

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

Tuesday, October 10, 2017 – 6:30 p.m.

CALL TO ORDER:

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

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes from the September 11, 2017 Meeting (Pages 4-16)

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 17-18)

Review of Proposed PBZ Budget for Fiscal Year 2017-2018 (Pages 19-21)

PUBLIC COMMENT:

PETITIONS: None

NEW BUSINESS:

1. Request from ZPAC that the Planning, Building and Zoning Committee Amend Petition 17-29 RE: Notification Requirement for Special Use Applications in the A-1 District to a Smaller Notification Distance (Pages 22-24)
2. Approval of Fiscal Year 2017-2018 Meeting Calendar (Page 25)
3. Recommendation on 2018 Comprehensive Noxious Weed Work Plan (Pages 26-27)
4. Request from Tri-Star Development to Construct a R-1 Zoned One-Family Residential Subdivision Instead of a RPD Zoned Subdivision in Seward Township (Pages 28-34)
5. Review of Commercial Wind Farm Regulations (Pages 35-41)
6. Approval of Resolution Placing a Noise Warning Statement on the Building Permit Application Form (Pages 42-44)
7. Clarification of Membership, Chairmanship and Duties of Ad-Hoc Zoning Ordinance Committee, Including Recommendation on Eliminating the Ad-Hoc Zoning Ordinance Committee (Pages 45-62)
8. Approval of Initiating Text Amendments to Section 13 of the Kendall County Zoning Ordinance Pertaining to the Powers and Duties of the Kendall County Regional Planning Commission (Pages 45- 62)
9. Approval of Initiating Text Amendments to Sections 3 and 13 of the Kendall County Zoning Ordinance Pertaining to the Powers and Duties of the Zoning and Platting Advisory Committee

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(ZPAC) (Pages 45-62)

10. Approval of Initiating Text Amendments to Section 13 of the Kendall County Zoning Ordinance Transferring the Review of Special Use Applications from the Special Use Hearing Officer to the Zoning Board of Appeals (Pages 45-62)
11. Request for Guidance RE: Conditional Use Permits (Pages 63-75)
12. Request for Guidance RE: Proposed Ordinance Amending the Code Hearing Unit Regulations (Should These Regulations be Part of the Zoning Ordinance?) (Pages 76-95)
13. Request for Guidance RE: Bridge at 13360 McKanna Road, Minooka (Bridge Owned by Mark Antos) (Pages 96-98)

OLD BUSINESS:

1. Request for Guidance RE: Mobile Home at 1072 Tyler Road (Roger Smith); Committee Could Forward the Issue to the State's Attorney's Office (Pages 99-105)
2. Approval of Public Hearing Signs
3. Discussion of Property Maintenance Regulations (Pages 106-114)
4. Discussion of Banquet Facility at 1998 Johnson Road (Pages 115-125)
5. Request for Guidance RE: Southfield Estates Flooding Issue (Estimated Investigation Cost is \$7,000) (Pages 126-163)
6. Village of Millbrook Related Items
 - a. Approval of Request of the Village of Millbrook to Extend the Contract dated October 20, 2015 for Planning, Building, Zoning, Subdivision and Stormwater Inspections and Reviews within the Village of Millbrook
 - b. Approval of an Amended Intergovernmental Agreement Between the Village of Millbrook and Kendall County
7. Request for Guidance RE: Dumping at 15875 Ridge Road (Page 164)

UPDATE FOR HISTORIC PRESERVATION COMMISSION:

REVIEW PERMIT REPORT: (Pages 165-186)

REVIEW REVENUE REPORT: (Pages 187)

CORRESPONDENCE:

1. Correspondence Related to Churchill Club Stormwater Issue (Pages 188-193)
2. August 31, 2017 Letter from Kathleen Miller to Roy Mosley RE: City of Plano Stormwater Management Ordinance Variance Request at 509 W. Main Street, Plano (Pages 194-195)

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 September 11, 2017 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Bob Davidson at 6:30 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Bob Davidson (Chairman), Judy Gilmour, Scott Gryder (arrived at 6:55 p.m.) and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Bill Kunke, Patrick Cook, Robert Schneider, Tom McNelis, Nick Wills, Amber Wills, Ken Hostert, William Page, Mark Page, Brian Davis, Daniel Hickey, Tom Schnabel, Matt Ivory, Thomas Barone, Peter Pasteris, Jackie Kowalski, Tom Tanner and Dan Kramer

APPROVAL OF AGENDA

Motion by Member Kellogg, seconded by Member Cullick, to approve the agenda as amended by moving Petition 17-16 to after the second item under Old Business. With a voice vote of four ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Member Gilmour, seconded by Member Kellogg, to approve the minutes from the August 7, 2017 meeting. With a voice vote of four ayes, the motion carried.

EXPENDITURE REPORT

The Committee reviewed the claims report. Motion by Member Kellogg, seconded by Member Cullick, to approve the claims report. With a voice vote of four ayes, the motion carried.

Mr. Asselmeier reported that Scott Koeppel wanted to know if the Committee still desired to receive the expenditure report because the bills listed in the report have already been paid. The consensus of the Committee was to continue receiving the expenditure report.

PUBLIC COMMENT

Bill Kunke, Minooka, discussed the August 7, 2017 letter to Carlos and Tracy Davis RE: Potential Stormwater Management Ordinance Violation at 15875 Ridge Road. Mr. Kunke is a neighbor and he is concerned about the quality of the dirt dumped at the site. He is also concerned that the dirt will get into the Aux Sable Creek and cause flooding problems to his farm, house and well downstream of the site and the drainage area in general. Mr. Davidson asked if the property is a wetland. Mr. Kunke said the land was a drainage flow area. Mr. Davidson said that the Committee will see if the property is a wetland and amount of dirt dumped at the site.

PETITIONS

Petition 17-19-Pulte Group Representing Dave Hamman Requested a Renewal of the Special Use Permit Granted by Ordinance 2004-43 Allowing the Placement of a Commercial Off-Premise Advertising Structure (Billboard) on the Parcel Identified as 03-01-127-006 and Revoking the Special Use Permit for the Placement of a Commercial Off-Premise Advertising Structure (Billboard) on the Parcel Identified as 03-01-127-004 and Located in the 600 Block of Route 34 on the East Side of the Street at the Corner of Route 34 and Hafenrichter (Farnsworth) in Oswego Township.

Mr. Asselmeier summarized the request. The Pulte Group would like to renew the special use permit for a billboard at the property identified by parcel identification number 03-01-127-006 and revoke the special use permit for a billboard on the property identified by parcel identification number 03-01-127-004. This proposal applies to the sign advertising the Pulte Development. The proposal does not include the big billboard on the property 03-01-127-004. Staff is still searching for the ordinance that allowed that billboard. The existing special use permit required the sign to be renewed every three (3) years. The sign was moved to get into compliance with the Kendall County signage regulations; the Pulte Group is required to get a building permit because the sign was relocated.

Oswego Township expressed no opposition to this proposal. The City of Aurora has not submitted comments on this proposal. ZPAC unanimously recommended approval of the proposal provided that the placement requirements of the Zoning Ordinance were met. The Kendall County Regional Planning Commission unanimously recommended approval at their meeting. The Special Use Hearing Officer recommended approval of the proposal with Staff's recommended restrictions.

Mr. Asselmeier listed the recommended conditions proposed by Staff:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Group's residential development.
5. The special use permit awarded by Ordinance 2004-43 to the property identified by Parcel ID Number 03-01-127-004 for an off-premise advertising structure is revoked with the adoption of this ordinance.
6. The owners of the off-premise advertising structure allowed by this special use permit shall obtain a building permit for the structure.
7. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.

8. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
9. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Patrick Cook, representing Pulte Group, stated that he was in attendance to answer questions.

Motion by Member Cullick, seconded by Member Kellogg, to recommended approval of the special use permit with the conditions proposed by Staff.

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

The motion passed. This matter will go before the County Board on September 19th.

Petition 17-21-Tom McNelis Requested a Map Amendment Rezoning Property in the 14000 Block of Budd Road on the North Side of Budd Road and Identified by Parcel Identification Number 04-15-200-023 in Fox Township. Petitioner also Requested a Conditional Use Permit for a House on Less than Forty (40) Acres on Property Zoned A-1 if the Map Amendment is Denied

Mr. Asselmeier summarized the request. The petitioner desires to rezone the property from A-1 to R-1 in order to be able to construct a house on the property in the future. No timeline exists for constructing a house and the property is for sale. The property is less than forty (40) acres and does not have a housing allocation; a house cannot be constructed on the property at the present time.

Fox Township expressed no opposition to the proposal. The Village of Millbrook expressed no opposition to the proposal. The United City of Yorkville expressed no opposition to the proposal. ZPAC unanimously recommended approval of the proposal. The Kendall County Regional Planning Commission suggested that the petitioner obtain a conditional use permit instead of a map amendment. Commissioners did not express object to the construction of a home on the property, but they had concerns about having one (1) R-1 zoned property surrounded by A-1 zoned property. The Planning, Building and Zoning Committee could award a conditional use permit instead of issuing a recommendation on the map amendment. The Zoning Board of Appeals unanimously recommended approval of the map amendment. The consensus was the map amendment was better option than the Conditional Use Permit.

Motion by Member Gilmour, seconded by Member Cullick, to recommended approval of the map amendment.

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

The motion passed. This matter will go before the County Board on September 19th.

Petition 17-22-Stor Mor, Inc. Requested a Major Amendment to the Special Use Permit Granted by Ordinance 2016-15 Allowing an Enclosed Self Storage Facility and Outdoor Storage Facility at 1317 Route 31 and Identified by Parcel Identification Numbers 03-07-278-011, 03-07-278-010 and 03-07-278-009

Mr. Asselmeier summarized the request. Stor Mor, Inc., represented by Robert Schneider, requested four (4) amendments to their special use permit. The petitioner would like to construct one (1) 1,650 square foot building, one (1) 4,300 square foot building, reduce the number of vehicles stored onsite from twenty-nine (29) to sixteen (16) and amend the landscaping plan by removing the proposed vegetation south of the proposed 4,300 square foot building. In addition the restrictions listed in the proposal, Staff requested that a condition be added to the special use permit revoking the special use permit portion of Ordinance 76-6 which granted a special use permit for storage on the northern portion of the property.

Scott Gryder arrived at this time (6:55 p.m.)

Oswego Township had no objections to the proposal. The Village of Montgomery has not submitted any comments on the proposal. ZPAC requested that the petitioner confirm with the Oswego Fire Protection District that sprinklers would not be required in the new building; ZPAC unanimously recommended approval of the proposal. The Kendall County Regional Planning Commission unanimously recommended approval of the proposal.

Mr. Asselmeier listed the proposed conditions on the special use permit:

1. Ordinance 2016-15 is hereby repealed.
2. The special use provisions of Ordinance 76-6 for parcel 03-07-278-010 are hereby repealed. The property will remain zoned B-2.
3. The property will be developed in accordance with the site plan.
4. A building permit shall be secured prior to construction of the proposed storage buildings.
5. Prior to the issuance of a building permit, the Oswego Fire Protection District should approve that the dead end access drive will not require a turnaround for emergency vehicles.
6. Prior to the issuance of a building permit, the Oswego Fire Protection District should confirm whether or not the proposed structures require sprinklers.
7. A stormwater management permit shall be secured prior to the development of the property.
8. The outdoor storage and expansion of the enclosed self-service storage facility shall be effectively screened from adjacent properties as proposed by the applicant.
9. Office hours of operation shall be limited to 8:00 a.m. to 5:00 p.m. Mondays through Saturdays and gate hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. every day.
10. No more than sixteen (16) vehicles may be stored on site at a time.

11. All vehicles stored on site shall be located within a designated stall.
12. All lighting shall comply with Section 11 of the Kendall County Zoning Ordinance. The lighting installed on the 4,300 square foot building shall face north and the lighting installed on the 1,650 square foot building shall face east.
13. The business allowed by this special use permit shall follow all applicable Federal, State and Local laws related to the operation of this type of business.
14. Failure to comply with the above restrictions and conditions shall be interpreted as a violation of the Zoning Ordinance of Kendall County and could result in the revocation of the special use permit or other legal actions.
15. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid (New Restriction).

Mr. Asselmeier noted that Mr. Schneider owned the property to the south area screened by vegetation.

Discussion occurred regarding setting the size of the pine trees at five feet (5') at the time of planting.

Motion by Member Kellogg, seconded by Member Gryder, to recommended approval of the special use permit with the conditions proposed by Staff and the additional condition that the evergreen trees be a minimum five feet (5') feet in height at the time of planting. The petitioner may substitute evergreens and spruce trees for hawthorn, crabapple and dogwood trees. Mr. Schneider agreed to this amendment.

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

The motion passed. This matter will go before the County Board on September 19th.

Petition 17-24-City of Plano, Illinois Requested a Variance to the Kendall County Stormwater Management Ordinance for Improvements at Foli Park (Parcel Identification Number 01-27-276-002)

Mr. Asselmeier summarized the memo on the subject. The City of Plano desires to create a multi-use path, pavilion and other Americans with Disabilities Act compliant amenities at Foli Park. The proposed project will create approximately 0.62 acres of impervious surface; a total of approximately 1.26 acres of impervious surface would be located at the site if the variance is approved and the project is developed as proposed.

Mr. Gryder noted that a public hearing on this proposal had been held on September 5th and no comments were received.

Motion by Member Kellogg, seconded by Member Gryder, to recommended approval of the variance to Section 203.1 of the Kendall County Stormwater Management Ordinance with the conditions proposed by Staff.

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

The motion passed. This matter will go before the County Board on September 19th.

Petition 17-25-Nick and Amber Wills Requested a Conditional Use Permit to Allow a Mobile Home for ECHO Housing at 14281 Anderson Road (Parcel Identification Number 07-16-200-019) in Big Grove Township

Mr. Asselmeier summarized the request. The petitioners wish to place a mobile home to care for their elderly grandparents on their property which is zoned A-1. The application meets the requirements of the Kendall County Zoning Ordinance and will not interfere with Anderson Road or neighboring properties.

Motion by Member Cullick, seconded by Member Gilmour, to approve the conditional use permit with the conditions proposed by Staff.

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

The motion passed.

Petition 17-26-Charles and Carol Allen Requested the Revocation of a Special Use Permit Awarded by Ordinance 2007-18 Allowing Agricultural Labor Housing (Mobile Home) at 3875 Van Dyke Road (Parcel Identification Number 09-04-300-016) in Seward Township

Mr. Asselmeier summarized the request. The property owners no longer want the agricultural labor housing on their property.

Motion by Member Cullick, seconded by Member Gilmour, to recommended revocation of the special use permit as requested by the property owners.

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

The motion passed. This matter will go before the County Board on September 19th.

Petition 17-27-Brian Davis and Brooke Davis Requested a Conditional Use Permit for a Single-Family Dwelling on Property Less than Forty (40) Acres in Size in the A-1 District at 8025 Route 126, Yorkville (Parcel Identification Number 05-10-200-002)

Mr. Asselmeier summarized the application. The petitioners are working on divorce settlement and both parties wish to divide the property. Mr. Davis wishes to construct a home on Parcel 1.

The property is zoned A-1 and meets the requirements of the Zoning Ordinance for having a home on less than forty (40) acres because of the trees and slopes.

Mr. Kramer explained that the his client believes that they have a lawful parcel, per the Illinois Plat Act, and that the conditional use permit should not have a restriction tying the size and frontage of Parcel 2 to the conditional use permit. Mr. Kramer indicated that the property owners will seek a variance for the size and frontage of Parcel 2.

Motion by Member Cullick, seconded by Member Gryder, to approve the conditional use permit with the conditions proposed by Staff except for the condition requiring Parcel 2 to obtain variances prior to the issuance of a building permit for a house on Parcel 1.

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

The motion passed.

NEW BUSINESS

Renewal of Mobile Home Permits: 13443 Fennel Road (Lillian Schallhorn/Cindy Harney)

Mr. Asselmeier reported mobile home permits are required to be renewed and approved annually by the County and this permit meets all applicable requirements.

Motion by Member Cullick, seconded by Member Gryder, to approve of the mobile permit as proposed.

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

The motion passed.

Renewal of Mobile Home Permits: Request for Guidance RE: Mobile Home at 1072 Tyler Road

Mr. Asselmeier reported that all of the mobile homes requiring permits have secured their permits or are working their way through the process except for the mobile home at 1072 Tyler Road. Staff sent the applicant two (2) letters, one (1) certified, return receipt and the other one (1) by regular mail. Staff has received no correspondence from the owner. Staff requests guidance on the matter.

The consensus of the Committee was to place sending the issue to the State's Attorney's Office on the next Planning, Building and Zoning Committee agenda and informing the property owner that the item will be on the agenda for that meeting.

Discussion of Banquet Facility at 1998 Johnson Road

Staff provided a copy of the special use permit and two (2) complaints regarding the banquet facility at 1998 Johnson Road.

Thomas Barone, Johnson Road, expressed his opposition to the noise and increased traffic caused by the banquet facility. His family was not notified of the hearings because they lived further than five hundred feet (500') from 1998 Johnson Road.

Daniel Hickey, Johnson Road, stated that Johnson Road is fairly quiet road. Traffic and noise from the wedding venue have increased and can be heard from the front porch and inside his house. Bass travels through the house. He asked that the notification range for special use permits be extended. He requested that noise measure equipment be installed near the venues.

Matt Ivory, Johnson Road, agreed with Mr. Barone and Mr. Hickey.

Tom Schnabel, Ashley Road, said banquet facilities are detrimental to neighborhoods and create noise.

Dan Kramer stated that the owners of 1998 Johnson Road followed the notification requirements and test the noise levels frequently. The noise readings met the requirements of the special use permit. He stated that the owners installed air conditioning. They installed their own sound systems to control noise levels. He also stated that neighbors closer to 1998 Johnson Road have not expressed objections to the facility.

Pete Pasteris, owner 1998 Johnson Road, stated they installed a sound system that disc jocks must plug into so that he, as owner, can control the noise level. When he tested noise during the weekend, he did not hear music at the end of the property.

Mr. Kellogg asked about his two hundred (200) people maximum capacity. He stated that several wedding websites list the maximum capacity as four hundred (400). Mr. Pasteris responded that a tent can hold four hundred (400) people, but they never have that many people at their property on Johnson Road. Mr. Kellogg advised Mr. Pasteris to contact the wedding websites and get that figure corrected. Mr. Pasteris said that he would look into the matter and get it corrected.

Ms. Gilmour asked how many events they have at the venue for the coming season. Mr. Pasteris responded that they have approximately forty (40) events scheduled for next year. Events are held on Fridays, Saturdays and Sundays on holiday weekends. The first event is scheduled for the last Saturday in April and the last event is scheduled at the end of October. Mr. Kellogg pointed out that the special use permit stated that events cannot start until May 1st. Mr. Asselmeier will send Mr. Pasteris a copy of the special use permit.

The consensus of the Committee was to have Staff review the special use permit for 1998 Johnson Road. The Committee will also give the owner thirty (30) to sixty (60) days to see if the new sound system quiets the music.

Request for Guidance RE: Southfield Estates Flooding Issue

Mr. Asselmeier summarized the issue. According to WBK the estimated cost to investigate the issue is Seven Thousand Dollars (\$7,000).

Mark Page, Winchester Court, explained his concerns and presented the history of the area. The area is receiving more water than previously received. Water is now approaching his basement and it is difficult to mow after a rain. Discussion occurred regarding drainage districts cleaning out culverts.

Ken Hostert, Na-Au-Say Township Road Commissioner, said that the Township is working on water issues by cleaning out some of the drainage easements and fixing drainage tiles. He questioned the elevations shown on the site plans and the actual elevations in existence today. He wants the County to require as-builts and grading plans when the houses are built.

Discussion occurred about the maintenance of the pond. The homeowners' association should be responsible, but the homeowners' association in Southfield Estates is defunct. The pond is privately owned. Mr. Page gave the County verbal permission to enter his property.

The consensus of the Committee was that Highway Department should evaluate the elevation of the overflow. This matter was referred to the Highway Committee.

By consensus, the Committee amended the agenda to move the Village of Millbrook related items and the Hideaway Lakes related items to this point in the meeting.

OLD BUSINESS

Village of Millbrook Related Items

Mr. Asselmeier read the language proposed by the Village of Millbrook.

The Village of Millbrook would like a continuation of the agreement dated October 20, 2015 with the following changes (RMA is Illinois Risk Management Risk Management Association):

1. Zoning Issues: these are a normal exposure for a municipality and while we would not typically agree to do so, in this case, we are willing to assume the risk if the county performs the duties on behalf of Millbrook.
2. Auto Liability: The coverage typically follows the vehicle owner and we do not want to get into a position where we are insuring the County's drivers, vehicles, or auto liability. RMA is not willing to provide auto liability coverage to the County.
3. Defend/hold harmless/additional insured: RMA is willing to defend, hold harmless, and additional insure the County, only with respect to zoning (not auto liability). However, it is important to note that the coverage we are providing is subject to our normal terms, conditions, and exclusions and we do have exclusions related to zoning as follows:
 - a. Exclusion L in RMA 3 (Liability Exclusions) excludes liability arising out of zoning or land use determinations.
 - b. Exclusion 4 in RMA 4 (Public Officials/Employees Liability) excludes "claims, demands, or actions seeking relief or redress in any form other than money damages"
 - c. Exclusion 7 in RMA 4 (Public Officials/Employees Liability) also excludes liability arising out of zoning or land use determinations.
4. Choice of Counsel: RMA is not willing to allow the County their choice of counsel. If we name them additional insured and it becomes necessary to defend them in a covered suit, we will pick the counsel.

Mayor Kowalski proposed changing paragraph 6 and adding the language in the previous paragraph.

Ms. Cullick stated that she does not favor the amendment; she does not believe that the County should be primary coverage for auto liability.

Ms. Cullick asked what the additional insurance cost is. This information was not provided in the meeting and will be supplied in the future.

Mr. Kellogg asked if the Committee favored the continuation of providing this service in Millbrook. Mr. Kellogg was in favor of doing inspection; Ms. Cullick was not in favor under the current proposal. Ms. Gilmour and Mr. Davidson were in favor of doing inspections. Mr. Gryder was not in favor of doing inspections.

Mr. Asselmeier will provide Mayor Kowalski the contact information for Teska. The suggestion was made to allow Brian Holdiman to do the inspections outside of his work with the County.

The Committee requested Rich Ryan to attend the next Admin/HR Committee meeting. This matter will be forwarded to the Admin/HR Committee. The Committee also requested that the proposal be forwarded to the State's Attorney's Office for review.

CORRESPONDENCE

September 5, 2017 Emails from Scott Gryder to Matt Asselmeier RE: Students Transported to School from Hideaway Lakes and Final Total from Hideaway Lakes

Mr. Asselmeier summarized the emails. Mr. Tanner indicated that only one (1) student was living in Hideaway Lakes; their parents are getting an apartment after living at Hideaway Lakes for a few weeks. Mr. Tanner said that no law existed to prevent having registered voters at the property. He also said that people use Hideaway Lakes as for cheaper automobile insurance and to get out of emissions tests.

Undated Letter from Tom Tanner to All County Board Members and State's Attorney Eric Weis RE: Hideaway Lakes

Mr. Asselmeier summarized the letter.

NEW BUSINESS

Request for Guidance RE: ANR Pipeline and Special Use Permit at 6650 Sandy Bluff Road

Mr. Asselmeier reported that the ANR Pipeline facilities at 6650 Sandy Bluff Road will be expanding. The attorney representing ANR said that the company did not have to comply with local zoning regulations because the expansion was regulated by the Federal Energy Regulatory Commission. The previous work at the site was not regulated by the federal government and required a special use permit. The State's Attorney's Office reviewed the matter and concurred with ANR. The Committee concurred with the opinion of the State's Attorney's Office.

Request for Guidance RE: 45 Cheyenne Court

The PBZ Department received a complaint regarding the subject property. The property lacks siding. The consensus of the Committee was to send the owner a letter directing him to make progress on the siding, but not to pursue the matter.

Review of Violation Report

Mr. Asselmeier presented a list from Brian Holdiman showing all of the active violations. A list of closed violations was also discussed.

Discussion of Zoning Administrator and Zoning Administrator Deputies

Mr. Asselmeier provided minutes from a 2010 County Board meeting naming the Chairman of the PBZ Committee as Zoning Administrator and Angela Zubko and John Sterrett as Deputy Zoning Administrators. Mr. Asselmeier also provided the duties of the Zoning Administrator as defined by the Zoning Ordinance. The consensus of the Committee was to keep the Chairman of the Planning, Building and Zoning Committee as the Zoning Administrator and to appoint the Senior Planner as a Zoning Administrator Deputy.

Discussion of Medical Cannabis Regulations

Mr. Asselmeier reported that Kendall County's medical cannabis regulations in the Zoning Ordinance will expire January 1, 2018. The State law governing medical cannabis expires July 1, 2020. The consensus of the Committee was to initiate a text amendment to the Zoning Ordinance extending the expiration date to July 1, 2020.

Consideration of Increasing the Notification Distance Requirements for Variance, Map Amendment and Special Use Permit Requests

Mr. Asselmeier stated that property owners within five hundred feet (500') of A-1 zoned property must be notified for variance, map amendment and special use permit requests. Adjacent property owners must be notified if the property is not zoned A-1. The State's Attorney's Office believes that the County can increase these notification requirements.

Motion by Member Gilmour, seconded by Member Cullick, to increase the notification requirements for A-1 special use applications to two thousand, six hundred feet (2,600') as measured from property line to property line.

Ayes (4): Cullick, Davidson, Gilmour and Kellogg

Nays (0): None

Absent (1): Gryder

The motion passed.

Staff also presented one (1) of the notification signs posted onsite. The consensus of the Committee was that the signs should be yellow. Mr. Asselmeier will contact the Highway Department to investigate available options.

Kendall County Regional Planning Commission 2018 Annual Meeting

Mr. Asselmeier stated that the Land Resource Management Plan recommended an annual meeting of the Kendall County Regional Planning Commission, Kendall County Zoning Board of Appeals and the County Board. Historically, only the Planning Commission has attended this event. The consensus of the Committee that the Senior Planner should represent the Committee at the meeting.

OLD BUSINESS

Approval to Initiate Text Amendments to Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance Pertaining to Outdoor Target Practice and Shooting Ranges

Mr. Asselmeier said the State's Attorney's Office reviewed the proposal and suggested changes to language exempting State parks and Forest Preserve Property, clarifying the berming requirements for guns with equal or less power than .22 long rifle and clarify the required distance as both parallel and perpendicular to the firing line.

Motion by Member Kellogg, seconded by Member Cullick, to initiate text amendments to Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance pertaining to outdoor target practice and shooting ranges.

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

The motion passed.

PETITION

Petition 17-16-Kendall County Zoning Board of Appeals Requested a Text Amendment to Section 13.06.D of the Kendall County Zoning Ordinance Reducing the Number of Votes Required for the Zoning Board of Appeals to Reverse or Affirm, Wholly or Partly, or May Modify the Order, Requirement, Decision or Determination of the Zoning Administrator from Four to Three on Boards Consisting of Five Members and From Five to Four on Boards Consisting of Seven Members

Mr. Asselmeier read his memo regarding the topic. The proposed amendment brings the Zoning Ordinance in line with State law and the County Zoning Ordinance since the County Board approved an amendment to Section 13.01.B.11 at the August 15th Board meeting.

Motion by Member Gryder, seconded by Member Kellogg, to recommend approval of the proposed amendment.

Ayes (3): Cullick, Davidson and Gilmour
Nays (0): None
Absent (2): Gryder and Kellogg

The motion passed. This matter will go before the County Board on September 19th.

OLD BUSINESS

Discussion of Reviewing Special Uses in the A-1 Agricultural Zoning District

Mr. Asselmeier read his memo on the subject. There are one hundred sixty (160) special use permits issued in the A-1 zoned areas. Of the fifty-two (52) special uses, no permits exist for eighteen (18) uses and ten (10) uses have one (1) special use permit issued.

Mr. Gryder asked if it was possible to find the location of each ordinance. Mr. Asselmeier said that ordinance from 1998 to present were on the County's website. Older ordinances are on file.

Mr. Kellogg suggested examining regulations related to commercial wind turbines.

Approval to Start the Process of Amending the Land Resource Management Plan by Changing the Proposed Land Uses Along Route 47 in Lisbon Township from Agricultural to Different Uses

Mr. Asselmeier read his memo regarding the topic. The consensus of the Committee was to proceed with this project.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission will be holding a meeting with other historic preservation groups in the County on February 21st at 7:00 p.m. at the Historic Courthouse. The purpose of the meeting is to discuss the activities of these groups.

REVIEW PERMIT REPORT

The Committee reviewed the permit report. Nine (9) homes were permitted in the unincorporated areas in August.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report. Revenues are higher from this time last year.

CORRESPONDENCE

August 7, 2017 Letter to Carlos and Tracy Davis RE: Potential Stormwater Management Ordinance Violation at 15875 Ridge Road

Mr. Asselmeier reported that Staff has met with the property owners and are attempting to see if a violation occurred.

August 9, 2017 Email to Brian Holdiman RE: Grading Permit at Sandy Bluff and Frazier Road (Art Hrvatin Property)

Mr. Asselmeier stated that Mr. Hrvatin did not disturb more than one (1) acre. No violation occurred.

PUBLIC COMMENT

Tom Schnabel,

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Member Gryder motioned to adjourn, seconded by Member Cullick. With a voice vote of five ayes, Chairman Davidson adjourned the meeting at 9:44 p.m.

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

frmPrctClaim	Kendall County	Claims Listing			09/05/17	10:13:57 AM	Page 001
Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
BUILDING AND ZONING							
1 110565	KENDALL PRINTING	17-0824	ENVELOPES, FORMS & R	09/05/17	01020026200	OFFICE SUPPLIES	239.25
2 191522	SOURCE ONE OFFICE PRODUCTS	529967	OFFICE SUPPLIES	09/05/17	01020026200	OFFICE SUPPLIES	46.46
3 191522	SOURCE ONE OFFICE PRODUCTS	529824	OFFICE SUPPLIES	09/05/17	01020026200	OFFICE SUPPLIES	6.04
							291.75*
4 011327	AMERICAN PLANNING ASSOCIATION	8/25/17	ROGER BLEDSOE - SING	09/05/17	01020026204	CONFERENCES	75.00
5 020541	BUILDING & ZONING PETTY CASH	JULY 2017	MATT ASSELMIEIER - SE	09/05/17	01020026204	CONFERENCES	18.00
							93.00*
6 091474	INTERNATIONAL CODE COUNCIL, IN	1000798474	2 CODE BOOKS - TRAIN	09/05/17	01020026206	TRAINING	74.20
							74.20*
7 110531	KENDALL CO HIGHWAY DEPT	AUGUST 2017	64.8 GAL GAS - TRUCK	09/05/17	01020026217	VEHICLE MAINT/REPAIRS	123.12
							123.12*
8 261005	RANDY ERICKSON	AUGUST 2017	AUGUST 2017 INSPECTI	09/05/17	01020026361	PLUMBING INSPECTIONS	1,540.00
							1,540.00*
9 110545	KENDALL COUNTY RECORDER	847	RECORDING 7/25/17	09/05/17	01020026370	RECORDING EXPENSE	49.00
							49.00*
10 230545	WALTER WERDERICH	AUGUST 2017	HEARINGS 17-19 & 17-	09/05/17	01020026382	HEARING OFFICER	700.00
11 230545	WALTER WERDERICH	JULY 31, 2017	JULY 2017 HEARING P	09/05/17	01020026382	HEARING OFFICER	350.00
							1,050.00*
Total BUILDING AND ZONING							3,221.07*
GRAND TOTAL							3,221.07**

frmPrctClaim	Kendall County	Supplemental Claims Listing			09/19/17	12:50:37 PM	Page 001
Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
BUILDING AND ZONING							
1	191522	SOURCE ONE OFFICE PRODUCTS	530193	OFFICE SUPPLIES	09/19/17	01020026200 OFFICE SUPPLIES	65.14
							65.14*
2	091474	INTERNATIONAL CODE COUNCIL, IN	1000808167	CODE MANUALS	09/19/17	01020026203 DUES <i>4302 30060</i>	30.95
							30.95*
3	011918	MATT ASSELMERER	09132017	MATT- CONFERENCE LUN	09/19/17	01020026204 CONFERENCES	50.61
4	011918	MATT ASSELMERER	091417	MATT - MILEAGE TO IA	09/19/17	01020026204 CONFERENCES	61.31
							111.92*
5	012018	AT & T MOBILITY	AUGUST	CELLPHONE - CODE OFF	09/19/17	01020026207 CELLULAR PHONE	74.40
							74.40*
6	160189	PARADISE CAR WASH	223513	TRUCK WASHES	09/19/17	01020026217 VEHICLE MAINT/REPAIRS	25.00
							25.00*
7	230933	WBK ENGINEERING, LLC	18193	COUNTY REVIEW SERVIC	09/19/17	01020026363 CONSULTANTS	189.00
							189.00*
Total BUILDING AND ZONING							496.41*
ENGINEERING/CONSULTING ESCROW ACCT							
8	230933	WBK ENGINEERING, LLC	18196	JOLIET PARK DISTRICT	09/19/17	59020000039 GROVE ROAD PARK SITE SP 1	156.00
							156.00*
9	230933	WBK ENGINEERING, LLC	18194	FOX METRO EXPANSION	09/19/17	59020000046 FOX METRO WATER REC DIST	2,380.20
							2,380.20*
10	230933	WBK ENGINEERING, LLC	18195	ANTOS PROPERTY - 133	09/19/17	59020000047 ANTOS BRIDGE SD 15-06	409.50
							409.50*
11	230933	WBK ENGINEERING, LLC	18197	ANR PIPELINE - SANDW	09/19/17	59020000054 SANDWICH COMPRESSOR	94.50
							94.50*
12	230933	WBK ENGINEERING, LLC	18220	59 CENTURY DRIVE	09/19/17	59020000056 59 CENTURY DRIVE POOL SP	55.50
							55.50*
13	230933	WBK ENGINEERING, LLC	18198	PLANO STORM VARIANCE	09/19/17	59020000058 PLANO PROJECT FOLI PARK	567.00
							567.00*
Total ENGINEERING/CONSULTING ESCROW							3,662.70*
GRAND TOTAL							4,159.11**

KENDALL COUNTY TREASURER
FUND BALANCES
Balances as of: 09/30/17

09:09:19 AM
10/02/17
Page 001

	Budget	MTD	YTD	%Budget

BUILDING & ZONING				

01020026101 SALARY/ADMINISTRATOR	.00	.00	.00	.00
01020026102 SALARIES - PLANNING & ZONING MANAGE	65,000.00	5,000.00	46,000.00	70.77
01020026103 SALARIES - COMPLIANCE OFFICERS	53,625.00	4,249.50	46,672.63	87.04
01020026104 SALARY - CLERICAL	46,475.00	2,586.50	28,777.00	61.92
01020026106 SALARIES - OVERTIME	250.00	.00	.00	.00
01020026115 ZBA PER DIEM	2,450.00	350.00	2,200.00	89.80
01020026151 REPORTER - NON SALARY	.00	.00	.00	.00
01020026200 OFFICE SUPPLIES	1,550.00	356.89	1,344.44	86.74
01020026201 POSTAGE	650.00	49.85	323.87	49.83
01020026202 BOOKS/SUBSCRIPTIONS	200.00	.00	28.00	14.00
01020026203 DUES	700.00	30.95	778.95	111.28
01020026204 CONFERENCES	2,000.00	204.92	656.42	32.82
01020026205 MILEAGE	200.00	.00	31.14	15.57
01020026206 TRAINING	200.00	74.20	188.69	94.35
01020026207 CELLULAR PHONE	890.00	74.40	746.72	83.90
01020026209 LEGAL PUBLICATIONS	750.00	.00	190.80	25.44
01020026216 EQUIPMENT	500.00	.00	279.00	55.80
01020026217 VEHICLE MAINT/REPAIRS	6,500.00	148.12	1,583.56	24.36
01020026238 MICROFILMING/REPRODUCTION	1,500.00	1,388.20	1,388.20	92.55
01020026361 PLUMBING INSPECTIONS	12,000.00	1,540.00	10,780.00	89.83
01020026363 CONSULTANTS	24,000.00	189.00	17,259.49	71.91
01020026364 NOXIOUS WEED MOWING	.00	.00	.00	.00
01020026365 CONTRACTED INSPECTION SERVICES	500.00	.00	.00	.00
01020026367 NPDES PERMIT FEE	1,000.00	.00	1,000.00	100.00
01020026368 NPDES PERMIT ASSISTANCE	.00	.00	.00	.00
01020026370 RECORDING EXPENSE	660.00	49.00	825.00	125.00
01020026380 REGIONAL PLAN COMMISSION	750.00	.00	55.32	7.38
01020026381 ZONING BOARD OF APPEALS	750.00	.00	1,019.34	135.91
01020026382 HEARING OFFICER	2,100.00	1,050.00	1,750.00	83.33
01020026383 HISTORICAL PRESERVATION COMM	750.00	.00	298.75	39.83
01020026384 AD HOC ZONING	750.00	54.57	54.57	7.28
01020026385 REFUNDS	.00	.00	50.00	.00
	226,700.00*	17,396.10*	164,281.89*	72.47*
Ending Balance 09/30/17			-164,281.89	

Department (CC) Position Costing Summary

Budget Year: 2018

Department (CC): Planning, Building & Zoning
 Scenario: Main
 Fund: 010 - General Fund
 Managing Department: Planning, Building & Zoning - General Fund 010
 Stage: Finance Review
 Status: Active

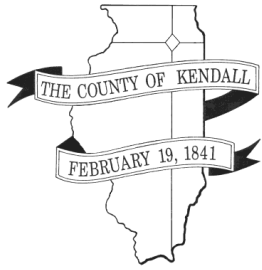
Position Category/Position	Employee	Pay Grade	Step	Salary	Modifiers	Premiums	Total	Hours	FTE	Alloc. %
NonUnion General Fund										
Clerical	Pamela Herber (010243)		Salaried	18,850	0		18,850	1,300	0.67	100.00
Intern - PBZ	Michael Goers (010244)		Salaried	17,472	0		17,472	1,248	0.64	100.00
Officer - Code	Brian Holdiman (010242)		Salaried	55,234	0		55,234	2,080	1.00	100.00
Planning & Zoning - Planner	Matthew Asselmeier (010241)		Salaried	66,950	0		66,950	1,950	1.00	100.00
Total: NonUnion General Fund				158,506	0	0	158,506	6,578	3.31	
Grand Total				158,506	0	0	158,506	6,578	3.31	

Department (CC) Summary

Department (CC): Planning, Building & Zoning

Changes to Department (CC):

GL Account	GL Account Description	Changes	Percent Change	2017 Amount	2018 Amount
Revenues					
010-1-002-1205	Building Fee/Permits	Increased	4.84 %	62,000	65,000
010-1-002-1215	PBZ - Recording Fees	Increased	6.06 %	660	700
010-1-002-1220	Zoning Fee	Increased	20.00 %	10,000	12,000
010-1-002-1225	Special Use Hearing Officer	Increased	16.67 %	2,100	2,450
Total Revenues:				74,760	80,150
Expenditures					
010-2-002-6102	Salaries - Planners	Increased	3.00 %	65,000	66,950
010-2-002-6103	Salaries - Compliance Officers	Increased	3.00 %	53,625	55,234
010-2-002-6104	Salary - Clerical	Decreased	21.85 %	46,475	36,322
010-2-002-6106	Salaries - Overtime	Not used this year		250	0
010-2-002-6115	ZBA Per Diem	Unchanged	0.00 %	2,450	2,450
010-2-002-6200	Office Supplies	Unchanged	0.00 %	1,550	1,550
010-2-002-6201	Postage	Unchanged	0.00 %	650	650
010-2-002-6202	Books/Subscriptions	Unchanged	0.00 %	200	200
010-2-002-6203	Dues	Increased	7.14 %	700	750
010-2-002-6204	Conferences	Unchanged	0.00 %	2,000	2,000
010-2-002-6205	Mileage	Unchanged	0.00 %	200	200
010-2-002-6206	Training	Unchanged	0.00 %	200	200
010-2-002-6207	Cellular Phone	Unchanged	0.00 %	890	890
010-2-002-6209	Legal Publications	Unchanged	0.00 %	750	750
010-2-002-6216	Equipment	Unchanged	0.00 %	500	500
010-2-002-6217	Vehicle Maintenance/Repairs	Decreased	46.15 %	6,500	3,500
010-2-002-6238	Microfilming/Reproduction	Decreased	90.00 %	1,500	150
010-2-002-6361	Plumbing Inspections	Unchanged	0.00 %	12,000	12,000
010-2-002-6363	Consultants	Unchanged	0.00 %	24,000	24,000
010-2-002-6365	Contracted Inspection Services	Unchanged	0.00 %	500	500
010-2-002-6367	NPDES Permit Fee	Unchanged	0.00 %	1,000	1,000
010-2-002-6370	Recording Expense	Increased	6.06 %	660	700
010-2-002-6380	Regional Plan Commission	Unchanged	0.00 %	750	750
010-2-002-6381	Zoning Board Of Appeals	Unchanged	0.00 %	750	750
010-2-002-6382	Hearing Officer	Unchanged	0.00 %	2,100	2,100
010-2-002-6383	Historical Preservation Committee	Unchanged	0.00 %	750	750
010-2-002-6384	Ad Hoc Zoning	Unchanged	0.00 %	750	750
Total Expenditures:				226,700	215,596



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: October 3, 2017

Re: 17-29 Proposed Text Amendments to Section 13.08 Pertaining to Notification Requirements for Special Use Permit Applications

ZPAC reviewed the Planning, Building and Zoning Committee's request to increase the notification of neighbors requirement from five hundred feet (500') to two thousand six hundred feet (2,600') for applications for special use permits on A-1 zoned property at their meeting on October 3rd.

