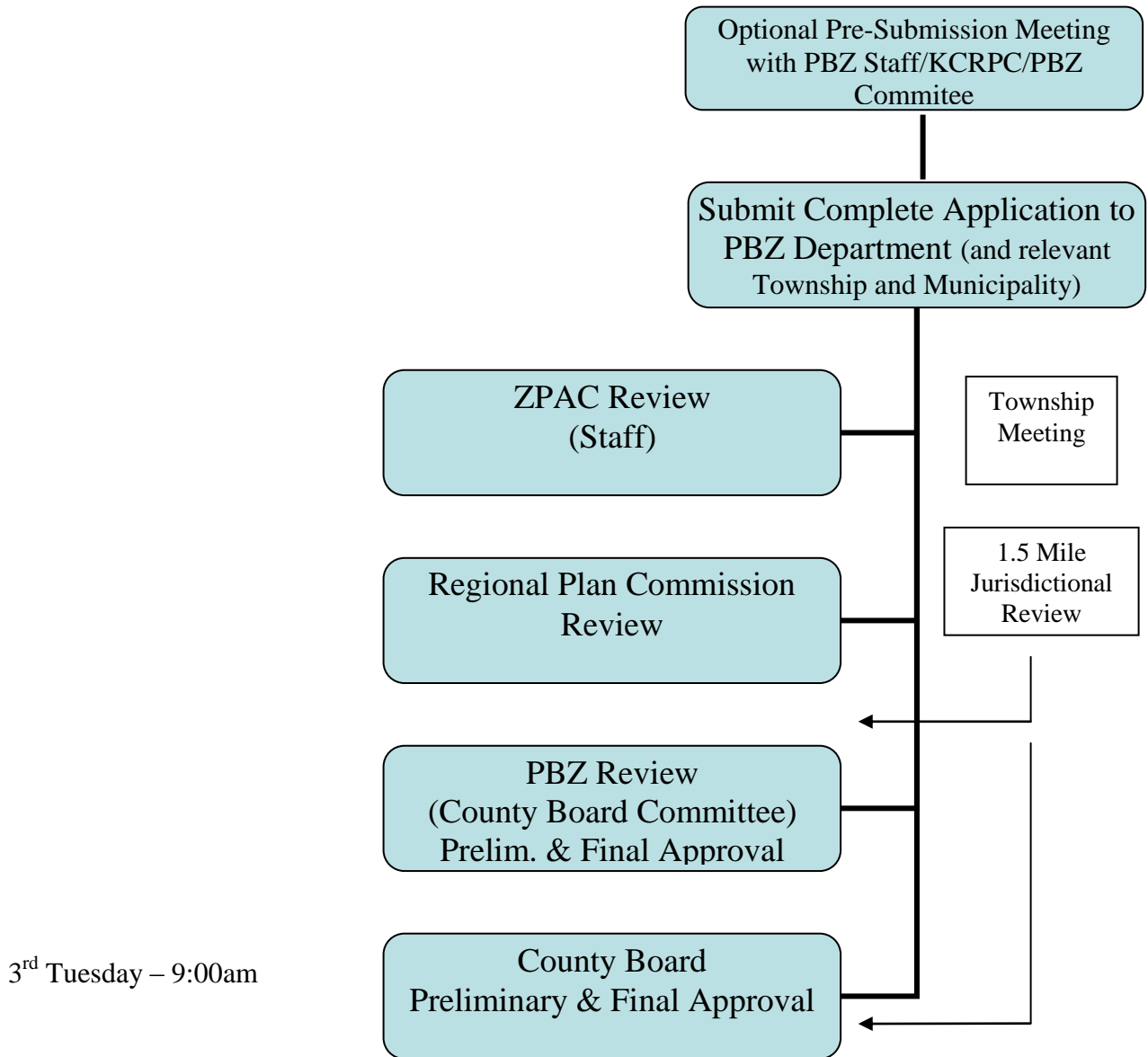


Notes:

1. Approval of the preliminary plat by KCRPC is tentative only, involving merely the general acceptability of the layout as submitted. Final approval of the Preliminary Plat shall be granted by the County Board at the time of Final Plat approval.
2. Approval of Preliminary Plat shall be effective for a maximum of one (1) year
3. The Plan Commission may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.

Existing-No Changes Proposed

Kendall County Final Plat Process



Notes:

1. Approval of the preliminary plat by KCRPC is tentative only, involving merely the general acceptability of the layout as submitted. Final approval of the Preliminary Plat shall be granted by the County Board at the time of Final Plat approval.
2. Approval of Preliminary Plat shall be effective for a maximum of one (1) year
3. The Plan Commission may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
February 6, 2018 – Unapproved Meeting Minutes**

Code Official Brian Holdiman called the meeting to order at 9:03 a.m.

Present:

Aaron Rybski – Health Department
Megan Andrews – Soil and Water Conservation District
Deputy Commander Jason Langston – Sheriff's Department
Don Clayton – GIS
Fran Klaas – Highway Department
Brian Holdiman – PBZ Department

Absent:

Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Robert Davidson – PBZ Committee Chair
Matt Asselmeier – PBZ Department

Audience:

None

AGENDA

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the agenda as proposed. With a voice vote of all ayes the motion carried.

MINUTES

Mr. Klaas made a motion, seconded by Mr. Langston, to approve the December 5, 2017 meeting minutes. With a voice vote of all ayes the motion carried.

PETITIONS

Petition 18-03 Kendall County Planning, Building and Zoning Committee – Text Amendments to Sections 4.17.H, 7.01.D.53.b.vi, 8.08.B.2.h, 10.01.C.27.b.vi, 11.02.C, 11.02.D, 11.04, 11.04.A, 13.01.C, 13.07.B, 13.07.C and 13.08.C of the Kendall County Zoning Ordinance by Removing the Requirements for the Zoning, Platting and Advisory Committee and the Kendall County Regional Planning Commission to Meet and Issue Recommendations on Proposed Map Amendments, Special Use Permits, Major Amendments to Special Use Permits, and Text Amendments on Matters Not Involving the Powers and Duties of the Zoning, Platting and Advisory Committee or the Kendall County Regional Planning Commission and Related Zoning Text Citation Amendments

Mr. Holdiman provided a summary of this proposed text amendment. The PBZ Committee had concerns that review period for certain applications was too time consuming and involved too many meetings. ZPAC would continue to meet for site plan reviews, text amendments to the Zoning Ordinance involving their powers and duties, amendments to the Subdivision Control Ordinance, preliminary plat approvals, final plat approvals, and RPD related plat approvals. ZPAC would not meet for map amendments, text amendments to the Zoning Ordinance not involving their powers and duties, special use permits, and major amendments to special use permits.

Mr. Rybski asked if ZPAC would meet for special use permit applications. Mr. Holdiman stated that ZPAC would not formally meet for special use permit applications, but ZPAC members could submit comments prior to the hearing regarding the special use permit applications. The distribution email would continue to be sent.

Mr. Klaas asked if the Planning, Building and Zoning Department Staff was in favor of this proposal. Mr. Holdiman responded that Staff had no objections. Mr. Klaas noted that the Soil and Water Conservation District and Health Department may still want to provide input on certain special use permit proposals. Mr. Holdiman noted that the proposed process would still allow ZPAC members to comment on proposals and pre-application meetings could occur as well.

Mr. Klaas made a motion, seconded by Ms. Andrews, to recommend approval of the proposal.

Ayes (6): Klaas, Andrews, Langston, Rybski, Clayton, and Holdiman
Nays (0): None
Absent: (4) Davidson, Chismark, Guritz, and Asselmeier

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on February 28th.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Holdiman stated that Mr. Asselmeier will need to provide an update on Petition 17-30 at a future meeting.

OLD BUSINESS/NEW BUSINESS

None

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Andrews made a motion, seconded by Mr. Clayton, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:11 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois*

Unapproved Meeting Minutes of March 28, 2018

Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Larry Nelson, Ruben Rodriguez, Claire Wilson, Budd Wormley, and Angela Zubko

Members Absent: Tom Casey and John Shaw

Staff Present: Matthew H. Asselmeier, Senior Planner

In the Audience: Dan Kramer, Pat Kinnally, Roger Smith, and George Ostreko

APPROVAL OF AGENDA

Mr. Wormley made a motion, seconded by Mr. Bledsoe, to approve the agenda as presented. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Mr. Nelson made a motion, seconded by Mr. Wormley, to approve the February 28, 2018, joint meeting minutes with the Comprehensive Land Plan and Ordinance Committee and the February 28, 2018, Kendall County Regional Planning Commission meeting minutes as presented. With a voice vote of all ayes, the motion carried.

PETITION

Petition 18-05-Keith and Kathleen Warpinski

Mr. Asselmeier summarized the request. The petitioners desire a map amendment in order to be able to construct a house on the property.

ZPAC reviewed the proposal on March 6th and unanimously recommended approval.

The Kendall Township Planning Commission and Kendall Township Board reviewed the proposal in February and recommended denial. Kendall Township will not be submitting a formal objection.

The United City of Yorkville's Planning and Zoning Commission met on March 14th and recommended approval. The United City of Yorkville's City Council met on March 27th and expressed no objections to the proposal.

Dan Kramer, attorney for the petitioners, stated that Kendall Township recommended denial because at least one (1) planning commissioner objected to the construction of another house in the area.

Mr. Kramer stated that the petitioners did not pursue an A-1 building permit because the Kendall County Board had a similar case last year and they required the property owner to obtain a map amendment. In addition, the notification and publication requirements for a map amendment are stricter than the rules for an A-1 building permit.

Mr. Kramer also noted that easements for the proposed trails will be recorded.
KCRPC Meeting Minutes 3.28.18

Mr. Wormley asked about the pipeline easement running through a portion of the property. Mr. Kramer explained how the pipeline easement was created.

Mr. Nelson asked the width of the property. The width is approximately is approximately two hundred thirty-seven feet (237').

Mr. Wormley asked about the water table. Mr. Kramer stated the soil was classified for septic.

Ms. Wilson noted that certain agricultural uses would be more restrictive if the property were rezoned to R-1.

There were no public comments on this proposal.

Mr. Asselmeier stated that he did not receive anything in writing from Kendall Township. There were no calls from any surrounding residents.

Ms. Wilson made a motion to recommend approval of the map amendment as proposed, seconded by Ms Zubko.

Yes – Ashton, Bledsoe, Nelson, Rodriguez, Wilson, Wormley and Zubko (7)

No – None (0)

Absent – Casey and Shaw (2)

The motion passed. This proposal will go to the Zoning Board of Appeals on April 2nd.

Petition 18-07 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

The Zoning Ordinance does not have a clear procedure for renewing special use permits. In reviewing all of the existing special use permits, twenty-seven (27) require some form of review or renewal. Additionally, in the future, the County Board may impose time limits on future special use permits. Therefore, Staff prepared the attached proposal establishing procedures for renewing special use permits.

The Planning, Building and Zoning Committee reviewed this proposal on February 13th and unanimously approved initiating the text amendment process.

This proposal was mailed to each township on February 15th. To date, none of the townships have submitted comments.

This proposal was mailed to each existing special use permit holder that has a review/renewal provision in their special use permit on February 16th. To date, only (1) special use permit holder had detailed questions. Three (3) others were satisfied with the proposal after the proposal was explained.

ZPAC reviewed this proposal on March 6th and unanimously recommended approval.

Several Commissioners expressed concerns about the ability of the County Board to amend special use permits without the request or approval of the property owner, even though the property owner complied with the terms of the special use permit. This action could have negative consequences for business owners that invested large sums of money into their businesses. Concerns were raised that such changes could be arbitrary.

The Hearing Officer still exists for administrative adjudication; the Planning, Building and Zoning Committee could refer an alleged violations to the Hearing Officer or the State's Attorney's Office.

Several Commissioners expressed concerns regarding the language about previous owners of special use permits. Commissioners felt that the automatic renewal provisions should apply to the current owner and the current owner should not have the special use permit jeopardized by the actions or violations of previous owners.

Ms. Wilson asked if the County Board could request changes at any time. Mr. Asselmeier stated that the intent of the proposal was that the County Board could do amendments at the time of renewal. Item 2.b would be amended to reflect that change.

Roger Smith, Tyler Road, provided a history of his special use permit for a mobile home on his property. He was not in favor of the proposed changes.

Pat Kinnally, attorney for Bryan Holdings, Aurora, expressed concerns about the lack of clarity for grandfathering. He also expressed concerns about the difference between minor and major amendments to special use permits and the power of the Zoning Administrator. Mr. Kinnally did not want the actions of previous property owners to have an impact on whether or not a special use permit is revoked or renewed.

George Ostreko, East Beecher Road, said that he has not been inspected by Kendall County since he bought the property in the 1984. His special use permit is for mining.

Dan Kramer said that he agreed with changes proposed by Mr. Nelson.

Mr. Nelson moved to table the proposal and to have the proposal sent to Commissioners as a Word document. Discussion occurred regarding the intent of the Planning, Building and Zoning Committee in proposing the text amendment. The motion died for lack of second.

Mr. Rodriguez asked about the procedures of other counties. Mr. Asselmeier will investigate this matter.

Mr. Wormley made a motion to refer the proposal back to the Planning, Building and Zoning Committee for additional study, seconded by Ms. Wilson.

Yes – Ashton, Bledsoe, Nelson, Rodriguez, Wilson, Wormley and Zubko (7)

No – None (0)

Absent – Casey and Shaw (2)

The motion passed.

Petition 18-03 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

In 2017, the Kendall County Board created a Boards and Commissions Review Ad-Hoc Committee to examine the number, type, and duties of the various committees utilized by the County. This Ad-Hoc Committee evaluated the roles and responsibility of each of the committees associated with the Planning, Building and Zoning Department. The Ad-Hoc Committee expressed concerns about the number of meetings certain applicants had to attend in order to obtain approval of map amendments and special use permits. In addition to

County meetings, applicants for map amendments and special use permits might need to attend various township and municipal meetings.

Accordingly, the Board and Commissions Review Ad-Hoc Committee, at their meetings on August 29th and November 30th recommended the following applications not require formal meetings of ZPAC or the Kendall County Regional Planning Commission:

1. Map Amendments
2. Special Use Permits
3. Major Amendments to Special Use Permits
4. Text Amendments to the Zoning Ordinance Not Impacting the Powers and Duties of ZPAC and/or Kendall County Regional Planning Commission

Members of ZPAC and the Kendall County Regional Planning Commission would continue to receive notifications of the above types of applications and individual members of these committees could submit comments on the proposals, but neither body would be required to meet and issue recommendations on these types of applications.

ZPAC would continue to meet for the following types of applications:

1. Site Plan Reviews
2. Text Amendments to the Zoning Ordinance Impacting Its Powers and Duties
3. Amendments to the Kendall County Subdivision Control Ordinance
4. Preliminary Plat Approval
5. Final Plat Approval
6. RPD Related Plat Approvals

The Kendall County Regional Planning Commission would continue to meet for the following types of applications:

1. Text Amendments to the Zoning Ordinance Impacting Its Powers and Duties
2. Changes to the Land Resource Management Plan
3. Amendments to the Kendall County Subdivision Control Ordinance
4. Preliminary Plat Approval
5. Final Plat Approval
6. RPD Related Plat Approvals
7. Requests by the County Board and/or Planning, Building and Zoning Committee for Research on Planning, Zoning, and Development Related Topics

The Committee of the Whole discussed this proposal at their meeting on December 14th and no one objected to the proposal.

The Planning, Building and Zoning Committee reviewed this matter at their meeting on January 8th and unanimously recommended approval of initiating the text amendment as proposed.

ZPAC reviewed this proposal on February 6th and unanimously recommended approval.

Ms. Wilson asked, if this proposal was implemented, would the Kendall County Regional Planning Commission meet on petitions similar to Petition 18-07. Mr. Asselmeier responded that the Kendall County Regional Planning Commission would not meet for similar proposals.

Mr. Nelson asked, if the Kendall County Regional Planning Commission did not meet, would the timeframe for adopting a proposal be shortened. Mr. Asselmeier said that the timeframe for adopting a proposal would not be shortened unless the Kendall County Regional Planning Commission requested additional information.

Ms. Zubko asked if ZPAC members receive each petition and submit comments. Mr. Asselmeier responded that petitions are emailed to ZPAC members, but most ZPAC members wait until the meeting before stating their comments.

Ms. Zubko asked if the County Board was aware that the Planning, Building and Zoning Committee did not need to meet to review petitions under State law. Mr. Asselmeier responded that the Ad-Hoc Commissions and Committees Committee was informed which zoning related committees were required by State law and which ones were of the County's discretion.

Chairman Ashton expressed concerns about the RPD subdivisions approval. He believed that the terms of RPDs should be reviewed by the Kendall County Regional Planning Commission.

Mr. Nelson explained his experience with obtaining a special use permit.

Commissioners noted that one (1) of the reasons for transferring special use hearings to the Zoning Board of Appeals was to obtain more input and opinion. This proposal seems contradictory to that previous opinion.

Mr. Nelson made a motion to refer the proposal to the Comprehensive Land Plan and Ordinance Committee. The motion died for lacked of a second.

Mr. Asselmeier stated that the Planning, Building and Zoning Committee, as the petitioner, was the only entity that could approve amendments to the petition.

Ms. Wilson made a motion to recommend approval of the proposal, seconded by Ms. Zubko

Yes – None (0)

No – Ashton, Bledsoe, Nelson, Rodriguez, Wilson, Wormley and Zubko (7)

Absent – Casey and Shaw (2)

The motion failed. The petition received a negative recommendation from the Planning Commission.

The reasons for the negative recommendation were:

1. The Kendall County Regional Planning Commission would like the proposal to go to the Comprehensive Land Plan and Ordinance Committee to work out issues.
2. The Kendall County Regional Planning Commission had concerns regarding the due process for petitions.
3. The Kendall County Regional Planning Commission felt that Kendall County Regional Planning Commission meetings were the appropriate setting for creating conditions and restrictions for special use permits (express the values of the community).
4. Removing the Kendall County Regional Planning Commission meeting from the timeline for adoption does not slow down the approval process; the Senior Planner indicated that no extra time was needed for Kendall County Regional Planning Commission meetings.

5. The Kendall County Regional Planning Commission had concerns about a lack of thorough vetting of the implications of proposals if the Kendall County Regional Planning Commission did not meet and review proposals.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Consideration and Action on Amendments to Petition 18-04 Regarding Amending the Future Land Use Map for Property Near Route 47 in Lisbon Township-Commission Could Vote to Schedule a Public Hearing on the Petition

Chairman Ashton noted that changes were made to the proposal. A mixed use business area will be added along U.S. Route 52 down to the Village of Lisbon.

The Village President of Lisbon attended the Comprehensive Land Plan and Ordinance Committee meeting earlier in the evening.

Ms. Wilson expressed her surprise about the opposition to the proposal from the residents of the area.

Update on Petition 17-28 Pertaining to text Amendments to Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

Mr. Asselmeier stated that the Planning, Building and Zoning Committee met on March 12th and the proposal has changed drastically. The proposal was sent to the State's Attorney's Office for review.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 17-33 transferring certain powers and duties from the Hearing Office to the Zoning Board of Appeals passed at the County Board. Petition 17-29 increasing the notification requirements for applications for special use permits on properties zoned A-1 was sent back to the Planning, Building and Zoning Committee from the Committee of the Whole.

OTHER BUSINESS/ANNOUNCEMENTS

None

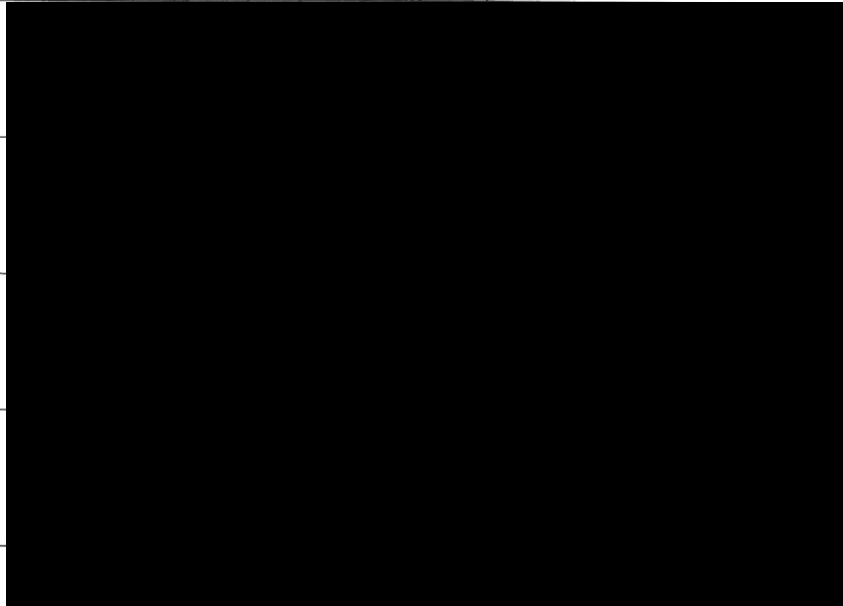
ADJOURNMENT

Ms. Wilson made a motion, seconded by Mr. Wormley, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:31 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP
Senior Planner

Enc.

**KENDALL COUNTY REGIONAL
PLANNING COMMISSION MEETING
MARCH 28, 2018**

NAME	ADDRESS	EMAIL ADDRESS
<i>Don Kinn</i>		
<i>Pat Kinnally</i>		
<i>George Osineko</i>		
<i>Peggy Smith</i>		

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois*

Unapproved Meeting Minutes of April 25, 2018

Chairman Ashton called the meeting to order at 7:03 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Larry Nelson, John Shaw, Claire Wilson, Budd Wormley, and Angela Zubko (arrived at 7:04 p.m.)

Members Absent: Ruben Rodriguez

Staff Present: Matthew H. Asselmeier, Senior Planner

In the Audience: Robert Davidson

APPROVAL OF AGENDA

Mr. Bledsoe made a motion, seconded by Ms. Wilson, to approve the agenda as presented. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Mr. Bledsoe made a motion, seconded by Mr. Casey, to approve the March 28, 2018, Kendall County Regional Planning Commission meeting minutes as presented. With a voice vote of all ayes, the motion carried.

PETITION

Petition 18-13 Kendall County Planning, Building and Zoning Department

Mr. Asselmeier summarized the request.

In recent months, the Kendall County Planning, Building and Zoning Department has received inquiries from solar energy consultants and property owners desiring to place solar panels on properties throughout the County. These solar panels would be used to generate power offsite from the location where the solar panels are placed. Kendall County adopted solar panel zoning regulations in 2010 and 2011, but these regulations focused on generating solar energy and using that energy onsite. The County also has zoning regulations for power plants, but many solar energy consultants were uncomfortable with a “power plant” classification.

Ms. Zubko arrived at this time (7:04 p.m.).

Earlier in 2018, the Planning, Building and Zoning Committee instructed Staff to study the solar panel regulations of several counties. The comparison table was presented to Commissioners.

At their meeting on March 12, 2018, the Planning, Building and Zoning Committee approved initiating text amendments to the Kendall County Zoning Ordinance incorporating DeKalb County’s proposed regulations into the Kendall County Zoning Ordinance.

Mr. Asselmeier noted that Mr. Holdiman previously suggested that 4.18.O.2 be removed from the proposal because the County currently does not require insurance for existing solar panels.

The Kendall County Farm Bureau was sent the proposal in March. They questioned why the bonding requirement was “may” and not “shall” (4.18.P.6).

The townships were mailed the proposal on March 22nd. To date, no townships have submitted comments.

ZPAC met on the proposal on April 3rd and unanimously recommended approval of the proposal with the following amendments:

1. Section 4.18.D.10 should be removed because the same language is found in 4.18.Q.3.
2. A more detailed contour map with existing vegetation, waterways, wetland boundaries, and FEMA FIRM information in a manner described in the Boone County ordinance should be added to the proposal.
3. The reference to the State of Illinois Uniform Building Code found in Section 4.18.C.8 should be removed.
4. Greater discussion should occur regarding the desire to have solar gardens in residential zoned districts.
5. The word “crops” found in line 7 of 4.18.C.4 should be replaced with the word “vegetation” because crops probably will not be the only plants growing around the solar panels and crops probably will not grow around the solar panels.

There is an open application for a special use permit for solar panels in Big Grove Township.

Chairman Ashton asked if the proposal had to be finalized and approved by May. Mr. Asselmeier responded that the proposed text amendment would not apply to the proposed solar operation in Big Grove Township because the Big Grove Township project was submitted prior to the adoption of the proposed solar panel regulations.

The Commission reviewed the comparison table.

Discussion occurred regarding DeKalb County’s requirement for impervious surface. Gravel and compacted soils were considered impervious surfaces. Discussion occurred regarding the rain water runoff.

Discussion occurred regarding decommissioning. Mr. Davidson did not foresee any problems with cleaning up a solar farm site because the panels are easy to remove.

Ms. Zubko expressed concerns regarding the airport language in the proposal. Mr. Davidson suggested keeping the language in the proposal.

