

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

Monday, November 13, 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 October 10, 2017 Meeting (Pages 4-23)

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 24-25)

PUBLIC COMMENT:

PETITIONS:

1. **17-31** **Roger Schmidt and Nancy Heaton (Pages 26-33)**
Request: Request for a Revocation of a Special Use Permit Awarded by Ordinance 2001-26 Allowing the Operation of a Group Home at 1151 Simons Road
Location: 1151 Simons Road in Oswego Township
PIN: 03-26-400-009
Purpose: Petitioners No Longer Desire to Operate a Group Home on the Property; Property is Zoned A-1.
2. **17-32** **Carol Christian and Robert Toftoy (Pages 34-40)**
Request: Request for a Revocation of a Special Use Permit Awarded by Ordinance 72-12 Allowing the Operation of a Private Landing Air Strip
Location: 10000 Block of Walker Road on the North Side of Walker Road in Kendall Township
PINs: 05-20-300-004 (Christian Property) and 05-20-300-005 (Toftoy Property)
Purpose: Petitioners No Longer Desire to Operate a Private Landing Air Strip on the Property; Property is Zoned A-1.
3. **17-34** **Commonwealth Edison (Pages 41-51)**
Request: Request for a Revocation of a Portion of a Special Use Permit Awarded by Ordinance 72-8 Allowing the Operation of a Gravel Mine
Location: Sections 6 and 7 in Bristol Township
PINs: 02-06-400-002 and 02-07-200-003
Purpose: Petitioners No Longer Desire to Operate a Gravel Mine on the Property; Property is Zoned A-1.
4. **17-35** **Donald and Colleen Zitt, Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield, and R W & K J Whitfield (Pages 52-62)**
Request: Request for a Revocation of a Portion of a Special Use Permit Awarded by Ordinance 86-12 for a Planned Unit Development at 10123 Fox River Drive
Location: Northwest Corner of Crimmin Road and Fox River Drive including 10123 Fox River Drive, Newark in Fox Township
PINs: 04-29-100-005(Zitt Property)

04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 (Gen Revocable Living Trust 1 Whitfield and Joanne Whitfield (Properties)
04-20-300-002 (R W and K J Whitfield Property)
Purpose: Petitioners Do Not Believe the Planned Unit Development Will Be Constructed as Proposed; Property is Zoned R-2.

NEW BUSINESS:

1. Recommendation on 2017 Noxious Weed Annual Report (Pages 63-73)
2. Red Hawk Landing Stormwater Issue (Estimated Costs are \$3,640 Plus \$8,440 Plus Reimbursable + 10%) (Pages 74-95)
3. Review of 2018 Application Timetables (Pages 96-101)
 - a. Text Amendments, Map Amendments, RPDs, Special Uses, Major Amendments to Special Uses and Non-Residential PUDs
 - b. Traditional Variances
 - c. Site Plans
 - d. Preliminary Plats
 - e. Final Plats
 - f. Other Plats
4. Approval to Authorize David Jensen Construction to Remove Brush Piles and Overgrowth in the Retention Ponds in the Tanglewood Trails Subdivision in an Amount Not to Exceed \$8,900; Future Invoice(s) to Be Paid from the Tanglewood Trails Settlements Escrow Account (5902-000-0049) (Pages 102-104)

OLD BUSINESS:

1. Request for Guidance RE: Bridge at 13360 McKanna Road, Minooka (Bridge Owned by Mark Antos) (Committee May Refer the Matter to State's Attorney's Office) (Pages 105-124)
2. Request for Guidance RE: Dumping at 15875 Ridge Road (Pages 125-129)
3. Discussion of Banquet Facility at 1998 Johnson Road (Pages 130-142)
4. 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 143-145)
5. Request from the Kendall County Regional Planning that the Planning, Building and Zoning Committee Amend Petition 17-28 RE: Text Amendment to Outdoor Shooting Range Regulations (Pages 146-152)
6. Discussion of Property Maintenance Regulations (Page 153-155)
7. Request for Guidance RE: Conditional Use Permits (Page 156-168)
8. Request for Guidance RE: Proposed Ordinance Amending the Code Hearing Unit Regulations (Should These Regulations be Part of the Zoning Ordinance?) (Page 169-188)

UPDATE FOR HISTORIC PRESERVATION COMMISSION:

REVIEW PERMIT REPORT: (Pages 189-213)

REVIEW REVENUE REPORT: (Page 214)

CORRESPONDENCE:

1. October 13, 2017 Letter to Roger Smith from Matt Asselmeier RE: Mobile Home at 1072 Tyler Road (Page 215)
2. Correspondence Related to Stormwater Issue in Fields of Farm Colony Unit 4 (5586 Fields Drive) (Pages 216-234)
3. Correspondence Related to Churchill Club Stormwater Issue (Pages 235-241)
4. Correspondence Related to Drainage at 01-19-379-003 (South of Frazier Road Near City of Sandwich) (Pages 242-243)

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 October 10, 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 and Matt Kellogg (Vice Chairman)

Committee Members Absent: Scott Gryder

Also Present: Matt Asselmeier (Senior Planner), Bill Kunke, Ken Hostert, William Page, Mark Page, Dwain Friehe, Bill Hacker, Sam Ruzick, Thomas Barone, Peter Pasteris, Jackie Kowalski, Mark Antos, Jeff Findlay, John Trotter, Paul Kovacevich and Tom Grant

APPROVAL OF AGENDA

Motion by Member Kellogg to move the request from Tri-Star Development, the bridge issue at 13360 McKanna Road and all of the items listed under Old Business to before New Business, seconded by Member Gilmour. With a voice vote of four ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Member Cullick, seconded by Member Kellogg, to approve the minutes from the September 11, 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.

The Committee reviewed the proposed budget for the Planning, Building and Zoning Department for fiscal year 2017-2018. The Committee did not have any questions or comments.

PUBLIC COMMENT

Bill Kunke, Minooka, discussed his concerns about dumping at 15875 Ridge Road. He discussed the matter with Greg Chismark and the impact of the dumping near the waterway. Mr. Chismark agreed to do a study on the issue. Mr. Asselmeier read Mr. Chismark's email on the subject. Mr. Kunke discussed the loss of crops and cost of cleanup if the issue is not addressed. Mr. Kunke reiterated his concerns from the September Planning, Building and Zoning Committee meeting.

PETITIONS

None

NEW BUSINESS

Request from Tri-Star Development to Construct a R-1 Zoned One- Family Residential Subdivision Instead of a RPD Zoned Subdivision in Seward Township

Paul Kovacevich and Tom Grant presented information on a proposed subdivision in Seward Township. A portion of this property was originally planned to be a golf course. Because of the size of the lots and layout of the land, Mr. Kovacevich would like to construct the subdivision using the Subdivision Control Ordinance instead of RPD Zoning. Mr. Kovacevich would like to have larger lots; he believes that the market is lacking a subdivision with this size lots.

Discussion occurred regarding stormwater detention and the creek. Stormwater infrastructure would have to be reviewed based on the topography of the land.

Discussion occurred regarding septic issues. The septic issues will have to be addressed in detail at the time of application.

Member Kellogg suggested moving the driveway west.

Mr. Asselmeier advised Mr. Kovacevich to discuss this proposal with Seward Township and with neighboring property owners. Mr. Grant agreed to these suggestions.

Request for Guidance RE: Bridge at 13360 McKanna Road, Minooka (Bridge Owned by Mark Antos)

Mr. Asselmeier summarized the situation.

Mark Antos stated that late spring or early summer he would move dirt and plant seed. He would like to pour the bridge before it gets too cold.

Jeff Findlay spoke on this matter later in the meeting (8:25 p.m.). He stated that Mr. Antos does not maintain the crossing in the creek and the crossing does not match drawings from 1998. He would like Mr. Antos to have the bridge in the proper location.

John Trotter explained that he would like this issue addressed before next year's crops are damaged.

Chairman Davidson will visit the site.

OLD BUSINESS

Request for Guidance RE: Mobile Home at 1072 Tyler Road

Mr. Asselmeier reported he has been in contact with the property owner and that the property owner agreed to pay the annual renewal fee on October 11th. If the owner does not pay the fee, this matter will be placed on the November Planning, Building and Zoning Committee agenda.

Approval of Public Hearing Signs

Mr. Asselmeier presented the revised public hearing street signs. The consensus of the Committee was that they liked the color; the language did not change from the previous signs. The PBZ Department will order signs with the new color from the Highway Department.

Discussion of Property Maintenance Regulations

Staff provided an email from Brian Holdiman stating that he would like to work on this item during the winter months, if the Committee wanted him to research this topic. Member Kellogg asked what percentage of the complaints came from the Boulder Hill area. A significant percentage of complaints appeared to come from the Boulder Hill area.

Mr. Asselmeier reported that he will attend the Boulder Hill community meeting on October 11th.

Discussion of Banquet Facility at 1998 Johnson Road

Staff provided a copy of the special use permit, three (3) letters on the topic from the property owner and his attorney and several complaints regarding the banquet facility at 1998 Johnson Road. No noise complaints have been reported since the middle of September when Mr. Pasteris installed his new sound system.

Pete Pasteris, owner 1998 Johnson Road, described the sound system he installed. The disc jockeys have to plug into the system. The speakers are over the dance floor. One (1) customer already requested a refund. Mr. Pasteris invited Committee members to the property. He is considering installing permanent, insulated walls.

Thomas Barone, Johnson Road, heard something Saturday night, but he did not call the Sheriff's Department. The noise is less. Mr. Barone requested greater enforcement of the provisions of special use permits.

Request for Guidance RE: Southfield Estates Flooding Issue

Fran Klaas, County Engineer, summarized his findings from the elevation measurements. The infrastructure related items are very close to plan. The Page house was supposed to have a lookout basement instead of a walkout basement. The basement elevation is less than one foot (1') from the height of the overflow. The pond and outlet structure are on private property. Mr. Klaas discussed the issue with Greg Chismark. Mr. Chismark suggested slight modifications to the pond and outlet structure which could be considered pond maintenance and would not need a stormwater permit. Mr. Klaas suggested a slightly bigger outlet pipe and normal water level pipe. Mr. Klaas suggested that the County and Township could be involved. The homeowner is definitely involved.

Dwain Friehe, Cherry Road, asked if an estimated pipe size existed for this project. Mr. Klaas responded that he suggested going from a twenty-four inch (24") pipe to a thirty inch (30") pipe. There is a forty-two inch (42") pipe on Cherry Road. Mr. Friehe indicated that the whole area has water issues. Mr. Friehe suggested creative landscaping and berms; Mark Page said that he examined doing berming, but the hydraulics did not work.

Bill Hacker, Cherry Road, stated that the outlet is on his property. His suggestion was to do maintenance on the pond by removing leaves, tree limbs and debris.

Chairman Davidson expressed concerns that this project is on private property. Member Kellogg expressed similar concerns.

Mark Page, Winchester Court, stated his house was planned to have a walkout basement. He does not want to do any work with the County's approval.

Ken Hostert, Na-Au-Say Township Road Commissioner, said that the structures are not on Road District property. The property was constructed with a walkout basement instead of a lookout basement as planned. Since the County approved the plans and conducted the inspection, he requested that the County increase its standards on review of as-builts. Mr. Hostert complained that the County's tolerance is two feet (2'). He offered to cover one-third (1/3) of the costs of the project if the County and homeowner each provided one-third (1/3) of the cost.

No estimate existed on the cost of the project. Member Cullick expressed concerns regarding not knowing the cost of the project.

The consensus of the Committee was that Mark Page would have the issue studied and give the Committee an estimate on the costs to fix the issue and the Committee would review that estimate.

Village of Millbrook Related Items

Mr. Asselmeier read the memo from Scott Koeppel on the subject. Mr. Koeppel requested a fee to cover the County's auto liability to conduct inspections in Millbrook. Millbrook and Kendall County also have different liability insurance. Mayor Kowalski will forward this information to the Village's insurance provider.

Member Cullick suggested creating an escrow account to cover the deductible.

The consensus of the Committee was that Millbrook should not pay mileage.

The consensus of the Committee was to place the intergovernmental agreement on the October 17th County Board meeting.

Request for Guidance RE: Dumping at 15875 Ridge Road

Mr. Asselmeier read an email from Greg Chismark on the subject. Because the owner disturbed less than one (1) acre of ground, the Kendall County Stormwater Management Ordinance was not applicable. Mr. Chismark indicated that he would be willing to conduct a tributary area review for Two Hundred Dollars (\$200).

The consensus of the Committee was that Mr. Chismark should conduct this review and report the findings at the November Planning, Building and Zoning Committee meeting.

NEW BUSINESS

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

Mr. Asselmeier read his memo on the issue. ZPAC requested that the Committee lower the notification distance requirement.

Discussion occurred regarding specific uses that may require additional notification. Member Gilmour expressed concerns that the Committee does not know what uses could be controversial in every neighborhood and every situation.

The consensus of the Committee was to have Staff generate a list of special uses that should have a longer distance requirement, specifically two thousand six hundred feet (2,600') and which uses should have notification requirements of one thousand feet (1,000').

Approval of Fiscal 2017-2018 Meeting Calendar

Mr. Asselmeier presented the proposed meeting calendar for the Planning, Building and Zoning Committee. The meetings in February, October and November will be on Tuesdays.

Motion by Member Gilmour, seconded by Member Cullick, to recommended approval of the fiscal year 2017-2018 meeting calendar.

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

The motion passed.

Recommendation on 2018 Comprehensive Weed Work Plan

Mr. Asselmeier read his memo on the subject. The County is required to submit a plan to the Department of Agriculture by November 1st.

Motion by Member Gilmour, seconded by Member Kellogg, to recommended approval of the 2018 Comprehensive Weed Work Plan.

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 October 17th.

Review of Commercial Wind Farm Regulations

Mr. Asselmeier reported that Member Kellogg requested a review of the commercial wind farm regulations at the September Committee meeting. Member Kellogg stated that he would look over the regulations.

Motion by Member Cullick, seconded by Member Kellogg, to layover this matter until next month.

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

The motion passed. This issue will be an agenda item at the November Planning, Building and Zoning Committee meeting.

Approval of Resolution Placing a Noise Warning Statement on the Building Permit Application Form

Mr. Asselmeier read his memo on the subject. The Ad-Hoc Zoning Ordinance Committee recommended approval of the proposal. This matter is on hold pending the composition of the Ad-Hoc Zoning Ordinance Committee.

Clarification of Membership, Chairmanship and Duties of Ad-Hoc Zoning Ordinance Committee, Including Recommendation on Eliminating the Ad-Hoc Zoning Ordinance Committee

Mr. Asselmeier read his memo on the subject.

Member Kellogg stated that he did not want to be on the Ad-Hoc Zoning Ordinance Committee. Member Cullick also stated that she did not want to be on the Ad-Hoc Zoning Ordinance Committee.

Discussion occurred about the direction of the Ad-Hoc Zoning Ordinance Committee. The consensus was that the Ad-Hoc Zoning Ordinance Committee should be abolished and created again in the future, if needed. The Ad-Hoc Zoning Ordinance Committee should meet at the discretion of the Planning, Building and Zoning Committee.

Motion by Member Kellogg, seconded by Member Gilmour, to recommend eliminating the Ad-Hoc Zoning Ordinance Committee.

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

The motion passed. This matter will be placed on the October 17th County Board Agenda.

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

Mr. Asselmeier read his memo on the subject. The consensus of the Committee was to wait with acting on this item until the Ad-Hoc Boards and Commissions Review Committee issues its report.

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 (ZPAC)

Mr. Asselmeier read his memo on the subject. The consensus of the Committee was to wait with acting on this item until the Ad-Hoc Boards and Commissions Review Committee issues its report.

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

Mr. Asselmeier read his memo on the subject.

Motion by Member Davidson, seconded by Member Kellogg, to recommend 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.

Ayes (3): Davidson, Gilmour and Kellogg
Nays (1): Cullick
Absent (1): Gryder

The motion passed.

Request for Guidance RE: Conditional Use Permits

Mr. Asselmeier read his memo on the subject. The State's Attorney's Office believes that conditional uses should be either permitted or special uses because State law does not give Counties the authority to have conditional uses. The consensus of the Committee was to place this item on the November Planning, Building and Zoning Committee agenda.

Request for Guidance RE: Proposed Ordinance Amending the Code Hearing Unit Regulations (Should These Regulations be Part of the Zoning Ordinance?)

Mr. Asselmeier read his memo on the subject and expressed concerns about placing the Code Hearing Unit Regulations inside the Zoning Ordinance because of unforeseen consequences of the definitions section. The Kendall County Regional Planning Commission will consider initiating this text amendment. The consensus of the Committee was to place this item on the November Planning, Building and Zoning Committee agenda.

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.

REVIEW REVENUE REPORT

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

CORRESPONDENCE

Correspondence Related to Churchill Club Stormwater Issue

Mr. Asselmeier read the emails and letter on this matter. The Village of Oswego is leading the investigation of this issue and sent a violation letter to the owner.

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

Mr. Asselmeier read the letter. MTH is pursuing a variance to the City of Plano's Stormwater Management Ordinance in order to construct a parking lot at the property. If Plano approves the variance, the applicants will pursue a variance to the County's Stormwater Management Ordinance.

PUBLIC COMMENT

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

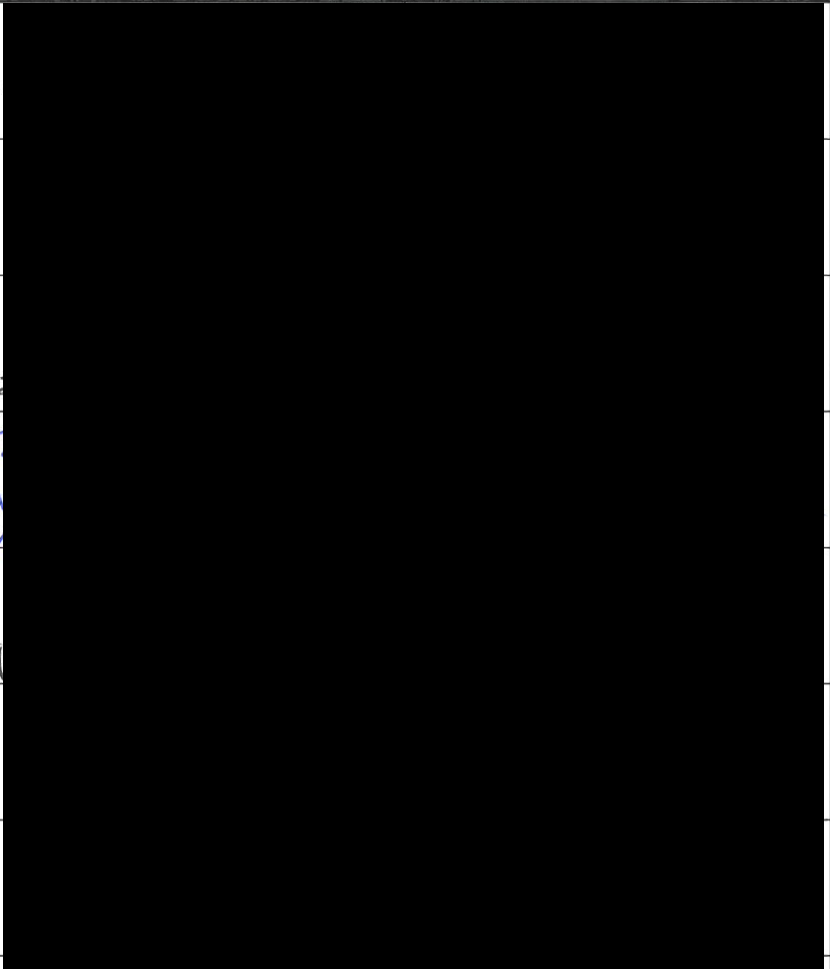
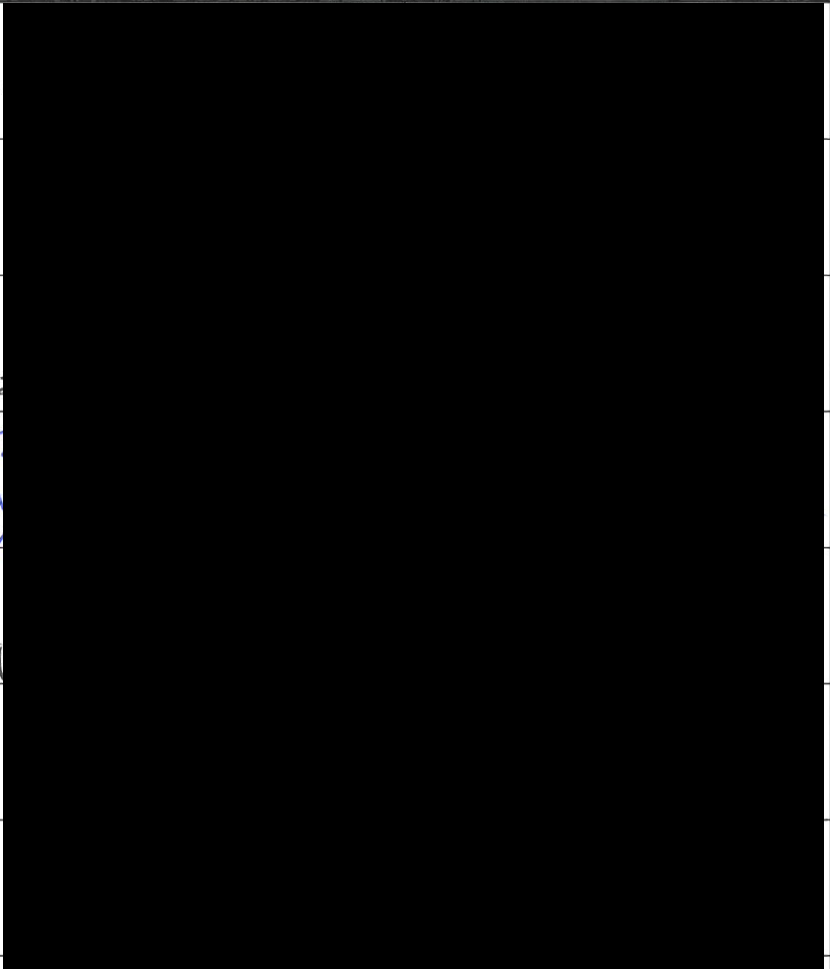
None

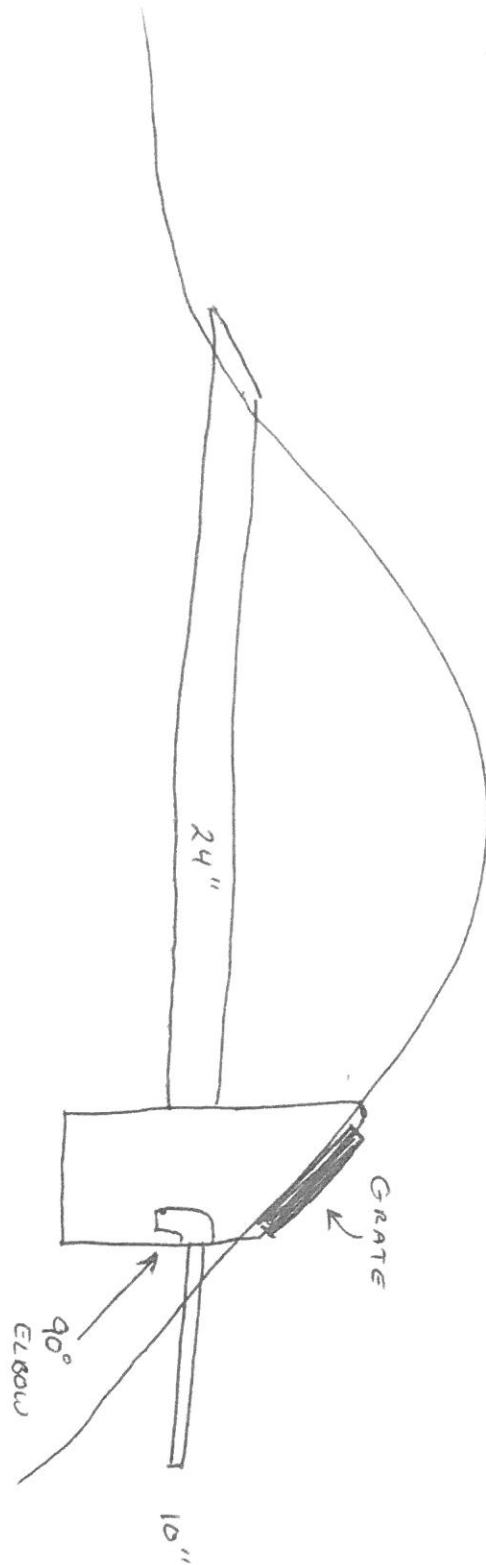
ADJOURNMENT

Member Cullick motioned to adjourn, seconded by Member Gilmour. With a voice vote of four ayes, Chairman Davidson adjourned the meeting at 9:31 p.m.

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

**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
OCTOBER 10, 2017**

NAME	ADDRESS	EMAIL ADDRESS
Bill Kunkle		
Mark Page		
Sam Ruzick		
Tom Grant		
TOM BAROWE		
Teth Findley		
John Trotter		





Kendall County
Administrative Services Department
111 West Fox Street
Yorkville, Illinois 60560

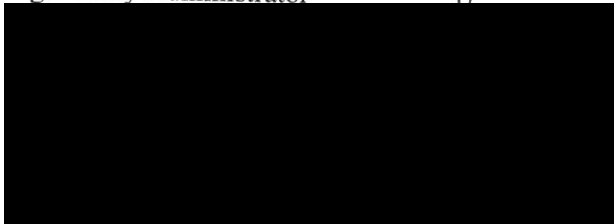
Planning, Building and Zoning Committee,

PB&Z staff has been working with Mayor Jackie Kowalski of Millbrook on getting an updated agreement for Kendall County PB&Z Department to perform inspections for the Village of Millbrook. There are two items that need to be changed from the previous agreement with Millbrook. The first is that Millbrook's liability insurance is different from Kendall County's insurance. According to Wine Sergi the differences are not impactful.

Coverage	Kendall County	Millbrook
General Liability	\$10,000,000/\$10,000,000	\$8,000,000/\$16,000,000
Public Official Liability	\$10,000,000/\$10,000,000	\$2,500,000/\$8,000,000

The second issue is that the previous agreement called for Millbrook to pay for auto insurance for Kendall County while doing inspections in Millbrook. According to Wine Sergi this isn't possible. Kendall County must insure their own vehicles. PB&Z staff would like the PB&Z committee to suggest a fee per inspection to cover auto liability. The premium per year for the PB&Z vehicle is \$213.00 and the deductible is \$10,000.

Scott Koeppel
Acting County Administrator



interoffice memorandum

to: FILE

from: Scott Arends

subject: Culvert Crossing over Aux Sable Creek

date: July 16, 1998

Mark and Elyse Antos have submitted plans for a low water culvert crossing on Aux Sable Creek. They have not provided any hydrologic or hydraulic information. The overtopping elevation of the proposed crossing is 3 feet above the invert of the channel. The crossing consists of six 21-inch inside diameter concrete pipe culverts. The channel geometry within the project reach is 35 feet top width, 23 feet bottom width and 6 feet high banks. The proposed culvert crossing will replace an existing 3 feet high gravel ford with no culverts.

Considering over-the-road relief flow, the worst case analysis would be for a discharge that just overtops the culvert crossing. Since the top of road grade is at $\frac{1}{2}$ channel depth, the maximum water surface profile increase would be contained within the channel banks. Therefore, the crossing meets the Departments standards as listed in Section 3700.70 a) of our Part 3700 Rules. I recommend that a permit be issued for this work.

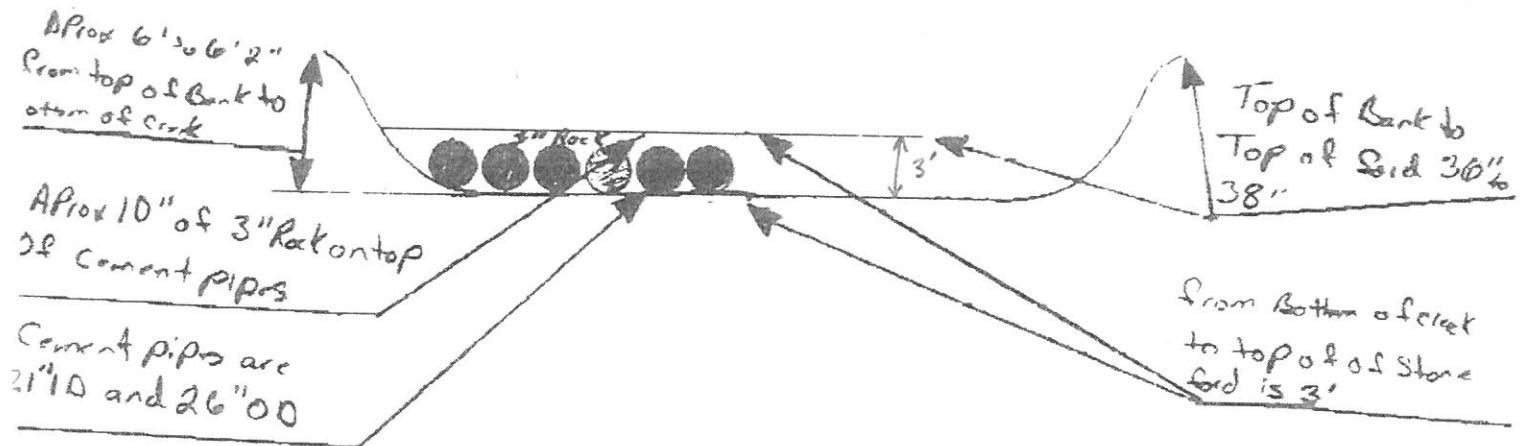
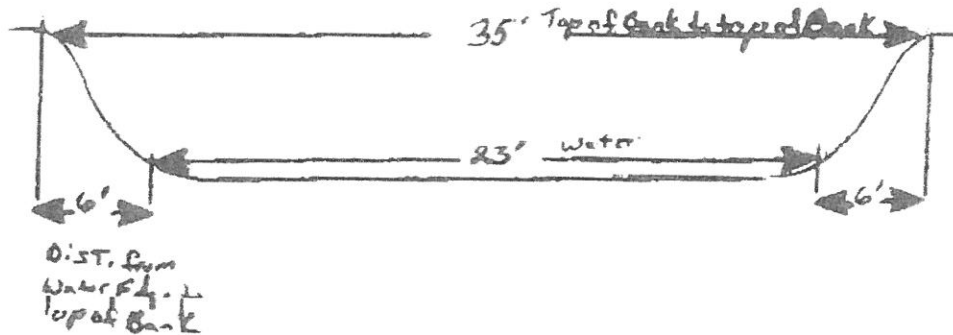
NOTE: This culvert crossing is intended to serve as a temporary access. The applicant has informed me that they will apply for permit to construct a bridge crossing in approximately 1 year.

BT
7/22/98

Attn: Scott Arons water Dept

Mark & Elyse Antos

Aux Sable Creek Srd Please Page me at [redacted]
[redacted] in MINNAPCA



PERMITTED
PLAN

RECEIVED
OFFICE OF WATER RESOURCES
SPRINGFIELD, ILLINOIS

MER JUL 16 1998 DRV

AS _____
PGM D _____ PI _____
PLNG _____ RM _____

1. Application Number (to be assigned by Agency) <u>19882084</u>		2. Date <u>27</u> <u>May</u> <u>1998</u> Day Month Year		3. For agency use only (Date Received)	
4. Name and address of applicant <u>Mark & Elyse Antos</u> <u>[REDACTED]</u>			5. Name, address, and title of authorized agent		
Telephone no. during business hours A/C <u>[REDACTED]</u> A/C <u>[REDACTED]</u>		Telephone no. during business hours A/C () _____ A/C () _____			
6. Project Description and Remarks: Describe in detail the proposed activity, its purpose, and intended use. Also indicate the drainage area at the watershed to the downstream limit. Use attachments if needed. We would like to modify an existing ford in the Aux Sable Creek that runs thru our property. When we bought our 23 acres there was a gravel ford crossing thru the Aux Sable Creek to get farm tractors across. We are building our house across creek so we need to raise the ford. We took 3" rock out of original ford, placed 21" ID culvert pipes on it and put original 3" rock back on culverts. We then found out we couldn't modify existing ford without a permit from you. The culverts do not restrict any					
7. Names, addresses, and telephone numbers of all adjoining and potentially affected property owners, including the owner of the subject property if different from applicant. <u>Ron & Patti Bleuer</u> <u>[REDACTED]</u>					
8. Location of activity					
Legal Description: <u>Aux Sable Creek</u> Name of waterway at location of the activity <u>McKanna Road</u> Address: <u>Minooka</u> Street, road, or other descriptive location <u>Minooka</u> In or near city or town <u>Kendall</u> County			<u>NE 1/4</u> <u>9</u> Sec. <u>35</u> Twp. <u>8E</u> Rge. <u>3rd</u> P.M. <u>Minooka</u> Name of Local Governing Community <u>IL</u> State <u>60447</u> Zip Code		
9. Date activity is proposed to commence <u>as soon as possible</u> Estimated Time of Construction <u>1 day</u>					
10. Is any portion of the activity for which authorization is sought now complete? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If answer is "Yes" give reasons in Item 6. Month and Year the activity was completed <u>April 1998</u> Indicate the existing work on drawings.					
11. List all approvals or certifications required by other federal, interstate, state, or local agencies for any structures, construction, discharges, deposits, or other activities described in this application. If this form is being used for concurrent application to the Corps of Engineers, Illinois Department of Natural Resources, and Illinois Environmental Protection Agency, these agencies need not be listed.					
<u>Issuing Agency</u> <u>Kendall County Building and Zoning Department</u> <u>PERMIT</u> <u>DS1998136</u> <u>D 7/22/98 SMA</u>		<u>Type Approval</u> <u>Building Permit</u>		<u>Identification No.</u> <u>SD9807</u>	
		<u>Date of Application</u> <u>April, 1998</u>		<u>Date of Approval</u> <u>Pending</u>	
12. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If "Yes", explain in Item 6.)					
13. Application is hereby made for authorizations of the activities described herein. I certify that I am familiar with information contained in the application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.					
<u>[REDACTED]</u> Signature of Applicant or Authorized Agent <u>Elyse Antos</u> Typed or Printed Name of Applicant or Authorized Agent			RECEIVED DIVISION OF WATER RESOURCES SPRINGFIELD, ILLINOIS <u>MAY 28 1998</u> MER WAS PGM D PLNG DRV SMA SMA RM		

Page 2 of 5

water flow at all and actually improve flow because the water doesn't have to filter through 3" rock, it goes directly through the culverts. If the water gets very high it can flow right over the top of the culverts. There has always been a crossing there so we have not disturbed any vegetation.

Drawings on page 3

- 1- Original gravel crossing, side view
- 2-Original gravel crossing, top view
- 3-Proposed ford crossing, top view
- 4-Proposed ford crossing, side view

High water level- 574.50

Low water level- 572.66

If you have any questions please call.

Thank You,

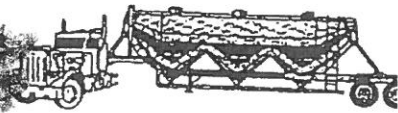
Elyse Antos

Page 3 of 5



ANTOS & SONS TRUCKING, INC.

