

KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE MEETING
109 West Ridge Street • Third Floor Courtroom
• Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

Monday, November 9, 2020 – 6:30 p.m.

CALL TO ORDER:

ROLL CALL: Elizabeth Flowers, Scott Gengler, Judy Gilmour, Matt Kellogg (Vice-Chairman), and Matthew Prochaska (Chairman)

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes from October 14, 2020 Meeting (Pages 5-10)

PUBLIC COMMENT:

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 11-13)

PETITIONS:

1. **Amended Petition 20 – 02 – Greg Dady on Behalf of DTG Investments, LLC (Pages 14-40)**
Request: Text Amendments to the Kendall County Zoning Ordinance Adding Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan to the List of Special Uses in the A-1 District and Related Citation Corrections
Purpose: Proposal Adds Truck Parking Area or Yard to the List of Special Uses in the A-1 District
2. **Amended Petition 20 – 05 – Greg Dady on Behalf of DTG Investments, LLC (Pages 41-122)**
Request: Special Use Permit for a Truck Parking Area or Yard
PIN: 06-09-400-005
Location: 3485 Route 126, Na-Au-Say Township
Purpose: Petitioner Wants to Be Able to Operate a Truck Parking Area or Yard with Related Offices and Maintenance Facilities on the Property
3. **Petition 20-24 – Grainco FS, Inc. (Pages 123-158)**
Request: Amendment to the Future Land Use Map in the Kendall County Land Resource Management Plan Changing the Classification of the Subject Property from Agricultural to Mixed Use Business
PIN: 09-36-400-002
Location: 17854 N. Wabena Avenue, Minooka, Seward Township
Purpose: Petitioner Wants to Rezone Property to M-1 Limited Manufacturing District

4. **Petition 20-25 – Grainco FS, Inc. (Pages 159-218)**
Request: Map Amendment Rezoning the Subject Property from A-1 with a Special Use Permit to M-1 Limited Manufacturing
PIN: 09-36-400-002
Location: 17854 N. Wabena Avenue, Minooka, Seward Township
Purpose: Petitioner Wants to Lease the Property to a Company that Performs Construction and Maintenance Work for Gas Utilities.

5. **Petition 20-26 – Peter and Laurie Pasteris on Behalf of the Peter J. Pasteris Jr. Revocable Declaration of Living Trust (Pages 219-233)**
Request: Minor Amendment to the Special Use Granted by Ordinance 2015-06 Allowing for Events to be Held from April 8th through November 30th and Allowing the Temporary Tent to be Erect During the Same Time Frame at the Banquet Facility at the Subject Property
PINs: 06-11-100-004 and 06-11-100-008
Location: 1998 Johnson Road, Na-Au-Say Township
Purpose: Petitioners Wants to Expand the Allowable Season for the Banquet Center Allowed at the Subject Property

6. **Amended Petition 20 – 01 – Kendall County Planning, Building and Zoning Committee (Pages 234-278)**
Request: Text Amendments to the Kendall County Zoning Ordinance Amending Recreational Vehicle Park and Campground Zoning Regulations and Repealing the 1983 Recreational Vehicle Park and Campground Regulations
Purpose: Proposal Updates the Recreational Vehicle Park and Campground Zoning Regulations

NEW BUSINESS:

1. Request for Clarification Regarding an Agricultural Housing Allocation Near the Southeast Corner of Ashley Road and Caton Farm Road (PINs: 05-35-100-010 and 05-35-100-014) in Kendall Township; Committee Could Grant One or More Housing Allocations on the Subject Properties (Pages 279-313)
2. Recommendation on 2020 Noxious Weed Annual Report (Pages 314-319)
3. Discussion of Ordinance 75-8; Committee Could Refer the Matter to Another Committee of the County Board (Page 320)
4. Discussion of Voluntary Compliance Policy for Zoning Violations

OLD BUSINESS:

1. Zoning Ordinance Project Update
2. Discussion of the Three Foot Rule in the Kendall County Stormwater Management Ordinance and GIS Topographic Information (Pages 321-322)

REVIEW VIOLATION REPORT (Pages 323-329):

REVIEW PRE-VIOLATION REPORT (Page 330):

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

1. Review and Recommendation of the Historic Preservation Commission's Proposed Response to the Illinois Historic Preservation Agency Pertaining to Kendall County Certified Local Government Application (Page 331)

REVIEW PERMIT REPORT (Pages 332-363):

REVIEW REVENUE REPORT (Page 364):

CORRESPONDENCE:

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

ADJOURNMENT:

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

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Conference ID: 657 170 503#

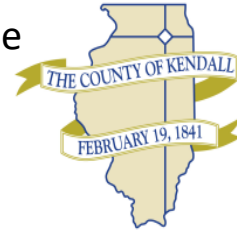
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Kendall County Planning, Building and Zoning Committee

11-09-2020 Remote Meeting Attendance



In accordance with the Governor's Executive Order 2020-07, Kendall County Board Chairman Scott Gryder is encouraging social distancing by allowing remote attendance to the Kendall County Planning, Building & Zoning Meeting scheduled for Monday, November 9, 2020, at 6:30 p.m. Instructions for joining the meeting are listed below.

For your safety and others, please attend the meeting by phone or computer, if possible. The Third Floor Courtroom located in the Kendall County Historic Courthouse, 109 W. Ridge St, in Yorkville, will have limited seating available. Masks are required when social distancing is not possible. If you plan to attend in person, please follow all social distancing requirements.

If anyone from the public would like to make a comment during the meeting there will be an allotted time on the agenda for public comment, and all of the county board rules of order still apply. We will also accept public comment by emailing: masselmeier@co.kendall.il.us. Members of the public may contact Kendall County PBZ Department prior to the meeting for assistance making public comment at 630-553-4139; email correspondence is preferred.

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Kendall County Planning, Building & Zoning Meeting Information:

<https://www.co.kendall.il.us/transparency/agendas-packets-and-meetings-schedules/planning-building-and-zoning/pbz-planning-building-and-zoning>

For information about how to join a Microsoft Teams meeting, please see the following link.

<https://support.office.com/en-us/article/join-a-meeting-in-teams-1613bb53-f3fa-431e-85a9-d6a91e3468c9>

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Historic Courthouse
Third Floor Courtroom
109 W. Ridge Street, Yorkville, Illinois
5:30 p.m.

Meeting Minutes of October 14, 2020 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Prochaska at 5:31 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers, Judy Gilmour, Matt Kellogg (Vice-Chairman), and Matthew Prochaska (Chairman)

Committee Members Absent: Scott Gengler

Also Present: Matt Asselmeier (Senior Planner) and Michele Morris

APPROVAL OF AGENDA

Member Flowers made a motion, seconded by Member Gilmour, to approve the agenda with as presented. With a voice vote of four (4) ayes, the motion carried.

APPROVAL OF MINUTES

Member Kellogg made a motion, seconded by Member Flowers, to approve the minutes of the September 9, 2020. With a voice vote of four (4) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report and the Planning, Building and Zoning Department's year-to-date expenditures. Mr. Asselmeier noted that Petitioner for Petition 18-25 had decided not to pursue a subdivision and the money in the stormwater escrow for this project was refunded. Mr. Asselmeier also stated that work occurred on the Department's trucks; those invoices would be in next month's report.

Member Flowers made a motion, seconded by Member Kellogg, to forward the expenditures to the Finance Committee. With a voice vote of four (4) ayes, the motion carried.

PETITIONS

20-23 Patrick and Michele Morris

Mr. Asselmeier summarized the request.

A five foot (5') public utility and drainage easement exists on the north and south lot lines of Lots 35, 36, and 37 in the Grove Estates Subdivision.

Patrick and Michele Morris would like to merge the three (3) lots and construct a new house over the easements.

The application materials and plat of vacation were provided.

The property is addressed as 7229, 7251, and 7287 Joyce Court.

The property is approximately two (2) acres in size and is zoned RPD-2.

The current land use is Single-Family Residential. The future land use is Rural Residential.

Joyce Court is a local road maintained by Na-Au-Say Township. No trails are planned for the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Single-Family Residential. The adjacent zoning is RPD-2. The Land Resource Management Plan calls for the area to Rural Residential. The zoning districts within a half mile are A-1 and RPD-2.

Na-Au-Say Township was emailed information on September 22, 2020.

The Village of Oswego was emailed information on September 22, 2020.

The Oswego Fire Protection District was emailed information on September 22, 2020.

ZPAC reviewed this proposal at their meeting on October 6, 2020. No utilities were located in the easements. The Petitioner plans to install two (2) driveways at the subject property. The homeowners' association has no opposition to this request. ZPAC recommended approval by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of the meeting were provided.

The total area proposed for vacation is approximately one tenth (0.1) of an acre.

The Petitioners provided information stating that none of the utilities or the homeowners' association were in opposition to this request.

Staff recommends that the requested vacation with the following conditions:

1. Lots 35, 36, and 37 of Grove Estates Subdivision shall not be sold as individual lots upon the successful recording of the plat of vacation (Attachment 2). Within ninety (90) days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
2. This vacation shall become effective upon the successful recording of the plat of vacation in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

A copy of the draft ordinance was provided.

Michele Morris stated that she was in attendance to answer questions.

Member Kellogg asked, if these easements were vacated, would the drainage and utility areas be cut-off from access. Mr. Asselmeier responded that drainage and utility easements were still located on adjoining properties and no access issues would arise.

Member Gilmour made a motion, seconded by Member Kellogg, to recommend approval of the vacations with the conditions proposed by Staff and placing the item on the consent agenda. With a voice vote of four (4) ayes, the motion carried.

The proposal goes to the Kendall County Board on October 20, 2020, on the consent agenda.

NEW BUSINESS

Approval of Fiscal Year 2020-2021 Meeting Calendar

Member Kellogg made a motion, seconded by Member Flowers, to recommend approval of the meeting calendar.

It was noted that the October 2021 meeting would be on a Tuesday.

With a voice vote of four (4) ayes, the motion as amended carried.

Recommendation on 2021 Comprehensive Noxious Weed Work Plan

Mr. Asselmeier summarized the issue.

Kendall County is required by Illinois law to submit an annual Noxious Weed Comprehensive Work Plan to the State by November 1st of each year. The proposed 2021 Kendall County Noxious Weed Comprehensive Work Plan was distributed. This proposal is the same as the 2020 Noxious Weed Comprehensive Work Plan.

Member Gilmour made a motion, seconded by Member Kellogg, to recommend approval of the proposed work plan and place on the consent agenda. With a voice vote of four (4) ayes, the motion carried.

The proposal will go to the County Board on October 20, 2020, on the consent agenda.

Recommendation on Short-Term Rental Registration Form

Mr. Asselmeier summarized the request.

When the County Board approved the amendments to the Zoning Ordinance in September, they approved a provision that required short-term rental property owners to submit an annual register to the County.

The draft annual registration form was provided.

Chairman Prochaska asked if a property owner would have register their property each time they place the property on a rental website. Mr. Asselmeier responded that the registration was valid for one (1) year.

Member Kellogg made a motion, seconded by Member Flowers, to recommend approval of the registration form. With a voice vote of four (4) ayes, the motion carried.

The proposal will go to the County Board on October 20, 2020, on the regular meeting agenda.

Request for Guidance Regarding a Request from the Comprehensive Land Plan and Ordinance Committee Pertaining to Retaining the Prairie Parkway on the Future Land Use Map; Committee Could Refer the Matter to the State's Attorney's Office

Mr. Asselmeier summarized the request.

At their meeting on September 23, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee suggested keeping the Prairie Parkway on the Future Land Use Map in the Kendall County Land Resource Management Plan. This suggestion creates two legal questions:

1. If the Prairie Parkway is retained on the Future Land Use Map, can the County refuse to issue building permits inside the corridor? The State previously withdrew the recorded centerline of the Prairie Parkway and the Land Resource Management Plan, unlike municipal comprehensive plans, is not recorded.
2. The County is required to adopt a twenty (20)-year Transportation Plan per the law that allows the County to have a Transportation Sales Tax. The most current version of this plan was adopted in 2019 and did not include the Prairie Parkway. Which document takes precedents if a conflict exists between the most recently adopted Transportation Plan and the Land Resource Management Plan?

Staff requests input from the State's Attorney's Office on these matters.

Discussion occurred regarding keeping the Prairie Parkway on the Future Land Use Map. Member Flowers suggested keeping the road on the Future Land Use Map. Member Gilmour noted that the County Board already voted to remove the Prairie Parkway from the Transportation Plan. Chairman Prochaska doubted that the alignment for the Prairie Parkway, if the project was resurrected, would be the same as the alignment shown on the Future Land Use Map. There was no consensus for a request for legal review and the informal opinion was that the Prairie Parkway should be removed from the Future Land Use Map in the Land Resource Management Plan.

OLD BUSINESS

Zoning Ordinance Project Update

Mr. Asselmeier reported that he has a meeting with Teska Associates on October 19, 2020, to go over the procedure for updating the Zoning Ordinance from a technological standpoint.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report. Staff provided court updates regarding 1038 Harvey Road and 45 Cheyenne Court.

Member Flowers asked about the number of pools installed without a permit. Mr. Asselmeier will research that information.

REVIEW PRE-VIOLATION REPORT

The Committee reviewed the pre-violation report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Chairman Prochaska noted that the State would like the County to amend the Historic Preservation Ordinance to require that the Commission meet four (4) times per year and remove the application fee. Members discussed the reasons for the existing Five Hundred Dollar (\$500) application fee. Members requested the Historic Preservation Commission to review and propose a fee that ensured that the County did not lose money when considering historic landmark and district applications.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report. Staff noted that year-to-date revenues already surpassed total FY2018-2019 figures.

CORRESPONDENCE

Correspondence from Chris Wilson Regarding Ordinance 2020-09 (Formally Petition 20-12) Pertaining to the Approval of a Plat of Vacation, Relocation, and Expansion of a Construction and Drainage Easement and Drainage and Utility Easement at Lots 171 and 172 in Whitetail Ridge Subdivision (7148 and 7136 Ironwood Court, Yorkville); Committee Could Forward Correspondence to County Board

Mr. Asselmeier read the correspondence.

On May 19, 2020, the Kendall County Board approved Ordinance 2020-09, formally Petition 20-12, a request by Chris Wilson to vacate certain easements located on Lots 171 and 172 in Whitetail Ridge Subdivision. A copy of Ordinance 2020-09 was provided.

Per Section 7.06.H of the Kendall County Subdivision Control Ordinance, the plat of vacation must be recorded within six (6) months of approval of the vacation by the County Board in order for the vacations to become effective. The County Board also has the right to extend the recording deadline.

On July 17, 2020, Mr. Wilson sent an email stating that he was not going to record the plat. Mr. Wilson reiterated this position in an email on September 28, 2020. These emails were provided.

Based on Mr. Wilson's emails, the vacations outlined in Ordinance 2020-09 will not become effective.

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

Motion by Flowers, seconded by Chairman Gilmour, to enter into executive session for the purposes of reviewing minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

The votes were as follows:

Yeas (4): Flowers, Gilmour, Kellogg, and Prochaska
Nays (0): None

Abstain (0): None
Absent (1): Gengler

The motion carried. The Committee recessed at 6:08 p.m.

Chairman Prochaska called the Committee back to order at 6:12 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers, Judy Gilmour, Matt Kellogg (Vice-Chairman), and Matthew Prochaska (Chairman)

Committee Members Absent: Scott Gengler

Also Present: Matt Asselmeier (Senior Planner)

NEW BUSINESS

Approval to Release Executive Session Minutes of October 14, 2020

Chairman Prochaska made a motion, seconded by Member Kellogg, to release the executive session minutes of October 14, 2020. With a voice vote of four (4) ayes, the motion carried.

ADJOURNMENT

Member Flowers, made a motion, seconded by Member Kellogg, to adjourn. With a voice vote of four (4) ayes, the motion carried.

Chairman Prochaska adjourned the meeting at 6:12 p.m.

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

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CLERK: pherber BATCH: 983 INVOICE NEW INVOICES PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE ERR

PENDING UNPAID INVOICES

ACCT	AMOUNT	DEPT	INVOICE	DESC	CHK	DISC	NET	EXCEEDS	BALANCE	CHK/WIRE	ERR
1153	00000	KENDALL CO HIGHW	September 2020				193.07	.00	.00		
CASH 000008		2020/11	INV 10/09/2020	SEP-CHK: N							
ACCT 1Y210		DEPT 19	DUE 10/09/2020	DESC: PBZ TRUCK FUEL SEPTEMBER 2020							
1165	00000	KENDALL COUNTY R 179					402.00	.00	.00		
CASH 000008		2020/11	INV 10/09/2020	SEP-CHK: N							
ACCT 1Y210		DEPT 19	DUE 10/09/2020	DESC: ZONING SEPTEMBER 2020 RECORDINGS							
1172	00000	KENDALL PRINTING 20-10024					74.50	.00	.00		
CASH 000008		2020/11	INV 10/09/2020	SEP-CHK: N							
ACCT 1Y210		DEPT 19	DUE 10/09/2020	DESC: INSPECTION FORMS							
1665	00000	SHAW MEDIA 092010101009					276.52	.00	.00		
CASH 000008		2020/11	INV 10/09/2020	SEP-CHK: N							
ACCT 1Y210		DEPT 19	DUE 10/09/2020	DESC: LEGAL PUBLICATIONS							
1928	00000	WBK ENGINEERING, 21550					430.00	.00	.00		
CASH 000008		2020/11	INV 10/09/2020	SEP-CHK: N							
ACCT 1Y210		DEPT 19	DUE 10/09/2020	DESC: GO PRO PROF SERVICES							
1928	00000	WBK ENGINEERING, 21549					430.00	.00	.00		
CASH 000008		2020/11	INV 10/09/2020	SEP-CHK: N							
ACCT 1Y210		DEPT 19	DUE 10/09/2020	DESC: FOUR SEASONS							
1928	00000	WBK ENGINEERING, 21548					693.83	.00	.00		
CASH 000008		2020/11	INV 10/09/2020	SEP-CHK: N							
ACCT 1Y210		DEPT 19	DUE 10/09/2020	DESC: JOLIET PARK DIST-GROVE ROAD							
1928	00000	WBK ENGINEERING, 21547					552.80	.00	.00		
CASH 000008		2020/11	INV 10/09/2020	SEP-CHK: N							
ACCT 1Y210		DEPT 19	DUE 10/09/2020	DESC: 9211 ROUTE 126							

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 pherber |PBZ 10092020



CLERK: pherber BATCH: 983 INVOICE

NEW INVOICES

VENDOR REMIT NAME PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE ERR

VENDOR	REMIT NAME	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE	ERR
1928	00000 WBK ENGINEERING, 21546			555.18	.00	.00		
CASH	000008 2020/11 INV 10/09/2020		SEP-CHK: N		180119 63150		555.18	1099:
ACCT	1Y210 DEPT 19 DUE 10/09/2020		DESC: FOX METRO O&M BUILDING		18-04	-CONTSVC	-002 WBK	
1928	00000 WBK ENGINEERING, 21545			215.00	.00	.00		
CASH	000008 2020/11 INV 10/09/2020		SEP-CHK: N		11001902 63630		215.00	1099:
ACCT	1Y210 DEPT 19 DUE 10/09/2020		DESC: KENDALL COUNTY REVEIW SERVICES					
1969	00000 RANDY ERICKSON SEPTEMBER 2020			1,200.00	.00	.00		
CASH	000008 2020/11 INV 10/09/2020		SEP-CHK: N		11001902 63610		1,200.00	1099:7
ACCT	1Y210 DEPT 19 DUE 10/09/2020		DESC: SEPTEMBER 2020 PLUMBING INSPECTIONS					
2063	00000 RUNCO OFFICE SUP 796569-1			36.99	.00	.00		
CASH	000008 2020/11 INV 10/09/2020		SEP-CHK: N		11001902 62000		36.99	1099:
ACCT	1Y210 DEPT 19 DUE 10/09/2020		DESC: OFFICE SUPPLIES					

12 PENDING UNPAID INVOICES TOTAL 5,059.89

0 INVOICE(S) REPORT POST TOTAL .00

REPORT TOTALS .00

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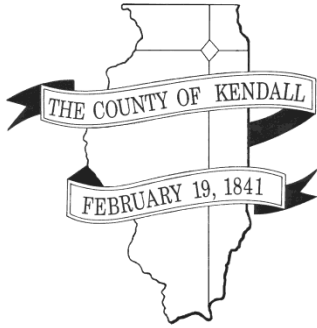
CLERK: pherber BATCH: 1017

NEW INVOICES

VENDOR REMIT NAME INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE ERR

PENDING UNPAID INVOICES

107	00000	AUTOMOTIVE	SPECI	24316	103120	1,559.46	.00	.00	1,559.46	1099:
CASH	000008	2020/11	INV	10/23/2020	SEP-CHK: N	DISC: .00			11001902 62170	
ACCT	1Y210	DEPT 19	DUE	10/23/2020	DESC:2008 PBZ TRUCK REPAIRS					
107	00000	AUTOMOTIVE	SPECI	24319	103120	1,111.60	.00	.00	1,111.60	1099:
CASH	000008	2020/11	INV	10/23/2020	SEP-CHK: N	DISC: .00			11001902 62170	
ACCT	1Y210	DEPT 19	DUE	10/23/2020	DESC:2017 PBZ TRUCK REPAIRS					
995	00000	INTERNATIONAL	CO	3290576	103120	145.00	.00	.00	145.00	1099:
CASH	000008	2020/11	INV	10/23/2020	SEP-CHK: N	DISC: .00			11001902 62030	
ACCT	1Y210	DEPT 19	DUE	10/23/2020	DESC:ICC Annual Dues					
1172	00000	KENDALL PRINTING	2013	103120	49.25	.00	.00	.00	49.25	1099:
CASH	000008	2020/11	INV	10/23/2020	SEP-CHK: N	DISC: .00			11001902 62000	
ACCT	1Y210	DEPT 19	DUE	10/23/2020	DESC:Envelopes					
2063	00000	RUNCO OFFICE SUP	805781-805589-805752	103120	181.91	.00	.00	.00	181.91	1099:
CASH	000008	2020/11	INV	10/23/2020	SEP-CHK: N	DISC: .00			11001902 62000	
ACCT	1Y210	DEPT 19	DUE	10/23/2020	DESC:Office Supplies					
2896	00000	ENBRIDGE ENERGY	REFUND \$19-03	103120	113.02	.00	.00	.00	113.02	1099:
CASH	000008	2020/11	INV	10/23/2020	SEP-CHK: N	DISC: .00			180119 63150	
ACCT	1Y210	DEPT 19	DUE	10/23/2020	DESC:REFUND FOR PROJECT ON MILLER ROAD #19-03				19-03 -REFUND -003	
6	PENDING UNPAID INVOICES	TOTAL			3,160.24					
0	INVOICE(S)	REPORT POST TOTAL			.00					
		REPORT TOTALS			.00					



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee

From: Matthew H. Asselmeier, AICP, CFM Senior Planner

Date: 11/4/2020

Subject: Petition 20-02 Request from Greg Dady on Behalf of DTG Investments, LLC to Add Truck Parking Area or Yard to the List of Special Uses in the A-1 Zoning District

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a trucking company, specifically for offices related to the trucking company, minor repair facilities for company trucks, and company truck parking.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

According to Section 3:02 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

Versions of this memo that were sent to the Kendall County Regional Planning Commission and Kendall County Zoning Board of Appeals stated that this use was not listed as a permitted or special use in any zoning district. That information was incorrect; pursuant to Sections 10:01.B.21.sss and 10:02.B.1 of the Zoning Ordinance, truck parking area or yards are permitted uses in the M-1 and M-2 District.

Staff believes that truck parking area or yard use most closely matches the Petitioners proposed use and offers the following text amendment to Section 7:01.D of the Kendall County Zoning Ordinance:

“Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The list of special uses in the A-1 District should be renumbered to reflect the addition of this use to the list of special uses.

This proposal was sent to the townships on September 1, 2020. As of the date of this memo, only Na-Au-Say Township submitted comments. Na-Au-Say Township felt that the proposed use was not consistent with agricultural operations, that similar uses could occur along roads in the Township, that the proposed use could occur on other roads within the County, and that the Township had concerns regarding the County's ability to enforce the regulations in special use permits. The October 26, 2020, email from Na-Au-Say Township Supervisor Brad Block is attached. The Na-Au-Say Township Planning Commission met on November 4, 2020, and had discussion regarding requiring this type of use be restricted to State highways and that properties used for this type of use be restricted to a maximum of ten (10) acres. Several members of the Na-Au-Say Township Planning Commission indicated that they will be in attendance at the November Planning, Building and Zoning Committee meeting.

ZPAC reviewed this proposal at their meeting on September 1, 2020. Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials or higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126. ZPAC recommended approval of the proposed text amendment with Mr. Klaas' proposed amendment by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting are attached.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 23, 2020. Commissioners expressed concerns about placing this type of use on A-1 zoned property. Several Commissioners felt this use would be more appropriate on property zoned for manufacturing. Commissioners were also concerned about the lack of restrictions within the proposed text amendment. Commissioners were also unhappy that the Petitioner moved a tenant onto property zoned A-1 without obtaining the necessary zoning permits. The Commission recommended denial of the request by vote of zero (0) in favor of the request and eight (8) in opposition. One (1) member of the Commission was absent. Member Nelson voted no because the proposal was too broad, the use could go anywhere, and the use was undesirable at other locations with inadequate protection for the agricultural community and people living in agricultural areas. Member Hamman voted no because he favored more restrictions in the text amendment and requests for this use could come before the Commission monthly. Chairman Ashton voted no because the proposal had inadequate restrictions and he was upset that the Petitioner did not secure the necessary zoning before leasing the property. He suggested that the Petitioner attempt to rewrite the proposal. Member Wilson concurred with Member Nelson and Chairman Ashton and she had concerns regarding the lack of a limit on the number of trucks and trips. The minutes of this meeting are attached.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on September 28, 2020. Discussion occurred regarding rezoning properties to a manufacturing classification instead of issuing special use permits and possible spot zoning. The Kendall County Zoning Board of Appeals recommended approval of the requested text amendment by a vote of four (4) in favor and two (2) in opposition. One (1) Board Member was absent. Chairman Mohr voted no because he felt this proposal was a type of spot zoning. He also noted that he received several phone calls, but no one was in attendance to express concerns in-person.

The Agricultural Zoning Map with road classifications is attached. The Illinois Department of Transportation's Five (5) Year Functional Classification Map for Kendall County is also attached. Also, the draft ordinance is attached.

If you have any questions, please let me know.

Thanks,

MHA

Encs: Agricultural Zoning Map
Illinois Department of Transportation's Five (5) Year Functional Classification Map
September 1, 2020 ZPAC Minutes
September 23, 2020 Kendall County Regional Planning Commission Minutes
September 28, 2020 Kendall County Zoning Board of Appeals Minutes (This Petition
Only)
October 26, 2020 Email from Brad Blocker
Draft Ordinance

Zoning Map A1, A1-BP, A1-SU, A1-SU-PUD

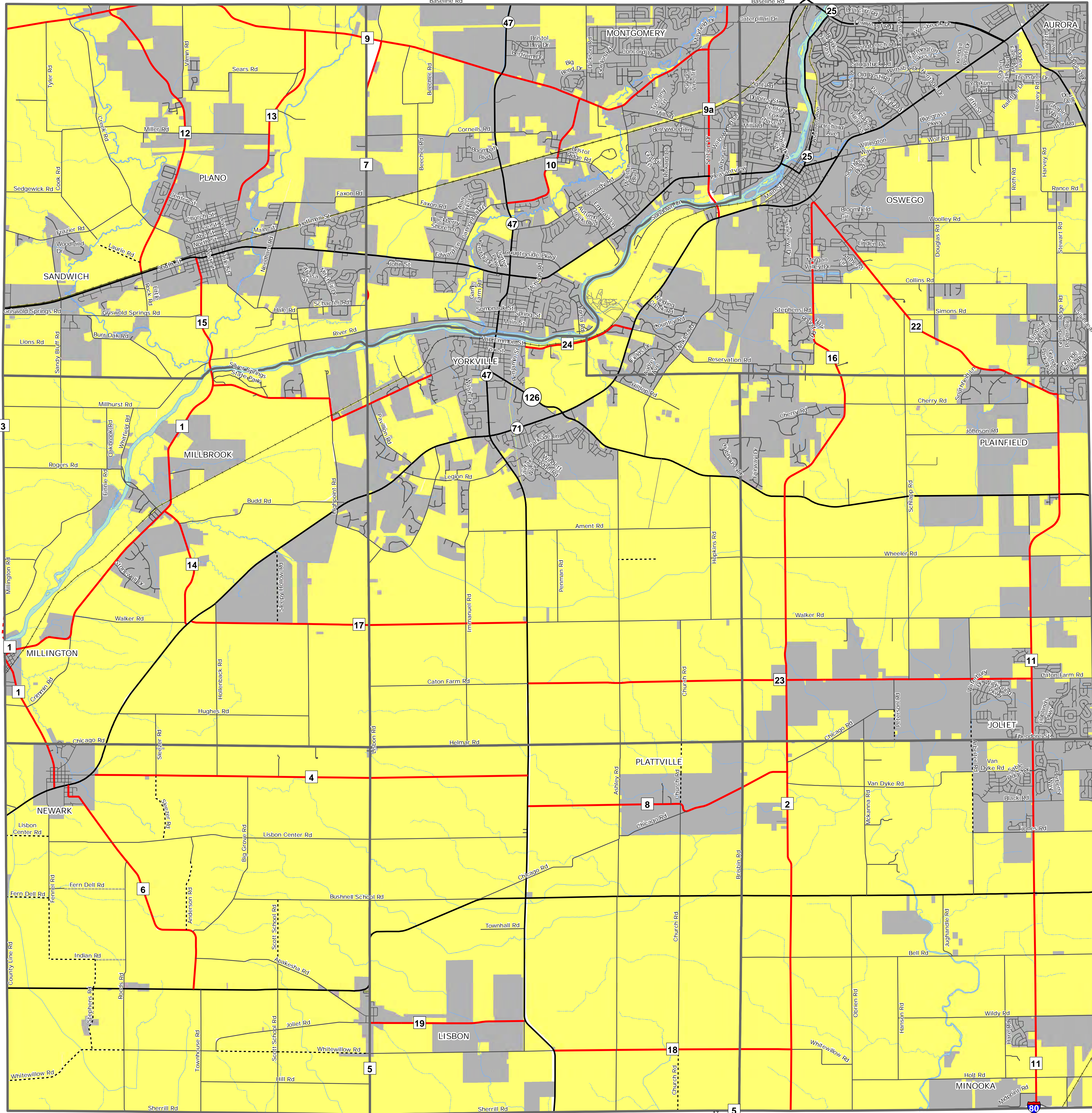
KENDALL COUNTY

- 2019 -

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

Legend

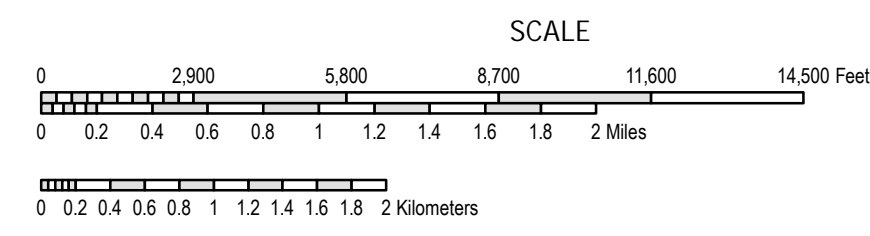
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- COUNTY
- INTERSTATE
- STATE
- FEDERAL
- BITUMINOUS
- GRAVEL
- DIRT
- LOCAL
- RAILROAD
- POLITICAL TOWNSHIPS
- COUNTY FOREST PRESERVE
- STATE PARK
- CORPORATE BOUNDARIES
- A1, A1-BP, A1-SU, A1-SU-PUD
- All Other Zoning/Municipalities



5-YEAR CLASSIFICATION MAP KENDALL COUNTY ILLINOIS

PREPARED BY THE
ILLINOIS DEPARTMENT OF TRANSPORTATION
OFFICE OF PLANNING AND PROGRAMMING

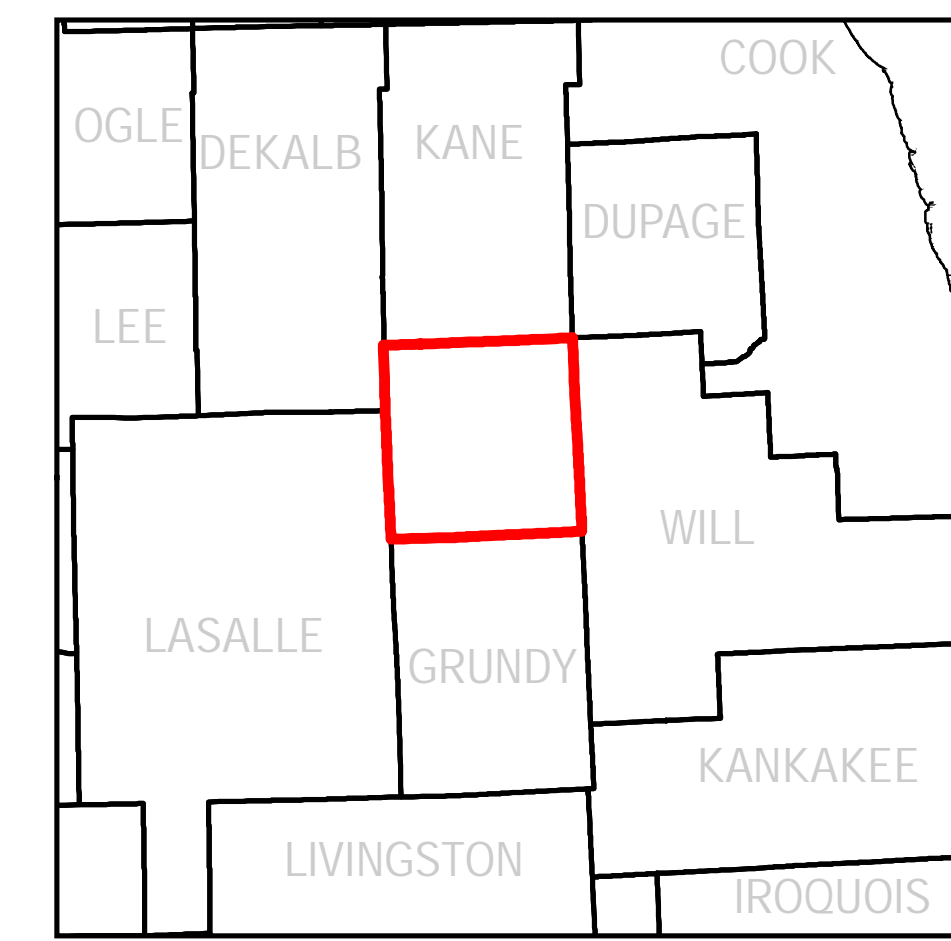
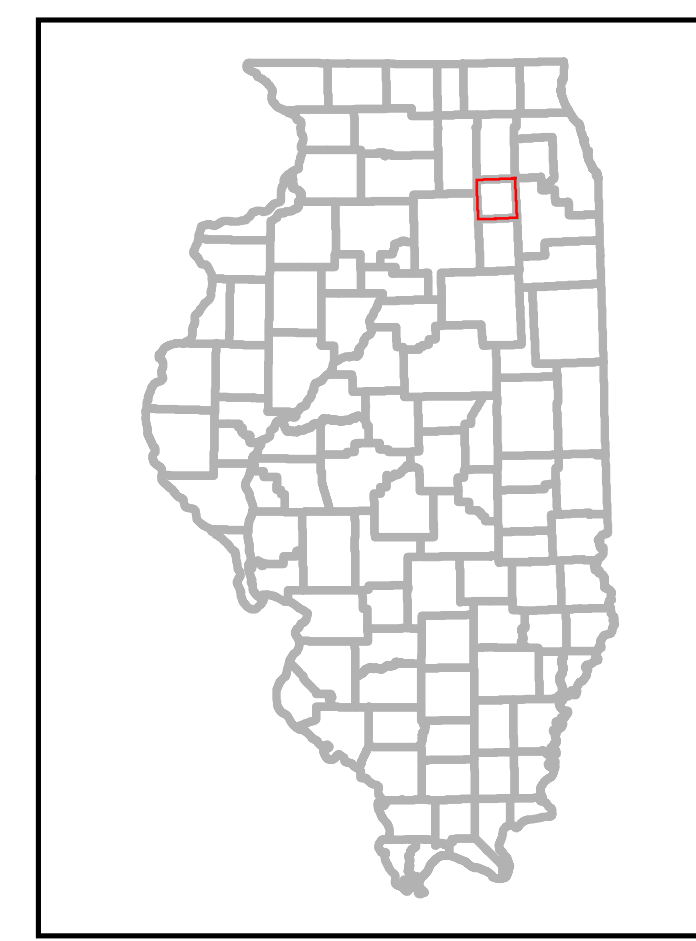
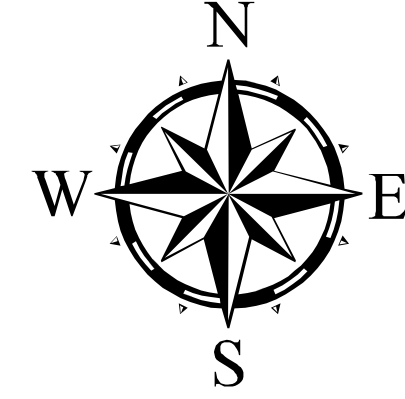
IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



5-Year Classification

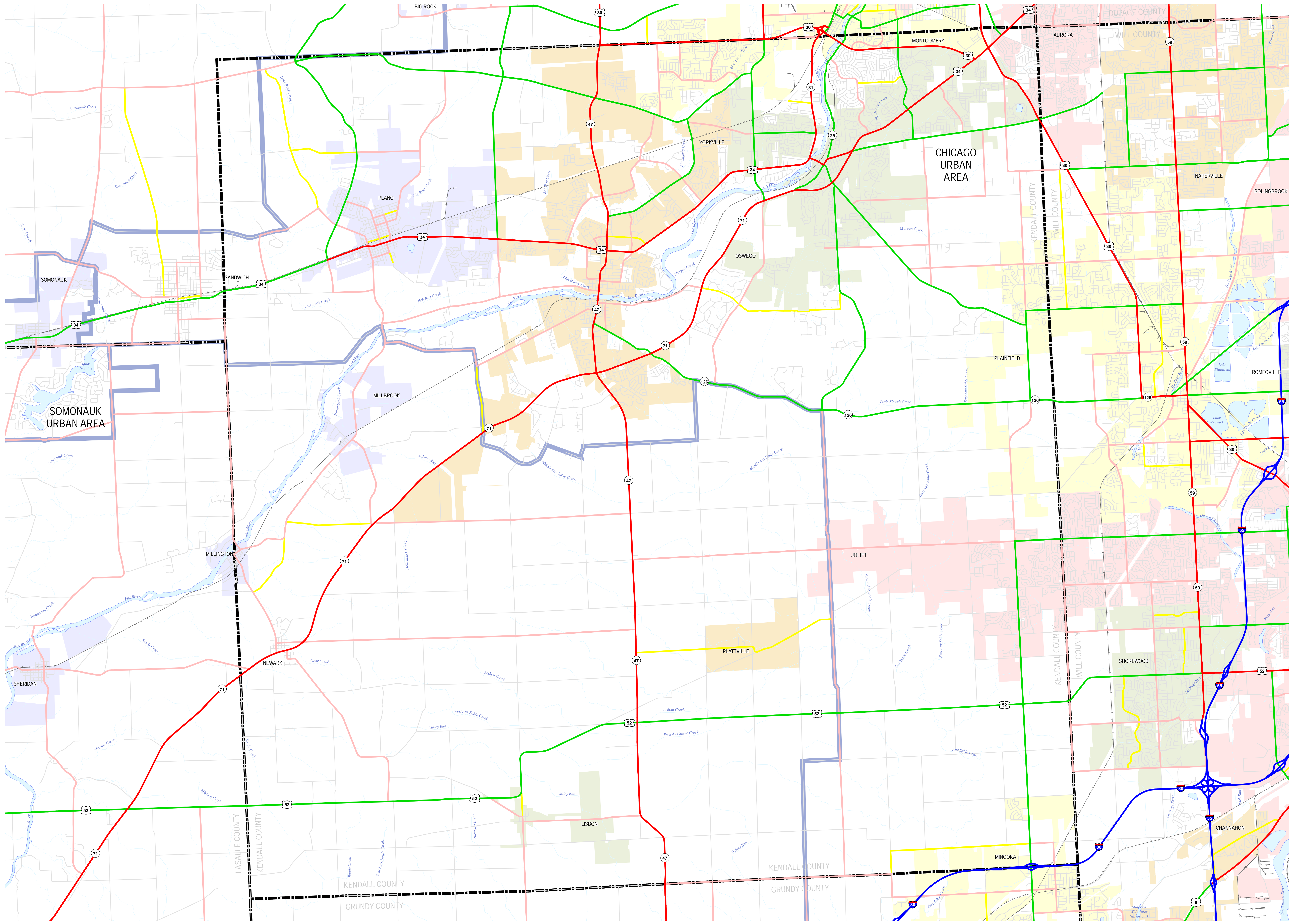
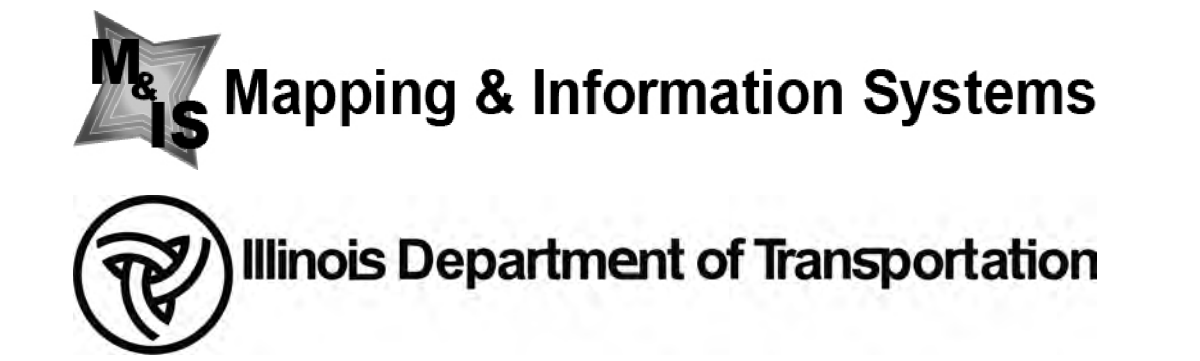
- 1 Interstate
 - 2 Freeway or Expressway
 - 3 Other Principal Arterial
 - 4 Minor Arterial
 - 5 Major Collector
 - 6 Minor Collector
 - 7 Local Road or Street
- Interstate, U.S., State
 - Railroad
 - - - State Boundary
 - - - County Boundary
 - Urban Boundary
 - ~ River, Streams
 - Lakes

DATE MAP CREATED: 7/18/2019



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DATA SOURCES:
ILLINOIS DEPARTMENT OF TRANSPORTATION
ILLINOIS STATE TOLL HIGHWAY AUTHORITY
ILLINOIS COMMERCE COMMISSION
ILLINOIS DEPARTMENT OF REVENUE
UNITED STATES DEPARTMENT OF TRANSPORTATION
UNITED STATES GEOLOGICAL SURVEY
UNATED (TW)



**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 1, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:03 a.m.

Present:

Matt Asselmeier – PBZ Department
Brian Holdiman – PBZ Department (Attended Remotely)
Commander Jason Langston – Sheriff’s Department (Attended Remotely)
Alyse Olson – Soil and Water Conservation District (Attended Remotely)
Matthew Prochaska – PBZ Committee Chair
Aaron Rybski – Health Department

Absent:

Meagan Briganti – GIS
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:

Greg Dady and Mary Murray

AGENDA

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the agenda as presented.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

MINUTES

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the August 4, 2020, meeting minutes.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

PETITIONS

Amended Petition 20-02 Greg Dady on Behalf of DTG Investments, LLC

Mr. Asselmeier summarized the request.

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a trucking company, specifically for offices related to the trucking company, minor repair facilities for company trucks, and company truck parking.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

According to Section 3:02 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

ZPAC Meeting Minutes 9.1.20

“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

This use is not listed as a permitted or special use in any zoning district.

Staff believes that truck parking area or yard use most closely matches the Petitioners proposed use and offers the following text amendment to Section 7:01.D of the Kendall County Zoning Ordinance:

“Truck Parking Area or Yard Including Offices and Maintenances Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The list of special uses in the A-1 District should be renumbered to reflect the addition of this use to the list of special uses.

The Agricultural Zoning Map with road classifications was provided.

Mr. Asselmeier noted that Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126.

Mr. Rybski made a motion, seconded by Mr. Holdiman, to recommend approval of the request text amendment with the restriction that use be placed on roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

Amended Petition 20-05 Greg Dady on Behalf of DTG Investments, LLC

Mr. Asselmeier summarized the request.

Greg Dady, on behalf of DTG Investments, LLC would like to operate a trucking company, specifically offices related to a trucking company, minor repair facilities for company trucks, and company truck parking at the subject property.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

The proposed text amendment (Amended Petition 20-02) would add the following to the list of special uses in the A-1 District:

“Truck Parking Area or Yard Including Offices and Maintenances Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The application materials, aerial of the property, aerial with the flood zone, plat of survey, and site were provided.

The subject property is approximately five point five (5.5) acres in size.

Route 126 is a State maintained arterial; there is a trail planned along Route 126.

There is a floodplain on the north end of the property (Zone A-no base flood elevation determined).

ZPAC Meeting Minutes 9.1.20

The adjacent uses are agricultural or agricultural related.

The adjacent zonings are A-1. The zonings in the area are A-1, R-1, and A-1 with special use permits.

The Future Land Use Map calls for the area to be Rural Residential and Public Institutional.

The A-1 SU to the east is for a farm market, garden shop, winery, corn maze, and fall festival. The A-1 SU to the west is for a farm equipment sales and service business.

Oswego School District 308 owns the property southwest of the subject property.

Ten (10) existing houses are within one half (1/2) mile of the subject property.

Pictures of the property and area were provided.

EcoCAT Report submitted and consultation was terminated.

The LESA Score was 189 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Na-Au-Say Township on August 25, 2020.

Petition information was sent to the Village of Oswego on August 25, 2020. The property is inside Oswego's planning boundary.

Petition information was sent to the Village of Plainfield on August 25, 2020. The property is within one point five (1.5) miles of Plainfield.

The Oswego Fire Protection District was sent information on August 25, 2020. The Oswego Fire Protection District noted that the fire alarm system at the property was not functioning. Other than that concern, they had no objections to the proposal.

The subject property has been used as a landscaping business and repair and restoration business. The order and special use permit that allowed these businesses were provided. The Petitioner would like to retain the special use permit for a cleanup and restoration business at the property.

According to the business plan, the property is leased to United Group Logistics. United Group Logistics is a trucking company that hauls freight throughout the State. They use the property for office space, minor truck repair/maintenance and a truck depot. The office space is used for accounting and dispatch and the bays are used for maintenance. Ten (10) employees are at the site and the hours of operation are Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m.

According to the site plan, there is one (1) approximately fourteen thousand (14,000) square foot metal building on the property that is used for office operations and maintenance. The site plan also shows one (1) metal silo and one (1) corn crib in the planned truck parking area. One (1) approximately one thousand six hundred (1,600) square foot wood frame machine shed is located on the northeast corner of the truck parking area. One (1) single-family home with a detached garage is located on the west side of the property.

Any new structures would require applicable building permits.

The property is served by well and septic.

There is floodplain as part of the Little Slough Creek on the property. This area is considered Zone A which means no flood elevation has been determined; therefore, this area is considered Floodway. No storage or parking should take place in the floodway.

Depending on the nature of new construction, which is not planned as part of this special use permit, stormwater management permits could be required.

The property has two accesses off of Route 126. The western most access would be used by the existing house and the eastern most access would be used by the business operating out of the metal barn.

According to the site plan, a parking area for trucks is shown north of the metal building. The parking area is gravel. No dimension information is provided.

The site plan shows fifteen (15) additional parking spaces to the north of the metal building and ten (10) parking spaces south of the metal building, including two (2) handicapped accessible spaces. A proposed asphalt addition is shown on the site plan. No information was provided regarding a timetable for installing the parking addition.

No information was provided regarding a plan to address spills or other motor vehicle related leaks.

No additional lighting beyond the existing lighting on the building and light near the entrance is planned at this time. Section 11:02.F.12.A requires an illumination plan for parking lots with thirty (30) or more parking spaces.

The site plan shows a sign. The sign is four feet by eight feet (4'X8') in size. A light exists next to the sign. A sign permit will be required.

The site plan shows a wooden fence around the property and a single gate east of the metal building. No information was provided regarding the size of the fence or gate.

A berm and several mature trees are between the metal building and Route 126. No specific landscaping information was provided.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

Before issuing a recommendation, Staff would like comments from Na-Au-Say Township, the Village of Oswego, the Village of Plainfield, and ZPAC members.

Mr. Rybski asked about the septic assessment and catching spills in the maintenance bays. Greg Dady responded that a triple catch basin exists in the maintenance bays and then into the tank. A soil analysis may be necessary.

Mr. Holdiman noted that a change of occupancy is required for the office and maintenance building.

Mr. Asselmeier noted that parking is not allowed in the front yard setback. Mr. Dady stated that no parking signs would be installed on the east side of the parking lot, rear of the property, and in front of the building. Mr. Dady was agreeable to have the parking lot asphalted within ninety (90) days of approval of the special use permit.

Mr. Dady said that the hours of operation could be impacted if an emergency breakdown occurred.

Mr. Dady will provide information on the berm and number of trees on the berm.

Mr. Dady noted that nobody will sleep at the site.

Chairman Prochaska noted that flyovers have increased and Mr. Asselmeier noted that Mr. Dady needs to make sure that the conditions in the special use permit were workable.

Mr. Asselmeier made a motion, seconded by Mr. Rybski, to recommend approval of the special use permit.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

ZPAC Meeting Minutes 9.1.20

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

Amended Petition 20-01 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

At the end of 2019, the Kendall County Planning, Building and Zoning Committee started reviewing the existing 1983 Recreational Vehicle Park and Campground Regulations.

After review by the Committee and the State's Attorney's Office, the suggestion was made to incorporate the amended regulations into the Zoning Ordinance.

On August 26, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee reviewed the proposal and offered their suggested changes.

On August 31, 2020, the Kendall County Planning, Building and Zoning Committee initiated the text amendment to the Zoning Ordinance.

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.
6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).
14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.

17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.
31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal were provided.

Mr. Rybski requested clarification regarding Health Department as stated in the proposal. Mr. Asselmeier noted that the proposal applies to the Kendall County Health Department.

The proposal applies to new campgrounds and campgrounds that amend their special use permits.

Chairman Prochaska made a motion, seconded by Mr. Rybski, to recommend approval of the text amendment.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
 Nays (0): None
 Present (0): None
 Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

Mr. Asselmeier informed the Committee that upcoming meetings will be at the Historic Courthouse because of renovations to the County Board Room.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Chairman Prochaska, to adjourn.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The ZPAC, at 9:34 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Historic Courthouse
Third Floor Courtroom
110 W. Madison Street (109 W. Ridge Street), Yorkville, Illinois*

Unapproved - Meeting Minutes of September 23, 2020 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:02 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, and Claire Wilson

Members Absent: Bob Stewart

Staff Present: Matthew H. Asselmeier, Senior Planner and Scott Koeppl County Administrator (Attended Remotely)

Others Present: Greg Dady and Mary Murray (Attended Remotely)

APPROVAL OF AGENDA

Member Nelson made a motion, seconded by Member McCarthy-Lange, to approve the agenda. With a voice vote of eight (8) ayes, the motion carried.

APPROVAL OF MINUTES

Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the August 26, 2020, meeting. With a voice vote of eight (8) ayes, the motion carried.

PETITIONS

Amended Petition 20-02 Greg Dady on Behalf of DTG Investments

Mr. Asselmeier summarized the request.

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a trucking company, specifically for offices related to the trucking company, minor repair facilities for company trucks, and company truck parking.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

According to Section 3:02 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

This use is not listed as a permitted or special use in any zoning district.

Staff believes that truck parking area or yard use most closely matches the Petitioners proposed use and offers the following text amendment to Section 7:01.D of the Kendall County Zoning Ordinance:

“Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The list of special uses in the A-1 District should be renumbered to reflect the addition of this use to the list of special uses.

This proposal was sent to the townships on September 1, 2020. No comments have been received.

ZPAC reviewed this proposal at their meeting on September 1, 2020. Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials or higher as designated by the Illinois Department of Transportation’s Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126. ZPAC recommended approval of the proposed text amendment with Mr. Klaas’ proposed amendment by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The Agricultural Zoning Map with road classifications was provided. The Illinois Department of Transportation’s Five (5) Year Functional Classification Map for Kendall County was also provided.

Member Wilson expressed concerns that the use started before the zoning application and the lack of a limit on the number of trucks and trips.

Greg Dady stated that he thought that the necessary zoning was in place. Once he found out that a new special use permit was needed, he started working through the process. He originally explored a map amendment, but wanted to get the opinion of Na-Au-Say Township on the matter. Then COVID hit and Na-Au-Say Township did not meet for a couple months. Once they did meet, they favored keeping the A-1 zoning and going for a special use permit under A-1. Based on Na-Au-Say Township input, Mr. Dady changed his application from a map amendment to a text amendment and special use under A-1 zoning.

Several Commissioners questioned Mr. Dady about his lack of knowledge about his existing special use and leasing the property without obtaining the necessary zoning before leasing the property.

Member McCarthy-Lange asked if approving this request would open the door to similar requests. Mr. Asselmeier responded that, if the text amendment is approved, anyone zoned A-1 could ask for the special use. Also, even with the road classification requirement, a property owner could ask for a variance if they demonstrated a hardship.

The trucking company moved in spring in 2019.

The property had a court order for an excavating company and landscaping business. The court order stated that if the excavating company and landscaping business ceased, then the special use for those businesses would cease. The Petitioner secured a special use permit for ServPro in 2014.

Several Commissioners favored placing this type of use in a commercial or manufacturing district instead of the agricultural district because there are several places in the County with agricultural zoning where this use would be incompatible.

Member Hamman asked about a property on Eldamain Road near Galena Road. Mr. Asselmeier stated that, in that case, the property was rezoned to M-1.

Discussion occurred about placing additional restrictions in the text amendment such as number of employees, number of trucks onsite, number of trips, or restricting the use to certain townships. Mr. Dady was agreeable to a restriction on number of trucks at the site.

Na-Au-Say did not provide any comments about the proposal.

Member Wilson made a motion, seconded by Member Nelson, to recommend approval of the text amendment as presented.

The votes were as follows:

Ayes (0): None

Nays (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Wilson

Absent (1): Stewart

The motion failed.

Member Nelson voted no because the proposal was too broad, the use could go anywhere, and the use was undesirable at other locations with inadequate protection for the agricultural community and people living in agricultural areas.

Member Hamman voted no because he favored more restrictions in the text amendment and requests for this use could come before the Commission monthly.

Chairman Ashton voted no because the proposal had inadequate restrictions and he was upset that the Petitioner did not secure the necessary zoning before leasing the property. He suggested that the Petitioner attempt to rewrite the proposal.

Member Wilson concurred with Member Nelson and Chairman Ashton and her concerns regarding the lack of a limit on the number of trucks and trips.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Amended Petition 20-05 Greg Dady on Behalf of DTG Investments

Because the Commission recommended denial of the Petition 20-02, the Commission did not take any action on Petition 20-05; the proposal was moot.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Amended Petition 20-01 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

At the end of 2019, the Kendall County Planning, Building and Zoning Committee started reviewing the existing 1983 Recreational Vehicle Park and Campground Regulations.

After review by the Committee and the State's Attorney's Office, the suggestion was made to incorporate the amended regulations into the Zoning Ordinance.

On August 26, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee reviewed the proposal and offered their suggested changes.

On August 31, 2020, the Kendall County Planning, Building and Zoning Committee initiated the text amendment to the Zoning Ordinance.

ZPAC reviewed this proposal at their meeting on September 1, 2020, and recommended approval by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The redlined proposal was sent to the townships on September 1, 2020. To date, no township has provided comments.

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.
6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).

14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.
17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in a park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.

31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal were provided.

Member Nelson stated that he visited with first responders and asked about problems at campgrounds and the first responders said that their problem was a lack of maps and lots numbers which made it difficult to find people.

Member Wilson asked why picnickers needed to register. Mr. Asselmeier responded the register was required to know who was on the property. Member Nelson stated that the proposal only applies to campgrounds and not picnic groves or State parks. Discussion occurred regarding staffing or keycard to control access to the campgrounds.

Discussion occurred about pickup campers. Mr. Asselmeier responded that the language related to parking regulations.

Member Wilson favored the definition of Recreational Vehicle Park or Campground be amended by saying “. . . lease or rental . . .” instead of “. . . lease or rent . . .”

Member Wilson questioned the use of the word forest regarding clearing an area. Mr. Asselmeier stated that he did not know why that term was used in the 1983 regulation.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the requested text amendment.

The votes were as follows:

Ayes (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Wilson
Nays (0): None
Absent (1): Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Member Nelson noted a court case regarding numbering boards as they relate to campgrounds.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

Approval of Letter from the Kendall County Regional Planning Commission to the Village of Shorewood Regarding the Go Pro Athletic Facility and Four Seasons Storage Development

Mr. Asselmeier presented the letter. Mr. Asselmeier noted that the Attorney representing the development requested that the letter be sent after the Village of Shorewood signed the plats.

Member Nelson made a motion, seconded by Member Hamman, to approve the letter. With a voice vote of eight (8) ayes, the motion carried.

Recommendation on Kendall County Regional Planning Commission Fiscal Year 2020-2021 Meeting Calendar

Member Wilson asked how the Annual Meeting would occur if COVID was still an issue. Mr. Asselmeier stated that the Commission would gather at a location. Attendees would have to socially distance and attendees would be encouraged to attend the meeting remotely.

Member Nelson made a motion, seconded by Member McCarthy-Lange, to recommend approval of the calendar as presented. With a voice vote of eight (8) ayes, the motion carried.

Discussion of Amendment to Article IX of the Kendall County Regional Planning Commission's Bylaws Pertaining to the Location of the Annual Meeting of the Election of Officers; Commission Could Make a Motion to Amend the Location of the Annual Meeting of the Election of Officers

Mr. Asselmeier presented the proposed amendment. The proposed amendment removes the location of the annual meeting for the election of officers.

Member Wilson made a motion, seconded by Member McCarthy-Lange, thirded by Member Casey, to approve the amendment as presented. The vote on the amendment will occur at the next Commission meeting.

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier stated that Petition 19-39 Map Amendment and Special Use Permit for Four Seasons Storage and Petition 20-15 Final Plat Approval for the Go Pro Sports Subdivision passed at the County Board.

Mr. Asselmeier stated that Petition 20-14 Zoning Ordinance Project passed at the County Board with an amendment removing the language regarding research related home occupations and an amendment removing the soils requiring non-traditional septic systems from the calculation of open space.

Mr. Asselmeier reported that Petition 20-21 Fee Schedule Amendment passed at the County Board. The fee for conditional use permits for beekeeping would be One Hundred Dollars (\$100), the same as other conditional use permits. The annual permit renewal fee for beekeeping was removed.

OTHER BUSINESS/ANNOUNCEMENTS

Chairman Ashton asked Mr. Asselmeier to send a letter asking townships to submit comments on zoning petitions.

Mr. Asselmeier reported that the County received a request from Grainco FS to amend the Future Land Use Map for their property on Wabena Avenue. Grainco FS would also like to rezone the property to M-1 Limited Manufacturing.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Hamman, to adjourn. With a voice vote of eight (8) ayes, the motion carried.

The Kendall County Regional Plan Commission meeting adjourned at 8:26 p.m.

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

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
110 WEST MADISON STREET (109 WEST RIDGE STREET), THIRD FLOOR COURTROOM
YORKVILLE, IL 60560
September 28, 2020 – 7:00 p.m.

CALL TO ORDER

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

ROLL CALL:

Members Present: Scott Cherry, Cliff Fox, Tom LeCuyer, Randy Mohr, Dick Thompson, and Dick Whitfield

Members Absent: Karen Clementi

Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner

Others Present: Greg Dady, Gregg Ingemunson, and Michael Ballas

Chairman Mohr swore in Greg Dady, Gregg Ingemunson, and Michael Ballas.

PETITIONS

The Zoning Board of Appeals started their review of Amended Petition 20-02 at 7:01 p.m.

Amended Petition 20 – 02 – Greg Dady on Behalf of DTG Investments, LLC

Request: Text Amendments to the Kendall County Zoning Ordinance Adding Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan to the List of Special Uses in the A-1 District and Related Citation Corrections

Purpose: Proposal Adds Truck Parking Area or Yard to the List of Special Uses in the A-1 District

Mr. Asselmeier summarized the request.

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a trucking company, specifically for offices related to the trucking company, minor repair facilities for company trucks, and company truck parking.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

According to Section 3:02 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

This use is not listed as a permitted or special use in any zoning district.

Staff believes that truck parking area or yard use most closely matches the Petitioners proposed use and offers the following text amendment to Section 7:01.D of the Kendall County Zoning Ordinance:

“Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The list of special uses in the A-1 District should be renumbered to reflect the addition of this use to the list of special uses.

This proposal was sent to the townships on September 1, 2020. No comments have been received.

ZPAC reviewed this proposal at their meeting on September 1, 2020. Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials or higher as designated by the Illinois Department of Transportation’s Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126. ZPAC recommended approval of the proposed text amendment with Mr. Klaas’ proposed amendment by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 23, 2020. Commissioners expressed concerns about placing this type of use on A-1 zoned property. Several Commissioners felt this use would be more appropriate on property zoned for manufacturing. Commissioners were also concerned about the lack of restrictions within the proposed text amendment. Commissioners were also unhappy that the Petitioner moved a tenant onto property zoned A-1 without obtaining the necessary zoning permits. The Commission recommended denial of the request by vote of zero (0) in favor of the request and eight (8) in opposition. One (1) member of the Commission was absent. Member Nelson voted no because the proposal was too broad, the use could go anywhere, and the use was undesirable at other locations with inadequate protection for the agricultural community and people living in agricultural areas. Member Hamman voted no because he favored more restrictions in the text amendment and requests for this use could come before the Commission monthly. Chairman Ashton voted no because the proposal had inadequate restrictions and he was upset that the Petitioner did not secure the necessary zoning before leasing the property. He suggested that the Petitioner attempt to rewrite the proposal. Member Wilson concurred with Member Nelson and Chairman Ashton and she had concerns regarding the lack of a limit on the number of trucks and trips. The minutes of this meeting were provided.

The Agricultural Zoning Map with road classifications was provided. The Illinois Department of Transportation’s Five (5) Year Functional Classification Map for Kendall County was also provided.

Chairman Mohr noted that a trucking company is already operating at 3485 Route 126.

Chairman Mohr opened the public hearing at 7:06 p.m.

Chairman Mohr asked if the proposal was specific to a 3485 Route 126. Mr. Asselmeier responded the amendment applies to all properties zoned A-1 that are located on a major collector or higher as defined in the Land Resource Management Plan.

Gregg Ingemunson, Attorney for the Petitioner, explained that the Petitioner did not understand that he needed to secure a new special use permit when the trucking company moved into the building. Mr. Ingemunson offered to limit the use to properties on State highways. He explained that employees pick-up and park their trucks. The trucks receive and drop-off their loads at other locations. He offered to restrict the number of trucks entering and leaving the property at twenty-five (25). This figure was clarified to mean vehicle trips to and from the property and not number of trucks parked at the property. Mr. Ingemunson provided a history of Countryside Landscaping's work at the property by installing new berm and other landscaping. The Petitioner plans to install an asphalt parking lot.

Member Whitfield asked if this use was similar to the use on the east side of Eldamain Road south of Galena Road. Mr. Asselmeier responded that the Eldamain Road property was rezoned to M-1. The Petitioner in this case originally tried to obtain a map amendment. However, Na-Au-Say Township had some reservations about other uses that could be placed at the property if it was rezoned to M-1. Out of respect to Na-Au-Say Township, the Petitioner chose to pursue the text amendment and special use permit under A-1 zoning.

Mr. Asselmeier noted that, if a property owner had a valid hardship, the roadway location requirement could be varied.

Chairman Mohr asked about the number of mechanics. Greg Dady responded that he saw six (6) mechanics at the property. Chairman Mohr expressed concerns regarding the ability of the septic system to handle the number of employees at 3485 Route 126.

The trucking company was not aware that they were in violation of the Zoning Ordinance.

Chairman Mohr closed the public hearing at 7:15 p.m.