Ms. Zubko requested clarification on permit fees.

Chairman Ashton expressed that drainage tiles should be fixed if damaged as a result of the solar panel operations.

Proposed setbacks would be one hundred feet (100’) at the front, fifty feet (50’) from adjoining property lines and one hundred feet (100’) from residential property lines. The road district and neighbors could approve waivers lowering the setback to fifty feet (50’).

Mr. Nelson asked about NEPA requirements. Mr. Asselmeier responded that proposed solar panel operations must follow all applicable federal, state, and local laws.

The regulations for roof mounted and freestanding solar systems should be clarified to expressly state they are for accessory use and that the energy produced will be used onsite.

Discussion occurred about the licensing of solar panel installers. Chairman Ashton will bring an advertisement he received about solar panel installers to a future meeting.

Mr. Wormley asked about berming and fencing. There was no berming requirement and fences were not required, but, if installed, fences had to be a maximum eight feet (8') in height. Chairman Ashton stated that fencing should be required.

Ms. Wilson suggested additional study of the subject.

Chairman Ashton asked to have the County's solar consultant to attend a future meeting and submit comments on the proposal. Mr. Davidson said that he would ask Chris Childress to review the proposal and attend a meeting.

Ms. Zubko suggested examining Fulton County's and Shelby County's regulations. Ms. Wilson suggested that Mr. Asselmeier contact the county's studied to see if they have had issues with implementing their regulations.

Ms. Zubko requested a copy Yorkville's solar panel regulations.

Mr. Nelson made a motion to layover this petition until the next meeting and to have the County's consultant provide comments on the proposal, seconded by Ms. Zubko.

Yes – Ashton, Bledsoe, Casey, Nelson, Rodriguez, Shaw, Wilson, Wormley, and Zubko (8)

No – None (0)

Absent – Rodriguez (1)

The motion passed. This proposal will return to the Planning Commission in May.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Request from the Kendall County Planning, Building and Zoning Committee for Comments Pertaining to Petition 18-07 Regarding Text Amendments Establishing Procedures for Renewing Special Use Permits

Mr. Asselmeier reported on the changes proposed by the Comprehensive Land Plan and Ordinance Committee.

In paragraph 1, "or if" shall be replaced with "because". The County Board would only be able to amend or revoke special use permits if a special use permit holder were found guilty through the courts or administrative adjudication.

Paragraph 2 would be deleted in its entirety.

Paragraph 3 would remain unchanged.

In paragraph 4, the first sentence would be changed to read, “This Sub-Section shall apply to any special use permit issued after the date of adoption of this ordinance (insert date) requiring renewal.”

Mr. Bledsoe expressed concerns about the “previous owner” language.

Ms. Wilson suggested clarifying the language to focus on “on-going” violations; she suggested adding “unabated” to the first paragraph. She also suggested adding revocation to the first paragraph.

Ms. Zubko advised that the Planning, Building and Zoning Committee discuss the existing revocation language in the Zoning Ordinance.

Ms. Wilson asked why the option of amending a special use permit was included in paragraph 1. Mr. Asselmeier responded that a situation could arise where neither renewing a special use permit nor revoking a special permit are the appropriate options.

Discussion occurred regarding when the County Board could initiate revocation; specifically could the County Board initiate revocations immediately upon the guilty verdict of a special use permit holder?

The consensus of the Commission was to send the proposal back to the Planning, Building and Zoning Committee with the Commission’s suggestions. The Planning, Building and Zoning Committee will meet on this matter on May 7th meeting.

Consideration and Action on Amendments to Petition 18-04 Regarding Amending the Future Land Use Map for Property Near Route 47 in Lisbon Township-Commission Could Vote to Schedule a Public Hearing on the Petition

Mr. Asselmeier noted the change made to the proposal. A mixed use business area will be added along U.S. Route 52 down to the Village of Lisbon to correspond to the Village of Lisbon’s Comprehensive Plan.

This proposal will go to the May 7th Planning, Building and Zoning Committee for comments. The Commission could schedule a public hearing at the May 23rd meeting.

Update on Petition 17-28 Pertaining to text Amendments to Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

Mr. Asselmeier stated that the Planning, Building and Zoning Committee met on April 9th and are reviewing comments from the State’s Attorney’s Office.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 17-29 increasing the notification distance requirements for A-1 special uses passed at the County Board. The new distance requirement is seven hundred fifty feet (750’). Only adjoining property owners have to be notified for non-A-1 special use applications. The notification distance remains five hundred feet (500’) for map amendments and variances.

OTHER BUSINESS/ANNOUNCEMENTS

Update on Petition 18-03 Pertaining to the Powers and Duties of ZPAC and the Kendall County Regional Planning Commission

Mr. Nelson distributed a draft message that he will send to the Planning, Building and Zoning Committee outlining the importance of the Planning Commission in evaluating map amendments, text amendments, and special use related applications, see enclosed. He felt that the Planning, Building and Zoning Committee did

not have an adequate history of how the process evolved. Either Mr. Asselmeier or Mr. Davidson will request that the Zoning Board of Appeals layover the hearing until after the Planning, Building and Zoning Committee has an opportunity to review the Commission's comments. Mr. Nelson will email the draft message to everyone.

Ms. Zubko requested that the years of experience in planning be noted in the message to the Planning, Building and Zoning Committee and to identify the longest serving member of the Commission.

ADJOURNMENT

Mr. Nelson made a motion, seconded by Mr. Wormley, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:35 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP
Senior Planner

Enc.

Larry.nelson

From: "Larry Nelson Multimedia" <[REDACTED]>
To: "Larry Nelson Multimedia" <[REDACTED]>
Sent: Wednesday, April 25, 2018 3:39 PM
Attach: KCRPC changes 2-28-18 by PBZ.docx
Subject: Fw: KCRPC Duties
Draft

To: Kendall County building and zoning committee

The Kendall County Regional Planning Commission has had an opportunity to review the committee's idea of eliminating the Kendall County Regional Planning Commission from a number of crucial zoning actions in the County Kendall County. The Regional Planning Commission was established over 30 years ago as an advisory Commission for the County Board to oversee the Kendall County Comprehensive Land Plan and review of zoning applications, and how zoning applications impact the Comp Plan. When the regional Planning Commission was formed our bylaws proved that it's made up of one representative from each of the 9 Township and one at large, appointed to a 4 year term on a staggered basis.

Many of the Plan Commission members have been with the Kendall County Regional Planning Commission through the development of our current Land Plan which was a involved process including hearings in each Township and at a county wide level. The KCRPC serves as an advisory body to the Kendall ZBA, Kendall P B & Z.

The Commission when a new request comes in for a new or revised text Amendment has in most cases taken the first pass at formulating the text along with the Kendall County Professional staff to make sure the language change or new text Amendment reflect the rights of landowners, land use, and the Comp Plan.

Special uses are not a simple matter in Kendall County as there is a great diversity in Kendall County in land use from Oswego Twp to Big Grove Township. One size doesn't fit all, the Plan Commission with one member from each Township is very knowledgeable collectively of the needs and interest across the County. Map amendments, special uses and text amendments that come out of the plan Commission provide an insight to the Kendall County Planning Building and Zoning Committee for their ultimate decision on how the zoning should be decided.

Below is a number of comments from Plan Commission Members on the specific items proposed to be eliminated from the Plan Commissions review.

1) proposed map amendments.

Claire Wilson <[REDACTED]>

From my time on the Kendall County Regional Plan Commission, I have observed how the open frank exchange of thoughts and ideas from people from different walks of life, many of whom have great background in the

4/25/2018

County is so helpful to analysis of all of these items. These commissioners all have the citizens' best interests in mind. The deliberative process that this group can provide has often yielded very helpful and beneficial background for the decision makers on all of these functions. In particular, for all of the listed functions, the Plan Commission has the ability to "flush out" the opinions of the local citizens as well as give them open and honest answers to their questions. To me it is good government to be able to interact on that level with the people our County's actions impact the most.

Roger Bledsoe <[REDACTED]>
PROPOSED MAP AMMENDMENTS

To assure a proposal is within the "planned development" of said area and meets criteria of "best possible use".

Angela Zubko <[REDACTED]>

To verify it is compliance with the LRMP which the Plan Commission holds a yearly meeting on regarding proposed modifications.

2) special use permits and major amendments to special use permits

Claire Wilson <[REDACTED]>

Regarding Special Use Permits and Major Amendments to them, the Plan commission historically has deeply explored and attempted to determine to the greatest degree possible the impact of the uses/proposed uses on surrounding parcels. We try to project the long range implications, compatibility of the use with surrounding uses, and of great importance, the impact of the proposed use on the purpose and intent of the County long range plan.

Roger Bledsoe <[REDACTED]>
SPECIAL USE PERMITS

Verify requested use would not violate county ordinances, impinge on neighboring property use, meet "planned development" guidelines and meet criteria of "best possible use". on MAJOR AMMENDMENTS TO SPECIAL USE PERMITS
Verify that the County and the special use recipient receive fair and just treatment by such amendment keeping in mind the spirit of the original special use.

Angela Zubko <[REDACTED]>

Special Uses typically have conditions added to them or conditions that need to be verified. The Plan Commission would also verify the Special use fits into the LRMP

3) text amendments

Claire Wilson <[REDACTED]>

Regarding text amendments, we have the ability to thoroughly analyze the proposed wording and how this could unfairly negatively impact or positively impact legal pre-existing uses. In a recently proposed text amendment, we clearly saw how the changes could have caused significant negative and unfair economic harm to existing businesses. The wording of that proposal as presented to us was quite disturbing to say the least.

Roger Bledsoe <[REDACTED]>
TEXT AMMENDMENTS

To assure such amendments enhances and does not degrade or nullify the intent of the text in question.

Angela Zubko <[REDACTED]>

Most amendments modify language that the Plan Commission is checking during Rezonings, Special Uses, etc. From personal experience the Plan Commission typically gives the most input on text amendments and verifies they are 'practical' to uphold and enforceable.

4) KCRPC over all benfite to Land Use In county

Richard Wormley

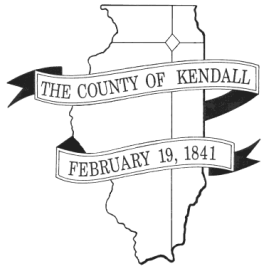
The feedback I have received from several board members is that our review of these matters saves them time and gives a different perspective on pending issues.

Taking all the above into consideration the plan Commission makes a recommendation to the PBZ committee **not** to remove the proposed review by the KCRPC of map amendments, special use permits, major SU amendments and text amendments.

sincerely,

Larry Nelson
Secretary Kendall County Regional Planning Commission

|



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: May 1, 2018
Re: 18-07 Proposed Text Amendment to Section 13.08 by Adding Sub-Section R Pertaining to Special Use Permit Renewal Procedures

At their meetings on April 25, 2018, the Comprehensive Land Plan and Ordinance Committee and Kendall County Regional Planning Commission reviewed Petition 18-07 pertaining to proposed text amendments to Section 13.08 regarding special use permit renewal procedures.

The Committee and Commission suggested the following changes:

The County Board should only initiate amendments and revocations for cause. Accordingly, in paragraph 1, “or if” shall be replaced with “because”. The County Board would only be able to amend or revoke special use permits if a special use permit holder were found guilty through the courts or administrative adjudication.

Paragraph 2 would be deleted in its entirety.

Paragraph 3 would remain unchanged.

In paragraph 4, the first sentence would be changed to read, “This Sub-Section shall apply to any special use permit issued after the date of adoption of this ordinance (insert date) requiring renewal.”

One (1) Commissioner voiced concerns about the previous owner language.

One (1) Commissioner suggested clarifying the language to focus on “on-going” violations; they suggested adding “unabated” to the first paragraph. They also suggested adding revocation to the first paragraph.

The Commission also voiced concerns about whether the County Board had to wait until the term end of the special use period ended or if revocation or amendment procedures could occur when immediately when an applicant is found guilty.

Staff does have concerns that the proposed procedure could create a conflict with the existing revocation procedures outlined in the Zoning Ordinance, a copy of which is attached. The majority of the special use permits issued in the last several years had provisions which stated the special use permit could be amended or revoked if the terms of the special use permit were violated.

Based on the above concerns, Staff prepared a revised version of the proposal. The original proposal is also attached to this memo.

Thanks,

MHA

PBZ Memo
May 1, 2018

ENCS: Proposed Revised Procedures
 Proposed Original Procedures
 Existing Revocation Procedures

Proposed Revised Procedures
Renewal of Special Use Permits Procedures (5/1/18)
Red Are Suggestions of Staff

Blue Comprehensive Land Plan and Ordinance Committee and Planning Commission Changes

13.08.R. Special Use Renewal Procedures

1. All special use permits requiring renewal shall automatically be renewed for the same duration as listed in the special use permit currently in effect unless the Kendall County Board requests one or more amendments to or **revocation of** the special use permit ~~or if because~~ the owner or previous owner(s) of the special use permit violated the provisions and conditions of the special use permit during the most recent effective period of the special use permit.
- ~~2. If the owner of the special use permit or the Kendall County Board requests one or more amendments to the special use permit, then the amendments shall be processed under the applicable provisions of the Kendall County Zoning Ordinance for minor and major amendments to a special use permit, depending on the nature of the requested amendment(s).~~
 - ~~a. If the owner of the special use permit requests one or more amendments, the owner of the special use permit shall be responsible for paying all applicable fees related to the securing of the requested amendment(s).~~
 - ~~b. If the Kendall County Board requests one or more amendments to the special use permit at the time of renewal, the Kendall County Board shall be responsible for paying all applicable fees related to the securing of the requested amendment(s).~~
 - ~~c. The most recent special use permit shall remain effective until the expiration date listed in the special use permit or the date in which the Zoning Administrator, in cases of minor amendments, or the Kendall County Board, in cases of major amendments, issues a decision on the application, whichever is later.~~
 - ~~d. The Zoning Administrator, in cases of minor amendments, and the Kendall County Board, in cases of major amendments, may impose reasonable restrictions and conditions on any new or existing restriction or condition on an amended special use permit.~~
 - ~~e. If the Zoning Administrator, in cases of minor amendments, or the Kendall County Board, in cases of major amendments, denies an amendment application, the most current version of the special use permit shall remain in effect as outlined in Section 13.08.R.1 above.~~
 - ~~f. At least one (1) year shall lapse between the date of denial and the application for the same or similar amendment(s) to a special use permit at the same property.~~
3. If the owner or previous owner(s) of the special use permit is found guilty of violating the terms and conditions of the special use permit through an administrative adjudication process or by a court of competent jurisdiction during the most recent effective period of the special use permit, the following procedure for amending or revoking a special use permit may occur:
 - a. Prior to initiating an amendment or revocation, the Kendall County Board shall direct the Planning, Building and Zoning Department to notify the property owner and owner of the special use permit by registered letter that changes to or revocation of their special use permit are under consideration. The letter shall state specific changes proposed by the Kendall County Board. The letter shall be sent not earlier than six (6) months or less than two (2) months prior to the renewal period stated in the special use permit.**

- b. **After sending the required letter**, the Kendall County Board may approve initiating amendment(s) to or revocation of a special use permit by a favorable vote of not less than three-quarters (3/4) of the members of the Kendall County Board.
 - c. **The proposed amendments or revocation shall follow the procedure outlined in Section 13.08.O (Major Amendments of Special Use Permits) regardless of the size or nature of the proposed amendment to or revocation of the special use permit.**
 - d. The Kendall County Board shall be responsible for paying all fees associated with the notification and holding of the hearing.
 - e. After the completion of the procedure outlined in Section 13.08.R.3.c, the Kendall County Board may approve amendments to or revocations of special use permits by favorable vote not less than three-quarters (3/4) of the members of the Kendall County Board.
 - f. **Within five (5) calendar days of approval of amendments to or revocation of a special use permit, the Kendall County Planning, Building and Zoning Department shall notify the property owner and owner of the special use permit by registered mail of the changes or revocation to the special use permit.**
 - g. **Changes approved by the Kendall County Board shall become effective thirty-five (35) calendar days after approval by the Kendall County Board. During the time period between the approval of the amendments and the amendments becoming effective, the conditions of the special use permit previously in effect shall remain in place.**
 - h. **Revocations of special use permits shall become effective thirty-five (35) calendar days after approval by the Kendall County Board. During the time period between the approval of the revocation and the revocation becoming effective, the conditions of the special use permit previously in effect shall remain in place.**
 - i. If a proposed amendment or revocation fails to receive the required votes, the existing special use permit shall be automatically renewed for the same duration as listed in the special use permit currently in effect.
 - j. If a special use permit is revoked under the provisions of this Sub-Section, the Zoning Administrator shall cause the Official Zoning Map of Kendall County to be amended to reflect the revocation.
 - k. At least one (1) year shall lapse between the date of revocation and the application for a new special use permit for the same or similar use at the same property.
4. This Sub-Section shall apply to any special use permit issued after **the date of adoption of this ordinance INSERT DATE** requiring renewal. Any special use permit issued prior to this date that requires renewal may follow the provisions of this Sub-Section if the owner(s) of the special use permit sign a notarized affidavit agreeing to the provisions of this Sub-Section.

Amendment to Section 13.08.F by adding the following paragraph:

If the owner or immediate previous owner of the special use permit is found guilty of violating the terms and conditions of the special use permit through an administrative adjudication process or by a court of competent jurisdiction and all judicial appeals of the guilty verdict have been exhausted, the County Board may initiate revocation of or amendment to the special use permit using the procedures outlined in Section 13.08.R of the Kendall County Zoning Ordinance. This paragraph shall apply to any special use permit issued after the date of adoption of this ordinance INSERT DATE. Any special use permit issued prior to this date may follow the provisions of this paragraph if the owner(s) of the special use permit sign a notarized affidavit agreeing to the provisions of this paragraph.

Proposed Original Procedures
Renewal of Special Use Permits Procedures

13.08.R. Special Use Renewal Procedures

1. All special use permits requiring renewal shall automatically be renewed for the same duration as listed in the special use permit currently in effect unless the owner of the special use permit or the Kendall County Board requests one or more amendments to the special use permit or if the owner or previous owner(s) of the special use permit violated the provisions and conditions of the special use permit during the most recent effective period of the special use permit.
2. If the owner of the special use permit or the Kendall County Board requests one or more amendments to the special use permit, then the amendments shall be processed under the applicable provisions of the Kendall County Zoning Ordinance for minor and major amendments to a special use permit, depending on the nature of the requested amendment(s).
 - a. If the owner of the special use permit requests one or more amendments, the owner of the special use permit shall be responsible for paying all applicable fees related to the securing of the requested amendment(s).
 - b. If the Kendall County Board requests one or more amendments to the special use permit at the time of renewal, the Kendall County Board shall be responsible for paying all applicable fees related to the securing of the requested amendment(s).
 - c. The most recent special use permit shall remain effective until the expiration date listed in the special use permit or the date in which the Zoning Administrator, in cases of minor amendments, or the Kendall County Board, in cases of major amendments, issues a decision on the application, whichever is later.
 - d. The Zoning Administrator, in cases of minor amendments, and the Kendall County Board, in cases of major amendments, may impose reasonable restrictions and conditions on any new or existing restriction or condition on an amended special use permit.
 - e. If the Zoning Administrator, in cases of minor amendments, or the Kendall County Board, in cases of major amendments, denies an amendment application, the most current version of the special use permit shall remain in effect as outlined in Section 13.08.R.1 above.
 - f. At least one (1) year shall lapse between the date of denial and the application for the same or similar amendment(s) to a special use permit at the same property.
3. If the owner or previous owner(s) of the special use permit is found guilty of violating the terms and conditions of the special use permit through an administrative adjudication process or by a court of competent jurisdiction during the most recent effective period of the special use permit, the owner of the special use permit shall apply for renewal of the special use permit under the same process as applications for new special use permits.
 - a. If the owner of a special use permit applies for renewal under this sub-Section, the existing special use permit shall remain effective until the expiration date listed in the existing special use permit or until the Kendall County Board issues a decision on the renewal application, whichever is later.
 - b. If the owner of a special use permit requiring renewal under this sub-Section of the Zoning Ordinance does not submit an application for renewal, then the special use permit shall be automatically revoked at its expiration date.

- c. If the Kendall County Board denies a request for a required renewal of a special use permit, the existing special use permit shall be deemed expired and revoked on the expiration date listed in the existing special use permit. Nothing in the provision shall be construed as a regulation restricting the Kendall County Board from initiating revocation procedures as outlined in Section 13.08.F. of the Kendall County Zoning Ordinance.
 - d. If a special use permit is revoked under the provisions of b or c listed above, the Zoning Administrator shall cause the Official Zoning Map of Kendall County to be amended to reflect the revocation.
 - e. At least one (1) year shall lapse between the date of revocation and the application for a new special use permit for the same or similar use at the same property.
4. This Sub-Section shall apply to any special use permit issued after **INSERT DATE** requiring renewal. Any special use permit issued prior to this date that requires renewal may follow the provisions of this Sub-Section if the owner(s) of the special use permit sign a notarized affidavit agreeing to the provisions of this Sub-Section.

Existing Revocation Procedure
Section 13.08

F. REVOCATION. In any case where a special use has not been established within two (2) years from the date of granting thereof, then, the County Board may revoke the special use, or if the special use has been discontinued for a continuous period of two (2) years, the County Board may revoke the special use. If a revocation is proposed, the Zoning Board of Appeals shall hold a public hearing (following procedures outlined in Section 13.08 H below) and submit to the County Board a report of their findings and recommendations. The current property owner shall be provided notice at least 15 days in advance of the hearing. (*Amended 3.21.18*)

If the special use permit holder wishes to discontinue the special use, he or she may request revocation of said special use, no matter the duration of time that the special use has been discontinued. The owner shall submit to the PBZ Department, in writing, a request to the County Board to revoke said special use. Such a request shall be signed by the owner. No public hearing shall be required for an owner initiated revocation. Said revocation shall be discussed by the PBZ Committee for review and recommendation to the County Board. A revocation shall not become effective unless approved by the County Board.

Matt Asselmeier

From: Matt Asselmeier
Sent: Wednesday, February 21, 2018 4:33 PM
To: [REDACTED]
Cc: Brian Holdiman; Scott Koeppel
Subject: RE: Permit #04-2008-211

Ed Westerdahl:

The Kendall County Planning, Building and Zoning Committee instructed the Staff of the Kendall County Planning, Building and Zoning Department to send the owner of this property a letter asking him to put siding on his house and giving the property owner additional time to complete the project. There was no timeline given to the property owner to complete the work.

If you would like to let the Committee know your opinion of this matter in person, their next meeting is March 12th at 6:30 p.m. in the County Board Room at 111 W. Fox Street in Yorkville.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

----- Forwarded message -----

From: "Edward Westerdahl" [REDACTED]
Date: Wed, Feb 21, 2018 at 3:16 PM -0600
Subject: Fw: Permit #04-2008-211
To: "Brian Holdiman" <BHoldiman@co.kendall.il.us>, "Judy Gilmour" <jgilmour@co.kendall.il.us>, "Lynn Cullick" <lcullick@co.kendall.il.us>, "mkello@co.kendall.il.us" <mkello@co.kendall.il.us>, "Robert Davidson" <rdavidson@co.kendall.il.us>, "Scott R. Gryder" <sgryder@co.kendall.il.us>, "Jeff Wilkins" <JWilkins@co.kendall.il.us>, "Pam Herber" <pherber@co.kendall.il.us>

Please advise the disposition of #04-2008-211 , notwithstanding , 2 violations Ord# 8815 .
Thank You .

On Tuesday, January 9, 2018 7:41 AM, Edward Westerdahl [REDACTED] wrote:


We now approach 10 years from issuance ... and ? . Please advise if my concern for our property values is misplaced .
Regards , Ed Westerdahl .

On Tuesday, September 5, 2017 5:24 PM, Scott R. Gryder <sgryder@co.kendall.il.us> wrote:

Hi Ed, thank you for your email. We will be discussing at our PBZ committee meeting next Monday evening.

Scott

From: Edward Westerdahl [mailto:
Sent: Wednesday, August 23, 2017 9:26 AM
To: Brian Holdiman <BHoldiman@co.kendall.il.us>; Robert Davidson <rdavidson@co.kendall.il.us>; Lynn Cullick <lcullick@co.kendall.il.us>; Judy Gilmour <jgilmour@co.kendall.il.us>; Scott R. Gryder <sgryder@co.kendall.il.us>; mkello@co.kendall.il.us
Subject: Permit #04-2008-211

This permit is over 9 years old . We look at this everyday .
The view is quite unworthy of the taxes we pay . Please
tell me why this is acceptable ? Respectfully submitted ,
Ed Westerdahl 

Brian Holdiman

From: Greg Stromberg [REDACTED]
Sent: Thursday, December 28, 2017 10:04 AM
To: Brian Holdiman
Subject: 45 cheyenne court. Oswego.

To: Brian holdiman- inspector

Kendall county building and zoning
board.