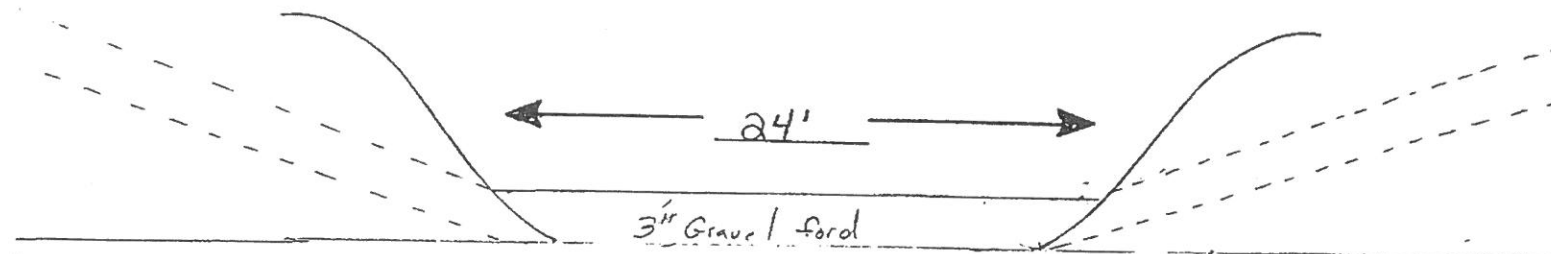
Pager
Phone
Fax



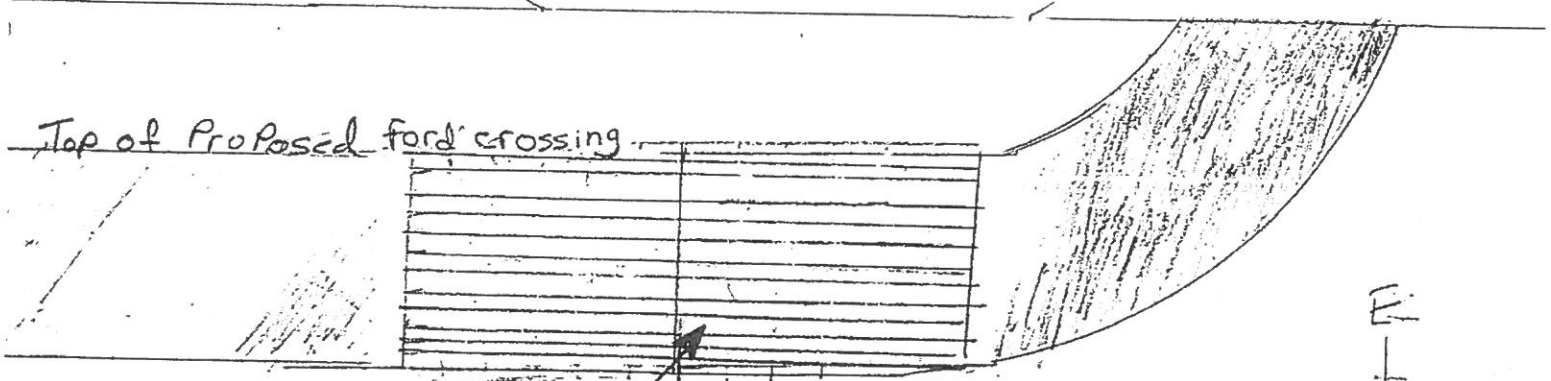
5/27/98

TEMPORARY
UNTIL BRIDGE
INSTALLED IN @ 1/99

Original Farm Implement and Tractor crossing
original ford crossing Grade Shown on Survey File NO. 8159
Top of ford crossing in Survey 573.40

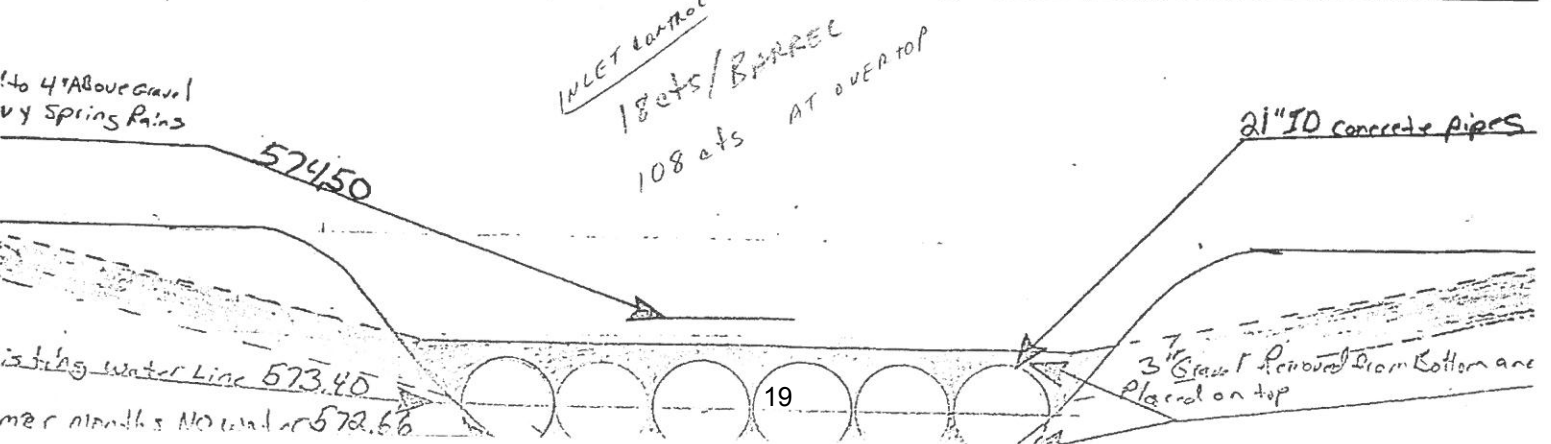
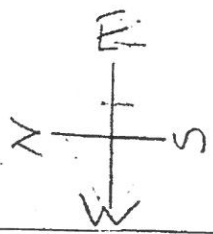


Top view of original ford crossing



Top of Proposed ford crossing

21" x 8' wide concrete pipe 2 wide x 12 pipes



INLET cannot
18 cts / BARREL
108 cts AT OVER TOP

21" ID concrete pipes

574.50

4' Above gravel
by Springs Pains

existing water line 573.40
mer needs NO under 572.66

3' Gravel removed from bottom and
placed on top









8:48 PM

100%

Google Earth

© 2017 Google



fmrptclaim Kendall County

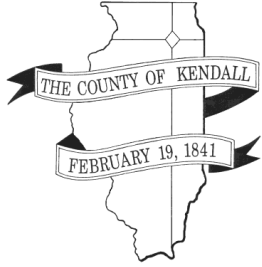
Claims Listing

10/03/17 11:20:26 AM

Page 001

Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
BUILDING AND ZONING							
1 020541	BUILDING & ZONING PETTY CASH	09/30/17	OFFICE SUPPLIES	10/03/17	01020026200	OFFICE SUPPLIES	14.00
2 191522	SOURCE ONE OFFICE PRODUCTS	530344	OFFICE SUPPLIES	10/03/17	01020026200	OFFICE SUPPLIES	44.74
							58.74*
3 020541	BUILDING & ZONING PETTY CASH	9/5/17	AT&T PHONE CHARGER	10/03/17	01020026207	CELLULAR PHONE	30.31
							30.31*
4 110531	KENDALL CO HIGHWAY DEPT	SEPTEMBER	54.8 GAL. GAS TRUCK	10/03/17	01020026217	VEHICLE MAINT/REPAIRS	104.12
							104.12*
5 261005	RANDY ERICKSON	SEPTEMBER 2017	SEPTEMBER PLUMBING I	10/03/17	01020026361	PLUMBING INSPECTIONS	1,820.00
							1,820.00*
6 190816	SHAW MEDIA	8/17/17	ZBA LEGAL MEETING NO	10/03/17	01020026381	ZONING BOARD OF APPEALS	137.40
							137.40*
7 190816	SHAW MEDIA	10101009	HISTORICAL MEETING C	10/03/17	01020026383	HISTORICAL PRESERVATION C	72.60
							72.60*
Total BUILDING AND ZONING							2,223.17*
GRAND TOTAL							2,223.17**

frmPrctClaim	Kendall County	Supplemental Claims Listing			10/17/17	8:58:16 AM	Page 001
Vendor #	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
BUILDING AND ZONING							
1 191522	SOURCE ONE OFFICE PRODUCTS	700605	OFFICE SUPPLIES	10/17/17	01020026200	OFFICE SUPPLIES	162.64
							162.64*
2 012018	AT & T MOBILITY	09282017	CELL PHONE - CODE OF	10/17/17	01020026207	CELLULAR PHONE	74.40
							74.40*
3 160189	PARADISE CAR WASH	223531	TRUCK WASH	10/17/17	01020026217	VEHICLE MAINT/REPAIRS	11.00
							11.00*
4 230933	WBK ENGINEERING, LLC	18273	REVIEW SERVICES 8/27	10/17/17	01020026363	CONSULTANTS	94.50
							94.50*
Total BUILDING AND ZONING							342.54*
ENGINEERING/CONSULTING ESCROW ACCT							
5 230933	WBK ENGINEERING, LLC	18274	FOX METRO EXPANSION	10/17/17	59020000046	FOX METRO WATER REC DIST	1,085.40
							1,085.40*
6 230933	WBK ENGINEERING, LLC	18275	ANTOS PROPERTY 8/27/	10/17/17	59020000047	ANTOS BRIDGE SD 15-06	234.00
							234.00*
Total ENGINEERING/CONSULTING ESCROW							1,319.40*
GRAND TOTAL							1,661.94**



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: October 13, 2017
Re: Petition 17-31-Repeal of Special Use at 1151 Simons Road

On October 11, 2017, Roger Schmidt and Nancy Heaton submitted the attached letter requesting the special use permit for a group home at 1151 Simons Road be revoked. A copy of Ordinance 2001-26 which granted them a special use permit for a group home is also attached.

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

If the Committee wishes to take action on this proposal, a draft ordinance is also enclosed.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Revocation Letter Request
Ordinance 2001-26
Draft Revocation Ordinance

ORDINANCE # 2017-_____

**REVOKING A SPECIAL USE for
A GROUP HOME AT 1151 SIMONS ROAD
(PARCEL ID NUMBER 03-26-400-009) IN OSWEGO TOWNSHIP**

WHEREAS, Center for Family Services petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a group home on their property located at 1151 Simons Road in Oswego Township, identified by Parcel Identification Number 03-26-400-009; and

WHEREAS, said property is legally described below; and

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, WHICH IS 618 FEET WEST FROM THE SOUTHEAST CORNER OF SAID SOUTH EAST QUARTER, AND RUNNING THENCE NORTH, PERPENDICULAR TO SAID SOUTH LINE, 240 FEET; THENCE WEST, PARALLEL WITH SAID SOUTH LINE 260 FEET; THENCE SOUTH, PERPENDICULAR TO SAID SOUTH LINE, 240 FEET; AND THENCE EAST, ALONG SAID SOUTH LINE, 260 FEET TO THE POINT OF BEGINNING, IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS.

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 2001-26 on October 16, 2001; and

WHEREAS, restriction number 1 of the special use permit awarded by Ordinance 2001-26 requires the special use is granted solely to the Center for Family Services (CFS), and shall not be transferrable without review and approval by the County Board; and

WHEREAS, Roger and Nancy Schmidt purchased said property on February 1, 2004; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Roger Schmidt and Nancy Heaton, owners, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit "A" that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 2001-26 be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 2001-26.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

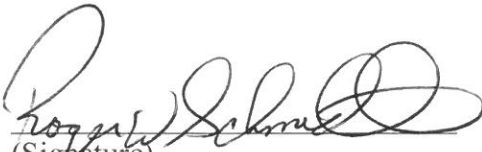
Exhibit A

September 19, 2017
Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139 Fax: 630.553.4179

I, Roger & Nancy Schmidt am the owners at 1151 Simons Road Oswego, IL 60543
(First & Last Name) (Address of property)

On October 16, 2001 the property was granted a special use (2001-26). The special use granted in 2001 was granted for the operation of a Group Home.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.


(Signature)

9-26-17
(Date)

Roger W Schmidt
(Printed Name)

Nancy J Heston
NANCY J HESTON

Attest:

Notary Public





0326-400-009

ORDINANCE NUMBER 2001- 26

SPECIAL USE ORDINANCE

1151 SIMONS ROAD

Group Home

WHEREAS Center for Family Services filed a petition for a Special Use within the A-1 District, for property located at 1151 Simons Road in Oswego Township; and

WHEREAS said petition is for a Group Home as provided in Section 7.01 D. 26 of the Kendall County Zoning Ordinance; and

WHEREAS said property is zoned A-1 Agricultural District; and

WHEREAS said property to be covered by Special Use ordinance is legally described in Exhibit "A"; and

WHEREAS all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact; and

WHEREAS the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance;


NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit for a Group Home subject to the site plan, attached as Exhibit "B", with the following conditions:

1. The Special Use is granted solely to the Center for Family Services (CFS), and shall not be transferrable without review and approval by the County Board.
2. The Group Home must continue to be licensed by the Illinois Department of Children and Family Services (DCFS) as a group home pursuant to the Illinois Child Care Act, 225 ILCS 10.
3. CFS will not accept from DCFS any referrals to the Group Home for the purpose of providing "shelter care services" as defined at 89 Ill. Adm. Code, Chapter III, Subchapter e, Part 410, Section 410.20, commonly referred to as "emergency shelter placements".
4. A maximum of ten (10) residents, excluding CFS staff, may occupy the Home.
5. All vehicles must be parked within existing parking areas, with a limit of six (6) vehicles during normal operation. During prearranged events, including, but not limited to, CFS staff meetings, DCFS inspections, open houses, or parent visits, the limit of six (6) will not be enforced, provided that vehicles are parked in a manner that does not impede traffic on Simons Road, or interfere with ingress and egress to and from surrounding properties.
6. A minimum ratio of one (1) CFS staff person to four (4) clients shall be maintained during waking hours. During non-waking hours at least one (1) CFS staff person shall remain awake at all times, another CFS staff person shall be on call able to respond to the home

- within twenty (20) minutes.
7. Any increase in the number of residents or the size of the "footprint" of the structure will require an amended Special Use permit
 8. The Special Use must receive a positive report on traffic impact by the Township Road Commissioner.
 9. The Special Use must receive a positive report on septic suitability by the Kendall County Department of Health and Human Services.
 10. A total of thirty-five (35) feet of right-of-way, as measured from the centerline, shall be dedicated for Simons Road, unless a greater amount is required by Oswego Township. Said dedication shall be recorded no later than sixty (60) days from the date of County Board's approval of the Ordinance granting the Special Use permit.
 11. CFS shall continue to cooperate with the Kendall County Sheriff's Department to minimize the need for visits to the site by officers of the department.
 12. Residents of the Group Home, excluding CFS staff, shall be under twenty (20) years of age, provided that residents who reside in the Home on their twentieth (20th) birthday shall not be required to vacate the Home until a suitable alternative placement, or independent living arrangement, is found.
 13. CFS shall supply the Kendall County Planning, Building and Zoning Department with proof of insurance that covers bodily injury or property damage proximately caused by negligent conduct of CFS employees in the course of operating the Group Home.
 14. Only residents of the same gender may occupy the Group Home at any one time.

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 October 16, 2001.


John A. Church
Kendall County Board Chairman

Attest:

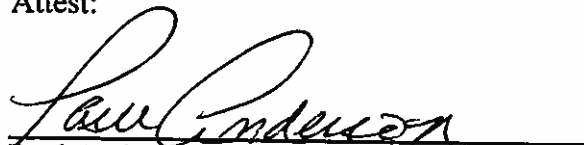

Paul Anderson
Kendall County Clerk

EXHIBIT A

PROPERTY DESCRIPTION FOR 1151 SIMONS ROAD, OSWEGO, ILLINOIS

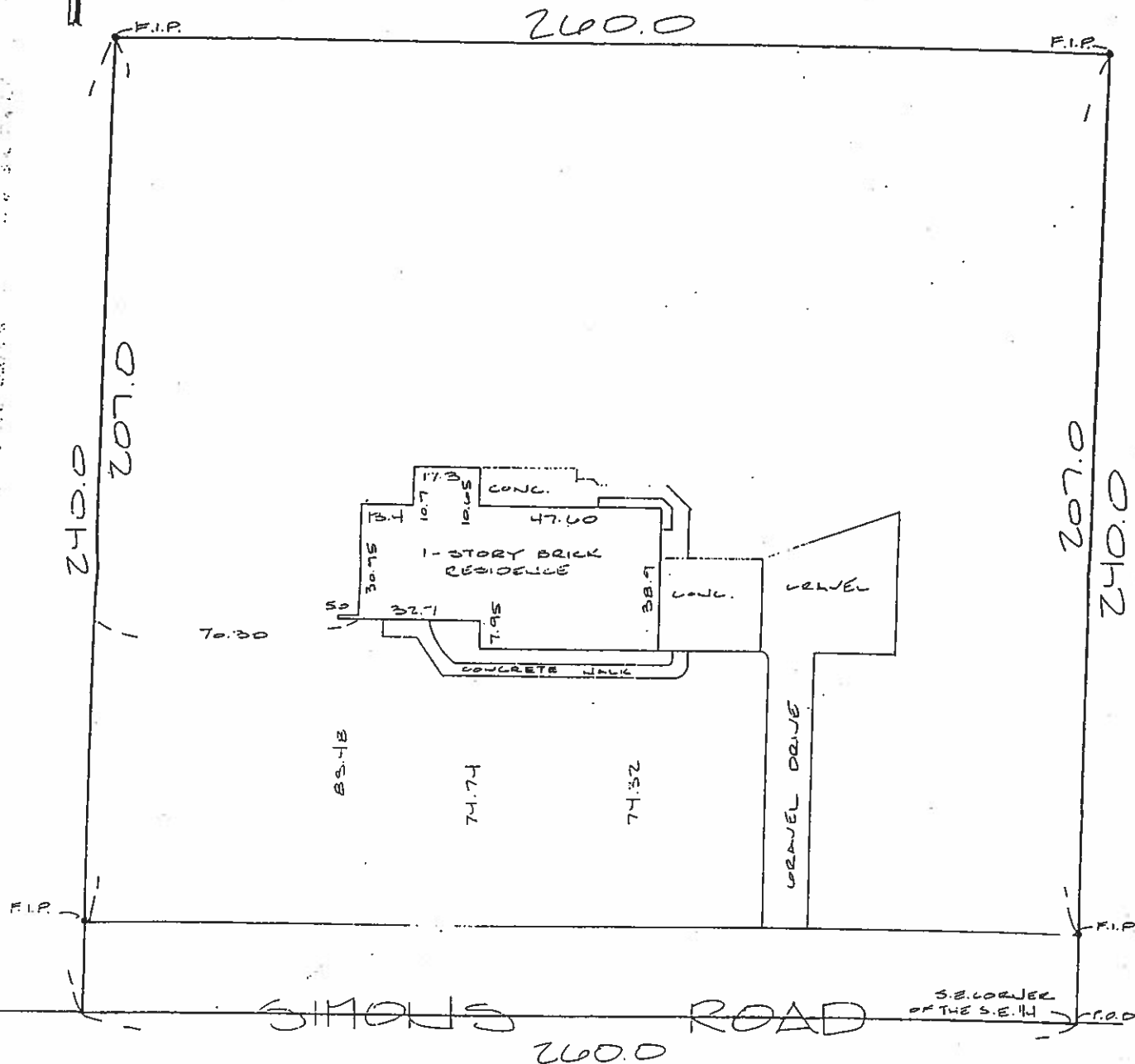
That part of the South East Quarter of the South East Quarter of Section 26, Township 37 North, Range 8 East of the Third Principal Meridian, Kendall County, Illinois, bounded and described as follows: Beginning at a point on the South line of said South East Quarter, which point is 618 feet West from the South East corner of said South East Quarter, and running thence North, perpendicular to said South line, 240 feet; thence West, parallel with said South Line 260 feet; thence South, perpendicular to said South line, 240 feet; and thence East, along said South line, 260 feet to the point of beginning, in Oswego Township, Kendall County, Illinois.

Permanent Tax No.: 03-26-400-009

622079v1

OF

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, WHICH POINT IS 618 FEET WEST FROM THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER, AND RUNNING THENCE NORTH, PERPENDICULAR TO SAID SOUTH LINE, 240 FEET; THENCE WEST, PARALLEL WITH SAID SOUTH LINE 260 FEET; THENCE SOUTH, PERPENDICULAR TO SAID SOUTH LINE, 240 FEET; THENCE EAST, ALONG SAID SOUTH LINE, 260 FEET TO THE POINT OF BEGINNING, IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS.



• - FOUND IRON STAKE
 ○ - SET IRON STAKE
 R - RECORD DISTANCE
 M - MEASURED DISTANCE

ADDRESS: 1151 SIMONS RD.
 OSWEGO, IL.

SURVEYED FOR: MORREAU HALL
 + TERRY

BOOK 173 PAGE 55 DATE: 4-26-99

1 INCH = 30 FEET FILE NO.: 13945



TRI-ANGLE
 LAND SURVEYORS
 & SERVICES INC.

833 E. Wilson St.
 630-76

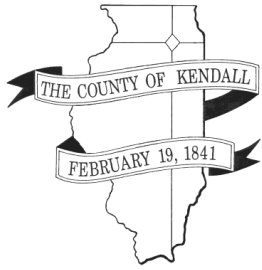
33

State of Illinois)
 (County of Kane)

Tri-Angle Land Surveyors & Services, Inc.
 Have Surveyed the above described property
 under the direction of a Professional Land
 Surveyor and said plat is a correct representation
 of said survey. Dimensions are in feet and
 decimal parts thereof.

John R. Roderick

REFER TO DEED, TITLE POLICY AND LOCAL
 CODE FOR BUILDING RESTRICTIONS
 UNITS ARE TO 1/4"



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: October 23, 2017

Re: Petition 17-32-Repeal of Special Use in the 10000 Block of Walker Road on the North Side of the Road

On September 26, 2017, Carol Christian submitted a request to revoke a special use permit for a private air landing strip on her property in the 10000 Block of Walker Road.

In 2016, Ms. Christian sold a portion of her property to Robert Toftoy. On October 17, 2017, Mr. Toftoy submitted a request to revoke the special use permit for the portion of the private landing strip that is on his property.

A copy of Ordinance 72-12 which granted them a special use permit for a private air landing strip is attached.

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

If the Committee wishes to take action on this proposal, a draft ordinance is also enclosed.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Ordinance 72-12

Draft Revocation Ordinance

ORDINANCE

05-20 - 300-001

72-12

AMENDING KENDALL COUNTY ZONING ORDINANCE
AS AMENDED

WHEREAS, Howard Smith and Blanche Smith did petition the Zoning Board of Appeals of Kendall County for a public hearing in the manner required by law and the ordinances of Kendall County, Illinois for a proposed amendment to the Kendall County Zoning Ordinance adopted May 10, 1960

and

WHEREAS, SAID Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 28th day of April, A.D. 1972 on the site described in the petition and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois that the petition be granted and the zoning maps and ordinance be amended in the manner required by law;

and

WHEREAS, Board Member Ernest Zeiter did move that the findings of the Zoning Board of Appeals be accepted and that the property described in said petition be granted a "Special Use Permit" under agriculture and upon second by Ellis Jones, roll call was taken as follows:

The following voted "Aye" Robert Cherry; Robert Hacker; Ellis Jones;
Jannette Nesson; Howard Shoger;
Charles Sleezer; Floyd sleezer;
Myron Wormley; Ernest Zeiter; James Mann.

The following voted "Naye." None

220

NOW THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be and it is hereby granted a "SPECIAL USE PERMIT UNDER AGRICULTURE" for a private landing air strip and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:


The West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 20,
Township 36 North, Range 7 East of the Third
Principal Meridian, in Kendall Township,
Kendall County, Illinois


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

1. That the foregoing "Special Use" shall be subject to further review of the Zoning Board of Appeals and the County Board upon notice directed to the owner of the premises herein described and a proper publication as required by law not less than fifteen days prior to date of hearing.
2. That the land must be kept in a husband like manner.
3. That the permit be subject to renewal every 5 years.
4. That in case of abandonment the "Special Use" be revoked.
5. That a copy of the I.A.A. permit be kept on record at the Building and Zoning Office.
6. That the area of the landing strip to be 100 feet wide by 160 rods long.

PASSED: May 9, 1972.

ATTEST:


County Clerk.


Chairman, County Board
Kendall County, Illinois

ORDINANCE # 2017-_____

REVOKING A SPECIAL USE for
**A PRIVATE LANDING AIR STRIP IN THE 10000 BLOCK OF WALKER ROAD ON
THE NORTH SIDE OF WALKER ROAD (PARCEL ID NUMBERS 05-20-300-004 AND
05-20-300-005) IN KENDALL TOWNSHIP**

WHEREAS, Howard and Blanche Smith petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a private landing air strip on their property located in the 10000 Block of Walker Road on the north side of Walker Road in Kendall Township, now identified by Parcel Identification Numbers 05-20-300-004 and 05-20-300-005; and

WHEREAS, said property is legally described below; and

THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 36 NORTH,
RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KENDALL TOWNSHIP,
KENDALL COUNTY, ILLINOIS.

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 72-12 on May 9, 1972; and

WHEREAS, restriction number 3 of the special use permit awarded by Ordinance 72-12 requires the special use be subject to renewal every 5 years; and

WHEREAS, restriction number 4 of the special use permit awarded by Ordinance 72-12 stated the special use be revoked in case of abandonment; and

WHEREAS, Carol Christian purchased said property on August 1, 2010; and

WHEREAS, Carol Christian divided said property in 2016; and

WHEREAS, Carol Christian retained ownership of the portion of the property identified by Parcel Identification Number 05-20-300-004; and

WHEREAS, Robert Toftoy purchased the remaining portion of the property from Carol Christian on December 1, 2016; and

WHEREAS, Robert Toftoy's portion of the property is identified by Parcel Identification Number 05-20-300-005; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Carol Christian and Robert Toftoy, owners, no longer desire the special use permit and have stated in a letter as provided in attached Exhibits “A” and “B” that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 72-12 be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 72-12.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

Matt Asselmeier

From: duane christian [duanesmassey@att.net]
Sent: Tuesday, September 26, 2017 8:23 PM
To: Matt Asselmeier
Subject: Re: Ordinance # 1972 - 12 / 10729 Walker Road / 05-20-300-001

The above referenced special use permit does not need to be renewed. It is no longer in use.

Thank you.

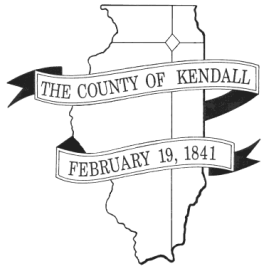
Carol Christian.

Exhibit B

Matt Asselmeier

From: Robert Toftoy [toftoyfarms@newarknet.net]
Sent: Tuesday, October 17, 2017 8:08 AM
To: Matt Asselmeier
Subject: ordinance#1972-12/05-20-300-005

I have plowed the airstrip up. before I bought that farm I checked with the morris airport to see if this airstrip had been registered with any governing body and it had not been. I do not want the special use permit any longer you may cancel it at any time. Robert toftoy owner. any questions call me at 815-228-3933



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: November 3, 2017

Re: Petition 17-34-Partial Repeal of Special Use in Sections 6 and 7 of Bristol Township for Gravel Mining

On October 20, 2017, Nadia Chomko, on behalf of Commonwealth Edison, submitted a request to revoke a special use permit for gravel mining on their property in Sections 6 and 7 of Bristol Township.

A copy of Ordinance 72-8 which granted them a special use permit is attached.

Staff reached out to adjoining property owners to see if they wanted to keep their special use permit for gravel mining and we are still waiting a response from most of the adjoining property owners

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

If the Committee wishes to take action on this proposal, a draft ordinance is also enclosed.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Ordinance 72-8
Draft Revocation Ordinance

ORDINANCE # 2017-_____

REVOKING A SPECIAL USE for
**A GRAVEL MINING OPERATION ON PROPERTY OWNED BY COMMONWEALTH
EDISON IN SECTIONS 6 AND 7 OF BRISTOL TOWNSHIP
(PARCEL ID NUMBERS 02-06-400-002 AND 02-07-200-003)**

WHEREAS, the Old Second National Bank of Aurora, as Trustee under trust No. 1582, Paul Schultz, August F. Schultz and Mildred Hanks, and Feltes Gravel Co. and Feltes Land, Inc. petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a gravel mining operation in Sections 6 and 7 of Bristol Township, now identified by Parcel Identification Numbers 02-06-400-002 and 02-07-200-003; and

WHEREAS, said property is legally described in attached documents Exhibit “B” and Exhibit “C”; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 72-8 on April 11, 1972; and

WHEREAS, restriction number 4 of the special use permit awarded by Ordinance 72-8 requires the special use be subject to annual inspection and renewal; and

WHEREAS, Commonwealth Edison acquired the property in September 1975; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Commonwealth Edison, owner, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit “A” that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 72-8 for the subject properties be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 72-8 for the subject properties.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

Matt Asselmeier

From: Chomko, Nadia K:(ComEd) [Nadia.Chomko@exeloncorp.com]
Sent: Friday, October 20, 2017 4:09 PM
To: Matt Asselmeier
Subject: Ordinance #1972-08/02-06-400-002 and 02-07-200-003

Matthew,

Per our conversation earlier today, please be advised that ComEd does not wish to renew the special use permit on the above parcels.

Thank you for contacting us regarding this matter.

Regards,

Nadia Chomko

ComEd Real Estate & Facilities

Nadia.Chomko@ComEd.com

Three Lincoln Centre, 4th Floor

Oakbrook Terrace, IL 60181

voice/630-576-6303

fax/630-437-2223



An Exelon Company

powering lives

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Exhibit B

202736

LEGAL DESCRIPTION

That part of the East half of Section 6, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of said Section 6; thence North along the east line of said Section 6, a distance of 3407.85 feet (51.35 chains-Deed) to the South line of property conveyed to Susan Schmidt by Warranty Deed recorded December 18, 1929 in Book 80, pages 334 and 335; thence West along the South line of property conveyed to Susan Schmidt a distance of 812.68 feet for a point of beginning; thence continuing West along said South line of Susan Schmidt's property, a distance of 740.06 feet to the East line of property conveyed to Earl P. and Emma V. Konicek by Warranty Deed dated December 4, 1961 recorded as Document No. 136414; thence South along the East line of property conveyed to Earl P. Konicek and wife, 1240.82 feet (18.80 chains - Deed) to the center line of Galena Road; thence continuing South along the prolongation of the last described course a distance of 919.13 feet to an angle point which is 1312.43 feet perpendicularly distant North of the South line of said Section 6; thence Southwesterly along a line forming an angle of $26^{\circ} 45' 38''$ to the right with a prolongation of the last described course a distance of 1382.06 feet to an angle point which is 99.70 feet perpendicularly distant North of said South line of Section 6; thence South along a line forming an angle of $26^{\circ} 56' 20''$ to the left with the prolongation of the last described course a distance of 99.74 feet to a point on the South line of said Section 6, which is 2200.61 feet West of the Southeast corner of said Section 6; thence East along the South line of said Section 6 a distance of 791.83 feet; thence Northeasterly along a line forming an angle of $61^{\circ} 20' 23''$ to the left with the South line of said Section 6 a distance of 1257.33 feet to an angle point which is 1112.06 feet perpendicularly distant North of said South line of Section 6; thence North along a straight line forming an angle of $26^{\circ} 45' 38''$ to the left with the prolongation of the last described course a distance of 2329.35 feet to the point of beginning; all in Kendall County, Illinois.

AS W 1/4 SEC. 6

02-06-400-002



CHICAGO TITLE INSURANCE COMPANY
Kendall County Office
270 Bridge Street
Yorkville, Illinois 60550

Exhibit C

LEGAL DESCRIPTION

That part of the West half of the Northeast quarter of Section 7, Township 37 North, Range 7 East of the Third Principal Meridian, bounded and described as follows: Beginning at a point on the South line of said West half of the Northeast quarter of Section 7 which is 907.91 feet West of the Southeast corner thereof; thence Northeasterly along a line 195.36 feet to an angle point; which is 377.17 feet perpendicularly distant West of the East line of said West half of the Northeast quarter and 192.04 feet perpendicularly distant North of the South line of said West half of the Northeast quarter; thence North along a line 2458.72 feet to a point on the North line of said West half of the Northeast quarter of Section 7, which point is 377.51 feet West of the Northeast corner thereof; thence East along the North line of said West half of the Northeast quarter 377.51 feet to said Northeast corner; thence South along the East line of said West half of the Northeast quarter 2652.55 feet to the Southeast corner of said West half of the Northeast quarter; thence West along the South line of said West half of the Northeast quarter 907.91 feet to the point of beginning; (except therefrom that part described as follows: Commencing at the Southeast corner of the West Half of the Northeast Quarter of said Section 7, thence West on the South line of West Half of the Northeast Quarter of said Section 7 a distance of 155.13 feet to a point on the South line of the West Half of the Northeast Quarter of said Section 7; thence Northeasterly along a line 115.21 feet to an angle point which is 113.25 feet perpendicularly distant North of the South line of said West Half of the Northeast Quarter and 137.17 feet perpendicularly distant West of the East line of said West Half of the Northeast Quarter; thence North along a line 2439.25 feet to an angle point which is 137.17 feet perpendicularly distant West of the East line of said West Half of the Northeast Quarter and 99.70 feet perpendicularly distant South of the North line of said West Half of the Northeast Quarter; thence Northeasterly along a line 113.62 feet to a point on the North line of said West Half of the Northeast Quarter of Section 7, which point is 85.68 feet West of the Northeast corner of said West Half of the Northeast Quarter; thence East along the North line of said West Half of the Northeast Quarter 85.68 feet to said Northeast corner; thence South along the East line of said West Half of the Northeast Quarter of Section 7, 2652.55 feet to the point of beginning), all in Kendall County, Illinois.

7.c.b.

02-07-200-003



CHICAGO TITLE INSURANCE COMPANY
Kendall County Office
220 Bridge Street
Yorkville, Illinois 60550

7 5 — 4 4 1 3

2 pages

A.154 after
174 zoning change

ORDINANCE

72-8

com ad ?

Pl. 02-06-400-005

Pl. 02-06-400-002

02-06-400-006

? com ad. Pl. 02-07-200-003

Pl. 02-07-200-006

AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

WHEREAS, The old Second National Bank of Aurora, as Trustee

under trust No. 1582, Paul Schultz, August F. Schultz and

Mildred Hanks, and Feltes Gravel Co. and Feltes Land, Inc.

did petition the Zoning Board of Appeals of Kendall County for a

public hearing in the manner required by law and the ordinances

of Kendall County, Illinois for a proposed amendment to the

Kendall County Zoning Ordinance adopted May 10, 1960,

and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice

of a hearing on said proposed amendment to said Zoning Ordinance

as provided by the Statutes of the State of Illinois, and did

then hold a public hearing on said proposed amendment on the

21st day of March, A.D. 1972, on the site described in the petition

and at the conclusion of said hearing said Zoning Board of Appeals

voted in favor of recommending to the Board of Supervisors of

Kendall County, Illinois that the petition be granted and the

zoning maps and ordinance be amended in the manner required by law;

and

WHEREAS, Supervisor Ernest Zeiter did move that the findings of

the Zoning Board of Appeals be accepted and that the property

described in said petition be granted a change in classification

from "A" Agriculture to "M-3" for asphalt and redi-mix plant

and a "Special Use" under agriculture for gravel mining operation

and upon second by James Mann, roll call was taken as follows:

The following voted Aye: Keith Nichols: Harold Christian:

Howard Shoger: James Mann: Charles Sleezer; Ernest Zeiter;

Charles Whitfield: John Stewart: Robert Hacker; Russell Naden.

The following voted Naye: None

Excused: Myron Wormley.

207

M-3
A1-50
multi zoning?

see attached map

NOWTHEREFORE, BE IT ORDAINED by the Board of Supervisors of Kendall County, Illinois that the following described property be and it is hereby rezoned from "A" Agriculture to "M-3" for asphalt and redi-mix plant and a "Special Use" under agriculture for gravel mining operation and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

PARCEL I

The East ahlf of the Northeast quarter of Section 7 and the Northwest quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian, all in Bristol Township, Kendall County, Illinois. Containing 240 plus acres.

PARCEL II

That part of the West half of the Northeast quarter of Section 7, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of said West half for a point of beginning; thence South along the East line of said West half, 724.00 feet; thence West along a line which forms an angle of 89° 36' 21" measured from North to West with the last described line, 874.63 feet; thence North along a line which froms an angle of 90° 35' 33" measured from East to North with the last described line, 709.73 feet to a point in the North line of said West Half; thence East along said North line, 877.11 feet to the point of beginning, all in Bristol Township, Kendall County, Illinois. Containing 14.41 acres.

PARCEL III

That part of the Southeast quarter of Section 6, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said Southeast quarter; thence East along the South line of said Southeast quearter,

442.89 feet for a point of beginning; thence North along a line which forms an angle of 89° 39' 33" measured from East to North with the easterly extension of the last described line, 1027.0 feet; thence East along a line which forms an angle of 89° 39' 48" measured from South to East with the last described line, 1730.00 feet; thence South along a line which forms an angle of 90° 29' 42" measured from West to South with the last described line, 1006.52 feet to a point in the South line of said Southeast quarter; thence West along the South line of said Southeast quarter, 1732.11 feet to the point of beginning, all in Bristol Township, Kendall County, Illinois. Containing 40.40 acres.

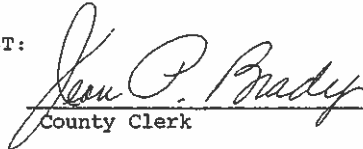
BE IT FURTHER ORDAINED that the above "Special Use" classification shall be expressly made subject to the following conditions:

1. That the foregoing "Special Use" shall be subject to further review of the Zoning Board of Appeals and the Board of Supervisors upon notice directed to the owner of the premises herein described and a proper publication as required by law not less than fifteen days prior to date of hearing.
2. That a green belt must be maintained on the west side of the West Branch of the Rob Roy Creek of a minimum of 100 feet.
3. That the petitioner cooperate with the Bristol Township Road Commissioner on the south end of the site.
4. That the petitioner be subject to an annual inspection and renewal.
5. That a bond of \$50,000 will be required until such time as the State of Illinois makes their rules governing bonding of such areas.

Passed this 11th day of April, 1972.

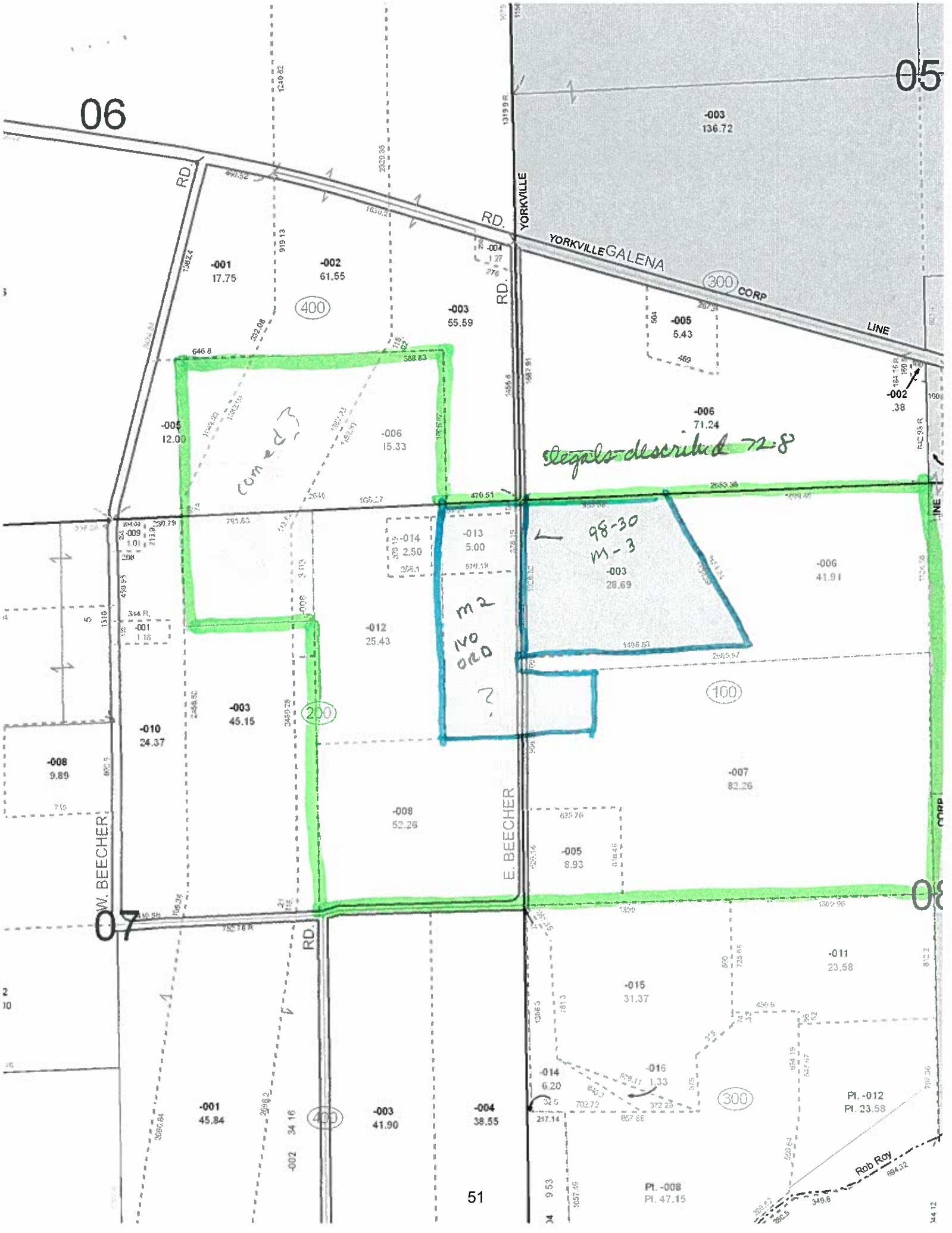

Chairman County Board of Supervisors
Kendall County, Illinois

ATTEST:


County Clerk

06

05

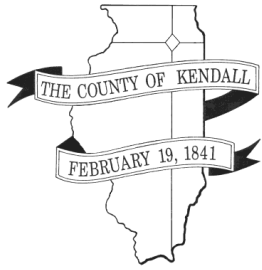


legals described 72.8

*98-30
M-3*

*m2
140
020
?*

com 23



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: November 3, 2017

Re: Petition 17-35-Repeal of Special Use at 10123 Fox River Drive and Northwest Corner of Crimmin Road and Fox River Drive

On November 10, 1986, the Kendall County Board approved a special use permit allowing for the placement of a 42 lot residential subdivision near the corner of Crimmin Road and Fox River Drive (Ordinance 86-12). A copy of Ordinance 86-12 which granted them a special use permit is attached.

On May 16, 2017, the Kendall County Board approved a partial revocation of a special use permit for a residential subdivision at the corner of Crimmin Road and Fox River Drive (Ordinance 2017-08).

At the time of that revocation, Staff stated they would contact other property owners impacted by the original special use permit to see if they want to retain or revoke the special use permit for a residential subdivision.

As of November 1, 2017, all of the remaining property owners impacted by the special use awarded by Ordinance 86-12 have requested for the special use permit in question to be revoked because they do not believe that the subdivision originally proposed in 1986 will occur.

The subject properties are zoned R-2. If the special use permit is revoked, the subject property would retain the R-2 zoning classification.

