

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, December 11, 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 November 13, 2017 Meeting (Pages 3-12)

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 13-16)

Fiscal Year 2016-2017 End of Year Report (Pages 17-18)

Fiscal Year 2016-2017 End of Year Escrow Report (Page 19)

PUBLIC COMMENT:

PETITIONS:

1. **17-30 Kendall County Planning, Building and Zoning Committee (Pages 20-44)**
Request: Text Amendments to Section 3.02 (Definitions), Section 10.01.C.10 and Section 10.01.C.11 (Special Uses in the M-1 Limited Manufacturing District and M-2 Heavy Industrial District) of the Kendall County Zoning Ordinance By Extending the Expiration Deadline from January 1, 2018 to July 1, 2020 for the County's Medical Cannabis Related Regulations

Purpose: Text Amendment Changes the Expiration Deadline For the County's Medical Cannabis Related Regulations from January 1, 2018 to July 1, 2020 to Corresponds to the Expiration Date of the Compassionate Use of Medical Cannabis Pilot Program Act ("Act") (410 ILCS 130/1 et seq.)

NEW BUSINESS:

1. Approval of Scheduling a Special Meeting of the Planning, Building and Zoning Committee in the Month of January 2018 for the Purposes of Discussing and Amending Proposed Changes to Kendall County's Outdoor Shooting Range Zoning Regulations. The Specific Date, Time and Location of the Meeting Shall be Determined at the December 11, 2017 Meeting. (Pages 45-46)
2. Discussion of Future Use of Code Hearing Unit (Administrative Adjudication Hearing Officer) and Related Amendment to the Definition of "Code" Found in Code Hearing Unit Regulations (Pages 47-54)
3. Approval to Forward a Trailer Parked in Front Yard/Driveway Complaint at 18 Ridgfield Road, Montgomery to the State's Attorney's Office or Code Hearing Unit (Pages 55-66)
4. Discussion of Special Use Permit Renewal Procedures (Pages 67-68)

OLD BUSINESS:

1. Red Hawk Landing Stormwater Issue (Estimated Costs are \$3,640 Plus \$8,440 Plus Reimbursable + 10%) (Pages 69-90)

2. Update on Bridge Issue at 13360 McKanna Road, Minooka (Bridge Owned by Mark Antos) (Pages 91-110)
3. Update on Stormwater Issue in Fields of Farm Colony Unit 4 (5586 Fields Drive) (Pages 111-129)
4. Review Violation Report (Pages 130-131)
5. Review Non-Violation Complaint Report (Page 132)

UPDATE FOR HISTORIC PRESERVATION COMMISSION:

1. Approval of Historic Tax Credit Resolution (Pages 133-136)

REVIEW PERMIT REPORT: (Pages 137-160)

REVIEW REVENUE REPORT: (Page 161)

CORRESPONDENCE:

1. Correspondence Related to Churchill Club Stormwater Issue (Page 162-170)
2. Correspondence Related to the Operation of Garage or Mechanic Shop at 57 Sonora Drive (Page 171)
3. Memo from Matt Asselmeier to Planning, Building and Zoning Committee Regarding the Kendall County Regional Planning Commission Establishing a Sub-Committee Named the Comprehensive Land Plan and Ordinance Committee (Page 172)

PUBLIC COMMENT:

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

1. Review of Minutes of Meetings Lawfully Closed Under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21))

NEW BUSINESS:

1. Approval of a Determination That (1) The Need for Confidentiality Still Exists as to All or Part of Those Minutes of Meetings Lawfully Closed Under the Illinois Open Meetings Act and/or (2) The Minutes of Meetings Lawfully Closed Under the Illinois Open Meetings Act or Portions Thereof No Longer Require Confidential Treatment and Are Available for Public Inspection

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 November 13, 2017 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Bob Davidson at 6:34 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Bob Davidson (Chairman), Judy Gilmour, Scott Gryder (arrived at 6:35 p.m.) and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Dwain Friehe, Bill Hacker, Allison Hartman, Peter Pasteris and Ryan Leonard

APPROVAL OF AGENDA

Motion by Member Kellogg to amend the agenda by moving the discussion of the banquet facility at 1998 Johnson Road, the outdoor shooting range regulations, and the stormwater issue at 5586 Fields Drive to before Petitions, seconded by Member Cullick. With a voice vote of four ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Member Cullick, seconded by Member Gilmour, to approve the minutes from the October 10, 2017 meeting. With a voice vote of four ayes, the motion carried.

Scott Gryder arrived at this time (6:35 p.m.).

EXPENDITURE REPORT

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

PUBLIC COMMENT

None

OLD BUSINESS

Discussion of Banquet Facility at 1998 Johnson Road

Staff provided decibel readings taken the day before an event and while an event occurred. The new sound system did not appear to make a large difference on noise. The readings indicated that the special use permit holder was in compliance with the requirements of the special use permit.

Peter Pasteris, owner, discussed purchasing a governor to set a maximum sound level. Chairman Davidson commended Mr. Pasteris for his efforts. Mr. Pasteris also said that he has pointed the speakers down to the dance floor.

Member Kellogg asked Mr. Pasteris how much money he has invested in the sound system. Mr. Pasteris responded that he has invested One Thousand Eight Hundred Dollars (\$1,800) in the sound system. The governor will cost approximately Two Hundred Dollars (\$200).

Chairman Davidson expressed a desire to check the sound again in the spring. Mr. Pasteris expressed no opposition to this suggestion and was agreeable to allowing Planning, Building and Zoning Department Staff to forward his contact information to other banquet facility owners.

Request from the Kendall County Regional Planning Commission that the Planning, Building and Zoning Committee Amend Petition 17-28 RE: Text Amendment to Outdoor Shooting Range Regulations

Mr. Asselmeier read his memo on the subject. 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.

Member Gryder stated that he had received several questions and comments from the existing gun ranges and how this proposal could impact their operations and prevent future expansions.

Member Kellogg expressed a desire to make c (4), which states “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,” more prominent.

Member Gilmour asked if there were regulations governing discharging firearms in the unincorporated areas on private property for non-business purposes. Mr. Asselmeier said only civil penalties would apply.

The range design areas and downrange safety area were stricter than National Rifle Association standards. Mr. Asselmeier will bring the National Rifle Association numbers to a future meeting.

The suggestion was made to invite gun ranges to a future meeting.

The Forest Preserve is exempt from zoning if they are following the Downstate Forest Preserve Act.

The Committee will schedule a special meeting with the gun ranges in January at the December meeting.

Allison Hartman, Chicago, requested that the Committee consult with people and businesses that have set up gun ranges. She stated that David Lombardo offered to provide assistance on preparing the regulations.

CORRESPONDENCE

Correspondence Related to Stormwater Issue in Fields of Farm Colony Unit 4 (5586 Fields Drive)

Mr. Asselmeier read the correspondence and Fran Klaas’ opinion on the matter. Mr. Klaas stated that the County could review the issue, but is not bound to take action.

Ryan Leonard, property owner, provided pictures of the manhole filled with water. He explained that water pumped out of the basement was backing up onto his patio. He believed that two (2) of four (4) properties’ sump pumps drain to the same manhole and the manhole was full. The manhole at the road is not full of water. He believes that the pipe is crushed or blocked; the pipe in question is inside the easement between Mr. Leonard and his neighbor. The pipe is between lots 102 and 103 and the manhole is located at the southeast corner of lot 102.

Staff will contact Oswego Township and the Kendall County Highway Department and ask them to jet out the pipe. The bond for this subdivision has expired.

PETITIONS

Petition 17-31-Roger Schmidt and Nancy Heaton Requested the Revocation of a Special Use Permit Awarded by Ordinance 2001-26 Allowing the Operation of a Group Home at 1151 Simons Road in Oswego Township (Parcel Identification Number 03-26-400-009)

Mr. Asselmeier summarized the request. On October 11, 2017, Roger Schmidt and Nancy Heaton submitted a letter requesting the special use permit for a group home at 1151 Simons Road be revoked. 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.

Petition 17-32-Carol Christian and Robert Toftoy Requested the Revocation of a Special Use Permit Awarded by Ordinance 72-12 Allowing the Operation of a Private Landing Air Strip in the

10000 Block of Walker Road on the North Side of Walker Road in Kendall Township and Identified by Parcel Identification Numbers 05-20-300-004 and 05-20-300-005

Mr. Asselmeier summarized the request. 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. 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.

Petition 17-34-Commonwealth Edison Requested the Revocation of a Special Use Permit Awarded by Ordinance 72-8 Allowing the Operation of a Gravel Mine in Sections 6 and 7 of Bristol Township and Identified by Parcel Identification Numbers 02-06-400-002 and 02-07-200-003

Mr. Asselmeier summarized the request. 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. 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.

Petition 17-35-Donald and Colleen Zitt, Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield and R W & K J Whitfield Requested the Revocation of a Special Use Permit Awarded by Ordinance 86-12 Allowing for a Planned Unit Development at the Northwest Corner of Crimmin Road and Fox River Drive, Including 10123 Fox River Drive, Newark, in Fox Township 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

Mr. Asselmeier summarized the request. 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). 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.

Motion by Member Kellogg, seconded by Member Gryder, to recommended approval of the revocation of the special use permits as requested in Petitions 17-31, 17-32, 17-34 and 17-35.

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

The motion passed. This matter will go before the County Board on November 21st.

NEW BUSINESS

Recommendation on 2017 Noxious Weed Annual Report

Mr. Asselmeier summarized the report. Kendall County is required to submit an annual report to the State by December 1st of each year. The Planning, Building and Zoning Department did not receive any noxious weed complaints.

Motion by Member Gryder, seconded by Member Kellogg, to recommended approval of the 2017 Noxious Weed Annual Report.

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

The motion passed. This matter will go before the County Board on November 21st.

Red Hawk Landing Stormwater Issue

Mr. Asselmeier summarized the issue. The property is experience drainage problems because the detention pond shown on the plans was not constructed tree roots plugged the drainage tile. The estimated costs to mitigate the problem was Three Thousand Six Hundred Forty Dollars (\$3,640) plus Eight Thousand Four Hundred Forty Dollars (\$8,440) plus Reimbursable Costs + 10%.

The Committee requested Staff to check with the State's Attorney's Office to determine the extent, if any, of the County's liability.

Review of the 2018 Application Timetables

Mr. Asselmeier presented the timetables for text amendments, map amendments, RPDs, special uses, major amendment to special uses, non-residential PUDs, traditional variances, site plans, preliminary plats, final plats and other plats.

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)

Mr. Asselmeier summarized the request. The Kendall County Highway Department received an 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.

Motion by Member Gilmour, seconded by Member Cullick, to recommended approval of the scope of work and cost as proposed.

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

Absent (0): None

The motion passed. This matter will go before the County Board on November 21st.

OLD BUSINESS

Request for Guidance RE: Bridge at 13360 McKanna Road, Minooka (Bridge Owned by Mark Antos)(Committee May Refer this Matter to the State's Attorney's Office)

Mr. Asselmeier summarized the situation. Mr. Antos previously 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. Mr. Asselmeier requested a timeline for completion from Mr. Antos. To date, no timeline has been received. The low water crossing was built in 1998 and is two-three feet (2' - 3') higher than planned which is blocking water.

Motion by Member Gryder, seconded by Member Kellogg, to refer this matter to the State's Attorney's Office. The Committee would like a timeline for completing this project.

Ayes (5): Cullick, Davidson, Gilmour, Gryder and Kellogg

Nays (0): None

Absent (0): None

The motion passed.

Request for Guidance RE: Dumping at 15875 Ridge Road

Mr. Asselmeier read information 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 at the October meeting was that Mr. Chismark should conduct this review and report the findings at the November Planning, Building and Zoning Committee meeting. Upon review Mr. Chismark again concluded that the Stormwater Management Ordinance was not applicable given the amount of area disturbed. Any damage to adjoining properties would be a civil matter.

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 and listed the uses he thought warranted a larger notification requirement. The uses that he felt needed larger notification requirements included:

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-Station 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)

Motion by Member Kellogg, seconded by Member Cullick, to amend Petition 17-29 by reducing the notification requirement to one thousand feet (1,000'). Member Gryder stated that he was not in favor of a large distance requirement, but that one thousand feet (1,000') was better than the previously proposed distance. Member Gilmour stated that one thousand feet (1,000') was better than five hundred feet (500').

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

The motion passed. This matter will go to ZPAC on December 5th.

Discussion of Property Maintenance Regulations

Staff provided an email from Brian Holdiman updating the Committee on the type and location of property maintenance complaints.

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 Committee requested Mr. Asselmeier to obtain the number of conditional use permits issued and issue recommendations on which uses should be permitted uses and which uses should be special uses.

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 consensus of the Committee was to leave the regulations "as is"

because of the few number of cases sent to the State's Attorney's Office (zero (0) cases sent in last five (5) years) and because defendants can appeal the Hearing Officer's decision to the courts.

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

October 13, 2017 Letter to Roger Smith from Matt Asselmeier RE: Mobile Home at 1072 Tyler Road

Mr. Asselmeier reported that the property is on a frost depth foundation and does not need to go through the renewal process per the special use permit.

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. The Village of Oswego continues to gather water samples. The owner of the horse property was not happy about the stormwater runoff onto his property.

Correspondence Related to Drainage at 01-19-379-003 (South of Frazier Road Near City of Sandwich)

Mr. Asselmeier read the correspondence. According to Greg Chismark, this issue is not a County issue.

PUBLIC COMMENT

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

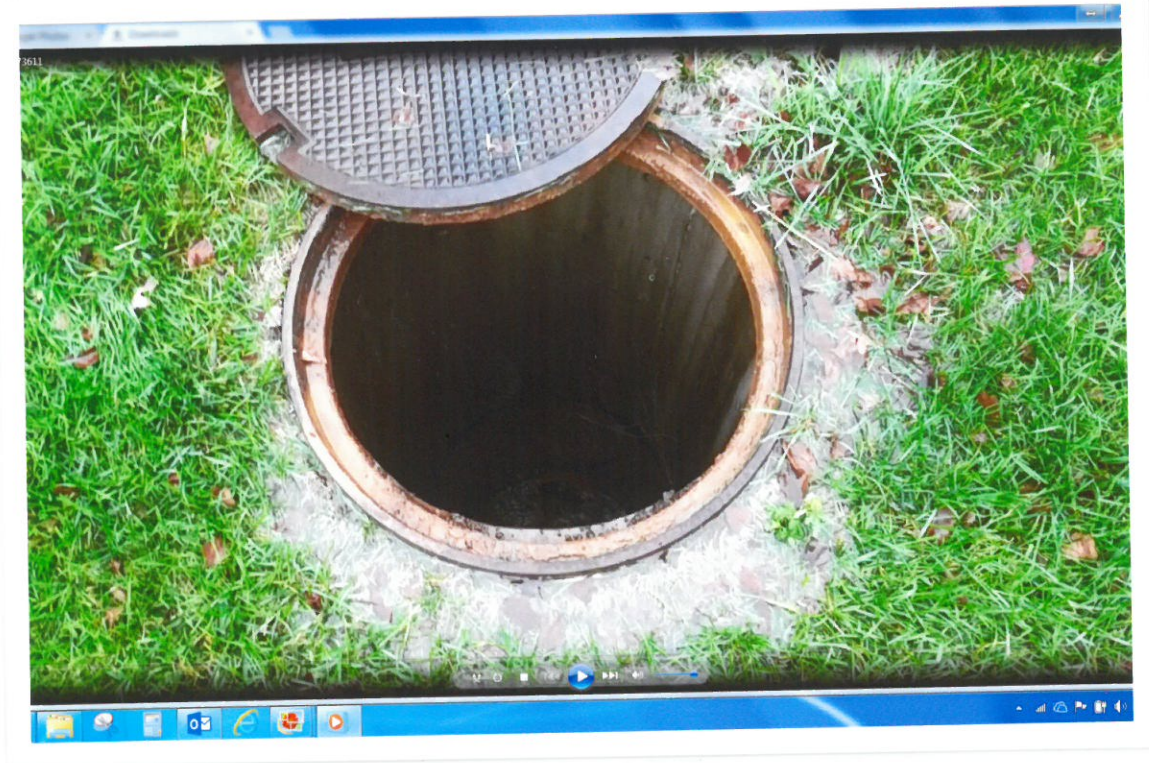
None

ADJOURNMENT

Member Cullick motioned to adjourn, seconded by Member Gryder. With a voice vote of five ayes, Chairman Davidson adjourned the meeting at 8:15 p.m.

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

[illegible]



frmPrctClaim	Kendall County	Claims Listing				11/06/17	12:33:22 PM	Page 001
Vendor #	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount	
BUILDING AND ZONING								
1 020541	BUILDING & ZONING PETTY CASH	11/3/17	OFFICE SUPPLIES	11/06/17	01020026200	OFFICE SUPPLIES	10.00	
2 191522	SOURCE ONE OFFICE PRODUCTS	530626	OFFICE SUPPLIES	11/06/17	01020026200	OFFICE SUPPLIES	14.17	
							24.17*	
3 020541	BUILDING & ZONING PETTY CASH	10/27/17	ILIACZO LUNCH	11/06/17	01020026206	TRAINING	17.01	
4 020541	BUILDING & ZONING PETTY CASH	OCTOBER 19, 2017	CMAP LUNCH	11/06/17	01020026206	TRAINING	8.82	
							25.83*	
5 012018	AT & T MOBILITY	287251783045X	CELL PHONE - CODE OF	11/06/17	01020026207	CELLULAR PHONE	74.62	
							74.62*	
6 190816	SHAW MEDIA	101710101009	10/5/2017 LEGAL PUBL	11/06/17	01020026209	LEGAL PUBLICATIONS	475.00	
							475.00*	
7 110531	KENDALL CO HIGHWAY DEPT	OCTOBER 2017	OCTOBER FUEL - TRUCK	11/06/17	01020026217	VEHICLE MAINT/REPAIRS	136.61	
							136.61*	
8 261005	RANDY ERICKSON	OCTOBER 2017	OCTOBER PLUMBING INS	11/06/17	01020026361	PLUMBING INSPECTIONS	980.00	
							980.00*	
9 230933	WBK ENGINEERING, LLC	18382	REVIEW SERVICES 10/1	11/06/17	01020026363	CONSULTANTS	189.00	
							189.00*	
10 030809	SCOTT CHERRY	07, 08, 10/2017	3 ZBA MEETINGS - MIL	11/02/17	01020026381	ZONING BOARD OF APPEALS	17.12	
11 031217	KAREN CLEMENTI	07, 08, 10/2017	3 ZBA MEETINGS - MIL	11/02/17	01020026381	ZONING BOARD OF APPEALS	28.89	
12 120395	TOM LECUYER	07, 08, 10/2017	3 ZBA MEETINGS - MIL	11/02/17	01020026381	ZONING BOARD OF APPEALS	20.88	
13 130125	DONNA MC KAY	07, 08, 10/2017	3 ZBA MEETINGS - MIL	11/02/17	01020026381	ZONING BOARD OF APPEALS	24.09	
14 131353	RANDY MOHR	07, 08, 10/2017	3 ZBA MEETINGS - MIL	11/02/17	01020026381	ZONING BOARD OF APPEALS	4.83	
15 200812	DICK THOMPSON	07, 08, 10/2017	3 ZBA MEETINGS - MIL	11/02/17	01020026381	ZONING BOARD OF APPEALS	32.10	
16 230851	DICK WHITFIELD	07, 08, 10/2017	3 ZBA MEETINGS - MIL	11/02/17	01020026381	ZONING BOARD OF APPEALS	21.40	
							149.31*	
Total BUILDING AND ZONING							2,054.54*	
ENGINEERING/CONSULTING ESCROW ACCT								
17 230933	WBK ENGINEERING, LLC	18384	STOR-MOR MINI STORAG	11/06/17	59020000037	STOR-MOR 16-20	42.00	
							42.00*	
18 230933	WBK ENGINEERING, LLC	18385	JOLIET PARK DIST. GR	11/06/17	59020000039	GROVE ROAD PARK SITE SP 1	215.60	
							215.60*	
19 230933	WBK ENGINEERING, LLC	18383	FOX METRO EXPANSION	11/06/17	59020000046	FOX METRO WATER REC DIST	1,410.07	
							1,410.07*	
20 230933	WBK ENGINEERING, LLC	18386	7225 CATON FARM RD	11/06/17	59020000051	CHRIS JENSEN SP 17-01	178.50	
							178.50*	

frmPrctClaim	Kendall County	Claims Listing			11/06/17	12:33:23 PM	Page 002
Vendor #	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
21 230933	WBK ENGINEERING, LLC	18388	NICOR- GAS PIPELINE	11/06/17	59020000053	NICOR PIPELINE ON LITTLE	146.01 146.01*
22 230933	WBK ENGINEERING, LLC	18387	NICOR GAS PIPELINE -	11/06/17	59020000055	NICOR PROJECT ELDAMAIN SP	143.07 143.07*
23 230933	WBK ENGINEERING, LLC	18390	NICOR-WALTER PEYTON	11/06/17	59020000057	NICOR - US 34 ELDAMAIN &	409.50 409.50*
Total ENGINEERING/CONSULTING ESCROW							2,544.75*
GRAND TOTAL							4,599.29**

frmPrctClaim		Kendall County		Supplemental Claims Listing		11/15/17	12:46:16 PM	Page 001
Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist	Amount
BUILDING AND ZONING								
1 020541	BUILDING & ZONING PETTY CASH	11/14/17	COUNTY CELL PHONE CH	11/15/17	01020026207	CELLULAR PHONE		40.12
								40.12*
Total BUILDING AND ZONING								40.12*
GRAND TOTAL								40.12**

frmPrctClaim	Kendall County	Supplemental Claims Listing	11/17/17	10:29:57 AM	Page 001		
Vendor #	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
BUILDING AND ZONING							
1 110545	KENDALL COUNTY RECORDER	AUGUST 2017	AUGUST 2017 - 4 RECO	11/17/17	01020026370	RECORDING EXPENSE	191.00
2 110545	KENDALL COUNTY RECORDER	SEPTEMBER 2017	SEPTEMBER 2017 - 5 R	11/17/17	01020026370	RECORDING EXPENSE	250.00
Total BUILDING AND ZONING							441.00*
GRAND TOTAL							441.00**

KENDALL COUNTY TREASURER
FUND BALANCES
Balances as of: 11/30/17

03:16:35 PM
12/04/17
Page 001

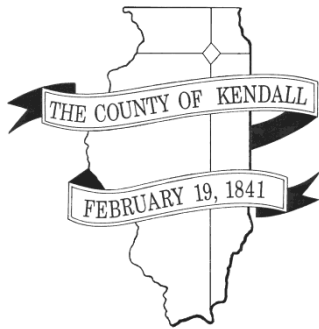
	Budget	MTD	YTD	%Budget

BUILDING & ZONING				

01020026101 SALARY/ADMINISTRATOR	.00	.00	.00	.00
01020026102 SALARIES - PLANNING & ZONING MANAGE	65,000.00	7,500.00	58,500.00	90.00
01020026103 SALARIES - COMPLIANCE OFFICERS	53,625.00	6,374.25	57,296.38	106.85
01020026104 SALARY - CLERICAL	46,475.00	3,675.00	35,084.00	75.49
01020026106 SALARIES - OVERTIME	250.00	.00	.00	.00
01020026115 ZBA PER DIEM	2,450.00	300.00	2,500.00	102.04
01020026151 REPORTER - NON SALARY	.00	.00	.00	.00
01020026200 OFFICE SUPPLIES	1,550.00	24.17	1,589.99	102.58
01020026201 POSTAGE	650.00	55.23	429.62	66.10
01020026202 BOOKS/SUBSCRIPTIONS	200.00	.00	58.95	29.48
01020026203 DUES	700.00	.00	748.00	106.86
01020026204 CONFERENCES	2,000.00	.00	656.42	32.82
01020026205 MILEAGE	200.00	.00	31.14	15.57
01020026206 TRAINING	200.00	25.83	214.52	107.26
01020026207 CELLULAR PHONE	890.00	114.74	966.17	108.56
01020026209 LEGAL PUBLICATIONS	750.00	475.00	665.80	88.77
01020026216 EQUIPMENT	500.00	.00	279.00	55.80
01020026217 VEHICLE MAINT/REPAIRS	6,500.00	136.61	1,835.29	28.24
01020026238 MICROFILMING/REPRODUCTION	1,500.00	.00	1,388.20	92.55
01020026361 PLUMBING INSPECTIONS	12,000.00	980.00	13,580.00	113.17
01020026363 CONSULTANTS	24,000.00	189.00	17,542.99	73.10
01020026364 NOXIOUS WEED MOWING	.00	.00	.00	.00
01020026365 CONTRACTED INSPECTION SERVICES	500.00	.00	.00	.00
01020026367 NPDES PERMIT FEE	1,000.00	.00	1,000.00	100.00
01020026368 NPDES PERMIT ASSISTANCE	.00	.00	.00	.00
01020026370 RECORDING EXPENSE	660.00	441.00	1,266.00	191.82
01020026380 REGIONAL PLAN COMMISSION	750.00	.00	55.32	7.38
01020026381 ZONING BOARD OF APPEALS	750.00	149.31	1,306.05	174.14
01020026382 HEARING OFFICER	2,100.00	.00	1,750.00	83.33
01020026383 HISTORICAL PRESERVATION COMM	750.00	.00	371.35	49.51
01020026384 AD HOC ZONING	750.00	.00	54.57	7.28
01020026385 REFUNDS	.00	.00	50.00	.00
	226,700.00*	20,440.14*	199,219.76*	87.88*
Ending Balance 11/30/17			-199,219.76	

PLANNING BUILDING & ZONING YEAR OVER YEAR REPORT

YEAR	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	DEPOSIT TOTAL
2011	\$49,777.24	\$7,525.00	\$47,909.03	\$4,000.00	\$109,211.27
2012	\$51,032.64	\$8,487.50	\$47,199.67	\$6,000.00	\$112,719.81
2013	\$40,178.09	\$8,161.00	\$26,893.64	\$2,000.00	\$77,232.73
2014	\$72,120.64	\$12,820.00	\$72,492.76	\$7,000.00	\$164,433.40
2015	\$75,402.09	\$6,685.00	\$58,252.05	\$7,000.00	\$147,339.14
2016	\$72,449.29	\$16,155.00	\$55,087.71	\$5,000.00	\$149,097.00
2017	\$84,313.81	\$8,435.00	\$79,307.79	\$8,000.00	\$179,956.60



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: December 6, 2017
Re: Fiscal Year 2016-2017 End of Year Escrow Report

Below please find the balances of the various escrow accounts as of the close of business on November 30, 2017.