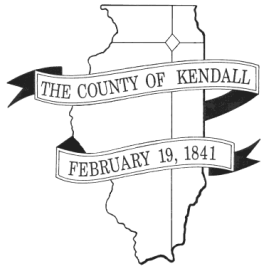
All others concerned

My name is greg stromberg. I live at 45 cheyenne court in oswego. Over the past many years our home has been under an extreme construction project. We have experienced several extreme setbacks in this time. The 2 worst being the economy recession and a crooked business partner whom almost cost us our home completely. In starting our business anew in 2012. It has been a slow up and down road back. With that being said. We have continually tried to keep up with neatness and push forward with what we have had to work with. As of late things with work are great. Brian holdiman has been nothing short of exceptional in his help and understanding with all of this. I know i have needed to try to establish a timeline of where we are at to try to ease some tension over this. Believe me tension at home has been very hard. My wife and i have been thru hell but do not quit. I feel i can now give you a better outlook for this. Our major construction has been basically done for a while. Our exterior is tyvek paper as of now. I am working internally on staircases and sorting out electric and such. When weather breaks we are set to install our soffits,fascia, and gutters. Siding and new tyvek also will be done. Also pouring our new front porch. Completing exterior is our priority as our neighbors have mostly been great. During winter i am working inside and will keep in touch with brian in regards to electrical work. I hope this will shed light on this for you. Had we have known what was in store for us. Our plan would have changed obviously. We will get thru and done. I thank you all for your patience and understanding. Please contact me if you need any further information from me.

Thank you much

Sincerely,

Greg stromberg



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: May 1, 2018
Re: Future Land Use Along Illinois Route 47 in Lisbon Township

In the months since the January meeting, which was the last time the Planning, Building and Zoning Committee reviewed the proposed changes to the Future Land Use Map in Lisbon Township, the Kendall County Regional Planning Commission held a public meeting in Lisbon Township. This meeting occurred on February 9th at the Fire Barn in Plattville. Sixteen (16) residents of Lisbon Township attended the meeting and voiced almost unanimous opposition to the proposed changes.

In subsequent meetings, the Comprehensive Land Plan and Ordinance Committee amended the proposal by replacing the commercial designation at the southeast corner of the intersection of Routes 52 and 47 with a mixed use business designation and incorporated the mixed use business designation on Route 52 west of 47 to correspond to the Village of Lisbon's Comprehensive Plan. An updated map is attached for your review.

The following land use/zoning matrix should be kept in mind:

Mining=M-3

Mixed Use Business=B-6, M-1, M-2 and M-3

Transportation Corridor= B-3, B-5 and B-6

Commercial= B-1, B-2 and B-3

Rural Settlements=Areas with a maximum 2,000 residents with a combination of residential and support services.

The list of uses allowed in each zoning district is attached. The Village's Future Land Use Map is also attached.

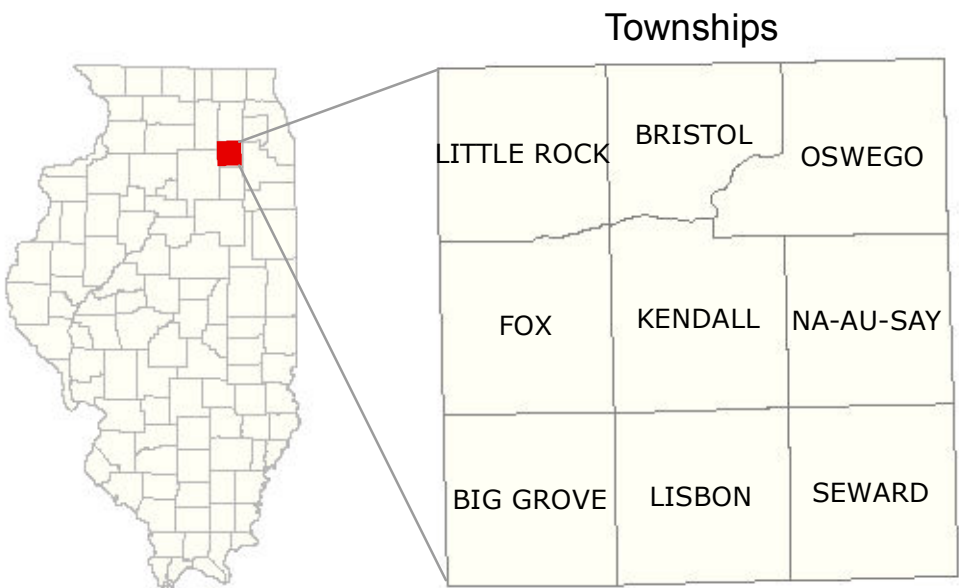
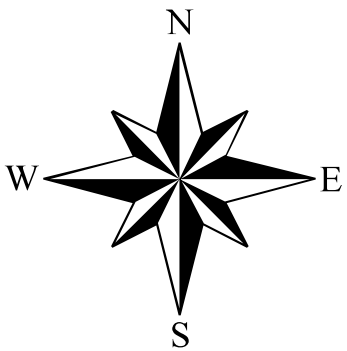
MHA

ENC: 4-26-18 Draft Lisbon Future LRMP
1-25-18 Draft Lisbon Future LRMP
1-9-18 Draft Lisbon Future LRMP
Current Future Land Use Map for Lisbon Township
Future Land Use Map, Village of Lisbon
Proposed Findings of Fact and Draft Future Land Use Map
Business and Manufacturing District Permitted and Special Uses

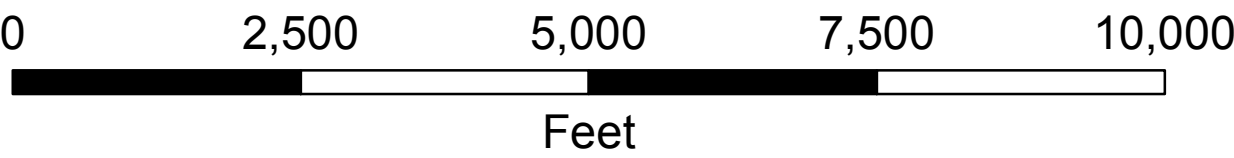
DRAFT Lisbon Future LRMP
Helmar Rd to Sherrill Rd
KENDALL COUNTY

- 2018 -

<http://www.co.kendall.il.us>



Scale: 1 in = 1,667 feet



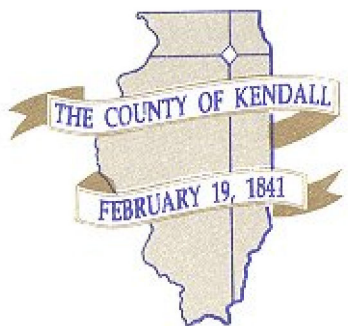
Legend

- Outer Roads
- Proposed Roadways

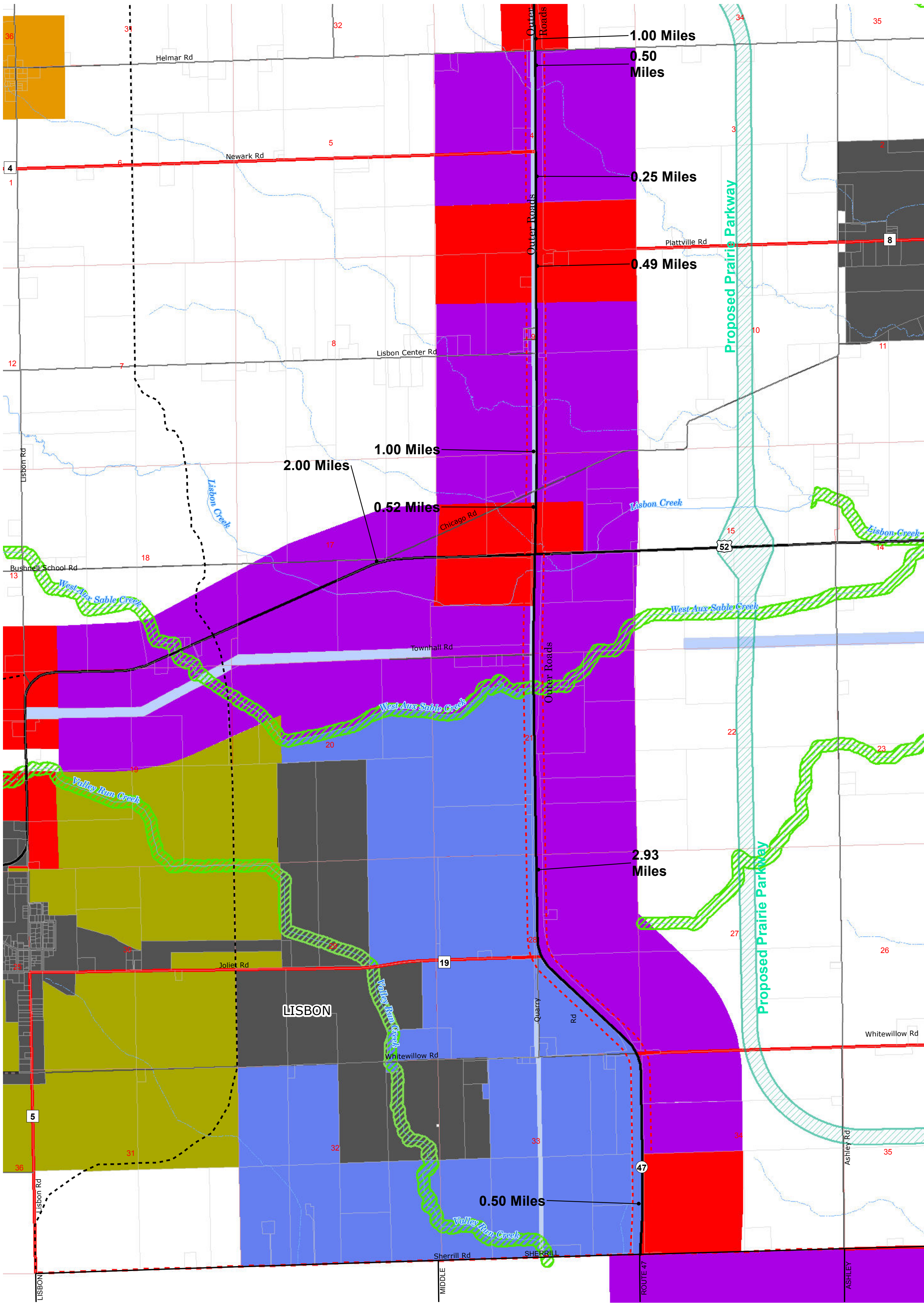
Future LRMP

Abbreviation

- Natural Resource Areas
- Grundy Mixed Use Business
- Court Ordered Mining
- Open Space
- Urbanized Areas
- Mixed Use Business
- Transportation Corridors
- Public Institutional
- Mining
- Rural Settlements
- Commercial
- Continued Growth Suburban Residential



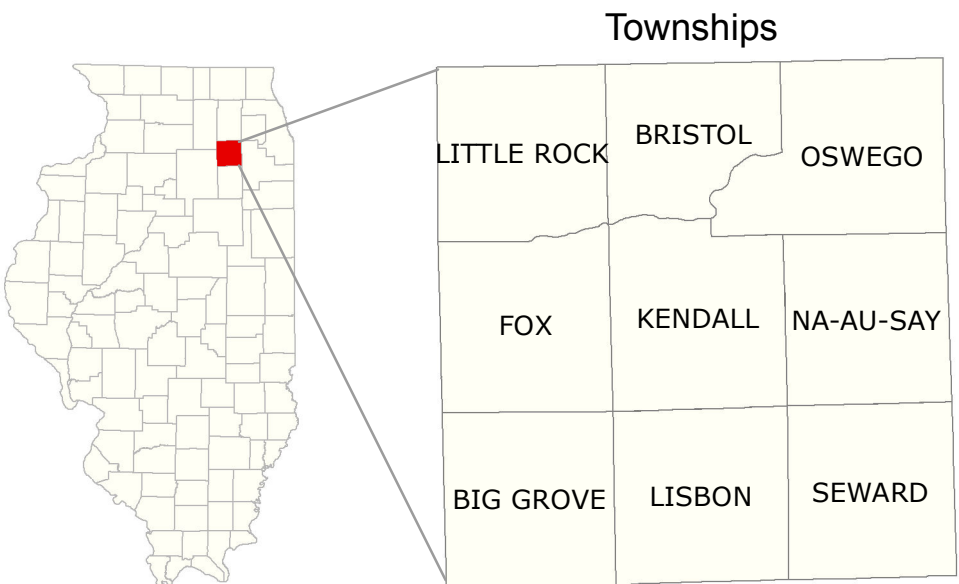
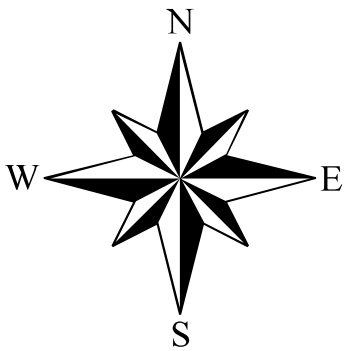
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111 West Fox Street - Room 308
Yorkville, Illinois 60560-1498
630.553.4030



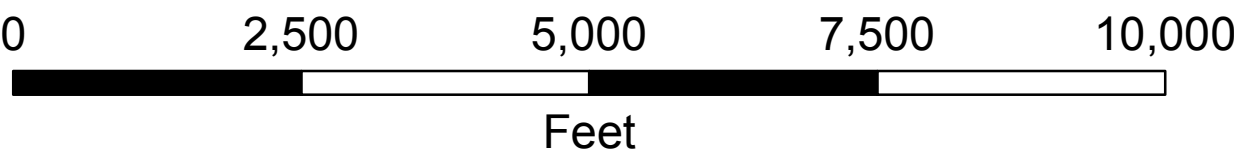
DRAFT Lisbon Future LRMP
Helmar Rd to Sherrill Rd
KENDALL COUNTY

- 2018 -

<http://www.co.kendall.il.us>

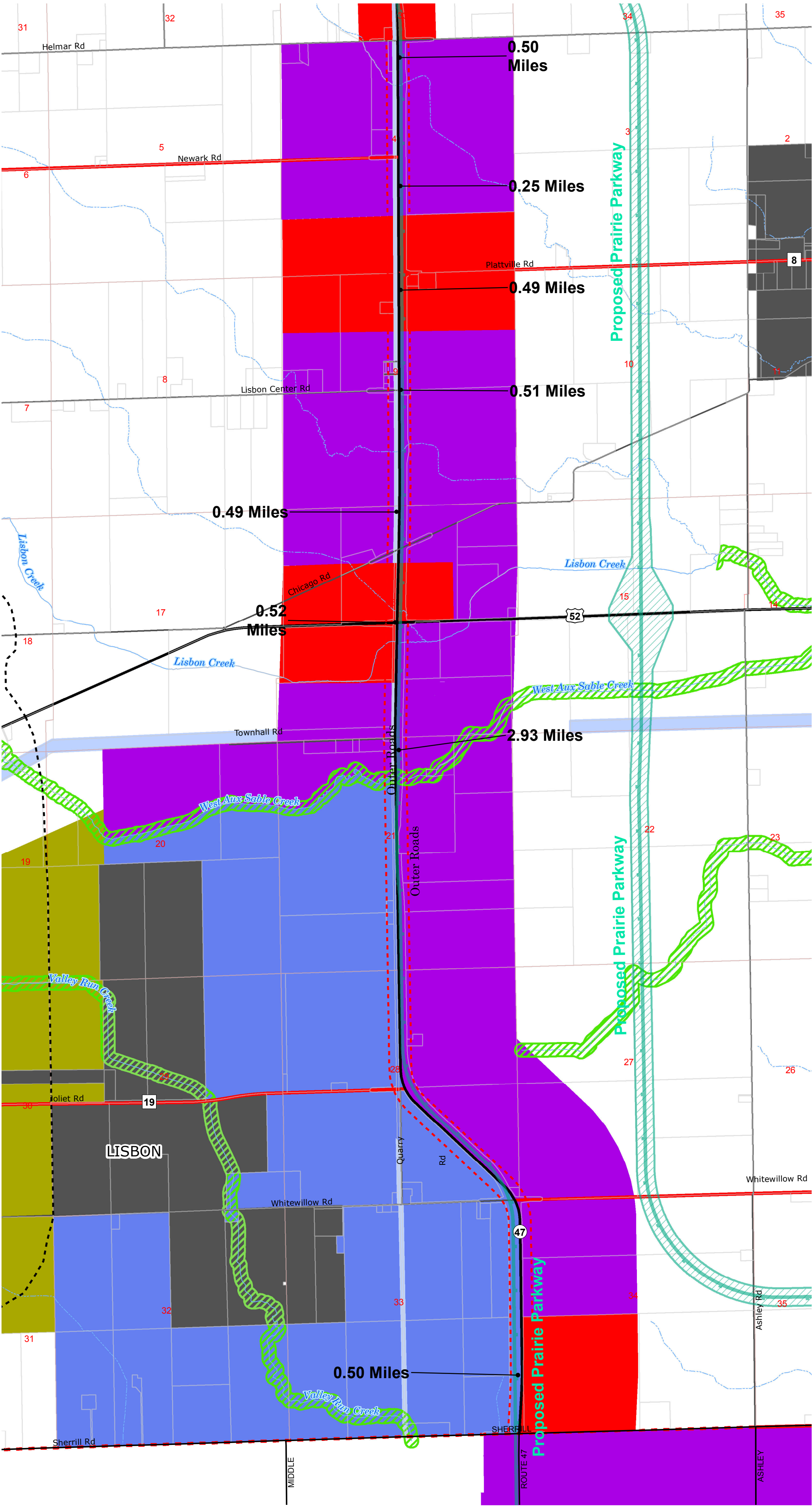


Scale: 1 in = 1,667 feet

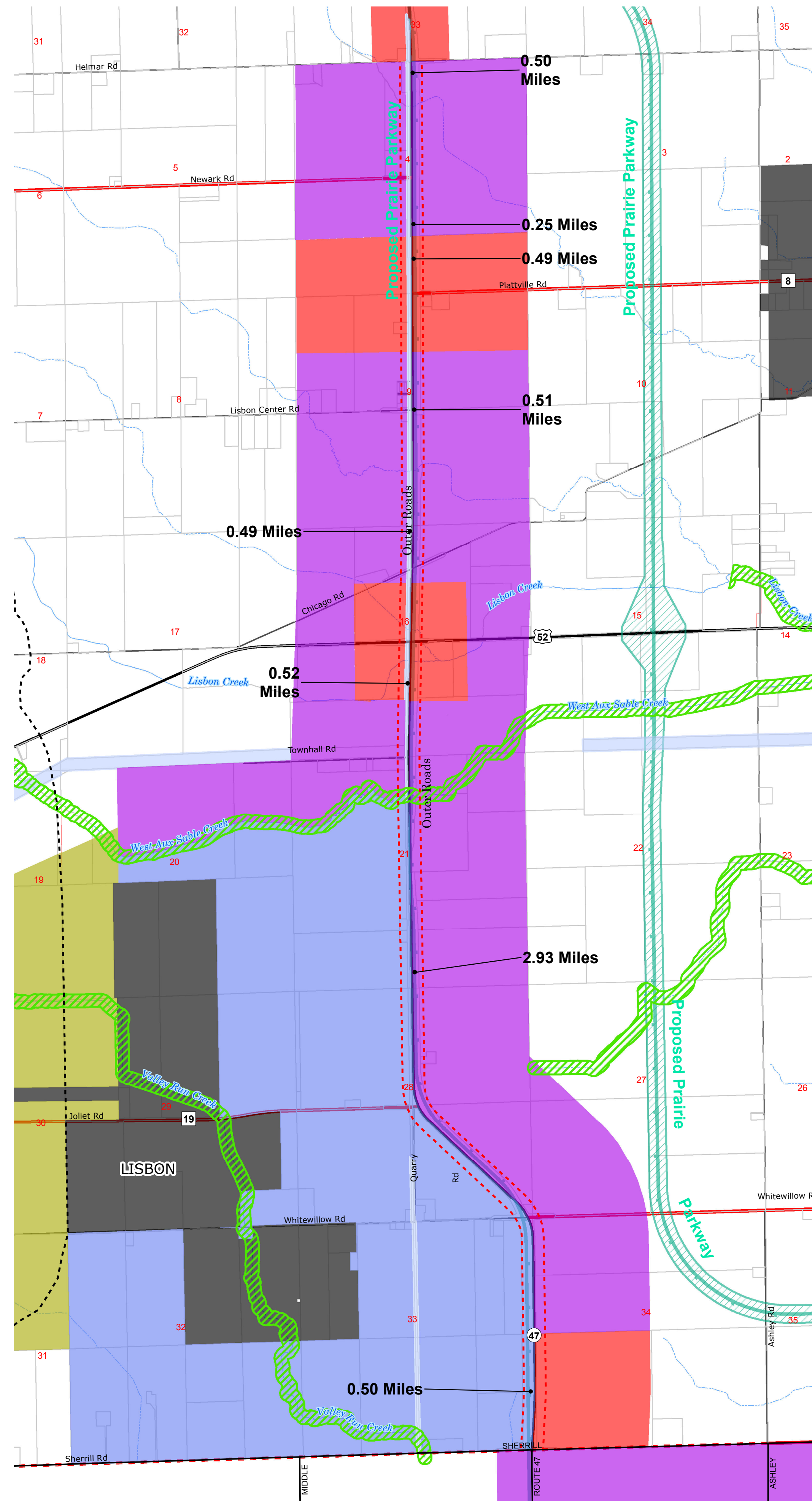


Legend

- Outer Roads
- Proposed Roadways
- Future LRMP
- Abbreviation
 - Natural Resourse Areas
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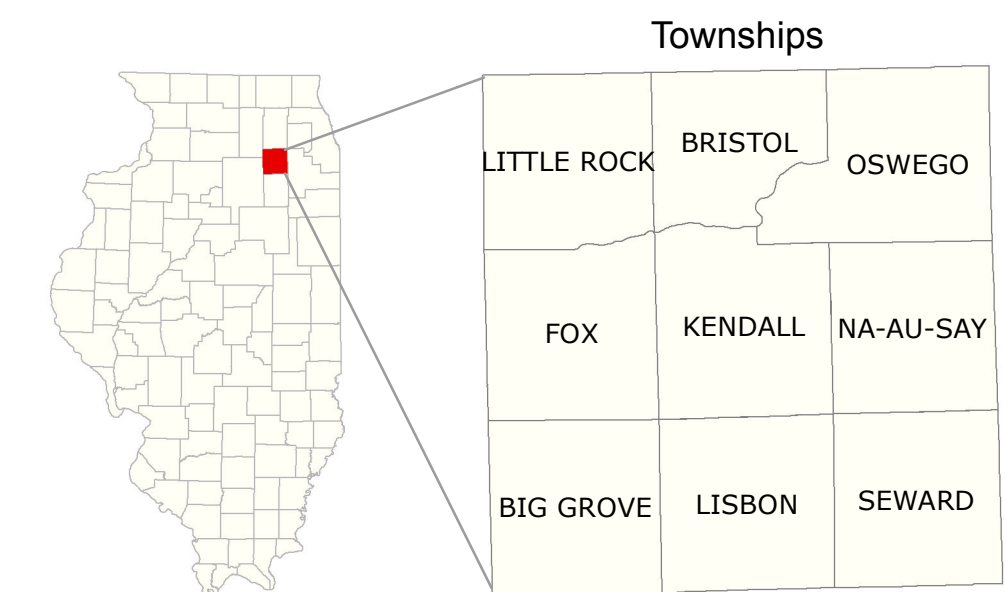
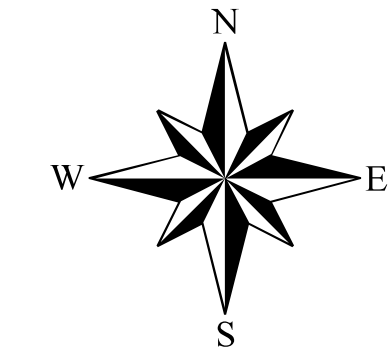


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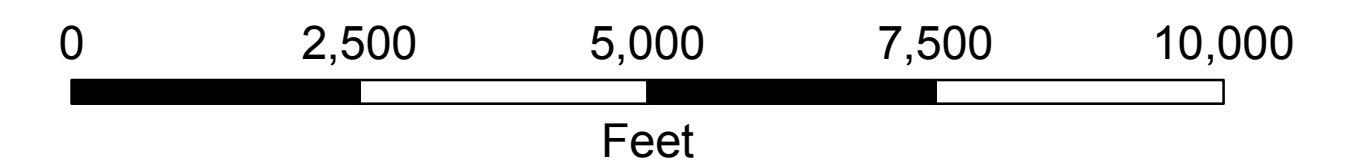