If the Committee wishes to take action on this proposal, a draft ordinance is also enclosed.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Ordinance 86-12
Draft Revocation Ordinance
Aerial

ORDINANCE # 2017-_____

**REVOKING A SPECIAL USE for
PROPERTY LOCATED AT THE NORTHWEST CORNER OF CRIMMIN ROAD AND
FOX RIVER DRIVE INCLUDING 10123 FOX RIVER DRIVE, NEWARK
AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS
04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 AND
04-20-300-002 IN FOX TOWNSHIP**

WHEREAS, Gene Whitfield petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the development of a planned unit development at the northwest corner of Fox River Drive and Crimmin Road, in Fox Township; and

WHEREAS, said property is legally described as follows:

That part of the Southeast Quarter of Section 19, part of the Southwest Quarter of Section 20, part of the Northwest Quarter of Section 29 and part of the Northeast Quarter of Section 30, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of said section 20; thence North 89° 15'14" west along the south line of said Section 20, 891.0 feet; thence north 0°30'12" East, 25.74 feet; thence North 79°32'34" West, 850.64 feet; thence North 25°42'41" East, 26.64 feet; thence North 81°50'28" West, 4,764.34 feet for a point of beginning; thence South 18°47'55" West, 944.76 feet to the south line of Lot 1 of said Section 30 as shown in Plat Book 3, page 20; thence South 82°19'24" East along said south line, 182.16 feet; thence South 30°13'28" West parallel with the Burlington Northern, Inc. Railroad Company right of way through said Section 30, 368.28 feet; thence South 29°43'28" West, 935.33 feet to the northerly line of Comb's Subdivision; thence South 82°04'11" East along said northerly line and said northerly line extended, to the center line of Crimmin Road; thence northerly along said center line; to a line drawn South 81°50'28" East from the point of beginning; thence North 81°50'28" West to the point of beginning in Fox Township, Kendall County, Illinois.

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 86-12 on November 10, 1986; and

WHEREAS, the properties identified by Parcel ID Numbers 04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 and 04-20-300-002 are located within the development awarded a special use permit by Ordinance 86-12; and

WHEREAS, the Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield have owned the properties identified by parcel identification numbers 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 since at least 2005; and

WHEREAS, R W and K J Whitfield have owned the property identified by parcel identification number 04-20-300-002 since at least 2005; and

WHEREAS, Donald and Colleen Zitt purchased the property identified by parcel identification number 04-29-100-005 from the Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield on or about September 14, 2016; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Donald and Colleen Zitt, owners, Joanne Whitfield, owner, and Richard Whitfield, representing R W & K J Whitfield have stated in letters as provided in attached Exhibits “A” “B” and “C” that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property and waived their right to a public hearing for the revocation; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 86-12 as applied to the properties identified by Parcel ID Numbers 04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 and 04-20-300-002, including the property also known as 10123 Fox River Drive, Newark, be revoked as of the date of this Ordinance.

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit on the subject property granted under Ordinance 86-12.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A


October 26, 2017

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139 Fax: 630.553.4179

I, Donald Zitt, am the owner at 10123 Fox River Drive, Newark.

On November 10, 1986, the property was granted a special use (Ordinance 86-12). The special use granted in 1986 was granted for the creation of a residential subdivision with various lot sizes.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.


(Signature)

10/30/2017
(Date)

Colleen Zitt
(Printed Name)

Attest: 
Notary Public

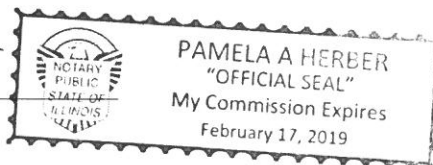


Exhibit B

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139

I, Joanne E. Whitfield am the owner of properties near the Intersection of Fox River Drive and Crimmin Road identified by Parcel Identification Numbers 04-19-400-009 and 04-30-200-002.

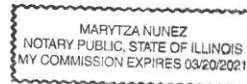
On November 10, 1986, these properties were granted a special use (Ordinance 86-12). The special use granted in 1986 was granted to allow for the development of a forty-two (42) lot residential subdivision with lot sizes ranging from one (1) acre to twenty-four point one (24.1) acres.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

Joanne E. Whitfield
(Signature)

11-1-17
(Date)

Joanne E. Whitfield
(Printed Name)



Attest: Marytza Nunez
Notary Public

Exhibit C

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139

I, Richard W. Whitfield, am the owner of property near the Intersection of Fox River Drive and Crimmin Road identified by Parcel Identification Number 04-20-300-002.

On November 10, 1986, the property was granted a special use (Ordinance 86-12). The special use granted in 1986 was granted to allow for the development of a forty-two (42) lot residential subdivision with lot sizes ranging from one (1) acre to twenty-four point one (24.1) acres.

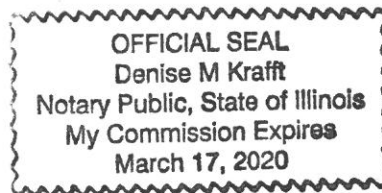
Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

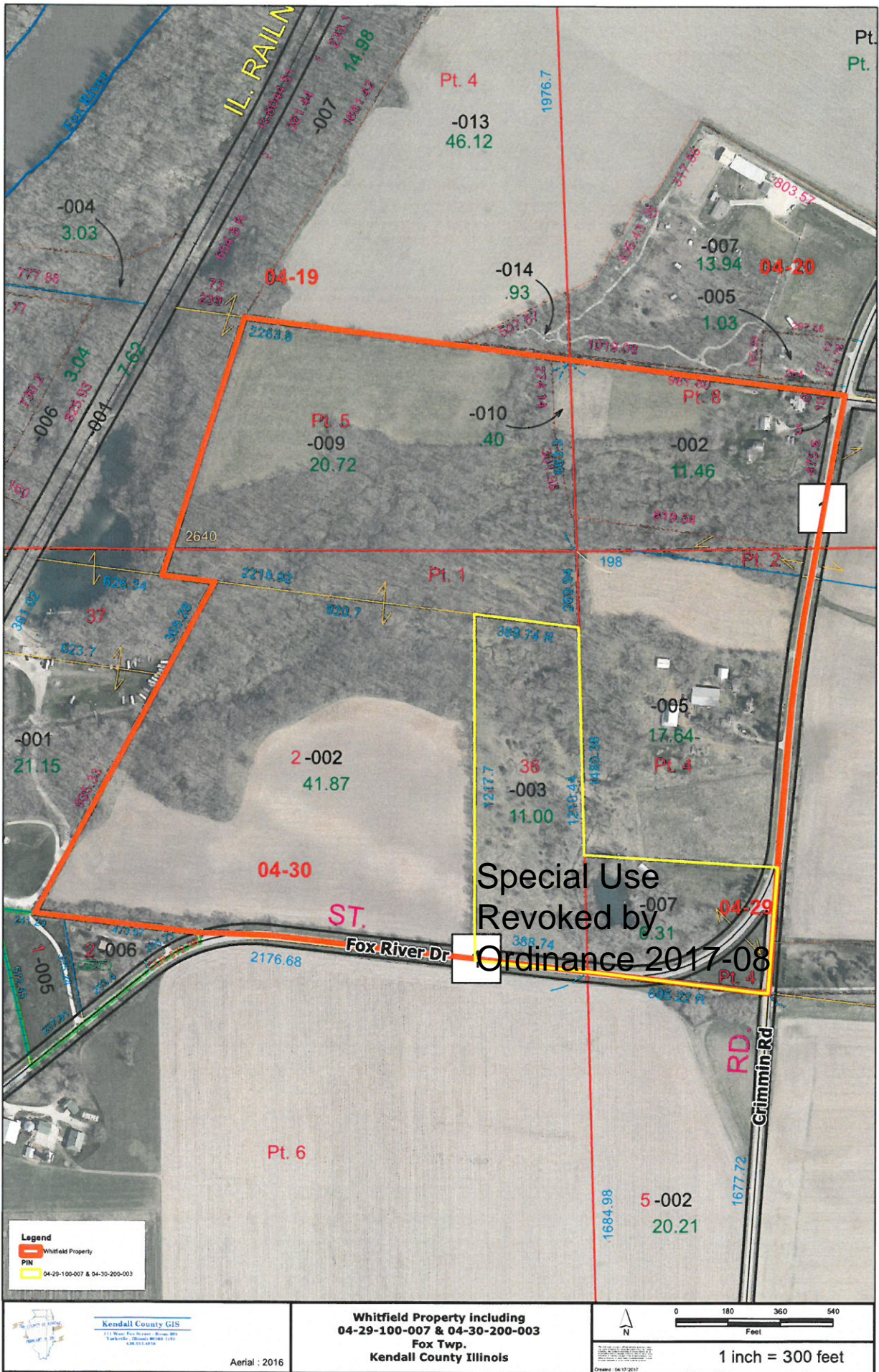
Richard W. Whitfield
(Signature)

11-1-17
(Date)

Richard W. Whitfield
(Printed Name)

Attest: Denise M Krafft
Notary Public





04-19-400-009 + 010 PR 04-29-100-003 P+ 04-29-200-01
04-20-300-002 P+ 04-29-200-001
04-30-200-003 86-12
04-30-200-002 ORDINANCE
AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED 86-08

R-2 SU
PUD
WHEREAS, Gene Whitfield did petition the Zoning Board of Appeals of Kendall County, Illinois for a public hearing in the manner required by law and ordinances of Kendall County, Illinois, for a proposed amendment to the Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed map amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed map amendment on the 29th day of August, 1986 in the Kendall County Board Room and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois, that the petition be granted and the zoning maps be amended; and

WHEREAS, the appropriate zoning classification for the residential use requested by petitioner is R2 Residential; and

WHEREAS, as a result of the unique environmental conditions of the property, strict adherence to the minimum lot size requirements of the R2 Residential district would deprive the petitioner of a reasonable use of the land; and

WHEREAS, the petitioner has submitted a plat describing and depicting the size and location of 42 lots in the land described in the petition; and

WHEREAS, said lot size vary from 1 acre to 24.1 acres; and


WHEREAS, granting of a special use permit as a planned unit development in accordance with the attached plat is in conformance with the Ordinance and is a reasonable land use of the property described. Said planned unit development authorizing the variance in lot size from the specific minimum is provided by the Ordinance.

Ordinance


NOW, THEREFORE, be it ordained by the County Board of Kendall County that the following described property be and the same is hereby reclassified from Agriculture A1 to residential R2 with the special use for plan use and development in accordance with the attached plat and that the Zoning Administrator be hereby ordered and directed to change the zoning map to show the change in zoning classification, legally described as follows:

See attached Exhibit "A"

PASSED THIS 10th day of November, 1986.


Chairman, County Board of
Kendall County, Illinois

ATTEST:


County Clerk

PART OF EXHIBIT "A"

Legal Description for Gene Whitfield:

Tract to be rezoned from A1 to R2SU

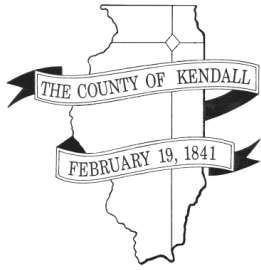
That part of the Southeast Quarter of Section 19, part of the Southwest Quarter of Section 20, part of the Northwest Quarter of Section 29 and part of the Northeast Quarter of Section 30, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of said Section 20; thence North $89^{\circ}15'14''$ west along the south line of said Section 20, 891.0 feet; thence North $0^{\circ}30'12''$ East, 25.74 feet; thence North $79^{\circ}32'34''$ West, 850.64 feet; thence North $25^{\circ}42'21''$ East, 26.64 feet; thence North $81^{\circ}50'28''$ West, 4,764.34 feet for a point of beginning; thence South $18^{\circ}47'55''$ West, 944.76 feet to the south line of Lot 1 of said Section 30 as shown in Plat Book 3, page 20; thence South $82^{\circ}19'24''$ East along said south line, 182.16 feet; thence South $30^{\circ}13'28''$ West parallel with the Burlington Northern, Inc. Railroad Company right of way through said Section 30, 368.28 feet; thence South $29^{\circ}43'28''$ West, 935.33 feet to the northerly line of Comb's Subdivision; thence South $82^{\circ}04'11''$ East along said northerly line and said northerly line extended, to the center line of Crimmin Road; thence northerly along said center line* to a line drawn South $81^{\circ}50'28''$ East from the point of beginning; thence North $81^{\circ}50'28''$ West to the point of beginning in Fox Township, Kendall County, Illinois and containing 110.096 acres.

*and along the center line of Fox River Drive,

For members with Mail Service of \$64.621, Center, Illinois ⁶⁶, as follows:

81	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
82	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
83	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
84	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
85	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
86	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
87	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
88	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
89	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
90	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
91	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
92	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
93	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
94	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
95	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
96	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
97	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
98	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
99	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:
100	For members with Mail Service of \$64.621, Center, Illinois ⁶⁶ , as follows:





KENDALL COUNTY NOXIOUS WEED ANNUAL REPORT 2017

As required by the Illinois Noxious Weed Law (505 ILCS 100), the County of Kendall submits the following Annual Report from November 1, 2016 to October 31, 2017.

During the reporting period:

1. Kendall County sent letters to each township and municipality located within Kendall County asking that they report noxious weed cases and investigations to the Kendall County Planning, Building and Zoning Department. A copy of the letter is attached.
2. Kendall County received zero (0) complaints of noxious weeds within the County and investigated zero (0) complaints of noxious weed infestations.
3. Kendall County received (0) requests for assistance in the investigation of noxious weed infestations.
4. Kendall County eradicated zero (0) acres of noxious weeds.
5. Kendall County quarantined zero (0) acres of property.
6. Kendall County received zero (0) requests for advice from persons responsible for controlling and eradicating noxious weeds.
7. Kendall County published zero (0) notices to individuals or the public regarding noxious weeds.
8. Starting in 2018, Kendall County shall publish the General Notice at least one time annually in a newspaper of general circulation within the County.
9. Kendall County prepared and adopted a Comprehensive Work Plan for 2018.
10. Kendall County cooperated, when requested, with Federal, State and local authorities in carrying out the provisions of the Illinois Noxious Weed Law.

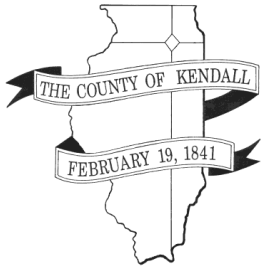
This Noxious Weed Annual Report was approved by the Kendall County Board on November 21, 2017.

Respectively Submitted,

Scott R. Gryder
Kendall County Board Chairman

Date

Enc: August 16, 2017 Letter to Municipalities and Townships



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

August 16, 2017

RE: Illinois Noxious Weed Law

Dear Township Supervisors and Mayors:

The Illinois Department of Agriculture recently informed Kendall County that the County must do more work in relation to the enforcement of the Illinois Noxious Weed Law (505 ILCS 100). In particular, the State requires the County to create and submit prior to December of each year an annual report and create and submit on or before the first day of November of each year a comprehensive work plan for the next calendar.

In order to comply with State law, we request that you inform us of any noxious weed cases that you receive, the location of the complaint and if the complaint was resolved. Please send this information to Matthew Asselmeier, Kendall County Senior Planner, 111 W. Fox Street, Yorkville, IL 60560 or masselmeier@co.kendall.il.us.

We do not request that you undertake any additional work related to the enforcement of the Illinois Noxious Weed Law or that you alter your procedures for process noxious weed complaints except that you inform us of noxious weed complaints.

Kendall County hopes to partner with each township and municipality in order to comply with this law. A list of State of Illinois recognized noxious weeds is included with this letter.

If you have any questions, please contact Mr. Asselmeier at 630-553-4139.

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board

Enc: List of Noxious Weeds

Section 220.60 Noxious Weeds

The following plants within the sovereign territory of the State of Illinois are designated and declared noxious weeds:

- a) Marihuana (*Cannabis sativa* L.);
- b) Giant Ragweed (*Ambrosia trifida* L.) within the corporate limits of cities, villages, and incorporated towns;
- c) Common Ragweed (*Ambrosia artemisiifolia* L.) within the corporate limits of cities, villages, and incorporated towns;
- d) Canada Thistle (*Cirsium arvense*);
- e) Perennial Sowthistle (*Sonchus arvensis*);
- f) Musk Thistle (*Carduus nutans*);
- g) Perennial members of the sorghum genus, including johnsongrass (*Sorghum halepense*), sorghum almum, and other johnsongrass X sorghum crosses with rhizomes; and
- h) Kudzu (*Pueraria lobata*).

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice) • Fax 217/524-4882 • 866/287-2999 (TTY/TDD)
Pesticide Misuse Hotline 1-800-641-3934 (voice)

May 5, 2017

Kendall County Board
Scott Gryder
111 W Fox St
Yorkville, IL 60560

Pursuant to 505 ILCS 100/4, the Director of the Illinois Department of Agriculture is issuing this Notice of Noncompliance with regard to certain requirements of the Illinois Noxious Weed Law. Links to the aforementioned statute and associated regulations are shown below. Under their provisions, the governing body of each county is designated as a *Control Authority* and is to do the following:

- 1) establish a coordinated program for control and eradication of noxious weeds within the county;
- 2) conduct an examination of all land under its jurisdiction for compliance with the Act;
- 3) compile data on infested areas and areas eradicated;
- 4) advise persons responsible for controlling and eradicating noxious weeds of the best and most practical methods of noxious weed control and eradication;
- 5) investigate or aid in the investigation and prosecution of violations of the Act;
- 6) publish notices for control and eradication of noxious weeds as set forth in the Act and rules and as prescribed by the Director; and
- 7) cooperate with Federal, State, and local authorities in carrying out the provisions of the Act and its rules.

Control Authorities may employ one or more *weed control superintendents* who must be certified by the Director of the Illinois Department of Agriculture to carry out many of the various activities authorized in the Act including the examination of lands under the *Control Authority's* jurisdiction, the investigation of complaints, the issuance of control notices, the creation and submittal prior to December of each year of an annual report, and the creation and submittal on or before the first day of November of each year of a comprehensive work plan for the next calendar year.

Please take a few minutes and review the statute and associated regulations, the status of your current noxious weed control program, and whether improvements might be made to improve its effectiveness.

The statute and associated regulations can be found by following the links as indicated:

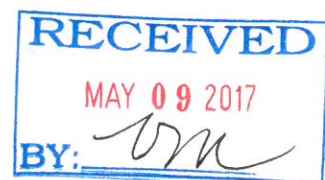
Statute – <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1693&ChapterID=40>
Rule – <http://ilga.gov/commission/jcar/admincode/008/00800220sections.html>

If you have any questions or comments, please feel free to contact us at the Department of Agriculture at your convenience.

Sincerely,



Warren D. Goetsch, P.E.
Deputy Director and Acting Bureau Chief, Environmental Programs



Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law.

For information concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

AGRICULTURE

(505 ILCS 100/) Illinois Noxious Weed Law.

(505 ILCS 100/1) (from Ch. 5, par. 951)

Sec. 1. This Act shall be known and may be cited as the Illinois Noxious Weed Law.

(Source: P.A. 77-1037.)

(505 ILCS 100/2) (from Ch. 5, par. 952)

Sec. 2. As used in this Act:

(1) "Person" means any individual, partnership, firm, corporation, company, society, association, the State or any department, agency, or subdivision thereof, or any other entity.

(2) "Control", "controlled" or "controlling" includes being in charge of or being in possession, whether as owner, lessee, renter, or tenant, under statutory authority, or otherwise.

(3) "Director" means the Director of the Department of Agriculture of the State of Illinois, or his or her duly appointed representative.

(4) "Department" means the Department of Agriculture of the State of Illinois.

(5) "Noxious weed" means any plant which is determined by the Director, the Dean of the College of Agricultural, Consumer and Environmental Sciences of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, to be injurious to public health, crops, livestock, land or other property.

(6) "Control Authority" means the governing body of each county, and shall represent all rural areas and cities, villages and townships within the county boundaries.

(7) "Applicable fund" means the fund current at the time the work is performed or the money is received.

(Source: P.A. 99-539, eff. 7-8-16.)

(505 ILCS 100/3) (from Ch. 5, par. 953)

Sec. 3. Every person shall control the spread of and eradicate noxious weeds on lands owned or controlled by him and use such methods for that purpose and at such times as are approved and adopted by the Director of the Department of Agriculture.

(Source: P.A. 77-1037.)

(505 ILCS 100/4) (from Ch. 5, par. 954)

Sec. 4. The duty of enforcing this Act and carrying out its provisions is vested in the Director, and the authorities

designated in this Act acting under the supervision and direction of the Director. If a Control Authority fails to carry out its duties and responsibilities under this Act or fails to follow the Department's rules, the Director shall enforce this Act or rules by sending a Notice of Noncompliance to the Control Authority. The Director, the Dean of the College of Agricultural, Consumer and Environmental Sciences of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, shall determine what weeds are noxious for the purposes of this Act, and shall compile and keep current a list of such noxious weeds, which list shall be published and incorporated in the rules and regulations of the Department. The Director shall, from time to time, adopt and publish methods as official for control and eradication of noxious weeds and make and publish such rules and regulations as in his judgment are necessary to carry out the provisions of this Act.
(Source: P.A. 99-539, eff. 7-8-16.)

(505 ILCS 100/5) (from Ch. 5, par. 955)

Sec. 5. The Director is authorized to investigate the subject of noxious weeds; to require information and reports from any Control Authority as to the presence of noxious weeds and other information relative to noxious weeds and the control and eradication thereof in localities where such Control Authority has jurisdiction; to cooperate with Control Authorities in carrying out other acts administered by him; to cooperate with agencies of Federal and State Governments and persons, in carrying out his duties under this Act, and, with the consent of the Governor, in the conduct of investigations outside this State in the interest of the protection of the agricultural industry of this State from noxious weeds not generally distributed therein; with the consent of the Federal agency involved, to control and eradicate noxious weeds on Federal lands within this State, with or without reimbursement, when deemed by him to be necessary to an effective weed control and eradication program; to advise and confer as to the extent of noxious weed infestations and the methods determined best suited to the control and eradication thereof; to call and attend meetings and conferences dealing with the subject of noxious weeds; to disseminate information and conduct educational campaigns with respect to control and eradication of noxious weeds; to procure materials and equipment and employ personnel necessary to carry out his duties and responsibilities; and to perform such other acts as may be necessary or appropriate to the administration of this Act.

(Source: P.A. 77-1037.)

(505 ILCS 100/7) (from Ch. 5, par. 957)

Sec. 7. Each Control Authority shall carry out the duties and responsibilities vested in it under this Act with respect to land under its jurisdiction in accordance with rules and regulations prescribed by the Department. Such duties shall include the establishment, under the general direction of the Control Authority, of a coordinated program for control and eradication of noxious weeds within the county.

A Control Authority may cooperate with any person in

carrying out its duties and responsibilities under this Act.
(Source: P.A. 77-1037.)

(505 ILCS 100/8) (from Ch. 5, par. 958)

Sec. 8. Each Control Authority may employ one or more Weed Control Superintendents who shall be certified by the Director to be qualified to detect and treat noxious weeds. The same person may be a Weed Control Superintendent for more than one Control Authority. Such employment may be for such tenure, and at such rates of compensation and reimbursement for travel expenses, as the Control Authority may prescribe. Each Weed Control Superintendent may be bonded for such sum as the Control Authority may prescribe.

Each Control Authority shall examine all land under its jurisdiction for the purpose of determining whether the provisions of this Act and the regulations of the Director have been complied with; compile such data on infested areas and areas eradicated and such other reports as the Director or Control Authority may require; consult and advise upon matters pertaining to the best and most practical methods of noxious weed control and eradication, and render assistance and direction for the most effective control and eradication; investigate or aid in the investigation and prosecution of any violation of this Act. Control Authorities may cooperate and assist one another to the extent practicable in the carrying out of a coordinated control and eradication program within their counties.

(Source: P.A. 77-1037.)

(505 ILCS 100/9) (from Ch. 5, par. 959)

Sec. 9. Notices for control and eradication of noxious weeds shall be on a form prescribed by the Director and shall consist of 2 kinds: general notices and individual notices. Failure to publish general weed notices or to serve individual notices as provided in this Section does not relieve any person from the necessity of full compliance with this Act and regulations thereunder. In all cases such published notice is legal and sufficient notice.

General notice shall be published by each Control Authority, or any combination of Control Authorities among counties, in one or more legal newspapers of general circulation throughout the area, or areas, over which the Control Authority, or Control Authorities, have jurisdiction at such times as the Director may direct or the Control Authority may determine.

Whenever any Control Authority finds it necessary to secure more prompt or definite control or eradication of noxious weeds than is accomplished by the general published notice, it shall serve individual notices upon the person owning and the person controlling such land, and give notification of such notice to the record owner of any encumbrance thereon, giving specific instructions and methods when and how certain named weeds are to be controlled or eradicated.

(Source: P.A. 77-1037.)

(505 ILCS 100/10) (from Ch. 5, par. 960)

Sec. 10. Whenever the owner or person in control of the land on which noxious weeds are present has neglected or

failed to control or eradicate them as required in this Act and any notice is given pursuant to Section 9, the Control Authority having jurisdiction shall have proper control and eradication methods used on such land, and shall advise the owner, person in control, and record holder of any encumbrance of the cost incurred in connection with such operation. The cost of any such control or eradication shall be at the expense of the owner. If unpaid for 6 months, or longer, the amount of such expense shall become a lien upon the property. Nothing contained in this Section shall be construed to require satisfaction of the obligation imposed hereby in whole or in part from the sale of the property or to bar the application of any other additional remedy otherwise available. Amounts collected under this Section shall be deposited in the Noxious Weed Control Fund or other appropriate general fund of the Control Authority.
(Source: P.A. 77-1037.)

(505 ILCS 100/11) (from Ch. 5, par. 961)

Sec. 11. When it appears to a Control Authority that upon any tract of land under its jurisdiction there is an infestation of noxious weeds beyond the ability of the owner and the person in control of such land to eradicate, the Control Authority, with the approval of the Director, may quarantine such land and put into immediate operation the necessary means for the eradication of such noxious weeds. The Control Authority shall, prior to the entry upon such land, serve individual notices on the owner and the person in control thereof and the record owner of any encumbrance thereon of such quarantine and entry, and shall also advise such persons of the completion of the eradication operation, and the cost thereof. The expense of such quarantine and eradication shall be borne as follows: 1/2 from the Noxious Weed Control Fund or other appropriate general fund of the Control Authority; and 1/2 from the person owning such land, which may be collected and deposited as provided in Section 10.
(Source: P.A. 77-1037.)

(505 ILCS 100/12) (from Ch. 5, par. 962)

Sec. 12. The cost of controlling and eradicating noxious weeds on all land, including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a State department, agency, commission or board shall be paid by the State department, agency, commission or board in control thereof out of funds appropriated to its use.

The cost of controlling and eradicating noxious weeds on all land including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a Control Authority shall be paid by the Control Authority in control thereof out of the Noxious Weed Control Fund, and until the establishment of such Fund, out of the general funds of such Control Authority. Until the establishment of the Noxious Weed Control Fund by a Control Authority, the cost of controlling and eradicating noxious weeds on all land, including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a township or city or other municipal corporation shall be paid by the township or city or other municipal corporation in control thereof out of the general

funds of such township or city or other municipal corporation. After the establishment of the Noxious Weed Control Fund of the county in which such township or city is located, such cost shall be paid from the Noxious Weed Control Fund of such county.

(Source: P.A. 77-1037.)

(505 ILCS 100/13) (from Ch. 5, par. 963)

Sec. 13. Notwithstanding any other provisions of this Act relating to payment of cost, when determined by a Control Authority to be justified in the interest of an effective weed control program, such Control Authority may control and eradicate noxious weeds on land under its jurisdiction, without cost to the owner or person in control thereof.

(Source: P.A. 77-1037.)

(505 ILCS 100/14) (from Ch. 5, par. 964)

Sec. 14. To prevent the dissemination of noxious weeds through any article, including machinery, equipment, plants, materials and other things, the Director, in consultation with the Dean of the College of Agricultural, Consumer and Environmental Sciences of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, shall, from time to time, publish a list of noxious weeds which may be disseminated through articles and a list of articles capable of disseminating such weeds, and designate treatment of such articles as, in his opinion, would prevent such dissemination. Until such article is treated in accordance with the applicable regulations, it shall not be moved from such premises except under and in accordance with the written permission of the Control Authority having jurisdiction of the area in which such article is located, and the Control Authority may hold or prevent its movement from such premises. The movement of any such article which has not been so decontaminated, except in accordance with such written permission, may be stopped by the Control Authority having jurisdiction over the place in which such movement is taking place and further movement and disposition shall only be in accordance with such Control Authority's direction.

(Source: P.A. 99-539, eff. 7-8-16.)

(505 ILCS 100/15) (from Ch. 5, par. 965)

Sec. 15. A Noxious Weed Control Fund may be established as provided in Section 16 for each Control Authority, without fiscal year limitation, which shall be available for expenses authorized to be paid from such Fund, including the necessary expenses of the Control Authority in carrying out its duties and responsibilities under this Act. The Weed Control Superintendents within the county shall ascertain each year the approximate amount of land within the county infested with noxious weeds, and the location thereof, and transmit such information to the Director and the Control Authority. On the basis of such information the Control Authority shall make payments from the Noxious Weed Control Fund. If a Noxious Weed Control Fund is not established as provided in Section 16, the expenses authorized to be paid from such Fund shall be paid out of any other appropriate general fund of the Control

Authority.

(Source: P.A. 77-1037.)

(505 ILCS 100/17) (from Ch. 5, par. 967)

Sec. 17. Control Authorities, independently or in combination, may purchase or provide for needed or necessary materials, machinery and equipment, including the cost of operation and depreciation of such machinery and equipment, for the control and eradication of weeds as provided in Sections 10 and 11, whether or not declared noxious on land owned or controlled by them or on other land under their jurisdiction. All funds received from such control and eradication of weeds shall be deposited in the Noxious Weed Control Fund or other appropriate general fund of the Control Authority. Each Control Authority shall keep a record showing the procurement, sale and rental of materials, machinery and equipment, which record shall be open to inspection by citizens of this State. A Control Authority may use any equipment or material procured as provided for in this Section upon lands owned or directly controlled by it, or owned or controlled by a township or city which is not a Control Authority, for the treatment and eradication of weeds which have not been declared noxious.

(Source: P.A. 77-1037.)

(505 ILCS 100/18) (from Ch. 5, par. 968)

Sec. 18. If any person is dissatisfied with the amount of any charge made against him by a Control Authority for control or eradication work, he may, within 5 days after being advised of the amount of the charge, file a protest with the Director. The Director shall hold a hearing thereon and has the power to adjust or affirm such charge.

(Source: P.A. 77-1037.)

(505 ILCS 100/19) (from Ch. 5, par. 969)

Sec. 19. All final administrative decisions of the Director or his representative are subject to judicial review under the Administrative Review Law. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. The filing for judicial review shall stay the order of the Director or his representative pending disposition of the order on judicial review. The court, upon its own initiative or upon motion by the Director, may in its discretion, when it deems it necessary to protect the interests involved, require the posting of additional bond in an amount it deems advisable, as a prerequisite to judicial review.

(Source: P.A. 82-783.)

(505 ILCS 100/20) (from Ch. 5, par. 970)

Sec. 20. The Director, any Control Authority, Weed Control Superintendent, or anyone authorized thereby, may enter upon all land under their jurisdiction for the purpose of performing their duties and exercising their powers under this Act, including the taking of specimens of weeds or other materials, without the consent of the person owning or controlling such land and without being subject to any action for trespass or damages, if reasonable care is exercised.

(Source: P.A. 77-1037.)

(505 ILCS 100/21) (from Ch. 5, par. 971)

Sec. 21. All individual notices, service of which is provided for in this Act, shall be in writing. Service of such notices shall be in the same manner as service of a summons in a civil action in the circuit court or by certified mail to the last known address to be ascertained, if necessary, from the last tax list.

(Source: P.A. 77-1037.)

(505 ILCS 100/22) (from Ch. 5, par. 972)

Sec. 22. Any person violating any provision of this Act or any regulation issued hereunder is guilty of a petty offense and shall be fined not more than \$100 for the first offense and not more than \$200 for each subsequent offense.

(Source: P.A. 78-255.)

(505 ILCS 100/23) (from Ch. 5, par. 973)

Sec. 23. The Director may participate in any noxious weed control program and, when called upon to do so by any such program, may use any funds available to him for the purposes of this Act in the matching of any federal funds made available to this State.

(Source: P.A. 77-1037.)

(505 ILCS 100/24) (from Ch. 5, par. 974)

Sec. 24. If any Section or provision of this Act is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining Sections or provisions of the Act which can be given effect without the invalid Section or provision, and to this end the Sections and provisions of this Act are declared to be severable.

(Source: P.A. 77-1037.)

Matt Asselmeier

From: Bob Rogerson [brogeron@oswegotownship.org]
Sent: Thursday, November 02, 2017 8:38 AM
To: Fran Klaas; Matt Asselmeier
Subject: FW: Red Hawk Landing Subdivision
Attachments: 2017-11-01 Water issues in Red Hawk Landing.pdf

From: Bob Rogerson
Sent: Thursday, November 2, 2017 7:41 AM
To: J. Chris Lindley <clindley@wbkengineering.com>
Subject: FW: Red Hawk Landing Subdivision

Bob Rogerson

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

From: [REDACTED]
Sent: Wednesday, November 1, 2017 6:26 PM
To: Bob Rogerson <brogeron@oswegotownship.org>
Subject: RE: Red Hawk Landing Subdivision

Bob,

Per my message this afternoon, attached are additional photos of the water issues that I continue to face.

What, if any, updates do you have for us?

Mike Bolte

From: Bob Rogerson
Sent: Wednesday, October 4, 2017 11:12 AM

To: [REDACTED]

Subject: FW: Red Hawk Landing Subdivision

Here is the latest from our engineer. We are going to move forward. We appreciate your patience on this issue.

Thank you,

Bob Rogerson

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

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From: J. Chris Lindley [<mailto:clindley@wbkengineering.com>]
Sent: Friday, September 29, 2017 3:35 PM
To: Bob Rogerson <brogeron@oswegotownship.org>
Cc: Charles M. Hanlon <chanlon@wbkengineering.com>
Subject: Red Hawk Landing Subdivision

Bob – here is our proposal for the field tile improvement plans at Red Hawk Landing Subdivision on Collins Road. I've included a field tile and base mapping proposal from Huddleston McBride Land Drainage Company in WBK's proposal. This work is necessary to determine the actual location, condition, material etc. of the existing tile. It is also needed to establish the base map for the tile system improvements.

Please review the attachments and I will call you next week to go over the proposal and answer any questions. We can begin work on this project upon your approval.

Thank you - Chris

Chris Lindley
Site Development Practice Lead

WBK Engineering, LLC
8 East Galena Boulevard, Suite 402, Aurora, Illinois 60506
P: 630.701.2245 C: 847.980.0935 D: 630.338.8559

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New photos of the water issues in Red Hawk Landing, November 1, 2017



From 34 Red Hawk facing North. My neighbor's yard has been like this for over week.



I cannot maintain my yard because the standing water is too deep. It has become stagnate and we cannot allow our pets to run free in our yard.



The trash guard completely wrecked. Found in the ditch on the north side of Collins near the water intake.

th



Water intake north side of Collins, the water is running but the flow should be much higher.

Wat



10" main at south side Collins road. The main is running less than 25% capacity, yet there's a tremendous amount of water above this main.



This is the area to the south and west of where the 10" main was placed last year.





The standing water has to be 4"-6" deep in the area above the main. Clearly, not draining properly.

Matt Asselmeier

From: Bob Rogerson [brogeron@oswegotownship.org]
Sent: Thursday, November 02, 2017 8:27 AM
To: Fran Klaas; Matt Asselmeier
Subject: Red Hawk Landing

I just sent this out to [REDACTED]

Hello again, Wanted to give an update to you folks. Mr. Bolte has informed me of the water issue once again. I was very frustrated with the last rains we have had and new it was not going to help your situation. Thank you Mike for the photos. I had forwarded the photos and your message to the Engineers. I know it doesn't look like we are doing anything at this moment but it is a lengthy process that WBK has started and are working with Kendall County on this permanent fix. Given the time of the year, this permanent fix will most likely not get done until spring. Yes Mike I did inherit this and am doing all I can at this moment. I will keep you all in the loop as things progress.

Again thank you for your patience on this matter.

Sincerely,

Bob Rogerson

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

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Matt Asselmeier

From: Bob Rogerson [brogeron@oswegotownship.org]
Sent: Wednesday, October 11, 2017 11:43 AM
To: Matt Asselmeier
Subject: FW: Red Hawk Landing Subdivision
Attachments: 2017.0237.pdf; 17303.pdf

Hello Matt, I understand you and Brian LeClerc have talked about our drainage issue. Here is the latest with Red Hawk. I will look forward to meeting with you tonight.

Thank you,

Bob Rogerson

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

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From: J. Chris Lindley [mailto:clindley@wbkengineering.com]
Sent: Friday, September 29, 2017 3:35 PM
To: Bob Rogerson <brogeron@oswegotownship.org>
Cc: Charles M. Hanlon <chanlon@wbkengineering.com>
Subject: Red Hawk Landing Subdivision

Bob – here is our proposal for the field tile improvement plans at Red Hawk Landing Subdivision on Collins Road. I've included a field tile and base mapping proposal from Huddleston McBride Land Drainage Company in WBK's proposal. This work is necessary to determine the actual location, condition, material etc. of the existing tile. It is also needed to establish the base map for the tile system improvements.

Please review the attachments and I will call you next week to go over the proposal and answer any questions. We can begin work on this project upon your approval.

Thank you - Chris

Chris Lindley
Site Development Practice Lead

WBK Engineering, LLC
8 East Galena Boulevard, Suite 402, Aurora, Illinois 60506
P: 630.701.2245 C: 847.980.0935 D: 630.338.8559

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Red Hawk Landing Field Tile Improvements

Oswego Township Road District | Oswego, IL

September 29, 2017

Mr. Bob Rogerson
Oswego Township Highway Commissioner
Oswego Township Road District
1150 Route 25
Oswego, Illinois 60543

Dear Mr. Rogerson:

WBK Engineering, LLC (WBK) is pleased to provide this proposal to the Oswego Township Road District (Client) for professional engineering services for the investigation and improvement of an existing field tile system within the Red Hawk Landing Subdivision. Included below is our understanding of the assignment, scope of services, project assumptions, and estimate of fee.

Understanding of the Assignment

WBK Engineering understand that a failing field tile system running near and within the southeast corner of the Red Hawk Landing subdivision in unincorporated Kendall County is reportedly causing impacts to subdivision properties and adjacent farm fields. We understand the limits of the potential improvements to be from the south property line of the subdivision to just south of Collins Road. In order to determine the extent of the repair and improvements to the tile system it is necessary to determine the condition and location of the existing system. Assessing the condition of the tile system will require a land drainage investigation and mapping plan to be performed. The services for the investigation will be performed by a sub consultant, Huddleston McBride Drainage Company. WBK will prepare a plan outlining the proposed tile improvements that are necessary to restore the field tile system to proper working order. WBK will use the drainage investigation map prepared by Huddleston McBride as the base sheet for the improvement plans to the field tile system.

Scope of Services

Task 1 | Land Drainage Investigation and Mapping Services

See attached Huddleston McBride Drainage Company proposal for detailed scope of work and fee.