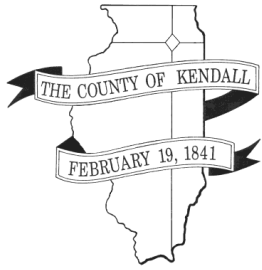
Fox Metro	\$580.95
Antos Bridge	\$921.00
NICOR-Church Road	\$941.00
Tanglewood Trails	\$41,482.00
Heights Tower Service	\$2,245.31
Stor Mor	\$686.07
Grove Road Joliet Park Dist.	\$204.26
7225 Caton Farm Road	\$297.00
NICOR-Little Rock Road	\$395.46
NICOR-Eldamain Road	\$1,368.68
NICOR-U.S. 34	\$1,590.50
Plano Foli Park	\$255.00 (Does Not Include October 9 th Invoice of \$501.93)

The balance in the Henneberry Woods account was \$113,762.38.

The balance in the Ravine Woods account was \$9,242.84.

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

MHA



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

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MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: December 4, 2017

Re: 17-30 Proposed Text Amendments to Sections 3.02 (Definitions), Section 10.01.C.10 (Special Uses in M-1 Limited Manufacturing District and M-2 Heavy Industrial District) and Section 10.01.C.11 (Special Uses in M-1 Limited Manufacturing District and M-2 Heavy Industrial District) Pertaining to Extending the Expiration Deadline of Kendall County's Medical Cannabis Regulations from January 1, 2018 to July 1, 2020

At their meeting on September 11, 2017, the Kendall County Planning, Building and Zoning Committee approved initiating a text amendment to the Kendall County Zoning Ordinance extending the expiration deadline for the County's medical cannabis regulations. When the County adopted medical cannabis regulations in 2014 (by Ordinances 2014-28 and 2014-31) the expiration date was set at January 1, 2018. The Compassionate Use of Medical Cannabis Pilot Program Act ("Act") (410 ILCS 130/1 et seq.) expires on July 1, 2020. A copy of the proposed language is enclosed. Proposed changes are shown in red and are bolded.

This proposed amendment does not change any language, other than the expiration date, contained within the Zoning Ordinance on this topic.

ZPAC reviewed this proposal at their meeting on October 3rd and unanimously recommended approval of the proposed text amendments. The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 25th and unanimously recommended approval of the proposed text amendments. The public hearing before the Kendall County Zoning Board of Appeals occurred on October 30th. No members of the public spoke in favor or in opposition to this proposal. The Zoning Board of Appeals unanimously recommended approval of the proposal. The minutes of these meetings are enclosed.

The townships were notified of the decision of the Zoning Board of Appeals on October 31st. No comments were received from any township.

A proposed ordinance is enclosed for your consideration.

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

Thanks,

MHA

ENC: Proposed Text Amendments

10.3.17 ZPAC Minutes

10.25.17 KCRPC Minutes

10.30.17 ZBA Minutes

Draft Ordinance

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
October 30, 2017 – 7:00 p.m.

CALL TO ORDER

At 7:00 p.m., Chairman Randy Mohr called the Zoning Board of Appeals meeting to order.

ROLL CALL

Members Present: Randy Mohr, Karen Clementi (Arrived at 7:02 p.m.), Tom LeCuyer, Donna McKay, Dick Thompson and Dick Whitfield

Members Absent: Scott Cherry

Staff Present: Matthew Asselmeier, AICP, Senior Planner

Public: Robert Davidson

MINUTES

Mr. LeCuyer, seconded by Ms. McKay, moved to approve the August 28, 2017 meeting minutes. With a voice vote of all ayes, the motion was approved.

Ms. Clementi arrived at this time.

PETITIONS

Mr. Asselmeier announced that the Kendall County Regional Planning Commission requested that the Kendall County Planning, Building and Zoning Committee amend their proposed text amendment for outdoor shooting range regulations (Petition 17-28). This matter was referred to the November Planning, Building and Zoning Committee meeting.

Mr. Asselmeier also announced that ZPAC requested that the Kendall County Planning, Building and Zoning Committee amend their proposed text amendment related to notification requirements for special uses on A-1 zoned properties (Petition 17-29). This matter was referred to the November Planning, Building and Zoning Committee meeting.

Ms. McKay, seconded by Mr. LeCuyer, made a motion to layover Petitions 17-28 and 17-29 until the Kendall County Planning, Building and Zoning Committee had an opportunity to respond to the concerns of ZPAC and the Kendall County Regional Planning Commission.

The votes were as follows:

Ayes (6): Mohr, Clementi, LeCuyer, McKay, Thompson, Whitfield

Nays (0): None

Absent (1): Cherry

The motion passed.

17-30- Kendall County Planning, Building and Zoning Committee

Request: Text Amendments to Section 3.02 (Definitions), Section 10.01.C.10 and Section 10.01.C.11 (Special Uses in the M-1 Limited Manufacturing District and M-2 Heavy Industrial District) of the Kendall County Zoning Ordinance By Extending the Expiration Deadline from January 1, 2018 to July 1, 2020 for the County's Medical Cannabis Related Regulations

Purpose: Text Amendment Changes the Expiration Deadline For the County's Medical Cannabis Related Regulations from January 1, 2018 to July 1, 2020 to Corresponds to the Expiration Date of the Compassionate Use of Medical Cannabis Pilot Program Act ("Act") (410 ILCS 130/1 et seq.)

Mr. Asselmeier summarized the request. The proposal changes the expiration date only and does not change any other portion of the medical cannabis related zoning regulations. July 1, 2020 is the expiration date for the Compassionate Use of Medical Cannabis Pilot Program Act.

This proposal was mailed to each township on September 25th. To date, no response or comments have been received.

ZPAC unanimously recommended approval of the request. The Kendall County Regional Planning Commission also unanimously recommended approval of this request.

Chairman Mohr opened the public hearing at 7:05 p.m.

No one from the public was in attendance.

Chairman Mohr adjourned the public hearing on this matter at 7:05 p.m.

Ms. Clementi, seconded by Mr. Whitfield, made a motion to recommend approval of the text amendments as proposed.

The votes were as follows:

Ayes (6): Mohr, Clementi, LeCuyer, McKay, Thompson, Whitfield
Nays (0): None
Absent (1): Cherry

The motion passed. The townships will be notified of the Board's recommendation. This matter will go to the Kendall County Planning, Building and Zoning Committee on December 11th.

REVIEW OF PETITIONS THAT WENT TO THE COUNTY BOARD

Mr. Asselmeier reported that Petition 17-16 passed at the County Board. Petition 17-21, McNelis Map Amendment, also passed at the County Board.

NEW BUSINESS/OLD BUSINESS

Since Petition 17-15 and 17-16 passed, changes to the by-laws are required.

Mr. Whitfield, seconded by Ms. Clementi, made a motion to approve an amendment to Article VIII, Section 2 by Reducing the Number of Votes Required to Reverse any Order, Requirement, Decision or Determination of the Zoning Administrator or Zoning Administrator Deputies, or to Grant any Variation in the Ordinance or to Recommend any Variation or Modification in the Ordinance to the County Board from Five (5) to Four (4).

The votes were as follows:

Ayes (6): Mohr, Clementi, LeCuyer, McKay, Thompson, Whitfield
Nays (0): None
Absent (1): Cherry

The motion passed.

Mr. Whitfield, seconded by Ms. Clementi, made a motion to approve an amendment to Article IX, Section 2 by Requiring the Concurrent Vote of Four (4) Members of the Board to Recommend Approval of any Zoning Map or Text Amendment to the County Board.

The votes were as follows:

Ayes (6): Mohr, Clementi, LeCuyer, McKay, Thompson, Whitfield
Nays (0): None
Absent (1): Cherry

The motion passed.

Approval of Fiscal 2017-2018 Meeting Calendar

Ms. McKay, seconded by Mr. Whitfield, made a motion to approve the Fiscal Year 2017-2018 Meeting Calendar.

The votes were as follows:

Ayes (6): Mohr, Clementi, LeCuyer, McKay, Thompson, Whitfield
Nays (0): None
Absent (1): Cherry

The motion passed.

PUBLIC COMMENT

None

ANNOUNCEMENTS

Mr. Asselmeier stated that no applications for map amendments were filed before the October 24th deadline. The deadline for variance applications is November 3rd.

The Planning, Building and Zoning Committee approved initiating text amendments to various sections of the Zoning Ordinance transferring the powers and duties of the Hearing Officer to hear applications

for special use permits, major amendments to special use permits and involuntary revocations of special use permits to the Kendall County Zoning Board of Appeals. The earliest that the Board would review this application is December 4th.

The consensus of the Board was to cancel the December 4th meeting unless a variance application was submitted. Planning, Building and Zoning Committee Chairman Davidson was agreeable to this suggestion.

Mr. Asselmeier announced that the Illinois Department of Transportation will be holding an open house regarding the Prairie Parkway on November 2nd from 4:00 p.m. until 7:00 p.m. at the Yorkville Public Library.

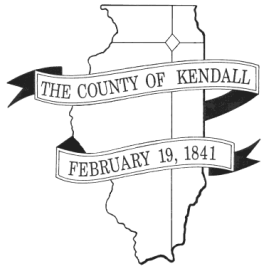
ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Mr. Whitfield, seconded by Mr. Thompson made a motion to adjourn. By voice vote of all ayes, the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 7:44 p.m.

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

Exhibits

1. Staff Report on Petition 17-30 Dated October 26, 2017
2. Certificate of Publication for Petition 17-30 (Not Included with Report but on file in Planning, Building and Zoning Office)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Zoning Board of Appeals

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: October 26, 2017

Re: 17-30 Proposed Text Amendments to Sections 3.02 (Definitions), Section 10.01.C.10 (Special Uses in M-1 Limited Manufacturing District and M-2 Heavy Industrial District) and Section 10.01.C.11 (Special Uses in M-1 Limited Manufacturing District and M-2 Heavy Industrial District) Pertaining to Extending the Expiration Deadline of Kendall County's Medical Cannabis Regulations from January 1, 2018 to July 1, 2020

At their meeting on September 11, 2017, the Kendall County Planning, Building and Zoning Committee approved initiating a text amendment to the Kendall County Zoning Ordinance extending the expiration deadline for the County's medical cannabis regulations. When the County adopted medical cannabis regulations in 2014 (by Ordinances 2014-28 and 2014-31) the expiration date was set at January 1, 2018. The Compassionate Use of Medical Cannabis Pilot Program Act ("Act") (410 ILCS 130/1 et seq.) expires on July 1, 2020. A copy of the proposed language is enclosed. Proposed changes are shown in red and are bolded.

This proposed amendment does not change any language, other than the expiration date, contained within the Zoning Ordinance on this topic.

ZPAC reviewed this proposal at their meeting on October 3rd and unanimously recommended approval of the proposed text amendments. The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 25th and unanimously recommended approval of the proposed text amendments. The minutes of these meetings are attached.

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

Thanks,

MHA

ENC: Proposed Text Amendments

10.3.17 ZPAC Minutes

10.25.17 KCRPC Minutes

Amendments to Section 3.02 Definitions

MEDICAL CANNABIS CULTIVATION CENTER or CULTIVATION CENTER. A facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. This definition is intended to remain consistent with the definition provided in 410 ILCS 130/10, as amended. In the event of a conflict between this definition and the statute, the statutory definition shall govern. (To be repealed on ~~4-1-18~~ **7.1.20**)

ENCLOSED, LOCKED FACILITY. A room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by a Cultivation Center's agents or a Dispensing Organization's agent working for the registered Cultivation Center or the registered Dispensing Organization to cultivate, store, and distribute cannabis for registered qualifying patients. This definition is intended to remain consistent with the definition provided in 410 ILCS 130/10, as amended. In the event of a conflict between this definition and the statute, the statutory definition shall govern. (To be repealed on ~~4-1-18~~ **7.1.20**)

MEDICAL CANNABIS DISPENSING ORGANIZATION or DISPENSING ORGANIZATION or DISPENSARY. A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered Cultivation Center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients. This definition is intended to remain consistent with the definition provided in 410 ILCS 130/10, as amended. In the event of a conflict between this definition and the statute, the statutory definition shall govern. (To be repealed on ~~4-1-18~~ **7.1.20**)

MEDICAL CANNABIS INFUSED PRODUCT. Food, oils, ointments, or other products containing usable cannabis that are not smoked. This definition is intended to remain consistent with the definition provided in 410 ILCS 130/10, as amended. In the event of a conflict between this definition and the statute, the statutory definition shall govern. (To be repealed on ~~4-1-18~~ **7.1.20**)

Amendment to Section 10.01.C.10

10. Medical Cannabis Cultivation Centers- Temporary (will be automatically repealed on ~~January 1, 2018~~ **July 1, 2020**)

a. **Definitions:** All terms not defined in section 3.02 of this Zoning Ordinance shall carry the meaning set forth in the Compassionate Use of Medical Cannabis Pilot Program Act ("Act") (410 ILCS 130/1 et seq.), as amended

b. **Preliminary Requirements.** All Medical Cannabis Cultivation Center special use permit applicants shall comply with the following requirements before applying for a special use permit and shall maintain compliance at all times thereafter.

i. *State laws.* Applicants must comply with the Compassionate Use of Medical Cannabis Pilot Program Act ("Act") (410 ILCS 130/1 et seq.) and all rules and regulations adopted in accordance thereto including the following sections of the Illinois Administrative Code: 8 Ill. Admin. Code 1000, 68 Ill. Admin. Code 1290, 77 Ill. Admin. Code 946 and 86 Ill. Admin. Code 130, and as amended.

ii. *Registration.* Applicants must be registered with the Illinois Department of Agriculture

iii. *Location.* A Cultivation Center must be located more than 2,500 feet from the

October 26, 2017

property line of any pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use, as required pursuant to 410 ILCS 130/105.

iv. *Security Measures.* Applicants must establish and maintain all required security measures, in accordance with the Act and all applicable regulations, to deter and prevent the theft of cannabis and unauthorized entrance into areas containing cannabis.

v. *Code Compliance.* Cultivation Centers must meet all federal, State and local building, zoning and fire codes and all local ordinance requirements.

vi. *Other Requirements:* Applicants, their agents and employees must comply with all other requirements identified in 410 ILCS 130/105, as amended.

c. Required Permit Information. Upon applying for a Cultivation Center special use permit, the applicant must provide the following information:

i. A Security Plan that has been reviewed and approved by the Illinois State Police and is compliant with 410 ILCS 130/105, as amended, in addition to the rules set forth by the Illinois Department of Agriculture at 8 Ill. Admin. Code 1000 et seq.

ii. Evidence demonstrating the location of the enclosed, secure area or loading/unloading dock is or will be out of public sight for the loading/unloading of medical cannabis in the transport motor vehicle.

iii. A scale drawing of the front, rear, or side of the building or structure showing dimensions and architectural details (Building Elevations); and

iv. A location map demonstrating the property meets location conditions identified in 410 ILCS 130/105, as amended, and

v. Proof that applicant is registered with the Illinois Department of Agriculture.

d. Operational and Facility Requirements:

i. *Enclosed, Locked Facility.* All cultivation of cannabis for distribution to a registered Dispensing Organization shall take place in an Enclosed, Locked Facility.

ii. *Storage.* No outdoor storage of any kind will be permitted at Cultivation Centers.

iii. *Edibles.* Any area within the Cultivation Center where cannabis will be manufactured into an edible form shall comply with the Illinois Food, Drug and Cosmetic Act, 410 ILCS 620 et. seq., the Illinois Sanitary Food Preparation Act, 410 ILCS 650 et. seq., the Illinois Food Handling Regulation Enforcement Act, 410 ILCS 650 et. seq., and section 80 of the Act, 410 ILCS 130/80.

iv. *Waste.* Cannabis waste shall be stored, secured, locked and managed in accordance with State regulations for the disposal of medical cannabis with the requirements set forth in 410 ILCS 130/180 and 8 Ill. Admin. Code. 1000.460, as amended respectively.

October 26, 2017

v. *Signs*. All signage shall comply with Section 12 of the Kendall County Zoning Ordinance. Signs shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented towards youth or language referencing cannabis. Electronic message boards and temporary signs are not permitted in connection with a Cultivation Center.

vi. *Other Products*. It shall be prohibited to cultivate, manufacture, process or package any product, other than medical cannabis and cannabis infused products at a Cultivation Center.

vii. *Fence*. All Cultivation Centers must be surrounded by a fence a minimum of eight (8) feet tall with barbed wire on top.

viii. *Registration*: The owner or operator of a Cultivation Center must submit annual documentation of registration with the Illinois Department of Agriculture within thirty days of becoming registered or renewing its registration.

e. Legal Protections.

i. *Limitation of Liability*. Kendall County Shall not be liable to the permitted Cultivation Center, the Cultivation Center's owners, employees, board members, producer backers, vendors, visitors, heirs, assigns, agents, family members or guests for any damage, injury, accident, loss, compensation or claim, based on, arising out of, or resulting from the permitted, Cultivation Center's participation in the Compassionate Use of Medical Cannabis Pilot Program, including, but not limited to, the following: arrest, seizure of persons or property, prosecution pursuant to State or federal laws by State or federal prosecutors, any fire, robbery, theft, mysterious disappearance or any other casualty; or the action of any other permittees, registrants, or persons. This Limitation of Liability provision shall survive expiration or the early termination of the permit.

ii. *Indemnification*. The permitted Cultivation Center, its owners, employees, board members, producer backers, vendors, visitors, heirs, assigns, agents, family members or guests shall hold harmless and indemnify Kendall County, its officials, officers and employees, including past, present, and future board members, elected officials and agents against any civil action or criminal penalty commenced against Kendall County and/or its officials, officers and employees, including past, present, and future board members, elected officials and agents, through counsel of their own choosing, based upon illness or death as a result of the possession, cultivation, transportation or other use of medical cannabis ingested in any way authorized under the provision of the Act. Pursuant to Illinois law 55 ILCS 5/3-9005, any attorney representing Kendall County, shall be approved by the Kendall County State's Attorney and shall be appointed a Special Assistant State's Attorney.

iii. *Violations of the Law*. The Act and any mandated zoning does not authorize any permittee to violate federal or state laws.

f. Revocation: Any special use permit granted under this Zoning Ordinance may be revoked for failure to comply with the terms of this Zoning Ordinance. The decision to revoke a special use permit is subject to the review procedure identified in section 13 of the Zoning Ordinance.

Amendment to Section 10.01.C.11

11. Medical Cannabis Cultivation Centers- Temporary (will be automatically repealed on **January 1, 2018 July 1, 2020**)

a. **Definitions:** All terms not defined in section 3.02 of this Ordinance shall carry the meaning set forth in the Compassionate Use of Medical Cannabis Pilot Program Act ("Act") (410 ILCS 130/1 et seq.), as amended.

b. **Preliminary Requirements.** All Medical Cannabis Dispensing Organization special use permit applicants shall comply with the following requirements before applying for a special use permit and shall maintain compliance at all times thereafter.

i. *State laws.* Applicants must comply with the Compassionate Use of Medical Cannabis Pilot Program Act ("Act") (410 ILCS 130/1 et seq.) and all rules and regulations adopted in accordance thereto including the following sections of the Illinois Administrative Code: 8 Ill. Admin. Code 1000, 68 Ill. Admin. Code 1290, 77 Ill. Admin. Code 946 and 86 Ill. Admin. Code 130, and as amended.

ii. *Location.* A Dispensing Organization may not be located within 1,000 feet of the property line of any pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility. A registered dispensing organization may not be located in a house, apartment, condominium, or an area zoned for residential use, as required pursuant to 410 ILCS 130/130 and Section 1290.50 of the Department of Financial and Professional Regulation rules.

iii. *Images.* No dispensary shall be maintained or operated in a manner that causes, creates or allows the public viewing of medical cannabis, medical cannabis infused products or cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or any property other than the lot on which the dispensary is located. No portion of the exterior of the dispensary shall utilize or contain any flashing lights, search lights or spot lights of any similar lighting system.

iv. *Security Measures.* Applicants must establish and maintain all required security measures, in accordance with the Act and all applicable regulations, to deter and prevent the theft of cannabis and unauthorized entrance into areas containing cannabis.

v. *Code Compliance.* Dispensing Organizations must meet all federal, State and local building, zoning and fire codes and all local ordinance requirements.

vi. *Other Requirements:* Applicants, their agents and employees must comply with all other requirements identified in 410 ILCS 130/130, as amended.

c. **Required Permit Information.** Upon applying for a Dispensing Organization special use permit, the applicant must provide the following information:

i. A scale drawing of the front, rear, or side of the building or structure showing dimensions and architectural details (Building Elevations); and

ii. A location map demonstrating the property meets location conditions identified in 410

d. Operational and Facility Requirements:

i. *Enclosed, Loading/unloading bay.* All medical cannabis deliveries shall take place in an Enclosed, Locked Facility.

ii. *Storage.* No outdoor storage of any kind will be permitted at Dispensing Organizations.

iii. *Advertisement/Signs.*

1) All signage shall comply with Section 12 of the Kendall County Zoning Ordinance.