ZPAC requested that the Planning, Building and Zoning Committee review and lower the notification requirement for the following reasons:

1. The distance requirement of two thousand six hundred feet (2,600') seemed arbitrary.
2. The added expense to the petitioner. Return receipt mail costs Two Dollars and Seventy-Five Cents (\$2.75) per receipt. One (1) property near Aurora would go from mailing three hundred ninety-two (392) notices to mailing one thousand nine hundred one (1,901) notices. The petitioner at 1996 Cannonball Trail would go from nine (9) notices to four hundred fifty-three (453) notices. The notification requirement to change the special use permit at Hideaway Lakes would go from sixty-three (63) notices to five hundred thirty-seven (537) notices.
3. The added time for the applicant to mail the notices.
4. The added review time for Staff to process the green cards.
5. The proposed regulations were larger than the notification requirements of other Counties. Will, LaSalle and Kane Counties only require notifying adjoining property owners. Grundy County requires a five hundred foot (500') notification. DuPage County requires a three hundred foot (300') notification. DeKalb County requires a two hundred fifty foot (250') notification.
6. Regardless of the distance requirement, no method exists to notify everyone that thinks they should be notified.

ZPAC would like the notification requirement to remain at five hundred feet (500'). The votes of the Committee were as follows:

Ayes: Langston, Rybski and Guritz (3)

Nays: Klaas (1)

Abstain: Andrews, Clayton and Asselmeier (3)

Absent: Chismark, Holdiman and Davidson (3)

PBZ Memo
October 3, 2017

Mr. Klaas stated that he would like the notification requirement to be set at one thousand feet (1,000') maximum. Several Committee members concurred with Mr. Klaas, but felt that one thousand feet (1,000') was arbitrary.

A copy of the proposed language by the Planning, Building and Zoning Committee is enclosed. Proposed changes are shown in red and are bolded.

If you have any questions prior to the October 10th meeting on this topic, please let me know.

Thanks,

MHA

ENC

Section 13.08

H. HEARING ON APPLICATION. Upon receipt in proper form of the application and statement referred to in paragraph 13.07-2 of this Section, the Hearing Officer shall hold at least one public hearing in the township in which the property is located, or in the County Office Building. Provided, that if the owner of any property affected by such proposed special use so requests in writing, such hearing shall be held in the township affected by the terms of such proposed amendment. At least fifteen (15) days in advance of each hearing notice of the time and place of such hearing shall be published in a newspaper of general circulation in Kendall County. **In addition to the publication requirement, if the property is zoned A-1, the applicant shall provide notice of the public hearing at least fifteen (15) days prior to the hearing date by certified mail return receipt requested to the property owner of record for all parcels within two thousand six hundred feet (2600'), excluding road right-of-way, of the parcel subject to the special use permit application. For all other zoning categories, only adjacent properties must be notified via certified mail return receipt requested.**

**PUBLIC NOTICE
KENDALL COUNTY
KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE **

Notice is hereby given that the Kendall County Planning, Building and Zoning Committee shall hold their regularly scheduled meetings for Fiscal Year 2017-2018 on the Monday of the week prior to the second Kendall County Board meeting of each month at 6:30 p.m. unless that date is a holiday in which case the meeting shall be held the next business day at 6:30 p.m. at the Kendall County Office Building, Room 209 & 210 at 111 West Fox Street, Yorkville, IL.

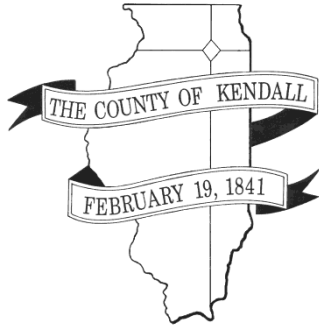
The specific dates of these meetings are as follows:

December 11, 2017	January 8, 2018	February 13, 2018	March 12, 2018
April 9, 2018	May 7, 2018	June 11, 2018	July 9, 2018
August 13, 2018	September 10, 2018	October 9, 2018	November 13, 2018

Questions can be directed to the same department, telephone (630) 553-4139. Fax (630) 553-4179. All interested persons may attend and be heard. Written comments should be directed to the Department but shall only be entered as part of the record at the discretion of the Kendall County Planning, Building and Zoning Committee.

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

**ROBERT DAVIDSON, CHAIRMAN
KENDALL COUNTY PLANNING, BUILDING AND ZONING COMMITTEE**



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: September 29, 2017
Re: 2018 Comprehensive Noxious Weed Work Plan

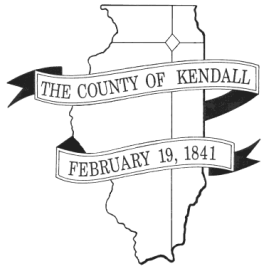
Per the Illinois Noxious Weed Law, Kendall County is required to submit a Comprehensive Noxious Weed Work Plan to the State by November 1st.

Staff has prepared a proposed plan which we believe meets the minimum requirements of State law. A copy of the proposed plan is included for your review.

If you have any questions, please let me know.

MHA

ENC: Proposed 2018 Comprehensive Noxious Weed Work Plan



KENDALL COUNTY COMPREHENSIVE NOXIOUS WEED WORK PLAN 2018

As required by the Illinois Noxious Weed Law (505 ILCS 100), the County of Kendall submits the following Comprehensive Work Plan for calendar year 2018.

Kendall County shall engage in the following activities:

1. Continuously work with residents, property owners, municipalities, townships, other counties, and Federal and State agencies to identify, investigate, control and eliminate noxious weeds found within the County.
2. In the event that the location of a noxious weed is reported on private property or property not owned by Kendall County, the County shall forward the complaint to the local municipality and/or township. The local municipality and/or township shall be the lead agency for investigating and resolving the issue. The municipality or township shall follow applicable laws to resolve the issue.
3. Monitor County owned properties and rights-of-way as part of general property maintenance. If noxious weeds are found on County owned property, the County shall take steps to eradicate the weeds and include the information in its annual noxious weed report to the State.
4. Work with local municipalities and townships to track and report noxious weed allegations and incidents for inclusion in the annual noxious weed report to the State. The County will ask each municipality and township for a summary of activities related to the eradication of noxious weeds for inclusion in the annual noxious weed report to the State.
5. Publish the General Notice at least one time annually in a newspaper of general circulation in Kendall County. The General Notice shall be published in the first quarter of the year upon approval of the County Board.
6. Advise persons responsible for controlling and eradicating noxious weeds of the best and most practical methods for noxious weed control and eradication.
7. Complete applicable reports as required by State law.

This Comprehensive Work Plan was approved by the Kendall County Board on October 17, 2017.

Respectively Submitted,

Scott R. Gryder
Kendall County Board Chairman

Date

THOMAS W. GRANT
Attorney at Law
200 Hillcrest Avenue
PO Box 326
Yorkville, Illinois 60560

Tele: 630-553-0088

Fax: 630-553-0299

E-Mail: twgrantlaw@sbcglobal.net

September 29, 2017

KENDALL COUNTY
DEPARTMENT OF PLANNING, BUILDING
AND ZONING
111 West Fox Street
Yorkville, IL 60560

Re: TRI-STAR DEVELOPMENT, INC
PIN: 09-16-400-005
09-16-400-002
Part of 09-15-300-014

SEWARD TOWNSHIP

PRE-SUBMISSION MEETING WITH PBZ STAFF

Re: Kendall County A-1 to R-1 Subdivision

TRI-STAR DEVELOPMENT, INC. is the owner of the parcels of real estate described above.

It is the desire of TRI-STAR DEVELOPMENT, INC., to develop the real estate as a Residential Subdivision under the R-1 ONE-FAMILY ESTATE RESIDENCE DISTRICT and to re-zone a portion of the 264 +/- acres it owns from the A-1 Zoning District to the R-1 ONE-FAMILY ESTATE RESIDENCE DISTRICT.

The proposed project would entail roughly 184 +/- acres lying west of the Aux Sable Creek, and approximately 1/4 mile south of Route 52. One lot, and the entrance roadway, would be contained in the 250'+ strip connecting Route 52 with the main portion of the project. Minimum lot size is 3 acres; maximum lot size is 17.6 acres. Minimum lot frontage is 178'.

The proposed development contains a total of 39 lots, situated along approximately 8,000 lineal feet of interior roadway. The development contemplates utilizing a rural cross section roadway, with open ditches and culverts. The development will be governed by the Kendall County Zoning Ordinance, along with a Homeowner's Association to further enhance and protect property values.

The Developer desires to develop the real estate as an R-1 ONE-FAMILY ESTATE RESIDENCE DISTRICT, as opposed to RDP RESEDENTIAL PLANNED DEVELOPMENT.

The Developer's request is market driven, as there is a market for the type and size of lots contemplated by this proposed development.

Paul Kovacevich, the Secretary/Treasurer of the Applicant will be present with me at the meeting on October 10, 2017.

We look forward to meeting with you to discuss this project.

Attached are the aerial pictures (GIS) of the property and the Developers preliminary design layout.

Very truly yours,



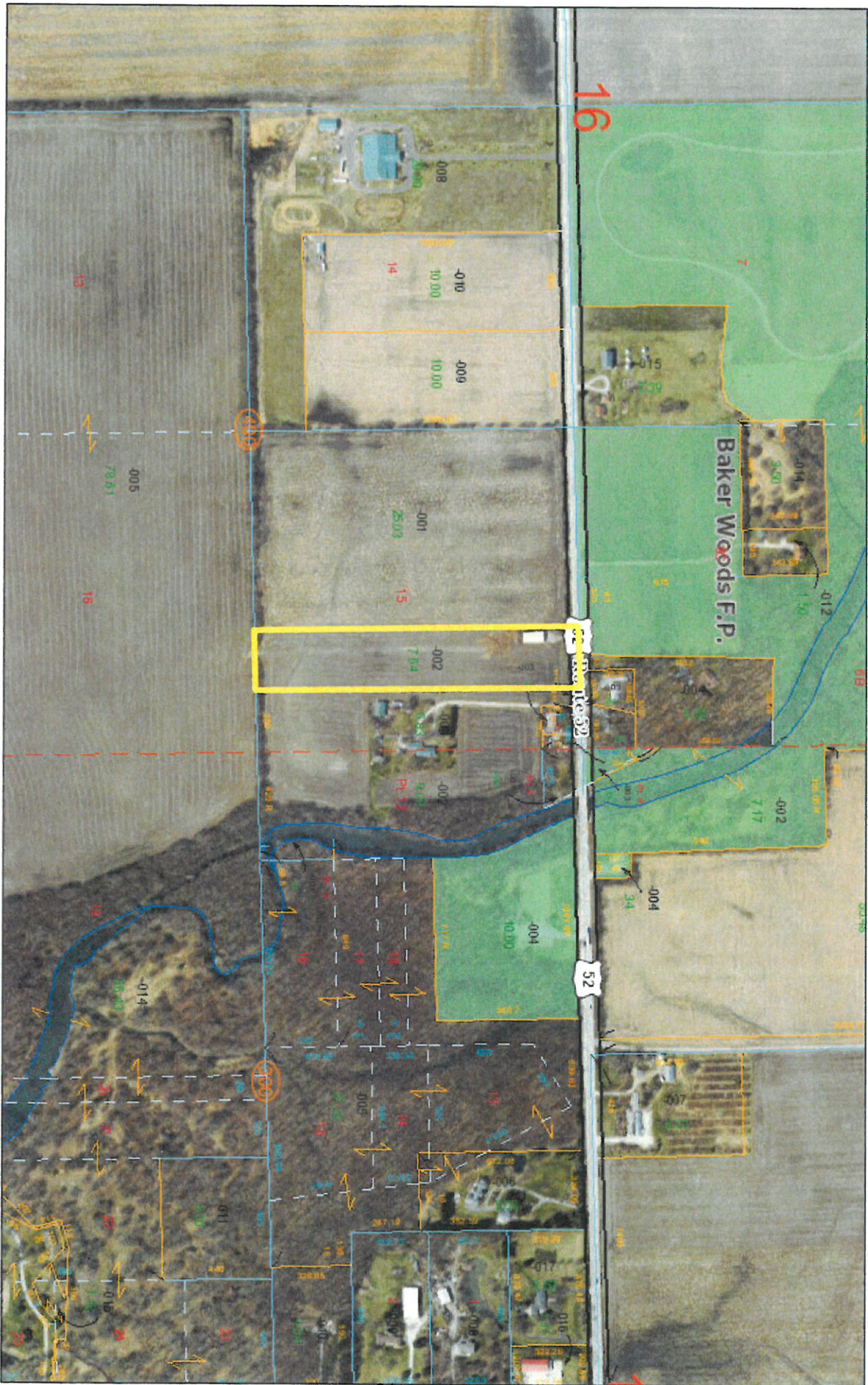
Thomas W. Grant
Attorney for Tri-Star Development

Y:\ZONING\Tri-Star\PBZ Letter.9.29.17.doc



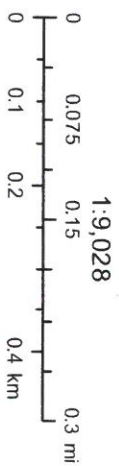
September 29, 2017

- Arrow 100 — FromTo 400 — Tip 100
- Arrow 400 — Hook 100 — Tip 400
- FromTo 100 — Hook 400 — Road Names



September 29, 2017

- Arrow 100 — FromTo 400 — Tip 100
- Arrow 400 — Hook 100 — Tip 400
- FromTo 100 — Hook 400 — Road Names



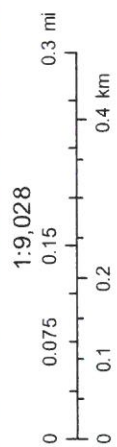
—	Arrow 100	—	FromTo 400	—	Tip 100
—	Arrow 400	—	Hook 100	—	Tip 400
—	FromTo 100	—	Hook 400	—	Road Names

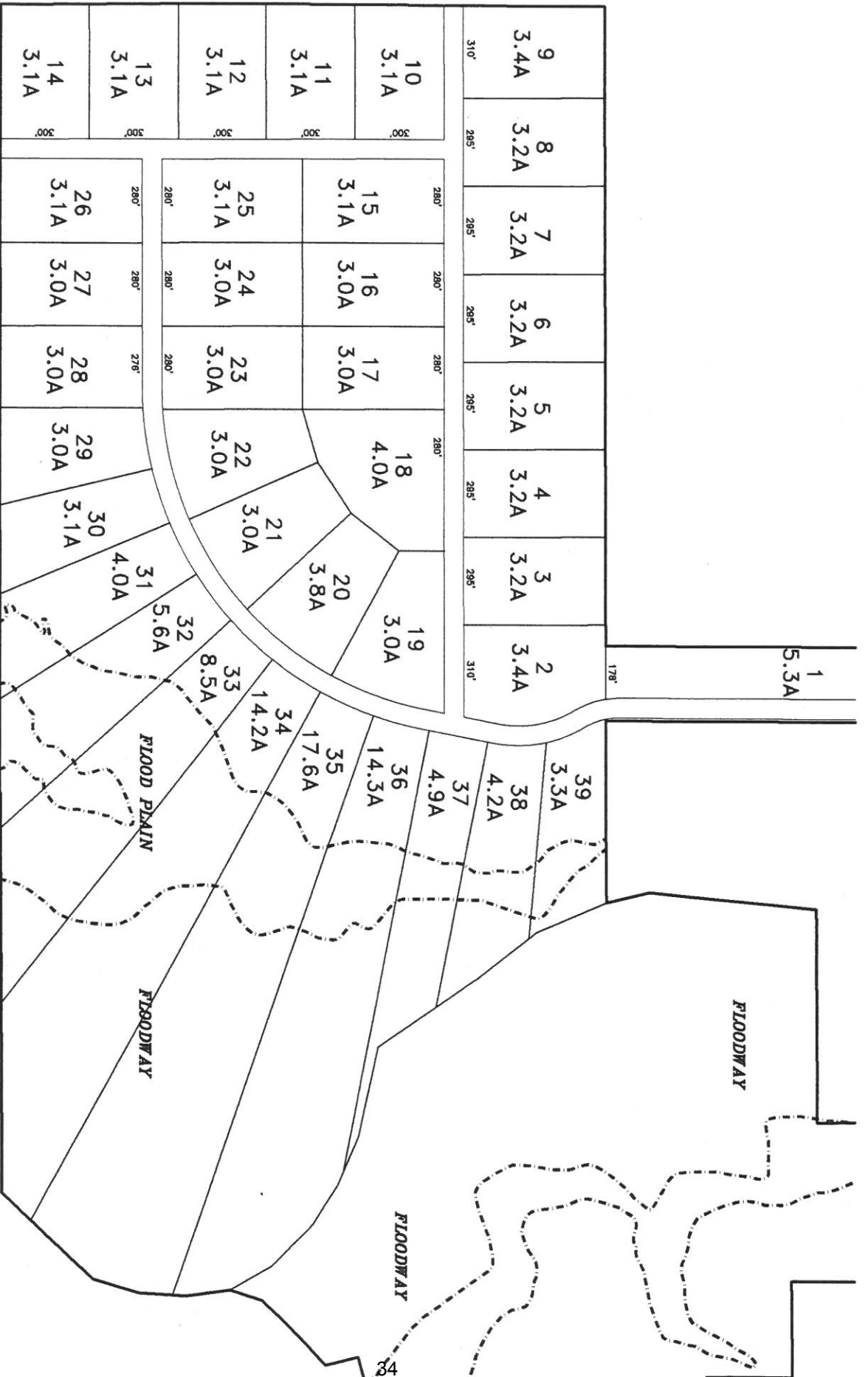


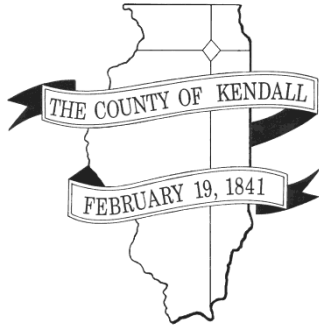


September 29, 2017

- Arrow 100 — From To 400 — Tip 100
- Arrow 400 — Hook 100 — Tip 400
- From To 100 — Hook 400 — Road Names







DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: September 29, 2017
Re: Wind Farm Regulations

At the September Planning, Building and Zoning Committee meeting, Member Kellogg requested a copy of Kendall County's commercial wind farm regulations.

The existing regulations are attached for your review.

If you have any questions, please let me know.

MHA

ENC: Wind Farm Regulations

Kendall County Wind Farm Regulations

WIND FARM, COMMERCIAL A single wind driven machine or a collection of wind driven machines or turbines that convert-wind energy into electrical power for the primary purpose of sale, resale or offsite use. *(Amended 6/20/2006)*

WIND ENERGY SYSTEM, SMALL A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kW and which is intended to primarily reduce on-site consumption of utility power. If all applicable regulations are met a small wind energy system may contain more than one wind energy conversion system. *(Amended 2/16/2010)*

A-1 Special Use, M-1 Special Use, M-2 Special Use

Wind Farms, Commercial, subject to the following:

a. Location Guidelines - The following guidelines shall be considered in evaluating the appropriateness of proposed locations for Wind Farms and the proposed project components. The purpose of these guidelines is to assist decision-makers in uniformly analyzing the site-specific impacts of each proposed project and thereby arrive at consistent and balanced decisions.

i. Natural and Biological Resources - Wind Farms should not be located in areas that have a large potential for biological conflicts. Wind Farms should not be located in large impact areas such as wilderness study areas, areas of critical environmental concern, county and state parks, historic trails, and special management areas. Wind Farms should not significantly impact important wildlife habitat.

ii Visual Impacts - Wind Farms should avoid those visual corridors that are designated by the County as essential view sheds or scenic areas. Essential view sheds or scenic areas are those areas designated in the County's LRMP or in other locations determined by the County Board after analyzing the applicant's wind farm visual simulations and considering public hearing comments. A Wind Farm project should maintain visual unity among clusters of turbines. To promote visual uniformity, the rotors, nacelles and towers of all turbines in an array should appear similar. To avoid visual clutter, intra-project power lines having a voltage of 34,500 volts or less, should be buried unless the applicant can sufficiently demonstrate that burying the lines will violate other guidelines/standards, violate applicable law, render the project economically infeasible or be hidden from public view. To avoid cluttering the skyline, transformers and other electric equipment should be hidden from view or otherwise constructed in harmony with the surrounding landscape.

iii Soil Erosion & Water Quality - Wind Farms should avoid erosion. Disturbance and construction on erodible slopes should be minimized. The number of improved roads and construction staging areas should be kept to a minimum. The grading width of roads should be minimized. One-lane roadways with turn-outs are recommended. The number and size of staging areas and crane pad sites should be minimized.

iv Historical, Cultural & Archeological Resources - Wind Farms should avoid sites with known sensitive historical, cultural or archeological resources.

v Public Safety – Wind Farms shall be developed in a manner that utilizes sound engineering practices and considers public safety in regard to the potential hazards to adjacent properties, public roadways, communities, aviation, etc. that may be created.

b. Performance Standards - The following standards are to be achieved by each Wind Farm project without exception. Because they are standards, they are considered to be requirements of any Wind Farm project. The final decision on whether or not a particular standard is achieved by a Wind Farm project shall be made by the County Board after considering the recommendations of all advisory bodies.

i Noise Management - The noise level caused by the operation of the project, measured at five (5) feet above ground level at the property line coincident with or outside the project boundary, shall not exceed 65 decibels (A-weighted) and shall not exceed 50 decibels (A-weighted) if it is determined that a pure tone noise is generated by the project. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

ii Wind Farm Design: Wind Farms that are not designed in “accordance with proven good engineering practices” or not purchased from a national manufacturer with a proven track record shall be prohibited. Wind Farms designed with the following characteristics shall be deemed in “accordance with proven good engineering practices”:

1. at least 3 blades.
2. upwind rotor.
3. no furling, where “furling” means that the wind turbine is designed to limit its power output in high winds by changing the rotor’s plane of rotation to a plane that is not perpendicular to the prevailing wind direction.
4. tapered and twisted blades.
5. a well-designed braking system.

iii Visual Impacts - To provide visual order to a Wind Farm project, all individual turbines shall have the same number of rotor blades and all rotor blades shall spin in the same direction (i.e., clockwise or counter-clockwise) in relation to the wind. To promote visual uniformity, all turbines at a similar ground elevation shall have the same height from blade tip to the ground. Except during construction, re-construction or removal, outdoor storage is not permitted within the project boundary except at locations that are screened from view. To avoid cluttering the skyline, inverters and pendant power cables shall be located inside the wind turbine tower, nacelle or structure. No telecommunications dishes, antennas, cellular telephone repeaters or other similar devices shall be attached to wind turbine towers. Aircraft obstruction markings of the turbines by use of alternating red and white bands shall be prohibited. No Billboards, logos and advertising signs of any kind shall be located on the turbines.

iv Soil Erosion & Water Quality - Construction and maintenance shall be done in strict accordance with the erosion and sediment control plan submitted with the Building Permit so as to minimize soil erosion and damage to existing vegetation. If vegetation is damaged during construction, in areas not occupied by the Wind Farms and related facilities and roads, it shall be restored after construction is complete.

Disturbed areas shall be reseeded to the land owner's or manager's requirements. Dust control on the project site is required.

v Setback - Individual wind turbines shall be set back from all property lines coincident with or outside of the project boundary a distance equal to 1.1 times the turbine hub height. Individual wind turbines shall be set back from all public roads a distance equal to at least 1.1 times the turbine hub height. *(Amended 2/16/2010)*

vi. 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. 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. *(Amended 2/16/2010)*

c. Roads - All routes on either County or Township roads that will be used for the construction and maintenance purposes shall be identified on the site plan. All routes for either ingress or egress need to be shown. The routing shall be subject to the approval of the Kendall County Highway Engineer in coordination with the Township Road Commissioner(s). The developer shall provide and complete a pre-construction baseline survey to determine existing road conditions for assessing potential future damage due to development related traffic. The developer shall provide a road repair plan to improve any and all damage, installation or replacement of roads that might be required by the developer. The developer shall provide a letter of credit or a surety bond in amount and form approved by the highway official(s).

d. Fees - All applications for a Commercial Wind Farm shall be accompanied by a fee for a Commercial Wind Farm Special use in accordance with fee structure as established by the County Board and as amended from time to time. The County Board may, at its discretion, retain the services of attorneys and professional consultants to assist the Board and County staff in the amendment and zoning process. The application fee shall serve as an initial deposit from which any costs and expenses incurred by the county as a result of the application for amendment and the hearing process set forth herein shall be deducted. Such costs shall include, but not be limited to, the fees and costs of: County employees or staff review time, attorney's fees, expert witnesses, scientific testing, records or other investigations, data searches, notices, court reporters, transcription costs, consultants, the hearing officer, and other expenses incurred by the County in reviewing the application, the public hearing, and decision, or any issues raised at any time during any hearings up to and including the County Board decision. If the actual costs incurred by the County in conducting its review and recommendation of the requested map amendment exceed the amount of the application fee deposit, the applicant shall be billed and shall be required to pay any and all additional costs incurred by the County in the completion of their review and recommendation of the special use. Costs in excess of the application fee deposit are required to be paid in full by the applicant prior to scheduling the matter for action by the County Board.

e. Removal of Defective Wind Energy Systems: Any wind energy system found to be unsafe by an authorized county official shall be repaired by the owner to meet federal, state and local safety standards or removed within sixty (60) days. If any wind energy system is not operated for a continuous period of 12 months, the county will notify the landowner by registered mail and provide 45 days for a response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the county deems the timetable for corrective action as unreasonable, they must notify the operator and such operator shall remove the turbine within 120 days of receipt of notice from the county.

f. Decommissioning Plan: A Commercial Wind Farm shall submit a decommissioning plan to ensure it is properly decommissioned upon the end of the project life or facility abandonment. Facility abandonment shall include the ceasing of operations for a period of not less than one (1) year. Decommissioning shall include: removal of all structures (including transmission equipment and fencing) and debris to a depth of four (4) feet, restoration of the soil, and restoration of vegetation within six (6) months of the end of the project life or facility abandonment. At the time of decommissioning, an Alta Survey shall be submitted to the County. The decommissioning plan shall state how the facility will be decommissioned, a professional engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources shall be deposited. The decommissioning plan shall also include an agreement between the applicant and the County which states:

i. The financial resources for decommissioning which shall be in the form of a surety bond, or shall be deposited in an escrow account with an escrow agent acceptable to the County.

ii. If the Applicant chooses an escrow agreement:

1. A written escrow agreement will be prepared, establishing upon what conditions the funds will be disbursed; and

2. The County shall have access to the escrow account funds for the express purpose of completing decommissioning if decommissioning is not completed by the applicant within sixty (60) days of the end of the project life or facility abandonment.

iii. The County is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

iv. The County is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the County's right to seek reimbursement from applicant or applicant's successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by the applicant or applicant's successor, or in which they have an interest, for the amount of excess, and to take all steps allowed to enforce said lien.

Financial provisions shall not be so onerous as to make Commercial Wind Farm projects unfeasible.

4.17 SMALL WIND ENERGY SYSTEMS (*Amended 2/16/10*)

Conditional Use in A-1, R-1, RPD-1, RPD-2, RPD 3, R-2, B-1, B-2, B-3, B-4, B-6, M-1, M-2 and M-3

A. Total Height: There is no limitation on tower height, except as imposed by setback, clear one and FAA regulations.

B. Set-back: The wind energy system shall be set back a distance equal to one hundred ten (110) percent of the hub height from all adjacent property lines. Additionally, no portion of the small wind energy system, including guy wire anchors, may extend closer than ten (10) feet to the property line.

C. Clear Zone: The wind energy system shall maintain a circular clear zone that has a radius which is equivalent to one hundred and ten (110) percent of the hub height. This clear zone shall be maintained free of any occupied structures on adjoining properties, tanks containing combustible/ flammable liquids, and above ground utility/electrical lines.

D. Noise: Wind energy systems shall not exceed 60 dBA, as measured at the closest property line. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

E. Tower Security: Any climbing apparatus must be located at least 12 feet above the ground, and the tower must be designed to prevent climbing within the first 12 feet.

F. Lighting: Wind energy systems shall not be artificially lighted with accent lighting. For the protection of the flight patterns of aircraft and the protection of heliports, airports and landing strips, wind energy systems must be lighted in accordance to the regulations and guidelines of the Federal Aviation Administration (FAA) regulations or appropriate authorities.

G. Signs/Advertising: No tower should have any sign, writing, or picture that may be construed as advertising.

H. 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 to review and make a determination on the pending application and unresolved issues. At this public hearing the Kendall County Planning Commission 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 may be appealed to the County Board.

I. Multiple wind energy systems: Multiple wind energy systems are allowed on a single parcel as long as the owner/operator complies with all non-commercial wind farm regulations contained in these regulations. Units shall be installed in compliance with minimum setback and clear zone requirements, as defined by these regulations. The

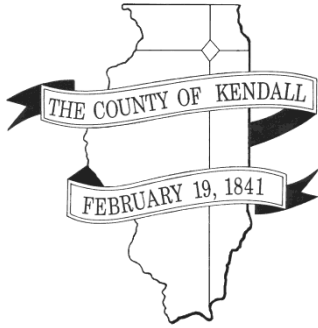
minimum distance between wind energy systems shall be equivalent to one hundred ten (110) percent of the hub height.

J. Approved Wind Turbines: At the time of application, the applicant must present a certification from the manufacturer that the system's turbine and other components equal or exceed the standards of one of the following national certification programs such as the: California Energy Commission, National Electrical Code (NEC), American National Standards Institute (ANSI), Underwriters Laboratories (UL), or any other small wind certification program recognized by the American Wind Energy Association.

K. Onsite Electrical Use: On the Construction/Use Permit Application, the applicant must certify that the proposed system will be used primarily to reduce onsite consumption of electricity.

M. Compliance with the National Electrical Code: Construction/Use Permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.

N. Removal of Defective or Abandoned Wind Energy Systems: Any wind energy system found to be unsafe by an authorized county official shall be repaired by the owner to meet federal, state and local safety standards or removed within six months. If any wind energy system is not operated for a continuous period of 12 months, the county will notify the landowner by registered mail and provide 45 days for a response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the county deems the timetable for corrective action as unreasonable, they must notify the landowner and such landowner shall remove the turbine within 120 days of receipt of notice from the county.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: September 29, 2017
Re: Proposed Resolution Placing a Noise Warning Statement on Building Permit Applications

The Ad-Hoc Zoning Ordinance has been reviewing options related to noise issues in the unincorporated areas. Recognizing that the enforcement of noise regulations is normally a law enforcement matter, the Ad-Hoc Zoning Ordinance Committee wanted to provide an additional notification to new residents in addition to the Right to Farm Clause that appears on subdivision plats. Accordingly, the Ad-Hoc Zoning Ordinance Committee recommended that the noise warning included on the attached resolution be placed on the building permit application form as further notification that residents living in the unincorporated areas may be exposed to dust, odors, and noise not normally found in residentially zoned properties inside cities or villages.

The draft resolution on this topic is included for your review.

If you have any questions, please let me know.

MHA

ENC: Proposed Resolution of a Noise Warning Statement on Building Permit Applications.

KENDALL COUNTY

Resolution No. _____

Resolution to Add a Noise Warning Statement on the Building Permit Application Form

WHEREAS, the Kendall County Planning, Building and Zoning Department and Kendall County Sheriff's Department receive complaints regarding noise originating from one property and impacting neighboring properties; and

WHEREAS, the Ad-Hoc Zoning Ordinance Committee, at their meeting on September 27, 2017, recommended that a noise warning should be included on the building permit application form; and

WHEREAS, the Planning, Building Zoning Committee, at their October 10, 2017 meeting, concurred with the opinion of the Ad-Hoc Zoning Ordinance Committee regarding the need to add a noise warning to the building permit application form; and

WHEREAS, the Kendall County Board has the authority to make changes to forms distributed by the Kendall County Planning, Building and Zoning Department; and,

THEREFORE, BE IT RESOLVED, that Kendall County Board hereby authorizes and directs the Staff of the Planning, Building and Zoning Department of Kendall County to add the following paragraph to the building permit application form:

“Kendall County has a long, rich tradition in agriculture and respects the role that farming and rural lifestyle continue to play in shaping the economic viability of the county. Property that supports this industry is indicated by a zoning indicator -- A-1 or Ag Special Use. Anyone constructing a residence or facility near this zoning should be aware that normal agricultural practices may result in occasional smells, dust, sights, noise, and unique hours of operations that ARE NOT TYPICAL IN OTHER ZONING AREAS. In addition, certain business including, but not limited to, mining, and special uses including, but not limited to, communication facilities, gun clubs and outdoor gun ranges, banquet facilities, airstrips and helipads, and grain storage and milling operations are located in the unincorporated areas of Kendall County. These uses may also generate occasional smells, dust, sights and noise that ARE NOT TYPICALLY FOUND IN RESIDENTIALLY ZONED AREAS OF INCORPORATED CITIES OR TOWNS.”

ADOPTED and APPROVED this ____th Day of October, 2017.

Scott R. Gryder, County Board Chairman

STATE OF ILLINOIS)

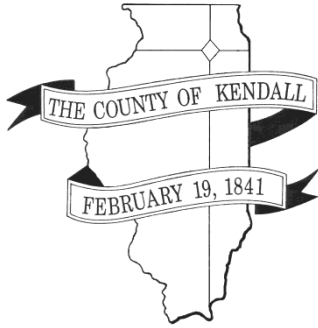
) SS

COUNTY OF KENDALL)

I, Debbie Gillette, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a Resolution adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the _____ day of _____, A.D. 2017.

(Seal)

Debbie Gillette – County Clerk



DEPARTMENT OF PLANNING, BUILDING & ZONING

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MEMORANDUM

To: Boards and Commissions Review Ad-Hoc Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: June 29, 2017
Re: Committees and Commissions Associated with the Planning, Building and Zoning Department

Recommendations

Many of the committees and commissions that interact with the Planning, Building and Zoning Department are required by State law. If Kendall County abolished the Zoning and Subdivision Control Ordinances, the Zoning Board of Appeals could be abolished. If Kendall County abolished the Stormwater Management Ordinance, the Stormwater Oversight Committee could be abolished. If Kendall County abolished the Historic Preservation Ordinance, the Historic Preservation Commission could be abolished.

The Kendall County Board could abolish the Kendall County Regional Planning Commission, Special Use Hearing Officer and Zoning and Platting Advisory Committee by amending the Zoning Ordinance and Subdivision Control Ordinance. Amending these ordinances would require review by the Zoning and Platting Advisory Committee and the Kendall County Regional Planning Commission in addition to the public hearing before the Zoning Board of Appeals and approval of the County Board after recommendation from the Planning, Building and Zoning Committee.

The Ad-Hoc Zoning Ordinance Committee should either have a clearer definition of responsibility or should be abolished. There is nothing preventing the remaining zoning, building and subdivision committees and the County Board from meeting jointly provided the requirements of the Open Meetings Act are followed.

The Kendall County Regional Planning Commission basically serves as a sub-committee of the Kendall Zoning Board of Appeals, even though no members of the Kendall County Zoning Board of Appeals are members of the Kendall County Regional Planning Commission or vice versa. The Kendall County Regional Planning Commission gives the public the opportunity to review proposals prior to a public hearing. If issues arise, the petitioner may be able to resolve those issues prior to a public hearing. The Kendall County Regional Planning Commission would be needed if the County decided to update the Land Resource Management Plan or if the County Board desired additional planning related studies. Staff's main concern with the Kendall County Regional Planning Commission is the date of its meetings compared to the Kendall County Zoning Board of Appeals meetings; only five days (Thursday, Friday, Saturday, Sunday, and Monday) exist between the two meetings. During these five days, Staff must complete the minutes of the Kendall County Regional Planning Commission, update necessary documents, and send the packets to the Zoning Board of Appeals. The Zoning Board of Appeals has limited time to review materials. If the Kendall County Regional Planning Commission met on a Monday or Tuesday, like the Kendall County Zoning Board of Appeals and the Planning, Building and Zoning Committee, more time would be available to prepare the packets and review the information.

The Zoning and Platting Advisory Committee allows County Staff and allied organizations an opportunity to review proposals. These proposals would be reviewed in some form by these agencies even if this Committee did not exist; this review could occur more on a department-by-department interaction and would not be public meetings. Having a set meeting date ensures that

the necessary departments meet to collectively discuss the proposal.

The Special Use Hearing Officer position could be abolished by transferring his/her duties back to the Zoning Board of Appeals. It should be noted that Special Use Hearing Officer and the Hearing Officer sometimes discussed in administrative adjudication discussions do not have to be the same individual; abolishing the Special Use Hearing Office does not necessarily repeal the Hearing Code Unit regulations currently in the Zoning Ordinance.

Kendall County is not required to have a Stormwater Planning Committee. However, because many of the municipalities in Kendall County use the Kendall County Stormwater Management Ordinance in some form, Staff recommends retaining the Committee in the event that a countywide stormwater issue arises or if the County Board desires to amend the Stormwater Management Ordinance at some point in the future.

Introduction

Not including the County Board and Planning, Building and Zoning Committee, the Kendall County Planning, Building and Zoning Department currently interacts heavily with the following Committees and Commissions:

1. Zoning Board of Appeals
2. Special Use Hearing Officer
3. Kendall County Regional Planning Commission
4. Zoning and Platting Advisory Committee
5. Ad-Hoc Zoning Ordinance Committee
6. Stormwater Planning Committee
7. Stormwater Oversight Committee (Committee of the Whole)
8. Historic Preservation Commission

For the purposes of this memo, the first five committees listed previously are associated with zoning, building and subdivision generally. Two committees are associated with stormwater. The Historic Preservation Commission could be classified as “other.” However, if the number of County recognized historic properties and districts increased (there is currently one locally designated historic structure in Kendall County), the Historic Preservation Commission would review building permit applications for alterations, additions and demolition to these structures.

Zoning, Building and Subdivision Related Committees and Commissions

Zoning Board of Appeals-Of the five zoning, building and subdivision related committees, the Zoning Board is the only one required under State law as long as Kendall County has a Zoning Ordinance. As required by State law, the Zoning Board of Appeals holds public hearings on the following items:

1. Map Amendments (Rezoning of Property) (55 ILCS 5/5-12014)
2. Text Amendments to the Zoning Ordinance (55 ILCS 5/5-12014)
3. Variances to the Zoning Ordinance 10% or Greater of the Requirements of the Zoning Ordinance (55 ILCS 5/5-12009)
4. Appeals of the Decision of the Zoning Administrator (55 ILCS 5/5-12011)

The composition of the Zoning Board of Appeals, their procedures and the requirement that they be paid are also included in State law (55 ILCS 5/5-12010, -12011, -12012 and -12013). While not currently practiced, the Zoning Board of Appeals could hear applications for special use permits (55 ILCS 5/5-12009.5).

The Zoning Board of Appeals makes the final non-judicial decisions on variances of at least 10% of the requirements and administrative appeals of the Zoning Administrator's interpretation of the Zoning Ordinance. The Zoning Board of Appeals holds public hearings and creates recommendations to the County Board for map amendment petitions and text amendments petitions.

Members of the Zoning Board of Appeals are paid \$50 per meeting plus mileage from their home to the meeting location. The County Board sets the pay of Zoning Board of Appeals members (55 ILCS 5/5-12010).

The Zoning Board of Appeals meets the Monday following the 4th Wednesday of the Month, unless it is a holiday; they meet the following week in that case.

Special Use Hearing Officer-Kendall County established a Special Use Hearing Officer in 2004 following the *Klaeren v. Village of Lisle* court decision. This court decision declared that the issuance of special use permits was an administrative decision and not a legislative decision. In the intervening years, the General Assembly and Governor approved legislation declaring the issuance of special use permits were legislative decisions (55 ILCS 5/5-12012.1). The power to create a Special Use Hearing Officer is found in State law (55 ILCS 5/5-12015).

The Special Use Hearing Officer holds hearings on special use permit applications, major amendments to special use permits and non-owner initiated special use permit revocations. Within 30 days of the hearing, the Special Use Hearing Officer issues a recommendation to the County Board.