Mr. Asselmeier noted that other property owners in similar circumstances could ask for a special use permit, if the proposal is approved.

Member LeCuyer asked what the Future Land Map designated 3485 Route 126. Mr. Asselmeier responded Rural Residential.

Member Whitfield asked for Staff recommendation. Mr. Asselmeier responded that, because adequate restrictions could be placed on special use permits, Staff was agreeable to the proposal. This use would be appropriate on some A-1 zoned properties and inappropriate on some other A-1 zoned properties.

Discussion occurred about spot zoning. Mr. Asselmeier responded that the Zoning Board and the County Board could determine that the proposed use is a type of agricultural use or is consistent with agricultural uses. In that case, the use would not be spot zoning.

Mr. Asselmeier noted that the Petitioner probably would need additional special uses in the future when the existing lease expires.

Member Whitfield made a motion, seconded by Member LeCuyer, to recommend approval of the text amendment as presented.

The votes were as follows:

Ayes (4): Fox, LeCuyer, Thompson, and Whitfield
Nays (2): Cherry and Mohr
Absent (1): Clementi

The motion passed.

Chairman Mohr voted no because he felt this proposal was a type of spot zoning. He also noted that he received several phone calls, but no one was in attendance to express concerns in-person.

The townships will be notified of the results of the hearing.

This proposal will go to the Kendall County Planning, Building and Zoning Committee on November 9, 2020.

The Zoning Board of Appeals completed their review of Amended Petition 20-02 at 7:30 p.m.

PUBLIC COMMENTS

Mr. Asselmeier reported that the County received a request from Grainco FS to amend the Future Land Use Map for their property on Wabena Avenue. Grainco FS would also like to rezone the property to M-1 Limited Manufacturing.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member LeCuyer made a motion, seconded by Member Cherry, to adjourn. With a voice vote of six (6) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:18 p.m.

The next hearing/meeting will be on November 2, 2020.

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

Exhibits

1. Memo on Amended Petition 20-02 Dated September 25, 2020
2. Certificate of Publication for Amended Petition 20-02 (Not Included with Report but on file in Planning, Building and Zoning Office).

Matt Asselmeier

From: Brad Blocker [REDACTED]
Sent: Monday, October 26, 2020 8:29 AM
To: Matt Asselmeier
Subject: [External]RE: 3485 Route 126 Question

Matt,

Na-Au-Say Township did not have time to put together a normal hearing by the Planning Committee where a motion would have been voted on and recommendation made to Township Trustees and County . The Township did hold the regular monthly meeting on Oct. 19th and the issue was discussed under Old Business on the agenda . At this time it was felt the township should share the general concerns and comments with the County although nothing was formally voted on .

Although it was felt that the applicant has been good to work with on past special uses on the property , and all are sympathetic to the current issues regarding zoning , the Township does not recommend including requested special use in the A-1 area for this Applicant . Also the Township does not recommend the County include the text amendment to include "Truck Parking "as one of the listed uses in A-1 zoning anywhere in Kendall County . Some of the reasons were :

- This type of Commercial Trucking is NOT consistent with agricultural operations on A-1 districts .
- Na-Au-Say Township has seen tremendous growth in our area of large warehouses , immediately to our east just over our Township /County line in Plainfield as well as to our south in Seward Township and Minooka . Along with this we have seen significant increase of truck traffic on Ridge Rd , Rt 126 , Grove and Schlapp Rds within our Township. The concern is that along with this growth and also zoning amendment changes we would be welcoming more Commercial Truck parking along any of these roads in the A-1 District as they are all "Major Collector Roads "in our Township.
- What are the ramifications on County level along Rt 47 , Rt 52, Rt 126 Rt 34 all state highways , as well as Major Collectors like Galena Rd , Eldamain Rd ,Caton Farm Rd , Newark Rd. These would all be prime locations for" Truck Parking Area and Maintenance Yards and Offices " according to the Proposed Text Ammendment
- Regarding past issues with special use permits in A-1 Districts , as well as no-permits that are Non-Conforming with zoning ordinances in Na-Au-Say Township , there has been little ,if any , Policing or enforcement from the County when requested or reported . How can we have confidence that issues with truck parking will be any different ?

These are highlights of the topics discussed . Please feel free to contact me with questions or concerns .

Brad

Bradley A. Blocker
Supervisor

Na-Au-Say Township

"Headwaters of the aux-sable"

Office : [REDACTED]

Mobile : [REDACTED]

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Friday, October 16, 2020 3:27 PM
To: Brad Blocker
Subject: 3485 Route 126 Question

ORDINANCE NUMBER 2020-_____

**TEXT AMENDMENT TO SECTION 7:01.D OF THE KENDALL COUNTY ZONING
ORDINANCE ADDING TRUCK PARKING AREA OR YARD TO THE LIST SPECIAL USES IN
THE A-1 AGRICULTURAL ZONING DISTRICT**

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, Greg Dady on Behalf of DTG Investments, LLC, hereinafter be referred to as “Petitioner”, owns property at 3485 Route 126 in Na-Au-Say Township which is zoned A-1 Agricultural and has a possessory interest which is specifically enforceable on the land which is described in the application for a text amendment as outlined in Section 13:07.B of the Kendall County Zoning Ordinance; and

WHEREAS, on or about August 17, 2020, Petitioner submitted a text amendment to the Kendall County Zoning Ordinance amending Section 7:01.D by adding Truck Parking Area or Yard to the list of Special Uses in the A-1 Agricultural Zoning District with conditions; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on September 3, 2020, the Kendall County Zoning Board of Appeals conducted a public hearing on September 28, 2020, at 7:00 p.m., in the Third Floor Courtroom, at the Kendall County Historic Courthouse, located 109 W. Ridge Street in Yorkville, at which the Petitioner and the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendment and zero members of the public testified in favor of the request, or in opposition to the request, and or provided general comments on the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendment on September 28, 2020; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested text amendment; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: Section 7:01.D is amended by adding the following use alphabetically to the list of special uses in the A-1 Agricultural Zoning District:

“Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

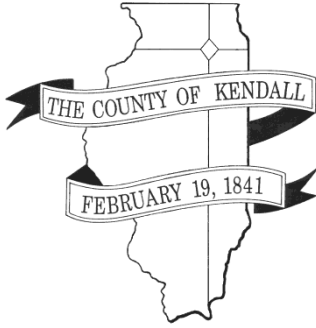
- III. Appendix 9-Table of Uses is hereby amended to reflect the addition of this use in the proper zoning districts.
- IV. Any reference citation errors created by the addition of this use to the Zoning Ordinance shall be corrected.
- V. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of November, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Amended Petition 20-05

**Greg Dady on Behalf of DTG Investments, LLC
Special Use Permit for Truck Parking Area**

INTRODUCTION

Greg Dady, on behalf of DTG Investments, LLC would like to operate a trucking company, specifically offices related to a trucking company, minor repair facilities for company trucks, and company truck parking at the subject property.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

The proposed text amendment (Amended Petition 20-02) would add the following to the list of special uses in the A-1 District:

“Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The application materials are included as Attachment 1. The aerial of the property is included as Attachment 2. The aerial with the flood zone is included as Attachment 3. The plat of survey is included as Attachment 4. The site plan is included as Attachment 5.

SITE INFORMATION

PETITIONERS: Greg Dady on Behalf of DTG Investments, LLC

ADDRESS: 3485 Route 126, Oswego

LOCATION: North Side of Route 126 Approximately 0.45 Miles West of Schlapp Road



TOWNSHIP: Na-Au-Say

PARCEL #: 06-09-400-005

LOT SIZE: 5.6 +/- Acres

EXISTING LAND USE: Former Cleanup and Restoration Business

ZONING: A-1 Agricultural District with a Special Use Permit

LRMP: Future Land Use	Rural Residential (0.65 DU/Acre)
Roads	Route 126 is a State maintained arterial.
Trails	There is a trail planned along Route 126.
Floodplain/Wetlands	There is a floodplain on the north end of the property (Zone A-no base flood elevation determined).

REQUESTED ACTION: Special Use Permit for Truck Parking Area or Yard

APPLICABLE REGULATIONS: Section 13.08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within 1/2 Mile
North	Agricultural	A-1	Rural Residential	A-1
South	Agricultural	A-1	Public/Institutional and Rural Residential	A-1
East	Agricultural	A-1	Rural Residential	A-1, A-1 SU, and R-1
West	Farm Equipment Sales and Service Business	A-1 SU	Rural Residential	A-1 and A-1 SU

Pictures of the property are included as Attachments 7-13.

The A-1 SU to the east is for a farm market, garden shop, winery, corn maze, and fall festival.

Oswego School District 308 owns the property southwest of the subject property.

Ten (10) existing houses are within one half (1/2) mile of the subject property.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated, see Attachment 1, Pages 9-11.

NATURAL RESOURCES INVENTORY

The LESA Score was 189 indicating a low level of protection, see Attachment 6.

ACTION SUMMARY

NA-AU-SAY TOWNSHIP

Petition information was sent to Na-Au-Say Township on August 25, 2020. Na-Au-Say Township submitted comments on October 26, 2020. Na-Au-Say Township felt that the proposed use was not consistent with agricultural operations, that similar uses could occur along roads in the Township, that the proposed use could occur on other roads within the County, and that the Township had concerns regarding the County's ability to enforce the regulations in special use permits. The October 26, 2020, email from Na-Au-Say Township Supervisor Brad Block is included as Attachment 20. The Na-Au-Say Township Planning Commission met on November 4, 2020, and had discussion regarding requiring this type of use be restricted to State highways and that properties used for this type of use be restricted to a maximum of ten (10) acres. Several members of the Na-Au-Say Township Planning Commission indicated that they will be in attendance at the November Planning, Building and Zoning Committee meeting.

VILLAGE OF OSWEGO

Petition information was sent to the Village of Oswego on August 25, 2020. The property is inside Oswego's planning boundary.

VILLAGE OF PLAINFIELD

Petition information was sent to the Village of Plainfield on August 25, 2020. The property is within one point five (1.5) miles of Plainfield.

OSWEGO FIRE PROTECTION DISTRICT

The Oswego Fire Protection District was sent information on August 25, 2020. On August 27, 2020, the Oswego Fire Protection District submitted an email stating that they had no specific concerns. They did note that the fire alarm system at the property was not in operation. The Oswego Fire Protection District email is included as Attachment 16.

ZPAC

ZPAC reviewed this proposal at their meeting on September 1, 2020. The Health Department asked about the septic system and catching spills in the maintenance bays. The Petitioner indicated that a triple catch basin exists in the bays. A change in occupancy permit for the business will be required. A permit for the sign will be required. The Petitioner was agreeable to paving the south parking lot with asphalt within ninety (90) days of the approval of the special use permit. The Petitioner said signage would be installed directing people not to park in the front yard setback or in locations that restricted access to the rear of the property through the drive on the east side of the property. The Petitioner was agreeable to the hours of operation and would obtain information regarding the height of the berm and number of trees on the berm. ZPAC recommended approval of the requested special use permit with a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of the meeting are included as Attachment 17.

KCRPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 23, 2020. Because the Commission recommended denial of the Petition 20-02, the Commission did not take any action on Petition 20-05; the proposal was moot. The minutes of the meeting are included as Attachment 18.

ZBA

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on September 28, 2020. The Petitioner requested that the deadline to install asphalt parking be extended to May 15, 2021. The Petitioner clarified that the berm was ten feet (10') feet tall and twenty (20) trees at least twenty feet (20') in height were located on the berm. The Petitioner agreed to a condition that licenses be valid on all trucks stored at the property. Discussion also occurred regarding having the Health Department inspect the septic system. The Petitioner noted that the parking lot might be filled even when the business was closed and that the tenant was aware of the proposed conditions. The Kendall County Zoning Board of Appeals recommended approval of the requested special use permit with an amendment to Condition 2 setting May 15, 2021 as the date that the parking lot must be

asphalted, Condition 4 was amended to specify the berm at ten feet (10') tall and to specify twenty (20) trees with a minimum of twenty feet (20') feet in height on the berm and Condition 7 was amended to state that vehicles shall have valid licenses if required by law. The vote was six (6) in favor and zero (0) in opposition. One (1) Board Member was absent. The minutes of the hearing are included as Attachment 19.

GENERAL INFORMATION

The subject property has been used as a landscaping business and repair and restoration business. The order and special use permit that allowed these businesses are included as Attachments 14 and 15 respectively. The Petitioner would like to retain the special use permit for a cleanup and restoration business at the property.

BUSINESS OPERATIONS

According to the business plan found on page 2 of Attachment 1, the property is leased to United Group Logistics. United Group Logistics is a trucking company that hauls freight throughout the State. They use the property for office space, minor truck repair/maintenance and a truck depot. The office space is used for accounting and dispatch and the bays are used for maintenance. Ten (10) employees are at the site and the hours of operation are Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m.

No maintenance of vehicles will occur outside the main building.

BUILDINGS AND BUILDING CODES

According to the site plan (Attachment 5), there is one (1) approximately fourteen thousand (14,000) square foot metal building on the property that is used for office operations and maintenance. The site plan also shows one (1) metal silo and one (1) corn crib in the planned truck parking area. One (1) approximately one thousand six hundred (1,600) square foot wood frame machine shed is located on the northeast corner of the truck parking area. One (1) single-family home with a detached garage is located on the west side of the property.

Any new structures would require applicable building permits.

ENVIRONMENTAL HEALTH

The property is served by well and septic.

STORMWATER

There is floodplain as part of the Little Slough Creek on the property as shown on Attachments 3 and 4. This area is considered Zone A which means no flood elevation has been determined; therefore, this area is considered Floodway. No storage or parking should take place in the floodway.

Depending on the nature of new construction, which is not planned as part of this special use permit, stormwater management permits could be required.

ACCESS

The property has two accesses off of Route 126. The western access would be used by the existing house and the eastern access would be used by the business operating out of the metal barn.

PARKING AND INTERNAL TRAFFIC CIRCULATION

According to the site plan (Attachment 5), a parking area for trucks is shown north of the metal building. The parking area is gravel. No dimension information was provided.

The site plan shows fifteen (15) additional parking spaces to the north of the metal building and ten (10) parking spaces south of the metal building, including two (2) handicapped accessible spaces. A proposed asphalt addition is shown on the site plan. Originally, within ninety (90) days of the approval of the special use permit ordinance, the property owner or operators of the business allowed by this special use permit shall install the asphalt parking spaces. This requirement was changed to "on or before May 15, 2021," at the Kendall County Zoning Board of Appeals hearing at the request of the Petitioner.

The Petitioner was agreeable to a condition stating that no work on vehicles would occur outside of the main building. Therefore, no issues related to spills or other motor vehicle related leaks were foreseen. The Petitioner was also agreeable to a condition to monitor the site for leaks.

LIGHTING

No additional lighting beyond the existing lighting on the building and light near the entrance is planned at this time. Section 11:02.F.12.A requires an illumination plan for parking lots with thirty (30) or more parking spaces.

SIGNAGE

The site plan shows a sign. The sign is four feet by eight feet (4'X8') in size. A light exists next to the sign.

SECURITY

The site plan shows a wooden fence around the property and a single gate east of the metal building. No information was provided regarding the size of the fence or gate.

LANDSCAPING

A berm and several mature trees are between the metal building and Route 126.

NOISE CONTROL

No information was provided regarding noise control.

ODORS

No new odors are foreseen by the proposed use.

FINDINGS OF FACT

§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Adequate utilities exist on the site based upon the number of proposed employees at the property. No parking shall occur in the floodplain. No additional buildings are planned for the site. The Petitioners are aware that parking cannot occur in the front yard setback. Route 126 is a State maintained road and should be able to handle the traffic.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **Provided the text amendment adding truck parking area and yard are added to the list of special uses in the A-1 District, this is true.***

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”

RECOMMENDATION

Provided the proposed text amendment related to truck parking and area and yard is approved, Staff recommends approval of the requested special use permit subject to the following conditions and restrictions:

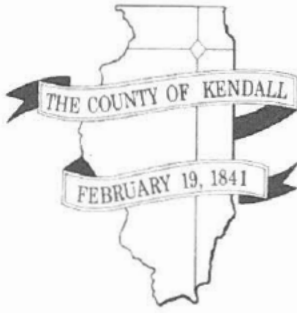
1. The site shall be developed substantially in accordance with the attached plat of survey (Attachment 4) and site plan (Attachment 5). The property owner or operators of the business allowed by this special use permit may remove the frame residence, garage, concrete, metal silo, wood frame machine shed, and corn crib without amending the site plan.
2. On or before May 15, 2021, the property owner or operators of the business allowed by this special use permit shall install the asphalt parking spaces shown on the attached site plan (Attachment 5).
3. No parking or storage shall occur within the floodplain at the north end of the property.
4. The property owner or operators of the business allowed by this special use permit shall maintain the existing ten foot (10') tall berm and twenty (20) trees at a minimum of twenty feet (20') tall on the berm. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department.
5. One (1) four foot by eight foot (4'X8') sign may be installed on the subject property in substantially the location shown on the site plan (Attachment 5). The property owner or operators of the business allowed by this special use permit may install additional directional and no parking signage in order to ensure that no parking occurs in the required front yard setback and that the access to the rear (north) of the property is not blocked via the existing asphalt drive.
6. None of the vehicles parked on premises shall be considered agricultural equipment as they relate to the business allowed by the special use permit.
7. All of the vehicles parked on the premises shall be maintained in good condition with no deflated tires and shall have valid licenses if required by law.
8. No maintenance may occur on any vehicle outside of the fourteen thousand (14,000) square foot building.
9. The property owner or operators of the business allowed by this special use permits shall diligently monitor the property for vehicle related leaks and shall promptly clean up the site if leaks occur.
10. The hours of operation for the business allowed by this special use permit shall be Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m. Drivers may drop-off trucks outside these hours of operations. No one associated with the business allowed by the special use permit shall spend the night at the property. The property owner or operators of the business allowed by this special use permit may reduce these hours of operation.
11. The total maximum number of employees for the business allowed by this special use permit shall be ten (10).
12. The property owner and operators of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
13. The conditions and restrictions contained in Ordinance 2014-29 pertaining to the operation of a clean-up restoration service/business shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a truck parking area or yard.
14. The property owner and operators of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.

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

The draft ordinance is included as Attachment 21.

ATTACHMENTS

1. Application Materials (Including Petitioner's Findings of Fact, NRI Application, and EcoCat)
2. Aerial
3. Flood Zone Aerial
4. Plat of Survey
5. Site Plan
6. NRI Report
7. Building East
8. Building West
9. East Driveway
10. Sign
11. Berm and Trees One
12. Berm and Trees Two
13. Looking South
14. May 8, 2001 Order
15. Ordinance 2014-29
16. August 27, 2020 Oswego Fire Protection District Email
17. September 1, 2020 ZPAC Minutes
18. September 23, 2020 Kendall County Regional Planning Commission Minutes
19. September 28, 2020 Kendall County Zoning Board of Appeals Minutes (This Petition Only)
20. October 26, 2020 Email from Brad Blocker
21. Draft Ordinance



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT		
Greg Dady		
CURRENT LANDOWNER/NAME(S)		
DTG Investments, LLC		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
5	3485 Route 126, Oswego, IL 60543	06-09-400-005
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Special Use	A-1	Rural Residential
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input checked="" type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input checked="" type="checkbox"/> Major; _____ Minor)		
¹PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Greg Dady	[REDACTED]	[REDACTED]
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
[REDACTED]	[REDACTED]	[REDACTED]
²ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT	[REDACTED]	DATE 8-17-2020

FEE PAID: \$ _____
 CHECK #: _____

¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Description of Use

The property located at 3485 State Route 126, Oswego, IL 60543 will be occupied by United Group Logistics. They operate as a trucking company hauling freight throughout the state and will be using the above named property for office space, minor truck repair/maintenance and a trucking depot. Office space will be utilized for accounting and dispatch, and bays will be used for minor repairs/maintenance and for truck parking. The business consists of 10 employees, and hours of operation are Monday - Friday from 8:00 am to 5:00 pm and Saturday from 8:00 am to 3:00 pm.

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.

(PERMANENT INDEX NUMBER 06-09-400-005-0000)

4



PREPARED BY:

Donald J. Manikas, Esq.
Walker Wilcox Matousek LLP
One North Franklin, Suite 3200
Chicago, Illinois 60606

201400017091

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 12/4/2014 2:03 PM
WD: 1354.00 RHSPS FEE: 10.00
PAGES: 4

AFTER RECORDATION

RETURN TO:

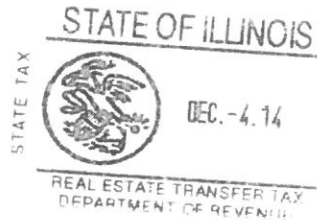
Kristine Larsen, Esq.
22 W. Van Buren Street
Oswego, Illinois 60543

DEC 4 2014 KENDALL
REAL ESTATE TRANSFER TAX
\$ 435.00 (RA)

SEND SUBSEQUENT TAX

BILLS TO:

DTG Investments, LLC 3485 Route 126
Post Office Box 7453
Aurora, Illinois 60507



2014044446/880014236/1063

SPECIAL WARRANTY DEED

THIS INDENTURE, is made as of this 29th day of October, 2014 between **TRIPLE B SOUTH, LLC**, an Illinois limited liability company, as party of the first part, and **DTG INVESTMENTS, LLC 3485 ROUTE 126**, an Illinois series limited liability company, as party of the second part.

WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and no/100 Dollars in hand paid, by these presents does GRANT, BARGAIN, SELL, REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its successors and assigns, FOREVER, all the following described land, situated in the County of Kendall, and State of Illinois known and legally described on Exhibit A attached hereto, subject to general real estate taxes not yet due and payable; zoning and building laws and ordinances; public and utility easements; covenants, conditions and restrictions of record (including that certain Ordinance Number 2014-29 granting a special use for 3485 Route 126 for a clean-up restoration services business, recorded October 10, 2014 as Document Number 201400014186); party wall rights and agreements, if any; matters shown or disclosed by survey prepared by Jade Surveyors LLC dated September 24, 2014; and existing leases or tenancies.

Address of Property: 3485 Route 126, Kendall County, Oswego, Illinois

Permanent Index Number: 06-09-400-005-0000

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or in equity, of, in and to the above described premises, with

the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its successors and assigns, that, except as set forth above and expressly excluding all matters not done by the party of the first part, it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, and it will defend same against the lawful claims of all persons claiming by, through or under it, but not otherwise.

IN WITNESS WHEREOF, said party of the first part has caused its name to be signed to these presents, the day and year first written above.

TRIPLE B SOUTH, LLC
an Illinois limited liability company



William F. Adelizzi, Managing Member

State of Illinois)
)SS.
County of COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that WILLIAM F. ADELIZZI, as Managing Member of Triple B South, LLC, an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 29th day of October, 2014.

Commission expires November 20, 2016.



Notary Public



PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

Robert L. Adelizzi, being duly sworn on oath, and further states that:
(please check the appropriate box)

A. [X] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or
B. [] That the attached deed is not in violation of 765 ILSC 205/1(b) for one of the following reasons: (please circle the appropriate number)

- 1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acres in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interest therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. This conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

[Redacted Signature]
Signature of Affiant

This 29th day of October, 2014.

[Redacted Signature]
Signature of Notary Public



KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Greg Dady - DTG Investments, LLC
Address 3485 Route 126
City Oswego State IL Zip 60543

2. Nature of Benefit Sought _____

3. Nature of Applicant: (Please check one)
 Natural Person (a)
 Corporation (b)
 Land Trust/Trustee (c)
 Trust/Trustee (d)
 Partnership (e)
 Joint Venture (f)

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	INTEREST
Greg Dady - [REDACTED]	50
Tia Dady - [REDACTED]	50

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

Greg Dady is the applicant. _____

VERIFICATION

1. Greg Dady, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 30 day of October, A.D. 2019

(seal)



Notary Public

1
7



RECEIVED
7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3
www.kendallswcd.org

BY: Mandrews

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: DTG Investments, LLC Contact Person: Greg Dady
Address: [REDACTED]
City, State, Zip: [REDACTED]
Phone Number: [REDACTED] ()
Email: [REDACTED]

Please select: How would you like to receive a copy of the NRI Report? Email Mail

Site Location & Proposed Use
Township Name NA-AU-SAY Township _____ N, Range _____ E, Section(s) _____
Parcel Index Number(s) 0609400005
Project or Subdivision Name _____ Number of Acres _____
Current Use of Site _____ Proposed Use _____
Proposed Number of Lots _____ Proposed Number of Structures _____
Proposed Water Supply _____ Proposed type of Wastewater Treatment _____
Proposed type of Storm Water Management _____

Type of Request
 Change in Zoning from _____ to _____
 Variance (Please describe fully on separate page)
 Special Use Permit (Please describe fully on separate page)
Name of County or Municipality the request is being filed with: Kendall County

In addition to this completed application form, please including the following to ensure proper processing:
 Plat of Survey/Site Plan – showing location, legal description and property measurements
 Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
 If available: topography map, field tile map, copy of soil boring and/or wetland studies
 NRI fee (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:
Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	\$ 375.00
_____ Additional Acres at \$18.00 each	\$ _____
Total NRI Fee	\$ _____

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.

[REDACTED] _____ 10/30/19
Petitioner or Authorized Agent Date

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

FOR OFFICE USE ONLY
NRI# 2001 Date initially rec'd 1/3/20 Date all rec'd _____ Board Meeting _____
Fee Due \$ _____ Fee Paid \$ _____ Check # _____ Over/Under Payment _____ Refund Due _____



Applicant: DTG Investments, LLC
Contact: [Redacted]
Address: [Redacted]

IDNR Project Number: 2005266
Date: 01/03/2020
Alternate Number: 2004942

Project: Rt 126- Truck Parking
Address: 3485 Rt. 126, Oswego

Description: to obtain a special use permit for existing property

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

Location

The applicant is responsible for the accuracy of the location submitted for the project.



County: Kendall

Township, Range, Section:

36N, 8E, 9
36N, 8E, 16

IL Department of Natural Resources
Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County Planning Building and Zoning
Matthew Asselmeier
111 West Fox Street
Yorkville, Illinois 60560 -1498

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

IDNR Project Number 2005266

Terms of Use

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IDNR Project Number: 2005266



EcoCAT Receipt

Project Code 2005266

APPLICANT

DATE

DTG Investments, LLC
Greg Dady
[REDACTED]

1/3/2020

DESCRIPTION

FEE

CONVENIENCE FEE

TOTAL PAID

EcoCAT Consultation

\$ 125.00

\$ 2.81

\$ 127.81

TOTAL PAID

\$ 127.81

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

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

That the special use will not be substantially injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole.

Special use will not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.

All of the above have been provided.

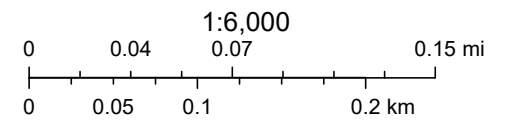
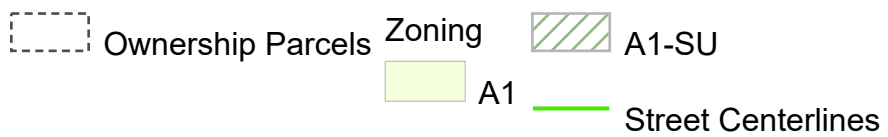
That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals Special use will conform with all the above.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

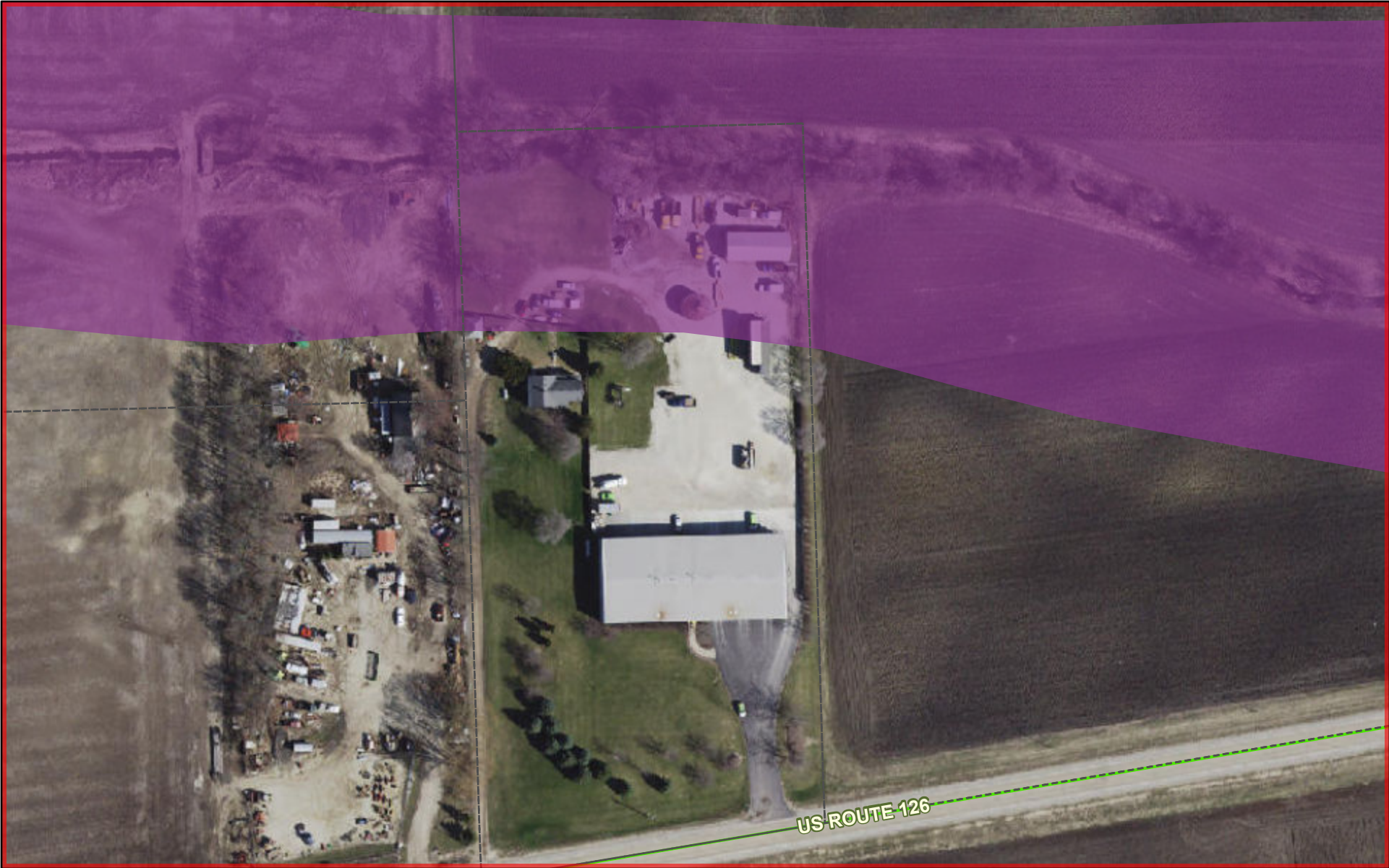
Special use is consistent with the Land Resource Management Plan and adopted County plans and policies.








January 30, 2020

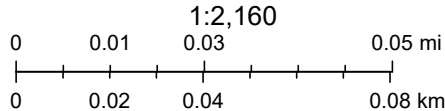


Attachment 3-Flood Zone Map



January 30, 2020

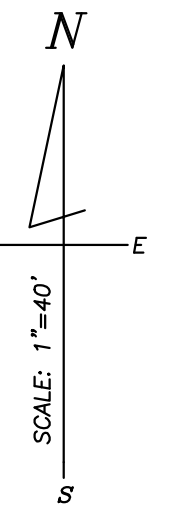
-  Kendall County FEMA FIRM Panels
-  Street Centerlines
-  Ownership Parcels
-  USA Flood Hazard Areas
-  1% Annual Chance Flood Hazard



These layers do not represent a survey. No accuracy is assumed for the data delineated herein, either expressed or implied by Kendall County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, contracts, and

PLAT OF SURVEY

OF
 THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18 ALL IN TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST, ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.



A SOUTHERLY BOUNDARY OF ZONE "A", THE 100 YEAR FLOOD PLAN, AS REPRESENTED ON AND SCALED FROM FIRM PANEL 130, MAP NUMBER 1709-300130H, BEARING A REVISION DATE OF JANUARY 8, 2014

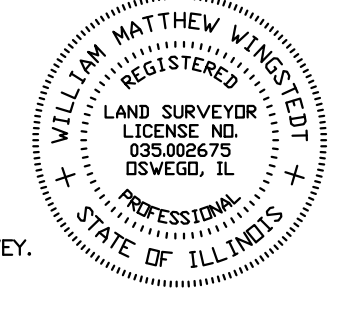
AREA = ±5.0098 ACRES
 PRESENTLY ZONED A1-SU

REFERENCE BENCHMARK: KENDALL COUNTY MARKER DESIGNATION NO. 708, BRASS MARKER ON TOP OF WEST SIDE OF THE CONCRETE BOX CULVERT UNDER GROVE ROAD CROSSING OVER A TRIBUTARY BRANCH TO THE EAST AUX SABLE CREEK, 1 MILE NORTH OF ROUTE 126 ELEVATION = 687.53 NGVD 29

VICINITY MAP
 © OpenStreetMap contributors
<https://www.openstreetmap.org/copyright>

SITE ADDRESS: 3485 ROUTE 126
 OSWEGO IL 60543
 Owner Name DTG INVESTMENTS LLC
 Owner Address PO BOX 7453
 AURORA IL 60507

ORDERED BY: BRUMMEL PROPERTIES



3485 ROUTE 126.DWG
 ● = found iron stake
 ○ = set iron stake
 0 1/4" = 1/2" 3/4" = 1"

FIELD WORK COMPLETED, BUILDINGS AND OTHER IMPROVEMENTS LOCATED AS SHOWN ON THE 12TH OF DECEMBER, A. D., 2019.

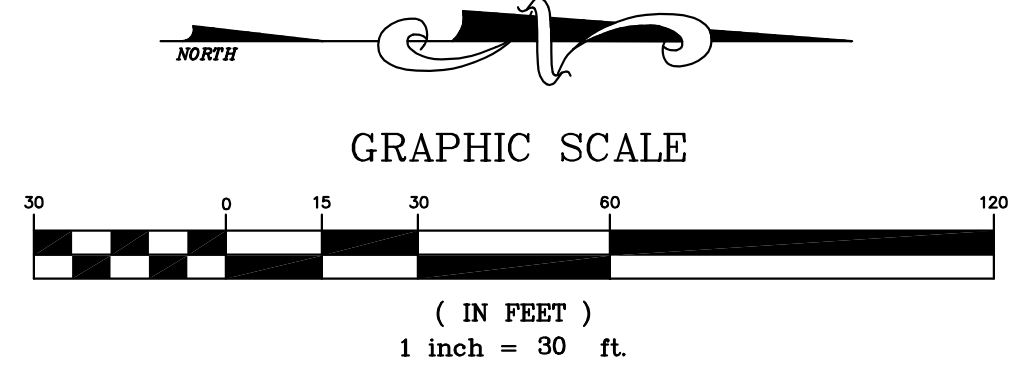
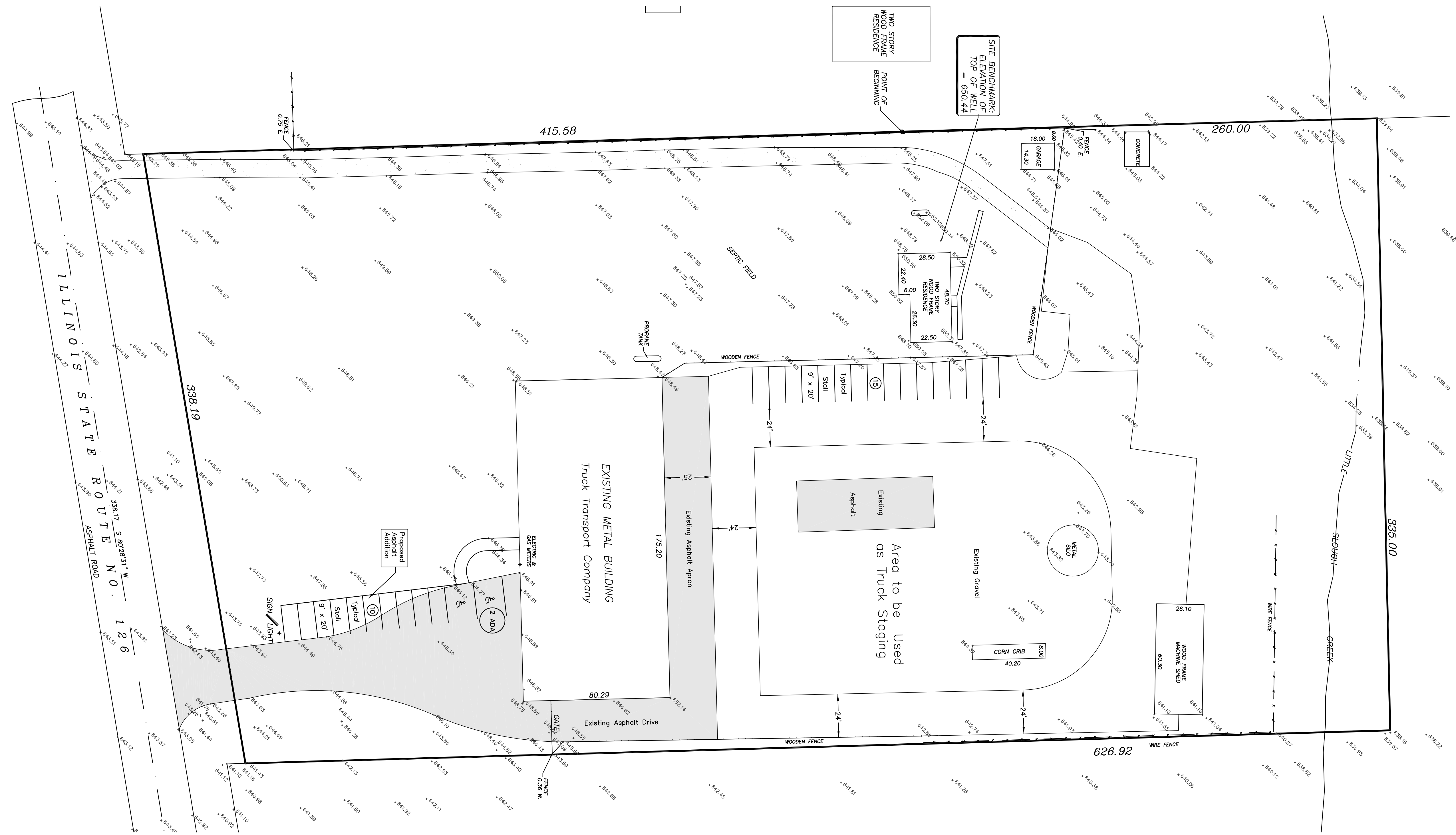
ORDER NO. 19 L 71 FILE NO. 191062
WILLIAM M. WINGSTEDT
 ILLINOIS PROFESSIONAL LAND SURVEYOR
 329 WHITE PINES CT., OSWEGO, ILLINOIS 60543
 PHONE: (630) 554-8209 FAX (630) 551-1207



ILLINOIS LAND SURVEYOR NO. 72675
 (LICENSE SUBJECT TO RENEWAL AND EXPIRES 11/30/2020)
 REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
 ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
 LINE DIRECTIONS AND BEARINGS, WHERE SHOWN, ARE BASED ON A DEED DATUM LINE.
 PLEASE COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES

3485 Rte 126 Special Use Site Plan

OF
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18 ALL IN TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST, ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.



Site Data
SITE ADDRESS: 3485 ROUTE 126
OSWEGO IL 60543
Owner Name DTG INVESTMENTS LLC
Owner Address PO BOX 7453
AURORA IL 60507

PRESENTLY ZONED A1-SU
Total Area = ±5.0098 ACRES
Metal Subject Bldg Area = 14,067 sq.ft.
Metal Subject Bldg Use =
Truck Transport & Logistics
With Truck Mechanic facility
25 Parking Stalls
2 ADA Parking Stalls
Site is currently landscaped
with berms, mature trees, bushes
and board on board security fence

Rynear & Son, Inc.
Consulting Engineers
Professional Design Firm
Licenses No. 184-004637

595 BUTTWOOD CIRCLE
NAPERVILLE, ILLINOIS 60540
(630) 355-9889 PHONE
(630) 355-5382 FAX

ISSUE:

#	Date	Description

PROJECT:
**Site Plan
Special Use Permit
3485 Rte. 126**
Oswego, Illinois

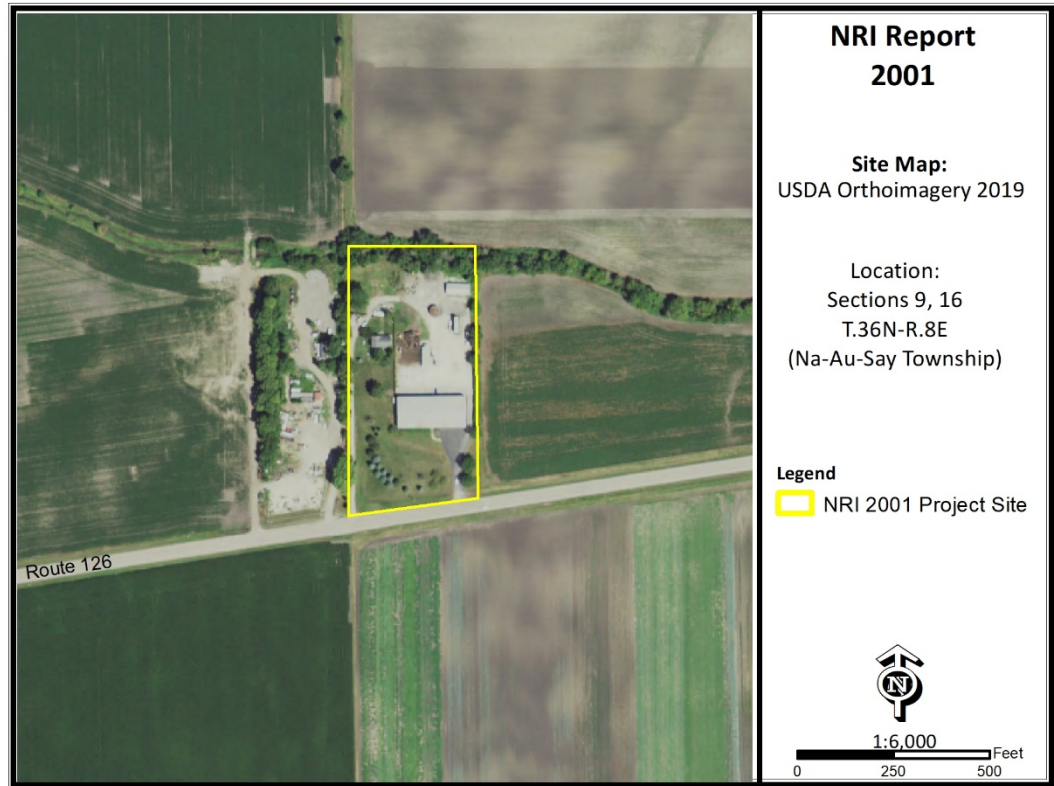
Client:
Brummel Properties

Date:
Design/Drawn: **WAR**
Approved: **CWR**
Book No.:
File No.:

**Site Plan
3485 Rte. 126
Oswego, IL
Special Use**

SHEET NUMBER:
C-1
SHEET 1 OF
Project No.:

NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 2001



January 2020

Petitioner: DTG Investments, LLC
Contact: Greg Dady

Prepared by:



**Kendall County Soil & Water
Conservation District**

7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442

www.kendallswcd.org

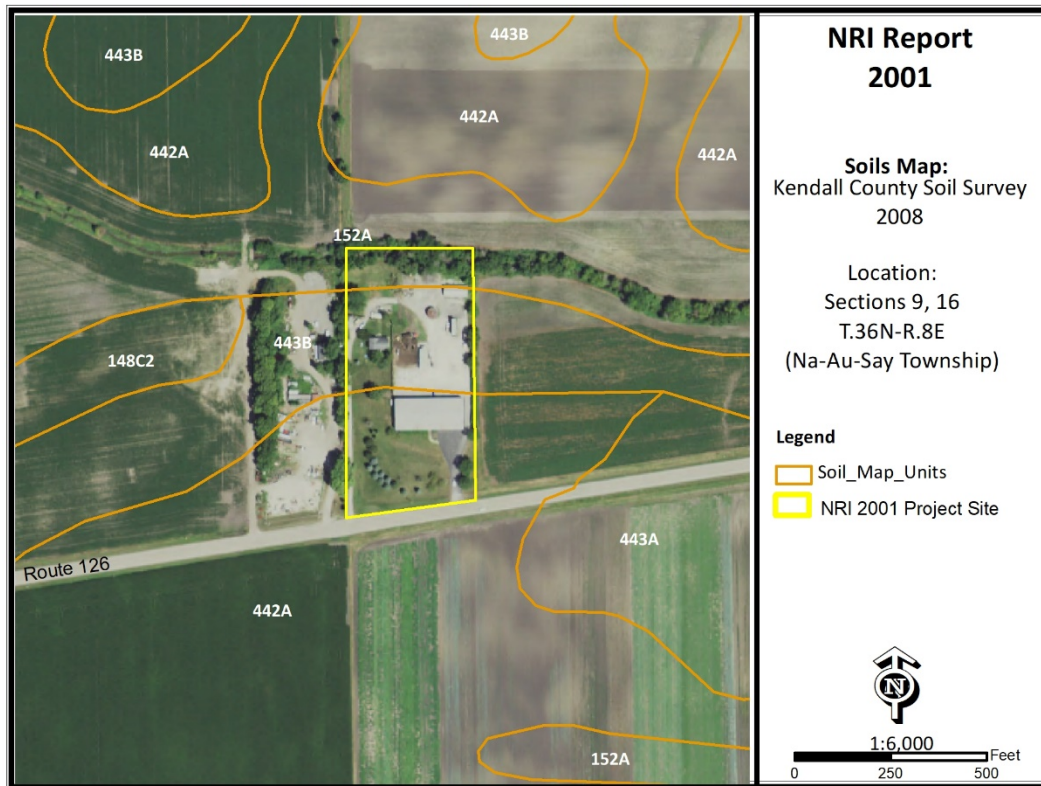
2001

Executive Summary

January 2020

Petitioner: DTG Investments, LLC**Contact Person:** Greg Dady**County or Municipality the petition is filled with:** Kendall County**Location of Parcel:** SE 1/4 Section 9; NE ¼ Section 16 T.36N.-R.8E. (Oswego Township), 3rd Principal Meridian in Kendall Co., IL**Project or Subdivision Name:** N/A**Existing Zoning & Land Use:** A-1; Buildings, Parking, Outdoor Storage, Creek**Proposed Zoning & Land Use:** A-1 Special Use**Proposed Water Source:** Well**Proposed Type of Sewage Disposal System:** Septic**Proposed Type of Storm Water Management:** Not Provided**Size of Site:** 5.0 acres**Land Evaluation Site Assessment Score:** 189 (Land Evaluation: 92; Site Assessment: 97)

Natural Resource Considerations

Soil Map:**SOIL INFORMATION:**

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; please refer to onsite soil test results for planning/engineering purposes):

Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
152A	Drummer silty clay loam, 0-2% slopes	Poorly drained	B/D	Hydric Soil	Prime Farmland (if drained)
442A	Mundelein silt loam, 0-2% slopes	Somewhat poorly drained	B/D	Hydric Inclusions Likely	Prime Farmland
443B	Barrington silt loam, 2-4% slopes	Moderately well drained	C	Non-hydric	Prime Farmland

Hydrologic Soil Groups: Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- ✓ **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- ✓ **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- ✓ **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- ✓ **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils: A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, one soil, 152A Drummer silty clay loam, is classified as a hydric soil and one, 442A Mundelein silt loam, is designated as having the potential for hydric inclusions.

Prime Farmland: Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, all are designated as prime farmland.

Table 2:

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
152A	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: 0.0'-0.5' Frequency: Brief, Frequent	January - May None
442A	Negligible	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: -- Frequency: None	January - May None
443B	Low	February - April Upper Limit: 2.0'-3.5' Lower Limit: >6.0'	February - April Surface Water Depth & Duration: -- Frequency: None	February - April None

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover. Indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal).

Ponding: Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

Flooding: Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration expressed as brief is 2 to 7 days and a frequent frequency means that it is likely to occur often under normal weather conditions.

SOIL LIMITATIONS:

According to the USDA-NRCS, soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction and maintenance. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Ratings are based on the soil in an undisturbed state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.

- ✓ **Not Limited:** Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.
- ✓ **Somewhat Limited:** Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation; fair performance and moderate maintenance can be expected.
- ✓ **Very Limited:** Indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures; poor performance and high maintenance can be expected.

Conventional Septic System Rating Criteria:

The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. Soils that are deemed unsuitable for installation of an on-site sewage disposal system per the Kendall County Subdivision Control Ordinance may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact: Kendall County Health Department located at 811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026.

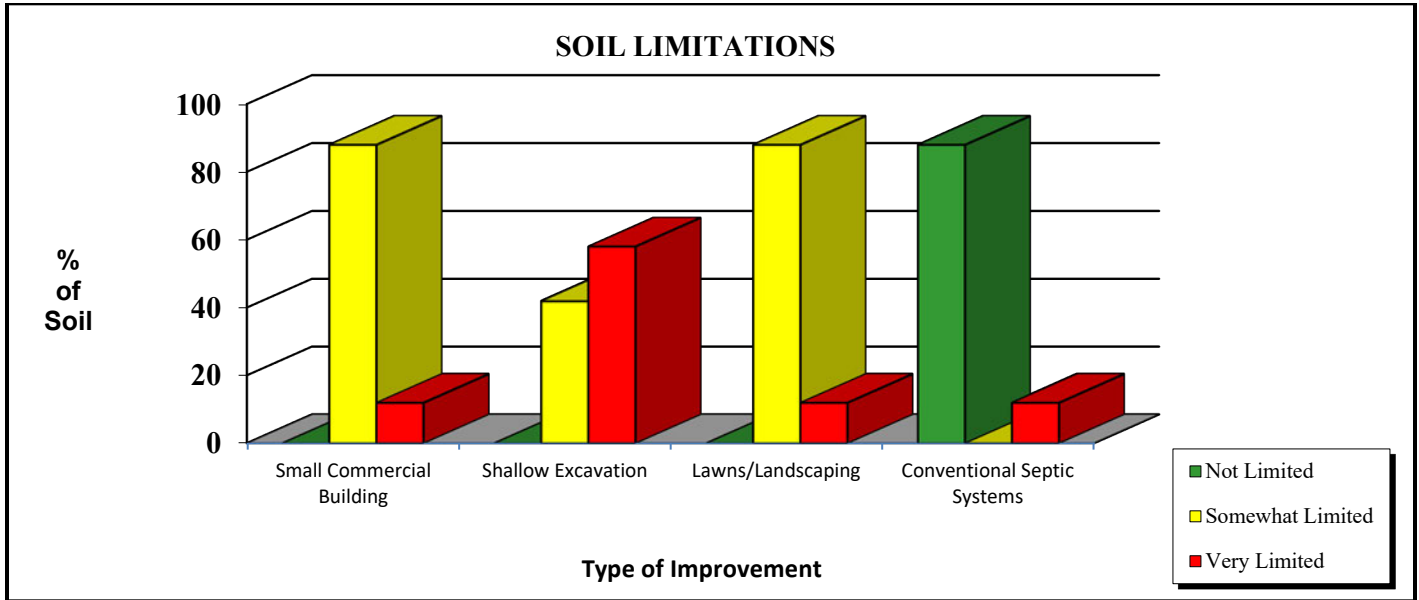
Limitations are listed below for dwellings with basements, dwellings without basements, small commercial building, and onsite conventional sewage disposal systems. Please note this information is based on soils in an undisturbed state as compiled for the USDA-NRCS 2008 Soil Survey of Kendall County, IL and the Kendall County Subdivision Control Ordinance; this does not replace the need for site specific soil testing or results of onsite soil testing.

Table 3a: Building Limitations

Soil Type	Dwellings without Basements	Dwellings with Basements	Small Commercial Building	Onsite Conventional Sewage Disposal System
152A	Very Limited: Ponding, Depth to saturated zone, Shrink-swell	Very Limited: Ponding, Depth to saturated zone, Shrink-swell	Very Limited: Ponding, Depth to saturated zone, Shrink-swell	Unsuitable: wet
442A	Somewhat Limited: Depth to saturated zone	Very Limited: Depth to saturated zone	Somewhat Limited: Depth to saturated zone	Suitable
443B	Somewhat Limited: Shrink-swell	Somewhat Limited: Depth to saturated zone	Somewhat Limited: Shrink-swell	Suitable

Table 3b: Building Limitations

Soil Type	Shallow Excavations	Lawns & Landscaping
152A	Very Limited: Ponding, Depth to saturated zone, Dusty, Unstable excavation walls	Very Limited: Ponding, Depth to saturated zone, Dusty
442A	Very Limited: Depth to saturated zone, Dusty, Unstable excavation walls	Somewhat Limited: Depth to saturated zone, Dusty
443B	Somewhat Limited: Depth to saturated zone, Dusty, Unstable excavation walls	Somewhat Limited: Dusty



Building Limitations Maps:

Figure 2a: Small Commercial Building

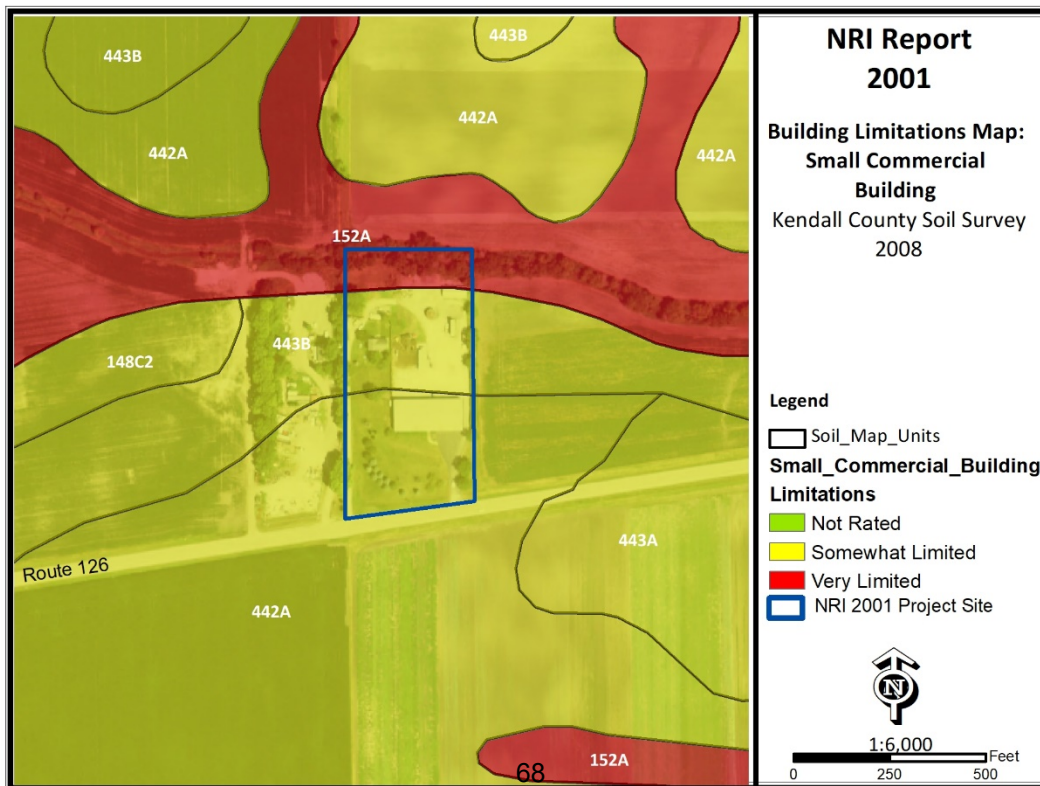


Figure 2b: Shallow Excavations

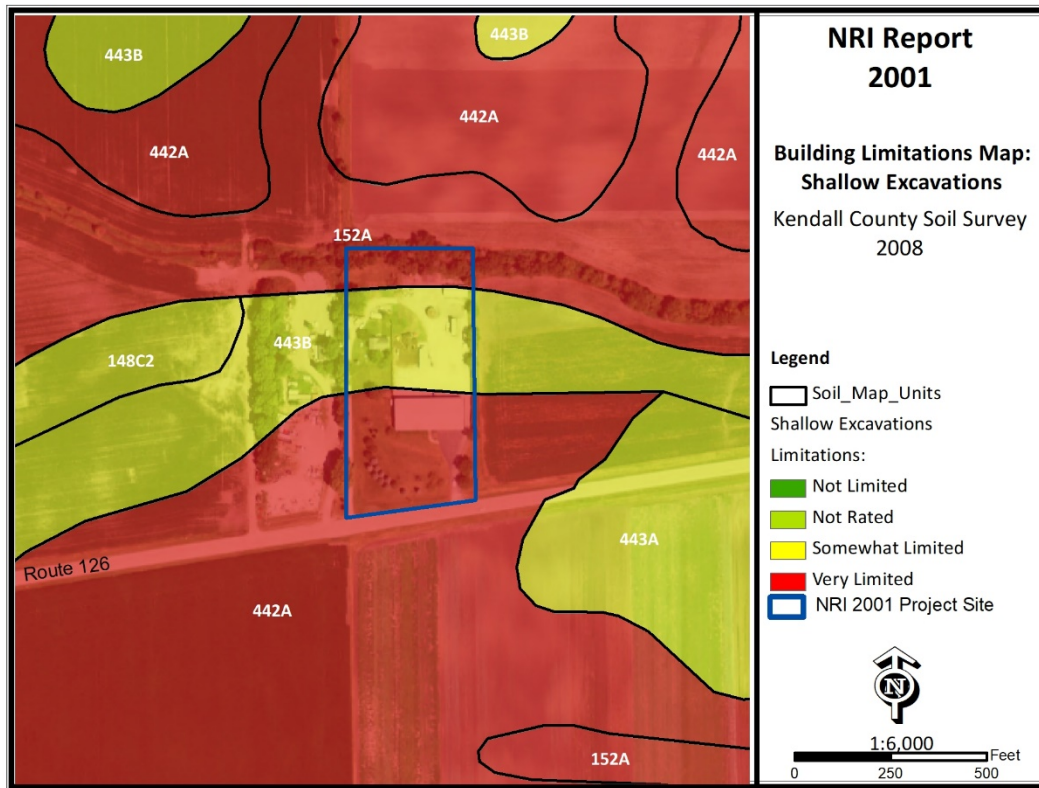
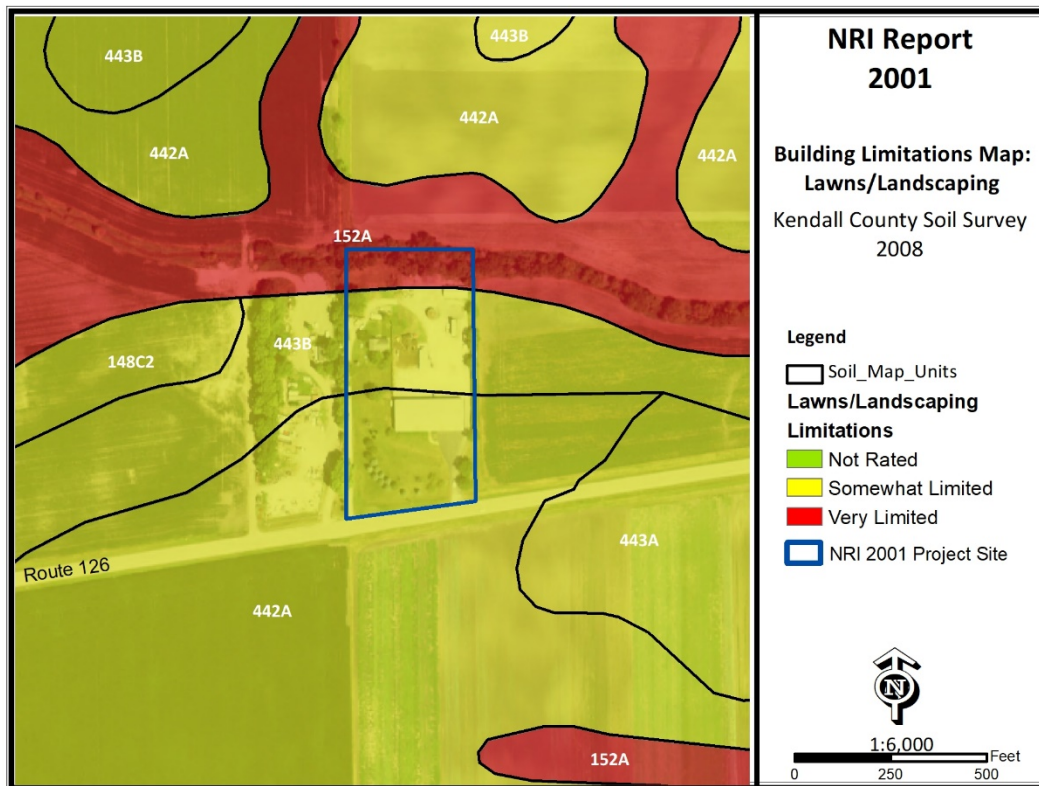


Figure 2c: Lawns/Landscaping



Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Table 4a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
152A	1	100	0.6	60.0
442A	2	94	2.3	216.2
443B	3	87	2.1	182.7
Totals			5.0	458.9
LE Score		LE= 458.9/5.0		LE = 92

The Land Evaluation score for this site is **92**, indicating that this site is predominately prime farmland well suited for agricultural production.

Table 4b: Site Assessment Computation

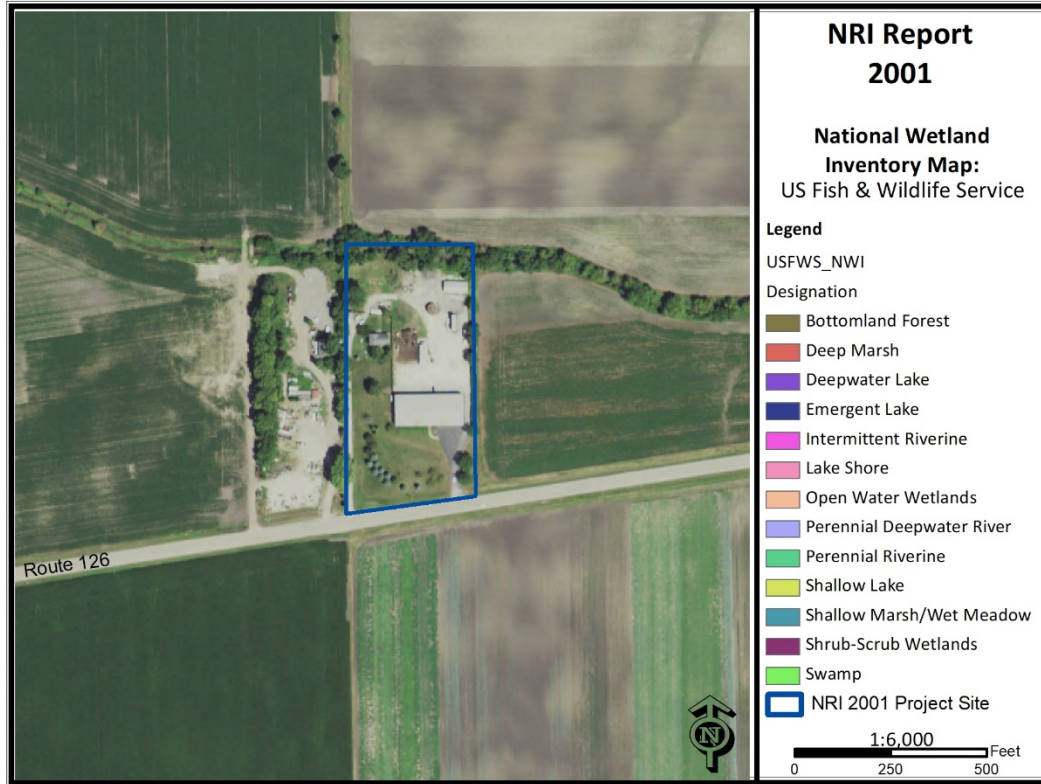
A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	20
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	10
	Site Assessment Score:	97

Land Evaluation Value: 92 + Site Assessment Value: 97 = LESA Score: 189

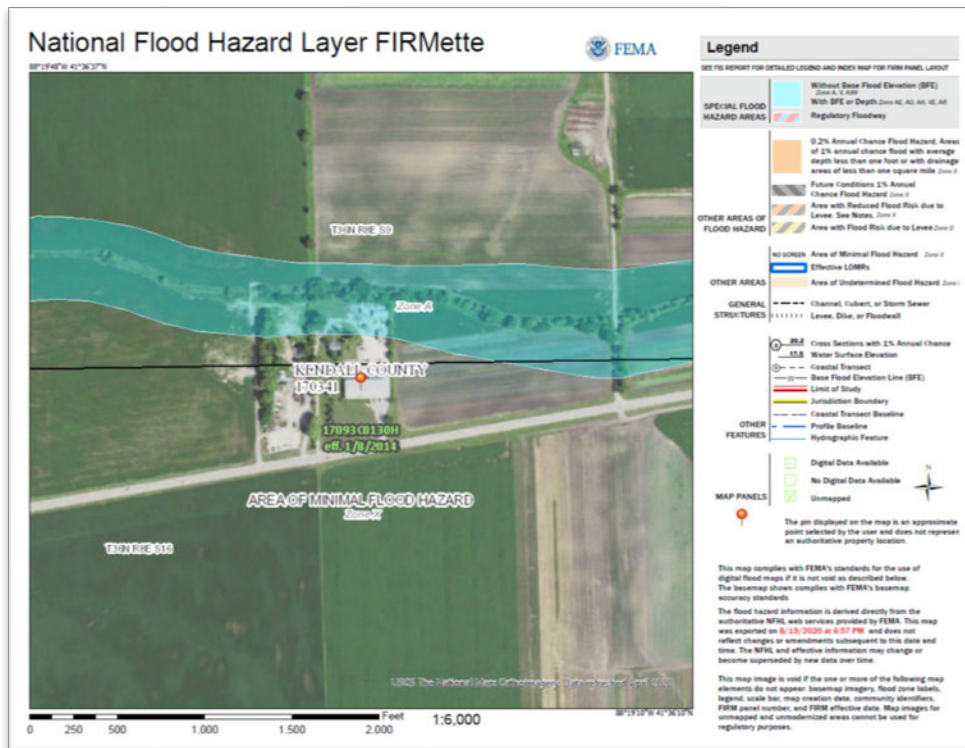
LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 189** which indicates a **low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service’s National Wetland Inventory map **does not indicate** the potential presence of a wetland on the project site. If a wetland is present and will be impacted by the project, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.