2) Signs shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented towards youth or language referencing cannabis.

3) Electronic message boards and temporary signs are not permitted in connection with a Dispensing Organization.

4) Any additional merchandise packaging provided by a dispensary, such as bags, sacks, totes or boxes, shall be opaque and identify the name of the dispensing organization.

5) No Advertisements shall be placed or maintained within 1,000 feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park or library, or any game arcade admission to which is not restricted to persons age 21 or older.

6) No advertisement shall be posted on publicly-owned or -operated property.

7) If the dispensing organization sells edible cannabis infused products, it must display a placard that states the following:

“Edible cannabis infused products were produced in a kitchen not subject to public health inspections that may also process common food allergens.” The placard shall be no smaller than 24” tall by 36” wide, with typed letters no smaller than 2”. The placard shall be clearly visible and readable by customers and shall be written in English.

iv. *Other Prohibitions.* A dispensing organization shall not:

1) produce or manufacture cannabis;

2) allow consumption of cannabis at the dispensary;

3) sell cannabis unless it is pre-packaged and labeled in accordance with Part, 8 Ill. Adm. Code 1000 and 77 Ill. Adm. Code 946;

- 4) sell cannabis or cannabis-infused products to consumer unless the consumer presents an active registered qualifying patient or designated caregiver card issued by DPH;
- 5) enter into an exclusive agreement with any cultivation center;
- 6) operate drive through windows;
- 7) transport cannabis to residences of registered qualifying patients or designated caregivers;
- 8) operate if video surveillance equipment is inoperative;
- 9) operate if the point of sale equipment is inoperative;
- 10) operate if the State's medical cannabis electronic verification system is inoperative; or,
- 11) have fewer than two people working at any time while the dispensary is open.

v. *Landscaping.* All dispensing organizations shall ensure that trees, bushes and other foliage outside of the dispensary premises do not allow for a person or persons to conceal themselves from sight.

vi. *Lighting.* All dispensing organizations shall ensure the outside perimeter of the dispensary premises is sufficiently lit to facilitate surveillance.

vii. *Hours of operation:* A dispensary may operate between 6 a.m. and 8 p.m. local time.

e. Legal Protections.

i. *Limitation of Liability.* Kendall County Shall not be liable to the permitted Dispensing Organization, the Dispensing Organization's owners, employees, board members, producer backers, vendors, visitors, heirs, assigns, agents, family members or guests for any damage, injury, accident, loss, compensation or claim, based on, arising out of, or resulting from the permitted, Dispensing Organization's participation in the Compassionate Use of Medical Cannabis Pilot Program, including, but not limited to, the following: arrest, seizure of persons or property, prosecution pursuant to State or federal laws by State or federal prosecutors, any fire, robbery, theft, mysterious disappearance or any other casualty; or the action of any other permittees, registrants, or persons. This Limitation of Liability provision shall survive expiration or the early termination of the permit.

ii. *Indemnification.* The permitted Dispensing Organization, its owners, employees, board members, producer backers, vendors, visitors, heirs, assigns, agents, family members or guests shall hold harmless and indemnify Kendall County, its officials, officers and employees, including past, present, and future board members, elected officials and agents against any civil action or criminal penalty commenced against Kendall County and/or its officials, officers and employees, including past, present, and

October 26, 2017

future board members, elected officials and agents, through counsel of the County's own choosing, due in whole or in part to the Dispensing Organization's acts or omissions and/or for any illness or death as a result of the possession, cultivation, transportation or other use of medical cannabis ingested in any way authorized under the provision of the Act. Pursuant to Illinois law 55 ILCS 5/3-9005, any attorney representing Kendall County, shall be approved by the Kendall County State's Attorney and shall be appointed a Special Assistant State's Attorney.

iii. *Violations of the Law.* The Act and any mandated zoning does not authorize any permittee to violate federal or state laws.

f. Revocation:

i. Any special use permit granted under this ordinance may be revoked for failure to comply with the terms of this ordinance. The decision to revoke a special use permit is subject to the review procedure identified in section 13 of the Kendall County Zoning Ordinance.

ii. Applicants must be registered with the Illinois Department of Financial and Professional Regulation prior to commencing operations and shall remain registered at all times of operation. The Dispensing Organization must notify Kendall County within ten (10) days of its registration being suspended or revoked. Failure to register or timely notify Kendall County of the suspension or revocation will result in immediate revocation of the special use.

g. Repeal. This amendment to the Zoning Ordinance is automatically repealed, in its entirety, on ~~January 1, 2018~~ **July 1, 2020**.

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
October 3, 2017 – Unapproved Meeting Minutes**

Senior Planner Matt Asselmeier called the meeting to order at 9:00 a.m.

Present:

Megan Andrews – Soil and Water Conservation District
Jason Langston – Sheriff's Office
Aaron Rybski – Health Department
David Guritz – Forest Preserve
Don Clayton – GIS (Arrived at 9:01 a.m.)
Fran Klaas – Highway Department
Matt Asselmeier – PBZ Department

Absent:

Greg Chismark – WBK Engineering, LLC
Robert Davidson – PBZ Committee Chair
Brian Holdiman – PBZ Department

Audience:

None

AGENDA

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

Mr. Clayton arrived at this time (9:01 a.m.).

MINUTES

Mr. Rybski made a motion, seconded by Mr. Guritz, to approve the August 1, 2017 meeting minutes. With a voice vote of all ayes the motion carried.

PETITIONS

17-28 Kendall County Planning, Building and Zoning Committee – Text Amendments to Sections 7.01.D.32 (Specials Uses in A-1 Agricultural District), 7.01.D.33 (Special Uses in A-1 Agricultural District) and 10.03.B.4 (Special Uses in M-3 Aggregate Materials Extraction, Processing and Site Reclamation District) of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

Mr. Asselmeier provided a summary of this proposed text amendment. Staff mailed this proposal to each existing outdoor gun range and all townships on September 25th. The existing outdoor gun ranges would be grandfathered and governed by their applicable special use permits or the regulations in place the date they commenced operations. No existing outdoor gun range complies with this proposed text amendment. The proposed regulations would not apply to properties owned by the Kendall County Forest Preserve or the State of Illinois on land used for parks. The proposed regulations addressed berming, baffling, downrange safety area, the minimum acreage of the property, narrative description of the range use, role of range supervisors, regulation of range flags, hours of operation, fencing, the timing of the submittal of a lead management plan, distance from adjoining properties, restroom facilities, hearing and vision protection, insurance, access to public roads and noise.

Mr. Guritz asked about the handling of lead management plan documents. Mr. Asselmeier stated that he was unsure how lead management plan documents were handled previously. The existing ranges were governed by their special use permit. If a Federal or State law existed that superseded the local law, then the gun range would have to follow those requirements.

Mr. Klaas asked how many outdoor gun ranges existed in Kendall County. The answer was five (5) not counting the State park.

Discussion occurred regarding the size of the downrange safety area and the control of the downrange safety area. The consensus was that, in an urbanizing county, the downrange regulations were appropriate.

Indoor shooting range regulations already exist in the Zoning Ordinance.

Mr. Guritz made a motion, seconded by Mr. Rybski, to forward the petition onto the Plan Commission with a favorable recommendation.

With a voice vote of all ayes, the motion passed. This matter will go before the Kendall County Regional Planning Commission on October 25th.

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

Mr. Asselmeier provided a summary of this proposed text amendment. The amendment would increase the notification requirement from five hundred feet (500') to two thousand six hundred feet (2,600') for applications for special use permits on properties zoned A-1 and clarifying that only adjoining properties must be notified on special use permit applications for properties not zoned A-1.

Mr. Clayton presented two (2) scenarios. One (1) property near Aurora would have to mail three hundred ninety-two (392) notices under the current rules and would have to mail notices to one thousand nine hundred one (1,901) parcels if the text amendment was approved. In the case of Hideaway Lakes, sixty-three (63) parcels would have to be notified presently. If the proposal was approved, five hundred thirty-seven (537) parcels would need to be notified.

The cost for return receipt is Two Dollars and Seventy-Five Cents (\$2.75). This cost is paid by the petitioner.

Will, LaSalle and Kane Counties notify adjacent property owners only. Grundy County notifies up to five hundred feet (500'). DeKalb County notifies up to two hundred fifty feet (250'). DuPage County notifies up to three hundred feet (300').

Neighbors beyond five hundred feet (500') express concerns that they were not notified when odor or noise impacts their property.

Several Committee members felt that the two thousand six hundred foot (2,600') requirement was arbitrary.

Mr. Asselmeier explained the application process. When someone submits an application for a special use permit on A-1 zoned property, the GIS Department prepares a list of addresses that need to be notified. Any applicable municipality and township are added to the list. Staff then checks off the address list when the applicant presents green cards.

Discussion occurred about having different distance requirements for different special uses. Mr. Asselmeier stated that Staff does not know when an application is submitted if that application will be controversial. The more specificity in the Ordinance, the less likely the decision of who received notification and who did not receive notification could be viewed as arbitrary.

Mr. Guritz made a motion, seconded by Mr. Langston, to request that the Planning, Building and Zoning Committee leave the notification requirement at five hundred feet (500').

Ayes: Langston, Rybski and Guritz (3)
Nays: Klaas (1)
Abstain: Andrews, Clayton and Asselmeier (3)
Absent: Chismark, Holdiman and Davidson (3)

The reasons members voted yes were because of the added expense to the petitioner, the added time for the applicant to mail the notices, added review time for Staff to process the green cards, the proposed regulations were

larger than the notification requirements of other Counties and regardless of the distance requirement no method exists to notify everyone that thinks they should be notified. Mr. Klaas stated that he would like the notification requirement to be set at one thousand feet (1,000') maximum. Several Committee members concurred with Mr. Klaas, but felt that one thousand feet (1,000') was arbitrary.

Mr. Asselmeier will inform the Planning, Building and Zoning Committee of ZPAC's request.

17-30 Kendall County Planning, Building and Zoning Committee – Text Amendments to Section 3.02 (Definitions), Section 10.01.C.10 and Section 10.01.C.11 (Special Uses in the M-1 Limited Manufacturing District and M-2 Heavy Industrial District) of the Kendall County Zoning Ordinance By Extending the Expiration Deadline from January 1, 2018 to July 1, 2020 for the County's Medical Cannabis Related Regulations

Mr. Asselmeier provided a summary of this proposed text amendment. The proposal changes the expiration date only and does not change any other portion of the medical cannabis related zoning regulations. July 1, 2020 is the expiration date for the Compassionate Use of Medical Cannabis Pilot Program Act.

Mr. Klaas made a motion, seconded by Mr. Rybski, to forward the petition onto the Plan Commission with a favorable recommendation.

With a voice vote of all ayes, the motion passed. This matter will go before the Kendall County Regional Planning Commission on October 25th.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Petitions 17-16, 17-19, 17-21 and 17-22 were approved by the County Board.

OLD BUSINESS/NEW BUSINESS

Mr. Asselmeier presented a letter dated August 16, 2017 from Anna R. Kuperstein to Matt Asselmeier regarding the Sandwich Compressor at 6650 Sandy Bluff. The property has a special use permit for a pipeline. TransCanada is expanding their facility at that location. The letter argues that they should be exempt from local zoning regulations because of federal energy regulations. The Planning, Building and Zoning Committee and State's Attorney's Office concurred with this opinion; no amendment to the special use permit will be required for any work governed by the Federal Energy Regulatory Commission.

Mr. Asselmeier presented the fiscal year 2017-2018 meeting calendar.

Mr. Guritz made a motion, seconded by Mr. Clayton, to approve the meeting calendar. With a voice vote of all ayes the motion carried.

PUBLIC COMMENT

None

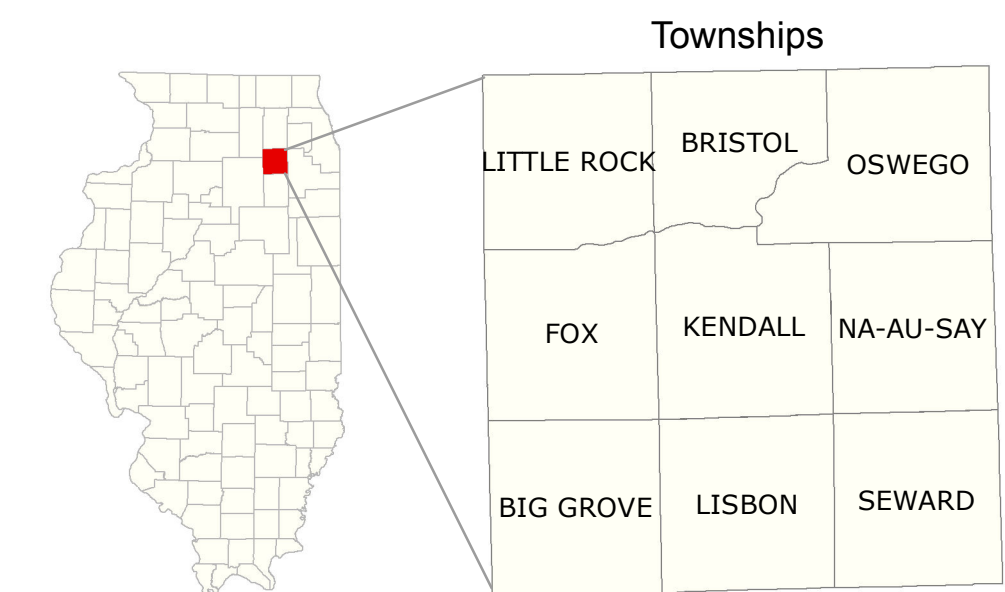
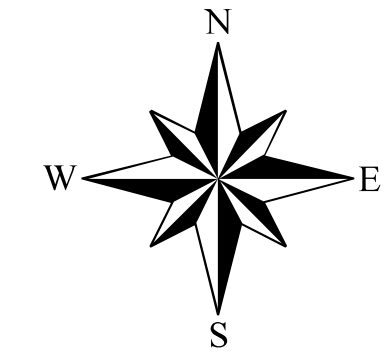
ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Klaas, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 10:08 a.m., adjourned.

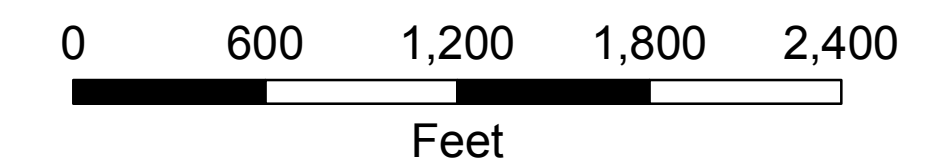
Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Buffer Scenario 500ft vs 2600 ft Oswego Twp KENDALL COUNTY - 2017 -

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

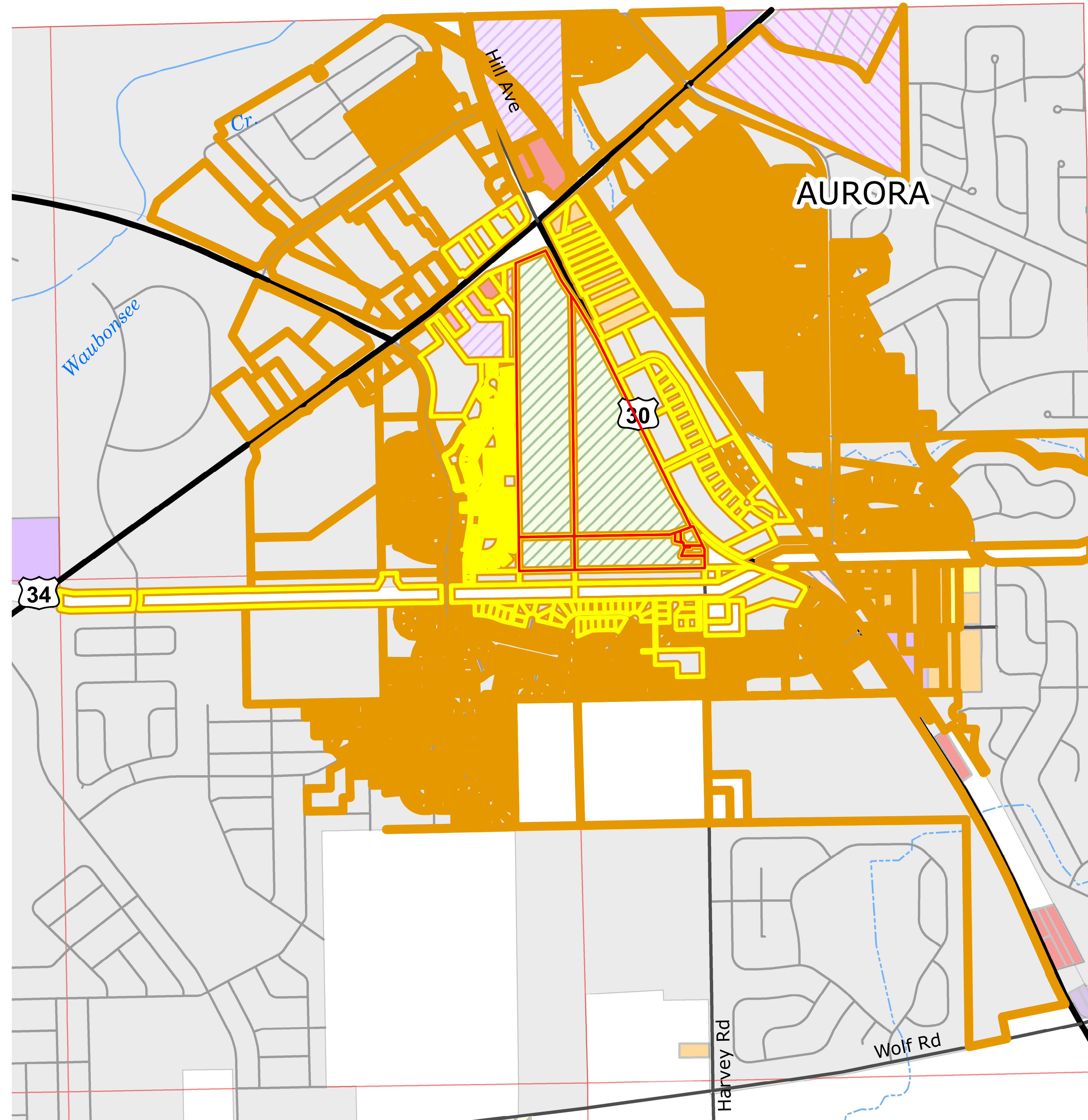


Scale: 1 in = 600 feet



Legend

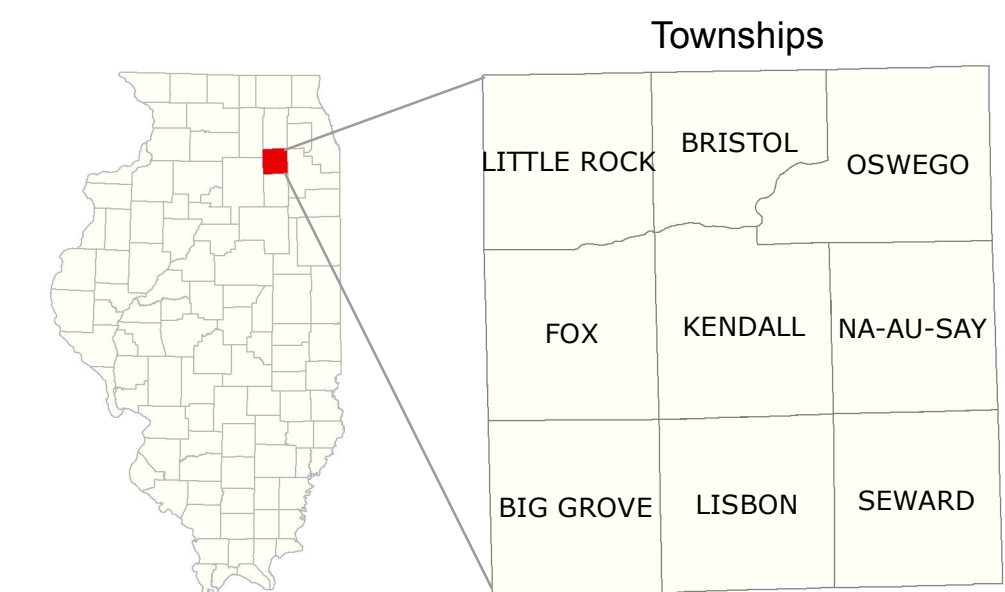
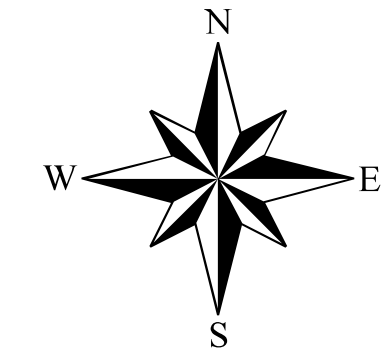
- 500 ft Buffer - 388 Parcels
- 2600 ft Buffer - 1892 Parcels
- Subject Property



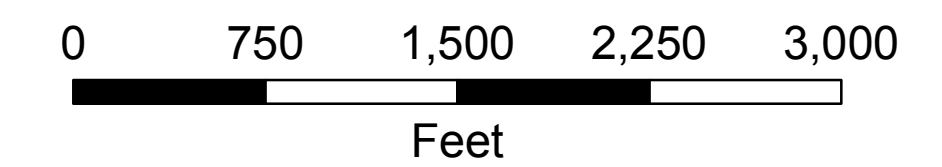
Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560-1498
630.553.4030