Task 2 | Field Tile System Improvement Plans

Using the investigation map as a base sheet, we will prepare final field tile system improvement plans that will depict the nature and extent of the work, materials required, estimated quantities, and details as necessary to construct the contemplated improvements to the tile system. We will submit the plans to the Oswego Township Road District for your review and approval. We will then submit the plans to Kendall County in order to obtain their concurrence that permitting will not be necessary for construction. We understand the work contemplated is considered maintenance to the existing drainage systems and therefore permitting is not required. If it is determined that a development permit is required then we will prepare a separate proposal for this scope of work for your approval.

WBK Engineering, LLC
WBKEngineering.com



St. Charles Office
116 West Main Street, Suite 201
St. Charles, IL 60174
630.443.7755

Aurora Office
8 East Galena Boulevard, Suite 402
Aurora, IL 60506
630.701.2245

Consultation: We have budgeted attending up to two (2) meetings with the Client to review the plans and details of the proposed improvements.

Project Assumptions

In preparing this proposal, we have attempted to provide you with a complete package of the engineering services anticipated at this point in time. In doing so, we have made some assumptions which will need to be verified during the engineering process. Any findings which are not consistent with our assumptions may increase the engineering budget for this project. We will thoroughly discuss any such findings with you and negotiate any budget revisions prior to proceeding. Our assumptions are as follows:

- That neither floodplain nor wetlands exist on the site, and therefore the cost of wetland assessment, mitigation design, and flood studies have not been included.
- That all necessary building permits will be obtained by others. Building permit fees are not included.
- That construction administration services including bidding assistance and bidding documents are not included in this proposal.

Estimate of Fees

Due to the nature of the tasks listed in the above Scope of Basic Services, we have provided time and material budgets. The actual amount invoiced will be based on the level of effort required to accomplish the task, but we will not exceed the budget without your prior approval. Our estimated fees are based on the entire Scope of Basic Services being awarded to us. In general, individual tasks cannot be broken out and awarded separately.

Task #	Task Name	Fee
Task 1	Land Drainage Investigation and Mapping Services	\$3,640
Task 2	Field Tile System Improvement Plans	\$4,800
	TOTAL	\$8,440
	Reimbursable Costs (Including Printing)	Cost + 10%

Please note that preparing this proposal requires the exercise of professional knowledge and judgment, and as such, this proposal remains the proprietary instrument of service of the firm WBK Engineering, LLC. No portion of this proposal may be shared with another firm providing similar services without our permission.

We propose to bill you monthly based on the attached Schedule of Charges. We establish our contract in accordance with the attached General Terms and Conditions. These General Terms and Conditions are expressly incorporated into and are made an integral part of this contract for professional services. We reserve the right to increase our fees by five percent (5%) on December 31st of each calendar year.

If this proposal is acceptable, please return one (1) signed copy to us for our files to serve as a notice to proceed. Thank you for the opportunity to provide service to the Oswego Township Road District. If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a horizontal line extending to the right.

Chris Lindley
Site Development Practice Lead

Encl: 2017 Schedule of Charges
General Terms and Conditions (February 4, 2016)

THIS PROPOSAL, SCHEDULE OF CHARGES, AND GENERAL TERMS & CONDITIONS ACCEPTED FOR OSWEGO TOWNSHIP
ROAD DISTRICT:

BY: _____

TITLE: _____

DATE: _____

WBK ENGINEERING, LLC
2017 Standard Charges for Professional Services

<u>Classification</u>	<u>Hourly Rate</u>
Principal	\$ 210
Engineer VI	\$ 189
Engineer V	\$ 169
Engineer IV	\$ 142
Engineer III	\$ 117
Engineer II	\$ 98
Engineer I	\$ 84
Engineering Technician IV	\$ 138
Engineering Technician III	\$ 116
Engineering Technician II	\$ 97
Engineering Technician I	\$ 81
Senior Scientist	\$ 178
Environmental Resource Specialist IV	\$ 123
Environmental Resource Specialist III	\$ 97
Environmental Resource Specialist II	\$ 88
Environmental Resource Specialist I	\$ 78
Urban Planner VI	\$ 185
Urban Planner V	\$ 152
Urban Planner IV	\$ 124
Urban Planner III	\$ 98
Urban Planner II	\$ 84
Professional Land Surveyor	\$ 133
Intern	\$ 45
Office Professional	\$ 62
Direct Costs: Copies & Prints, Messenger & Delivery Services, Mileage, etc.	Cost +10%

Charges include overhead and profit.

*WBK Engineering, LLC reserves the right to increase
rates and costs by 5% annually.*

**WBK ENGINEERING, LLC
GENERAL TERMS AND CONDITIONS**

1. Relationship Between Engineer and Client: WBK ENGINEERING, LLC (Engineer) shall serve as Client's professional engineer consultant in those phases of the Project to which this Agreement applies. This relationship is that of a buyer and seller of professional services and as such the Engineer is an independent contractor in the performance of this Agreement and it is understood that the parties have not entered into any joint venture or partnership with the other. The Engineer shall not be considered to be the agent of the Client. Nothing contained in this Agreement shall create a contractual relationship with a cause of action in favor of a third party against either the Client or Engineer.

Furthermore, causes of action between the parties to this Agreement pertaining to acts of failures to act shall be deemed to have accrued and the applicable statute of limitations shall commence to run not later than the date of substantial completion.

2. Responsibility of the Engineer: Engineer will strive to perform services under this Agreement in accordance with generally accepted and currently recognized engineering practices and principles, and in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. No other representation, express or implied, and no warranty or guarantee is included or intended in this Agreement, or in any report, opinion, document, or otherwise.

Notwithstanding anything to the contrary which may be contained in this Agreement or any other material incorporated herein by reference, or in any Agreement between the Client and any other party concerning the Project, the Engineer shall not have control or be in charge of and shall not be responsible for the means, methods, techniques, sequences or procedures of construction, or the safety, safety precautions or programs of the Client, the construction contractor, other contractors or subcontractors performing any of the work or providing any of the services on the Project. Nor shall the Engineer be responsible for the acts or omissions of the Client, or for the failure of the Client, any architect, engineer, consultant, contractor or subcontractor to carry out their respective responsibilities in accordance with the Project documents, this Agreement or any other agreement concerning the Project. Any provision which purports to amend this provision shall be without effect unless it contains a reference that the content of this condition is expressly amended for the purposes described in such amendment and is signed by the Engineer.

3. Changes: Client reserves the right by written change order or amendment to make changes in requirements, amount of work, or engineering time schedule adjustments, and Engineer and Client shall negotiate appropriate adjustments acceptable to both parties to accommodate any changes, if commercially possible.
4. Suspension of Services: Client may, at any time, by written order to Engineer (Suspension of Services Order) require Engineer to stop all, or any part, of the services required by this Agreement. Upon receipt of such an order, Engineer shall immediately comply with its terms and take all reasonable steps to minimize the costs associated with the services affected by such order. Client, however, shall pay all costs incurred by the suspension, including all costs necessary to maintain continuity and for the resumption of the services upon expiration of the Suspension of Services Order. Engineer will not be obligated to provide the same personnel employed prior to suspension, when the services are resumed, in the event that the period
5. Termination: This Agreement may be terminated by either party upon thirty (30) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. This Agreement may be terminated by Client, under the same terms, whenever Client shall determine that termination is in its best interests. Cost of termination, including salaries, overhead and fee, incurred by Engineer either before or after the termination date shall be reimbursed by Client.
6. Documents Delivered to Client: Drawings, specifications, reports, and any other Project Documents prepared by Engineer in connection with any or all of the services furnished hereunder shall be delivered to the Client for the use of the Client. Engineer shall have the right to retain originals of all Project Documents and drawings for its files.

Furthermore, it is understood and agreed that the Project Documents such as, but not limited to reports, calculations, drawings, and specifications prepared for the Project, whether in hard copy or machine readable form, are instruments of professional service intended for one-time use in the construction of this Project. These Project Documents are and shall remain the property of the Engineer.

The Client may retain copies, including copies stored on magnetic tape or disk, for information and reference in connection with the occupancy and use of the Project.

When and if record drawings are to be provided by the Engineer, Client understands that information used in the preparation of record drawings is provided by others and Engineer is not responsible for accuracy, completeness, nor sufficiency of such information. Client also understands that the level of detail illustrated by record drawings will generally be the same as the level of detail illustrated by the design drawing used for project construction. If additional detail is requested by the Client to be included on the record drawings, then the Client understands and agrees that the Engineer will be due additional compensation for additional services.

It is also understood and agreed that because of the possibility that information and data delivered in machine readable form may be altered, whether inadvertently or otherwise, the Engineer reserves the right to retain the original tapes/disks and to remove from copies provided to the Client all identification reflecting the involvement of the Engineer in their preparation. The Engineer also reserves the right to retain hard copy originals of all Project Documentation delivered to the Client in machine readable form, which originals shall be referred to and shall govern in the event of any inconsistency between the two.

The Client understands that the automated conversion of information and data from the system and format used by the Engineer to an alternate system or format cannot be accomplished without the introduction of inexactitudes, anomalies, and errors. In the event Project Documentation provided to the Client in machine readable form is so converted, the Client agrees to assume all risks associated therewith and, to the fullest extent permitted by law, to hold harmless and indemnify the Engineer from and against all claims, liabilities, losses, damages, and costs, including but not limited to attorney's fees, arising therefrom or in connection therewith.

The Client recognizes that changes or modifications to the Engineer's instruments of professional service introduced by anyone other than the Engineer may result in adverse consequences which the Engineer can neither predict nor control. Therefore, and in consideration of the Engineer's agreement to deliver its instruments of professional service in machine readable form, the Client agrees, to the fullest extent permitted by law, to hold harmless and indemnify the Engineer from and against all claims, liabilities, losses, damages, and costs, including but not limited to attorney's fees, arising out of or in any way connected with the modification, misinterpretation, misuse, or reuse by others of the machine readable information and data provided by the Engineer under this Agreement. The foregoing indemnification applies, without limitation, to any use of the Project Documentation on other projects, for additions to this Project, or for completion of this Project by others, excepting only such use as may be authorized, in writing, by the Engineer.

7. Reuse of Documents: All Project Documents including but not limited to reports, opinions of probable costs, drawings and specifications furnished by Engineer pursuant to this Agreement are intended for use on the Project only. They cannot be used by Client or others on extensions of the Project or any other project. Any reuse, without specific written verification or adaptation by Engineer, shall be at Client's sole risk, and Client shall indemnify and hold harmless Engineer from all claims, damages, losses, and expenses including attorney's fees arising out of or resulting therefrom.

The Engineer shall have the right to include representations of the design of the Project, including photographs of the exterior and interior, among the Engineer's promotional and professional materials. The Engineer's materials shall not include the Client's confidential and proprietary information if the Client has previously advised the Engineer in writing of the specific information considered by the Client to be confidential and proprietary.

8. Standard of Practice: The Engineer will strive to conduct services under this agreement in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions as of the date of this Agreement.

9. Compliance with Laws: The Engineer will strive to exercise usual and customary professional care in his/her efforts to comply with those laws, codes, ordinance and regulations which are in effect as of the date of this Agreement. With specific respect to prescribed requirements of the Americans with Disabilities Act of 1990 or certified state or local accessibility regulations (ADA), Client understands ADA is a civil rights legislation and that interpretation of ADA is a legal issue and not a design issue and, accordingly, retention of legal counsel (by Client) for purposes of interpretation is advisable. As such and with respect to ADA, Client agrees to waive any action against Engineer, and to indemnify and defend Engineer against any claim arising from Engineer's alleged failure to meet ADA requirements prescribed.

Further to the law and code compliance, the Client understands that the Engineer will strive to provide designs in accordance with the prevailing Standards of Practice as previously set forth, but that the Engineer does not warrant that any reviewing agency having jurisdiction will not for its own purposes comment, request changes and/or additions to such designs. In the event such design requests are made by a reviewing agency, but which do not exist in the form of a written regulation, ordinance or other similar document as published by the reviewing agency, then such design changes (at substantial variance from the intended design developed by the Engineer), if effected and incorporated into the project documents by the Engineer, shall be considered as Supplementary Task(s) to the Engineer's Scope of Service and compensated for accordingly.

10. Affirmative Action: The Engineer is committed to the principles of equal employment opportunity. Moreover, as a government contractor bound by Executive Order 11246, Engineer takes its affirmative action obligations very seriously. Engineer states as its Policy of Affirmative Action the following:

It will be the policy of the Engineer to recruit, hire, train and promote persons in all job titles without regard to race, color, religion, sex, age, disability, veteran status, national origin, or any other characteristic protected by applicable law.

All employment decisions shall be consistent with the principle of equal employment opportunity, and only job-related qualifications will be required.

All personnel actions, such as compensation, benefits, transfers, tuition assistance, social and recreational programs, etc. will be administered without regard to race, color, religion, sex, age, disability, veteran status, national origin, or any other characteristic protected by applicable law.

11. Indemnification: Engineer shall indemnify and hold harmless Client up to the amount of this contract fee (for services) from loss or expense, including reasonable attorney's fees for claims for personal injury (including death) or property damage to the extent caused by the sole negligent act, error or omission of Engineer.

Client shall indemnify and hold harmless Engineer under this Agreement, from loss or expense, including reasonable attorney's fees, for claims for personal injuries (including death) or property damage arising out of the sole negligent act, error omission of Client.

In the event of joint or concurrent negligence of Engineer and Client, each shall bear that portion of the loss or expense that its share of the joint or concurrent negligence bears to the total negligence (including that of third parties), which caused the personal injury or property damage.

Engineer shall not be liable for special, incidental or consequential damages, including, but not limited to loss of profits, revenue, use of capital, claims of customers, cost of purchased or replacement power, or for any other loss of any nature, whether based on contract, tort, negligence, strict liability or otherwise, by reasons of the services rendered under this Agreement.

12. Opinions of Probable Cost: Since Engineer has no control over the cost of labor, materials or equipment, or over the Contractor(s) method of determining process, or over competitive bidding or market conditions, his/her opinions of probable Project Construction Cost provided for herein are to be made on the basis of his/her experience and qualifications and represent his/her judgement as a design professional familiar with the construction industry, but Engineer cannot and does not guarantee that proposal, bids or the Construction Cost will not vary from opinions of probable construction cost prepared by him/her. If prior to the Bidding or Negotiating Phase, Client wishes greater accuracy as to the Construction Cost, the Client shall employ an independent cost estimator Consultant for the purpose of obtaining a second construction cost opinion independent from Engineer.

13. Governing Law & Dispute Resolutions: This Agreement shall be governed by and construed in accordance with Articles previously set forth by (Item 9 of) this Agreement, together with the laws of the **State of Illinois**.

Any claim, dispute or other matter in question arising out of or related to this Agreement, which cannot be mutually resolved by the parties of this Agreement, shall be subject to mediation as a condition precedent to arbitration (if arbitration is agreed upon by the parties of this Agreement) or the institution of legal or equitable proceedings by either party. If such matter relates to or is the subject of a lien arising out of the Engineer's services, the Engineer may proceed in accordance with applicable law to comply with the lien notice or filing deadlines prior to resolution of the matter by mediation or by arbitration.

The Client and Engineer shall endeavor to resolve claims, disputes and other matters in question between them by mediation which, unless the parties mutually agree otherwise, shall be in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect. Requests for mediation shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. The request may be made concurrently with the filing of a demand for arbitration but, in such event, mediation shall proceed in advance of arbitration or legal or equitable proceedings, which shall be stayed pending mediation for a period of 60 days from the date of filing, unless stayed for a longer period by agreement of the parties or court order.

The parties shall share the mediator's fee and any filing fees equally. The mediation shall be held in the place where the Project is located, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

14. Successors and Assigns: The terms of this Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns: provided, however, that neither party shall assign this Agreement in whole or in part without the prior written approval of the other.
15. Waiver of Contract Breach: The waiver of one party of any breach of this Agreement or the failure of one party to enforce at any time, or for any period of time, any of the provisions hereof, shall be limited to the particular instance, shall not operate or be deemed to waive any future breaches of this Agreement and shall not be construed to be a waiver of any provision, except for the particular instance.
16. Entire Understanding of Agreement: This Agreement represents and incorporates the entire understanding of the parties hereto, and each party acknowledges that there are no warranties, representations, covenants or understandings of any kind, matter or description whatsoever, made by either party to the other except as expressly set forth herein. Client and the Engineer hereby agree that any purchase orders, invoices, confirmations, acknowledgments or other similar documents executed or delivered with respect to the subject matter hereof that conflict with the terms of the Agreement shall be null, void and without effect to the extent they conflict with the terms of this Agreement.
17. Amendment: This Agreement shall not be subject to amendment unless another instrument is duly executed by duly authorized representatives of each of the parties and entitled "Amendment of Agreement".
18. Severability of Invalid Provisions: If any provision of the Agreement shall be held to contravene or to be invalid under the laws of any particular state, county or jurisdiction where used, such contravention shall not invalidate the entire Agreement, but it shall be construed as if not containing the particular provisions held to be invalid in the particular state, country or jurisdiction and the rights or obligations of the parties hereto shall be construed and enforced accordingly.
19. Force Majeure: Neither Client nor Engineer shall be liable for any fault or delay caused by any contingency beyond their control including but not limited to acts of God, wars, strikes, walkouts, fires, natural calamities, or demands or requirements of governmental agencies.
20. Subcontracts: Engineer may subcontract portions of the work, but each subcontractor must be approved by Client in writing.
21. Access and Permits: Client shall arrange for Engineer to enter upon public and private property and obtain all necessary approvals and permits required from all governmental authorities having jurisdiction over the Project. Client shall pay costs (including Engineer's employee salaries, overhead and fee) incident to any effort by Engineer toward assisting Client in such access, permits or approvals, if Engineer performs such services.

22. Designation of Authorized Representative: Each party (to this Agreement) shall designate one or more persons to act with authority in its behalf in respect to appropriate aspects of the Project. The persons designated shall review and respond promptly to all communications received from the other party.
23. Notices: Any notice or designation required to be given to either party hereto shall be in writing, and unless receipt of such notice is expressly required by the terms hereof shall be deemed to be effectively served when deposited in the mail with sufficient first class postage affixed, and addressed to the party to whom such notice is directed at such party's place of business or such other address as either party shall hereafter furnish to the other party by written notice as herein provided.
24. Limit of Liability: The Client and the Engineer have discussed the risks, rewards, and benefits of the project and the Engineer's total fee for services. In recognition of the relative risks and benefits of the Project to both the Client and the Engineer, the risks have been allocated such that the Client agrees that to the fullest extent permitted by law, the Engineer's total aggregate liability to the Client for any and all injuries, claims, costs, losses, expenses, damages of any nature whatsoever or claim expenses arising out of this Agreement from any cause or causes, including attorney's fees and costs, and expert witness fees and costs, shall not exceed the total Engineer's fee for professional engineering services rendered on this project as made part of this Agreement. Such causes included but are not limited to the Engineer's negligence, errors, omissions, strict liability or breach of contract. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law.
25. Client's Responsibilities: The Client agrees to provide full information regarding requirements for and about the Project, including a program which shall set forth the Client's objectives, schedule, constraints, criteria, special equipment, systems and site requirements.

The Client agrees to furnish and pay for all legal, accounting and insurance counseling services as may be necessary at any time for the Project, including auditing services which the Client may require to verify the Contractor's Application for Payment or to ascertain how or for what purpose the Contractor has used the money paid by or on behalf of the Client.

The Client agrees to require the Contractor, to the fullest extent permitted by law, to indemnify, hold harmless, and defend the Engineer, its consultants, and the employees and agents of any of them from and against any and all claims, suits, demands, liabilities, losses, damages, and costs ("Losses"), including but not limited to costs of defense, arising in whole or in part out of the negligence of the Contractor, its subcontractors, the officers, employees, agents, and subcontractors of any of them, or anyone for whose acts any of them may be liable, regardless of whether or not such Losses are caused in part by a party indemnified hereunder.

Specifically excluded from the foregoing are Losses arising out of the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, or specifications, and the giving of or failure to give directions by the Engineer, its consultants, and the agents and employees of any of them, provided such giving or failure to give is the primary cause of Loss. The Client also agrees to require the Contractor to provide to the Engineer the required certificate of insurance.

The Client further agrees to require the Contractor to name the Engineer, its agents and consultants as additional insureds on the Contractor's policy or policies of comprehensive or commercial general liability insurance. Such insurance shall include products and completed operations and contractual liability coverages, shall be primary and noncontributing with any insurance maintained by the Engineer or its agents and consultants, and shall provide that the Engineer be given thirty days, unqualified written notice prior to any cancellation thereof.

In the event the foregoing requirements, or any of them, are not established by the Client and met by the Contractor, the Client agrees to indemnify and hold harmless the Engineer, its employees, agents, and consultants from and against any and all Losses which would have been indemnified and insured against by the Contractor, but were not.

When Contract Documents prepared under the Scope of Services of this contract require insurance(s) to be provided, obtained and/or otherwise maintained by the Contractor, the Client agrees to be wholly responsible for setting forth any and all such insurance requirements. Furthermore, any document provided for Client review by the Engineer under this Contract related to such insurance(s) shall be considered as sample insurance requirements and not the recommendation of the Engineer.

Client agrees to have their own risk management department review any and all insurance requirements for adequacy and to determine specific types of insurance(s) required for the project. Client further agrees that decisions concerning types and amounts of insurance are specific to the project and shall be the product of the Client. As such, any and all insurance requirements made part of Contract Documents prepared by the Engineer are not to be considered the Engineer's recommendation, and the Client shall make the final decision regarding insurance requirements.

26. Information Provided by Others: The Engineer shall indicate to the Client the information needed for rendering of the services of this Agreement. The Client shall provide to the Engineer such information as is available to the Client and the Client's consultants and contractors, and the Engineer shall be entitled to rely upon the accuracy and completeness thereof. The Client recognizes that it is impossible for the Engineer to assure the accuracy, completeness and sufficiency of such information, either because it is impossible to verify, or because of errors or omissions which may have occurred in assembling the information the Client is providing. Accordingly, the Client agrees, to the fullest extent permitted by law, to indemnify and hold the Engineer and the Engineer's subconsultants harmless from any claim, liability or cost (including reasonable attorneys' fees and cost of defense) for injury or loss arising or allegedly arising from errors, omissions or inaccuracies in documents or other information provided by the Client to the Engineer.
27. Payment: Client shall be invoiced once each month for work performed during the preceding period. Client agrees to pay each invoice within thirty (30) days of its receipt. The client further agrees to pay interest on all amounts invoiced and not paid or objected to for valid cause within said thirty (30) day period at the rate of eighteen (18) percent per annum (or the maximum interest rate permitted under applicable law, whichever is the lesser) until paid. Client further agrees to pay Engineer's cost of collection of all amounts due and unpaid after sixty (60) days, including court costs and reasonable attorney's fees, as well as costs attributed to suspension of services accordingly and as follows:

Collection Costs: In the event legal action is necessary to enforce the payment provisions of this Agreement, the Engineer shall be entitled to collect from the Client any judgement or settlement sums due, reasonable attorneys' fees, court costs and expenses incurred by the Engineer in connection therewith and, in addition, the reasonable value of the Engineer's time and expenses spent in connection with such collection action, computed at the Engineer's prevailing fee schedule and expense policies.

Suspension of Services: If the Client fails to make payments when due or otherwise is in breach of this Agreement, the Engineer may suspend performance of services upon five (5) calendar days' notice to the Client. The Engineer shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension caused by any breach of this Agreement by the Client. Client will reimburse Engineer for all associated costs as previously set forth in (Item 4 of) this Agreement.

28. When construction observation tasks are part of the service to be performed by the Engineer under this Agreement, the Client will include the following clause in the construction contract documents and Client agrees not to modify or delete it:

Kotecki Waiver: Contractor (and any subcontractor into whose subcontract this clause is incorporated) agrees to assume the entire liability for all personal injury claims suffered by its own employees, including without limitation claims under the Illinois Structural Work Act, asserted by persons allegedly injured on the Project; waives any limitation of liability defense based upon the Worker's Compensation Act, court interpretations of said Act or otherwise; and to the fullest extent permitted by law, agrees to indemnify and hold harmless and defend Owner and Engineer and their agents, employees and consultants (the "Indemnitees") from and against all such loss, expense, damage or injury, including reasonable attorneys' fees, that the Indemnitees may sustain as a result of such claims, except to the extent that Illinois law prohibits indemnity for the Indemnitees' own negligence. The Owner and Engineer are designated and recognized as explicit third-party beneficiaries of the Kotecki Waiver within the general contract and all subcontracts entered into in furtherance of the general contract.

29. Job Site Safety/Supervision & Construction Observation: The Engineer shall neither have control over or charge of, nor be responsible for, the construction means, methods, techniques, sequences of procedures, or for safety precautions and programs in connection with the Work since they are solely the Contractor's rights and responsibilities. The Client agrees that the Contractor shall supervise and direct the work efficiently with his/her best skill and attention; and that the Contractor shall be solely responsible for the means, methods, techniques, sequences and procedures of construction and safety at the job site. The Client agrees and warrants that this intent shall be carried out in the Client's contract with the Contractor. The Client further agrees that the Contractor shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the work; and that the Contractor shall take all necessary precautions for the safety of, and shall provide the necessary protection to prevent damage, injury or loss to all employees on the subject site and all other persons who may be affected thereby. The Engineer shall have no authority to stop the work of the Contractor or the work of any subcontractor on the project.

When construction observation services are included in the Scope of Services, the Engineer shall visit the site at intervals appropriate to the stage of the Contractor's operation, or as otherwise agreed to by the Client and the Engineer to: 1) become generally familiar with and to keep the Client informed about the progress and quality of the Work; 2) to strive to bring to the Client's attention defects and deficiencies in the Work and; 3) to determine in general if the Work is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents. However, the Engineer shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. If the Client desires more extensive project observation, the Client shall request that such services be provided by the Engineer as Additional and Supplemental Construction Observation Services in accordance with the terms of this Agreement.

The Engineer shall not be responsible for any acts or omissions of the Contractor, subcontractor, any entity performing any portions of the Work, or any agents or employees of any of them. The Engineer does not guarantee the performance of the Contractor and shall not be responsible for the Contractor's failure to perform its Work in accordance with the Contract Documents or any applicable laws, codes, rules or regulations.

When municipal review services are included in the Scope of Services, the Engineer (acting on behalf of the municipality), when acting in good faith in the discharge of its duties, shall not thereby render itself liable personally and is, to the maximum extent permitted by law, relieved from all liability for any damage that may accrue to persons or property by reason of any act or omission in the discharge of its duties. Any suit brought against the Engineer which involve the acts or omissions performed by it in the enforcement of any provisions of the Client's rules, regulation and/or ordinance shall be defended by the Client until final termination of the proceedings. The Engineer shall be entitled to all defenses and municipal immunities that are, or would be, available to the Client.

30. Insurance and Indemnification: The Engineer and the Client understand and agree that the Client will contractually require the Contractor to defend and indemnify the Engineer and/or any subconsultants from any claims arising from the Work. The Engineer and the Client further understand and agree that the Client will contractually require the Contractor to procure commercial general liability insurance naming the Engineer as an additional named insured with respect to the work. The Contractor shall provide to the Client certificates of insurance evidencing that the contractually required insurance coverage has been procured. However, the Contractor's failure to provide the Client with the requisite certificates of insurance shall not constitute a waiver of this provision by the Engineer.

The Client and Engineer waive all rights against each other and against the Contractor and consultants, agents and employees of each of them for damages to the extent covered by property insurance during construction. The Client and Engineer each shall require similar waivers from the Contractor, consultants, agents and persons or entities awarded separate contracts administered under the Client's own forces.

31. Hazardous Materials/Pollutants: Unless otherwise provided by this Agreement, the Engineer and Engineer's consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of or exposure of persons to hazardous materials/pollutants in any form at the Project site, including but not limited to mold/mildew, asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic/hazardous/pollutant type substances.

Furthermore, Client understands that the presence of mold/mildew and the like are results of prolonged or repeated exposure to moisture and the lack of corrective action. Client also understands that corrective action is a operation, maintenance and repair activity for which the Engineer is not responsible.



• 116 W. Main St., No. 208, St. Charles, Il., 60174
 • **9504 East Fowler Rd., Rochelle, Il., 61068**
 Phone 815-562-6007 Fax 815-562-6557
 T. Huddleston mobile 815-757-6007
 Email: huddmac@aol.com

PROPOSAL

Chris Lindley
 WBK Engineering, LLC
 8 East Galena Boulevard, Suite 402
 Aurora, Illinois 60506

DATE : September 17, 2017
 PROP. # 17303
 TERMS: NET 15 DAYS

>> **RE: Land Drainage Investigation and Mapping Professional Services Proposal, (no prevailing wage)**

LOCATION: Red Hawk Subdivision, eastern wet area from south tributary area to Collins road, including local subdivisions watershed.

> Enclosed please find our proposal for Existing Drainage Systems Location, Evaluation and GPS Survey Mapping Services rendered at the above referenced location and as itemized below.

Proposed Service Description:			
The intent of this proposal is to provide existing drain tile location, consulting and GPS survey mapping services in regard with typical existing drain tile investigation standards and in accordance with Kendall County Stormwater Ordinance Standards (Section no. 27, Oswego Township, Kendall Co. Il.,)			
Proposed Services Cost:	Qty.	Cost	Amount
1 Drainage Investigation and Survey Crew (1.0 days) (field construction services including equipment transport)	8 hrs.	380.00	3,040.00
4 Project Consulting Services Hour Basis (Meetings, GPS field survey, staking, field mapping and record plans)	5 hrs	120.00	600.00
Proposed Materials Cost:			
All materials incidental to labor cost			0.00
1 Drainage Investigation and Survey Crew Hour Basis ; is calculated on an hourly basis of \$380.00 including a full drainage tile LOCATION AND SURVEY crew consisting of (4) man location and drain tile measurement crew including electronic and manual investigation equipment, pipeline video equipment, field staking materials, gps survey equipment, field supervision and miscellaneous support equipment. Daily hours are computed by home port to home port. 4 Project Consulting Services Hour Basis ; (T.L. Huddleston) is calculated on an hourly basis of \$140.00 including initial project assessment, client consultation, site meetings, Utility locations, GPS land surveying , existing conditions research, project planning, record mapping w/ plots and project supervision.			
TOTAL ESTIMATED CHARGES INCLUDING ALL MATERIALS AND SERVICES			\$3,640.00

Thank you for considering our proposal, we look forward to an opportunity to assist you with the improvement of your land. If you have any questions or thoughts concerning this proposal please call us at 815-562-6007. Should the terms of this letter of agreement meet with your approval, please execute below and return one original.

Respectfully Submitted,

Thomas L. Huddleston III

T. L. Huddleston, Partner
 Huddleston-McBride Drainage Co.

ABOVE LETTER OF AGREEMENT ACCEPTED	
THIS _____	DAY OF _____ 2017
BY: _____ <div style="text-align: center;">PRINTED NAME</div>	
_____ <div style="text-align: center;">SIGNATURE</div>	

KENDALL COUNTY TIMETABLE 2018
for TEXT AMENDMENTS, MAP AMENDMENTS, RPD's (Residential Planned Developments), NON-RESIDENTIAL PUDs,
SPECIAL USES AND MAJOR AMENDMENTS TO A SPECIAL USE

Application Deadline	ZPAC	COMBINED KCRPC, HEARING OFFICER & ZBA PUBLICATIONS**	Deadline to submit proof of publication to PBZ Dept.***	KCRPC	SU Hearing Officer/ZBA	PBZ	CB
By 4:30 p.m.	(9:00 A.M.)	BEGIN	END	(7:00 P.M.)	(7:00 P.M.)	(6:30 P.M.)	(9:00 A.M.)
11/21/17	12/05/17	12/30/17	01/09/18	01/24/18	01/29/18	02/13/18	02/20/18
12/19/17	01/02/18	12/30/17	01/09/18	01/24/18	01/29/18	02/13/18	02/20/18
01/23/18	02/06/18	02/03/18	02/13/18	02/28/18	03/05/18	03/12/18	03/20/18
02/20/18	03/06/18	03/03/18	03/13/18	03/28/18	04/02/18	04/09/18	04/17/18
03/20/18	04/03/18	03/31/18	04/10/18	04/25/18	04/30/18	05/07/18	05/15/18
04/17/18	05/01/18	04/28/18	05/09/18	05/23/18	06/04/18	06/11/18	06/19/18
05/22/18	06/05/18	06/02/18	06/12/18	06/27/18	07/02/18	07/09/18	07/17/18
06/19/18	07/03/18	06/30/18	07/10/18	07/25/18	07/30/18	08/13/18	08/21/18
07/24/18	08/07/18	07/28/18	08/07/18	08/22/18	08/27/18	09/10/18	09/18/18
08/21/18	09/04/18	09/01/18	09/11/18	09/26/18	10/01/18	10/09/18	10/16/18
09/18/18	10/02/18	09/29/18	10/09/18	10/24/18	10/29/18	11/13/18	11/20/18
10/23/18	11/06/18	11/03/18	11/13/18	11/28/18	12/03/18	12/10/18	12/18/18
11/20/18	12/04/18	12/29/18	01/08/19	01/23/19	01/28/19	02/11/19	02/19/19
12/24/18	01/08/19	12/29/18	01/08/19	01/23/19	01/28/19	02/11/19	02/19/19

TIMELINE IS SUBJECT TO CHANGE-REVIEW BY TOWNSHIPS, MUNICIPALITIES AND ADVISORY BOARDS COULD DELAY THE ADOPTION PROCESS

**** Petitioners must adhere to KCRPC & ZBA publication timeframe as listed. All notifications must be given to property owners and published in the newspaper no earlier than the "begin" date listed and no later than the "end" date listed for the appropriate KCRPC & ZBA meeting. Notices submitted to the paper for publication must also include the legal description of the property that is the subject of the hearing. The "Kendall County Record" and "Beacon News" are the preferred papers for publication of notices. The "Beacon News" is published daily. The Kendall County Record is a weekly publication issued each Thursday. Please check with each publication regarding publication deadlines. Notice sent to the "Record" for publication must be submitted no later than 5:00 PM on the Friday before the week in which the notice must be published to be included in the Thursday printing. For further information regarding the cost and deadlines related to each paper, contact the "Kendall County Record" at (630) 553-7034 (publicnotice@kendallcountynow.com) or the "Beacon News" (suburban.legal@tribpub.com)**

***** Proof of notification must be submitted to the Planning, Building & Zoning Department prior to the KCRPC meeting. The deadline is specified above.**

KENDALL COUNTY VARIANCE TIMETABLE 2018

Application Deadline	**ZBA PUBLICATIONS		***Deadline for proof of publication	ZBA (7:00 P.M.)	CB (if objection by Twp.)
By 4:30pm	BEGIN	END			
12/29/17	12/30/17	01/14/18	01/22/18	01/29/18	02/20/18
02/02/18	02/03/18	02/18/18	02/26/18	03/05/18	03/20/18
03/02/18	03/03/18	03/18/18	03/26/18	04/02/18	04/17/18
03/30/18	03/31/18	04/15/18	04/23/18	04/30/18	05/15/18
05/04/18	05/05/18	05/20/18	05/21/18	06/04/18	06/19/18
06/01/18	06/02/18	06/17/18	06/25/18	07/02/18	07/17/18
06/29/18	06/30/18	07/15/18	07/23/18	07/30/18	08/21/18
07/27/18	07/28/18	08/12/18	08/20/18	08/27/18	09/18/18
08/31/18	09/01/18	09/16/18	09/24/18	10/01/18	10/16/18
09/28/18	09/29/18	10/14/18	10/22/18	10/29/18	11/20/18
11/02/18	11/03/18	11/18/18	11/26/18	12/03/18	12/18/18
12/28/18	12/29/18	01/13/19	01/21/19	01/28/19	02/19/19

MELINE IS SUBJECT TO CHANGE-REVIEW BY TOWNSHIPS, MUNICIPALITIES AND ADVISORY BOARDS COULD DELAY THE ADOPTION PROCES

**** Petitioners must adhere to ZBA publication timeframe as listed. All notifications must be given to property owners and published in the newspaper no earlier than the "begin" date listed and no later than the "end" date listed for the appropriate KCRPC meeting. Notices submitted to the paper for publication must also include the legal description of the property that is the subject of the hearing. The "Kendall County Record" and "Beacon News" are the preferred papers for publication of notices. The "Beacon News" is published daily. The Kendall County Record is a weekly publication issued each Thursday. Please check with each publication regarding publication deadlines. Notice sent to the "Record" for publication must be submitted no later than 5:00 PM on the Friday before the week in which the notice must be published to be included in the Thursday printing. For further information regarding the cost and deadlines related to each paper, contact the "Kendall County Record" at (630) 553-7034 (publicnotice@kendallcountynow.com) or the "Beacon News" (suburban.legal@tribpub.com)**

***** Proof of notification must be submitted to the Planning, Building & Zoning Department prior to the ZBA meeting. The deadline for each meeting is specified above.**

KENDALL COUNTY SITE PLAN REVIEW TIMETABLE 2018

Application Deadline	ZPAC
By 4:30 p.m.	(9:00 A.M.)
11/21/17	12/05/17
12/19/17	01/02/18
01/23/18	02/06/18
02/20/18	03/06/18
03/20/18	04/03/18
04/17/18	05/01/18
05/22/18	06/05/18
06/19/18	07/03/18
07/24/18	08/07/18
08/21/18	09/04/18
09/18/18	10/02/18
10/23/18	11/06/18
11/20/18	12/04/18
12/24/18	01/08/19

KENDALL COUNTY TIMETABLE 2018
for Preliminary Plats

Application Deadline	ZPAC	Kendall County Regional Plan Commission PUBLICATIONS**		Deadline to submit proof of publication to PBZ Dept.***	KCRPC
By 4:30 p.m.	(9:00 A.M.)	BEGIN	END		(7:00 P.M.)
11/21/17	12/05/17	12/30/17	01/09/18	01/17/18	01/24/18
12/19/17	01/02/18	12/30/17	01/09/18	01/17/18	01/24/18
01/23/18	02/06/18	01/29/18	02/13/18	02/21/18	02/28/18
02/20/18	03/06/18	02/26/18	03/13/18	03/21/18	03/28/18
03/20/18	04/03/18	03/26/18	04/10/18	04/18/18	04/25/18
04/17/18	05/01/18	04/23/18	05/08/18	05/16/18	05/23/18
05/22/18	06/05/18	05/28/18	06/12/18	06/20/18	06/27/18
06/19/18	07/03/18	06/25/18	07/10/18	07/18/18	07/25/18
07/24/18	08/07/18	07/23/18	08/07/18	08/15/18	08/22/18
08/21/18	09/04/18	08/27/18	09/11/18	09/19/18	09/26/18
09/18/18	10/02/18	09/23/18	10/09/18	10/17/18	10/24/18
10/23/18	11/06/18	10/29/18	11/13/18	11/21/18	11/28/18
11/20/18	12/04/18	12/24/18	01/08/19	01/16/19	01/23/19
12/24/18	01/08/19	12/24/18	01/08/19	01/16/19	01/23/19

TIMELINE IS SUBJECT TO CHANGE-REVIEW BY TOWNSHIPS, MUNICIPALITIES AND ADVISORY BOARDS COULD DELAY THE ADOPTION PROCESS

published in the newspaper no earlier than the "begin" date listed and no later than the "end" date listed for the appropriate KCRPC meeting. Notices submitted to the paper for publication must also include the legal description of the property that is the subject of the hearing. The "Kendall County Record" and "Beacon News" are the preferred papers for publication of notices. The "Beacon News" is published daily. The Kendall County Record is a weekly publication issued each Thursday. Please check with each publication regarding publication deadlines. Notice sent to the "Record" for publication must be submitted no later than 5:00 PM on the Friday before the week in which the notice must be published to be included in the Thursday printing. For further information regarding the cost and deadlines related to each paper, contact the "Kendall County Record" at (630) 553-7034 (publicnotice@kendallcountynow.com) or the "Beacon News" (suburban.legal@tribpub.com)

***** Proof of notification must be submitted to the Planning, Building & Zoning Department prior to the KCRPC meeting. The deadline is specified above.**

KENDALL COUNTY TIMETABLE 2018 FOR FINAL PLATS

Note: All documentation requirements are due to PBZ no later than the publication deadline

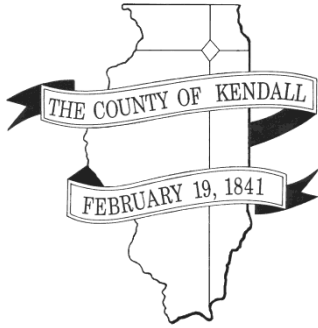
Application Deadline	ZPAC	Kendall County Regional Plan Commission PUBLICATION		Deadline to submit proof of publication to PBZ Dept. **	KCRPC	PBZ	CB
By 4:30 p.m.	(9:00 A.M.)	BEGIN	END		(7:00 P.M.)	(6:30 P.M.)	(9:00 A.M.)
11/21/17	12/05/17	12/30/17	01/09/18	01/17/18	01/24/18	02/12/18	02/20/18
12/19/17	01/02/18	12/30/17	01/09/18	01/17/18	01/24/18	02/12/18	02/20/18
01/23/18	02/06/18	01/29/18	02/13/18	02/21/18	02/28/18	03/12/18	03/20/18
02/20/18	03/06/18	02/26/18	03/13/18	03/21/18	03/28/18	04/09/18	04/17/18
03/20/18	04/03/18	03/26/18	04/10/18	04/18/18	04/25/18	05/07/18	05/15/18
04/17/18	05/01/18	04/23/18	05/08/18	05/16/18	05/23/18	06/11/18	06/19/18
05/22/18	06/05/18	05/28/18	06/12/18	06/20/18	06/27/18	07/09/18	07/17/18
06/19/18	07/03/18	06/25/18	07/10/18	07/18/18	07/25/18	08/13/18	08/21/18
07/24/18	08/07/18	07/23/18	08/07/18	08/15/18	08/22/18	09/10/18	09/18/18
08/21/18	09/04/18	08/27/18	09/11/18	09/19/18	09/26/18	10/09/18	10/16/18
09/18/18	10/02/18	09/23/18	10/09/18	10/17/18	10/24/18	11/13/18	11/20/18
10/23/18	11/06/18	10/29/18	11/13/18	11/21/18	11/28/18	12/10/18	12/18/18
11/20/18	12/04/18	12/24/18	01/08/19	01/16/19	01/23/19	02/11/19	02/19/19
12/24/18	01/08/19	12/24/18	01/08/19	01/16/19	01/23/19	02/11/19	02/19/19

TIMELINE IS SUBJECT TO CHANGE-REVIEW BY TOWNSHIPS, MUNICIPALITIES AND ADVISORY BOARDS COULD DELAY THE ADOPTION PROCESS:

**** Petitioners must adhere to KCRPC publication timeframe as listed. All notifications must be given to property owners and published in the newspaper no earlier than the "begin" date listed and no later than the "end" date listed for the appropriate KCRPC meeting. Notices submitted to the paper for publication must also include the legal description of the property that is the subject of the hearing. The "Kendall County Record" and "Beacon News" are the preferred papers for publication of notices. The "Beacon News" is published daily. The Kendall County Record is a weekly publication issued each Thursday. Please check with each publication regarding publication deadlines. Notice sent to the "Record" for publication must be submitted no later than 5:00 PM on the Friday before the week in which the notice must be published to be included in the Thursday printing. For further information regarding the cost and deadlines related to each paper, contact the "Kendall County Record" at (630) 553-7034 (publicnotice@kendallcountynow.com) or the "Beacon News" (suburban.legal@tribpub.com)**

KENDALL COUNTY TIMETABLE 2018
for OTHER PLATS (VACATION, DEDICATION, ETC.)