Prior to 2004, the Zoning Board of Appeals held hearings on special use permit applications.

The Special Use Hearing Officer is paid \$350 for the first hour of a hearing and \$100 per hour for subsequent hours. This fee is paid by the petitioner. The Special Use Hearing Officer meets on the same day and time as the Zoning Board of Appeals.

DuPage County and DeKalb County are the only neighboring counties that use a hearing officer; their hearing officers can also hear variance applications.

Kendall County Regional Planning Commission-The Kendall County Regional Planning Commission was created under the provisions of 55 ILCS 5/5-14001. The primary responsibilities of a regional planning commission under State law are to create and assist in the implementation of a regional plan. The specific duties of the Kendall County Regional Planning Commission are found in Section 13.01.C of the Zoning Ordinance and include the following:

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. To hold conferences in regard to proposed plan developments under this Ordinance and submit a written report with its recommendations.
3. To initiate, direct and review a study of the provisions of this Ordinance and the zoning map attached hereto and to make reports on its recommendation to the County Board not less frequently than annually.

In addition to the above duties, the Kendall County Regional Planning Commission is responsible for reviewing subdivision plats and holding hearings for amendments to the Land Resource Management Plan.

The members of Kendall County Regional Planning Commission are the only zoning, building and subdivision related committee members that are not paid.

The Kendall County Regional Planning Commission meets the 4th Wednesday of the Month. The Kendall County Regional Planning Commission does not meet in December and they usually have an annual meeting in February.

All of the neighboring counties have an equivalent committee for subdivision review. Only Grundy County requires Planning Commission review of map amendments, text amendments, and special use permits. Will County has a joint Planning and Zoning Commission. DeKalb County uses their Regional Planning Commission for research projects and projects impacting large portions of the County.

Zoning and Platting Advisory Committee-The Zoning and Platting Advisory Committee is a Committee of County Staff, stormwater engineering, soil and water conservation and forest preserve personnel. They review all applications except variances.

An internal review by Staff of applications, particularly subdivision applications and site plan reviews, is a common practice nationwide. The formality of the practice (whether a dedicated committee exists, whether they met in public, have a chairperson, etc.) varies from place-to-place and the complexity of the project.

The Zoning and Platting Advisory Committee meets the 1st Tuesday of the Month.

Ad-Hoc Zoning Ordinance Committee-This Committee is supposed to be the research Committee for all of the development Committees. This Committee possesses no by-laws and is not defined in the Zoning Ordinance.

The Ad-Hoc Zoning Ordinance Committee meets before the Kendall County Regional Planning Commission on the 4th Wednesday of the Month.

Procedural Issue Related to Zoning, Building and Subdivision Related Committees

Lately, the most frequent petitions that the zoning, building and subdivision committees encounter are map amendments (rezonings), special use permit requests and variances. Few large subdivisions have been proposed in Kendall County in recent years.

Map Amendments-Below is a list of meetings an applicant for a map amendment would have to attend if their property was within the planning jurisdiction of a municipality under the current Kendall County Zoning Ordinance:

1. Zoning and Platting Advisory Committee
2. Kendall County Regional Planning Commission Meeting
3. **Township Planning Commission Meeting**
4. **Township Board Meeting**
5. **Municipal Planning Commission Meeting**
6. **Municipal Council Meeting**
7. **Kendall County Zoning Board of Appeals Hearing/Meeting**
8. Planning, Building and Zoning Committee
9. **County Board**

The meetings in bold are required pursuant to State law.

Special Use Permits, Major Amendments to Special Use Permits and Non-Owner Initiated Revocation of Special Use Permits-For special use permits, major amendments to special use permits (change 10% or greater of use area) and non-owner initiated revocation of special use

permits, the procedure is the same expect that the Special Use Hearing Officer holds the hearing and issue a recommendation instead of the Kendall County Zoning Board of Appeals. Also, unlike map amendments, objections filed by a municipality or township do not force supermajority votes at the County Board. Revocations of special use permits do not require review by the township or a municipality.

In instances where a special use permit and variance or map amendment is required, the Special Use Hearing Officer sits in on the Kendall County Zoning Board of Appeals meeting.

Minor Amendments of Special Use Permits and Conditional Use Permits-For minor amendments to an existing special use permit (less than 10% of use area) and for conditional use permits, a meeting before the Planning, Building and Zoning Committee is required per the Kendall County Zoning Ordinance.

Variances 10% or Greater of the Zoning Requirements-For variance applications exceeding 10% of the zoning requirements, the required meetings are as follows:

1. **Kendall County Zoning Board of Appeals Hearing/Meeting**
2. **Township Planning Commission Meeting**
3. **Township Board Meeting**
4. **County Board (if the Township files a formal objection within 15 days of the hearing before the Kendall County Zoning Board of Appeals)**

All of the above meetings for variances are required by State law (55 ILCS 5/5-12009).

Variances Less Than 10% of the Zoning Requirements- Variances requiring less than 10% relief from the Zoning Ordinance may be approved by Staff administratively. The adjoining property owners are notified and given an opportunity to file and objection. If an objection is filed, then the variance shall follow the same procedures as a larger variance request. The procedures for administrative variances are defined in 55 ILCS 5/5-12009.

Text Amendments-Below is the list of meetings for text amendments under the current Kendall County Zoning Ordinance:

1. Zoning and Platting Advisory Committee
2. Kendall County Regional Planning Commission Meeting
3. **Township Planning Commission Meeting in Each Township with a Planning Commission**
4. **Township Board Meeting in Each Township with a Planning Commission**
5. **Kendall County Zoning Board of Appeals Hearing/Meeting**
6. Planning, Building and Zoning Committee
7. **County Board**

The meetings in bold are required pursuant to State law.

Concept, Preliminary and Final Plats-Below is the list of meetings for concept, preliminary and final plats of subdivisions if they are within the planning jurisdiction of a municipality:

1. Zoning and Platting Advisory Committee
2. Kendall County Regional Planning Commission Meeting
3. Township Planning Commission Meeting in Each Township with a Planning Commission
4. Township Board Meeting in Each Township with a Planning Commission
5. Municipal Planning Commission Meeting
6. Municipal Council Meeting

7. Planning, Building and Zoning Committee
8. County Board (For Approval of Final Plat)

While it is not noted on the above the list, the creation of a subdivision normally requires a map amendment (i.e. rezoning agricultural land to RPD). The rezoning requires a public hearing before the Kendall County Zoning Board of Appeals. The Kendall County Zoning Board of Appeals could hold a public hearing on a proposed subdivision instead of the Kendall County Regional Planning Commission.

Site Plan Review-Site review plans require a meeting by the Zoning and Platting Advisory Committee only.

Amendments to the Land Resource Management Plan-Amendments to the Land Resource Management Plan require review by:

1. Zoning and Platting Advisory Committee
2. Kendall County Regional Planning Commission Meeting
3. **Kendall County Zoning Board of Appeals**
4. Planning, Building and Zoning Committee
5. **County Board**

The meetings in bold are required pursuant to State law.

General-Each municipality and township are free to create their own review process. For example, with the recent petition by Semper Fi, Inc. to operate a landscape waste composting facility at 1996 Cannonball Trail, the United City of Yorkville required that the petition be reviewed by their Economic Development Committee in addition to review by the Planning Commission and City Council.

Any board or committee reviewing an application is free to request additional time to review an application.

Stormwater Committees

Because Kendall County has a Stormwater Control Ordinance, two Committees exist to handle matters related to this Ordinance.

The Stormwater Planning Committee consists of representatives of the County Board and representatives of local municipalities (usually Mayors). This Committee exists because many of the municipalities adopted the same or similar Stormwater Management Ordinances as the County. Accordingly, if the County amended its Stormwater Management Ordinances, these municipalities would also be impacted. This Committee last met in April 2013 and only meets if a stormwater concern requiring a potential amendment to the Stormwater Management Ordinance exists or if a Countywide stormwater issue arises.

The Stormwater Oversight Committee is responsible for holding public hearings for variance to the Stormwater Management Ordinance. Pursuant to the Ordinance, the Committee of the Whole is the Stormwater Oversight Committee (Section 1004 of the Stormwater Control Ordinance).

In cases where variances to the Stormwater Management Ordinances are requested, the Committee of the Whole holds a public hearing and issues a recommendation to the County Board. The County Board then rules on the application.

If a stormwater variance request is located inside one of the certified communities, then that certified community also holds a public hearing and their municipal council issues a ruling as well.

Both of the stormwater related committees meet on an as-needed basis.

Historical Commission

Because Kendall County has an Historic Preservation Ordinance, Kendall County is required to have an Historic Preservation Commission as defined by 55 ILCS 5/5-30001.

The duties of the Historic Preservation Commission are:

1. To conduct an ongoing survey of the County to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and, therefore, potential landmarks or historic districts.
2. **To hold public hearings and recommend to the County Board the designation of landmarks or historic districts.**
3. To compile information concerning and prepare descriptions of the landmarks and historic districts identified and recommended for designation and the characteristics that meet the standards for designation.
4. To prepare, keep current, and publish a map or maps showing the locations and exact boundaries of proposed and designated landmarks and historic districts and, if the Commission so chooses, the locations and boundaries of designated state or federal landmarks or districts.
5. To keep a register of all designated landmarks and historic districts.
6. To establish an appropriate system of markers or plaques for all designated landmarks, historic districts, and for streets, roads, trails, and highways leading from one landmark or historic district to another and to confer recognition upon the owners of landmarks or property within historic districts by means of certificates, plaques, or markers.
7. To nominate, landmarks and historic districts to any state or federal registers of historic places.
8. To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic places.
9. To inform and educate the citizens of the County concerning the historic, archaeological, architectural, or scenic heritage of the County by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars.
10. **To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting landmarks or property within historic districts and issue or deny Certificates of Appropriateness for such actions.**
11. **To consider applications for Certificates of Economic Hardship that would allow the performance of work for which a Certificate of Appropriateness has previously been denied.**
12. To develop specific criteria and guidelines for the proper alteration, construction, demolition, or removal of landmarks, or of property within historic districts.
13. **To review proposed amendments to zoning regulations and map amendments, applications for special uses or applications for zoning variations that affect any and all landmarks or historic districts. Proposed zoning amendments, applications for special use, or zoning variations that affect any landmark or historic district as defined in this ordinance or any application for demolition of any structure which is more than 50 years old shall be reviewed by support staff and forwarded to the Preservation Commission for review within seven (7) working days.**
14. To administer on behalf of the County Board any property, or full or partial interest in real property, including a conservation right, by approval of the County Board.
15. To accept and administer on behalf of the County Board gifts, grants, money or other personal property as may be appropriate for the purpose of this Ordinance. Such money may

be expended for publishing maps and brochures, for hiring staff or consultants or performing otherwise appropriate functions for the purpose of carrying out the duties and powers of the Preservation Commission and the purposes of this Ordinance.

16. To administer any system established by the County Board for the transfer or development rights.
17. To call upon available County agencies and staff as well as other experts for technical advice; costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget.
18. To retain specialists or consultants, or to appoint citizen, neighborhood or area advisory committees, as may be required, costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget.
19. To testify before all boards, commissions, committees and municipalities on any matter affecting potential or designated landmarks or historic districts.
- 20. To periodically review any County Land Resource Management Plan and to develop a preservation component in any comprehensive plan of the County and to recommend it to the Regional Plan Commission, the Planning, Building & Zoning Committee and the County Board.**
- 21. To periodically consult the County zoning administrator, review any County zoning ordinance and building code, and to recommend to the County Board any amendments appropriate for the protection and continued use of landmarks or property within historic districts.**
22. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or the implementation of the purposes of this Ordinance.
- 23. To recommend to the County Board the adoption of intergovernmental agreements between the County Board and Kendall County municipalities that allow for the nomination and designation by the County Board of individual landmarks and historic districts within incorporated areas and that afford the protection of landmarks and historic districts through the provisions of this Article.**
24. To periodically monitor designated landmarks and preservation districts for demolition by neglect and to refer negligent cases to the appropriate county agency for enforcement.

Bolded items above could impact zoning, building and subdivision matters and/or require County Board approval. Historic preservation commissions in municipalities spend the bulk of their time on items 10 and 11. Whenever someone owning an historical property wants to alter an historic house or house within a historic district, the historic preservation commission reviews the application. Because Kendall County only has one locally designated historic house, the only time that the Historic Preservation Commission meets on a development matter is under item 13. The Historic Preservation Commission meetings would be different if more locally designated structures and districts existed.

The Historic Preservation Commission meets on the 3rd Wednesday of the Month. Members of the Historic Preservation Commission are not paid.

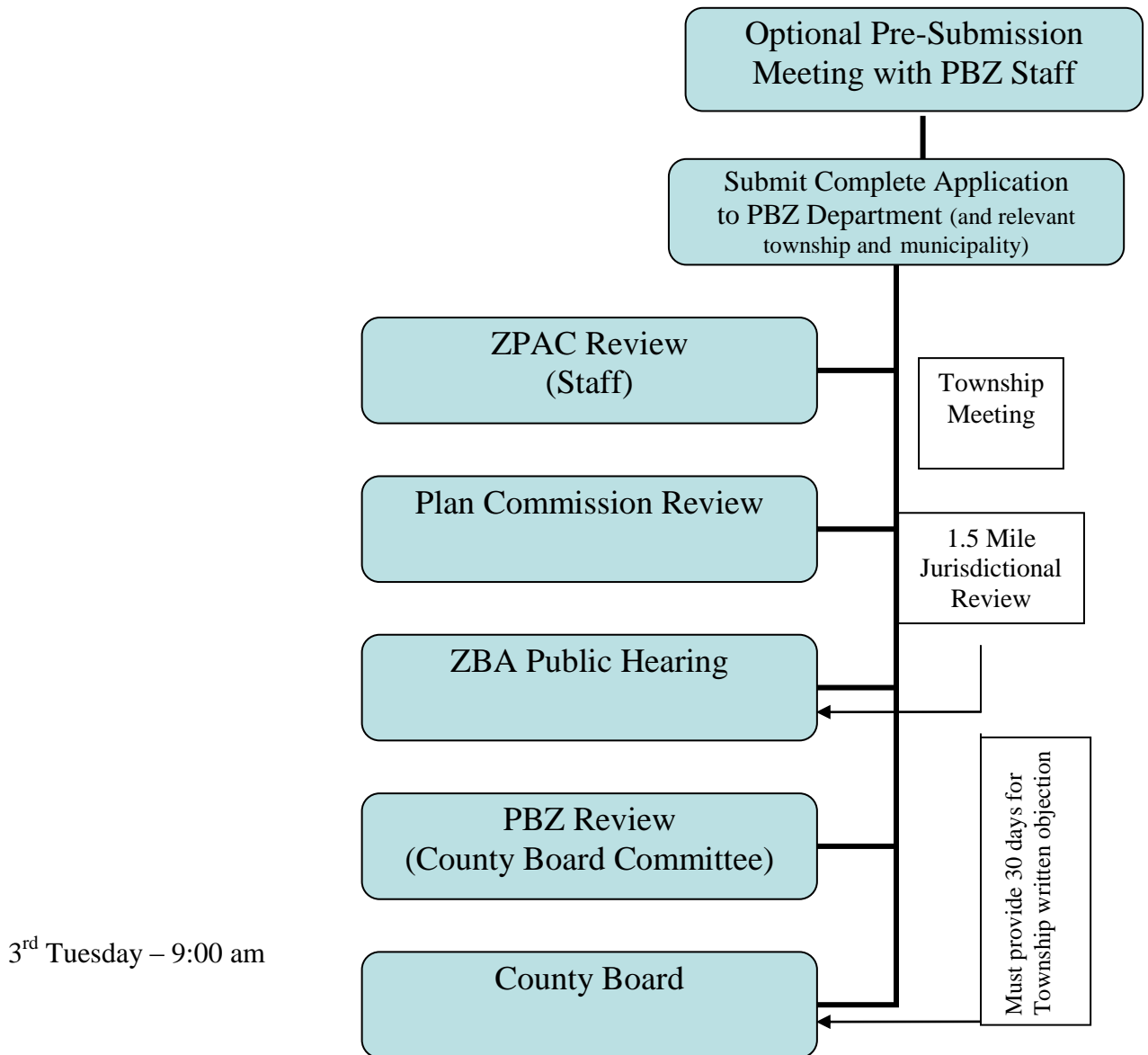
Conclusion

The Zoning Board of Appeals, Stormwater Oversight Committee and the Historic Preservation Commission are required per State law. The remaining committees could be abolished.

If you have any questions, please let me know.

MHA

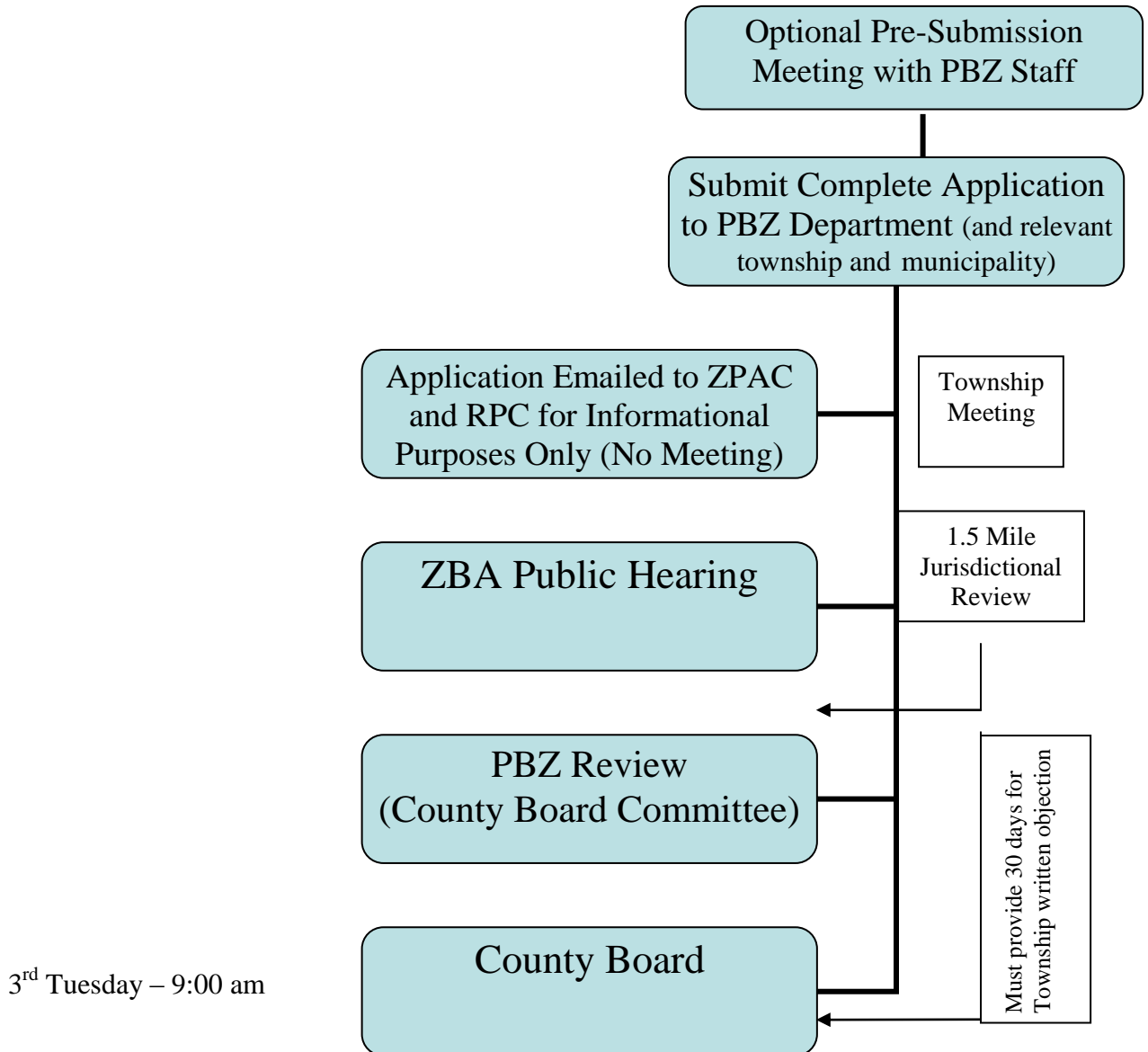
Existing Kendall County Rezoning Process (Map Amendment)



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.

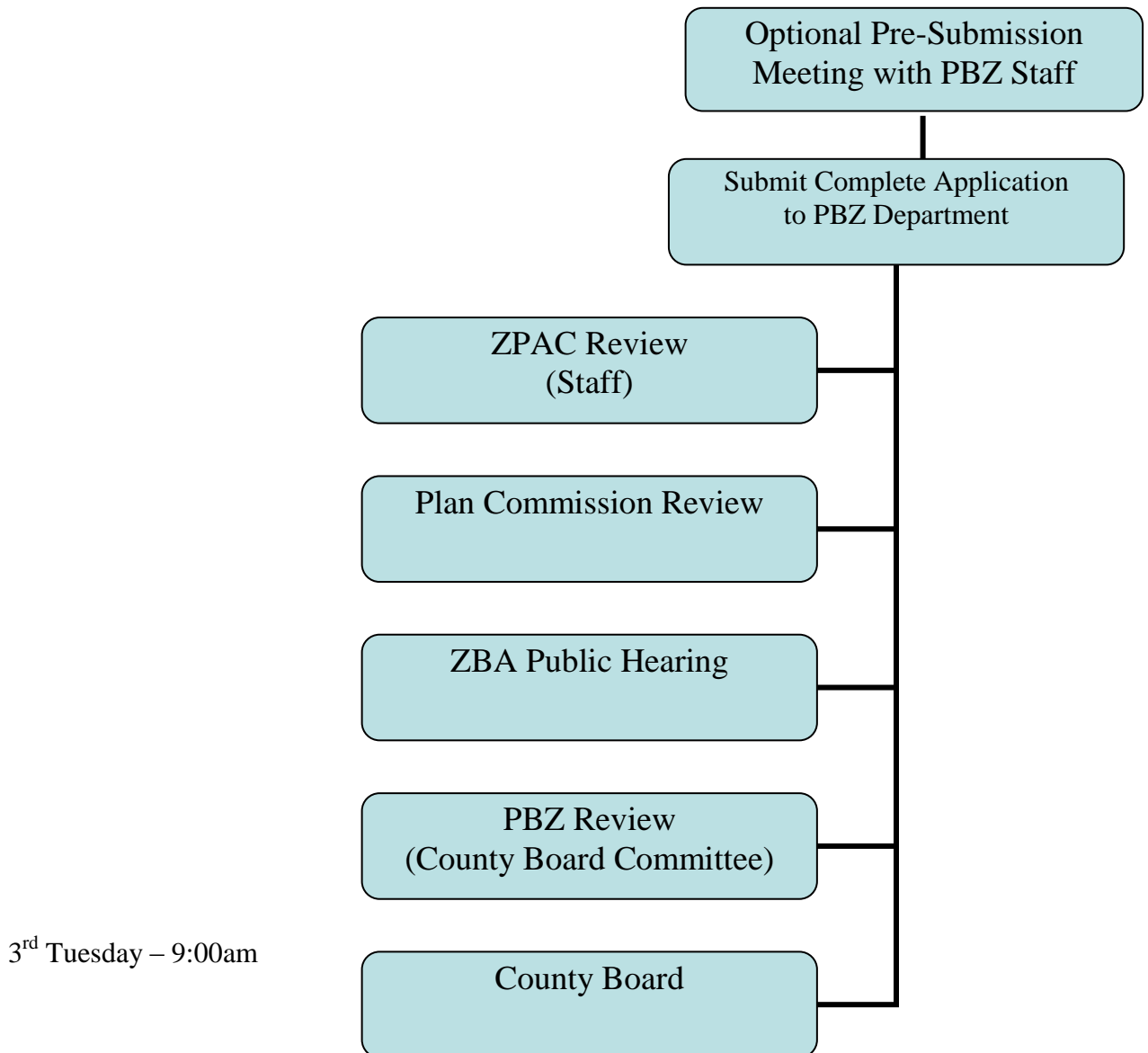
Proposed Amended Kendall County Rezoning Process (Map Amendment)



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.

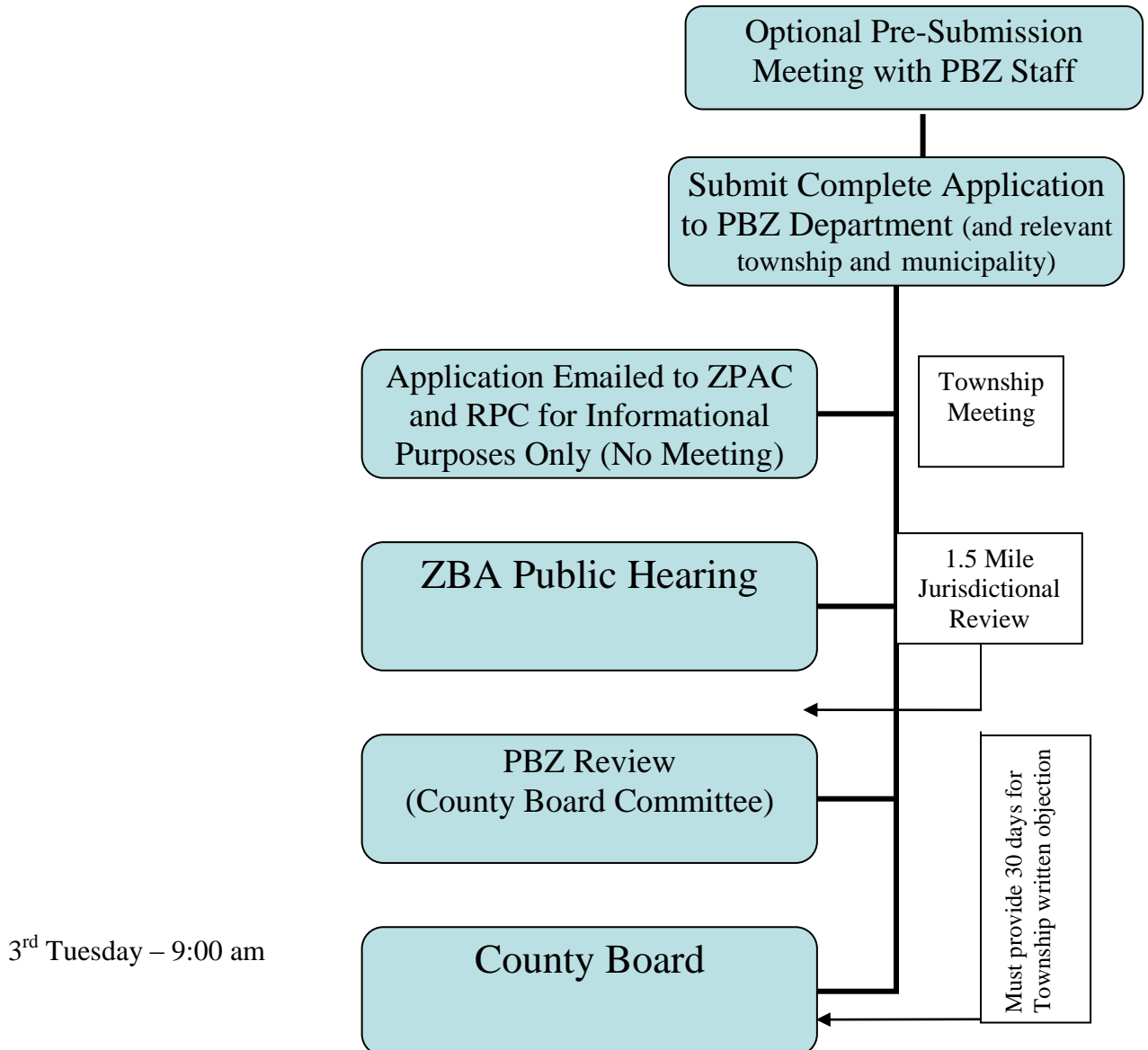
Existing Kendall County Text Amendment Process



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.

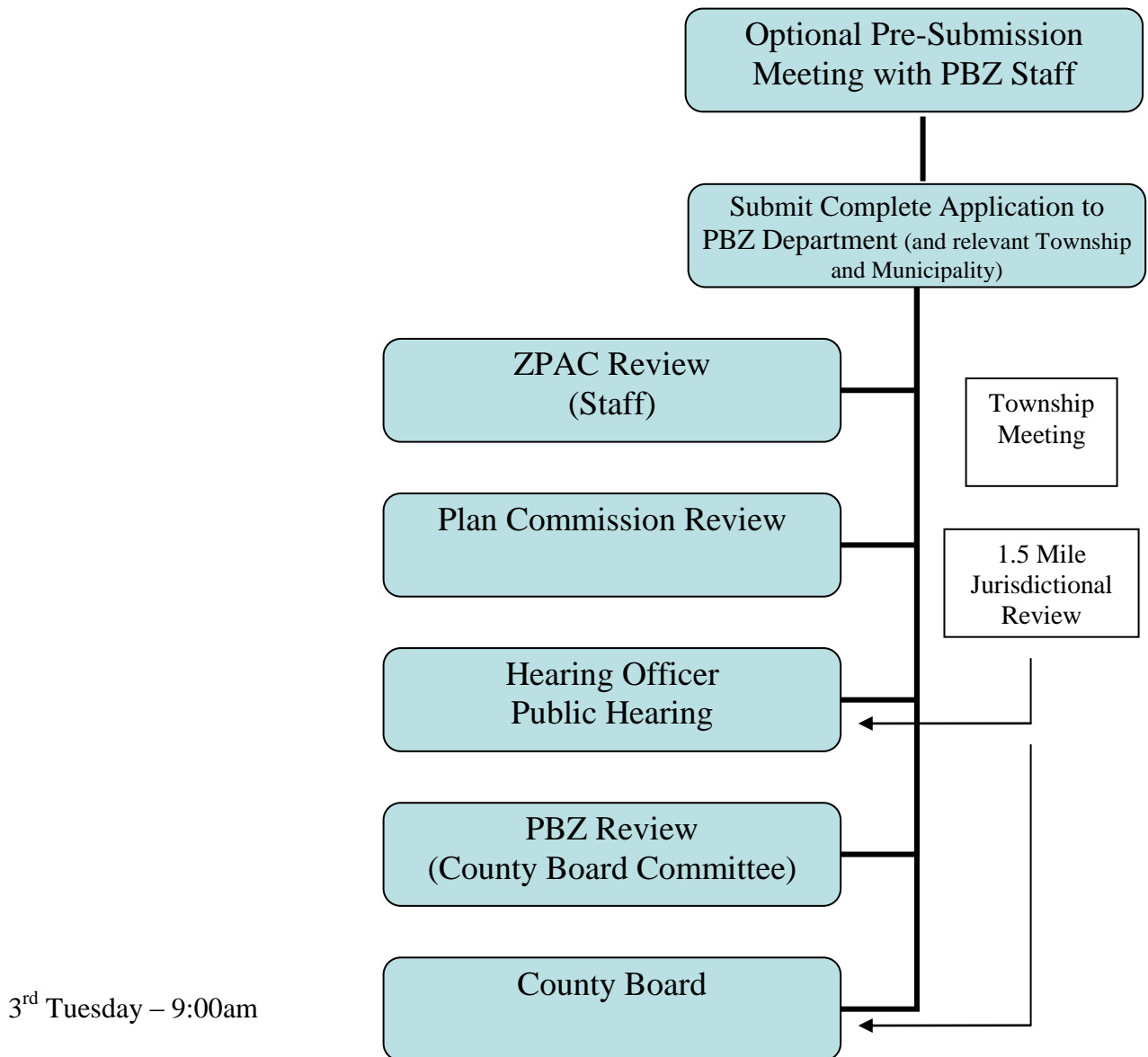
Proposed Amended Kendall County Text Amendment Process



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.**

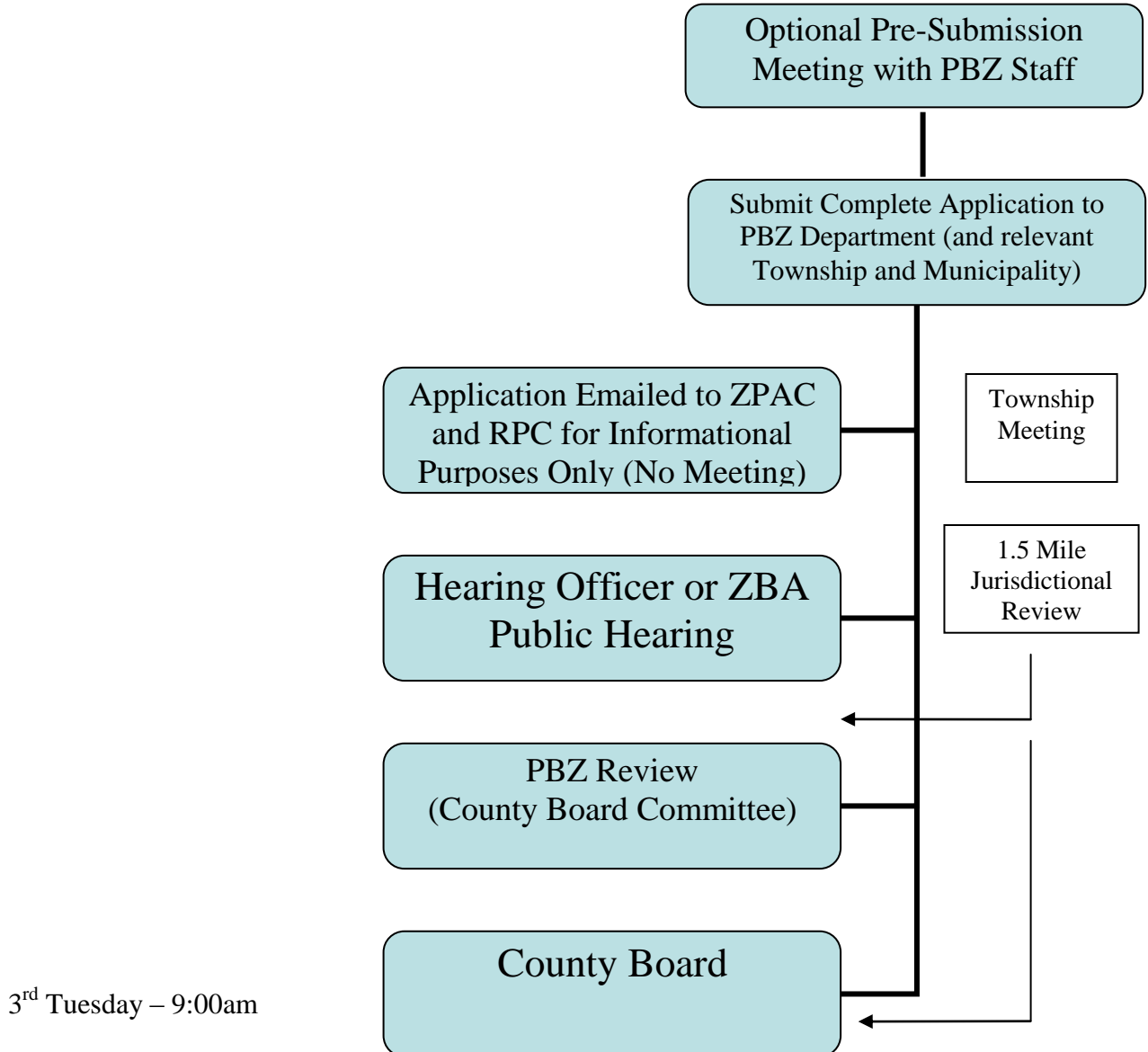
Existing Kendall County Special Use Process



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The Plan Commission, Hearing Officer, 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.
4. Hearing Officer has typically conducted meetings on the same day as the ZBA meeting.

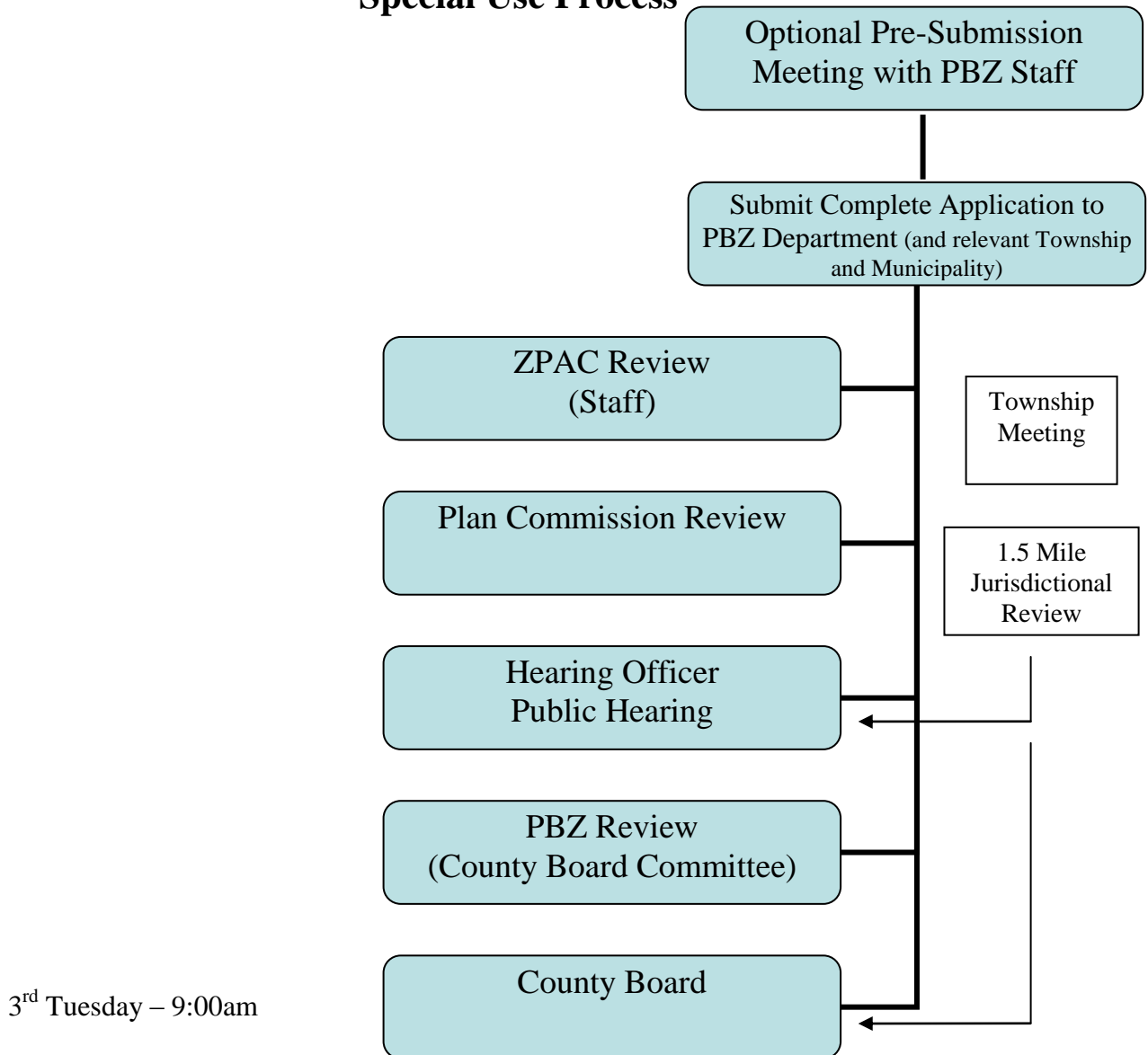
Proposed Amended Kendall County Special Use Process



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The ~~Plan Commission~~, Hearing Officer (**or 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.
4. Hearing Officer has typically conducted meetings on the same day as the ZBA meeting.