Buffer Scenario 500ft vs 2600 ft Oswego Twp KENDALL COUNTY - 2017 -

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

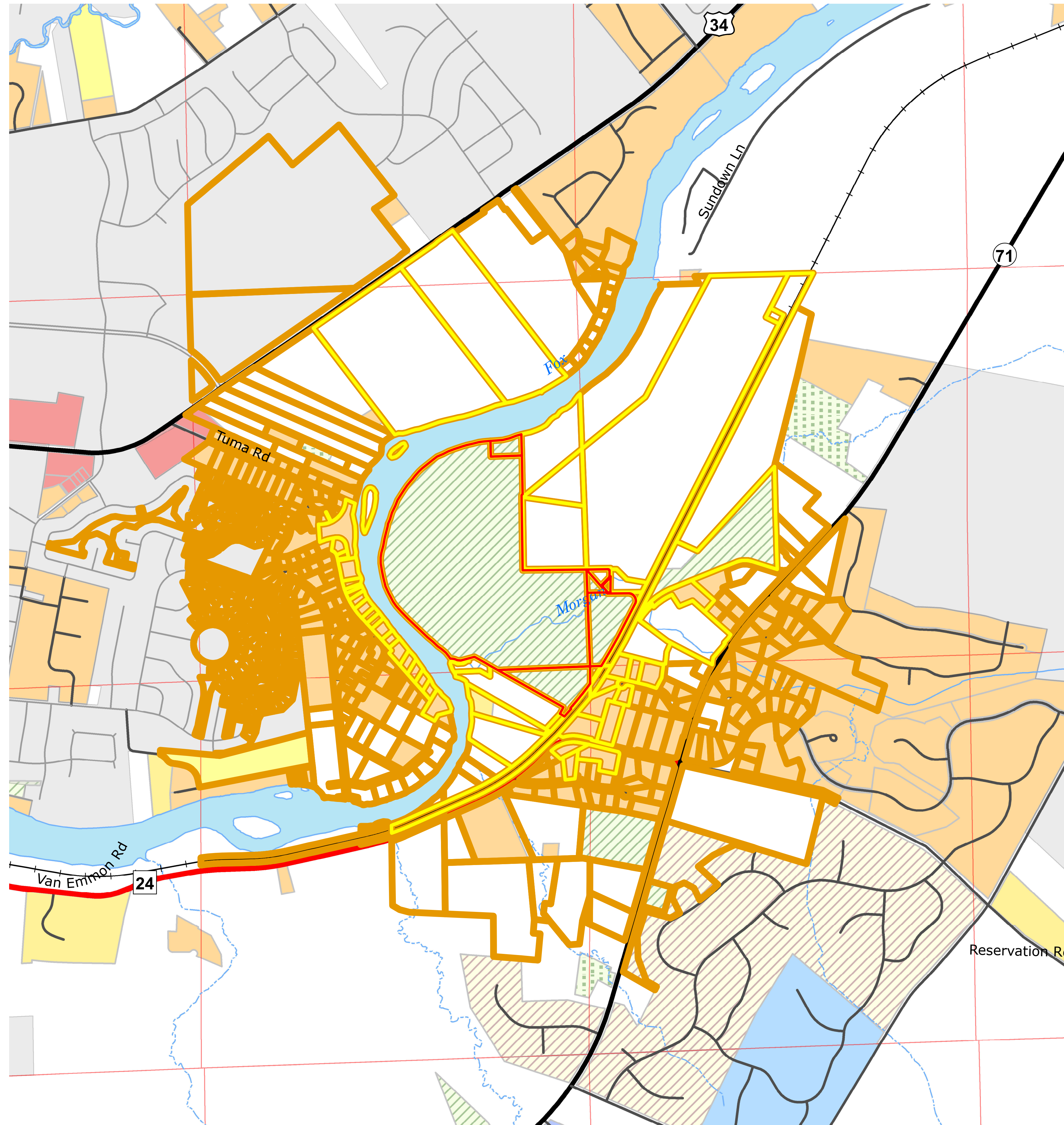


Scale: 1 in = 750 feet



Legend

- 500 ft Buffer - 59 Parcels
- 2600 ft Buffer - 533 Parcels
- Subject Property



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

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unapproved Meeting Minutes of October 25, 2017

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

ROLL CALL

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

Members Absent: None

Staff Present: Matthew H. Asselmeier, Senior Planner

In the Audience: Robert Davidson, Allison Hartman and Bob (?) Shooter at Knollwood Gun Club

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Mr. Shaw made a motion, seconded by Ms. Wilson, to approve the August 23, 2017 minutes. With a voice vote of all ayes, the motion carried.

PETITIONS

17-28 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request. The proposed regulations addressed berming, baffling, downrange safety area, the minimum acreage of the property, narrative description of the range use, role of range supervisors, regulation of range flags, hours of operation, fencing, the timing of the submittal of a lead management plan, distance from adjoining properties, restroom facilities, hearing and vision protection, insurance, access to public roads and noise.

Staff mailed this proposal to each existing outdoor gun range and all townships on September 25th. To date, no township or existing gun range has submitted comments. The existing outdoor gun ranges would be grandfathered and governed by their applicable special use permits or the regulations in place the date they commenced operations. No existing outdoor gun range complies with this proposed text amendment.

ZPAC unanimously recommended approval of this proposed text amendment.

The proposed regulations would not apply to properties owned by the Kendall County Forest Preserve or the State of Illinois on land used for parks.

Ms. Zubko asked if the berming regulations were the same as the National Rifle Association's standards. Mr. Asselmeier responded that the berming requirements were copied from McHenry County's regulations. Mr. Nelson asked how the Planning, Building and Zoning Committee knew that these standards were appropriate. Mr. Asselmeier stated that he did not know how McHenry County calculated their regulations.

Discussion occurred regarding the exclusion of property owned by the Kendall County Forest Preserve. The consensus of the Commission was that, if the Forest Preserve was required to follow local zoning regulations, the Forest Preserve should not receive special treatment.

The proposed regulations shall not apply to private property owners' shooting on their own property and not operating a gun range as a business.

Regarding letter a, the word "with" shall be added between the words "capacity" and "a". This was a typographical error.

Discussion occurred regarding the requirements that properties be a minimum forty (40) acres in size and that the firing line must be at least one thousand five hundred feet (1,500') from property lines. The Commission believed that very few properties would meet this requirement and that the proposed language would effectively prevent any outdoor gun range from opening in the unincorporated areas.

Ms. Zubko asked why the amendment was proposed. Mr. Asselmeier responded that the Planning, Building and Zoning Committee wanted to tighten outdoor gun range restrictions.

The Commission expressed concerns that the proposal contradicted the National Rifle Association Handbook.

Mr. Wormley expressed objections to the insurance requirement of Ten Million Dollars (\$10,000,000).

Discussion occurred regarding the downrange safety area. The Commission felt that finding an area that met that requirement would be difficult. The Commission also expressed concerns that new houses could be constructed in the safety area after a special use permit was issued.

Ms. Zubko agreed gun ranges should have direct access to a public road.

Allison Hartman, Chicago, asked that the regulations exempt existing ranges. The Commission said that the proposal shall not apply to existing gun ranges.

Bob (?), shooter at Knollwood Gun Club, asked that the Commission adopt the National Rifle Association Standards. The County's regulations already incorporate the National Rifle Association Standards.

Mr. Davidson said that the intention of the proposal was to address noise and safety issues.

Ms. Zubko made a motion to ask that the Kendall County Planning, Building and Zoning Committee reconsider these proposed text amendments with 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.

Commissioners also expressed a desire to have a joint meeting with the Planning, Building and Zoning Committee to resolve these concerns.

The motion was seconded by Mr. Shaw.

Yes – Ashton, Bledsoe, Casey, Nelson, Rodriguez, Shaw, Wilson, Wormley and Zubko (9)

No – None (0)

Absent – None (0)

The motion passed. This proposal will go to the Planning, Building and Zoning Committee on November 13, 2017 at 6:30 p.m.

17-30 Kendall County Planning, Building and Zoning

Mr. Asselmeier summarized the request. The proposal changes the expiration date only and does not change any other portion of the medical cannabis related zoning regulations. July 1, 2020 is the expiration date for the Compassionate Use of Medical Cannabis Pilot Program Act.

This proposal was mailed to each township on September 25th. To date, no response or comments have been received.

ZPAC unanimously recommended approval of the request.

Mr. Nelson asked, if the County did not have these regulations, could the medical cannabis facilities go anywhere. Mr. Asselmeier stated that Mr. Nelson was correct.

There have been no requests for these types of uses in the County.

Ms. Zubko made a motion to recommend approval of the text amendment as proposed, seconded by Mr. Nelson.

Yes – Ashton, Bledsoe, Casey, Nelson, Rodriguez, Shaw, Wilson, Wormley and Zubko (9)

No – None (0)

Absent – None (0)

The motion passed. This proposal will go to the Zoning Board of Appeals on October 30, 2017 at 7:00 p.m.

OLD BUSINESS

Land Resource Management Plan Amendments for Properties Along Route 47 in Kendall and Lisbon Townships

Mr. Asselmeier read his memo on the subject, presented the draft maps discussed the timeline for the amendment and presented a draft agenda for a meeting in Lisbon Township.

Discussion occurred about studying the entire Route 47 corridor from Yorkville to the Grundy County Line.

Mr. Nelson would like greater examination of specific intersections along the corridor.

Chairman Ashton suggested showing mixed use business along Route 52 for half (1/2) mile east of the intersection of Route 47.

Discussion occurred regarding improvements to Sherrill and Brisbin Roads.

Commissioners requested data from the Illinois Department of Transportation, the Kendall County Highway Department, Economic Development Committee, Grundy County and Morris.

Ms. Zubko made a motion to continue this matter to the November meeting, seconded by Mr. Shaw. With a voice vote of all ayes the motion carried.

NEW BUSINESS

Approval to Initiate Text Amendments to Section 3.02 and Section 13.09 of the Kendall County Zoning Ordinance Pertaining to Code Hearing Unit Regulations

Mr. Asselmeier read his memo on the subject. He explained that the Planning, Building and Zoning Committee was considering whether or not this proposal should be included in the Zoning Ordinance.

Discussion occurred about the number of cases sent to the State's Attorney's Office. Mr. Asselmeier will research that information and provide it to the Commission at the November meeting.

Ms. Zubko made a motion to continue this matter to the November meeting, seconded by Mr. Shaw. With a voice vote of all ayes the motion carried.

Correspondence-August 16, 2017 Letter from Anna R. Kuperstein to Matthew Asselmeier RE: Sandwich Compressor (ANR Pipeline and Special Use Permit at 6650 Sandy Bluff Road (Ordinance 2002-06))

Mr. Asselmeier presented a letter dated August 16, 2017 from Anna R. Kuperstein to Matt Asselmeier regarding the Sandwich Compressor at 6650 Sandy Bluff. The property has a special use permit for a pipeline. TransCanada is expanding their facility at that location. The letter argues that they should be exempt from local zoning regulations because of federal energy regulations. The Planning, Building and Zoning Committee and State's Attorney's Office concurred with this opinion; no amendment to the special use permit will be required for any work governed by the Federal Energy Regulatory Commission.

Approval of Fiscal Year 2017-2018 Meeting Calendar

Mr. Asselmeier presented the meeting calendar. The November meeting date is the Wednesday after Thanksgiving.

Mr. Wormley made a motion to approve the fiscal year 2017-2018 meeting calendar, seconded by Ms. Zubko. With a voice vote of all ayes the motion carried.

Recommendation of Ad-Hoc Zoning Ordinance Committee Members

Mr. Asselmeier explained that Chairman Gryder would like input from the Commission on members for the Ad-Hoc Zoning Ordinance Committee.

Mr. Nelson provided a history of the Committee. The Committee was created to update and implement the Land Resource Management Plan and to conduct zoning regulation related research. Membership included representatives from the Planning Commission, Zoning Board of Appeals, Soil and Water Conservation District, County Board, Planning, Building and Zoning Committee and past County Board Chairman, among

other people.

The consensus of the Commission was that Chairman Gryder should choose which Planning Commission members should serve on the Ad-Hoc Zoning Ordinance Committee.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petitions 17-16, 17-19, 17-21 and 17-22 were approved by the County Board.

OTHER BUSINESS/ANNOUNCEMENTS

Ms. Wilson expressed concerns regarding the Forest Preserve Business awarding agricultural related work without a bid. The consensus was that Ms. Wilson should investigate this matter as a concerned citizen.

Discussion occurred regarding a bridge over Aux Sable Creek owned by Mark Antos. Ms. Zubko suggested that Mr. Asselmeier should check his files for a history of this project.

Discussion occurred regarding another stormwater violation on Wildy Road; the address was not given. Mr. Asselmeier will investigate the matter.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

ADJOURNMENT

Ms. Wilson made a motion, seconded by Ms. Zubko, to adjourn. With a voice vote of all ayes, the motion carried. The Kendall County Regional Plan Commission meeting adjourned at 9:16 p.m.

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

ORDINANCE # 2017-_____

**TEXT AMENDMENTS TO SECTIONS 3.02, 10.01.C.10 AND 10.01.C.11 OF THE
KENDALL COUNTY ZONING ORDINANCE TO EXTEND THE EXPIRATION
DEADLINE FROM JANUARY 1, 2018 TO JULY 1, 2020 FOR KENDALL
COUNTY'S MEDICAL CANNABIS DISPENSING ORGANIZATIONS AND
MEDICAL CANNABIS CULTIVATION CENTERS RELATED ZONING
REGULATIONS**

WHEREAS, the Illinois General Assembly enacted the Compassionate Use of Medical Cannabis Pilot Program Act, P.A. 98-122 (eff. January 1, 2014), 410 ILCS 130/1 et seq. ("Act"), which allows for and regulates the cultivation, sale, distribution, and use of cannabis for medicinal purposes, and contained a repeal date of January 1, 2018; and,

WHEREAS, the Illinois General Assembly amended the Act by changing the repeal date to July 1, 2020 through P.A. 99-519 (eff. June 30, 2016); and,

WHEREAS, Section 140 of the Act grants a unit of local government the authority to enact reasonable zoning ordinances or resolutions regulating registered medical cannabis cultivation centers and medical cannabis dispensing organizations; and,

WHEREAS, pursuant to the authority provided in 410 ILCS 130/140, Kendall County, a unit of local government, amended Sections 3.02 and 10.01.C of the Kendall County Zoning Ordinance ("Zoning Ordinance") to regulate medical cannabis cultivation centers through Ordinance 2014-28 (adopted September 16, 2014), in the unincorporated areas of Kendall County, to protect the health, safety, and welfare of the community; and

WHEREAS, pursuant to the authority provided in 410 ILCS 130/140, Kendall County, a unit of local government, amended Sections 3.02 and 10.01.C of the "Zoning Ordinance" to regulate medical cannabis dispensing organizations through Ordinance 2014-31 (adopted November 18, 2014), in the unincorporated areas of Kendall County, to protect the health, safety, and welfare of the community; and

WHEREAS, the Kendall County Board originally desired to automatically repeal Ordinance 2014-28 and Ordinance 2014-31 on January 1, 2018; and

WHEREAS, the Kendall County Board now desires to automatically repeal Ordinances 2014-28 and Ordinance 2014-31 concurrently with the repeal of the Act, on July 1, 2020; and

WHEREAS, all administrative procedures required prior to passing amendments to the

Kendall County Zoning Ordinance have been followed, including holding a public hearing, before the Kendall County Zoning Board of Appeals, which occurred on October 30, 2017; and

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 3.02- “Definitions”, 10.01.C.10 & 10.01.C.11 “M-1 & M-2 Manufacturing District- Special Uses” of the Kendall County Zoning Ordinance as provided:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: All references to a repeal date of January 1, 2018 are deleted and replaced with a repeal date of July 1, 2020.
- III. All references to a repeal date of January 1, 2018 found within Ordinance 2014-28 are deleted and replaced with a repeal date of July 1, 2020.
- IV. All references to a repeal date of January 1, 2018 found within Ordinance 2014-31 are deleted and replaced with a repeal date of July 1, 2020.
- V. All of the provisions and regulations contained within Ordinances 2014-28 and Ordinance 2014-31 shall remain effective until July 1, 2020 at which time both Ordinances shall be automatically repealed.

IN WITNESS OF, this amendment to the Zoning Ordinance has been enacted by a majority vote of the Kendall County Board this 19th day of December, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

PUBLIC MEETING NOTICE
KENDALL COUNTY
****KENDALL COUNTY PLANNING, BUILDING AND ZONING COMMITTEE****

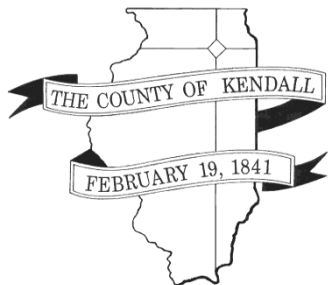
Notice is hereby given that the Kendall County Planning, Building and Zoning Committee will hold a Special Meeting on **January XX, 2018, at X:XX X.m.** in the County Board Room (Rooms 209 & 210) located in the Kendall County Office Building, 111 W. Fox Street, Yorkville, IL. The purpose of this meeting is to discuss and make amendments to Petition 17-28 regarding proposed changes to Kendall County's outdoor shooting and target practice zoning regulations.

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

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

ROBERT DAVIDSON, CHAIRMAN

KENDALL COUNTY PLANNING, BUILDING AND ZONING COMMITTEE



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

Day, January XX, 2018 – X:XX X.m.

CALL TO ORDER:

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

APPROVAL OF AGENDA:

PUBLIC COMMENT:

PETITIONS:

1. **17-28**

Request:

Kendall County Planning, Building and Zoning Committee

Text Amendments to Sections 7.01.D.32 (Specials Uses in A-1 Agricultural District), 7.01.D.33 (Special Uses in A-1 Agricultural District) and 10.03.B.4 (Special Uses in M-3 Aggregate Materials Extraction, Processing and Site Reclamation District) of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

Purpose:

Amendments to Regulations of Outdoor Target Practice or Shooting Ranges for Non-Profit and For-Profit Shooting Ranges

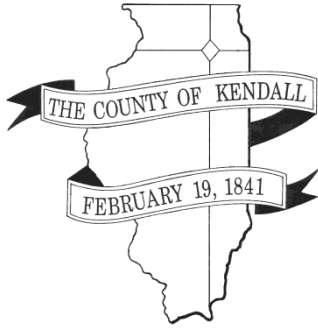
Committee May Approve Amendments to the Petition

PUBLIC COMMENT:

COMMENTS FROM THE PRESS:

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.



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: December 6, 2017
Re: Code Hearing Unit

At the November 29th meeting of the Kendall County Regional Planning Commission, the Commission wondered if the County intended to use the Code Hearing Unit on a more frequent basis.

If the County desires to use the Code Hearing Unit on a more frequent basis, the definition of the term "code" would require amendment.

55 ILCS 5/5-41005 defines "code" as follows:

"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; sanitation practices; or zoning.

A copy of the existing Code Hearing Unit regulations is attached. This regulation is not part of the Zoning Ordinance; therefore, the County Board could amend this regulation by recommendation of the PBZ Committee.

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

MHA

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;

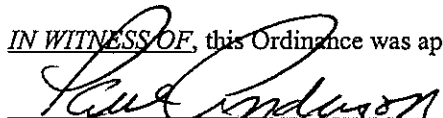
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

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.

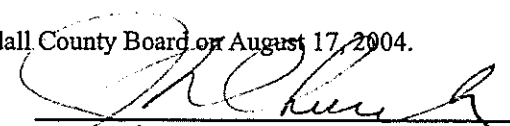
SECTION TWO: The Kendall County Code is hereby amended to create a Code Hearing Unit, as set forth in Exhibit "A" attached hereto.

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.

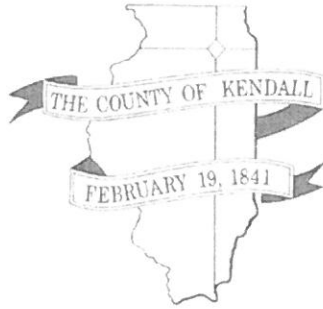
The findings, decision and order of the Hearing Officer shall be subject to review in the Circuit Court of the County. The Administrative Review Law and the rules adopted pursuant thereto shall apply to and govern every action for the judicial review of the final findings, decision and order of the Hearing 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 ENFORCEMENT INVESTIGATION REPORT
DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Violation #	Date
08/03/2017	
Address of Violation: 18 Ridge Field Road	
City & Zip: Montgomery IL 60538	
Subdivision: Boulder Hill	Unit 25 Lot 57
Parcel Number: 03-09-152-021	Zoning: R6
Owner or Tenant: Jayson Greenslade	
Description of Complaint: Trailer parked in Front Yard/Driveway	
Complainant's Name: [REDACTED] Contact Info: [REDACTED]	
Inspector MG	Date 8/9/17
Field Notes Trailer Parked in Front Yard	
Photos Taken?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Section of Applicable Code	
Violation and Enforcement Letter	
Re-Inspection Date	

Kendall County Planning, Building and Zoning

(630) 553-4141

08/14/2017

GREENSLADE JAYSON
18 RIDGEFIELD RD
MONTGOMERY, IL 60538

Violation # 17045

Parcel # 03-09-152-021
18 RIDGEFIELD RD
MONTGOMERY, IL 60538 -

It is often easy in our busy schedule to overlook the condition of our property. We sometimes do not even realize that an ordinance requiring safety procedures may be in effect.

In an effort to prevent problems, your County Board Members have passed ordinances which require certain procedures to be followed in an effort to protect the well being and health of the citizens of Kendall County. An inspection of your property conducted as of this date revealed the following violation:

PROHIBITED PARKING OF TRAILER IN FRONT YARD VIOLATION OF 11.05 ZONING ORDINANCE

Since most residents are not aware of such code violations, the County allows the property owner a fourteen (14) day period in which to correct this situation. Please contact our office by Monday, August 28, 2017.

Kendall County can only continue to prosper through its citizen's positive attitude towards home, neighborhood, and community. Your prompt attention and cooperation in this matter would be appreciated. Should you have any questions, please contact this office at the above number.

If said violation is not corrected, this matter will be forwarded to the Kendall County States Attorney's Office for prosecution and the possible imposition of fines.

Sincerely,



Code Compliance Officer

Kendall County Planning, Building and Zoning

(630) 553-4141

08/31/2017

GREENSLADE JAYSON
18 RIDGEFIELD RD
MONTGOMERY, IL 60538

Violation # 17045

Parcel # 03-09-152-021

18 RIDGEFIELD RD
MONTGOMERY, IL 60538 -

The attached letter was sent to you recently. As of today's date, the following violation still exists:

**PROHIBITED PARKING OF TRAILER IN FRONT YARD
VIOLATION OF 11.05 ZONING ORDINANCE**

Failure to correct this violation will require us to refer this violation to the Kendall County States Attorney's Office for the appropriate legal action. Please contact our office on or before Sunday, September 10, 2017.