Application Deadline	ZPAC	PBZ	CB
By 4:30 p.m.	(9:00 A.M.)	(6:30 P.M.)	(9:00 A.M.)
11/21/17	12/05/17	12/11/17	12/19/17
12/19/17	01/02/18	01/08/18	01/16/18
01/23/18	02/06/18	02/13/18	02/20/18
02/20/18	03/06/18	03/12/08	03/20/18
03/20/18	04/03/18	04/09/18	04/17/18
04/17/18	05/01/18	05/07/18	05/15/18
05/22/18	06/05/18	06/11/18	06/19/18
06/19/18	07/03/18	07/09/18	07/17/18
07/24/18	08/07/18	08/13/18	08/21/18
08/21/18	09/04/18	09/10/18	09/18/18
09/18/18	10/02/18	10/09/18	10/16/18
10/23/18	11/06/18	11/13/18	11/20/18
11/20/18	12/04/18	12/10/18	12/18/18



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: November 3, 2017
Re: Tanglewood Trails Brush and Overgrowth Removal

The Kendall County Highway Department received the attached estimate and scope of work for removing overgrowth and brush in the retention ponds at Tanglewood Trails. The estimated cost for this work is Eight Thousand Nine Hundred Dollars (\$8,900).

If this project is approved and if the contractor spends the maximum amount of money quoted for the work, Thirty-Two Thousand Five Hundred Eight-Two Dollars (\$32,582) would remain in the Tanglewood Trails escrow account.

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

MHA

ENC: Project Estimate

David Jensen Construction

7990 Tanglewood Trails Drive

Yorkville, IL 60560

630-608-8471

djensenconstruction@gmail.com**Proposal**

Date: 10/04/2017

PROPOSAL SUBMITTED TO:

Doug Westphal

Kendall Township Highway Dept.

doug.kendalltpw@sbcglobal.net*We hereby submit specifications and estimate for:*

Work includes:

Tanglewood Trails Subdivision

Retention Pond Brush Removal

Clear over-growth and brush piles in north and south retention ponds

All equipment, fuel and labor costs included

\$ 8,900.00

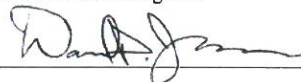
We hereby propose to furnish labor and materials (*except where specified otherwise) in accordance with the above specifications, for the sum of : \$8,900.00 (eight thousand nine hundred dollars)**Payments as follows: Balance Due Upon Completion**

All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications

involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accident or delays beyond our control.

This proposal is subject to acceptance within 30 days and it is void thereafter at the option of the undersigned.

Authorized Signature: _____

**ACCEPTANCE OF PROPOSAL:**

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work specified. Payment will be made as outlined above.

Signature: _____

Date: _____

Signature: _____

Engineer's Opinion of Probable Construction Cost
Concept 1

KEY		UNIT				
	Survey / Engineering					
	Landscape maintenance contractor					
	Field Tile contractor (maybe landscaper)					
ITEM		QNTY	UNIT	PRICE	AMOUNT	Comments
A. General						
1. Record Plans		1	LS	\$10,000.00	\$10,000	
2. Remove Filter Fabric and rebar	(2 man crew one day)	1	LS	\$2,000.00	\$2,000	Can be done with lot build out
3a. Basin 1 Embankment Verification	(Geotech and P.E. Certifications)	1	LS	\$4,000.00	\$4,000	
3b. Basin 1 remediation / earthwork		1	LS	\$25,000.00	\$25,000	Not sure if this is needed. Pending 3a. Determination
4. Recreational Path		2,100	LF	\$0.00	\$0	Possibly not required
5. Sidewalk @ NE corner of Park R & R		30	LF	\$25.00	\$750	By township if desired
6. Vegetation Maintenance	(2 basins)	2	EA	\$10,000.00	\$20,000	
7. Street Light electric plan		1	LS	\$2,000.00	\$2,000	
8. Fence North property line		890	LF	\$10.00	\$8,900	Possibly not required
9. Backfill and reseeding structures	(D1 - D7, C1 - C5, C20, C21)	14	EA	\$400.00	\$5,600	Can be done with lot build out
A. General				Sub-Total =	\$78,250	
B. Sheet C 3.1						
1. D7 - Fill and Adjust	(Covered in A.9.)	1	LS	\$0.00	\$0	Can be done with lot build out
2. FES A - Remove Veg.		1	LS	\$500.00	\$500	
3. A7 - Fill		1	LS	\$200.00	\$200	
4. FES P2 - Standing water		1	LS	\$600.00	\$600	
5. Emergency Overflow		1	LS	\$2,000.00	\$2,000	
6. Basin 2 Vegetation Maintenance	(Covered in A.6)	1	LS	\$0.00	\$0	
7. Roadway Shoulder Lots 15 & 16		1	LS	\$1,500.00	\$1,500	By township if desired
B. Sheet C 3.1				Sub-Total =	\$4,800	
C. Sheet C 3.2						
1. FES H2 - Remove Veg.		1	LS	\$150.00	\$150	
2. Lot 28 Erosion		1	LS	\$500.00	\$500	
C. Sheet C 3.2				Sub-Total =	\$650	
D. Sheet C 3.3						
1. A4 - Remove Silt		1	LS	\$200.00	\$200	
2. F1 - Adjusting Ring		1	LS	\$200.00	\$200	
3. E1 / F4 not found		2	LS	\$500.00	\$1,000	
D. Sheet C 3.3				Sub-Total =	\$1,400	
E. Sheet C 3.4						
1. FES J1 - Remove Veg.		1	LS	\$200.00	\$200	
2. Lot 8/9 Field Tile Repair		1	LS	\$1,200.00	\$1,200	
3. E2 - Remove Silt		1	LS	\$200.00	\$200	
4. FES B - Remove Veg.		1	LS	\$200.00	\$200	
5. FES E - Remove Veg.		1	LS	\$200.00	\$200	
6. FES C9 - Remove Veg.		1	LS	\$200.00	\$200	
7. Emergency Overflow		1	LS	\$2,000.00	\$2,000	
8. Vegetation Maintenance	(Covered in A.6)	1	LS	\$500.00	\$500	
E. Sheet C 3.4				Sub-Total =	\$4,700	
F. Sheet C 3.5						
1. C20 - Fence	(Covered in A.9)	1	LS	\$200.00	\$200	Possibly not required
2. C21 - Field Tile Connection		1	LS	\$2,000.00	\$2,000	
3. FES K2 - R & R		1	LS	\$800.00	\$800	
4. FES M2 - Holding Water / regrade		1	LS	\$800.00	\$800	
5. FES M4 - Regrade		1	LS	\$800.00	\$800	
6. C7 - Lid replaced		1	LS	\$200.00	\$200	
F. Sheet C 3.5				Sub-Total =	\$4,800	
SUBTOTAL A THROUGH F =					\$ 94,600	
10% CONTINGENCY=					\$ 9,460	
TOTAL CONSTRUCTION COST					\$ 104,060	
G. Soft Costs						
1. Engineering Review and Verification		5%	PERCENT		\$5,203	
G. Soft Costs				Sub-Total =	\$5,203	
TOTAL PROJECT COSTS INCLUDING CONSTRUCTION & SOFT COSTS					\$ 109,263	

The following items are NOT included in this opinion of cost:

Any utilities relocations including but not limited to water main, sanitary sewer, phone, gas, cable, electric.
Any professional fees other than those listed in Item G.

Matt Asselmeier

From: Matt Asselmeier
Sent: Wednesday, October 11, 2017 4:11 PM
To: 'Mark Antos'
Subject: RE: Antos Bridge - Project Review
Attachments: Antos Items Redacted.pdf

Mark:

Please see the attached document.

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: Mark Antos [REDACTED]
Sent: Wednesday, October 11, 2017 2:50 PM
To: Matt Asselmeier
Subject: Re: Antos Bridge - Project Review

On Wed, Oct 11, 2017 at 2:37 PM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Mark:

PBZ Committee Chairman Davidson requests a construction timeline for the bridge and an estimated completion date. Please provide me this information.

Also, according to a drawing that we have from the 1990s, your temporary crossing was supposed to be 2-3 feet lower than it presently is. Do you have an explanation for this difference?

I would like to see that proposal because you cannot county approved my Crossing I was the only way to get a firetruck or any vehicle over during any time of the year so I'm not sure what you're talking about

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: Mark Antos [mailto:

Sent: Tuesday, September 05, 2017 9:07 PM

To: Greg Chismark; Rich Bauer

Cc: Justin Benham; Matt Asselmeier; Ron Bauer

Subject: Re: Antos Bridge - Project Review

Sounds good. Thanks for the update

On Tue, Sep 5, 2017 at 9:05 PM Rich Bauer <rich@rb-associates.net> wrote:

All,

I have the plans modified and need to breakup the volume for the 10-yr and 100-yr levels for the report and modify the report. I will be getting this modified tomorrow night and sent out for Thursday.

Rich Bauer

On Tue, Sep 5, 2017 at 7:54 AM, Greg Chismark <gchismark@wbkengineering.com> wrote:

Mark,

We are still waiting to hear back from the e-mail below. We did get an initial response and need this follow up.

Please verify if there are other permits needed, beside the County permit, for the proposed work.

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: Mark Antos [mailto:
Sent: Monday, September 04, 2017 9:59 AM
To: Greg Chismark <gchismark@wbkengineering.com>
Subject: Fwd: Antos Bridge - Project Review

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

From: Mark Antos 
Date: Mon, Sep 4, 2017 at 9:56 AM
Subject: Re: Antos Bridge - Project Review
To: Justin Benham <jbenham@wbkengineering.com>

Please let me know if I can start framing up for concrete before it gets to cold to pour

On Tue, Aug 29, 2017 at 8:49 AM Justin Benham <jbenham@wbkengineering.com> wrote:

Rich –

Per our phone conversation, please stick with one consistent set of numbers – the Civil3D numbers since you feel those are most accurate – across the plans and flood report so that we are not approving two different sets of compensatory storage values. Once you have had a chance to verify the calculations, please re-send everything to me for one final look over and we will hopefully be able to get this approved.

Thanks,

Justin

Justin Benham, PE

Design Engineer

WBK Engineering, LLC

116 West Main Street, Suite 201, St. Charles, Illinois 60174

P: 630.443.7755 D: 630.338.8568

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From: Rich Bauer [mailto:rich@rb-associates.net]

Sent: Monday, August 28, 2017 6:36 PM

To: Greg Chismark <gchismark@wbkengineering.com>

Cc: Ron Bauer <ron@rb-associates.net>; Matt Asselmeier <masselmeier@co.kendall.il.us>; Justin Benham <jbenham@wbkengineering.com>; [REDACTED]

Subject: RE: Antos Bridge - Project Review

Justin,

Additionally, I forgot to leave in that message that I am going to check into the first issue. Not sure why it was giving that number but I will find out.

Rich Bauer

RB & Associates Consulting, Inc.

On Aug 28, 2017 19:32, "Rich Bauer" <rich@rb-associates.net> wrote:

Justin,

I called and left you a message on the office line. Things were crazy at the office and didn't get a chance to call you before now. Like I said in the voicemail, feel free to give me a call and I will try to answer as long as I am not in a meeting. My number is [REDACTED]

Rich Bauer

RB & Associates Consulting, Inc.

On Aug 28, 2017 08:13, "Greg Chismark" <gchismark@wbkengineering.com> wrote:

Thanks Rich.

Justin is the guy.

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: Rich Bauer [mailto:rich@rb-associates.net]

Sent: Monday, August 28, 2017 5:41 AM

To: Greg Chismark <gchismark@wbkengineering.com>

Cc: Justin Benham <jbenham@wbkengineering.com> [REDACTED] Matt Asselmeier
<masselmeier@co.kendall.il.us>; Ron Bauer <ron@rb-associates.net>

Subject: Re: Antos Bridge - Project Review

Greg,

I got your voicemail. I reviewed the email. I was out of town and by the time I was able to call on Friday, it was too late. I will try to carve out some time today to give him a call. Reminder is going on the calendar now.

Rich Bauer, MS, PE, SIT

Vice President

RB & Associates Consulting, Inc.

4 West Main Street, Suite 201

Plano, Illinois 60545

Tel: 630.552.7452

Cell: [REDACTED]

Fax: 630.552.7702

email: rich@rb-associates.net

main website: www.rb-associates.net

GIS website: www.rbacgis.com

On Wed, Aug 23, 2017 at 8:15 AM, Greg Chismark <gchismark@wbkengineering.com> wrote:

Rich,

I received your call yesterday and returned it.

See below the e-mail sent a week ago. Let me know if you did not receive it.

Our goal is to get these issues resolved and a phone call to Justin is probably the best way to expedite resolution.

[REDACTED] is the best number and Justin Benham is the primary reviewer.

Thanks for your attention to this matter.

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: Justin Benham
Sent: Wednesday, August 16, 2017 3:11 PM
To: Rich Bauer <rich@rb-associates.net>
Cc: Matt Asselmeier <masselmeier@co.kendall.il.us>; Greg Chismark <gchismark@wbkengineering.com>
Subject: Antos Bridge - Project Review

Rich,

We have completed the review of the Antos Bridge project and it appears that all modeling-related issues have been resolved. I did, however, have one question regarding the compensatory storage calculations.

It was not clear to me how the volumes shown on Sheet C-1003 were calculated given the reported plan view areas. For example, for the cut area with a range of 0.00 – 1.00 feet, you show a plan view area of 15,699.91 SF and a volume of 741.40 CY. I would assume you would multiply the plan view area by an “average depth” of cut or fill to get your volume - doing the math, however, shows that this area would have to have an average cut depth of 15.3” which is not possible given that the range for this area is supposed to be from 0” – 12”. This comment applies to several of the areas shown on the Cut/Fill table.

Additionally, it does not appear that the volumes shown on Sheet C-1003 match the volumes shown in the Flood Report.

The total cut, as summed on Sheet C-1003, is 1,267.40 CY. The total cut, as shown in the Flood Report, is 1,592 CY.

The total fill, as summed on Sheet C-1003, is 1,242.95 CY. The total fill, as shown in the Flood Report, is 1,512 CY.

Please feel free to call or e-mail with any questions.

Thanks,

Justin

Justin Benham, PE
Design Engineer

WBK Engineering, LLC

116 West Main Street, Suite 201, St. Charles, Illinois 60174

P: 630.443.7755 D: 630.338.8568

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interoffice
memorandum

to: FILE

from: Scott Arends

subject: Culvert Crossing over Aux Sable Creek

date: July 16, 1998

Mark and Elyse Antos have submitted plans for a low water culvert crossing on Aux Sable Creek. They have not provided any hydrologic or hydraulic information. The overtopping elevation of the proposed crossing is 3 feet above the invert of the channel. The crossing consists of six 21-inch inside diameter concrete pipe culverts. The channel geometry within the project reach is 35 feet top width, 23 feet bottom width and 6 feet high banks. The proposed culvert crossing will replace an existing 3 feet high gravel ford with no culverts.

Considering over-the-road relief flow, the worst case analysis would be for a discharge that just overtops the culvert crossing. Since the top of road grade is at $\frac{1}{2}$ channel depth, the maximum water surface profile increase would be contained within the channel banks. Therefore, the crossing meets the Departments standards as listed in Section 3700.70 a) of our Part 3700 Rules. I recommend that a permit be issued for this work.

NOTE: This culvert crossing is intended to serve as a temporary access. The applicant has informed me that they will apply for permit to construct a bridge crossing in approximately 1 year.

BT
7/22/98

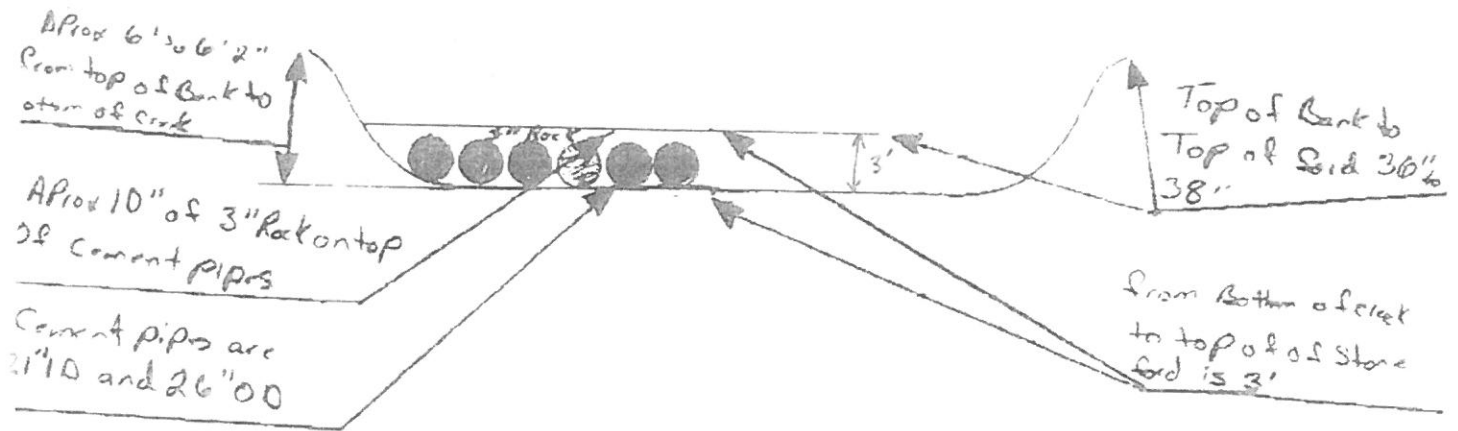
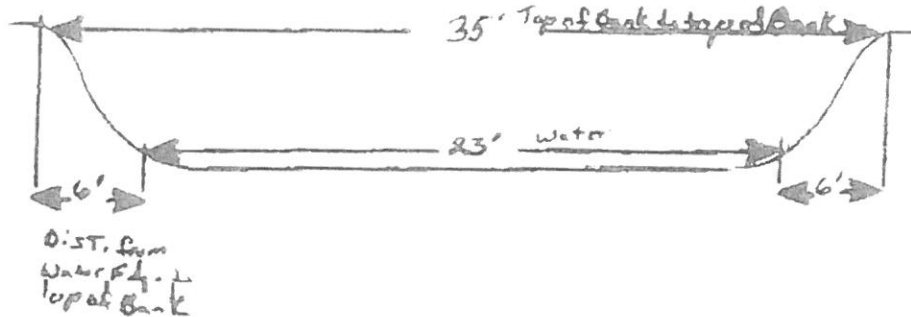
Attn: Scott Arons Water Dept

Mark & Elyse Antos

Aux Sable Creek Sord

Please Page me at

crossing in Minnoka






PERMITTED
PLAN

RECEIVED
OFFICE OF WATER RESOURCES
SPRINGFIELD, ILLINOIS

RECEIVED JUL 16 1998 DRV

AS _____
PGMD _____ PI _____
PLNG _____ EN _____

1. Application Number (to be assigned by Agency) <u>19182084</u>		2. Date <u>27</u> <u>May</u> <u>1998</u> Day Month Year		3. For agency use only (Date Received)	
4. Name and address of applicant <u>Mark & Elyse Antos</u>  Telephone no. during business hours <u>A/C</u> 			5. Name, address, and title of authorized agent Telephone no. during business hours <u>A/C</u> () _____ <u>eeper</u> <u>A/C</u> () _____		
6. Project Description and Remarks: Describe in detail the proposed activity, its purpose, and intended use. Also indicate the drainage area at the watershed to the downstream limit. Use attachments if needed. <p>We would like to modify an exsisting ford in the Aux Sable Creek that runs thru our property. When we bought our 23 acres there was a gravel ford crossing thru the Aux Sable Creek to get farm tractors across. We are building our house across creek so we need to raise the ford. We took 3" rock out of original ford, placed 21" ID culvert pipes on it and put original 3" rock back on culverts. We then found out we couldn't modify exsisting ford without a permit from you. The culverts do not restrict any</p>					
7. Names, addresses, and telephone numbers of all adjoining and potentially affected property owners, including the owner of the subject property if different from applicant. <u>Ron & Patti Bleuer</u>  <div style="text-align: right;">cont. page</div>					
8. Location of activity <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Name of waterway at location of the activity <u>Aux Sable Creek</u> Address: <u>McKanna Road</u> Street, road, or other descriptive location <u>Minooka</u> In or near city or town <u>Kendall</u> County <u>IL</u> State <u>60447</u> Zip Code </div> <div style="width: 50%;"> Legal Description: <u>NE</u> <u>9</u> <u>35</u> <u>8E</u> <u>3rd</u> <u>1/4</u> <u>Sec.</u> <u>Twp.</u> <u>Rge.</u> <u>P.M.</u> <u>Minooka</u> Name of Local Governing Community </div> </div>					

BTM
SMA

Page 2 of 5

water flow at all and actually improve flow because the water doesn't have to filter through 3" rock, it goes directly through the culverts. If the water gets very high it can flow right over the top of the culverts. There has always been a crossing there so we have not disturbed any vegetation.

Drawings on page 3

- 1- Original gravel crossing, side view
- 2-Original gravel crossing, top view
- 3-Proposed ford crossing, top view
- 4-Proposed ford crossing, side view

High water level- 574.50
Low water level- 572.66

If you have any questions please call.

Thank You,

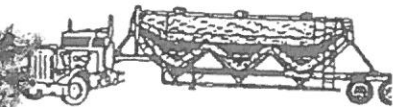
Elyse Antos

Page 3 of 5



ANTOS & SONS TRUCKING, INC.

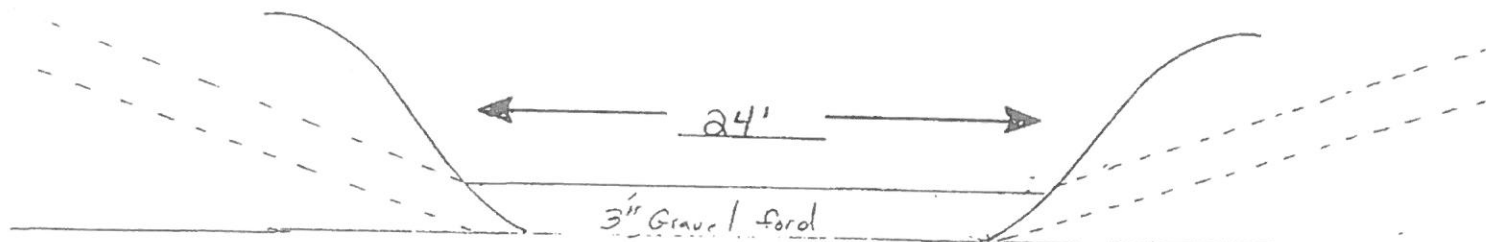
Pager
Phone
Fax



5/27/98

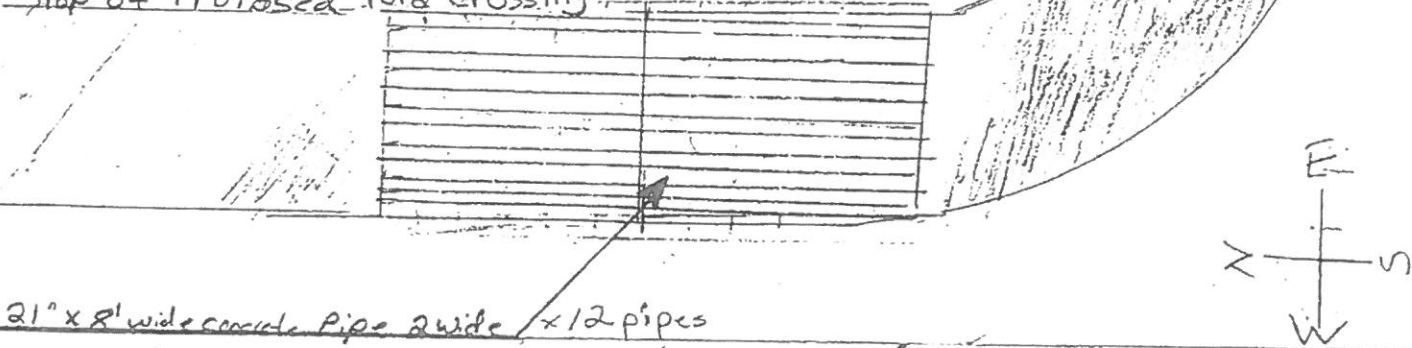
TEMPORARY
BRIDGE
12' x 12' x 12'

Original Farm Implement and Tractor crossing
original ford crossing grade shown on survey File NO. 8159
Top of ford crossing in Survey 573.40



Top view of original ford crossing

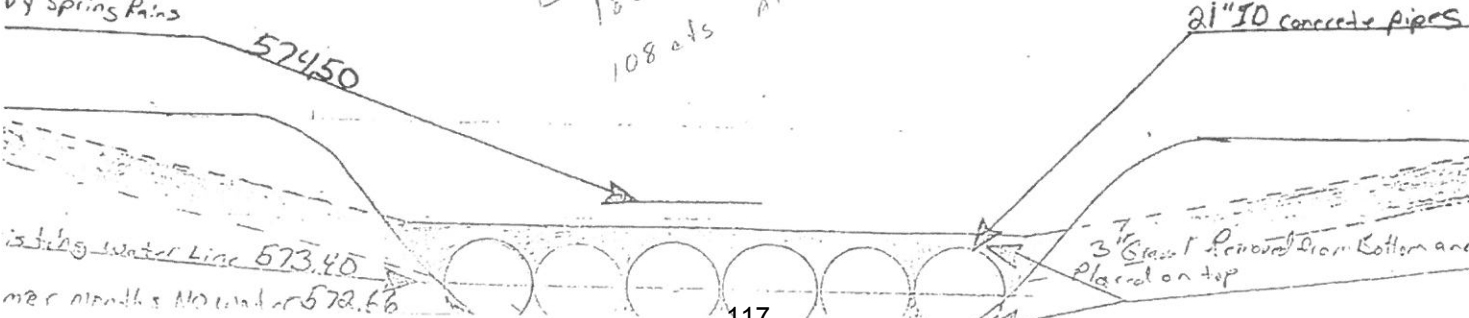
Top of Proposed ford crossing



21" x 8' wide concrete pipe 2 wide x 12 pipes

INLET TARMAC
18 sets / BARREL
108 sets AT OVER TOP

to 4" above gravel
by Springs Pains











© 2017 Google

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: 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

Matt Asselmeier

From: Pam [REDACTED]
Sent: Thursday, October 19, 2017 7:38 AM
To: Greg Chismark; Matt Asselmeier; Robert Davidson; Lynn Cullick; Judy Gilmour; Matt Kellogg; Scott R. Gryder
Subject: RE: Dumping along Ridge Rd

Good morning Greg and thank you for keeping us updated.

We understand that this is well under the 10 square mile. According to our observation, the pile is approx. 350 ft east to west and is along the bank of the waterway. You mention that the activity cannot be along the banks of the drainageway. It appears to us that it is. Is there a particular distance for regulation? Has the actual distance been measured by anyone?

Some of our other concerns are:

Water and debris have come over Bell Road and on to our property 2 times this spring/summer. The material they have brought in is from unknown sources and could possibly be contaminated. Since there has likely been no testing like what would be required if they were dumping at a landfill, we are left to wonder what will end up in our farm field, local creek and on to the Aux Sable Creek. Are there any records of where the material came from? We did see some of the trucks and at least one had a Chicago address on the door. We have to wonder why a company would come a distance to dump. Is it to avoid having the material tested and refused – similar to what was happening in Plainfield?

It is our understanding that this pile of fill will be used as a track so will not have vegetation growing on it to hold it in place and prevent it from being moved into the road, creek and our farm.

Thank you for hearing our concerns,
Pam and Bill Kunke
[REDACTED]

Sent from Mail for Windows 10

From: Greg Chismark
Sent: Wednesday, October 18, 2017 9:26 PM
To: Pam; Matt Asselmeier (masselmeier@co.kendall.il.us)
Subject: RE: Dumping along Ridge Rd

Bill, Pam and Matt,
Here is what I find.
Sorry it took so long.

The drainage area is 0.43 sq. mi or 275 acres. In an urban area a stream or creek with a tributary area of 1 sq. mi. or greater is considered to be floodplain and can be regulated. In rural areas that are is 10 sq. mi. So as you can see the tributary area alone does not give the County any jurisdiction over the drainageway.

The other aspect per the county ordinance is if the activity is within the bed of the drainageway or along the banks of the drainageway. Based on the pictures I saw I do not believe the work to be occurring within the drainageway. Again, the County would not have jurisdiction.

Based on the information provided to me I do not believe the County has authority over this work. If there is an impact as a result of the work it would be a civil matter between landowners who are protected under State drainage law. Please review the attachment along with this e-mail. Let me know if you have any questions.

Matt Asselmeier

From: Greg Chismark [gchismark@wbkengineering.com]
Sent: Wednesday, October 18, 2017 9:27 PM
To: Pam; Matt Asselmeier
Subject: RE: Dumping along Ridge Rd
Attachments: StreamStats15875 Ridge Road 01.pdf

Bill, Pam and Matt,
Here is what I find.
Sorry it took so long.

The drainage area is 0.43 sq. mi or 275 acres. In an urban area a stream or creek with a tributary area of 1 sq. mi. or greater is considered to be floodplain and can be regulated. In rural areas that are is 10 sq. mi. So as you can see the tributary area alone does not give the County any jurisdiction over the drainageway.

The other aspect per the county ordinance is if the activity is within the bed of the drainageway or along the banks of the drainageway. Based on the pictures I saw I do not believe the work to be occurring within the drainageway. Again, the County would not have jurisdiction.

Based on the information provided to me I do not believe the County has authority over this work. If there is an impact as a result of the work it would be a civil matter between landowners who are protected under State drainage law.

Please review the attachment along with this e-mail. Let me know if you have any questions.

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

www.wbkengineering.com | Mediating the Built & Natural Environments | **Part of the Mno-Bmadsen Family**

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From: Pam [REDACTED]
Sent: Friday, October 13, 2017 5:59 AM
To: Greg Chismark <gchismark@wbkengineering.com>
Subject: RE: Dumping along Ridge Rd

Thank you for keeping us updated.

Bill and Pam Kunke

Sent from [Mail](#) for Windows 10

From: Greg Chismark
Sent: Thursday, October 12, 2017 9:26 AM
To: Pam
Cc: Matt Asselmeier (masselmeier@co.kendall.il.us)
Subject: RE: Dumping along Ridge Rd

Pam & Bill,

I got approval from the County to take a look at the drainage areas for this location. I am tied up all week but will be able to get to it next week early.

I'll let you know what I find.

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: Pam [REDACTED]
Sent: Thursday, October 12, 2017 7:02 AM
To: Greg Chismark <gchismark@wbkengineering.com>
Subject: Dumping along Ridge Rd

Hi Greg, You spoke to my husband (Bill Kunke) about the dumping along the waterway on the Ridge Road property. This is our email address. You can also reach us at home [REDACTED] or Bill's cell [REDACTED]

Thank you, Pam and Bill Kunke
[REDACTED]

Sent from [Mail](#) for Windows 10

StreamStats Report

Region ID: IL
 Workspace ID: IL20171019014635485000
 Clicked Point (Latitude, Longitude): 41.49685, -88.27463
 Time: 2017-10-18 20:46:55 -0500



Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	0.43	square miles
FLC11DVLHM	Fraction of drainage area that is in low to high developed land-use classes 22-24 from NLCD 2011	0.037	decimal fraction
FSSURGDC78	Fraction of land area that is in very poorly drained and unknown likely water drainage classes 7 and 8 from SSURGO	0.021	decimal fraction
RELRELF	Basin relief divided by basin perimeter	17.04	feet per mi

Peak-Flow Statistics Parameters [Region 2 Peak Rural and Urban 2016 5050]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.43	square miles	0.078	1351
FLC11DVLHM	Frac_Lo_Med_Hi_Developed_from_NLCD2011	0.037	decimal fraction	0.0022	0.979
FSSURGDC78	Fraction_SSURGO_Drainage_Classes_7_and_8	0.021	decimal fraction	0	0.256
RELRELF	Relative Relief	17.04	feet per mi	0.821	37.3

Peak-Flow Statistics Flow Report [Region 2 Peak Rural and Urban 2016 5050]

PII: Prediction Interval-Lower, PIu: Prediction Interval-Upper, SEp: Standard Error of Prediction, SE: Standard Error (other -- see report)

Statistic	Value	Unit	PII	PIu	SEp
Urban 2 Year Peak Flood	33.2	ft ³ /s	15.6	70.4	46
Urban 5 Year Peak Flood	60.7	ft ³ /s	28.2	131	47.1
Urban 10 Year Peak Flood	82.3	ft ³ /s	37.1	182	49.6
Urban 25 Year Peak Flood	113	ft ³ /s	48.3	263	52.9
Urban 50 Year Peak Flood	137	ft ³ /s	56.4	334	55.9
Urban 100 Year Peak Flood	164	ft ³ /s	64.1	417	59.4
Urban 500 Year Peak Flood	231	ft ³ /s	81.9	649	66.9

Peak-Flow Statistics Citations

Over, T.M., Saito, R.J., Veilleux, A.G., Sharpe, J.B., Soong, D.T., and Ishii, A.L., 2016, Estimation of peak discharge quantiles for selected annual exceedance probabilities in northeastern Illinois: U.S. Geological Survey Scientific Investigations Report 2016-5050, 50 p. (<http://dx.doi.org/10.3133/sir20165050>)

Matt Asselmeier

From: Real estate [realestate@dankramerlaw.com]
Sent: Thursday, November 02, 2017 12:14 PM
To: Matt Asselmeier
Subject: Fw: Wedding Venue

See below

DO NOT RESPOND TO THIS EMAIL PLEASE SEND DIRECT TO: dkramer@dankramerlaw.com

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

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From: Real estate
Sent: Thursday, November 2, 2017 11:10 AM
To: [REDACTED]
Subject: Wedding Venue

Matt from the County has asked that you contact Pete Pasteris to discuss his sound system [REDACTED]

DO NOT RESPOND TO THIS EMAIL PLEASE SEND DIRECT TO: dkramer@dankramerlaw.com

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

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Matt Asselmeier

From: Jason Langston
Sent: Monday, October 23, 2017 3:29 PM
To: Matt Asselmeier
Cc: Dwight Baird; Michael Peters
Subject: RE: Banquet Facility at 1998 Johnson Road

Matt,

I asked our patrol deputies to check if there were events taking place at 1998 Johnson Rd. this weekend and to gather sound readings. Below are the results that we found.

On Friday (10/20) night there was no event and the baseline readings were:

In the area of 1998 Johnson this evening 10/20/17 at approximately 1918 hours and they have no event. I took readings at 1451 and 1585 Johnson at the entrance of their driveways. See the following:

1451 Johnson- wind blowing, trees blowing in the wind with leaves and could hear traffic on Rte 126-I parked my squad approximately 53-55 paces east of the driveway. Readings were in the following ranges: 44.0 to 55.3 DBA Lo.

1585 Johnson-wind blowing, tall brush, no trees really close and could hear traffic on Rte 126-My squad was parked approximately 74 paces east of the driveway. Readings were in the following ranges: 41.3 to 42.6 DBA Lo.

No vehicles were on Johnson during the readings.

On Saturday (10/21) night there WAS an event and the readings were:

1st reading was taken approximately ½ way between 1451 and 1585 Johnson road. Between music, wind, announcer/loud speaker and trees blowing in wind= 46.2 to 66.8 DBA Lo- When the wind was low the readings were between 46.2 & 53.8 DBA Lo

2nd reading was taken at the driveway of 1585 Johnson Road. 46.2 to 49.3 DBA Lo=music, announcer/loud speaker and low breeze. When wind would kick up the reading would be 48.1 to 52.8 DBA Lo (no large trees around).