DRAFT Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY - 2018 -

<http://www.co.kendall.il.us>



Scale: 1 in = 1,667 feet



Legend

--- Outer Roads

--- Proposed Roadways

Future LRMP

Abbreviation

Natural Resource Areas

Grundy Mixed Use Business

Court Ordered Mining

Open Space

Urbanized Areas

Mixed Use Business

Transportation Corridors

Public Institutional

Mining

Rural Settlements

Commercial

Continued Growth Suburban Residential

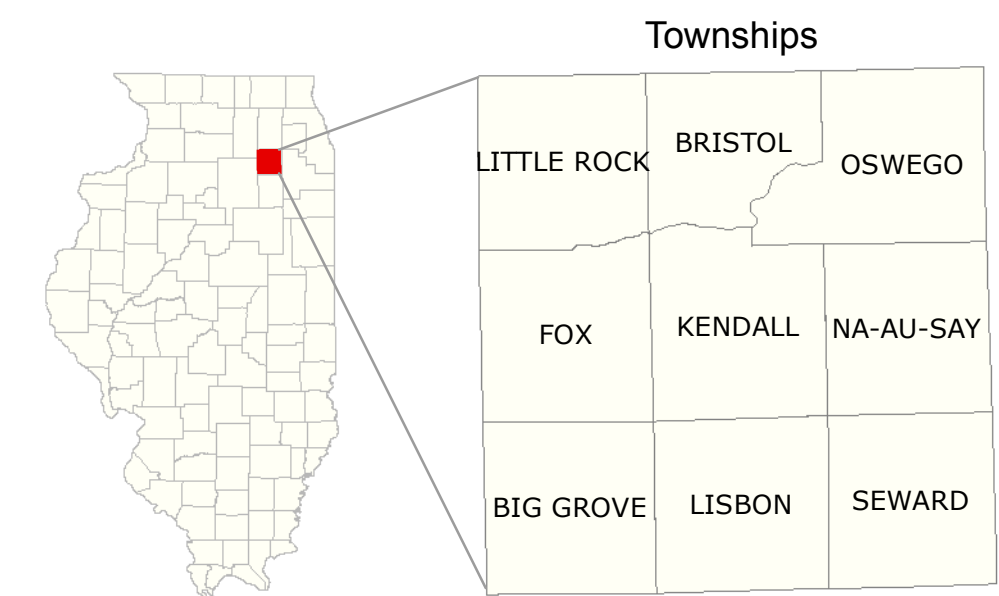
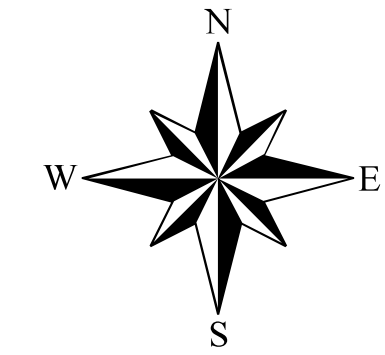


Kendall County GIS

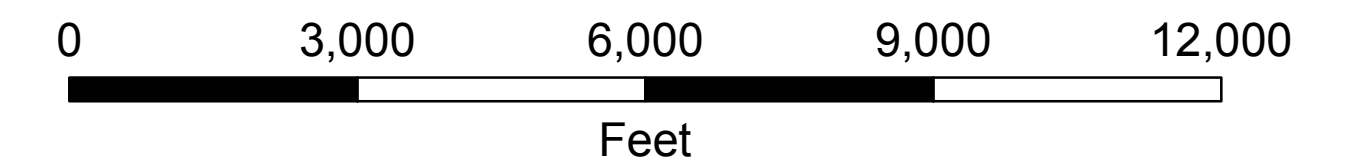
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Yorkville, Illinois 60560-1498
630.553.4030

Future Land Use Lisbon Township KENDALL COUNTY - 2017 -

<http://www.co.kendall.il.us>



Scale: 1 in = 2,000 feet

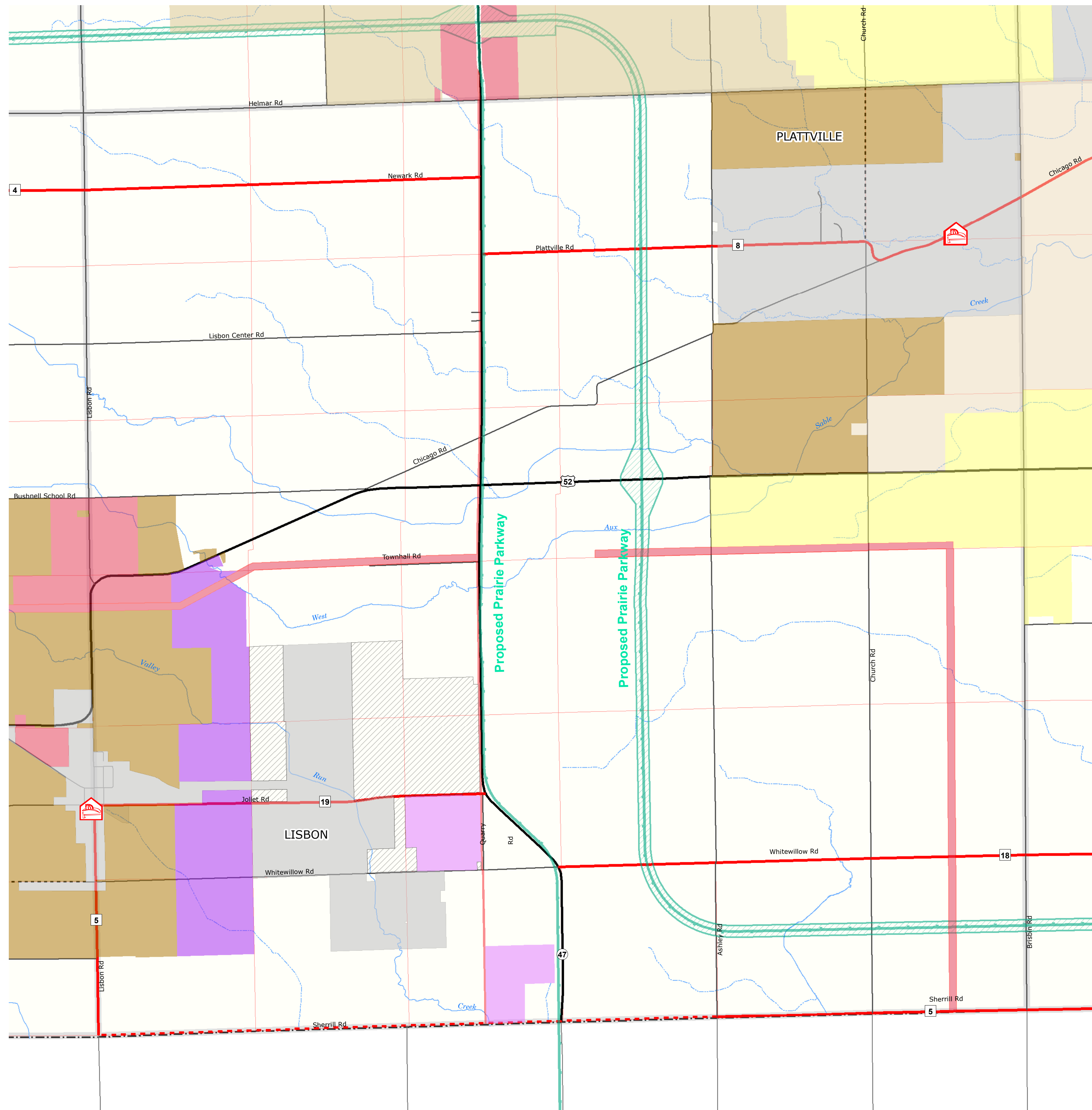


Legend

Future Land Use

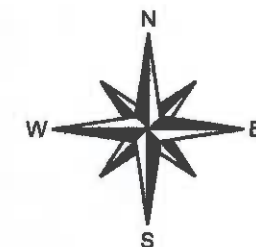
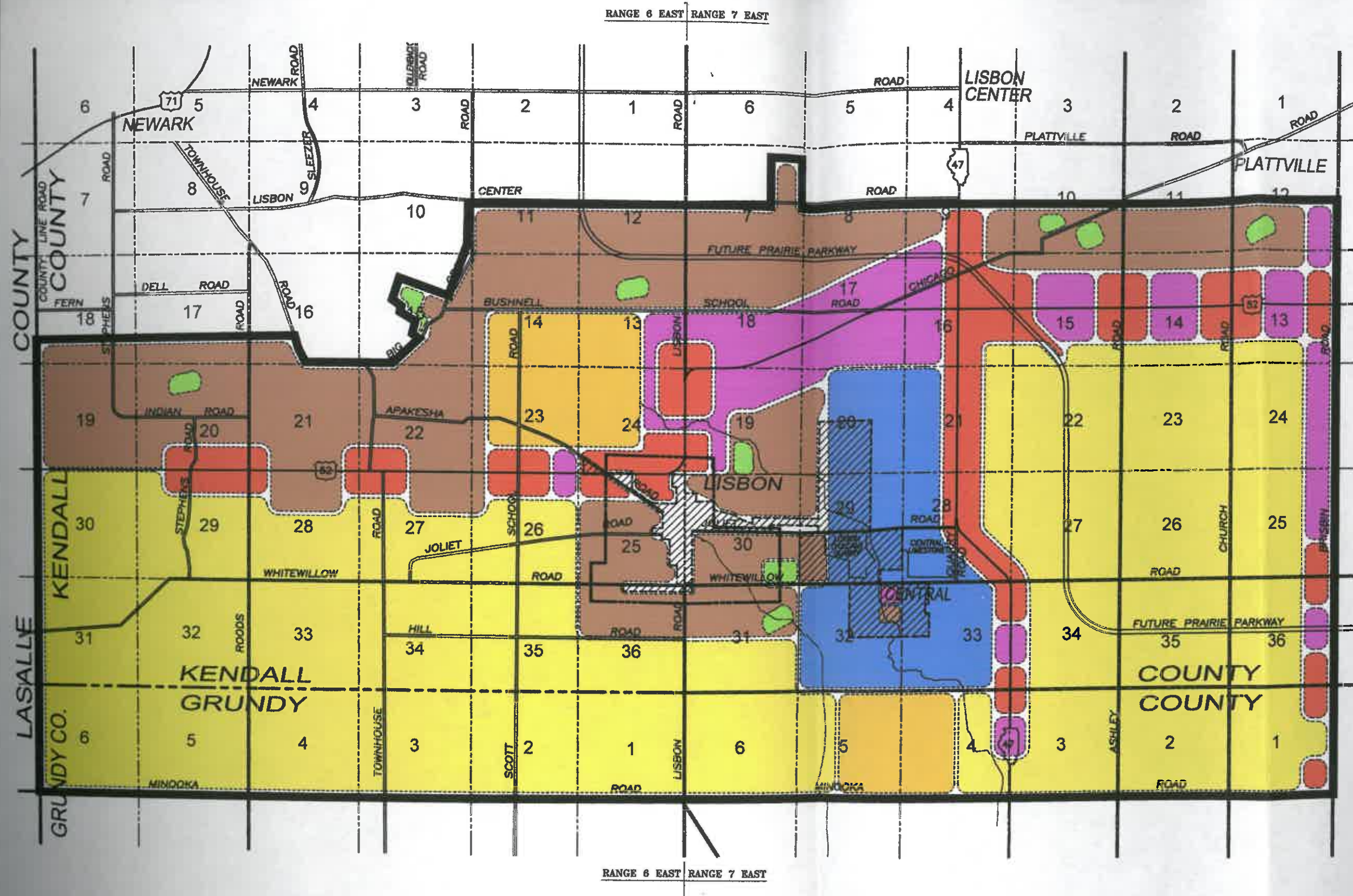
Land Use Type

- Urban Areas - Incorporated
- Suburban Residential - Max Density 1.00 DU Acres
- Rural Residential Max Density 0.65 DU Acres
- Rural Estate Residential Max Density 0.45 DU Acre
- Countryside Residential Max Density 0.33 DU Acre
- Commercial
- Commonwealth Edison
- Mixed Use Business
- Transportation Corridors
- Mining
- Potential Mining District
- Public/Institutional
- Agriculture
- Open Space
- Forest Preserve/State Parks
- Unknown
- FEIS_centerline
- Protected Corridor - 2007



Kendall County GIS

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LEGEND

- LISBON COMPREHENSIVE BOUNDARY
- EXISTING LISBON VILLAGE LIMITS
- ORIGINAL LISBON VILLAGE LIMITS
- COMMERCIAL
- MIXED USE BUSINESS
- MINING
- OPEN SPACE
- 1 ACRE CITY LOTS
- INDUSTRIAL
- AGRICULTURAL

TOWNSHIP 34 NORTH
TOWNSHIP 33 NORTH

DRAWN BY: MAB	DATE: 8/14/07
CHECKED BY: GRC	DATE: 8/14/07

CHAMLIN
ASSOCIATES

PERU MORRIS
ILLINOIS

COMPREHENSIVE PLANNING MAP VILLAGE OF LISBON, KENDALL COUNTY, ILLINOIS

PLANNING AREAS

SCALE: 1" = 1700'

FILE NO.:

SHEET

OF

Findings of Fact for Proposed LRMP Map Changes Along Route 47 (Approximately 5.5 Miles)
in Lisbon Township

1. The Illinois Department of Transportation approved Alternative B5 in 2007 which called for the widening of Route 47 from Caton Farm Road to the Grundy County Line through Lisbon Township as part of the Prairie Parkway Project.
2. The purpose of the Prairie Parkway was to:
 - a. “Improve regional mobility by providing more north-south, higher speed multi-lane roads or additional lanes to serve traffic growth and reduce regional travel times for long distance travel.
 - b. Address local system deficiencies by developing a transportation system that serves forecast growth in local traffic and reduces travel times.
 - c. Improve access from the study area to regional jobs by serving the forecast growth in work trips and by reducing travel times from the study area current and future jobs.
 - d. Improve safety by reducing existing and projected growth in motor vehicle crashes”
Source: Prairie Parkway Design Report (2011) Page 1.
3. The Illinois Department of Transportation did not conduct any economic analysis of the impact of the proposed Prairie Parkway on lands located near Route 47 south of Caton Farm Road. Source: Illinois Department of Transportation
4. Changes to the alignment of the Prairie Parkway could cause the Illinois Department of Transportation to re-study the corridor, including updating the NEPA environmental reports, if federal dollars were pursued.
5. There are commercial and industrial lands in Grundy County and Minooka closer to Interstate 80 interchange
 - a. Kraft facility has 1 million square feet available.
 - b. 150 acres is available across from the Morris Airport
 - c. Morris plans warehouses out to Brisbin Road.
 - d. Morris plans retail on Route 47 north of town.
 - e. Morris plans industrial uses by the airport.
Source: Grundy County EDC
6. The City of Morris has extended water lines to Minooka Road and sanitary sewer lines to Nelson Road; no plans to extend infrastructure into Lisbon Township. The City of Morris obtains water for the area north of Interstate 80 from wells south of Interstate 80 Source: Guy Christensen, City of Morris

7. The Chicago Metropolitan Agency for Planning, in the Kendall County Industrial Market Analysis of April 2016, concluded that industrial uses would favor locations near Minooka and inside Grundy County because of their proximity to Interstate 80 (Page 34)
8. Any buildings constructed presently along the corridor will utilize wells and septic systems. Larger buildings (over 5,000 square feet) will need adequate water for fire suppression and/or will need to be constructed with appropriate firewalls.
9. No fiber optics lines currently exist in the area.
10. Traffic counts along Route 47 in Lisbon Township have generally declined since 2003 with the exception for the north end of the Township:
 - a. 5400 (2003) to 4950 (2017) south end of County
 - b. 6300 (2003) to 4950 (2017) south end Route 47 and 52 interchange
 - c. 6600 (2003) to 6250 (2017) north of Chicago Road
 - d. 6400 (2003) to 6700 (2017) at Newark RoadSource: Illinois Department of Transportation
11. Traffic Counts on Route 52 have remained steady since 2003:
 - a. 1800 (2003) to 1600 (2017) south of Bushnell School Road
 - b. 2900 (2003) to 3350 (2017) east of 47Source: Illinois Department of Transportation
12. Current traffic accidents are most likely to occur near road intersections; many of these accidents are “failure to yield” type accidents. The types of accidents could change and could include more overcorrection type accidents after the widening project is completed. Source: Kendall County Sherriff’s Department
13. The existing Kendall County Land Resource Management Plan calls for agricultural uses along most of the corridor. Source: Kendall County Land Resource Management Plan (2011)
14. The Village of Lisbon’s existing Comprehensive Plan calls for commercial, mixed uses and mining along and near the corridor. Source: Village of Lisbon Comprehensive Plan (2009)
15. The intersection of Routes 47 and 52 is the most likely area on the northeast side of an enlarged Village of Lisbon where sales tax producing businesses could locate. The northeast corner of the intersection is already zoned B-3 Highway Business.

16. Existing mining operations are located in Sections 21, 28 and 33. The mining operations could expand into Sections 32, 29 and 20.
17. West Aux Sable Creek is located in the area.
18. The intersection of Plattville Road and Route 47 is the most likely area on the west side of an enlarged Village of Plattville where sales tax producing businesses could locate.
19. Grainco FS and CHS Elburn currently operate grain storage facilities between Helmar and Newark Roads on the west side of Route 47. These uses are special uses in the A-1 Zoning District and are Permitted Uses in the M-2 Zoning District.
20. Commonwealth Edison has a ROW along Route 47 running north to south and near Townhall Road running east to west.
21. The Kendall County Land Resource Management Plan includes classifications for Commercial Uses (office and retail establishments at nodes), Transportation Corridor Uses (uses in B-3, B-5 and B-6 Zoning Districts), Mixed Use Business (uses in B-6 and the 3 Manufacturing Districts) and Mining.
22. Most of the land along the corridor is currently used for agricultural purposes.
23. The Kendall County Economic Development Committee would like outer roads to ensure to prevent interruption of traffic flows in the area. The Committee was also concerned about adequate water and the aesthetics of the corridor. The Committee also wanted a portion of the corridor reserved for industrial uses.
24. Few houses are located along the corridor. Locations with less traffic tend to be better suited for residential uses and these locations exist elsewhere in the County. No loss of affordable housing units is anticipated. The County will remain in compliance with the Illinois Affordable Housing Planning and Appeal Act (310 ILCS 67).

9.04 B-3 HIGHWAY BUSINESS DISTRICT

- A. Purpose: The B-3, Highway Business District is intended for major retail, service and repair establishments serving a large trade area, usually the entire County or beyond and oriented to the traveling public. The trade area population served by these establishments requires easy access, although patronage is more dispersed and visits to these establishments less frequent than in the B-1 District and B-2 District. It is the intent of the B-3 District regulations that establishments desiring location along major traffic routes are grouped with appropriate and adequate access ways provided.
- B. Permitted Uses. The following uses are permitted:
1. All Permitted Uses identified in the B-2 General Business District
 2. Agricultural implement sales and service on an open lot or within a building.
 3. Animal hospital
 4. Banquet Halls are permitted subject to the following conditions:
 - a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
 - b. The subject parcel must be a minimum of 5 acres.
 - c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
 - d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
 - e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
 - f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
 - g. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

5. Beverages, non-alcoholic, bottling and distributing.
6. Boat, Trailer and Recreational Vehicle sales or rental and service
7. Carpet and Rug Stores
8. Clean up and restoration services with the following conditions:
 - a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
 - b. All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.
 - c. All operations are to take place inside an enclosed structure.
 - d. A waste management plan must be submitted for approval and included as an exhibit to the approving ordinance
 - e. A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings.
 - f. No materials that are brought in can be burned on this site.
 - g. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).
 - h. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
9. Construction equipment sales and service.
10. Crematories/ Funeral Homes
11. Currency exchange.

12. Drive through or drive up windows for any permitted use excluding the sale of alcoholic beverages.
13. Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.
14. Health clubs (public or private) and related accessory uses.
15. Hotel and/or Motels
16. Indoor entertainment and recreation
17. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.
18. Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.
19. Miniature Golf Courses
20. Motor Vehicle Service Stations for Retail Sale of Gasoline and Oil for Motor Vehicles
21. Motor Vehicle Sales/Motorcycle Sales
22. Motor Vehicle/Motorcycle service stations, including repair and rebuilding, or painting of motor vehicles
23. Motor Vehicle washing—Facilities including the use of mechanical conveyers, blowers and steam cleaning.
24. Nurseries and greenhouses
25. Parking Garages for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity.
26. Restaurants, including the drive-in type where food is served to customers remaining in motor vehicles.
27. Taverns

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00.

1. Child Day Care Facility
2. Clubs and Lodges (non-profit), fraternal or religious institutions.
3. Communication Uses
4. Community Center/ After school programs/ Educational Center
5. Consumer credit, payday loan offices, financing or financial offices.
6. Dwelling units for Watchmen and Families including a Caretaker.
7. Fertilizer sales, including limited storage.
8. Hospitals
9. Indoor Target Practice with the following conditions:
 - a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.
 - b. Must be at least 150' from existing dwellings and property lines of schools, daycares, and places of worship.
 - c. Hours of operation from 7am to 10pm
 - d. No alcohol allowed.
 - e. Must meet all requirements of the Kendall County Health Department.
 - f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.
10. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.
11. Kennels with the condition that the kennels must be located inside and must be located a minimum of 250' from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and 150' from lots zoned other than residential or shown on the LRMP map as non-residential. The animals must be indoors by sunset.
12. Landscaping business, provided that:
 - a. All vehicles equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.

- b. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.
 - c. No landscape waste generated off the property can be burned on this site.
- 13. Meetings Halls
- 14. Micro-Brewery and/or Winery
- 15. Micro Distillery subject to the following conditions:
 - a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
 - b. Locally grown inputs shall be used to the greatest extent possible
 - c. The number of hours permitted to operate shall be on the approving ordinance.
 - d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.
 - e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
 - f. Shall contact & meet all requirements of the Kendall County Health Department.
 - g. A waste management plan should be submitted to the Kendall County Health Department
- 16. Outdoor storage provided such storage is screened from adjacent and surrounding properties.
- 17. Outdoor amusement establishments, carnivals, kiddie parks, and other similar amusement centers, and including places of assembly devoted thereto, such as stadiums and arenas.
- 18. Pawn Shop
- 19. Performing arts center subject to the following conditions:

- a. The site shall have frontage on and access to a collector or arterial road, provided that the highway authority with jurisdiction over the subject road may approve alternative access.
 - b. The site shall be shown as a commercial area on the Land Resource Management Plan.
 - c. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations)
 - d. The amount of students and type of events are listed in the approving ordinance.
 - e. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
 - f. Must meet applicable Fire Protection District codes.
- 20. Places of Worship subject to the following conditions:
 - a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.
 - b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.
 - c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00
- 21. Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured. The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet. Said sales areas shall be set back at least ninety (90) feet from the center line of all adjacent roads with off-street parking for a minimum of five (5) cars. Seasonal outdoor displays on above listed items are also permitted.
- 22. Public or Private Utilities and Service uses:
 - a. Telecommunications hub
 - b. Filtration plant, pumping station, and water reservoir.
 - c. Sewage treatment plant.
 - d. Electric substations and booster stations.
 - e. Other Similar uses

23. Retail or wholesale sales yards for agricultural products including, but not necessarily limited to, fruits, vegetables, flowers, plants, etc., that are not grown on the premises.
24. Self-Service Storage Facilities
25. Telecommunications Stations
26. Theaters: Outdoor theaters (drive-in), indoor theaters and convention centers.
27. Truck Driving School
28. Truck Stop

D. Conditional Uses. All conditional uses outlined in the B-2 General Business District (Section 9.03D) may be permitted only if specifically authorized by the Zoning Administrator.

9.06 B-5 BUSINESS PLANNED DEVELOPMENT

- A. Purpose. The B-5 Business Planned Development (BPD) District is intended to provide for greater freedom, imagination, and flexibility in the development of land while assuring appropriate development standards. To this extent it allows diversification and variation in the relationship of uses, structures, and open spaces in developments planned as comprehensive, cohesive projects which are unified by a shared concept. It is further intended to encourage the beneficial integration of different compatible land uses at a proper scale and to encourage better design, provision of amenities, and the efficient use of public services through the use of planned unit development procedures. The intensity and profile of the development within this District are intended to be compatible with all adjacent uses.
- B. Permitted Uses. Permitted uses shall be consistent with the purpose of this District, including a wide variety of retail, office, general commercial and light industry. A permitted use list shall be developed and approved with each zoning request in the BPD District.