Sincerely,



Code Compliance Officer

Kendall County Planning, Building and Zoning**Request For Compliance****Violation #****17045****REQUEST DATE: 08/14/2017****Parcel #****03-09-152-021**

PROPERTY INFORMATION18 RIDGEFIELD RD
MONTGOMERY, IL 60538 -

MAILING INFORMATIONGREENSLADE JAYSON
18 RIDGEFIELD RD
MONTGOMERY, IL 60538

VIOLATION DESCRIPTION

Prohibited Parking of Trailer in Front Yard

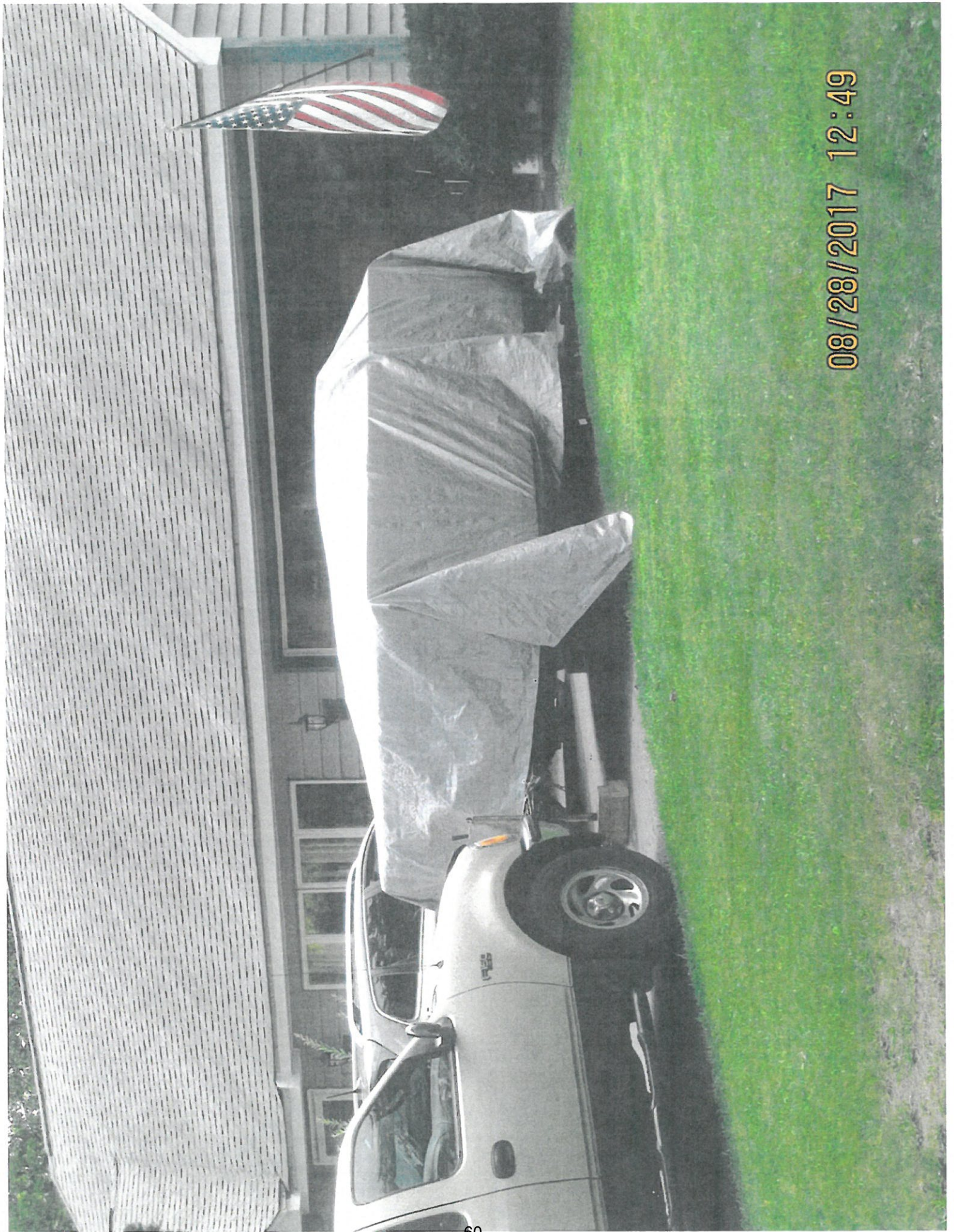
Date of First Inspection: 8/9/2017 **Red Tag Issued?** N**First Inspector:** BH **Red Tag Date:****Picture Taken?** Y **Complainant:** 

COMMENTS

8/14/17 - 1st letter sent

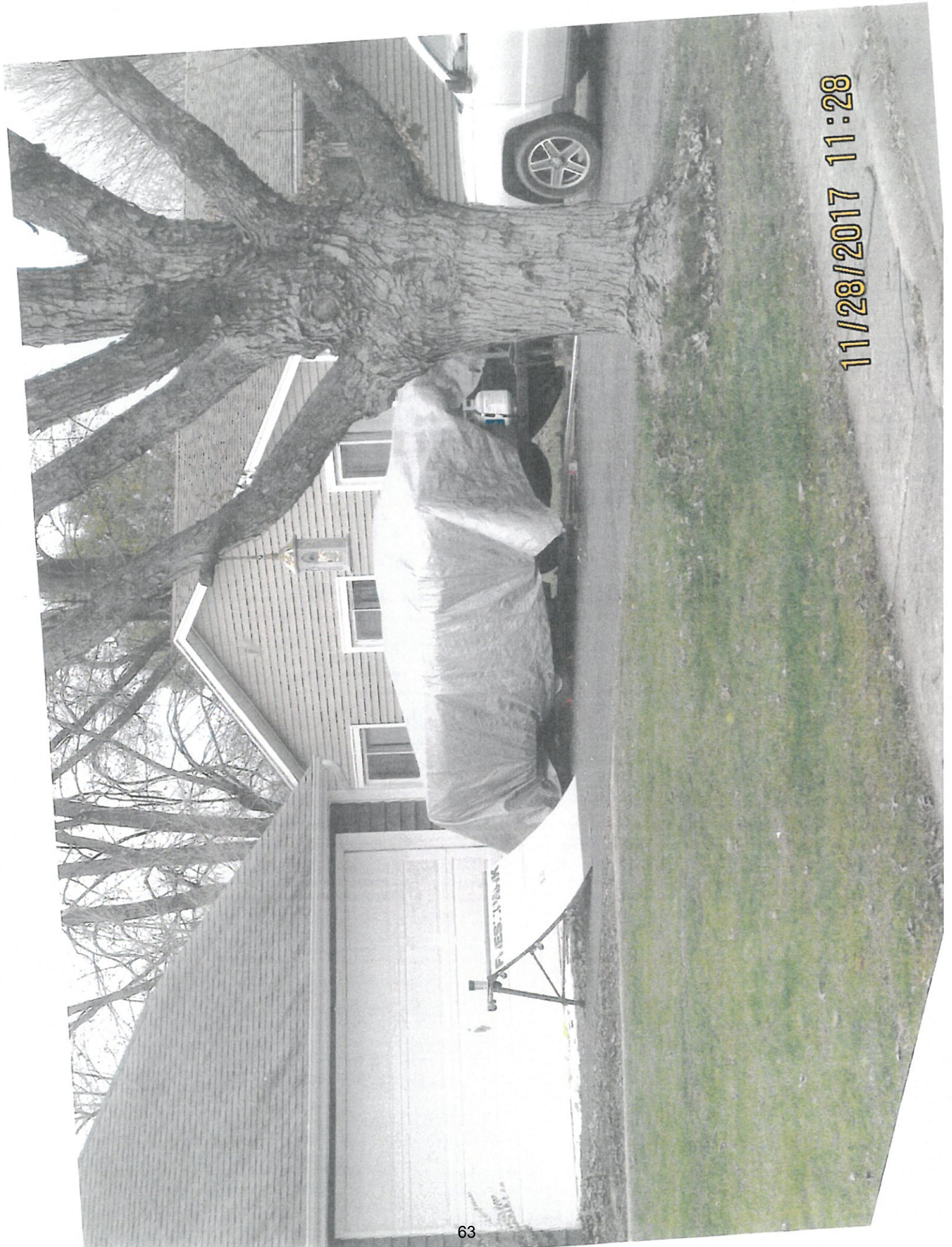


08/09/2017 14:00









SECTION 11.00 OFF-STREET PARKING AND LOADING

Updated on 3.20.12

Theatres - Automobile Drive-In	Reservoir parking space equal to ten percent (10%) of the vehicle capacity of such theatres shall be provided.
Airports or aircraft landing field Heliports Convents and monasteries Crematories and mausoleums Fraternal institutions Outdoor amusement establishments - fairgrounds, permanent carnivals, kiddy parks and other similar amusement centers Municipal or privately owned recreation buildings, community centers, club houses, or other recreational uses such as ball fields or golf courses Penal and correctional institutions Rectories and parish houses Swimming pools	Parking spaces shall be provided in adequate number as determined by the Regional Plan Commission and approved by the County Board to serve persons employed or residing on the premises as well as the visiting public

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

11.05 PARKING AND STORAGE OF RECREATIONAL VEHICLES, RECREATIONAL TRAILERS, TRAILERS AND MOBILE HOMES. (Amended 7/18/2006)

- A. Storage of Unoccupied Recreational Vehicles, Trailers and Mobile Homes (Amended 7/18/2006)
1. Unoccupied recreational vehicles, trailers and their contents may be located on lots in any district provided they comply with the following regulations:
 - a. The number of recreational vehicles and trailers on a lot shall not be restricted when such recreational vehicles or trailers are located within the interior of a permitted structure or when fully screened from adjacent property. Screening shall consist of permitted solid fencing, structures, or evergreen landscaping such that the vehicle does not exceed the height of the permitted screening and so that the vehicle is not directly visible from adjacent properties when viewed at ground level.

- b. Recreational vehicles trailers and their contents not stored within a permitted structure shall comply with the following parking requirements:
 - i. Except for the A-1, R-1, R-2 and R-3 districts, unless otherwise permitted in Section 11.02, such vehicles shall be parked on a hard surfaced all weather pad constructed of concrete, asphalt, brick or stone pavers or comparable material.
 - ii. Recreational vehicles, trailers and their contents may not encroach into a required front or corner side yard setback, shall not block any portion of a sidewalk or trail and shall not be parked or stored in a way that obstructs the visibility of oncoming traffic so as to create a safety hazard.
 - iii. Recreational vehicles may be stored or parked within a required rear or interior side yard setback.

Exception: An owner of a recreational vehicle located on property in the R-4, R-5, R-6 or R-7 Residential District which cannot comply with the front yard setback provisions of Section 4.08.A.1.b.ii above as of June 20, 2006 and that has registered said vehicle with the Kendall County Planning Building and Zoning Department, may be permitted to store such vehicle within the front yard setback provided said encroachment does not obstruct the required sight distance triangle, in the case of a corner lot, or create an obstruction so as to compromise the safety of pedestrians or other vehicles operating within the road right-of-way (R.O.W.) Said exemption shall apply to the original recreational vehicle registered and any replacement of said recreational vehicle.

This exception shall be non-transferable to any subsequent owner(s) or occupants of the property and shall terminate upon either the sale of the property or change in occupancy of the dwelling unit should the owners chose to maintain it as a rental property.

Owners shall be required to register their properties with the Planning, Building and Zoning Department on a form approved by the Department prior to December 29, 2006. In addition, the owner shall supply a copy of the plat of survey indicating the approved location for the storage of the vehicle and shall be required to pay a one time registration fee of \$75.00. The Planning Building and Zoning Department shall keep a copy of the registration form and approved parking plan on file. Upon sale of the property, the owner shall be required to notify the Planning, Building and Zoning Department in writing and shall note in the file that the exemption has been terminated.

- c. When recreational vehicles or trailers and their contents are not fully screened from adjacent properties, the maximum number of unscreened recreational vehicles or trailers permitted to be parked or stored on a zoning lot shall be in accordance with the following table:

SECTION 11.00 OFF-STREET PARKING AND LOADING

Updated on 3.20.12

Zoning	Permitted RV's or Trailers
Agriculture	Unlimited, provided such recreational vehicles or trailers are for use by the property owner or tenant
R1, R2, R3	2, provided such recreational vehicles or trailers are for use by the property owner or tenant
All other residential districts	1 provided such recreational vehicles or trailers are for use by the property owner or tenant
Commercial or Industrial Districts	No restriction on trailers, recreational vehicles provided they are part of a permitted trailer storage or sales business.

(Amended 7/18/2006)

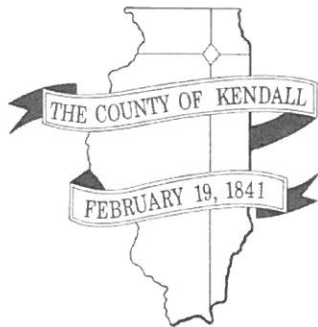
2. Exception: The number of unscreened recreational vehicles, trailers and their contents parked or stored on a lot in a residential district may exceed the number presented in the table above only under the following circumstances:

- a) For purposes of conducting maintenance on, or the loading and unloading of a recreational vehicle or trailer in preparation for a trip or similar recreational use provided the duration does not exceed 72 hours within a one week period.
- b) When a visiting guest or relative of the property owner is in possession of a recreational vehicle. The time period during which the recreational vehicle may be parked or stored on the lot shall be limited to 14 consecutive days within a one year period or 21 days (non-consecutive) within a one year period unless otherwise approved in writing by the Zoning Administrator.

3. Unoccupied mobile homes can be stored only in commercial and industrial districts and only as part of a permitted trailer storage or sales business. (Amended 7/18/2006)

B. Occupied Recreational Trailers and Mobile Homes (Amended 2/16/2010)

1. Except as provided in Section 4.08.B herein, occupied recreational trailers and mobile homes may be located in "recreational camps" and subject to the standards and conditions of a special use permit. (Amended 2/16/2010)
2. Occupied recreational trailers and mobile homes may be located in residential districts only if:



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: December 6, 2017
Re: Discussion of Special Use Renewal Procedure

Of the approximately two hundred (200) special use permits issued by Kendall County, twenty-seven (27) require some form of review. This review ranges from inspections to review to renewals.

The attached spreadsheet lists every special use permit that requires some form of review. The uses listed in bold and in red require formal renewal.

The Zoning Ordinance does specifically identify the process for renewing a special use permit. This issue raises several questions including:

1. Do special use permits automatically expire if they are not renewed?
2. Do special use permit renewals require the same process and the same fee (\$1,155) as new special use permits?

Staff requests guidance as to how the Committee would like the Department to proceed on special use permit renewals.

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

MHA

ENC: Special Use Spreadsheet

Zoning	Ord #	Precious Ord	Address	Special Use Description	Check Frequency	Check Reason	Last Check
B5-SU	15-02	13-22385	71 Boulder Hill Pass	River's Edge Fellowship Only	Annually	Same Tenant	8/4/2017
A1-SU	15-16	97-06	3485 Route 126	DK Truck and Tractor Only	Annually	Same Owner	8/4/2017
B5-SU	15-15		Boulder Hill Pass	Strong Tower of Refuge Ministry Only	Annually	Same Tenant	8/4/2017
A1-SU	14-04		1270 E. Beecher Road	Green Organics	Petition For Renewal 7/1/2023	Renew	Check in July 2023
B5-SU	12-10		71 Boulder Hill Pass	Yarn Foundation, Inc.	Annually	Same Tenant	8/4/2017
R3-SU	09-25		7275 Route 34	Retail Gift Shop	Annually	Inspection	8/28/2017
A1-SU	09-24	13-22349	1072 Tyler Road	Ag Housing	Annually	Occupancy Form/Letter	10/13/2017
A1-SU	09-38	13-22355	6139 Caton Farm Road	Implement Sales and Service Motor Repair	Annually	Review	8/28/2017
A1-SU	05-28	2005	Bell Road in Minnoka	Athletic Park	Annually	Retention of Pilot's License	8/28/2017
A1-SU	05-52	2005	12624 McAnna Road	Airstrip	Annually	Review	8/17/2017
A1-SU	04-04		1701 Little Rock Road	Boy Scout Camp	Every Three Years	Renew	Check in 2019
M2-SU	04-43		Billboard at Helenricher and 34	Billboard	Renew Every Three Years	Renew	7/1
M2-SU	17-14	Portion of 04-43	Billboard at Helenricher and 34	Billboard	Renew Every Two Years	Renew	Check in 2019
A1-SU	02-26		3428 Roth Road	Occupancy Letter for Groomsman	Annually	Occupancy Form/Letter	10/07/2017
A1-SU	02-16		3478 Route 52	Occupancy Letter for Groomsman	Annually	Occupancy Form/Letter	10/07/2017
A1-SU	00-30		14270 Fennel Road	Auto Truck and Tractor Repair	Annually	Same Owner	8/4/2017
M3-SU	00-25		1250 E. Beecher Road	Asphalt Production	Every Five Years (Due in 2019)	Review	Check in 2019
A1-SU	98-31	99-17	14313 Route 52	Watchman's Quarters	Annually	Review	11/30/2017
A1-SU	99-35	96-15	14525 Route 71	Truck Driving School	Every Two Years (Due in 2018)	Review	Check in 2018
A1-SU	88-01		14005 Joliet Road	Dog Kennel	Review Every Five Years (Due in 2018)	Review	Check in 2018
A1-SU	87-25		1626 Route 31	Church Camp	Annually (Must Maintain Similar Mission as LDS Camp)	Review	8/10/2017
A1-SU	84-09		2175 Collins Road	Dog Boarding	Review in 2019	Review	Check in 2019
A1-SU	82-02		15331 Burr Oak Road	Swimming Classes	Annually	Renewal (By County Board or County Committee)	Check in December
A1-SU	77-05		10017 Lisbon Road	Implement Repair and Service	Inspect Annually	Inspection	11/28/2017
A1-SU	73-09		15625 Burr Oak Road	Commercial Broadcast Station and Radio Tower	Review in 2019	Review	Check in 2019
R3-SU	72-15		43 West Street Bristol	Day Nursery School	Review in 2018	Review	Check in 2018
A1-SU	72-08		Corner of Beecher and E. Beecher	Gravel Mining	Annually	Inspect and Renew	10/17/2017
	72-08		02-07-200-013				
	72-08		02-06-400-005				
	72-08		02-06-400-006 (Green Buffer)				
	72-08		02-07-200-015				
	72-08		02-07-200-008 (Comply with Road District Commissioner)				
	72-08		02-08-100-007 (Green Buffer and Comply with Road District Commissioner)				
	72-08		02-08-100-005 (Comply with Road District Commissioner)				
	72-08		02-08-300-015 (Comply with Road District Commissioner)				
	72-08		02-08-300-014 (Comply with Road District Commissioner)				
	72-08		02-08-300-008 (Green Buffer)				
	72-08		02-08-300-012 (Green Buffer)				
	72-08		02-08-300-011 (Green Buffer)				

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 [brogerson@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

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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,



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>	
---	--

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.

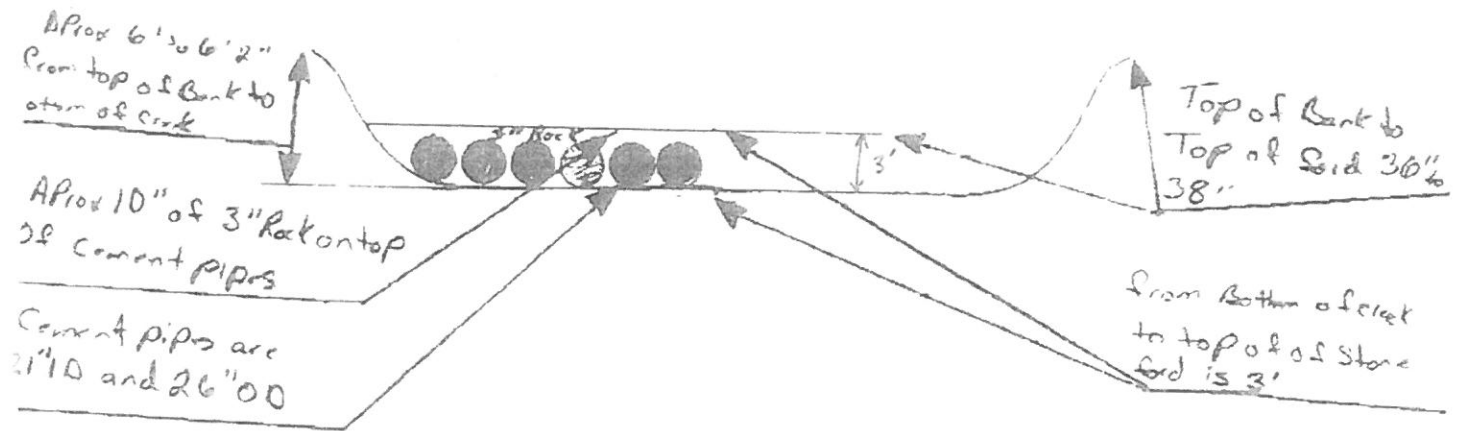
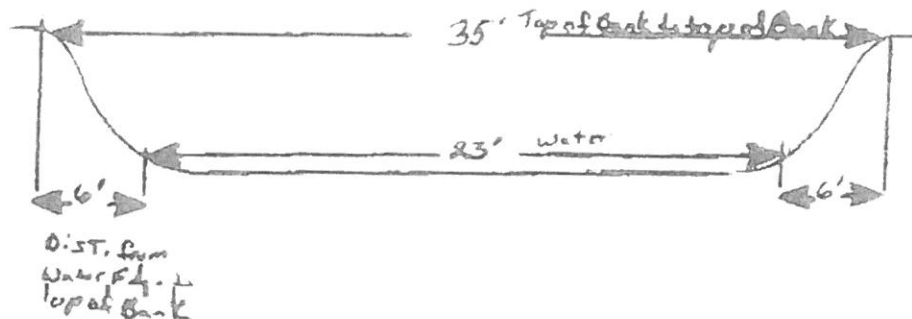
NOTE: This culvert crossing is intended to serve as a temporary access. The applicant has informed me that they will apply for permit to construct a bridge crossing in approximately 1 year.

BT
7/22/98

Attn: Scott Arons Water Dept

Mark & Elyse Antos

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






PERMITTED
PLAN

RECEIVED
OFFICE OF WATER RESOURCES
SPRINGFIELD, ILLINOIS

RECEIVED JUL 16 1998 DRV

AS _____
PGMD _____ PI _____
PLNG _____ ENR [signature]

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>  A/C <u>eeper</u>			5. Name, address, and title of authorized agent Telephone no. during business hours <u>A/C</u> () _____ 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. <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 </div> <div style="width: 50%;"> Legal Description: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <u>NE</u> 1/4 <u>9</u> Sec. <u>35</u> Twp. <u>8E</u> Rge. <u>3rd</u> P.M. </div> <u>Minooka</u> Name of Local Governing Community <u>IL</u> State <u>60447</u> Zip Code </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,

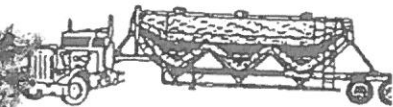
Elyse Antos

Page 3 of 5



ANTOS & SONS TRUCKING, INC.