3rd reading was taken at the driveway of 1651 Johnson Road.-44.4 to 53.9 DBA Lo= low breeze, trees just west of driveway and music.

It should be noted as cars were approaching and then passing by the reading would be between 60.2 to 80.6

4th reading located a creek east of 1998 Johnson Road- readings= 46.1 to 52.0 with music, low breeze and high breeze.

5th reading at entrance to event= 46 to 54.8 DBA Lo with the wind kicking up reading would reach 60.3 DBA Lo and then drop back down to the 46 to 54 as wind would die down. (music and guest celebrating)

Time frame for readings was from 1855 to 1944 hours on 10/21/17.

Deputy Commander Jason Langston

Kendall County Sheriff's Office

Operations Division

(630) 553-7500 ext. 1134

Cell: [REDACTED]

jlangston@co.kendall.il.us

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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 oversite 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 confussion? Please feel free to contact me anytime with any questions or concerns related to Northfork.

Sincerely,

A black rectangular redaction box covering the signature of Peter J. Pasteris.

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 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] 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

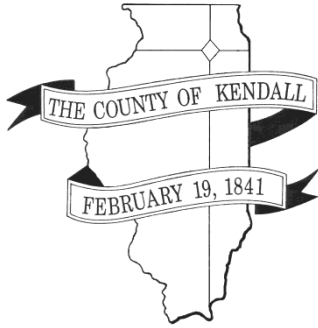
Deputy Commander Langston wanted to make sure I got this information forwarded to you in a timely fashion –

- **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
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DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

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MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: October 24, 2017
Re: Distance Notification Requirements for Applications for Special Uses in A-1 Zoned Areas

At the September Planning, Building and Zoning Committee meeting, Staff was requested to create a list of special uses in the A-1 District requiring greater notification. Below please find Staff's suggestions for increased notification (i.e. 2,600 feet). The reasons for increased notification are included in parentheses. Uses shown in bold currently do not have any special use permits issued.

1. Airports and Heliports (Noise, Light and Vibrations)
2. **Animal Feed Preparation, Grinding and Mixing** (Noise, Smells and Vibrations)
3. Athletic Fields with Lights (Noise and Light)
4. **Banquet Halls** (Noise)
5. Cemeteries, Including Crematoriums and Mausoleums (Smells and Groundwater Concerns)
6. Child Daycare Facilities (Noise)
7. Communication Uses (Visual)
8. Composting of Landscape Waste and Food (Smells and Visual)
9. **Correctional Facilities** (Noise, Lights and General Safety)
10. Fertilizer Seed and Sales, Including Bulk Storage and Mixing (Smells and General Safety)
11. Grain Storage When Not Accessory to the Pursuit of Agriculture (Noise and Smells)
12. **Kendall County Sheriff's Office Shooting Range** (Noise, Lights, Vibrations and General Safety)
13. Kennels (Noise and Smells)
14. Landscaping Business (Noise and Visual)
15. Outdoor Commercial Sporting Activities Including Swimming Facilities and Motocross Sports (Noise, Lights and Vibrations)
16. Outdoor Target Practice and Shooting (Noise, Lights, Vibrations and General Safety)
17. Paintball Facilities (Noise and Light)
18. Performing Arts Centers (Noise and Light)
19. **Public or Private Telecommunication Hubs, Filtration Plants, Sewage Treatment Plants, Electric Sub-Stations and Similar Uses** (Noise, Smells and Visual)
20. Recreational Camps and Recreation Vehicle Parks (Noise and Lights)
21. Small Poultry and Small Animal Processing Plants (Noise, Smells and Lights)
22. Storage Facilities for Motor Vehicles, Boats, Trailers and Other Recreational Vehicles (Lights and Visual)
23. Telecommunication Stations (Visual)
24. **Wind Farm, Commercial** (Noise and Visual)

Staff suggests that the following uses not be required to have increased notification. Uses shown in bold currently do not have any special use permits issued.

1. **Adult Day Care or Respite Care**
2. **Agency Licensed Family Residential Care Homes – Transitional Halfway House**
3. **Agency Licensed Group Residential Care Home – Permanent**
4. Agricultural Implement Sales and Service
5. **Auction Facilities**
6. **Bait Shop with Items Not Produced on the Property**
7. Bed and Breakfast Establishments
8. Cleanup and Restoration Services
9. Golf Courses, Club Houses, Country Clubs and Membership Riding Clubs
10. Governmental Buildings and Facilities
11. **Group Homes (The 1 Group Home is Requesting Revocation of Special Use Permit)**
12. **Halfway House**
13. **Hospice**
14. **Indoor Target Practice**
15. Micro Distillery
16. **Nano Brewery (Nano Brewery is Part of Another Special Use)**
17. Office of Professional Services
18. Parks
19. **Philanthropic Institutions and Institutions Supported by Charity**
20. Places of Worship
21. **Private Clubs or Lodges Not Including Gun Clubs or Regulated Uses**
22. Production and Sale of Ciders, Jams, Jellies and Similar Uses
23. Retail or Wholesale Yards for Agricultural Products Not Grown on the Premises
24. **Retail or Wholesale Sale of Pottery, Art and Home Décor in a Tea Room or Sit-Down Food Sale Area**
25. Riding Stables and Other Horse Related Uses
26. **Service Clubs**
27. Veterinary Establishments

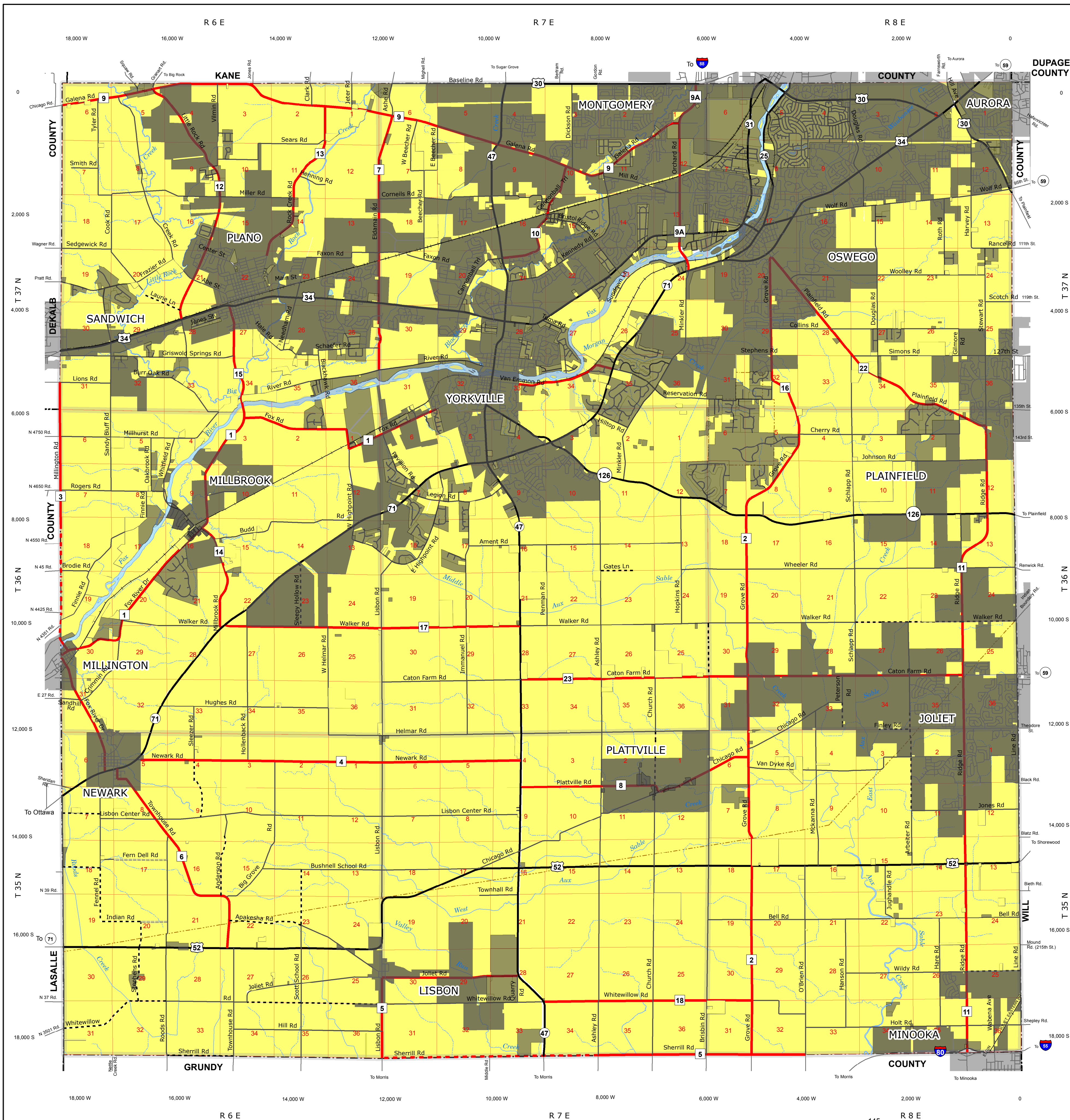
Member Kellogg also suggested a larger notification distance for Ready-Mix Cement Plants, Gravel Mining and Sanitary Landfill. These uses are no longer special uses in the A-1 District. The locations of these existing uses are considered lawfully non-conforming.

The A-1 Zoning Map is attached for your reference.

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

MHA

ENC: A-1 Zoning Map

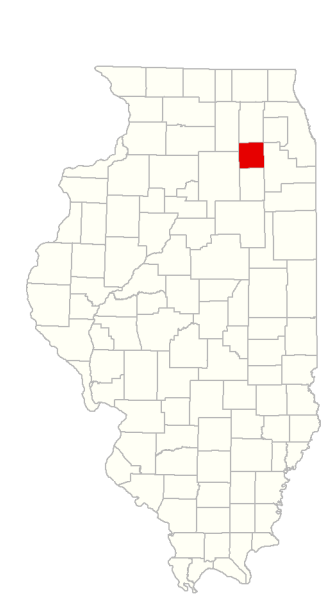


ZONING MAP : A1-SU & A1-SU-BP

KENDALL COUNTY

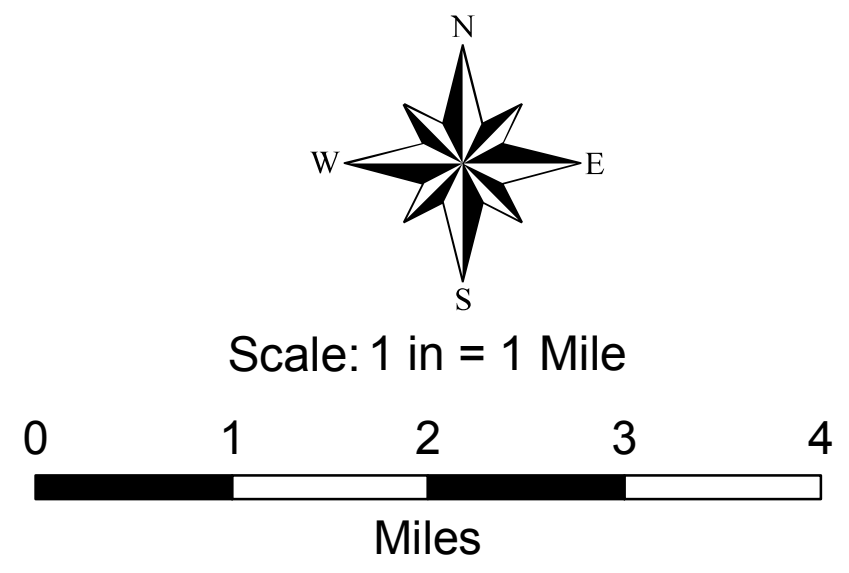
- 2016 -

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



Townships

LITTLE ROCK	BRISTOL	OSWEGO
FOX	KENDALL	NA-AU-SAY
BIG GROVE	LISBON	SEWARD

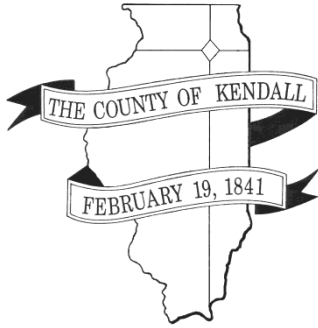


Legend

- ADJACENT COUNTY
- COUNTY
- INTERSTATE
- STATE
- FEDERAL
- BITUMINOUS
- GRAVEL
- DIRT
- LOCAL
- RAILROAD
- SECTIONS
- POLITICAL TOWNSHIPS
- COUNTY FOREST PRESERVE
- STATE PARK
- A1/A1-SU/A1-SU-BP
- All Other Zoning/Municipalities



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DEPARTMENT OF PLANNING, BUILDING & ZONING

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MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: November 3, 2017
Re: Request from the Kendall County Regional Planning Commission to Modify Proposed Outdoor Gun Range Regulations

At the October Kendall County Regional Planning Commission meeting, the Commission requested that the Planning, Building and Zoning Department modify the proposed text amendment related to outdoor shooting ranges. The Commission offered the following concerns:

1. The Kendall County Regional Planning Commission would like more background/scientific information to explain the proposed regulations; they would like to see expert opinion on the proposal. Commissioners would like a more specific frame of reference as to how the proposal matches or contradicts the National Rifle Association Standards.
2. The proposed text amendments contradict the National Rifle Association Standards.
3. The size and control requirement of the downrange safety area will make it very difficult for ranges to locate in the unincorporated areas.
4. The requirement that the ranges have restrooms facilities is redundant because the Kendall County Health Department regulations require such facilities.
5. The minimum parcel size is proposed to be forty (40) acres. The requirement that the firing line must be at least one thousand five hundred feet (1,500') from the property lines of adjoining properties means that a parcel would need to be larger than forty (40) acres to meet the firing line distance requirements.
6. The exemption of land owned by the Kendall County Forest Preserve District is unneeded if the Forest Preserve District is meeting State law and not desired if the Forest Preserve District must meet local zoning regulations.
7. The insurance requirements seem excessive.
8. Commissioners would like to see "license" be grouped with easement regarding access to public roads.

The Commission favored the road frontage requirement.

The Commission also offered to have a joint meeting of the Kendall County Regional Planning Commission and Planning, Building and Zoning Committee to resolve these issues.

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

MHA

Exhibit A

Amendment to 7.01.D.32 (Special Uses in A-1)

Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting noise and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall exclude outdoor target practice **(such exclusion extends to shooting ranges not located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks)**, athletic fields with lights, paintball facilities and riding stables; including but not limited to polo clubs, and similar uses.

Amendment to 7.01.D.33 (Special Uses in A-1) and 10.03.B.4 (Special Uses in M-3)

Outdoor Target Practice or Shooting (**but** not including private shooting in your own yard **or shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks**) with the following conditions:

- a. **Range layout** ~~R~~requires conformity with **National Rifle Association** standards with regard to layout and dimensions. ~~; provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book.~~ The petitioner shall submit a site capacity a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100').
- b. **Ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. Berms shall be located as follows:**
 1. **Shotgun ranges – No berming required.**
 2. **Ranges for handguns and rifles with the same or less power than .22 long rifle**
 - a. **Backstop at least one hundred fifty feet (150') from the firing line.**
 - b. **Lateral not closer than thirty feet (30') from the firing line.**
 3. **Ranges for rifles with more power than a .22 long rifle**
 - a. **Backstop at least three hundred feet (300') from the firing line.**
 - b. **Lateral not closer than thirty feet (30') from the firing line.**
 4. **All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.**

5. In addition to berms, appropriate baffling shall be installed over the targets to prevent projectiles from overshooting the berm for hand gun and rifle ranges.
- c. Ranges shall be located on a site where an uninhabited downrange safety area is available. The required length of the safety area shall be as follows:
 1. Shotgun ranges – one thousand five hundred feet (1500’), provided that shot size is limited to #4 or smaller.
 2. Ranges for handguns and rifles not more powerful than .22 long rifle – seven thousand feet (7,000’).
 3. Ranges for rifles more or equal power than a .22 long rifle – thirteen thousand five hundred feet (13,500’).
 4. The downrange safety area requirement for handgun, rifle and archery ranges may be waived by the County Board if the firing line is provided with overhead baffling meeting the standards of the National Rifle Association.
 5. The safety area shall conform to National Rifle Association standards for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.
 6. For the purposes of this regulation, the term “downrange safety area” shall mean the area away from the launching site towards the target. In cases of shooting ranges where targets are not stationary, appropriate baffling shall be provided.
 - d. Requires minimum parcel size of **5 forty (40) acres for firearms.**
 - e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.
 - f. The petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.
 - g. Must have a sign that lists allowed firearm types, rules of operation; hearing and vision protection required.
 - h. **At least one (1) State** recognized, nationally recognized or **National Rifle Association** Certified range supervisor must be present **at all times when firing is taking place.** The supervisor shall be certified for the type of shooting being supervised and shall know and enforce all range rules.

- i. **At least one (1) Range** flag flown, a sign or red light lit at all times that firing is taking place. **If a range flag is used, the flagpole shall be at least eighteen feet (18') high and the flag shall be bright red forty inches (40") long and twenty inches (20") inches wide at the pole and six inches (6") wide at the free end.**
- j. Hours and days of operation ~~as specified in the Special Use Permit to be determined by the County Board~~ shall be as follows: **No range shall open prior to 9:00 am any day of the week. No range shall remain open after 5:00 6:00 pm Mondays through Fridays, 3:00 5:00 pm on Saturdays and ranges shall be closed 3:00 pm on Sundays.**
- k. Access must be controlled by a lockable gate. **The range proper shall be fenced in a manner so to prohibit entrance on the property by members of the public and shall have signed posted at one hundred foot (100') intervals warning members of the public of the danger.**
- l. Hazardous waste plan addressing lead management required **at the time of application for a special use permit. Any changes to the hazardous waste plan addressing lead management shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.**
- m. No discharge of lead shot into wetland.
- n. Must be at least **one thousand five hundred feet (1,500')** from the firing line to the ~~existing dwellings and~~ property lines of ~~schools, daycares, places of worship and airstrips~~ adjoining properties. **The required distance is both parallel and perpendicular to the firing line.**
- o. No alcohol allowed.
- p. No projectiles shall leave the boundaries of the site.
- q. **The range shall provide restroom facilities to employees and patrons.**
- r. **Everyone on the firing line is required to wear hearing protection and safety glasses.**
- s. **The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; sufficient accident and liability insurance in the amount of Ten Million Dollars (\$10,000,000) for outdoor target practice or shooting ranges must be maintained during the duration of the special use permit.**

- t. All applicable Federal, State and County rules and regulations shall be adhered to.
- u. Must meet all requirements of the Kendall County Health Department.
- v. Water and drainage plans must be approved by the Kendall County Planning, Building and Zoning Office.
- w. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance.
- x. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance. (Where non-residential sites are adjacent to residential sites (existing or future residential areas as shown on the officially adopted version of the Land Resource Management Plan (LRMP)), the light level at the property line produced by the non-residential lighting shall not exceed 0.2 foot-candles. The lighting shall be designed to avoid casting direct light or glare onto the adjacent residential property. Acceptable means to prevent glare or direct light onto the residential property include pole/luminary-mounted shields and dense vegetation. On abutting nonresidential properties (existing or future nonresidential as shown on the officially adopted version of on the Land Resource Management Plan (LRMP)), or public streets the maximum illumination at the property line shall be five (5.0) foot-candles. Where residential is across a street, the maximum illumination at the use's boundary shall be two (2.0) foot-candles.

Higher maintained foot-candle levels may be appropriate for certain uses such as illuminated ball fields, auto dealerships, or gas stations. In such instances, information will be reviewed during Site Plan review. The Zoning Administrator may approve higher light levels for specific uses during the review process without the need for a variation. The Zoning Administrator may refer such instances to the Planning, Building, and Zoning Committee of the County Board. Such decisions made by the Zoning Administrator may be appealed to the Planning, Building, and Zoning Committee of the County Board. (Amended 7/19/2011))

- y. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).
- z. Ranges must have direct access to a public road. For the purposes of this restriction "direct access" shall mean frontage; "direct access" shall not mean access via easement across property not owned by the range owner.**
- aa. Noise generated by the business allowed by this special use shall comply with the following:**

1. **Day Hours:** No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
 2. **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 residential property line of the complainant.
 3. **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.
- bb. Outdoor target practice and shooting ranges in existence prior to the date of the adoption of this ordinance shall follow the restrictions on their respective special use permits.

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.

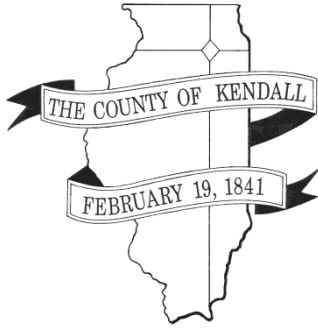
Brian Holdiman

VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Closed	SAO
V17-002	Randy Fowler	01-28-252-001	1203 W. South Street	Caquelin's Sub	Abandoned Structures	12/7/2016		
V17-003	March & Lisa Schulz	03-04-278-041	146 Heathgate Rd	Boulder Hill	Inoperable Vehicle	1/25/2017	2/7/2017	
V17-004	Meyers/Presnell	03-04-255-010	119 Heathgate Rd	Boulder Hill	Inoperable Vehicle	12/7/2016		
V17-005	Stevenson	02-13-429-004	15 Clark Avenue	Owner's	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	Marina Terrace	Inop Vehicles & Parking on Grass	1/17/2017	8/17/2017	
V17-008	Steven Odermatt	03-04-255-012	123 Heathgate Rd	Boulder Hill	Inoperable Vehicle	1/25/2017	2/6/2017	
V17-009	George Olmstead	06-02-201-002	27 Oswego Plains Dr	Oswego Plains Sub	Remodeling w/o Permit	1/31/2017	4/18/2017	
V17-010	Fed Home Ln Mortg	01-03-353-010	35 Earl Street	Stainfield	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	Willowbrook	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	Ring Neck	Inoperable Vehicle/Illegal sign	3/13/2017	5/7/2017	
V17-018	Wargo, Craig & Susan	03-04-477-038	80 Springdale Ln	Boulder Hill	Junk & Debris	3/14/2017	3/30/2017	
V17-019	Fitzgerald, Richard	03-08-326-008	75 Century Dr	Wormley Estates	Inoperable Vehicle - Motor Home	3/20/2017	4/12/2017	
V17-020	Ballines, Noe	03-08-227-008	54 Codorus Rd	Boulder Hill	Junk & Debris	3/24/2017	4/12/2017	
V17-021	Coyne	09-24-100-001	15200 Ridge Road	Clark's	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	Boulder Hill	Non-Permitted Animals	4/10/2017	5/12/2017	
V17-025	Murray	03-31-427-001	38 Eagle View Lane	Reservation Heights	Remodeling w/o Permit	4/27/2017	5/2/2017	
V17-027	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	Boulder Hill	Trailer parked in front area	5/11/2017	5/23/2017	
V17-029	Matile, Dennis	03-09-152-006	230 Boulder Hill Pass	Boulder Hill	Trailer parked in front area	5/11/2017	6/6/2017	
V17-030	Daum, Andrew	05-02-201-005	6111 Audrey Ave	Rose Hill	Inoperable Vehicle/Junk & Debris	5/15/2017	6/6/2017	
V17-031	Garcia, Luis	03-04-478-005	51 Springdale Rd	Boulder Hill	Repair Bus./ Vehicles not permitted	5/31/2017	6/20/2017	
V17-032	SL Enterprises	03-04-430-008	164 Tealwood Rd	Boulder Hill	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	Boulder Hill	Bus Operating in R6 Residential District	6/9/2017	8/17/2017	
V17-037	Temes	02-35-382-008	5812 Danielle Lane	Fields Of Farm Colony	RV Parked in Front yard	6/8/2017	8/17/2017	
V17-038	Memming	03-32-328-005	8 Crestview Drive	Crestview Woods	RV Parked in Front yard	6/9/2017	8/17/2017	
V17-039	Ramon Ramirez	03-08-277-031	33 Fieldpoint Rd	Boulder Hill	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	Boulder Hill	Prohibited Parking on non-apprvd surface	7/12/2017	8/4/2017	
V17-042	Hrvatn, Arthur	01-19-476-006		Hrvatn	Violation of Stormwater Management	7/12/2017	8/10/2017	
V17-043	First American Bank	05-18-226-002	8115 E. Highpoint Rd	Tucek-Oak Grove	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	Boulder Hill	Prohibited Parking of Trailer in Front area	8/9/2017		
V17-046	Scul, Enoch	01-16-427-001		Meierbrook	Ill. Parking - Limit 2 Rec Veh/or Trailers	8/14/2017	8/29/2017	
V17-047	Friel, Steven	03-08-253-012	20 Ashlawn	Boulder Hill	Accessory Building w/o Permit	8/14/2017		
V17-048	Evans, Eun	03-05-428-015	10 Hampton Rd	Boulder Hill	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	Minnetonka Springs	Accessory Building w/o Permit	8/17/2017	9/26/2017	
V17-051	Villesenor, Emmanuel	03-08-230-003	34 Old Post Road	Boulder Hill	Inoperable Vehicle	9/8/2017		
V17-052	Schanz	03-04-454-017	67 Saugatuck Rd	Boulder Hill	Prohibited Parking of Commercial Vehicle	9/11/2017		
V17-053	Paxton	03-04-455-001	56 Saugatuck Rd	Boulder Hill	Trailer parked in front area	9/18/2017	10/10/2017	
V17-054	Szchlinski	03-04-355-004	8 Saugatuck Rd	Boulder Hill	VOID			
V17-055	Nataly Perez	03-35-376-005	1481 Plainfield Rd		Running Landscaping Business in R2-zoning & Farm Animals not permitted in	9/27/2017		
V17-056	Moran	03-04-476-019	93 Longbeach Rd	Boulder Hill	Inoperable Vehicle	10/11/2017		
V17-057	Larsen	03-08-276-002	6 Old Post Rd	Boulder Hill	Prohibited Parking	10/18/2017		
V17-058	Hernandez	05-16-300-005	9850 Ament Rd		Stucture Built without Permit	10/24/2017		
V17-059	Christensen	04-16-204-007	8255 Fox River Rd	Millbrook	Remodeling without a Permit	10/30/2017		
V17-060	Walper	04-16-126-001	8025 Whitfield Rd	Millbrook	Possible occupied Mobile Home	10/30/2017		
V17-061	Hernandez	03-12-203-011	29 Gastville Rd	Gastville Acreage	Running a Landscaping business in R-3 Zoning District	10/30/2017		

NON-VIOLATION COMPLAINTS

Date	Name	Address	Subdivision	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	Boulder Hill	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	Boulder Hill	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	Boulder Hill	03-04-478-005	Business / vehicles parked	3/24/2017
4/18/2017	Campos	117 Dolores St	Shore Heights	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	Boulder Hill	03-05-278-028	Trailer parked in front yard	4/7/2017
4/11/2017	RWC Properties	126 Heathgate Road	Boulder Hill	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	Boulder Hill	03-05-428-015	Junk/Debris/ Trailer/Remodel	4/11 & 5/1/17
5/9/2017	Baka Properties	8940 C Route 34	Bakers	02-27-177-002	Poss Rental/Multi occupancy	7/18/2017
5/11/2017	Pecci	2410 Collins Rd	Quail Run	03-27-401-024	Poss Stormwater/dischage	5/12/2017
5/3/2017	Escalante	7953 Van Emmon Rd	Wendling	02-35-103-007	Poss Landscaping Bus/Escavating Pond	5/4/2017
5/18/2017	Staniskewski	141 Riverview Ct. Oswego	Riverview Heights	03-18-451-009	Occupied Accessory Structure	7/31/2017
5/22/2017	Fennell	8 W. Cedar Ct	Fox Lawn	05-06-226-009	Fencing - Pool	5/23/2017
5/20/2017	Minton	63 Hampton Rd	Boulder Hill	03-04-352-031	Mechanic Business	6/6/2017
5/30/2017	Gonzales	17 Wyndham Dr	Boulder Hill	03-04-307-005	Junk & Debris - Vacant home	6/6/2017
5/30/2017	Tuymer	121 Poplar Drive	Fox Lawn	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	Pavillion Heights	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	Tucek-Oak Grove	05-18-226-002	Semi Trucks/ Multi Family	6/14/2017
6/23/2017	Donnelly	16 Shore Drive Oswego	Marina Village	03-08-154-003	Flooding/Poss. Stormwater issue	7/7/2017
7/6/2017	Erwin	146 Long Beach Rd	Boulder Hill	03-04-430-016	Weeds	7/6/2017
7/6/2017	Woodson	15826 Stonewall	Estates Of Millbrook	04-21-103-004	Possible Boarding Home	7/31/2017
7/17/2017	Leifheit	12 Woodland Dr. Plano	Sugar Brook	01-20-351-003	Conversion of Garage to living space	8/30/2017
7/24/2017	Hurley	218 Foxtail Lane	Farm Colony	02-35-426-003	Fencing - Pool	7/31/2017
7/31/2017	Sleem	767 Route 31 Oswego	Sledz	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
10/3/2017	Glashagel	2830 Cherry Rd		06-03-300-009	Statue in possible easement or ROW	10/10/2017
10/16/2017	Bemister	33 Bonnie Lane	Williams	05-09-152-001	Possible Fence in easement	10/17/2017
10/18/2017	Henning	3 Dolphin Ct.	Marina Terrace	03-07-230-007	Junk & Debris/Inop Vehicle/ Camper in back	10/30/2017
10/19/2017	Middleton	75 Garden Drive	Gardens of Boulder Hill	03-04-452-025	Multiple Families living in single fam residence	



DEPARTMENT OF PLANNING, BUILDING & ZONING

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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.

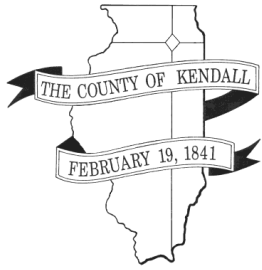
10. Small Wind Energy Systems subject to the conditions of Section 4.18

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

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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;

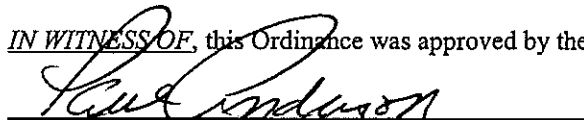
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

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.

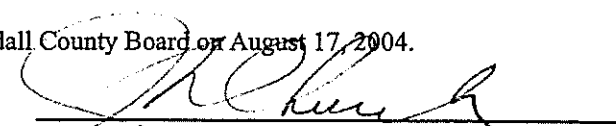
SECTION TWO: The Kendall County Code is hereby amended to create a Code Hearing Unit, as set forth in Exhibit "A" attached hereto.

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.

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	29	1	2	2	3	3	2	3	9	4	0	0	0
Garage	13	0	0	1	1	2	4	0	2	2	1	0	0
Accessory Buildings	48	0	8	4	4	10	1	7	8	4	2	0	0
Additions	10	0	0	1	2	2	1	2	2	0	0	0	0
Remodeling	20	0	2	1	1	3	3	2	2	3	3	0	0
Commercial - B Zone	2	0	0	0	0	0	0	0	0	0	2	0	0
Barns/Farm Buildings	12	0	2	0	1	0	0	1	0	3	5	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	24	0	0	5	1	2	4	8	3	1	0	0	0
Decks	19	0	0	0	3	4	4	3	3	2	0	0	0
Demolitions	5	1	1	0	0	0	1	0	1	1	0	0	0
Electrical Upgrades	4	0	1	1	0	0	0	0	0	1	1	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	3	0	0	0	1	0	0	0	0	0	2	0	0
	206	4	17	18	19	29	21	28	33	21	16	0	0

Permit Summary by Category
Kendall County

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
Garage	1	\$28,000	\$310	\$0
Accessory Buildings	2	\$37,500	\$642	\$0
Remodeling	3	\$93,103	\$410	\$0
Commercial - B Zone	2	\$130,000	\$1,014	\$0
Barns/Farm Buildings	5	\$164,775	\$339	\$0
Electrical Upgrades	1	\$1,571	\$150	\$0
Generator	2	\$14,276	\$220	\$0
	16	\$469,225	\$3,085	\$0

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
10/4/2017	01 House	012017211	0512227001	OBRIEN STEVEN & AGATHA	6256 WHITETAIL RIDGE CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	CL DESIGN-BUILD, INC.
10/17/2017	02 Garage	022017217	0132226005	DALTON, LARRY AND MARY	16073 BURR OAK RD PLANO, IL 60545-	DEER RIDGE PUD	SELF
10/4/2017	02 Garage	022017201	0226377001	SIMMERS KURT	7609 D RIVER OAKS DR YORKVILLE, IL 60560-	RIVER OAKS SUB	
10/4/2017	02 Garage	022017207	0517102001	JENSEN DAVID P & KARI L	7990 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	Jensen Construction
10/17/2017	03 Accessory Buildings	032017216	0507403002	FRENCH LARRY & SHARON S	11480 B LEGION RD YORKVILLE, IL 60560-		WISE CONSTRUCTION
10/25/2017	03 Accessory Buildings	032017173	0526400004	CHRIS AND MEGAN JENSEN	7225 CATON FARM RD YORKVILLE, IL 60560-		JENSEN LAND SERVICES
10/16/2017	03 Accessory Buildings	032017214	0227151002	BOLARD CHRISTOPHER JAMES	8940 A ROUTE 34 YORKVILLE, IL 60560-	BAKERS SUB	
10/18/2017	04 Additions	042017187	0416204004	ANDERSON BETTY L	14 SHERMAN ST MILLBROOK, IL 60536-		J & R Construction Services
10/26/2017	05 Remodeling	052017226	0116428003	SLEEZER MICHAEL	2776 LITTLE ROCK RD PLANO, IL 60545-		SELF
10/18/2017	05 Remodeling	052017219	0235381010	FIRST MIDWEST BANK NA GUARDIAN ESTATE CORP CHATTUEV	5810 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	EXTENDED HOME LIVING SERVICES, INC.
10/2/2017	05 Remodeling	052017212	0305427005	RICO MELISSA	5 GREENBRIAR RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	A-G SOLUTIONS, INC.