Floodplain: The parcel is located within the floodplain.



Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<https://illinoisurbanmanual.org/>) for appropriate best management practices.

LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner DTG Investments, LLC at the request of their contact Greg Dady for the proposed A-1 Special Use petition. This parcel is located in Sections 9 & 16 of Na-Au-Say Township (T.36N.-R.8E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel; the soils on this parcel scored an 92 out of a possible 100 points indicating the soils found on the project site are predominately prime farmland well suited for agricultural production. The overall LESA Score for this site is 189 which indicates a low level of protection for the proposed project site. Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production and is an important resource to Kendall County; of the three soil types identified onsite, all are designated as prime farmland. A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile; one of the soil types found onsite, is designated as a hydric soil and one soil type has the potential to have hydric inclusions.

For proposed land uses, soils can have potential limitations. This report indicates, if the following uses were to be included as part of future site development or expansion, that for soils located on the parcel, 58% are very limited for shallow excavations and 12% are unsuitable for onsite conventional septic systems, small commercial building, and lawns/landscaping. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support development with significant limitations. Additionally, if the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Illinois River Watershed.

If development should occur onsite, a soil erosion sediment control plan should be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense project uses it may be necessary to have a drainage tile survey completed on the parcel to locate any subsurface drainage tile if suspected onsite. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statutes, Ch. 70, Par 405/22.02a).


SWCD Board Representative

January 6, 2020
Date



08/20/2020 11:08



VERS
TC
TRUCK CENTER
212-4141
UNIT B

08/20/2020 11:08



PRIVATE PROPERTY
NO HUNTING
FISHING
TRESPASSING

01/27/2020 10:02

WELCOME DRIVERS

 UNITED GROUP LOGISTICS INC (773)809-9145	 OSWEGO TRUCK CENTER (331)212-4141
--	---

3485 IL-126 • UNIT B

08/20/2020 11:08



08/20/2020 11:10



08/20/2020 11:10



08/20/2020 11:08

which permits the continued use of the building by the Defendants, subject, however, to the terms and restrictions contained in this Order.

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. The real estate described herein shall remain classified A-1, Agricultural, under the Kendall County Zoning Ordinance. Defendants shall withdraw their pending Petition for Special Use filed on October 13, 2000.
2. Defendants shall be permitted to continue to use the real estate and the improvements situated thereon for the storage of the trucks and equipment used in their excavating business, or for other uses normally permitted in the A-1 Zoning District, subject, however, to the following restrictions:
 - a. All trucks and earthmoving equipment used in the Defendants' excavating business shall be stored inside the metal equipment storage building.
 - b. Nothing other than agricultural products may be stored on the 2.4396 acre parcel of real estate outside of the metal equipment storage building, the silo, and the corn crib, depicted on Exhibit "A".
 - c. No additional building or buildings shall be constructed on the real estate, nor shall the size of the metal equipment storage building be increased.
 - d. In the event that the metal equipment storage building sustains damages, due to fire or other causes, in excess of 50% of its value, then the building may only be rebuilt and restored if the structure meets all required building set back requirements for principal buildings (100 feet from the dedicated road right of way) in the A-1 Zoning District and the building, when rebuilt, shall not be greater than 10,000 square feet in size.
 - e. The maximum quantity of fuel which may be stored on-site shall be 2,000 gallons, and all fuel shall be stored in compliance with the rules and regulations of the Office of the Illinois State Fire Marshall.
 - f. No portion of the adjoining acreage owned by the Defendants and depicted on Exhibit "A", containing the frame residence and barn, shall be used for storage of any equipment used by the Defendants in their excavating business. The use of said adjoining parcel shall be limited to uses permitted in the A-1 Zoning District.

- g. The metal equipment storage building shall be maintained in accordance with the building code and building use codes and shall be subject to periodic inspection by the Kendall County Planning, Building & Zoning Department. Said building shall not be used for office purposes.
 - h. Defendants shall blacktop that portion of the gravel driveway on the South side of the metal equipment storage building prior to May 1, 2002.
 - i. Defendants shall comply with the County Stormwater Control Ordinances and shall make such site improvements as are required by the County in order to comply therewith.
 - j. Defendants shall apply for a site development permit, including all required fees and submittal of required engineering plans, for the berms constructed on site, no later than 60 days from the date of entry of this Order.
 - k. Defendants shall request a reinspection of the completed structure to ensure it meets all building code requirements. All applicable inspection fees, including the difference between a 14,000 square foot and a 9,000 square foot structure, shall be paid to the County within 60 days from the date of entry of this Order.
 - l. Defendants shall dedicate to the State of Illinois, or to the County of Kendall, as directed by the County, a 50 feet of Right of Way for roadway purposes along the South line of the entire 5.398 acres described on Exhibit "A" to accommodate future expansion of Illinois Route 126.
 - m. All dirt and material piles shall be removed from the property no later than 30 days from the date of entry of this Order.
3. The use of the land for storage of trucks and equipment and for an excavating business shall only continue as long as the Defendants own and personally use the property. Once the property is sold, leased or transferred, the use as described must cease.
 4. Defendants shall pay a fine and Court Costs of \$2,500.00, within 14 days from the date of entry of this Order.
 5. The Kendall County Planning, Building & Zoning Department is authorized to monitor the use of the premises to insure compliance with the terms of this Order.

6. This Court shall retain jurisdiction of the subject matter hereof and the parties hereto for the purpose of enforcing the terms and provisions hereof.

Approved: County of Kendall

By:

[Redacted signature]

[Redacted name]
Jean Freeman

[Redacted signature]

Jean Freeman

Entered as an Agreed Order this 8th day of May, 2001

[Redacted signature]

Judge

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 LYING NORTHERLY OF THE CENTERLINE OF ILLINOIS ROUTE #126 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335 FEET; THENCE SOUTH 01 DEGREE 39 MINUTES 11 SECONDS EAST 148.39 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREE 39 MINUTES 11 SECONDS EAST, 529.00 FEET TO SAID CENTER LINE OF ROAD; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTERLINE, 211.04 FEET; THENCE NORTH 01 DEGREE 39 MINUTES 11 SECONDS WEST, 392.85 FEET; THENCE NORTH 88 DEGREES 40 MINUTES 35 SECONDS EAST, 60.0 FEET; THENCE NORTH 01 DEGREE 39 MINUTES 11 SECONDS WEST, 200.0 FEET; THENCE SOUTH 78 DEGREES 36 MINUTES 35 SECONDS EAST, 153.0 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS.

Exhibit "A" - Page 1 of 2

State of Illinois
County of Kendall

Zoning Petition
#14-23

ORDINANCE NUMBER 2014 - 29

GRANTING A SPECIAL USE FOR
3485 ROUTE 126
FOR A CLEAN-UP RESTORATION SERVICE/ BUSINESS

WHEREAS, DTG Investments LLC, has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 5.93 acre property located on the north side of Route 126, 0.45 miles west of Schlapp Road, commonly known as 3485 Route 126 (PIN#06-09-400-005), in NaAuSay Township, and;

WHEREAS, said petition is to allow the operation of a clean-up restoration service/business; and

WHEREAS, petition #14-22 was approved on September 16, 2014 as Ordinance 2014-27 as the text amendment to allow such a use as a special use in the A-1 Agricultural district; and

WHEREAS, said property is currently zoned A-1 Agricultural with an existing Special Use for the operation of a landscape business; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 2007-10 on March 20, 2007; and

WHEREAS, said property is legally described as:

THAT PART OF THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 9 AND PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 16 ALL IN TOWNSHIP 36N, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTERLINE OF ILLINOIS ROUTE NO. 126 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST ¼ OF SECTION 9; THENCE NORTH 01 DEGREES, 36 MINUTES, 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST ¼, 260 FEET; THENCE NORTH 88 DEGREES, 44 MINUTES, 53 SECONDS EAST, 335 FEET; THENCE SOUTH 01 DEGREES, 39 MINUTES, 11 SECONDS EAST, 677.39 FEET TO THE CENTERLINE OF SAID ROAD; THENCE SOUTH 80 DEGREES, 28 MINUTES, 31 SECONDS, WEST ALONG SAID CENTERLINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST ¼; THENCE NORTH 01 DEGRES, 40 MINUTES, 39 SECONDS WEST ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NAAUSAY, KENDALL COUNTY, ILLINOIS.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on September 3, 2014 & on September 29, 2014; and

WHEREAS, the findings of fact were approved as follows (on both dates):

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The property was previously used for a landscaping business and this new use will be less noticeable as everything takes place inside the buildings including storage of the vehicles.

State of Illinois
County of Kendall

Zoning Petition
#14-23

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The site will not be modified in any way and is surrounded by farmland and a special use for ag implement sales next door to the east.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Nothing is being modified on this site and access already exists.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **Assuming the text amendment passes to allow this type of use in the A-1 district it will conform to all applicable regulations.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The special use is consistent with the LRMP.***

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

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to operate a clean-up restoration service/business in accordance to the submitted Site Plan included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. Must meet all the conditions of the text amendment:
 - a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
 - b. All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.
 - c. All operations are to take place inside an enclosed structure.
 - d. A waste management plan must be submitted and an exhibit to the approving ordinance. (Exhibit B)
 - e. A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings. (Exhibit C)
 - f. No materials that are brought in can be burned on this site.
 - g. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).
 - h. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.

State of Illinois
County of Kendall

Zoning Petition
#14-23

2. No outdoor storage except employee's cars.
3. No activity including parking or storage is permitted in the floodplain.
4. If any future expansion is proposed a major amendment to the special use will need to be filed.

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

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 7th day of October, 2014.

Attest:



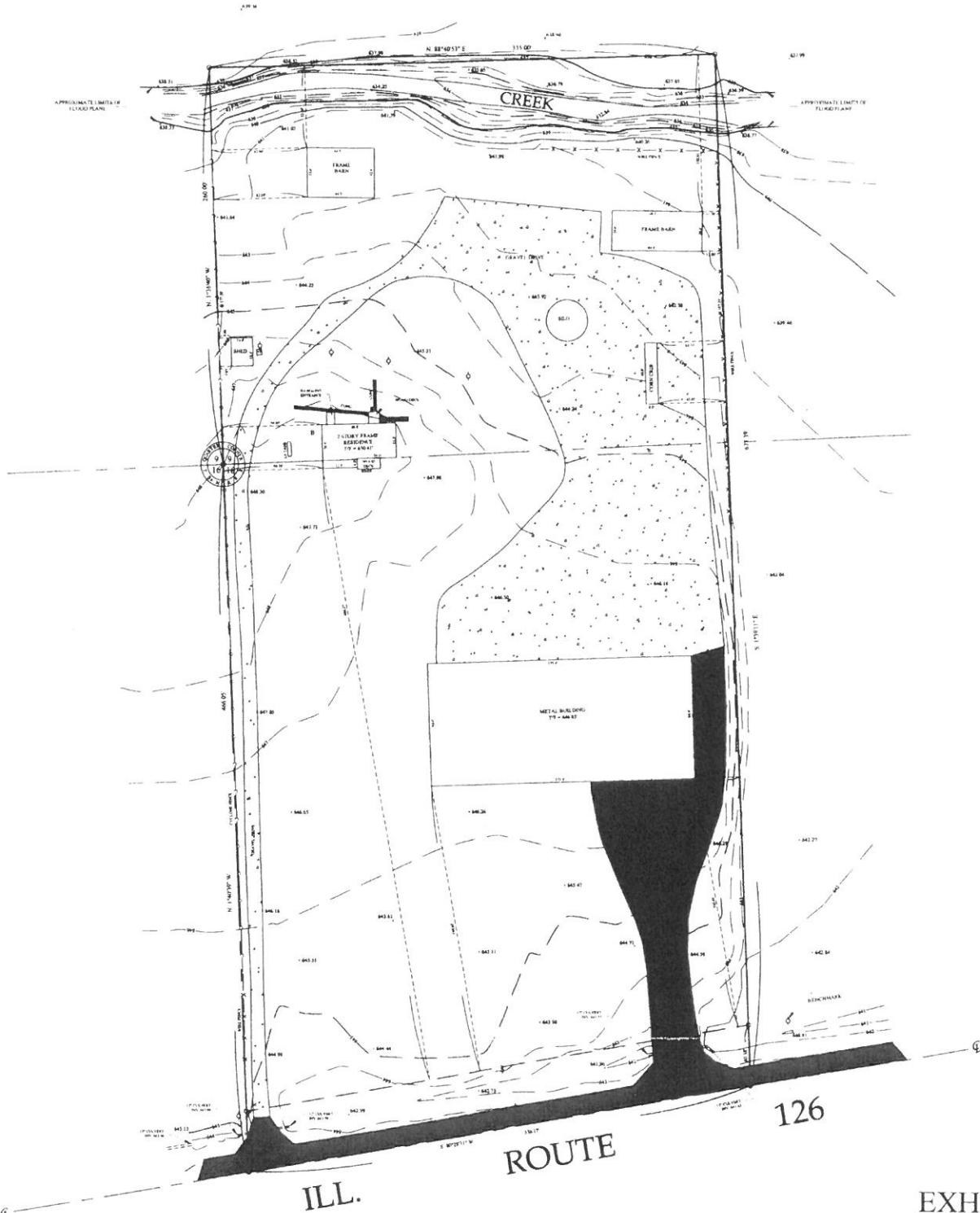
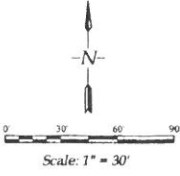
Debbie Gillette
Kendall County Clerk



John Shaw
Kendall County Board Chairman

PLAT OF TOPOGRAPHY

OF
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 10 LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 ALL IN TOWNSHIP 16 NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9, THENCE NORTH 1 DEGREE 16 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 200.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 11 SECONDS EAST, 333.90 FEET; THENCE SOUTH 1 DEGREE 16 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 10 DEGREES 25 MINUTES 11 SECONDS WEST ALONG SAID CENTER LINE, 138.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER, THENCE NORTH 1 DEGREE 41 MINUTES 19 SECONDS WEST ALONG SAID WEST LINE, 455.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF KENDALL

THIS IS TO CERTIFY TO STEVE AND JEAN FREEMAN, THAT I, RONALD D. BAUER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN AFORESAID COUNTY AND STATE, HAVE COMPLETED A PLAT OF TOPOGRAPHY ON THE GROUND OF THE PROPERTY DESCRIBED TO THE CURRENT APPLICABLE ILLINOIS PROFESSIONAL LAND SURVEYOR ASSOCIATION STANDARDS AND THAT THE PLAT HEREON DRAWN REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. EASEMENTS AND OR SETBACKS SHOWN ARE EITHER THOSE DESIGNATED ON THE RECORDED SUBDIVISION PLAT OR THOSE PROVIDED TO US BY OTHER DOCUMENTATION.

GIVEN UNDER MY HAND AND SEAL AT PLANO, ILLINOIS THIS 12th DAY OF FEBRUARY, 2007.
Ronald D. Bauer
ILLINOIS PROFESSIONAL LAND SURVEYOR #2312
REGISTRATION EXPIRES 11-30-2008

REFER TO A CURRENT TITLE INSURANCE POLICY FOR EASEMENTS NOT PROVIDED. THIS DRAWING IS THE PROPERTY OF R B & ASSOCIATES LAND SURVEYORS, INC. AND SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN SET FORTH WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF R B & ASSOCIATES LAND SURVEYORS, INC.



- LEGEND:
- CONTOUR LINES
 - POWER POLE
 - TELEPHONE BOX
 - ⊞ TRANSFORMER
 - ⊙ WELL
 - ⊙ SPOT ELEVATION
 - EDGE OF PAVEMENT

BENCHMARK:
BX SPIKE IN POWER POLE AT SOUTHEAST CORNER OF OUR PROPERTY
ELEV = 626.14

BRIDGE DECK:
TOP OF BRIDGE DECK OVER CREEK
210 TO EAST ELEV = 621.50
ACCORDING TO INTS. OF 1987
PLANS. FLOOD LEVEL AT CULVERT 1
BASED ON THE 50% FLOOD SECTION IS
ELEVATION 626.24

**R B & ASSOCIATES
LAND SURVEYORS, INC.**
4 West Main Street
Plano, Illinois 60545
(630) 562-7482
DESIGN FIRM NO. 184-004475
DWG# 20067-13281-001 C (TOPO)

EXHIBIT A

EXHIBIT B

Waste Management Plan

1) All debris from operating a business, including any debris that is brought back from a job site, will be disposed of by a commercial garbage company that will remove it on an as needed basis. The garbage will be stored in a dumpster until it is removed.

EXHIBIT C

Material Management Plan

2) If there are any household items brought back to the facility, they will be stored inside. If any chemicals are used, they will be used inside of the building and they will also be stored inside.

Matt Asselmeier

From: Alec Keenum <akeenum@oswegofire.com>
Sent: Thursday, August 27, 2020 7:13 AM
To: Matt Asselmeier
Cc: Mike Veseling
Subject: [External]RE: Kendall County Zoning Petition 20-05

Matt,

Comments from the Oswego Fire Protection District:

- No specific concerns with requested amended petition
- If this hearing hasn't yet taken place, how is it that the business is already operating
- Regardless of use, owner/representative of location is expected to maintain good housekeeping, including the operation and service of the existing fire alarm system. As of earlier this week, it has been learned that the fire alarm system at this location was not in operation

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

Oswego Fire Prevention Bureau	<i>Capt. Alec J. Keenum—Fire Marshal</i>
	<i>Central Station #1 3511 Woolley Road Oswego, Illinois 60543</i>
	<i>Phone 630 906-0704 Phone 630 554-1110 Fax 630 383-0630</i>
	<i>akeenum@oswegofire.com</i>
	

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 1, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:03 a.m.

Present:

Matt Asselmeier – PBZ Department
Brian Holdiman – PBZ Department (Attended Remotely)
Commander Jason Langston – Sheriff's Department (Attended Remotely)
Alyse Olson – Soil and Water Conservation District (Attended Remotely)
Matthew Prochaska – PBZ Committee Chair
Aaron Rybski – Health Department

Absent:

Meagan Briganti – GIS
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:

Greg Dady and Mary Murray

AGENDA

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the agenda as presented.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

MINUTES

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the August 4, 2020, meeting minutes.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

PETITIONS

Amended Petition 20-02 Greg Dady on Behalf of DTG Investments, LLC

Mr. Asselmeier summarized the request.

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a trucking company, specifically for offices related to the trucking company, minor repair facilities for company trucks, and company truck parking.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

According to Section 3:02 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

ZPAC Meeting Minutes 9.1.20

“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

This use is not listed as a permitted or special use in any zoning district.

Staff believes that truck parking area or yard use most closely matches the Petitioners proposed use and offers the following text amendment to Section 7:01.D of the Kendall County Zoning Ordinance:

“Truck Parking Area or Yard Including Offices and Maintenances Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The list of special uses in the A-1 District should be renumbered to reflect the addition of this use to the list of special uses.

The Agricultural Zoning Map with road classifications was provided.

Mr. Asselmeier noted that Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126.

Mr. Rybski made a motion, seconded by Mr. Holdiman, to recommend approval of the request text amendment with the restriction that use be placed on roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

Amended Petition 20-05 Greg Dady on Behalf of DTG Investments, LLC

Mr. Asselmeier summarized the request.

Greg Dady, on behalf of DTG Investments, LLC would like to operate a trucking company, specifically offices related to a trucking company, minor repair facilities for company trucks, and company truck parking at the subject property.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

The proposed text amendment (Amended Petition 20-02) would add the following to the list of special uses in the A-1 District:

“Truck Parking Area or Yard Including Offices and Maintenances Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The application materials, aerial of the property, aerial with the flood zone, plat of survey, and site were provided.

The subject property is approximately five point five (5.5) acres in size.

Route 126 is a State maintained arterial; there is a trail planned along Route 126.

There is a floodplain on the north end of the property (Zone A-no base flood elevation determined).

ZPAC Meeting Minutes 9.1.20

The adjacent uses are agricultural or agricultural related.

The adjacent zonings are A-1. The zonings in the area are A-1, R-1, and A-1 with special use permits.

The Future Land Use Map calls for the area to be Rural Residential and Public Institutional.

The A-1 SU to the east is for a farm market, garden shop, winery, corn maze, and fall festival. The A-1 SU to the west is for a farm equipment sales and service business.

Oswego School District 308 owns the property southwest of the subject property.

Ten (10) existing houses are within one half (1/2) mile of the subject property.

Pictures of the property and area were provided.

EcoCAT Report submitted and consultation was terminated.

The LESA Score was 189 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Na-Au-Say Township on August 25, 2020.

Petition information was sent to the Village of Oswego on August 25, 2020. The property is inside Oswego's planning boundary.

Petition information was sent to the Village of Plainfield on August 25, 2020. The property is within one point five (1.5) miles of Plainfield.

The Oswego Fire Protection District was sent information on August 25, 2020. The Oswego Fire Protection District noted that the fire alarm system at the property was not functioning. Other than that concern, they had no objections to the proposal.

The subject property has been used as a landscaping business and repair and restoration business. The order and special use permit that allowed these businesses were provided. The Petitioner would like to retain the special use permit for a cleanup and restoration business at the property.

According to the business plan, the property is leased to United Group Logistics. United Group Logistics is a trucking company that hauls freight throughout the State. They use the property for office space, minor truck repair/maintenance and a truck depot. The office space is used for accounting and dispatch and the bays are used for maintenance. Ten (10) employees are at the site and the hours of operation are Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m.

According to the site plan, there is one (1) approximately fourteen thousand (14,000) square foot metal building on the property that is used for office operations and maintenance. The site plan also shows one (1) metal silo and one (1) corn crib in the planned truck parking area. One (1) approximately one thousand six hundred (1,600) square foot wood frame machine shed is located on the northeast corner of the truck parking area. One (1) single-family home with a detached garage is located on the west side of the property.

Any new structures would require applicable building permits.

The property is served by well and septic.

There is floodplain as part of the Little Slough Creek on the property. This area is considered Zone A which means no flood elevation has been determined; therefore, this area is considered Floodway. No storage or parking should take place in the floodway.

Depending on the nature of new construction, which is not planned as part of this special use permit, stormwater management permits could be required.

The property has two accesses off of Route 126. The western most access would be used by the existing house and the eastern most access would be used by the business operating out of the metal barn.

According to the site plan, a parking area for trucks is shown north of the metal building. The parking area is gravel. No dimension information is provided.

The site plan shows fifteen (15) additional parking spaces to the north of the metal building and ten (10) parking spaces south of the metal building, including two (2) handicapped accessible spaces. A proposed asphalt addition is shown on the site plan. No information was provided regarding a timetable for installing the parking addition.

No information was provided regarding a plan to address spills or other motor vehicle related leaks.

No additional lighting beyond the existing lighting on the building and light near the entrance is planned at this time. Section 11:02.F.12.A requires an illumination plan for parking lots with thirty (30) or more parking spaces.

The site plan shows a sign. The sign is four feet by eight feet (4'X8') in size. A light exists next to the sign. A sign permit will be required.

The site plan shows a wooden fence around the property and a single gate east of the metal building. No information was provided regarding the size of the fence or gate.

A berm and several mature trees are between the metal building and Route 126. No specific landscaping information was provided.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

Before issuing a recommendation, Staff would like comments from Na-Au-Say Township, the Village of Oswego, the Village of Plainfield, and ZPAC members.

Mr. Rybski asked about the septic assessment and catching spills in the maintenance bays. Greg Dady responded that a triple catch basin exists in the maintenance bays and then into the tank. A soil analysis may be necessary.

Mr. Holdiman noted that a change of occupancy is required for the office and maintenance building.

Mr. Asselmeier noted that parking is not allowed in the front yard setback. Mr. Dady stated that no parking signs would be installed on the east side of the parking lot, rear of the property, and in front of the building. Mr. Dady was agreeable to have the parking lot asphalted within ninety (90) days of approval of the special use permit.

Mr. Dady said that the hours of operation could be impacted if an emergency breakdown occurred.

Mr. Dady will provide information on the berm and number of trees on the berm.

Mr. Dady noted that nobody will sleep at the site.

Chairman Prochaska noted that flyovers have increased and Mr. Asselmeier noted that Mr. Dady needs to make sure that the conditions in the special use permit were workable.

Mr. Asselmeier made a motion, seconded by Mr. Rybski, to recommend approval of the special use permit.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

Amended Petition 20-01 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

At the end of 2019, the Kendall County Planning, Building and Zoning Committee started reviewing the existing 1983 Recreational Vehicle Park and Campground Regulations.

After review by the Committee and the State's Attorney's Office, the suggestion was made to incorporate the amended regulations into the Zoning Ordinance.

On August 26, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee reviewed the proposal and offered their suggested changes.

On August 31, 2020, the Kendall County Planning, Building and Zoning Committee initiated the text amendment to the Zoning Ordinance.

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.
6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).
14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.

17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.
31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal were provided.

Mr. Rybski requested clarification regarding Health Department as stated in the proposal. Mr. Asselmeier noted that the proposal applies to the Kendall County Health Department.

The proposal applies to new campgrounds and campgrounds that amend their special use permits.

Chairman Prochaska made a motion, seconded by Mr. Rybski, to recommend approval of the text amendment.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

Mr. Asselmeier informed the Committee that upcoming meetings will be at the Historic Courthouse because of renovations to the County Board Room.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Chairman Prochaska, to adjourn.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The ZPAC, at 9:34 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Attachment 18, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Historic Courthouse
Third Floor Courtroom
110 W. Madison Street (109 W. Ridge Street), Yorkville, Illinois

Unapproved - Meeting Minutes of September 23, 2020 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:02 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, and Claire Wilson

Members Absent: Bob Stewart

Staff Present: Matthew H. Asselmeier, Senior Planner and Scott Koeppl County Administrator (Attended Remotely)

Others Present: Greg Dady and Mary Murray (Attended Remotely)

APPROVAL OF AGENDA

Member Nelson made a motion, seconded by Member McCarthy-Lange, to approve the agenda. With a voice vote of eight (8) ayes, the motion carried.

APPROVAL OF MINUTES

Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the August 26, 2020, meeting. With a voice vote of eight (8) ayes, the motion carried.

PETITIONS

Amended Petition 20-02 Greg Dady on Behalf of DTG Investments

Mr. Asselmeier summarized the request.

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a trucking company, specifically for offices related to the trucking company, minor repair facilities for company trucks, and company truck parking.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

According to Section 3:02 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

This use is not listed as a permitted or special use in any zoning district.

Staff believes that truck parking area or yard use most closely matches the Petitioners proposed use and offers the following text amendment to Section 7:01.D of the Kendall County Zoning Ordinance:

“Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The list of special uses in the A-1 District should be renumbered to reflect the addition of this use to the list of special uses.

This proposal was sent to the townships on September 1, 2020. No comments have been received.

ZPAC reviewed this proposal at their meeting on September 1, 2020. Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials or higher as designated by the Illinois Department of Transportation’s Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126. ZPAC recommended approval of the proposed text amendment with Mr. Klaas’ proposed amendment by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The Agricultural Zoning Map with road classifications was provided. The Illinois Department of Transportation’s Five (5) Year Functional Classification Map for Kendall County was also provided.

Member Wilson expressed concerns that the use started before the zoning application and the lack of a limit on the number of trucks and trips.

Greg Dady stated that he thought that the necessary zoning was in place. Once he found out that a new special use permit was needed, he started working through the process. He originally explored a map amendment, but wanted to get the opinion of Na-Au-Say Township on the matter. Then COVID hit and Na-Au-Say Township did not meet for a couple months. Once they did meet, they favored keeping the A-1 zoning and going for a special use permit under A-1. Based on Na-Au-Say Township input, Mr. Dady changed his application from a map amendment to a text amendment and special use under A-1 zoning.

Several Commissioners questioned Mr. Dady about his lack of knowledge about his existing special use and leasing the property without obtaining the necessary zoning before leasing the property.

Member McCarthy-Lange asked if approving this request would open the door to similar requests. Mr. Asselmeier responded that, if the text amendment is approved, anyone zoned A-1 could ask for the special use. Also, even with the road classification requirement, a property owner could ask for a variance if they demonstrated a hardship.

The trucking company moved in spring in 2019.

The property had a court order for an excavating company and landscaping business. The court order stated that if the excavating company and landscaping business ceased, then the special use for those businesses would cease. The Petitioner secured a special use permit for ServPro in 2014.

Several Commissioners favored placing this type of use in a commercial or manufacturing district instead of the agricultural district because there are several places in the County with agricultural zoning where this use would be incompatible.

Member Hamman asked about a property on Eldamain Road near Galena Road. Mr. Asselmeier stated that, in that case, the property was rezoned to M-1.

Discussion occurred about placing additional restrictions in the text amendment such as number of employees, number of trucks onsite, number of trips, or restricting the use to certain townships. Mr. Dady was agreeable to a restriction on number of trucks at the site.

Na-Au-Say did not provide any comments about the proposal.

Member Wilson made a motion, seconded by Member Nelson, to recommend approval of the text amendment as presented.

The votes were as follows:

Ayes (0): None

Nays (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Wilson

Absent (1): Stewart

The motion failed.

Member Nelson voted no because the proposal was too broad, the use could go anywhere, and the use was undesirable at other locations with inadequate protection for the agricultural community and people living in agricultural areas.

Member Hamman voted no because he favored more restrictions in the text amendment and requests for this use could come before the Commission monthly.

Chairman Ashton voted no because the proposal had inadequate restrictions and he was upset that the Petitioner did not secure the necessary zoning before leasing the property. He suggested that the Petitioner attempt to rewrite the proposal.

Member Wilson concurred with Member Nelson and Chairman Ashton and her concerns regarding the lack of a limit on the number of trucks and trips.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Amended Petition 20-05 Greg Dady on Behalf of DTG Investments

Because the Commission recommended denial of the Petition 20-02, the Commission did not take any action on Petition 20-05; the proposal was moot.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Amended Petition 20-01 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

At the end of 2019, the Kendall County Planning, Building and Zoning Committee started reviewing the existing 1983 Recreational Vehicle Park and Campground Regulations.

After review by the Committee and the State's Attorney's Office, the suggestion was made to incorporate the amended regulations into the Zoning Ordinance.

On August 26, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee reviewed the proposal and offered their suggested changes.

On August 31, 2020, the Kendall County Planning, Building and Zoning Committee initiated the text amendment to the Zoning Ordinance.

ZPAC reviewed this proposal at their meeting on September 1, 2020, and recommended approval by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The redlined proposal was sent to the townships on September 1, 2020. To date, no township has provided comments.

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.
6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).

14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.
17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in a park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.

31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal were provided.

Member Nelson stated that he visited with first responders and asked about problems at campgrounds and the first responders said that their problem was a lack of maps and lots numbers which made it difficult to find people.

Member Wilson asked why picnickers needed to register. Mr. Asselmeier responded the register was required to know who was on the property. Member Nelson stated that the proposal only applies to campgrounds and not picnic groves or State parks. Discussion occurred regarding staffing or keycard to control access to the campgrounds.

Discussion occurred about pickup campers. Mr. Asselmeier responded that the language related to parking regulations.

Member Wilson favored the definition of Recreational Vehicle Park or Campground be amended by saying “. . . lease or rental . . .” instead of “. . . lease or rent . . .”

Member Wilson questioned the use of the word forest regarding clearing an area. Mr. Asselmeier stated that he did not know why that term was used in the 1983 regulation.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the requested text amendment.

The votes were as follows:

Ayes (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Wilson
Nays (0): None
Absent (1): Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Member Nelson noted a court case regarding numbering boards as they relate to campgrounds.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

Approval of Letter from the Kendall County Regional Planning Commission to the Village of Shorewood Regarding the Go Pro Athletic Facility and Four Seasons Storage Development

Mr. Asselmeier presented the letter. Mr. Asselmeier noted that the Attorney representing the development requested that the letter be sent after the Village of Shorewood signed the plats.

Member Nelson made a motion, seconded by Member Hamman, to approve the letter. With a voice vote of eight (8) ayes, the motion carried.

Recommendation on Kendall County Regional Planning Commission Fiscal Year 2020-2021 Meeting Calendar

Member Wilson asked how the Annual Meeting would occur if COVID was still an issue. Mr. Asselmeier stated that the Commission would gather at a location. Attendees would have to socially distance and attendees would be encouraged to attend the meeting remotely.

Member Nelson made a motion, seconded by Member McCarthy-Lange, to recommend approval of the calendar as presented. With a voice vote of eight (8) ayes, the motion carried.

Discussion of Amendment to Article IX of the Kendall County Regional Planning Commission's Bylaws Pertaining to the Location of the Annual Meeting of the Election of Officers; Commission Could Make a Motion to Amend the Location of the Annual Meeting of the Election of Officers

Mr. Asselmeier presented the proposed amendment. The proposed amendment removes the location of the annual meeting for the election of officers.

Member Wilson made a motion, seconded by Member McCarthy-Lange, thirded by Member Casey, to approve the amendment as presented. The vote on the amendment will occur at the next Commission meeting.

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier stated that Petition 19-39 Map Amendment and Special Use Permit for Four Seasons Storage and Petition 20-15 Final Plat Approval for the Go Pro Sports Subdivision passed at the County Board.

Mr. Asselmeier stated that Petition 20-14 Zoning Ordinance Project passed at the County Board with an amendment removing the language regarding research related home occupations and an amendment removing the soils requiring non-traditional septic systems from the calculation of open space.

Mr. Asselmeier reported that Petition 20-21 Fee Schedule Amendment passed at the County Board. The fee for conditional use permits for beekeeping would be One Hundred Dollars (\$100), the same as other conditional use permits. The annual permit renewal fee for beekeeping was removed.

OTHER BUSINESS/ANNOUNCEMENTS

Chairman Ashton asked Mr. Asselmeier to send a letter asking townships to submit comments on zoning petitions.

Mr. Asselmeier reported that the County received a request from Grainco FS to amend the Future Land Use Map for their property on Wabena Avenue. Grainco FS would also like to rezone the property to M-1 Limited Manufacturing.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Hamman, to adjourn. With a voice vote of eight (8) ayes, the motion carried.

The Kendall County Regional Plan Commission meeting adjourned at 8:26 p.m.

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

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
110 WEST MADISON STREET (109 WEST RIDGE STREET), THIRD FLOOR COURTROOM
YORKVILLE, IL 60560
September 28, 2020 – 7:00 p.m.

CALL TO ORDER

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

ROLL CALL:

Members Present: Scott Cherry, Cliff Fox, Tom LeCuyer, Randy Mohr, Dick Thompson, and Dick Whitfield

Members Absent: Karen Clementi

Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner

Others Present: Greg Dady, Gregg Ingemunson, and Michael Ballas

Chairman Mohr swore in Greg Dady, Gregg Ingemunson, and Michael Ballas.

PETITIONS

The Zoning Board of Appeals started their review of Amended Petition 20-05 at 7:30 p.m.

Amended Petition 20 – 05 – Greg Dady on Behalf of DTG Investments, LLC

Request: Special Use Permit for a Truck Parking Area or Yard

PIN: 06-09-400-005

Location: 3485 Route 126, Na-Au-Say Township

Purpose: Petitioner Wants to Be Able to Operate a Truck Parking Area or Yard with Related Offices and Maintenance Facilities on the Property

Mr. Asselmeier summarized the request.

Greg Dady, on behalf of DTG Investments, LLC would like to operate a trucking company, specifically offices related to a trucking company, minor repair facilities for company trucks, and company truck parking at the subject property.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

The proposed text amendment (Amended Petition 20-02) would add the following to the list of special uses in the A-1 District:

“Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The application materials, aerial of the property, aerial with the flood zone, plat of survey, and site were provided.

The subject property is approximately five point five (5.5) acres in size.

Route 126 is a State maintained arterial; there is a trail planned along Route 126.

There is a floodplain on the north end of the property (Zone A-no base flood elevation determined).

The adjacent uses are agricultural or agricultural related.

The adjacent zonings are A-1. The zonings in the area are A-1, R-1, and A-1 with special use permits.

The Future Land Use Map calls for the area to be Rural Residential and Public Institutional.

The A-1 SU to the east is for a farm market, garden shop, winery, corn maze, and fall festival. The A-1 SU to the west is for a farm equipment sales and service business.

Oswego School District 308 owns the property southwest of the subject property.

Ten (10) existing houses are within one half (1/2) mile of the subject property.

Pictures of the property and area were provided.

EcoCAT Report submitted and consultation was terminated.

The LESA Score was 189 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Na-Au-Say Township on August 25, 2020.

Petition information was sent to the Village of Oswego on August 25, 2020. The property is inside Oswego's planning boundary.

Petition information was sent to the Village of Plainfield on August 25, 2020. The property is within one point five (1.5) miles of Plainfield.

The Oswego Fire Protection District was sent information on August 25, 2020. On August 27, 2020, the Oswego Fire Protection District submitted an email stating that they had no specific concerns. They did note that the fire alarm system at the property was not in operation. The Oswego Fire Protection District email was provided.

ZPAC reviewed this proposal at their meeting on September 1, 2020. The Health Department asked about the septic system and catching spills in the maintenance bays. The Petitioner indicated that a triple catch basin exists in the bays. A change in occupancy permit for the business will be required. A permit for the sign will be required. The Petitioner was agreeable to paving the south parking lot with asphalt within ninety (90) days of the approval of the special use permit. The Petitioner said signage would be installed directing people not to park in the front yard setback or in locations that restricted access to the rear of the property through the drive on the east side of the property. The Petitioner was

agreeable to the hours of operation and would obtain information regarding the height of the berm and number of trees on the berm. ZPAC recommended approval of the requested special use permit with a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 23, 2020. Because the Commission recommended denial of the Petition 20-02, the Commission did not take any action on Petition 20-05; the proposal was moot. The minutes of the meeting were provided.

The subject property has been used as a landscaping business and repair and restoration business. The order and special use permit that allowed these businesses were provided. The Petitioner would like to retain the special use permit for a cleanup and restoration business at the property.

According to the business plan, the property is leased to United Group Logistics. United Group Logistics is a trucking company that hauls freight throughout the State. They use the property for office space, minor truck repair/maintenance and a truck depot. The office space is used for accounting and dispatch and the bays are used for maintenance. Ten (10) employees are at the site and the hours of operation are Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m.

No maintenance of vehicles will occur outside the main building.

According to the site plan, there is one (1) approximately fourteen thousand (14,000) square foot metal building on the property that is used for office operations and maintenance. The site plan also shows one (1) metal silo and one (1) corn crib in the planned truck parking area. One (1) approximately one thousand six hundred (1,600) square foot wood frame machine shed is located on the northeast corner of the truck parking area. One (1) single-family home with a detached garage is located on the west side of the property.

Any new structures would require applicable building permits.

The property is served by well and septic.

There is floodplain as part of the Little Slough Creek on the property. This area is considered Zone A which means no flood elevation has been determined; therefore, this area is considered Floodway. No storage or parking should take place in the floodway.

Depending on the nature of new construction, which is not planned as part of this special use permit, stormwater management permits could be required.

The property has two accesses off of Route 126. The western access would be used by the existing house and the eastern access would be used by the business operating out of the metal barn.

According to the site plan, a parking area for trucks is shown north of the metal building. The parking area is gravel. No dimension information was provided.

The site plan shows fifteen (15) additional parking spaces to the north of the metal building and ten (10) parking spaces south of the metal building, including two (2) handicapped accessible spaces. A proposed asphalt addition is shown on the site plan. Within ninety (90) days of the approval of the special use permit ordinance, the property owner or operators of the business allowed by this special use permit shall install the asphalt parking spaces.

The Petitioner was agreeable to a condition stating that no work on vehicles would occur outside of the main building. Therefore, no issues related to spills or other motor vehicle related leaks were foreseen. The Petitioner was also agreeable to a condition to monitor the site for leaks.

No additional lighting beyond the existing lighting on the building and light near the entrance is planned at this time. Section 11:02.F.12.A requires an illumination plan for parking lots with thirty (30) or more parking spaces.

The site plan shows a sign. The sign is four feet by eight feet (4'X8') in size. A light exists next to the sign.

The site plan shows a wooden fence around the property and a single gate east of the metal building. No information was provided regarding the size of the fence or gate.

A berm and several mature trees are between the metal building and Route 126. To date, no specific landscaping information was provided.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

The proposed Findings of Fact are as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities exist on the site based upon the number of proposed employees at the property. No parking shall occur in the floodplain. No additional buildings are planned for the site. The Petitioners are aware that parking cannot occur in the front yard setback. Route 126 is a State maintained road and should be able to handle the traffic.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. Provided the text amendment adding truck parking area and yard are added to the list of special uses in the A-1 District, this is true.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”

Provided the proposed text amendment related to truck parking and area and yard is approved, Staff recommends approval of the requested special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted plat of survey and site plan. The property owner or operators of the business allowed by this special use permit may remove the frame residence, garage, concrete, metal silo, wood frame machine shed, and corn crib without amending the site plan.
2. Within ninety (90) days of the approval of the special use permit ordinance, the property owner or operators of the business allowed by this special use permit shall install the asphalt parking spaces shown on the submitted site plan.
3. No parking or storage shall occur within the floodplain at the north end of the property.
4. Mr. Asselmeier noted that additional information about the berm and plantings was needed for this condition. The property owner or operators of the business allowed by this special use permit shall maintain the existing undefined foot tall berm and unknown number trees on the berm. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department.
5. One (1) four foot by eight foot (4'X8') sign may be installed on the subject property in substantially the location shown on the site plan. The property owner or operators of the business allowed by this special use permit may install additional directional and no parking signage in order to ensure that no parking occurs in the required front yard setback and that the access to the rear (north) of the property is not blocked via the existing asphalt drive.
6. None of the vehicles parked on premises shall be considered agricultural equipment as they relate to the business allowed by the special use permit.
7. All of the vehicles parked on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.

8. No maintenance may occur on any vehicle outside of the fourteen thousand (14,000) square foot building.
9. The property owner or operators of the business allowed by this special use permits shall diligently monitor the property for vehicle related leaks and shall promptly clean up the site if leaks occur.
10. The hours of operation for the business allowed by this special use permit shall be Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m. Drivers may drop-off trucks outside these hours of operations. No one associated with the business allowed by the special use permit shall spend the night at the property. The property owner or operators of the business allowed by this special use permit may reduce these hours of operation.
11. The total maximum number of employees for the business allowed by this special use permit shall be ten (10).
12. The property owner and operators of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
13. The conditions and restrictions contained in Ordinance 2014-29 pertaining to the operation of a clean-up restoration service/business shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a truck parking area or yard.
14. The property owner and operators of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Discussion occurred regarding the recommendation pertaining to the installation of the asphalt parking lot. The consensus of the Board was to set the deadline at May 15th for the installation of the asphalt parking lot. The Petitioner was agreeable to that deadline.

Chairman Mohr opened the public hearing at 7:43 p.m.

Greg Dady stated the berm was ten feet (10') feet tall and twenty (20) trees at least twenty feet (20') in height were located on the berm.

Chairman Mohr requested that the licenses be valid in Condition 7.

Chairman Mohr wanted to see that the Health Department inspected the septic system. Mr. Asselmeier noted that Condition 14 requires the Petitioner to obtain a new certificate of occupancy.

Mr. Asselmeier asked if the parking lot will be full of cars when the business is closed. Gregg Ingemunson responded that truck drivers could leave their vehicles overnight at the property.

Mr. Asselmeier asked if the tenant was aware and agreeable to the proposed conditions. Mr. Dady responded yes.

Chairman Mohr asked who owns the trailers. No private, non-company owned trucks are stored at the property and all mechanics are employees of the company leasing the building. No outdoor maintenance on the trucks will occur.

Chairman Mohr closed the public hearing at 7:47 p.m.

Member Thompson made a motion, seconded by Member Fox, to approve the Findings of Fact as presented.

The votes were as follows:

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

The motion passed.

Member LeCuyer made a motion, seconded by Member Whitfield, to recommend approval of the special use permit with the conditions proposed by Staff with the following amendments:

1. Condition 2 was amended to require the property owner or operator of the business allowed by the special use permit install the asphalt parking lot by May 15, 2021.
2. Condition 4 was amended to specify the berm at ten feet (10') tall and to specify twenty (20) trees with a minimum of twenty feet (20') feet in height on the berm.
3. Condition 7 was amended to state that vehicles shall have valid licenses if required by law.

The votes were as follows:

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

The motion passed.

This proposal will go to the Kendall County Planning, Building and Zoning Committee on November 9, 2020.

The Zoning Board of Appeals completed their review of Amended Petition 20-05 at 7:52 p.m.

PUBLIC COMMENTS

Mr. Asselmeier reported that the County received a request from Grainco FS to amend the Future Land Use Map for their property on Wabena Avenue. Grainco FS would also like to rezone the property to M-1 Limited Manufacturing.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member LeCuyer made a motion, seconded by Member Cherry, to adjourn. With a voice vote of six (6) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:18 p.m.

The next hearing/meeting will be on November 2, 2020.

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

Exhibits

1. Memo on Amended Petition 20-05 Dated September 25, 2020
2. Certificate of Publication and Mailings for Amended Petition 20-05 (Not Included with Report but on file in Planning, Building and Zoning Office).

Matt Asselmeier

From: Brad Blocker [REDACTED]
Sent: Monday, October 26, 2020 8:29 AM
To: Matt Asselmeier
Subject: [External]RE: 3485 Route 126 Question

Matt,

Na-Au-Say Township did not have time to put together a normal hearing by the Planning Committee where a motion would have been voted on and recommendation made to Township Trustees and County . The Township did hold the regular monthly meeting on Oct. 19th and the issue was discussed under Old Business on the agenda . At this time it was felt the township should share the general concerns and comments with the County although nothing was formally voted on .

Although it was felt that the applicant has been good to work with on past special uses on the property , and all are sympathetic to the current issues regarding zoning , the Township does not recommend including requested special use in the A-1 area for this Applicant . Also the Township does not recommend the County include the text amendment to include "Truck Parking "as one of the listed uses in A-1 zoning anywhere in Kendall County . Some of the reasons were :

- This type of Commercial Trucking is NOT consistent with agricultural operations on A-1 districts .
- Na-Au-Say Township has seen tremendous growth in our area of large warehouses , immediately to our east just over our Township /County line in Plainfield as well as to our south in Seward Township and Minooka . Along with this we have seen significant increase of truck traffic on Ridge Rd , Rt 126 , Grove and Schlapp Rds within our Township. The concern is that along with this growth and also zoning amendment changes we would be welcoming more Commercial Truck parking along any of these roads in the A-1 District as they are all "Major Collector Roads "in our Township.
- What are the ramifications on County level along Rt 47 , Rt 52, Rt 126 Rt 34 all state highways , as well as Major Collectors like Galena Rd , Eldamain Rd ,Caton Farm Rd , Newark Rd. These would all be prime locations for" Truck Parking Area and Maintenance Yards and Offices " according to the Proposed Text Ammendment
- Regarding past issues with special use permits in A-1 Districts , as well as no-permits that are Non-Conforming with zoning ordinances in Na-Au-Say Township , there has been little ,if any , Policing or enforcement from the County when requested or reported . How can we have confidence that issues with truck parking will be any different ?

These are highlights of the topics discussed . Please feel free to contact me with questions or concerns .

Brad

Bradley A. Blocker
Supervisor

Na-Au-Say Township

"Headwaters of the aux-sable"

Office : [REDACTED]

Mobile : [REDACTED]

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Friday, October 16, 2020 3:27 PM
To: Brad Blocker
Subject: 3485 Route 126 Question

State of Illinois
County of Kendall

Zoning Petition
#20-05

ORDINANCE NUMBER 2020-_____

GRANTING A SPECIAL USE PERMIT ON PROPERTY ZONED A-1 AGRICULTURAL FOR A TRUCK PARKING AREA OR YARD AT 3485 ROUTE 126 AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 06-09-400-005 IN NA-AU-SAY TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, on or about August 17, 2020, Greg Dady on Behalf of DTG Investments, LLC, hereinafter be referred to as “Petitioner”, submitted a request for a text amendment to the Kendall County Zoning Ordinance adding truck parking area or yard to the list of special uses in the A-1 Agricultural District with conditions; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 5.5 acres located at 3485 Route 126 (PIN: 06-09-400-005) in Na-Au-Say Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, on or about October 7, 2014, the Kendall County Board granted a special use permit for the operation of a cleanup restoration/service business at the subject property; and

WHEREAS, on or about August 17, 2020, Petitioner’s representative filed a petition for a Special Use Permit allowing the operation of a truck parking area or yard at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on September 3, 2020, the Kendall County Zoning Board of Appeals conducted a public hearing on September 28, 2020, at 7:00 p.m., in the Third Floor Courtroom, at the Historic Kendall County Courthouse located at 109 W. Ridge Street in Yorkville, at which the Petitioner’s attorney presented evidence, testimony, and exhibits in support of the requested special use permit and zero members of the public testified in favor or in opposition; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated September 28, 2020, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested special use permit with conditions; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

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

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

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a special use permit allowing the operation of a truck parking area or yard on the subject property subject to the following conditions:
 - A. The site shall be developed substantially in accordance with the plat of survey attached hereto as Exhibit C and site plan attached hereto as Exhibit D. The property owner or operators of the business allowed by this special use permit may remove the frame residence, garage, concrete, metal silo, wood frame machine shed, and corn crib without amending the site plan.
 - B. On or before May 15, 2021, the property owner or operators of the business allowed by this special use permit shall install the asphalt parking spaces shown on the attached site plan (Exhibit D).
 - C. No parking or storage shall occur within the floodplain at the north end of the property.
 - D. The property owner or operators of the business allowed by this special use permit shall maintain the existing ten foot (10') tall berm and twenty (20) trees at a minimum of twenty feet (20') tall on the berm. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department.
 - E. One (1) four foot by eight foot (4'X8') sign may be installed on the subject property in substantially the location shown on the site plan (Exhibit D). The property owner or operators of the business allowed by this special use permit may install additional directional and no parking signage in order to ensure that no parking occurs in the required front yard setback and that the access to the rear (north) of the property is not blocked via the existing asphalt drive.
 - F. None of the vehicles parked on premises shall be considered agricultural equipment as they relate to the business allowed by the special use permit.
 - G. All of the vehicles parked on the premises shall be maintained in good condition with no deflated tires and shall have valid licenses if required by law.
 - H. No maintenance may occur on any vehicle outside of the fourteen thousand (14,000) square foot building.
 - I. The property owner or operators of the business allowed by this special use permits shall diligently monitor the property for vehicle related leaks and shall promptly clean up the site if leaks occur.

State of Illinois
County of Kendall

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#20-05

- J. The hours of operation for the business allowed by this special use permit shall be Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m. Drivers may drop-off trucks outside these hours of operations. No one associated with the business allowed by the special use permit shall spend the night at the property. The property owner or operators of the business allowed by this special use permit may reduce these hours of operation.
 - K. The total maximum number of employees for the business allowed by this special use permit shall be ten (10).
 - L. The property owner and operators of the business allowed by this special use permit acknowledge and agree to follow Kendall County’s Right to Farm Clause.
 - M. The conditions and restrictions contained in Ordinance 2014-29 pertaining to the operation of a clean-up restoration service/business shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a truck parking area or yard.
 - N. The property owner and operators of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
 - O. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
 - P. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
3. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.
 4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of November, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.

(PERMANENT INDEX NUMBER 06-09-400-005-0000)

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on September 28, 2020, by a vote of six (6) in favor and zero (0) in opposition. Member Clementi was absent.

FINDINGS OF FACT-SPECIAL USE PERMITS

§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications.

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Adequate utilities exist on the site based upon the number of proposed employees at the property. No parking shall occur in the floodplain. No additional buildings are planned for the site. The Petitioners are aware that parking cannot occur in the front yard setback. Route 126 is a State maintained road and should be able to handle the traffic.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **Provided the text amendment adding truck parking area and yard are added to the list of special uses in the A-1 District, this is true.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”***

RECOMMENDATION

Approval of the special use permit with the following conditions and restrictions:

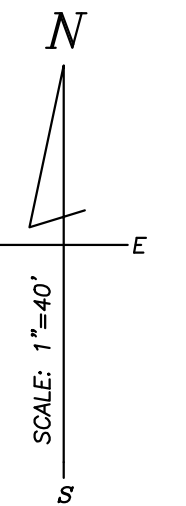
1. The site shall be developed substantially in accordance with the submitted plat of survey and site plan. The property owner or operators of the business allowed by this special use permit may remove the frame residence, garage, concrete, metal silo, wood frame machine shed, and corn crib without amending the site plan.
2. On or before May 15, 2021, the property owner or operators of the business allowed by this special

use permit shall install the asphalt parking spaces shown on the submitted site plan.

3. No parking or storage shall occur within the floodplain at the north end of the property.
4. The property owner or operators of the business allowed by this special use permit shall maintain the existing ten foot (10') tall berm and twenty (20) trees at a minimum of twenty feet (20') tall on the berm. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department.
5. One (1) four foot by eight foot (4'X8') sign may be installed on the subject property in substantially the location shown on the site plan. The property owner or operators of the business allowed by this special use permit may install additional directional and no parking signage in order to ensure that no parking occurs in the required front yard setback and that the access to the rear (north) of the property is not blocked via the existing asphalt drive.
6. None of the vehicles parked on premises shall be considered agricultural equipment as they relate to the business allowed by the special use permit.
7. All of the vehicles parked on the premises shall be maintained in good condition with no deflated tires and shall have valid licenses if required by law.
8. No maintenance may occur on any vehicle outside of the fourteen thousand (14,000) square foot building.
9. The property owner or operators of the business allowed by this special use permits shall diligently monitor the property for vehicle related leaks and shall promptly clean up the site if leaks occur.
10. The hours of operation for the business allowed by this special use permit shall be Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m. Drivers may drop-off trucks outside these hours of operations. No one associated with the business allowed by the special use permit shall spend the night at the property. The property owner or operators of the business allowed by this special use permit may reduce these hours of operation.
11. The total maximum number of employees for the business allowed by this special use permit shall be ten (10).
12. The property owner and operators of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
13. The conditions and restrictions contained in Ordinance 2014-29 pertaining to the operation of a clean-up restoration service/business shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a truck parking area or yard.
14. The property owner and operators of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

PLAT OF SURVEY

OF
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18 ALL IN TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST, ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.



A SOUTHERLY BOUNDARY OF ZONE "A", THE 100 YEAR FLOOD PLAN, AS REPRESENTED ON AND SCALED FROM FIRM PANEL 130, MAP NUMBER 17093C0130H, BEARING A REVISION DATE OF JANUARY 8, 2014

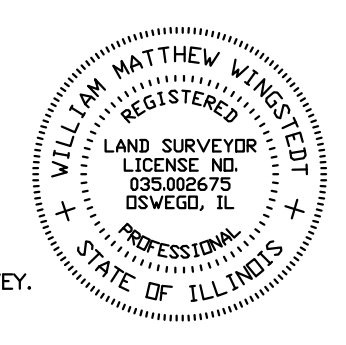
AREA = ±5.0098 ACRES
PRESENTLY ZONED A1-SU

REFERENCE BENCHMARK: KENDALL COUNTY MARKER DESIGNATION NO. 708, BRASS MARKER ON TOP OF WEST SIDE OF THE CONCRETE BOX CULVERT UNDER GROVE ROAD CROSSING OVER A TRIBUTARY BRANCH TO THE EAST AUX SABLE CREEK, 1 MILE NORTH OF ROUTE 126 ELEVATION = 687.53 NGVD 29

VICINITY MAP
© OpenStreetMap contributors
<https://www.openstreetmap.org/copyright>

SITE ADDRESS: 3485 ROUTE 126
OSWEGO IL 60543
Owner Name DTG INVESTMENTS LLC
Owner Address PO BOX 7453
AURORA IL 60507

ORDERED BY: BRUMMEL PROPERTIES



3485 ROUTE 126.DWG
● = found iron stake
○ = set iron stake
0 1/4" = 1/2" 3/4" = 1"

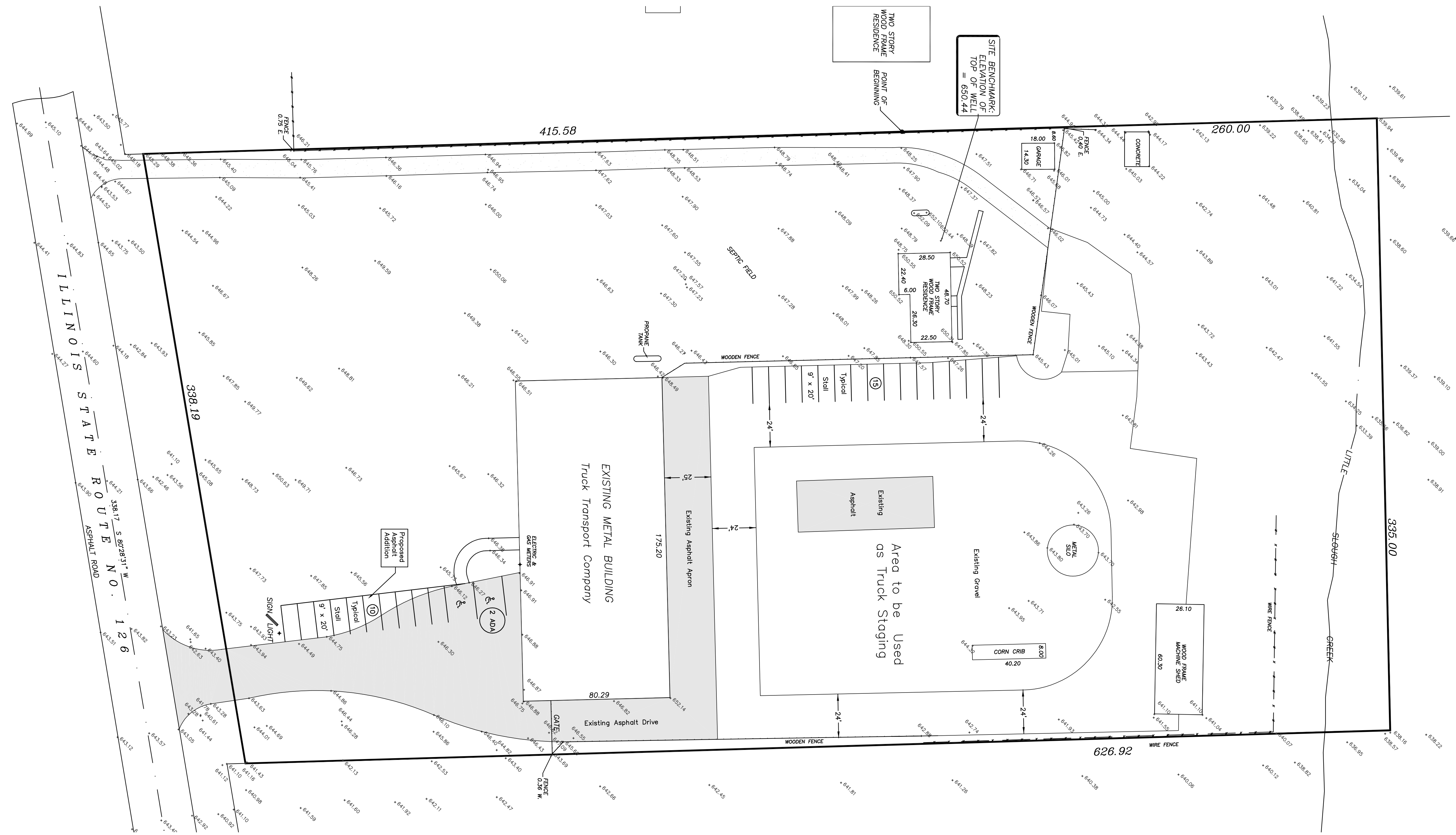
FIELD WORK COMPLETED, BUILDINGS AND OTHER IMPROVEMENTS LOCATED AS SHOWN ON THE 12TH DAY OF DECEMBER, A. D., 2019.

ORDER NO. 19 L 71 FILE NO. 191062
WILLIAM M. WINGSTEDT
ILLINOIS PROFESSIONAL LAND SURVEYOR
329 WHITE PINES CT., OSWEGO, ILLINOIS 60543
PHONE: (630) 554-8209 FAX (630) 551-1207



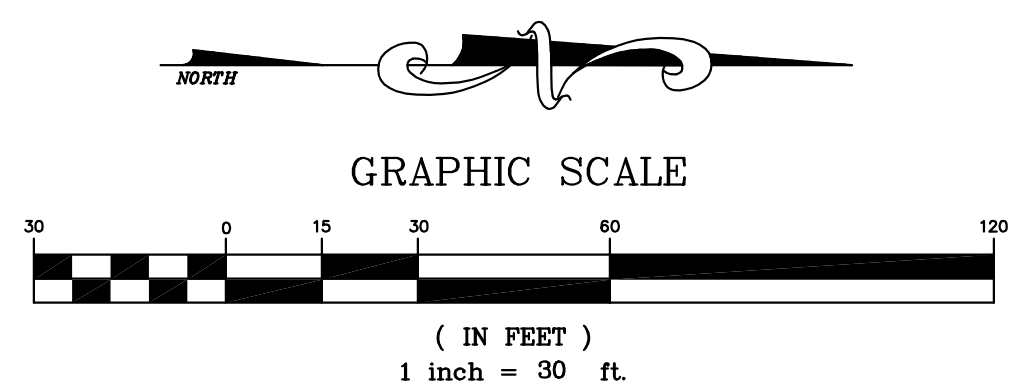
3485 Rte 126 Special Use Site Plan

OF
 THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18 ALL IN TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST, ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.



Site Data
 SITE ADDRESS: 3485 ROUTE 126
 OSWEGO IL 60543
 Owner Name DTG INVESTMENTS LLC
 Owner Address PO BOX 7453
 AURORA IL 60507

PRESENTLY ZONED A1-SU
 Total Area = ±5.0098 ACRES
 Metal Subject Bldg Area = 14,067 sq.ft.
 Metal Subject Bldg Use =
 Truck Transport & Logistics
 With Truck Mechanic facility
 25 Parking Stalls
 2 ADA Parking Stalls
 Site is currently landscaped
 with berms, mature trees, bushes
 and board on board security fence



Rynear & Son, Inc.
 Consulting Engineers
 Professional Design Firm
 Licenses No. 184-004637

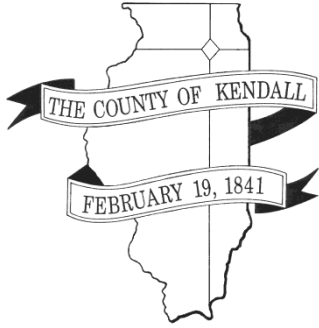
595 BUTTONWOOD CIRCLE
 NAPERVILLE, ILLINOIS 60540
 (630) 355-9889 PHONE
 (630) 355-5382 FAX

ISSUE #	Date	Description

PROJECT:
**Site Plan
 Special Use Permit
 3485 Rte. 126**
 Client: **Brummel Properties**
 Oswego, Illinois

Date: _____
 Design/Drawn: **WAR**
 Approved: **CWR**
 Book No.: _____
 File No.: _____
 SHEET TITLE:

**Site Plan
 3485 Rte. 126
 Oswego, IL
 Special Use**
 SHEET NUMBER:
C-1
 SHEET 1 OF _____
 Project No.:



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 20-24

Grainco FS, Inc.