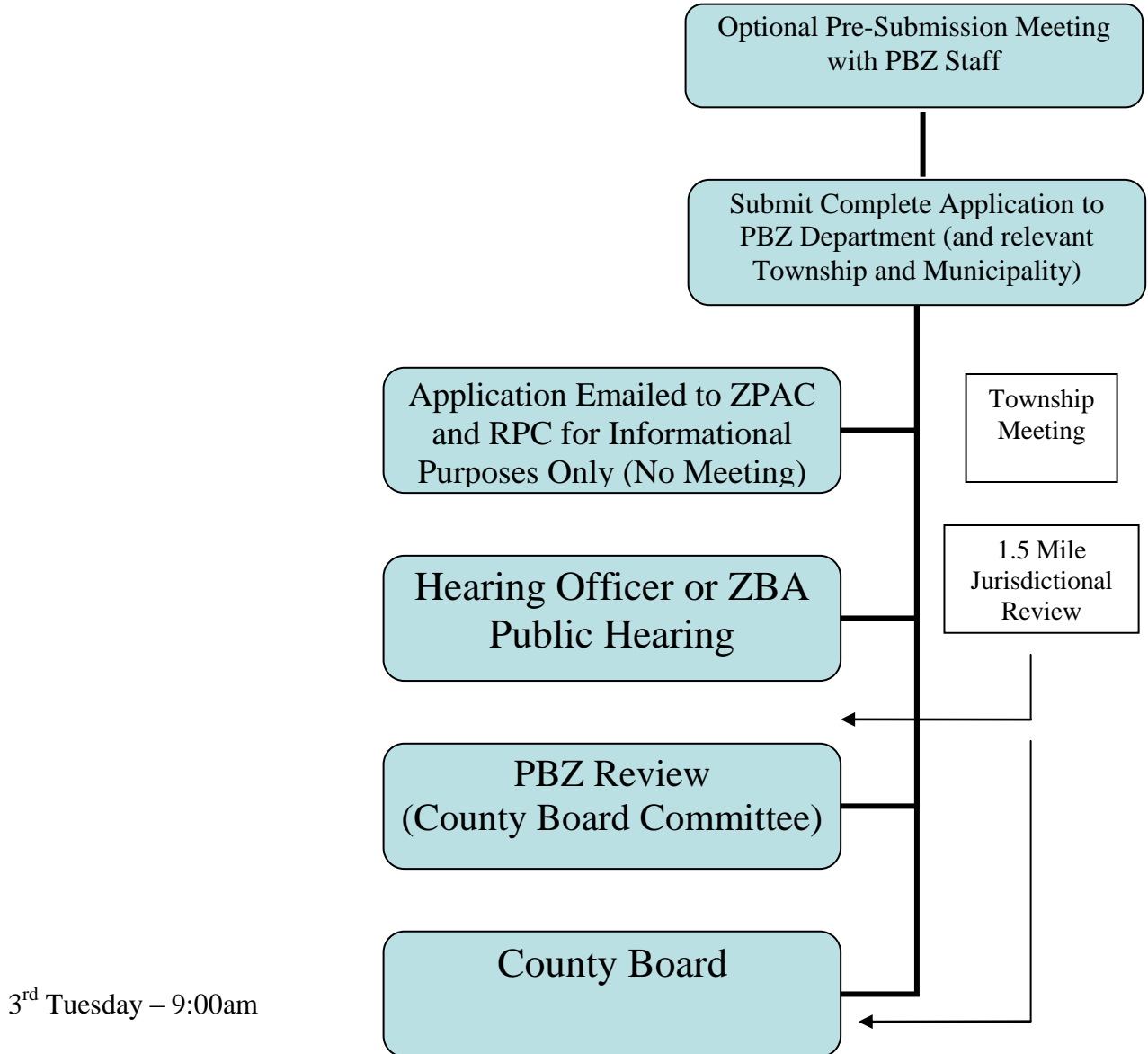
Existing Kendall County Major Amendment Special Use Process



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The Plan Commission, Hearing Officer, 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.
4. Hearing Officer has typically conducted meetings on the same day as the ZBA meeting.

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

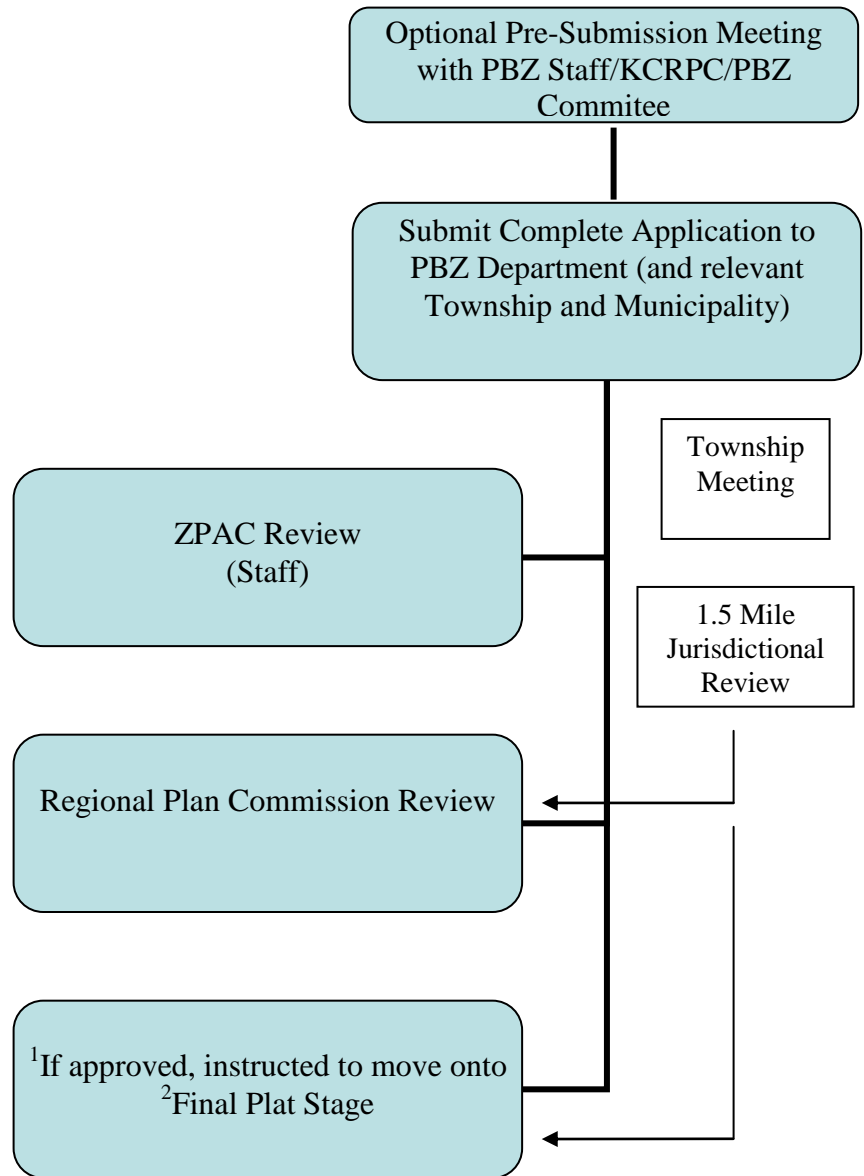


Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The ~~Plan Commission~~, Hearing Officer (**or 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.
4. Hearing Officer has typically conducted meetings on the same day as the ZBA meeting.

Existing-No Changes Proposed

Kendall County Preliminary Plat Process

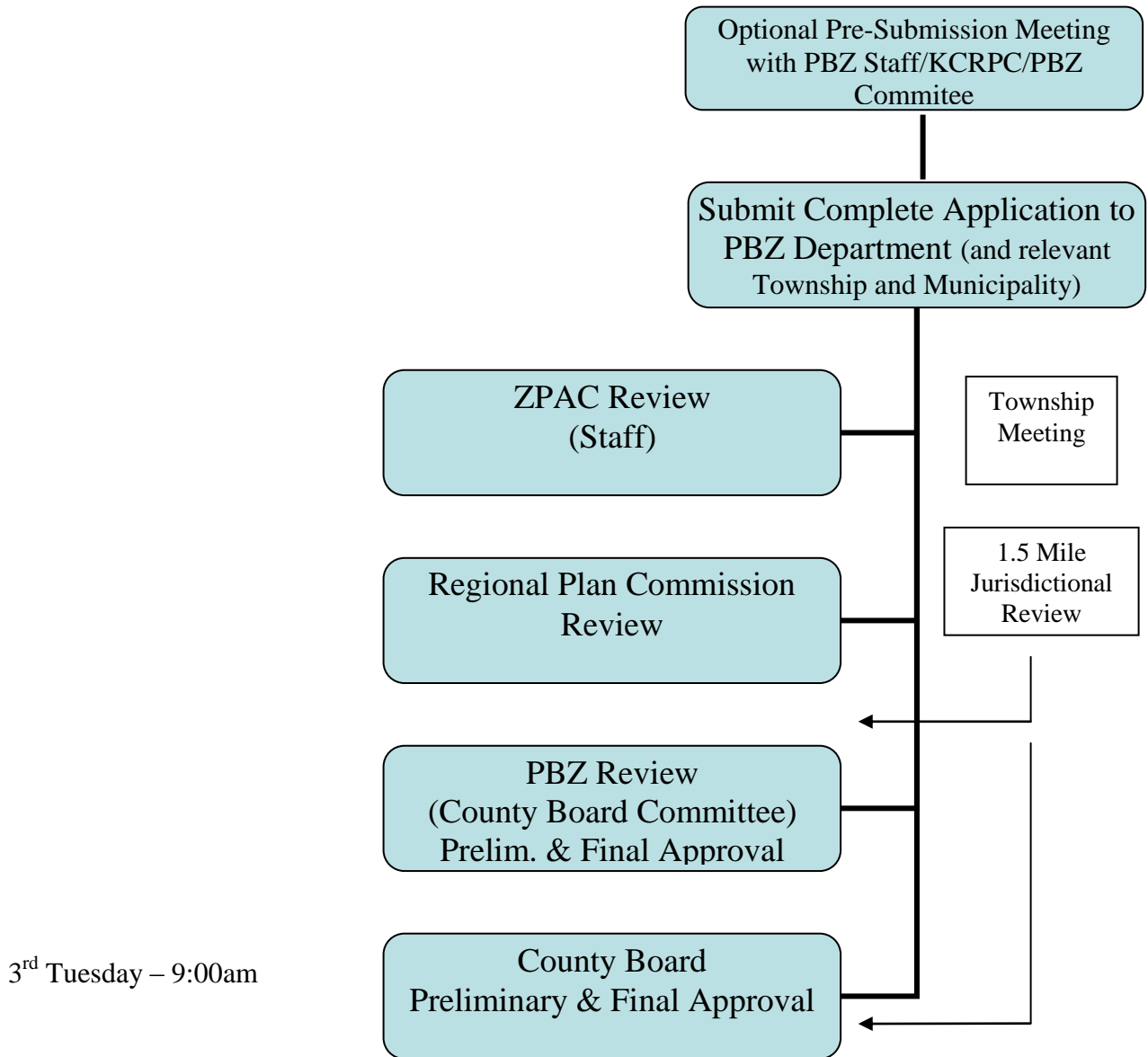


Notes:

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.

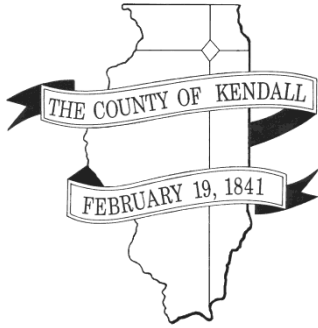
Existing-No Changes Proposed

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.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: September 29, 2017
Re: Conditional Uses

The State's Attorney's Office has been reviewing the standard template ordinances of the Planning, Building and Zoning Department. Upon review of the conditional use permit form, the State's Attorney's Office advised the Planning, Building and Zoning Department to reclassify all conditional uses as either permitted or special uses.

The list of conditional uses by zoning district is attached.

If you have any questions, please let me know.

MHA

ENC: Conditional Use List

Conditional Uses

A-1

a. Accessory agricultural services such as a Black smith; Sale of farm supplies by farmers as agents, where grain elevators or similar commercial facilities are not maintained on the farm premises; or similar accessory use to a farm residence provided:

- i. The applicant shall send notice to all owners of property within five hundred (500) feet of the subject site by certified mail within five (5) days of filing the applications of the intent and location of the service. If any owner receiving notice as described above shall, within ten (10) days after the date of the notice, file a written objection with the Zoning Administrator thereto, the question of whether such application shall be granted shall be referred to the Zoning Board of Appeals which shall consider the matter at its next regular or special meeting. A report summarizing the findings of fact and a recommendation of the Zoning Board of Appeals shall be forwarded to the County Board for a determination.
- ii. Such use shall be operated and storage maintained entirely within an enclosed building or screened on all sides by a solid fence not less than six (6) feet in height.
- iii. Such use shall not utilize more that twenty-five (25%) percent of the lot area or two (2) acres, whichever is less.
- iv. On-site employees shall consist of immediate family members, and not more that three (3) other persons.
- v. Said business shall be owned by the owner of the residence.
- vi. Such businesses shall provide a parking area to accommodate at least two (2) cars in addition to one parking space for each on-site employee. Such off-street parking area shall be appropriately landscaped so that it does not detract from the residential character of the property or its surroundings.
- vii. No more than one business shall be permitted on a site.
- viii. Such businesses shall produce no offensive noise, vibration, smoke, electrical interference, dust, odors, or heat on or off the premises of such use.

b. Agricultural Labor Housing or living quarters for a groomsman or an employee-watchman, provided that the following conditions and restrictions are met:

- i. Shall be used in connection with an agricultural purpose as defined in State Statute 55ILCS 5/5-12001 as here after amended.
- ii. Shall meet all requirements of the Kendall County Health Department.
- iii. Shall be used for agricultural labor housing or living quarters for a groomsman, an employee watchman and immediate family.
- iv. Shall meet all required setbacks and minimum lot size.

c. Elderly Cottage Housing Opportunities (ECHO Housing), provided:

- i One manufactured home is permitted on a separate ground area of not less than five acres in an A-1 District. Current health codes must be met.
- ii. The following purpose is served:
 - To permit adult offspring to provide small temporary residences for their aging parents who are in need of support while maintaining independence.
 - To permit families to provide security and support for non-elderly relatives with serious health problems or physical disabilities.

- To reduce the degree to which frail elderly homeowners have to choose between increasing isolation in their own homes and institutionalization in nursing homes.
- To develop housing types in single-family neighborhoods that are appropriate for households at a variety of stages in the life cycle.
- To permit E.C.H.O. housing in a manner that protects the property values and single-family character of neighborhoods by ensuring that the units are compatible with the neighborhood and are easily removed.

iii A conditional use permit must meet the following requirements for Temporary E.C.H.O.:

- There can only be one (1) E.C.H.O. housing unit located on each parcel.
- The E.C.H.O. housing unit must comply with all setbacks within the respective zoning districts.
- The E.C.H.O. housing unit must not exceed one thousand-two hundred (1,200) square feet of living space with not more than two (2) bedrooms.
- The E.C.H.O. housing unit must be compatible with the surrounding area.
- The E.C.H.O. housing unit must be an attached or detached pre-manufactured home with a removable foundation or a mobile home.
- Each E.C.H.O. housing unit may have one (1) parking space.
- The owner of the principal residence and at least one occupant of the E.C.H.O. unit must be related by blood, marriage or adoption.
- The owner(s) of the principal residence and lot must live in one of the dwelling units on the lot. No more than two occupants shall reside in an E.C.H.O. unit.
- In order to be eligible for E.C.H.O. housing, at least one of the occupants of the E.C.H.O. unit must be over sixty-two (62), or unable to live independently because of mental or physical disabilities. All disabled occupants must submit a letter from a physician verifying the disability and stating the projected duration of the disability.
- The principal owner of the property must annually submit an affidavit to the Zoning Administrator, verifying that the unit is still occupied by the eligible resident(s). Once the unit is no longer occupied by the eligible resident(s), the principal owner has six (6) months to remove the unit from the property. If the unit is not removed within six (6) months, the Kendall County Zoning Department may remove the structure. The principal owner of the property will be held financially liable for the cost. If the principal owner has not cleared debts within thirty (30) days of notification, a lien may be placed against the property.

d. Feed yards provided that the lot is not located nearer than one thousand (1,000) feet from a Residence District.

e. Guest house with kitchen facilities provided it meets the following conditions:

- i. The parcel must be 3.0 acres or greater in size and must be able to demonstrate the ability to provide adequate water and sanitary wastewater treatment facilities to service both the principle residence and guest house in accordance with all applicable Health Department regulations and guidelines in effect at the time of application.
- ii. The guest house shall comply with the building setbacks of the Agricultural district and shall be a minimum of 20 feet from the principle structure.
- iii. All guest houses shall not exceed the height of the main dwelling.

- iv. Adequate off-street parking shall be available for the guest house.
 - v. Covenant or Deed Restrictions: As a condition of securing a Building Permit for construction of a guest house being added to an existing parcel containing a single-family home, the property owner shall record against the deed to the subject property, a covenant or deed restriction which shall prohibit the rental, lease or sale of the guest house separately from the rental, lease or sale of the main dwelling unit. Proof that such a covenant or deed restriction has been recorded shall be provided to the Kendall County Planning, Building and Zoning Department prior to the issuance of the Building Permit for the guest house.
 - vi. The materials, colors, and architectural style of the guest house shall be similar to the principal residence.
 - vii. The livable floor area of the guest house shall not exceed 50% (fifty percent) of the livable floor area of the principal residence.
 - viii. Construction of all guest houses shall meet applicable building codes.
- f. Home-based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.
- g. Livestock sales and purchasing, but not a stockyard or a slaughter house. Such uses may not be located nearer than one thousand (1,000) feet from a Residence District.
- h. Public 911 safety towers provided:
- i. The height cannot exceed 200' if it is located within 1.5 miles from the corporate limits of any municipality with a population of 25,000 or more. If it is further than 1.5 of a municipality with a population of 25,000 or more, it can be 350'.
 - iii. No building or tower that is part of a public 911 safety tower should encroach onto any recorded easement prohibiting the encroachment unless the grantees of the easement have given their approval.
 - iv. Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting should be shielded so that no glare extends substantially beyond the boundaries or a facility.
 - v. No public 911 safety tower should encroach onto an existing septic field.
 - vi. Except as provided in this section, no yard or setback regulation shall apply to or be required for a public 911 safety tower.
 - vii. No minimum lot area, width, or depth shall be required for a public 911 safety tower and unless the tower is to be manned on a regular, daily basis, no off-street parking spaces shall be required for a public 911 safety tower. If the tower is to be manned on a regular, daily basis, one off-street parking space shall be provided for each employee regularly at the site. No loading facilities are required.
 - viii. No portion of a tower's supporting structure or equipment housing shall be less than 15 feet from the front lot line or less than 10 feet from any other lot line.
 - ix. Fencing should be installed around a public 911 safety tower. The height and materials of the fencing should be in accordance with any county fence regulations of general applicability.
- i. Riding Stables including, but not limited to: polo clubs, rodeo clubs and similar uses, provided:
- i. The lot is not located nearer than five hundred (500) feet from an

existing dwelling other than the owners residence or a Residential District.

ii. All such facilities shall meet all State Animal Management Statutes.

iii. Not more than twenty-four (24) horses can be housed in said stable or on the premises at any one time.

iv. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).

v. Except for security lighting at low wattage, there shall be no outside lighting of the riding arena. All lighting shall be directed away from surrounding properties to prevent glare or the migration of light onto adjoining or surrounding properties.

vi. Submission of a manure management plan for review and approval by the Kendall County Health Department.

vii. Hours of operation for the indoor arenas shall be restricted to 6:00 am – 10:00 pm daily. Outdoor use of the property for riding horses shall be permitted from dawn to dusk daily.

viii. Off-street parking and loading at a ratio of not less than one parking space per stall. Additional parking may be required as determined by the Zoning Administrator for employees and any related accessory or special uses (i.e. storage of horse trailers used in conjunction with the stable operation, blacksmith shop, on-site stable manager, tack shop, etc.)

ix. Provision of handicapped accessible bathroom facilities for customers and employees.

x. Compliance with basic life safety requirements for building ingress and egress.

(Amended 6/20/2006)

j. Seasonal Festivals provided that the following conditions and restrictions are met: *(Amended 5/18/2010)*

i. Adequate parking on site shall be provided in such a way that no on-street parking is necessary

ii. Event areas, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 150 feet of a residential district, or residential structure located off the subject zoning lot unless written consent from the effected residents is provided to the Planning, Building and Zoning Office

iii. The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services

iv. No alcohol shall be sold on the premises

v. Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services

vi. All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.

vii. Noise levels generated from non-agricultural sources shall not exceed 60 dBA as measured at the nearest occupied residential structure on an adjoining property

viii. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Office.

ix. No event activity shall start earlier than 9:00 A.M. any day of the week, and shall end no later than 10:00pm, Monday thru Wednesday and no later than 11:30pm Thursday thru Sunday

x. Events shall be permitted once a year unless otherwise approved by the PBZ Committee

- xi. Seasonal Festivals shall be permitted up to, but not exceed, ninety (90) consecutive days in length in one calendar year
- xii. Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted during the duration of the Seasonal Festival subject to the review and approval of the Zoning Administrator.
- xiii. All signage shall comply with Section 12.00 of the Zoning Ordinance
- xiv. All proposed lighting shall be non-obtrusive onto adjoining properties and should not exceed 0.2 foot-candles at any property line
- xv. Any Seasonal Festival which cannot meet these standards may still be permitted if approved as a Special Use. An applicant seeking an approval of the conditional use shall submit an application to be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the request to the Planning, Building and Zoning Committee of the County Board for recommendation prior to taking action. In addition, the petitioner may appeal the decision of the Zoning Administrator in the review of a Conditional Use for a Seasonal Festival to the PBZ Committee. In such instances the PBZ Committee shall be the final authority in deciding upon such requests.

k. Single Family Dwellings may be authorized under the following conditions:

- i. Each such dwelling shall be located on a zoning lot that meets the standards of single-family residential lots, one hundred and thirty thousand (130,000) sq. ft. minimum.
- ii. Septic suitability is approved by the Health Department.
- iii. It is the intent to limit such usage, and if, in the judgment of the County Board, contiguous parcels requesting approval hereunder represent an unwarranted expansion of this usage, then denial is warranted.
- iv. That application shall be made on forms provided by the Zoning Administrator and shall include specific written and graphic statements and illustrations establishing evidence that the site meets the standards as follows:

That the site for the proposed use must be incompatible with agricultural use that may be evidenced by establishment of one or more of the following criteria:

- 1) Existing woodland coverage of a substantial portion of the site containing trees in excess of 6" in diameter measured at breast height;
- 2) Soils which have a land evaluation ranking from the Kendall County Soil & Water Conservation District of seventy-five (75) or less;
- 3) Excessive slopes;
- 4) Other physical features which serve as barriers to farm operations such as streams, rock outcroppings and property configuration in relationship to wetlands, flood-prone areas or buildings.

- v. That such application shall be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the application to the Planning, Building and Zoning Committee of the County Board for recommendation prior to taking action.

It is the policy that allowance of dwellings under this section shall not change the general character of agricultural use in the surrounding area.

l. Small Wind Energy Systems subject to the conditions of Section 4.17

m. Truck and Tractor Amusement Competition Events, provided that the following conditions and restrictions are met: (*Amended 5/18/2010*)

- i. Event tracks, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 500 feet of a residential district, or residential structure located off the subject property unless written consent from the effected residents is provided to the Planning, Building and Zoning Office.
- ii. The operator shall provide adequate parking on the site, such that no on-street parking will be required.
- iii. The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services.
- iv. No alcohol shall be sold on the premises without a Kendall County liquor license.
- v. All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.
- vi. Events shall not exceed six (6) consecutive days in duration.
- vii. Events shall not exceed two (2) times per calendar year on any particular property.
- viii. Noise levels shall not exceed 90 dB as measured at the nearest property line, not including any residences located on the subject property.
- ix. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Office.
- x. Any event activities shall start no earlier than 9:00 A.M., and shall end no later than 9:00 P.M., any day of the week.
- xi. Any truck and tractor amusement competition event which cannot meet these standards may still be permitted via a special use.

R-1 and R-2

1. Beekeeping with the following conditions:

- i. Beekeeping and the honey produced from beekeeping shall be for personal use only
- ii. Annual permit required with fee of \$50 the first year the permit is issued and \$25 each year after
- iii. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
- iv. No colony shall be permitted within a front yard setback
- v. All colonies must be setback at least 30' from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5' from the rear or side yard lot line (as long as there is no sidewalk or pathway).
- vi. All colonies within 100' of an adjoining home shall require a flyway barrier with a 6' minimum height
- vii. All colonies shall require a minimum 4' fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.
- viii. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100' of the adjoining home of objecting property owner.
- ix. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that

must be submitted in writing and signed by the applicant.

x. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100' of the residence of the previously objecting property but shall maintain a distance of at least 30' from all property lines at all times unless abutting a right of way in which the colony can be placed with 5' of the property line.

xi. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrator receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.

xii. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.

xiii. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.

xiv. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.

xv. All approved permits shall comply with the *Bees and Apiaries Act* of Illinois (510 ILCS 20)

2. Home-based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.

3. Model homes, with the following restrictions:

(i) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the Planning, Building and Zoning Department.

(ii) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.

(iii) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.

(iv) All signs must conform to the standards set forth in Section 12.00 of this ordinance.

4. Small Wind Energy Systems subject to the conditions of Section 4.17

RPD-1, 2 and 3

Conditional Uses. In residential planned developments containing over fifty (50) dwelling units, the following uses shall be allowed, provided that the general conditions and use-specific conditions are met.

1. General Conditions.

a. Conditional uses shall not occupy more than fifteen percent of the buildable acreage of the development.

b. Conditional uses, shall front arterial or major collector level streets, as defined in the County Transportation Plan. Model homes shall be excluded from this provision.

2. Specific Conditions

- a. Home based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.
- b. Model homes, with the following restrictions:
 - (i) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the Planning, Building and Zoning Department.
 - (ii) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.
 - (iii) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.
 - (iv) All signs must conform to the standards set forth in Section 12.00 of this ordinance.
- c. Places of Worship subject to the following:
 - (i) The maximum lot coverage of structures may not exceed 35%; total impervious surfaces may not exceed 70% of the lot area.
 - (ii) Buildings shall maintain a minimum setback of eighty (80) feet from the center of the road and 30' from all other property lines
 - (iii) 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.
 - v) Off-street parking, lighting and loading facilities shall be provided as required or permitted in Section 11.00.
 - vi. Other related uses, such as schools, child day care services, kindergartens shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.
- d. Schools: Elementary, junior high, and high school, including playgrounds, garages for school buses, and athletic fields auxiliary thereto, subject to the following:
 - (i) The minimum lot area shall be one (1) acre.
 - (ii) The minimum lot width requirement shall be one hundred and twenty (120) feet.
 - (iii) A front setback of eighty (80) feet from the center of the road shall be required.
 - (iv) Side and rear yards of no less than twenty-five (25) feet shall be provided. Where any outdoor activity area, swimming pool, ball field or court adjoins a residential land uses, such yards shall be buffered with landscaping across 50% of the lot width.
 - (v) Off-street parking and loading facilities shall be provided as required or permitted in section 11.00.
 - (vi) Hours of operation shall be limited to the following:
 - (1) Outdoor group activities shall not be allowed after 10 PM.
 - (2) The facility may not be used as a regular overnight domicile or shelter. This provision does not limit the school from being used for overnight retreats or events for school members and guests.
 - (3) Lighted outdoor recreation facilities, parking lots and lighting shall be designed to avoid excessive light and glare impacts on adjacent properties. Restrictions on light pole height and types, deflectors and other such measures may be required as necessary to prevent overspill and excessive intensity of light.

R-3

1. Beekeeping with the following conditions:

- i. Beekeeping and the honey produced from beekeeping shall be for personal use only
- ii. Annual permit required with fee of \$50 the first year the permit is issued and \$25 each year after
- iii. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
- iv. No colony shall be permitted within a front yard setback
- v. All colonies must be setback at least 30' from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5' from the rear or side yard lot line (as long as there is no sidewalk or pathway).
- vi. All colonies within 100' of an adjoining home shall require a flyway barrier with a 6' minimum height
- vii. All colonies shall require a minimum 4' fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.
- viii. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100' of the adjoining home of objecting property owner.
- ix. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.
- x. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100' of the residence of the previously objecting property but shall maintain a distance of at least 30' from all property lines at all times unless abutting a right of way in which the colony can be placed with 5' of the property line.
- xi. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrator receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.
- xii. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.
- xiii. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.
- xiv. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.
- xv. All approved permits shall comply with the *Bees and Apiaries Act* of Illinois (510

ILCS 20)

2. Home-based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.

3. Model homes, with the following restrictions:

(i) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the Planning, Building and Zoning Department.

(ii) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.

(iii) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.

(iv) All signs must conform to the standards set forth in Section 12.00 of this ordinance.

R-4, R-5, R-6 and R-7

1. Home-based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.

B-1

1. 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.

2. Electrical Appliance Stores and Repair with a size limit of 10,000 square feet.

3. 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.

4. Small Wind Energy Systems subject to the conditions of Section 4.18

B-2 and B-3

1. Contractor or construction Services such as: building, cement, electrical, refrigeration, masonry, building, plumbing, roofing, air-conditioning, heating and ventilating.

2. Contractors' offices and shops, where no fabrication is done on the premises and where all storage of material and equipment is within a building.

3. 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.

4. Enclosed self-service storage facility, provided that:

a. Each self-service storage facility shall be governed by the provisions of the Illinois

Self-Service Storage Facility Act, 770 ILCS 95/1 et seq.

b. A fence and landscaping shall be provided which completely encloses the facility and screens it from view of residential structures and residentially zoned property

5. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place

6. 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.

8. Outdoor Display may be permitted subject to the following:

a. TEMPORARY SEASONAL DISPLAYS

(i) Seasonal displays not exceeding 60 days per calendar year may be conducted on the same zoning lot as the principal business.

(ii) A site plan must be submitted by the applicant and approved by the Zoning Administrator showing the location of the seasonal display, the items to be displayed and the duration of the display.

(iii) Seasonal display areas shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.

All signage for seasonal display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.

b. PERMANENT OUTDOOR DISPLAYS

(i) Shall only be permitted on the same zoning lot as the principal business, and shall only display merchandise which is sold at the subject premises. Items which are not sold on the premises or which are general outdoor storage are not permitted.

(ii) Shall not exceed 10% of the subject area or 1,000 square feet in area, whichever is smaller.

(iii) Shall be subject to site plan review and approval by the Zoning Administrator.

(iv) Shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.

(v) Displays shall not be higher than 15 feet in height.

(vi) All signage for outdoor display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.

(vii) A zoning certificate and fee are required for approval of an outdoor display area.

(viii) Any outdoor display area shall be subject to review by the Planning, Building and Zoning Committee and may be rescinded if deemed necessary.

(ix) Any outdoor display area which does not meet these requirements may be permitted as a special use.

9. Processing or assembly, provided that space occupied in a building does not exceed six thousand square feet of total floor space and basement space, not including stairwells or elevator shafts; and provided such processing or assembly can be conducted without noise, vibration,

odor, dust or any other conditions which might be disturbing to occupants of adjacent buildings. When manufacturing operations of the same or similar products demand space exceeding six thousand square feet, they shall then be located in the M-1 Manufacturing District.

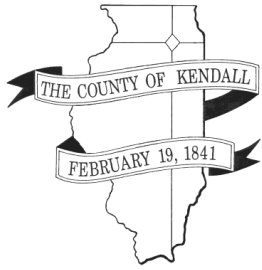
10. Small Wind Energy Systems subject to the conditions of Section 4.18

B-4 and B-6

1. Small Wind Energy Systems subject to the conditions of Section 4.18

M-1, M-2 and M-3

1. Small Wind Energy Systems subject to the conditions of Section 4.18



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: October 3, 2017
Re: Proposed Amendments to Code Hearing Unit Regulations

For the past several months, the Ad-Hoc Zoning Ordinance Committee has been reviewing proposed changes to the Code Hearing Unit Regulations. Copies of the existing and proposed ordinances are attached.

Ordinance 2004-28 established the Code Hearing Unit outside of the Zoning Ordinance. When Staff prepared the amendment, Staff assumed that the Code Hearing Unit regulations would remain outside of the Zoning Ordinance. When the Ad-Hoc Zoning Ordinance Committee issued its recommendation, they recommended that the Code Hearing Unit be placed inside the Zoning Ordinance and that the Kendall County Regional Planning initiate the text amendment.

Staff has several concerns regarding placing the Code Hearing Unit regulations inside the Zoning Ordinance:

1. Kendall County, unlike several of its neighboring Counties, does not have a Unified Development Ordinance. The various codes that the Planning, Building and Zoning Department administer are stand-alone ordinance; the Building Code is separate from the Zoning Ordinance. Placing the Code Hearing Unit inside one (1) code or another code presents difficulties in enforcement and applicability. By leaving it separate, the Code Hearing Unit can more easily apply to all of the ordinances the Department administers.
2. The proposed ordinance has specific definitions for "Code", "Person", "Property", "Solid Waste" and other terms. When applied narrowly to Code Hearing Unit Ordinance, these terms make sense. When applied to the entire Zoning Ordinance, the risk of unforeseen consequences is great because these terms may have different meaning for different portions of the Zoning Ordinance.
3. Placing the Code Hearing Unit regulations inside the Zoning Ordinance requires that any amendments to the Code Hearing Unit regulations be reviewed by ZPAC, the Kendall County Regional Planning Commission, Kendall County Zoning Board of Appeals, each township, the Planning, Building and Zoning Committee and County Board. If the Code Hearing Unit regulations remain outside the Zoning Ordinance, only the Planning, Building and Zoning Committee and County Board would be required to review proposed changes.

If the PBZ Committee favors placing the Code Hearing Unit regulations in the Zoning Ordinance, Staff recommends that the definitions portion of the Code Hearing Unit regulations be removed and the duties of the Hearing Officer be transferred from the Definitions Section to the Powers and Duties Section.

PBZ Memo
October 3, 2017

If you have any questions regarding this memo, please let me know.

MHA

ENCS

ORDINANCE # 2004- 28

AN ORDINANCE OF THE KENDALL COUNTY CODE CREATING A CODE HEARING UNIT

WHEREAS, Kendall County has adopted rules and regulations intended to protect and enhance the public health, safety, and welfare, and these rules and regulations are set forth in the Kendall County Code; and

WHEREAS, enforcement of the rules and regulations of the Kendall County Code sometimes requires County staff to notify a property owner or other person of a violation of the duly adopted rules and regulations; and

WHEREAS, failure by a property owner or other person to correct an identified violation of the Kendall County Code currently requires staff to take further action through the circuit court; and

WHEREAS, it is desirable to have an alternative procedure for the abatement of Kendall County Code violations which is less complex and less time consuming; and

WHEREAS, Chapter 55, Section 5/5-41 of the Illinois State Statutes allows counties to create Code Hearing Units for the administrative adjudication of code violations; and

WHEREAS, Kendall County staff and the Kendall County State's Attorney have reviewed the enabling legislation and have drafted rules, regulations and procedures for a Code Hearing Unit for Kendall County, attached hereto as Exhibit "A"; and

WHEREAS, the Planning, Building and Zoning Committee of the Kendall County Board has reviewed the drafted rules, regulations and procedures for the Code Hearing Unit and has determined that such a Unit will expedite the adjudication of Code violations and improve the administration of the Kendall County Code, and has forwarded a recommendation to the County Board that a Code Hearing Unit be created for Kendall County; and

WHEREAS, the County Board of Kendall County has determined that it is in the best interest of its citizens of the County to amend the Kendall County Code to establish the Code Hearing Unit in order to better protect the public health, safety, and welfare;

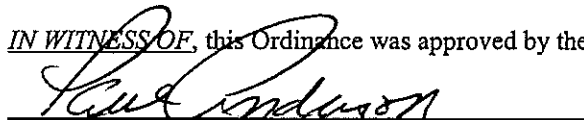
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

SECTION ONE: The conclusions set forth above and the recommendation of the Planning, Building and Zoning Committee of the Kendall County Board are hereby adopted as the conclusions of the Kendall County Board.

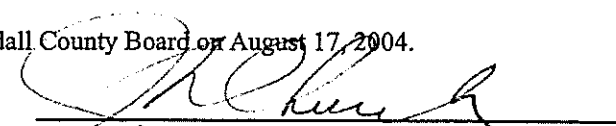
SECTION TWO: The Kendall County Code is hereby amended to create a Code Hearing Unit, as set forth in Exhibit "A" attached hereto.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Kendall County, Illinois.

IN WITNESS OF, this Ordinance was approved by the Kendall County Board on August 17, 2004.



Attest:


John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk

EXHIBIT "A"

CODE HEARING UNIT

Section 1. Definitions

- a) "Code" means any County ordinance that pertains to or regulates any of the following: animal control; the definition, identification, and abatement of public nuisances; the accumulation, disposal, and transportation of garbage, refuse, and other forms of solid waste; the construction and maintenance of buildings and structures including improvements; sanitation practices; or subdivision zoning.
- b) "Code Enforcement Officer" means a County employee or independent contractor or investigator authorized to issue citations for County Code violations.
- c) "Hearing Officer" means a person other than a Code Enforcement Officer or law enforcement officer having the following powers and duties:
 - 1) To preside at an administrative hearing called to determine whether a Code violation exists;
 - 2) To hear testimony and accept evidence from the Code Enforcement Officer, the respondent, and all interested parties relevant to the existence of a Code violation;
 - 3) To preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
 - 4) To issue and sign written findings and a decision and order stating whether a Code violation exists;
 - 5) To impose penalties consistent with applicable Code provisions and to assess costs reasonably related to instituting the proceedings upon finding the respondent liable for the charged violation. In no event, however, shall the Hearing Officer have the authority to impose a penalty of incarceration.
- c) "Property owner" means the legal or beneficial owner of an improved or unimproved parcel of real estate.
- d) "Respondent" means a property owner, waste hauler, or other person charged with liability for an alleged Code violation and the person to whom the notice of violation is directed.
- e) "Solid waste" means demolition materials, food and industrial processing wastes, garden trash, land cleaning waste, mixed refuse, non-combustible refuse, and trash as defined in the Illinois Solid Waste Disposal District Act.
- f) "Waste hauler" means any person owning or controlling any vehicle used to carry or transport garbage, refuse, or other forms of solid waste.

Section 2. Code Hearing Unit – Establishment and Jurisdiction.

There is hereby established a Code Hearing Unit as a division of the County Planning and Zoning Department which is authorized to conduct administrative adjudication proceedings for the County, its departments and officers. The function of the Code Hearing Unit shall be to expedite the prosecution and correction of code violations. The Code Hearing Unit is authorized to establish a system of administrative adjudications for the enforcement of all provisions of Kendall County Code, except those pre-empted by State law or County ordinance.

Section 3. Hearing Officer – Appointment.

The Chairman of the County Board, with the advice and consent of the County Board, shall appoint one or more Hearing Officers for the purposes of this Section. A Hearing Officer may not be a Code Enforcement Officer or other law enforcement officer.

Section 4. Hearing Officer – Powers and Duties.

The Hearing Officer shall have the following powers and duties:

- a) All powers and duties set forth in Section 2, above.
- b) The authority to call and preside at conferences for the settlement or simplification of issues.
- c) The power to administer oaths and affirmations.
- d) The authority to rule on motions, objections and the admissibility of evidence.
- e) Subject to the provisions of this Section, the authority to subpoena relevant witnesses and the production of relevant documents, records or other information.
- f) The authority to exercise all powers and duties necessary and proper to the administration of fair hearings.

Section 5. Code Enforcement Officers – Appointment.

The County Planning, Building, and Zoning Director and County Environmental Health Director (or their designees) are hereby authorized to serve as County Code Enforcement Officers. In the event that the County Planning, Building, and Zoning Director or the County Environmental Health Director positions are vacant, the County Administrator shall appoint an interim Code Enforcement Officer.

Section 6. Instituting Administrative Adjudication Proceedings.

- a) Any Code Enforcement Officer or designee of the County may institute an administrative adjudication proceeding with the Code Hearing Unit by forwarding a copy of the complaint and all relevant supporting materials to the Code Hearing Unit.
- b) When a Code Enforcement Officer observes a Code violation, the Officer may file a formal complaint by noting the violations on a violation notice and report on a form approved by the Code Hearing Unit.
- c) The written complaint shall contain, at a minimum, facts sufficient to inform the respondent of the violations alleged, including the order allegedly violated.

- d) The violation notice and report form shall contain a file number and a hearing date noted by the Code Enforcement Officer in the blank spaces provided for that purpose on the form. The violation notice and report shall state that failure to appear at the hearing on the date indicated may result in determination of liability for the cited violation and the imposition of fines and assessment of costs as provided by the applicable County ordinance. The violation notice and report shall also state that upon a determination of liability and the exhaustion of or failure to exhaust procedures for judicial review, any unpaid fines or costs imposed will constitute a debt due and owed to the County.
- e) A copy of the violation notice and report form shall be served on the respondent either personally or by certified mail with return receipt, postage prepaid, sent to the address of the respondent. If the name of the respondent property owner cannot be ascertained or if service on the respondent cannot be made by mail, service may be made on the respondent property owner by posting, not less than twenty (20) days before the hearing is scheduled, a copy of the violation notice and report form in a prominent place on the property where the violation is found.

Section 7. Subpoenas.

- a) At any time prior to the hearing date at the request of the Code Enforcement Officer, the attorney for the County, the respondent, or the attorney for the respondent, the Hearing Officer may issue subpoenas directing witnesses to appear and give testimony at the hearing.
- b) If the respondent or the respondent's attorney fails to appear on the date set for the hearing, the Hearing Officer may find the respondent in default and shall proceed with the hearing and accept evidence relating to the existence of a Code violation.

Section 8. Representation At Hearings.

The case for the County may be presented by a Code Enforcement Officer or by the State's Attorney or his/her designee. In no event, however, may the case for the County be presented by an employee of the Code Hearing Unit. The case for the respondent may be presented by the respondent or the respondent's attorney. If the respondent is a corporation, it may appear through any officer, manager, or supervisor of the corporation.