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
10/4/2017	05 Remodeling	052017210	0308105003	DANIEL ROSU	110 HARBOR DR OSWEGO, IL 60543-	MARINA TERRACE APARTMENTS	SAME
10/19/2017	07 Commercial - B Zone	072017224	0307278010	STOR-MOR INC	1317 ROUTE 31 OSWEGO, IL 60543-	MARINA TERRACE UNIT 2 RESUB PT LT 5	SELF
10/19/2017	07 Commercial - B Zone	072017223	0307278010	STOR-MOR INC	1317 ROUTE 31 OSWEGO, IL 60543-	MARINA TERRACE UNIT 2 RESUB PT LT 5	SELF
10/10/2017	08 Barns/Farm Buildings	082017213	0929100009	SWANSON GREGORY D & VIKKI S	16152 GROVE RD MINOOKA, IL 60447-		CLEARY BUILDING CORP.
10/26/2017	08 Barns/Farm Buildings	082017227	0314200019	BEARY RODNEY P TRUST & REHOBOTH FARM LLC	2226 ROTH RD OSWEGO, IL 60543-		
10/25/2017	08 Barns/Farm Buildings	082017225	0413226002	GOODWIN SCOTT T & DEANA M	49 COTSWOLD DR YORKVILLE, IL 60560-		
10/19/2017	08 Barns/Farm Buildings	082017220	0816400007	NGH FARMS LLC % CAROL S HAMMAN	14676 ROUTE 47 NEWARK, IL 60541-		WALLIN CONSTRUCTION INC.
10/11/2017	08 Barns/Farm Buildings	082017215	0836200002	WAKE ROY & KATHRYN	6232 WHITEWILLOW RD MINOOKA, IL 60447-		
10/25/2017	14 Demolitions	142017014	0408400006	ELTING FARMS LLC	-		Condon Construction Co.
10/25/2017	14 Demolitions	142016211	0236300004	WHEELER AL V & JANICE R	6605 RESERVATION RD YORKVILLE, IL 60560-		
10/18/2017	15 Electrical Upgrades	152017218	0308278006	CHARLEBOIS SANDRA JEAN	30 FIELDPOINT RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	LEWIS ELECTRIC CONTRACTING

Permit Approval Date Report

Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
10/17/2017	202017185 20 Patio		0304428009	ROTTER CHARLES	171 TEALWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	American Irish Concrete, LLC
10/19/2017	232017222 23 Generator		0507101003	MILLER RUSSELL G & THELMA	16 HILLVIEW CT YORKVILLE, IL 60560-	PAVILLION HEIGHTS UNIT 3	LEE LEGLER

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit ID					
3/24/2017	01 House	012017036	0417300002	DICKSON VALLEY MINISTRIES	8250 FINNIE RD NEWARK, IL 60541-		Same
10/4/2017	01 House	012017211	0512227001	OBRIEN STEVEN & AGATHA	6256 WHITETAIL RIDGE CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	CL DESIGN-BUILD, INC.
8/15/2017	01 House	012017162	0607402010	MCCUE DEVELOPMENT INC	7828 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	McCue Builders
8/15/2017	01 House	012017163	0607129006	MCCUE BUILDERS INC	5781 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS INC
8/16/2017	01 House	012017165	0607402001	MCCUE BUILDERS INC	7594 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS INC
9/28/2017	01 House	012017205	0605393014	ZOLLINGER PENNY S	4643 Waakesha Drive Oswego, IL. 60543	HENNEBERRY WOODS UNIT 2 Owner	
9/18/2017	01 House	012017191	0607402004	GRAHAM GREGORY K & PATRICIA J	7672 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	KURE CONSTRUCTION, IN.C
8/15/2017	01 House	012017164	0607226015	MCCUE BUILDERS INC	7335 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS INC
8/1/2017	01 House	012017158	0924100001	MATTHEW D. WEHRLI	915 BELL ROAD MINOOKA, IL 60447-		
8/30/2017	01 House	012017167	0233402009	WITT DAWN	38 WOODLAND DRIVE YORKVILLE, IL. 60560	THE WOODLANDS	CL DESIGN-BUILD INC.
9/28/2017	01 House	012017206	0517103002	PETERSON LUKE & HEATHER	10848 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	Tim Greyer Builders

Permit Approval Date Report Kendall County

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		
5/2/2017	01 House	012017062	0421125027	TIM & JESSICA SCHOFIELD	15781 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	TJS 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)
9/18/2017	01 House	012017198	0408200026	FRIEDERS MARK & TRACY	7425 OAKBROOK ROAD NEWARK, IL. 60541		CFR Builders - Charles F. Ruh
5/31/2017	01 House	012017074	0236102003	HENCZEL DAVID C DECL OF TRUST & DANIELA MEZA DENISE	385 COUNTRY ROAD YORKVILLE, IL. 60560	FARM COLONY	SELF
8/31/2017	01 House	012017172	0918100001	KNUDSON BRUCE	5765 ROUTE 52 MINOOKA, IL 60447-		
1/18/2017	01 House	012017015	0135100012	MESSER OLETH JR & ROSE L	13524 D HALE ROAD PLANO, IL. 60545		
5/17/2017	01 House	012017070	0811100029	AUSTIN NANCY	13090 ASHLEY ROAD PLATTVILLE, IL. 60560		TIM GREYER BUILDERS
8/4/2017	01 House	012017156	0526400007	JEAN FREEMAN	7149 CATON FARM RD YORKVILLE, IL 60560-		
5/10/2017	01 House	012017067	0932300004	GUZMAN MARIA	17840 GROVE RD MINOOKA, IL 60447-		
5/31/2017	01 House	012017099	0430200003	DIPPOLD JEREMY & SAMANTHA	10135 FOX RIVER DRIVE NEWARK, IL		

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3/3/2017	012017028	01 House		0605300011	BAILEY CHRISTOPHER & LORI	4811 CHERRY RD OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 4	CL DESIGN/CHERYL LEE
7/19/2017	012017144	01 House		0735300008	ZABEL BRIAN & TRACY	13986 HILL ROAD NEWARK, IL. 60541		
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
3/3/2017	012017032	01 House		0420226005	GOODLET TIMOTHY J	16077 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 4	Self
6/29/2017	012017101	01 House		0607402002	MCCUE BUILDERS INC	7620 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	Same
6/22/2017	012017119	01 House		0535200010	SLEEZER CONNIE K & SETH C	7214 CATON FARM RD YORKVILLE, IL 60560-		
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
6/26/2017	022017045	02 Garage		0234151010	JOHNSON GREGORY J & SHELLEY	66 QUINSEY RD YORKVILLE, IL 60560-	QUINSEY SUB	
10/4/2017	022017207	02 Garage		0517102001	JENSEN DAVID P & KARIL	7990 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	Jensen Construction
8/21/2017	022017178	02 Garage		0128252003	NILES JEFFREY R & TRACEY J	216 KINSEL ST PLANO, IL 60545-		Same
10/17/2017	022017217	02 Garage		0132226005	DALTON, LARRY AND MARY	16073 BURR OAK RD PLANO, IL 60545-	DEER RIDGE PUD	SELF

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2/16/2017	02 Garage	022016192	0304479042	TERRAZAS JUAN	72 SONORA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	Self
6/9/2017	02 Garage	022017111	0332352003	MERSMAN RYAN D & JENIFER L	4862 RESERVATION RD OSWEGO, IL 60543-	ARROWHEAD HILLS	
6/20/2017	02 Garage	022017121	0235227011	WAYDA JEFFERY & SUSAN	283 FARM CT YORKVILLE, IL 60560-	FARM COLONY	
6/7/2017	02 Garage	022017108	0402226006	SVOBODA JAROMIR & JODI A	6147 POLO CLUB DR YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS PHASE 3	Self
6/28/2017	02 Garage	022017123	0304476015	GAMBOA ALEJANDRO	79 SHEFFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	DANLEY'S GARAGE WORLD
10/4/2017	02 Garage	022017201	0226377001	SIMMERS KURT	7609 D RIVER OAKS DR YORKVILLE, IL 60560-	RIVER OAKS SUB	
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.
7/17/2017	02 Garage	022017102	0406300002	WEISBROOK JOSEPH R	6874 MILLINGTON RD SANDWICH, IL 60548-		
4/26/2017	02 Garage	022017063	0116427010	FRIEDERS FRANK D & JULIE L	30 MEYER RD PLANO, IL 60545-	MEYERBROOK UNIT 3	Self
5/23/2017	02 Garage	022017089	0602177006	SMITH CHERYL	143 OSWEGO PLAINS DR OSWEGO, IL 60543-		Upscale Remodel
5/16/2017	03 Accessory Buildings	032017085	0909100014	HOLZ LIVING TRUST	13270 MCKANNA RD MINOOKA, IL 60447-		Self

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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
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
4/19/2017	032017060	03	Accessory Buildings	0304255013		SHADDIX THOMAS W & LETICIA	125 HEATHGATE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	Backyard Buildings and More
3/9/2017	032017039	03	Accessory Buildings	0502102003		SIOK CLIFFORD & KIMBERLY	322 EMILY CT YORKVILLE, IL 60560-		Everlast Portable Buildings
4/27/2017	032017069	03	Accessory Buildings	0435300006		LEGGETT BRANDON D & JULIE A	13600 HUGHES RD NEWARK, IL 60541-		
3/8/2017	032017038	03	Accessory Buildings	0416129001		ANDERSON BRUCE	8 N HUDSON ST MILLBROOK, IL 60536-		
3/3/2017	032017035	03	Accessory Buildings	0216228007		SCHOON RICHARD W & BARBARA A	43 HUNTER LN BRISTOL, IL 60512-	BRISTOL WOODS UNIT 2	WILLMAN & GROESCH
3/13/2017	032017042	03	Accessory Buildings	0508176008		BASTIAN JOHN C & DONNA K	86 MAPLE LN YORKVILLE, IL 60560-	WOODLAND ACRES	WILLMAN & GROESCH G.C.
3/14/2017	032017043	03	Accessory Buildings	0615100008		ODONOVAN-MAYA SUSAN	2884 ROUTE 126 PLAINFIELD, IL 60544-		
3/2/2017	032017034	03	Accessory Buildings	0508101004		STOCCHERO ENTERPRISES LLC	10925 ROUTE 71 YORKVILLE, IL 60560-		

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7/14/2017	03 Accessory Buildings	032017076	0419100002	CLANCY GERALD E & ROBIN R	9517 FINNIE RD NEWARK, IL 60541-		DIY
2/21/2017	03 Accessory Buildings	032017025	0105251002	PETITJEAN LEONARD E JR TR & PETITJEAN ANITA	16318 GALENA ROAD PLANO, IL. 60545		sELF
2/9/2017	03 Accessory Buildings	032017022	0214426006	ENTILE MATTHEW R	86 W RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 5	
3/1/2017	03 Accessory Buildings	032017027	0219100003	CAMACHO MIGUEL & SANDRA E	11728 FAXON RD PLANO, IL 60545-		FBI BUILDINGS INC.
5/22/2017	03 Accessory Buildings	032017083	0905400018	QUIROZ, TEOFILO	4080 VAN DYKE ROAD MINOOKA, IL		
2/28/2017	03 Accessory Buildings	032017020	0105176005	BOND MICHAEL E & CHERIE L	232 CREEK RD PLANO, IL 60545-		Cleary Building Corp.
5/25/2017	03 Accessory Buildings	032017090	0924300007	MARECI GREGORY L & NATALIE M	532 BELL RD MINOOKA, IL 60447-		
10/17/2017	03 Accessory Buildings	032017216	0507403002	FRENCH LARRY & SHARON S	11480 B LEGION RD YORKVILLE, IL 60560-		WISE CONSTRUCTION
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
10/16/2017	03 Accessory Buildings	032017214	0227151002	BOLARD CHRISTOPHER JAMES	8940 A ROUTE 34 YORKVILLE, IL 60560-	BAKERS SUB	
9/12/2017	03 Accessory Buildings	032017193	0309155027	SHEDOR SUSAN REV LVG TRUST	315 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	

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9/5/2017	03 Accessory Buildings	032017188	0135284001	BEERY CAROLA	13040 RIVER RD PLANO, IL 60545-	MINNETONKA SPRINGS SUB	
8/31/2017	03 Accessory Buildings	032017186	0916200012	NELSEN WILLIAM H & JESSICA A	3147 ROUTE 52 MINOOKA, IL 60447-		Cleary Building Corp
10/25/2017	03 Accessory Buildings	032017173	0526400004	CHRIS AND MEGAN JENSEN	7225 CATON FARM RD YORKVILLE, IL 60560-		JENSEN LAND SERVICES
2/8/2017	03 Accessory Buildings	032017018	0926400007	LUNDQUIST ROBERT & CAROL	16801 RIDGE RD 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	
7/20/2017	03 Accessory Buildings	032017145	0735300008	ZABEL BRIAN & TRACY	13986 HILL ROAD NEWARK, IL. 60541		
7/18/2017	03 Accessory Buildings	032017141	0305404003	HEIMER MICHAEL W & NICKOLETTE	106 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 6	
8/4/2017	03 Accessory Buildings	032017159	0917100002	HEAP GARY & LINDA	4819 ROUTE 52 MINOOKA, IL 60447-		
8/15/2017	03 Accessory Buildings	032017138	0136100028	SNYDER ERIC M	12630 B RIVER RD PLANO, IL 60545-	DOCKSTADERS SUB	
7/11/2017	03 Accessory Buildings	032017137	0235310002	DAVIES WILLIAM & KATHI	7779 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	

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7/17/2017	032017135	03 Accessory Buildings	0507403001	FRENCH LARRY & SHARON	11480 A LEGION RD YORKVILLE, IL 60560-			
8/8/2017	032017166	03 Accessory Buildings	0214276005	NOLTE ROBERT M	153 E RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 4		
6/16/2017	032017113	03 Accessory Buildings	0909100002	GUZMAN RAMIRO A JR	13039 MCKANNA ROAD MINOOKA, IL 60447		SELF	
5/31/2017	032017105	03 Accessory Buildings	0235130003	LOIKETS WILLIAM & TERESA	46 COUNTRY RD YORKVILLE, IL 60560-	HITEMAND SUB		
8/31/2017	032017189	03 Accessory Buildings	0228153004	ADAMS GARY L & KATHLEEN P	204 PLEASURE DR YORKVILLE, IL 60560-	COUNTRYSIDE SUB UNIT 7	EVERLAST PORTABLE BUILDINGS	
8/4/2017	032017160	03 Accessory Buildings	0917100002	HEAP GARY & LINDA	4819 ROUTE 52 MINOOKA, IL 60447-			
7/19/2017	032017100	03 Accessory Buildings	0307177011	JOE GRIFFIN	5400 LIGHT RD OSWEGO, IL 60543-		CLEARY BUILDING CORP.	
9/20/2017	032017202	03 Accessory Buildings	0331452007	JEFF HIGHLAND	11 OTTAWA CT OSWEGO, IL 60543-	NA-AU-SAY WOODS		
6/1/2017	032017096	03 Accessory Buildings	0905400018	QUIROZ, TEOFILO	4080 VAN DYKE ROAD MINOOKA, IL 60447		SELF	
7/12/2017	032017103	03 Accessory Buildings	0222126004	LEIFHEIT ELMER B & NANCY	26 LAKEVIEW DR YORKVILLE, IL 60560-		Doug Leifheit	
6/1/2017	032017095	03 Accessory Buildings	0905400018	QUIROZ, TEOFILO	4080 VAN DYKE ROAD MINOOKA, IL		SELF	

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10/18/2017	042017187	04 Additions	0416204004	ANDERSON BETTY L	14 SHERMAN ST MILLBROOK, IL 60536-		J & R Construction Services
8/24/2017	042017182	04 Additions	0136100023	MCELROY JOSHUA L & ANNIE JOY	12881 RIVER RD PLANO, IL 60545-		
7/31/2017	042017146	04 Additions	0216226006	JENNINGS WILLIAM L & MONICA	9180 CORNELIS RD BRISTOL, IL 60512-	BRISTOL WOODS UNIT 2	OWNER
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	Artisan Enterprises, Inc.
5/16/2017	042017084	04 Additions	0602126003	PIAZZA-RAFDAHL ANNA	10 NAVAJO CT OSWEGO, IL 60543-		Self
4/27/2017	042017064	04 Additions	0931100002	MONTELLO JOHN J JR & MURRAY MAUREEN J	17280 BRISBIN RD MINOOKA, IL 60447-		
4/18/2017	042017058	04 Additions	0226452009	GRAHOVEC EDWARD J & LINDA	49 WINDING CREEK RD YORKVILLE, IL 60560-	OAK CREEK SUB	Brady Construction, LLC
4/4/2017	042017052	04 Additions	0712400003	SIEVERS KATHERYNN E & DANIEL	13825 LISBON RD NEWARK, IL 60541-		
1/18/2017	042016216	04 Additions	0213428001	GUERRERO LORENA	6163 ROUTE 34 OSWEGO, IL 60543-		Homeowner

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10/26/2017	05 Remodeling	052017226	0116428003	SLEEZER MICHAEL	2776 LITTLE ROCK RD PLANO, IL 60545-		SELF
10/18/2017	05 Remodeling	052017219	0235381010	FIRST MIDWEST BANK NA GUARDIAN ESTATE CORP. SMITHLEV	5810 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	EXTENDED HOME LIVING SERVICES, INC.
10/2/2017	05 Remodeling	052017212	0305427005	RICO MELISSA	5 GREENBRIAR RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	A-G SOLUTIONS, INC.
10/4/2017	05 Remodeling	052017210	0308105003	DANIEL ROSU	110 HARBOR DR OSWEGO, IL 60543-	MARINA TERRACE APARTMENTS	SAME
9/11/2017	05 Remodeling	052017194	0318377003	JERABEK JEFFREY L & REBECCA L	16 S CHERRY DR OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	Willman & Groesch GC
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
7/6/2017	05 Remodeling	052017128	0421126003	RISSMAN MARK	9010 STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 2	DKW Homes, LLC
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

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6/14/2017	052017107 05 Remodeling		0602176004	PFLERER KURT A & DANAL	120 OSWEGO PLAINS DR OSWEGO, IL 60543-	ERICKSONS RESUB	SELF
5/31/2017	052017097 05 Remodeling		0334100007	HARVEST BAPTIST CHURCH	5315 DOUGLAS RD OSWEGO, IL 60543-		Meadows Construction, Inc.
5/2/2017	052017078 05 Remodeling		0504176003	BRENNART HEATHER RENEE	18 WOODEN BRIDGE DR YORKVILLE, IL 60560-	CROOKED CREEK WOODS	Willman & Groesch GC
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.
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-		
10/19/2017	072017224 07 Commercial - B Zone		0307278010	STOR-MOR INC	1317 ROUTE 31 OSWEGO, IL 60543-	MARINA TERRACE UNIT 2 RESUB PT LT 5	SELF
10/19/2017	072017223 07 Commercial - B Zone		0307278010	STOR-MOR INC	1317 ROUTE 31 OSWEGO, IL 60543-	MARINA TERRACE UNIT 2 RESUB PT LT 5	SELF
9/12/2017	082017197 08 Barns/Farm Buildings		0121100005	LP NELSON TRUST	15888 FRAZIER RD PLANO, IL 60545-		

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9/12/2017	08 Barns/Farm Buildings	082017196	0121100005	LP NELSON TRUST	15888 FRAZIER RD PLANO, IL 60545-		
7/18/2017	08 Barns/Farm Buildings	082017142	0808300007	BELL FARMS LIMITED PARTNERSHIP	10600 LISBON CENTER RD NEWARK, IL 60541-		
4/5/2017	08 Barns/Farm Buildings	082017055	0533200007	STEWART DAVID	11200 ROUTE 47 YORKVILLE, IL 60560-		
3/3/2017	08 Barns/Farm Buildings	082017029	0819100008	GONZALEZ RAULA	15390 ROUTE 52 NEWARK, IL 60541-		
9/28/2017	08 Barns/Farm Buildings	082017208	0223378003	HAMBLY DEMAR NEIL	7610 SUNDOWN LN YORKVILLE, IL 60560-		
2/8/2017	08 Barns/Farm Buildings	082017021	0914100009	BALTZ ROBERT	1925 Route 52 Minooka, IL 60447		
10/26/2017	08 Barns/Farm Buildings	082017227	0314200019	BEARY RODNEY P TRUST & REHOBOTH FARM LLC	2226 ROTH RD OSWEGO, IL 60543-		
10/25/2017	08 Barns/Farm Buildings	082017225	0413226002	GOODWIN SCOTT T & DEANAM	49 COTSWOLD DR YORKVILLE, IL 60560-		
10/19/2017	08 Barns/Farm Buildings	082017220	0816400007	NGH FARMS LLC % CAROL S HAMMAN	14676 ROUTE 47 NEWARK, IL 60541-		WALLIN CONSTRUCTION INC.
10/11/2017	08 Barns/Farm Buildings	082017215	0836200002	WAKE ROY & KATHRYN	6232 WHITEWILLOW RD MINOOKA, IL 60447-		
10/10/2017	08 Barns/Farm Buildings	082017213	0929100009	SWANSON GREGORY D & VIKKI S	16152 GROVE RD MINOOKA, IL 60447-		CLEARY BUILDING CORP.

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9/28/2017	092017168 09 Signs		0301127006	HEATHER LAWSON	ROUTE 34 AURORA, IL		SIGNS NOW NAPERVILLE
2/8/2017	092017017 09 Signs		0318403015	MERCHANTS NATIONAL BANK	5375 ROUTE 34 OSWEGO, IL 60543-		
8/31/2017	102017190 10 Other		0507403002	FRENCH LARRY & SHARON S	11480 B LEGION RD YORKVILLE, IL 60560-		
5/31/2017	102017088 10 Other		0334100007	HARVEST BAPTIST CHURCH	5315 DOUGLAS RD OSWEGO, IL 60543-		Monarch Fire Protection, Inc.
9/7/2017	122017192 12 Swimming Pools		0105128008	ROTHLISBERGER SCOTT & SARAH	16524 GALENA RD PLANO, IL 60545-		DRIES, INC.
8/21/2017	122017179 12 Swimming Pools		0603250002	DANIELS LORRAINE E TRUST DANIELS VENNIETLI M M O	6333 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	Swim Shack, Inc.
8/7/2017	122017161 12 Swimming Pools		0224226005	REMPEL GRAHAM & TRISHA	29 OAK HILL DR OSWEGO, IL 60543-	OAK HILLS	SELF
8/3/2017	122017154 12 Swimming Pools		0235414016	SELLE JAMES A JR & YVONNE M	6009 AUDREY AVE YORKVILLE, IL 60560-	ROSEHILL	Swim Shack, Inc.
7/27/2017	122017151 12 Swimming Pools		0602176004	PFLERER DANAL	120 OSWEGO PLAINS DR OSWEGO, IL 60543-	ERICKSONS RESUB	A & J Recreational Services
7/27/2017	122017148 12 Swimming Pools		0125454002	CYKO DANIEL & JENNIFER	12477 WOODVIEW ST PLANO, IL 60545-	SCHAEFER WOODS NORTH UNIT 2	OWNER
8/14/2017	122017147 12 Swimming Pools		0308326010	BAKER JEFFREY T & SHERRY A	59 CENTURY DR OSWEGO, IL 60543-	WORMLEYS CENTURY ESTATES	SunCo Pools, Inc.
							PHERBER

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				Owner Name				
7/12/2017	122017136	12 Swimming Pools	0235310004	CALIENDO JAMES A & CALIENDO CYNTHIA M		7765 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	AMERICAN SALE
7/10/2017	122017129	12 Swimming Pools	0235382008	TEMES CHRISTOPHER J & DEVON M		5812 DANIELLE LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	
7/6/2017	122017127	12 Swimming Pools	0416126002	BAKER JOHN P & MEREDITH A		15 FOXHURST LN MILLBROOK, IL 60536-	FOXHURST UNIT 1	
6/28/2017	122017125	12 Swimming Pools	0236102003	HENCZEL DAVID C DECL OF TRUST & DANIELA MEZA DENISE		385 COUNTRY RD YORKVILLE, IL 60560-	FARM COLONY	Naperville Pool Construction
6/19/2017	122017116	12 Swimming Pools	0606127005	BRODY-PAUL JENNIFER L & PAUL JENNIFER L		27 SETTLERS LN OSWEGO, IL 60543-	HATTNER SUB	PARADISE POOLS & SPAS
6/14/2017	122017106	12 Swimming Pools	0235385002	STARK STEVEN & AMY		7557 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	AMERICAN SALE
7/18/2017	122017143	12 Swimming Pools	0512226008	NICHOLS MARK & LOLA		6145 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	DesRochers Backyard 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
5/9/2017	122017080	12 Swimming Pools	0319126002	MACKIE BRIAN G & LAURIE A		40 RIVERVIEW CT OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	SELF
4/27/2017	122017068	12 Swimming Pools	0304476007	ROWE GARY A & DEBORAH A		63 SHEFFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	Dries Inc.
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, INC

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit		Parcel Number	Property Address	Subdivision	Contractor Name
		Category	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	
8/23/2017	122017180	12 Swimming Pools	0735300008 ZABEL BRIAN & TRACY	13986 HILL ROAD NEWARK, IL. 60541			
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	
3/6/2017	122017037	12 Swimming Pools	0234226006 SPIESS ERNST M & FELICIA A	8051 VAN EMMON RD YORKVILLE, IL 60560-			
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 LLC	
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	
9/12/2017	132017170	13 Decks	0518203007 LEWINOWSKI RICHARD & ELISA	38 MAPLE RIDGE CT YORKVILLE, IL 60560-	MAPLE GROVE	ARTISAN ENTERPRISES, INC	
7/14/2017	132017139	13 Decks	0304181008 MCINTOSH KEITH R & DEBRA A	52 PEMBROOKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	AARON MAGGIO - CLEAN EDGE CONSTRUCTION	
Copyright (C) 1997-2017 DEVNET Incorporated							PHERBER

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category						
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
5/25/2017	132017091	13 Decks	0402230006	GROCHOWSKI CHARLES E & LAURA L	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 DECCA C TRUST	11 SHAGBARK LN MILLBROOK, IL 60536-	FOXHURST UNIT 6	Self
8/14/2017	132017169	13 Decks	0125454002	CYKO DANIEL & JENNIFER	12477 WOODVIEW ST PLANO, IL 60545-	SCHAEFER WOODS SOUTH UNIT 2	SELF
5/16/2017	132017082	13 Decks	0234276003	RANGEL JOSEFINA & DAVID	8042 VAN EMMON RD YORKVILLE, IL 60560-		Self
5/4/2017	132017079	13 Decks	0223328002	HALL ROD	7736 ROUTE 34 YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 1	AM Kitchen & Bath

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category	Permit Category					
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
10/25/2017	142017014	14 Demolitions	0408400006	ELTING FARMS LLC	-		Condon Construction Co.
10/25/2017	142016211	14 Demolitions	0236300004	WHEELER AL V & JANICE R	6605 RESERVATION RD YORKVILLE, IL 60560-		
10/18/2017	152017218	15 Electrical Upgrades	0308278006	CHARLEBOIS SANDRA JEAN	30 FIELDPOINT RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	LEWIS ELECTRIC CONTRACTING
9/12/2017	152017195	15 Electrical Upgrades	0921400006	HAAAS ROBERT W & SMITH SHARLEEN	15903 HANSON RD MINOOKA, IL 60447-		
3/22/2017	152017044	15 Electrical Upgrades	0304429002	MORITZ BLAKE & DEBRA	25 SONORA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	DCI Electric Corp

Permit Approval Date Report Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category						
2/16/2017	152017019	15 Electrical Upgrades	0219100003	CAMACHO MIGUEL & SANDRA E	11728 FAXON RD PLANO, IL 60545-		
5/10/2017	172017077	17 Change in Occupancy	0932300004	GUZMAN MARIA	17840 GROVE RD MINOOKA, IL 60447-		
7/25/2017	182017150	18 Driveway	0136100028	SNYDER ERIC M	12630 B RIVER RD PLANO, IL 60545-	DOCKSTADERS SUB	
7/10/2017	182017134	18 Driveway	0235382008	TEMES CHRISTOPHER J & DEVON M	5812 DANIELLE LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	
6/21/2017	182017124	18 Driveway	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	182017086	18 Driveway	0334201007	ANDERSON RICHARD C & DEBRA A	5200 DOUGLAS RD OSWEGO, IL 60543-	DOUGLAS HILL SUB	Bills Concrete Construction
4/19/2017	182017061	18 Driveway	0216229006	REX NICHOLAS E & AMANDA L	22 NORTH ST BRISTOL, IL 60512-		Self
3/23/2017	182017047	18 Driveway	0213476025	OJEDA SERGIO	2774 ARBOR LN OSWEGO, IL 60543-		SELF
4/19/2017	192017059	19 Fire Restoration	0304408019	GOMEZ CASSANDRA	138 TEALWOOD RD MONTGOMERY, IL 60538-		Tranquility Builders
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. 10
1/6/2017	192017012	19 Fire Restoration	0103354002	PAIGE PAUL P & PETRY KATHRYN	14 EARL ST PLANO, IL 60545-	STAINFIELD SUB UNIT 2	Self

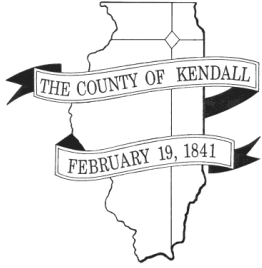
Permit Approval Date Report

Kendall County

Issue Date	Permit ID		Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
	Permit Category						
10/17/2017	202017185 20 Patio		0304428009	ROTTER CHARLES	171 TEALWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	American Irish Concrete, LLC
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-		
10/19/2017	232017222 23 Generator		0507101003	MILLER RUSSELL G & THELMA	16 HILLVIEW CT YORKVILLE, IL 60560-	PAVILLION HEIGHTS UNIT 3	LEE LEGLER
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	\$9,658.64	\$0.00	\$8,019.76	\$1,000.00	\$18,678.40	\$165,867.63	\$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	\$76,829.57	\$8,435.00	\$72,703.06	\$8,000.00	\$165,867.63	\$165,867.63	\$149,097.00	



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

October 13, 2017

Roger Smith
1072 Tyler Road
Plano, IL 60545

Re: Mobile Home Permit # 93-01

Dear Mr. Smith:

This letter is to inform you that Kendall County has received the required documentation for the annual renewal of your special use permit.

Upon inspection, the trailer was installed on a permanent frost depth foundation. Therefore, the renewal payment is not required. Enclosed please find your check; we apologize for any confusion.

Your special use permit has been renewed and is in effect until **December 31, 2017**.

If you have any questions, feel free to contact our office at 630-553-4139.

Thank you for your cooperation.

Respectfully,

Matthew H. Asselmeier, AICP
Senior Planner

cc: File 93-01

Enc.

Matt Asselmeier

From: Bob Rogerson [brogerson@oswegotownship.org]
Sent: Thursday, November 02, 2017 8:56 AM
To: Matt Asselmeier
Subject: RE: 5586 Fields Drive

After talking with Aaron, he has no recollection or documents of any problems with drainage at this location.

Bob Rogerson

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Wednesday, November 1, 2017 10:48 AM
To: Bob Rogerson <brogerson@oswegotownship.org>
Subject: RE: 5586 Fields Drive

OK.

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: Bob Rogerson [mailto:brogerson@oswegotownship.org]
Sent: Wednesday, November 01, 2017 10:27 AM
To: Matt Asselmeier
Subject: RE: 5586 Fields Drive

Matt, not that I am aware of. I will have to check with Aaron and past records. May need a few days to check into.

Bob Rogerson

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

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. Oswego Township Road District 1150 Rt. 25 Oswegotownship.org

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

Sent: Wednesday, November 1, 2017 10:19 AM

To: Bob Rogerson <brogerson@oswegotownship.org>

Subject: 5586 Fields Drive

Bob:

Does Oswego Township have records related to flooding or stormwater drainage problems at 5586 Fields Drive? Has the Township ever performed any stormwater mitigation work on or near that property?

Thanks,

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

Matt Asselmeier

From: Fran Klaas
Sent: Wednesday, November 01, 2017 3:08 PM
To: Matt Asselmeier; Scott Koeppel
Subject: RE: Stormwater Issue at 5586 Fields Drive (Lot 102 Fields of Farm Colony Unit 4)

OK. This does appear to be consistent with the recorded plat.

Fran

From: Matt Asselmeier
Sent: Wednesday, November 01, 2017 10:17 AM
To: Fran Klaas; Scott Koeppel
Subject: RE: Stormwater Issue at 5586 Fields Drive (Lot 102 Fields of Farm Colony Unit 4)

The easement is shown on the documents submitted for his building permit application, see attached.

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: Wednesday, November 01, 2017 9:45 AM
To: Matt Asselmeier; Scott Koeppel
Subject: RE: Stormwater Issue at 5586 Fields Drive (Lot 102 Fields of Farm Colony Unit 4)

In viewing the plat, I don't see any easements on this property at all. What easement is he talking about?

I may have changed my opinion after reading the Easement Provisions on the plat. It appears this language was included to allow the County, or its agents to enter onto the drainage easements to correct problems, if necessary. This may have been a response to previous phases of this subdivision, in which there were drainage issues that the homeowners wanted the County or the Township to fix. But since these governmental agencies would not have had the right to enter onto those lands, they wouldn't be able to fix them.

I don't believe the Drainage Easement Provisions recorded on the plat oblige the County to do anything. The County wouldn't have title to these lands, and wouldn't be obligated to fix problems. Rather, it appears to allow for the provision that the County (or its agents) COULD enter on to the easement to fix problems, but it would be completely discretionary.

Perhaps you would want to touch base w/ the SAO on this; but that is my current take on the matter. So the response to the homeowner is that the County doesn't plan to do anything, and he is going to have to solve the problem himself. BTW, I have no record of any other storm water issues that we have dealt with on this lot. Perhaps the Township would have something???

Fran

From: Matt Asselmeier
Sent: Wednesday, November 01, 2017 9:32 AM
To: Scott Koeppe
Cc: Fran Klaas
Subject: Stormwater Issue at 5586 Fields Drive (Lot 102 Fields of Farm Colony Unit 4)

Scott:

I received an email requesting a meeting with the Homeowners' Association President for Fields of Farm Colony Unit 4. The homeowner at 5586 Fields Drive was having drainage issues. Upon review of the subdivision plat, the notes state that the utility easement, drainage easement, and path easement were dedicated to the County of Kendall (see attachment).

The County does not normally receive these dedications. In discussing the matter with Fran, he was of the opinion that this dedication was in error and should be corrected. I agree with Fran's opinion and was wondering if we should send this to the SAO for guidance as to how to correct the plat.

The meeting with the HOA president occurred on Monday. He is going to have the homeowner research his records regarding the installation of his sump pump which may be the source of his water drainage issues. The email requesting a meeting will be an item of correspondence on the November PBZ agenda.

Please advise as to how you would like me to proceed.

Thanks,

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

Matt Asselmeier

From: Pam Herber
Sent: Monday, October 16, 2017 11:00 AM
To: Matt Asselmeier
Subject: FW: Help with Drainage Issue

Hi Matt,

I received this from the Board President of Fields of Farm Colony Subdivision. Could you address his concerns or direct me as to how to respond? This subdivision is zoned R3-PUD.

Pam Herber

Kendall County Planning, Building & Zoning
111 West Fox Street B203 Yorkville, IL. 60560
Phone: 630-553-4141 Fax: 630-553-4179

----- Forwarded Message -----

From: Larry Kavulich
To: [REDACTED]
Sent: Sunday, October 15, 2017 3:43 PM
Subject: Help with Drainage Issue

Good afternoon Pam

We have 3 residents that have issues with the drainage from their sump pumps. The water goes from the sump pumps into a catch basin which is then draining into another such catch basin before heading to the ponds. The water does not seem to be flowing from one catch basin to the other properly and is thus backing up the sump pumps. I am wondering if the county would have any plans on file for this drainage system and also if this is something that falls under their care?

Any help would be greatly appreciated. The property where this is located is 5586 Fields Dr. The Leonard residence. the catch basin is in the back left corner of his property.

↳ Lot 102

Thanks a ton.
Larry Kavulich
[REDACTED]

ER CERTIFICATE

OF ILLINOIS)
(OF KENDALL) SS

S TO CERTIFY THAT

FIELDS OF FARM COLONY L.L.C. AM/ARE THE OWNER(S) OF THE LAND DESCRIBED IN SURVEYOR'S CERTIFICATE, AND THAT I/WE HAVE CAUSED THE SAME TO BE SURVEYED, RECORDED AND PLATTED AS SHOWN BY THE ANNEXED PLAT FOR THE USES AND PURPOSES THEREIN SET FORTH AS ALLOWED AND PROVIDED BY STATUTE, AND SUBDIVISION KNOWN AS: FIELDS OF FARM COLONY UNIT 4.

HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE OF Survey DATED THIS 24th DAY OF February A.D. 2002

(PRESIDENT) Joe J. Fella OWNER MANAGING MEMBER

AGENCY CONSENT: Travis A. Belkoss, senior VP
INLAND CAPITAL FUND, L.P.

REGO TOWNSHIP HIGHWAY COMMISSIONER

E OF ILLINOIS)
(S.S.

ITY OF KENDALL)

Survey DO HEREBY CERTIFY THAT ALL MATTERS RELATING TO THE HIGHWAY REQUIREMENTS AS DESCRIBED IN THE REGULATIONS GOVERNING PLATS ADOPTED BY THE COUNTY BOARD OF KENDALL COUNTY, INsofar AS THEY PERTAIN TO THE AMENDED TO THE PLAT, HAVE BEEN COMPLIED WITH.

DATED THIS 24th DAY OF February, 2002

Commissioner COMMISSIONER

AND ZONING COMMISSION CERTIFICATE

OF ILLINOIS)
(S.S.

OF KENDALL)

VED BY THE PLAT AND ZONING COMMITTEE OF KENDALL COUNTY, ILLINOIS, THIS DAY OF March, 2002. A.D.

Chairman CHAIRMAN

ARY CERTIFICATE

OF ILLINOIS)
(S.S.

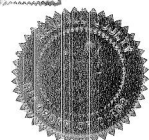
ITY OF KENDALL)

Jennifer A. Childs A NOTARY PUBLIC IN AND FOR SAID COUNTY, THE STATE AFORESAID, DO HEREBY CERTIFY

John Fella PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE AFORESAID INSTRUMENT AS SUCH OWNERS, AND BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY FOR THE USES AND PURPOSES THEREIN SET FORTH.

UNDER MY HAND AND NOTARIAL SEAL THIS 24th DAY OF February, 2002. A.D.

Jennifer A. Childs NOTARY PUBLIC



CERTIFICATE OF HEALTH DEPARTMENT

STATE OF ILLINOIS)
(S.S.

COUNTY OF KENDALL)

Subject to individual lot testing pursuant to regulations the soils permit the use of standard septic systems as evidence by a report on file in the Health Department Office.

Kendall County Health Dept.
Dated this 1st Day of February A.D. 2002

CERTIFICATE OF PLAT OFFICER

STATE OF ILLINOIS)
(S.S.

COUNTY OF KENDALL)

APPROVED THIS 25th DAY OF March, 2002.

Plat Officer KENDALL COUNTY PLAT OFFICER

COUNTY BOARD

STATE OF ILLINOIS)
(S.S.

COUNTY OF KENDALL)

APPROVED BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS. THIS 20th DAY OF March, 2002. A.D.

Chairman CHAIRMAN OF COUNTY BOARD

200200006201
Filed for Record in
KENDALL COUNTY, ILLINOIS
03-11-2002 at 10:59 am
PLAT UP \$16.55

COUNTY RECORDER CERTIFICATE

STATE OF ILLINOIS)
(S.S.

COUNTY OF KENDALL)

THIS INSTRUMENT WAS FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS ON THE 11th DAY OF March, 2002 AT 10:59 O'CLOCK A.M. AND WAS RECORDED IN BOOK OF PLATS ON PAGE 205/3

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS)
(S.S.

COUNTY OF KENDALL)

THIS IS TO CERTIFY THAT I, Paul Anderson COUNTY CLERK FOR THE COUNTY AFORESAID, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORECLOSURE TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE REAL ESTATE DESCRIBED IN THE FOREGOING CERTIFICATES.

DATED THIS 8th DAY OF March, 2002. A.D.

Paul Anderson COUNTY CLERK

765 ILCS 205/3 CONVEYANCE & ACCEPTANCE

ALL DEDICATIONS LISTED IN THIS PLAT AS "HEREBY DEDICATED AND DONATED TO THE PUBLIC" OR "DEDICATED FOR ROADWAY PURPOSES" ARE A DONATION AND/OR GRANT TO THE PUBLIC OF THE REAL ESTATE SPECIFIED HEREIN FOR USE AS ROADS, ROAD RIGHT-OF-WAYS AND THE INSTALLATION OF UTILITIES, AND EXECUTION OF THIS PLAT BY KENDALL COUNTY IS THE ACCEPTANCE OF THE CONVEYANCE OF FEE SIMPLE TITLE TO SUCH PARCELS PURSUANT TO THE PROVISIONS OF 765 ILCS 205/3.

PLAT OF SUBDIVISION FOR FIELDS OF FARM COLONY UNIT 4

BEING A SUBDIVISION OF THAT PART OF THE EAST HALF OF SECTION 35, AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
(S.S.

COUNTY OF KENDALL)

THIS IS TO CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, I, FIELDS OF FARM COLONY L.L.C. AS OWNER OF THE PROPERTY HEREIN DESCRIBED IN THE SURVEYOR'S CERTIFICATE, WHICH WILL BE KNOWN AS FIELDS OF FARM COLONY UNIT 4, IS LOCATED WITHIN THE BOUNDARIES OF COMMUNITY SCHOOL DISTRICT # 115 AND/OR HIGH SCHOOL DISTRICT # 115 IN KENDALL COUNTY, ILLINOIS.

DATED THIS 12th DAY OF February, A.D. 2002.

UTILITY EASEMENT

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE COUNTY OF KENDALL (HEREINAFTER "THE GRANTEE"), AND TO ALL PUBLIC UTILITY AND OTHER COMPANIES OF ANY KIND OPERATING UNDER FRANCHISE GRANTING THE RIGHTS FROM THE GRANTEE, INCLUDING, BUT NOT LIMITED TO THE FOLLOWING COMPANIES: ILLINOIS BELL TELEPHONE COMPANY, COMMONWEALTH EDISON COMPANY, AND NORTHERN ILLINOIS GAS COMPANY AND TO THEIR SUCCESSORS AND ASSIGNS IN, UPON, ACROSS, UNDER AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "UTILITY EASEMENT" ON THE PLAT OF SUBDIVISION, OR WHERE OTHERWISE NOTED IN THE ABOVE LEGEND FOR THE PURPOSES OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING AND MAINTAINING ELECTRICAL, CABLE TELEVISION, COMMUNICATION, GAS, TELEPHONE OR OTHER UTILITY LINES AND APPURTENANCES, AND SUCH OTHER INSTALLATIONS AND SERVICE CONNECTIONS AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITY SERVICES TO ADJACENT AREAS, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE GRANTEE MAY DEEM NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE REAL ESTATE PLATTED HEREON FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENT BUT THE PREMISES MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS. FENCES SHALL NOT BE ERECTED UPON SAID EASEMENTS IN ANY WAY WHICH WILL RESTRICT THE USES HEREIN GRANTED EXCEPT WHERE SPECIFICALLY PERMITTED BY WRITTEN AUTHORITY OF THE GRANTEE. THE RIGHT IS ALSO HEREBY GRANTED TO THE GRANTEE TO CUT DOWN, TRIM OR REMOVE ANY TREES, FENCES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SAID UTILITY INSTALLATION IN, ON, UPON, ACROSS, UNDER OR THROUGH SAID EASEMENTS.

DRAINAGE EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE COUNTY OF KENDALL, ILLINOIS AND ITS SUCCESSORS AND ASSIGNS OVER ALL OF THE AREAS MARKED " DRAINAGE EASEMENTS " (D.E.) ON THE PLAT HEREON DRAWN FOR THE PERPETUAL RIGHT PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, AND OPERATE STORM SEWERS AND THE STORM WATER DETENTION PONDS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, DITCHES, SWALES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID COUNTY UPON, ALONG, UNDER, AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENTS THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, NO CHANGES TO THE TOPOGRAPHY OR STORM WATER MANAGEMENT STRUCTURES WITHIN THE EASEMENT AREA SHALL BE MADE WITHOUT THE EXPRESS WRITTEN CONSENT OF SAID COUNTY, BUT THE SAME MAY BE USED FOR THE PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID RIGHTS, THE OWNER OF THE PROPERTY SHALL REMAIN RESPONSIBLE FOR THE MAINTENANCE OF THE STORM WATER DETENTION POND AND APPURTENANCES.