**Amendment to Future Land Use Map in Land Resource
Management Plan**

Agricultural to Mixed Use Business

INTRODUCTION

Grainco FS, Inc. would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately three point two more or less (3.2 +/-) acres located 17854 at N. Wabena Avenue. If approved, the Petitioner would like to rezone the property to allow the operation of a company that performs construction and maintenance work for gas utilities. This use is not allowed on property zoned A-1 Agricultural. This use and the previous uses at the property (i.e. fertilizer plant) are either permitted or special uses on M-1 Limited Manufacturing zoned property.

The application materials are included as Attachment 1. An aerial of the property is included as Attachment 2.

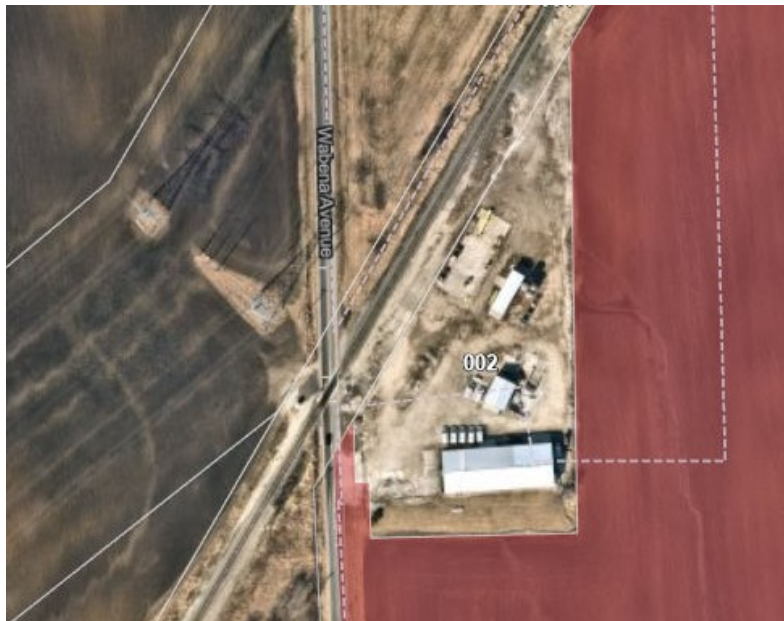
The map amendment request is a separate petition (Petition 20-25).

SITE INFORMATION

PETITIONER: Grainco FS, Inc.

ADDRESS: 17854 N. Wabena Avenue, Minooka

LOCATION: East Side of Wabena Avenue Approximately 500 Feet North of Interstate 80



TOWNSHIP: Seward

PARCEL #: 09-36-400-002

LOT SIZE: 3.2 +/- Acres

EXISTING LAND USE: Commercial

ZONING: A-1 Agricultural District With a Special Use Permit for Mixing, Blending, and Manufacturing of Fertilizers

LRMP: Future Land Use	Agricultural (Petitioner is Requesting a Change to Mixed Use Business)
Roads	Wabena Avenue is a Township Maintained Local Road.
Trails	None
Floodplain/Wetlands	None

REQUESTED ACTION: Amendment to Future Land Use Map from Agricultural to Mixed Use Business
Map Amendment Rezoning Property from A-1 Agricultural to M-1 Limited Manufacturing

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Railroad/Public Utility	A-1	Mixed Use Business and ComEd (Kendall County) Light Industrial (Minooka)	A-1 (Kendall County) M-1 (Minooka)
South	Agricultural	M-1 (Minooka)	Light Industrial (Minooka)	R-2 and M-1 (Minooka)
East	Agricultural	M-1 (Minooka)	Mixed Use Business (Kendall County) Light Industrial Minooka	A-1 (Kendall County) A-1 (Will County) M-1 (Minooka)
West	Agricultural	A-1	Mixed Use Business and ComEd	A-1 and B-3

Pictures of the property are included as Attachments 3-7.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit is included as Attachment 8. This special use permit is the second oldest

active special use permit in unincorporated Kendall County.

ACTION SUMMARY

SEWARD TOWNSHIP

Petition information was sent to Seward Township on September 23, 2020. To date, no comments have been received.

VILLAGE OF MINOOKA

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no comments have been received.

MINOOKA FIRE PROTECTION DISTRICT

Petition information was sent to the Minooka Fire Protection District on September 23, 2020. To date, no comments have been received.

ZPAC

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting are included as Attachment 9.

RPC

The Kendall County Regional Planning Commission held a public hearing on this proposal on October 28, 2020. Discussion occurred regarding the differences between this Petition and the requests related to 3485 Route 126. Several Commissioners expressed their dismay that the Petitioner allowed the company to start operations at the property before securing necessary zoning approvals. Several Commissioners also noted that the proposed use would fit the surrounding neighborhood. Other than the Petitioner, nobody else from the public attended the hearing. The Kendall County Regional Planning Commission recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition. Four (4) Commissioners were absent. The minutes of this hearing are included as Attachment 10.

ZBA

The Kendall County Zoning Board of Appeals reviewed this proposal at their meeting on November 2, 2020. Discussion focused on the Village of Minooka annexing the property in the future. The reclassification and rezoning of the property would make the property compatible with the Village of Minooka's plans. As of the date of the Kendall County Zoning Board of Appeals meeting, the Village of Minooka had not submitted comments on the proposal. The Kendall County Zoning Board of Appeals recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition. Two (2) Members were absent. The minutes of the meeting are included as Attachment 11.

OTHER PLANS

VILLAGE OF MINOOKA

The Village of Minooka's Future Land Use Map calls for this property to be Light Industrial.

ANALYSIS

The subject property has been used as a fertilizer plant since at least 1966. The proposed use and previous uses at the property since 1966 would be allowed by either permitted or special use on M-1 zoned property.

The Future Land Use Maps of both Kendall County and the Village of Minooka call for industrial related uses in the vicinity of the subject property.

A railroad is also located adjacent to the subject property.

RECOMMENDATION

Staff recommends approval of the requested amendment.

The draft resolution is included as Attachment 12.

ATTACHMENTS

1. Application Materials
2. Aerial
3. Main Building
4. Parking Lot
5. Looking North
6. Looking South
7. Looking West
8. 1966 Special Use Permit
9. October 6, 2020 ZPAC Minutes
10. October 28, 2020 Kendall County Regional Planning Commission Minutes
11. November 2, 2020 Kendall County Zoning Board of Appeals Minutes (This Petition Only)
12. Draft Resolution

“Justification of Reasons for Requested Re-Zoning from Agricultural to M1”


This property has belonged to Grainco FS, Inc., or its predecessors, Kendall Grundy FS, Kendall Farmers Oil Company, and F.S. Services, Inc. acquired it in 1970. It was used for a number of years as a fertilizer plant, and when that use ceased, nothing further was done regarding the zoning classification. Beginning about two years ago, a tenant Pipe Strong LLC of Schaumburg, Illinois entered into a one year renewable lease to use the property as an “operations center for utility construction service company”.

Pipe Strong LLC performs construction and maintenance for gas utilities. Pipe Strong established a partnership with Nicor Gas for ongoing construction and maintenance work. Union led workforce uses show-up yards for pre-job safety checks and re-tooling of supplies. The property in Minooka on Wabena Road is being used as their southern show-up yard on the Nicor system. The warehouse is used to inventory all sorts of pipe fittings and safety supplies. The typical vehicle utilized from the yard is a Ford F-450.

No configuration to the property has been changed or contemplated, and they continue to use it as is on a day-to-day basis. Upon notification by the Kendall County Zoning administrator that the agricultural zoning was no longer appropriate, the property owner has filed this application. The long term usage of the property has not been identified further as either agricultural or this current usage, but the current tenant is expected to remain for at least an additional year.

On a going forward basis, the M1 classification appears most appropriate to this property which is bordered by Wabena Avenue, the Elgin Joliet and Eastern railroad, and farmland. The Minooka Zoning Map (2019) projects the property on the North and South of the subject property as M-1 Manufacturing as per the attachment. Petitioner, Grainco FS, Inc. respectfully requests that this property be re-zoned as M-1 to conform to the Kendall County zoning ordinance, and the adjoining properties zoned uses pursuant to the Minooka Zoning Map as identified on the map of 2019.

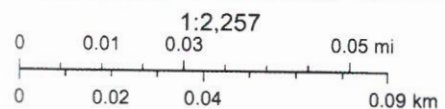
Grainco FS, Inc.,


By: Paul V. Martin, Its Attorney

ArcGIS Web Map



9/9/2020, 10:54:26 AM



- Current Parcels
- Municipalities
 - UNINCORPORATED
 - VILLAGE OF MINOOKA

© OpenStreetMap (and) contributors, CC-BY-SA, Map data © OpenStreetMap contributors, Map layer by Esri



09/21/2020 08:26

Attachment 4 North Parking Area



09/21/2020 08:26



17854
WABENA

09/21/2020 08:26



09/21/2020 08:26



09/21/2020 08:26

KENDALL COUNTY ZONING
BOARD OF APPEALS

Pursuant to a notice published in the Kendall County Record and herewith attached the Kendall County Zoning Board of Appeals met on the site therein described to consider the petition of Cora Kay for a "Special Use Permit" under "A" Agriculture for the Monsanto Co. Said permit to allow for the mixing, blending and manufacture of fertilizers.

The meeting was called to order on February 28 at 10 A.M. by chairman Larson with members Langeland, Thurow, Kennedy and Scheidecker answering present at roll call.

Orville Norman of 202 Forest Park Place, Ottawa, Illinois (DS) testified as to the dimensions of the property containing 3.202 A. and described the buildings (office, and warehouse) they proposed for the site. He said the plant will be owned by the Monsanto Co. with a local operator.

There were no objectors present and the board recessed to consider and discuss the petition.

On reconvening Scheidecker made a motion seconded by Langeland that the board recommend the granting of the petition. On roll call the members voted as follows: Langeland, yes; Scheidecker, yes; Thurow, yes; Kennedy, yes; and Larson, yes.

On a motion by Kennedy the board adjourned.

172.19 feet; thence East for a distance of 306.84 feet; thence north for a distance of 699.73 feet to a point which falls on the said southeasterly right-of-way line of the E. J. & E. Railroad; thence Southwesterly along the said southeasterly right-of-way line for a distance of 618.24 feet to the point of beginning, containing 3.202 acres, more or less, all located in Kendall County, Illinois. Further Notice is Hereby Given that a hearing has been set thereon for Monday, February 28, 1966 at 10:00 a. m. at the above described premises in the Township of Seward, Kendall County, Illinois, said Board of Appeals and be heard.
Dated at Yorkville, Illinois, the 25th day of January, A. D., 1966.
R. N. YOUNG
Secretary of the Zoning Board of Appeals of Kendall County

(Legal Publication)
PUBLIC NOTICE
Notice is Hereby Given that the Monsanto Company has filed a petition with the Zoning Board of Appeals of Kendall county, Illinois, to rezone and reclassify from "A," Agriculture District to a "Special Use" permit the following described real estate, to wit:
That part of the Southeast Quarter (SE¼) of Section Thirty-six (36), Township Thirty-(8) East of the Third Principal Meridian, Kendall County, Illinois, more particularly described as follows:
Beginning at the intersection of the southeasterly right-of-way line of the Elgin, Joliet and Eastern Railroad and the East right-of-way line of a township road, said point being 705 feet north of the transit line Station 1736+09, said point being the point of beginning; thence Southeasterly along the said east right-of-

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
October 6, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department
Lauren Belville – Health Department
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Matthew Prochaska – PBZ Committee Chair

Absent:

Meagan Briganti – GIS
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve

Audience:

Michele Morris, John Seheffer, and Paul Martin

AGENDA

Mr. Klaas made a motion, seconded by Commander Langston, to approve the agenda as presented. With a voice vote of seven (7) ayes, the motion passed.

MINUTES

Mr. Holdiman made a motion, seconded by Ms. Belville, to approve the September 1, 2020, meeting minutes. With a voice vote of seven (7) ayes, the motion passed.

PETITIONS

Petition 20-23 Patrick and Michele Morris

Mr. Asselmeier summarized the request.

A five foot (5') public utility and drainage easement exists on the north and south lot lines of Lots 35, 36, and 37 in the Grove Estates Subdivision.

Patrick and Michele Morris would like to merge the three (3) lots and construct a new house over the easements.

The application materials and plat of vacation were provided.

The property is addressed as 7229, 7251, and 7287 Joyce Court.

The property is approximately two (2) acres in size and is zoned RPD-2.

The current land use is Single-Family Residential. The future land use is Rural Residential.

Joyce Court is a local road maintained by Na-Au-Say Township. No trails are planned for the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Single-Family Residential. The adjacent zoning is RPD-2. The Land Resource Management Plan calls for the area to Rural Residential. The zoning districts within a half mile are A-1 and RPD-2.

Na-Au-Say Township was emailed information on September 22, 2020.

The Village of Oswego was emailed information on September 22, 2020.

The Oswego Fire Protection District was emailed information on September 22, 2020.

ZPAC Meeting Minutes 10.06.20

The total area proposed for vacation is approximately one tenth (0.1) of an acre.

The Petitioners provided information stating that none of the utilities or the homeowners' association were in opposition to this request.

Staff recommends that the requested vacation with the following conditions:

1. Lots 35, 36, and 37 of Grove Estates Subdivision shall not be sold as individual lots upon the successful recording of the plat of vacation (Attachment 2). Within ninety (90) days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
2. This vacation shall become effective upon the successful recording of the plat of vacation in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

Mr. Klaas asked if any utilities were located in the easements. Mr. Asselmeier said no utilities were located in the easements, per JULIE.

Mr. Klaas asked about access. Ms. Morris responded that two (2) driveways would be installed.

Mr. Asselmeier made a motion, seconded by Mr. Klaas, to recommend approval of the requested vacation. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on October 14, 2020.

Petition 20-24 Grainco FS, Inc.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately three point two more or less (3.2 +/-) acres located 17854 N. Wabena Avenue. If approved, the Petitioner would like to rezone the property to allow the operation of a company that performs construction and maintenance work for gas utilities. This use is not allowed on property zoned A-1 Agricultural. This use and the previous uses at the property (i.e. fertilizer plant) are either permitted or special uses on M-1 Limited Manufacturing zoned property.

The application materials and aerial were provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

Petition information was sent to Seward Township on September 23, 2020.

Petition information was sent to the Village of Minooka on September 23, 2020.

Petition information was sent to the Minooka Fire Protection on September 23, 2020.

The Village of Minooka's Future Land Use Map calls for this property to be Light Industrial.

The subject property has been used as a fertilizer plant since at least 1966. The proposed use and previous uses at the property since 1966 would be allowed by either permitted or special use on M-1 zoned property.

The Future Land Use Maps of both Kendall County and the Village of Minooka call for industrial related uses in the vicinity of the subject property.

A railroad is also located adjacent to the subject property.

Upon initial analysis, Staff has no objections to the proposed amendment.

Before issuing a final recommendation, Staff would like comments from Seward Township, the Village of Minooka, the Minooka Fire Protection District and ZPAC members.

Mr. Klaas asked why the property is not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka has not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area.

Ms. Belville noted that the septic system would need to be evaluated if the uses change.

Ms. Olson noted the limitations on development caused by the soils.

Mr. Asselmeier asked about the location utilities from the Village of Minooka. Mr. Martin responded that Minooka had not offered to extend municipal services to the property.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested amendment to the Kendall County Land Resource Management Plan. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Regional Planning Commission on October 28, 2020.

Petition 20-05 Grainco FS, Inc.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials and aerial of the property are provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 17, 2020.

Petition information was sent to Seward Township on September 23, 2020.

Petition information was sent to the Village of Minooka on September 23, 2020.

Petition information was sent to the Minooka Fire Protection on September 23, 2020.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to the application materials, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated that a long-term use of the property has not been identified.

Any new structures would require applicable building permits. No new structures are planned at this time.

The property access North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

Future development on the site could require stormwater management permits, depending on the nature of development.

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

Before issuing a final recommendation, Staff would like comments from Seward Township, the Village of Minooka, the Minooka Fire Protection District, and ZPAC members.

Mr. Holdiman made a motion, seconded by Commander Langston, to recommend approval of the map amendment. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Regional Planning Commission on October 28, 2020.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier stated that Petition 19-39 Map Amendment and Special Use Permit for Four Seasons Storage and Petition 20-15 Final Plat Approval for the Go Pro Sports Subdivision passed at the County Board.

Mr. Asselmeier stated that Petition 20-14 Zoning Ordinance Project passed at the County Board with an amendment removing the language regarding research related home occupations and an amendment removing the soils requiring non-traditional septic systems from the calculation of open space.

Mr. Asselmeier reported that Petition 20-21 Fee Schedule Amendment passed at the County Board. The fee for conditional use permits for beekeeping would be One Hundred Dollars (\$100), the same as other conditional use permits. The annual permit renewal fee for beekeeping was removed.

OLD BUSINESS/NEW BUSINESS

Recommendation on Fiscal Year 2020-2021 Meeting Calendar

Mr. Klaas made a motion, seconded by Commander Langston to recommend approval of the meeting calendar as presented. With a voice vote of seven (7) ayes, the motion passed.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Olson made a motion, seconded by Commander Langston, to adjourn. With a voice vote of seven (7) ayes, the motion passed.

The ZPAC, at 9:17 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
OCTOBER 6, 2020**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Paul Martin</i>	<i>For Grainco F.S.</i>	[REDACTED]
<i>John Schefler</i>	<i>For Grainco F.S.</i>	
<i>Michele Morris</i>		[REDACTED]

Attachment 10, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Historic Courthouse
East Wing Conference Room
110 W. Madison Street (109 W. Ridge Street), Yorkville, Illinois

Unapproved - Meeting Minutes of October 28, 2020 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:01 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Karin McCarthy-Lange, Ruben Rodriguez, and Claire Wilson

Members Absent: Tom Casey, Dave Hamman, Larry Nelson, and Bob Stewart

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Paul Martin

APPROVAL OF AGENDA

Member Bledsoe made a motion, seconded by Member McCarthy-Lange, to approve the agenda. With a voice vote of five (5) ayes, the motion carried.

APPROVAL OF MINUTES

Member Rodriguez made a motion, seconded by Member Bledsoe, to approve the minutes of the September 23, 2020, meeting. With a voice vote of five (5) ayes, the motion carried.

PUBLIC HEARING

Petition 20-24 Grainco FS, Inc.

The Kendall County Regional Planning Commission started their review of Petition 20-24 at 7:02 p.m.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately three point two more or less (3.2 +/-) acres located 17854 N. Wabena Avenue. If approved, the Petitioner would like to rezone the property to allow the operation of a company that performs construction and maintenance work for gas utilities. This use is not allowed on property zoned A-1 Agricultural. This use and the previous uses at the property (i.e. fertilizer plant) are either permitted or special uses on M-1 Limited Manufacturing zoned property.

The application materials and aerial were provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

Petition information was sent to Seward Township on September 23, 2020. To date, no response has been received.

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no response has been received.

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no response has been received.

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting were provided.

The Village of Minooka's Future Land Use Map calls for this property to be Light Industrial.

The subject property has been used as a fertilizer plant since at least 1966. The proposed use and previous uses at the property since 1966 would be allowed by either permitted or special use on M-1 zoned property.

The Future Land Use Maps of both Kendall County and the Village of Minooka call for industrial related uses in the vicinity of the subject property.

A railroad is also located adjacent to the subject property.

Upon initial analysis, Staff has no objections to the proposed amendment.

Chairman Ashton opened the public hearing at 7:06 p.m.

Member McCarthy-Lange asked how this proposal differs from the request at 3485 Route 126 that the Commission reviewed in September 2020. Mr. Asselmeier responded that, in the case of 3485 Route 126, the Petitioner requested a use be added to the list of special uses in the A-1 district and for a special use at that property. The property on Route 126 would retain a base zoning of A-1. In the case of the Petition on Wabena Avenue, the Petitioner requested that the base zoning change from A-1 to M-1. If the map amendment is approved, the Petitioner on Wabena Avenue would not be able to engage in the uses allowed in the A-1 district and would be allowed to engage in the other uses allowed in the M-1 district.

Member McCarthy-Lange noted that the location and area of the subject property seemed compatible with the requested amendment because of the proximity of the railroad tracks and interstate.

Member Wilson noted that the Pipe Strong, LLC was already operating at the subject. Member Wilson why the proposal was under review at this time. Mr. Asselmeier responded that the Planning, Building and Zoning Department received a complaint about the business operating at the property and met with the Petitioner. The Petitioner started preparing the application and then the COVID shutdown slowed down the Petitioner's submittal. The Planning, Building and Zoning Department did not do active code enforcement, unless it was an emergency situation, during the COVID shutdown.

Member Wilson expressed dismay that the Petitioner allowed the business to locate at the property without securing the appropriate zoning. Chairman Ashton echoed this opinion and thought that the people at Grainco FS should have known that a zoning change was necessary before allowing Pipe Strong, LLC to move into the property.

Chairman Ashton asked if Pipe Strong, LLC was purchasing the property. Paul Martin, Attorney for the Petitioner, stated that Grainco FS was retaining ownership of the property.

Mr. Martin stated that, in his opinion, Grainco FS was not aware that they needed to secure a zoning change or the detailed needed for a zoning application. Mr. Martin stated that he originally approached Minooka regarding the zoning change, until he found out that the property was in the unincorporated area. He noted that the Village of Minooka has manufacturing zoning around the subject property.

Chairman Ashton asked why the Village of Minooka did not annex the property. The response was that no municipal utilities were in the area.

Member Wilson asked for clarification regarding Pipe Strong, LLC's operations. Mr. Martin responded that the company works with NICOR Gas and this site is an outpost where workers will arrive, get job assignments for work with NICOR, and dispatch crews to do the work. The number of employees onsite was not specified. Related equipment will be stored on the property. Member Wilson noted that roughly twenty (20) cars were parked at the property when she drove past the site. Chairman Ashton said that he saw about six (6) trucks at the property.

Member McCarthy-Lange asked if the Petitioner applied for changes to the special use permit. Mr. Asselmeier responded that the Petitioner secured a setback variance several years ago, but the special use permit did not have any review or renewal requirements.

Member Rodriguez asked how long Pipe Strong, LLC was operating at the property. Mr. Martin responded that the company has been at the property approximately one (1) year.

Mr. Martin expressed the Petitioner's desire to bring the property into compliance.

Member Wilson stated that she believed that the proposed use fits with the M-1 district. Chairman Ashton agreed and said that the amount of manufacturing onsite will be minimal and the proposed use will not have the negative impacts that previous uses had on the surrounding area.

Chairman Ashton closed the public hearing at 7:24 p.m.

Member Wilson made a motion, seconded by Member Bledsoe, to recommend approval of the requested amendment to the Future Land Use Map in the Kendall County Land Resource Management Plan.

The votes were as follows:

Ayes (5): Ashton, Bledsoe, McCarthy-Lange, Rodriguez, and Wilson

Nays (0): None
Absent (4): Casey, Hamman, Nelson, and Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on November 2, 2020.

The Kendall County Regional Planning Commission completed their review of Petition 20-24 at 7:25 p.m.

PETITIONS

Petition 20-05 Grainco FS, Inc.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials and aerial of the property are provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 17, 2020. The LESA Score was 178 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on September 23, 2020. To date, no response has been received.

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no response has been received.

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no response has been received.

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting were provided.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to the application materials, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated that a long-term use of the property has not been identified.

Any new structures would require applicable building permits. No new structures are planned at this time.

The property accesses North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

Future development on the site could require stormwater management permits, depending on the nature of development.

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

The proposed Findings of Fact are as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural for agricultural purposes. Some of the adjacent properties already possess manufacturing zoning and almost all of the adjoining properties are planned to have manufacturing uses in applicable Future Land Use Maps.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1. The surrounding properties inside the Village of Minooka are M-1.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 with a special use permit for fertilizer related operations. Fertilizer related operations are special uses in the M-1 Limited Manufacturing District. The existing use as a company performing construction and maintenance for gas utilities is a permitted use in the M-1 Limited Manufacturing District.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. Per the existing Future Land Use Maps of Kendall County and the Village of Minooka, the trend of development in the area is manufacturing and light industrial uses.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. If the Petitioner's request for a reclassification of their property from Agricultural to Mixed Use Business is approved, the requested map amendment would be consistent with the purposes and objectives of the Land Resource Management Plan.

If the proposed change to the Future Land Use Map in the Land Resource Management Plan is approved, Staff recommends approval of the requested map amendment.

Chairman Ashton stated that the Petitioner had previously secured zoning permits at other properties they owned and should have secured the necessary zoning permits before leasing the property.

Member Wilson stated that the proposed use was probably safer for the neighborhood compared to previous uses at the site.

Member Rodriguez made a motion, seconded by Member Bledsoe, to recommend approval of the requested map amendment.

Member Wilson asked if the site complied with the Zoning Ordinance. Mr. Asselmeier responded yes.

The votes were as follows:

Ayes (5): Ashton, Bledsoe, McCarthy-Lange, Rodriguez, and Wilson

Nays (0): None

Absent (4): Casey, Hamman, Nelson, and Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on November 2, 2020.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Approval of a Motion by Commissioners Wilson, McCarthy-Lange, and Casey to Amend Article IX of the Kendall County Regional Planning Commission's Bylaws Deleting the Location of the Annual Meeting of the Election of Officers

The meeting location would have to comply with the requirements of the Open Meetings Act.

With a voice vote of five (5) ayes, the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

Chairman Ashton asked about the status of the Petitions related to 3485 Route 126. Mr. Asselmeier responded that the Kendall County Zoning Board of Appeals recommended approval of the text amendment and special use permit. The Na-Au-Say Township Board discussed the proposals at their October meeting and emailed four (4) negative comments regarding the proposal. Na-Au-Say Township did not formally vote on the comments and the Na-Au-Say Township Planning Commission did not meet to review the proposal. No other township filed a formal objection. The proposals go to the Planning, Building and Zoning Committee in November. Mr. Asselmeier noted that no member of the public has attended a meeting in opposition to the requests.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier said that the landscaping business at 9000 Route 34 is working on an application for a map amendment and special use permit for their property. The Petitioners are still working on the stormwater information for the application.

Mr. Asselmeier noted that the next meeting would be Wednesday, December 9, 2020, and the next application deadline is November 17, 2020.

Mr. Asselmeier noted that Teska is finalizing some of the links in the Zoning Ordinance and the project should be completed shortly.

Mr. Asselmeier noted that the Comprehensive Land Plan and Ordinance Committee is working on changes to the transportation plan and the initiation of the Petition for those changes could be on the next Commission agenda.

ADJOURNMENT

Member Wilson made a motion, seconded by Member McCarthy-Lange to adjourn. With a voice vote of five (5) ayes, the motion carried.

The Kendall County Regional Plan Commission meeting adjourned at 7:42 p.m.

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

Encs.: Memo on Petition 20-24 Dated October 21, 2020
Certificate of Publication and Mailings for Petition 20-24 (Not Included with Report but on file in Planning, Building and Zoning Office).



**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
OCTOBER 28, 2020**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Paul Martin</i>		

**MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING**

110 WEST MADISON STREET (109 WEST RIDGE STREET), EAST WING CONFERENCE ROOM
YORKVILLE, IL 60560

NOVEMBER 2, 2020 – 7:00 p.m.

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:01 p.m.

ROLL CALL:

Members Present: Scott Cherry, Cliff Fox, Randy Mohr, Dick Thompson, and Dick Whitfield

Members Absent: Karen Clementi and Tom LeCuyer

Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner

Others Present: Paul Martin

Chairman Mohr swore in Paul Martin for both Petitions.

PETITIONS

The Zoning Board of Appeals started their review of Petition 20-24 at 7:01 p.m.

Petition 20-24 – Grainco FS, Inc.

Request: Amendment to the Future Land Use Map in the Kendall County Land Resource Management Plan Changing the Classification of the Subject Property from Agricultural to Mixed Use Business

PIN: 09-36-400-002

Location: 17854 N. Wabena Avenue, Minooka, Seward Township

Purpose: Petitioner Wants to Rezone Property to M-1 Limited Manufacturing District

Mr. Asselmeier summarized the request.

Grainco FS, Inc. would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately three point two more or less (3.2 +/-) acres located at 17854 N. Wabena Avenue. If approved, the Petitioner would like to rezone the property to allow the operation of a company that performs construction and maintenance work for gas utilities. This use is not allowed on property zoned A-1 Agricultural. This use and the previous uses at the property (i.e. fertilizer plant) are either permitted or special uses on M-1 Limited Manufacturing zoned property.

The application materials and aerial were provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

Petition information was sent to Seward Township on September 23, 2020. To date, no response has been received.

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no response has been received.

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no response has been received.

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission held a public hearing on this proposal on October 28, 2020. Discussion occurred regarding the differences between this Petition and the requests related to 3485 Route 126. Several Commissioners expressed their dismay that the Petitioner allowed the company to start operations at the property before securing necessary zoning approvals. Several Commissioners also noted that the proposed use would fit the surrounding neighborhood. Other than the Petitioner, nobody else from the public attended the hearing. The Kendall County Regional Planning Commission recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition. Four (4) Commissioners were absent. The minutes of this hearing were provided.

The Village of Minooka's Future Land Use Map calls for this property to be Light Industrial.

The subject property has been used as a fertilizer plant since at least 1966. The proposed use and previous uses at the property since 1966 would be allowed by either permitted or special use on M-1 zoned property.

The Future Land Use Maps of both Kendall County and the Village of Minooka call for industrial related uses in the vicinity of the subject property.

A railroad is also located adjacent to the subject property.

Upon initial analysis, Staff has no objections to the proposed amendment.

Paul Martin, Attorney for the Petitioner, described the property and previous uses at the property. He explained that the requests are to bring the property into compliance with the Village of Minooka's plans and the County's zoning requirements. He explained the work that Pipe Strong, LLC does at the property.

Chairman Mohr asked if the site would be used for storage and parking. Mr. Martin responded, yes. The property has a fence along the Wabena Avenue side of the property.

Chairman Mohr asked if the Village of Minooka has provided comments. Mr. Asselmeier stated, to his knowledge, the Village of Minooka does not have any municipal utilities near the property. If the Petitioner or a successive property wanted municipal utilities, they could negotiate with the Village of Minooka as part of an annexation agreement. Mr. Asselmeier responded, to date, Minooka has not submitted comments. Mr. Martin concurred with Mr. Asselmeier. Mr. Asselmeier noted that Minooka and Seward Township have the right to object to the map amendment portion of the request within thirty (30) days of the zoning hearing.

Member Whitfield made a motion, seconded by Member Cherry, to recommend approval of the requested amendment to the Future Land Use Map in the Kendall County Land Resource Management Plan.

The votes were as follows:

Ayes (5): Cherry, Fox, Mohr, Thompson, and Whitfield

Nays (0): None

Absent (2): Clementi and LeCuyer

The motion passed.

This proposal will go to the Kendall County Planning, Building and Zoning Committee on November 9, 2020.

The Zoning Board of Appeals completed their review of Petition 20-24 at 7:12 p.m.

PUBLIC COMMENTS

None

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Fox made a motion, seconded by Member Thompson, to adjourn. With a voice vote of five (5) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 7:17 p.m.

The next hearing/meeting will be on December 14, 2020.

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

Exhibits

1. Memo on Petition 20-24 Dated October 29, 2020
2. Certificate of Publication for Petition 20-24 (Not Included with Report but on file in Planning, Building and Zoning Office).

State of Illinois
County of Kendall

LRMP
Petition #20-24

RESOLUTION NUMBER 2020-_____

A RESOLUTION ADOPTING AN AMENDMENT TO THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN TO UPDATE THE FUTURE LAND USE PLAN BY RECLASSIFYING 17854 N. WABENA AVENUE (PIN: 09-36-400-002) IN SEWARD TOWNSHIP FROM AGRICULTURAL TO MIXED USE BUSINESS

WHEREAS, 50 ILCS 805 allows Counties to create and adopt Land Resource Management Plans; and

WHEREAS, 55 ILCS 5/5-14001 through 5-14008 specifies how a County may adopt and amend Official Plans; and

WHEREAS, Kendall County adopted a Land Resource Management Plan in March 1994; and

WHEREAS, the Kendall County Board has amended the Land Resource Management Plan on several occasions since its adoption in March 1994; and

WHEREAS, the Kendall County Land Resource Management Plan has adopted official Future Land Use Maps for each township and for the County as a whole; and

WHEREAS, the property which is the subject of this Resolution has been, at all relevant times, and remains currently classified as Agricultural on the Future Land Use Map and consists of approximately 3.2 acres located at 17854 N. Wabena Avenue (PIN: 09-36-400-002) in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, the subject property is currently owned by Grainco FS, Inc. and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about September 17, 2020, Petitioner’s representative filed a petition to reclassify the subject property from Agricultural to Mixed Use Business in order to rezone the property from A-1 Agricultural District to M-1 Limited Manufacturing District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on October 8, 2020, the Kendall County Regional Planning Commission conducted a public hearing on October 28, 2020, at 7:00 p.m., in the Kendall County Historic Courthouse at 109 W. Ridge Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested amendment and zero members of the public testified in favor of the request and zero members of the public testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Regional Planning Commission has recommended approval of the proposed amendment; and

WHEREAS, the Kendall County Zoning Board of Appeals met on November 2, 2020, at 7:00 p.m., in the Kendall County Historic Courthouse at 109 W. Ridge Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the amendment and zero members of the public expressed support and zero members of the public expressed opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has

State of Illinois
County of Kendall
recommended approval of the proposed amendment; and

LRMP
Petition #20-24

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and meetings, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the proposed amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee, the recommendation of the Kendall County Zoning Board of Appeals, the record of the public hearing conducted by the Kendall County Regional Planning Commission, the recommendation of the Kendall County Regional Planning Commission, and has determined that said proposed amendment to the Kendall County Land Resource Management Plan is necessary and in the best interests of Kendall County; and

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

1. The Recommendations of the Kendall County Regional Planning Commission and Kendall County Zoning Board of Appeals attached hereto as Exhibits B and C respectively are hereby accepted.
2. The Kendall County Board hereby grants approval of Petitioner’s petition for an amendment to the Future Land Use Plan contained in the Kendall County Land Resource Management Plan by reclassifying the subject property as Mixed Use Business.
3. Any text or maps contained in the Kendall County Land Resource Management Plan in conflict with this resolution are hereby amended to match the reclassification of the subject property approved by this resolution.

IN WITNESS OF, this resolution has been enacted by a majority vote of the Kendall County Board and is effective this 15th day of December, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

That part of the Southeast Quarter of Section 36, Township 35 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the intersection of the Southeasterly right-of-way line of the Elgin, Joliet, and Eastern Railroad, and the East right-of-way line of a township road, said point being 705 feet North of the transit line at Station 1736+09, and said point being the POINT OF BEGINNING; thence Southeasterly along the said East right-of-way line for a distance of 91.19 feet; thence East for a distance of 20.00 feet; thence Southeasterly along a line which is parallel to the said East right-of-way line for a distance of 81.00 feet; thence East for a distance of 289.14 feet; thence North for a distance of 703.48 feet to a point which falls on the said Southeasterly right-of-way line of the Elgin, Joliet, and Eastern Railroad; thence Southwesterly along the said Southeasterly right-of-way line for a distance of 622.64 feet to the Point of Beginning, in the Township of Seward, Kendall County, Illinois.

And being the same property conveyed to Grainco FS, Inc. successor by virtue of merger with Kendall-Grundy FS, Inc., an Illinois corporation, successor by virtue of name change from Kendall Farmers Oil Company who acquired the title from FS Services, Inc. by Warranty Deed dated November 09, 1970 and recorded November 10, 1970 in Instrument No. 70-3205.

Tax Parcel No. 09-36-400-006

Exhibit B

The Kendall County Regional Planning Commission held a public hearing on the Petition on October 28, 2020. Zero (0) members of the public testified in favor or in opposition to the request. On the same date, the Commission issued the following recommendation by a vote of five (5) in favor and zero (0) in opposition. Commissioners Casey, Hamman, Nelson, and Stewart were absent.

RECOMMENDATION

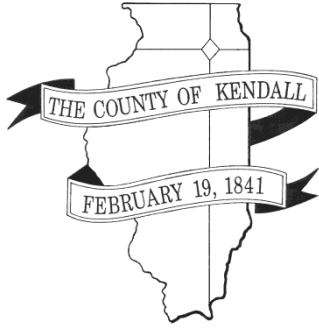
Approval

Exhibit C

The Kendall County Zoning Board of Appeals held a public meeting on the Petition 20-24 on November 2, 2020. Zero members of the public spoke in favor or in opposition to the request. On the same date, the Board issued the following recommendation by a vote of five (5) in favor and zero (0) in opposition. Members Clementi and LeCuyer were absent.

RECOMMENDATION

Approval



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 20-25

Grainco FS, Inc.

**Map Amendment Rezoning the Subject Property from A-1 with a
Special Use Permit to M-1 Limited Manufacturing**

INTRODUCTION

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

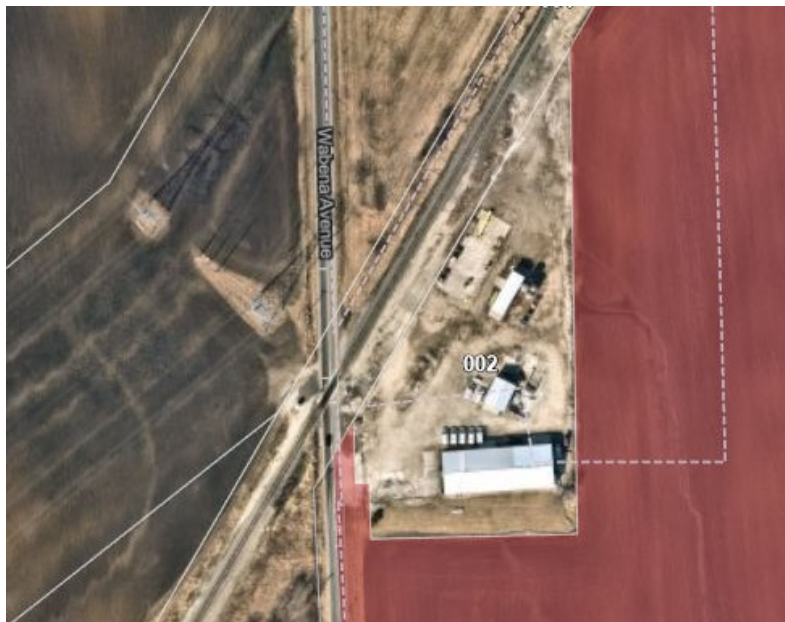
The application materials are included as Attachment 1. An aerial of the property is included as Attachment 2.

SITE INFORMATION

PETITIONER: Grainco FS, Inc.

ADDRESS: 17854 N. Wabena Avenue, Minooka

LOCATION: East Side of Wabena Avenue Approximately 500 Feet North of Interstate 80



TOWNSHIP: Seward

PARCEL #: 09-36-400-002

LOT SIZE: 3.2 +/- Acres

EXISTING LAND USE: Commercial

ZONING: A-1 Agricultural District With a Special Use Permit for Mixing, Blending, and Manufacturing of Fertilizers

LRMP:	Future Land Use	Agricultural (Petitioner is Requesting a Change to Mixed Use Business)
	Roads	Wabena Avenue is a Township Maintained Local Road.
	Trails	None
	Floodplain/Wetlands	None

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 Agricultural to M-1 Limited Manufacturing

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Railroad/Public Utility	A-1	Mixed Use Business and ComEd (Kendall County) Light Industrial (Minooka)	A-1 (Kendall County) M-1 (Minooka)
South	Agricultural	M-1 (Minooka)	Light Industrial (Minooka)	R-2 and M-1 (Minooka)
East	Agricultural	M-1 (Minooka)	Mixed Use Business (Kendall County) Light Industrial Minooka	A-1 (Kendall County) A-1 (Will County) M-1 (Minooka)
West	Agricultural	A-1	Mixed Use Business and ComEd	A-1 and B-3

Pictures of the property are included as Attachments 3-7.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit is included as Attachment 8. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated, see Attachment 1, Pages 7-9.

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on September 17, 2020, see Attachment 1, Page 6. The LESA Score was 178 indicating a low level of protection. The NRI Report is included as Attachment 10.

ACTION SUMMARY

SEWARD TOWNSHIP

Petition information was sent to Seward Township on September 23, 2020. To date, no comments have been received.

VILLAGE OF MINOOKA

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no comments have been received.

MINOOKA FIRE PROTECTION DISTRICT

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no comments have been received.

ZPAC

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting are included as Attachment 9.

RPC

The Kendall County Regional Planning Commission reviewed this proposal on October 28, 2020. Discussion occurred regarding the differences between this Petition and the requests related to 3485 Route 126. Several Commissioners expressed their dismay that the Petitioner allowed the company to start operations at the property before securing necessary zoning approvals. Several Commissioners also noted that the proposed use would fit the surrounding neighborhood. Other than the Petitioner, nobody else from the public was in attendance. The Kendall County Regional Planning Commission recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition. Four (4) Commissioners were absent. The minutes of this meeting are included as Attachment 11.

ZBA

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on November 2, 2020. Discussion focused on the Village of Minooka annexing the property in the future. The reclassification and rezoning of the property would make the property compatible with the Village of Minooka's plans. As of the date of the Kendall County Zoning Board of Appeals hearing, the Village of Minooka had not submitted comments on the proposal. Other than the Petitioner, nobody else from the public was in attendance. The Kendall County Zoning Board of Appeals recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition. Two (2) Members were absent. The minutes of the meeting are included as Attachment 12.

GENERAL INFORMATION

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to Attachment 1, Page 3, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated on Attachment 1, Page 3 that a long-term use of the property has not been identified.

BUILDING CODES

Any new structures would require applicable building permits. No new structures are planned at this time.

ACCESS

The property accesses North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

ODORS

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

LIGHTING

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

SCREENING

Any fencing or buffering should be evaluated as part of the site plan review process.

STORMWATER

Future development on the site could require stormwater management permits, depending on the nature of development.

UTILITIES

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

FINDINGS OF FACT

§ 13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural for agricultural purposes. Some of the adjacent properties already possess manufacturing zoning and almost all of the adjoining properties are planned to have manufacturing uses in applicable Future Land Use Maps.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1. The surrounding properties inside the Village of Minooka are M-1.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 with a special use permit for fertilizer related operations. Fertilizer related operations are special uses in the M-1 Limited Manufacturing District. The existing use as a company performing construction and maintenance for gas utilities is a permitted use in the M-1 Limited Manufacturing District.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. Per the existing Future Land Use Maps of Kendall County and the Village of Minooka, the trend of development in the area is manufacturing and light industrial uses.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. If the Petitioner's request for a reclassification of their property from Agricultural to Mixed Use Business is approved, the requested map amendment would be consistent with the purposes and objectives of the Land Resource Management Plan.

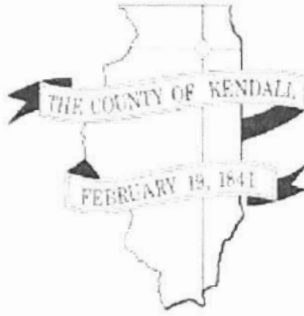
RECOMMENDATION

If the proposed change to the Future Land Use Map in the Land Resource Management Plan is approved, Staff recommends approval of the requested map amendment.

The draft ordinance is included as Attachment 13.

ATTACHMENTS

1. Application Materials
2. Aerial
3. Main Building
4. Parking Lot
5. Looking North
6. Looking South
7. Looking West
8. 1966 Special Use Permit
9. October 6, 2020 ZPAC Minutes
10. NRI Report
11. October 28, 2020 Kendall County Regional Planning Commission Minutes
12. November 2, 2020 Kendall County Zoning Board of Appeals Minutes (This Petition Only)
13. Draft Ordinance



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT Grainco FS, Inc.		
CURRENT LANDOWNER/NAME(s) Grainco FS, Inc.		
SITE INFORMATION		
ACRES 3.2	SITE ADDRESS OR LOCATION 17854 N. Wabena Ave., Minooka, IL	ASSESSOR'S ID NUMBER (PIN) 09-36-400-002
EXISTING LAND USE Operation center for utility construction service company. / Agricultural /	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to M-1)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹ PRIMARY CONTACT Paul V. Martin	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER #(Cell, etc.) [REDACTED]
² ENGINEER CONTACT N/A	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT [REDACTED]		DATE 9/17/2020

FEE PAID: \$ 500.00
 CHECK #: _____

¹Primary Contact will receive all correspondence from County
²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Please fill out the following findings of fact to the best of your capabilities. § 13.07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

Existing uses of property within the general area of the property in question.

Bordered on the North side by a railroad, and surrounding property is farm ground with row crops; although shown as M-1 on the Minooka 2019 Zoning map.

The Zoning classification of property within the general area of the property in question.

The Zoning classification of property within the general area of the property East of Wabena Avenue is M-1 Manufacturing pursuant to the 2019 Minooka Zoning Map, other than the railroad which runs parallel to one side of the property.

The suitability of the property in question for the uses permitted under the existing zoning classification.

The current use of the subject property is not suitable for the current agricultural zoning classification. The property is now leased by Pipe Strong, LLC of Schaumburg, Illinois, and the use is an operations center for utility construction.

See more detailed explanation of current use of property on "Justifications of Reasons for Requested Re-Zoning from Agricultural to M-1".

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.

The Village of Minooka 2019 Zoning Map for this area is all M-1 Manufacturing on the East side of Wabena Avenue. The M-1 classification for this property would be compatible with that. This area of Minooka apparently anticipates further growth on this map, and is on the North side of Interstate Route 80. It would be in the public interest to allow the property to be zoned consistently with the M-1 Manufacturing that the Minooka Zoning Map has adopted for that area within the village limits.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

The prior usage and current remain similar, and does not conflict with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

“Justification of Reasons for Requested Re-Zoning from Agricultural to M1”

This property has belonged to Grainco FS, Inc., or its predecessors, Kendall Grundy FS, Kendall Farmers Oil Company, and F.S. Services, Inc. acquired it in 1970. It was used for a number of years as a fertilizer plant, and when that use ceased, nothing further was done regarding the zoning classification. Beginning about two years ago, a tenant Pipe Strong LLC of Schaumburg, Illinois entered into a one year renewable lease to use the property as an “operations center for utility construction service company”.

Pipe Strong LLC performs construction and maintenance for gas utilities. Pipe Strong established a partnership with Nicor Gas for ongoing construction and maintenance work. Union led workforce uses show-up yards for pre-job safety checks and re-tooling of supplies. The property in Minooka on Wabena Road is being used as their southern show-up yard on the Nicor system. The warehouse is used to inventory all sorts of pipe fittings and safety supplies. The typical vehicle utilized from the yard is a Ford F-450.

No configuration to the property has been changed or contemplated, and they continue to use it as is on a day-to-day basis. Upon notification by the Kendall County Zoning administrator that the agricultural zoning was no longer appropriate, the property owner has filed this application. The long term usage of the property has not been identified further as either agricultural or this current usage, but the current tenant is expected to remain for at least an additional year.

On a going forward basis, the M1 classification appears most appropriate to this property which is bordered by Wabena Avenue, the Elgin Joliet and Eastern railroad, and farmland. The Minooka Zoning Map (2019) projects the property on the North and South of the subject property as M-1 Manufacturing as per the attachment. Petitioner, Grainco FS, Inc. respectfully requests that this property be re-zoned as M-1 to conform to the Kendall County zoning ordinance, and the adjoining properties zoned uses pursuant to the Minooka Zoning Map as identified on the map of 2019.

Grainco FS, Inc.,



By: Paul V. Martin, Its Attorney

That part of the Southeast Quarter of Section 36, Township 35 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the intersection of the Southeasterly right-of-way line of the Elgin, Joliet, and Eastern Railroad, and the East right-of-way line of a township road, said point being 705 feet North of the transit line at Station 1736+09, and said point being the POINT OF BEGINNING; thence Southeasterly along the said East right-of-way line for a distance of 91.19 feet; thence East for a distance of 20.00 feet; thence Southeasterly along a line which is parallel to the said East right-of-way line for a distance of 81.00 feet; thence East for a distance of 289.14 feet; thence North for a distance of 703.48 feet to a point which falls on the said Southeasterly right-of-way line of the Elgin, Joliet, and Eastern Railroad; thence Southwesterly along the said Southeasterly right-of-way line for a distance of 622.64 feet to the Point of Beginning, in the Township of Seward, Kendall County, Illinois.

And being the same property conveyed to Grainco FS, Inc. successor by virtue of merger with Kendall-Grundy FS, Inc., an Illinois corporation, successor by virtue of name change from Kendall Farmers Oil Company who acquired the title from FS Services, Inc. by Warranty Deed dated November 09, 1970 and recorded November 10, 1970 in Instrument No. 70-3205.

Tax Parcel No. 09-36-400-006

70-320 NOV 16 1970

STATE OF ILLINOIS
NOV 16 1970
FILED FOR RECORD
NOV 16 1970

RECORDED
INDEXED
TRACTED

THE GRANTOR FS SERVICES, INC.

A corporation organized and existing under and by virtue of the laws of the State of Illinois, having its principal office in the City of Kendallville, County of Kendall, Illinois, and State of Illinois, to wit:

That part of the Southeast quarter of Section 36, Township 35 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the intersection of the Southeastern right of way line of the Elgin, Joliet and Eastern Railroad and the East right of way line of a township road, said point being 705 feet North of the center of a township road, said point and said point being the point of beginning; thence Southeasterly along the said East right of way line a distance of 91.19 feet; thence East for a distance of 20.00 feet; thence Southeasterly along a line which is parallel to the said East right of way line for a distance of 81.00 feet; thence East for a distance of 289.14 feet; thence North for a distance of 201.48 feet to a point which falls on the said Southeasterly right of way line of the Elgin Joliet and Eastern Railroad; thence Southeasterly of 622.64 feet to the point of beginning, in the Township of Seward, Kendall County, Illinois.

In Witness Whereof, said Grantor has caused its corporate seal to be hereon affixed, and has caused its name to be signed to these presents by its Executive Vice President, and attested by its Assistant Secretary, this 9th day of November, 1970.

FS SERVICES, INC.
PRESIDENT
COMMODITY SEAL
HERE
EXECUTIVE VICE PRESIDENT
ASSISTANT SECRETARY

State of Illinois, County of Kendall, ss. I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that E. V. STEVENSON, President of the FS Services, Inc., personally known to me to be the Exec. Vice President of the FS Services, Inc.

personally known to me to be the Assistant Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, signed before me this day in person and severally acknowledged their said signatures before me as Assistant Secretary, they then read and delivered the said instrument as aforesaid. President and Assistant Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of DIRECTORS of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, this 9th day of November, 1970.

Commission expires July 20 1972

ADDRESS OF INSTRUMENT
NOTARY PUBLIC
STATE OF ILLINOIS
EXPIRES



Kendall County Soil & Water Conservation District

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3



www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Grainco FS, Inc. **Contact Person:** Paul V. Martin
 Address: 3107 N. State Route 23
 City, State, Zip: Ottawa, IL 61350
 Phone Number: (815) 434-0131
 Email: aldrake@graincofs.com

Please select: How would you like to receive a copy of the NRI Report? Email Mail

Site Location & Proposed Use

Township Name Seward Township 35 N, Range 8 E, Section(s) 36
 Parcel Index Number(s) 09-36-400-002
 Project or Subdivision Name _____ Number of Acres 3.2
 Current Use of Site _____ Proposed Use M-1, light industrial/freight yard
 Proposed Number of Lots 1 Proposed Number of Structures 4
 Proposed Water Supply Existing private well Proposed type of Wastewater Treatment Existing septic
 Proposed type of Storm Water Management Existing configurations

Type of Request

Change in Zoning from Agricultural to M-1
 Variance (Please describe fully on separate page)
 Special Use Permit (Please describe fully on separate page)
 Name of County or Municipality the request is being filed with: Kendall County

In addition to this completed application form, please including the following to ensure proper processing:

- Plat of Survey/Site Plan** – showing location, legal description and property measurements
- Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
- If available: topography map, field tile map, copy of soil boring and/or wetland studies
- NRI fee** (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	\$ <u>375.00</u>
_____ Additional Acres at \$18.00 each	\$ _____
Total NRI Fee	\$ <u>375.00</u>

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 y _____

 Petitioner or Authorized Agent

9/17/2020
 Date

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

FOR OFFICE USE ONLY

NRI# _____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____
 Fee Due \$ _____ Fee Paid \$ _____ Check # _____ Over/Under Payment _____ Refund Due _____



Applicant: Grainco FS, Inc.

IDNR Project Number: 2105561

Contact: Paul Martin

Date: 09/17/2020

Address:



Project: Re-Zoning of Property from Agricultural to M-1 Manufacturing

Address: 17854 N. Wabena Ave., Minooka

Description: This property was used for a number of years as a fertilizer plant, and when that use ceased, nothing further was done regarding the zoning classification. Beginning about two years ago, a tenant entered into a one year renewable lease to use the property as an "operations center for utility construction service company". No configuration to the property has been changed or contemplated, and they continue to use it as is on a day-to-day basis. Upon notification by the Kendall County Zoning administrator that the agricultural zoning was no longer appropriate, the property owner has filed this application. The long term usage of the property has not been identified further as either agricultural or this current usage, but the current tenant is expected to remain for at least an additional year.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

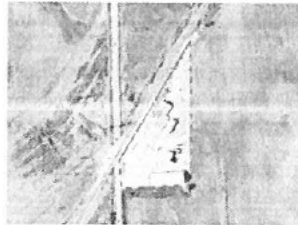
Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:

35N, 8E, 36



IL Department of Natural Resources

Contact

Adam Rawe

217-785-5500

Division of Ecosystems & Environment

Government Jurisdiction

Kendall Co. Department Planning, Building & Zoning

Matthew Asselmeier

111 West Fox Street

Yorkville, Illinois 60560 -1498

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.
2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.
3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

IDNR Project Number: 2105561



EcoCAT Receipt	Project Code 2105561
-----------------------	-----------------------------

APPLICANT	DATE
------------------	-------------

Grainco FS, Inc. Paul Martin [REDACTED]	9/17/2020
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DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
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EcoCAT Consultation	\$ 125.00	\$ 2.81	\$ 127.81
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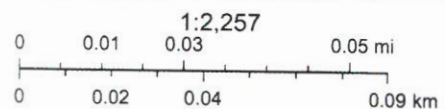
TOTAL PAID	\$ 127.81
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Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

ArcGIS Web Map



9/9/2020, 10:54:26 AM



Current Parcels

Municipalities

UNINCORPORATED

VILLAGE OF MINOOKA

© OpenStreetMap (and) contributors, CC-BY-SA, Map data © OpenStreetMap contributors, Map layer by Esri



09/21/2020 08:26

Attachment 4 North Parking Area



09/21/2020 08:26



17854
WABENA

09/21/2020 08:26



09/21/2020 08:26



09/21/2020 08:26

KENDALL COUNTY ZONING
BOARD OF APPEALS

Pursuant to a notice published in the Kendall County Record and herewith attached the Kendall County Zoning Board of Appeals met on the site therein described to consider the petition of Cora Kay for a "Special Use Permit" under "A" Agriculture for the Monsanto Co. Said permit to allow for the mixing, blending and manufacture of fertilizers.

The meeting was called to order on February 28 at 10 A.M. by chairman Larson with members Langeland, Thurow, Kennedy and Scheidecker answering present at roll call.

Orville Norman of 202 Forest Park Place, Ottawa, Illinois (DS) testified as to the dimensions of the property containing 3.202 A. and described the buildings (office, and warehouse) they proposed for the site. He said the plant will be owned by the Monsanto Co. with a local operator.

There were no objectors present and the board recessed to consider and discuss the petition.

On reconvening Scheidecker made a motion seconded by Langeland that the board recommend the granting of the petition. On roll call the members voted as follows: Langeland, yes; Scheidecker, yes; Thurow, yes; Kennedy, yes; and Larson, yes.

On a motion by Kennedy the board adjourned.

172.19 feet; thence East for a distance of 306.84 feet; thence north for a distance of 699.73 feet to a point which falls on the said southeasterly right-of-way line of the E. J. & E. Railroad; thence Southwesterly along the said southeasterly right-of-way line for a distance of 618.24 feet to the point of beginning, containing 3.202 acres, more or less, all located in Kendall County, Illinois.

Further Notice is Hereby Given that a hearing has been set thereon for Monday, February 28, 1966 at 10:00 a. m. at the above described premises in the Township of Seward, Kendall County, Illinois, said Board of Appeals and be heard.

Dated at Yorkville, Illinois, the 25th day of January, A. D., 1966.

R. N. YOUNG
Secretary of the Zoning Board of Appeals of Kendall County

(Legal Publication)
PUBLIC NOTICE

Notice is Hereby Given that the Monsanto Company has filed a petition with the Zoning Board of Appeals of Kendall county, Illinois, to rezone and reclassify from "A", Agriculture District to a "Special Use" permit the following described real estate, to wit:

That part of the Southeast Quarter (SE¼) of Section Thirty-six (36), Township Thirty-(8) East of the Third Principal Meridian, Kendall County, Illinois, more particularly described as follows:

Beginning at the intersection of the southeasterly right-of-way line of the Elgin, Joliet and Eastern Railroad and the East right-of-way line of a township road, said point being 705 feet north of the transit line Station 1736+09, said point being the point of beginning; thence Southeasterly along the said east right-of-way line for a distance of

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
October 6, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department
Lauren Belville – Health Department
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Matthew Prochaska – PBZ Committee Chair

Absent:

Meagan Briganti – GIS
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve

Audience:

Michele Morris, John Seheffer, and Paul Martin

AGENDA

Mr. Klaas made a motion, seconded by Commander Langston, to approve the agenda as presented. With a voice vote of seven (7) ayes, the motion passed.

MINUTES

Mr. Holdiman made a motion, seconded by Ms. Belville, to approve the September 1, 2020, meeting minutes. With a voice vote of seven (7) ayes, the motion passed.

PETITIONS

Petition 20-23 Patrick and Michele Morris

Mr. Asselmeier summarized the request.

A five foot (5') public utility and drainage easement exists on the north and south lot lines of Lots 35, 36, and 37 in the Grove Estates Subdivision.

Patrick and Michele Morris would like to merge the three (3) lots and construct a new house over the easements.

The application materials and plat of vacation were provided.

The property is addressed as 7229, 7251, and 7287 Joyce Court.

The property is approximately two (2) acres in size and is zoned RPD-2.

The current land use is Single-Family Residential. The future land use is Rural Residential.

Joyce Court is a local road maintained by Na-Au-Say Township. No trails are planned for the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Single-Family Residential. The adjacent zoning is RPD-2. The Land Resource Management Plan calls for the area to Rural Residential. The zoning districts within a half mile are A-1 and RPD-2.

Na-Au-Say Township was emailed information on September 22, 2020.

The Village of Oswego was emailed information on September 22, 2020.

The Oswego Fire Protection District was emailed information on September 22, 2020.

ZPAC Meeting Minutes 10.06.20

The total area proposed for vacation is approximately one tenth (0.1) of an acre.

The Petitioners provided information stating that none of the utilities or the homeowners' association were in opposition to this request.

Staff recommends that the requested vacation with the following conditions:

1. Lots 35, 36, and 37 of Grove Estates Subdivision shall not be sold as individual lots upon the successful recording of the plat of vacation (Attachment 2). Within ninety (90) days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
2. This vacation shall become effective upon the successful recording of the plat of vacation in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

Mr. Klaas asked if any utilities were located in the easements. Mr. Asselmeier said no utilities were located in the easements, per JULIE.

Mr. Klaas asked about access. Ms. Morris responded that two (2) driveways would be installed.

Mr. Asselmeier made a motion, seconded by Mr. Klaas, to recommend approval of the requested vacation. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on October 14, 2020.

Petition 20-24 Grainco FS, Inc.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately three point two more or less (3.2 +/-) acres located 17854 N. Wabena Avenue. If approved, the Petitioner would like to rezone the property to allow the operation of a company that performs construction and maintenance work for gas utilities. This use is not allowed on property zoned A-1 Agricultural. This use and the previous uses at the property (i.e. fertilizer plant) are either permitted or special uses on M-1 Limited Manufacturing zoned property.

The application materials and aerial were provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

Petition information was sent to Seward Township on September 23, 2020.

Petition information was sent to the Village of Minooka on September 23, 2020.

Petition information was sent to the Minooka Fire Protection on September 23, 2020.

The Village of Minooka's Future Land Use Map calls for this property to be Light Industrial.

The subject property has been used as a fertilizer plant since at least 1966. The proposed use and previous uses at the property since 1966 would be allowed by either permitted or special use on M-1 zoned property.

The Future Land Use Maps of both Kendall County and the Village of Minooka call for industrial related uses in the vicinity of the subject property.

A railroad is also located adjacent to the subject property.

Upon initial analysis, Staff has no objections to the proposed amendment.

Before issuing a final recommendation, Staff would like comments from Seward Township, the Village of Minooka, the Minooka Fire Protection District and ZPAC members.

Mr. Klaas asked why the property is not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka has not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area.

Ms. Belville noted that the septic system would need to be evaluated if the uses change.

Ms. Olson noted the limitations on development caused by the soils.

Mr. Asselmeier asked about the location utilities from the Village of Minooka. Mr. Martin responded that Minooka had not offered to extend municipal services to the property.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested amendment to the Kendall County Land Resource Management Plan. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Regional Planning Commission on October 28, 2020.

Petition 20-05 Grainco FS, Inc.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials and aerial of the property are provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 17, 2020.

Petition information was sent to Seward Township on September 23, 2020.

Petition information was sent to the Village of Minooka on September 23, 2020.

Petition information was sent to the Minooka Fire Protection on September 23, 2020.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to the application materials, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated that a long-term use of the property has not been identified.

Any new structures would require applicable building permits. No new structures are planned at this time.

The property access North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

Future development on the site could require stormwater management permits, depending on the nature of development.

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

Before issuing a final recommendation, Staff would like comments from Seward Township, the Village of Minooka, the Minooka Fire Protection District, and ZPAC members.

Mr. Holdiman made a motion, seconded by Commander Langston, to recommend approval of the map amendment. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Regional Planning Commission on October 28, 2020.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier stated that Petition 19-39 Map Amendment and Special Use Permit for Four Seasons Storage and Petition 20-15 Final Plat Approval for the Go Pro Sports Subdivision passed at the County Board.

Mr. Asselmeier stated that Petition 20-14 Zoning Ordinance Project passed at the County Board with an amendment removing the language regarding research related home occupations and an amendment removing the soils requiring non-traditional septic systems from the calculation of open space.

Mr. Asselmeier reported that Petition 20-21 Fee Schedule Amendment passed at the County Board. The fee for conditional use permits for beekeeping would be One Hundred Dollars (\$100), the same as other conditional use permits. The annual permit renewal fee for beekeeping was removed.

OLD BUSINESS/NEW BUSINESS

Recommendation on Fiscal Year 2020-2021 Meeting Calendar

Mr. Klaas made a motion, seconded by Commander Langston to recommend approval of the meeting calendar as presented. With a voice vote of seven (7) ayes, the motion passed.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Olson made a motion, seconded by Commander Langston, to adjourn. With a voice vote of seven (7) ayes, the motion passed.