Section 9. Hearing Procedure.

- a) The Hearing Officer will begin the Officer's call by introducing himself or herself to the respondents and other attendees. Opening remarks should include informing the citizens as to the nature and manner of the proceedings. Opening remarks may include information about the order that cases will be called, the need to maintain proper decorum, continuances, acceptable and unacceptable defenses, and the fees and range of potential fines.
- b) The Hearing Officer may grant continuances only upon a finding of good cause. Continuances shall not be granted as a matter of course.
- c) All testimony shall be given under oath or affirmation.
- d) Upon the timely request of any party to a hearing, any person who the Hearing Officer determines may reasonably be expected to provide testimony which is material and which does not constitute a needless presentation of cumulative evidence, shall be made available for cross-examination prior to a final determination of liability.

- e) The record of all hearings before the Hearing Officer shall include: all documents admitted into evidence at the hearing; a copy of the notice of violation and hearing; and a copy of the findings and decision of the Hearing Officer.
- f) The record of a hearing before the Hearing Officer may include a record of the testimony presented at the hearing, which may be by means of a tape recording, transcription or other appropriate means. The Code Hearing Unit shall not be responsible for providing recording services or equipment. Any party desiring to record the testimony presented at the hearing shall provide its own court reporter, transcriber, or recorders at that party's own expense regardless of the decision of the Hearing Officer. The Hearing Officer may reasonably limit where the court reporter, transcriber, or recorder may be placed in the hearing room.

Section 10. Evidence At Hearings.

The Hearing Officer shall preside at the hearing, shall hear testimony, and shall accept any evidence relevant to the existence or non-existence of a Code violation on the property indicated. The Code Enforcement Officer's signed violation notice and report form shall be prima facie evidence of the existence of the Code violation described in the form. The strict rules of evidence applicable to judicial proceedings do not apply to hearings authorized under this Section. The Hearing Officer can take notice of all orders and regulations enacted by Kendall County.

Section 11. Findings, Decision, and Order.

At the conclusion of the hearing or any reasonable time thereafter, the Hearing Officer shall make a determination on the basis of the evidence presented at the hearing as to whether a Code violation exists. The determination shall be in writing and shall be designated as the Hearing Officer's findings, decision and order. The findings, decision and order shall include the Hearing Officer's findings of fact, a determination of whether a Code violation exists based on the findings of fact, and an order imposing a fine or other penalty, directing the respondent to correct the violation, or dismissing the case if the violation is not proved. If the Hearing Officer determines that the respondent is liable for the cited violation, the Hearing Officer shall enter an order imposing sanctions that are provided in the Code for the violations proved, including the imposition of fines and the recovery of the costs of the proceedings. Costs may be recovered in the same manner as fines and penalties. A copy of the findings, decision and order shall be served by personal service or by any method provided for service of the violation notice and report form under Section 6. The payment of any penalty or fine or costs of the proceedings and the disposition of that money shall be in the manner provided in this Section.

Section 12. Payment of Penalties, Fines and Costs.

All fines and other monies paid to Kendall County in accordance with this Article shall be remitted to the Kendall County Treasurer. In order to ensure that Code violations are remedied or fines are paid in a timely manner, the Hearing Officer, upon issuing a final determination of liability, may further require a respondent found to be in violation to post with the County a compliance bond or, as appropriate, to consent to the granting and recording of a lien against property (per 55 ILCS 5/5-41050). Bonds and liens shall be approved by the State's Attorney as to form. Whenever it is necessary for the County to make repairs or otherwise expend funds to mitigate a Code violation for which a bond was posted, or whenever fines or costs remain unpaid after a respondent has exhausted or failed to exhaust judicial review procedures, the Hearing Officer may, after giving the respondent notice and an opportunity to be heard, issue an order permitting the County to draw against the bond in an appropriate amount, or to foreclose the lien. The Hearing Officer shall order the bond or the property or proceeds from the property, less the

costs incurred by the County, returned to the respondent upon proof of compliance with the applicable Code provisions and the payment of the assessed fines or costs.

Section 13. Violation of Findings, Decision and Order.

Any respondent, having received notice and an opportunity for a hearing as provided in this Article, who fails to subsequently comply with the findings, decision and order of the Hearing Officer, including failure to respond to the issuance of a subpoena, shall, if the order is not stayed by a court of competent jurisdiction prior to its effective date, be guilty of contempt. Contempt shall be punishable by a fine of not less than \$200.00 and not more than \$500.00 for each offense, with each day that the violation continues being considered a separate and distinct offense. In a prosecution under this Article, it shall not be a defense that a person came into compliance with an order, sought judicial review of the order, or made efforts to comply with an order subsequent to its effective date.

Section 14. Election of Remedies.

In no case may the Code Hearing Unit conduct an administrative adjudication proceeding for alleged violations of the Code where the requested remedy is a punishment of imprisonment. However, the provisions of this Article shall not preclude the County from seeking the remedy of imprisonment in a court of law, including imprisonment for failure to comply with the order of the Hearing Officer.

Section 15. Administrative Hearing Not Exclusive.

Notwithstanding any other provisions of this Article, neither the authority of the Code Hearing Unit to conduct administrative adjudication procedures nor the institution of such procedures under this Article shall preclude the County from seeking remedies for Code violations through the use of any other administrative procedure or court proceeding.

Section 16. Administrative Review.

The findings, decision and order of the Hearing Officer shall be subject to review in the Circuit Court of the County. The Administrative Review Law and the rules adopted pursuant thereto shall apply to and govern every action for the judicial review of the final findings, decision and order of the Hearing Officer. Where the Circuit Court upholds the findings, decision and order of the Hearing Officer following administrative review, the County may request and the Circuit Court may require that the respondent pay all costs incurred by the County in the administrative review process.

Section 17. Sanctions, Transfer or Conveyance of Property.

The order to correct a Code violation and the sanctions imposed by a County against a respondent property owner as the result of a findings or a Code violation under this Section shall attach to the property, subject to the interests of all lien holders of record, as well as to the owner of the property, so that the owner cannot avoid the finding of a Code violation against the owner by conveying or transferring the property to another. Any subsequent transferee or owner of property takes the property subject to the findings, decision and order of the Hearing Officer under this Section if a notice consisting of a copy of the order to correct a Code violation and imposing any sanctions and costs, if applicable, and a description of the real estate affected that is sufficient to identify the real estate has been filed in the office of the Recorder by the County prior to the transfer or conveyance to the subsequent transferee or owner.

Section 18. Collection of Unpaid Fines or Other Sanctions.

- a) Any fine or other sanction or costs imposed, or any part of any fine or other sanction or costs imposed, remaining unpaid after the exhaustion of or failure to exhaust procedures for judicial review under the State Administrative Review Law is a debt due and owed to the County and, as such, may be collected in accordance with applicable law. Any subsequent owner or transferee of property takes subject to this debt if a notice has been filed pursuant to Section 11, above.
- b) After expiration of the period within which judicial review under the Administrative Review Law may be sought for a final determination of the Code violation, the County may commence a proceeding in the Circuit Court of the County for purposes of obtaining a judgment on the Hearing Officer's findings, decision and order. Nothing in this Section prevents the County from consolidating multiple findings, decisions and orders against a person or property in such a proceeding.
- c) Upon commencement of the action, the County shall file a certified copy of the findings, decision and order, which shall be accompanied by a certification that recites facts sufficient to show that the findings, decision and order were issued in accordance with State Statutes (55 ILCS 5/5-41005 to 41060) and this Article. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail, return receipt requested, provided that the total amount of fines or other sanctions and costs imposed by the findings, decision and order does not exceed \$5,000.00.
- d) If the court is satisfied that the findings, decision and order were entered within the requirements of the applicable State Statute and this Article and that the respondent had an opportunity for a hearing under this Article and for judicial review as provided in this Article:
 - 1) The court shall render judgment in favor of the County and against the respondent for the amount indicated in the findings, decision and order plus court costs. The judgment has the same effect and may be enforced in the same manner as other judgments for the recovery of money.
 - 2) The court may issue other orders or injunctions, or both, requested by the County to enforce the order of the Hearing Officer or to correct a Code violation.

Code Hearing Unit Amendments

Section 3.02

CITATION means the official notification of a violation of a provision of the Kendall County Ordinances. Said citations shall require a correction of the violation and/or imposition of a fine.

CODE means any County ordinance that pertains to or regulates any of the following: animal control; the definition, identification, and abatement of public nuisances; the accumulation, disposal, and transportation of garbage, refuse, and other forms of solid waste; the construction and maintenance of buildings and structures including improvements; sanitation practices; or subdivision zoning.

CODE ENFORCEMENT OFFICER means a County employee or independent contractor or investigator authorized to issue citations for County Code violations.

HEARING OFFICER means a person other than a Code Enforcement Officer or law enforcement officer having the following powers and duties:

1. To preside at an administrative hearing called to determine whether a Code violation exists;
2. To hear testimony and accept evidence from the Code Enforcement Officer, the respondent, and all interested parties relevant to the existence of a Code violation;
3. To preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
4. To issue and sign written findings and a decision and order stating whether a Code violation exists;
5. To impose penalties consistent with applicable Code provisions and to assess costs reasonably related to instituting the proceedings upon finding the respondent liable for the charged violation. In no event, however, shall the Hearing Officer have the authority to impose a penalty of incarceration.

PERSON means any natural person, agent, association, firm, partnership, corporation or other entity capable of owning, occupying, managing or otherwise using real property in unincorporated Kendall County.

PROPERTY means any parcel of land whether residential, commercial, non-agricultural or industrial including land and that which is affixed, incidental, or

appurtenant to land including, without limitation, any business or residence, parking area, loading area, landscaping, common areas, building or structure or any separate unit, or portion thereof, or any equipment, whether permanent or not permanent. For real property consisting of more than one (1) unit, property may be limited to the unit or portion of the property on which the code violation exists. Property used for agricultural purposes shall be excluded from the regulations of this ordinance.

PROPERTY OWNER means the legal or beneficial owner of an improved or unimproved parcel of real estate.

RESPONDENT means a property owner, waste hauler, or other person charged with liability for an alleged Code violation and the person to whom the notice of violation is directed.

RESPONSIBLE PERSON means any person recognized by law as having control over, right to use, management rights and/or right of possession of property including, without limitation, legal title holders, lessees, property managers and other adult occupants of the property.

SOLID WASTE means demolition materials, food and industrial processing wastes, garden trash, land cleaning waste, mixed refuse, non-combustible refuse, and trash as defined in the Illinois Solid Waste Disposal District Act.

VIOLATION means any Kendall County building, zoning, subdivision, stormwater, junk and debris or other ordinances enforced by the Kendall County Planning, Building and Zoning Department not being in compliance by a person.

WASTE HAULER means any person owning or controlling any vehicle used to carry or transport garbage, refuse, or other forms of solid waste.

Amendments to Section 13.09

13.09 **ENFORCEMENT AND** PENALTIES.

- A. **CODE HEARING UNIT – ESTABLISHMENT AND JURISDICTION.** There is hereby established a Code Hearing Unit as a division of the County Planning and Zoning Department which is authorized to conduct administrative adjudication proceedings for the County, its departments and officers. The function of the Code Hearing Unit shall be to expedite the prosecution and correction of code violations. The Code Hearing Unit is authorized to establish a system of administrative adjudications for the enforcement of all provisions of Kendall County Code, except those pre-empted by State law or County ordinance.
- B. **HEARING OFFICER- APPOINTMENT.** The Chairman of the County Board, with the advice and consent of the County Board, ~~shall~~ **may** appoint one or more Hearing Officers for the purposes of this Section. A Hearing Officer may not be a Code Enforcement Officer or other law enforcement officer.

C. HEARING OFFICER – POWERS AND DUTIES. The Hearing Officer shall have the following powers and duties:

1. All powers and duties set forth in Sections **3.02 and 13.09.A.**
2. The authority to call and preside at conferences for the settlement or simplification of issues.
3. The power to administer oaths and affirmations.
4. The authority to rule on motions, objections and the admissibility of evidence.
5. Subject to the provisions of this Section, the authority to subpoena relevant witnesses and the production of relevant documents, records or other information.
6. The authority to exercise all powers and duties necessary and proper to the administration of fair hearings.
- 7. Any other powers authorized by State statute.**

D. CODE ENFORCEMENT OFFICERS - APPOINTMENT. The County Planning, Building, and Zoning Director and County Environmental Health Director (or their designees) are hereby authorized to serve as County Code Enforcement Officers. In the event that the County Planning, Building, and Zoning Director or the County Environmental Health Director positions are vacant, the County Administrator shall appoint an interim Code Enforcement Officer.

E. ISSUANCE OF CITATION.

- 1. Any responsible person allowing, causing, committing, continuing to permit or maintain a violation pertaining to any, zoning, building, plumbing, electrical, or other similar matter regulated by the Kendall County, Planning, Building and Zoning Department may be issued a citation.**
- 2. Each citation shall contain the following information:**
 - a. The date of the violation;**
 - b. The address or description of the location where the violation occurred including parcel identification number;**
 - c. The specific section of the code or ordinance violated and a description of the nature of the violation;**
 - d. The amount of fine for said violation;**
 - e. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be**

- paid;
- f. A statement that the violation must be corrected and the time within which it must be corrected and that failure to correct will result in further legal proceedings;
- g. A description of the administrative hearing process, including the time within which the administrative citation may be contested and the place to which to submit a written request for a hearing;
- h. The name and signature of the citing code enforcement officer; and
- i. Other such information as may be deemed necessary from time to time.

F. SERVICE OF CITATION. Citations issued pursuant to this ordinance may be served by any one or more of the following methods:

1. **Service by Mail.** A citation may be served by certified, return receipt mail executed by the person mailing the citation. The citation will be addressed to the responsible person at the address shown on the last tax assessment rolls or to any address known for the responsible person. For purposes of this ordinance, if the citation is served via certified, return receipt mail, service shall be deemed effective on the date the citation is mailed and shall not affect the validity of the citation or of any subsequent proceedings.
2. **Service by Posting.** A citation may be served by posting or affixing a copy of the citation on the front door of the property or in some other conspicuous place on the real property where the violation is located. Such posting shall be done at least ten (10) calendar days before a hearing date along with a declaration of service by posting executed by the person posting the citation. For the purposes of this ordinance, if the citation is served by posting, service shall be deemed effective on the date the citation is posted on the property and shall not affect the validity of the citation or of any subsequent proceedings.
3. **Personal Service.** If needed, enforcement may attempt to locate and personally serve the responsible person and obtain the signature of such person on the citation. If the responsible person refuses to sign the citation, the failure or refusal to sign shall not affect the validity of the citation or any subsequent proceedings.

G. COMPLIANCE WITH A CITATION. Upon receipt of a citation, the responsible person must immediately do the following:

- 1. Contact the Code Enforcement Officer within ten (10) business days from the date of service with a plan to remedy or correct the violation referenced in the citation. The Code Enforcement Officer may approve the plan, approve the plan with changes or deny the plan.**
- 2. Remedy the violation(s) on or before the correction date noted in the citation.**
- 3. Schedule an appointment with the code enforcement officer to verify violation(s) have been corrected not to exceed ten (10) business days from the date of service.**
- 4. Pay the fine to Kendall County within the allotted time. All fines assessed shall be payable to the “Kendall County Treasurer”. Payment of the fine will not excuse or discharge the cited violation(s) nor shall it bar further enforcement by the County. The fine can be forgiven if the responsible person corrects the violation(s) before the hearing.**

H. INSTITUTING ADMINISTRATIVE ADJUDICATION PROCEEDINGS.

1. Any Code Enforcement Officer or designee of the County may institute an administrative adjudication proceeding with the Code Hearing Unit by forwarding a copy of the complaint and all relevant supporting materials to the Code Hearing Unit.
2. When a Code Enforcement Officer observes a Code violation, the Officer may file a formal complaint by noting the violations on a violation notice and report on a form approved by the Code Hearing Unit.
3. The written complaint shall contain, at a minimum, facts sufficient to inform the respondent of the violations alleged, including the order allegedly violated.
4. The violation notice and report form shall contain a file number and a hearing date noted by the Code Enforcement Officer in the blank spaces provided for that purpose on the form. The violation notice and report shall state that failure to appear at the hearing on the date indicated may result in determination of liability for the cited violation and the imposition of fines and assessment of costs as provided by the applicable County ordinance. The violation notice and report shall also state that upon a determination of liability and the exhaustion of or failure to exhaust procedures for judicial review, any unpaid fines or costs imposed will constitute a debt due and owed to the County.
5. A copy of the violation notice and report form shall be served on the

respondent either personally or by certified mail with return receipt, postage prepaid, sent to the address of the respondent. If the name of the respondent property owner cannot be ascertained or if service on the respondent cannot be made by mail, service may be made on the respondent property owner by posting, not less than twenty (20) days before the hearing is scheduled, a copy of the violation notice and report form in a prominent place on the property where the violation is found.

6. **In lieu of a personal appearance at the hearing, the Kendall County Board may provide for the voluntary payment of a determinate fine in accordance with a schedule of fines approved by ordinance as permitted by State statute.**

I. SUBPOENAS.

1. At any time prior to the hearing date at the request of the Code Enforcement Officer, the attorney for the County, the respondent, or the attorney for the respondent, the Hearing Officer may issue subpoenas directing witnesses to appear and give testimony at the hearing.
2. **A subpoena issued under this ordinance shall identify:**
 - a. **The person to whom it is directed.**
 - b. **The documents or other items sought by the subpoena, if any.**
 - c. **The date for appearance of the witness and the production of the documents or other items described in the subpoena.**
 - d. **The time for the appearance of the witnesses and the production of the documents or other items described in the subpoena.**
 - e. **The place for the appearance of the witnesses and the production of the documents or items described in the subpoena.**
3. **In no event shall the date identified for the appearance of the witness or the production of the documents or other items be less than seven (7) business days after the service of the subpoena.**
4. If the respondent or the respondent's attorney fails to appear on the date set for the hearing, the Hearing Officer may find the respondent in default and shall proceed with the hearing and accept evidence relating to the existence of a Code violation.

- J. REPRESENTATION AT HEARINGS.** The case for the County may be presented by a Code Enforcement Officer or by the State's Attorney or his/her designee. In no event, however, may the case for the County be presented by an employee of the Code Hearing Unit. The case for the respondent may be presented by the respondent or the respondent's attorney. If the respondent is a corporation, it may appear through any officer, manager, or supervisor of the corporation. **An attorney who appears**

on behalf of any person shall file with the Hearing Officer a written appearance on a form provided by the County for that purpose.

K. HEARING PROCEDURE.

1. The Hearing Officer will begin the Officer's call by introducing himself or herself to the respondents and other attendees. Opening remarks should include informing the citizens as to the nature and manner of the proceedings. Opening remarks may include information about the order that cases will be called, the need to maintain proper decorum, continuances, acceptable and unacceptable defenses, and the fees and range of potential fines.
2. The Hearing Officer may grant continuances only upon a finding of good cause. Continuances shall not be granted as a matter of course.
3. All testimony shall be given under oath or affirmation.
4. Upon the timely request of any party to a hearing, any person who the Hearing Officer determines may reasonably be expected to provide testimony which is material and which does not constitute a needless presentation of cumulative evidence, shall be made available for cross-examination prior to a final determination of liability.
5. The record of all hearings before the Hearing Officer shall include: all documents admitted into evidence at the hearing; a copy of the notice of violation and hearing; and a copy of the findings and decision of the Hearing Officer.
6. The record of a hearing before the Hearing Officer may include a record of the testimony presented at the hearing, which may be by means of a tape recording, transcription or other appropriate means. The Code Hearing Unit shall not be responsible for providing recording services or equipment. Any party desiring to record the testimony presented at the hearing shall provide its own court reporter, transcriber, or recorders at that party's own expense. **Kendall County shall record the audio of the hearing.** The Hearing Officer may reasonably limit where the court reporter, transcriber, or recorder may be placed in the hearing room. **If the party or the court reporter, transcriber or recorder is unwilling to follow reasonable limitations, then the Hearing Officer may remove the court reporter, transcriber or recorder.**

- L. EVIDENCE AT HEARINGS.** The Hearing Officer shall preside at the hearing, shall hear testimony, and shall accept any evidence relevant to the existence or non-existence of a Code violation on the property indicated. The Code Enforcement Officer's signed violation notice and report form shall be prima facie evidence of the existence of the Code violation described in the form. The strict rules of evidence applicable to judicial proceedings do not apply to hearings authorized under this

Section Ordinance. The Hearing Officer can take notice of all orders and regulations enacted by Kendall County.

- M. FINDINGS, DECISION, AND ORDER.** At the conclusion of the hearing or ~~any reasonable time thereafter~~ **within five (5) business days after the conclusion of the hearing**, the Hearing Officer shall make a determination on the basis of the evidence presented at the hearing as to whether a Code violation exists. The determination shall be in writing and shall be designated as the Hearing Officer's findings, decision and order. The findings, decision and order shall include the Hearing Officer's findings of fact, a determination of whether a Code violation exists based on the findings of fact, and an order imposing a fine or other penalty, directing the respondent to correct the violation, or dismissing the case if the violation is not proved. If the Hearing Officer determines that the respondent is liable for the cited violation, the Hearing Officer shall enter an order imposing sanctions that are provided in the Code for the violations proved, including the imposition of fines and the recovery of the costs of the proceedings. Costs may be recovered in the same manner as fines and penalties. A copy of the findings, decision and order shall be served by personal service or by any method provided for service of the violation notice and report form under Section **13.09.F of this Ordinance**. The payment of any penalty or fine or costs of the proceedings and the disposition of that money shall be in the manner provided by this **Section Ordinance**. **In the issuance of a final determination of liability, a Hearing Officer shall inform the respondent of the respondent's right to seek judicial review or review by the Kendall County Board of the final determination.**
- N. PENALTIES – GENERAL.** Any person, firm or corporation who violates any of the provisions of this ordinance shall be guilty of a petty offense punishable by a fine not to exceed \$500 with each week the violation remains uncorrected constituting a separate offense and shall be assessed in accordance with the terms and provisions of the applicable ordinances and codes established by the County Board regarding the creation of a Code Hearing Unit charged with the enforcement and administrative adjudication of violations to the provisions of this and all other applicable codes and ordinances of the County unless otherwise provided by law. *(Amended 8/17/04)*
(EXISTING 13.09)
- O. PAYMENT OF PENALTIES, FINES AND COSTS.** All fines and other monies paid to Kendall County in accordance with this Article shall be remitted to the Kendall County Treasurer. In order to ensure that Code violations are remedied or fines are paid in a timely manner, the Hearing Officer, upon issuing a final determination of liability, may further require a respondent found to be in violation to post with the County a compliance bond or, as appropriate, to consent to the granting and recording of a lien against property (per 55 ILCS 5/5-41050). Bonds and liens shall be approved by the State's Attorney as to form. Whenever it is necessary for the County to make repairs or otherwise expend funds to mitigate a Code violation for which a bond was posted, or whenever fines or costs remain unpaid after a respondent has exhausted or failed to exhaust judicial review procedures, the Hearing

Officer may, after giving the respondent notice and an opportunity to be heard, issue an order permitting the County to draw against the bond in an appropriate amount, or to foreclose the lien. The Hearing Officer shall order the bond or the property or proceeds from the property, less the costs incurred by the County, returned to the respondent upon proof of compliance with the applicable Code provisions and the payment of the assessed fines or costs.

- P. VIOLATION OF FINDINGS, DECISION AND ORDER.** Any respondent, having received notice and an opportunity for a hearing as provided in this Article, who fails to subsequently comply with the findings, decision and order of the Hearing Officer, including failure to respond to the issuance of a subpoena, shall, if the order is not stayed by a court of competent jurisdiction prior to its effective date, be guilty of contempt. Contempt shall be punishable by a fine of not less than Two Hundred Dollars (\$200) and not more than Five Hundred Dollars (\$500) for each offense, with each day that the violation continues being considered a separate and distinct offense. **The fine shall increase Twenty-Five Dollars (\$25) per violation until the maximum amount is reached.** In a prosecution under this **Article Ordinance**, it shall not be a defense that a person came into compliance with an order, sought judicial review of the order, or made efforts to comply with an order subsequent to its effective date.
- Q. ELECTION OF REMEDIES.** In no case may the Code Hearing Unit conduct an administrative adjudication proceeding for alleged violations of the Code where the requested remedy is a punishment of imprisonment. However, the provisions of this **Article Ordinance** shall not preclude the County from seeking the remedy of imprisonment in a court of law, including imprisonment for failure to comply with the order of the Hearing Officer.
- R. ADMINISTRATIVE HEARING NOT EXCLUSIVE.** Notwithstanding any other provisions of this Article, neither the authority of the Code Hearing Unit to conduct administrative adjudication procedures nor the institution of such procedures under this **Article Ordinance** shall preclude the County from seeking remedies for Code violations through the use of any other administrative procedure or court proceeding.
- S. REVIEW BY THE COUNTY BOARD.** **All decisions of the Hearing Officer may be appealed to the Kendall County Board, including all applicable applications and documents, by the responsible person within ten (10) business days of the decision of the Hearing Officer. In filing the appeal, the responsible person shall state the reason(s) of defects in the Hearing Officer's decision and outline an alternative remedy to violations from the ruling of the Hearing Officer. The Kendall County Board may request additional documentation after the application deadline. The responsible person shall be responsible for paying any costs, including, but not limited to, publication of notice costs. Within forty-six (46) business days of receiving a request for review, the Kendall County Board shall review and issue a ruling on the appeal. During the review period, the Kendall County Board may forward the appeal request to the**

Planning, Building and Zoning Committee for comment. If the Kendall County Board fails to issue a ruling on the appeal within forty-six (46) business days, the request of the responsible person shall be automatically granted. In issuing an order, the Kendall County Board may agree, in whole or in part, with the decision of the Hearing Officer, or overturn the ruling of the Hearing Officer. In issuing the order, the Kendall County Board shall not impose a fine greater than the fine imposed by the Hearing Officer or reduce the time to remedy a violation set by the Hearing Officer.

- T. ADMINISTRATIVE REVIEW.** The findings, decision and order of the Hearing Officer **and/or the Kendall County Board** shall be subject to review in the Circuit Court of the County. The Administrative Review Law and the rules adopted pursuant thereto shall apply to and govern every action for the judicial review of the final findings, decision and order of the Hearing Officer. Where the Circuit Court upholds the findings, decision and order of the Hearing Officer following administrative review, the County may request and the Circuit Court may require that the respondent pay all costs incurred by the County in the administrative review process.
- U. SANCTIONS, TRANSFER OR CONVEYANCE OF PROPERTY.** The order to correct a code violation and the sanctions imposed by a County against a respondent property owner as the result of a findings or a Code violation under this **Section Ordinance** shall attach to the property, subject to the interests of all lien holders of record, as well as to the owner of the property, so that the owner cannot avoid the finding of a code violation against the owner by conveying or transferring the property to another. Any subsequent transferee or owner of property takes the property subject to the findings, decision and order of the Hearing Officer under this Section if a notice consisting of a copy of the order to correct a Code violation and imposing any sanctions and costs, if applicable, and a description of the real estate affected that is sufficient to identify the real estate has been filed in the office of the Recorder by the County prior to the transfer or conveyance to the subsequent transferee or owner.
- V. COLLECTION OF UNPAID FINES OR OTHER SANCTIONS.**
1. Any fine or other sanction or costs imposed, or any part of any fine or other sanction or costs imposed, remaining unpaid after the exhaustion of or failure to exhaust procedures for judicial review under the State Administrative Review Law is a debt due and owed to the County and, as such, may be collected in accordance with applicable law. Any subsequent owner or transferee of property takes subject to this debt if a notice has been filed pursuant to **Section 13.09.M**.
 2. After expiration of the period within which judicial review under the Administrative Review Law may be sought for a final determination of the Code violation, the County may commence a proceeding in the Circuit Court

of the County for purposes of obtaining a judgment on the Hearing Officer's findings, decision and order. Nothing in this Section prevents the County from consolidating multiple findings, decisions and orders against a person or property in such a proceeding.

3. Upon commencement of the action, the County shall file a certified copy of the findings, decision and order, which shall be accompanied by a certification that recites facts sufficient to show that the findings, decision and order were issued in accordance with State Statutes (55 ILCS 5/5-41005 to 41060) and this **Article Ordinance**. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail, return receipt requested, provided that the total amount of fines or other sanctions and costs imposed by the findings, decision and order does not exceed Five Thousand Dollars (\$5,000).
4. If the court is satisfied that the findings, decision and order were entered within the requirements of the applicable State Statute and this Article and that the respondent had an opportunity for a hearing under this **Article Ordinance** and for judicial review as provided in this Article:
 - a. The court shall render judgment in favor of the County and against the respondent for the amount indicated in the findings, decision and order plus court costs. The judgment has the same effect and may be enforced in the same manner as other judgments for the recovery of money.
 - b. The court may issue other orders or injunctions, or both, requested by the County to enforce the order of the Hearing Officer or to correct a Code violation.

Ordinance 2004-28 is repealed upon adoption of this Ordinance.

Matt Asselmeier

From: Brian Holdiman
Sent: Tuesday, September 19, 2017 6:39 AM
To: Scott Koepfel
Cc: Matt Asselmeier
Subject: FW: Automatic reply: Antos crossing

Scott,

I feel I have done everything possible as the code official the facilitate this issue. I don't plan to respond to [REDACTED] any longer. The code official is not responsible for enforcing or setting time limits on storm water management permits or the enforcement of IL drainage law. I take his email as a threat. My plan would be to forward it to Eric as a threat and copy the PBZ committee. Please advise if you would prefer another option. My apologies that this has come up, but it is a real concern of mine.

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

-----Original Message-----

From: [REDACTED]
Sent: Monday, September 18, 2017 4:58 PM
To: Brian Holdiman
Cc: Matt Asselmeier; Scott Koepfel
Subject: Re: Automatic reply: Antos crossing

Are you going to protect my farm and my drainage rights? You have repeatedly ignored the obvious, and have chosen to not set time limits, or apply laws. I will have to go see the states attorney tomorrow for help unless you can give me a set date of completion.

[REDACTED]

> On Sep 18, 2017, at 2:12 PM, Brian Holdiman <BHoldiman@co.kendall.il.us> wrote:

>
> No mandatory completion time.

>
> 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
>

> -----Original Message-----

> **From:** [REDACTED]
> **Sent:** Monday, September 18, 2017 12:17 PM

> To: Brian Holdiman
> Cc: Matt Asselmeier; Scott Koeppel
> Subject: Re: Automatic reply: Antos crossing
>
> Was he issued a mandatory timeframe to complete the work?
>
> [REDACTED]
> [REDACTED]
> [REDACTED]
> [REDACTED]
> [REDACTED]
>
>> On Sep 18, 2017, at 12:01 PM, Brian Holdiman <BHoldiman@co.kendall.il.us> wrote:
>>
>> [REDACTED]
>>
>> Mr. Antos was issued a permit to complete his bridge and remove the low water crossing. I anticipate he will complete the work this fall.
>>
>> 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
>>
>> -----Original Message-----
>> From: [REDACTED]
>> Sent: Monday, September 18, 2017 11:17 AM
>> To: Brian Holdiman
>> Cc: Matt Asselmeier; Scott Koeppel
>> Subject: Re: Automatic reply: Antos crossing
>>
>> Good morning Brian.
>> I went for a ride yesterday to see Mark Antos' illegal creek crossing is still in the creek. Where are we at getting this resolved? The damage had already been done again this year as I have several acres that were drowned out and I have to take a loss on because the farm couldn't drain properly because of the blockage. I do not want this to continue into the fall and cause problems getting my crop out as it has in years past if the fall is wet one. Please update me on the status of the issue as if it's not resolved shortly, I'll need to go another route to protect my livelihood.
>>
>> [REDACTED]
>> [REDACTED]
>> [REDACTED]
>> [REDACTED]
>> [REDACTED]
>>
>>> On Aug 7, 2017, at 6:25 AM, Brian Holdiman <BHoldiman@co.kendall.il.us> wrote:
>>>
>>> [REDACTED]
>>>
>>> The County has held off enforcement to allow time for engineering reviews to be performed on the new bridge. We are in the final stages of that review on the County side. I have copied Scott Koeppel (Acting County Administrator) and Matt Asselmeier (Senior Planner) on this email. We will discuss and let you know how we plan to proceed. The County wants to resolve this matter as soon as possible.

>>>
>>> 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
>>>
>>>
>>> -----Original Message-----
>>> [REDACTED]
>>> Sent: Friday, August 04, 2017 12:49 PM
>>> To: Brian Holdiman
>>> Cc: Matt Asselmeier; Web_Email_States_Attorney
>>> Subject: Re: Automatic reply: Antos crossing
>>>
>>> Good afternoon Brian,
>>> I still haven't heard back from you about Mark Antos' illegal creek crossing in the aux
sable creek. I have crop damage and encounter monetary loss yet again because this issue is
unresolved.
>>>
>>> 1. What do I need to do going forward.
>>> 2. Kendall county gave him 10 days to clean or remove the crossing months ago.
>>> 3. Who is at fault at this point? Him for not cleaning or removing the crossing or
Kendall county for not enforcing him to do so?
>>>
>>> [REDACTED]
>>> [REDACTED]
>>> [REDACTED]
>>> [REDACTED]
>>> [REDACTED]
>>> [REDACTED]
>>>> On Jul 24, 2017, at 11:48 AM, Brian Holdiman <BHoldiman@co.kendall.il.us> wrote:
>>>>
>>>> I will return July 25th. Please email PHerber@co.kendall.il.us if this is an
emergency.

Matt Asselmeier

From: Robyn Ingemunson
Sent: Friday, September 29, 2017 10:27 AM
To: Matt Asselmeier
Subject: RE: 1072 Tyler Road (Smith) Question

No cases were found for Roger Smith

From: Matt Asselmeier
Sent: Friday, September 29, 2017 10:05 AM
To: Robyn Ingemunson <ringemunson@co.kendall.il.us>
Subject: RE: 1072 Tyler Road (Smith) Question

Robyn:

I gave you the wrong name. Do you have any information related to either Roger Smith on 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: Robyn Ingemunson
Sent: Thursday, September 28, 2017 2:21 PM
To: Matt Asselmeier
Subject: RE: 1072 Tyler Road (Smith) Question

Matt,

I ran the name Tyler Smith and I ran the address in our case management system, nothing showed up. Was there a corporation name? If you have any other information that you could provide that I could do a search on please let me know.

From: Matt Asselmeier
Sent: Thursday, September 28, 2017 1:24 PM
To: Robyn Ingemunson <ringemunson@co.kendall.il.us>
Cc: Robert Davidson <rdavidson@co.kendall.il.us>; Scott Koeppel <skoeppeel@co.kendall.il.us>
Subject: 1072 Tyler Road (Smith) Question

Robyn:

In 2009, the County Board approved a special use permit for a mobile home at 1072 Tyler Road. One of the conditions on that special use permit was that the owner would renew the special use permit annually and pay a renewal fee annually. The owner, Tyler Smith, claims that the court ruled that he would not have to pay the fee.

PBZ Chairman Davidson would like to know if you have any documentation related to this case. If you do, please email the information to me.

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

PHONE CALL

FOR	DATE	TIME	A.M. P.M.
M. <u>Roger Smith</u>			
OF <u>[REDACTED]</u>			
PHONE <u>Returned call 9/18/17</u>	CELL <u>will check 9/30/17</u>		
MESSAGE <u>Called 9/29 - give until Oct 10 to get information; was advised of PB2 meeting</u>			
SIGNED			

☐ TELEPHONED
☐ RETURNED YOUR CALL
☐ PLEASE CALL
☐ WILL CALL AGAIN
☐ CAME TO SEE YOU
☐ WANTS TO SEE YOU

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Roger Smith
1072 Tyler Rd.
Plano, IL. 60545

2. Article Number
 (Transfer from service)

7006 2760 0003 5866 6011

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature <u>[Signature]</u>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name) <u>Roger L Smith</u>	C. Date of Delivery <u>9/18/17</u>
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	

3. Service Type

- | | |
|--|--|
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Priority Mail Express™ |
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail | <input type="checkbox"/> Collect on Delivery |

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

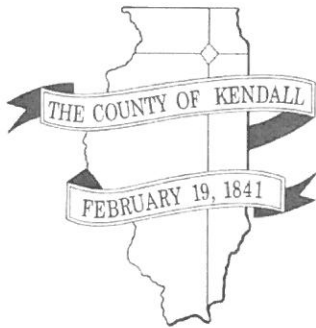
For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ <u>4.46</u>
Certified Fee	<u>3.35</u>
Return Receipt Fee (Endorsement Required)	<u>2.75</u>
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ <u>6.56</u>

8/10/17
 Postmaster Here [Signature]

6 2760 0003 5866 6011



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

August 10, 2017

Roger Smith
1072 Tyler Road
Plano, IL 60545

Re: Mobile Home Permit # 93-01

Dear Mr. Smith,

As you know, the County requires an annual review for mobile home permits for possible renewal. Our records indicate that your mobile home permit is for agricultural labor housing, and you have a special use permit for the continued presence of the mobile home for that purpose.

Please be aware since a permanent foundation was not installed under your mobile home, the mobile home is required for annual inspections and the \$500.00 annual fee for the inspections. **If you intend to install a permanent foundation under your mobile home, the annual inspections and fee are not required.**

The steps to follow for your 2017 renewal are as follows:

1. You must complete and return the enclosed application to the Planning, Building and Zoning Department, 111 West Fox Street, Yorkville, IL 60560 no later than Monday, September 11, 2017. Please include with your application materials
2. You must enclose a permit fee of \$500.00. **Do not send cash.** Checks should be payable to the "*Kendall County Treasurer*."
3. The months that the mobile home is occupied.
4. The names and phone numbers of the mobile home occupants.
5. A notarized statement that the primary occupation of the occupants of the mobile home are agricultural activities on the subject property.
6. This Department will conduct a visual inspection of the exterior of your mobile home. If the mobile home passes this inspection, our office will administratively renew your mobile home permit for 2017.
7. Failure to apply or pay the fee shall result in the cancellation of the permit, which will require the removal of the mobile home from the property within 60 days.

If the occupants do not meet these requirements or have other employment in which they derive a majority of their employment, then the mobile home will not qualify for the special use permit. If you have any questions, feel free to contact me at 630-553-4139. Thank you for your cooperation.

Sincerely,

COUNTY OF KENDALL

Matthew H. Asselmeier, AICP
Senior Planner
cc: File 93-01

ORDINANCE NUMBER 2009 - 24

GRANTING SPECIAL USE

1072 TYLER ROAD

ROGER SMITH

WHEREAS, Roger Smith has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 5.05 acre property located at 1072 Tyler Road located on the east side of Tyler Road about 1 mile south of Galena Road (Part of PIN# 01-07-200-009), in Little Rock Township; and

WHEREAS, said petition is to allow the continued placement of agricultural labor housing on the subject parcel per Section 7.01.D.2 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is legally described as:

Part of the northeast quarter of the northeast quarter of Section 7, township 37 north, range 6 east commencing at the northeast corner of said section 7; thence westerly along the north line of said northeast quarter, 1321.62 feet to the northwest corner of the northeast quarter of said quarter at an angle of 89°11'17" measured clockwise from the last described course, 230.00 feet for the point of beginning; thence continuing southerly along the west line of the northeast quarter of said northeast quarter, 400.00 feet; thence easterly parallel with the north line of said northeast quarter, at an angle of 90°48'43" measured clockwise from the last described course, 550.00 feet; thence northerly parallel with said west line at an angle of 89°11'17" measured clockwise from the last described course, 400.00 feet; thence westerly parallel with said north line, at an angle of 90°48'43" measured clockwise from the last described course, 550.00 feet to the point of beginning, in Little Rock Township, Kendall County, Illinois.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer on June 23, 2009; and

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

WHEREAS, any change or modification to the Special Use that does not modify the original intent, purpose, or need for the Special Use, shall be submitted to and reviewed by the Planning, Building, & Zoning Department. Notice that a change or modification is sought shall be provided by the applicant in the manner provided in 55 ILCS 5/5-12009.5. Upon proper notice, the Planning, Building, & Zoning Department shall forward the request for change or modification to the Planning, Building & Zoning Committee. The Committee may return the matter to ZPAC and/or Plan Commission for further consideration and findings or forward the matter to the full County Board to grant, deny, or return the requested change or modification to the Committee for further

consideration and findings, and

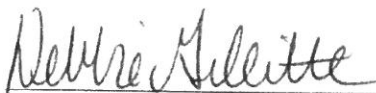
NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit for the continued placement of agricultural labor housing on the subject parcel and depicted on the site plan attached as "Exhibit A" hereto and incorporated herein subject to the following conditions:

1. The petitioner will be required to submit documentation to the PBZ Department at the start of each growing season documenting the name and occupation of the individual(s) occupying the trailer. Occupancy of the trailer shall be limited to the employee and his/her immediate family.
2. Annual renewal of the Agricultural Labor Housing Mobile Home permit including payment of the applicable renewal fee until such time that either:
 - a. The use of the trailer for agricultural labor ceases; or
 - b. The trailer is installed on a permanent frost depth foundation.
3. In the event use of the trailer for agricultural labor housing is discontinued or remains unoccupied in any one season, or in the event the property is sold to another owner, the special use shall lapse.
4. Upon a lapse or expiration of the special use, the trailer shall be removed from the premises within 60 days unless otherwise approved by the Planning Building and Zoning committee of the County Board provided just cause for the delay can be demonstrated. In no event shall the trailer be permitted to remain on the premises for more than six months following the lapse or expiration of the special use.