PATH EASEMENT PROVISIONS

A PERMANENT EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE COUNTY OF KENDALL, ILLINOIS, TO THE DEVELOPER AND THE HOMEOWNERS ASSOCIATION AND THEIR RESPECTIVE SUCCESSORS AND FOR THE PERPETUAL RIGHT PRIVILEGE AND AUTHORITY TO ALLOW PUBLIC INGRESS AND EGRESS AND ALL PROPER RECREATIONAL USES, INCLUDING BUT NOT LIMITED TO THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT AND REPAIR A PATHWAY FOR PEDESTRIAN AND BICYCLE ACTIVITY WITHIN SUBJECT EASEMENT AS MAY BE DEEMED NECESSARY BY SAID COUNTY OVER, UPON, ALONG AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH RIGHT OF INGRESS AND EGRESS ACROSS THE PROPERTY FOR PEDESTRIAN TRAFFIC AND FOR THE NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THAT PURPOSES FOR WHICH SAID EASEMENT IS HEREBY GRANTED PROPERTY OWNERS SHALL NOT ENGAGE IN EARTHMOVING OR THE REMOVAL, FOR ADDITION OF TREES OR SHRUBS ON THE EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF SAID COUNTY.

LANDSCAPE EASEMENT PROVISIONS

A LANDSCAPE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE DEVELOPER, THE HOMEOWNERS ASSOCIATION AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS OVER LOTS 164, 165 AND 166 TO PLANT TREES, SHRUBS, BUSHES AND OTHER FORMS OF VEGETATION AND CONSTRUCTING BERMES FOR THE PURPOSE OF SCREENING, PROTECTING AND SEPARATING LOTS FROM ROADS, NO PERMANENT BUILDINGS, STRUCTURES, OR FENCES SHALL BE CONSTRUCTED OR MAINTAINED ON, ACROSS OR THROUGH ANY OF THESE AREAS.

COUNTY ENGINEER CERTIFICATE

STATE OF ILLINOIS)
(S.S.

COUNTY OF KENDALL)

I, Francis C. Kraas, COUNTY ENGINEER OF KENDALL COUNTY, DO HEREBY CERTIFY THAT THE REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED, OR THE REQUIRED GUARANTEE COLLATERAL HAS BEEN POSTED FOR THE COMPLETION OF ALL REQUIRED LAND IMPROVEMENTS.

DATED THIS 14th DAY OF February, 2002. KENDALL COUNTY, ILLINOIS.

Francis C. Kraas KENDALL COUNTY ENGINEER

LEGAL DESCRIPTION

THAT PART OF THE EAST HALF OF SECTION 35, AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FIELDS OF FARM COLONY UNIT 3 BEING A SUBDIVISION IN SECTION 36, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED NOVEMBER 7, 2001 AS DOCUMENT NO. 200100021199, S.L.O.T. NO'S 819 AND 821 AND CORRECTED BY CERTIFICATE RECORDED DECEMBER 21, 2001 AS DOCUMENT NUMBER 200100024117, ALL IN KENDALL COUNTY, ILLINOIS; THENCE SOUTH 10°12'31" WEST 696.99 FEET TO A PIPE FOUND; THENCE SOUTH 32°30'38" EAST 162.56 FEET TO A PIPE FOUND; THENCE SOUTH 09°11'13" EAST 115.71 FEET TO A PIPE FOUND; THENCE SOUTH 00°43'46" EAST 130.31 FEET TO A PIPE FOUND; THENCE SOUTH 38°31'50" WEST 263.06 FEET TO A TO CONCRETE MONUMENT SET (THE PRECEDING FIVE COURSES ALL BEING CONCURRENT WITH THE EAST BOUNDARY OF ABOVE MENTIONED FIELDS OF FARM COLONY UNIT 3); THENCE SOUTH 48°40'12" EAST 1567.81 FEET ALONG THE NORTHEASTLY LINE OF A TRACT DESCRIBED IN A WARRANTY DEED RECORDED IN BOOK 172, PAGE 260 ON MARCH 3, 1970 TO ITS INTERSECTION WITH MINKLER ROAD "SURVEY LINE" AS SHOWN ON RIGHT-OF-WAY PLAT NUMBER 2 OF 2 AS RECORDED NOVEMBER 20, 1974 AS DOCUMENT 74-5243; THENCE ALONG SAID "SURVEY LINE" THE FOLLOWING SIX COURSES: NORTH 32°29'48" EAST 494.10 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 1432.39 FEET, AN ARC DISTANCE OF 299.24 FEET (SAID ARC HAVING A CHORD BEARING OF NORTH 38°23'54" EAST); THENCE NORTH 44°22'59" EAST 199.89 FEET; THENCE ALONG A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 7639.44 FEET, AN ARC DISTANCE OF 410.00 FEET (SAID ARC HAVING A CHORD BEARING OF NORTH 42°43'59" EAST); THENCE NORTH 41°05'59" EAST 601.20 FEET; THENCE ALONG A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 1909.86 FEET, AN ARC DISTANCE OF 194.88 FEET (SAID ARC HAVING A CHORD BEARING OF NORTH 38°09'36" EAST); THENCE NORTH 47°04'37" WEST 45.08 FEET TO THE SOUTH LINE OF MINKLER ROAD AS REPORTED BY KENDALL COUNTY DOCUMENT NUMBER 77-7821 ALSO KNOWN AS FARM COLONY PLAT OF SUBDIVISION, OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS; THENCE ALONG SAID RIGHT OF WAY BEING A CURVE, CONVEX TO THE SOUTHEAST, AN ARC DISTANCE OF 27.00 FEET (SAID ARC HAVING A CHORD BEARING OF SOUTH 35° 29' 48" WEST) TO THE SOUTHERLY LINE OF RESERVATION ROAD AS DEDICATED IN DOCUMENT NUMBER 200100012504 RECORDED JULY 13, 2001 IN KENDALL COUNTY, ILLINOIS; THENCE NORTH 45° 24' 27" WEST, ALONG SAID RIGHT OF WAY, 918.85 FEET TO A POINT OF CURVE; THENCE ALONG SAID CURVE, BEING A CURVE CONVEX TO THE NORTHEAST, WITH A RADIUS OF 1355.05 FEET, 410.67 FEET (SAID ARC HAVING A CHORD BEARING OF NORTH 54° 43' 40" WEST); THENCE NORTH 62° 18' 35" WEST 1156.60 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY PROLONGATION OF THE EASTERLY LOT LINES OF LOTS 13 AND 14 IN FARM COLONY UNIT 2, OSWEGO TOWNSHIP, KENDALL COUNTY WITH THE SOUTHERLY LINE OF SAID RESERVATION ROAD, THENCE CONTINUING NORTH 62° 18' 35" WEST 25' WEST 939.08 FEET TO A POINT ON THE NORTHEASTLY LINE OF THE ABOVE MENTIONED FIELDS OF FARM COLONY UNIT 3 SAID POINT LYING 42.74 FEET NORTHWESTERLY OF A FOUND CONCRETE MONUMENT; THENCE SOUTH 72° 06' 10" EAST TO THE POINT OF BEGINNING, EXCEPT THEREFROM THOSE PARTS HEREBY DEDICATED OR PUBLIC HIGHWAY, ALL IN KENDALL COUNTY, ILLINOIS.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
(S.S.

COUNTY OF DU PAGE)

THIS IS TO CERTIFY THAT I TIMOTHY C. FRAAS, LICENSED ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3400, AN EMPLOYEE OF, ACCREDITED LAND SURVEYING, A DIVISION OF SIEBERT ENGINEERS, INC., ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 184-001134, HAVE AT AND UNDER MY DIRECTION SURVEYED AND PLATTED THE ABOVE DESCRIBED PROPERTY AND THAT THE ATTACHED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. BEARINGS SHOWN HEREON ARE BASED ON THE ABOVE MENTIONED RECORD PLAT OF FIELDS OF FARM COLONY UNIT 2. I DO HEREBY FURTHER CERTIFY THAT THE FOREGOING PROPERTY FALLS WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE, WHICH HAS ADOPTED A VILLAGE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE I OF THE ILLINOIS MUNICIPAL CODE. IN ACCORDANCE WITH S.B. 908-P. A. 85-267, I FURTHER CERTIFY THAT NO PART OF THE PROPERTY COVERED BY THIS SUBDIVISION IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED AT LOMBARD, ILLINOIS THIS 14th DAY OF February, 2002.

Timothy C. Fraas



TIMOTHY C. FRAAS
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3400
MY LICENSE EXPIRES NOVEMBER 30, 2003

Matt Asselmeier

From: Greg Chismark [gchismark@wbkengineering.com]
Sent: Tuesday, October 24, 2017 10:38 AM
To: Matt Asselmeier
Cc: Scott Koeppel
Subject: RE: Help with Drainage Issue

Matt,

I dug through old files and we do have plans from Fields of Farm Colony Unit 4. I can send over to you or Mr. Kavulich in an e-mail. If there is a blockage in the storm sewer it would most likely be an issue the Township or HOA would take care of. The County has not historically waded into drainage issues away from County roadways. There is an exception out there where the stormwater basin overtopped and created massive erosion. That was more of a "subdivision" issue than just a homeowner or two.

Let me know if you need anything else on this one.

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

www.wbkengineering.com | Mediating the Built & Natural Environments | [Part of the Mno-Bmadsen Family](#)

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

Sent: Tuesday, October 17, 2017 10:06 AM

To: Greg Chismark <gchismark@wbkengineering.com>

Cc: Scott Koeppel <skoeppe@co.kendall.il.us>

Subject: FW: Help with Drainage Issue

Greg:

Do you have comments or documents related to this issue?

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Pam Herber

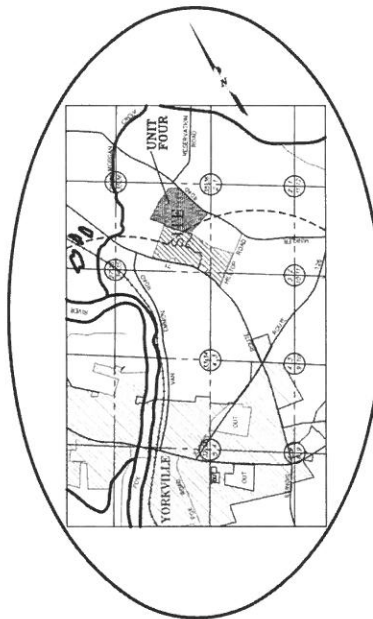
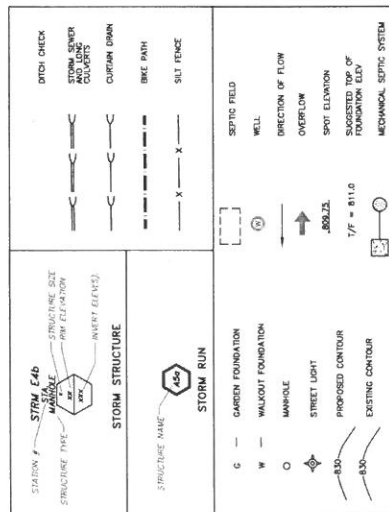
Sent: Monday, October 16, 2017 11:00 AM

INLAND LAND APPRECIATION FUND, L.P.
2901 BUTTERFIELD ROAD
OAK BROOK, ILLINOIS 60521
(630) 218-8000

KENDALL COUNTY

261 EISENHOWER LANE SOUTH
LOMBARD, IL 60148
(630) 268-0020

LEGEND



LOCATION MAP
NOT TO SCALE

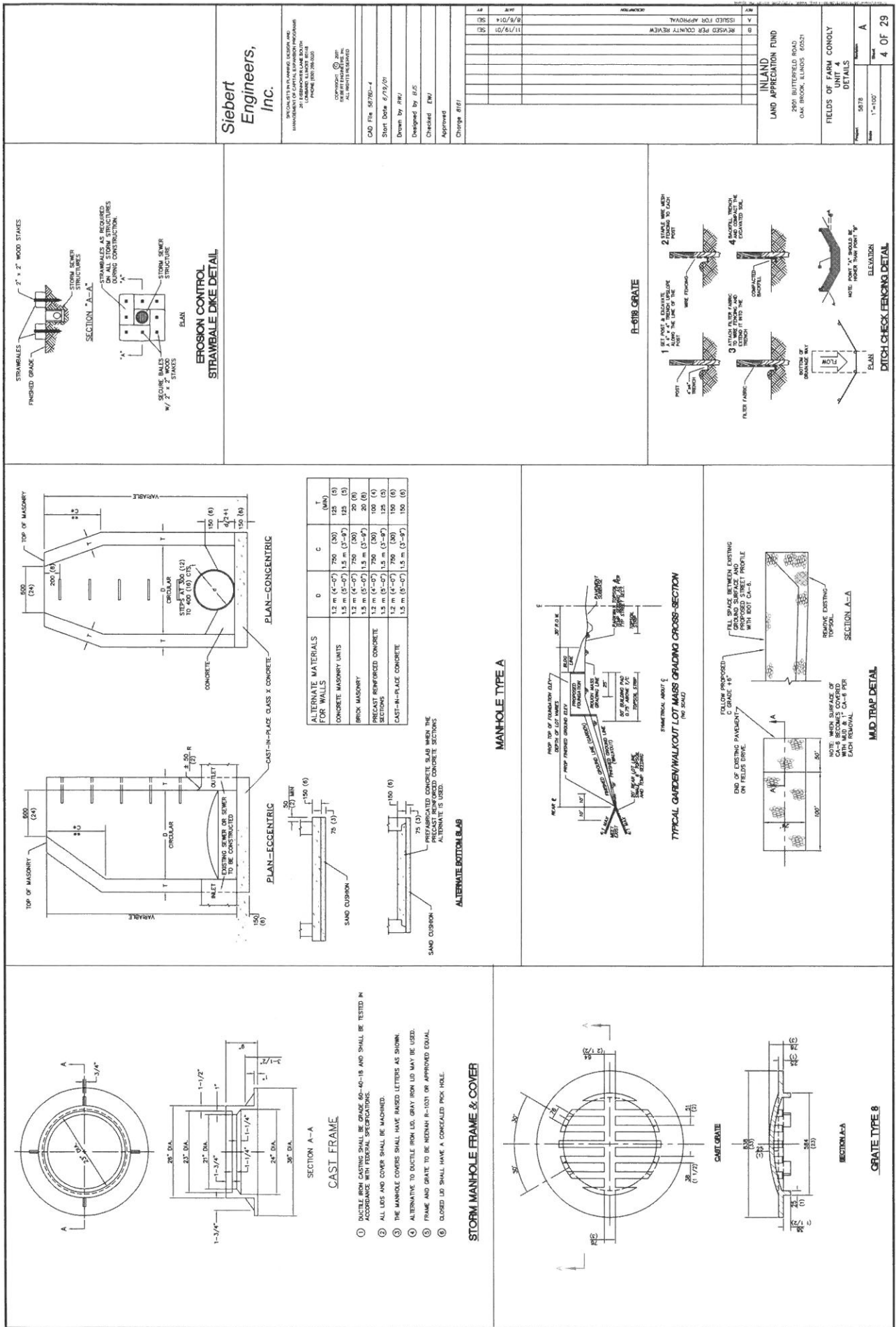
PLOTTED: 5/11/01		REVISIONS		CAO FILE: 5878-COV	
	DATE	DESCRIPTION		DATE	DESCRIPTION
A	02/02/00	RELEASE PER COUNTY REVIEW			
B	11/19/01	REMOVED PER COUNTY REVIEW			
C	02/02/00	ISSUE FOR APPROVAL	D	05/13/01	RECORD DRAWINGS
DATE: 5/11/01		JOB NUMBER: 5878		CHARGE CODE: 8164	REV D
				SHEET: 1 of 29	

BENCHMARK
BOX CUT ON WEST HEADWALL ON CULVERT
UNDER ILL. RTE. 71 AT THE NW CORNER OF
PROJECT SITE.
ELEVATION=629.01

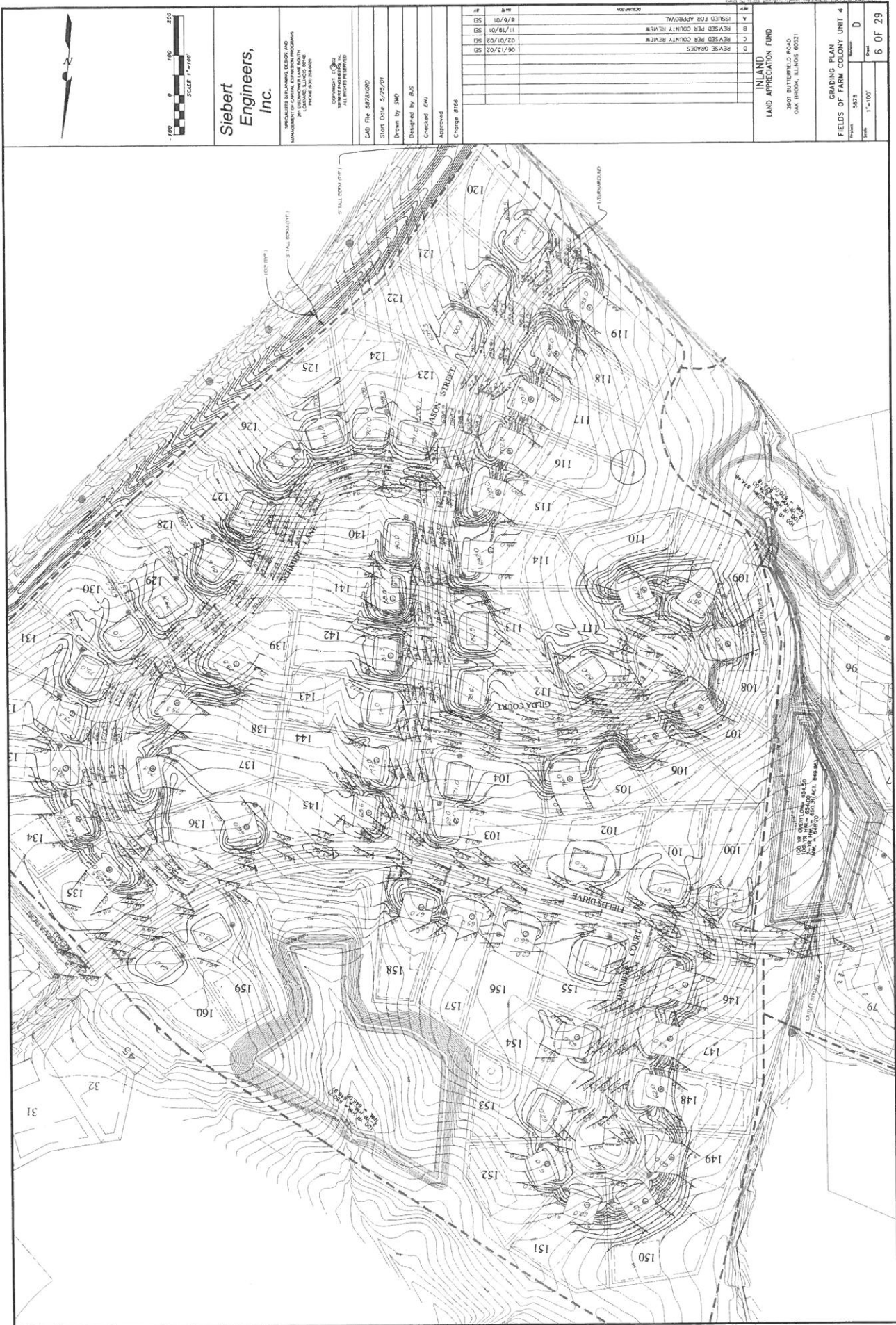
1.	COVER SHEET
2.	SITE DETAILS AND GENERAL NOTES
3.	SITE DETAILS
4.	DETAIL SHEET
5.	GEOMETRIC/SITE LAYOUT PLAN
6.	OVERALL GRADING PLAN
7.	GRADING PLAN (NORTHWEST)
8.	GRADING PLAN (NORTHEAST)
9.	GRADING PLAN (SOUTHWEST)
10.	GRADING PLAN (SOUTHEAST)
11.	OVERALL UTILITY PLAN
12.	EROSION CONTROL PLAN
13.	PLAN AND PROFILE – FIELDS DRIVE
14.	PLAN AND PROFILE – FIELDS DRIVE
15.	PLAN AND PROFILE – JENNIFER COURT
16.	PLAN AND PROFILE – JASON STREET
17.	PLAN AND PROFILE – JASON STREET
18.	PLAN AND PROFILE – SCHMIDT LANE
19.	PLAN AND PROFILE – SCHMIDT LANE
20.	PLAN AND PROFILE – GILDA COURT
21.	CROSS SECTIONS – FIELDS DRIVE
22.	CROSS SECTIONS – FIELDS DRIVE
23.	CROSS SECTIONS – FIELDS DRIVE
24.	CROSS SECTIONS – JENNIFER COURT
25.	CROSS SECTIONS – JASON STREET
26.	CROSS SECTIONS – JASON STREET
27.	CROSS SECTIONS – GILDA COURT
28.	CROSS SECTIONS – SCHMIDT LANE
29.	CROSS SECTIONS – SCHMIDT LANE

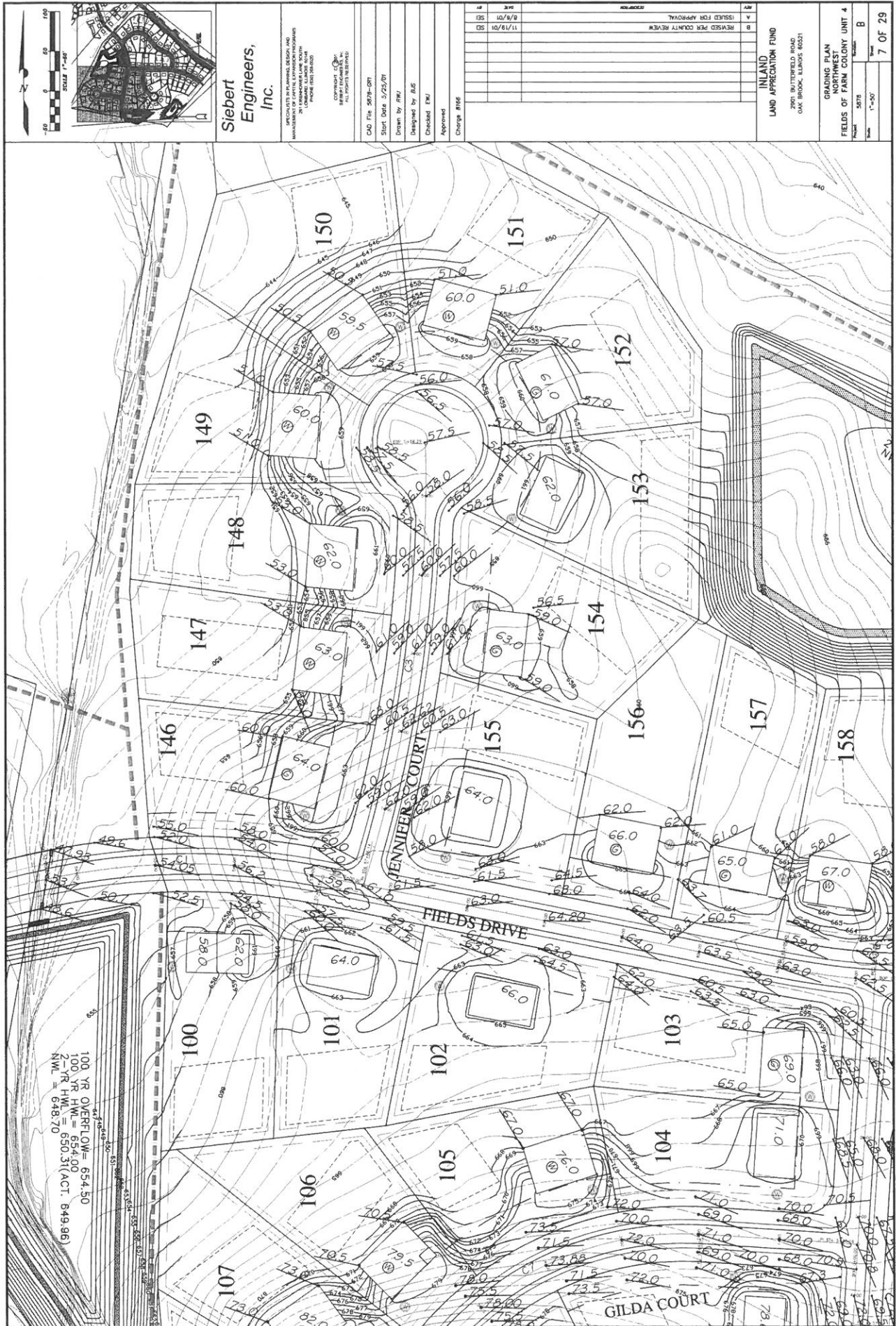
I, EDmund W. JOHNS, A REGISTERED PROFESSIONAL ENGINEER OF ILLINOIS HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED BY SEBERT ENGINEERS, INC. UNDER MY PERSONAL DIRECTION.

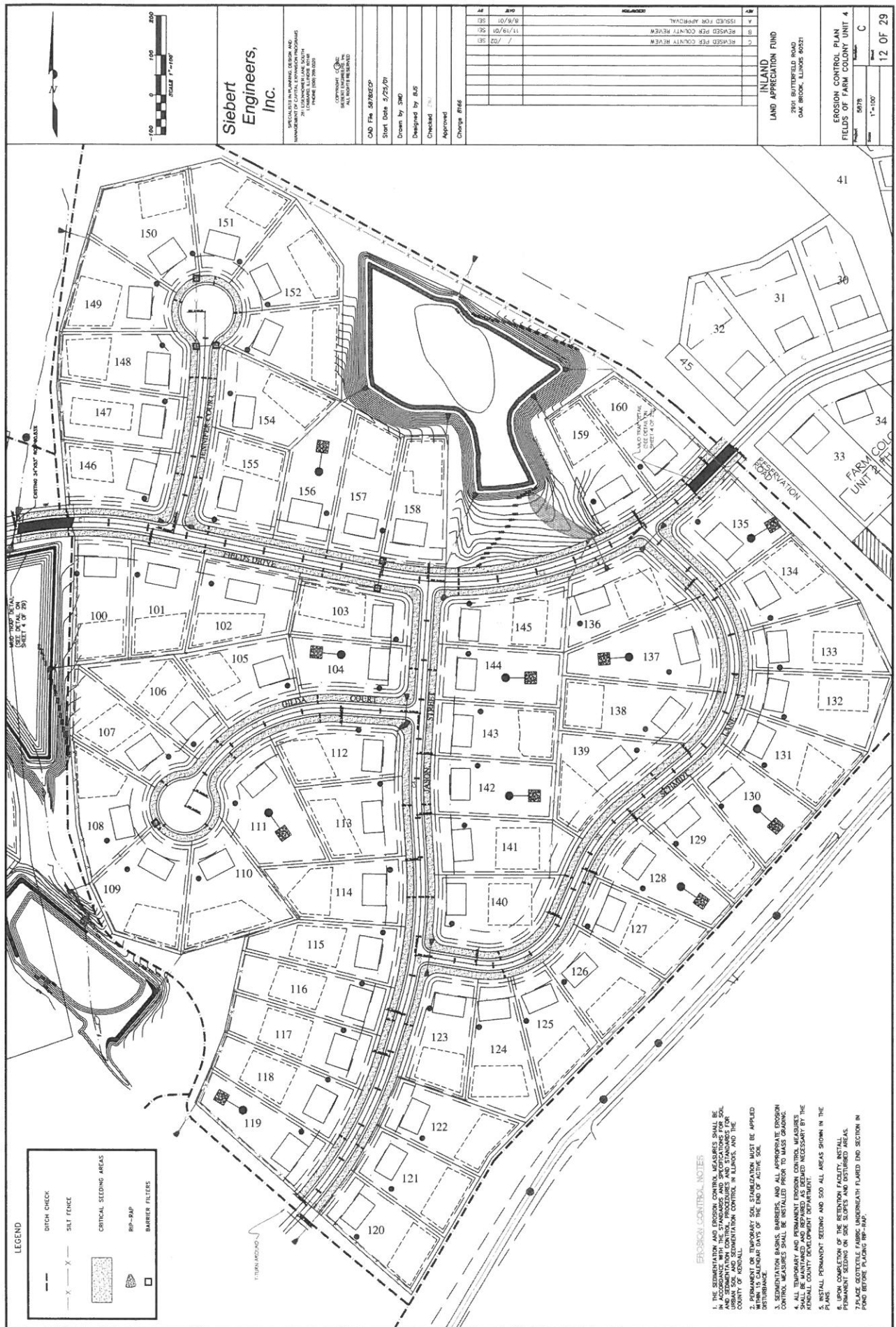
Edmund W. Paris
ILLINOIS REGISTERED PROFESSIONAL ENGINEER NO. 38410

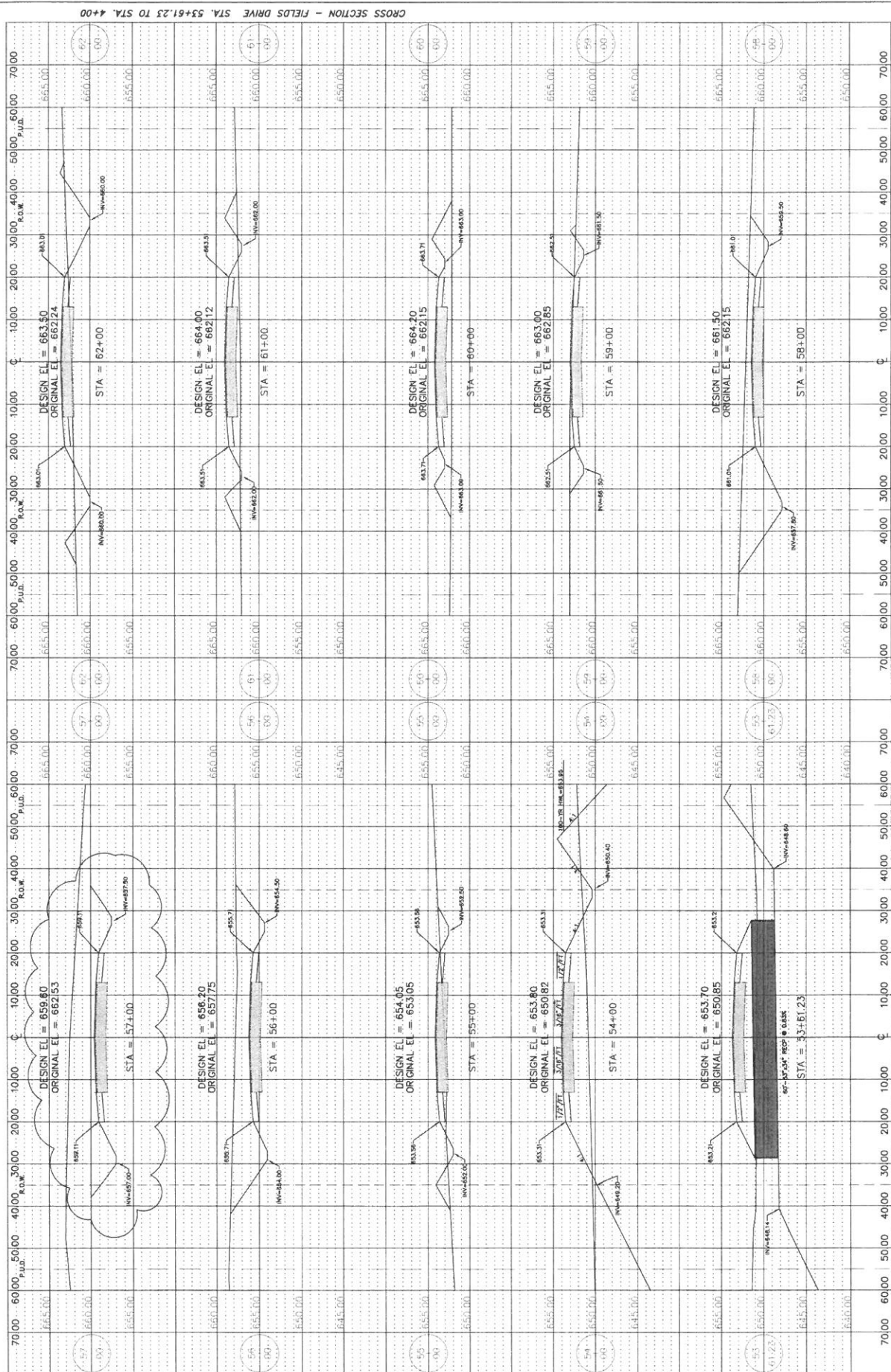












DATE: 6-16-21	CAD: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B
DESIGNED BY: J. MCCOY	CHECKED BY: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B
DESIGNED BY: J. MCCOY	CHECKED BY: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B
DESIGNED BY: J. MCCOY	CHECKED BY: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B
DESIGNED BY: J. MCCOY	CHECKED BY: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B
DESIGNED BY: J. MCCOY	CHECKED BY: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B
DESIGNED BY: J. MCCOY	CHECKED BY: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B
DESIGNED BY: J. MCCOY	CHECKED BY: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B
DESIGNED BY: J. MCCOY	CHECKED BY: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B
DESIGNED BY: J. MCCOY	CHECKED BY: J. MCCOY	DATE: 6-01-2021	5878	21 OF 29	B

NOTES

Matt Asselmeier

From: Matt Asselmeier
Sent: Wednesday, October 25, 2017 8:31 AM
To: [REDACTED]
Cc: Pam Herber; Scott Koeppel
Subject: RE: Help with Drainage Issue

Larry:

We have plans on file, but I don't think the drainage system falls under the care of the County. The drainage system could be under the care of the Township, but it is most likely assigned to a homeowner's association for maintenance.

If you would like to schedule a time to come in and look at the documents, please let me know.

Thanks,

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

From: Pam Herber
Sent: Monday, October 16, 2017 11:00 AM
To: Matt Asselmeier
Subject: FW: Help with Drainage Issue

Hi Matt,

I received this from the Board President of Fields of Farm Colony Subdivision. Could you address his concerns or direct me as to how to respond? This subdivision is zoned R3-PUD.

Pam Herber

Kendall County Planning, Building & Zoning
111 West Fox Street B203 Yorkville, IL. 60560
Phone: 630-553-4141 Fax: 630-553-4179

----- Forwarded Message -----

From: Larry Kavulich
To: [REDACTED]
Sent: Sunday, October 15, 2017 3:43 PM
Subject: Help with Drainage Issue

Good afternoon Pam

We have 3 residents that have issues with the drainage from their sump pumps. The water goes from the sump pumps into a catch basin which is then draining into another such catch basin before heading to the ponds. The water does not seem to be flowing from one catch basin to the other properly and is thus backing

Matt Asselmeier

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

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

Bob Rogerson

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

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

Sure.

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



PH: 630.551.2366
Email: jhughes@oswegoil.org

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

Matt Asselmeier

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

Hi Matt,

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

Thanks,
[REDACTED]

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

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

Morning [REDACTED]

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

Dave Markowski

Village of Oswego

Public Works Dept.

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



Matt Asselmeier

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

Morning Matt,

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

Dave Markowski
Village of Oswego
Public Works Dept.

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9/15/2017

Patrick Benes
2575 Wolfs Crossing
Oswego Illinois 60543

RE: Code Violation at 2575 Wolfs Crossing

Dear Mr. Benes:

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

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

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

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

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

Sincerely,

Dave Markowski
Village of Oswego
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

Matt Asselmeier

From: Greg Chismark [gchismark@wbkengineering.com]
Sent: Monday, October 30, 2017 4:14 PM
To: Matt Asselmeier
Subject: RE: Drainage through 01-19-379-003 (South of Frazier Road)

Matt,
See my responses embedded into his e-mail below...
If there is anything else you need me to do with this, let me know.
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: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Monday, October 16, 2017 12:00 PM
To: Greg Chismark <gchismark@wbkengineering.com>
Subject: FW: Drainage through 01-19-379-003 (South of Frazier Road)

FYI

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: Thomas Horak [mailto:city.engineer@sandwich.il.us]
Sent: Monday, October 16, 2017 10:27 AM
To: Matt Asselmeier
Subject: Drainage through 01-19-379-003 (South of Frazier Road)

Hello Matt,

As everyone in the area had probably experienced over the weekend, the City of Sandwich had some drainage issues due to the rainfall. We had a few residential streets overtopped with water for the better part of two days near the DeKalb County/Kendall County border where the City has a few detention basins in series that overtopped due to this past weekend's event (as well as a rainfall event on July 22, 2017). The eventual outlet for the drainage areas that

experienced street overtopping is located on parcel 01-19-379-003. The flared end section daylight into a ditch with a few culverts across the property.

Parcel 01-19-379-003 was previously owned by the developer of the Sandhurst Subdivision in Sandwich – Dr. George Engel. It appears that the parcel was purchased by Dr. Engel to provide an area for the stormwater management of the subdivision, but I do not have any calculations for its volume or flow capacities. I do not believe that the City has an easement across parcel 01-19-379-003, but I would be confident that the City could access the parcel (and the downstream parcels) to maintain the ditches and culverts as necessary under Illinois Drainage Law. Does Kendall County have anything in the parcel files or under any existing regulations that would prohibit altering or disturbing the drainage path within this or the downstream parcels? Technically any work within a watercourse needs a permit. A watercourse is a drainage way with defined bed and banks. Any work within the bed and bank of the channel would require a permit. A permit does not necessarily prohibit the activity, it just regulates what is being done. Permits may also be needed from the USACE. I assume there hasn't been any permit issued for any development on this parcel, but I would be interested in knowing if there has been. I have no recollection of any activity in or adjacent to the waterway since WBK has been involved in 2008.

From parcel 01-19-379-003, the ditch meanders a bit onto 01-19-452-001 and then onto 01-19-452-002 where there now appears to be a newer (2016?) large accessory structure in close proximity to the ditch. Do you know if there was any regard to the stormwater ditch during the permitting or construction process of the accessory structure? . I have no recollection of any activity in or adjacent to the waterway since WBK has been involved in 2008. It may be worthwhile to check the building permit files. From 01-19-452-002, the ditch continues on 01-19-452-003 where the drainage path follows what appear to be driveway culverts through two driveways. After 01-19-452-003, the ditch empties into a flowing tributary on 01-19-452-005 and 01-19-452-006 that goes through a culvert under Sandy Bluff Road to Little Rock Creek.

Does Kendall County have any designated stormwater management easements along the ditch described above? I have no knowledge of any easements. It appears the channel is outside the subdivision so the likelihood of an easement is limited. Perhaps This area is designated as Zone X on the FIRM. When issuing development permits on the above parcels, does Kendall County take into account the upstream drainage of the City of Sandwich storm sewer system? Yes, we always consider upstream and downstream property impacts when evaluating any permitted activity. I cannot say what was taken into account for any permitted activities in the area of concern. It is not an area I am familiar with. I believe that I will be working towards gathering additional field information (topo, surveying) to quantify the available stormwater management area that was planned for the storm sewer discharge. Any assistance that I can receive from Kendall County and you concerning the designation of stormwater management restrictions would be appreciated. I can help him but we may want to get clarification of the problem. Roadway overtopping in a heavy rain that may be by design if we get heavy enough rain. Has there been a change? This guy is giving a lot of information and wants to do the right thing but I am not sure this is a County issue.

Thanks,
Thomas R. Horak, P.E.
Director of Public Works
City of Sandwich
144 E. Railroad Street
Sandwich, IL 60548-2168
815.786.8802
fax 815.786.7012
city.engineer@sandwich.il.us