The ZPAC, at 9:17 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

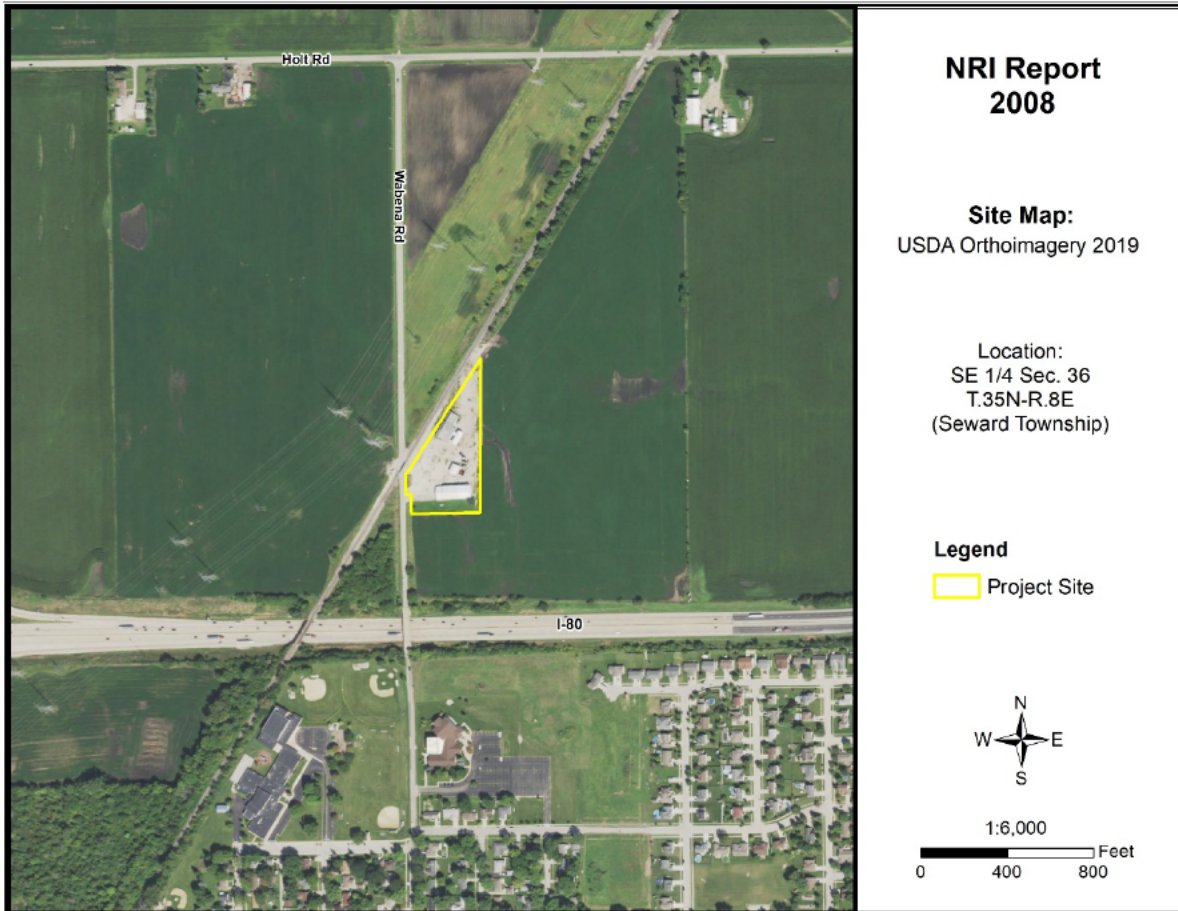
Enc.

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
OCTOBER 6, 2020**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Paul Martin</i>	<i>For Grainco F.S.</i>	[REDACTED]
<i>John Schefler</i>	<i>For Grainco F.S.</i>	
<i>Michele Morris</i>		[REDACTED]

NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: #2008



Oct.
2020

Petitioner: Grainco FS, Inc.
Contact: Paul V. Martin

Prepared By:



7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
Fax: (630) 553-7442
www.kendallswcd.org

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EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2008
Petitioner	Grainco FS, Inc.
Contact Person	Paul V. Martin
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	SE¼ Section 36, T.35N.-R.8E. (Seward Township) of the 3 rd Principal Meridian
Project or Subdivision Name	Not Provided
Existing Zoning & Land Use	A-1 Special Use; Mixing, Blending and Manufacturing of Fertilizers
Proposed Zoning & Land Use	M-1 Limited Manufacturing
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	Existing Configurations
Size of Site	3.2 (+/-) acres
Land Evaluation Site Assessment Score	178 (Land Evaluation: 98; Site Assessment: 80)

NATURAL RESOURCE CONSIDERATIONS

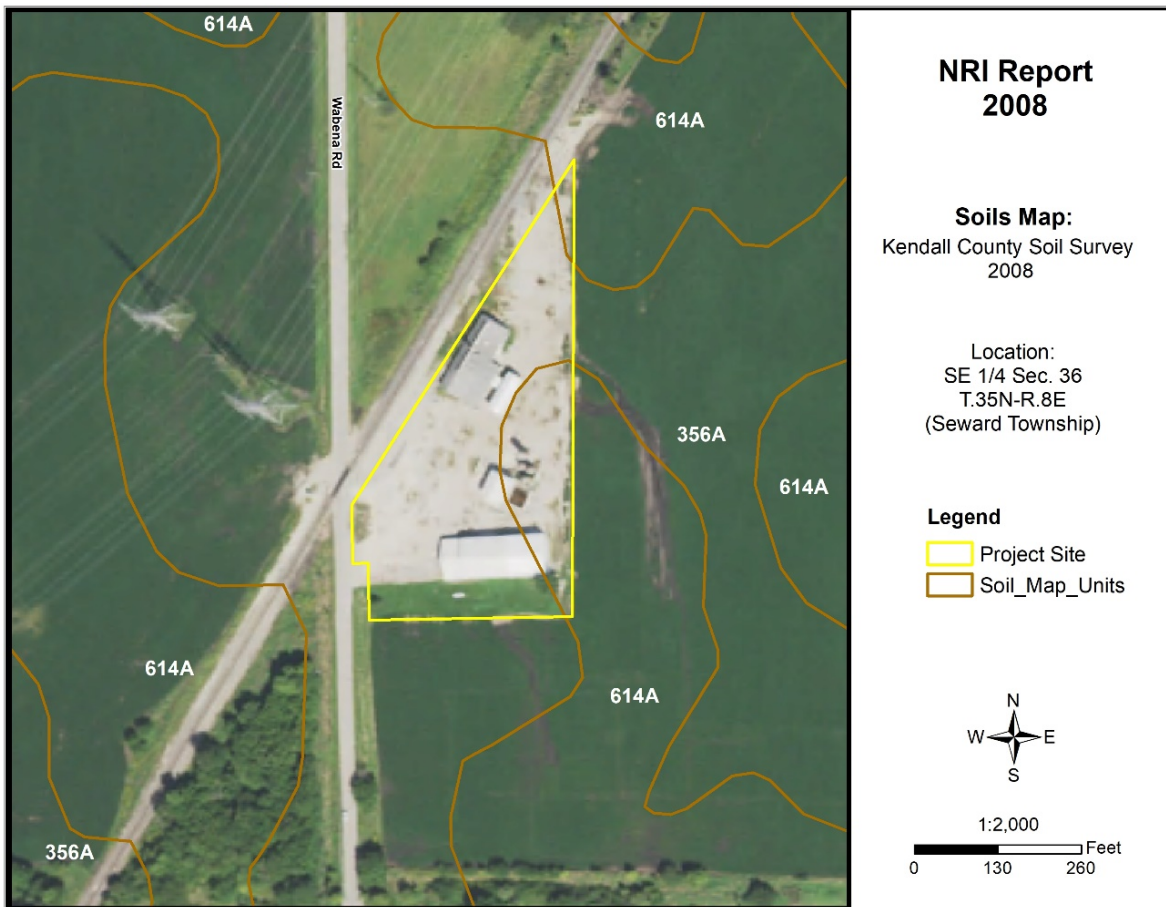


Figure 1: Soil Map

SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; if completed, please refer to onsite soil test results for planning/engineering purposes):

Table 1: Soils Information

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
356A	Elpaso silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland if drained
614A	Chenoa silty clay loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-hydric	Prime Farmland

Hydrologic Soil Groups – Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, Elpaso silty clay loam (356A) is classified as being a hydric soil and Chenoa silty clay loam (614A) is classified as being a non-hydric soil.

Prime Farmland – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, 21.7% are designated as prime farmland and 78.3% are designated as prime farmland if drained.

Table 2: Water Features

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
356A	Negligible	January – May Upper Limit: 0.0'-1.0' Lower Limit: 6.0'	January - May Surface Water Depth: 0.0-0.5' above surface Duration: Brief (2-7 days) Frequency: Frequent	January - May Duration: -- Frequency: None
614A	Low	January – May Upper Limit: 1.0'-2.0' Lower Limit: 2.1'-4.3'	January - May Surface Water Depth: -- Duration: -- Frequency: None	January - May Duration: -- Frequency: None

Surface Runoff – Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal). The surface runoff classes are identified as: negligible, very low, low, medium, high and very high.

Ponding – Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

Flooding – Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration is expressed as brief (2 to 7 days) and frequent meaning that it is likely to occur often under normal weather conditions.

SOIL LIMITATIONS

According to the USDA-NRCS, soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction and maintenance. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Ratings are based on the soil in an undisturbed state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.

- **Not Limited:** Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.
- **Somewhat Limited:** Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation; fair performance and moderate maintenance can be expected.
- **Very Limited:** Indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures; poor performance and high maintenance can be expected.

Conventional Septic System Rating Criteria – The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. Soils that are deemed unsuitable for installation of an on-site sewage disposal system per the Kendall County Subdivision Control Ordinance may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department located at 811 W. John Street, Yorkville, IL; (630) 553-9100 ext. 8026.

Limitations are listed below for dwellings with basements, dwellings without basements, small commercial buildings, shallow excavations, and onsite conventional sewage disposal systems. Please note this information is based on soils in an undisturbed state as compiled for the USDA-NRCS 2008 Soil Survey of Kendall County, IL and the Kendall County Subdivision Control Ordinance; this does not replace the need for site specific soil testing or results of onsite soil testing.

Table 3: Building Limitations

Soil Type	Dwellings Without Basements	Dwellings With Basements	Small Commercial Buildings	Shallow Excavations	Onsite Conventional Sewage Systems	Acres	%
356A	Very Limited: Ponding; Depth to saturated zone; Shrink-swell	Very Limited: Ponding; Depth to saturated zone; Shrink-swell	Very Limited: Ponding; Depth to saturated zone; Shrink-swell	Very Limited: Ponding; Depth to saturated zone; Dusty; Unstable excavation walls	Unsuitable	2.6	78.3%
614A	Somewhat Limited: Depth to saturated zone; Shrink-swell	Very Limited: Depth to saturated zone	Somewhat Limited: Depth to saturated zone; Shrink-swell	Very Limited: Depth to saturated zone; Dusty; Unstable excavation walls	Suitable	0.6	21.7%
% Very Limited	78.3%	100%	78.3%	100%			

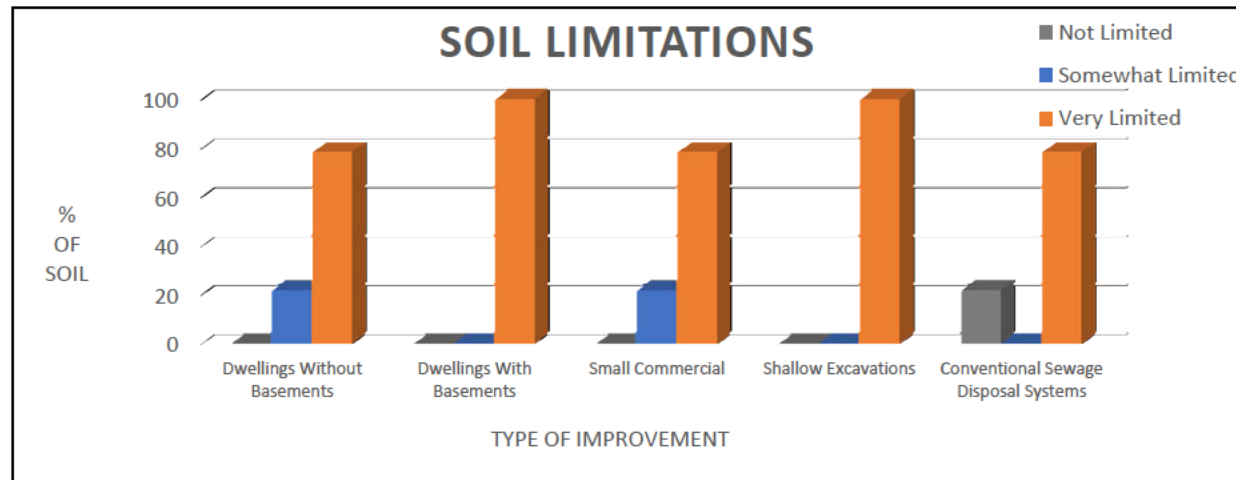


Figure 2: Soil Limitations

Building Limitations Maps:

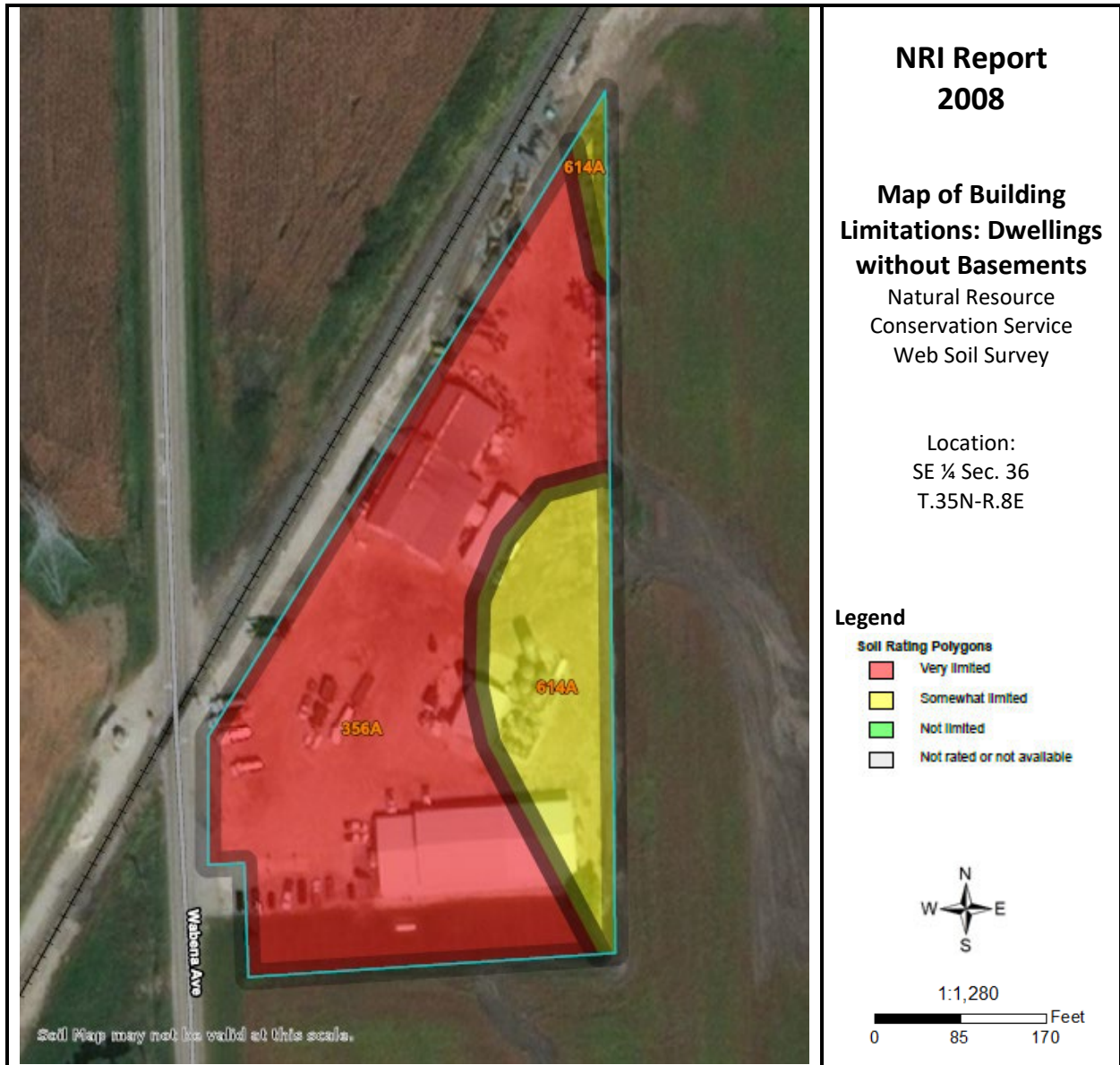


Figure 3A: Map of Building Limitations – Dwellings without Basements

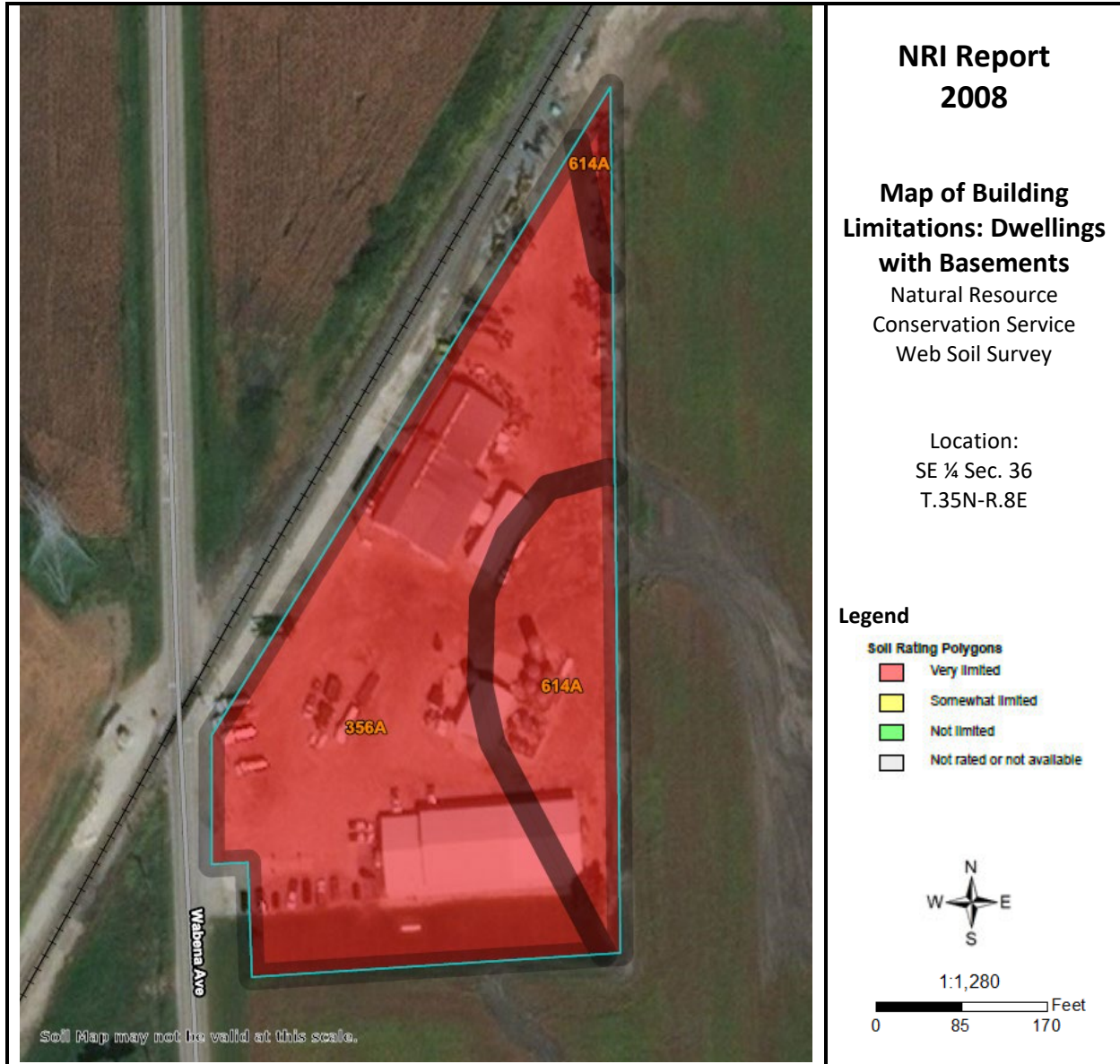


Figure 3B: Map of Building Limitations – Dwellings with Basements

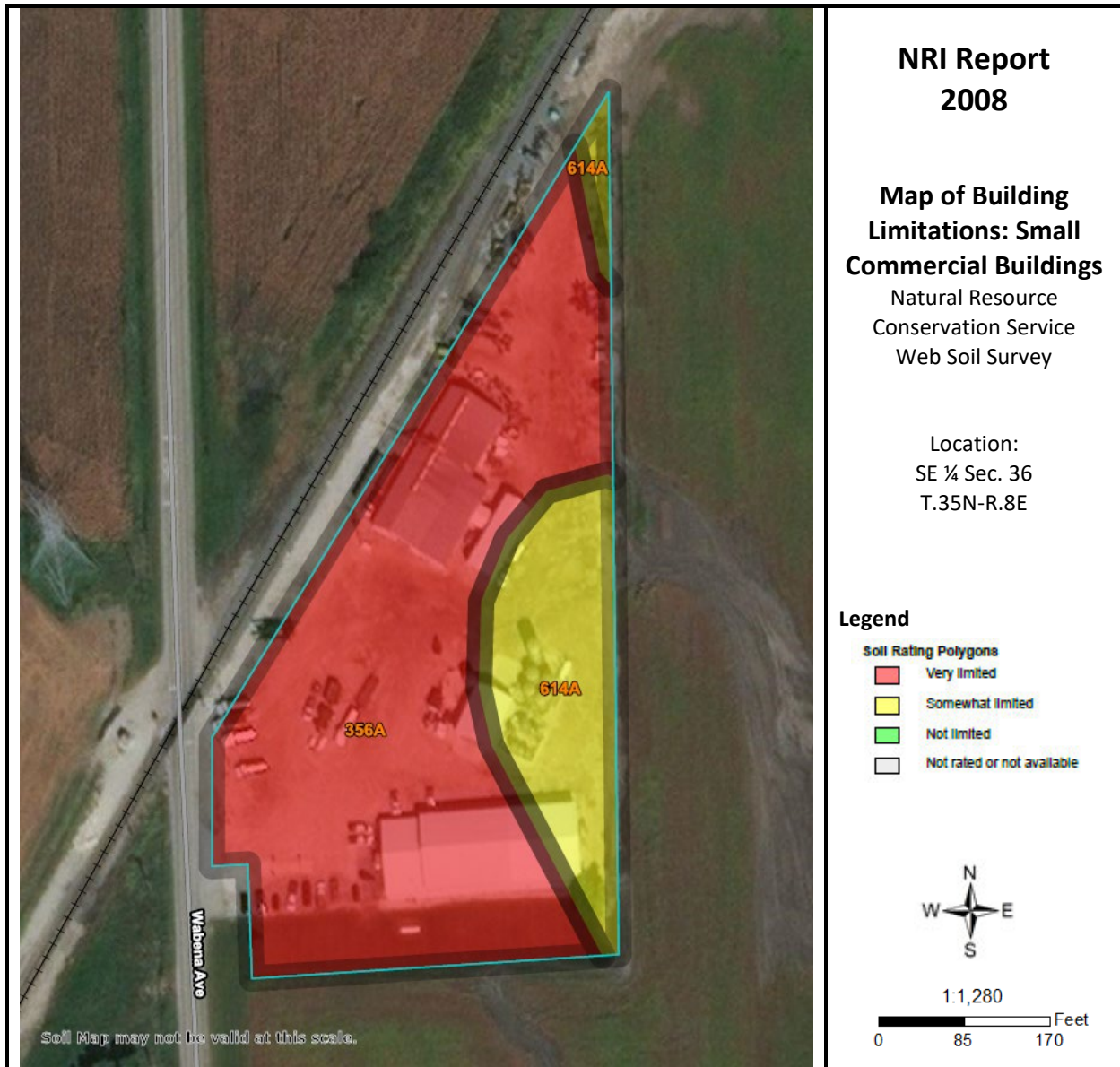


Figure 3C: Map of Building Limitations – Small Commercial Buildings

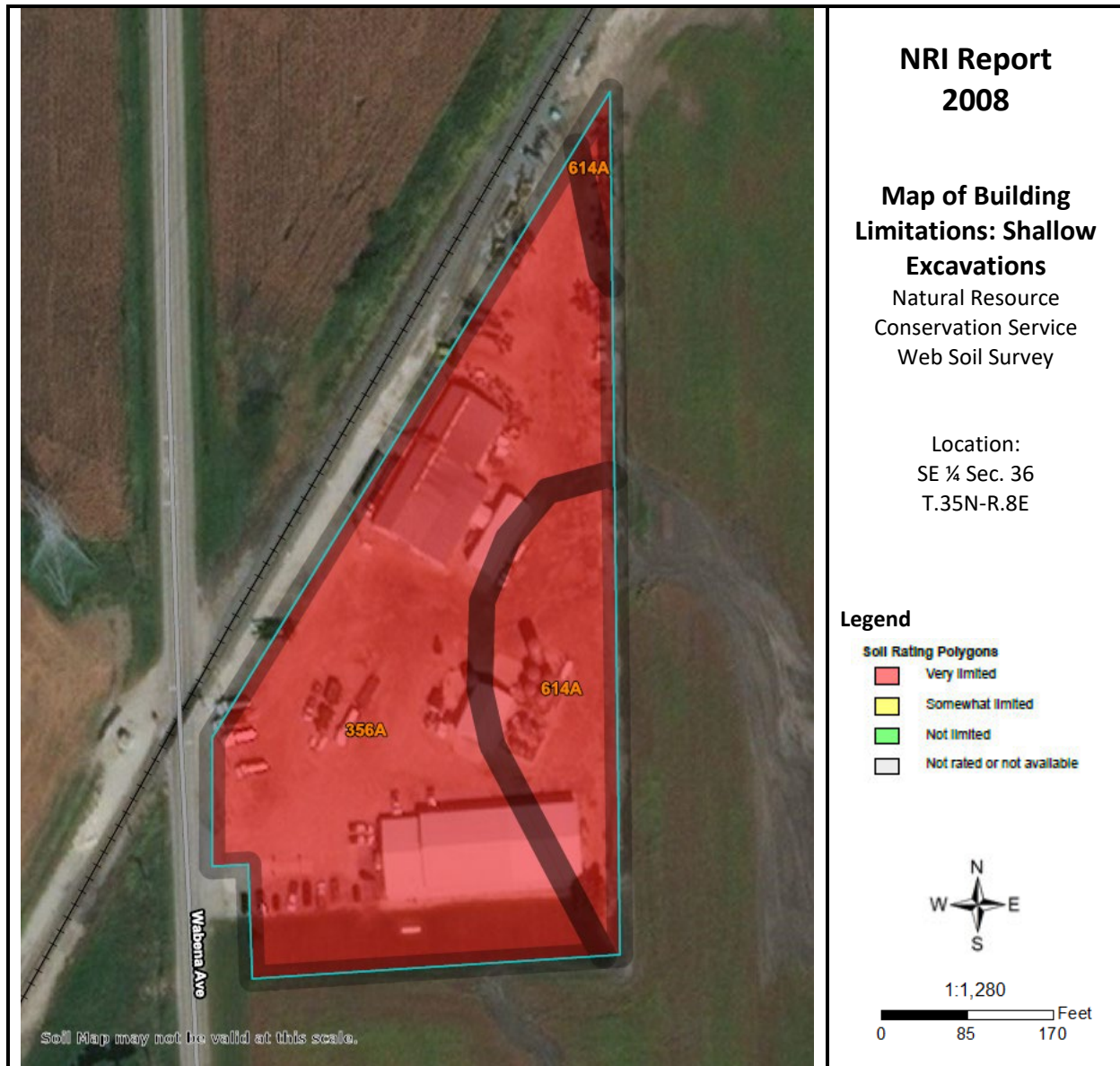


Figure 3D: Map of Building Limitations – Shallow Excavations

KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **Land Evaluation (LE):** The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is

based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

- **Site Assessment (SA):** The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Table 4A: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
356A	1	100	2.6	260
614A	3	87	0.6	52.2
Totals			3.2	312.2
LE Calculation			(Product of relative value / Total Acres) 312.2 / 3.2 = 97.56	
LE Score			LE = 98	

The Land Evaluation score for this site is 98, indicating that this site is currently designated as prime farmland that is well suited for agricultural uses.

Table 4B: Site Assessment Computation

A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	10
	2. Current land use adjacent to site. (30-20-15-10-0)	30
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	20
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	7
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	0
	2. Availability of public water system. (10-8-6-0)	0
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	6
	Site Assessment Score:	80

The Site Assessment score for this site is 80. The Land Evaluation value (98) is added to the Site Assessment value (80) to obtain a LESA Score of 178. The table below shows the level of protection for the proposed project site based on the LESA Score.

Table 5: LESA Score Summary

LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

Land Evaluation Value: 98 + Site Assessment Value: 80 = LESA Score: 178

The **LESA Score for this site is 178 which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

WETLANDS

The U.S. Fish & Wildlife Service’s National Wetland Inventory map does not indicate the presence of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

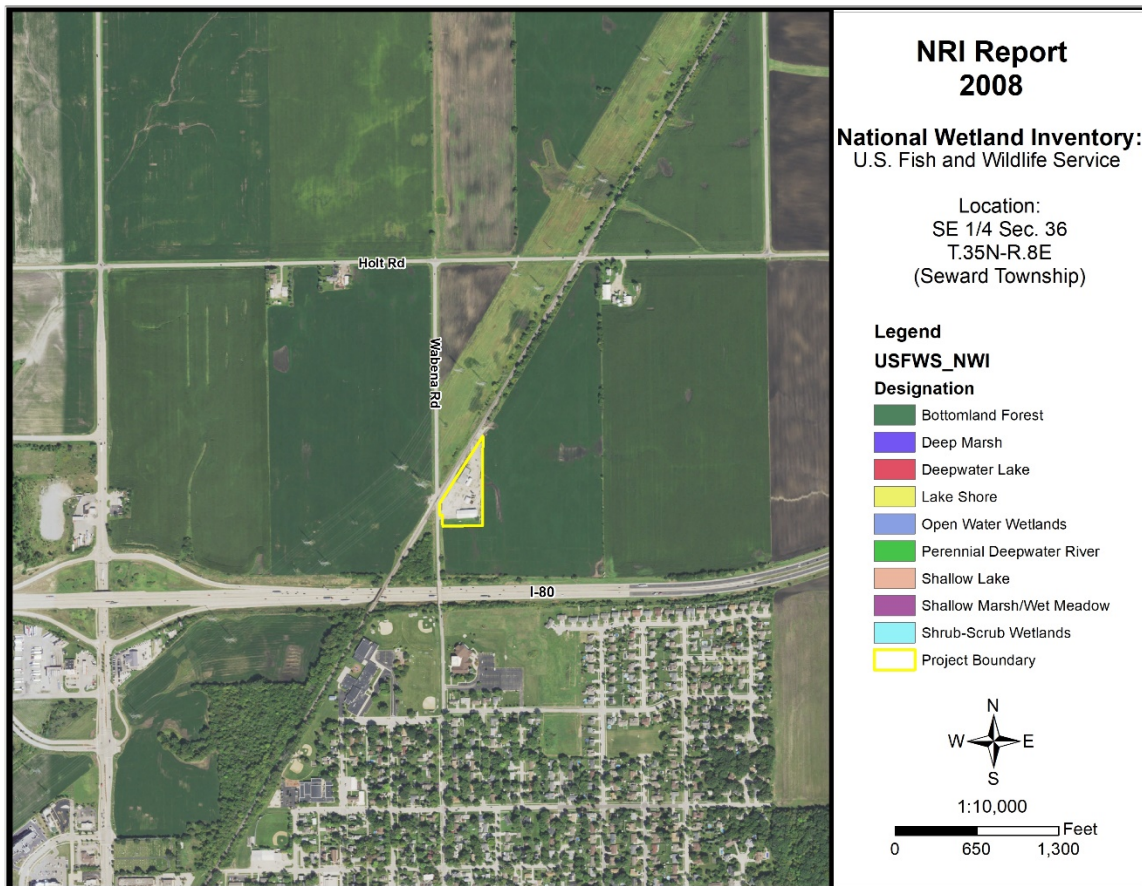


Figure 4: Wetland Map – USFWS National Wetland Inventory

FLOODPLAIN

The Federal Emergency Management Agency’s (FEMA) Digital Flood Insurance Rate Map (DFIRM) for Kendall County, Community Panel No. 17093C0225H (effective date January 8, 2014) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel is not located within the floodplain or floodway.

National Flood Hazard Layer FIRMette

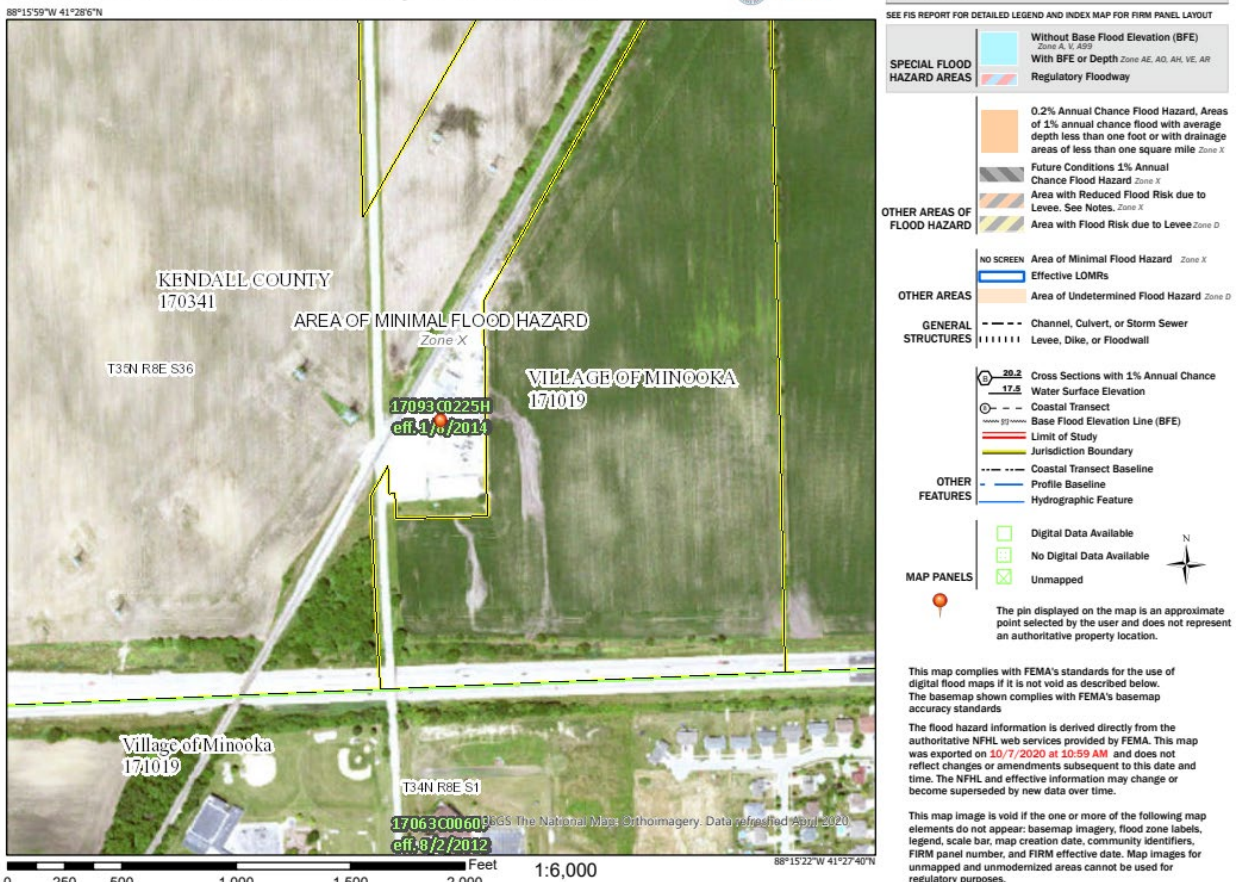


Figure 5: FEMA Floodplain Map

SEDIMENT AND EROSION CONTROL

Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<https://illinoisurbanmanual.org/>) for appropriate best management practices.

LAND USE FINDINGS

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for Petitioner Grainco FS, Inc. for the proposed Gas Utility construction and maintenance freight yard (M-1 Limited Manufacturing request) located in Seward Township of Kendall County in the SE ¼ of Section 36, Township 35N, and Range 8E of the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored a 98 out of a possible 100 points indicating the soils are well suited for agricultural uses. The total LESA Score for this site is 178 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use. Additionally, of the soils found onsite, 78.3% are classified as prime farmland if drained and 21.7% are classified as prime farmland.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note the limitation that may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are very limited for shallow excavations and dwellings with basements, 78.3% are very limited for dwellings without basements and small commercial buildings, and 78.3% are unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within both the Des Plaines River Watershed and DuPage River sub watershed. If development should occur on this site, a soil erosion and sediment control plan should be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use it is recommended that a drainage tile survey be completed on the parcel to locate subsurface drainage tile. That survey should be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure that the Land Developers take into full consideration the limitations of the land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statues, Ch. 70, Par 405/22.02a).

[Redacted Signature]

SWCD Board Representative

10/12/2020

Date

Attachment 11, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Historic Courthouse
East Wing Conference Room
110 W. Madison Street (109 W. Ridge Street), Yorkville, Illinois

Unapproved - Meeting Minutes of October 28, 2020 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:01 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Karin McCarthy-Lange, Ruben Rodriguez, and Claire Wilson

Members Absent: Tom Casey, Dave Hamman, Larry Nelson, and Bob Stewart

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Paul Martin

APPROVAL OF AGENDA

Member Bledsoe made a motion, seconded by Member McCarthy-Lange, to approve the agenda. With a voice vote of five (5) ayes, the motion carried.

APPROVAL OF MINUTES

Member Rodriguez made a motion, seconded by Member Bledsoe, to approve the minutes of the September 23, 2020, meeting. With a voice vote of five (5) ayes, the motion carried.

PUBLIC HEARING

Petition 20-24 Grainco FS, Inc.

The Kendall County Regional Planning Commission started their review of Petition 20-24 at 7:02 p.m.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately three point two more or less (3.2 +/-) acres located 17854 N. Wabena Avenue. If approved, the Petitioner would like to rezone the property to allow the operation of a company that performs construction and maintenance work for gas utilities. This use is not allowed on property zoned A-1 Agricultural. This use and the previous uses at the property (i.e. fertilizer plant) are either permitted or special uses on M-1 Limited Manufacturing zoned property.

The application materials and aerial were provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

Petition information was sent to Seward Township on September 23, 2020. To date, no response has been received.

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no response has been received.

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no response has been received.

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting were provided.

The Village of Minooka's Future Land Use Map calls for this property to be Light Industrial.

The subject property has been used as a fertilizer plant since at least 1966. The proposed use and previous uses at the property since 1966 would be allowed by either permitted or special use on M-1 zoned property.

The Future Land Use Maps of both Kendall County and the Village of Minooka call for industrial related uses in the vicinity of the subject property.

A railroad is also located adjacent to the subject property.

Upon initial analysis, Staff has no objections to the proposed amendment.

Chairman Ashton opened the public hearing at 7:06 p.m.

Member McCarthy-Lange asked how this proposal differs from the request at 3485 Route 126 that the Commission reviewed in September 2020. Mr. Asselmeier responded that, in the case of 3485 Route 126, the Petitioner requested a use be added to the list of special uses in the A-1 district and for a special use at that property. The property on Route 126 would retain a base zoning of A-1. In the case of the Petition on Wabena Avenue, the Petitioner requested that the base zoning change from A-1 to M-1. If the map amendment is approved, the Petitioner on Wabena Avenue would not be able to engage in the uses allowed in the A-1 district and would be allowed to engage in the other uses allowed in the M-1 district.

Member McCarthy-Lange noted that the location and area of the subject property seemed compatible with the requested amendment because of the proximity of the railroad tracks and interstate.

Member Wilson noted that the Pipe Strong, LLC was already operating at the subject. Member Wilson why the proposal was under review at this time. Mr. Asselmeier responded that the Planning, Building and Zoning Department received a complaint about the business operating at the property and met with the Petitioner. The Petitioner started preparing the application and then the COVID shutdown slowed down the Petitioner's submittal. The Planning, Building and Zoning Department did not do active code enforcement, unless it was an emergency situation, during the COVID shutdown.

Member Wilson expressed dismay that the Petitioner allowed the business to locate at the property without securing the appropriate zoning. Chairman Ashton echoed this opinion and thought that the people at Grainco FS should have known that a zoning change was necessary before allowing Pipe Strong, LLC to move into the property.

Chairman Ashton asked if Pipe Strong, LLC was purchasing the property. Paul Martin, Attorney for the Petitioner, stated that Grainco FS was retaining ownership of the property.

Mr. Martin stated that, in his opinion, Grainco FS was not aware that they needed to secure a zoning change or the detailed needed for a zoning application. Mr. Martin stated that he originally approached Minooka regarding the zoning change, until he found out that the property was in the unincorporated area. He noted that the Village of Minooka has manufacturing zoning around the subject property.

Chairman Ashton asked why the Village of Minooka did not annex the property. The response was that no municipal utilities were in the area.

Member Wilson asked for clarification regarding Pipe Strong, LLC's operations. Mr. Martin responded that the company works with NICOR Gas and this site is an outpost where workers will arrive, get job assignments for work with NICOR, and dispatch crews to do the work. The number of employees onsite was not specified. Related equipment will be stored on the property. Member Wilson noted that roughly twenty (20) cars were parked at the property when she drove past the site. Chairman Ashton said that he saw about six (6) trucks at the property.

Member McCarthy-Lange asked if the Petitioner applied for changes to the special use permit. Mr. Asselmeier responded that the Petitioner secured a setback variance several years ago, but the special use permit did not have any review or renewal requirements.

Member Rodriguez asked how long Pipe Strong, LLC was operating at the property. Mr. Martin responded that the company has been at the property approximately one (1) year.

Mr. Martin expressed the Petitioner's desire to bring the property into compliance.

Member Wilson stated that she believed that the proposed use fits with the M-1 district. Chairman Ashton agreed and said that the amount of manufacturing onsite will be minimal and the proposed use will not have the negative impacts that previous uses had on the surrounding area.

Chairman Ashton closed the public hearing at 7:24 p.m.

Member Wilson made a motion, seconded by Member Bledsoe, to recommend approval of the requested amendment to the Future Land Use Map in the Kendall County Land Resource Management Plan.

The votes were as follows:

Ayes (5): Ashton, Bledsoe, McCarthy-Lange, Rodriguez, and Wilson

Nays (0): None
Absent (4): Casey, Hamman, Nelson, and Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on November 2, 2020.

The Kendall County Regional Planning Commission completed their review of Petition 20-24 at 7:25 p.m.

PETITIONS

Petition 20-05 Grainco FS, Inc.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials and aerial of the property are provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 17, 2020. The LESA Score was 178 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on September 23, 2020. To date, no response has been received.

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no response has been received.

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no response has been received.

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting were provided.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to the application materials, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated that a long-term use of the property has not been identified.

Any new structures would require applicable building permits. No new structures are planned at this time.

The property accesses North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

Future development on the site could require stormwater management permits, depending on the nature of development.

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

The proposed Findings of Fact are as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural for agricultural purposes. Some of the adjacent properties already possess manufacturing zoning and almost all of the adjoining properties are planned to have manufacturing uses in applicable Future Land Use Maps.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1. The surrounding properties inside the Village of Minooka are M-1.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 with a special use permit for fertilizer related operations. Fertilizer related operations are special uses in the M-1 Limited Manufacturing District. The existing use as a company performing construction and maintenance for gas utilities is a permitted use in the M-1 Limited Manufacturing District.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. Per the existing Future Land Use Maps of Kendall County and the Village of Minooka, the trend of development in the area is manufacturing and light industrial uses.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. If the Petitioner's request for a reclassification of their property from Agricultural to Mixed Use Business is approved, the requested map amendment would be consistent with the purposes and objectives of the Land Resource Management Plan.

If the proposed change to the Future Land Use Map in the Land Resource Management Plan is approved, Staff recommends approval of the requested map amendment.

Chairman Ashton stated that the Petitioner had previously secured zoning permits at other properties they owned and should have secured the necessary zoning permits before leasing the property.

Member Wilson stated that the proposed use was probably safer for the neighborhood compared to previous uses at the site.

Member Rodriguez made a motion, seconded by Member Bledsoe, to recommend approval of the requested map amendment.

Member Wilson asked if the site complied with the Zoning Ordinance. Mr. Asselmeier responded yes.

The votes were as follows:

Ayes (5): Ashton, Bledsoe, McCarthy-Lange, Rodriguez, and Wilson

Nays (0): None

Absent (4): Casey, Hamman, Nelson, and Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on November 2, 2020.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Approval of a Motion by Commissioners Wilson, McCarthy-Lange, and Casey to Amend Article IX of the Kendall County Regional Planning Commission's Bylaws Deleting the Location of the Annual Meeting of the Election of Officers

The meeting location would have to comply with the requirements of the Open Meetings Act.

With a voice vote of five (5) ayes, the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

Chairman Ashton asked about the status of the Petitions related to 3485 Route 126. Mr. Asselmeier responded that the Kendall County Zoning Board of Appeals recommended approval of the text amendment and special use permit. The Na-Au-Say Township Board discussed the proposals at their October meeting and emailed four (4) negative comments regarding the proposal. Na-Au-Say Township did not formally vote on the comments and the Na-Au-Say Township Planning Commission did not meet to review the proposal. No other township filed a formal objection. The proposals go to the Planning, Building and Zoning Committee in November. Mr. Asselmeier noted that no member of the public has attended a meeting in opposition to the requests.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier said that the landscaping business at 9000 Route 34 is working on an application for a map amendment and special use permit for their property. The Petitioners are still working on the stormwater information for the application.

Mr. Asselmeier noted that the next meeting would be Wednesday, December 9, 2020, and the next application deadline is November 17, 2020.

Mr. Asselmeier noted that Teska is finalizing some of the links in the Zoning Ordinance and the project should be completed shortly.

Mr. Asselmeier noted that the Comprehensive Land Plan and Ordinance Committee is working on changes to the transportation plan and the initiation of the Petition for those changes could be on the next Commission agenda.

ADJOURNMENT

Member Wilson made a motion, seconded by Member McCarthy-Lange to adjourn. With a voice vote of five (5) ayes, the motion carried.

The Kendall County Regional Plan Commission meeting adjourned at 7:42 p.m.


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

Encs.: Memo on Petition 20-24 Dated October 21, 2020
Certificate of Publication and Mailings for Petition 20-24 (Not Included with Report but on file in Planning, Building and Zoning Office).



**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
OCTOBER 28, 2020**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Paul Martin</i>		

**MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING**

110 WEST MADISON STREET (109 WEST RIDGE STREET), EAST WING CONFERENCE ROOM
YORKVILLE, IL 60560

NOVEMBER 2, 2020 – 7:00 p.m.

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:01 p.m.

ROLL CALL:

Members Present: Scott Cherry, Cliff Fox, Randy Mohr, Dick Thompson, and Dick Whitfield

Members Absent: Karen Clementi and Tom LeCuyer

Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner

Others Present: Paul Martin

Chairman Mohr swore in Paul Martin for both Petitions.

PETITIONS

The Zoning Board of Appeals started their review of Petition 20-25 at 7:12 p.m.

Petition 20-25 – Grainco FS, Inc.

Request: Map Amendment Rezoning the Subject Property from A-1 with a Special Use Permit to M-1 Limited Manufacturing

PIN: 09-36-400-002

Location: 17854 N. Wabena Avenue, Minooka, Seward Township

Purpose: Petitioner Wants to Lease the Property to a Company that Performs Construction and Maintenance Work for Gas Utilities.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials and aerial of the property are provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 17, 2020. The LESA Score was 178 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on September 23, 2020. To date, no response has been received.

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no response has been received.

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no response has been received.

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 28, 2020. Discussion occurred regarding the differences between this Petition and the requests related to 3485 Route 126. Several Commissioners expressed their dismay that the Petitioner allowed the company to start operations at the property before securing necessary zoning approvals. Several Commissioners also noted that the proposed use would fit the surrounding neighborhood. Other than the Petitioner, nobody else from the public was in attendance. The Kendall County Regional Planning Commission recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition. Four (4) Commissioners were absent. The minutes of this meeting were provided.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to the application materials, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated that a long-term use of the property has not been identified.

Any new structures would require applicable building permits. No new structures are planned at this time.

The property accesses North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

Future development on the site could require stormwater management permits, depending on the nature of development.

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

The proposed Findings of Fact are as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural for agricultural purposes. Some of the adjacent properties already possess manufacturing zoning and almost all of the adjoining properties are planned to have manufacturing uses in applicable Future Land Use Maps.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1. The surrounding properties inside the Village of Minooka are M-1.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 with a special use permit for fertilizer related operations. Fertilizer related operations are special uses in the M-1 Limited Manufacturing District. The existing use as a company performing construction and maintenance for gas utilities is a permitted use in the M-1 Limited Manufacturing District.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. Per the existing Future Land Use Maps of Kendall County and the Village of Minooka, the trend of development in the area is manufacturing and light industrial uses.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. If the Petitioner's request for a reclassification of their property from Agricultural to Mixed Use Business is approved, the requested map amendment would be consistent with the purposes and objectives of the Land Resource Management Plan.

If the proposed change to the Future Land Use Map in the Land Resource Management Plan is approved, Staff recommends approval of the requested map amendment.

Chairman Mohr opened the public hearing at 7:14 p.m.

Paul Martin, Attorney for the Petitioner, did not have any additional comments.

Chairman Mohr closed the public hearing at 7:14 p.m.

Member Whitfield made a motion, seconded by Member Cherry, to approve the Findings of Fact as presented.

The votes were as follows:

Ayes (5): Cherry, Fox, Mohr, Thompson, and Whitfield

Nays (0): None

Absent (2): Clementi and LeCuyer

The motion passed.

Member Cherry made a motion, seconded by Member Thompson, to recommend approval of the requested map amendment.

The votes were as follows:

Ayes (5): Cherry, Fox, Mohr, Thompson, and Whitfield

Nays (0): None

Absent (2): Clementi and LeCuyer

The motion passed.

This proposal will go to the Kendall County Planning, Building and Zoning Committee on November 9, 2020.

The Zoning Board of Appeals completed their review of Amended Petition 20-25 at 7:16 p.m.

PUBLIC COMMENTS

None

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Fox made a motion, seconded by Member Thompson, to adjourn. With a voice vote of five (5) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 7:17 p.m.

The next hearing/meeting will be on December 14, 2020.

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

Exhibits

1. Memo on Petition 20-25 Dated October 29, 2020
2. Certificate of Publication and Mailings for Petition 20-25 (Not Included with Report but on file in Planning, Building and Zoning Office).

State of Illinois
County of Kendall

Zoning Petition
#20-25

ORDINANCE NUMBER 2020-_____

MAP AMENDMENT FOR 17854 N. WABENA AVENUE (PIN: 09-36-400-002) IN

SEWARD TOWNSHIP

Rezone from A-1 with a Special Use Permit to M-1

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 3.2 acres located at 17854 N. Wabena Avenue (PIN: 09-36-400-002), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, in 1966, the Kendall County Board granted a special use permit for the mixing, blending, manufacture of fertilizer at the subject property; and

WHEREAS, the subject property is currently owned by Grainco FS, Inc. hereinafter shall be referred to as “Petitioner”; and

WHEREAS, on or about September 17, 2020, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural to M-1 Limited Manufacturing District in order to lease the subject property to a company that performs construction and maintenance work for gas utilities; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on October 8, 2020, the Kendall County Zoning Board of Appeals conducted a public hearing on November 2, 2020, at 7:00 p.m., in the Kendall County Historic Courthouse at 109 W. Ridge Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public asked questions or testified in favor or testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated November 2, 2020, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested Map Amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

State of Illinois
County of Kendall

Zoning Petition
#20-25

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

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District with a Special Use Permit to M-1 Limited Manufacturing District.
3. All ordinances and variances that are in conflict with this ordinance are hereby repealed.
4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 15th day of December, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

That part of the Southeast Quarter of Section 36, Township 35 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the intersection of the Southeasterly right-of-way line of the Elgin, Joliet, and Eastern Railroad, and the East right-of-way line of a township road, said point being 705 feet North of the transit line at Station 1736+09, and said point being the POINT OF BEGINNING; thence Southeasterly along the said East right-of-way line for a distance of 91.19 feet; thence East for a distance of 20.00 feet; thence Southeasterly along a line which is parallel to the said East right-of-way line for a distance of 81.00 feet; thence East for a distance of 289.14 feet; thence North for a distance of 703.48 feet to a point which falls on the said Southeasterly right-of-way line of the Elgin, Joliet, and Eastern Railroad; thence Southwesterly along the said Southeasterly right-of-way line for a distance of 622.64 feet to the Point of Beginning, in the Township of Seward, Kendall County, Illinois.

And being the same property conveyed to Grainco FS, Inc. successor by virtue of merger with Kendall-Grundy FS, Inc., an Illinois corporation, successor by virtue of name change from Kendall Farmers Oil Company who acquired the title from FS Services, Inc. by Warranty Deed dated November 09, 1970 and recorded November 10, 1970 in Instrument No. 70-3205.

Tax Parcel No. 09-36-400-006

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on November 2, 2020, by a vote of five (5) in favor and zero (0) in opposition. Members Clementi and LeCuyer were absent.

FINDINGS OF FACT

§ 13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications.

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural for agricultural purposes. Some of the adjacent properties already possess manufacturing zoning and almost all of the adjoining properties are planned to have manufacturing uses in applicable Future Land Use Maps.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1. The surrounding properties inside the Village of Minooka are M-1.

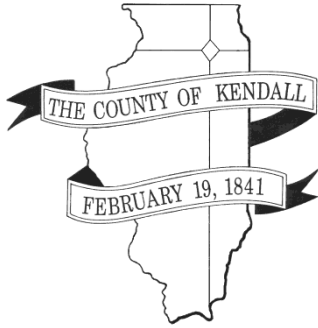
The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 with a special use permit for fertilizer related operations. Fertilizer related operations are special uses in the M-1 Limited Manufacturing District. The existing use as a company performing construction and maintenance for gas utilities is a permitted use in the M-1 Limited Manufacturing District.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. Per the existing Future Land Use Maps of Kendall County and the Village of Minooka, the trend of development in the area is manufacturing and light industrial uses.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. If the Petitioner's request for a reclassification of their property from Agricultural to Mixed Use Business is approved, the requested map amendment would be consistent with the purposes and objectives of the Land Resource Management Plan.

RECOMMENDATION

Approval



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building & Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner
Date: October 22, 2020
Re: Petition 20-26 Request for Minor Amendments to a Special Use Permit for a Banquet Center at 1998 Johnson Road

On April 21, 2015, the Kendall County Board approved Ordinance 2015-06, granting a special use permit for a banquet facility at 1998 Johnson Road. Condition 8 of the Ordinance stated that events could run from May 1st through November 15th and the temporary tent can be erect from May 1st through November 15th. A copy of Ordinance 2015-06 is attached to this memo.

On April 8, 2019, the Planning, Building and Zoning Committee granted minor amendments to the special use permit allowing the porta-johns to be on the premises the entire season and allowing the tent to be erected from April 15th to November 15th. A copy of this minor amendment is attached to this memo.

On October 20, 2020, the Petitioner submitted a request for a minor amendment to the special use permit to allow events to be held starting April 8th of each year and ending November 30th of each year and to have the tent be erected during the same time frame.

The criteria for evaluating minor amendments to special use permits is found in Section 13:08.N of the Kendall County Zoning Ordinance which states the following:

“N. MINOR AMENDMENTS ON PROPERTY GOVERNED BY A SPECIAL USES ORDINANCE: Minor Amendments are those that do not alter the intent or uses of the property for which a Special Use has been approved. Minor Amendments shall be limited to the following:

1. Proposed additions, enlargements or changes in any existing or proposed building or buildings, shown on any controlling site plans attached to or referenced in the ordinance which granted the special use (if applicable), and the addition of accessory structures not shown on such plans may be permitted provided that all of the following conditions are met:
 - a) The proposed addition, enlargement or change will, in the opinion of the Zoning Administrator, result in a better utilization of the property or a more efficient and desirable use of the land.
 - b) The change shall not constitute more than a ten (10) percent increase in the lot coverage of all approved buildings on the property or a ten (10) percent increase of the total floor area of all approved buildings on the property.
 - c) The proposed addition, enlargement or change will not infringe upon or extend into any required building setback, off street parking or loading space or required building separation or exceed the height or bulk regulations of the underlying zoning district.
 - d) The additional off-street parking or loading spaces required for such proposed addition, enlargement or change, can be supplied as required by the applicable zoning ordinance provisions.
 - e) The proposed addition, enlargement or change will not result in an enlargement or increase of any previously approved variation.

2. Minor Modifications of Conditions provided that all of the following are met:
 - a) The proposed modification will, in the opinion of the Zoning Administrator, result in equal or better performance than the original condition imposed.
 - b) The proposed modification or change shall not result in a change of more than ten (10) percent of any previously imposed condition.
 - c) The result of the proposed modification shall be that the property will still be in substantial compliance with the previously approved ordinance.

An owner seeking an approval of such change shall submit an application for a minor amendment to be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the request for a minor amendment to the PBZ Committee of the County Board for recommendation prior to taking action. In addition, the petitioner may appeal the decision of the Zoning Administrator in the review of a minor amendment to the PBZ Committee. In such instances the PBZ Committee shall be the final authority in deciding upon such requests. (*Amended 9.15.2009*)”

Petition information was sent to the Kendall County Health Department, Sheriff’s Department, Na-Au-Say Township, Village of Plainfield, and Plainfield Fire Protection District on October 22, 2020. The Sheriff’s Department, Village of Plainfield and Plainfield Fire Protection District expressed no concerns regarding this proposal.

If the Planning, Building and Zoning Committee wishes to approve the request, a draft minor amendment is attached.

If the Planning, Building and Zoning Committee wishes to deny the minor amendment and if the Petitioner desires the amendments, the Petitioner would be required to go through the major amendment to a special use process as outlined in the Kendall County Zoning Ordinance.

If you have any questions, please let me know.

Thanks,

MHA

ENCs: Ordinance 2015-06
2019 Minor Amendment
Application Material
Draft Minor Amendment

ORDINANCE NUMBER 2015 - 06

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

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

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

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

WHEREAS, said property is legally described as:

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

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

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

WHEREAS, the findings of fact were approved as follows:

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

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

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

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

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

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

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

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

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

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

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land

which exceeds sixty 60 dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

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


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

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

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

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

Attest:



Debbie Gillette
Kendall County Clerk



John Shaw
Kendall County Board Chairman



201900004315

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 4/11/2019 09:46 AM
AMDL: 43.00 RHSPS FEE: 10.00

PAGES: 4

State of Illinois
County of Kendall

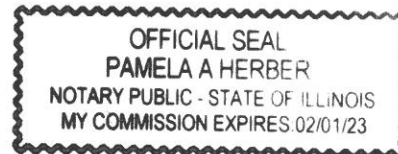
Zoning Petition
#19-16

MINOR AMENDMENT TO EXISTING SPECIAL USE PERMIT

**GRANTING A MINOR AMENDMENT TO THE SPECIAL USE PERMIT AWARDED
BY ORDINANCE 2015-06 PERTAINING TO THE PLACEMENT OF PORTA JOHNS
AND THE ERECTION OF A TENT AT 1998 JOHNSON ROAD (PINs: 06-11-100-008
(20150006392) AND 06-11-100-004) IN NA-AU-SAY TOWNSHIP**

Mailed to and Prepared by:
Matthew Asselmeier
111 West Fox Street Rm. 203
Yorkville, IL 60560

SEAL



Subscribed and sworn to before me
This 11th day of April, 2019

Matthew Asselmeier
Kendall County Senior Planner

Notary Public

MINOR AMENDMENT TO EXISTING SPECIAL USE PERMIT

**GRANTING A MINOR AMENDMENT TO THE SPECIAL USE PERMIT AWARDED BY
ORDINANCE 2015-06 PERTAINING TO THE PLACEMENT OF PORTA JOHNS AND THE
ERECTION OF A TENT AT 1998 JOHNSON ROAD (PINs: 06-11-100-008 AND 06-11-100-004)
IN NA-AU-SAY TOWNSHIP**

WHEREAS, Section 13.08.N of the Kendall County Zoning Ordinance permits the Kendall County Zoning Administrator to approve minor amendments to existing special use permits and provides the procedure through which minor amendments to existing special use permits are granted; and

WHEREAS, the property which the subject of this minor amendment to an existing special use permit is located at 1998 Johnson Road and is identified by Parcel Identification Numbers 06-11-100-008 and 06-11-100-004 in Na-Au-Say Township and shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is owned by Peter and Laurie Pasteris, hereinafter be referred to as “Petitioner”; and

WHEREAS, in 2015, the Petitioner submitted a request for a special use permit to operate a banquet hall at the subject property; and

WHEREAS, on April 21, 2015, the Kendall County Board granted the Petitioner’s request for a special use permit for a banquet hall at the subject property through Ordinance 2015-06 with conditions; and

WHEREAS, condition number 7 of Ordinance 2015-06 required that Porta Johns (and other temporary bathroom facilities) need to be removed within 2 business days after each event; and

WHEREAS, condition number 8 of Ordinance 2015-06 required that the temporary tent can be erect from May 1st through November 15th; and

WHEREAS, on or about March 12, 2019, the Petitioner’s attorney submitted a request for a minor amendment to an existing special use permit by allowing a bathroom trailer to remain on the subject property during the entire banquet season and to allow the erection of the tent on or after April 15th of each year; and

WHEREAS, on April 8, 2019, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board reviewed the application and authorized approval of the requested minor amendment to an existing special use permit; and

NOW, THEREFORE, BE IT ORDAINED, BY THE ZONING ADMINISTRATOR OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

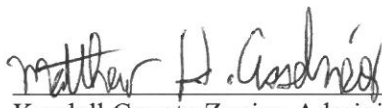
- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Condition number 7 of Ordinance 2015-06 is amended by allowing Porta Johns (and other temporary bathroom facilities) to remain on the premises for the entire banquet season provided that the temporary bathroom facilities are a bathroom trailer measured at approximately 238 square feet.

III. Condition number 8 of Ordinance 2015-06 is amended by allowing the temporary tent to be erected from April 15th through November 15th.

IV. The Official Zoning Map of Kendall County is hereby amended to reflect this minor amendment to an existing special use permit.

IN WITNESS OF, this minor amendment to an existing special use permit has been enacted by the Zoning Administrator of Kendall County and is effective this 11th day of April, 2019.

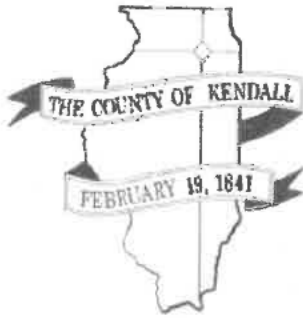
Attest:



Kendall County Zoning Administrator
Matthew H. Asselmeier

THE WEST 400 0 FEET OF THE NORTH 435 60 FEET OF A STRIP OF LAND 54 RODS (891 1 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 4 ACRES

THE WEST 561 0 FEET OF THE NORTH 971 0 FEET (EXCEPT THE WEST 400 0 FEET OF THE NORTH 435 60 FEET, THEREOF) OF A STRIP OF LAND 54 RODS (891 0 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 8 5052 ACRES



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME Northfork Farm **FILE #:** _____

NAME OF APPLICANT Peter J. Pasteris, Jr. Revocable Dec. of Living Trust and Laurie Jo Pasteris		
CURRENT LANDOWNER/NAME(S) Peter J. Pasteris, Jr. Revocable Dec. of Living Trust		
SITE INFORMATION ACRES 8.5 acres	SITE ADDRESS OR LOCATION 1998 Johnson Road, Oswego, IL 60543	ASSESSOR'S ID NUMBER (PIN) 06-11-100-008
EXISTING LAND USE Banquet Hall & Farm	CURRENT ZONING A-1 Special Use	LAND CLASSIFICATION ON LRMP A-1 Special Use
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> PRELIMINARY PLAT etc.)	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> OTHER PLAT (Vacation, Dedication,
<input checked="" type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input checked="" type="checkbox"/> Minor)		
¹PRIMARY CONTACT Daniel J. Kramer	PRIMARY CONTACT MAILING ADDRESS 1107A S. Bridge Street, Yorkville, IL 60560	PRIMARY CONTACT EMAIL dkramer@dankramerlaw.com
PRIMARY CONTACT PHONE # 630-553-9500	PRIMARY CONTACT FAX # 630-553-5764	PRIMARY CONTACT OTHER # (Cell, etc.)
²ENGINEER CONTACT N/A	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT 		DATE 10/20/2020

FEE PAID:\$ _____
 CHECK #: _____

¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants

§13.08.N of the Zoning Ordinance states that a Minor Amendments are those that do not alter the intent or uses of the property for which a Special Use has been approved. Minor Amendments shall be limited to the following:

1. Proposed additions, enlargements or changes in any existing or proposed building or buildings, shown on any controlling site plans attached to or referenced in the ordinance which granted the special use (if applicable), and the addition of accessory structures not shown on such plans may be permitted provided that all of the following conditions are met:
 - a) The proposed addition, enlargement or change will, in the opinion of the Zoning Administrator, result in a better utilization of the property or a more efficient and desirable use of the land.
 - b) The change shall not constitute more than a ten (10) percent increase in the lot coverage of all approved buildings on the property or a ten (10) percent increase of the total floor area of all approved buildings on the property.
 - c) The proposed addition, enlargement or change will not infringe upon or extend into any required building setback, off street parking or loading space or required building separation or exceed the height or bulk regulations of the underlying zoning district.
 - d) The additional off-street parking or loading spaces required for such proposed addition, enlargement or change, can be supplied as required by the applicable zoning ordinance provisions.
 - e) The proposed addition, enlargement or change will not result in an enlargement or increase of any previously approved variation.
2. Minor Modifications of Conditions provided that all of the following are met:
 - a) The proposed modification will, in the opinion of the Zoning Administrator, result in equal or better performance than the original condition imposed.
 - b) The proposed modification or change shall not result in a change of more than ten (10) percent of any previously imposed condition.
 - c) The result of the proposed modification shall be that the property will still be in substantial compliance with the previously approved ordinance.