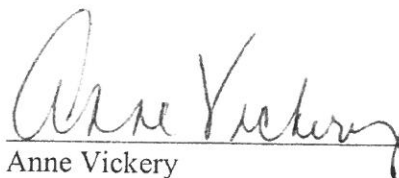
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on July 21, 2009.

Attest:



Kendall County Clerk
Debbie Gillette



Anne Vickery
Kendall County Board Chairman

[illegible]

COMMONLY KNOWN AS 1073 TYLER ROAD, PLANO, TEXAS

STATE OF ILLINOIS) ss
COUNTY OF KANE)
vs. E. M. & ASSOCIATES, INC., ILLINOIS PROFESSIONAL LAND SURVEYING
COMPANY NO. 314-022460)
DEFENDANT.)
AFFIDAVIT OF CREDIT.)
I, JEFFREY S. SPOTTER, CLERK OF THE CIRCUIT COURT OF THE COUNTY OF KANE, ILLINOIS, DO HEREBY CERTIFY THAT THIS PROFESSIONAL
LAND SURVEYING COMPANY HAS MADE NO INVESTIGATION OR RESEARCH INTO THE CREDIT WORTHINESS OF THE DEFENDANT, AND THEREFORE
STATEMENTS, DOCUMENTS, RECOMMENDATIONS, REPRESENTATIVE OPINIONS, OR OTHER FACTS WHILE AN ACCURATE STATEMENT OF THE
DEFENDANT'S CREDIT WORTHINESS CAN BE MADE.

**ARROW
Add
SURVEYING**
PROPERTY & SURVEYING
SPECIAL & APPROPRIATE, INC.

EXHIBIT A

Memo

To: PBZ Committee
From: Brian Holdiman (Code Official)
Date: October 2, 2017
Re: Property Maintenance Codes

Update to Committee: I intend to review Three (3) most current editions of the International Property Maintenance Codes and provide comments during the winter months.

Any questions, please let me know.

Brian Holdiman

Violation	Name	Parcel #	Address	Description	Opened	Closed	SAO
V17-002	Randy Fowler	01-28-252-001	1203 W. South Street	Abandoned Structures	12/7/2016		
V17-003	March & Lisa Schulz	03-04-278-041	146 Heathgate Rd	Inoperable Vehicle	1/25/2017	2/7/2017	
V17-004	Meyers/Presnell	03-04-255-010	119 Heathgate Rd	Inoperable Vehicle	12/7/2016		
V17-005	Stevenson	02-13-429-004	15 Clark Avenue	Occupied Rec. Vehicle	12/19/2016	1/4/2017	
V17-006	Ramiro Guzman	09-04-300-002	McKanna Rd	Fill in Floodplain Violation	1/10/2017	8/17/2017	
V17-007	Maria Ramirez	03-07-276-002	15 Shell Court	Inop Vehicles & Parking on Grass	1/17/2017	8/17/2017	
V17-008	Steven Odermatt	03-04-255-012	123 Heathgate Rd	Inoperable Vehicle	1/25/2017	2/6/2017	
V17-009	George Olmstead	06-02-201-002	27 Oswego Plains Dr	Remodeling w/o Permit	1/31/2017	4/18/2017	
V17-010	Fed Home Ln Mortg	01-03-353-010	35 Earl Street	Junk & Debris/ Inop Vehicle	2/7/2017	3/21/2017	
V17-012	Gomez Salvador	09-27-200-004	2511 Wildy Rd	Bus w/o Prop Zoning/Stormwater Permit/Sign Ord Violation/ Poss. Zoning Ordinance Violation	3/1/2017	8/17/2017	
V17-013	Leroy Richmond	02-10-227-004	61 W. Larkspur	Unsecured structure	3/1/2017	3/21/2017	
V17-014	Two Star Enterp., LLC	02-06-400-006		Stormwater Violation	3/13/2017	8/17/2017	
V17-016	Aguirre, Marciana	03-12-203-001	12 Council Ave	Remodeling w/o Permit	3/10/2017	8/17/2017	
V17-017	Daugherty, Richard	03-27-401-001	4520 Douglas Rd	Inoperable Vehicle/Illegal sign	3/13/2017	5/7/2017	
V17-018	Wargo, Craig & Susan	03-04-477-038	80 Springdale Ln	Junk & Debris	3/14/2017	3/30/2017	
V17-019	Fitzgerald, Richard	03-08-326-008	75 Century Dr	Inoperable Vehicle - Motor Home	3/20/2017	4/12/2017	
V17-020	Ballines, Noe	03-08-227-008	54 Codorus Rd	Junk & Debris	3/24/2017	4/12/2017	
V17-021	Coyne	09-24-100-001	15200 Ridge Road	Operating Bus. w/o Proper Zoning	3/20/2017	4/10/2017	
V17-022	Montano	03-15-251-002	2450 Wolf Road	Operating Bus. w/o Proper Zoning	3/31/2017	8/29/2017	
V17-023	LaSalle Natl Bank	02-19-400-006	11443 Route 34	Junk & Debris/Unsecured Structures	3/20/2017		
V17-024	Jimenez	03-08-280-006	12 Cebold Drive	Non-Permitted Animals	4/10/2017	5/12/2017	
V17-025	Murray	03-31-427-001	38 Eagle View Lane	Remodeling w/o Permit	4/27/2017	5/2/2017	
V17-026	Kelley, Craig & Renee	09-22-400-003	2100 Bell Road	Junk & Debris/Inoperable Vehicles	4/11/2017	8/17/2017	
V17-028	Pugsley, Mary	03-04-380-001	106 Circle Drive East	Trailer parked in front area	5/11/2017	5/23/2017	
V17-029	Matile, Dennis	03-09-152-006	230 Boulder Hill Pass	Trailer parked in front area	5/11/2017	6/6/2017	
V17-030	Daum, Andrew	05-02-201-005	6111 Audrey Ave	Inoperable Vehicle/Junk & Debris	5/15/2017	6/6/2017	
V17-031	Garcia, Luis	03-04-478-005	51 Springdale Rd	Repair Bus./ Vehicles not permitted	5/31/2017	6/20/2017	
V17-032	SL Enterprises	03-04-430-008	164 Tealwood Rd	RV Parked in Front yard	6/1/2017	6/21/2017	
V17-034	Berger, Richard	04-08-200-015	7428 Oakbrook Rd	2 homes on R-1 zoned lot	6/1/2017	8/29/2017	
V17-035	Pepple	03-04-431-004	57 Sonora Dr	Bus Operating in R6 Residential District	6/9/2017	8/17/2017	
V17-037	Temes	02-35-382-008	5812 Danielle Lane	RV Parked in Front yard	6/8/2017	8/17/2017	
V17-038	Memming	03-32-328-005	8 Crestview Drive	RV Parked in Front yard	6/9/2017	8/17/2017	
V17-039	Ramon Ramirez	03-08-277-031	33 Fieldpoint Rd	Garage/Shed built w/o Permit	6/20/2017	8/4/2017	
V17-040	McDonald	08-14-200-003	14207 Church Rd	Poss. Op. Indoor Shooting Range	6/23/2017	7/17/2017	
V17-041	Hernandez	03-05-476-012	10 Clay Street	Prohibited Parking on non-apprvd surface	7/12/2017	8/4/2017	
V17-042	Hrvatn, Arthur	01-19-476-006		Violation of Stormwater Management	7/12/2017	8/10/2017	
V17-043	First American Bank	05-18-226-002	8115 E. Highpoint Rd	Op. Trucking Bus in a Res Zoned parcel	7/27/2017		
V17-044	Davis, Carlos & Tracy	09-23-400-006	15875 Ridge Road	Dumping Dirt/Stormwater Violation	8/7/2017		
V17-045	Greenslade	03-09-152-021	18 Ridgefield Rd	Prohibited Parking of Trailer in Front area	8/9/2017		
V17-046	Scull, Enoch	01-16-427-001		Ill. Parking - Limit 2 Rec Veh/or Trailers	8/14/2017	8/29/2017	
V17-047	Friel, Steven	03-08-253-012	20 Ashlawn	Accessory Building w/o Permit	8/14/2017		
V17-048	Evans, Eun	03-05-428-015	10 Hampton Rd	Junk&Debris & Illegal Parking of Commercial Vehicles	8/9/2017	8/29/2017	
V17-049	Shockerland Co.	02-28-252-027	9316 Route 34	Illegal Banners, Inoperable Vehicles, Junk & Debris	8/14/2017		
V17-050	Beery	01-35-284-001	13040 River Road	Accessory Building w/o Permit	8/17/2017	9/26/2017	
V17-051	Villesenor, Emmanuel	03-08-230-003	34 Old Post Road	Inoperable Vehicle	9/8/2017		
V17-052	Schanz	03-04-454-017	67 Saugatuck Rd	Prohibited Parking of Commercial Vehicle	9/11/2017		
V17-053	Paxton	03-04-455-001	56 Saugatuck Rd	Trailer parked in front area	9/18/2017		
V17-054	Szchlinski	03-04-355-004	8 Saugatuck Rd	VOID			
V17-055	Nataly Perez	03-35-376-005	1481 Plainfield Rd	Running Landscaping Business in R2-zoning & Farm Animals not permitted ir	9/27/2017		

Date	Name	Address	PIN #	Description	Date Inspected
1/11/2017	Migliorini	15975 O'Brien Road	09-20-400-005	Possible Remodel w/o permit	1/24/2017
1/26/2017	Hummel	2507 Douglas Rd	03-15-300-002	Drainage - Stormwater	1/30/2017
2/2/2016	Vasquez	1 Knollwood Drive	03-05-278-028	Unregistered Trailer home	2/7/2017
2/6/2017	Harbor Drive Apts	113 Harbor Drive	03-08-105-004	Junk & Debris/Trash	2/6/2017
1/30/2017	Romero/Rios	20 Fernwood Rd	03-05-229-002	Lanscaping/ Junk & Debris	1/31/2017
2/15/2017	Juan Vargas	54 Sonora	03-04-479-003	Building w/o permit	2/17/2017
3/15/2017	Don Rees	6725 Minkler Rd	05-02-300-005	Dog Kennel Facility	3/20/2017
3/22/2017	Garcia	51 Springdale	03-04-478-005	Business / vehicles parked	3/24/2017
4/18/2017	Campos	117 Dolores St	03-08-323-001	Junk & Debris	4/18/2017
4/21/2017	Haff	6799 Oakbrook Rd	04-05-400-004	Junk & Debris/Inoperable Veh	4/24/2017
3/30/2017	Benes	2575 Wolf Road	03-15-126-004	Runoff Manuer / Environmental	4/7/2017
4/11/2017	Melrose Holdings 1 LLC	Commerce Road	03-07-177-007	Junk & Debris	4/26/2017
4/3/2017	Vasquez	1 Knollwood Drive	03-05-278-028	Trailer parked in front yard	4/7/2017
4/11/2017	RWC Properties	126 Heathgate Road	03-04-278-031	Junk & Debris/Remodel w/o Permit	4/11 & 5/1/17
4/24/2017	Sherman R. Cook Scout Pk	Little Rock Creek Rd		People camping/Port a potty at entrance	5/11/2017
4/28/2017	New Vista Prop. Solutions	25 North Street	02-16-276-012	Remodel w/o Permit	5/1/2017
4/7/2017	Eun Evans	10 Hampton Ct	03-05-428-015	Junk/Debris/ Trailer/Remodel	4/11 & 5/1/17
5/9/2017	Baka Properties	8940 C Route 34	02-27-177-002	Poss Rental/Multipe occupancy	7/18/2017
5/11/2017	Pecci	2410 Collins Rd	03-27-401-024	Poss Stormwater/discharge	5/12/2017
5/3/2017	Escalante	7953 Van Emmon Rd	02-35-103-007	Poss Landscaping Bus/Escavating Pond	5/4/2017
5/18/2017	Staniskewski	141 Riverview Ct. Oswego	03-18-451-009	Occupied Accessory Structure	7/31/2017
5/22/2017	Fennell	8 W. Cedar Ct	05-06-226-009	Fencing - Pool	5/23/2017
5/20/2017	Minton	63 Hampton Rd	03-04-352-031	Mechanic Business	6/6/2017
5/30/2017	Gonzales	17 Wyndham Dr	03-04-307-005	Junk & Debris - Vacant home	6/6/2017
5/30/2017	Tuymer	121 Poplar Drive	05-05-151-007	Trailer parked on street	6/1/2017
6/2/2017	Velazquez	16421 Galena Rd Plano	01-05-201-004	Structures built w/o Permit	6/14/2017
6/8/2017	Cave	6 Chally Dr	05-06-351-012	Daming near creek	6/9/2017
6/9/2017	Macias	3610 Van Dyke Rd	09-04-300-005	Building w/o permit	6/14/2017
6/13/2017	First American Bank	8115 E. Highpoint Rd	05-18-226-002	Semi Trucks/ Multi Family	6/14/2017
6/23/2017	Donnelly	16 Shore Drive Oswego	03-08-154-003	Flooding/Poss. Stormwater issue	7/7/2017
7/6/2017	Erwin	146 Long Beach Rd	03-04-430-016	Weeds	7/6/2017
7/6/2017	Woodson	15826 Stonewall	04-21-103-004	Possible Boarding Home	7/31/2017
7/17/2017	Leifheit	12 Woodland Dr. Plano	01-20-351-003	Conversion of Garage to living space	8/30/2017
7/24/2017	Hurley	218 Foxtail Lane	02-35-426-003	Fencing - Pool	7/31/2017
7/31/2017	Sleem	767 Route 31 Oswego	03-05-351-007	Junk & Debris	8/2/2017
8/8/2017	548 Monarrez Prop. LLC	548 Rance Rd. Oswego	03-24-100-006	Poss. Landscaping Business in R-1 District	8/14/2017
8/29/2017	Seeler	1/8mi E of Schlapp Rd on Cherry Road		Possible Dog Kennel	9/8/2017
9/15/2017	Anderson	near Route 126	06-13-176-003	Possible gun range	9/18/2017

Violation	Name	Parcel #	Address
V17-002	Randy Fowler	01-28-252-001	1203 W. South Street
V17-003	March & Lisa Schulz	03-04-278-041	146 Heathgate Rd
V17-004	Meyers/Presnell	03-04-255-010	119 Heathgate Rd
V17-005	Stevenson	02-13-429-004	15 Clark Avenue
V17-006	Ramiro Guzman	09-04-300-002	McKanna Rd
V17-007	Maria Ramirez	03-07-276-002	15 Shell Court
V17-008	Steven Odermatt	03-04-255-012	123 Heathgate Rd
V17-009	George Olmstead	06-02-201-002	27 Oswego Plains Dr
V17-010	Fed Home Ln Mortg	01-03-353-010	35 Earl Street
V17-012	Gomez Salvador	09-27-200-004	2511 Wildy Rd
V17-013	Leroy Richmond	02-10-227-004	61 W. Larkspur
V17-014	Two Star Enterp., LLC	02-06-400-006	
V17-016	Aguirre, Marciana	03-12-203-001	12 Council Ave
V17-017	Daugherty, Richard	03-27-401-001	4520 Douglas Rd
V17-018	Wargo, Craig & Susan	03-04-477-038	80 Springdale Ln
V17-019	Fitzgerald, Richard	03-08-326-008	75 Century Dr
V17-020	Ballines, Noe	03-08-227-008	54 Codorus Rd
V17-021	Coyne	09-24-100-001	15200 Ridge Road
V17-022	Montano	03-15-251-002	2450 Wolf Road
V17-023	LaSalle Natl Bank	02-19-400-006	11443 Route 34
V17-024	Jimenez	03-08-280-006	12 Cebold Drive
V17-025	Murray	03-31-427-001	38 Eagle View Lane
V17-026	Kelley, Craig & Renee	09-22-400-003	2100 Bell Road
V17-028	Pugsley, Mary	03-04-380-001	106 Circle Drive East
V17-029	Matile, Dennis	03-09-152-006	230 Boulder Hill Pass
V17-030	Daum, Andrew	05-02-201-005	6111 Audrey Ave
V17-031	Garcia, Luis	03-04-478-005	51 Springdale Rd
V17-032	SL Enterprises	03-04-430-008	164 Tealwood Rd
V17-034	Berger, Richard	04-08-200-015	7428 Oakbrook Rd
V17-035	Pepple	03-04-431-004	57 Sonora Dr
V17-037	Temes	02-35-382-008	5812 Danielle Lane
V17-038	Memming	03-32-328-005	8 Crestview Drive
V17-039	Ramon Ramirez	03-08-277-031	33 Fieldpoint Rd
V17-040	McDonald	08-14-200-003	14207 Church Rd
V17-041	Hernandez	03-05-476-012	10 Clay Street
V17-042	Hrvatin, Arthur	01-19-476-006	
V17-043	First American Bank	05-18-226-002	8115 E. Highpoint Rd
V17-044	Davis, Carlos & Tracy	09-23-400-006	15875 Ridge Road
V17-045	Greenslade	03-09-152-021	18 Ridgefield Rd
V17-046	Scull, Enoch	01-16-427-001	
V17-047	Friel, Steven	03-08-253-012	20 Ashlawn

V17-048	Evans, Eun	03-05-428-015	10 Hampton Rd
V17-049	Shockerland Co.	02-28-252-027	9316 Route 34
V17-050	Beery	01-35-284-001	13040 River Road
V17-051	Villesenor, Emmanuel	03-08-230-003	34 Old Post Road
V17-052	Schanz	03-04-454-017	67 Saugatuck Rd
V17-053	Paxton	03-04-455-001	56 Saugatuck Rd
V17-054	Szchlinski	03-04-355-004	8 Saugatuck Rd
V17-055	Nataly Perez	03-35-376-005	1481 Plainfield Rd

Description	Opened
Abandoned Structures	12/7/2016
Inoperable Vehicle	1/25/2017
Inoperable Vehicle	12/7/2016
Occupied Rec. Vehicle	12/19/2016
Fill in Floodplain Violation	1/10/2017
Inop Vehicles & Parking on Grass	1/17/2017
Inoperable Vehicle	1/25/2017
Remodeling w/o Permit	1/31/2017
Junk & Debris/ Inop Vehicle	2/7/2017
Bus w/o Prop Zoning/Stormwater Permit/Sign Ord Violation/ Poss. Zoning Ordinance Violation	3/1/2017
Unsecured structure	3/1/2017
Stormwater Violation	3/13/2017
Remodeling w/o Permit	3/10/2017
Inoperable Vehicle/Illegal sign	3/13/2017
Junk & Debris	3/14/2017
Inoperable Vehicle - Motor Home	3/20/2017
Junk & Debris	3/24/2017
Operating Bus. w/o Proper Zoning	3/20/2017
Operating Bus. w/o Proper Zoning	3/31/2017
Junk & Debris/Unsecured Structures	3/20/2017
Non-Permitted Animals	4/10/2017
Remodeling w/o Permit	4/27/2017
Junk & Debris/Inoperable Vehicles	4/11/2017
Trailer parked in front area	5/11/2017
Trailer parked in front area	5/11/2017
Inoperable Vehicle/Junk & Debris	5/15/2017
Repair Bus./ Vehicles not permitted	5/31/2017
RV Parked in Front yard	6/1/2017
2 homes on R-1 zoned lot	6/1/2017
Bus Operating in R6 Residential District	6/9/2017
RV Parked in Front yard	6/8/2017
RV Parked in Front yard	6/9/2017
Garage/Shed built w/o Permit	6/20/2017
Poss. Op. Indoor Shooting Range	6/23/2017
Prohibited Parking on non-apprvd surface	7/12/2017
Violation of Stormwater Management	7/12/2017
Op. Trucking Bus in a Res Zoned parcel	7/27/2017
Dumping Dirt/Stormwater Violation	8/7/2017
Prohibited Parking of Trailer in Front area	8/9/2017
Ill. Parking - Limit 2 Rec Veh/or Trailers	8/14/2017
Accessory Building w/o Permit	8/14/2017

Junk&Debris & Illegal Parking of Commercial Vehicles	8/9/2017
Illegal Banners, Inoperable Vehicles, Junk & Debris	8/14/2017
Accessory Building w/o Permit	8/17/2017
Inoperable Vehicle	9/8/2017
Prohibited Parking of Commercial Vehicle	9/11/2017
Trailer parked in front area	9/18/2017
VOID	
Running Landscaping Business in R2-zoning & Farm Animals not permitted in	9/27/2017

Closed**SAO**

2/7/2017

1/4/2017

8/17/2017

8/17/2017

2/6/2017

4/18/2017

3/21/2017

8/17/2017

3/21/2017

8/17/2017

8/17/2017

5/7/2017

3/30/2017

4/12/2017

4/12/2017

4/10/2017

8/29/2017

5/12/2017

5/2/2017

8/17/2017

5/23/2017

6/6/2017

6/6/2017

6/20/2017

6/21/2017

8/29/2017

8/17/2017

8/17/2017

8/17/2017

8/4/2017

7/17/2017

8/4/2017

8/10/2017

8/29/2017

8/29/2017

9/26/2017

Matt Asselmeier

From: Jason Langston
Sent: Thursday, September 28, 2017 5:53 AM
To: Matt Asselmeier
Subject: Fwd: Banquet Facility at 1998 Johnson Road

See below

Deputy Commander Jason Langston
Kendall County Sheriff's Office
P 630-553-7500 ext. 1134
C 630-200-1167
jlangston@co.kendall.il.us
Sent from Outlook Mobile

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

From: "Scott Moran" <SMoran@co.kendall.il.us>
Date: Thu, Sep 28, 2017 at 3:07 AM -0500
Subject: RE: Banquet Facility at 1998 Johnson Road
To: "Jason Langston" <JLangston@co.kendall.il.us>

This is the only one I found:

Night Shift; Team B
Sunday, 09/03/2017

2017-2826, Noise Complaint, 2054 hours [REDACTED] Ongoing complaint of loud music coming from a wedding venue. Readings were between 45-49 dbL and within limits. Complainant was [REDACTED]
[REDACTED]

Sgt. S. Moran KE11
Kendall Co. Sheriff's Office
1102 Cornell Ln, Yorkville, IL 60560
(630) 553-7500 ext 1125
Fax (630) 553-1972

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From: Matt Asselmeier
Sent: Wednesday, September 27, 2017 9:25 AM
To: Jason Langston <JLangston@co.kendall.il.us>
Cc: Scott Moran <SMoran@co.kendall.il.us>; Scott Koeppel <skoeppeel@co.kendall.il.us>
Subject: Banquet Facility at 1998 Johnson Road

Deputy Commander Langston:

Has the Sheriff's Department received any noise complaints in September for the banquet facility at 1998 Johnson Road?

The owner of the property recently purchased and installed a new sound system to allow him to better control the volume level of the music.

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

September 25, 2017

To: Matt Asselmeier, Senior Planner
Kendall County Planning, Building & Zoning Board

Dan Kramer informed me that you requested a letter from me indicating that the wedding scheduled for April 28, 2018 at Northfork Farm is for a family member. The answer is yes! His name is Austin Heller from Stockton, Illinois, and he is related to my wife who is originally from Stockton. In addition, we will not make any profit from this event. Austin and his finace (Krystal) will only pay for the cost of workers to set up, assist with parking, and clean up.

We apologize for the oversight of the special use dated window (May 1-Nov.15). We don't even like to host any weddings or events during the month of April since it usually rains, and the winds off Lake Michigan bring in cold temperatures; however, they insisted, so we scheduled it.

I hope this letter clears up any confusion? Please feel free to contact me anytime with any questions or concerns related to Northfork.

Sincerely,



Peter J. Pasteris

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**

September 13, 2017

Matt Asselmeier

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

RE: Peter Pasteris Wedding Venue

Dear Matt:

It was a be a bit of a surprise to me about the April wedding issue for next Spring that came up Monday night. However it is an immediate family member, not a paid for event. Let me know if you'd like us to ask for a specific letter approval at a PB & Z meeting, or since its family, the position John Sterrett took prior was as long as it is an immediate family party and not a booked event for profit that notification was satisfactory.

My clients have no other events scheduled for April whatsoever and have honored the May 1 through the November deadline date at all time.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer,
Attorney at Law

DJK/rg

cc: Peter Pasteris
Bob Davidson
Matt Kellogg

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

September 5, 2017

Matt Asselmeier Via Email: masselmeier@co.kendall.il.us
Matt Kellogg Via Email: mkellogg@co.kendall.il.us

RE: Peter Pasteris Wedding Venue, 1998 Johnson Rd

Gentlemen:

I wanted to make a couple clarifications in regard to last night's Planning, Building and Zoning Committee Meeting.

I thought my client amply answered the questions about sound in that there has never been a violation which occurred at his site.

As to Matt Kellogg, I appreciate your comments, but given that I believe you are about four miles away if you could tape on your phone any sound you think you are hearing from that wedding venue I would love for you to do so if you are doing it where you live.

My client has consistently gone down to the first Gentlemen who testified as an objector last night who lives a half mile away and can hear absolutely no music at that location, which obviously is way closer than your home is to the venue.

The clarifications I want to add are twofold. First of all the last time that the Police were called that we know of was August 11, 2017 on a Friday night. They met with my client, took sound readings and found there was no violation whatsoever. However in reviewing the paperwork submitted by the Sheriff's Department that you may have at the County Zoning Office or Board Members may have, it appears that the Sheriff's Department was directed to a complaint the next night on August 12, 2017 at some time after 11:00 p.m. First of all activity at our site was concluded at that time. Second one of the objectors who was present last night and objected to the Wedding venue actually conducted a huge fireworks demonstration with mortars and the like that went well after 11 p.m. with loud music and a party obviously going at his site. If Matt Kellogg heard something four miles away it likely was the Hively party and fireworks demonstration and not any activity at my Clients. (See attached Sheriff's Deputy Report, which incorrectly lists the fireworks report as the wedding venue.)

The fireworks displays at the Hively residence are virtually an every weekend occurrence. We have never had a fireworks display at any function at the wedding venue and want to make sure the Sheriff's Department does not suspect wedding fireworks involved at all. My clients do not object to the Hively fireworks, nor do they object to their loud music or parties. However they do object to being lumped in and any possibility of being accused of activity that is not taking place on our site whatsoever.

My clients did meet with the objectors out in the hallway after the PB & Z Committee, and assured them that with this new sound system it should be like last weekend or the weekend of September 9, 2017 that

they should not hear any wedding music even at reduced decibel levels because of the corrective action taken. My clients do want to be good neighbors, and have continually responded any time they have received any request from a neighbor.

The taller Gentlemen who objected at the meeting, Mr. Hickey expressed concern about traffic. I think his concerns are misplaced in that on the same Johnson Road there is an agricultural farm stand that has a significant more amount and steadier traffic then the venue for the wedding experiences. In fact for many of the wedding functions people arrive in smaller buses and there is limited car traffic for many of the events.

In any event my clients believe they are fully cooperative and compliant on all the terms of the Special Use and will continue to be vigilant.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer,
Attorney at Law

DJK/rg
cc: Peter Pasteris

Matt Asselmeier

From: Scott Moran
Sent: Sunday, August 13, 2017 3:43 AM
To: Matt Asselmeier
Cc: Jason Langston; Jose Villagrana
Subject: Noise complaint 1998 Johnson Rd 081317

We received another noise complaint (the next night) from 1998 Johnson Rd.

2017-2570, AOA/Noise Complaint, 1998 Johnson Rd, 0149hrs. [REDACTED] - loud noise and fireworks were reported.

The event appeared to have ended and no noise was heard from the roadway. Apparently there were fireworks and noise between 2200-2300hrs, but it was reported several hours later with no one wanting to speak with us at the time.

Respectfully, Scott

Sgt. S. Moran KE11
 Kendall Co. Sheriff's Office
 1102 Cornell Ln, Yorkville, IL 60560
 (630) 553-7500 ext 1125
 Fax (630) 553-1972

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From: Scott Moran
Sent: Saturday, August 12, 2017 7:48 PM
To: Matt Asselmeier
Cc: Jason Langston; Jose Villagrana
Subject: Noise complaint 1998 Johnson Rd

Deputy Commander Langston wanted to make sure I got this information forwarded to you in a timely fashion -

- 2017-2547, AOA (Noise Complaint), 1998 Johnson Rd., 08/11/2017 @ 2134hrs. - [REDACTED] reported loud music/noise from a wedding reception. Sound meter reading 50.0 DBA (at the entrance to the driveway at [REDACTED]). We spoke with the homeowner, Peter Joseph Pasteris [REDACTED], on scene. Both parties were advised that a report was being generated.

If needed, a copy the report can be requested through our records division (for tracking purposes). Please let me know if there is anything else we can do.

Respectfully, Scott

Sgt. S. Moran KE11
 Kendall Co. Sheriff's Office
 1102 Cornell Ln, Yorkville, IL 60560
 (630) 553-7500 ext 1125
 Fax (630) 553-1972

ORDINANCE NUMBER 2015 - 06

GRANTING AN A-1 SPECIAL USE AT
1998 JOHNSON ROAD, OSWEGO
TO OPERATE A BANQUET HALL FOR SPECIAL EVENTS

WHEREAS, Peter & Laurie Pasteris have filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 12.5 acre property located on the south side of Johnson Road, 1 mile east of Schlapp Road, 1.45 miles west of Ridge Road, commonly known as 1998 Johnson Road, (PIN #'s 06-11-100-004 & 06-11-100-008), in NaAuSay Township; and

WHEREAS, said property is currently zoned A-1 Agricultural; and

WHEREAS, said petition is to obtain an A-1 Special Use Permit to operate a banquet hall on their property for special events; and

WHEREAS, said property is legally described as:

THE WEST 400.0 FEET OF THE NORTH 435.60 FEET OF A STRIP OF LAND 54 RODS (891.1 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 4 ACRES.

THE WEST 561.0 FEET OF THE NORTH 971.0 FEET (EXCEPT THE WEST 400.0 FEET OF THE NORTH 435.60 FEET, THEREOF) OF A STRIP OF LAND 54 RODS (891.0 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 8.5052 ACRES.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on April 6, 2015; and

WHEREAS, the findings of fact were approved as follows:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The special use will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.***

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space

*and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The petitioner is not proposing to change the site but have a temporary tent up during events therefore keeping with the residential and agricultural character of the neighborhood.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The special use will not be adding any new utilities at this time and no new roadways or drainage to the property. They will be adding a septic in the future, park on the hayfield and will use the current access point onto Johnson Road.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **The only regulation they do not meet is that it must be located on a major or arterial roadway but they have received permission from the township road commissioner. All other regulations will conform.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **This special use will not be every weekend so most of the time it will just be residential uses and not events.***

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

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns of the property owner as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to operate a banquet hall on their property for special events in accordance to the submitted Description included as "Exhibit A" and the submitted Site Plan included as "Exhibit B" attached hereto and incorporated herein subject to the following conditions:

1. The principal use of the property is for residential purposes and/or farming.
2. A maximum of 200 persons at any one time (with a 10% tolerance).
3. All events must be catered unless approved by the Health Department.
4. Compliance with applicable building codes and Americans with Disabilities Act accessibility provisions and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.
5. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
6. 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 60 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.

7. Porta Johns (and other temporary bathroom facilities) need to be removed within 2 business days after each event.
8. Events can run from May 1st through November 15th and the temporary tent can be erect from May 1st through November 15th.
9. Entities having jurisdiction may inspect the property annually including but not limited to the Planning, Building Zoning Department, Health Department, sheriff's office and fire protection district in order to ensure that conditions of the special use permit are still being met and that the permit is still applicable for the operation.

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

IN WITNESS OF, this ordinance has been enacted on April 21, 2015.

Attest:



Debbie Gillette
Kendall County Clerk



John Shaw
Kendall County Board Chairman

Matt Asselmeier

From: Scott Moran
Sent: Sunday, August 13, 2017 3:43 AM
To: Matt Asselmeier
Cc: Jason Langston; Jose Villagrana
Subject: Noise complaint 1998 Johnson Rd 081317

We received another noise complaint (the next night) from 1998 Johnson Rd.

2017-2570, AOA/Noise Complaint, 1998 Johnson Rd, 0149hrs, [REDACTED] - loud noise and fireworks were reported.

The event appeared to have ended and no noise was heard from the roadway. Apparently there were fireworks and noise between 2200-2300hrs, but it was reported several hours later with no one wanting to speak with us at the time.

Respectfully, Scott

Sgt. S. Moran KE11
Kendall Co. Sheriff's Office
1102 Cornell Ln, Yorkville, IL 60560
(630) 553-7500 ext 1125
Fax (630) 553-1972

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From: Scott Moran
Sent: Saturday, August 12, 2017 7:48 PM
To: Matt Asselmeier
Cc: Jason Langston; Jose Villagrana
Subject: Noise complaint 1998 Johnson Rd

Deputy Commander Langston wanted to make sure I got this information forwarded to you in a timely fashion –

- **2017-2547, AOA (Noise Complaint), 1998 Johnson Rd., 08/11/2017 @ 2134hrs. - T [REDACTED]**
[REDACTED] reported loud music/noise from a wedding reception. Sound meter reading 50.0 DBA (at the entrance to the driveway at [REDACTED]). We spoke with the homeowner, Peter Joseph Pasteris [REDACTED], on scene. Both parties were advised that a report was being generated.

If needed, a copy the report can be requested through our records division (for tracking purposes). Please let me know if there is anything else we can do.

Respectfully, Scott

Sgt. S. Moran KE11
Kendall Co. Sheriff's Office
1102 Cornell Ln, Yorkville, IL 60560
(630) 553-7500 ext 1125
Fax (630) 553-1972

Matt Asselmeier

From: Fran Klaas
Sent: Wednesday, September 27, 2017 8:10 AM
To: Matt Asselmeier; Brian Holdiman
Subject: RE: As-Built

My recommendation would be to increase the 10" DIP, which maintains NWL, to 15", and to replace the 10-yr. pipe from 24" to 30". The homeowner and the Township Highway Commissioner might be willing to partner together to get that work done. This would obviously increase the outflow slightly, but it would still be significantly less than the undeveloped condition; so I don't think it would be that big of a deal. Would like to talk to WBK about it.

Fran

From: Matt Asselmeier
Sent: Tuesday, September 26, 2017 3:39 PM
To: Fran Klaas; Brian Holdiman
Subject: RE: As-Built

Fran:

PBZ Chairman Davidson would like your recommendation on this issue. What would happen downstream if the County lowered the berm? Does the County have the authority to lower the berm?

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: Fran Klaas
Sent: Thursday, September 21, 2017 2:52 PM
To: Brian Holdiman
Cc: Matt Asselmeier
Subject: RE: As-Built

No. Just the original engineering drawings. Incidentally, Andy and I were out yesterday to shoot elevations around Mark Page's house and the outlet structure to the pond. Interestingly, the pond and outlet structures appear to have been built very close to plan elevations. Also interestingly, Page's house (Lot 23) appears to show up on the engineering plan as a look-out, not a walk-out. Here is what we shot:

<u>Plan</u>		<u>Actual</u>	
T/F	662.0	T/F	665.1
L/O	658.0	W/O	656.3

So his top-of-footing is actually 3' higher than plan; but since he put in a walk-out, not a look-out, his walk-out elevation is 1.7' lower than what the look-out should have been. This is significant in that the berm overflow for the pond is around 655.4.... less than a foot lower than his walk-out. This is evidently why he may be having problems. My actual shots are shown in red on the attachments. Please give me a call when you get a chance. Thanks.

Fran

From: Brian Holdiman
Sent: Thursday, September 21, 2017 2:43 PM
To: Fran Klaas
Subject: As-Built

Fran,

Do you have as-builts for Southfield Estates?

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*

[illegible]

OAD

R-2  45° - 42" CMP
NORTH INV = 649.8
SOUTH INV = 649.7

Matt Asselmeier

From: Fran Klaas
Sent: Wednesday, September 27, 2017 3:12 PM
To: Matt Asselmeier
Cc: Brian Holdiman
Subject: FW: Elevations

Additional conversation I had w/ property owner at Southfield Estates.

Fran

From: Mark Page [mailto:markpagecfp@gmail.com]
Sent: Monday, September 25, 2017 12:01 PM
To: Fran Klaas
Subject: Re: Elevations

Yes, that will be fine.

Sent from my iPhone

On Sep 25, 2017, at 8:23 AM, Fran Klaas <FKlaas@co.kendall.il.us> wrote:

Assume you're okay with me sharing this info w/ Na-Au-Say Township, and discussing with the County's PB&Z Department?

Fran

From: Mark Page [mailto:markpagecfp@gmail.com]
Sent: Sunday, September 24, 2017 11:34 AM
To: Fran Klaas
Subject: Re: Elevations

Fran,

Thank you for taking the time to research this. Hopefully we can get something done. I had looked into the size of the 10" pipe and came up with 15" so our numbers are really close. Removing the elbow would help prevent clogging. I had not considered increasing the 24" to 30", but that idea also sounds very viable. If the leading edge to the box was a tad lower, that may reduce the need to lower the top of the berm an inch or two. I still like the idea of lowering it a tad as that is the ultimate insurance policy against water in the basement and hydrostatic pressure pushing water up the control breaks in the floor. I suppose there is more than one way to skin a cat. I am also willing to work with both the county and the township on design. I have a few ideas that might help and are in addition to what you are suggesting. An example would be a kind of spillway made of semi permeable block that grass can grow through. I can throw some money at that, but I would want the county's blessing before I did any work in conjunction with what you would be doing.

I suppose then that the short answer is yes, I would like a dialog so we can do both short and long range planning and work together on our combined vision. I am looking forward to solving this problem and moving on. I greatly appreciate your time and effort. Let me know what works for you and I will do my best to make something happen.

Have a great rest of the weekend and next week!!

Mark

Sent from my iPhone

On Sep 22, 2017, at 9:18 AM, Fran Klaas <FKlaas@co.kendall.il.us> wrote:

Good Morning Mark.

I've attached a couple files showing what we found. Appears the pond, outlet structure, and earth berm were all constructed very close to plan grades, as can be seen in the Southfield Outlet Structure file (my elevations are in red). The Southfield – Page 8 file shows the original engineering drawing, wherein it provides a top-of-footing elevation of 652.0 and 648.0. So it appears to show that they were providing for a look-out-type configuration, with the two T/F's being just 4 feet apart. Obviously, you have a walk out configuration. Your T/F is around 665.1, and walk out approximately 656.3. So the walk out is about 1.7 ft. lower than what engineering drawings were showing for lowest footing elevation. It also means that the walk out is only about 0.9 ft. higher than the top-of-berm elevation.

I'm not interested in whether your house was built according to plan or permit. That ship has sailed. I'm more interested in trying to resolve your potential flooding problem. I would be inclined to favor replacement of the outlet pipes. The current 10" pipe that maintains NWL, could be increased to 14". This would double the capacity of the pipe that maintains normal water level. This would have almost no effect whatsoever on downstream properties. I would also recommend replacing the 24" concrete outlet pipe with a 30" outlet pipe. This would nearly double the capacity of the current 24" pipe. This would increase the flow downstream of Cherry Road, but Illinois Drainage Law provides that the downstream properties have to take this water anyway. Additionally, in a big rain event, when the pond overtops, this water goes downstream anyway. Finally, in an undeveloped condition, the downstream property would have been taking much more water, and faster, than the current detained condition. So the solution is completely justifiable to me. By taking this 2-pronged approach, it would help release water a bit faster than current configuration, and hopefully keep water out of your basement.

I have shared the elevation information with the County's PB&Z Department. I have not yet shared any recommended solutions with them. I have also discussed the preferred solution with the Township Highway Commissioner, Ken Hostert. He may approach you about partnering with the Township to try to resolve this issue.

Please let me know if you would like to discuss.

Francis C. Klaas, P.E.
Kendall County Engineer
6780 Route 47
Yorkville, IL 60560
630.553.7616

<Southfield Outlet Structure.pdf>

<Southfield - Page 8.pdf>

Not till next before

Brian Holdiman

From: Greg Chismark [gchismark@wbkengineering.com]
Sent: Monday, June 12, 2017 12:23 PM
To: Brian Holdiman
Cc: Matt Asselmeier
Subject: RE: Southfield Estates Flooding case PDF

Brian,

I have reviewed the documents submitted and aerial topo and flood maps and I believe I have a general understanding of the concern. Here is what I see as an outline for a scope:

- Retrieve County Record on the Subdivisions (Erickson, Oswego plains and Southfield). This includes plats, engineering plans and hopefully some drainage calculations / report.
- Meet with Mr. Page and walk tributary areas and key locations. There is a large area to the west that could be key to the issue. Walk the Erickson Subdivision. Observe stormwater basin outfalls and overflows and Mr. Page's property.
- Establish tributary areas to Southfield based on field walk and County two foot topo.
- Some / limited survey may be needed to determine direction of flow and outfall elevation / size relative to foundations.
- Determine approximate flow values and compare to outfall sizing and overflow / conveyance systems.
- Summary Report

If a problem is found and determined to be County responsibility, additional engineering may be necessary to determine the solution. This could be more survey, stormwater modelling, etc. I did not include it because it is too hard to tell what that scope may be.