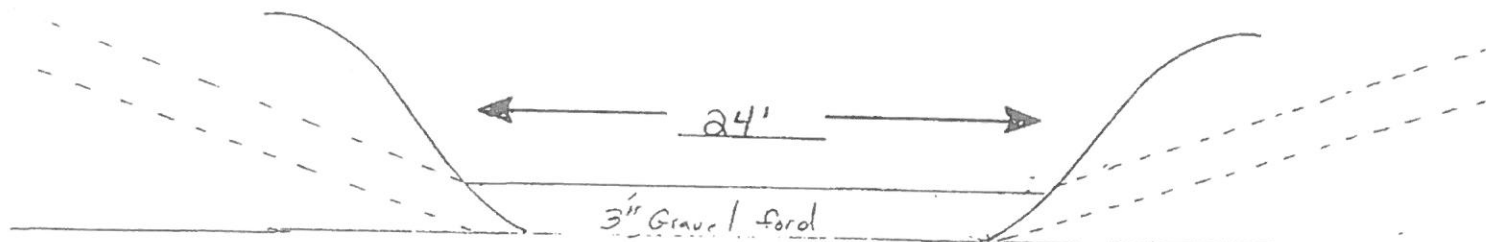
Pager
Phone
Fax



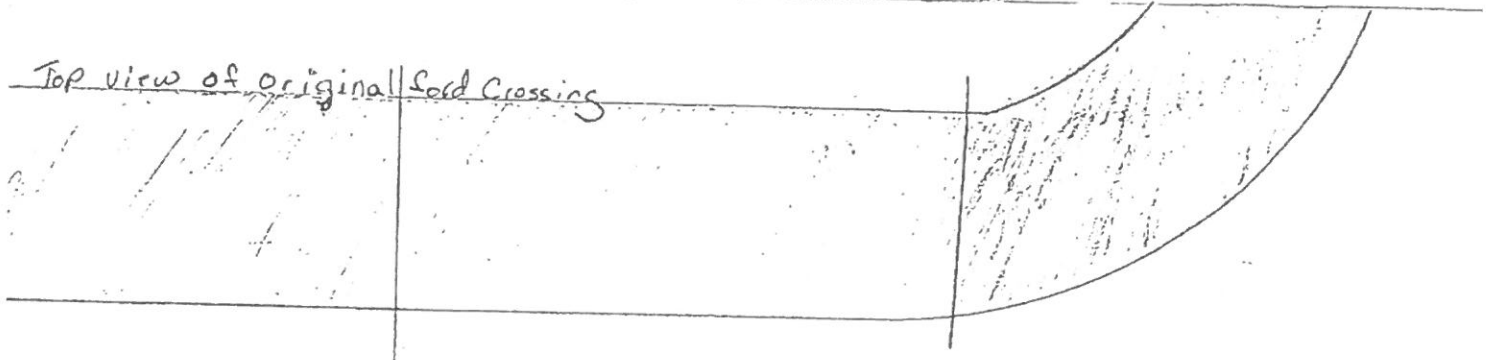
5/27/98

TEMPORARY
BRIDGE
12' x 12' x 12'

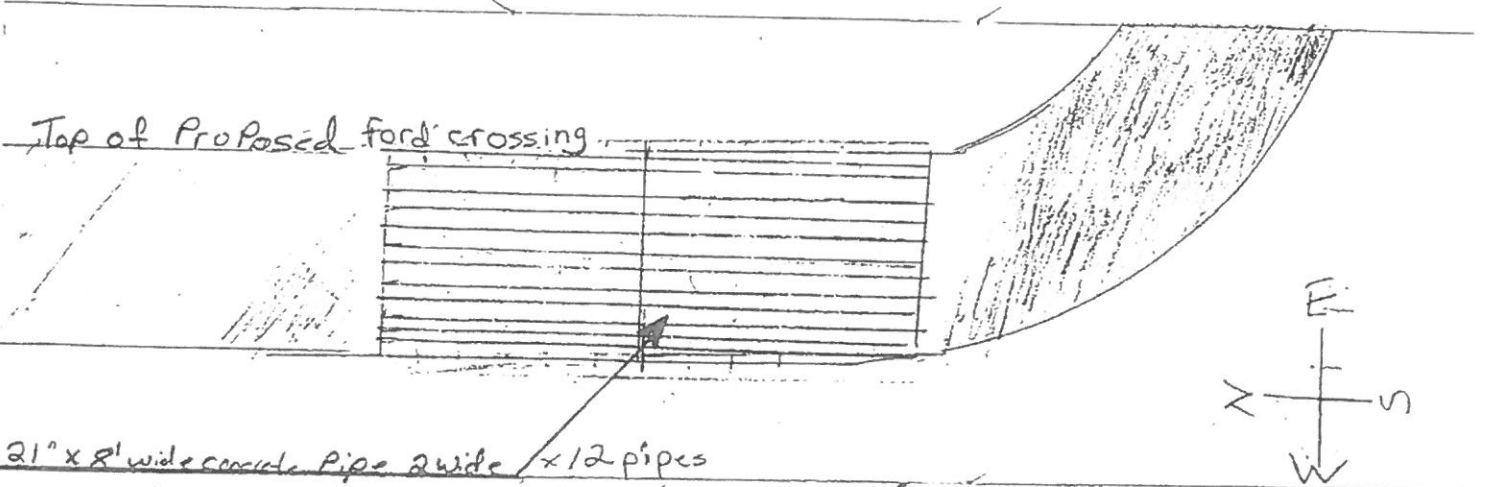
Original Farm Implement and Tractor crossing
original ford crossing grade shown on survey File NO. 8159
Top of ford crossing in Survey 573.40



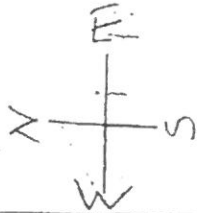
Top view of original ford crossing



Top of Proposed ford crossing



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

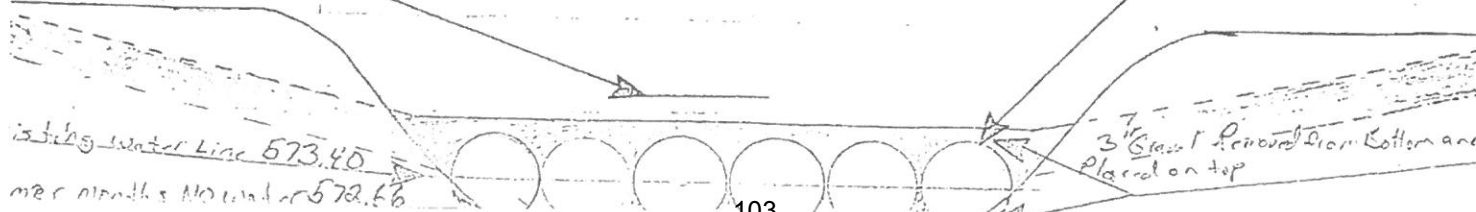


INLET TARMAC
18 sets / BARREL
108 sets AT OVER TOP

1 to 4" Above gravel
by Springs Pains

574.50

21" ID concrete pipes



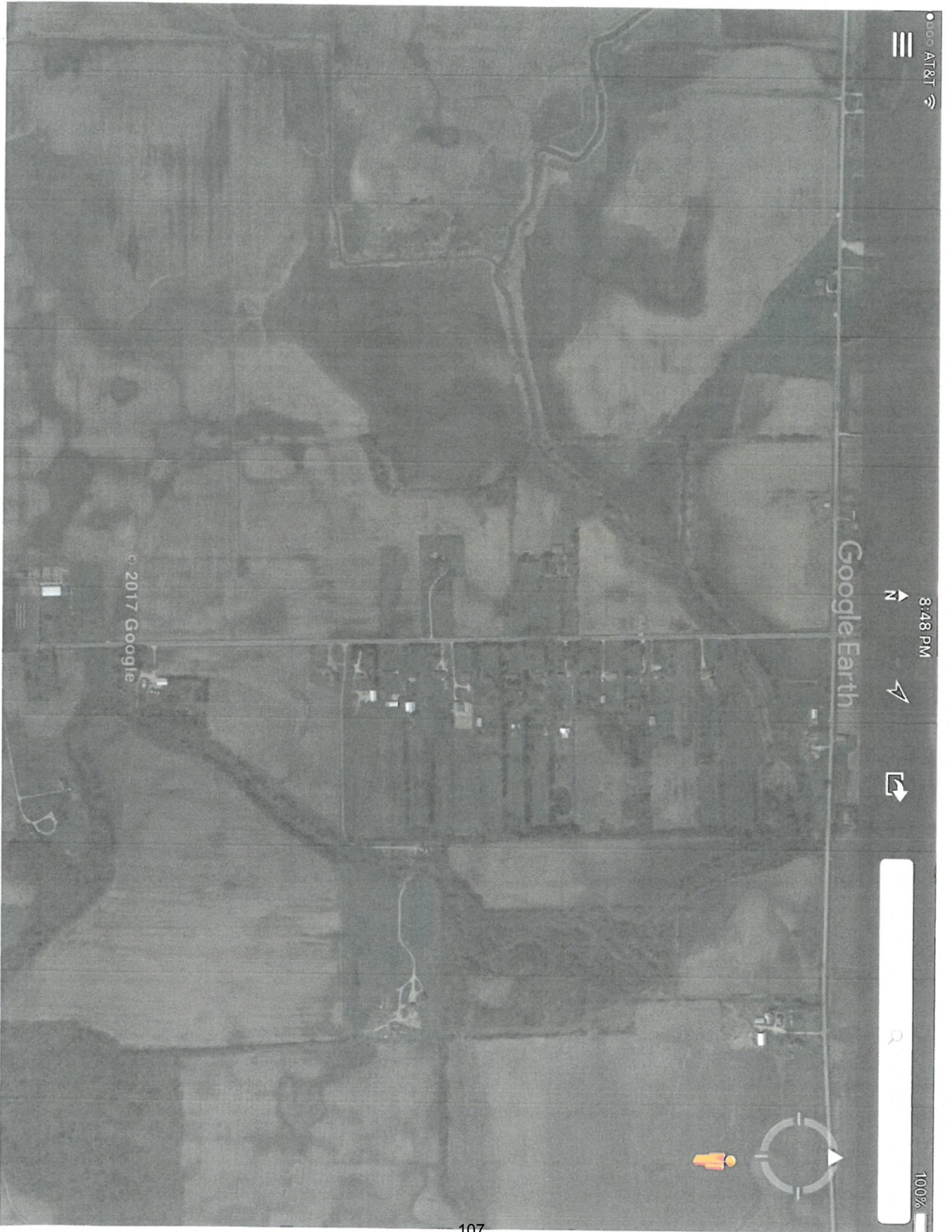
existing water line 573.40

near north of 573.66









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: 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, AND 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.

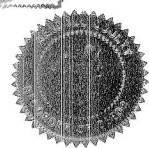
ITY OF KENDALL)

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 WHOSE NAMES I HAVE RECORDED 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.

Health Dept. Kendal 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 20 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 \$16.55.00

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 11 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 8 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 BERMING FOR THE PURPOSE OF STABILIZING, 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 February, 2002. KENDALL COUNTY, ILLINOIS, THIS 14th DAY OF

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 35, 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°10'23" 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 DuPAGE

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 MARCH, 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

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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

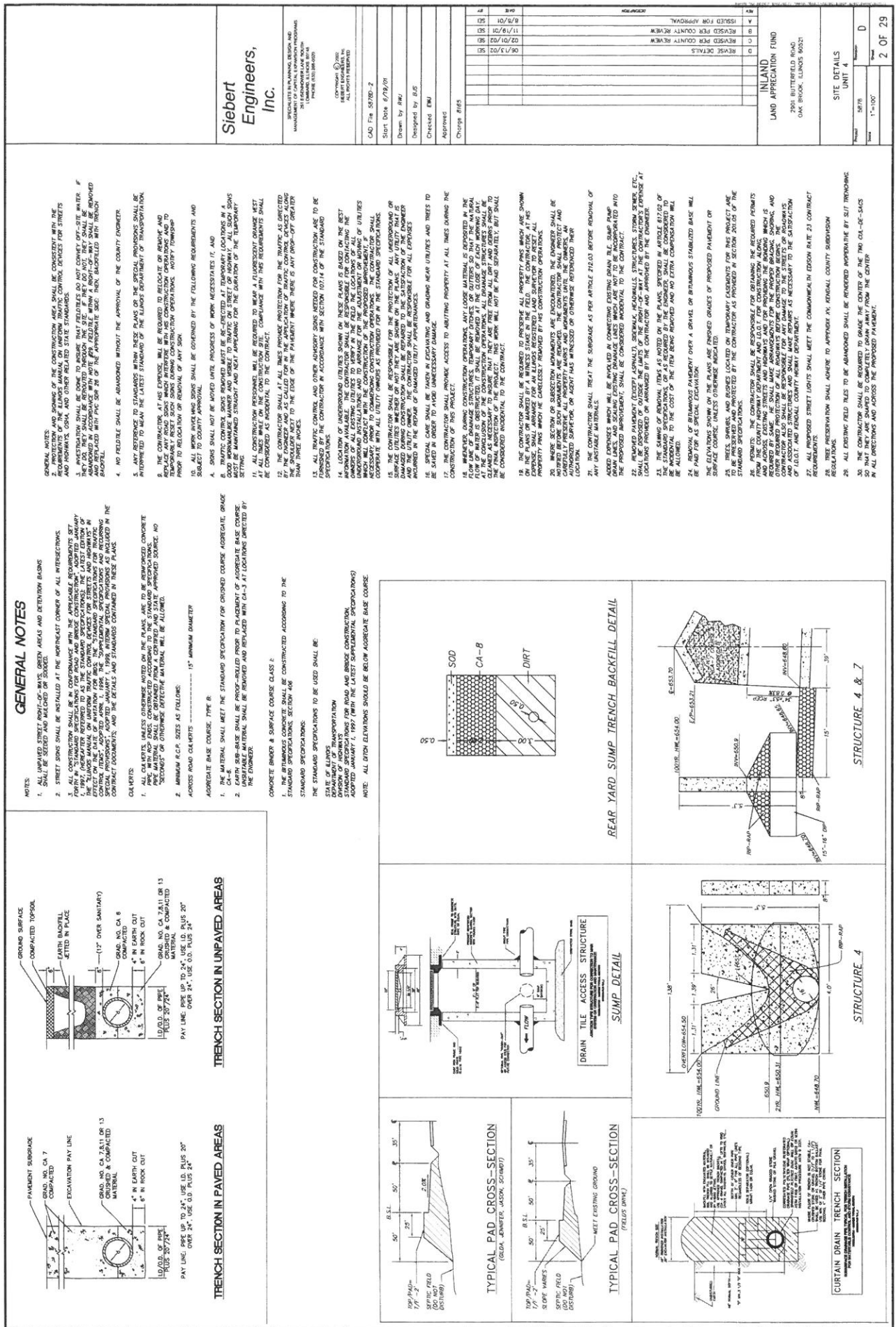
PH: 630-553-4139

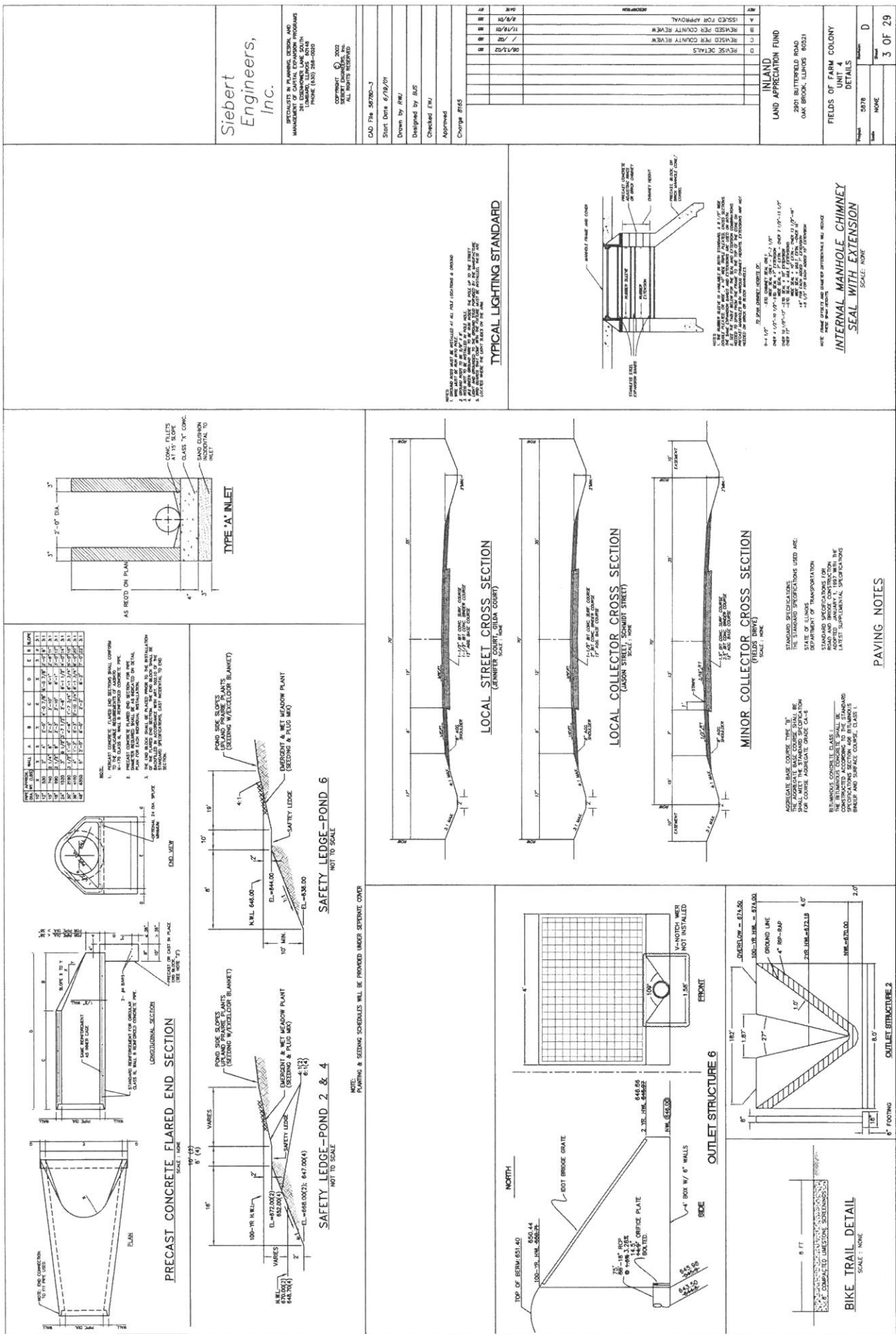
Fax: 630-553-4179

From: Pam Herber

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

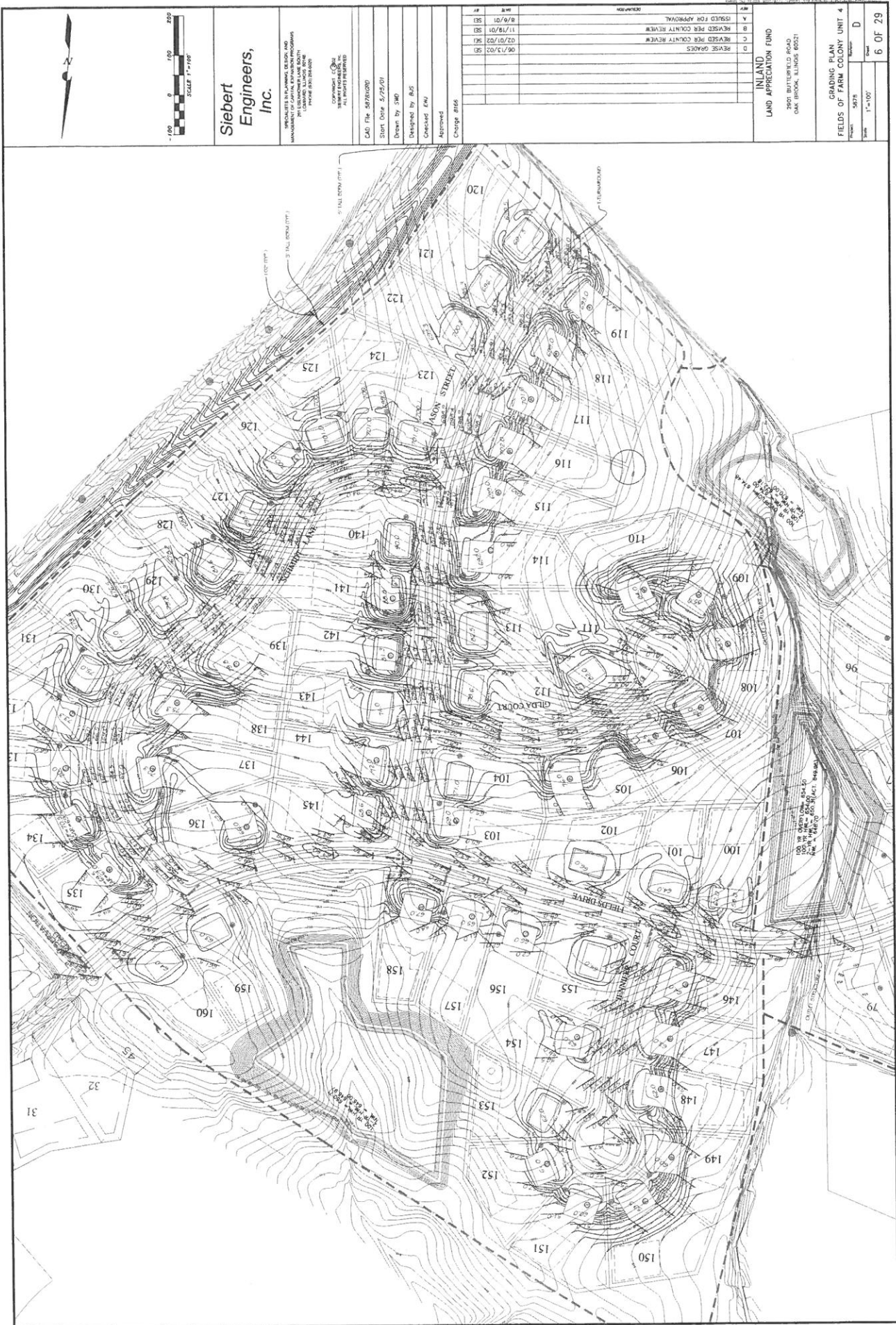
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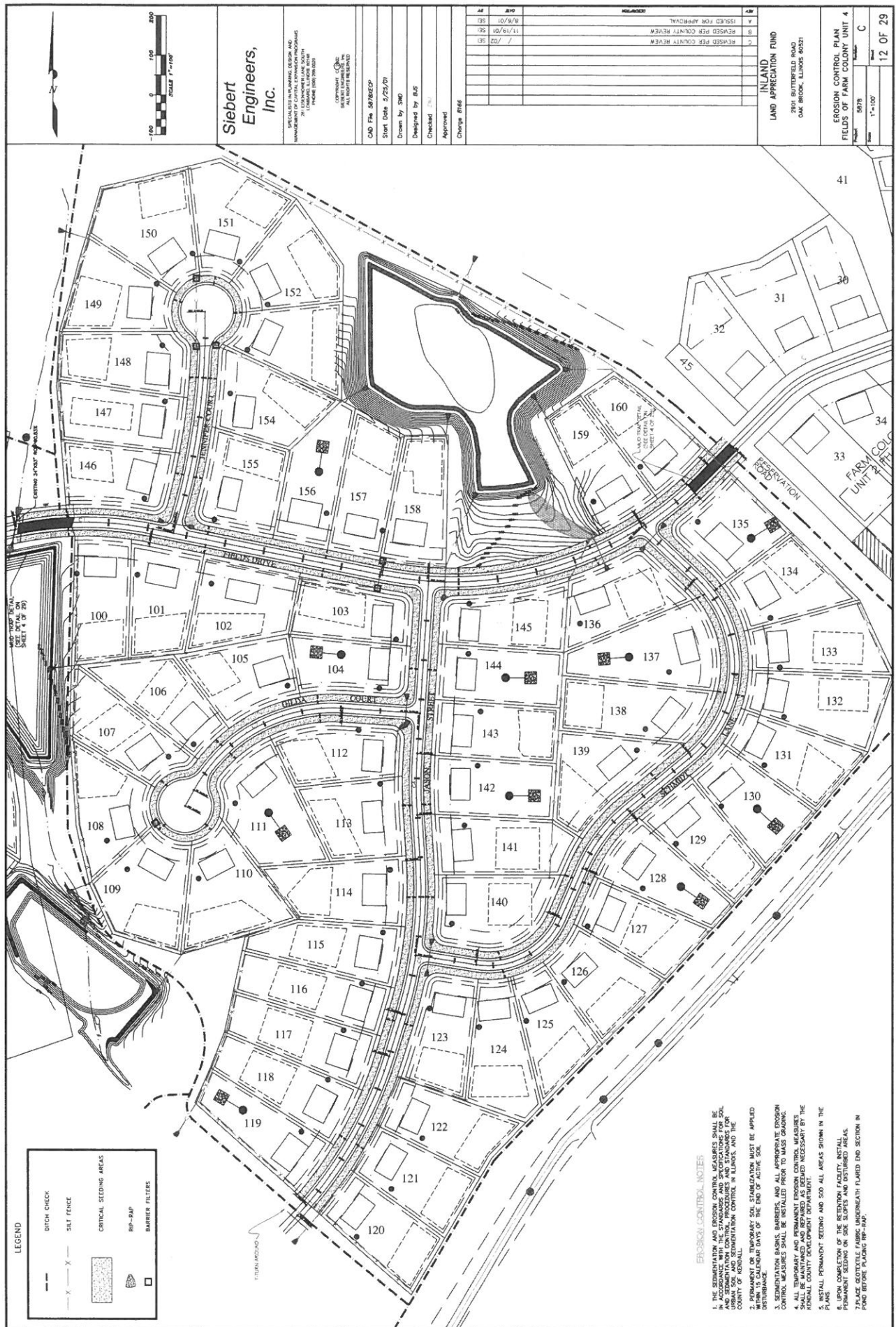