Please verify your modification fits the above criteria and briefly describe the minor amendment below:

Revise original operation dates of May 1st of each year to November 15th of each year to starting April 8th of each year to November 30th of each year

THE WEST 400 0 FEET OF THE NORTH 435 60 FEET OF A STRIP OF LAND 54 RODS (891 1 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 4 ACRES

THE WEST 561 0 FEET OF THE NORTH 971 0 FEET (EXCEPT THE WEST 400 0 FEET OF THE NORTH 435 60 FEET, THEREOF) OF A STRIP OF LAND 54 RODS (891 0 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 8 5052 ACRES

MINOR AMENDMENT TO EXISTING SPECIAL USE

INCREASING THE NUMBER OF OPERATIONAL DAYS FOR OPERATING A BANQUET HALL AND NUMBER OF DAYS THE TEMPORARY TENT CAN BE ERECTED AT 1998 JOHNSON ROAD (PINS: 06-11-100-004 AND 06-11-100-008) IN NA-AU-SAY TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Planning, Building and Zoning Committee of the Kendall County Board to approve minor amendments to existing special use permits and provides the procedure through which minor amendments to existing special use permits are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 12.5 acres located at 1998 Johnson Road (PINS: 06-11-100-004 and 06-11-100-008), in Na-Au-Say Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, on April 21, 2015, the Kendall County Board approved Ordinance 2015-06 which granted a special use permit for a banquet hall for special events at the subject property; and

WHEREAS, Condition Number 8 of Ordinance 2015-06 stated that events can run from May 1st through November 15th and the temporary tent can be erected from May 1st through November 15th; and

WHEREAS, on April 8, 2019, the Kendall County Planning, Building and Zoning Committee approved a minor amendment to the special use permit granted by Ordinance 2015-06 allowing porta-johns to remain on the property during the entire season and allowing the temporary tent to be erected between April 15th and November 15th; and

WHEREAS, the subject property is currently owned by the Peter J. Pasteris Jr. Revocable Declaration of Living Trust as represented by Peter and Laurie Pasteris and hereinafter shall be referred to as “Petitioner”; and

WHEREAS, on or about October 20, 2020, Petitioner’s representative filed a petition for a minor amendment to Condition Number 8 of Ordinance 2015-06 to allow events to be held between April 8th through November 30th and to allow the tent to be erected between April 8th through November 30th and

NOW, THEREFORE, BE IT ORDAINED, BY THE PLANNING, BUILDING AND ZONING COMMITTEE OF THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Planning, Building and Zoning Committee of the Kendall County Board finds that the requested minor amendment will result in equal or better performance than the original condition imposed, shall not result in a change of more than 10% of any previously imposed condition, and the property will still be in substantial compliance with the previously approved Ordinance 2015-06.
2. The Planning, Building and Zoning Committee of the Kendall County Board hereby grants approval of Petitioner’s petition for a minor amendment to Condition Number 8 of Ordinance 2015-06 by allowing events to run from April 8th through November 30th and allowing the tent to be erected from April 8th through November 30th.
3. This minor amendment shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

IN WITNESS OF, this minor amendment to an existing special use permit has been enacted by a majority vote of the Planning, Building and Zoning Committee of the Kendall County Board and is effective this 9th day of November, 2020.

Attest:

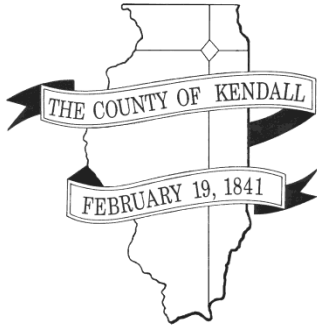
Kendall County Zoning Administrator
Matthew H. Asselmeier

Kendall County PBZ Committee Chairman
Matthew G. Prochaska

Exhibit A

THE WEST 400 0 FEET OF THE NORTH 435 60 FEET OF A STRIP OF LAND 54 RODS (891 1 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 4 ACRES

THE WEST 561 0 FEET OF THE NORTH 971 0 FEET (EXCEPT THE WEST 400 0 FEET OF THE NORTH 435 60 FEET, THEREOF) OF A STRIP OF LAND 54 RODS (891 0 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 8 5052 ACRES



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee

From: Matthew H. Asselmeier, AICP, CFM Senior Planner

Date: 10/29/2020

Subject: Petition 20-01 Amendment to the Kendall County Recreational Vehicle Park and Campground Regulations

At the end of 2019, the Kendall County Planning, Building and Zoning Committee started reviewing the existing 1983 Recreational Vehicle Park and Campground Regulations.

After review by the Committee and the State's Attorney's Office, the suggestion was made to incorporate the amended regulations into the Zoning Ordinance.

On August 26, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee reviewed the proposal and offered their suggested changes.

On August 31, 2020, the Kendall County Planning, Building and Zoning Committee initiated the text amendment to the Zoning Ordinance.

ZPAC reviewed this proposal at their meeting on September 1, 2020, and recommended approval by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting are attached.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 23, 2020. Discussion occurred regarding the importance of maps of the campgrounds and recreational vehicle parks. Discussion also occurred regarding the need for picnickers to be included on the register. The Kendall County Regional Planning Commission recommended approval by a vote of eight (8) in favor and zero (0) in opposition. One (1) Commissioner was absent. The minutes of the meeting are attached.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on September 28, 2020. Discussion occurred regarding grandfathering of existing recreational vehicle parks and campgrounds, insurance liability for trail maintenance, and enforcement of the permanent resident regulations. Michael Ballas, from the Jellystone Park Campground in Millbrook, requested information regarding grandfathering and the procedures for amending a special use permit. The Kendall County Zoning Board of Appeals recommended approval of the text amendment by a vote of six (6) in favor and zero (0) in opposition. One (1) Board Member was absent. The minutes of the hearing are attached.

The redlined proposal was sent to the townships on September 1, 2020. To date, no township has provided comments.

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.
6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).
14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.
17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).

18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in a park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.
31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal are attached. A copy of the draft ordinance is also attached.

If you have any questions, please let me know.

Thanks,

MHA

Encs.: 1983 Regulations
Redlined Proposal
September 1, 2020 ZPAC Minutes
September 23, 2020 Kendall County Regional Planning Commission Minutes
September 28, 2020 Kendall County Zoning Board of Appeals Hearing Minutes (This
Petition Only)
Draft Ordinance

KENDALL COUNTY
RECREATIONAL VEHICLE PARK
AND CAMPGROUND REGULATIONS

1.00 PURPOSE

This ordinance is designed to:

- 1.01 Protect and maintain productive agricultural lands;
- 1.02 Protect and maintain the future development of agricultural operations by protecting existing agricultural operations from incompatible uses;
- 1.03 Prevent excessive increases in public service costs by directing proposed campgrounds to areas served by or adjacent to public service facilities;
- 1.04 Protect the County's high quality recreational resource areas including wooded areas, natural watercourses, ponds, wetlands, unique topographic features, and slopes exceeding 10%, and,
- 1.05 Insure that Recreational Vehicle Parks and Campgrounds maintain the high quality of the County's recreational resource areas.

2.00 DEVELOPMENT APPLICATION AND SITE PLAN REQUIREMENTS

2.01 All applications for a permit to operate a recreational vehicle park or campground shall contain the following:

- a. Name, address and telephone number of applicant.
- b. Percentage of interest of the applicant and/or owners in the proposed campground.
- c. Name and address of all persons holding an interest or having an interest in the proposed campground.
- d. Location, address and legal description of the entire proposed campground.
- e. Existing zoning of subject property and all adjacent properties.
- f. Complete engineering plans and specifications of the proposed campground showing:
 1. The area and dimensions of the entire tract of land;
 2. The number, location and size of all lots intended for use by recreational vehicles or tents;
 3. The number, location and size of all unimproved, partially improved and fully improved lots;
 4. The location, right-of-way and surfaced roadway width and surfacing materials of roadways and walkways;
 5. The location of proposed interior vehicular and pedestrian circulation patterns;
 6. The location of service buildings, sanitary stations and any other existing or proposed structures;
 7. The location of water and sewer lines;
 8. Plans and specifications of all buildings constructed or to be constructed within the campground;
 9. Plans and specifications of the water supply, refuse and sewage disposal facilities, pet exercise and sanitation areas;

10. The location and details of lighting and electrical systems;
11. The location of fire hydrants, if provided;
12. Location of all drainage easements to comply with County drainage plans.
13. Quantity and point or area of departure of storm water runoff prior to and subsequent to construction of the proposed RV park.
14. Erosion control and landscaping plans;
15. Kendall County ASCS soils report;
16. The calendar months of the year during which the applicant will operate the proposed campground.

Where a campground development is proposed for construction in a series of stages, a master plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.

2.02 Every application for the construction, operation, maintenance and occupancy for a campground shall be accompanied with plans and specifications, fully setting out the trailer spaces, the position of each RV, motor vehicle parking spaces, the driveway giving access thereto and a plan of landscaping. Before any permit is issued for a campground and the use thereof, the plans and specifications shall first be approved by the Kendall County Building and Zoning Department and the Kendall County Health Department, taking into account all the provisions as set out herein, as well as such special conditions as may be imposed by the Kendall County Board or its specified subcommittee, and provided further that said plans and specifications are in accordance with State regulations governing campgrounds.

2.03 After completing the necessary zoning requirements and when upon review of the application, the Building and Zoning Department has determined that the proposed plan meets all requirements of this Ordinance, a permit shall be issued.

3.00 CRITERIA TO BE USED IN EVALUATING RECREATIONAL VEHICLE PARKS

- 3.01 Compatibility with nearby agricultural and other land uses;
- a. The park or campground must be screened from nearby agricultural and other land uses by a vegetative buffer other than multiflora rose or honeysuckle. The width of the buffer should vary in proportion to the maximum campground or park population up to a maximum of 300 feet.
 - b. The periphery of the park or campground, except at designated access roads, must be completely enclosed and maintained by a fence which will not permit people or farm animals to pass through it;
 - c. The park or campground must maintain litter control and refuse collection so as to prevent litter or refuse from blowing onto or otherwise being deposited on nearby lands;
 - d. Traffic from the park or campground must not seriously impair the movement of or cause hazard to agricultural and vehicular traffic.
- 3.02 Maintaining and protecting high quality recreational resource areas;
- a. All lands classified as floodplains shall remain in permanent open space;
 - b. No more than 20% of any forest shall be cleared or developed and the remaining 80% shall be retained in permanent open space;
 - c. All ponds, wetlands, and watercourses shall be left in permanent open space and no dredging, filling, or diversion of water shall be permitted;

- d. Storm water runoff shall be limited to the rate which would occur under natural conditions;
- e. All ponds, wetlands, and watercourses are to be protected from erosion and sedimentation in accordance with the Kendall County Soil and Erosion ordinance;
- f. Areas with slopes greater than 15% are to be retained in permanent open space;
- g. Scenic views from public highways or adjoining lands must be maintained.

3.03 Insuring high quality recreational vehicle parks or campgrounds.

- a. The park or campground should provide separate circulation systems for vehicles and pedestrians;
- b. Access to the park must be safe and convenient;
- c. To insure adequate open space and protection of resource areas, lots within the park or campground should be clustered;
- d. Internal roads, except one main collector road, should be one way and no wider than 18';
- e. Collector roads should be no wider than 24';
- f. Recreation facilities within the park should be in proportion to the maximum park population;
- g. Recreational space within the park should be in proportion to the maximum park population and may include up to 60% of the park or campground;
- h. Water supply and waste disposal facilities shall be designed, constructed and maintained in accordance with Health Department regulations.
- i. The storage, collection and disposal of refuse shall be performed as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions;
- j. No parking is permitted on interior roads;
- k. All outdoor cooking facilities shall be located, constructed, and maintained to minimize fire hazard and smoke nuisance;
- l. All accessory uses should be limited to park residents;
- m. There shall be no indication of retail accessory uses visible from any public road or street;
- n. Lots in the park or campground must be at least 1500 square feet;
- o. Trailers and accessory structures must be separated from one another by at least 10 feet in all directions;
- p. Off street parking is to be provided at the rate of 2.25 parking spaces per lot.

3.04 Prevent excessive increases in Public Service Costs.

- a. Traffic generated by the maximum park or campground population must not exceed capacities of the local traffic network or cause public funds to be used for traffic safety or control improvements;
- b. Demands produced by the park or campground for fire or police service must not cause additional public funds to be used to maintain current service levels;
- c. Demands for public water or sanitary waste disposal must not overburden current facilities;
- d. No recreational vehicle or trailer shall be used as a permanent place of abode. Continuous occupancy beyond three months is considered to be permanent.

4.00 PENALTIES

Any person who violates any provision of this Ordinance shall upon conviction be punished by a fine of not less than \$200 nor more than \$500; each day's failure of compliance with any such provision shall constitute a separate violation.

5.00 INSPECTION OF RECREATIONAL VEHICLE PARK OR CAMPGROUND

5.01 The Building and Zoning Department and the Health Department are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance, but in no case shall such inspection take place less than once per year.

5.02 The Zoning Department and the Health Department shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

5.03 The Zoning Department and the Health Department shall have the power to inspect the register containing a record of all campers and picnickers of the park.

5.04 It shall be the duty of the park management to give the Zoning Department and the Health Department free access to all lots and other areas at reasonable times for the purpose of inspection.

5.05 It shall be the duty of every camper or picnicker in the park to give the owner thereof or his agent or employee access to any part of such recreational vehicle park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance and to facilitate inspections.

6.00 DEFINITIONS

ACCESSORY BUILDINGS. Those buildings which house facilities or services relating to recreational uses at the park or campground.

CAMPER. Any person or persons occupying a recreational vehicle and/or tent for recreational purposes.

COLLECTOR STREETS. Any park street which extends from a park entrance street and intersects with three or more other streets or any street which intersects with five or more other streets or any street which extends for more than 1200 feet.

DAILY USER. Any person or persons using the park for recreational purposes on a daily basis.

GROUP CAMPING. The assembly of not more than 30 recreational vehicles and/or tents when registered as a group in advance with the park management. Normally, these groups are youth, scouting and clubs in an approved designated area for the purpose of recreational camping.

HEALTH AUTHORITY. The Kendall County Health Department or the Illinois Department of Public Health.

LOT. A parcel of land designated on the official plot plan for the placement of a single recreational vehicle or tent and for the exclusive use of its occupants.

MINOR STREETS. Any park street which is not a collector street.

RECREATIONAL AREA. Area which is set aside for non-camping use. Recreational areas may include space for service buildings and/or accessory buildings as well as natural open space, children's playgrounds and other recreational facilities.

RECREATIONAL VEHICLE (RV). A vehicular portable structure designed as a temporary dwelling for travel, recreational or vacation uses, and to be used without a permanent foundation.

RECREATIONAL VEHICLE PARK OR CAMPGROUND. A contiguous parcel of land which has been developed for the non-permanent placement of recreational vehicles and/or tents. Recreational Vehicle Parks may not be operated in whole or in part for the lease or rent of such vehicles by the park owner(s) or operator(s), nor can any such vehicle be inhabited for purposes of permanent year-round dwelling units.

SANITARY STATION. Facility used for removing and disposing of wastes from RV holding tanks.

SERVICE BUILDINGS. Those required in all parks or campground, including those which house sanitary facilities, shelters.

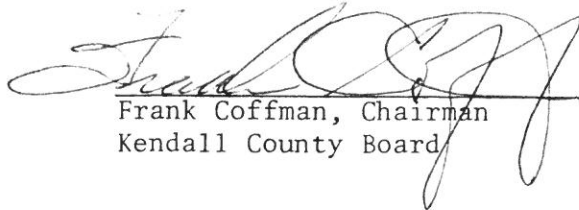
TENT. Collapsible shelter of canvas or other material stretched and sustained by poles fixed in the ground and used for a temporary outdoor camping shelter.

PASSED THIS 14th day of
June, 1983.

ATTEST:



Jean P. Brady, Clerk



Frank Coffman, Chairman
Kendall County Board

RV Park and Campground Amendments (8-31-20)

Repeal 1983 Recreational Vehicle Park and Campground Regulations in their entirety.

Amend Section 3.02 by adding the following terms and definitions:

CAMPER. Any person or persons occupying a recreational vehicle and/or tent for recreational purposes.

CAMPGROUND AND RECREATIONAL VEHICLE PARK COLLECTOR STREETS OR COLLECTOR ROADS. Any park street which extends from a park entrance street and intersects with three or more other streets or any street which intersects with five or more streets or any street which extends for more than **one thousand two hundred feet (1200') feet.**

CAMPGROUND AND RECREATIONAL VEHICLE PARK MINOR STREETS. Any park street which is not a collector street.

CAMPGROUND AND RECREATIONAL VEHICLE PARK SANITARY STATION. Facility used for removing and disposing of wastes from RV holding tanks.

CAMPGROUND AND RECREATION VEHICLE PARK SERVICE BUILDINGS. Those required in all parks or campground, including those which house sanitary facilities, shelters.

PICNICKER. Any person or persons that visits the recreational vehicle park or campground, but does not stay overnight and is not employed by the recreational vehicle park or campground.

RECREATIONAL VEHICLE PARK OR CAMPGROUND. A contiguous parcel of land which has been developed for the non-permanent placement of recreational vehicles and/or tents. Recreational Vehicle Parks may not be operated in whole or in part for the lease or rent of such vehicles by the park owner(s) or operator(s), nor can any such vehicle be inhabited **as a permanent place of abode as defined in Section 7:01.D.**

REGISTER. In cases of recreational vehicle parks and campgrounds, a listing of the names, make of car, and license plate number of all campers and picnickers. Said list shall identify each person as a camper or a picnicker, the date the person arrived on the property, and the date that the person left the property. In the case of campers, the register shall also list which lot(s) the person camped.

TENT. Collapsible shelter of canvas or other material stretched and sustained by poles fixed in the ground and used for a temporary outdoor camping shelter.

Amend Section 3.02 by changing the following terms and definitions:

ACCESSORY BUILDINGS OR USE. An "accessory building or use" is one which:

1. Is subordinate to the principal building or principal use served in terms of area and function; and
2. Contributes to the comfort, convenience, or necessity of occupants of the principal use served.

In cases of recreational vehicle parks and campgrounds, accessory buildings or **accessory structures** are those buildings which house facilities or services relating to recreational uses at the park or campground.

LOT. A parcel of land legally described as a distinct portion or piece of land of record.

In cases of recreational vehicle parks and campgrounds, a lot is a parcel of land designated on the official plot plan for the placement of a single recreational vehicle or tent and for the exclusive use of its occupants.

RECREATIONAL AREAS. Parks and open space devoted primarily to the pursuit of outdoor recreational activities such as golf courses, fishing lakes, playgrounds, trails and nature preserves; does not include outdoor commercial sporting activities. **In cases of recreational vehicle parks and campgrounds**, areas which are set aside for non-camping use. Recreational areas may include space for service buildings and/or accessory buildings as well as natural open space, children's playgrounds and other recreational facilities.

RECREATIONAL VEHICLE (RV). A vehicular portable structure designed as a temporary dwelling for travel, recreational or vacation uses, and to be used without a permanent foundation or a vehicle that is built on a single chassis, designed to be self-propelled or permanently towable by a light duty vehicle, and designed primarily for recreation, camping, travel or seasonal use. For purposes of regulation in this code, **pickup campers**, jet skis, boats, snowmobiles, or similar vehicles shall also be considered to be recreational vehicles **for the purposes of parking regulations**.

Delete Section 7.01.D.43 and Replace with the Following:

7.01.D.43 (Special Uses in the A-1)

Recreational camps and recreational vehicle parks subject to the following conditions:

- a. All applications for a permit to operate a recreational vehicle park or campground shall contain the following:
 1. Name, address and telephone number of applicant.
 2. Percentage of interest of the applicant and/or owners in the proposed campground.
 3. Name and address of all persons holding an interest or having an interest in the proposed campground.

4. Location, address and legal description of the entire proposed campground.
 5. Existing zoning of subject property and all adjacent properties.
 6. Complete engineering plans and specifications of the proposed campground showing:
 - i. The area and dimensions of the entire tract of land;
 - ii. The number, location and size of all lots intended for use by recreational vehicles or tents;
 - iii. The number, location and size of all unimproved, partially improved and fully improved lots;
 - iv. The location, right-of-way and surfaced roadway width and surfacing materials of roadways and walkways;
 - v. The location of proposed interior vehicular and pedestrian circulation patterns;
 - vi. The location of service buildings, sanitary stations and any other existing or proposed structures;
 - vii. The location of water and sewer lines;
 - viii. Plans and specifications of all buildings constructed or to be constructed within the campground;
 - ix. Plans and specifications of the water supply, refuse and sewage disposal facilities, pet exercise and sanitation areas;
 - x. The location and details of lighting and electrical systems;
 - xi. The location of fire hydrants, if provided;
 - xii. Location of all drainage easements to comply with County drainage plans.
 - xiii. Quantity and point or area of departure of storm water runoff prior to and subsequent to construction of the proposed RV park.
 - xiv. Erosion control and landscaping plans;
 - xv. Kendall County **ASGS Soil and Water Conservation District** soils report;
 - xvi. The calendar months of the year during which the applicant will operate the proposed campground.
- b. Where a campground development is proposed for construction in a series of stages, a master plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.
 - c. Every application for the construction, operation, maintenance and occupancy for a campground shall be accompanied with plans and specifications, fully setting out the trailer spaces, the position of each RV, motor vehicle parking spaces, the driveway giving access thereto and a plan of landscaping. Before any permit is issued for a campground and the use thereof, the plans and specifications shall first be approved by the Kendall County **Planning**, Building and Zoning Department and the Kendall County Health Department, taking into account all the provisions as set out herein, as well as such special conditions as may be

imposed by the Kendall County Board or its specified subcommittee, and provided further that said plans and specifications are in accordance with State regulations governing campgrounds.

- d. After completing the necessary zoning requirements and when upon review of the application, the **Planning**, Building and Zoning Department has determined that the proposed plan meets all requirements of this Ordinance, a permit shall be issued.
- e. The minimum **lot parcel** size must be **twenty** (20) acres.
- f. The park or campground must be screened from nearby agricultural and other land uses by a vegetative buffer other than multiflora rose or Honeysuckle. The width of the buffer should vary in proportion to the maximum campground or park population up to a maximum of **three hundred feet (300') feet**.
- g. The periphery of the park or campground, except at designated access roads, must be completely enclosed and maintained by a fence which will not permit people or farm animals to pass through it;
- h. The park or campground must maintain litter control and refuse collection so as to prevent litter or refuse from blowing onto or otherwise being deposited on nearby lands;
- i. Traffic from the park or campground must not seriously impair the movement of or cause hazard to agricultural and vehicular traffic.
- j. All lands classified as floodplains shall remain in permanent open space;
- k. No more than **twenty percent (20%)** of any forest shall be cleared or developed and the remaining **eighty percent (80%)** shall be retained in permanent open space; **this provision does not apply to the clearing of invasive species. Invasive species shall be defined by the Illinois Department of Natural Resources.**
- l. All ponds, wetlands, and watercourses shall be left in permanent open space and no dredging, filling, or diversion of water shall be permitted;
- m. Storm water runoff shall be limited to the rate which would occur under natural conditions;
- n. All ponds, wetlands, and watercourses are to be protected from erosion and sedimentation in accordance with the Kendall County **Soil and Erosion ordinance Stormwater Management Ordinance**;

- o. Areas with slopes greater than **fifteen percent (15%)** are to be retained in permanent open space;
- p. Scenic views from public highways or adjoining lands must be maintained.
- q. The park or campground should provide separate circulation systems for vehicles and pedestrians;
- r. Access to the park must be safe and convenient;
- s. To insure adequate open space and protection of resource areas, lots within the park or campground should be clustered;
- t. Internal roads, except one main collector road, should be one way and no wider than **eighteen feet (18')**;
- u. Collector roads should be no wider than **twenty-four feet (24')**;
- v. Recreation facilities within the park should be in proportion to the maximum park population;
- w. Recreational space within the park should be in proportion to the maximum park population and may include up to **sixty percent (60%)** of the park or campground;
- x. Water supply and waste disposal facilities shall be designed, constructed and maintained in accordance with Health Department regulations.
- y. The storage, collection and disposal of refuse shall be performed as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions;
- z. No parking is permitted on interior roads;
- aa. All outdoor cooking facilities shall be located, constructed, and maintained to minimize fire hazard and smoke nuisance;
- bb. All accessory uses should be limited to park residents;
- cc. There shall be no indication of retail accessory uses visible from any public road or street;

dd. Lots in the park or campground must be at least **one thousand five hundred (1500) square feet and clearly marked on the ground with landmarks on the lot corners and lot signage approved by the local fire protection district;**

ee. Trailers and accessory structures must be separated from one another by at least **ten feet (10') feet** in all directions;

ff. Off street parking is to be provided at the rate of **two point two five (2.25)** parking spaces per lot.

gg. Traffic generated by the maximum park or campground population must not exceed capacities of the local traffic network or cause public funds to be used for traffic safety or control improvements;

~~hh. Demands produced by the park or campground for fire or police service must not cause additional public funds to be used to maintain current service levels;~~

ii. Demands for public water or sanitary waste disposal must not overburden current facilities;

~~jj. No recreational vehicle or trailer tent, or other location within a recreational vehicle park or campground shall be used as a permanent place of abode. Continuous occupancy within the recreational vehicle park or campground beyond three (3) months is considered to be permanent. If the address of the recreational vehicle park or campground is listed as a person's address on any government issued document, including, but not limited to, any government roll or registry (such as a voter roll or registry), or any application or enrollment information for a public, private, or parochial educational institution, the recreational vehicle park or campground shall be considered that person's permanent place of abode, regardless of the length of that person's occupancy. This provision shall not apply to campground caretakers.~~

kk. Inspections

1. The **Planning**, Building and Zoning Department and the Health Department are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance, but in no case shall such inspection take place less than once per year.
2. The **Planning, Building and Zoning** Department and the Health Department shall have the power to enter at reasonable times **and upon reasonable notice** upon any private ~~or public~~ property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.
3. **The owner of the recreational vehicle park or campground, or his agent or employee, shall be required to maintain a register containing a record of all campers, picnickers, and visitors in the park or campground.** The

- Planning, Building and Zoning Department and the Health Department, law enforcement agency with jurisdiction, and the local fire protection district shall have the power to inspect the register upon request. containing a record of all campers and picnickers of the park. The register shall be updated daily at minimum.**
4. It shall be the duty of the park management to give the **Planning, Building and Zoning Department and the Health Department** free access to all lots and other areas at reasonable times **and upon reasonable notice** for the purpose of inspection.
 5. It shall be the duty of every camper or picnicker in the park to give the owner thereof or his agent or employee access to any part of such recreational vehicle park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance and to facilitate inspections.
- II. All standards of the Health Department **are shall be met in accordance with the requirements set forth in the most recent version of the Kendall County Food Establishment Sanitation Ordinance and Kendall County Food Establishment Sanitation Ordinance.**
- mm. Must seek approval from the **Fire and police departments at the time of application submittal for the special use permit.**
- nn. Adequate directional signage must be throughout the property, **including street signs. All trails shall be marked at their beginnings and ends.**
- oo. **A map of the recreational vehicle park or campground shall be supplied to KenCom. At minimum, the map shall show the location and names or numbers of all lots and trails in the recreational vehicle park or campground and the location and names of all streets and trails. Changes to the map or any identification information on the map shall be reported to KenCom within thirty (30) days of the change.**
- ~~pp. Maximum continuous stay shall not exceed 90 days.~~

Delete Section 9.05.C.15 and Replace with the Following: (Special Uses in B-4, M-1, and M-2 Districts).

Recreational camps and recreational vehicle parks subject to the conditions contained in Section 7.01.D

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 1, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:03 a.m.

Present:

Matt Asselmeier – PBZ Department
Brian Holdiman – PBZ Department (Attended Remotely)
Commander Jason Langston – Sheriff’s Department (Attended Remotely)
Alyse Olson – Soil and Water Conservation District (Attended Remotely)
Matthew Prochaska – PBZ Committee Chair
Aaron Rybski – Health Department

Absent:

Meagan Briganti – GIS
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:

Greg Dady and Mary Murray

AGENDA

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the agenda as presented.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

MINUTES

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the August 4, 2020, meeting minutes.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

PETITIONS

Amended Petition 20-02 Greg Dady on Behalf of DTG Investments, LLC

Mr. Asselmeier summarized the request.

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a trucking company, specifically for offices related to the trucking company, minor repair facilities for company trucks, and company truck parking.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

According to Section 3:02 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

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“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

This use is not listed as a permitted or special use in any zoning district.

Staff believes that truck parking area or yard use most closely matches the Petitioners proposed use and offers the following text amendment to Section 7:01.D of the Kendall County Zoning Ordinance:

“Truck Parking Area or Yard Including Offices and Maintenances Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The list of special uses in the A-1 District should be renumbered to reflect the addition of this use to the list of special uses.

The Agricultural Zoning Map with road classifications was provided.

Mr. Asselmeier noted that Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126.

Mr. Rybski made a motion, seconded by Mr. Holdiman, to recommend approval of the request text amendment with the restriction that use be placed on roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

Amended Petition 20-05 Greg Dady on Behalf of DTG Investments, LLC

Mr. Asselmeier summarized the request.

Greg Dady, on behalf of DTG Investments, LLC would like to operate a trucking company, specifically offices related to a trucking company, minor repair facilities for company trucks, and company truck parking at the subject property.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

The proposed text amendment (Amended Petition 20-02) would add the following to the list of special uses in the A-1 District:

“Truck Parking Area or Yard Including Offices and Maintenances Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The application materials, aerial of the property, aerial with the flood zone, plat of survey, and site were provided.

The subject property is approximately five point five (5.5) acres in size.

Route 126 is a State maintained arterial; there is a trail planned along Route 126.

There is a floodplain on the north end of the property (Zone A-no base flood elevation determined).

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The adjacent uses are agricultural or agricultural related.

The adjacent zonings are A-1. The zonings in the area are A-1, R-1, and A-1 with special use permits.

The Future Land Use Map calls for the area to be Rural Residential and Public Institutional.

The A-1 SU to the east is for a farm market, garden shop, winery, corn maze, and fall festival. The A-1 SU to the west is for a farm equipment sales and service business.

Oswego School District 308 owns the property southwest of the subject property.

Ten (10) existing houses are within one half (1/2) mile of the subject property.

Pictures of the property and area were provided.

EcoCAT Report submitted and consultation was terminated.

The LESA Score was 189 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Na-Au-Say Township on August 25, 2020.

Petition information was sent to the Village of Oswego on August 25, 2020. The property is inside Oswego's planning boundary.

Petition information was sent to the Village of Plainfield on August 25, 2020. The property is within one point five (1.5) miles of Plainfield.

The Oswego Fire Protection District was sent information on August 25, 2020. The Oswego Fire Protection District noted that the fire alarm system at the property was not functioning. Other than that concern, they had no objections to the proposal.

The subject property has been used as a landscaping business and repair and restoration business. The order and special use permit that allowed these businesses were provided. The Petitioner would like to retain the special use permit for a cleanup and restoration business at the property.

According to the business plan, the property is leased to United Group Logistics. United Group Logistics is a trucking company that hauls freight throughout the State. They use the property for office space, minor truck repair/maintenance and a truck depot. The office space is used for accounting and dispatch and the bays are used for maintenance. Ten (10) employees are at the site and the hours of operation are Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m.

According to the site plan, there is one (1) approximately fourteen thousand (14,000) square foot metal building on the property that is used for office operations and maintenance. The site plan also shows one (1) metal silo and one (1) corn crib in the planned truck parking area. One (1) approximately one thousand six hundred (1,600) square foot wood frame machine shed is located on the northeast corner of the truck parking area. One (1) single-family home with a detached garage is located on the west side of the property.

Any new structures would require applicable building permits.

The property is served by well and septic.

There is floodplain as part of the Little Slough Creek on the property. This area is considered Zone A which means no flood elevation has been determined; therefore, this area is considered Floodway. No storage or parking should take place in the floodway.

Depending on the nature of new construction, which is not planned as part of this special use permit, stormwater management permits could be required.

The property has two accesses off of Route 126. The western most access would be used by the existing house and the eastern most access would be used by the business operating out of the metal barn.

According to the site plan, a parking area for trucks is shown north of the metal building. The parking area is gravel. No dimension information is provided.

The site plan shows fifteen (15) additional parking spaces to the north of the metal building and ten (10) parking spaces south of the metal building, including two (2) handicapped accessible spaces. A proposed asphalt addition is shown on the site plan. No information was provided regarding a timetable for installing the parking addition.

No information was provided regarding a plan to address spills or other motor vehicle related leaks.

No additional lighting beyond the existing lighting on the building and light near the entrance is planned at this time. Section 11:02.F.12.A requires an illumination plan for parking lots with thirty (30) or more parking spaces.

The site plan shows a sign. The sign is four feet by eight feet (4'X8') in size. A light exists next to the sign. A sign permit will be required.

The site plan shows a wooden fence around the property and a single gate east of the metal building. No information was provided regarding the size of the fence or gate.

A berm and several mature trees are between the metal building and Route 126. No specific landscaping information was provided.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

Before issuing a recommendation, Staff would like comments from Na-Au-Say Township, the Village of Oswego, the Village of Plainfield, and ZPAC members.

Mr. Rybski asked about the septic assessment and catching spills in the maintenance bays. Greg Dady responded that a triple catch basin exists in the maintenance bays and then into the tank. A soil analysis may be necessary.

Mr. Holdiman noted that a change of occupancy is required for the office and maintenance building.

Mr. Asselmeier noted that parking is not allowed in the front yard setback. Mr. Dady stated that no parking signs would be installed on the east side of the parking lot, rear of the property, and in front of the building. Mr. Dady was agreeable to have the parking lot asphalted within ninety (90) days of approval of the special use permit.

Mr. Dady said that the hours of operation could be impacted if an emergency breakdown occurred.

Mr. Dady will provide information on the berm and number of trees on the berm.

Mr. Dady noted that nobody will sleep at the site.

Chairman Prochaska noted that flyovers have increased and Mr. Asselmeier noted that Mr. Dady needs to make sure that the conditions in the special use permit were workable.

Mr. Asselmeier made a motion, seconded by Mr. Rybski, to recommend approval of the special use permit.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

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The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

Amended Petition 20-01 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

At the end of 2019, the Kendall County Planning, Building and Zoning Committee started reviewing the existing 1983 Recreational Vehicle Park and Campground Regulations.

After review by the Committee and the State's Attorney's Office, the suggestion was made to incorporate the amended regulations into the Zoning Ordinance.

On August 26, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee reviewed the proposal and offered their suggested changes.

On August 31, 2020, the Kendall County Planning, Building and Zoning Committee initiated the text amendment to the Zoning Ordinance.

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.
6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).
14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.

17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.
31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal were provided.

Mr. Rybski requested clarification regarding Health Department as stated in the proposal. Mr. Asselmeier noted that the proposal applies to the Kendall County Health Department.

The proposal applies to new campgrounds and campgrounds that amend their special use permits.

Chairman Prochaska made a motion, seconded by Mr. Rybski, to recommend approval of the text amendment.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

Mr. Asselmeier informed the Committee that upcoming meetings will be at the Historic Courthouse because of renovations to the County Board Room.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Chairman Prochaska, to adjourn.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The ZPAC, at 9:34 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Historic Courthouse
Third Floor Courtroom
110 W. Madison Street (109 W. Ridge Street), Yorkville, Illinois*

Unapproved - Meeting Minutes of September 23, 2020 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:02 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, and Claire Wilson

Members Absent: Bob Stewart

Staff Present: Matthew H. Asselmeier, Senior Planner and Scott Koeppl County Administrator (Attended Remotely)

Others Present: Greg Dady and Mary Murray (Attended Remotely)

APPROVAL OF AGENDA

Member Nelson made a motion, seconded by Member McCarthy-Lange, to approve the agenda. With a voice vote of eight (8) ayes, the motion carried.

APPROVAL OF MINUTES

Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the August 26, 2020, meeting. With a voice vote of eight (8) ayes, the motion carried.

PETITIONS

Amended Petition 20-02 Greg Dady on Behalf of DTG Investments

Mr. Asselmeier summarized the request.

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a trucking company, specifically for offices related to the trucking company, minor repair facilities for company trucks, and company truck parking.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

According to Section 3:02 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

This use is not listed as a permitted or special use in any zoning district.

Staff believes that truck parking area or yard use most closely matches the Petitioners proposed use and offers the following text amendment to Section 7:01.D of the Kendall County Zoning Ordinance:

“Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The list of special uses in the A-1 District should be renumbered to reflect the addition of this use to the list of special uses.

This proposal was sent to the townships on September 1, 2020. No comments have been received.

ZPAC reviewed this proposal at their meeting on September 1, 2020. Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials or higher as designated by the Illinois Department of Transportation’s Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126. ZPAC recommended approval of the proposed text amendment with Mr. Klaas’ proposed amendment by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The Agricultural Zoning Map with road classifications was provided. The Illinois Department of Transportation’s Five (5) Year Functional Classification Map for Kendall County was also provided.

Member Wilson expressed concerns that the use started before the zoning application and the lack of a limit on the number of trucks and trips.

Greg Dady stated that he thought that the necessary zoning was in place. Once he found out that a new special use permit was needed, he started working through the process. He originally explored a map amendment, but wanted to get the opinion of Na-Au-Say Township on the matter. Then COVID hit and Na-Au-Say Township did not meet for a couple months. Once they did meet, they favored keeping the A-1 zoning and going for a special use permit under A-1. Based on Na-Au-Say Township input, Mr. Dady changed his application from a map amendment to a text amendment and special use under A-1 zoning.

Several Commissioners questioned Mr. Dady about his lack of knowledge about his existing special use and leasing the property without obtaining the necessary zoning before leasing the property.

Member McCarthy-Lange asked if approving this request would open the door to similar requests. Mr. Asselmeier responded that, if the text amendment is approved, anyone zoned A-1 could ask for the special use. Also, even with the road classification requirement, a property owner could ask for a variance if they demonstrated a hardship.

The trucking company moved in spring in 2019.

The property had a court order for an excavating company and landscaping business. The court order stated that if the excavating company and landscaping business ceased, then the special use for those businesses would cease. The Petitioner secured a special use permit for ServPro in 2014.

Several Commissioners favored placing this type of use in a commercial or manufacturing district instead of the agricultural district because there are several places in the County with agricultural zoning where this use would be incompatible.

Member Hamman asked about a property on Eldamain Road near Galena Road. Mr. Asselmeier stated that, in that case, the property was rezoned to M-1.

Discussion occurred about placing additional restrictions in the text amendment such as number of employees, number of trucks onsite, number of trips, or restricting the use to certain townships. Mr. Dady was agreeable to a restriction on number of trucks at the site.

Na-Au-Say did not provide any comments about the proposal.

Member Wilson made a motion, seconded by Member Nelson, to recommend approval of the text amendment as presented.

The votes were as follows:

Ayes (0): None

Nays (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Wilson

Absent (1): Stewart

The motion failed.

Member Nelson voted no because the proposal was too broad, the use could go anywhere, and the use was undesirable at other locations with inadequate protection for the agricultural community and people living in agricultural areas.

Member Hamman voted no because he favored more restrictions in the text amendment and requests for this use could come before the Commission monthly.

Chairman Ashton voted no because the proposal had inadequate restrictions and he was upset that the Petitioner did not secure the necessary zoning before leasing the property. He suggested that the Petitioner attempt to rewrite the proposal.

Member Wilson concurred with Member Nelson and Chairman Ashton and her concerns regarding the lack of a limit on the number of trucks and trips.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Amended Petition 20-05 Greg Dady on Behalf of DTG Investments

Because the Commission recommended denial of the Petition 20-02, the Commission did not take any action on Petition 20-05; the proposal was moot.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Amended Petition 20-01 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

At the end of 2019, the Kendall County Planning, Building and Zoning Committee started reviewing the existing 1983 Recreational Vehicle Park and Campground Regulations.

After review by the Committee and the State's Attorney's Office, the suggestion was made to incorporate the amended regulations into the Zoning Ordinance.

On August 26, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee reviewed the proposal and offered their suggested changes.

On August 31, 2020, the Kendall County Planning, Building and Zoning Committee initiated the text amendment to the Zoning Ordinance.

ZPAC reviewed this proposal at their meeting on September 1, 2020, and recommended approval by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The redlined proposal was sent to the townships on September 1, 2020. To date, no township has provided comments.

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.
6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).

14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.
17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in a park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.

31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal were provided.

Member Nelson stated that he visited with first responders and asked about problems at campgrounds and the first responders said that their problem was a lack of maps and lots numbers which made it difficult to find people.

Member Wilson asked why picnickers needed to register. Mr. Asselmeier responded the register was required to know who was on the property. Member Nelson stated that the proposal only applies to campgrounds and not picnic groves or State parks. Discussion occurred regarding staffing or keycard to control access to the campgrounds.

Discussion occurred about pickup campers. Mr. Asselmeier responded that the language related to parking regulations.

Member Wilson favored the definition of Recreational Vehicle Park or Campground be amended by saying “. . . lease or rental . . .” instead of “. . . lease or rent . . .”

Member Wilson questioned the use of the word forest regarding clearing an area. Mr. Asselmeier stated that he did not know why that term was used in the 1983 regulation.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the requested text amendment.

The votes were as follows:

Ayes (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Wilson
Nays (0): None
Absent (1): Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Member Nelson noted a court case regarding numbering boards as they relate to campgrounds.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

Approval of Letter from the Kendall County Regional Planning Commission to the Village of Shorewood Regarding the Go Pro Athletic Facility and Four Seasons Storage Development

Mr. Asselmeier presented the letter. Mr. Asselmeier noted that the Attorney representing the development requested that the letter be sent after the Village of Shorewood signed the plats.

Member Nelson made a motion, seconded by Member Hamman, to approve the letter. With a voice vote of eight (8) ayes, the motion carried.

Recommendation on Kendall County Regional Planning Commission Fiscal Year 2020-2021 Meeting Calendar

Member Wilson asked how the Annual Meeting would occur if COVID was still an issue. Mr. Asselmeier stated that the Commission would gather at a location. Attendees would have to socially distance and attendees would be encouraged to attend the meeting remotely.

Member Nelson made a motion, seconded by Member McCarthy-Lange, to recommend approval of the calendar as presented. With a voice vote of eight (8) ayes, the motion carried.

Discussion of Amendment to Article IX of the Kendall County Regional Planning Commission's Bylaws Pertaining to the Location of the Annual Meeting of the Election of Officers; Commission Could Make a Motion to Amend the Location of the Annual Meeting of the Election of Officers

Mr. Asselmeier presented the proposed amendment. The proposed amendment removes the location of the annual meeting for the election of officers.

Member Wilson made a motion, seconded by Member McCarthy-Lange, thirded by Member Casey, to approve the amendment as presented. The vote on the amendment will occur at the next Commission meeting.

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier stated that Petition 19-39 Map Amendment and Special Use Permit for Four Seasons Storage and Petition 20-15 Final Plat Approval for the Go Pro Sports Subdivision passed at the County Board.

Mr. Asselmeier stated that Petition 20-14 Zoning Ordinance Project passed at the County Board with an amendment removing the language regarding research related home occupations and an amendment removing the soils requiring non-traditional septic systems from the calculation of open space.

Mr. Asselmeier reported that Petition 20-21 Fee Schedule Amendment passed at the County Board. The fee for conditional use permits for beekeeping would be One Hundred Dollars (\$100), the same as other conditional use permits. The annual permit renewal fee for beekeeping was removed.

OTHER BUSINESS/ANNOUNCEMENTS

Chairman Ashton asked Mr. Asselmeier to send a letter asking townships to submit comments on zoning petitions.

Mr. Asselmeier reported that the County received a request from Grainco FS to amend the Future Land Use Map for their property on Wabena Avenue. Grainco FS would also like to rezone the property to M-1 Limited Manufacturing.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Hamman, to adjourn. With a voice vote of eight (8) ayes, the motion carried.

The Kendall County Regional Plan Commission meeting adjourned at 8:26 p.m.

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

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
110 WEST MADISON STREET (109 WEST RIDGE STREET), THIRD FLOOR COURTROOM
YORKVILLE, IL 60560
September 28, 2020 – 7:00 p.m.

CALL TO ORDER

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

ROLL CALL:

Members Present: Scott Cherry, Cliff Fox, Tom LeCuyer, Randy Mohr, Dick Thompson, and Dick Whitfield

Members Absent: Karen Clementi

Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner

Others Present: Greg Dady, Gregg Ingemunson, and Michael Ballas

Chairman Mohr swore in Greg Dady, Gregg Ingemunson, and Michael Ballas.

PETITIONS

The Zoning Board of Appeals started their review of Amended Petition 20-01 at 7:52 p.m.

Amended Petition 20 – 01 – Kendall County Planning, Building and Zoning Committee

Request: Text Amendments to the Kendall County Zoning Ordinance Amending Recreational Vehicle Park and Campground Zoning Regulations and Repealing the 1983 Recreational Vehicle Park and Campground Regulations

Purpose: Proposal Updates the Recreational Vehicle Park and Campground Zoning Regulations

Mr. Asselmeier summarized the request.

At the end of 2019, the Kendall County Planning, Building and Zoning Committee started reviewing the existing 1983 Recreational Vehicle Park and Campground Regulations.

After review by the Committee and the State’s Attorney’s Office, the suggestion was made to incorporate the amended regulations into the Zoning Ordinance.

On August 26, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee reviewed the proposal and offered their suggested changes.

On August 31, 2020, the Kendall County Planning, Building and Zoning Committee initiated the text amendment to the Zoning Ordinance.

ZPAC reviewed this proposal at their meeting on September 1, 2020, and recommended approval by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 23, 2020. Discussion occurred regarding the importance of maps of the campgrounds and recreational vehicle parks. Discussion also occurred regarding the need for picnickers to be included on the register. The Kendall County Regional Planning Commission recommended approval by a vote of eight (8) in favor and zero (0) in opposition. One (1) Commissioner was absent. The minutes of the meeting were provided.

The redlined proposal was sent to the townships on September 1, 2020. To date, no township has provided comments.

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.
6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).

14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.
17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in a park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).

28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.
31. Section 9.04.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal were provided.

Member Fox asked if the information required for submittal was similar to subdivisions in terms of utilities. Mr. Asselmeier responded that the information required for submittal is the same information required for other special use permits and that some lots within the campground or recreational vehicle park may be primitive and not have water or sewer facilities for a given lot.

Chairman Mohr asked if existing campgrounds and recreational vehicle parks were grandfathered. Mr. Asselmeier stated that the existing campgrounds and recreational vehicle parks were grandfathered unless they changed their special use permit.

Chairman Mohr asked about enforcement in cases of permanent residents. Mr. Asselmeier responded that the campground or recreational vehicle park is notified to remove the permanent resident. If the campground or recreational vehicle park does not remove the permanent resident, then they are prosecuted through the ordinance enforcement process.

Discussion occurred regarding trail maintenance. The consensus of the Board was that the recreational vehicle park or campground's insurance company would have concerns regarding trail maintenance.

Chairman Mohr opened the public hearing at 8:06 p.m.

Michael Ballas requested clarification on grandfathering. Mr. Asselmeier explained the amendment process for existing special use permits. The existing campgrounds and recreational vehicle parks should assume that if they change their site plans, even for minor amendments, the new regulations would apply.

Staff will note in the files of existing campgrounds that they are grandfathered.

Chairman Mohr closed the public hearing at 8:10 p.m.

Member Whitfield made a motion, seconded by Member Fox, to recommend approval of the text amendment as presented.

The votes were as follows:

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

The motion passed.

The townships will be notified of the results of the hearing.

This proposal will go to the Kendall County Planning, Building and Zoning Committee on November 9, 2020.

The Zoning Board of Appeals completed their review of Amended Petition 20-01 at 8:12 p.m.

PUBLIC COMMENTS

Mr. Asselmeier reported that the County received a request from Grainco FS to amend the Future Land Use Map for their property on Wabena Avenue. Grainco FS would also like to rezone the property to M-1 Limited Manufacturing.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member LeCuyer made a motion, seconded by Member Cherry, to adjourn. With a voice vote of six (6) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:18 p.m.

The next hearing/meeting will be on November 2, 2020.

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

Exhibits

1. Memo on Amended Petition 20-01 Dated September 25, 2020
2. Certificate of Publication for Amended Petition 20-01 (Not Included with Report but on file in Planning, Building and Zoning Office).



**KENDALL COUNTY
ZONING BOARD OF APPEALS
SEPTEMBER 28, 2020**

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

NAME	ADDRESS	SIGNATURE
Greg Johnson		
Michael Ballas		

ORDINANCE NUMBER 2020-_____

TEXT AMENDMENTS TO THE KENDALL COUNTY ZONING ORDINANCE PERTAINING TO RECREATIONAL VEHICLE PARK AND CAMPGROUND ZONING REGULATIONS

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, on or about August 31, 2020, the Kendall County Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, submitted text amendments to the Kendall County Zoning Ordinance by repealing the Kendall County Recreational Vehicle Park and Campground Regulations dated June 14, 1983, amending Section 3:02 of the Kendall County Zoning Ordinance by adding or amending certain terms and definitions associated with recreational vehicle parks and campgrounds, amending Section 7:01.D of the Kendall County Zoning Ordinance by amending the conditions of recreational vehicle parks and campgrounds as special uses on A-1 Agricultural District, B-4 Commercial Recreation District, M-1 Limited Manufacturing District, and M-2 Heavy Industrial District zoned property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on September 3, 2020, the Kendall County Zoning Board of Appeals conducted a public hearing on September 28, 2020, at 7:00 p.m., in the Third Floor Courtroom, at the Kendall County Historic Courthouse, located 109 W. Ridge Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendment and zero members of the public testified in favor of the request or in opposition to the request, and one member of the public provided general comments and questions on the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendment on September 28, 2020; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested text amendment; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. The Kendall Recreational Vehicle and Campground Regulations, adopted by the Kendall County Board on June 14, 1983, are hereby deleted in its entirety.

III. Amended Text: Section 3:02 is amended by adding the following terms in the appropriate places alphabetically to the list of Definitions:

“CAMPER. Any person or persons occupying a recreational vehicle and/or tent for recreational purposes.

CAMPGROUND AND RECREATIONAL VEHICLE PARK COLLECTOR STREETS OR COLLECTOR ROADS. Any park street which extends from a park entrance street and intersects with three or more other streets or any street which intersects with five or more streets or any street which extends for more than one thousand two hundred feet (1200') feet.

CAMPGROUND AND RECREATIONAL VEHICLE PARK MINOR STREETS. Any park street which is not a collector street.

CAMPGROUND AND RECREATIONAL VEHICLE PARK SANITARY STATION. Facility used for removing and disposing of wastes from RV holding tanks.

CAMPGROUND AND RECREATION VEHICLE PARK SERVICE BUILDINGS. Those required in all parks or campground, including those which house sanitary facilities, shelters.

PICNICKER. Any person or persons that visits the recreational vehicle park or campground, but does not stay overnight and is not employed by the recreational vehicle park or campground.

RECREATIONAL VEHICLE PARK OR CAMPGROUND. A contiguous parcel of land which has been developed for the non-permanent placement of recreational vehicles and/or tents. Recreational Vehicle Parks may not be operated in whole or in part for the lease or rent of such vehicles by the park owner(s) or operator(s), nor can any such vehicle be inhabited as a permanent place of abode as defined in Section 7:01.D.

REGISTER. In cases of recreational vehicle parks and campgrounds, a listing of the names, make of car, and license plate number of all campers and picnickers. Said list shall identify each person as a camper or a picnicker, the date the person arrived on the property, and the date that the person left the property. In the case of campers, the register shall also list which lot(s) the person camped.

TENT. Collapsible shelter of canvas or other material stretched and sustained by poles fixed in the ground and used for a temporary outdoor camping shelter.”

IV. Amended Text: Section 3:02 is amended by deleting the definitions of Accessory Buildings or Use, Lot, Recreational Areas, and Recreational Vehicle (RV) and replacing them with the following:

“ACCESSORY BUILDINGS OR USE. An "accessory building or use" is one which:

1. Is subordinate to the principal building or principal use served in terms of area and function; and

2. Contributes to the comfort, convenience, or necessity of occupants of the principal use served.

In cases of recreational vehicle parks and campgrounds, accessory buildings or accessory structures are those buildings which house facilities or services relating to recreational uses at the park or campground.

LOT. A parcel of land legally described as a distinct portion or piece of land of record. In cases of recreational vehicle parks and campgrounds, a lot is a parcel of land designated on the official plot plan for the placement of a single recreational vehicle or tent and for the exclusive use of its occupants.

RECREATIONAL AREAS. Parks and open space devoted primarily to the pursuit of outdoor recreational activities such as golf courses, fishing lakes, playgrounds, trails and nature preserves; does not include outdoor commercial sporting activities. In cases of recreational vehicle parks and campgrounds, areas which are set aside for non-camping use. Recreational areas may include space for service buildings and/or accessory buildings as well as natural open space, children's playgrounds and other recreational facilities.

RECREATIONAL VEHICLE (RV). A vehicular portable structure designed as a temporary dwelling for travel, recreational or vacation uses, and to be used without a permanent foundation or a vehicle that is built on a single chassis, designed to be self-propelled or permanently towable by a light duty vehicle, and designed primarily for recreation, camping, travel or seasonal use. For purposes of regulation in this code, jet skis, boats, snowmobiles, or similar vehicles shall also be considered to be recreational vehicles for the purposes of parking regulations.”

- V. Amended Text: Section 7:01.D is amended by deleting the regulations and conditions pertaining to recreational vehicle parks and campgrounds and adding the following language to the appropriate place alphabetically to the list of special uses in the A-1 Agricultural Zoning District:

“Recreational camps and recreational vehicle parks subject to the following conditions:

- a. All applications for a permit to operate a recreational vehicle park or campground shall contain the following:
 1. Name, address and telephone number of applicant.
 2. Percentage of interest of the applicant and/or owners in the proposed campground.
 3. Name and address of all persons holding an interest or having an interest in the proposed campground.
 4. Location, address and legal description of the entire proposed campground.
 5. Existing zoning of subject property and all adjacent properties.
 6. Complete engineering plans and specifications of the proposed campground showing:
 - i. The area and dimensions of the entire tract of land;
 - ii. The number, location and size of all lots intended for use by recreational vehicles or tents;

- iii. The number, location and size of all unimproved, partially improved and fully improved lots;
 - iv. The location, right-of-way and surfaced roadway width and surfacing materials of roadways and walkways;
 - v. The location of proposed interior vehicular and pedestrian circulation patterns;
 - vi. The location of service buildings, sanitary stations and any other existing or proposed structures;
 - vii. The location of water and sewer lines;
 - viii. Plans and specifications of all buildings constructed or to be constructed within the campground;
 - ix. Plans and specifications of the water supply, refuse and sewage disposal facilities, pet exercise and sanitation areas;
 - x. The location and details of lighting and electrical systems;
 - xi. The location of fire hydrants, if provided;
 - xii. Location of all drainage easements to comply with County drainage plans.
 - xiii. Quantity and point or area of departure of storm water runoff prior to and subsequent to construction of the proposed RV park.
 - xiv. Erosion control and landscaping plans;
 - xv. Kendall County Soil and Water Conservation District soils report;
 - xvi. The calendar months of the year during which the applicant will operate the proposed campground.
- b. Where a campground development is proposed for construction in a series of stages, a master plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.
- c. Every application for the construction, operation, maintenance and occupancy for a campground shall be accompanied with plans and specifications, fully setting out the trailer spaces, the position of each RV, motor vehicle parking spaces, the driveway giving access thereto and a plan of landscaping. Before any permit is issued for a campground and the use thereof, the plans and specifications shall first be approved by the Kendall County Planning, Building and Zoning Department and the Kendall County Health Department, taking into account all the provisions as set out herein, as well as such special conditions as may be imposed by the Kendall County Board or its specified subcommittee, and provided further that said plans and specifications are in accordance with State regulations governing campgrounds.
- d. After completing the necessary zoning requirements and when upon review of the application, the Planning, Building and Zoning Department has determined that the proposed plan meets all requirements of this Ordinance, a permit shall be issued.
- e. The minimum parcel size must be twenty (20) acres.
- f. The park or campground must be screened from nearby agricultural and other land uses by a vegetative buffer other than multiflora rose or Honeysuckle. The width of the buffer should vary in proportion to the maximum campground or park population up to a maximum of three hundred feet (300').

- g. The periphery of the park or campground, except at designated access roads, must be completely enclosed and maintained by a fence which will not permit people or farm animals to pass through it;
- h. The park or campground must maintain litter control and refuse collection so as to prevent litter or refuse from blowing onto or otherwise being deposited on nearby lands.
- i. Traffic from the park or campground must not seriously impair the movement of or cause hazard to agricultural and vehicular traffic.
- j. All lands classified as floodplains shall remain in permanent open space.
- k. No more than twenty percent (20%) of any forest shall be cleared or developed and the remaining eighty percent (80%) shall be retained in permanent open space; this provision does not apply to the clearing of invasive species. Invasive species shall be defined by the Illinois Department of Natural Resources.
- l. All ponds, wetlands, and watercourses shall be left in permanent open space and no dredging, filling, or diversion of water shall be permitted.
- m. Storm water runoff shall be limited to the rate which would occur under natural conditions.
- n. All ponds, wetlands, and watercourses are to be protected from erosion and sedimentation in accordance with the Kendall County Stormwater Management Ordinance.
- o. Areas with slopes greater than fifteen percent (15%) are to be retained in permanent open space.
- p. Scenic views from public highways or adjoining lands must be maintained.
- q. The park or campground should provide separate circulation systems for vehicles and pedestrians.
- r. Access to the park must be safe and convenient.
- s. To insure adequate open space and protection of resource areas, lots within the park or campground should be clustered.
- t. Internal roads, except one main collector road, should be one way and no wider than eighteen feet (18').
- u. Collector roads should be no wider than twenty-four feet (24').
- v. Recreation facilities within the park should be in proportion to the maximum park population.

- w. Recreational space within the park should be in proportion to the maximum park population and may include up to sixty percent (60%) of the park or campground.
- x. Water supply and waste disposal facilities shall be designed, constructed and maintained in accordance with Health Department regulations.
- y. The storage, collection and disposal of refuse shall be performed as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions.
- z. No parking is permitted on interior roads.
- aa. All outdoor cooking facilities shall be located, constructed, and maintained to minimize fire hazard and smoke nuisance.
- bb. All accessory uses should be limited to park residents.
- cc. There shall be no indication of retail accessory uses visible from any public road or street.
- dd. Lots in the park or campground must be at least one thousand five hundred (1500) square feet and clearly marked on the ground with landmarks on the lot corners and lot signage approved by the local fire protection district.
- ee. Trailers and accessory structures must be separated from one another by at least ten feet (10') in all directions.
- ff. Off street parking is to be provided at the rate of two point two five (2.25) parking spaces per lot.
- gg. Traffic generated by the maximum park or campground population must not exceed capacities of the local traffic network or cause public funds to be used for traffic safety or control improvements.
- hh. Demands for public water or sanitary waste disposal must not overburden current facilities.
- ii. No recreational vehicle tent, or location within a recreational vehicle park or campground shall be used as a permanent place of abode. If the address of the recreational vehicle park or campground is listed as a person's address on any government issued document, including, but not limited to, any government roll or registry (such as a voter roll or registry), or any application or enrollment information for a public, private, or parochial educational institution, the recreational vehicle park or campground shall be considered that person's permanent place of abode, regardless of the length of that person's occupancy. This provision shall not apply to campground caretakers.
- jj. Inspections
 - 1. The Planning, Building and Zoning Department and the Health Department are hereby authorized and directed to make such inspections as are necessary to

determine satisfactory compliance with this Ordinance, but in no case shall such inspection take place less than once per year.

2. The Planning, Building and Zoning Department and the Health Department shall have the power to enter at reasonable times and upon reasonable notice upon any private property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.
3. The owner of the recreational vehicle park or campground, or his agent or employee, shall be required to maintain a register containing a record of all campers, picnickers, and visitors in the park or campground. The Planning, Building and Zoning Department, Health Department, law enforcement agency with jurisdiction, and the local fire protection district shall have the power to inspect the register upon request. The register shall be updated daily at minimum.
4. It shall be the duty of the park management to give the Planning, Building and Zoning Department and the Health Department free access to all lots and other areas at reasonable times and upon reasonable notice for the purpose of inspection.
5. It shall be the duty of every camper or picnicker in the park to give the owner thereof or his agent or employee access to any part of such recreational vehicle park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance and to facilitate inspections.

- kk. All standards of the Health Department shall be met.
- ll. Must seek approval from the fire and police departments at the time of application submittal for the special use permit.
- mm. Adequate directional signage must be throughout the property, including street signs. All trails shall be marked at their beginnings and ends.
- nn. A map of the recreational vehicle park or campground shall be supplied to KenCom. At minimum, the map shall show the location and names or numbers of all lots and trails in the recreational vehicle park or campground and the location and names of all streets and trails. Changes to the map or any identification information on the map shall be reported to KenCom within thirty (30) days of the change.”

VI. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of November, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Matt Asselmeier

From: Lance Beatch [REDACTED]
Sent: Monday, November 2, 2020 2:29 PM
To: Matt Asselmeier
Cc: Scott Koeppel; Matthew G. Prochaska; Scott R. Gryder
Subject: Re: [External]Re: Special Use Application Deadline Reminder

Hi Gentlemen,

My comments, as you requested, on the document in red:

1) No more than twenty percent (20%) of any forest shall be cleared or developed and the remaining eighty percent (80%) shall be retained in permanent open space; this provision does not apply to the clearing of invasive species. Invasive species shall be defined by the Illinois Department of Natural Resources.

This is extraordinarily alarming. My plan was to artfully carve between the trees in certain areas to add sites. According to this, I can't remove any trees to add sites and the trees I do remove I have to use as permanent open space. The park is currently permitted for 1,150 sites. I have to take some trees out to get that done. Please clarify.

2) Recreational space within the park should be in proportion to the maximum park population and may include up to sixty percent (60%) of the park or campground;

This is extraordinarily alarming. Why would the rec space have to be 60%. I have never seen such a restriction. Again, the park is permitted for 11,50 sites so I can't leave 60% as rec space.

3) Off street parking is to be provided at the rate of two point two five (2.25) parking spaces per lot.

I would have to see the definition, but typically in an RV park, the people park on their site. The vast majority of sites at the park accommodate 2 cars on the site. Having to provide for 2.25 space additional would be way overboard.

4) The owner of the recreational vehicle park or campground, or his agent or employee, shall be required to maintain a register containing a record of all campers, picnickers, and visitors in the park or campground. The Planning, Building and Zoning Department and the Health Department, law enforcement agency with jurisdiction, and the local fire protection district shall have the power to inspect the register upon request. containing a record of all campers and picnickers of the park. The register shall be updated daily at minimum.

I am not sure how you would accomplish this task. Most campgrounds / RV resorts in the Midwest / NE don't even have a security gate. Or, if they do, seasonal campers come and go as they choose. Perhaps you could have a security gate with gate card access, but I'm not sure you could generate the report you are asking. Further, if campers are transient (only stay for a few days / weeks), they are not issued a gate card but have some sort of sticker in their window. With this proposal, you'd have to stop every / any guest coming and going, to see who they are in order to keep a complete / accurate registry. So, in any event, I don't think it is possible, but at the very least it would require specialized software (yet to be programmed), an incredible amount of staff and a nuisance on campers (who wants to be stopped coming and going out of a resort...just imagine that!).

Most other changes seem benign.

Thank you for asking. I will need clarity on the above mentioned issues, as it would materially impact any plans for the park.