With a budget of one day of survey the estimated fee is \$7,000. If we eliminated the report (which includes a limited time for exhibits) we could probably push this down to \$5,000 to \$5,500.

Let me know if you have any questions. If you think this is adequate for your meeting tonight perhaps I'll wait to draft a formal proposal.

Thanks,

Greg

Greg Chismark P.E.

Municipal Practice Principal

WBK Engineering, LLC

116 West Main Street, Suite 201, St. Charles, Illinois 60174
P: 630.443.7755 D: 630.338.8527

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From: Brian Holdiman [mailto:BHoldiman@co.kendall.il.us]
Sent: Monday, June 12, 2017 10:43 AM
To: Greg Chismark
Cc: Matt Asselmeier
Subject: RE: Southfield Estates Flooding case PDF

Greg,

Do you have a to not to exceed number for this project?

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: Greg Chismark [<mailto:gchismark@wbkengineering.com>]

Sent: Thursday, May 25, 2017 12:54 PM

To: Brian Holdiman

Subject: RE: Southfield Estates Flooding case PDF

Thank you.

I will!

Greg Chismark P.E.

Municipal Practice Principal

WBK Engineering, LLC

116 West Main Street, Suite 201, St. Charles, Illinois 60174
P: 630.443.7755 D: 630.338.8527

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From: Brian Holdiman [<mailto:BHoldiman@co.kendall.il.us>]

Sent: Thursday, May 25, 2017 7:10 AM

To: Greg Chismark <gchismark@wbkengineering.com>

Cc: Scott Koeppel <skoepfel@co.kendall.il.us>; Matt Asselmeier <masselmeier@co.kendall.il.us>

Subject: RE: Southfield Estates Flooding case PDF

Yes,

PBZ meeting is June 12th, just need it before that. Enjoy some well deserved time off!

Respectfully,

Brian Holdiman

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

From: Greg Chismark [<mailto:gchismark@wbkengineering.com>]

Sent: Wednesday, May 24, 2017 8:55 PM

To: Brian Holdiman

Cc: Scott Koeppel; Matt Asselmeier

Subject: RE: Southfield Estates Flooding case PDF

Brian,

Yes, I can provide a scope and not to exceed fee based on the scope. I will need some time to review the documents submitted to develop the scope. I am out next week and tying up loose ends the rest of this week. Can I get back to you when I return the week of June 5?

Greg

Greg Chismark P.E.

Municipal Practice Principal

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From: Brian Holdiman [<mailto:BHoldiman@co.kendall.il.us>]

Sent: Wednesday, May 24, 2017 3:42 PM

To: Greg Chismark <gchismark@wbkengineering.com>

Cc: Scott Koepfel <skoepfel@co.kendall.il.us>; Matt Asselmeier <masselmeier@co.kendall.il.us>

Subject: RE: Southfield Estates Flooding case PDF

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Brian Holdiman

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

From: Greg Chismark [<mailto:gchismark@wbkengineering.com>]

Sent: Thursday, May 18, 2017 7:11 AM

To: Brian Holdiman

Cc: Matt Asselmeier; Michael Goers; Pam Herber

Subject: RE: Southfield Estates Flooding case PDF

Brian,

There is a lot going on here. My first question is whose jurisdiction do all these drainage problems fall within. I assume the County for some, but are there other subdivisions approved by a municipality (Oswego) that may come into play here.

As best I can tell there are no recent activities that indicate a stormwater ordinance violation. Although it certainly seems like a problem. That may be based on poor design or inappropriate routing of flows.

This appears to warrant a review even if it is not an ordinance violation. The first step I would suggest is a meeting with the owner and review of the reference materials to clearly understand the problem and his observations. From there I will have a better idea of what is involved and what it may take to get to the bottom of the problem.

Once we get started on something like this I don't know where it will go. In the past the County has been reluctant to even initiate an evaluation unless there is clear County responsibility. This one seems serious enough that an initial look appears to be reasonable.

If you agree we can compare calendars and set up a meeting.

Thanks,

Greg

Greg Chismark P.E.

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From: Brian Holdiman [<mailto:BHoldiman@co.kendall.il.us>]

Sent: Wednesday, May 17, 2017 6:16 AM

To: Greg Chismark <gchismark@wbkengineering.com>

Cc: Matt Asselmeier <masselmeier@co.kendall.il.us>; Michael Goers <mgoers@co.kendall.il.us>; Pam Herber <pherber@co.kendall.il.us>

Subject: FW: Southfield Estates Flooding case PDF

Greg,

Would you please review an issue that is occurring at the Southfield Estates Subdivision and let us know if there are any violations of the stormwater ordinance and send us any recommendations you may have? There will be two emails. 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

From: Michael Goers

Sent: Monday, May 08, 2017 11:03 AM

To: Brian Holdiman

Cc: Matt Asselmeier

Subject: Southfield Estates Flooding case PDF

Brian,

Attached is the report I created for the Southfield Estates Flooding case PDF.

Sincerely,

Michael Goers
Intern

Kendall County Planning, Building, & Zoning
111 West Fox Street, Room 203
Yorkville, Illinois 60560
Phone: 630.553.4141 (Main Line)
Phone: 630.553.2419 (My Line)
Fax: 630.553.4179

Brian Holdiman

From: Mark Page [REDACTED]
Sent: Friday, August 04, 2017 2:41 PM
To: Brian Holdiman
Subject: Mark Page Water Retention Pond

Brian,

Good afternoon. Just sending you a periodic request for an update on the exit pipe from the water retention pond at Southfield Estates. I know you had gotten the intern's report and sent it through channels. Any update?

I also had a question as I see that it looks like there is someone putting in a large drainage tile that is not on the county engineering study that will dump even more water even quicker into the pond. I was told that would not happen. Do you know anything about it? If that pipe goes in, then I will REALLY need to have the exit pipe expanded to 18" as my yard and septic have been flooding with almost every rain, not just once a year. This is becoming a bigger and bigger problem as it seems I am the only one following the rules. There have already been several major modifications that are now putting my house at risk. We either need to block off those modifications or expand the exit. I cannot watch as other people destroy my house and yard.

If you can look into the progress for me, I would greatly appreciate it.

Thank you for your time.

Mark Page

Brian Holdiman

From: Greg Chismark [gchismark@wbkengineering.com]
Sent: Monday, June 19, 2017 7:31 AM
To: Brian Holdiman
Subject: RE: Southfield Estates Flooding case PDF

Brian,
Any follow up needed on this?
Greg

Greg Chismark P.E.
Municipal Practice Principal

WBK Engineering, LLC
116 West Main Street, Suite 201, St. Charles, Illinois 60174
P: 630.443.7755 D: 630.338.8527

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Sent: Thursday, May 25, 2017 7:10 AM
To: Greg Chismark
Cc: Scott Koeppel ; Matt Asselmeier
Subject: RE: Southfield Estates Flooding case PDF

Yes,

PBZ meeting is June 12th, just need it before that. Enjoy some well deserved time off!

Respectfully,

Brian Holdiman

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To: Brian Holdiman
Cc: Scott Koeppel; Matt Asselmeier
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To: Brian Holdiman

Cc: Matt Asselmeier; Michael Goers; Pam Herber

Subject: RE: Southfield Estates Flooding case PDF

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Thanks,
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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*

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Subject: Southfield Estates Flooding case PDF

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Sincerely,

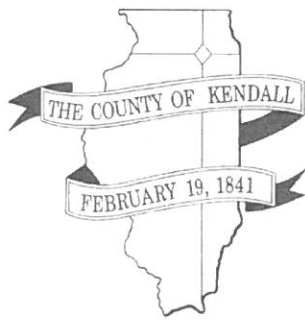
Michael Goers
Intern

Kendall County Planning, Building, & Zoning
111 West Fox Street, Room 203
Yorkville, Illinois 60560

Phone: 630.553.4141 (Main Line)

Phone: 630.553.2419 (My Line)

Fax: 630.553.4179



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Brian Holdiman

From: Kendall County Intern Michael Goers

Date: 05/05/2017

Subject: Southfield Estates (1824 Winchester Ct, Oswego, IL) Stormwater Flooding Problems

Michael Goers Brief Overview:

Michael Goers the Kendall County Intern spoke to Mark Page the owner of 1824 Winchester Ct property on 5/5/2017. Mr. Page spoke about having major flooding issues when Kendall County receives a lot of rainfall. The flooding occurs when Mr. Page/Southfield large detention pond in his backyard overflows. There are a few reasons why Mr. Page detention pond is overflowing:

1. Erickson Re-subdivision detention pond water is being transported towards Southfield Estates detention pond water.
2. Oswego Plains subdivision detention pond water is being transported towards Erickson Re-Subdivision detention pond. (Neighbors in the Oswego Plains subdivision have redirected the water without anyone knowing in the past).
3. Other new pipes have been placed in other areas around the Southfield Estates Subdivision.
4. Draining water from an estimated 250 acres instead of the proposed 120 acres when the Southfield Subdivision was created in 1994. This means the engineering is not correct. More water is being taken in and the pipes cannot discharge fast enough.
5. Southfield Estates Subdivision had tree/plants cleared which allow the water to flow much faster.

This can all be viewed on a labeled map created on Google Earth by Michael Goers. The map is all assumed and estimated based on the conversations with Mr. Page. There are also photos attached.

Major Concerns:

- Property value decrease due to flooding issues
- The owners have children and pets that standing body of water can increase the chance of sicknesses
- No water possibilities as septic tank system may not work under high saturation/flooding events
- Increase chance of damage to basement/house
- Backyard will be ruined
- Cannot mow the lawn, play in backyard, etc

Mr. Page Summary;

“The reason for the inquiry is that since we purchased the parcel 21 years ago, there have been a number of alterations to the topography and drainage of the surrounding area that has increased

the quantity and speed of which water flows into our lake. To the best of my knowledge (and I have lived out there for 40 years), this pond was designed to take water from the Southfield Estates subdivision only. We in fact take water from about double that acreage. There have been pipes added by private citizens and swales and ditches cleared and widened to drain properties in the neighboring Oswego Plains subdivision that flow into the large pond along Oswego Plains drive. That pond has a 36 inch overspill pipe and an 18 inch exit pipe that feeds directly into the Southfield pond. There are also two major over ground swales from the North and West that have been widened to allow water to flow easier across other people's properties. The one to the West also drains from the farm field to the West of Southfield Estates. During the spring melts and subsequent spring rains, these swales and ditches are running full and fast, draining those areas efficiently and quickly. The net result is more water to the Southfield pond than was designed and in a much shorter time. In the past the lake would crest over the span of a day or two and would go down about as fast. The lake now crests in a matter of hours and stays at flood stage for a week or more. The high water mark is also getting higher and higher every year.

As was discussed with Brian the last time we had talked, the choke point seems to be the exit pipe at the South end of the pond. I understand it was designed to release water at a set rate that was proportionate to the inflows. Whereas the inflows have increased, the exit release pipe is still 10 inches. There is also a 90 degree elbow at the end of the 10 inch exit pipe that slows the water flow and tends to clog easily with sticks and debris. This elbow is very difficult to clear as it requires the removal of the heavy industrial grate, climbing into the concrete box, and going underwater to reach up into the elbow to get at the debris. Not an easy or safe task when the water is at flood stage. The ten inch pipe extends at least 10 to 15 feet into the pond and is likewise not accessible, especially during flood stage. The concrete box itself has an 18 inch exit pipe. This empties into a 36 inch culvert that goes under Cherry Road to the South and on to the Aux Sable Creek. This concrete box was designed with an open top so that when the lake reached a certain level, it would flow over the top and into the box. Over the last several springs, the lake has routinely overflowed into the top of the box in this fashion. The lake has actually exceeded this capacity and the entire box was under water and it was flowing over the top of the berm and over the road. (Mr. Page email 5/5/2017)"

Mr. Page wants to know what he can and should do to solve this complex stormwater issue. He is very open to suggestions and is eager to solve this problem as soon as possible. Please review the pictures, and map to determine what do to next.

My Recommendations:

1. Stormwater Engineer should take a look at this case
2. Our office needs to contact Na-Au-Say Township
3. Our office needs to contact Homeowner Associations
4. Search County capabilities to help pay for a few changes in engineering plan; Mr. Page is willing to help pay for a stormwater permit to change a few of the outdated engineering plans that do not account for the increase amount of water coming into the Southfield Estates subdivision detention pond.

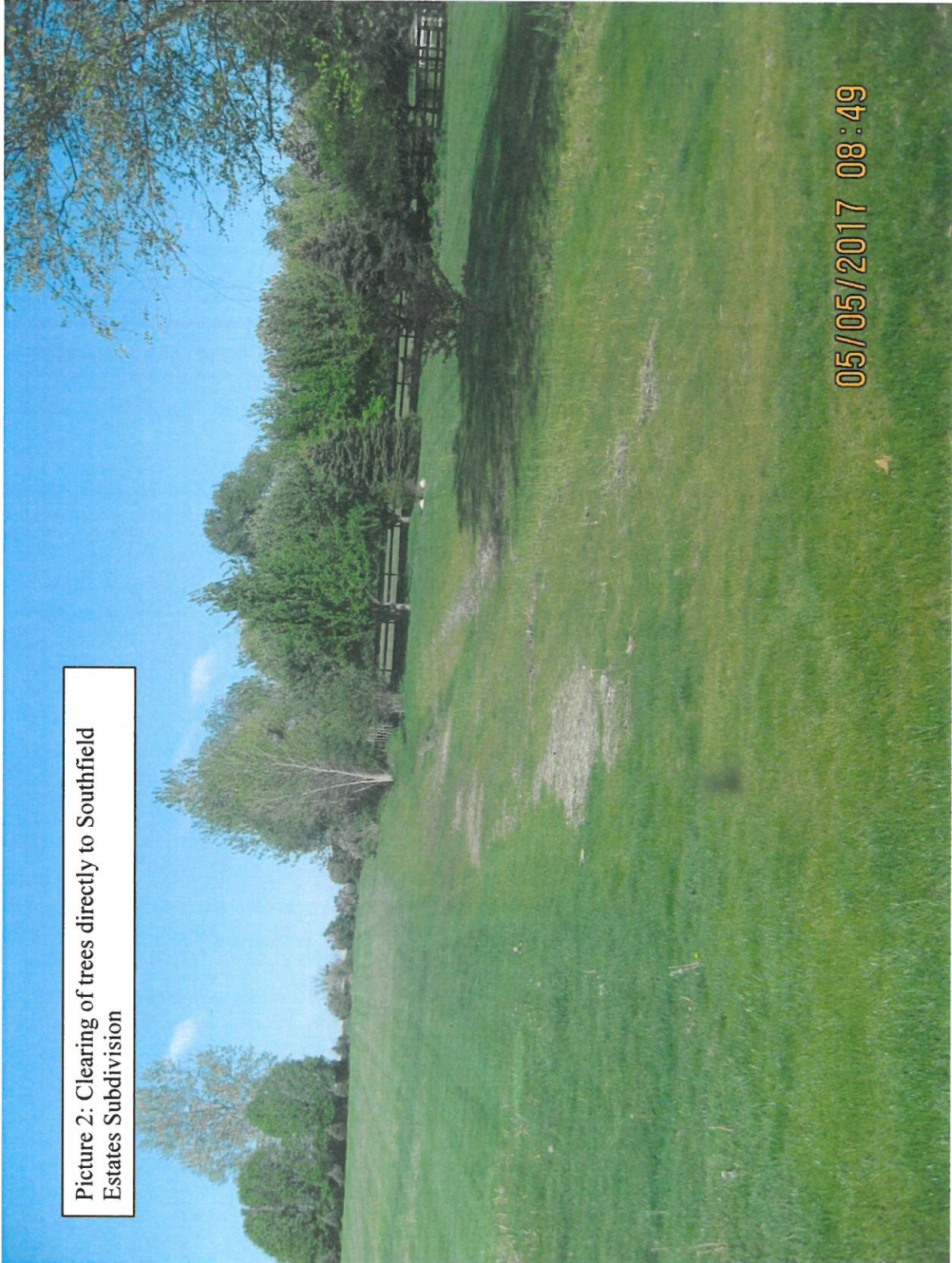
Sincerely,
Michael Goers
Dept of Planning, Building, and Zoning
Kendall County Intern

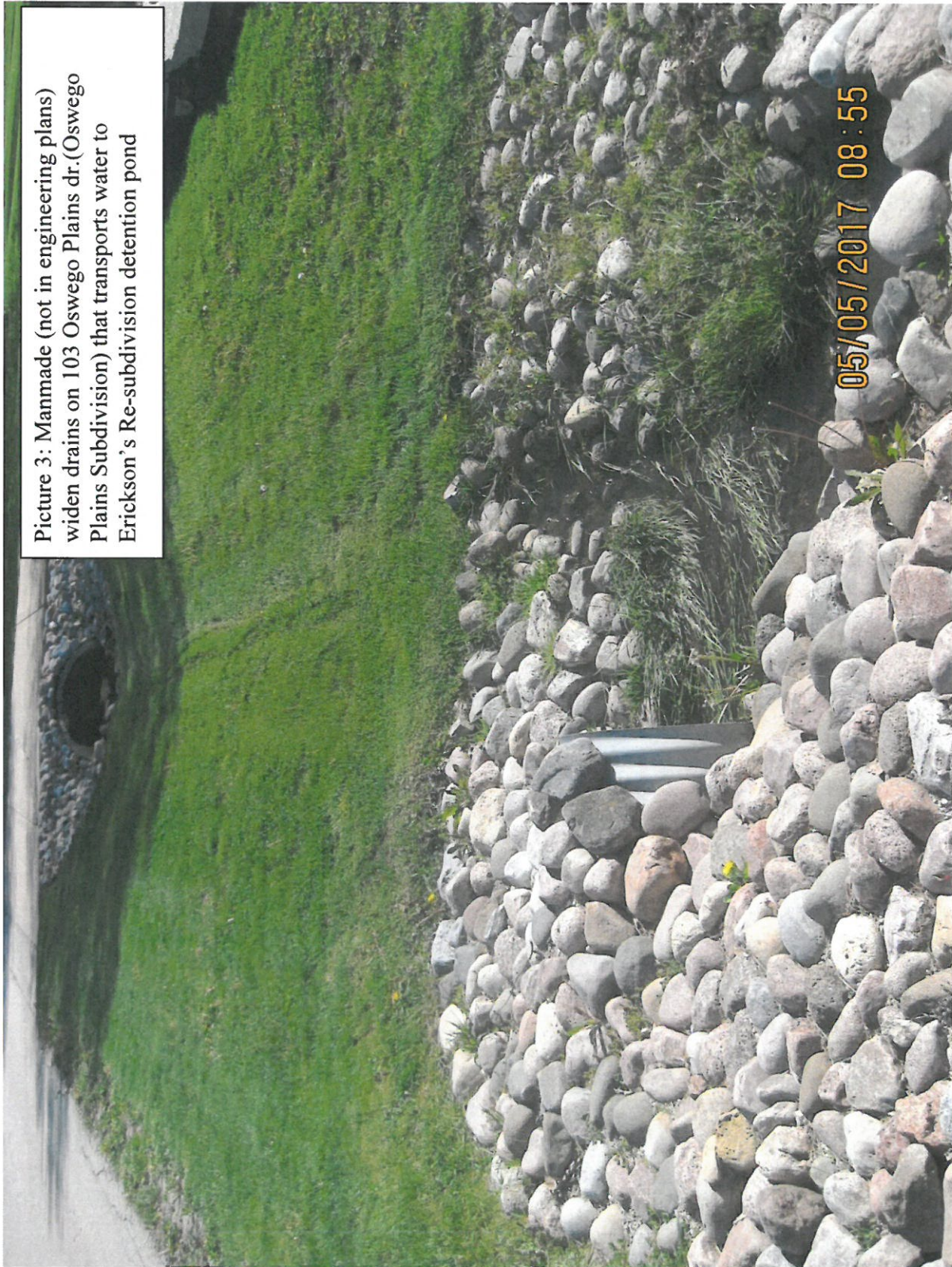


Picture 1: Clearing of trees directly to Southfield
Estates Subdivision

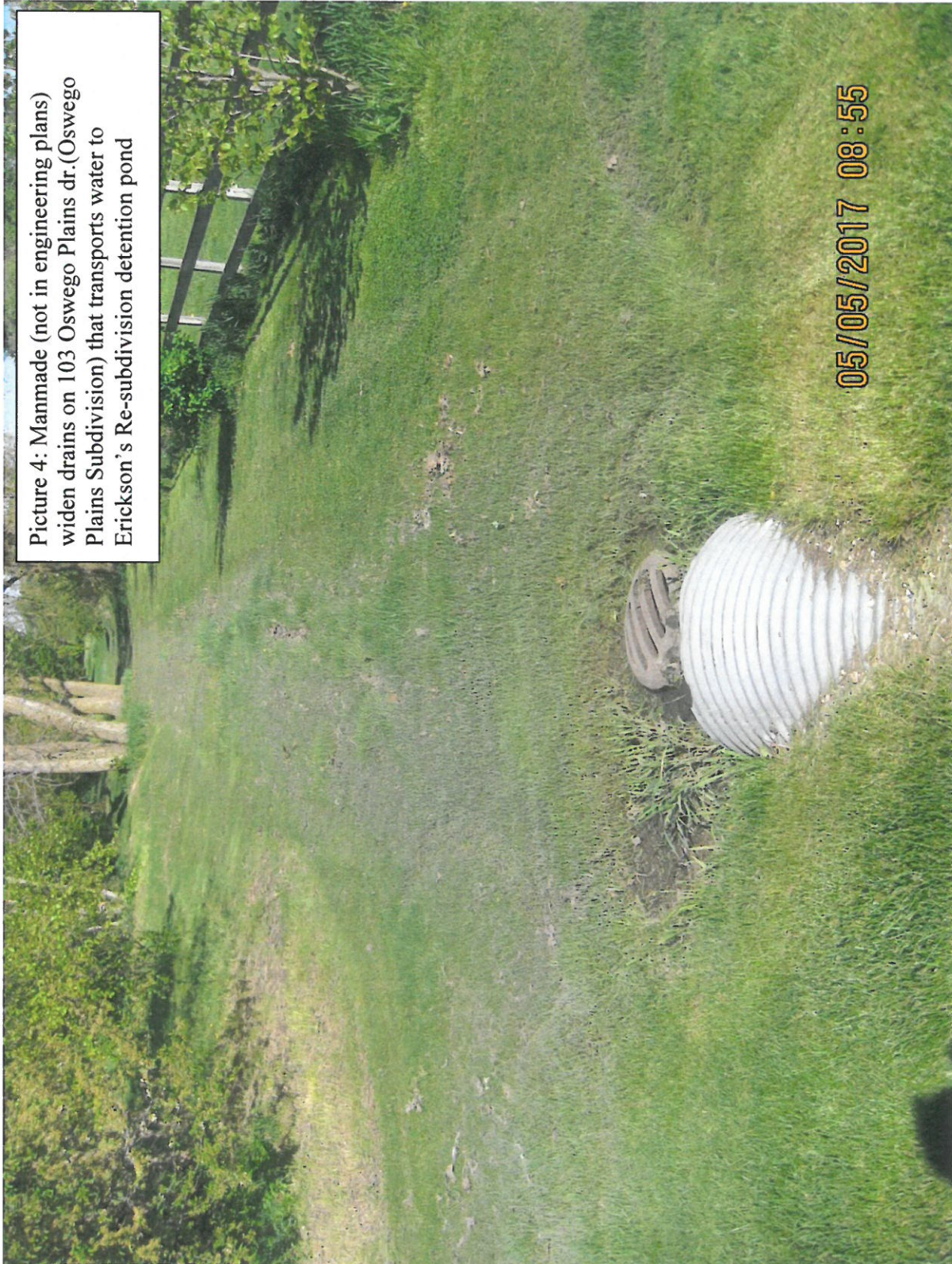


Picture 2: Clearing of trees directly to Southfield
Estates Subdivision





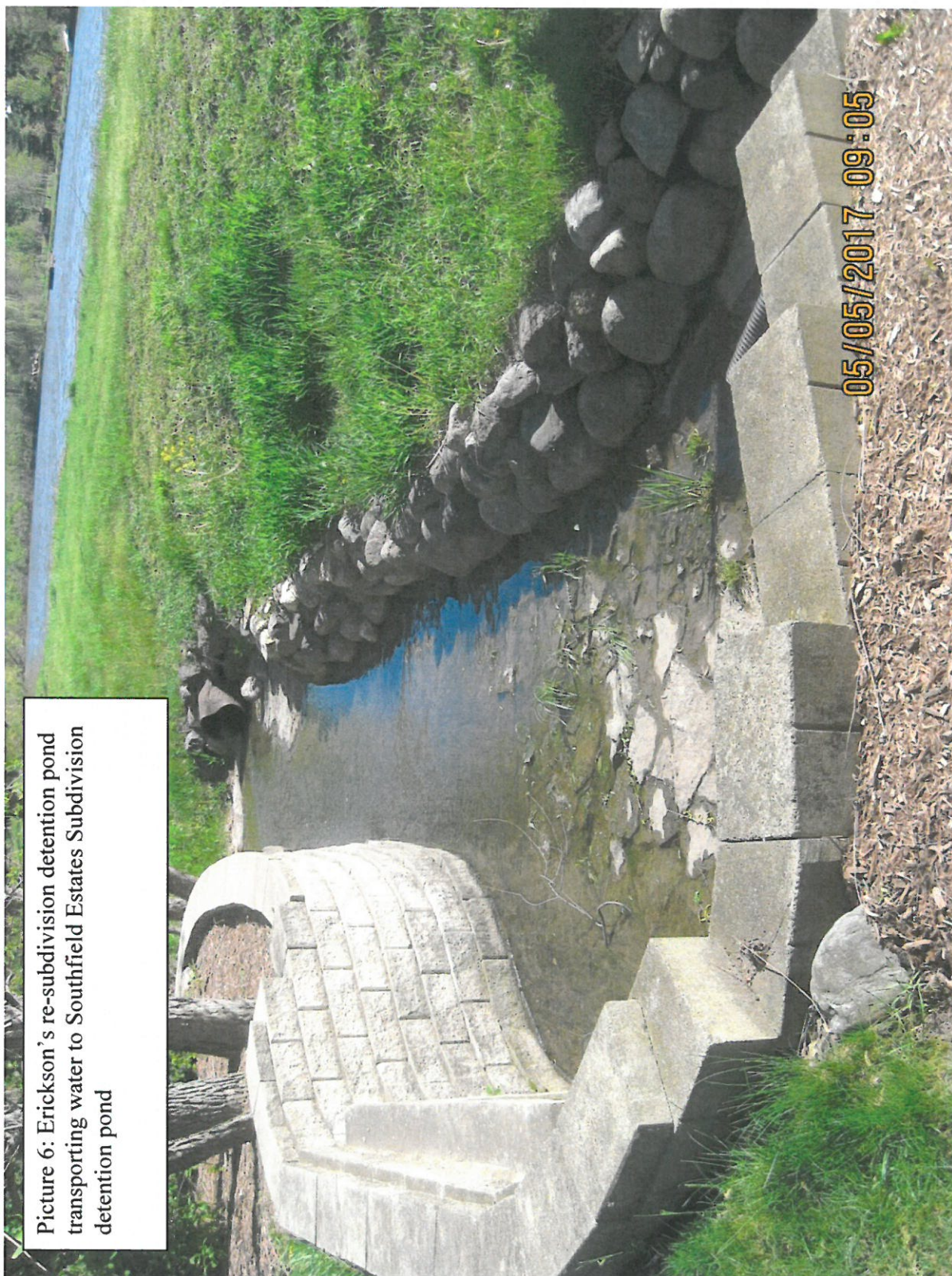
Picture 3: Manmade (not in engineering plans) widen drains on 103 Oswego Plains dr.(Oswego Plains Subdivision) that transports water to Erickson's Re-subdivision detention pond



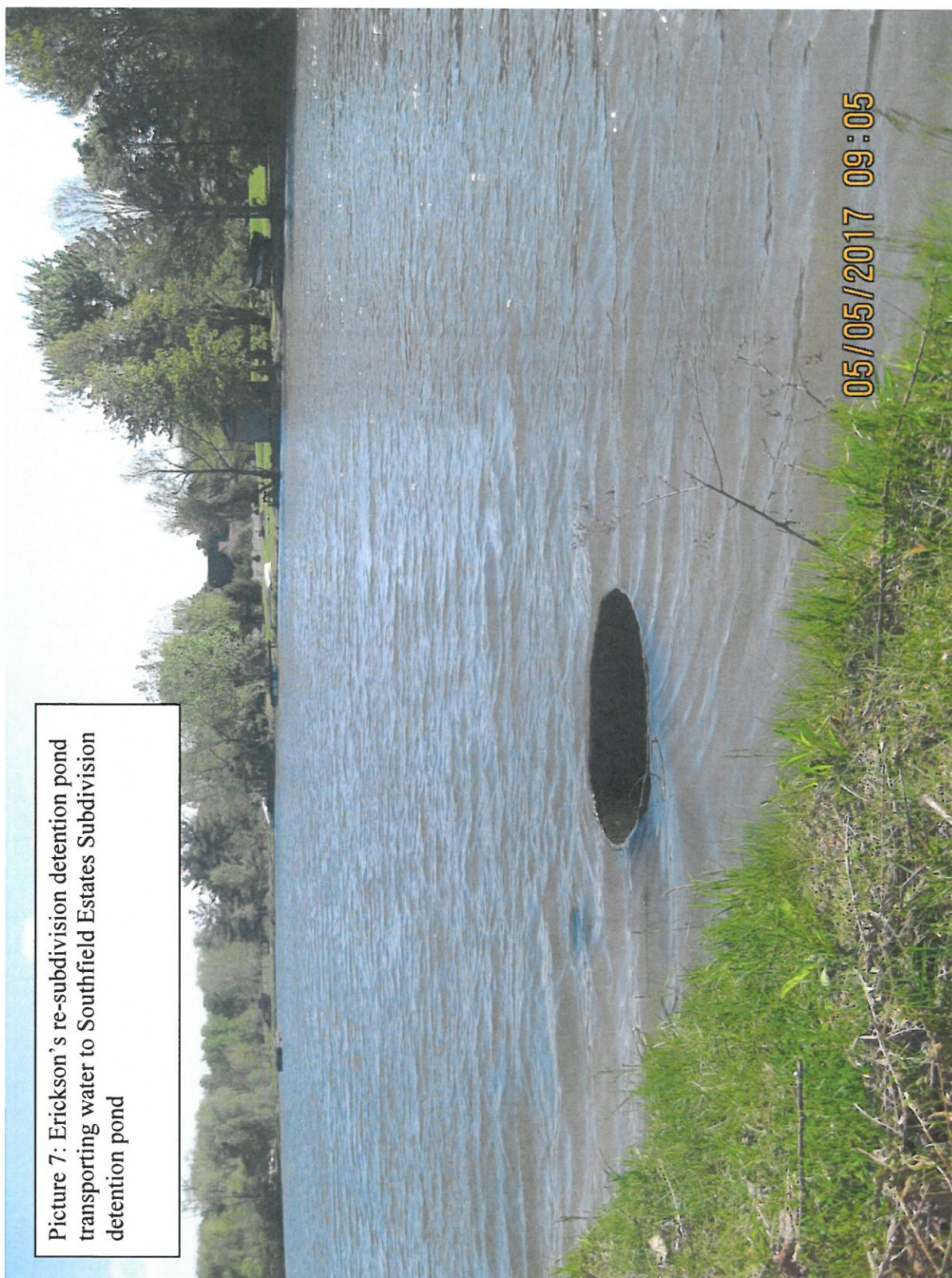
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Picture 5: Oswego Plains Subdivision small ponds that transport water to Erickson's Re-subdivision detention pond



Picture 6: Erickson's re-subdivision detention pond transporting water to Southfield Estates Subdivision detention pond



Picture 7: Erickson's re-subdivision detention pond transporting water to Southfield Estates Subdivision detention pond

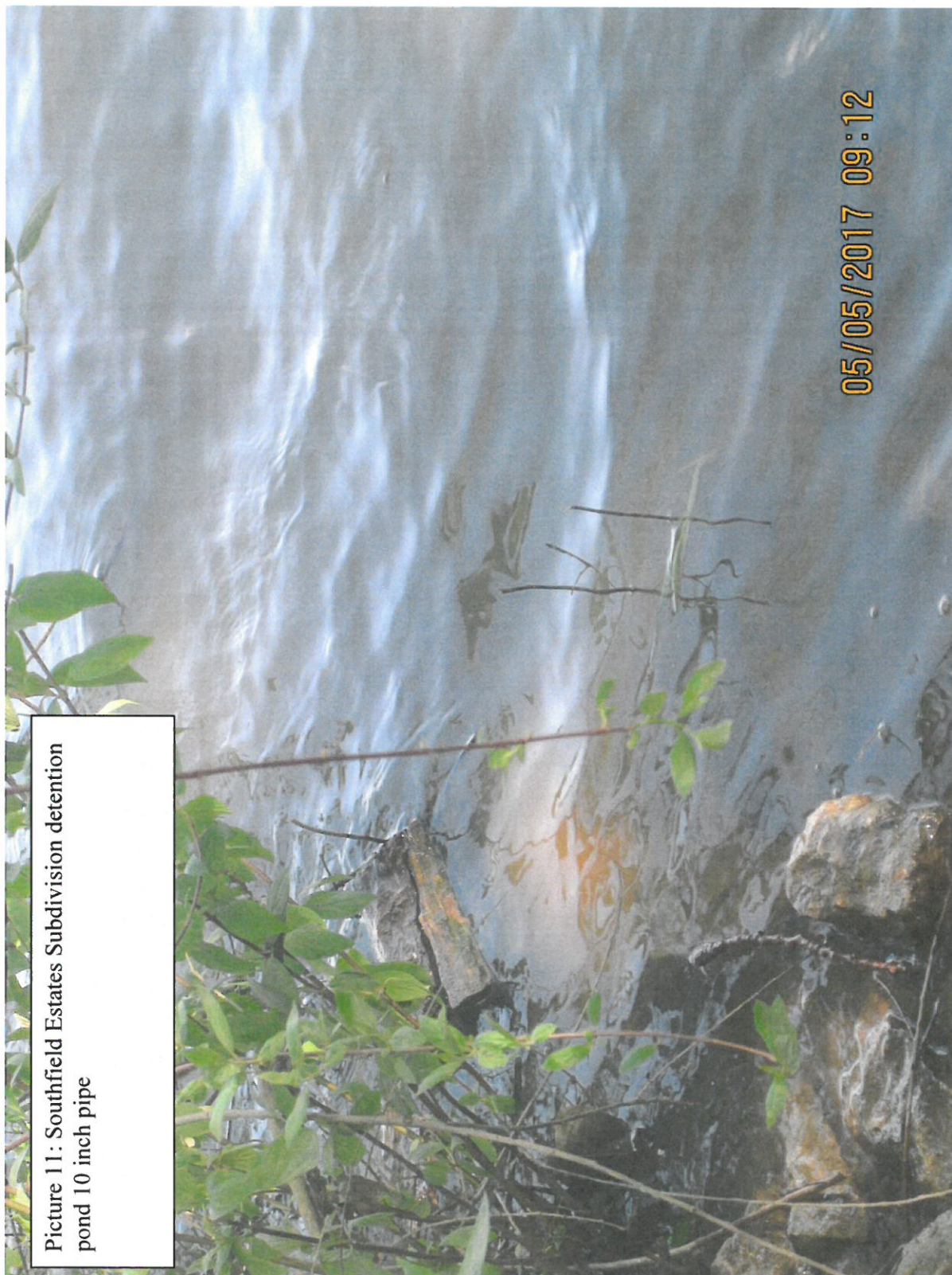
Picture 8: Erickson's re-subdivision detention pond transporting water to Southfield Estates Subdivision detention pond







Picture 10: Southfield Estates Subdivision detention pond system



Picture 11: Southfield Estates Subdivision detention pond 10 inch pipe



Picture 12: Southfield Estates Subdivision detention pond water flowing this way (this is the lowest point in the area)

05/05/2017 09:15

Picture 13: Southfield Estates Subdivision detention
pond floods up to Mr. Page basement





Pictures 14: Mr. Page pictures when Erickson's defention pond is overflowing at an incredible speed.

Picture 15: Mr. Page picture when Southfield Estates
Subdivision detention pond flooding up to picture 9





Picture 16: Mr. Page picture when Erickson's detention pond is overflowing at an incredible speed

Picture 17: Mr. Page picture when Southfield Estates
Subdivision detention pond flooding up to house





Picture 18: Mr. Page pictures when Southfield Estates Subdivision detention pond flooding

Matt Asselmeier

From: Greg Chismark [gchismark@wbkengineering.com]
Sent: Monday, September 18, 2017 2:34 PM
To: Matt Asselmeier
Cc: Scott Koeppel
Subject: RE: 15875 Ridge Road Dumping Dirt Case

Matt,

I don't think a permit is needed since the disturbance is less than one acre, no floodplain and no impact to waterway. Let me know if you want or need anything more than this e-mail.

Greg

Greg Chismark P.E.

Municipal Practice Principal

WBK Engineering, LLC

116 West Main Street, Suite 201, St. Charles, Illinois 60174
P: 630.443.7755 D: 630.338.8527

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From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Monday, September 18, 2017 1:16 PM
To: Greg Chismark <gchismark@wbkengineering.com>
Cc: Scott Koeppel <skoeppe@co.kendall.il.us>
Subject: FW: 15875 Ridge Road Dumping Dirt Case

Greg:

Does the Kendall County Stormwater Management Ordinance address the contents of the dirt dumped at a location?

We have a case, see attached memo, where the property owner dumped dirt. The amount of dirt was measured as less than 1 acre. A neighboring farmer is concerned about the contents of the dirt and runoff issue. Please advise if an Stormwater Management Permit is necessary.