B-6
Permitted Uses

1. Accessory uses.
2. Banks and financial institutions
3. Business or trade school.
4. Colleges or universities, including dormitories, fraternities, sororities and other accessory buildings and structures when located on the college or university grounds, but not including business colleges or trade schools when operated for profit.
5. Consumer credit, payday loan offices, financing or financial offices.
6. Fire Stations
7. Governmental buildings and facilities
8. Hospital.
9. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.
10. Offices, business and professional, including medical clinics.
11. Parking Garages for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity
12. Planned Developments- Business
13. Police Stations.
14. Research laboratories, including the testing of products, but not including the manufacturing of products, except as incidental to the research and testing of products
15. Schools (including music, dance, business, driving, commercial, or trade but excluding truck driving)
16. Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction
17. Wholesale sales, displays and offices, but not including storage or warehousing

B-6
Special Uses

1. Book and stationary stores when Services are intended to serve the immediate convenience needs of persons employed in the area
2. Child Day Care Facility
3. Convenience store
4. Dwelling Unit for Watchmen and Families including a Caretaker
5. Health clubs (public or private) and related accessory uses.
6. Hotel and/or motel
7. Indoor Target Practice
8. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.
9. Light manufacturing and assembly
10. Packaged Liquor Store or any sale of alcoholic beverages when associated with a brewery or winery.
11. Places of Worship
12. Private clubs such as soccer, etc.
13. Public or Private Utilities and Service uses:
 - a. Telecommunications hub

- b. Filtration plant, pumping station, and water reservoir.
 - c. Sewage treatment plant.
 - d. Electric substations and booster stations.
 - e. Other Similar uses
14. Restaurants and/or taverns
 15. Services or commercial uses intended primarily to serve the immediate convenience needs of persons employed in the area, including office supply stores, restaurants (but not drive-in facilities), dry cleaning (but not on-site plant) and similar uses
 16. Self Service Storage Facilities (enclosed)
 17. Telecommunications stations
 18. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-6 District

M-1 Permitted Uses

1. Ambulance Service (Private)
2. Animal feed; preparation, grinding, mixing and storage.
3. Auction Facility
4. Banquet Halls
5. Beverages, non-alcoholic, bottling and distributing.
6. Business or trade school
7. Clean up and restoration services
8. Colleges or universities, including dormitories, fraternities, sororities and other accessory buildings and structures when located on the college or university grounds.
9. Construction equipment sales and service.
10. Contractors' offices and shops.
11. Glass cutting and glazing establishments
12. Light manufacturing and assembly.
13. Micro Distillery
14. Miscellaneous uses - as follows:
 - Accessory uses.
 - Signs.
 - Temporary buildings for construction purposes for a period not to exceed the duration of such construction.
15. Motor vehicle Sales/ Motorcycle Sales including truck sales.
16. Nano Breweries.
17. Offices, business and professional, including medical clinics.
18. Parking Garages for storage of private passenger automobiles and commercial vehicles.
19. Public and community service uses - as follows:
 - Bus terminals, bus garages, bus lots, street railway terminals, or street car houses.
 - Electric sub-stations.
 - Fire stations.
 - Governmental buildings and facilities
 - Municipal or privately owned recreation buildings
 - Police stations.
 - Sewage treatment plants.

Telephone exchanges.
Water filtration plants.
Water pumping stations.
Water reservoirs.

20. Production, publishing, processing, cleaning, testing, or repair, limited to the following uses and products:

Apparel and other products manufactured from textiles.
Art needle work and hand weaving.
Motor vehicle painting, upholstering, repairing, reconditioning, and body and fender repairing when done within the confines of a structure.
Awnings, venetian blinds.
Bakeries.
Beverages - non-alcoholic.
Blacksmith shop.
Books - hand binding and tooling.
Bottling works.
Brushes and brooms.
Building equipment, building materials, lumber, coal, sand and gravel yards, and yards for contracting equipment of public agencies, or public utilities, or materials or equipment of similar nature.
Cameras and other photographic equipment and supplies.
Canning and preserving.
Canvas and canvas products.
Carpet and rug cleaning.
Carting, express hauling or storage yards.
Cement block manufacture.
Ceramic products - such as pottery and small glazed tile.
Cleaning and dyeing establishments when employing facilities for handling more than fifteen hundred pounds of dry goods per day.
Clothing.
Cosmetics and toiletries.
Creameries and dairies.
Dentures.
Drugs.
Electrical appliances, such as lighting fixtures, irons, fans, toasters and electric toys.
Electrical equipment assembly, such as home radio and television receivers and home movie equipment, but not including electrical machinery.
Electrical supplies, manufacturing and assembly of - such as wire and cable assembly, switches, lamps, insulation and dry cell batteries.
Food products, processing and combining of (except meat and fish) - baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing.
Fur goods, not including tanning and dyeing.
Glass products, from previous manufactured glass.
Hair, felt and feather products (except washing, curing and dyeing).
Hat bodies of fur and wool felt.
Hosiery.

House trailer, manufacture.

Ice, dry and natural.

Ink mixing and packaging and inked ribbons.

Jewelry.

Laboratories - medical, dental, research, experimental, and testing - provided there is no danger from fire or explosion nor of offensive noise, vibration, smoke, dust, odors, heat, glare, or other objectionable influences.

Laundries.

Leather products, including shoes and machine belting, but not including tanning and dyeing.

Luggage.

Machine shops for tool, die and pattern making.

Meat products.

Metal finishing, plating, grinding, sharpening, polishing, cleaning, rustproofing and heat treatment.

Metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.

Musical instruments.

Orthopedic and medical appliances, such as artificial limbs, braces, supports and stretchers.

Paper products, small, such as envelopes and stationery, bags, boxes, tubes and wallpaper printing.

Perfumes and cosmetics.

Pharmaceutical products.

Plastic products, but not including the processing of the raw materials.

Poultry and rabbits - slaughtering.

Precision instruments - such as optical, medical and drafting.

Products from finished materials - plastic, bone, cork, feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semi-precious stones, rubber, shell or yard.

Printing and newspaper publishing, including engraving and photoengraving.

Public utility electric substations and distribution centers, gas regulations centers and underground gas holder stations.

Copying/Reproduction Stores & banner or sign supplies

Rubber products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps and atomizers.

Silverware, plate and sterling.

Soap and detergents, packaging only.

Soldering and welding.

Sporting and athletic equipment, such as balls, baskets, cues, gloves, bats, racquets, and rods.

Statuary, mannequins, figurines and religious and church art goods, excluding foundry operations.

Storage of household goods.

Storage and sale of trailers, farm implements and other similar equipment on an open lot.

Storage of flammable liquids, fats or oil in tanks each of fifty thousand gallons or less capacity, but only after the locations and protective measures have been approved by local fire chief in the district in which the subject property is located.

Textiles - spinning, weaving, manufacturing, dyeing, printing, knit goods, yard goods, thread, and cordage, but not including textile bleaching.

Tool and die shops.

Tools and hardware - such as bolts, nuts, and screws, doorknobs, drills, hand tools and cutlery, hinges, house hardware, locks nonferrous metal castings, and plumbing appliances.

Toys.

Truck, truck tractor, truck trailer, car trailer, or bus storage yard, when all equipment is in operable condition, but not including a truck or motor freight terminal, which shall be treated under sub-section 10.01-C.

Umbrellas.

Upholstering (bulk), including mattress manufacturing, rebuildings, and renovating.

Vehicles, children's - such as bicycles, scooter, wagons and baby carriages.

Watches.

Wood products, such as furniture, boxes, crates, baskets and pencils and cooperage works.

Any other manufacturing establishment that can be operated in compliance with the performance standards set forth in Section 4.12 without creating objectionable noise, odor, dust, smoke, gas, fumes, or vapor; and that is a use compatible with the use and occupancy of adjoining properties.

21. Retail and services as follows:

Motor vehicle service station for the retail sale of gasoline and oil for motor vehicles, for minor services which may be conducted out of doors.

Motor vehicle/Motorcycle Service Stations (includes repair, rebuild, and painting)

Banks and financial institutions

Carpet and Rug Stores

Catering Establishments as long as it conforms to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance.

Contractor or construction such as: building, cement, electrical, refrigeration, masonry, building, plumbing, roofing, air-conditioning, heating and ventilating, fuel oil, with a storage of fuel oils, gas and other flammable products limited to 120,000 gallons per tank, with total storage on zoning lot not to exceed 500,000 gallons.

Plumbing, heating, and roofing supply shops

22. Residential uses - as follows:

Dwelling units for watchmen and their families including caretakers when located on the premises where they are employed in such capacity.

23. Telecommunication Stations

24. Wholesaling and warehousing

M-1

Special Uses

1. Any use which may be allowed as a special use in the B-3 or B-4 Business Districts, but not including house trailers (mobile homes) camps.

1. Child Day Care Facility
2. Clubs and Lodges (non-profit), fraternal or religious institutions.
3. Communication Uses
4. Community Center/ After school programs/ Educational Center
5. Consumer credit, payday loan offices, financing or financial offices.
6. Dwelling units for Watchmen and Families including a Caretaker.
7. Fertilizer sales, including limited storage.
8. Hospitals
9. Indoor Target Practice
10. Kendall County Sheriff's Office shooting range
11. Kennels
12. Landscaping business,
13. Meetings Halls
14. Micro-Brewery and/or Winery
15. Micro Distillery
16. Outdoor storage provided such storage is screened from adjacent and surrounding properties.
17. Outdoor amusement establishments, carnivals, kiddie parks, and other similar amusement centers, and including places of assembly devoted thereto, such as stadiums and arenas.
18. Pawn Shop
19. Performing arts center
20. Places of Worship subject to the following conditions:
21. Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured.
22. Public or Private Utilities and Service uses:
 - a. Telecommunications hub
 - b. Filtration plant, pumping station, and water reservoir.
 - c. Sewage treatment plant.
 - d. Electric substations and booster stations.
 - e. Other Similar uses
23. Retail or wholesale sales yards for agricultural products including, but not necessarily limited to, fruits, vegetables, flowers, plants, etc., that are not grown on the premises.
24. Self-Service Storage Facilities
25. Telecommunications Stations
26. Theaters: Outdoor theaters (drive-in), indoor theaters and convention centers.
27. Truck Driving School
28. Truck Stop
 1. Amphitheater, drive-in theater, auditorium, stadium and sports arena,
 2. Athletic Fields with Lights,
 3. Amusement park, including go-cart tracks, water parks and other rides, .
 4. Bait Shop

5. Convenience Store
6. Hotel and/or Motel
7. Indoor entertainment and recreation
8. Indoor Target Practice
9. Kendall County Sheriff's Office shooting range
10. Kennels
11. Places of Worship
12. Planned Developments- Business
13. Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured.
14. Racetrack
16. Riding Stables including, but not limited to: polo clubs, rodeo clubs and similar uses
17. Seminaries, convents, monasteries, and similar religious institutions including dormitories and other accessory uses required for operation.
18. Telecommunications Stations
19. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-4 District
2. Adult Regulated uses
3. Airports and heliports including aircraft hangers, tie downs and aircraft service and repair subject to the following restrictions:
4. Airport, private airstrip, heliports and aircraft landing fields
5. Art Galleries and studios
6. Grain Storage.
7. Indoor Target Practice
8. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.
9. Kennels
10. Medical Cannabis Cultivation Centers- Temporary
11. Medical Cannabis Cultivation Centers- Temporary
12. Motor freight terminals.
13. Motor vehicle/ Truckwash Facilities including the use of mechanical conveyers, blowers and steam cleaning.
14. Packaged Liquor Store or any sale of alcoholic beverages when associated with a brewery or winery.
15. Paintball Facilities
16. Parks and recreational areas
17. Planned developments, industrial
18. Private Clubs or lodges
19. Private clubs such as soccer, etc.
20. Racetrack provided that the following minimum standards are met:
21. Schools (including music, dance, business, driving, commercial, or trade but excluding truck driving)

22. Stadiums, auditoriums and arenas.
23. Theaters, outdoor drive-in.
24. Transfer Stations as long as it conforms to the Solid Waste Plan and all EPA requirements.
25. Truck Wash Facility or Motor Vehicle Wash Facility
26. Any use permitted in the M-2 Heavy Manufacturing District, provided the performance standard set forth in Section 4.12. can be met in their entirety.
27. Wind Farms, Commercial,

M-2

Permitted Uses

1. Any use permitted in the M-1 Districts except banks and financial institutions.
2. Production, processing, cleaning, servicing, testing, and repair, including the following products:
 - Charcoal, lampblack and fuel briquettes.
 - Chemicals - including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, cleaning and polishing preparation, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates, (manufactured and natural) of an explosive nature, potash, plastic materials and synthetic resins, pyroxylin, rayon yard, hydrochloric, picric and sulfuric acids and derivatives.
 - Coal, coke and tar products, including gas manufacturing.
 - Electric central station, power and steam-generating plants.
 - Fertilizers.
 - Film, photographic.
 - Flour, feed and grain - milling and processing.
 - Incineration or reduction of garbage, offal and dead animals.
 - Linoleum and oil cloth.
 - Magnesium foundries.
 - Matches.
 - Metal and metal ores (except precious and rare metals) - reduction, refining, smelting and alloying.
 - Paint, lacquer, shellac, varnishes, linseed oil and turpentine.
 - Petroleum products, refining - such as gasoline, kerosene, naphtha, lubricating oil and liquefied petroleum gases.
 - Rubber (natural or synthetic).
 - Soaps, including fat and oil rendering.
 - Starch.
 - Wood, coal, and bones, distillations.
 - Wood pulp and fiber, reduction and processing, including paper mill operations.
 - Any other production, processing, cleaning, servicing, testing, and repair which conforms with the performance standards established hereinafter for the M-2 District.
3. Storage, including the following uses and materials or products: Goods used in or produced by manufacturing activities permitted in this district.
 - Grain.
 - Manure, peat and topsoil.
 - Petroleum and petroleum products.

M-2
Special Uses

1. Any use which may be allowed as a special use in the M-1 Districts, unless already permitted under Section 10.02.B above.
2. Commercial off-premise advertising structures
3. Correctional Facilities
4. Explosive, including storage, when not prohibited by other ordinance.
5. Junk yards and Motor vehicle wrecking yards provided they are contained within completely enclosed buildings or screened by a solid wall or uniformly painted solid fence at least twelve feet high.
6. Kendall County Government Agency and other law enforcement shooting range with conditions to be set and approved by the County Board.
7. Miscellaneous uses as follows:
 - a. Railroad freight terminals, motor freight terminals, railroad switching and classification yards, repair shops and roundhouses.
8. Slaughter House

M-3
Permitted Uses

1. Surface and/or open pit mining, extraction and or processing of aggregate materials, e.g. sand, gravel, limestone, subject to the issuance of a permit as provided including an office in relation to business.
2. Explosive, including storage, when not prohibited by other ordinance.

M-3
Special Uses

1. Asphalt and/or concrete batch mixing plants with or without associated recycling facilities.
2. Commercial off-premise advertising structures
3. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.
4. Outdoor Target Practice or Shooting (not including private shooting in your own yard)

[illegible]

NON VIOLATION COMPLAINTS

Date	Name	Address	Subdivision	PIN #	Description	Date Inspected	Violation Y/N
12/7/2017	Machado	31 Whitney Way	Boulder Hill	03-04-329-012	Inoperable Vehicles and parked illegally	12/12/2017	N
12/28/2017	Beyer	140 Circle Drive East	Boulder Hill	03-09-108-007	Junk & Debris/Boat in front yard	1/31/2018	N
1/22/2018	Five HLLC	6361 Minkler Rd		05-02-100-002	On Hilltop- Stormwater drainage	2/3 2/21/18	N
1/26/2018	Firstar Bank	1250 Route 34		03-02-400-003	Remodeling without a Permit	1/31/2018	N
1/30/2018	Meyer	64 Fallcreek Circle	Boulder Hill	03-04-284-012	ComEd/Electrical box exposed wires	1/31/2018	N
2/7/2018	Ruiz	132 Saugatuk Rd	Boulder Hill	03-03-352-001	Junk & Debris/Landscaping material	2/7/2018	N
2/9/2018	Boulder Hill	21 Boulder Hill Pass	Boulder Hill	03-05-401-003	New Tenants-No Permit application	3/14/2018	N
2/20/2018	Sekulski	19 Anna Maria Ln	Lynwood	02-14-226-005	Conv garage to living space/Addition	2/20/2018	N
3/14/2018	Douglas	54 S. Bereman	Boulder Hill	03-05-430-025	Junk & Debris/Tall Grass & Weeds	3/15/2018	N
3/22/2018	Santiago	9 Circle Ct	Boulder Hill	03-09-155-013	Illegal Parking on Grass/Street	3/26/2018	N
4/9/2018	Teofilo	Van Dyke Rd		09-05-400-018	Buildings/Home - No Permit	4/11/2018	N
4/18/2018	Bristol Property Holdings, LLC	43 Oak St		02-15-153-002	Poss. Illegal dumping on site	4/19/2018	N

Permit Summary by Category by Month

Kendall County

Permit Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
House	5	1	2	1	1	0	0	0	0	0	0	0	0
Garage	6	0	1	3	2	0	0	0	0	0	0	0	0
Accessory Buildings	11	0	0	2	8	1	0	0	0	0	0	0	0
Additions	5	1	2	1	1	0	0	0	0	0	0	0	0
Remodeling	6	1	2	1	2	0	0	0	0	0	0	0	0
Commercial - M Zone	2	2	0	0	0	0	0	0	0	0	0	0	0
Barns/Farm Buildings	9	3	0	4	2	0	0	0	0	0	0	0	0
Swimming Pools	7	0	0	5	2	0	0	0	0	0	0	0	0
Decks	4	0	1	0	2	1	0	0	0	0	0	0	0
Demolitions	3	1	0	2	0	0	0	0	0	0	0	0	0
Electrical Upgrades	1	0	0	0	1	0	0	0	0	0	0	0	0
Towers (Comm.)	3	2	0	1	0	0	0	0	0	0	0	0	0
Driveway	1	0	1	0	0	0	0	0	0	0	0	0	0
Fire Restoration	4	1	1	1	1	0	0	0	0	0	0	0	0
Patio	1	0	0	0	1	0	0	0	0	0	0	0	0
Generator	2	0	1	1	0	0	0	0	0	0	0	0	0
	70	12	11	22	23	2	0	0	0	0	0	0	0

8 Houses in 2017

Permit Approval Date Report

Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
1/16/2018	012018017	01 House	0236106006 BAUGHMAN ROBERT & VICKI	233 FOXTAIL LANE YORKVILLE, IL. 60560	FARM COLONY UNIT 2 PHAE 3	BMF Remodeling LLC
3/8/2018	012018036	01 House	0133101002 CIAGLIA RONALD S & DEBRA	15919 BURR OAK ROAD PLANO, IL. 60545	DEER RIDGE PUD	SAME
2/26/2018	012018013	01 House	0605401008 T J BAUMGARTNER CUSTOM HOMES CORPORATION 0512220008	4215 CHERRY RD OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 1	SAME
3/13/2018	012018037	01 House	C L DESIGN-BUILD INC	7341 CLUBHOUSE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	SAME
3/14/2018	012018044	01 House	0512220004 FERRI JOHN & LUZ	6349 VALLEYVIEW CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	CL Design-Build, Inc.
5/1/2018	012018074	01 House	0605395006 FINK SCOTT & MILANI BETH	4722 CHERRY ROAD OSWEGO, IL. 60543	HENNEBERRY WOODS UNIT 2	CL DESIGN-BUILD, INC.
4/18/2018	022018077	02 Garage	0119378001 LITTLEFAIR KEVIN & DENISE	14 FRAZIER CT SANDWICH, IL 60548-	HOLLIS PARK UNIT 2	Owner
3/21/2018	022018049	02 Garage	0529400001 GENGLER STEVE & LINDA	10510 IMMANUEL RD YORKVILLE, IL 60560-		
2/1/2018	022018031	02 Garage	0430200003 DIPPOLO JEREMY & SAMANTHA	10135 FOX RIVER DR NEWARK, IL 60541-		
4/18/2018	022018076	02 Garage	0531300002 HELMAR LUTHERAN CONGREGATION	11951 LISBON RD NEWARK, IL 60541-		
4/11/2018	022018050	02 Garage	0103353010 KLINKER BRYAN	35 EARL ST PLANO, IL 60545-	STAINFIELD SUB	

Permit Approval Date Report

Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
3/21/2018	022018048	02 Garage	0226101006 LAMANNA, ANDREW & SIWAK, PAULINA	58 KINGMOOR LN YORKVILLE, IL 60560-		Artisan Enterprises Inc
3/29/2018	032018059	03 Accessory Buildings	0507403002 FRENCH LARRY & SHARON S	11480 B LEGION RD YORKVILLE, IL 60560-		STEVE LEE
4/5/2018	032018064	03 Accessory Buildings	0518126002 LARSEN JASON C	112 TIMBERCREEK PL YORKVILLE, IL 60560-	TIMBER CREEK SUB	Morton Buildings
3/7/2018	032018042	03 Accessory Buildings	0312203002 GODDARD J. WAGNER	18 COUNCIL AVE AURORA, IL 60503-	GASTVILLE RESUB LOT 1	SAME
4/30/2018	032018083	03 Accessory Buildings	0304354008 POSS LARRY J TRUST & POSS MARY F TRUST	9 SAUGATUCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	
4/30/2018	032018081	03 Accessory Buildings	0304155009 HILLIARD PHILLIP & LAURA	14 PEMBROOKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	TUFF SHED
4/18/2018	032018075	03 Accessory Buildings	0917100002 HEAP GARY & LINDA	4819 ROUTE 52 MINOOKA, IL 60447-		MORTON BUILDINGS, INC.
4/13/2018	032018071	03 Accessory Buildings	0304453028 HANSON GARY & KAREN R	74 SHEFFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	
4/13/2018	032018070	03 Accessory Buildings	0213476003 ULRICH GERALD T & SONYA K	6192 ROUTE 34 OSWEGO, IL 60543-	OWNERS SUB PT SE 1/4 SEC 13-37-7	
4/10/2018	032018068	03 Accessory Buildings	0802476006 CHRISTIAN CHRISTOPHER L & " " " " " "	12859 MACKENZIE RD YORKVILLE, IL 60560-	MURDO T MACKENZIE SUB	
3/29/2018	042018055	04 Additions	0508151002 GAWRYCH KRISTOPHER P & LARA ^	7531 E HIGHPOINT RD YORKVILLE, IL 60560-		APEX BUILDERS, INC./RICH VAN HAM

Permit Approval Date Report

Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
1/30/2018	042018029	04 Additions	0908300002 GRAHAM PAUL W & JANET K	13870 GROVE RD MINOOKA, IL 60447-		
2/22/2018	042018032	04 Additions	0802300008 ROD ROSS R & CARMEN R	7775 PLATTVILLE RD NEWARK, IL 60541-		Weather Seal Nu Sash Inc
4/13/2018	052018069	05 Remodeling	0307430010 NONNIE, CHRISTOPHER L & WILLIAM A 0508276004	147 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	CLEAN EDGE CONSTRUCTION, INC.
4/5/2018	052018066	05 Remodeling	JEMS ACQUISITIONS LLC	37 BONNIE LN YORKVILLE, IL 60560-	WILLMANS RESUB	WILLMAN & GROESCH
3/6/2018	052018041	05 Remodeling	0305404025 MCSORLEY RYAN	150 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	SAME
2/28/2018	052018040	05 Remodeling	0508102001 MESSERSMITH JEREMY & CHRISTINA	7250 E HIGHPOINT RD YORKVILLE, IL 60560-		SAME
2/21/2018	052018033	05 Remodeling	0518300006 PETERS DANIEL	8751 B E HIGHPOINT RD YORKVILLE, IL 60560-	HIGHPOINT HILLS	SAME
1/24/2018	052018024	05 Remodeling	0305454031 RY PROPERTY MANAGEMENT CORPORATION	9 CREVE CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	SAME
2/1/2018	062018025	06 Commercial - M Zone ANR PIPELINE CO	0405300001	6650 SANDY BLUFF RD SANDWICH, IL 60548-		
2/1/2018	062018027	06 Commercial - M Zone ANR PIPELINE CO	0405300001	6650 SANDY BLUFF RD SANDWICH, IL 60548-		
4/16/2018	082018073	08 Barns/Farm Buildings	0427200009 WIESBROOK JEFFREY A & KIMBERLY A	14044 WALKER RD YORKVILLE, IL 60560-		

Permit Approval Date Report

Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/3/2018	082018063	08 Barns/Farm Buildings	0811100017 SPICHER DARON & KIMBERLY	7650 PLATTVILLE RD YORKVILLE, IL 60560-		
3/28/2018	082018061	08 Barns/Farm Buildings	0614200010 CHRIS LAVOIE	1050 ROUTE 126 PLAINFIELD, IL 60586-		
4/3/2018	082018057	08 Barns/Farm Buildings	0632400001 CHICAGO ROAD FARM LLC	4275 CHICAGO RD MINOOKA, IL 60447-		
3/13/2018	082018046	08 Barns/Farm Buildings	0505300004 SLEEZER SETH VI	10735 ROUTE 71 YORKVILLE, IL. 60560		
1/24/2018	082018023	08 Barns/Farm Buildings	0921100008 JIMENEZ, LINDA	3579 BELL RD MINOOKA, IL 60447-		
1/16/2018	082018019	08 Barns/Farm Buildings	0517300010 STUCK GEORGE M & JILL S	8945 IMMANUEL RD. YORKVILLE, IL. 60560		
1/16/2018	082018018	08 Barns/Farm Buildings	0734100009 CARLSON JASON D & ERICA	14908 WHITEWILLOW RD NEWARK, IL 60541-		
3/29/2018	082016052	08 Barns/Farm Buildings	0313400014 CAMPBELL VICKY	65 RANCE RD OSWEGO, IL 60543-		
4/2/2018	122018062	12 Swimming Pools	0116427011 DOBRICH PAUL W & MARY ANN	26 MEYER RD PLANO, IL 60545-	MEYERBROOK UNIT 3	Andrea Beckwell
3/29/2018	122018060	12 Swimming Pools	0120301006 GOODBRED BRADLEY A & DAWN	16863 FRAZIER RD PLANO, IL 60545-	HUNTSMEN TRAILS SUB	SWIM SHACK, INC.
3/26/2018	122018053	12 Swimming Pools	0401326002 WILLMAN ROBERT S	12560 FOX RD YORKVILLE, IL 60560-	FOX STATION (ORIG TOWN)	Owner