Lance.

On Mon, Nov 2, 2020 at 12:57 PM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Lance:

The Kendall County Planning, Building and Zoning Committee shall hold a meeting regarding potential changes to the Kendall County Recreational Vehicle and Campground Ordinance on November 9, 2020, at 6:30 p.m., at the Third Floor Courtroom, in the Kendall County Historic Courthouse, 109 W. Ridge Street, in Yorkville.

If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP, CFM

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street


Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

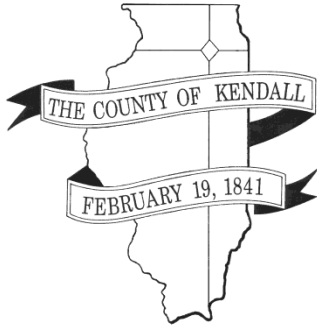
From: Matt Asselmeier

Sent: Wednesday, October 14, 2020 12:00 PM

To: Lance Beatch <

Subject: RE: [External]Re: Special Use Application Deadline Reminder

4:30 p.m. on December 22nd.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee

From: Matthew H. Asselmeier, AICP, CFM, Senior Planner

Date: 10/8/2020

Subject: Request for Agricultural Housing Allocation at 05-35-100-014

In July 2020, Dan Kramer, on behalf of Donna and John McKay, submitted a request for an agricultural housing allocation on the parcel identified by PIN 05-35-100-014.

In summary, based on discussions that the McKays had with the previous owner of the property and former Senior Planner John Sterrett, the McKays believe that they are eligible for one (1) single-family home allocation permit on the subject property. Unfortunately, no written record exists memorializing this allocation.

Because of the property size and age of property, the property would not qualify for an agricultural housing allocation under current regulations.

After conducting research on this property, as outlined in the attached letters, Staff came to the conclusion that one (1) housing allocation permit may exist, but the McKays and the owners of PIN 05-35-100-010, presently owned by the Stanley K. and Margaret J. Gengler Trust, had equal rights to the allocation.

The application materials, correspondence related this matter, and an aerial picture of the area are attached.

Staff is of the opinion that, if the McKays are granted an allocation, the Gengler Trust should also be granted an allocation upon request, unless definitive proof can be provided that one or the other party has unclouded ownership of the allocation.

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

Thanks,

MHA

Encs.: October 8, 2020 Application Letter

July 21, 2020 Letter to Dan Kramer from Matt Asselmeier

July 17, 2020 Letter to Dan Kramer from Matt Asselmeier

Aerial

Law Offices
of
Daniel J. Kramer

1107A S. Bridge Street
Yorkville, Illinois 60560
630-553-9500
Fax: 630-553-5764

Daniel J. Kramer

Kelly A. Helland
D.J. Kramer

October 8, 2020

Matt Asselmeier
Kendall County Senior Planner
111 W. Fox St., Rm 203
Yorkville, IL 60560

RE: Donna & John McKay Allocation

Dear Matt:

Could you please put the request to grant the Farm Allocation for the vacant parcel of real property for which we sent correspondence attached on the November 9, 2020 PB & Z Committee Meeting.

I am verifying that I received your note that the meeting will be held at 5:30 p.m. in the Historic Courthouse.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK:cth

LAW OFFICES
OF

Daniel J. Kramer

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

DANIEL J. KRAMER

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

July 15, 2020

Matt Asselmeier
Kendall County PB & Z Department
Via E-mail and hand delivery: Masselmeier@co.kendall.il.us

RE: McKay Allocation Caton Farm Road, Yorkville, IL 60560

Dear Matt:

Quite some time ago we discussed an Allocation for John and Donna McKay and you requested and Affidavit form her and John Sterrett as the previous Kendall County Planning, Building, Zoning Department. Enclosed please find the following:

1. Affidavit from John Sterrett
2. Affidavit from Donna McKay
3. Application for Allocation
4. Survey

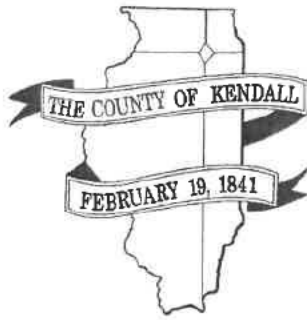
We would hereby request you issue an Allocation and email it to my office. If you have any questions or concerns please feel free to contact me.

Very truly yours,



Daniel J. Kramer
Attorney at Law

DJK/cth
Enclosure



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

**REGISTRATION OF
 SINGLE -FAMILY BUILDING PERMIT ALLOCATION**

PETITIONER INFORMATION:		
NAME OF PROPERTY OWNER	MAILING ADDRESS	CITY, STATE, ZIP
John and Donna McKay	16908 Ennerdale Ave.	Lockport, IL 60441
PHONE #	FAX #	OTHER #(PAGER, CELL, ETC)
[REDACTED]		
SITE INFORMATION SIZE (IN ACRES)	SITE LOCATION	ASSESSOR'S ID NUMBER
9.0358 acres	Caton farm Road	05-35-100-015
PROVISION IN WHICH THE PARCEL IS TO BE REGISTERED (SELECT ONE)		
<p><i>Original 80 acres</i> <input type="checkbox"/> Any parcel in excess of 40 acres may have one allocation for a single-family building permit for each 40 acres of available land.</p> <p><i>Single family</i> <input checked="" type="checkbox"/> Replacement Home.</p> <p><i>Family # (2) allocations</i></p> <p>(NOTE: It is the policy of Kendall County to allow for the construction of replacement homes on any agricultural tract of land, provided the owner can demonstrate that a home previously existed on the premises. Documentation shall be provided to the Kendall County Zoning Administrator for review and determination as to whether the property qualifies for a replacement home. Documentation shall include one or more the items listed in the "Information Checklist" below.)</p>		
INFORMATION CHECKLIST:		
Map showing the boundaries of the property being registered		
<input checked="" type="checkbox"/> Current deed and legal description		
<input type="checkbox"/> Historical deed based on selected provision (if applicable)		
<input type="checkbox"/> Historic Aerial Photographs documenting the prior existence of a home on the property. (if applicable)		
<input type="checkbox"/> Historic Tax Records, property index cards or plat books documenting the prior existence of a home on the property. (if applicable)		
<input type="checkbox"/> Physical evidence such as a foundation which can be readily identified as a pre-existing residence. (if applicable)		
<input checked="" type="checkbox"/> Other legal documentation verifying the prior existence of a residential dwelling. (if applicable) <i>Affidavits of Donna McKay / [Signature]</i>		
NOTICE: As each allocation is utilized, the owner will be required to identify the location within the original property registered on which the new residence will actually be built. The parcel on which the house will be built must be on a separate zoning lot of not less than 130,000 square feet in size and not less than 200 feet in width at the front building setback line.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT		DATE
[REDACTED]		7/15/2022

STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

AFFIDAVIT OF SUPPORT FOR ALLOCATION REGISTRY

NOW COMES JOHN STERRETT, previously having been a Zoning Officer employed by the County of Kendall in the Kendall County Planning, Building, and Zoning Office who on oath states and alleges as follows:

1. I was an employee in the Kendall County Zoning Office from 12/4/06 through 12/3/14; and then after a short hiatus away and came back and was an employee at the Kendall County Zoning Office from 9/21/15 through 8/26/16.
2. During that period of time I would attend Zoning Board of Appeals Meetings and was familiar with Donna McKay who had been a Member of the Kendall County Zoning Board of Appeals both prior to my employment with Kendall County and based her on Affidavit for a number of years after I left employment at Kendall County.
3. That I have read the attached Affidavit of Donna McKay wherein she indicated she discussed the proper registration of an Allocation for a Kendall County Building Permit for one house on the property described in the Exhibit "A" to that Affidavit.
4. While I do not have a specific recollection of that conversation, I was frequently in my duties called upon to answer citizen questions and have no reason to doubt the authenticity of her recollection of our conversation with me.

5. That as a matter of course I would have checked our County Planning, Building, and Zoning records and would have found the fact that were two allocations registered and that if one had been assigned to her and her Husband I would have no reason not to believe she was entitled to use the allocation that had been assigned to her.

Affiant further saeth not.

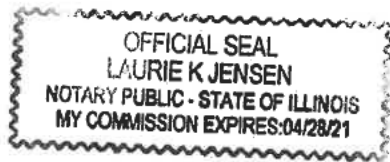
[Redacted signature]

John Sterrett

Subscribed and sworn to before me this 14th day of July, 2020.

[Redacted signature]

Notary Public



STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

AFFIDAVIT OF SUPPORT FOR ALLOCATION REGISTRY

NOW COMES DONNA MCKAY being first duly sworn on oath who states and deposes as follows:

1. That I have been a resident of the County of Kendall for more than 20 years.
2. That I together with my Husband owned agriculturally zoned real property as described in the attached Exhibit "A" in Kendall Township, Kendall County, Illinois.
3. That my Husband and I purchased a home and 7.96 acres from the Gengler Family together with the separate tax pin number and vacant parcel attached hereto and incorporated herein as Exhibit "A".
4. That at the time of closing it is my recollection and belief that we obtained a form from the Gengler Family assigning the right to one Kendall County Farm Allocation Building Permit for a house as to the vacant parcel, the Sellers having advised us that they had two requested allocations.
5. That through lapse of time, I am unable to find my file on the real estate closing.
6. That both the senior Gengler who actually sold us the property and his adult son who we had conversations with over the years have passed away.
7. That at a time when Kendall County was in the process of changing its ordinances in regard to registration of agricultural allocations, I had discussed the fact that my Husband

and I had one with the then acting Zoning Officer for Kendall County, being John Sterrett.

8. Mr. Sterrett assured me at the time that the allocations had been registered by the Gengler Family and that I needed no further action in regard to the County honoring an allocation on the vacant parcel of real property attached hereto and incorporated herein as Exhibit "A".
9. That the Gengler Family after having entered into the real estate sale to myself and my Husband, did sell a second piece of property to a purchaser who used the other allocation.
10. After having assigned one allocation to my Husband and I and one to a second purchaser, the Gengler Family on a separate tax pin number, had an affidavit prepared and filed qualifying for a separate Kendall County Agricultural House Building Permit referencing the previous 20 acre parcel creation which still was a valid method of getting an additional residential building permit over and above the newer 40 acre rule for which my allocation was recorded. The parties who submitted that 20 Acre Affidavit from the Genglers and for their benefit on the separate pin number was a Mr. and Mrs. Jung.
11. We are desirous of the County of Kendall recognizing the Allocation that we believe we hold on the real property described in the attached Exhibit "A" and would like a letter confirming that if we sell that property whoever we would sell it to would have the right to build one house there on.
12. During the time that I sought confirmation from the Kendall County Zoning Office, that my allocation was properly registered, I was a member of the Kendall County Zoning Board of Appeals both prior thereto and for several years thereafter. I further had regular

contact with the zoning office in my duties and based upon my conversations felt assured that I was protected.

Affiant further saeth not.

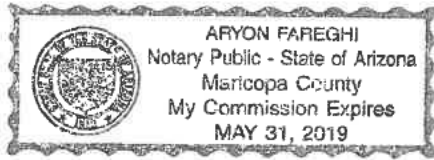
[Redacted signature area]

Donna McKay

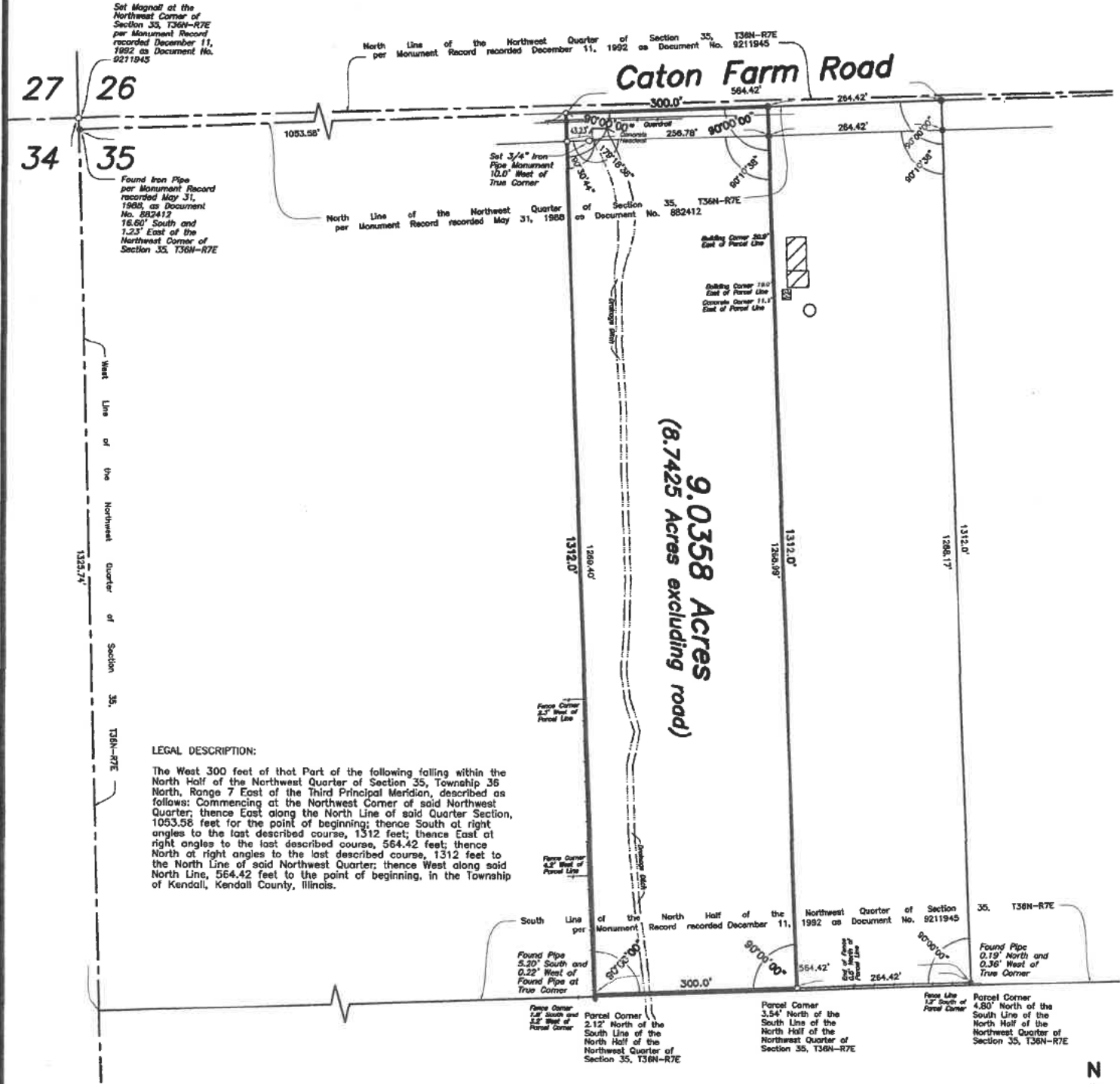
Subscribed and sworn to before me this 18 day of March, 2019.

[Redacted signature area]

Notary Public



**PLAT OF SURVEY OF
PART OF THE NORTHWEST QUARTER OF SECTION 35, T36N-R7E, 3rd PM
KENDALL TOWNSHIP KENDALL COUNTY ILLINOIS**



Stake Magnol at the Northwest Corner of Section 35, T36N-R7E per Monument Record recorded December 11, 1992 as Document No. 9211945

Found Iron Pipe per Monument Record recorded May 31, 1968, as Document No. 892412 18.62' South and 1.23' East of the Northwest Corner of Section 35, T36N-R7E

LEGAL DESCRIPTION:

The West 300 feet of that Part of the following falling within the North Half of the Northwest Quarter of Section 35, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest Corner of said Northwest Quarter; thence East along the North Line of said Quarter Section, 1053.58 feet for the point of beginning; thence South at right angles to the last described course, 1312 feet; thence East at right angles to the last described course, 564.42 feet; thence North at right angles to the last described course, 1312 feet to the North Line of said Northwest Quarter; thence West along said North Line, 564.42 feet to the point of beginning, in the Township of Kendall, Kendall County, Illinois.

State of Illinois)
County of Kendall) SS

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements on the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work was completed March 21, 2019. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated March 29, 2019 at Yorkville, Illinois

Phillip D. Young
Illinois Professional Land Surveyor No. 2678 (Expires 11/30/20)

**SCALE
1"=100'**

- Indicates Iron Stake Found
 - Indicates Iron Stake Set
 - Indicates Line of Fence
- NOTE: This property is vacant.

JOB NO.	19050
JOB NAME	ATTY. KRAMER
DWG FILE	19050

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580



Kendall County Parcel Viewer

Contact GIS County We

(1 of 1)

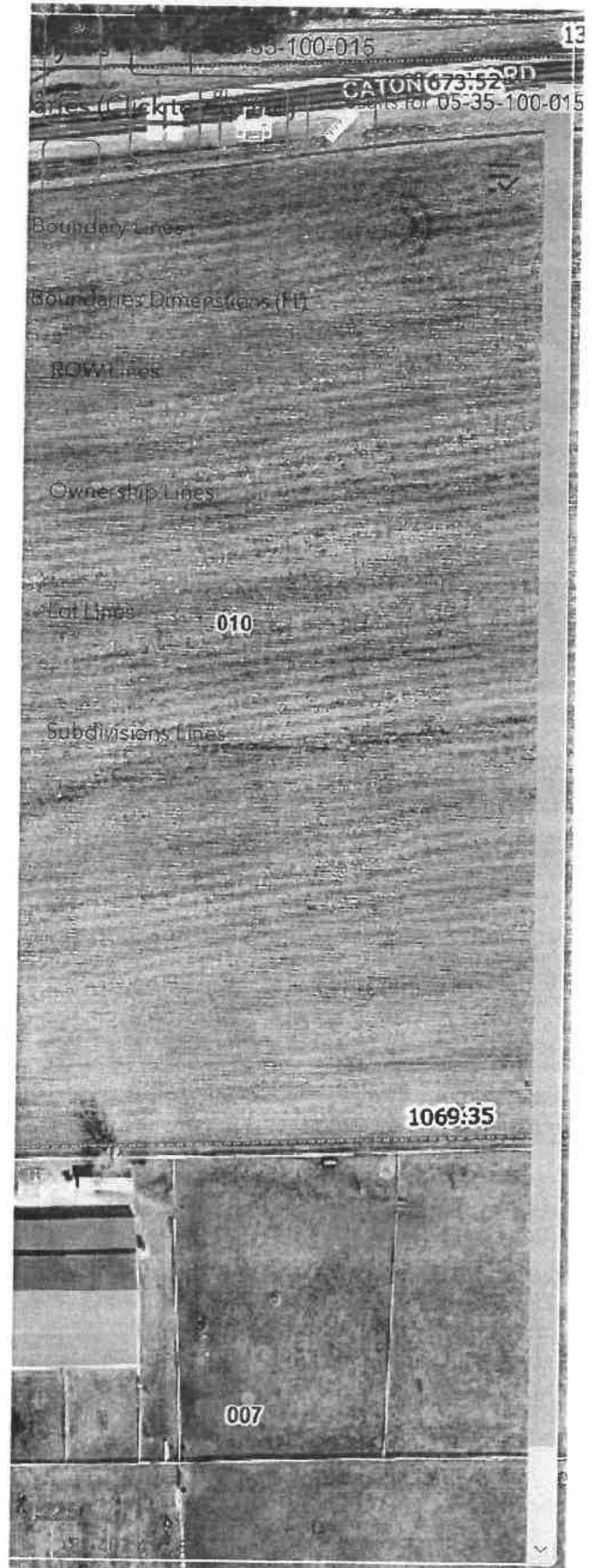
[Clear](#)

05-35-100-014

PIN 05-35-100-014
Alt PIN
Brief Legal PT N 1/2 NW 1/4 SEC 35-36-7 9.04 AC
 LYG S CATON FARM RD
Property Class 0021
Tax Code KE004
Township
Site Address
Owner Name JOHN T JR & DONNA MCKAY
 16908 ENNERDALE AVE
Owner Address
 LOCKPORT, IL 60441
Gross Acres 9.03
Homesite Acres 0.00
Farm Acres 9.03
Lot Dimensions 300 X 1312
Calculated Acreage 9.14
Farm Land \$3,410
Farm Building \$0
Non Farm Land \$0
Non Farm Building \$0
Total Assessed \$3,410
Tax Billed \$0.00
Tax Map Pages [View tax maps for this area.](#)

[Online Tax Inquiry](#)

[Zoom to](#)



Property Information		
Parcel Number 05-35-100-014	Site Address	Owner Name & Address VILLALPANDO, IVAN 7710 CATON FARM RD YORKVILLE, IL, 60560
Tax Year 2019 (Payable 2020) ▼		
Sale Status None	Neighborhood Code	Land Use
Property Class 0021 - FARMLAND	Tax Code KE004 -	Tax Status Taxable
Net Taxable Value 3,410	Tax Rate 9.195420	Total Tax \$313.56
Township Kendall Township	Acres 9.0400	Mailing Address
Tract Number	Lot Size 300 X 1312	TIF Base Value 0
Legal Description PT N 1/2 NW 1/4 SEC 35-36-7 9.04 AC LYG S CATON FARM RD		

Assessments						
Level	Homesite	Dwelling	Farm Land	Farm Building	Mineral	Total
DOR Equalized	0	0	3,410	0	0	3,410
Department of Revenue	0	0	3,410	0	0	3,410
Board of Review Equalized	0	0	3,410	0	0	3,410
Board of Review	0	0	3,410	0	0	3,410
S of A Equalized	0	0	3,410	0	0	3,410
Supervisor of Assessments	0	0	3,410	0	0	3,410
Township Assessor	0	0	3,410	0	0	3,410
Prior Year Equalized	0	0	3,200	0	0	3,200

Billing			
	1st Installment (Due 06/15/2020)	2nd Installment (Due 09/15/2020)	Totals
Tax Billed		\$156.78	\$313.56
Penalty Billed		\$0.00	\$0.00
Cost Billed		\$0.00	\$0.00
Fees/Liens/SSA Billed		\$0.00	\$0.00
Total Billed		\$156.78	\$313.56
Amount Paid		\$156.78	\$156.78
Total Unpaid		\$0.00	\$156.78
Paid By	MCKAY, JOHN T JR & DONNA		
Date Paid	6/5/2020		

No Forfeiture Information

No Exemptions

Farmland		
Land Type	Acres	EAV
CROPLAND	6.6500	3,240
OTHER FARMLAND	1.5900	160
WASTELAND - CONTRIB	0.4200	10
PUBLIC ROAD	0.3800	0
Totals	9.0400	3,410

[Click to open Farmland Details](#)


No Genealogy Information

Related Names		
OWNER	VILLALPANDO, IVAN 7710 CATON FARM RD YORKVILLE, IL 60560	
Deed Document #	2018-15954	
Mailing Flags	Tax Bill	Change Notice
	Delinquent Notice	Exemption Notice

Sales History								
Year	Document #	Sale Type	Sale Date	Sold By	Sold To	Gross Price	Personal Property	Net Price
2018	201815954	Warranty Deed	11/1/2018	JOHN T JR & DONNA MCKAY	IVAN VILLALPANDO	\$280,000.00	\$0.00	\$280,000.00

No Redemptions

Taxing Bodies		
District	Tax Rate	Extension
SCHOOL DIST CU-115	7.033800	\$239.85
BRISTOL-KENDALL FPD	0.720240	\$24.56
COUNTY	0.640880	\$21.84
JR COLLEGE #525	0.294370	\$10.04
KENDALL ROAD DISTRICT	0.252690	\$8.62
FOREST PRESERVE	0.154160	\$5.26
KENDALL TOWNSHIP	0.099280	\$3.39
TOTAL	9.195420	\$313.56



- SCHOOL DIST CU-115
- BRISTOL-KENDALL FPD
- COUNTY
- JR COLLEGE #525
- KENDALL ROAD DISTRICT
- FOREST PRESERVE
- KENDALL TOWNSHIP

Phillip D. Young and Associates, Inc.

LAND SURVEYING -- TOPOGRAPHIC MAPPING

Invoice No. 6582

March 29, 2019

Atty. Daniel J. Kramer
Law Office of Daniel J. Kramer
1107 South Bridge Street, Suite A
Yorkville, Illinois 60560

RE: PDY Job #19050

Amount due for boundary survey and location of improvements on a 9.0358-acre tract in the Northwest Quarter of Section 35, Township 36 North, Range 7 East of the Third Principal Meridian in Kendall Township, Kendall County, Illinois:

\$800.00

Please remit within 30 days.

Thank you for choosing our firm to provide you with land surveying services.

1107 South Bridge Street, Suite B -- Yorkville, Illinois 60560
Telephone (630)553-1580 -- Facsimile (630)553-1685
E-mail -- philyoung@comcast.net

Daniel J Kramer

From: Daniel J Kramer
Sent: Tuesday, July 14, 2020 3:17 PM
To: 'ATT'
Subject: FW: McKay
Attachments: doc06682620200714140459.pdf

Donna and John we are nothing if not patient and persistent. I just got back after about our 6 or 7th attempt our executed Affidavit from John Starret. Now I can finish up with the County.

Very Truly Yours,

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

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.

From: John sterrett [mailto: [REDACTED]]
Sent: Tuesday, July 14, 2020 3:04 PM
To: Daniel J Kramer [REDACTED]
Cc: masselmeier@co.kendall.il.us
Subject: RE: McKay

From: Daniel J Kramer [REDACTED]
Sent: Monday, July 13, 2020 12:30 PM
To: John sterrett < [REDACTED]>
Subject: McKay

John:

If you could please sign the attached Affidavit I know Donna McKay would greatly appreciate it.

Very Truly Yours,

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

Daniel J Kramer

From: Daniel J Kramer
Sent: Tuesday, July 14, 2020 3:09 PM
To: 'John sterrett'
Subject: RE: McKay

Categories: Red Category

John Thank you so much for taking the time to help. You did a solid for a veteran(now retired long time member of the Kendall County ZBA). Hopefully this correspondence finds you and your family healthy. Enjoy the children they grow way to fast! AgAIN THANKS FOR YOUR COURTESY.

Very Truly Yours,

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

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.

From: John sterrett [mailto: [REDACTED]]
Sent: Tuesday, July 14, 2020 3:04 PM
To: Daniel J Kramer < [REDACTED]>
Cc: masselmeier@co.kendall.il.us
Subject: RE: McKay

From: Daniel J Kramer [REDACTED]
Sent: Monday, July 13, 2020 12:30 PM
To: John sterrett < [REDACTED]>
Subject: McKay

John:

If you could please sign the attached Affidavit I know Donna McKay would greatly appreciate it.

Very Truly Yours,

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

Law Offices
of
Daniel J. Kramer

1107A S. Bridge Street
Yorkville, Illinois 60560
630-553-9500
Fax: 630-553-5764

Daniel J. Kramer

Kelly A. Helland
D.J. Kramer

July 21, 2020

Matt Asselmeier
Kendall County Senior Planner
111 W. Fox St., Rm 203
Yorkville, IL 60560

RE: Agricultural Allocation for PIN: 05-35-100-014

Dear Matt:

I am back in the office and was able to review your July 17, 2020 letter in regard to the McKay/Gengler Family.

The two places we disagree with your letter and did a lot of research that Brian Holdiman was helpful and then we were able to go back and get on a FOIA Request all the documents Tom Grant did is in reference to paragraph 7 of your letter.

Tom Grant's Clients did not use an allocation. They went through and did a historical check of the tax records and found that part of the property which they bought from the Gengler Family was a separate PIN number that was eligible for a Building Permit under the prior 20 acre Rule, not the current or more recent Allocation Rule.

Therefore we believe that there is still one Allocation which the McKay's reserved when they closed with the Villalpandos and sold them the existing home that the McKays formerly lived in adjoining this separate parcel for which Donna McKay had made sure was eligible for the allocation back with John Sterrett. Hence the reason for the Affidavits.

In light of the recent discussion you and I had about Allocations, my thought is a Buyer of a parcel does not acquire more than what is purchased. In the McKay to Villalpando transaction, the Purchaser's bought a home, barn and horse pasture. No allocation rights were retained or purchased by the Villalpandos. That is the second area where we disagree. There is no legal basis whatsoever to assume Villalpandos somehow obtained any rights to the allocation without a written Assignment to them. Second they could not use an allocation for two reasons. The first, it would violate the Kendall County Ordinance that only permits one house per lot. Second because of the Plat Act and ordinance restrictions as to road frontage, their parcel could not be divided to accommodate a second house.

We believe if you look at the Attorney Grant prepared documents on the Gengler/Lutz transaction, they did the 20 acre rule because the Gengler Family had already assigned their allocations to the McKays.

We still believe we are entitled to that allocation, not the Villalpandos in that they are totally gone because of the reservation by the McKays.

I'll see you Wednesday at the Regional Plan Commission so we can talk again there.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK:rg

🔄 Reply all | ▾ 🗑 Delete Junk | ▾ ...



Agricultural Allocation for PIN 05-35-100-014



Real estate

Today, 9:57 AM

masselmeier@co.kendall.il.us ▾

🔄 Reply all | ▾

Ltr to Matt.pdf ▾

79 KB

Download

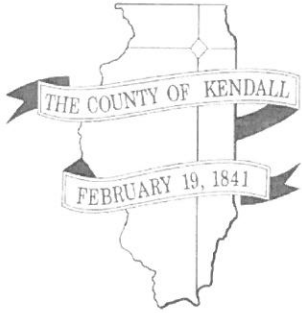
See attached.

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

Very Truly Yours,

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

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

July 21, 2020

Daniel J. Kramer
Law Offices of Daniel J. Kramer
1107 A. South Bridge Street
Yorkville, IL 60560

RE: *Agricultural Allocation for Pin: 05-35-100-014*

Dear Daniel J. Kramer:

I am in receipt of your letter dated July 21, 2020, regarding the request for an allocation for PIN 05-35-100-014. I would like to address the two (2) items of disagreement referenced in your letter.

Firstly, regarding the replacement home of PIN 05-35-100-015, I would like to clarify this property is eligible for one (1) replacement home only. If the existing home on this property were destroyed by fire or otherwise demolished, Villalpando or any successive owner could seek a replacement home permit and reconstruct one (1) house on the property, per the Kendall County Zoning Ordinance. I am totally in agreement with you that a second home could not be constructed on PIN 05-35-100-015 without a map amendment or subdivision. I apologize for any confusion in my letter of July 17, 2020, regarding the replacement home and I hope this paragraph clarifies my opinion on this matter.

Secondly, regarding the allocation assignment from the Genglers to the McKays, in your letter of July 21, 2020, you wrote, "We believe if you look at the Attorney Grant prepared documents on the Gengler/Lutz transaction, they did the 20 acre rule because the Gengler Family had already assigned their allocations to the McKays." For reference, I included the application for the Lutz allocation to this letter; I previously included the application as Exhibit B in my July 17, 2020, letter.

You are correct that the twenty (20) acre rule was invoked for the Lutz allocation. I also consider your claim that the reason the twenty (20) acre rule was invoked was because Mr. Gengler previously transferred the unused allocation to the McKays as one (1) valid possibility.

However, based on available records, the property that was split for the Lutz allocation was originally, approximately fifty-four (54) acres in size and was divided into the ten plus (10+) acre parcel now owned by Lutz and the approximately forty-three (43) acre parcel now owned by the Stanley K. and Margaret J. Gengler Trust. By invoking the twenty (20) acre rule, the Genglers could have created one (1) allocation, which Lutz used, while retaining one (1) allocation for the Stanley K. and Margaret J. Gengler Trust.


If they had used the forty (40) acre rule when the Lutz allocation occurred, no building allocation would have remained for the property now owned by the Stanley K. and Margaret J. Gengler Trust.

Based on the available information, I conclude that, if one (1) allocation remains, the ownership of that allocation is clouded between the McKays and the Stanley K. and Margaret J. Gengler Trust.

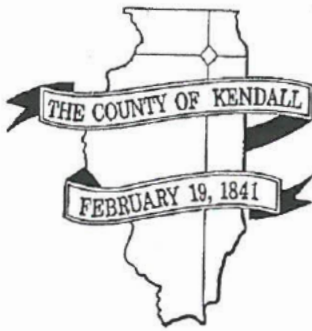
If you provided an affidavit whereby the Stanley K. and Margaret J. Gengler Trust forfeited any and all claims (implied or otherwise) on the subject allocation, I would be inclined to grant the McKay's request for the allocation.

If you have any questions or concerns about this matter, please contact me at (630) 553-4139.

Sincerely,


Matthew H. Asselmeier, AICP, CFM
Kendall County Senior Planner

Enc.: Exhibit B



DEPARTMENT OF PLANNING, BUILDING & ZONING
 111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

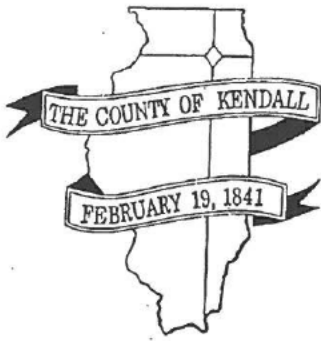
**REGISTRATION OF
 SINGLE -FAMILY BUILDING PERMIT ALLOCATION**

FILE #: 107

PETITIONER INFORMATION NAME OF PROPERTY OWNER Richard J. Lutz Patricia K. Lutz		MAILING ADDRESS [REDACTED]	CITY, STATE, ZIP [REDACTED]
PHONE # [REDACTED]	FAX # [REDACTED]	OTHER #(PAGER, CELL, ETC) cell: [REDACTED]	
SITE INFORMATION SIZE (IN ACRES) 10+ acres	SITE LOCATION Ashley Road, 1/8 mile South of Caton Farm Road	ASSESSOR'S ID NUMBER 05-35-100-007	
PROVISION IN WHICH THE PARCEL IS TO BE REGISTERED (SELECT ONE)			
<input type="checkbox"/> Any ¼ acre parcel or larger existing prior to July 17, 1959 <input type="checkbox"/> Vacant 3 acre parcel or larger existing prior to August 8, 1971 <input type="checkbox"/> Vacant 5 acre parcel or larger existing prior to August 28, 1972 <input checked="" type="checkbox"/> Vacant 20 acre parcel or larger existing prior to March 8, 1977 <input type="checkbox"/> Any parcel in excess of 40 acres may have one allocation for a single-family building permit for each 40 acres of available land.			
INFORMATION CHECKLIST:			
<input checked="" type="checkbox"/> Historical deed based on selected provision <input checked="" type="checkbox"/> Selection of Agricultural Land for Single Family Dwelling Building Permit Waiver Form <input checked="" type="checkbox"/> Current deed and legal description <input type="checkbox"/> Map showing location of the 40 acre parcels to which the allocations are to be assigned.			
NOTICE: At the time of registration, the owner will supply the PBZ office with a map identifying the location of the 40 acres to which the allocation is assigned. As each allocation is utilized, the owner will be required to identify the location within the 40 acres that the new residence will actually be built.			
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.			
SIGNATURE OF APPLICANT Richard J. Lutz		[REDACTED]	
Patricia K. Lutz		[REDACTED] 5/22/05	

FOR OFFICE USE ONLY	
Information Received Date: 5-24-05	Notes:
Approved & Verified Date: 5-27-05	Notes:
Registration Date: 5-27-05	Registered By: [REDACTED]





DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

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Fax (630) 553-4179

**WAIVER FORM FOR USE OF
AGRICULTURAL BUILDING PERMIT ALLOCATION**

I/we, Stanley K. Gengler, owner(s) of real estate in Kendall County described in the attached exhibit "A", do hereby certify to the Planning, Building and Zoning Administrator of Kendall County that the undersigned are owners of the complete and entire title to the premises, and have authority to deal in all respects with said real estate. I/we hereby waive my/our right to erect a single family dwelling on said premises, giving that right to:

Richard J. Lutz and Patricia K. Lutz
print name(s)

I/we further recognize that the Kendall County Planning, Building and Zoning Department will maintain records of parcels which have been allocated and registered for single family dwellings in the A-1 zoning district.


Signature of property owner waiving right
Stanley K. Gengler


Signature of property owner waiving right
Margaret J. Gengler



Signature of property owner waiving right _____

Subscribed and sworn to before me
this 23rd day of May, 2005



Notary Public

EXHIBIT "A"

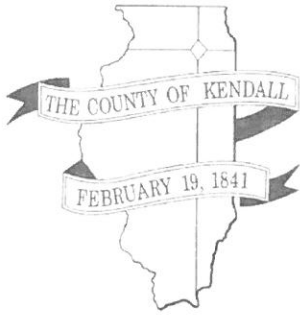
LEGAL DESCRIPTION OF PARCEL CONVEYED BY GENGLER TO HAMPTON AND SUBSEQUENTLY CONVEYED TO LUTZ:

THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1053.58 FEET; THENCE SOUTH AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 873.72 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH ALONG THE LAST DESCRIBED COURSE, 447.99 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE NORTH 89 DEGREES, 57 MINUTES, 46 SECONDS WEST ALONG SAID SOUTH LINE, 1069.24 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES, 31 MINUTES, 58 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 448.00 FEET; THENCE SOUTH 89 DEGREES, 57 MINUTES, 46 SECONDS EAST PARALLEL WITH SAID SOUTH LINE, 1063.93 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF PARCEL OF REAL ESTATE IN EXISTENCE PRIOR TO MARCH 8, 1977, CONTAINING IN EXCESS OF 20 ACRES:

THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER FOR THE POINT OF BEGINNING; THENCE EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1053.58 FEET; THENCE SOUTH AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 873.72 FEET TO A POINT; THENCE CONTINUING SOUTH ALONG THE LAST DESCRIBED COURSE, 447.99 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE NORTH 89 DEGREES, 57 MINUTES, 46 SECONDS WEST ALONG SAID SOUTH LINE, 1069.24 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES, 31 MINUTES, 58 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

C:\Shared 2005\Real Estate.2005\lutz.legaldescription.doc



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

July 17, 2020

Daniel J. Kramer
Law Offices of Daniel J. Kramer
1107 A. South Bridge Street
Yorkville, IL 60560

RE: *Agricultural Allocation for Pin: 05-35-100-014*

Dear Daniel J. Kramer:

On July 15, 2020, the Kendall County Planning, Building and Zoning Department received an application for an allocation for a single-family home on property zoned A-1 Agricultural located on the property identified by Parcel Identification Number 05-35-100-014 in Kendall Township. The application was submitted by you on behalf of your clients, John and Donna McKay, owners of 05-35-100-014.

The following facts were evaluated when considering this application:

1. All parties agree that parcel 05-35-100-014 was originally part of an eighty (80) acre farm owned at one (1) time by Stan Gengler.
2. Based available records, the eighty (80) acre farm was split into five (5) parcels:
 - a. 05-35-100-007 owned by Lutz
 - b. 05-35-100-010 owned by a Gengler Trust
 - c. 05-35-100-014 owned by McKay
 - d. 05-35-100-015 owned by Villalpando
 - e. 05-35-100-013 owned by MacFarlane
3. According to Kendall County's records, one (1) existing home, constructed in 1912, is located on 05-35-100-015.
4. Pursuant to Section 7.01.C.18 of the Kendall County Zoning Ordinance, the eighty (80) acre farm would be entitled to two (2) residential allocations plus one (1) additional allocation for a replacement home.
5. While not yet allocated, the replacement home allocation would be granted upon request to the owner of 05-35-100-015 (Villalpando) because that is the property where the home is located.
6. According to the building permit file for Permit 01-91-183, Stan Gengler knowingly used one (1) allocation for the construction of the home on parcel 05-35-100-013 (MacFarlane), see Exhibit A.

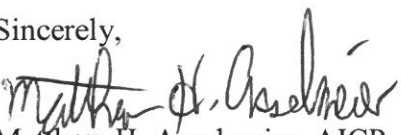
7. According to Registration 107, dated May 2005, Stan Gengler registered and transferred one (1) allocation to Lutz for the construction of the house on 05-35-100-007, see Exhibit B.
8. Donna McKay provided an affidavit, dated March 18, 2019, stating that at the time of closing (July 1971), she and her husband obtained a form from the Gengler family indicating that one (1) of the allocations had been transferred to her and her husband, Ms. McKay can no longer locate the form.
9. According to Kendall County records, 05-35-100-014 and 05-35-100-015 were created in 2001. Pursuant to Section 7.01.C.18 of the Kendall County Zoning Ordinance, neither parcel meets the requirements to have an allocation based solely on parcel age and size.
10. John Sterrett provided an affidavit, dated July 14, 2020, in support of the requested allocation by the McKays. However, he does not recall a specific conversation regarding the allocation and states “That as a matter of course I would have checked our County Planning, Building and Zoning records and would have found that there were two allocations registered and **if** (emphasis added) one had been assigned to her and her Husband I would have no reason not to believe she was entitled to use the allocation that had been assigned to her.” No written records exist in the Planning, Building and Zoning Department assigning one (1) allocation to the McKays for 05-35-100-014 or 05-35-100-015.
11. While we have no reason to believe that members of the Gengler family and the McKays had conversations regarding a residential housing allocation for 05-35-100-014, no known written records presently exist of Stan Gengler transferring an allocation to the McKays.

Accordingly, based on the above facts, the Kendall County Planning, Building and Zoning Department hereby denies the application for a single-family residential allocation for parcel 05-35-100-014.

The Kendall County Future Land Use Map classifies 05-35-100-014 as Countryside Residential. Based on this fact, the Kendall County Planning, Building and Zoning Department would be in favor of the McKays pursuing a map amendment rezoning this property to R-1, if they wished to construct a house on the property.

If you have any questions or concerns about this matter, please contact me at (630) 553-4139.

Sincerely,



Matthew H. Asselmeier, AICP, CFM
Kendall County Senior Planner

Encs: Exhibit A
Exhibit B

KENDALL COUNTY BUILDING PERMIT APPLICATION



*****OFFICE USE ONLY*****

PERMIT FEES	PLUMBING FEES	OTHER FEES
Building <u>14.30</u>	Under Floor <u>20.00</u>	Land Cash _____
Plot Plan <u>20.00</u>	Rough <u>20.00</u>	Parks _____
Footing <u>20.00</u>	Final <u>20.00</u>	TOTAL DUE _____
Backfill <u>20.00</u>		DATE PAID _____
Frame/Wiring <u>20.00</u>	TOTAL DUE <u>279.30</u>	CHECK # _____
Final <u>20.00</u>	DATE PAID <u>7-26-91</u>	PERMIT NO. <u>1-91-183</u>
Occupancy <u>5.00</u>	CHECK # <u>2208</u>	& SEPTIC NO. <u>91-109105</u>
Zoning <u>A1</u> Address <u>7600 CATON FARM ROAD - YORKVILLE</u>		

- | | |
|---|--|
| 1. Plot Plan _____ Date <u>7-17-91</u> | 6. Under Floor _____ Date <u>8-14-91</u> |
| 2. Footing _____ Date <u>8-2-91</u> | 7. Rough Plbg _____ Date <u>7-12-91</u> |
| 3. Backfill _____ Date <u>8-9-91</u> | 8. Final Plbg _____ Date <u>7-26-91</u> |
| 4. Frame/Wiring _____ Date <u>9-12-91</u> | 9. W & S Final _____ Date <u>7-25-91</u> |
| 5. Final _____ Date <u>11-26-91</u> | Assessor's ID <u>05-35-100-002</u> |

PERMIT APPROVED BY _____ Date 7-19-91

TO BE FILLED OUT BY APPLICANT:
Location to nearest intersection: on Caton Farm 1/3 mile East of Ashley Rd

Subdivision: N/A Unit _____ Block _____ Lot _____
Type and Use of Building: Single Family Dwelling (FARM ALLOCATION)

PERSON RESPONSIBLE FOR OBTAINING INSPECTIONS: OWNER BDR OTHER _____

Estimated cost of construction: 140,000
Square footage of building/addition (include everything under roof)
1st floor 4,000 2nd floor 1,000 Basement 1,000 Garage 600
Porch 210 No. of bedrooms 3 No. of baths 2 1/2
Roofing Contractor # 104 003217 Plumber License # 11900 Holladay
Homes by Holmes 815-467-5788 815-725-2928

The below signer, declares that all the above and all the attached information is correct and that he/she is the owner or duly authorized by the owner to make the above application and agreement and will be responsible for obtaining all inspections, and agrees, in consideration of and upon issuance of a Building or Use Permit, to do or allow to be done only such work as herewith applied for, and that such premises and its existing and proposed building, or structures shall be used or allowed to be used for only such purposes as are set forth and attached or other uses permitted in the districts. Any misrepresentation herein or construction or use in violation of a Building or Use Permit will result in revocation of the permit and criminal prosecution.

BUILDER (print) Homes By Holmes OWNER (print) Paul A. and Joan M. Pocius
ADDRESS 10605 N. Tabler ADDRESS _____
CITY, STATE, ZIP Morris, IL 60450 CITY, STATE, ZIP _____
TELEPHONE 815 467-5788 TELEPHONE _____

PROPOSED CONSTRUCTION STAKED? YES NO IN FLOOD PLAIN? YES NO

Signature _____ Date 7/18/91

#1-91-183

REC-1-10

THE GRANTOR S. HOWARD F. GENGLER AND OCTA A. GENGLER, Each in Their Own Right and as Husband and Wife

of the Town of Na-Au-Say County of Kendall State of Illinois

for and in consideration of the sum of Ten Dollars and other valuable consideration in hand paid Convey... and Warrant to Stanley E. Gengler

of the Town of Kendall County of Kendall State of Illinois

the following described Real Estate, to-wit:

Undivided one-half of: The North half (N $\frac{1}{2}$) of the Northwest quarter (NW $\frac{1}{4}$) of Section 35, Township 36 North, Range 7 East of the Third Principal Meridian, excepting therefrom .94 of an acre heretofore conveyed by Deed recorded in Book 47 at Page 326 in the Recorder's office of Kendall County, Illinois, containing 79 acres in Kendall County, Illinois



situated in the Town of Kendall County of Kendall in the State of Illinois, hereby releasing and waiving rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Howard F. Gengler [SEAL] Octa A. Gengler [SEAL]
[SEAL] [SEAL]
[SEAL] [SEAL]

I, the undersigned, a Notary Public in, and for said County and State aforesaid, DO HEREBY CERTIFY that

Howard F. Gengler and Octa A. Gengler, each in their own right and as husband and wife



whom name... subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that... signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and Notarial seal, this 6th day of April, A. D. 1962. [SEAL]

Document No. 140663 Filed for record in Recorder's Office of Kendall County, Illinois.

Recorded in Book 128, at 3 o'clock P.M. February 15, 1963 Page 684

Recorder of Deeds. COMPARED

Exhibit A

Name of Owner Paul and Joan Pocius Permit No. 1-91-183

Location 7600 Caton Farm Road - Section 35 Kendall Township

CERTIFICATE OF OCCUPANCY
COUNTY OF KENDALL
DEPARTMENT OF BUILDING & ZONING

COPY

Charge \$ 5.00 - Pd.

Date November 26 1991

This is to certify that the building and use thereof, has been inspected and found to comply with the ordinance of Kendall County, relating to Building and Zoning.

Land or Building used for prior to certificate application was vacant

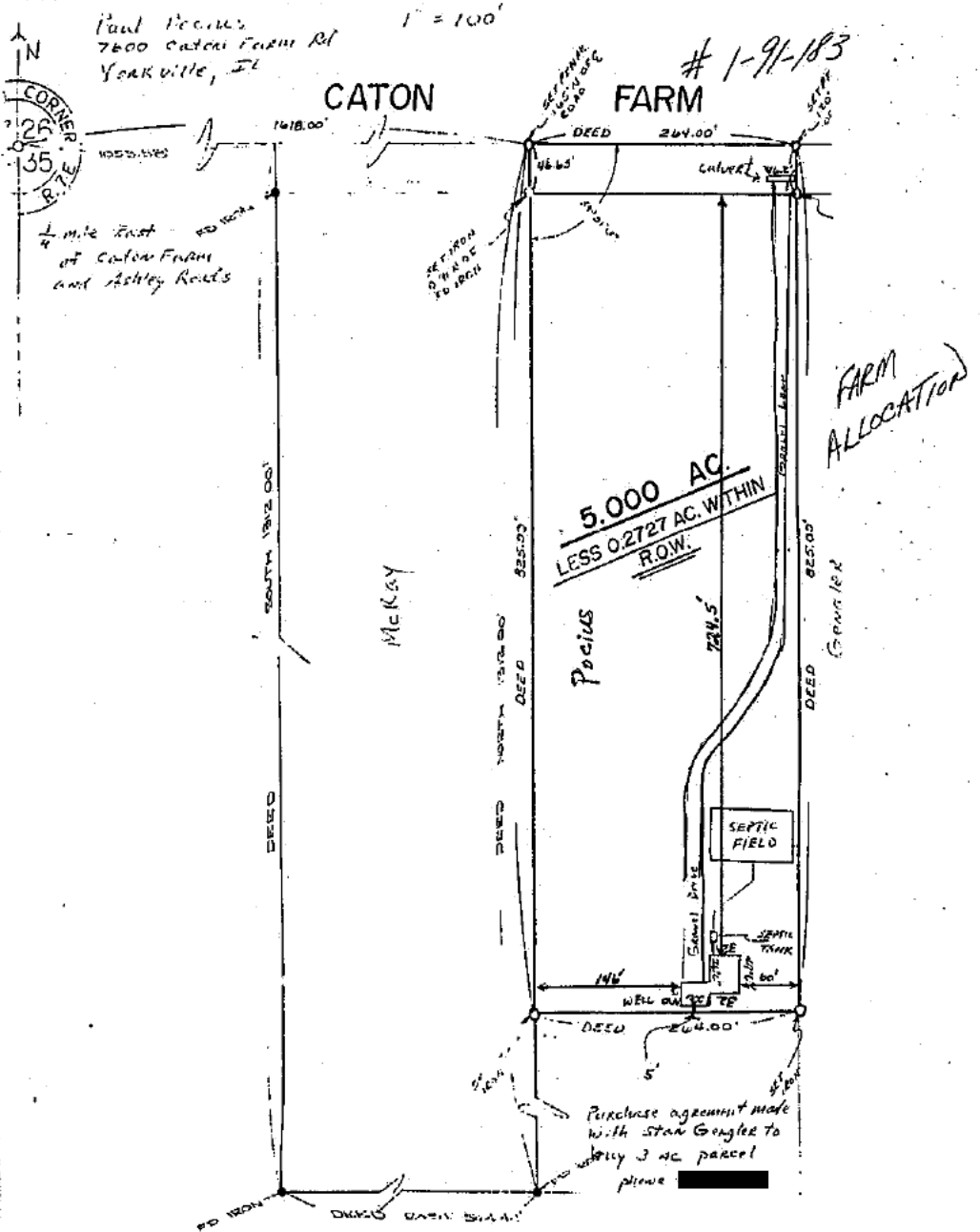
Land or Building to be used for single family dwelling


Building Officer

NOTE: A new certificate is required if the USE of the building or premises is changed, or if alterations are made to the building property described.

A new certificate voids any certificate of prior date.

Exhibit A



STATE OF ILLINOIS
) SS
 COUNTY OF KERDALL

THIS IS TO CERTIFY TO STAN GEYLER
 LAND SURVEYOR IN AFORESAID CO.
 PROPERTY HEREON DESCRIBED AND
 OF SAID SURVEY.

Pocius
1-91-183

FARM ALLOCATED

MOORE
11000S

CATON

FARM

STANLEY
K.
Bengler

104

62.06

McKay

103

17.00

77.10

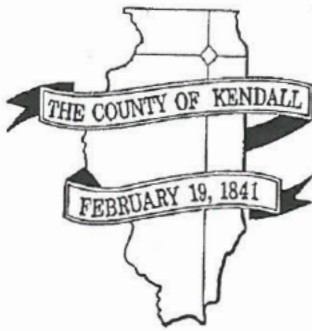
11414

Meadow Creek Farms, Inc.
Chester Scott

102

160.00

ROAD



DEPARTMENT OF PLANNING, BUILDING & ZONING
 111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

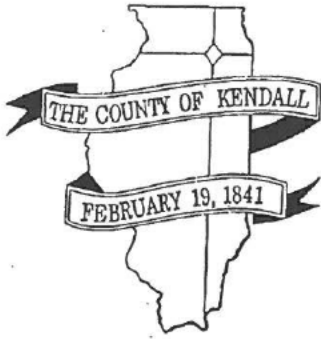
**REGISTRATION OF
 SINGLE -FAMILY BUILDING PERMIT ALLOCATION**

FILE #: 107

PETITIONER INFORMATION		MAILING ADDRESS		CITY, STATE, ZIP	
NAME OF PROPERTY OWNER Richard J. Lutz Patricia K. Lutz		[REDACTED]		[REDACTED]	
PHONE # [REDACTED]		FAX # [REDACTED]		OTHER #(PAGER, CELL, ETC) cell: [REDACTED]	
SITE INFORMATION		SITE LOCATION		ASSESSOR'S ID NUMBER	
SIZE (IN ACRES) 10+ acres		Ashley Road, 1/8 mile South of Caton Farm Road		05-35-100-007	
PROVISION IN WHICH THE PARCEL IS TO BE REGISTERED (SELECT ONE)					
<input type="checkbox"/> Any ¼ acre parcel or larger existing prior to July 17, 1959 <input type="checkbox"/> Vacant 3 acre parcel or larger existing prior to August 8, 1971 <input type="checkbox"/> Vacant 5 acre parcel or larger existing prior to August 28, 1972 <input checked="" type="checkbox"/> Vacant 20 acre parcel or larger existing prior to March 8, 1977 <input type="checkbox"/> Any parcel in excess of 40 acres may have one allocation for a single-family building permit for each 40 acres of available land.					
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<input checked="" type="checkbox"/> Historical deed based on selected provision <input checked="" type="checkbox"/> Selection of Agricultural Land for Single Family Dwelling Building Permit Waiver Form <input checked="" type="checkbox"/> Current deed and legal description <input type="checkbox"/> Map showing location of the 40 acre parcels to which the allocations are to be assigned.					
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I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.					
SIGNATURE OF APPLICANT					
[Signature]		[Signature]		5/22/05	
Richard J. Lutz		Patricia K. Lutz			

FOR OFFICE USE ONLY	
Information Received Date: 5-24-05	Notes:
Approved & Verified Date: 5-27-05	Notes:
Registration Date: 5-27-05	Registered By: [REDACTED]





DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141


Fax (630) 553-4179

**WAIVER FORM FOR USE OF
AGRICULTURAL BUILDING PERMIT ALLOCATION**

I/we, Stanley K. Gengler, owner(s) of real estate in Kendall County described in the attached exhibit "A", do hereby certify to the Planning, Building and Zoning Administrator of Kendall County that the undersigned are owners of the complete and entire title to the premises, and have authority to deal in all respects with said real estate. I/we hereby waive my/our right to erect a single family dwelling on said premises, giving that right to:

Richard J. Lutz and Patricia K. Lutz
print name(s)

I/we further recognize that the Kendall County Planning, Building and Zoning Department will maintain records of parcels which have been allocated and registered for single family dwellings in the A-1 zoning district.


Signature of property owner waiving right
Stanley K. Gengler


Signature of property owner waiving right
Margaret J. Gengler



Signature of property owner waiving right _____

Subscribed and sworn to before me
this 23rd day of May, 2005



Notary Public

EXHIBIT "A"

LEGAL DESCRIPTION OF PARCEL CONVEYED BY GENGLER TO HAMPTON AND SUBSEQUENTLY CONVEYED TO LUTZ:

THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1053.58 FEET; THENCE SOUTH AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 873.72 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH ALONG THE LAST DESCRIBED COURSE, 447.99 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE NORTH 89 DEGREES, 57 MINUTES, 46 SECONDS WEST ALONG SAID SOUTH LINE, 1069.24 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES, 31 MINUTES, 58 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 448.00 FEET; THENCE SOUTH 89 DEGREES, 57 MINUTES, 46 SECONDS EAST PARALLEL WITH SAID SOUTH LINE, 1063.93 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF PARCEL OF REAL ESTATE IN EXISTENCE PRIOR TO MARCH 8, 1977, CONTAINING IN EXCESS OF 20 ACRES:

THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER FOR THE POINT OF BEGINNING; THENCE EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1053.58 FEET; THENCE SOUTH AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 873.72 FEET TO A POINT; THENCE CONTINUING SOUTH ALONG THE LAST DESCRIBED COURSE, 447.99 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE NORTH 89 DEGREES, 57 MINUTES, 46 SECONDS WEST ALONG SAID SOUTH LINE, 1069.24 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES, 31 MINUTES, 58 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

C:\Shared 2005\Real Estate.2005\lutz.legaldescription.doc

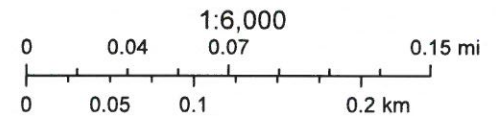
Kendall County Web GIS



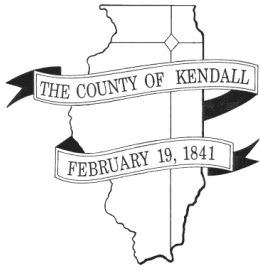
October 8, 2020

Parcels

parcel



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**KENDALL COUNTY
NOXIOUS WEED ANNUAL REPORT
2020**

As required by the Illinois Noxious Weed Law (505 ILCS 100), the County of Kendall submits the following Annual Report from November 1, 2019 to October 31, 2020.

During the reporting period:

1. Kendall County sent letters to each township and municipality located within Kendall County asking that they report noxious weed cases and investigations to the Kendall County Planning, Building and Zoning Department. A copy of the letter is attached.
2. The Village of Oswego provided a report of their noxious weed investigations. A copy of this report is attached.
3. Kendall County received zero (0) complaints of noxious weeds within the County.
4. Kendall County received (0) requests for assistance in the investigation of noxious weed infestations.
5. Kendall County eradicated zero (0) acres of noxious weeds.
6. Kendall County quarantined zero (0) acres of property.
7. Kendall County received zero (0) requests for advice from persons responsible for controlling and eradicating noxious weeds.
8. Kendall County published zero (0) notice to individuals regarding noxious weeds.
9. Kendall County published the General Notice in the Kendall County Record on February 27, 2020. A copy of the Certificate of Publication is attached.
10. Kendall County prepared and adopted a Comprehensive Work Plan for 2021.
11. Kendall County cooperated, when requested, with Federal, State and local authorities in carrying out the provisions of the Illinois Noxious Weed Law.

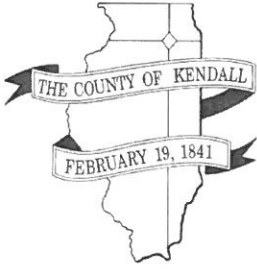
This Noxious Weed Annual Report was approved by the Kendall County Board on November 17, 2020.

Respectively Submitted,

Scott R. Gryder
Kendall County Board Chairman

Date

Encs: September 2, 2020 Letter to Municipalities and Townships
Oswego Investigation Report
General Notice Certificate of Publication



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

September 2, 2020

RE: Illinois Noxious Weed Law

Dear Township Supervisors and Mayors:

Kendall County is preparing to work on its annual report and comprehensive work plan as required by the Illinois Noxious Weed Law (505 ILCS 100). In order to comply with State law, we request that you inform us of any noxious weed cases that you received over the last twelve months, the location of the complaint and if the complaint was resolved. Please send this information to Matthew Asselmeier, Kendall County Senior Planner, 111 W. Fox Street, Yorkville, IL 60560 or masselmeier@co.kendall.il.us by **October 2, 2020**.

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

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

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

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board

Enc: List of Noxious Weeds

Section 220.60 Noxious Weeds

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

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

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



100 Parkers Mill Oswego, IL 60543 (630) 554-3618 Fax: (630) 554-3306
Website: <http://www.oswegoil.org>

Matthew Asselmeier
111 W. Fox Street
Yorkville, IL 60560

Regarding Illinois Noxious Weed Law (505 ILCS 100).

Pin 03-17-278-008 / resolved
101 Seton Creek Dr. / resolved
108 Chicago Rd. / resolved
110 S. Fox Chase Dr. resolved
117 seton Creek Dr. resolved
150 Wilson Pl. / resolved
152 N. Adams St. / resolved
18 Crofton Rd. / resolved
1925 Wiesbrook Dr. / resolved
1945 Wiesbrook Dr. / resolved
223 Paradise Pkwy. / resolved
311 White Pines Ln. / resolved
313 White Pines Ln. / resolved
315 White Pines Ln. / resolved
317 White Pines Ln. / resolved
321 Millstream Ln. / resolved
331 Prairieview Dr. / resolved
337 Persimmon Ln. / Not resolved
401 Sunshine Ct. / resolved
415 Richmond Ct. / resolved
418 Ogden Falls Blvd./ resolved
5050 Half Round Rd. / resolved
507 N. Avon Ct. / resolved
5280 Goldenrod Dr. resolved
536 Parkview Ct. / resolved
608 Plymouth Ct. / resolved
629 Charlotte Ln. / resolved
709 Mansfield Ct. / resolved
714 Blossom Ct. / resolved
904 Bison Ct. / Not resolved
916 Bison Ct. / Not resolved
920 Bison Ct. Not resolved
922 Bison Ct / resolved
924 Bison Ct. / Not resolved
926 Bison Ct. / resolved
Pin 03-21-302-001
056,055,054,053,046,045,044,043,042,041,040,039,038,037,036,035,032,031,030,029,028,02

7,021,020,019,018,017,016,015,014,013,012,011,010,009,008,007,067,068,069,070,071,072,
073,074,075,076,077,078,079,080,081,082,083,084,085,086,087,088,089,090,091,092,093,09
4,095,096,097,098,099,100,102,103,104,105,106,107,108,109,110,111,112,113,114 resolved.

Pin 03-21-328-001
002,003,004 resolved.

Pin 03-21-301-052
051,052,049,048,047,046,045,044,043,042,041 resolved.

Pin 03-21-301-015
016,017,018,019,020,021,022,023,024,025,026,027 resolved.

Pin 03-21-303-011
012,013,014,015,016,017,018,019,020,021,022,023 resolved.

Pin 03-21-304-001
002,003,004,005,006,007,008,009,010,011,012 resolved

Pin 03-21-329-002
003,004,005,006,007,008,009,010,011,012,013,014,015,016,017,018,019 resolved

1630 Rt 34 resolved
1700 rt 34 resolved

Please let me know if you should have any questions

Hector Justiz

hjustiz@oswegoil.org
Code Compliance Officer
Building Inspector

SHAW MEDIA
PO BOX 250
CRYSTAL LAKE IL 60039-0250
(815)459-4040

ORDER CONFIRMATION (CONTINUED)

Salesperson: BARBARA BEHRENS

Printed at 02/20/20 16:38 by bbeh-sm

Acct #: 10101009

Ad #: 1754194

Status: New

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN PURSUANT TO THE "ILLINOIS NOXIOUS WEED LAW" to the owners, occupants, agents and public officials in charge or control of any land in Kendall County that they are required to control or eradicate all NOXIOUS WEEDS growing upon land under their control prior to the blooming, maturing of seed or other propagating of such weeds.

NOXIOUS WEEDS:

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

NOTICE IS FURTHER GIVEN that if the persons responsible for the control of any lands in Kendall County fail to comply with the provisions of the Illinois Noxious Weed Law the Control Authority of Kendall County or the Department of Agriculture of the State of Illinois will take any necessary action to control or eradicate such weeds and the cost thereof will be assessed against the owner of the land involved. If unpaid for 6 months or longer, such assessment shall become a lien upon the property.

Date at Yorkville, Kendall County, Illinois, this 18th day of February 2020

Signed: Scott R. Gryder
Kendall County Weed Control Authority

(Published in Kendall County Record February 27, 2020)
1754194

PARKING ORDINANCE

75-8

WHEREAS, problems have occurred with regard to the visibility on roadways within Boulder Hill, Kendall County, Illinois as a result of the parking of large vehicles thereon; and

WHEREAS, said problem has resulted in a dangerous condition affecting the safety of motorists and pedestrians in Boulder Hill; and

WHEREAS, it is in the interest of the protection of life and property that parking on the various streets of Boulder Hill be restricted.