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

Permit Summary by Category by Month

Kendall County

Permit Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
House	19	1	1	2	0	1	2	1	1	5	2	2	1
Garage	13	0	0	1	2	2	2	0	1	2	2	1	0
Accessory Buildings	47	0	0	2	3	4	6	3	5	7	9	5	3
Additions	23	2	1	3	1	1	5	1	1	2	2	3	1
Remodeling	25	0	1	1	2	2	7	2	2	5	2	1	0
Commercial - M Zone	1	0	0	0	0	1	0	0	0	0	0	0	0
Commercial - B Zone	2	0	0	0	0	0	0	0	1	1	0	0	0
Barns/Farm Buildings	21	1	2	3	5	2	2	1	2	0	0	3	0
Signs	3	0	0	1	0	1	0	0	0	0	0	0	1
Swimming Pools	19	0	0	1	5	5	3	2	3	0	0	0	0
Decks	16	0	0	2	1	3	1	4	1	1	1	1	1
Demolitions	11	0	0	1	2	1	2	0	0	1	3	0	1
Electrical Upgrades	3	1	0	0	0	1	0	0	0	0	0	1	0
Change in Occupancy	6	0	1	0	0	0	0	1	1	1	2	0	0
Driveway	7	1	0	3	1	1	0	0	0	1	0	0	0
Fire Restoration	4	0	1	0	0	0	0	0	1	0	2	0	0
Patio	5	0	0	0	2	0	1	1	0	1	0	0	0
Generator	6	0	1	0	1	0	0	0	0	1	2	1	0
	231	6	8	20	25	25	31	16	19	28	27	18	8

Permit Summary by Category by Month Kendall County

Permit Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
House	31	1	2	2	3	4	2	4	9	4	0	0	0
Garage	12	0	0	1	1	2	4	0	2	2	0	0	0
Accessory Buildings	48	0	8	4	4	11	1	8	8	4	0	0	0
Additions	10	0	0	1	2	2	1	2	2	0	0	0	0
Remodeling	17	0	2	1	1	3	3	2	2	3	0	0	0
Barns/Farm Buildings	7	0	2	0	1	0	0	1	0	3	0	0	0
Signs	2	1	0	0	0	0	0	0	1	0	0	0	0
Other	2	0	0	0	0	1	0	0	1	0	0	0	0
Swimming Pools	25	0	0	5	1	2	5	8	3	1	0	0	0
Decks	19	0	0	0	3	4	4	3	3	2	0	0	0
Demolitions	6	1	1	0	0	1	1	0	1	1	0	0	0
Electrical Upgrades	3	0	1	1	0	0	0	0	0	1	0	0	0
Change in Occupancy	1	0	0	0	0	1	0	0	0	0	0	0	0
Driveway	6	0	0	1	1	1	1	2	0	0	0	0	0
Fire Restoration	3	1	0	1	1	0	0	0	0	0	0	0	0
Patio	2	0	0	1	0	0	0	0	1	0	0	0	0
Wind Turbine	1	0	1	0	0	0	0	0	0	0	0	0	0
Generator	1	0	0	0	1	0	0	0	0	0	0	0	0
	196	4	17	18	19	32	22	30	33	21	0	0	0

Permit Summary by Category
Kendall County

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	4	\$1,976,924	\$11,404	\$6,604
Garage	2	\$32,000	\$0	\$0
Accessory Buildings	4	\$47,239	\$502	\$0
Remodeling	3	\$34,209	\$445	\$0
Barns/Farm Buildings	3	\$10,000	\$0	\$0
Swimming Pools	1	\$7,000	\$200	\$0
Decks	2	\$30,850	\$400	\$0
Demolitions	1	\$6,500	\$0	\$0
Electrical Upgrades	1	\$5,000	\$0	\$0
	21	\$2,149,722	\$12,951	\$6,604

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
9/18/2017	01 House	012017191	0607402004	GRAHAM GREGORY K & PATRICIA J	7672 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	KURE CONSTRUCTION, IN.C
9/18/2017	01 House	012017198	0408200026	FRIEDERS MARK & TRACY	7425 OAKBROOK ROAD NEWARK, IL. 60541		CFR Builders - Charles F. Ruh
9/28/2017	01 House	012017205	0605393014	ZOLLINGER PENNY S	4643 Waakeesha Drive Oswego, IL. 60543	HENNEBERRY WOODS UNIT 2 Owner	
9/28/2017	01 House	012017206	0517103002	PETERSON LUKE & HEATHER	10848 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	Tim Greyer Builders
9/12/2017	03 Accessory Buildings	032017193	0309155027	SHEDOR SUSAN REV LVG TRUST	315 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	
9/13/2017	03 Accessory Buildings	032017199	0235280004	ADAMOVICH MICHAEL R & ALGRIM RACHEL	201 FOXTAIL LN YORKVILLE, IL 60560-	FARM COLONY UNIT 2	Tom Rooney
9/5/2017	03 Accessory Buildings	032017188	0135284001	BEERY CAROLA	13040 RIVER RD PLANO, IL 60545-	MINNETONKA SPRINGS SUB	
9/20/2017	03 Accessory Buildings	032017202	0331452007	JEFF HIGHLAND	11 OTTAWA CT OSWEGO, IL 60543-	NA-AU-SAY WOODS	
9/11/2017	05 Remodeling	052017194	0318377003	JERABEK JEFFREY L & REBECCA L	16 S CHERRY DR OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	Willman & Groesch GC
9/28/2017	08 Barns/Farm Buildings	082017208	0223378003	HAMBLY DEMAR NEIL	7610 SUNDOWN LN YORKVILLE, IL 60560-		
9/12/2017	08 Barns/Farm Buildings	082017197	0121100005	LP NELSON TRUST	15888 FRAZIER RD PLANO, IL 60545-		

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
9/12/2017	08 Barns/Farm Buildings	082017196	0121100005	082017196	15888 FRAZIER RD PLANO, IL 60545-		
9/28/2017	09 Signs	092017168	0301127006	092017168	ROUTE 34 AURORA, IL		SIGNS NOW NAPERVILLE
9/7/2017	12 Swimming Pools	122017192	0105128008	122017192	16524 GALENA RD PLANO, IL 60545-		DRIES, INC.
9/12/2017	13 Decks	132017170	0518203007	132017170	38 MAPLE RIDGE CT YORKVILLE, IL 60560-	MAPLE GROVE	ARTISAN ENTERPRISES, INC
9/19/2017	13 Decks	132017203	0235414016	132017203	6009 AUDREY AVE YORKVILLE, IL 60560-	ROSEHILL	Chris Bourque
9/15/2017	13 Decks	132017200	0236105008	132017200	297 TALLGRASS LN YORKVILLE, IL 60560-	FARM COLONY	DDT HOME TRANSFORMATIONS LLC
9/12/2017	15 Electrical Upgrades	152017195	0921400006	152017195	15903 HANSON RD MINOOKA, IL 60447-		

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Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
3/3/2017	01 House	012017028	0605301001	CHRIS AND LORI BAILEY	4811 CHERRY ROAD OSWEGO, IL 60543	HENNEBERRY WOODS UNIT 4	CL DESIGN/CHERYL LEE
9/18/2017	01 House	012017198	0408200026	FRIEDERS MARK & TRACY	7425 OAKBROOK ROAD NEWARK, IL. 60541		CFR Builders - Charles F. Ruh
8/15/2017	01 House	012017162	0607402010	MCCUE DEVELOPMENT INC	7828 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	McCue Builders
5/17/2017	01 House	012017070	0811100029	AUSTIN NANCY	13090 ASHLEY ROAD PLATTVILLE, IL. 60560		TIM GREYER BUILDERS
7/19/2017	01 House	012017144	0735300008	ZABEL BRIAN & TRACY	13986 HILL ROAD NEWARK, IL. 60541		
5/31/2017	01 House	012017074	0236102003	HENCZEL DAVID C DECL OF TRUST & DARILIA METTA DENISE	385 COUNTRY ROAD YORKVILLE, IL. 60560	FARM COLONY	SELF
8/15/2017	01 House	012017163	0607129006	MCCUE BUILDERS INC	5781 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS INC
8/31/2017	01 House	012017172	0918100001	KNUDSON BRUCE	5765 ROUTE 52 MINOOKA, IL 60447-		
9/28/2017	01 House	012017205	0605393014	ZOLLINGER PENNY S	4643 Waakeesha Drive Oswego, IL. 60543	HENNEBERRY WOODS UNIT 2	Owner
8/15/2017	01 House	012017164	0607226015	MCCUE BUILDERS INC	7335 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS INC
4/5/2017	01 House	012017050	0720200005	BROMELAND ANDREW J & JENNIFER L	15375 ROODS RD NEWARK, IL 60541-		CL Design-Build, Inc. (Cheryl Lee)

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Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category						
8/31/2017	012017183	01 House	0235432005	MCCUE BUILDERS INC	5672 SCHMIDT LANE YORKVILLE, IL. 60560	FIELDS OF FARM COLONY UNIT 4	MCCUE BUILDERS INC
8/2/2017	012017140	01 House	0421105003	D'ARCY CHRISTOPHER O & ASHLEY N	15980 STONEWALL DRIVE NEWARK, IL. 60541	ESTATES OF MILLBROOK UNIT 4	Robert Sohol/American Built Systems
8/16/2017	012017165	01 House	0607402001	MCCUE BUILDERS INC	7594 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS INC
8/4/2017	012017156	01 House	0526400009	JEAN FREEMAN	7149 CATON FARM RD YORKVILLE, IL 60560-		
3/24/2017	012017036	01 House	0417300002	DICKSON VALLEY MINISTRIES	8250 FINNIE RD NEWARK, IL 60541-		Same
5/31/2017	012017099	01 House	0430200003	DIPPOLD JEREMY & SAMANTHA	10135 FOX RIVER DRIVE NEWARK, IL		
8/1/2017	012017158	01 House	0924100001	MATTHEW D. WEHRLI	915 BELL ROAD MINOOKA, IL 60447-		
5/10/2017	012017067	01 House	0932300004	GUZMAN MARIA	17840 GROVE RD MINOOKA, IL 60447-		
5/2/2017	012017062	01 House	0421125027	TIM & JESSICA SCHOFIELD	15781 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	TJS BUILDERS, INC.
1/18/2017	012017015	01 House	0135100012	MESSER OLETH JR & ROSE L	13524 D HALE ROAD PLANO, IL. 60545		
9/28/2017	012017206	01 House	0517103002	PETERSON LUKE & HEATHER	10848 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	Tim Greyer Builders

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Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
1/3/2017	01 House	012017009	0513300003	GATES ROBERT A & PATRICIA L	8813 "B" HOPKINS RD YORKVILLE, IL. 60560		
8/31/2017	01 House	012017133	0103351002	BALTIERREZ LUIS & URBINA EMMA	21 Dawn Avenue Plano, IL. 60545	STAINFIELD SUB	RMT Properties, LLC
6/29/2017	01 House	012017101	0607402002	MCCUE BUILDERS INC	7620 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	Same
3/3/2017	01 House	012017032	0420226005	GOODLET TIMOTHY J	16077 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 4	Self
6/22/2017	01 House	012017119	0535200010	SLEEZER CONNIE K & SETH C	7214 CATON FARM RD YORKVILLE, IL 60560-		
9/18/2017	01 House	012017191	0607402004	GRAHAM GREGORY K & PATRICIA J	7672 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	KURE CONSTRUCTION, IN.C
8/30/2017	01 House	012017167	0233402009	WITT DAWN	38 WOODLAND DRIVE YORKVILLE, IL. 60560	THE WOODLANDS	CL DESIGN-BUILD INC.
2/16/2017	02 Garage	022016192	0304479042	TERRAZAS JUAN	72 SONORA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	Self
6/26/2017	02 Garage	022017045	0234151010	JOHNSON GREGORY J & SHELLEY	66 QUINSEY RD YORKVILLE, IL 60560-	QUINSEY SUB	
5/23/2017	02 Garage	022017089	0602177006	SMITH CHERYL	143 OSWEGO PLAINS DR OSWEGO, IL 60543-		Upscale Remodel
6/20/2017	02 Garage	022017121	0235227011	WAYDA JEFFERY & SUSAN	283 FARM CT YORKVILLE, IL 60560-	FARM COLONY	

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	Permit Category	Permit ID					
6/9/2017	02 Garage	022017111	0332352003	MERSMAN RYAN D & JENIFER L	4862 RESERVATION RD OSWEGO, IL 60543-	ARROWHEAD HILLS	
8/21/2017	02 Garage	022017177	0235380010	MCNAMARA THOMAS	5627 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	THE RANDA GROUP, INC.
6/28/2017	02 Garage	022017123	0304476015	GAMBOA ALEJANDRO	79 SHEFFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	DANLEY'S GARAGE WORLD
7/17/2017	02 Garage	022017102	0406300002	WEISBROOK JOSEPH R	6874 MILLINGTON RD SANDWICH, IL 60548-		
6/7/2017	02 Garage	022017108	0402226006	SVOBODA JAROMIR & JODIA	6147 POLO CLUB DR YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS PHASE 3	Self
4/26/2017	02 Garage	022017063	0116427010	FRIEDERS FRANK D & JULIE L	30 MEYER RD PLANO, IL 60545-	MEYERBROOK UNIT 3	Self
8/21/2017	02 Garage	022017178	0128252003	NILES JEFFREY R & TRACEY J	216 KINSEL ST PLANO, IL 60545-		Same
6/1/2017	03 Accessory Buildings	032017096	0905400018	QUIROZ, TEOFILO	4080 VAN DYKE ROAD MINOOKA, IL 60447		SELF
6/1/2017	03 Accessory Buildings	032017095	0905400018	QUIROZ, TEOFILO	4080 VAN DYKE ROAD MINOOKA, IL		SELF
5/25/2017	03 Accessory Buildings	032017090	0924300007	MARECI GREGORY L & NATALIE M	532 BELL RD MINOOKA, IL 60447-		
5/22/2017	03 Accessory Buildings	032017083	0905400018	QUIROZ, TEOFILO	4080 VAN DYKE ROAD MINOOKA, IL		

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5/16/2017	032017081 03 Accessory Buildings	0122282005 BAGLEY RAYMOND O & NANCY A	3340 OLD MILL RD PLANO, IL 60545-	Self			
7/14/2017	032017076 03 Accessory Buildings	0419100002 CLANCY GERALD E & ROBIN R	9517 FINNIE RD NEWARK, IL 60541-				
4/19/2017	032017060 03 Accessory Buildings	0304255013 SHADDIX THOMAS W & LETICIA	125 HEATHGATE RD MONTGOMERY, IL 60538-				
3/14/2017	032017043 03 Accessory Buildings	0615100008 ODONOVAN-MAYA SUSAN	2884 ROUTE 126 PLAINFIELD, IL 60544-	Backyard Buildings and More	BOULDER HILL UNIT 23		
3/13/2017	032017042 03 Accessory Buildings	0508176008 BASTIAN JOHN C & DONNA K	86 MAPLE LN YORKVILLE, IL 60560-				
3/9/2017	032017039 03 Accessory Buildings	0502102003 SIOK CLIFFORD & KIMBERLY	322 EMILY CT YORKVILLE, IL 60560-				
3/8/2017	032017038 03 Accessory Buildings	0416129001 ANDERSON BRUCE	8 N HUDSON ST MILLBROOK, IL 60536-	Everlast Portable Buildings			
3/3/2017	032017035 03 Accessory Buildings	0216228007 SCHOON RICHARD W & BARBARA A	43 HUNTER LN BRISTOL, IL 60512-				
3/2/2017	032017034 03 Accessory Buildings	0508101001 JAMES MICHAEL STOCCHERO	10925 ROUTE 71 YORKVILLE, IL 60560-				
4/27/2017	032017069 03 Accessory Buildings	0435300006 LEGGETT BRANDON D & JULIE A	13600 HUGHES RD NEWARK, IL 60541-	FBI BUILDINGS INC.			
3/1/2017	032017027 03 Accessory Buildings	0219100003 CAMACHO MIGUEL & SANDRA E	11728 FAXON RD PLANO, IL 60545-				

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Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
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2/9/2017	032017023	03 Accessory Buildings	0116402010	MIESZALA RONALD	40 S LINDEN DR PLANO, IL 60545-	MEYERBROOK UNIT 4	
4/11/2017	032017056	03 Accessory Buildings	0308154002	KAYER TODD M & JEANNA D	10 SHORE DR OSWEGO, IL 60543-	MARINA VILLAGE	SAME
5/16/2017	032017085	03 Accessory Buildings	0909100014	HOLZ LIVING TRUST	13270 MCKANNA RD MINOOKA, IL 60447-		Self
2/9/2017	032017022	03 Accessory Buildings	0214426006	ENTILE MATTHEW R	86 W RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 5	
9/20/2017	032017202	03 Accessory Buildings	0331452007	JEFF HIGHLAND	11 OTTAWA CT OSWEGO, IL 60543-	NA-AU-SAY WOODS	
7/19/2017	032017100	03 Accessory Buildings	0307177011	JOE GRIFFIN	5400 LIGHT RD OSWEGO, IL 60543-		CLEARY BUILDING CORP.
9/13/2017	032017199	03 Accessory Buildings	0235280004	ADAMOVICH MICHAEL R & ALGRIM RACHEL	201 FOXTAIL LN YORKVILLE, IL 60560-	FARM COLONY UNIT 2	Tom Rooney
2/28/2017	032017020	03 Accessory Buildings	0105176005	BOND MICHAEL E & CHERIE L	232 CREEK RD PLANO, IL 60545-		Cleary Building Corp.
9/12/2017	032017193	03 Accessory Buildings	0309155027	SHEDOR SUSAN REV LVG TRUST	315 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	
2/21/2017	032017025	03 Accessory Buildings	0105251002	PETITJEAN LEONARD E JR TR & PETITJEAN ANITA	16318 GALENA ROAD PLANO, IL. 60545		sELF
8/31/2017	032017186	03 Accessory Buildings	0916200012	NELSEN WILLIAM H & JESSICA A	3147 ROUTE 52 MINOOKA, IL 60447-		Cleary Building Corp

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
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9/5/2017	03 Accessory Buildings	032017188	0135284001	BEERY CAROLA	13040 RIVER RD PLANO, IL 60545-	MINNETONKA SPRINGS SUB	
8/8/2017	03 Accessory Buildings	032017166	0214276005	NOLTE ROBERT M	153 E RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 4	
8/4/2017	03 Accessory Buildings	032017159	0917100002	HEAP GARY & LINDA	4819 ROUTE 52 MINOOKA, IL 60447-		
8/2/2017	03 Accessory Buildings	032017157	0308277031	RAMIREZ RAMON	33 FIELDPOINT RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	SELF
7/27/2017	03 Accessory Buildings	032017152	0308154018	CURCIO SAMUEL J	1432 ROUTE 31 OSWEGO, IL 60543-	SARTAIN SUB	
8/31/2017	03 Accessory Buildings	032017189	0228153004	ADAMS GARY L & KATHLEEN P	204 PLEASURE DR YORKVILLE, IL 60560-	COUNTRYSIDE SUB UNIT 7	EVERLAST PORTABLE BUILDINGS
7/20/2017	03 Accessory Buildings	032017145	0735300008	ZABEL BRIAN & TRACY	13986 HILL ROAD NEWARK, IL. 60541		
8/4/2017	03 Accessory Buildings	032017160	0917100002	HEAP GARY & LINDA	4819 ROUTE 52 MINOOKA, IL 60447-		
7/11/2017	03 Accessory Buildings	032017137	0235310002	DAVIES WILLIAM & KATHI	7779 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
7/17/2017	03 Accessory Buildings	032017135	0507403001	FRENCH LARRY & SHARON	11480 A LEGION RD YORKVILLE, IL 60560-		
6/16/2017	03 Accessory Buildings	032017113	0909100002	GUZMAN RAMIRO A JR	13039 MCKANNA ROAD MINOOKA, IL 60447		SELF

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
		Category	ID					
7/18/2017	032017141	03	Accessory Buildings	0305404003	HEIMER MICHAEL W & NICKOLETTE	106 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 6	Doug Leifheit
5/31/2017	032017105	03	Accessory Buildings	0235130003	LOIKETS WILLIAM & TERESA	46 COUNTRY RD YORKVILLE, IL 60560-	HITEMAND SUB	
7/12/2017	032017103	03	Accessory Buildings	0222126004	LEIFHEIT ELMER B & NANCY	26 LAKEVIEW DR YORKVILLE, IL 60560-		
8/15/2017	032017138	03	Accessory Buildings	0136100028	SNYDER ERIC M	12630 B RIVER RD PLANO, IL 60545-	DOCKSTADERS SUB	
2/8/2017	032017018	03	Accessory Buildings	0926400007	LUNDQUIST ROBERT & CAROL	16801 RIDGE RD MINOOKA, IL 60447-		
8/24/2017	042017182	04	Additions	0136100023	MCELROY JOSHUA L & ANNIE JOY	12881 RIVER RD PLANO, IL 60545-		
7/11/2017	042017132	04	Additions	0223328002	HALL ROD	7736 ROUTE 34 YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 1	
6/8/2017	042017109	04	Additions	0904100002	CRESCENTI JEAN	12070 MCKANNA RD MINOOKA, IL 60447-		
6/13/2017	042017098	04	Additions	0226101006	LAMANNA, ANDREW & SIWAK, PAULINA	58 KINGMOOR LN YORKVILLE, IL 60560-	KING MOOR ON THE FOX	
5/16/2017	042017084	04	Additions	0602126003	PIAZZA-RAFDAHL ANNA	10 NAVAJO CT OSWEGO, IL 60543-		
4/27/2017	042017064	04	Additions	0931100002	MONTELLO JOHN J JR & MURRAY MAUREEN J	17280 BRISBIN RD MINOOKA, IL 60447-		
								Self
								Artisan Enterprises, Inc.

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit Category					
4/18/2017	04 Additions	042017058	0226452009	GRAHOVEC EDWARD J & LINDA	49 WINDING CREEK RD YORKVILLE, IL 60560-	OAK CREEK SUB	Brady Construction, LLC
7/31/2017	04 Additions	042017146	0216226006	JENNINGS WILLIAM L & MONICA	9180 CORNEILS RD BRISTOL, IL 60512-	BRISTOL WOODS UNIT 2	OWNER
4/4/2017	04 Additions	042017052	0712400003	SIEVERS KATHERYNN E & DANIEL	13825 LISBON RD NEWARK, IL 60541-		
1/18/2017	04 Additions	042016216	0213428001	GUERRERO LORENA	6163 ROUTE 34 OSWEGO, IL 60543-		Homeowner
10/2/2017	05 Remodeling	052017212	0305427005	RICO MELISSA	5 GREENBRIAR RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	A-G SOLUTIONS, INC.
8/21/2017	05 Remodeling	052017181	0231226001	RODRIGUEZ LUIS C	11209 RIVER RD PLANO, IL 60545-		
8/22/2017	05 Remodeling	052017176	0235128006	CAMPBELL CHARLES W & DEBRA K	7725 RESERVATION RD YORKVILLE, IL 60560-	FARM COLONY	ANDERSON & ANDERSON CONSTRUCTION
8/2/2017	05 Remodeling	052017155	0331477003	T4 HOMES, LLC.	10 CHIPPEWA DR OSWEGO, IL 60543-	NA-AU-SAY WOODS	T4 CONSTRUCTION
6/20/2017	05 Remodeling	052017120	0402225006	FRANKINO MICHAEL & JULIE	6070 POLO CLUB DR YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS PHASE 3	SELF
6/9/2017	05 Remodeling	052017110	0606127012	LUCKSINGER CYNTHIA & LUCKSINGER HAILEY	45 SETTLERS LN OSWEGO, IL 60543-	HATTNER SUB	Stature Custom Homes
6/14/2017	05 Remodeling	052017107	0602176004	PFLERER KURT A & DANA L	120 OSWEGO PLAINS DR OSWEGO, IL 60543-	ERICKSONS RESUB	SELF

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit Category					
5/31/2017	052017097	05 Remodeling	0334100007	HARVEST BAPTIST CHURCH	5315 DOUGLAS RD OSWEGO, IL 60543-		Medows Construction, Inc.
5/2/2017	052017078	05 Remodeling	0504176003	BRENART HEATHER RENEE	18 WOODEN BRIDGE DR YORKVILLE, IL 60560-	CROOKED CREEK WOODS	Willman & Groesch GC
7/6/2017	052017128	05 Remodeling	0421126003	RISSMAN MARK	9010 STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 2	DKW Homes, LLC
5/2/2017	052017075	05 Remodeling	0416377003	BRATT KENNETH E & KATHY D	8820 WILCOX CT MILLBROOK, IL 60536-	ESTATES OF MILLBROOK UNIT 1	MATRIX BASEMENT SYSTEMS INC.
5/2/2017	052017072	05 Remodeling	0331427001	MURRAY MATTHEW & KIMBERLY	38 EAGLE VIEW LN OSWEGO, IL 60543-	RESERVATION HEIGHTS UNIT 1	GT Renovations
3/31/2017	052017051	05 Remodeling	0318378007	PECHETTE BRANDON B & JESSICA L	60 S WEST DR OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	Home Mobility Solutions, Inc.
9/11/2017	052017194	05 Remodeling	0318377003	JERABEK JEFFREY L & REBECCA L	16 S CHERRY DR OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	Willman & Groesch GC
2/27/2017	052017030	05 Remodeling	0508102001	MESSERSMITH JEREMY & CHRISTINA	7250 E HIGHPOINT RD YORKVILLE, IL 60560-		Homeowner
2/16/2017	052017026	05 Remodeling	0722400009	ZUIDEMA SCOTT	14313 ROUTE 52 NEWARK, IL 60541-		
9/28/2017	082017208	08 Barns/Farm Buildings	0223378003	HAMBLY DEMAR NEIL	7610 SUNDOWN LN YORKVILLE, IL 60560-		
9/12/2017	082017197	08 Barns/Farm Buildings	0121100005	LP NELSON TRUST	15888 FRAZIER RD PLANO, IL 60545-		

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit Number					
9/12/2017	08 Barns/Farm Buildings	082017196	0121100005	082017196	15888 FRAZIER RD PLANO, IL 60545-		
7/18/2017	08 Barns/Farm Buildings	082017142	0808300007	082017142	10600 LISBON CENTER RD NEWARK, IL 60541-		
4/5/2017	08 Barns/Farm Buildings	082017055	0533200007	082017055	11200 ROUTE 47 YORKVILLE, IL 60560-		
3/3/2017	08 Barns/Farm Buildings	082017029	0819100008	082017029	15390 ROUTE 52 NEWARK, IL 60541-		
2/8/2017	08 Barns/Farm Buildings	082017021	0914100009	082017021	1925 Route 52 Minooka, IL 60447		
9/28/2017	09 Signs	092017168	0301127006	092017168	ROUTE 34 AURORA, IL		SIGNS NOW NAPERVILLE
2/8/2017	09 Signs	092017017	0318403015	092017017	5375 ROUTE 34 OSWEGO, IL 60543-		
8/31/2017	10 Other	102017190	0507403002	102017190	11480 B LEGION RD YORKVILLE, IL 60560-		
5/31/2017	10 Other	102017088	0334100007	102017088	5315 DOUGLAS RD OSWEGO, IL 60543-		Monarch Fire Protection, Inc.
5/9/2017	12 Swimming Pools	122017080	0319126002	122017080	40 RIVERVIEW CT OSWEGO, IL 60543-		SELF
4/27/2017	12 Swimming Pools	122017068	0304476007	122017068	63 SHEFFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	Dries Inc.

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number		Property Address	Subdivision	Contractor Name
			Owner Name				
3/31/2017	122017049	12 Swimming Pools	0605395003	FORSELL DON E & AMY K	4806 CHERRY RD OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 2	SWIM SHACK, INC.
3/22/2017	122017046	12 Swimming Pools	0221301014	WARD JAMES J & BETH A	3531 B ROUTE 47 YORKVILLE, IL 60560-		
3/13/2017	122017041	12 Swimming Pools	0508376016	FEDANZO-DUDLEY AARON & MARYBETH	43 RONHILL RD YORKVILLE, IL 60560-	RONHILL ESTATES	THE GREAT ESCAPE
3/9/2017	122017040	12 Swimming Pools	0502102003	SIOK CLIFFORD & KIMBERLY	322 EMILY CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 1	SUNDOWN POOLS
5/25/2017	122017092	12 Swimming Pools	0304329004	DIEDERICH JENNIFER L & MICHAEL S	65 MARNEL RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	Thomas Stone
3/6/2017	122017037	12 Swimming Pools	0234226006	SPIESS ERNST M & FELICIA A	8051 VAN EMMON RD YORKVILLE, IL 60560-		
8/23/2017	122017180	12 Swimming Pools	0735300008	ZABEL BRIAN & TRACY	13986 HILL ROAD NEWARK, IL. 60541		
8/21/2017	122017179	12 Swimming Pools	0603250002	DANIELS LORRAINE E TRUST DANIELS I/CANIELTJ M O	6333 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	Swim Shack, Inc.
8/7/2017	122017161	12 Swimming Pools	0224226005	REMPER GRAHAM & TRISHA	29 OAK HILL DR OSWEGO, IL 60543-	OAK HILLS	SELF
8/3/2017	122017153	12 Swimming Pools	0215277013	HENLEY CARL E & MONICA	86 N ROYAL OAKS DR BRISTOL, IL 60512-	THE WOODS OF BLACKBERRY OAKS	SWIM SHACK, IN.C
7/27/2017	122017151	12 Swimming Pools	0602176004	PFLERER DANAL	120 OSWEGO PLAINS DR OSWEGO, IL 60543-	ERICKSONS RESUB	A & J Recreational Services

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
7/27/2017	12 Swimming Pools	122017148	0125454002	CYKO DANIEL & JENNIFER	12477 WOODVIEW ST PLANO, IL 60545-	SCHAEFER WOODS NORTH UNIT 2	OWNER
8/14/2017	12 Swimming Pools	122017147	0308326010	BAKER JEFFREY T & SHERRY A	59 CENTURY DR OSWEGO, IL 60543-	WORMLEYS CENTURY ESTATES	SunCo Pools, Inc.
7/18/2017	12 Swimming Pools	122017143	0512226008	NICHOLS MARK & LOLA	6145 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	DesRochers Backyard Pools
7/12/2017	12 Swimming Pools	122017136	0235310004	CALIENDO JAMES A & CALIENDO CYNTHIA M	7765 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	AMERICAN SALE
7/10/2017	12 Swimming Pools	122017129	0235382008	TEMES CHRISTOPHER J & DEVON M	5812 DANIELLE LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	
8/3/2017	12 Swimming Pools	122017154	0235414016	SELLE JAMES A JR & YVONNE M	6009 AUDREY AVE YORKVILLE, IL 60560-	ROSEHILL	Swim Shack, Inc.
7/6/2017	12 Swimming Pools	122017127	0416126002	BAKER JOHN P & MEREDITH A	15 FOXHURST LN MILLBROOK, IL 60536-	FOXHURST UNIT 1	
6/28/2017	12 Swimming Pools	122017125	0236102003	HENCZEL DAVID C DECL OF TRUST & DARRIL A METZGER	385 COUNTRY RD YORKVILLE, IL 60560-	FARM COLONY	Naperville Pool Construction
6/19/2017	12 Swimming Pools	122017116	0606127005	BRODY-PAUL JENNIFER L & PAUL JOLINDA ID	27 SETTLERS LN OSWEGO, IL 60543-	HATTNER SUB	PARADISE POOLS & SPAS
9/7/2017	12 Swimming Pools	122017192	0105128008	ROTHLISBERGER SCOTT & SARAH	16524 GALENA RD PLANO, IL 60545-		DRIES, INC.
6/14/2017	12 Swimming Pools	122017106	0235385002	STARK STEVEN & AMY	7557 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	AMERICAN SALE

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit Category					
9/19/2017	132017203 13 Decks		0235414016	SELLE JAMES A JR & YVONNE M	6009 AUDREY AVE YORKVILLE, IL 60560-	ROSEHILL	Chris Bourque
9/15/2017	132017200 13 Decks		0236105008	NELSON KAREN M	297 TALLGRASS LN YORKVILLE, IL 60560-	FARM COLONY	DDT HOME TRANSFORMATIONS
8/31/2017	132017184 13 Decks		0223352001	RICHARDSON NADINE D	34 TIMBER RIDGE DR YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 1	Hellyer Custom Builders
8/14/2017	132017169 13 Decks		0125454002	CYKO DANIEL & JENNIFER	12477 WOODVIEW ST PLANO, IL 60545-	SCHAEFER WOODS SOUTH UNIT 2	SELF
7/14/2017	132017139 13 Decks		0304181008	MCINTOSH KEITH R & DEBRA A	52 PEMBROKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	AARON MAGGIO - CLEAN EDGE CONSTRUCTION
7/11/2017	132017131 13 Decks		0235310004	CALIENDO JAMES A & CALIENDO CYNTHIA M	7765 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	William Alvarez
7/6/2017	132017130 13 Decks		0416204011	WALLEN WILLIAM R JR & MICHELLE L	15 HUDSON ST MILLBROOK, IL 60536-		H & S Contracting, Inc.
6/16/2017	132017117 13 Decks		0304154017	RODRIGUEZ AARON & NORALINA	12 ROULOCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	
6/14/2017	132017115 13 Decks		0221301014	WARD JAMES J & BETH A	3531 B ROUTE 47 YORKVILLE, IL 60560-		
6/19/2017	132017114 13 Decks		0508376016	FEDANZO-DUDLEY AARON & MARYBETH	43 RONHILL RD YORKVILLE, IL 60560-	RONHILL ESTATES	
6/19/2017	132017112 13 Decks		0413278002	SCHROEDER TERRY L & DEENA R	18 COTSWOLD DR YORKVILLE, IL 60560-		Owner

Permit Approval Date Report

Kendall County

Issue Date	Permit ID	Permit		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
		Category	ID					
5/25/2017	132017091	13	Decks	0402230006	GROCHOWSKI CHARLES E & LAURAL	6070 RED GATE LN YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS	SELF
5/17/2017	132017087	13	Decks	0409351017	MEIER STEPHEN W TRUST & MEIER DEDECCA C TRUST	11 SHAGBARK LN MILLBROOK, IL 60536-	FOXHURST UNIT 6	Self
5/16/2017	132017082	13	Decks	0234276003	RANGEL JOSEFINA & DAVID	8042 VAN EMMON RD YORKVILLE, IL 60560-		Self
9/12/2017	132017170	13	Decks	0518203007	LEWINOWSKI RICHARD & ELISA	38 MAPLE RIDGE CT YORKVILLE, IL 60560-	MAPLE GROVE	ARTISAN ENTERPRISES, INC
5/4/2017	132017079	13	Decks	0223328002	HALL ROD	7736 ROUTE 34 YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 1	AM Kitchen & Bath
5/2/2017	132017073	13	Decks	0304408006	PERKINS JAMES R & DONNA M	112 TEALWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 27	Partipilo Deck & Fence
5/5/2017	132017066	13	Decks	0135426008	MARITATO VINCE C & LOUISE A	18 WILLOW SPRINGS LN PLANO, IL 60545-	THE WILLOWS SUB	WEST SUBURBAN DECKS, LLC
4/26/2017	132017065	13	Decks	0307402015	MATTHEW J HILL	166 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 2	SELF
8/31/2017	142017171	14	Demolitions	0918100001	KNUDSON BRUCE	5765 ROUTE 52 MINOOKA, IL 60447-		
6/22/2017	142017118	14	Demolitions	0535200010	SLEEZER CONNIE K & SETH C	7214 CATON FARM RD YORKVILLE, IL 60560-		
4/27/2017	142017024	14	Demolitions	0835400003	WHITE WILLOW PROPERTY LLC & MKM DEVELOPMENT LLC	17915 CHURCH RD MINOOKA, IL 60447-		D CONSTRUCTION

Permit Approval Date Report

Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
9/12/2017	15 Electrical Upgrades	152017195	0921400006	HAAS ROBERT W & SMITH SHARLEEN	15903 HANSON RD MINOOKA, IL 60447-		
3/22/2017	15 Electrical Upgrades	152017044	0304429002	MORITZ BLAKE & DEBRA	25 SONORA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	DCI Electric Corp
2/16/2017	15 Electrical Upgrades	152017019	0219100003	CAMACHO MIGUEL & SANDRA E	11728 FAXON RD PLANO, IL 60545-		
5/10/2017	17 Change in Occupancy	172017077	0932300004	GUZMAN MARIA	17840 GROVE RD MINOOKA, IL 60447-		
7/25/2017	18 Driveway	182017150	0136100028	SNYDER ERIC M	12630 B RIVER RD PLANO, IL 60545-	DOCKSTADERS SUB	
7/10/2017	18 Driveway	182017134	0235382008	TEMES CHRISTOPHER J & DEVON M	5812 DANIELLE LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	
6/21/2017	18 Driveway	182017124	0305454007	ROBLES JUAN L PENA & BELTRAN MARIA DEL ROSARIO VASQUEZ	32 CIRCLE DR W MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	Concretos Vasquez, Inc.
5/17/2017	18 Driveway	182017086	0334201007	ANDERSON RICHARD C & DEBRA A	5200 DOUGLAS RD OSWEGO, IL 60543-	DOUGLAS HILL SUB	Bills Concrete Construction
4/19/2017	18 Driveway	182017061	0216229006	REX NICHOLAS E & AMANDA L	22 NORTH ST BRISTOL, IL 60512-		Self
3/23/2017	18 Driveway	182017047	0213476025	OJEDA SERGIO	2774 ARBOR LN OSWEGO, IL 60543-		SELF
4/19/2017	19 Fire Restoration	192017059	0304408019	GOMEZ CASSANDRA	138 TEALWOOD RD MONTGOMERY, IL 60538-		Tranquility Builders

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Issue Date	Permit ID		Parcel Number		Property Address	Subdivision	Contractor Name
	Permit Category	Owner Name					
3/28/2017	192017048 19 Fire Restoration	0304327005 HENTHORN DENNIS	25 SURREY RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	SERVPRO OF LAGRANGE PARK/NO. MONTGOMERY		
1/6/2017	192017012 19 Fire Restoration	0103354002 PAIGE PAUL P & PETRY KATHRYN	14 EARL ST PLANO, IL 60545-	STAINFIELD SUB UNIT 2	Self		
4/4/2017	202017053 20 Patio	0305253008 SCHUSTER MATTHEW & AMANDA	16 E RIVER RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 15 REUSB	Sebert Landscape		
2/27/2017	212017031 21 Wind Turbine	0610200006 KELLER FRANK	7426 SCHLAPP RD OSWEGO, IL 60543-				
4/11/2017	232017057 23 Generator	0421251001 LEDESMA PAULA & VIRGINIA M	15593 PROSPECT HILL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	Lee Legler Construction & Electrical, Inc.		

PLANNING BUILDING & ZONING RECEIPTS 2017

DATE	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	MONTHLY FY 17	TOTAL FY17	MONTHLY FY 16	TOTAL FY16
December	\$2,119.28	\$925.00	\$0.00	\$0.00	\$3,044.28	\$3,044.28	\$3,516.58	\$3,516.58
January	\$1,977.24	\$100.00	\$1,814.10	\$0.00	\$3,791.34	\$6,835.62	\$7,881.78	\$11,398.36
February	\$3,151.44	\$1,425.00	\$6,413.08	\$0.00	\$10,989.52	\$17,825.14	\$6,108.07	\$17,506.43
March	\$4,667.84	\$25.00	\$2,438.05	\$1,000.00	\$8,130.89	\$25,956.03	\$17,363.99	\$34,870.42
April	\$6,501.42	\$105.00	\$992.51	\$0.00	\$7,598.93	\$33,554.96	\$13,956.06	\$48,826.48
May	\$9,337.28	\$845.00	\$5,904.03	\$0.00	\$16,086.31	\$49,641.27	\$4,876.24	\$53,702.72
June	\$8,830.71	\$375.00	\$4,969.27	\$0.00	\$14,174.98	\$63,816.25	\$22,581.26	\$76,283.98
July	\$6,591.92	\$4,195.00	\$9,300.81	\$1,000.00	\$21,087.73	\$84,903.98	\$9,472.64	\$85,756.62
August	\$8,431.60	\$345.00	\$14,625.08	\$2,000.00	\$25,401.68	\$110,305.66	\$10,083.93	\$95,840.55
September	\$15,562.20	\$95.00	\$18,226.37	\$3,000.00	\$36,883.57	\$147,189.23	\$8,846.29	\$104,686.84
October	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$23,856.91	\$128,543.75
November	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,553.25	\$149,097.00
TOTAL	\$67,170.93	\$8,435.00	\$64,683.30	\$7,000.00	\$147,189.23	\$147,189.23	\$149,097.00	

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.

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



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

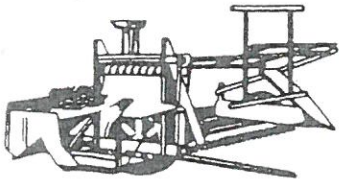
From: Jennifer Hughes [mailto:JHughes@oswegoil.org]
Sent: Thursday, July 27, 2017 2:55 PM
To: Matt Asselmeier
Cc: Dave Markowski; Scott Koeppel; Robert Davidson
Subject: Re: Churchill Club Stormwater Issue

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

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



PH: 630.551.2366



Birthplace of the Harvester

CITY OF PLANO

17 E. Main St.
Plano, Illinois 60545

Mayor 630-552-3210

City Clerk (630) 552-8275
City Treasurer (630) 552-8823

Fax (630) 552-8292
www.cityofplanoil.com

Public Works (630) 552-7000
Building & Zoning (630) 552-8425



August 31, 2017

Roy Mosley
414 W. North St.
Plano, IL 60545

Dear Mr. Mosley,

The City is in receipt of your petition requesting a public hearing before the Streets & Utilities Committee to consider a variation at 509 W. Main St., Plano, IL to construct a parking lot without a stormwater detention area.

The public hearing is scheduled for Tuesday, September 26, 2017 at 6:00 PM at City Hall, 17 E. Main Street. The Committee should have their recommendations and findings of fact to the City council for discussion at Committee of the Whole on Monday, October 9, 2017, with a final decision by the Council on Monday, October 23, 2017.

Please plan to attend the above scheduled meetings.

If you have any questions, please contact Tom Karpus at 630-552-8425.

Sincerely,

Kathleen Miller, RMC
City Clerk

cc: Mayor, Atty., T. Karpus, D. Tremain

PUBLIC NOTICE

PETITIONER: David L. Tremain
PROPERTY: 509 W. Main St., Plano, IL

PUBLIC NOTICE IS HEREBY GIVEN that, the Streets & Utilities Committee of the City of Plano, Kendall County, Illinois, (the "City") will be holding a public hearing in the City Hall, 17 East Main Street, Plano, Illinois 60545, on Tuesday, September 26, 2017 at 6:00 PM or soon thereafter on the aforementioned date for the purpose of considering testimony and other evidence on the application for a variation to construct a parking lot without a stormwater detention area; Roy Mosley (the Applicant) filed the petition with the City of Plano on or about August 29, 2017 in accordance with the requirements described by the Plano City Code as amended, which governs such applications.

The property which is the subject of the "Application" is:
509 W. Main St., Plano, IL
Parcel # 01-22-356-004

Legal Descriptions:

BLOCK 88 OF E.L. HENNING'S ADDITION TO PLANO, IN THE CITY OF
PLANO, KENDALL COUNTY, ILLINOIS

All persons interested in attending the hearing are invited to do so and will be heard.

Published by authority of the Plano City Council
Kathleen Miller, RMC, City Clerk