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
3/26/2018	122018051	12 Swimming Pools	0607130007 DUDA EDWARD S JR & SUSAN K	7123 GOLFVIEW CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	SUNCO POOLS & SPA
3/14/2018	122018047	12 Swimming Pools	0324100021 PETSCHKE NICHOLAS A & KERI M	3401 STEWART RD OSWEGO, IL 60543-		
4/30/2018	132018080	13 Decks	0116427011 DOBRICH MARY ANN	26 MEYER RD PLANO, IL 60545-	MEYERBROOK UNIT 3	Mike Burgermeister In & Out Contractors
2/1/2018	132018030	13 Decks	0223303008 MCGREGOR SCOTT & JILL	10 TIMBER RIDGE DR YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 1	Warner's Decking
4/10/2018	142018056	14 Demolitions	0632400001 CHICAGO ROAD FARM LLC	4275 CHICAGO RD MINOOKA, IL 60447-		
4/13/2018	142018054	14 Demolitions	0529200007 BRETTHAUER STAN & JANET	10206 WALKER RD YORKVILLE, IL 60560-		
1/22/2018	142018021	14 Demolitions	0515100002 COOPER LARRY R LTD PARTNERSHIP	8641 AMENIT RD YORKVILLE, IL 60560-		
3/26/2018	142017204	14 Demolitions	0219400009 LASALLE NATIONAL BANL % DREW PATRICIA C	11443 ROUTE 34 YORKVILLE, IL 60560-		
4/30/2018	152018085	15 Electrical Upgrades	0221101024 MARSH ANTHONY J & PATRICIA C	3193 CANNONBALL TRL YORKVILLE, IL 60560-		VIP ELECTRICAL SERVICES
3/13/2018	162018045	16 Towers (Comm.)	0124200028 BRUMMEL, RICHARD A DEC LIV TR & DOUBAAR, MADHUKA I 0311100001	12260 FAXON RD PLANO, IL, 60545		Advanced Probuild Solutions (#82-1571485)
1/30/2018	162018028	16 Towers (Comm.)	COMMONWEALTH EDISON	1726 ROUTE 34 OSWEGO, IL 60543-		

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Property Address	Subdivision	Contractor Name
1/22/2018	162018020	16 Towers (Comm.)	0201200005	6136 GALENA RD BRISTOL, IL 60512-		WINDY CITY TOWER TECHS, LLC.
2/28/2018	182018038	18 Driveway	0416251009	7 SHERMAN ST MILLBROOK, IL 60536-		SAME
4/16/2018	192018072	19 Fire Restoration	0122281010	335 OLD MILL RD PLANO, IL 60545-	OWNERS 1ST SUB PT E 1/2 SEC 22-37-6	LITE CONSTRUCTION, INC.
2/16/2018	192018035	19 Fire Restoration	0127400001	14264 HALE RD PLANO, IL 60545-		S&P Builders, Inc.
1/22/2018	192018022	19 Fire Restoration	0307279001	1800 LIGHT RD OSWEGO, IL 60543-		Synergy Construction Group
4/30/2018	202018082	20 Patio	0304155009	14 PEMBROOKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	TUFF SHED
3/6/2018	232018043	23 Generator	0506226004	13 W BIRCH CT YORKVILLE, IL 60560-	FOXLAWN UNIT 1	Lee Legler Construction & Electric Inc
2/16/2018	232018034	23 Generator	0504177013	99 WOODEN BRIDGE DR YORKVILLE, IL 60560-	CROOKED CREEK WOODS	LEE LEGLER CONSTRUCTION & ELECTRIC INC

Permit Summary by Category
Kendall County

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	1	\$450,000	\$4,759	\$1,859
Garage	2	\$55,000	\$311	\$0
Accessory Buildings	8	\$294,601	\$2,474	\$0
Additions	1	\$100,000	\$0	\$0
Remodeling	2	\$42,000	\$620	\$0
Barns/Farm Buildings	2	\$48,000	\$0	\$0
Swimming Pools	2	\$10,972	\$0	\$0
Decks	2	\$13,200	\$200	\$0
Electrical Upgrades	1	\$2,500	\$150	\$0
Fire Restoration	1	\$100,000	\$758	\$0
Patio	1	\$12,500	\$50	\$0
	23	\$1,128,773	\$9,322	\$1,859

Permit Approval Date Report

Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
4/18/2018	022018077	02 Garage	0119378001	LITTLEFAIR KEVIN & DENISE	14 FRAZIER CT SANDWICH, IL 60548-	HOLLIS PARK UNIT 2	Owner
4/18/2018	022018076	02 Garage	0531300002	HELMAR LUTHERAN CONGREGATION	11951 LISBON RD NEWARK, IL 60541-		
4/11/2018	022018050	02 Garage	0103353010	KLINKER BRYAN	35 EARL ST PLANO, IL 60545-	STAINFIELD SUB	
4/13/2018	032018070	03 Accessory Buildings	0213476003	ULRICH GERALD T & SONYA K	6192 ROUTE 34 OSWEGO, IL 60543-	OWNERS SUB PT SE 1/4 SEC 13-37-7	
4/30/2018	032018083	03 Accessory Buildings	0304354008	POSS LARRY J TRUST & POSS MARY F TRUST	9 SAUGATUCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	
4/13/2018	032018071	03 Accessory Buildings	0304453028	HANSON GARY & KAREN R	74 SHEFFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	
4/30/2018	032018081	03 Accessory Buildings	0304155009	HILLIARD PHILLIP & LAURA	14 PEMBROOKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	TUFF SHED
4/18/2018	032018075	03 Accessory Buildings	0917100002	HEAP GARY & LINDA	4819 ROUTE 52 MINOOKA, IL 60447-		MORTON BUILDINGS, INC.
4/5/2018	032018064	03 Accessory Buildings	0518126002	LARSEN JASON C	12 TIMBERCREEK PL YORKVILLE, IL 60560-	TIMBER CREEK SUB	Morton Buildings
4/10/2018	032018068	03 Accessory Buildings	0802476006	CHRISTIAN CHRISTOPHER L & CHRISTOPHER L & NONNIE,	12859 MACKENZIE RD YORKVILLE, IL 60560-	MURDO T MACKENZIE SUB	
4/13/2018	052018069	05 Remodeling	0307430010	CHRISTOPHER L & CHRISTOPHER L & KLAS AMANDA I	147 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	CLEAN EDGE CONSTRUCTION, INC.

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/5/2018	052018066	05 Remodeling	0508276004 JEMS ACQUISITIONS LLC	37 BONNIE LN YORKVILLE, IL 60560-	WILLMANS RESUB	WILLMAN & GROESCH
4/16/2018	082018073	08 Barns/Farm Buildings	0427200009 WIESBROOK JEFFREY A & KIMBERLY A	14044 WALKER RD YORKVILLE, IL 60560-		
4/3/2018	082018063	08 Barns/Farm Buildings	0811100017 SPICHER DARON & KIMBERLY	7650 PLATTVILLE RD YORKVILLE, IL 60560-		
4/3/2018	082018057	08 Barns/Farm Buildings	0632400001 CHICAGO ROAD FARM LLC	4275 CHICAGO RD MINOOKA, IL 60447-		
4/2/2018	122018062	12 Swimming Pools	0116427011 DOBRICH PAUL W & MARY ANN	26 MEYER RD PLANO, IL 60545-	MEYERBROOK UNIT 3	Andrea Beckwell
4/30/2018	132018080	13 Decks	0116427011 DOBRICH MARY ANN	26 MEYER RD PLANO, IL 60545-	MEYERBROOK UNIT 3	Mike Burgermeister In & Out Contractors
4/10/2018	142018056	14 Demolitions	0632400001 CHICAGO ROAD FARM LLC	4275 CHICAGO RD MINOOKA, IL 60447-		
4/13/2018	142018054	14 Demolitions	0529200007 BRETTHAUER STAN & JANET	10206 WALKER RD YORKVILLE, IL 60560-		
4/30/2018	152018085	15 Electrical Upgrades	0221101024 MARSH ANTHONY J & PATRICIA C	3193 CANNONBALL TRL YORKVILLE, IL 60560-		VIP ELECTRICAL SERVICES
4/16/2018	192018072	19 Fire Restoration	0122281010 CAMPBELL TIM	335 OLD MILL RD PLANO, IL 60545-	OWNERS 1ST SUB PT E 1/2 SEC 22-37-6	LITE CONSTRUCTION, INC.
4/30/2018	202018082	20 Patis	0304155009 HILLIARD PHILLIP & LAURA	14 PEMBROOKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	TUFF SHED

PLANNING BUILDING & ZONING RECEIPTS 2018

DATE	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	MONTHLY FY 18	TOTAL FY18	MONTHLY FY 17	TOTAL FY17
December	\$2,288.40				\$2,288.40	\$2,288.40	\$3,044.28	\$3,044.28
January	\$5,753.00	\$50.00	\$6,717.13		\$12,520.13	\$14,808.53	\$3,791.34	\$6,835.62
February	\$5,304.40	\$545.00	\$2,188.27		\$8,037.67	\$22,846.20	\$10,989.52	\$17,825.14
March	\$10,993.18	\$897.50	\$7,424.10	\$2,000.00	\$21,314.78	\$44,160.98	\$8,130.89	\$25,956.03
April	\$6,636.96	\$2,770.00	\$1,364.53	\$1,000.00	\$11,771.49	\$55,932.47	\$7,598.93	\$33,554.96
May							\$16,086.31	\$49,641.27
June							\$14,174.98	\$63,816.25
July							\$21,087.73	\$84,903.98
August							\$25,401.68	\$110,305.66
September							\$36,883.57	\$147,189.23
October							\$18,678.40	\$165,867.63
November							\$14,088.97	\$179,956.60
TOTAL	\$30,975.94	\$4,262.50	\$17,694.03	\$3,000.00	\$55,932.47		\$179,956.60	

Matt Asselmeier

From: Dave Markowski [DMarkowski@oswegoil.org]
Sent: Monday, April 30, 2018 12:03 PM
To: Matt Asselmeier
Subject: RE: 2575Wolf Road Violation Notice

Morning Matt,

We have not issued any violation fines as of today. With rain forecasted later this week I will attempt to take a sample to the lab for testing. I'm not sure when the last time was when you were at the horse farm, but the Oswego Township has re-graded the ditch along Wolf Rd. The water that was entering his property from the south is now flowing in the ditch to the west, so the only water running off his property will be from his property.

Dave

From: Matt Asselmeier [<mailto:masselmeier@co.kendall.il.us>]
Sent: Monday, April 30, 2018 9:28 AM
To: Dave Markowski
Subject: RE: 2575Wolf Road Violation Notice

Dave:

Do you have an update on this violation?

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Dave Markowski [<mailto:DMarkowski@oswegoil.org>]
Sent: Friday, April 06, 2018 8:36 AM
To: David J. Silverman; Jay Hoover; Matt Asselmeier; brogeron@oswegotownship.org
Subject: 2575Wolf Road Violation Notice

Good Morning,

I would like to take the time to inform you that I am sending Mr. Benes a 1st Notice of Violation packet today. The packet contains the attached documents.

Dave Markowski
Village of Oswego
Public Works Department

Matt Asselmeier

From: Dave Markowski [DMarkowski@oswegoil.org]
Sent: Friday, April 06, 2018 8:36 AM
To: David J. Silverman; Jay Hoover; Matt Asselmeier; brogerson@oswegotownship.org
Subject: 2575Wolf Road Violation Notice
Attachments: DM032218.pb 1st Violation Notice.docx; 2575 wolf rd 2-20-18.pdf; 2757 wolf rd 1-22-18.pdf

Good Morning,

I would like to take the time to inform you that I am sending Mr. Benes a 1st Notice of Violation packet today. The packet contains the attached documents.

Dave Markowski
Village of Oswego
Public Works Department
Operations Superintendent

This message may contain confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version. Village of Oswego, 100 Parkers Mill, Oswego IL, 60543, www.oswegoil.org



1ST NOTICE OF VIOLATION

March 22, 2018

Patrick G. and Joyce Benes
2575 Wolf Road
Oswego Illinois 60543

VIA CERTIFIED MAIL

RE: 2575 Wolf Road, Oswego, IL 60543
PIN: 03-15-126-004

Dear Patrick G. and Joyce Benes:

YOU SHALL TAKE IMMEDIATE STEPS PREVENT ILLICIT DISCHARGE OF THE VILLAGE OF OSWEGO'S MUNICIPAL SEPARATE STORM SEWER SYSTEM.

The Village of Oswego inspected the site and took storm water samples from 2575 Wolf Road on January 22, 2018 and again on February 20, 2018. The samples indicate the introduction of fecal coliform into stormwater runoff from you property. This runoff ultimately enters the Municipal Separate Storm Sewer System (MS4). Please see the attached documentation for further evidence of the violations. These samples indicate the site is non-complaint with the following codes and ordinances:

Oswego Municipal Code

Title 7 Chapter 1 Section 10: ENDANGER HEALTH

It shall be unlawful to commit or do any act which endangers the public health or results in annoyance or discomfort to the public. (1952 Code, sec. 475)

Title 7-Chapter 4-Section2: USE OF PUBLIC SEWERS

(A) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the village or in any area under the jurisdiction of said village any human or animal excrement, garbage or objectionable waste.

Illicit Discharge Detection and Elimination Ordinance [Ord. 07-66, adopted 4/23/07]

Section 7 DISCHARGE PROHIBITIONS

Prohibition of Illegal Discharges.

No person shall discharge or cause to be discharged into the municipal storm drain system or water courses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards other than storm water.

You must take immediate action and cure all deficiencies identified above within five (5) working days, or the Village may invoke SECTION 8 - SUSPENSION OF MS4 ACCESS of the IDDE to take "steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons". Further, the Village may invoke SECTION 21 - CRIMINAL PROSECUTION that provides for a fine of Seven Hundred Fifty Dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Once all deficiencies have been cured, please call our office to schedule a re- inspection. If you have any questions please contact the Village Engineer at 630-420-1700.

If there are any questions or objections to the information contained in this letter feel free to contact me by phone at (630) 551-2161 or by email at DMarkowski@oswegoil.org. If no objections are received within 5 business days, the Village will consider this letter to be accepted with no alterations.

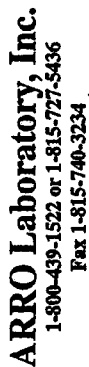
Sincerely,

Dave Markowski
Village of Oswego
Operations Superintendent

CC: Jennifer Hughes, Village of Oswego Public Works Director
David J. Silverman, Village Attorney
Matt H. Asselmeier, Kendall County Senior Planner
Bob Rogerson, Oswego Township Highway Commissioner

Village of Oswego Illicit Discharge Incident Tracking Form

Incident ID: 2575 wolf crossing				
Responder Information				
Call taken by:			Call date: ONGROWN	
Call time: 12:40 PM			Precipitation (inches) in past 24 hrs: 0.82	
Reporter Information				
Incident time: 12:40 PM			Incident date: 1-22-2018	
Caller contact information (optional): DAVE MARKOWSKI 100 Theodore drive OSWEGO IL 60543				
Incident Location (complete one or more below)				
Latitude and longitude: 41.692121 - 88.310478				
Stream address or outfall #:				
Closest street address: 2575 wolfs crossing Oswego				
Nearby landmark:				
Primary Location Description		Secondary Location Description:		
<input type="checkbox"/> Stream corridor (In or adjacent to stream)	<input type="checkbox"/> Outfall	<input type="checkbox"/> In-stream flow	<input type="checkbox"/> Along banks	
<input type="checkbox"/> Upland area (Land not adjacent to stream)	<input type="checkbox"/> Near storm drain	<input type="checkbox"/> Near other water source (storm water pond, wetland, etc.):		
Narrative description of location: 2575 wolfs crossing farmland boarding horses surface storm water running through Property collects manure & debris dumping into Oswego storm water system				
Upland Problem Indicator Description				
<input type="checkbox"/> Dumping	<input type="checkbox"/> Oil/solvents/chemicals	<input type="checkbox"/> Sewage		
<input type="checkbox"/> Wash water, suds, etc.	<input checked="" type="checkbox"/> Other: Horse Manure			
Stream Corridor Problem Indicator Description				
Odor	<input type="checkbox"/> None	<input type="checkbox"/> Sewage	<input type="checkbox"/> Rancid/Sour	<input type="checkbox"/> Petroleum (gas)
	<input type="checkbox"/> Sulfide (rotten eggs); natural gas	<input checked="" type="checkbox"/> Other: Describe in "Narrative" section MANURE URINE SMOG		
Appearance	<input type="checkbox"/> "Normal"	<input type="checkbox"/> Oil sheen	<input checked="" type="checkbox"/> Cloudy	<input type="checkbox"/> Suds
	<input checked="" type="checkbox"/> Other: Describe in "Narrative" section Light Brown water			
Floatables	<input checked="" type="checkbox"/> None:	<input type="checkbox"/> Sewage (toilet paper, etc)	<input type="checkbox"/> Algae	<input type="checkbox"/> Dead fish
	<input type="checkbox"/> Other: Describe in "Narrative" section			
Narrative description of problem indicators: surface storm water run-off running through Property @ 2575 wolfs Xing Collecting horse Manure & debris				
Suspected Violator (name, personal or vehicle description, license plate #, etc.): P. Benes 2575 wolfs crossing Oswego IL 60543				



FOR LAB USE ONLY

Chain of Custody Record

[illegible]

SPECIAL INSTRUCTIONS OR NOTES:

Copies: White - Arto Labs Canary - Client Copy



Est. 1965

ARRO Laboratory, Inc.

P.O. Box 686 Caton Farm Road
Joliet, Illinois 60434



Phone: 815-727-5436
FAX 815-740-3234

Bacteriological Analysis

Batch 180122H

Customer: DAVE MARKOWSKI

Company: VILLAGE OF OSWEGO

Address: 100 PARKERS MILL

City/State/Zip: OSWEGO, IL 60543

P.O. Number:

Date Received: 1/22/2018

Date Completed: 1/25/2018

Sample ID

420167

Sample Description

UPSTREAM 2575 WOLFS X-ING

Sample Date

1/22/2018

Analyte	Concentration	Units	Analyst	Date	Method
Fecal Coli	880	col/100 ml	PW	01/22/18 2:00 PM	SM9222D

Sample ID

420168

Sample Description

DOWNSTREAM 2575 WOLFS X-ING

Sample Date

1/22/2018

Analyte	Concentration	Units	Analyst	Date	Method
Fecal Coli	> 2000	col/100 ml	PW	01/22/18 2:00 PM	SM9222D

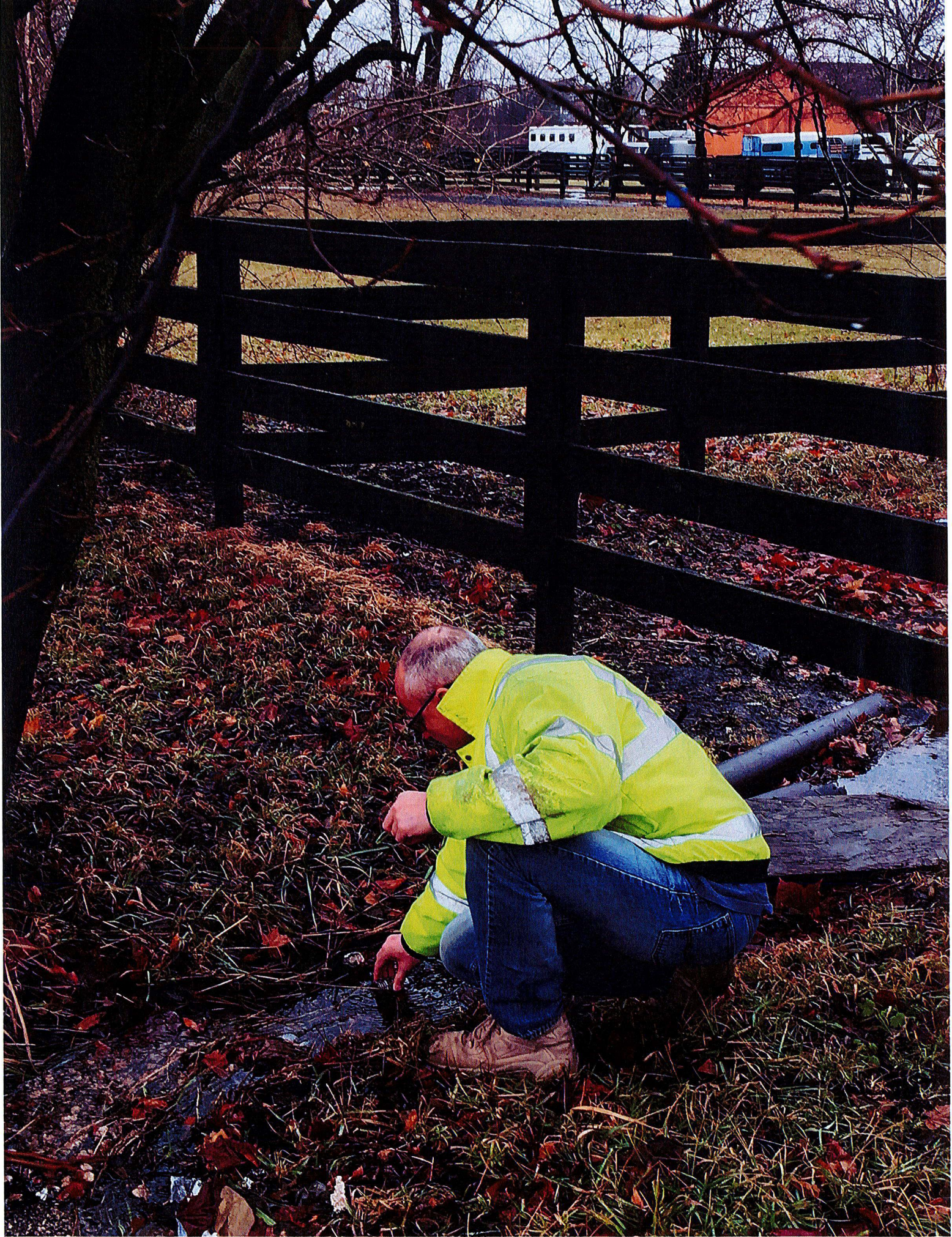
I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS REPORT AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF SUCH INFORMATION IS TRUE, COMPLETE AND ACCURATE

APPROVED BY

1/25/2018

Joan Rolih, Director
Environmental Services

Comments:





Village of Oswego Illicit Discharge Incident Tracking Form

Incident ID:				
Responder Information				
Call taken by: <u>DAVE MARKOWSKI</u>			Call date: <u>2-20-2018</u>	
Call time: <u>10:30 A.M.</u>			Precipitation (inches) in past 24 <u>(48)</u> hrs:	
Reporter Information				
Incident time: <u>Ongoing</u>			Incident date: <u>2-20-2018</u>	
Caller contact information (optional): <u>DAVE MARKOWSKI</u> <u>100 Theodore ST</u> <u>630-327-8215</u> <u>OSWEGO IL 60543</u>				
Incident Location (complete one or more below)				
Latitude and longitude: <u>41.962121 - 88.310478</u>				
Stream address or outfall #: <u>N/A</u>				
Closest street address: <u>2575 Wolfs crossing road</u>				
Nearby landmark:				
Primary Location Description		Secondary Location Description:		
<input type="checkbox"/> Stream corridor (In or adjacent to stream)	<input type="checkbox"/> Outfall	<input type="checkbox"/> In-stream flow	<input type="checkbox"/> Along banks	
<input type="checkbox"/> Upland area (Land not adjacent to stream)	<input type="checkbox"/> Near storm drain	<input type="checkbox"/> Near other water source (storm water pond, wetland, etc.):		
Narrative description of location: <u>2575 Wolfs crossing is a horse farm/boarding.</u> <u>surface water from rain events collects AND runs through the property</u> <u>into catch basin @ rear property 420 layette</u>				
Upland Problem Indicator Description				
<input type="checkbox"/> Dumping	<input type="checkbox"/> Oil/solvents/chemicals	<input type="checkbox"/> Sewage		
<input type="checkbox"/> Wash water, suds, etc.	<input checked="" type="checkbox"/> Other: <u>Horse manure & urine</u>			
Stream Corridor Problem Indicator Description				
Odor	<input type="checkbox"/> None	<input type="checkbox"/> Sewage	<input type="checkbox"/> Rancid/Sour	<input type="checkbox"/> Petroleum (gas)
	<input type="checkbox"/> Sulfide (rotten eggs); natural gas	<input checked="" type="checkbox"/> Other: Describe in "Narrative" section		
Appearance	<input type="checkbox"/> "Normal"	<input type="checkbox"/> Oil sheen	<input type="checkbox"/> Cloudy	<input type="checkbox"/> Suds
	<input checked="" type="checkbox"/> Other: Describe in "Narrative" section			
Floatables	<input checked="" type="checkbox"/> None:	<input type="checkbox"/> Sewage (toilet paper, etc)	<input type="checkbox"/> Algae	<input type="checkbox"/> Dead fish
	<input type="checkbox"/> Other: Describe in "Narrative" section			
Narrative description of problem indicators: <u>Surface Storm water running through Property collecting fecal matter</u>				
Suspected Violator (name, personal or vehicle description, license plate #, etc.): <u>Patrick Benes Property owner</u>				



Est. 1965

ARRO Laboratory, Inc.