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Matt Asselmeier

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

2017 VIOLATIONS

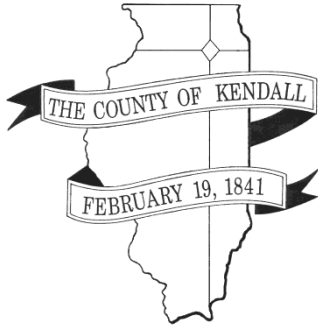
Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Closed	SAO
V17-002	Randy Fowler	01-28-252-001	1203 W. South Street	Caqueelin's Sub	Abandoned Structures	12/17/2016		
V17-003	March & Lisa Schulz	03-04-278-041	146 Heathgate Rd	Boulder Hill	Inoperable Vehicle	1/25/2017	2/7/2017	
V17-004	Meyers/Presnell	03-04-255-010	119 Heathgate Rd	Boulder Hill	Inoperable Vehicle	12/17/2016	11/18/2017	
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 Morg	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	Aguiar, 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	Matlie, 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	Peppie	03-04-431-004	57 Sonora Dr	Boulder Hill	Bus Operating in R6 Residential District	6/9/2017	8/17/2017	
V17-037	Ternes	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		Post. 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		Op. Trucking Bus in a Res Zoned parcel	7/27/2017		
V17-044	Davis, Carlos & Tracy	09-23-400-006	15875 Ridge Road	Tuck-Oak Grove	Dumping Dirt/Stormwater Violation	8/7/2017		
V17-045	Greenslade	03-09-152-021	18 Ridgfield Rd	Boulder Hill	Prohibited Parking of Trailer in Front area	8/9/2017	8/29/2017	
V17-046	Sculi, 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 Ashawn	Boulder Hill	Accessory Building w/o Permit	8/14/2017	9/29/2017	
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	11/14/2017	
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	Schilinski	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 f	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	11/14/2017	

2017 VIOLATIONS

V17-058	Hernandez	05-16-300-005	9850 Ament Rd		Structure 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	11/14/2017	
V17-060	Walper	04-16-126-001	8025 Whitfield Rd	Millbrook	Possible occupied Mobile Home	10/30/2017	11/13/2017	
V17-061	Hernandez	03-12-203-011	29 Gastville Rd	Gastville Acreage	Running a Landscaping business in R-3 Zoning District	10/30/2017	11/13/2017	
V17-062	Bernister	05-09-152-001	33 Bonnie Lane	Williams	Fence placed in township right of way	11/13/2017	11/27/2017	
V17-063	Amstadt	02-35-380-001	7796 Madeline Dr	Fields Of Farm Colony	Prohibited Parking Rec Vehicle	11/17/2017		
V17-064	Alvarez	02-35-431-010	5748 Audrey Ave	Fields Of Farm Colony	Inoperable Vehicle	11/17/2017		
V17-065	Bresterfeld	05-06-127-001	42 W. Fox Glen Drive	Fox Glen	Shed being built without Permit	11/21/2017		
V17-066	Merchants NH Bank	03-18-403-015	5375 Route 34		Occupying B-2 commercial building as living space	11/27/2017		
V17-067	Karen Coonley	03-04-428-001	162 Heathgate Rd	Boulder Hill	Shed being built without Permit- "Stop Work order"	11/29/2017		
V17-068	Johnson	05-02-101-002	324 Austin	Fields of Farm Colony	Illegal Trailer Parking in Front Yard	11/28/2017		
V17-069	Commonwealth Edison	03-07-177-004	Commerce Drive		Illegal Dumping / Junk & Debris	11/30/2017		
V17-070	Melrose Holdings 1 LLC				Illegal Dumping / Junk & Debris	11/30/2017		
V17-071	Stephens	04-16-251-009	7 Sherman St.	Village of Millbrook	Shipping container used as storage R-3 Zoned Prop. Violation 4.15 ordinance	11/30/2017		

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	Landscaping/ 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 Manner / 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/Multipe occupancy	7/18/2017
5/11/2017	Pecci	2410 Collins Rd	Quail Run	03-27-401-024	Poss Stormwater/discharge	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 Wynndham 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	Velasquez	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	Damning 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	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	10/11/2017
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 farm residence	
11/3/2017	Almeraz	43 N. Bereman Rd	Boulder Hill	03-05-253-012	Inoperable Vehicle & Junk & Debris	11/7/2017
11/6/2017	Hansen	5360 Whitewillow Rd		09-31-200-001	Possible business operation	11/7/2017
11/17/2017	Kavulich	5755 Fields Drive	Fields of Farm	02-35-380-002	Boat parked in front yard	11/17/2017



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: December 6, 2017
Re: Historic Tax Credit Resolution

At their meeting on November 20th, the Historic Preservation Commission recommended approval of the attached resolution.

The Chairwoman of the Historic Preservation Commission sent the attached letter to our elected officials in Washington, D.C. expressing support for the Historic Tax Credit Program.

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

MHA

ENC: Proposed Resolution
11.21.17 Letter to Elected Officials

KENDALL COUNTY
Resolution No. _____

*A Resolution to Urge the President of the United States and the
Congress of the United States to Continue the Federal Historic Tax Credit Program*

WHEREAS, the federal Historic Tax Credit program (HTC), as we know it today, was put in place by Congress and the Reagan Administration to attract capital to historic rehabilitation projects that help stimulate local economies; and

WHEREAS, since the inception of the HTC, it has created over 2.4 million jobs, rehabilitated more than 42,293 buildings, and leveraged \$131 billion in private investment; and

WHEREAS, recognizing the importance of this successful federal economic development program, more than 35 states have enacted complementary state historic tax credit programs to help revitalize the commercial downtowns of their cities and Main Street Communities; and

WHEREAS, federal HTC projects have a 99 percent success rate, leverage four private dollars for every dollar of federal support, and are catalytic, building neighborhood confidence and generating follow-on projects for blocks around; and

WHEREAS, over the life of this program, the HTC has generated \$29.8 billion in federal tax revenues compared to \$25.2 billion in credits allocated-more than paying for itself; and

THEREFORE, BE IT RESOLVED, that Kendall County Board hereby supports the federal Historic Tax Credit program and urges the President of the United States and the United States Congress to continue the federal Historic Tax Credit program.

ADOPTED and APPROVED this 19th Day of December, 2017.

Scott R. Gryder, County Board Chairman

STATE OF ILLINOIS)

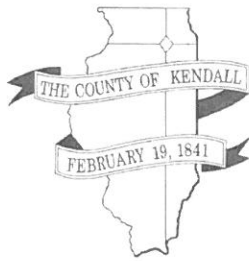
) SS

COUNTY OF KENDALL)

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

Debbie Gillette, County Clerk and Recorder

(Seal)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

November 21, 2017

The Honorable Dick Durbin
United States Senate
711 Hart Senate Office Building
Washington, DC 20510

The Honorable Bill Foster
United States House of Representatives
1224 Longworth House Office Building
Washington, DC 20515

The Honorable Tammy Duckworth
United States Senate
524 Hart Senate Office Building
Washington, DC 20510

The Honorable Randy Hultgren
United States House of Representatives
2455 Rayburn House Office Building
Washington, DC 20515

Dear Senator Durbin, Senator Duckworth, Rep. Foster and Rep. Hultgren:

In light of Congress' strong interest in reforming our nation's tax code, we would like to convey our strong support for the federal historic tax credit (HTC) which has helped preserve and revitalize our community.

The HTC is the cornerstone of a long-standing and successful national policy of promoting the reuse of historic buildings to catalyze economic development and create jobs.

Weakening or eliminating the federal credit, as has been proposed by some in Washington, would endanger the economic feasibility of nearly all historic rehabilitation projects in Illinois. If Congress repeals or diminishes the HTC, communities across our state will lose an important tool to counter market forces that direct investment away from our main streets and downtown areas due to the higher cost of rehabilitating historic buildings.

Research conducted for the National Park Service by Rutgers University's Center for Urban Policy Research shows that since the HTC was enacted in 1981, it has leveraged \$131 Billion in investment in historic rehabilitation across the nation. It has also created 2.4 million jobs and rehabilitated over 42,293 historic buildings. For every dollar of public expenditure, investors contribute four dollars toward the rehabilitation of historic properties. Since the credits are not approved until the building is placed in service, many of the economic benefits from construction jobs, materials purchased and payroll taxes are generated before the tax credit is awarded.

The HTC is an efficient and effective use of taxpayer dollars. Over the 36 years this incentive has been in place, the federal government has allocated about \$23.1 Billion in tax credits. According to the same Rutgers study, these credits, in turn, have generated \$28.1 Billion in federal income taxes. So, under the dynamic scoring, the Treasury would lose revenue by eliminating the HTC.

The historic tax credit has created a chance to preserve Illinois' history while fitting the needs of communities across the state.

Eliminating the federal HTC would consign historic rehabilitation projects across the state to uncertain futures and would harm Illinois' credit by vastly diminishing the effectiveness of our state's investments. As Congress works to reform our nation's tax code, I ask that you protect and enhance this federal incentive that uses the historic assets of the past to meet the needs of Illinois' 21st century economy.

The Kendall County, Illinois Historic Preservation Commission would unanimously like to express our support for the HTC.

If you have any questions regarding this letter, please contact me at 630-553-4139.

Sincerely,

A handwritten signature in cursive script, reading "Kristine Heiman". The signature is written in dark ink and is positioned above the printed name and title.

Kristine Heiman, Chairwoman
Kendall County Historic Preservation Commission

**Permit Summary by Category
Kendall County**

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	2	\$675,000	\$5,341	\$3,441
Accessory Buildings	3	\$92,800	\$463	\$0
Remodeling	3	\$78,650	\$1,204	\$0
Barns/Farm Buildings	2	\$50,000	\$0	\$0
Swimming Pools	1	\$5,232	\$200	\$0
Electrical Upgrades	2	\$8,238	\$300	\$0
Generator	1	\$7,537	\$110	\$0
	14	\$917,457	\$7,618	\$3,441

Permit Summary by Category by Month

Kendall County

Permit Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
House	31	1	2	2	3	3	2	3	9	4	0	2	0
Garage	13	0	0	1	1	2	4	0	2	2	1	0	0
Accessory Buildings	51	0	8	4	4	10	1	7	8	4	2	3	0
Additions	10	0	0	1	2	2	1	2	2	0	0	0	0
Remodeling	23	0	2	1	1	3	3	2	2	3	3	3	0
Commercial - B Zone	2	0	0	0	0	0	0	0	0	0	2	0	0
Barns/Farm Buildings	14	0	2	0	1	0	0	1	0	3	5	2	0
Signs	2	1	0	0	0	0	0	0	1	0	0	0	0
Other	2	0	0	0	0	1	0	0	1	0	0	0	0
Swimming Pools	25	0	0	5	1	2	4	8	3	1	0	1	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	6	0	1	1	0	0	0	0	0	1	1	2	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	4	0	0	0	1	0	0	0	0	0	2	1	0
	220	4	17	18	19	29	21	28	33	21	16	14	0

241 total
21 Not
Approved or
VOIDED

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
11/14/2017	012017233	01 House	0315251014 PAGEL JOHN & SHARON LIVING TRUST	35 BURKHARDT DRIVE OSWEGO, IL. 60543		JPM Custom Homes
11/9/2017	032017232	03 Accessory Buildings	0508176010 HASTINGS WILLIAM J & GINA	57 NAWAKWA LN YORKVILLE, IL 60560-	NAWAKWA SUB	
11/2/2017	032017209	03 Accessory Buildings	0509103001 MARCINIAK RICHARD & LEOKADIA	29 WALNUT DRIVE YORKVILLE, IL. 60560	WALNUT RIDGE	Bob Lee
11/14/2017	052017234	05 Remodeling	0304251011 PRISCO ANTHONY G TRUST & PRISCO MADDI VAL E TRUST	14 HUNTER DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 34	Reliable Home Improvement
11/9/2017	052017229	05 Remodeling	0304181008 MCINTOSH KEITH R & DEBRA A	52 PEMBROOKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	CLEAN EDGE CONSTRUCTION
11/21/2017	052017237	05 Remodeling	0235410006 PATTERSON JODY A & SANDRA A	7696 COLE CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	Unique Home Group, LLC
11/2/2017	052017228	05 Remodeling	0235414010 GAY ROBERT L & PHYLLIS A	7542 THORNHILL CT YORKVILLE, IL 60560-	ROSEHILL	CL DESIGN-BUILD, INC.
11/29/2017	082017240	08 Barns/Farm Buildings	0922220034 ILLINOIS STREET LLC	2259G BELL RD MINOOKA, IL. 60447		FBI Buildings
11/9/2017	082017231	08 Barns/Farm Buildings	0921100007 FLEMING PETER M & SARA			
11/20/2017	122017238	12 Swimming Pools	0222227002 METZGER SCOTT	102 PARKWAY DR YORKVILLE, IL 60560-		GREAT ESCAPE
11/16/2017	152017236	15 Electrical Upgrades	0227380006 YOUNG ROBERT	79 RIVERSIDE DR YORKVILLE, IL 60560-		CJ Power, Inc.

Permit Approval Date Report
Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
11/15/2017	152017235	15 Electrical Upgrades	0722300002 JORGENSEN JON EDWARD & KAREN	14626 APAKESHA RD NEWMARK, IL 60541-		WCP Solar Services, LLC
11/17/2017	232017230	23 Generator	0132226005 DALTON L W & MARY M	16073 BURR OAK RD PLANO, DEER RIDGE PUD IL 60545-		LEE LEGLER CONSTRUCTION & INCORPORATED

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
6/22/2017	012017119	01 House	0535200010	SLEEZER CONNIE K & SETH C	7214 CATON FARM RD YORKVILLE, IL 60560-		
3/3/2017	012017028	01 House	0605300011	BAILEY CHRISTOPHER & LORI	4811 CHERRY RD OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 4 CL DESIGN/CHERYL LEE	
11/14/2017	012017233	01 House	0315251014	PAGEL JOHN & SHARON LIVING TRUST	35 BURKHARDT DRIVE OSWEGO, IL. 60543		JPM Custom Homes
8/1/2017	012017158	01 House	0924100001	MATTHEW D. WEHRLI	915 BELL ROAD MINOOKA, IL 60447-		
1/3/2017	012017009	01 House	0513300003	GATES ROBERT A & PATRICIA L	8813 "B" HOPKINS RD YORKVILLE, IL. 60560		
5/17/2017	012017070	01 House	0811100029	AUSTIN NANCY	13090 ASHLEY ROAD PLATTVILLE, IL. 60560		TIM GREYER BUILDERS
8/31/2017	012017183	01 House	0235432005	MCCUE BUILDERS INC	5672 SCHMIDT LANE YORKVILLE, IL. 60560	FIELDS OF FARM COLONY UNIT 4	MCCUE BUILDERS INC
8/15/2017	012017164	01 House	06072226015	MCCUE BUILDERS INC	7335 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS INC
9/18/2017	012017191	01 House	0607402004	GRAHAM GREGORY K & PATRICIA J	7672 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	KURE CONSTRUCTION, INC
7/19/2017	012017144	01 House	0735300008	ZABEL BRIAN & TRACY	13986 HILL ROAD NEWARK, IL. 60541		
1/18/2017	012017015	01 House	0135100012	MESSER OLETH JR & ROSE L	13524 D HALE ROAD PLANO, IL. 60545		

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
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 Soholl/American Built Systems
9/18/2017	012017198	01 House	0408200026 FRIEDERS MARK & TRACY	7425 OAKBROOK ROAD NEWARK, IL. 60541		CFR Builders - Charles F. Ruh
10/4/2017	012017211	01 House	0512227001 OBRIEN STEVEN & AGATHA	6256 WHITETAIL RIDGE CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	CL DESIGN-BUILD, INC.
8/16/2017	012017165	01 House	0607402001 MCCUE BUILDERS INC	7594 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS INC
8/15/2017	012017163	01 House	0607129006 MCCUE BUILDERS INC	5781 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS INC
5/10/2017	012017067	01 House	0932300004 GUZMAN MARIA	17840 GROVE RD MINOOKA, IL 60447-		
3/3/2017	012017032	01 House	0420226005 GOODLET TIMOTHY J	16077 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 4	Self
8/31/2017	012017172	01 House	0918100003 KNUDSON BRUCE	5765 ROUTE 52 MINOOKA, IL 60447-		
8/15/2017	012017162	01 House	0607402010 MCCUE DEVELOPMENT INC	7828 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	McCue Builders
5/31/2017	012017074	01 House	0236102003 HENCZEL DAVID C DECL OF TRUST & DANIEL A MAEZA DEANICE	385 COUNTRY ROAD YORKVILLE, IL. 60560	FARM COLONY	SELF
5/31/2017	012017099	01 House	0430200003 DIPPOLD JEREMY & SAMANTHA	10135 FOX RIVER DRIVE NEWARK, IL		

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
3/24/2017	012017036	01 House	0417300002	DICKSON VALLEY INDUSTRIES	8250 FINNIE RD NEWARK, IL 60541-		Same
4/5/2017	012017050	01 House	0720200005	BROMELAND ANDREW J & JENNIFER L	15375 ROODS RD NEWARK, IL 60541-		CL Design-Build, Inc. (Cheryl Lee)
5/2/2017	012017062	01 House	0421125027	TIM & JESSICA SCHOFIELD	15781 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	TJS BUILDERS, INC.
8/4/2017	012017156	01 House	0526400007	JEAN FREEMAN	7149 CATON FARM RD YORKVILLE, IL 60560-		
9/28/2017	012017206	01 House	0517103002	PETERSON LUKE & HEATHER	10848 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	Tim Greyer Builders
6/29/2017	012017101	01 House	0607402002	MCCUE BUILDERS INC	7620 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	Same
9/28/2017	012017205	01 House	0605393014	ZOLLINGER PENNY S	4643 Waakesha Drive Oswego, IL. 60543	HENNEBERRY WOODS UNIT 2	Owner
8/30/2017	012017167	01 House	0233402009	WITT DAWN	38 WOODLAND DRIVE YORKVILLE, IL. 60560	THE WOODLANDS	CL DESIGN-BUILD INC.
2/16/2017	022016192	02 Garage	0304479042	TERRAZAS JUAN	72 SONORA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	Self
8/21/2017	022017177	02 Garage	0235380010	MCNAMARA THOMAS	5627 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	THE RANDA GROUP, INC.
6/20/2017	022017121	02 Garage	0235227011	WAYDA JEFFERY & SUSAN	283 FARM CT YORKVILLE, IL 60560-	FARM COLONY	

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
6/9/2017	022017111	02 Garage	0332352003	MERSMAN RYAN D & JENIFER L	4862 RESERVATION RD OSWEGO, IL 60543-	ARROWHEAD HILLS	
6/28/2017	022017123	02 Garage	0304476015	GAMBOA ALEJANDRO	79 SHEFFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	DANLEY'S GARAGE WORLD
10/4/2017	022017201	02 Garage	0226377001	SIMMERS KURT	7609 D RIVER OAKS DR YORKVILLE, IL 60560-	RIVER OAKS SUB	
6/7/2017	022017108	02 Garage	04022226006	SVOBODA JAROMIR & JODIA	6147 POLO CLUB DR YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS PHASE 3	Self
8/21/2017	022017178	02 Garage	0128252003	NILES JEFFREY R & TRACEY J	216 KINSEL ST PLANO, IL 60545-		Same
10/4/2017	022017207	02 Garage	0517102001	JENSEN DAVID P & KARL L	7990 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	Jensen Construction
4/26/2017	022017063	02 Garage	0116427010	FRIEDERS FRANK D & JULIE L	30 MEYER RD PLANO, IL 60545-	MEYERBROOK UNIT 3	Self
5/23/2017	022017089	02 Garage	0602177006	SMITH CHERYL	143 OSWEGO PLAINS DR OSWEGO, IL 60543-		Upscale Remodel
6/26/2017	022017045	02 Garage	0234151010	JOHNSON GREGORY J & SHELLEY	66 QUINSEY RD YORKVILLE, IL 60560-	QUINSEY SUB	
7/17/2017	022017102	02 Garage	0406300002	WEISBROOK JOSEPH R	6874 MILLINGTON RD SANDWICH, IL 60548-		
10/17/2017	022017217	02 Garage	0132226005	DALTON, LARRY AND MARY	16073 BURR OAK RD PLANO, IL 60545-	DEER RIDGE PUD	SELF

Permit Approval Date Report

Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
3/9/2017	032017039	03 Accessory Buildings	0502102003	SIOK CLIFFORD & KIMBERLY	322 EMILY CT YORKVILLE, IL 60560-		Everlast Portable Buildings
2/9/2017	032017022	03 Accessory Buildings	0214426006	ENTILE MATTHEW R	86 W RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 5	
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
3/14/2017	032017043	03 Accessory Buildings	0615100008	ODONOVAN-MAYA SUSAN	2884 ROUTE 126 PLAINFIELD, IL 60544-		
5/16/2017	032017081	03 Accessory Buildings	0122282005	BAGLEY RAYMOND O & NANCY A	3340 OLD MILL RD PLANO, IL 60545-		Self
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.
5/22/2017	032017083	03 Accessory Buildings	0905400018	QUIROZ, TEOFILO	4080 VAN DYKE ROAD MINOOKA, IL		
7/14/2017	032017076	03 Accessory Buildings	0419100002	CLANCY GERALD E & ROBIN R	9517 FINNIE RD NEWARK, IL 60541-		DIY
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
3/8/2017	032017038	03 Accessory Buildings	0416129001	ANDERSON BRUCE	8 N HUDSON ST MILLBROOK, IL 60536-		