P.O. Box 686 Caton Farm Road
Joliet, Illinois 60434



Phone: 815-727-5436
FAX 815-740-3234

Bacteriological Analysis

Batch 180220D

Customer: DAVE MARKOWSKI

Company: VILLAGE OF OSWEGO

Address: 100 PARKERS MILL

City/State/Zip: OSWEGO, IL 60543

P.O. Number:

Date Received: 2/20/2018

Date Completed: 2/22/2018

Sample ID	Sample Description	Sample Date
420651	DOWNSTREAM 2575 WOLFS XING R	2/20/2018

Analyte	Concentration	Units	Analyst	Date	Method
Fecal Coli	550	col/100 ml	PW	02/20/18 1:01 PM	SM9222D

Sample ID	Sample Description	Sample Date
420652	UPSTREAM 2575 WOLFS XING RD	2/20/2018

Analyte	Concentration	Units	Analyst	Date	Method
Fecal Coli	> 2,000	col/100 ml	PW	02/20/18 1:15 PM	SM9222D

I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS REPORT AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF SUCH INFORMATION IS TRUE, COMPLETE AND ACCURATE

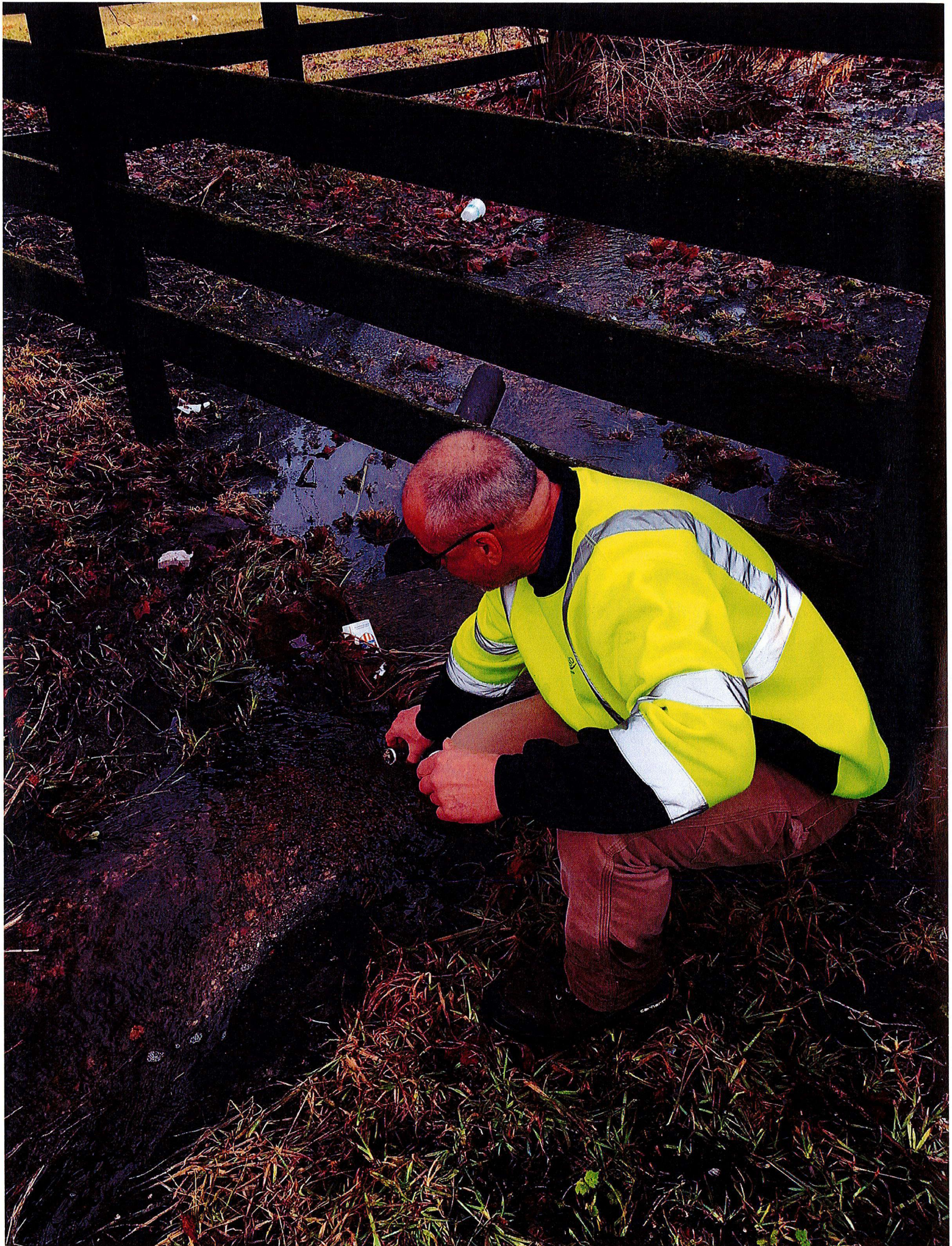
APPROVED BY

2/22/2018

Joan Rolih, Director
Environmental Services

Comments:





Matt Asselmeier

From: Dave Markowski [DMarkowski@oswego.il.org]
Sent: Wednesday, March 07, 2018 2:00 PM
To: Matt Asselmeier
Subject: RE: Churchill Club Stormwater Issue

Matt,

We are working on sending him a violation notice with possible fines, I am also waiting for the results from water samples I took on the 1st of March .

Dave

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Wednesday, March 07, 2018 8:43 AM
To: Dave Markowski
Subject: RE: Churchill Club Stormwater Issue

Dave:

Any update on the Churchill Club stormwater issue?

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Dave Markowski [mailto:DMarkowski@oswego.il.org]
Sent: Friday, February 16, 2018 1:25 PM
To: Matt Asselmeier
Subject: RE: Churchill Club Stormwater Issue

Matt,

I have a meeting scheduled for the 23rd with Director Hughes, Jay Hoover (building department manager) and Jim Burbridge (chief infrastructure inspector) to discuss the sample results and our next course of action.

Dave

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Friday, February 16, 2018 10:52 AM
To: Dave Markowski
Subject: RE: Churchill Club Stormwater Issue

Matt Asselmeier


From: Matt Asselmeier
Sent: Tuesday, February 20, 2018 1:37 PM
To: 'Jenny Holloway'
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Jenny:

The next Planning, Building and Zoning Committee meeting is March 12th at 6:30 p.m. in the County Board Room at 111 W. Fox Street.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jenny Holloway [mailto:
Sent: Tuesday, February 20, 2018 1:25 PM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: Re: Churchill Club Stormwater Issue

I'm looking for all of the stormwater plans on the township side of our properties. I will call the civil engineer I have talked to in the past and get them. Could you please let me know when the PBZ will be having it's next board meeting?

On Tue, Feb 20, 2018 at 1:15 PM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Jenny:

The Kendall County Soil and Water Conservation District may have information about drain tile in the area, but agricultural lands usually do not have stormwater plans.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner

Matt Asselmeier

From: Jenny Holloway [mailto: [REDACTED]]
Sent: Tuesday, February 20, 2018 1:25 PM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswego.il.org
Subject: Re: Churchill Club Stormwater Issue

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Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Jenny Holloway [mailto: [REDACTED]]
Sent: Tuesday, February 20, 2018 1:09 PM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswego.il.org
Subject: Re: Churchill Club Stormwater Issue

Matt Asselmeier


From: Matt Asselmeier
Sent: Tuesday, February 20, 2018 1:15 PM
To: 'Jenny Holloway'
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswego.il.org
Subject: RE: Churchill Club Stormwater Issue

Jenny:

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Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jenny Holloway [mailto:
Sent: Tuesday, February 20, 2018 1:09 PM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswego.il.org
Subject: Re: Churchill Club Stormwater Issue

Could you please let me know who would have stormwater plans for this area?

On Tue, Feb 20, 2018 at 12:55 PM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Jenny:

The County does not have drainage plans for the horse farm or the agricultural lands around the horse farm.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning

Matt Asselmeier

From: Matt Asselmeier
Sent: Tuesday, February 20, 2018 12:56 PM
To: 'Jenny Holloway'
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Jenny:

The County does not have drainage plans for the horse farm or the agricultural lands around the horse farm.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jenny Holloway [mailto:jholloway@oswegoil.org]
Sent: Tuesday, February 20, 2018 12:54 PM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: Re: Churchill Club Stormwater Issue

I would like to get the plans for the horse farm and other areas around it. Does the county have those?

On Tue, Feb 20, 2018 at 12:52 PM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Jenny:

The Village of Oswego would have the stormwater plans for Churchill Club. I am not aware of any stormwater plans for the other subdivision you mentioned.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning

Matt Asselmeier

From: Matt Asselmeier
Sent: Tuesday, February 20, 2018 12:53 PM
To: 'Jenny Holloway'
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Jenny:

The Village of Oswego would have the stormwater plans for Churchill Club. I am not aware of any stormwater plans for the other subdivision you mentioned.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jenny Holloway [mailto:jholloway@oswegoil.org]
Sent: Tuesday, February 20, 2018 12:28 PM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: Re: Churchill Club Stormwater Issue

I would like to see the plans for the stormwater system that was set up when this subdivision was put into place as well as the subdivision that was supposed to go up on the other side of wolfs crossing, but didn't because of the recession. Is the BPZ responsible for those or is there an outside source that I need to go to.

On Tue, Feb 20, 2018 at 12:12 PM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Jenny:

The road and ditches along the road are owned by Oswego Township. The horse farm owner cannot discharge horse manure into the Village of Oswego's stormwater infrastructure per the Clean Water Act. Illinois Drainage Law requires downstream properties to accept upstream water. At this point, to the best of our knowledge, there are no violations of the Kendall County Stormwater Management Ordinance.

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning


Matt Asselmeier

From: Matt Asselmeier
Sent: Tuesday, February 20, 2018 12:12 PM
To: 'Jenny Holloway'
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswego.il.org
Subject: RE: Churchill Club Stormwater Issue

Jenny:

The road and ditches along the road are owned by Oswego Township. The horse farm owner cannot discharge horse manure into the Village of Oswego's stormwater infrastructure per the Clean Water Act. Illinois Drainage Law requires downstream properties to accept upstream water. At this point, to the best of our knowledge, there are no violations of the Kendall County Stormwater Management Ordinance.

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jenny Holloway [mailto:
Sent: Tuesday, February 20, 2018 11:57 AM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswego.il.org
Subject: Re: Churchill Club Stormwater Issue

Please explain why the county doesn't have jurisdiction?

On Tue, Feb 20, 2018 at 11:09 AM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Jenny:

At this time, the County does not have jurisdiction over this matter.

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

Matt Asselmeier


From: Matt Asselmeier
Sent: Tuesday, February 20, 2018 11:09 AM
To: 'Jenny Holloway'
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Jenny:

At this time, the County does not have jurisdiction over this matter.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jenny Holloway [mailto:
Sent: Tuesday, February 20, 2018 11:04 AM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: Re: Churchill Club Stormwater Issue

Matt,

So what you're saying is that the county BPZ is NOT going to do anything further about this situation or the properties involved? The county is going to leave the problem with the township and the village? Please specify, so I can report this information.

Thanks,

On Tue, Feb 20, 2018 at 10:54 AM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Jenny:

Oswego Township is the lead agency investigating the drainage along Wolf Road. The Village of Oswego is the lead agency investigating illicit discharges in your backyard.

If you have any questions, please let me know.

Thanks,

Matt Asselmeier

From: Matt Asselmeier
Sent: Tuesday, February 20, 2018 10:54 AM
To: [REDACTED]
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Jenny:

Oswego Township is the lead agency investigating the drainage along Wolf Road. The Village of Oswego is the lead agency investigating illicit discharges in your backyard.

If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: [REDACTED] <[REDACTED]@mailtoil.com>
Sent: Tuesday, February 20, 2018 8:50 AM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: Re: Churchill Club Stormwater Issue

They have clean s the ditches before and that doesn't help our situation. Are you saying that the county and township are willing to do nothing else? I would like a clear answer in this before I report to the rest of the group.

Sent from my iPhone

On Feb 20, 2018, at 8:08 AM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Jenny:

I checked with Oswego Township and they will be cleaning the ditches along Wolf Road. The Village of Oswego continues to collect water samples off of the horse farm.

If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street

Matt Asselmeier

From: Matt Asselmeier
Sent: Tuesday, February 20, 2018 8:09 AM
To: 'Jenny Holloway'
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

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If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jenny Holloway [mailto: [REDACTED]]
Sent: Thursday, February 15, 2018 2:29 PM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: Re: Churchill Club Stormwater Issue

Hi Matt,

I'm just checking in to see what PBZ chairman Davidson found out while meeting with the Oswego Township Highway Commissioner? Spring is coming and the destruction happening in our backyards needs to be stopped. I have also taken some recent photos of the enormous pile of manure that is mounding over the fence. If you would like to see them, please let me know. I have a large group of neighbors that are interested in this information as well. If it's easier for us to attend the next board meeting please let me know as well.

Thanks,

On Thu, Dec 14, 2017 at 7:52 AM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Patty:

I spoke with PBZ Chairman Davidson yesterday and he is going to evaluate the situation with the Oswego Township Highway Commissioner.

Thanks,

Matt Asselmeier

From: [REDACTED]
Sent: Tuesday, February 20, 2018 7:47 AM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswego-il.org
Subject: Re: Churchill Club Stormwater Issue
Attachments: Video.MOV; ATT00001.htm; image1.jpeg; ATT00002.htm; image2.jpeg; ATT00003.htm; image3.jpeg; ATT00004.htm







Matt Asselmeier

From: Jenny Holloway [mailto:jholloway@oswegoil.org]
Sent: Thursday, February 15, 2018 2:29 PM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: Re: Churchill Club Stormwater Issue

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Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Patty Deering [mailto:pdeering@oswegoil.org]
Sent: Wednesday, December 13, 2017 12:43 PM
To: Matt Asselmeier; Jenny Holloway

Cc: Scott Koeppel; Robert Davidson; dmarkowski@oswego-il.org

Subject: RE: Churchill Club Stormwater Issue

This has been dragging on for such a long time. A resolution needs to be found to stop all of this water from going into our residents back yards.

Patty Deering, CMCA, AMS

Community Association Manager

[REDACTED]
Associa Chicagoland - An Associa® Company

[REDACTED]
Phone [REDACTED]

[REDACTED]
Fax [REDACTED]



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From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Wednesday, December 13, 2017 7:58 AM
To: Patty Deering; Jenny Holloway
Cc: Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Patty:

The Village of Oswego is the lead investigating agency for any stormwater issues inside the subdivision. The County is working with Oswego Township on stormwater issues on properties outside of the Village of Oswego.

If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Patty Deering [mailto:██]
Sent: Tuesday, December 12, 2017 5:13 PM
To: Matt Asselmeier; Jenny Holloway
Cc: Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Matt,

Have you heard anything more with this? I have copied Dave Markowski on this e-mail as his is the name on the letter sent by the Village on 7/17/17. The owner at 420 Fayette behind this horse farm is still having issues from the run off at this horse farm.

Patty Deering, CMCA, AMS

Community Association Manager

[REDACTED]
Associa Chicagoland - An Associa® Company

[REDACTED]
Phone: [REDACTED]

[REDACTED]
Fax: [REDACTED]



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From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Monday, November 20, 2017 2:01 PM
To: Jenny Holloway; Patty Deering
Cc: Scott Koeppel; Robert Davidson
Subject: RE: Churchill Club Stormwater Issue

Jenny:

The Village of Oswego is the lead investigative agency on this matter.

I know that earlier this month they were trying to get water samples, but I have not heard anything since that time.

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Jenny Holloway [mailto: [REDACTED]]
Sent: Monday, November 20, 2017 11:45 AM
To: Patty Deering; Dave Markowski; Matt Asselmeier
Cc: Scott Koeppel; Robert Davidson
Subject: Re: Churchill Club Stormwater Issue

Matt Asselmeier

From: Dave Markowski [DMarkowski@oswegoil.org]
Sent: Friday, February 16, 2018 1:25 PM
To: Matt Asselmeier
Subject: RE: Churchill Club Stormwater Issue

Matt,

I have a meeting scheduled for the 23rd with Director Hughes, Jay Hoover (building department manager) and Jim Burbridge (chief infrastructure inspector) to discuss the sample results and our next course of action.

Dave

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Friday, February 16, 2018 10:52 AM
To: Dave Markowski
Subject: RE: Churchill Club Stormwater Issue

Dave:

Pending the outcome of those samples, does the Village have any plans to file charges against the horse farm owner for illicit discharges? Is the Village working with the farmer to move the manure pile?

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Dave Markowski [mailto:DMarkowski@oswegoil.org]
Sent: Friday, February 16, 2018 10:22 AM
To: Matt Asselmeier
Subject: RE: Churchill Club Stormwater Issue

Morning Matt,

Attached are the results from testing done back in January. Although coliforms were found upstream of the farm they were greatly increased leaving the farm.

With rain forecasted for next week I will be taking more samples.

Dave

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Thursday, February 15, 2018 3:59 PM
To: Dave Markowski


Cc: Jennifer Hughes; Scott Koeppel
Subject: FW: Churchill Club Stormwater Issue

Dave:

Is there an update on testing the stormwater for horse manure in the Churchill Club subdivision?

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jenny Holloway [mailto:
Sent: Thursday, February 15, 2018 2:29 PM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswego.il.us
Subject: Re: Churchill Club Stormwater Issue

Hi Matt,
I'm just checking in to see what PBZ chairman Davidson found out while meeting with the Oswego Township Highway Commissioner? Spring is coming and the destruction happening in our backyards needs to be stopped. I have also taken some recent photos of the enormous pile of manure that is mounding over the fence. If you would like to see them, please let me know. I have a large group of neighbors that are interested in this information as well. If it's easier for us to attend the next board meeting please let me know as well.
Thanks,

On Thu, Dec 14, 2017 at 7:52 AM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Patty:

I spoke with PBZ Chairman Davidson yesterday and he is going to evaluate the situation with the Oswego Township Highway Commissioner.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning



Est. 1965

ARRO Laboratory, Inc.

P.O. Box 686 Caton Farm Road
Joliet, Illinois 60434



Phone: 815-727-5436
FAX 815-740-3234

Bacteriological Analysis

Batch 180122H

Customer: DAVE MARKOWSKI
Company: VILLAGE OF OSWEGO
Address: 100 PARKERS MILL
City/State/Zip: OSWEGO, IL 60543

P.O. Number:
Date Received: 1/22/2018
Date Completed: 1/25/2018

Sample ID	Sample Description	Sample Date
420167	UPSTREAM 2575 WOLFS X-ING	1/22/2018

Analyte	Concentration	Units	Analyst	Date	Method
Fecal Coli	880	col/100 ml	PW	01/22/18 2:00 PM	SM9222D

Sample ID	Sample Description	Sample Date
420168	DOWNSTREAM 2575 WOLFS X-ING	1/22/2018

Analyte	Concentration	Units	Analyst	Date	Method
Fecal Coli	> 2000	col/100 ml	PW	01/22/18 2:00 PM	SM9222D

I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS REPORT AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF SUCH INFORMATION IS TRUE, COMPLETE AND ACCURATE.

APPROVED BY

1/25/2018

Joan Rolih, Director
Environmental Services

Comments:

Matt Asselmeier

From: Jenny Holloway [REDACTED]
Sent: Wednesday, December 13, 2017 10:45 AM
To: Matt Asselmeier
Cc: Patty Deering; Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: Re: Churchill Club Stormwater Issue

Hi Matt,

I'm glad to hear you are working on properties outside of the Village of Oswego, because that is exactly where the horse farm property is located (outside the village of Oswego). With that being said, can you give us an update on what you are doing to make sure this problem is fixed? Should I come to the next board meeting and ask the panel or will your department be handling this? Please let me know as soon as possible. This problem has been going on for years, but more recently brought to your specific attention about 8 months ago. That seems like a very long time to be waiting for a solution to a huge problem, that is getting worse by the month.

Thank You,

Jennifer Holloway

On Wed, Dec 13, 2017 at 7:57 AM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Patty:

The Village of Oswego is the lead investigating agency for any stormwater issues inside the subdivision. The County is working with Oswego Township on stormwater issues on properties outside of the Village of Oswego.

If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Patty Deering [mailto:p[REDACTED]]
Sent: Tuesday, December 12, 2017 5:13 PM
To: Matt Asselmeier; Jenny Holloway
Cc: Scott Koeppel; Robert Davidson; dmarkowski@oswego-il.org
Subject: RE: Churchill Club Stormwater Issue

Matt,

Have you heard anything more with this? I have copied Dave Markowski on this e-mail as his is the name on the letter sent by the Village on 7/17/17. The owner at 420 Fayette behind this horse farm is still having issues from the run off at this horse farm.

Patty Deering, CMCA, AMS

Community Association Manager



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From: Matt Asselmeier [<mailto:masselmeier@co.kendall.il.us>]

Sent: Monday, November 20, 2017 2:01 PM

To: Jenny Holloway; Patty Deering

Cc: Scott Koeppel; Robert Davidson

Subject: RE: Churchill Club Stormwater Issue

Jenny:

The Village of Oswego is the lead investigative agency on this matter.

I know that earlier this month they were trying to get water samples, but I have not heard anything since that time.

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

Matt Asselmeier

From: Patty Deering; [REDACTED]
Sent: Thursday, December 14, 2017 11:06 AM
To: Matt Asselmeier; Jenny Holloway
Cc: Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Thank you. Please let me know what they find.

Patty Deering, CMCA, AMS

Community Association Manager
[REDACTED]

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From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Thursday, December 14, 2017 7:52 AM
To: Patty Deering; Jenny Holloway
Cc: Scott Koeppel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Patty:

I spoke with PBZ Chairman Davidson yesterday and he is going to evaluate the situation with the Oswego Township Highway Commissioner.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning

111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Patty Deering [mailto: [REDACTED]]
Sent: Wednesday, December 13, 2017 12:43 PM
To: Matt Asselmeier; Jenny Holloway
Cc: Scott Koepfel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

This has been dragging on for such a long time. A resolution needs to be found to stop all of this water from going into our residents back yards.

Patty Deering, CMCA, AMS

Community Association Manager
[REDACTED]

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From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Wednesday, December 13, 2017 7:58 AM
To: Patty Deering; Jenny Holloway
Cc: Scott Koepfel; Robert Davidson; dmarkowski@oswegoil.org
Subject: RE: Churchill Club Stormwater Issue

Patty:

The Village of Oswego is the lead investigating agency for any stormwater issues inside the subdivision. The County is working with Oswego Township on stormwater issues on properties outside of the Village of Oswego.

If you have any questions, please let me know.

Matt Asselmeier

From: Dave Markowski [DMarkowski@oswegoil.org]
Sent: Tuesday, December 05, 2017 7:54 AM
To: Matt Asselmeier
Subject: RE: Churchill Club Subdivision

Morning Matt,

Not much going on. The work he committed to do I do not believe is being done, not much we can do about that. We are trying to get a "dirty" sample of water leaving his property and entering our storm system, to have it tested in a Lab. That is really our only course of action at this time. Right now with no water going into the storm drain he is doing nothing wrong. This is a long ongoing process due to the timing of rain and the lab being open.

Wish I had more to report.

Dave Markowski
Village of Oswego
Public Works Dept.

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Monday, December 04, 2017 11:34 AM
To: Dave Markowski; Jennifer Hughes
Subject: Churchill Club Subdivision

Dave and Jennifer:

Do you have any update regarding the Churchill Club stormwater issue?

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Dave Markowski [mailto:DMarkowski@oswegoil.org]
Sent: Wednesday, November 08, 2017 12:44 PM
To: Matt Asselmeier
Subject: RE: manure pile

Afternoon Matt,

Not much happening, we took upstream and downstream samples back on the 14th of October when we had the heavy rains but unfortunately they are only good for testing 6

Matt Asselmeier

From: Jenny Holloway
Sent: Monday, November 20, 2017 11:45 AM
To: Patty Deering; Dave Markowski; Matt Asselmeier
Cc: Scott Koepfel; Robert Davidson
Subject: Re: Churchill Club Stormwater Issue

Hi Matt & Dave,

I was just wondering if any progress has been made at the horse farm? My yard is completely saturated again and there is a steady stream still coming in under the fence where there isn't a drain to catch it. Please let me know when you get a chance.

Thanks,

Jennifer Holloway

On Mon, Oct 2, 2017 at 3:53 PM, Patty Deering <[REDACTED]> wrote:

Thank you Matt for staying on top of this.

Patty Deering, CMCA, AMS

Community Association Manager

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Matt Asselmeier

From: Bob Rogerson [brogeron@oswegotownship.org]
Sent: Friday, October 27, 2017 9:42 AM
To: Jennifer Hughes; Dave Markowski (dmarkowski@oswegoil.org); Matt Asselmeier
Subject: RE: Churchill Club Stormwater Issue

Hello, just an FYI update. Mr. Pat Benes called me on 10/24/17 at 3:49 pm raising his voice at me about the water on his property and threatening to sue all of the Governmental agencies. So after hearing him out, I called him yesterday to explain to him that we have been trying to acquire a Gradall company to help us with the right of way drainage. I told him that we were unable to contract that out this year due to all the companies full schedules and that he will be first on our list ASAP in the spring. That being said, until we get out there and shoot grade, I don't know if there will be enough pitch to drain the ditch line in either direction. He said he has been trying to get this fixed for the last three years, and then threatened to sand bag the culvert under the road. I told him that I wouldn't advise that.

Bob Rogerson

*Highway Commissioner
Oswego Township Road District
1150 Rt. 25
Oswego, IL 60543
Phone: (630) 264-4587
Fax: (630) 264-6695*

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From: Jennifer Hughes [mailto:JHughes@oswegoil.org]
Sent: Wednesday, July 5, 2017 8:02 AM
To: Bob Rogerson <bob@oswegotownship.org>
Subject: RE: Churchill Club Stormwater Issue

Sure.

Jennifer Hughes, P.E., CFM
Public Works Director/Village Engineer



PH: 630.551.2366
Email: jhughes@oswegoil.org

From: Bob Rogerson [mailto:bob@oswegotownship.org]
Sent: Wednesday, July 05, 2017 7:36 AM
To: Jennifer Hughes
Subject: RE: Churchill Club Stormwater Issue

Matt Asselmeier

From: [REDACTED]
Sent: Monday, October 02, 2017 10:43 AM
To: Matt Asselmeier; Patty Deering
Subject: Fwd: meeting follow-up
Attachments: manure.jpg

Hi Matt,

Below is the response I received from the village. It looks like they haven't done anything yet. I have attached a photo that I took this weekend as well to show how out of hand the maure situation is getting. It is up over the fence and wider than I have ever seen it. If we have one good rain, our drains will be plugged with this again. You might want to forward this on to your environmental department. Please let me know if there is anything that can be done.

Thanks,
[REDACTED]

----- Forwarded message -----

From: Dave Markowski <DMarkowski@oswegoil.org>
Date: Mon, Oct 2, 2017 at 9:19 AM
Subject: RE: meeting follow-up
To: [REDACTED]

Morning [REDACTED]

No response from the farm owner. We did send a 2nd letter to him making him aware if any contaminated water enters the storm system he will be in violation of Village and County Ordinances. With that he will begin to be fined for every occurrence until the issue is corrected to our satisfaction.

Dave Markowski

Village of Oswego

Public Works Dept.

From: [REDACTED]
Sent: Friday, September 29, 2017 11:19 AM
To: Dave Markowski
Cc: [REDACTED]
Subject: Re: meeting follow-up



Matt Asselmeier

From: Dave Markowski [DMarkowski@oswegoil.org]
Sent: Monday, October 02, 2017 9:12 AM
To: Matt Asselmeier
Subject: 2575 wolf road 2nd letter.doc
Attachments: 2575 wolf road 2nd letter.doc

Morning Matt,

As of September 13th we have not been back to inspect his property, nor have we heard from him. Going forward we will be monitoring and sampling any rainfall amount that could cause contaminated water to enter the storm system. He will then start receiving fines for every occurrence until the issue has be resolved to our satisfaction.

Dave Markowski
Village of Oswego
Public Works Dept.

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9/15/2017

Patrick Benes
2575 Wolfs Crossing
Oswego Illinois 60543

RE: Code Violation at 2575 Wolfs Crossing

Dear Mr. Benes:

This letter is to inform you the Village of Oswego inspected 2575 Wolfs Crossing on September 5, 2017 and again on September 13, 2017. The following items that we agreed upon at our meeting on July 12, 2017 have not been completed and need to be addressed. We anticipate that runoff from your property will violate the provisions of the Village of Oswego Discharge Detection and Elimination Ordinance and the Kendall County Storm Water Management Ordinance due to the discharge of non-storm water namely fecal matter from your property into the Village storm sewer system.

Again your commitments as discussed at our meeting on July 12, 2017 were as follows:

1. The manure pile is to be removed weekly and storm water shall be diverted around the pile at all times.
2. You committed to constructing a gravel trough east of the manure pile in the low area just west of the horse stable to slow and filter some of the water run-off from the stable areas.
3. You will conduct exploratory excavation east and west between the horse pens to search for existing field tiles.

The Village of Oswego will inspect the site after rainfall events to confirm that all non-compliant items have been remediated.

If there are any questions or objections to the information contained in this letter feel free to contact me by phone at 630-551-2161 or by email at dmarkowski@oswego-il.org. If no objections are received within 5 business days, the Village will consider this letter to be accepted with no alterations.

Sincerely,

Dave Markowski
Village of Oswego
Public Works Department

Summary of Violation Notification Procedure

1st Notice: Oswego furnish a Violation Notification to applicant and/or representative via fax and Certified Mail outlining necessary corrective measures to be completed and re-inspected within 5-working days of said notification. After which time, if violations are still not corrected, a *Red Tag* will be issued for the site (i.e. all work to stop except for activities related to correcting violations). Note: The Village may issue an immediate Red Tag if the Village determines the nature of the violation to be an immediate hazard to the health, safety, or welfare of the public.

2nd Notice: Oswego issues a *Red-Tag* for the site along with a Conditional Stop Work Order (allowing only remediation activities) via fax and Certified Mail granting an additional 5-working day deadline to complete remedial work to cure said WDO violation(s). Fines continue to accrue.

3rd and Final Notice: If corrective measures have not been completed within the period allowed by 2nd Notice, the Oswego shall meet with the applicant/developer to discuss the Village's additional punitive actions and the plan and schedule within which the necessary remedial measures will be completed. Fines continue to accrue and the Conditional Stop Work Order remains in effect.

NOTE: Building and/or Occupancy Permits and surety reduction requests will be withheld until all violations are resolved and levied fines are paid.

Matt Asselmeier

From: Dave Markowski [DMarkowski@oswegoil.org]
Sent: Tuesday, September 12, 2017 7:55 AM
To: Matt Asselmeier
Subject: RE: Churchill Club Stormwater Issue

Morning,

Matt we have not received any response from the property owner at this time. I did have a phone conversation with him to check progress and was informed that his tractor was in need of repairs and he was hoping to do some work over the Labor Day holiday. I did stop by on September 5th to inspect the property and nothing has been done. We will be sending a non-compliance letter with possible fines forthcoming.

Dave Markowski
Village of Oswego
Public Works Dept.

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Tuesday, September 05, 2017 9:46 AM
To: Jennifer Hughes
Cc: Dave Markowski; Scott Koeppel; Robert Davidson
Subject: RE: Churchill Club Stormwater Issue

Jennifer:

Did you receive any response from the owner at 2575 Wolf Crossing regarding the stormwater issues?

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jennifer Hughes [mailto:JHughes@oswegoil.org]
Sent: Thursday, July 27, 2017 2:55 PM
To: Matt Asselmeier
Cc: Dave Markowski; Scott Koeppel; Robert Davidson
Subject: Re: Churchill Club Stormwater Issue

It's a FOIA'ble document. It should be released.

Jennifer Hughes, P.E., CFM
Public Works Director



PH: 630.551.2366



MEET.
CONNECT.
COLLABORATE.

Small Business V
April 30 - May 5,
#SB

March 30, 2018

In a shrinking metro area, one county is adding residents



By JOHN PLETZ |



Photo by John Gress/Getty Images

Carpenter Matt Hennebry works on a home in Yorkville.

The Chicago area is on its third straight year of population decline, but there is one pocket of growth. The far western edge of the metro area is adding residents again, albeit slowly. You can see it in subdivisions in Kendall County, such as the Grande Reserve in Yorkville, where home construction on tracts of former farmland has restarted.



U.S. Census Bureau. That's twice as fast as Grundy County, which saw the second-biggest increase, and three times the growth rate in nearby Will, Kane and McHenry counties. Of the seven Illinois counties with a population over 50,000 that grew in 2017, two outside the Chicago metro area are DeKalb and Champaign, home to college towns.

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Since he moved about 15 miles to Yorkville from Naperville in late November, Daniel Torres, 38, has seen a steady arrival of new families on his block in the Grande Reserve, a development that will top 2,500 homes when it's finished. His family of four moved from neighboring DuPage County, the latest in a long line of residents drawn to the exurbs by economics. "You get more house for the money and good schools," he says of the neighborhood, where most homes are priced in the \$250,000 to \$300,000 range. "It's picking up."

Across the street, Alfonso Martinez, 28, just moved in with his wife and three children from Gage Park on Chicago's Southwest Side. "It's a new house. The area is beautiful. It's quiet," he says. The trade-off, of course, is the commute: He and his wife both work at hotels downtown. "If you leave early, it's about 45 minutes. It's a long drive, but you get used to it," Martinez says. There is no commuter train; the closest Metra stop is about 10 miles away in Aurora.

Oswego, the largest town in Kendall County, with about 33,000 residents, has recorded the strongest population growth. "More people can work remotely, so being an hour and 15 minutes outside Chicago isn't as big of a deal as it used to be," says Village President Gail Johnson.

The growth in Kendall or its neighbors won't offset **the drag in DuPage and Cook counties**, where population declined slightly last year. They're too small. Kendall has just 126,218 residents, compared with 692,661 in Will County, 534,667 in Kane County, 703,520 in Lake County, 930,128 in DuPage County and 5.2 million in Cook County.

"There's a reshuffling and shifting going on," Chicago-based demographic researcher Rob Paral says of the population trends. "Overall, there's stagnation. You've got one major node that's doing well. This is a problem. It's not like things are going to crash. There's just no or slow growth. There's no reason to think it's going to change in the near future."

The Chicago area has clawed its way out of the recession, with anemic growth in jobs and **housing values**. Overall, jobs have been increasing across the metro area, even though population in several counties has not.

SMALL-SCALE RECOVERY

Even in Kendall, the growth is a far cry from the early 2000s, when the population increased nearly 80 percent to about 97,000. Between 2012 and 2017, Kendall's population rose 6.7 percent, according to Census Bureau estimates. Its closest rival was Kane, where residents increased 2.6 percent.

This is what a recovery looks like on a small scale: Yorkville, a town of about 19,000, had 212 housing starts last year, up from 151 in 2016 and 84 in 2015. At the pre-recession peak in 2006, it was about 1,000, says City Administrator Bart Olson.

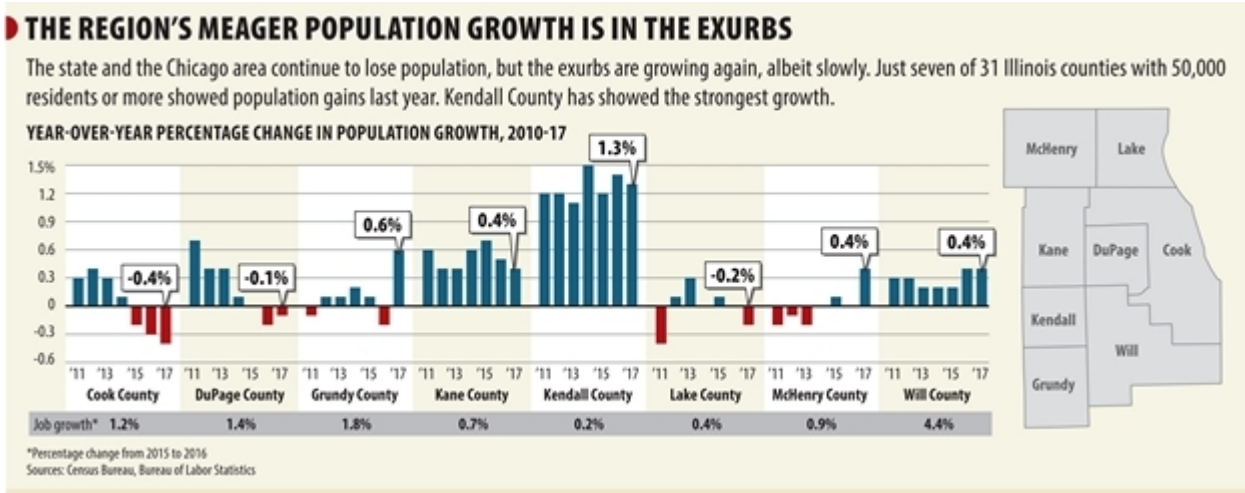
The city primed the reboot with an incentive program, funded by developers and the city, that gave checks of about \$10,000 to buyers of new homes. Two-thirds of new residents surveyed say they moved to Yorkville because of it, Olson says. The program, used by more than 400 people in five years, ended in December. "I'm anxious to see



There aren't many large employers in Kendall County, which started making the transition from small farm towns to suburbs in the early 2000s. The biggest economic-development win was a 2016 expansion of Wrigley's gum and candy factory in Yorkville to produce Skittles, adding 75 jobs, a 25 percent increase. A Menard's distribution center in Plano expects to double its workforce to 150 over the next five years. But eventually, retail and jobs follow rooftops. A Holiday Inn Express will be completed in Yorkville this year. A shopping center anchored by Target, Dick's Sporting Goods and Home Depot opened just after the recession. A 10-screen movie theater opened in late 2013. Overall sales tax collections in Yorkville rose 6 percent last year.

In Oswego, Art Black, owner of Oswego Cyclery, just leased out the back of his downtown building, which used to house the city's fire station, to entrepreneurs who are opening a microbrewery in May. In a historic downtown mostly filled with mom-and-pop shops, "I think businesses are starting to feel (the recovery) a little bit," he says, though bike sales haven't taken off yet. What's really got him excited is a planned \$64 million project by Geneva-based developer Shodeen Group that calls for 250 apartments, as well as retail and restaurants, on the 2.4-acre riverfront site of a former lumberyard that closed more than a decade ago. "That could be a game-changer," says Johnson.

For the region as a whole, it's small ball. But for now, it's the only game around.



Tuesday, April 17, 2018

To:

MATT ASSELMEIER, SENIOR PLANNER – Kendall County

BRIAN HOLDIMAN, CODE OFFICIAL – Kendall County

Scott Gryder – Kendall County

SCOTT KOEPEL, COUNTY ADMINISTRATOR – Kendall County

Tom Karpus - Building, Planning and Zoning Director – Plano

Robert (Bob) Hausler – Mayor – Plano IL

Mr. Dwayne (Butch) Konicek – State of Illinois – Soil Conservation

Illinois OSHA

Re: Property 21 Dawn Ave Plano IL.

I am formally bringing to your attention and placing you on notice, a matter regarding the property at 21 Dawn Ave Plano, IL 60545

Facts as we know them;

1. Excavation of the home site for foundation footers was on September 18th and 19th 2017.
2. There was no permit for the excavator to dig.
 - a. Issue – illegal construction site
3. During the excavation, the operator damaged a drain tile.
4. The sites soil was tested and deemed unstable and was determined that the foundation would need caissons.
5. There was not and has never been any “no trespassing” signs.
 - a. Issue – Kendall county code
6. There was not and has never been any permit posted
 - a. Issue – Kendall county code
7. The site has never been fenced off (OSHA for a drop off - 1926.501(b)(4)(ii))
8. This site has been abandoned by the owner.

Issues;

1. The drain tile is damaged resulting in improper drainage from the north corn field.
2. The damaged drain tile has resulted in the dig site flooding and has standing water.
 - a. The standing water is a breeding ground for mosquitos which carry a host of diseases
3. The uncovered excavation has remained open since September 2017 (7 months)
 - a. This opening has resulted in a fall and drowning risk as there are young children in the area.
4. The uncovered excavation is an eyesore for the community

5. Liability for the state and county.

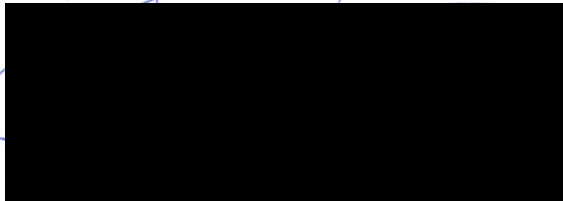
Requested resolution;

1. Post the site No Trespassing
2. Repair the damaged drain tile properly.
3. Fill the open hole and grade appropriately.

I look forward to your resolution in this matter without further action on our part.

Sincerely,

Chris K Sherman Sr.



Cc. Personal attorney

CC. File

Matt Asselmeier

From: Brian Holdiman
Sent: Monday, April 23, 2018 9:19 AM
To: 'Emma Urbina'
Cc: Matt Asselmeier; Pam Herber; Scott Koeppel
Subject: 21 Dawn Avenue

Good Morning Emma,

I spoke with Luis last week and he indicated you are going to be applying for building permit and constructing your new home in Plano soon. Congratulations! When Luis and I spoke I asked him about restoring the lot at 21 Dawn Ave to its original condition and he indicated he planned to do that soon. Our office and the Kendall County board has received some complaints about the dangerous condition of the open excavation on your property. The Planning, Building and Zoning Committee is going to discuss the complaint received at their meeting on May 7th. Would you mind responding to this email confirming you plan to restore the lot and include a timeline? Any questions please let me know.

Respectfully,

Brian Holdiman

*Code Official - The County of Kendall - Planning, Building & Zoning - 111 West Fox Street room 203 Yorkville IL 60560
Office: (630) 553-4134 Cell: (630) 774-1161 Fax: (630) 553-4179*

Matt Asselmeier

From: Brian Holdiman
Sent: Wednesday, April 25, 2018 8:20 AM
To: 'Emma Urbina'
Cc: Scott Koeppel; Pam Herber; Matt Asselmeier
Subject: RE: 21 Dawn Avenue

Emma,

In this situation, the lot would probably only have value to an adjacent property owner or someone that is willing to engineer a design to address the poor soils. The assessment has been lowered from \$10,458 to \$1,000 in 2017.

The acceptance of the land is a County Board decision, but the chances are extremely unlikely because then the County would have to maintain the property and they have not done this in the past.

Please let me know about the lot restoration so we can move forward with resolving that issue. Thanks.

Respectfully,

Brian Holdiman

*Code Official - The County of Kendall - Planning, Building & Zoning - 111 West Fox Street room 203 Yorkville IL 60560
Office: (630) 553-4134 Cell: (630) 774-1161 Fax: (630) 553-4179*

From: Emma Urbina [mailto: [REDACTED]]
Sent: Monday, April 23, 2018 10:06 AM
To: Brian Holdiman
Subject: Re: 21 Dawn Avenue

I will make sure to see how soon it can all be restored. As for the lot, is there someone we can talk to as far as signing the property over to the city/county? We have never gone through something like this so we are exploring all options as far as getting rid of the property. We do not wish to continue to pay property taxes on land we cannot build on and I doubt anyone would purchase the land if we put it back on the market.

Emma

On Monday, April 23, 2018, 9:19 AM, Brian Holdiman <BHoldiman@co.kendall.il.us> wrote:

Good Morning Emma,

I spoke with Luis last week and he indicated you are going to be applying for building permit and constructing your new home in Plano soon. Congratulations! When Luis and I spoke I asked him about restoring the lot at 21 Dawn Ave to its original condition and he indicated he planned to do that soon. Our office and the Kendall County board has received some complaints about the dangerous condition of the open excavation on your property. The Planning, Building and Zoning Committee is going to discuss the complaint received at their meeting on May 7th.

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Respectfully,

Brian Holdiman

Code Official - The County of Kendall - Planning, Building & Zoning -111 West Fox Street room 203 Yorkville IL 60560

Office: (630) 553-4134 Cell: (630) 774-1161 Fax: (630) 553-4179

Matt Asselmeier

From: Brian Holdiman
Sent: Monday, April 23, 2018 10:33 AM
To: Matt Asselmeier; Pam Herber; Scott Koeppel
Subject: FW: 21 Dawn Avenue

FYI - Response from Andy below.

Respectfully,

Brian Holdiman

*Code Official - The County of Kendall - Planning, Building & Zoning -111 West Fox Street room 203 Yorkville IL 60560
Office: (630) 553-4134 Cell: (630) 774-1161 Fax: (630) 553-4179*

From: Andy Nicoletti
Sent: Monday, April 23, 2018 10:32 AM
To: Brian Holdiman
Subject: RE: 21 Dawn Avenue

Hi Brian,

In this situation, the lot would only have value to an adjacent property owner. Marie lowered the assessment from \$10,458 to \$1,000 in 2017.

Andy Nicoletti, CIAO/M

Chief County Assessment Official
Kendall County
111 W. Fox St.
Yorkville, IL 60560
630-553-4146

From: Brian Holdiman
Sent: Monday, April 23, 2018 10:22 AM
To: Andy Nicoletti
Subject: FW: 21 Dawn Avenue

Andy – Do you have any insight on this?

Respectfully,

Brian Holdiman

*Code Official - The County of Kendall - Planning, Building & Zoning -111 West Fox Street room 203 Yorkville IL 60560
Office: (630) 553-4134 Cell: (630) 774-1161 Fax: (630) 553-4179*

From: Scott Koeppel
Sent: Monday, April 23, 2018 10:21 AM
To: Matt Asselmeier; Brian Holdiman; Pam Herber
Subject: RE: 21 Dawn Avenue

Maybe Andy has come insight? If you cannot build on the property I would assume the value would go down.

Scott Koeppel

From: Matt Asselmeier
Sent: Monday, April 23, 2018 10:19 AM
To: Brian Holdiman <BHoldiman@co.kendall.il.us>; Scott Koeppel <skoeppel@co.kendall.il.us>; Pam Herber <pherber@co.kendall.il.us>
Subject: RE: 21 Dawn Avenue

The acceptance of the land is a County Board decision; I don't know if Kendall County historically accepts property in this fashion.

She could ask, but I think the chances are unlikely because then the County would have to maintain the property.

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Brian Holdiman
Sent: Monday, April 23, 2018 10:13 AM
To: Scott Koeppel; Matt Asselmeier; Pam Herber
Subject: FW: 21 Dawn Avenue

Good Morning,

Does anyone have any suggestions on how to respond to Emma Urbina below?

Respectfully,

Brian Holdiman
*Code Official - The County of Kendall - Planning, Building & Zoning - 111 West Fox Street room 203 Yorkville IL 60560
Office: (630) 553-4134 Cell: (630) 774-1161 Fax: (630) 553-4179*

From: Emma Urbina [mailto:████████████████████]
Sent: Monday, April 23, 2018 10:06 AM
To: Brian Holdiman
Subject: Re: 21 Dawn Avenue

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Emma

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Respectfully,

Brian Holdiman

Code Official - The County of Kendall - Planning, Building & Zoning -111 West Fox Street room 203 Yorkville IL 60560

Office: (630) 553-4134 Cell: (630) 774-1161 Fax: (630) 553-4179



The US. Army Corps of Engineers, Rock Island District invites you to the
2018 National Flood Fight Materiel Center Industry Day

Wednesday, June 27, 2018

9:00 a.m. – 3:00 p.m.

River Center
136 East Third Street
Davenport, IA 52801

You are invited to the Rock Island District 2018 National Flood Fight Materiel Center Industry Day. During this time you will have the opportunity to learn more about innovative temporary and permanent flood barriers and other supplies, equipment, and services exhibited by vendors. The event also provides the opportunity for networking with others in the flood risk management community.

Draft Agenda (subject to change)

8:00 a.m. – 9:00 a.m.

9:00 a.m. – 9:30 a.m.

9:30 a.m. – 9:45 a.m.

9:45 a.m. – 10:00 a.m.

10:00 a.m. – 10:30 a.m.

10:30 a.m. – 3:00 p.m.

Exhibitor setup/Attendee sign-in/Networking

Small Business Introduction

Acknowledgement of Agency Attendees

Iowa Flood Center-University of Iowa Overview

National Flood Fight Materiel Center Overview

Exhibit Hall Open

To RSVP for the event contact Sarah
sarah.b.jones@usace.army.mil or by
than May 8, 2018.

Jones by email at
phone at (309)794-5206 no later