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4/27/2017	032017069	03 Accessory Buildings	0435300006	LEGETT BRANDON D & JULIE A	13600 HUGHES RD NEWARK, IL 60541-		
2/21/2017	032017025	03 Accessory Buildings	0105251002	PETITJEAN LEONARD E JR TR & PETITJEAN ANITA	16318 GALENA ROAD PLANO, IL. 60545		SELF
2/9/2017	032017023	03 Accessory Buildings	0116402010	MIESZALA RONALD	40 S LINDEN DR PLANO, IL 60545-	MEYERBROOK UNIT 4	
10/16/2017	032017214	03 Accessory Buildings	0227151002	BOLARD CHRISTOPHER JAMES	8940 A ROUTE 34 YORKVILLE, IL 60560-	BAKERS SUB	
2/8/2017	032017018	03 Accessory Buildings	0926400007	LUNDQUIST ROBERT & CAROL	16801 RIDGE RD MINOOKA, IL 60447-		
2/28/2017	032017020	03 Accessory Buildings	0105176005	BOND MICHAEL E & CHERIE L	232 CREEK RD PLANO, IL 60545-		Cleary Building Corp.
5/16/2017	032017085	03 Accessory Buildings	0909100014	HOLZ LIVING TRUST	13270 MCKANNA RD MINOOKA, IL 60447-		Self
11/2/2017	032017209	03 Accessory Buildings	0509103001	MARCINIAK RICHARD & LEOKADIA	29 WALNUT DRIVE YORKVILLE, IL. 60560	WALNUT RIDGE	Bob Lee
3/1/2017	032017027	03 Accessory Buildings	0219100003	CAMACHO MIGUEL & SANDRA E	11728 FAXON RD PLANO, IL 60545-		FBI BUILDINGS INC.
9/13/2017	032017199	03 Accessory Buildings	0235280004	ADAMOVIICH MICHAEL R & ALGRIM RACHEL	201 FOXTAIL LN YORKVILLE, IL 60560-	FARM COLONY UNIT 2	Tom Rooney
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

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7/20/2017	032017145	03 Accessory Buildings	0735300008 ZABEL BRIAN & TRACY	13986 HILL ROAD NEWARK, IL. 60541		
8/8/2017	032017166	03 Accessory Buildings	0214276005 NOLTE ROBERT M	153 E RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 4	
8/31/2017	032017186	03 Accessory Buildings	0916200012 NELSEN WILLIAM H & JESSICA	3147 ROUTE 52 MINOOKA, IL 60447-		Cleary Building Corp
9/5/2017	032017188	03 Accessory Buildings	0135284001 BEERY CAROL A	13040 RIVER RD PLANO, IL 60545-	MINNETONKA SPRINGS SUB	
7/27/2017	032017152	03 Accessory Buildings	0308154018 CURCIO SAMUEL J	1432 ROUTE 31 OSWEGO, IL 60543-	SARTAIN SUB	
9/12/2017	032017193	03 Accessory Buildings	0309155027 SHEDOR SUSAN REV LVG TRUST	315 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	
7/18/2017	032017141	03 Accessory Buildings	0305404003 HEIMER MICHAEL W & NICKOLETTE	106 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 6	
8/15/2017	032017138	03 Accessory Buildings	0136100028 SNYDER ERIC M	12630 B RIVER RD PLANO, IL 60545-	DOCKSTADERS SUB	
7/11/2017	032017137	03 Accessory Buildings	0235310002 DAVIES WILLIAM & KATHI	7779 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
8/2/2017	032017157	03 Accessory Buildings	0308277031 RAMIREZ RAMON	33 FIELDPOINT RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	SELF
8/4/2017	032017159	03 Accessory Buildings	0917100002 HEAP GARY & LINDA	4819 ROUTE 52 MINOOKA, IL 60447-		

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10/25/2017	0320177173	03 Accessory Buildings	0526400008 JENSEN CHRISTOPHER & MCCANNI	7225 CATON FARM RD YORKVILLE, IL 60560-		JENSEN LAND SERVICES
8/4/2017	0320177160	03 Accessory Buildings	0917100002 HEAP GARY & LINDA	4819 ROUTE 52 MINOOKA, IL 60447-		
7/17/2017	0320177135	03 Accessory Buildings	0507403001 FRENCH LARRY & SHARON	11480 A LEGION RD YORKVILLE, IL 60560-		
7/19/2017	0320177100	03 Accessory Buildings	0307177011 JOE GRIFFIN	5400 LIGHT RD OSWEGO, IL 60543-		CLEARY BUILDING CORP.
7/12/2017	0320177103	03 Accessory Buildings	0222126004 LEIFHEIT ELMER B & NANCY	26 LAKEVIEW DR YORKVILLE, IL 60560-		Doug Leifheit
6/16/2017	0320177113	03 Accessory Buildings	0909100002 GUZMAN RAMIRO A JR	13039 MCKANNA ROAD MINOOKA, IL 60447		SELF
6/1/2017	0320177096	03 Accessory Buildings	0905400018 QUIROZ, TEOFILO	4080 VAN DYKE ROAD MINOOKA, IL 60447		SELF
5/31/2017	0320177105	03 Accessory Buildings	0235130003 LOIKETS WILLIAM & TERESA	46 COUNTRY RD YORKVILLE, IL 60560-	HITEMAND SUB	
9/20/2017	0320177202	03 Accessory Buildings	0331452007 JEFF HIGHLAND	11 OTTAWA CT OSWEGO, IL 60543-	NA-AU-SAY WOODS	
6/1/2017	0320177095	03 Accessory Buildings	0905400018 QUIROZ, TEOFILO	4080 VAN DYKE ROAD MINOOKA, IL		SELF
5/25/2017	0320177090	03 Accessory Buildings	0924300007 MARECI GREGORY L & NATALIE M	532 BELL RD MINOOKA, IL 60447-		

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10/17/2017	032017216	03 Accessory Buildings	0507403002 FRENCH LARRY & SHARON S	11480 B LEGION RD YORKVILLE, IL 60560-		WISE CONSTRUCTION
11/9/2017	032017232	03 Accessory Buildings	0508176010 HASTINGS WILLIAM J & GINA	57 NAWAKWA LN YORKVILLE, IL 60560-	NAWAKWA SUB	
3/2/2017	032017034	03 Accessory Buildings	0508101004 STOCCHERO ENTERPRISES LLC	10925 ROUTE 71 YORKVILLE, IL 60560-		
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 MONTELO JOHN J JR & MURRAY MAUREEN J	17280 BRISBIN RD MINOOKA, IL 60447-		

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1/18/2017	042016216	04 Additions	0213428001	GUERRERO LORENA	6163 ROUTE 34 OSWEGO, IL 60543-		Homeowner
4/4/2017	042017052	04 Additions	0712400003	SIEVERS KATHERYNN E & RYAN D	13825 LISBON RD NEWARK, IL 60541-		
4/18/2017	042017058	04 Additions	0226452009	GRAHOVEC EDWARD J & LINDA	49 WINDING CREEK RD YORKVILLE, IL 60560-	OAK CREEK SUB	Brady Construction, LLC
11/21/2017	052017237	05 Remodeling	0235410006	PATTERSON JODY A & SANDRA A	7696 COLE CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	Unique Home Group, LLC
11/14/2017	052017234	05 Remodeling	0304251011	PRISCO ANTHONY G TRUST & PRISCO	14 HUNTER DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 34	Reliable Home Improvement
11/2/2017	052017228	05 Remodeling	0235414010	GAY ROBERT L & PHYLLIS A	7542 THORNHILL CT YORKVILLE, IL 60560-	ROSEHILL	CL DESIGN-BUILD, INC.
10/26/2017	052017226	05 Remodeling	0116428003	SLEEZER MICHAEL	2776 LITTLE ROCK RD PLANO, IL 60545-		SELF
10/18/2017	052017219	05 Remodeling	0235381010	FIRST MIDWEST BANK NA GUARDIAN ESTATE	5810 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	EXTENDED HOME LIVING SERVICES, INC.
10/4/2017	052017210	05 Remodeling	0308105003	DANIEL ROSU	110 HARBOR DR OSWEGO, IL 60543-	MARINA TERRACE APARTMENTS	SAME
9/11/2017	052017194	05 Remodeling	0318377003	JERABEK JEFFREY L & REBECCA L	16 S CHERRY DR OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	Willman & Groesch GC
8/21/2017	052017181	05 Remodeling	0231226001	RODRIGUEZ LUIS C	11209 RIVER RD PLANO, IL 60545-		

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8/22/2017	052017176	05 Remodeling	0235128006 CAMPBELL CHARLES W & DEBRA K	7725 RESERVATION RD YORKVILLE, IL 60560-	FARM COLONY	ANDERSON & ANDERSON CONSTRUCTION
8/2/2017	052017155	05 Remodeling	0331477003 T4 HOMES, LLC.	10 CHIPPEWA DR OSWEGO, IL 60543-	NA-AU-SAY WOODS	T4 CONSTRUCTION
7/6/2017	052017128	05 Remodeling	0421126003 RISSMAN MARK	9010 STONEWALL DR NEWMARK, IL 60541-	ESTATES OF MILLBROOK UNIT 2	DKW Homes, LLC
6/20/2017	052017120	05 Remodeling	0402225006 FRANKINO MICHAEL & JULIE	6070 POLO CLUB DR YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS PHASE 3	SELF
6/9/2017	052017110	05 Remodeling	0606127012 LUCKSINGER CYNTHIA & LUCKSINGER HAILEY	45 SETTLERS LN OSWEGO, IL 60543-	HATTNER SUB	Stature Custom Homes
6/14/2017	052017107	05 Remodeling	0602176004 PFLEDERER 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-		Medows Construction, Inc.
10/2/2017	052017212	05 Remodeling	0305427005 RICO MELISSA	5 GREENBRIAR RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	A-G SOLUTIONS, INC.
5/2/2017	052017078	05 Remodeling	0504176003 BRENART 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

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11/9/2017	052017229	05 Remodeling	0304181008 MCINTOSH KEITH R & DEBRA A	52 PEMBROOKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	CLEAN EDGE CONSTRUCTION
3/31/2017	052017051	05 Remodeling	0318378007 PECHETTE BRANDON B & JESSICAL	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
11/29/2017	082017240	08 Barns/Farm Buildings	0922220034 ILLINOIS STREET LLC	2259G BELL RD MINOOKA, IL 60447		FBI Buildings
11/9/2017	082017231	08 Barns/Farm Buildings	0921100007 FLEMING PETER M & SARA			
10/25/2017	082017225	08 Barns/Farm Buildings	0413226002 GOODWIN SCOTT T & DEANA M	49 COTSWOLD DR YORKVILLE, IL 60560-		
10/19/2017	082017220	08 Barns/Farm Buildings	0816400007 NGH FARMS LLC % CAROL S HAMMAN	14676 ROUTE 47 NEWARK, IL 60541-		WALLIN CONSTRUCTION INC.
10/11/2017	082017215	08 Barns/Farm Buildings	0836200002 WAKE ROY & KATHRYN	6232 WHITEWILLOW RD MINOOKA, IL 60447-		

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10/10/2017	082017213	08 Barns/Farm Buildings	0929100009 SWANSON GREGORY D & VIKKI S	16152 GROVE RD MINOOKA, IL 60447-		CLEARY BUILDING CORP.
9/28/2017	082017208	08 Barns/Farm Buildings	0223378003 HAMBLY DEMAR NEIL	7610 SUNDOWN LN YORKVILLE, IL 60560-		
9/12/2017	082017197	08 Barns/Farm Buildings	0121100005 LP NELSON TRUST	15888 FRAZIER RD PLANO, IL 60545-		
9/12/2017	082017196	08 Barns/Farm Buildings	0121100005 LP NELSON TRUST	15888 FRAZIER RD PLANO, IL 60545-		
7/18/2017	082017142	08 Barns/Farm Buildings	0808300007 BELL FARMS LIMITED PARTNERSHIP	10600 LISBON CENTER RD NEWARK, IL 60541-		
10/26/2017	082017227	08 Barns/Farm Buildings	0314200019 BEARY RODNEY P TRUST & REHOBOTH FARM LLC	2226 ROTH RD OSWEGO, IL 60543-		
4/5/2017	082017055	08 Barns/Farm Buildings	0533200007 STEWART DAVID	11200 ROUTE 47 YORKVILLE, IL 60560-		
3/3/2017	082017029	08 Barns/Farm Buildings	0819100009 GONZALEZ RAUL A	15390 ROUTE 52 NEWARK, IL 60541-		
2/8/2017	082017021	08 Barns/Farm Buildings	0914100009 BALITZ ROBERT	1925 Route 52 Minooka, IL 60447		
9/28/2017	092017168	09 Signs	0301127006 HEATHER LAWSON/PULTE CORP	ROUTE 34 AURORA, IL		SIGNS NOW NAPERVILLE
2/8/2017	092017017	09 Signs	0318403015 MERCHANTS NATIONAL BANK	5375 ROUTE 34 OSWEGO, IL 60543-		

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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.
11/20/2017	122017238	12 Swimming Pools	0222227002	METZGER SCOTT	102 PARKWAY DR YORKVILLE, IL 60560-		GREAT ESCAPE
9/7/2017	122017192	12 Swimming Pools	0105128008	ROTHLISBERGER SCOTT & SARAH	16524 GALENA RD PLANO, IL 60545-		DRIES, INC.
8/23/2017	122017180	12 Swimming Pools	0735300008	ZABEL BRIAN & TRACY	13986 HILL ROAD NEWARK, IL. 60541		
8/7/2017	122017161	12 Swimming Pools	0224226005	REMPEL GRAHAM & TRISHA	29 OAK HILL DR OSWEGO, IL 60543-		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.
8/3/2017	122017153	12 Swimming Pools	0215277013	HENLEY CARL E & MONICA	86 N ROYAL OAKS DR BRISTOL, IL 60512-	THE WOODS OF BLACKBERRY OAKS	SWIM SHACK, IN.C
7/27/2017	122017151	12 Swimming Pools	0602176004	PFLIEDERER DANAL	120 OSWEGO PLAINS DR OSWEGO, IL 60543-	ERICKSON'S RESUB	A & J Recreational Services
7/27/2017	122017148	12 Swimming Pools	0125454002	CYKO DANIEL & JENNIFER	12477 WOODVIEW ST PLANO, IL 60545-	SCHAEFFER 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.

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7/18/2017	122017143	12 Swimming Pools	0512226008	NICHOLS MARK & LOLA	6145 WHITE TAIL RIDGE DR YORKVILLE, IL 60560-	WHITE TAIL RIDGE	DesRochers Backyard Pools
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 & DANIEL A HENRICH	385 COUNTRY RD YORKVILLE, IL 60560-	FARM COLONY	Naperville Pool Construction
6/19/2017	122017116	12 Swimming Pools	0606127005	BRODY-PAUL JENNIFER L & PAUL	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
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.
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.

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8/21/2017	122017179	12 Swimming Pools	0603250002	DANIELS LORRAINE E TRUST DANIELS	6333 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	Swim Shack, Inc.
3/22/2017	122017046	12 Swimming Pools	0221301014	WARD JAMES J & BETH A	3531 B ROUTE 47 YORKVILLE, IL 60560-		
3/13/2017	122017041	12 Swimming Pools	0508376016	FEDANZO-DUDLEY AARON & MARYBETH	43 RONHILL RD YORKVILLE, IL 60560-	RONHILL ESTATES	THE GREAT ESCAPE
3/9/2017	122017040	12 Swimming Pools	0502102003	SIOK CLIFFORD & KIMBERLY	322 EMILY CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 1	SUNDOWN POOLS
3/6/2017	122017037	12 Swimming Pools	0234226006	SPIESS ERNST M & FELICIA	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
9/12/2017	132017170	13 Decks	0518203007	LEWINOWSKI RICHARD & ELISA	38 MAPLE RIDGE CT YORKVILLE, IL 60560-	MAPLE GROVE	ARTISAN ENTERPRISES, INC
8/14/2017	132017169	13 Decks	0125454002	CYKO DANIEL & JENNIFER	12477 WOODVIEW ST PLANO, IL 60545-	SCHAEFFER WOODS SOUTH UNIT 2	SELF
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 RESTORATION
7/6/2017	132017130	13 Decks	0416204011	WALLEN WILLIAM R JR & MICHELLE L	15 HUDSON ST MILLBROOK, IL 60536-		H & S Contracting, Inc.

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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 & LAURAL	6070 RED GATE LN YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS	SELF
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
5/17/2017	132017087	13 Decks	0409351017	MEIER STEPHEN W TRUST & MEIER DEBRA C TRUST	11 SHAGBARK LN MILLBROOK, IL 60536-	FOXHURST UNIT 6	Self
5/16/2017	132017082	13 Decks	0234276003	RANGEL JOSEFINA & DAVID	8042 VAN EMMON RD YORKVILLE, IL 60560-		Self
5/4/2017	132017079	13 Decks	0223328002	HALL ROD	7736 ROUTE 34 YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 1	AM Kitchen & Bath
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
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

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
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	0918100003 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-		
11/16/2017	152017236	15 Electrical Upgrades	0227380006 YOUNG ROBERT	79 RIVERSIDE DR YORKVILLE, IL 60560-		CJ Power, Inc.
11/15/2017	152017235	15 Electrical Upgrades	0722300002 JORGENSEN JON EDWARD & KAREN ANNI	14626 APAKESHA RD NEWARK, IL 60541-		WCP Solar Services, LLC
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 HAAS ROBERT W & SMITH SHARLEEN	15903 HANSON RD MINOOKA, IL 60447-		

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
3/22/2017	152017044	15 Electrical Upgrades	0304429002	MORITZ BLAKE & DEBRA	25 SONORA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	DCI Electric Corp
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 PENIA & BELTRAN MARIA DEL ROSARIO VASQUEZ	32 CIRCLE DR W MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	Concretos Vaszuez, 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. MONTGOMERY

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
1/6/2017	192017012	19 Fire Restoration	0103354002 PAIGE PAUL P & PETRY KATHRYN	14 EARL ST PLANO, IL 60545-	STAINFIELD SUB UNIT 2	Self
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	Sebert Landscape
2/27/2017	212017031	21 Wind Turbine	0610200006 KELLER FRANK	7426 SCHLAPP RD OSWEGO, IL 60543-		
11/7/2017	232017230	23 Generator	0132226005 DALTON L W & MARY M	16073 BURR OAK RD PLANO, IL 60545-	DEER RIDGE PUD	LEE LEGLER CONSTRUCTION & PAINTING
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 PAUL A & 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	\$7,484.24	\$0.00	\$6,604.73	\$0.00	\$14,088.97	\$179,956.60	\$20,553.25	\$149,097.00
TOTAL	\$84,313.81	\$8,435.00	\$79,307.79	\$8,000.00	\$179,956.60	\$359,913.20	\$149,097.00	

Matt Asselmeier

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

Morning Matt,

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

Wish I had more to report.

Dave Markowski
Village of Oswego
Public Works Dept.

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

Dave and Jennifer:

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

Thanks,

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

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

Afternoon Matt,

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

Matt Asselmeier

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

Hi Matt & Dave,

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

Thanks,

Jennifer Holloway

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

Thank you Matt for staying on top of this.

Patty Deering, CMCA, AMS

Community Association Manager

Associa Chicagoland - An Associa® Company

24012 W. Renwick Road, Suite 220, Plainfield, Illinois 60544

Phone: 847-882-2601

Fax: 847-490-9807



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Matt Asselmeier

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

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

Bob Rogerson

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

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

Sure.

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



PH: 630.551.2366
Email: jhughes@oswegoil.org

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

Matt Asselmeier

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

Hi Matt,

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

Thanks,
[REDACTED]

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

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

Morning [REDACTED]

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

Dave Markowski

Village of Oswego

Public Works Dept.

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



Matt Asselmeier

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

Morning Matt,

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

Dave Markowski
Village of Oswego
Public Works Dept.

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9/15/2017

Patrick Benes
2575 Wolfs Crossing
Oswego Illinois 60543

RE: Code Violation at 2575 Wolfs Crossing

Dear Mr. Benes:

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

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

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

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

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

Sincerely,

Dave Markowski
Village of Oswego
Public Works Department

Summary of Violation Notification Procedure

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

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

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

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

Matt Asselmeier

From: Dave Markowski [DMarkowski@oswego.il.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

From: Valarie McClain
Sent: Monday, November 20, 2017 4:04 PM
To: KC Board
Cc: David Lawson; Brian Holdiman; Scott Koeppel
Subject: call from Boulder Hill citizen this afternoon

Good afternoon,

[REDACTED], on [REDACTED] in Boulder Hill, called this afternoon to again complain about a neighbor that she says is operating a "garage or Mechanics shop" out of his home at 57 Sonora Drive. She has been in contact with Brian Holdiman, Brian LeClerq (Oswego Township), Deputy Lawson and others in the County, but is still unsatisfied. She states that NOTHING is being done by the County, and that this is not the first neighbor in Boulder Hill to operate such a business.

She wanted the full Board to understand her frustration and the lack of action by the County and/or Township regarding this issue.

She would like Bob Davidson and/or Scott Gryder to contact her immediately at [REDACTED]

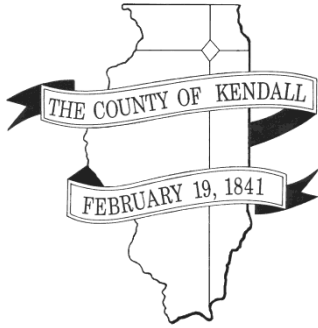
[REDACTED] gave her the information about coming to a County Board meeting and addressing the full Board during the Public Comment section, and the two dates in December.

She is asking that **PBZ fax any and all ordinances that pertain to operating a business out of your residence at fax: [REDACTED] as soon as possible.**

Enjoy your afternoon!

Valarie McClain

Administrative Assistant
Kendall County Administration and County Board
111 W. Fox Street, Suite 316
Yorkville IL 60560
Ph: 630.553.4171
Fax: 630.553.4214



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: December 6, 2017
Re: Comprehensive Land Plan and Ordinance Committee

At their November 29th meeting, the Chairman of the Kendall County Regional Planning Commission created a sub-committee pursuant to Article XI of the By-Laws of the Kendall County Regional Planning Commission.

The name of the sub-committee is the Comprehensive Land Plan and Ordinance Committee.

The tentative members of the sub-committee are:

Larry Nelson, Chairman
Kendall County Regional Planning Commission Chairman or His Designee
Kendall County Zoning Board of Appeals Chairman or His Designee
Kendall County Board Chairman or His Designee
Kendall County Soil and Water Conservation District Designee
Planning, Building and Zoning Committee Chairman or His Designee
Jeff Wehrli
John Shaw
County Administrator (Declined Appointment)

The Committee has not set a first meeting date.

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

MHA