NOW, THEREFOR, BE IT ORDAINED that no vehicle of the second division as defined in the Illinois Vehicle Code, except trailers less than 10 feet in length and pick-up trucks, be permitted to park on the following described streets in Boulder Hill, Oswego Township, Kendall County, Illinois:

AFTON DRIVE	DENHAM DRIVE	POMEROY ROAD
ALDON COURT WEST	DURANGO ROAD	PUEBLO ROAD
ALDON ROAD	EASTFIELD ROAD	RIDGEFIELD ROAD
AMESBURY ROAD	EASTWAY DRIVE	ROCKY WAY
ASH LAWN AVENUE	FERNWOOD ROAD	ROULOCK ROAD
BARCLAY COURT	FIELDCREST DRIVE	SAUGATUCK ROAD
BEAUWICK DRIVE	FIELDPOINT ROAD	SCARSDALE ROAD
BEREMAN ROAD NORTH	GARDENS DRIVE	SENECA DRIVE
BEREMAN ROAD SOUTH	GENTILLY DRIVE	SHEFFIELD ROAD
BIRCHWOOD COURT	GLADSTONE COURT	SHERMEAD ROAD
BOULDER HILL PASS	GREENBRIAR ROAD	SIERRA ROAD
BRAEBURN DRIVE	GREENFIELD ROAD	SOMERSET DRIVE
BRIARCLIFF ROAD	GUILFORD ROAD	SONORA DRIVE
BRIGHTON WAY	HAMPTON ROAD	SOUTH EAST RIVER ROAD
CAYMAN COURT	HEATHGATE ROAD	SPRINGDALE ROAD
CAYMAN DRIVE	HILLCREST COURT	SPRING GARDEN DRIVE
CEBOLD DRIVE	HILLSTONE ROAD	STRATFORD ROAD
CHATHAM PLACE	HUBBARD WAY	SURREY ROAD
CIRCLE COURT	INGLESHIRE COURT	TEALWOOD ROAD
CIRCLE DRIVE EAST	INGLESHIRE ROAD	WEDGEBINE COURT
CIRCLE DRIVE WEST	KNOLLWOOD DRIVE	WEMBLEY ROAD
CLAY COURT	LONG BACH ROAD	WESTLEIGH COURT
CODORUS ROAD	MARNEL ROAD	WHITNEY WAY
CRESENT COURT	OLD POST ROAD	WINROCK ROAD
CRESTWOOD COURT	PADDOCK STREET	WOODCLIFF DRIVE
CREVE COURTE	PEMBROOK ROAD	WOODRIDGE ROAD
CULVER ROAD	PENDLETON PLACE	WYNDHAM DRIVE
CURTMAR COURT	PICKFORD ROAD	YEADON DRIVE

ADOPTED, APPROVED AND PASSED this 10th day of November, 1975

/s/
Chairman, Kendall County Board

Attest: /s/ Jean P. Brady
Clerk

Matt Asselmeier

From: Greg Chismark <gchismark@wbkengineering.com>
Sent: Tuesday, October 20, 2020 7:33 PM
To: Matt Asselmeier
Cc: Scott Koeppel; Matthew G. Prochaska
Subject: RE: [External]RE: 3 Foot Rule

Matt,

Requiring permits for less than one acre disturbed is common in most other county stormwater ordinances. In fact the typical value is 5,000 square feet. What would not be common is to regulate disturbance based on zoning classification. From a pure technical standpoint disturbance is disturbance regardless of zoning classification.

Greg

Greg Chismark P.E.

President

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 <masselmeier@co.kendall.il.us>
Sent: Friday, October 16, 2020 10:10 AM
To: Greg Chismark <gchismark@wbkengineering.com>
Cc: Scott Koeppel <skoeppel@co.kendall.il.us>; Matthew G. Prochaska <mprochaska@co.kendall.il.us>
Subject: Re: [External]RE: 3 Foot Rule

What about requiring permits on residentially zoned property when less than 1 acre is disturbed? Can the County make that figure lower? I know 1 acre is pretty common practice.

Thanks,

From: Greg Chismark <gchismark@wbkengineering.com>
Sent: Friday, October 16, 2020 10:05 AM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>
Cc: Scott Koeppel <skoeppel@co.kendall.il.us>; Matthew G. Prochaska <mprochaska@co.kendall.il.us>
Subject: [External]RE: 3 Foot Rule

Matt,

I believe it is entirely at the County's discretion to revise the ordinance. I am not sure what is driving this potential change but it could result in a lot of work for County staff regulating minor grading and landscape activities on residential lots. As you know these can get a bit contentious and take time and effort to resolve.

Greg

Matt Asselmeier

From: Greg Chismark <gchismark@wbkengineering.com>
Sent: Friday, October 23, 2020 7:44 AM
To: Matt Asselmeier
Subject: [External]RE: Topographical update

Matt,

First of all I think this is really cool. The availability of data and ability to compare surfaces across a County is amazing. I looked at the accuracy for the 2018 LIDAR and I believe it to be 1 foot. That is good for aerial topo.

I spent a few minutes and went to some of the projects I am aware of changes like Fox Metro and Harvest Baptist Church and see the changes represented. I went to some of the single family lot issues like 84 Woodlands and 56 Riverside and did not see a change. There could be a variety of reasons but tells me that on any small or single family area the comparison could be a good indication but is not definitive.

The question is how can this be used and what is the County's goal?

If the County is being asked to monitor all surface elevations for the purpose of finding violation or to use this data to substantiate a violation, I think it is an indicator but cannot be used without ground survey or photo documentation that is definitive. In other words, this data, with plus or minus 1' accuracy is not good enough alone. If each data set has a contour that could be 1' off the aggregate error could be 2 feet.

I would be interested in comparing the grade changes within the floodplain for the purpose of protecting the floodplain.

Those are my initial thoughts. Meagan has done a great job on this!

Greg

Greg Chismark P.E.

President

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 <masselmeier@co.kendall.il.us>
Sent: Thursday, October 22, 2020 1:59 PM
To: Greg Chismark <gchismark@wbkengineering.com>
Cc: Scott Koeppel <skoeppel@co.kendall.il.us>
Subject: FW: Topographical update

Greg:

As you know, the County has received complaints for not having much available data in some stormwater cases.

The GIS Department has created the maps in the following email. Please review and let me know your comments.

Thanks,

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

2020 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
20-001	JK Property,% Calder	05-21-300-002	9923 Walker Rd		Multiple Violations - No permits	11/7/2019	1/13/2020			3/9/2020
20-002	Graves	04-22-300-005	9312 Millbrook Rd		Zoning Setback violations	12/3/2019	12/16/2019			12/17/2019
20-003	Gonzalez	03-09-152-019	14 Ridgefield Rd.	Boulder Hill	Prohibited RV/trailer parking	12/4/2019	12/23/2019			12/24/2019
20-004	Cadena	03-03-352-004	140 Saugatuck Rd	Boulder Hill	Prohibited Banner Sign	12/11/2019	12/25/2019			12/30/2019
20-005	Municipal Bank%Besiri Adil	02-35-413-014	Audrey & Gilda Ct	FOFC	Prohibited Sign	12/11/2019	2/1/2020			3/16/2020
20-006	Municipal Bank%Besiri Adil	02-35-301-007	Fields Dr	FOFC	Prohibited Sign	12/11/2019	2/1/2020			3/16/2020
20-007	Johnson	03-04-477-025	54 Springdale Rd.	Boulder Hill	Prohibited Trailer parking	12/17/2019	1/31/2020			1/30/2020
20-008	Franzen	03-05-454-027	14 Scarsdale Rd.	Boulder Hill	Prohibited Boat parking	12/26/2019	2/18/2020			2/25/2020
20-009	Navarro	03-12-100-002	1026 Harvey Rd		Multiple Violations	11/26/2019	2/27/2020			7/6/2020
20-010	Drake	05-18-300-005	8751 C.E. Highpoint Rd	Highpoint Hills	Operating Business in R-2	1/28/2020	3/6/2020			
20-011	Kubica Wleslaw	03-04-408-003	106 Tealwood Rd	Boulder Hill	Prohibited Commercial truck	1/31/2020	2/29/2020			3/11/2020
20-012	Chamberlain	03-05-454-028	3 Creve Ct.	Boulder Hill	Prohibited Trailer parking	1/31/2020	2/14/2020			2/4/2020
20-013	Robles	03-04-277-019	251 Fernwood Rd	Boulder Hill	Prohibited Commercial Vehicle	2/20/2020	3/5/2020			3/11/2020
20-014	Crisci	01-05-203-003	16388 Galena Rd		Prohibited Storage Business	3/4/2020	3/18/2020			8/5/2020
20-015	ERB Properties LLC	09-13-400-006	276 Route 52		Multiple Zoning Violations	3/6/2020	4/5/2020			5/6/2020
20-016	Campos	03-08-303-001	117 Dolores St.	Shore Heights	Prohibited Trailer parking	3/3/2020	3/26/2020			6/10/2020
20-017	Henn	03-08-280-008	16 Ceboad Dr.	Boulder Hill	Prohibited Trailer parking	3/18/2020	4/24/2020			6/11/2020
20-018	Fox Valley Homes LLC	03-05-404-007	114 Boulder Hill Pass	Boulder Hill	Inoperable Vehicle	3/18/2020	4/1/2020			10/29/2020
20-019	Stukas	03-05-428-002	29 Circle Dr. E	Boulder Hill	Inoperable Vehicle	3/19/2020	4/2/2020			6/10/2020
20-020	Ortiz	03-04-303-008	42 Circle Dr. E	Boulder Hill	Inoperable Vehicle	3/19/2020	4/2/2020			3/25/2020
20-021	Evans	03-04-278-035	134 Heathgate Rd	Boulder Hill	Inoperable Vehicle	3/19/2020	4/2/2020			6/10/2020
20-022	Wargo	03-04-477-038	80 Springdale Rd	Boulder Hill	Junk & Debris	3/19/2020	4/2/2020			6/10/2020
20-023	Kubica Wleslaw	03-04-408-003	106 Tealwood Dr	Boulder Hill	Prohibited semi tractor parking	3/19/2020	4/2/2020			6/10/2020
20-024	Velasquez	01-20-352-018	84 Woodland Dr	Sugarbrook Estates	Stormwater & Junk and Debris	4/28/2020	5/29/2020			8/25/2020
20-025	Sec of Veteran Affairs	05-05-103-002	14 Maple Street	Fox Lawn	Multiple Violations	6/15/2020	12/31/2020			7/31/2020
20-026	Niles	08-02-402-002	94 Pletcher Dr	Plattville	Stormwater/Culvert built	7/17/2020	9/22/2020			10/21/2020
20-027	Hansel Ridge, LLC	09-13-200-002	195 Route 52		Multiple Violations	7/22/2020	8/22/2020			8/28/2020
20-028	King	03-04-378-039	43 Saugatuck Rd	Boulder Hill	Fence Violation	7/30/2020	8/29/2020			8/28/2020
20-029	Antich	03-27-301-002	3195 Plainfield Rd		Sign - No permit	7/24/2020	9/3/2020			9/2/2020
20-030	Braves%Jarrett Realty	03-08-230-005	38 Old Post Rd	Boulder Hill	Pool - No permit	8/20/2020	10/23/2020			10/20/2020
20-031	Ramirez	06-14-200-003	1152 Route 126		Deck - No permit	8/20/2020	10/23/2020			10/20/2020
20-032	Gates / Cox Landscaping	02-27-151-003	9000 Route 34	Bakers	Possible Landscaping Business	8/20/2020	10/19/2020			9/28/2020
20-033	Oliver/Balog	03-26-300-007	Lot 22		Stormwater Violation	9/16/2020	10/19/2020			10/16/2020
20-034	Staudacher Family Trust	02-21-200-014	9155 Kennedy Rd		Stormwater Violation	9/21/2020	11/13/2020			
20-035	Wieschhaus	02-21-200-028	10 Ashawn Ave	Boulder Hill	Stormwater Violation	10/7/2020	10/21/2020			
20-036	Marmolejo	03-08-253-007	194 Route 52		Driveway - No Permit	10/22/2020	11/19/2020			
20-037	Briscoe	09-13-200-006	Wheeler Rd		Multiple Zoning Violations	10/22/2020	11/22/2020			
20-038	Planfield Board of Education	06-23-200-004	13039 Mckanna Rd		Trucking Business in A-1 zoning	10/22/2020	11/22/2020			
20-039	Moreno, Luis & Cesario	09-09-100-002	13 Durango Rd		Trucking Business in R-6 Zoning	10/22/2020	11/22/2020			
20-040	Martinez	03-05-432-007	13 Durango Rd	Boulder Hill	Landscape Business in R-6 Zoning	8/11/2020	11/28/2020			
20-041	Neal	03-04-456-001	3 Wembley Rd	Boulder Hill	Prohibited Trailer parking	7/13/2020	11/28/2020			
20-042	Amwoza	03-09-155-021	303 Boulder Hill Pass	Boulder Hill	Junk & Debris/Prohibited Parking	9/10/2020	11/28/2020			
20-043	Cushing	03-04-306-007	63 Circle Dr. E	Boulder Hill	Prohibited Boat parking	9/25/2020	11/28/2020			
20-044	Seidelman	03-04-303-014	10 Marnel Rd.	Boulder Hill	Inoperable Vehicle	9/25/2020	11/28/2020			

2019 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V19-001	Coonley	03-04-428-001	162 Heathgate Rd	Boulder Hill	Junk & Debris	12/19/2018	1/13/2019			2/21/2019
19-002	Peaslee	03-09-108-011	148 Circle Dr East	Boulder Hill	Zoning Violation - Fence	12/21/2018	2/1/2019			2/21/2019
19-003	Staggs	02-31-477-005	4 Poplar Rd	Foxlawn	Chickens in R-4 Zoning	12/28/2018	1/11/2019			1/11/2019
19-004	Whitlock	03-04-476-035	82 Paddock St	Boulder Hill	Prohibited parking - boat/trailer	1/3/2019	1/18/2019			1/18/2019
19-005	Butz	03-04-476-030	72 Paddock St	Boulder Hill	Prohibited parking - boat/trailer	1/3/2019	2/28/2019			2/28/2019
19-006	Alfaro/Vargas	03-04-477-009	61 Paddock St.	Boulder Hill	Prohibited parking - trailer	1/3/2019	1/18/2019			1/18/2019
19-007	Kubica/Mszal	03-04-376-057	74 Sierra	Boulder Hill	Prohibited pkg com vehicles	1/3/2019	3/28/2019			4/11/2019
19-008	Fletcher	03-03-351-001	63 Sonora Dr	Boulder Hill	Prohibited Motor Home pkg	1/3/2019	1/29/2018			1/28/2019
19-009	Green/Gaither	03-04-329-013	33 Whitney Way	Boulder Hill	Prohibited pkg com vehicle	1/3/2019	1/18/2019			1/18/2019
19-010	Jordan	03-04-480-011	130 Saugatuk	Boulder Hill	Prohibited parking - boat/trailer	1/3/2019	1/18/2019			1/18/2019
19-011	Bravo	03-08-227-032	15 Old Post Rd	Boulder Hill	Multiple Violations	1/3/2019	1/18/2019			1/19/2018
19-012	Machado	03-04-329-012	31 Whitney Way	Boulder Hill	Multiple Violations	1/3/2019	4/15/2019			4/8/2019
19-013	Amador	03-05-404-017	134 Boulder Hill Pass	Boulder Hill	Prohibited parking/surface	1/4/2019	1/29/2019			1/11/2019
19-014	ERB Properties, LLC	09-13-400-006	276 Route 52		Possible Landscape Business	1/10/2019	6/18/2019			6/20/2019
19-015	Sasso	09-36-300-004	660 Hoyt Rd		Possible Landscape Business	1/10/2019	2/15/2019			2/14/2019
19-016	Hardkopf	03-04-253-010	44 Ingleshire Rd	Boulder Hill	Junk & Debris	1/11/2019	9/9/2019			9/10/2019
19-017	Lozano/Nolasco	03-05-404-023	146 Boulder Hill Pass	Boulder Hill	Illegal parking /Commercial vehicle	2/7/2019	2/21/2019			3/14/2019
19-018	Hagemeyer	03-04-352-021	172 Boulder Hill Pass	Boulder Hill	Prohibited Parking - rec vehicle	2/7/2019	2/21/2019			2/13/2019
19-019	Bodnar	08-29-200-005	16296 Route 47		Junk & Debris	2/28/2019	12/16/2019			3/2/2020
19-020	Kline	03-04-277-017	247 Ferwood Rd	Boulder Hill	Junk & Debris	3/7/2019	3/21/2019			3/22/2019
19-021	Penley	03-04-377-014	73 Sierra Rd	Boulder Hill	Prohibited Parking - Semi Truck	3/11/2019	3/25/2019			3/25/2019
19-022	Flores	08-11-100-014	7701 Plattville Rd		Multiple Violations	3/13/2019	4/22/2019			7/10/2019
19-023	Mayhugh	03-04-377-009	63 Sierra Rd	Boulder Hill	Prohibited Trailer Parking	3/26/2019	4/22/2019			4/16/2019
19-024	Cerbrerus SFR Holdings	03-03-352-001	75 Sierra Rd	Boulder Hill	Prohibited Trailer Parking	3/26/2019	5/24/2019			5/22/2019
19-025	Ruiz	03-03-352-001	132 Saugatuk Rd	Boulder Hill	Prohibited Commercial Vehicle parking	3/26/2019	5/1/2019			5/15/2019
19-026	Hornbaker	03-04-377-018	31 Saugatuk Rd	Boulder Hill	Prohibited Boat Parking	3/27/2019	9/9/2019			8/27/2019
19-027	Espino /Castillo	03-04-351-012	22 Durango Rd	Boulder Hill	Prohibited Semi Parking	3/28/2019	4/11/2019			4/11/2019
19-028	Graham	03-04-306-004	57 Circle Dr E	Boulder Hill	Junk & Debris	3/28/2019	5/23/2019			5/28/2019
19-029	Del Toro	03-04-305-016	52 Circle Dr E	Boulder Hill	Prohibited Trailer Parking	3/29/2019	4/22/2019			4/29/2019
19-030	Swanson	03-08-202-003	44 Circle Dr W	Boulder Hill	Prohibited Trailer Parking	4/12/2019	8/12/2019			8/12/2019
19-031	Old 2nd/Tanner	03-07-231-006	101 Harbor Dr	Marina Terrace	Junk & Debris	4/16/2019	4/30/2019			4/29/2019
19-032	Sharp	03-09-155-009	139 Circle Dr W	Boulder Hill	Prohibited Trailer Parking	4/15/2019	4/29/2019			5/3/2019
19-033	C. Motter Properties	02-35-300-013	7842 Route 71		Illegal Banner Sign	4/15/2019	5/8/2019			5/6/2019
19-034	Zedrow	03-08-230-015	19 Somerset Rd	Boulder Hill	Building w.o Permit	4/15/2019	4/29/2019			4/23/2019
19-035	Hansen	03-08-230-011	7 Somerset Rd	Boulder Hill	Inoperable Vehicle	4/16/2019	7/15/2019			8/14/2019
19-036	Gonzalez	03-09-152-019	14 Ridgfield Rd	Boulder Hill	Prohibited Trailer parking	4/16/2019	4/30/2019			5/3/2019
19-037	Roman	03-04-378-023	50 Hubbard Way	Boulder Hill	Prohibited parking on grass	4/24/2019	5/8/2019			5/13/2019
19-038	Reves	03-04-378-026	56 Hubbard Way	Boulder Hill	Prohibited parking on grass	4/24/2019	5/8/2019			5/13/2019
19-039	Michel	07-18-400-001	17510 Fern Dell Rd		Accessory Bldg w/o Permit	4/29/2019	6/1/2019			6/3/2019
19-040	Hall	03-09-151-010	32 Somerset Rd	Boulder Hill	Prohibited Trailer Parking	4/30/2019	6/1/2019			6/4/2019
19-041	Guljosa	07-24-200-003	15285 Route 52		Building w.o Permit	4/30/2019	6/1/2019			5/29/2019
19-042	Marnalejo	03-08-253-001	10 Ashlawn Ave	Boulder Hill	Prohibited Trailer Parking	5/1/2019	6/30/2019			7/9/2019
19-043	Kawulich	02-35-380-002	5575 Fields Dr	FOFC	Prohibited Boat Parking	5/8/2019	6/3/2019			7/24/2019
19-044	Garay / Juarez	03-19-203-002	5408 Rt. 71		Multiple Violations	5/9/2019	12/3/2019			12/16/2019
19-046	Muniz	09-18-300-016	14674 Brisbin Rd		Multiple Violations	5/9/2019	8/1/2019			7/30/2019
19-047	Johnson	05-02-101-002	324 Austin Ct	FOFC	Prohibited Trailer Parking	5/14/2019	5/28/2019			6/21/2019
19-048	Ring	06-02-177-007	1551 Cherry Rd		Junk & Debris	5/15/2019	10/15/2019			10/22/2019

2019 VIOLATIONS

19-049	Martinez	03-12-100-004	1038 Harvey Rd	Boulder Hill	Multiple Violations	5/13/2019	8/1/2019		2/27/2020	
19-051	Likar	03-08-278-002	22 Fieldpoint Rd	Boulder Hill	Inoperable Vehicle	5/15/2019	5/29/2019			6/3/2019
19-052	Arenas	03-09-104-011	67 Old Post Rd	Boulder Hill	Inoperable Vehicle	5/15/2019	5/29/2019			6/3/2019
19-053	Rudow/Andrews	03-08-253-016	3 Ceboid Dr	Boulder Hill	Prohibited Boat parking	5/15/2019	6/16/2019			6/17/2019
19-054	Tierney	03-04-405-017	44 Winrock Rd	Boulder Hill	Shed - no permit	5/15/2019	5/29/2019			5/23/2019
19-055	Henn	03-08-280-008	16 Ceboid Dr	Boulder Hill	Inoperable Vehicle	5/15/2019	5/29/2019			5/29/2019
19-056	Casner	03-04-376-037	6 Crescent Ct.	Boulder Hill	Prohibited RV Parking	5/15/2019	6/12/2019			6/12/2019
19-057	Avila, Munoz, Rubio	03-05-454-008	36 Circle Dr W	Boulder Hill	Prohibited Trailer Parking	5/15/2019	6/27/2019			7/1/2019
19-058	Castillo	03-04-329-019	45 Whitney Way	Boulder Hill	Inoperable Vehicle	5/15/2019	5/29/2019			6/3/2019
19-059	Stiles	03-08-280-029	7 Fieldcrest Dr	Boulder Hill	Prohibited Boat parking	5/16/2019	5/30/2019			6/3/2019
19-060	Wyles	03-08-277-020	9 Fieldpoint Rd.	Boulder Hill	Inoperable Vehicle	5/16/2019	5/30/2019			6/3/2019
19-061	Fecarotta	03-08-278-010	102 Circle Drive W	Boulder Hill	Inoperable Vehicle	5/16/2019	5/30/2019			6/3/2019
19-062	Valenzuela/Ibarra	03-04-326-006	54 Marnel Rd.	Boulder Hill	Prohibited Boat parking	5/16/2019	8/19/2019			8/28/2019
19-063	Reinert	03-08-278-017	13 Pickford Rd.	Boulder Hill	Prohibited RV Parking	5/16/2019	6/10/2019			6/10/2019
19-064	Yates	03-08-279-002	8 Pickford Rd	Boulder Hill	Prohibited RV Parking	5/16/2019	6/15/2019			6/19/2019
19-065	Lazaroski	03-08-202-015	29 Guilford Rd	Boulder Hill	Prohibited RV & Boat parking	5/16/2019	6/17/2019			6/19/2019
19-066	Machado	03-04-329-012	31 Whitney Way	Boulder Hill	Prohibited Trailer Parking	5/17/2019	5/31/2019			6/3/2019
19-067	Void									
19-068	Lamberty	03-08-277-024	17 Fieldpoint Rd.	Boulder Hill	Inoperable Vehicle	5/21/2019	6/4/2019			6/5/2019
19-069	C T&T# 133412	02-35-381-006	5896 Fields Dr.	FOFC	Prohibited Boat Parking	5/21/2019	6/4/2019			6/5/2019
19-070	Akers	03-04-379-002	55 Longbeach Rd	Boulder Hill	Junk & Debris	5/29/2019	9/19/2019			9/11/2019
19-071	Garcia	03-04-478-005	51 Springdale Rd	Boulder Hill	Junk & Debris	5/29/2019	6/28/2019			6/28/2019
19-072	Persons	03-09-155-005	131 Circle Dr W	Boulder Hill	3 Inoperable Vehicles	6/3/2019	6/30/2019			7/1/2019
19-073	Porter/Fischer	02-03-400-005	522 Dickson Rd		Inoperable Vehicle/Junk & Debris	6/3/2019	6/27/2019			6/28/2019
19-074	Weder	09-15-300-008	14625 Jughandle Rd	Langeland's	Trucking Business Prohibited	6/4/2019	7/26/2019			7/23/2019
19-075	Brooks	03-04-177-023	16 Ingheshire Rd	Boulder Hill	Inoperable Vehicle	6/5/2019	7/15/2019			6/11/2019
19-076	Gallejos	03-04-281-003	5 Pendleton Pl	Boulder Hill	Prohibited trailer parking	6/10/2019	6/24/2019			6/27/2019
19-077	Gossett	03-04-155-004	6 Pembroke Rd	Boulder Hill	Prohibited trailer parking	6/10/2019	7/11/2019			7/2/2019
19-078	Smith	03-04-476-002	53 Sheffield Rd	Boulder Hill	Multiple Violations	6/10/2019	7/26/2019			7/30/2019
19-079	Gervias	03-08-227-042	35 Old Post Rd	Boulder Hill	Prohibited Trailer parking	6/10/2019	7/11/2019			7/10/2019
19-080	Ramirez	03-05-429-016	13 Circle Drive East	Boulder Hill	Prohibited Trailer parking	6/12/2019	7/20/2019			7/23/2019
19-081	Braves Realty/Jarrett	03-05-429-008	18 Greenfield Rd.	Boulder Hill	Inoperable Vehicles	6/12/2019	9/9/2019			9/11/2019
19-082	Cerny/Grzetic	03-09-103-008	51 Old Post Rd	Boulder Hill	Boat parket in required front yard	6/12/2019	7/24/2019			7/24/2019
19-083	Forbes	02-35-310-006	7747 Madeline Dr	FOFC	Prohibited Trailer parking	6/21/2019	7/5/2019			7/10/2019
19-084	Netzel	02-35-384-001	7715 Madeline Dr	FOFC	Prohibited Boat Parking	6/26/2019	7/5/2019			7/10/2019
19-085	Whaley	02-35-380-005	5727 Fields Dr	FOFC	Prohibited trailer parking	6/26/2019	7/10/2019			7/10/2019
19-086	Wollwert	03-04-452-007	67 Stratford Rd.	Boulder Hill	Business in R6 zoning	6/26/2019	7/10/2019			7/1/2019
19-087	Majey Concrete, Inc.	02-12-428-001	Lot 6-8 Commerce Rd	Light Rd Ind Park	Site work without permit	7/3/2019	8/5/2019			8/5/2019
19-088	Greenslade	03-09-152-021	18 Ridgfield Rd	Boulder Hill	Prohibited RV Parking	7/10/2019	7/20/2020			12/16/2019
19-089	Urbanova	03-04-431-002	53 Sonora Dr	Boulder Hill	RV on non approved surface	7/11/2019	7/25/2019			7/24/2019
19-090	Diaz	03-03-351-009	135 Saugatuck Rd.	Boulder Hill	Multiple Violations	7/11/2019	7/25/2019			7/24/2019
19-091	Gambino	03-05-253-027	9 W. Aldon Ct.	Boulder Hill	Junk & Debris	7/18/2019	8/25/2019			8/23/2019
19-092	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Prohibited Trailer parking	7/23/2019	9/9/2019			9/11/2019
19-093	Rangel	02-34-276-003	8042 Van Emmon Rd.	Boulder Hill	Multiple Violations	7/24/2019	8/7/2019			8/14/2019
19-094	White	01-25-378-001	12573 Woodview St	Schaefer Woods N	Inoperable Vehicle	7/24/2019	8/18/2019			8/13/2019
19-095	Morelli	03-04-352-025	180 Boulder Hill Pass	Boulder Hill	Prohibited Trailer Parking	7/24/2019	8/7/2019			8/8/2019
19-096	Boif	03-04-328-013	50 Longbeach Rd	Boulder Hill	Prohibited Boat Parking	7/24/2019	8/7/2019			8/8/2019
19-097	McNelly	03-04-326-001	44 Marnel Rd	Boulder Hill	Prohibited Camper Parking	7/25/2019	8/8/2019			8/12/2019
19-098	McBroom	03-04-305-025	20 Wyrndham Dr	Boulder Hill	Multiple Violations	7/25/2019	10/25/2019			11/5/2019

2019 VIOLATIONS

19-099	Duque	03-04-303-022	26 Marnel Rd	Boulder Hill	Prohibited Trailer Parking	7/25/2019	8/22/2019		9/10/2019
19-100	Kawulich	02-35-380-002	5755 Fields Dr	FOFC	Prohibited Boat Parking	8/7/2019	8/21/2019		8/23/2019
19-101	Graham	03-04-306-004	57 Circle Dr E	Boulder Hill	Prohibited camper & Trailer pkg	8/12/2019	10/5/2019		10/7/2019
19-102	St. Laurent	03-08-228-002	22 Codorus Rd	Boulder Hill	Inoperable Vehicle	8/13/2019	9/9/2019		9/9/2019
19-103	Sittig	03-04-251-029	200 Fernwood Rd	Boulder Hill	Prohibited RV/Camper parking	8/14/2019	9/8/2019		9/10/2019
19-104	Cabrera	03-04-306-027	44 Hampton rd	Boulder Hill	Prohibited RV/Camper parking	8/14/2019	9/9/2019		9/11/2019
19-105	Smith	03-05-453-011	149 Boulder Hill Pass	Boulder Hill	Prohibited RV/Camper parking	8/14/2019	9/19/2019		9/19/2019
19-106	Lazaroski	03-08-202-015	29 Guilford Rd	Boulder Hill	Prohibited RV/Camper parking	8/14/2019	9/17/2019		9/19/2019
19-107	Stricker	03-04-178-010	23 Ingleshire Rd	Boulder Hill	Prohibited Boat Parking	8/14/2019	8/28/2019		8/29/2019
19-108	Filice	03-04-178-006	11 Ingleshire Rd.	Boulder Hill	Prohibited Camper/RV parking	8/14/2019	8/28/2019		8/29/2019
19-109	Wright	03-04-352-034	69 Hampton Rd.	Boulder Hill	Prohibited Camper/RV parking	8/14/2019	8/28/2019		8/22/2019
19-110	Bootz	03-04-177-029	28 Ingleshire Rd	Boulder Hill	Prohibited RV/Camper parking	8/14/2019	9/10/2019		9/27/2019
19-111	Dano	03-04-253-016	56 Ingleshire Rd	Boulder Hill	Prohibited Trailer Parking	8/14/2019	11/15/2019		11/18/2019
19-112	Zepeda/Tijerina	03-04-402-006	24 Winrock Rd	Boulder Hill	Prohibited RV/Camper parking	8/14/2019	8/28/2019		8/29/2019
19-113	Geweniger/Zidlicky	03-09-154-007	30 Pickford Rd	Boulder Hill	Prohibited RV/Camper parking	8/14/2019	8/28/2019		8/29/2019
19-114	Fecarotta	03-08-278-010	102 Circle Drive W	Boulder Hill	Prohibited Trailer Parking	8/14/2019	8/28/2019		8/29/2019
19-115	Evens	03-05-428-015	10 Hampton Rd.	Boulder Hill	Prohibited Trailer Parking	8/14/2019	8/28/2019		8/29/2019
19-116	Semovski/Reshidi	03-05-277-026	18 Briarcliff Rd	Boulder Hill	Remodel w/o Permit	8/26/2019	9/9/2019		9/9/2019
19-117	Ejima	03-04-404-002	87 Ingleshire Rd	Boulder Hill	Inoperable Vehicle	8/29/2019	9/20/2019		9/16/2019
19-118	Aguilar	09-16-400-010	3400 Route 52	Boulder Hill	Addition w/o Permit	9/9/2019	9/23/2019		9/16/2019
19-119	Pasch	03-07-430-014	139 Dolores St.	Shore Heights	Junk & Debris	9/11/2019	9/25/2019		9/30/2019
19-120	Gutierrez/Melgoza	03-07-429-014	134 Dolores St	Shore Heights	Inoperable Vehicle	9/11/2019	11/15/2019		11/18/2019
19-121	Emerson	03-07-431-008	119 Dolores St	Shore Heights	Inoperable Vehicle	9/11/2019	9/25/2019		9/30/2019
19-122	Campos	03-08-303-001	117 Dolores St	Shore Heights	Prohibited Trailer parking	9/11/2019	9/25/2019		9/30/2019
19-123	Wolgast	02-13-479-003	19 Center Dr	Riverview Heights	Junk & Debris	9/23/2019	3/16/2020		10/21/2020
19-124	Kapusta	05-04-201-005	9433 Route 126		Shed - no permit	10/7/2019	11/15/2019		11/5/2019
19-125	TMF Management LLC	01-01-200-002	12127 B Galena Rd		Addition w/o Permit	10/7/2019	10/21/2019		10/18/2019
19-126	Anderson, Bruce	04-16-129-001	8 N. Hudson St.	Millbrook	Multiple Violations	10/7/2019	10/21/2019		10/22/2019
19-127	DTG Investments LLC	06-09-400-005	3485 Route 126		Trucking Business not allowed	10/30/2019	Pending Zoning Hearings		2/19/2020
19-128	Oakbrook Bank%Marker	05-16-400-002	9330 Ament Rd		Multiple Violations	10/30/2019	11/13/2019		11/18/2019
19-129	Fox	02-35-382-009	5786 Danielle Ln	FOFC	3 RVs parked	10/30/2019	11/13/2019		11/18/2019
19-130	Amstadt	02-35-380-001	7796 Madeline Dr	FOFC	Prohibited RV Parking	10/30/2019	11/13/2019		11/6/2019
19-131	Rudow/Andrews	03-08-253-016	3 Cebold Dr	Boulder Hill	Prohibited Boat Parking	11/22/2019	12/6/2019		11/26/2019

2018 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V18-001	Bilek/Derevianko	01-34-300-008	14824 Millhurst Rd		Storage Containers	12/12/2017	1/14/2019			1/15/2019
V18-002	Romerio/Rios	03-05-229-002	20 Fernwood	Boulder Hill	Pool w/o fencing & Junk and Debris	12/12/2017	4/1/2018			5/2/2018
V18-003	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Junk & Debris on Trailer	12/19/2017				3/1/2018
V18-004	Hutchings	03-04-380-002	20 Saugatuck Rd	Boulder Hill	Inoperable Vehicle	12/19/2017	5/1/2018			4/26/2018
V18-005	Hornbaker	03-04-377-018	31 Saugatuck Rd	Boulder Hill	Prohibited Parking	12/19/2017				1/15/2018
V18-006	Gonzalez	03-09-152-019	14 Ridgefield	Boulder Hill	Inoperable Vehicle	1/25/2018	5/7/2018			5/21/2018
V18-007	Rod	08-02-300-008	7775 Plattville Rd		Sunroom built w/o Permit	2/1/2018				2/8/2018
V18-008	Jordan	03-04-480-011	130 Saugatuck Rd	Boulder Hill	Prohibited Parking - Boat in yard	2/8/2018				3/7/2018
V18-009	Petersen	03-04-454-015	63 Saugatuck Rd	Boulder Hill	Inoperable Vehicle	2/8/2018	4/16/2018			4/13/2018
V18-010	Hafenrichter	03-03-352-003	138 Saugatuck Rd	Boulder Hill	Prohibited Parking - Rec Vehicle	2/8/2018				2/13/2018
V18-011	Ring	06-02-177-007	1551 Cherry Rd	Oswego Plains	Landscaping Bus in R3 Zoning	2/15/2018	5/11/2018			11/1/2018
V18-012	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Inoperable Vehicle	3/1/2018	3/16/2018			3/16/2018
V18-013	Straudacher Fam Tr	02-21-200-014	9155 Kennedy Rd		Stormwater Violation	3/8/2018				3/28/2018
V18-014	Lakewest Builders	04-16-378-003	15749 Sumner Ct	Est. of Millbrook	Stormwater Violation	2/20/2018				5/30/2018
V18-015	Schleining	02-06-300-010-005	790 Eldamain Rd		Fence Violation	3/19/2018	10/29/2018			6/14/2019
V18-016	Cusimano, Kesseling	02-34-151-003	90 Quinsey Rd	Nelson Quinsey	Junk & Debris	3/26/2018	4/27/2018			5/4/2018
V18-017	Hart	03-09-155-012	7 Circle Ct	Boulder Hill	Inoperable Vehicle & Junk & Debris	3/27/2018	5/31/2018			6/19/2018
V18-018	Old 2nd Natl Bank	02-34-151-005	82 Quinsey	Nelson Quinsey	Shed falling down/Junk & Debris	3/27/2018	4/34/18			4/26/2018
V18-019	Schanz	03-04-454-017	67 Saugatuck	Boulder Hill	Prohibited Parking of Truck	3/27/2018	5/31/2018			6/19/2018
V18-020	Blewer	03-09-102-003	204 Boulder Hill Pass	Boulder Hill	Prohibited Parking of Trailer	3/27/2018				5/2/2018
V18-021	Beyer	03-09-108-007	140 Circle Dr E	Boulder Hill	Prohibited parking of Trailer	3/27/2018	5/1/2018			4/26/2018
V18-022	VOID									
V18-023	Ybarra	03-05-276-021	29 Aldon Rd	Boulder Hill	Junk & Debris/Inoperable Vehicle	3/29/2018	7/15/2019			10/23/2019
V18-024	Douglas	03-05-430-025	54 S. Bereman	Boulder Hill	Junk & Debris	4/11/2018	5/25/2018			7/18/2018
V18-025	Alkhazrajil	03-09-104-002	212 Boulder Hill Pass	Boulder Hill	Inoperable Vehicle	4/13/2018	4/27/2018			5/2/2018
V18-026	Perez	03-09-103-002	22 Cayman Dr	Boulder Hill	Prohibited parking - Trailer	4/13/2018	5/13/2018			5/10/2018
V18-027	Min	03-04-479-015	69 Eastfield Rd	Boulder Hill	Illegal Pkg on non approved surface	4/23/2018	5/7/2018			5/27/2018
V18-028	Bautista	03-04-476-032	75 Springdale Rd	Boulder Hill	Illegal Pkg on non approved surface	4/23/2018	5/31/2018			6/19/2018
V18-029	Fehle	03-04-477-037	78 Springdale Rd	Boulder Hill	Illegal Pkg on non approved surface	4/23/2018	5/7/2018			5/23/2018
V18-030	Wargo	03-04-477-038	80 Springdale Rd	Boulder Hill	Illegal Pkg on non approved surface/ Junk & Debris	4/23/2018	5/30/2018			6/19/2018
V18-031	VOID									
V18-032	Shactray	03-04-477-019	81 Paddock St	Boulder Hill	Illegal Pkg on non approved surface	4/24/2018	11/19/2018			11/20/2018
V18-033	Muniz	09-18-300-016	Brisbin Rd		Landscaping Bus IN A1/ Junk & Debris	4/30/2018	12/1/2018			12/3/2018
V18-034	Bravo	03-08-227-032	15 Old Post Rd	Boulder Hill	Prohibited parking on grass	5/3/2018	5/17/2018			5/21/2018
V18-035	Marmolejo	03-08-253-007	10 Ashlawn	Boulder Hill	Prohibited parking of trailer	5/3/2018	5/17/2018			5/22/2018
V18-036	Guddendorf	03-04-303-010	2 Marnel Rd	Boulder Hill	Inoperable Vehicle	5/3/2018	5/17/2018			5/21/2018
V18-037	Baustian	05-03-200-005	8510 Hilltop		Junk & Debris	5/4/2018	5/18/2018			5/24/2018
V18-038	Higgins	05-02-125-001	7686 Audrey Dr	FOFC	Prohibited Parking of Trailer(s)	5/4/2018	5/18/2018			7/18/2018
V18-039	Cargile	09-13-300-002	920 Route 52		Accessory Bldg Built w/o Permit	5/4/2018	5/18/2018			6/5/2018
V18-040	AP4F, LLC	03-04-427-017	159 Heathgate Rd	Boulder Hill	Junk & Debris/Illegal Boat Parking	5/23/2018	6/6/2018			6/19/2018
V18-041	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Prohibited parking of RV	5/31/2018	6/15/2018			6/19/2018
V18-042	Sutphin	03-09-105-004	118 Circle Dr. East	Boulder Hill	Inoperable Vehicle	5/31/2018	6/15/2018			6/19/2018
V18-043	Amroz	03-09-155-021	303 Boulder Hill Pass	Boulder Hill	Inoperable Vehicle	5/31/2018	6/15/2018			6/19/2018
V18-044	Amstadt	02-35-380-001	7796 Madeline Dr	FOFC	Prohibited Parking of RV	5/31/2018	6/18/2018			6/19/2018
V18-045	Chicago Title Land	02-35-381-008	5896 Fields Dr	FOFC	Illegal Boat parking	6/5/2018	6/19/2018			6/19/2018
V18-046	Wolgast	02-13-479-003	19 Center Dr	RiverView Hts	Multiple Violations	6/14/2018	8/3/2018			9/4/2018
V18-047	US Bank Trust Ntl Assn	03-08-303-006	107 Dolores St	Boulder Hill	Junk & Debris	6/14/2018	6/28/2018			7/5/2018

2018 VIOLATIONS

V18-048	Greenslade	03-09-152-021	18 Ridgefield Rd	Boulder Hill	Prohibited RV Parking	6/26/2018	7/29/2018	8/1/2018
V18-049	Hornbaker	03-04-377-018	31 Saugatack Rd	Boulder Hill	Prohibited Boat Parking	6/26/2018	10/1/2018	10/9/2018
V18-050	Smith	03-05-404-026	152 Boulder Hill Pass	Boulder Hill	Multiple Violations	6/26/2018	8/13/2018	8/15/2018
V18-051	Stone	05-07-101-004	10 Hillview Ct	Pavillion Hts	Inoperable Vehicle	7/5/2018	7/19/2018	8/1/2018
V18-052	Sullivan	05-07-101-002	20 Hillview Ct	Pavillion Hts	Illegal Discharge of Sump	7/5/2018	7/19/2018	7/10/2018
V18-053	Gates	02-27-151-008	4401 Tuma Rd	Kenny	Junk & Debris	7/9/2018	7/23/2018	7/25/2018
V18-054	Velaquez	01-20-352-018	84 Woodland Dr	Sugartbrook	Stormwater Violation	7/10/2018	11/5/2018	6/14/2019
V18-055	Elliott	04-16-128-001	8055 Whitfield Rd	Vil of Millbrook	Burning of Landscaping Bus Debris	7/10/2018	7/24/2018	10/2/2018
V18-056	Vasquez	03-05-278-028	1 Knollwood Dr	Boulder Hill	Camper not on approved surface	7/11/2018	10/27/2018	12/4/2018
V18-057	Keivanfar	03-08-153-031	2500 Light Rd #105	Deer Run Condos	No Permit - Remodeling	7/13/2018	9/21/2018	12/3/2018
V18-058	Johnson	03-04-354-006	68 Hampton Rd	Boulder Hill	Chickens not allowed in R-6	7/17/2018	7/31/2018	8/1/2018
V18-059	Stradal	03-04-380-008	32 Saugatack Rd	Boulder Hill	Prohibited Boat Parking	7/17/2018	7/31/2018	7/31/2018
V18-060	Zack	03-05-476-020	15 Codorus Rd	Boulder Hill	Prohibited Boat Parking (2)	7/18/2018	9/17/2018	9/17/2018
V18-061	Gonzalez	03-09-152-019	14 Ridgefield	Boulder Hill	Prohibited trailer parking	7/18/2018	8/13/2018	8/15/2018
V18-062	Quinn	02-35-413-019	5805 Audrey Ave	FOFC	Prohibited trailer parking	7/18/2018	8/1/2018	8/1/2018
V18-063	Montano	03-15-251-002	2450 Wolf Rd		Landscaping Business w/o Zoning	7/18/2018	8/1/2018	8/2/2018
V18-064	Decker	03-09-108-005	136 Circle Dr E	Boulder Hill	Prohibited Parking	7/26/2018	5/1/2019	5/13/2019
V18-065	Machado	03-04-329-012	31 Whitney Way	Boulder Hill	Business w/o Proper Zoning	7/26/2018	8/9/2018	8/22/2018
V18-066	Nunez	02-24-300-003	6725 Route 71		Multiple Violations	7/30/2018	12/21/2018	1/15/2019
V18-067	Otto	03-04-151-007	56 Fernwood Rd	Boulder Hill	Prohibited parking on grass	7/31/2018	8/14/2018	8/22/2018
V18-068	Butz	03-04-305-023	16 Wyndham Dr	Boulder Hill	Junk & Debris	8/1/2018	9/28/2018	10/31/2018
V18-069	Nanninga	03-03-351-008	135 Saugatack	Boulder Hill	Inoperable Vehicle	8/14/2018	9/17/2018	9/17/2018
V18-070	Eipers	01-29-151-009	4350 Sandy Bluff Rd		Pool&Pool House built w/o Permit	8/14/2018	8/28/2018	8/28/2018
V18-071	Perez	03-09-103-002	22 Canyon Dr	Boulder Hill	Pool w/o Permit	8/23/2018	9/6/2018	9/6/2018
V18-072	Coonley	03-04-428-001	162 Heathgate Rd	Boulder Hill	Multiple Violations	8/23/2018	9/20/2018	10/31/2018
V18-073	Bozarth	03-04-478-031	72 Eastfield Rd	Boulder Hill	Prohibited RV Parking	8/28/2018	9/11/2018	10/31/2018
V18-074	Greenslade	03-09-152-021	18 Ridgefield Rd	Boulder Hill	Prohibited Boat Parking	8/28/2018	9/11/2018	9/17/2018
V18-075	Navarro	03-12-100-009	1026 Harvey Rd.		Multiple Violations	9/4/2018	12/26/2018	12/18/2018
V18-076	Corn Ed	03-12-100-001			Multiple Violations(V18-075)	9/4/2018	12/26/2018	12/18/2018
V18-077	Martinez	03-12-100-004	1038 Harvey Rd.		Zoning Violation	9/6/2018	12/14/2018	12/18/2018
V18-078	American Elm	03-04-277-022	2 Pendleton Pl	Boulder Hill	Multiple Violations	9/11/2018	9/25/2018	9/26/2018
V18-079	DuVall & Paulette	03-04-277-042	40 Afton Dr.	Boulder Hill	Inoperable Vehicle	9/11/2018	10/1/2018	10/31/2018
V18-080	Hughes	03-04-277-041	38 Afton Dr	Boulder Hill	Inoperable Vehicle	9/11/2018	11/5/2018	12/3/2018
V18-081	Saleem Mohammed	03-07-230-007	3 Dolphin Ct	Marina Terrace	Junk & Debris	9/13/2018	9/27/2018	9/27/2018
V18-082	BLEDI SUILO LLC	05-21-300-006	9513 Walker Rd		Inoperable Vehicle & Pkg Non approv'd surface	9/13/2018	11/23/2018	11/20/2018
V18-083	Anderson	06-13-176-003	508 W. Rt. 126		Stormwater Violation	10/2/2018	11/1/2018	8/14/2019
V18-084	Allen	03-04-376-040	52 Sierra Rd.	Boulder Hill	Junk & Debris	10/2/2018	11/23/2018	11/20/2018
V18-085	Haggemeier	03-04-477-002	99 Longbeach Rd	Boulder Hill	3 Inoperable Vehicles	10/2/2018	10/16/2018	10/17/2018
V18-086	Marmolejo	03-08-253-007	10 Ashlawn	Boulder Hill	Prohibited Parking	10/3/2018	10/27/2018	10/29/2018
V18-087	Greenslade	03-09-152-021	18 Ridgefield Rd	Boulder Hill	Prohibited Parking	10/3/2018	10/27/2018	12/3/2018
V18-088	Smith	03-05-404-026	152 Boulder Hill Pass	Boulder Hill	Multiple Violations	10/3/2018	10/17/2018	10/16/2018
V18-089	Rife	03-31-452-006	5 Ottawa Ct.	Na-Au-Say	Prohibited Parking	10/4/2018	12/1/2018	12/4/2018
V18-090	Moran	03-05-426-018	8 Greenbriar Rd	Boulder Hill	Inoperable Vehicle	10/9/2018	12/14/2018	12/19/2018
V18-091	Stradal	03-04-380-008	32 Saugatack Rd	Boulder Hill	Inoperable Vehicle	10/9/2018	10/23/2018	10/23/2018
V18-092	Haeferner	02-14-252-002	147 W. Rickard Dr.	Lynwood	Inoperable Vehicles	10/9/2018	11/1/2018	11/1/2018
V18-093	Undesser	02-15-177-006	2480 B Bristol Rdg Rd		Inoperable Vehicles	10/9/2018	11/2/2018	12/3/2018
V18-094	Camacho	03-05-476-011	9 Clay Ct.	Boulder Hill	Inoperable Vehicle	10/16/2018	10/30/2018	10/29/2018
V18-095	CT&T	03-08-278-009	4 Culver Rd.	Boulder Hill	Multiple Violations	10/16/2018	10/30/2018	10/29/2018
V18-096	Akers	03-04-379-002	55 Longbeach Rd.	Boulder Hill	Junk & Debris	10/22/2018	1/20/2019	1/15/2019

2018 VIOLATIONS

V18-097	Ortiz	03-09-104-009	63 Old Post Rd	Boulder Hill	Illegal Home Occupation/Commercial Vans	11/7/2018	12/3/2018		12/3/2018
V18-098	Stukas	03-05-428-002	29 Circle Drive E	Boulder Hill	Inoperable Vehicle	11/7/2018	11/21/2018		11/13/2018
V18-099	Auer	02-06-400-005	West Beecher Rd		Stormwater Violation	11/14/2018	12/14/2018		11/20/2018
V18-100	Schmidt	03-07-252-012	120 Augusta Rd		Junk & Debris	11/14/2018	7/31/2019		
V18-101	Coulouris & Dublin	02-15-177-005	2480 A Bristol Rdg Rd		Multiple Violations	11/19/2018	12/14/2018		12/21/2018
V18-102	Allen	09-04-300-017	3827 Van Dyke Rd		Mobile Home Violation	11/21/2018	12/2/2019		11/13/2019

11/2/2020

Date Opened	Parcel #	Address	Subdivision	Description of Complaint	Inspection Date	Comments	F/U/P	Closed	Violation Y/N
7/22/2020	03-04-428-006	172 Heatgate Rd	Boulder Hill	Camper parked in setback	7/25/2020	Could not contact due to gated & dog	8/21 & 9/23	10/20/2020	Closed
8/3/2020	02-34-276-003	8042 Van Emmon Rd	Boulder Hill	Accessory Structure w/o permit	8/6/2020	Replacement shed		8/7/2020	N
8/3/2020	03-04-406-010	119 Beauwick Dr.	Boulder Hill	Junk & Debris	8/5/2020	Trash can w/ debris next to it	9/1/2020	9/16/2020	N
8/5/2020	04-17-251-002	Lot 13 W Millbrook Ph 2	Farm Colony	Junk & Debris	8/5/2020	1st notice 12/2019 2nd 8/5/2020	8/25/2020	9/2/2020	N
8/11/2020	02-36-102-009	429 Country Rd	Boulder Hill	Inground pool w/o fencing	8/20/2020	Owner installed temporary	8/30/2020	9/2/2020	N
8/11/2020	03-09-103-008	51 Old Post Rd	Boulder Hill	Boat/Trailer parked in setback	8/18/2020	Owner looking for storage	9/1 & 10/21	10/21/2020	Closed
8/13/2020	05-18-126-004	28 Timbercreek Place	Timber Creek	Junk & Debris / Tall grass and weeds	8/21/2020	HHD Notice on Door/ poss vacant		9/16/2020	N
8/13/2020	04-15-200-014	14201 Budd Rd.	Boulder Hill	Junk & Debris	8/21/2020	Owner stated they would comply	9/16 & 10/16	10/20/2020	N
8/14/2020	08-12-103-001	6986 Chicago Rd.	Boulder Hill	Multiple Violations	8/20/2020	Non-V - Platville Jurisdiction	8/20/2020	8/31/2020	N
8/14/2020	03-04-408-006	134 Longbeach Rd.	Boulder Hill	Fence materials	8/20/2020	No Bldg material seen		8/20/2020	N
8/14/2020	03-04-178-009	21 Ingleshire Rd	Boulder Hill	Pool to close to property line	8/18/2020			9/9/2020	N
8/18/2020	03-09-152-016	8 Ridgefield Rd	Boulder Hill	Inoperable Vehicle	8/18/2020	Truck runs and operates		9/2/2020	N
8/31/2020	03-04-408-046	134 Longbeach Rd.	Boulder Hill	Junk & Debris in front yard	9/1/2020	No Junk & Debris in Front Yard		9/2/2020	N
9/4/2020	09-22-200-004	15100 Jughandle Rd.	Boulder Hill	Residence in Barn - construction	9/16/2020	BPR03-2018-221 Home office w/Bathroom		9/16/2020	N
9/18/2020	07-18-300-019	14824 County Line Rd.	Boulder Hill	Shed & Gazebo - bldg w/o permit	9/23/2020	Pole Barn - No Permit - Gazebo - No Permit		9/30/2020	Closed
9/23/2020	03-04-151-007	56 Fernwood Rd	Boulder Hill	Multiple Violations	9/23/2020	Owner stated they would comply	10/16/2020	10/20/2020	N
9/24/2020	09-27-200-004	2511 Wildy Rd.	Boulder Hill	Business in A-1 zoning	10/1/2020	Not enough evidence of a violation		10/20/2020	N
9/30/2020	08-11-100-014	7701 Platville Rd.	Bakers	Possible occupied trailer	9/30/2020	Platville to handle - June McCord		9/30/2020	N
10/6/2020	02-27-177-002	8940 "C" Route 34	Bakers	Multi Use Violation	10/14/2020	Not Founded - MA		10/20/2020	Closed
10/15/2020	09-21-300-010	3550 Bell Rd	Gastville	Orchid Farm detention pond maintenance	10/16/2020	Pond & grass look good		10/20/2020	N
10/16/2020	03-12-203-011	29 Gastville St.	Gastville	Multiple Violations	10/23/2020	Nothing noted from roadway		10/23/2020	N
10/16/2020	03-12-203-013	39 Gastville St.	Gastville	Multiple Violations	10/23/2020	Nothing noted from roadway		10/23/2020	N
10/23/2020	02-35-380-002	5755 Fields Dr	FOFC	Boat/Trailer parked in setback	10/30/2020	Boat removed on 10/31/2020		11/2/2020	Closed

Dear Jon:

The Kendall County Historic Preservation Commission reviewed your request to amend certain provisions in the Kendall County Historic Preservation Ordinance. We agree to set a minimum number of Commission meeting at 4 per year and we are in agreement to charge 1 fee for both property owner and non-property owner applications.

However, we believe that a flat \$500 fee is an appropriate application fee. The cost of publishing notices, sending mailings, recording the ordinance establishing the landmark or district, and County Staff's time can exhaust \$500 very quickly. The County incurs expenses for reviewing applications and we believe these expenses should be paid, at least in part, by applicants.

The Kendall County Historic Preservation Commission's proposed budget for the next fiscal year is \$500, the same amount as the current fiscal year. If we receive multiple applications, the Commission's funds would be exhausted without covering the costs to engage in training, networking, and recognizing historic preservation. We would be unable to engage in historic preservation in Kendall County if the majority of funds are used on expenditures beyond the control of the Commission.

We also do not believe that a \$500 fee is excessive. When doing construction projects, \$500 is minimal compared to the other costs related to maintaining and rehabilitating a structure. We would also like to point out that Kendall County charges \$500 for rezoning requests and charges double that amount for special use requests. The City of Geneva, which is also a Certified Local Government, also charges a \$500 application fee.

If the County is not allowed to charge a fee that covers its expenses, the activities of the Kendall County Historic Preservation Commission will be severely limited and the Commission will be unable to advance the cause of historic preservation. We hope that you will reconsider your opinion on this matter and will allow Kendall County to engage equally in historic preservation activities with other certified local governments.

Sincerely,

Jeff Wehrli, Chairman

Kendall County Historic Preservation Commission

Permit Summary by Category Kendall County

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	2	\$900,000	\$9,607	\$4,857
Accessory Buildings	4	\$46,795	\$601	\$0
Additions	2	\$105,000	\$1,143	\$0
Remodeling	4	\$226,900	\$1,130	\$0
Barns/Farm Buildings	5	\$211,500	\$0	\$0
Other	1	\$80,000	\$0	\$0
Decks	4	\$65,000	\$800	\$0
Demolitions	3	\$7,500	\$0	\$0
Driveway	1	\$4,500	\$200	\$0
Patio	1	\$5,500	\$50	\$0
Generator	1	\$3,000	\$110	\$0
Solar	1	\$29,315	\$350	\$0
	29	\$1,685,010	\$13,991	\$4,857

Oct 2019 2 Houses
36 Total Permits

2019 YTD - 17 Houses
233 Permits

Permit Summary by Category by Month Kendall County

Permit Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
House	33	2	1	4	4	4	4	6	1	5	2	0	0
Garage	9	0	1	0	0	1	4	1	0	2	0	0	0
Accessory Buildings	53	2	0	5	2	4	9	7	11	9	4	0	0
Additions	9	0	0	0	0	2	1	0	1	3	2	0	0
Remodeling	19	2	1	2	1	4	1	1	1	2	4	0	0
Commercial - M Zone	2	0	0	0	0	0	0	0	0	2	0	0	0
Commercial - B Zone	1	0	0	0	0	0	1	0	0	0	0	0	0
Barns/Farm Buildings	19	0	0	0	2	0	2	2	3	5	5	0	0
Signs	1	0	0	0	0	0	0	1	0	0	0	0	0
Other	1	0	0	0	0	0	0	0	0	0	1	0	0
Swimming Pools	51	2	2	2	5	9	15	5	8	3	0	0	0
Decks	20	0	1	0	2	5	5	2	1	0	4	0	0
Demolitions	16	1	1	1	2	1	0	2	1	4	3	0	0
Electrical Upgrades	3	0	0	0	1	0	0	2	0	0	0	0	0
Change in Occupancy	3	0	0	0	1	0	0	1	0	1	0	0	0
Driveway	11	0	0	1	0	1	2	2	2	2	1	0	0
Fire Restoration	3	0	0	1	0	0	0	1	0	0	0	1	0
Patio	6	0	0	0	0	0	1	2	2	0	1	0	0
Generator	8	0	2	0	0	0	0	1	1	3	1	0	0
Solar	35	5	1	7	3	5	3	4	3	3	1	0	0
	303	14	10	23	23	36	48	40	35	44	29	1	0

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
10/21/2020	012020304	01 House	01-10-301-005	ROBERT & DIANE MCQUADE	1594 LITTLE ROCK RD PLANO, IL 60545-	BERNS FIRST SUB	MCQUADE
10/14/2020	012020292	01 House	05-12-220-006	RAHN AARON & LAUREN	6306 VALLEYVIEW CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS, INC.
10/19/2020	012020274	01 House	06-05-402-004	DOUGLAS JAMAL	4332 CHERRY RD OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 1	
10/6/2020	012020261	01 House	05-06-351-009	LAWRENCE SHAWN J	3 HILLSIDE DRIVE YORKVILLE, IL. 60560	PAVILLION HEIGHTS UNIT 4	
10/6/2020	032020290	03 Accessory Buildings	02-35-310-001	VICK ADAM & MELISSA	7783 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
10/2/2020	032020286	03 Accessory Buildings	03-04-326-006	SAENZ JUAN FRANCISCO	54 MARNEL RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	
10/2/2020	032020289	03 Accessory Buildings	03-05-454-007	ROBLES JUAN L PEN & BELTRAN MARIA DEL CARMEN VACCONE 08-02-476-005	32 CIRCLE DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	JP CONSTRUCTION
10/27/2020	032020309	03 Accessory Buildings	08-02-476-005	SCHIBE DARLES L & VIVIAN K	YORKVILLE, IL 60560-	MURDO T MACKENZIE SUB	TCB CONSTRUCTION INC
10/16/2020	042020300	04 Additions	01-29-351-006	CHAPMAN DARRELL & SHARON	16919 GRISWOLD SPRINGS RD PLANO, IL 60545-	BILLY R WILLIAMS SUB	CARL WUNSHEL
10/6/2020	042020284	04 Additions	03-05-453-008	CERDA MOISES & ANA L	143 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	
10/6/2020	042020291	04 Additions	03-23-201-002	FISCHER CINDY	3021 ROTH RD OSWEGO, IL 60543-		

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
10/14/2020	052020296	05 Remodeling	02-29-401-004	BIANCHI STACY K	703 CONOVER LN YORKVILLE, IL 60560-	RESUB LOT 3 CONOVERS 3RD SUB	
10/23/2020	052020308	05 Remodeling	02-23-153-015	RANGE SHANNON L	6 OAKLAWN AVE YORKVILLE, IL 60560-	RIVER RIDGE UNIT 1	
10/20/2020	052020303	05 Remodeling	02-21-151-002	JAMES & RITA FELTES	4 PATRICIA LN YORKVILLE, IL 60560-	RICHARDS BLACKBERRY ESTATES	
10/6/2020	062020270	06 Commercial - M Zone	03-06-200-012	REICH BROTHERS	275 ROUTE 31 OSWEGO, IL 60543-		KEELEY CONSTRUCTION
10/27/2020	082020311	08 Barns/Farm Buildings	04-13-277-005	MALKOWSKI DENNIS F & BARBARA	8450 W HIGHPOINT RD YORKVILLE, IL 60560-		
10/27/2020	082020310	08 Barns/Farm Buildings	05-21-400-008	LUDWIG ADAM E	9239 WALKER RD YORKVILLE, IL 60560-		
10/9/2020	082020294	08 Barns/Farm Buildings	08-01-100-003	WESTPHALL CORY	6522 HELMAR RD YORKVILLE, IL 60560-		
10/29/2020	082020315	08 Barns/Farm Buildings	03-34-226-002	MARZ RUTH	2080 SIMONS RD OSWEGO, IL 60543-		
10/21/2020	102020306	10 Other	06-10-200-006	KELLER FRANK	7426 SCHLAPP RD OSWEGO, IL 60543-		
10/23/2020	132020305	13 Decks	06-14-200-003	RAMIREZ LYDIA	1152 ROUTE 126 PLAINFIELD, IL 60586-		
10/7/2020	132020295	13 Decks	05-02-128-004	WITCPALEK JOHN & ELIZABETH	7436 AUDREY AVE YORKVILLE, IL 60560-	ROSEHILL	WEDGEWOOD CONSTRUCTION INC.

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
10/27/2020	132020312	13 Decks	05-12-205-010	WHITETAIL RIDGE GOLF CLUB LLC	7671 CLUBHOUSE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	WALKER CUSTOME HOMES
10/14/2020	132020297	13 Decks	03-18-428-008	WOLF SANDRA & M J YOUNG	5150 ROUTE 34 OSWEGO, IL 60543-		WILLMAN & GROESCH G.C.
10/22/2020	142020052	14 Demolitions	04-25-200-006	DIEDERICH RONALD E & MARTHA	10017 LISBON RD YORKVILLE, IL 60560-		
10/27/2020	142020313	14 Demolitions	01-27-300-002	CEDARDELL FARMS LLC	4573 FOX RIVER DR PLANO, IL 60545-		
10/6/2020	142020293	14 Demolitions	01-34-400-001	ROTH THOMAS	14363 RIVER RD PLANO, IL 60545-		NESSON, DUSTY
10/22/2020	182020307	18 Driveway	03-31-452-012	WECKEL DONALD C & YAVONNE N	32 OTTAWA CT OSWEGO, IL 60543-	NA-AU-SAY WOODS	
10/27/2020	202020314	20 Patio	03-08-227-021	CAMPOS, JOSEPH & LAURA	8 CAYMAN DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 20	CONCRETOS VAZQUEZ
10/14/2020	242020298	24 Solar	03-08-152-003	RODRIGUEZ CARLOS	16 BOAT LN OSWEGO, IL 60543-	MARINA VILLAGE	VIVINT SOLAR LLC

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4/2/2020	012020036 01 House		05-12-228-008 SHARAR SHAHID		7130 CLUBHOUSE DRIVE YORKVILLE, IL. 60560	WHITETAIL RIDGE	OWNER
6/10/2020	012020121 01 House		05-14-400-001 DWIGHT BAIRD		7524 AMENT RD YORKVILLE, IL 60560-		JPM CUSTOM HOMES
4/14/2020	012020043 01 House		04-33-400-002 HUGHES, DAVID R & MARY KATHLEEN		15288 HUGHES ROAD NEWARK, IL. 60541		
8/21/2020	012020201 01 House		09-21-100-007 FLEMING PETER M & SARA		3911 BELL RD MINOOKA, IL 60447-		
10/14/2020	012020292 01 House		05-12-220-006 RAHN AARON & LAUREN		6306 VALLEYVIEW CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	MCCUE BUILDERS, INC.
5/26/2020	012020092 01 House		04-21-125-034 KATH RODNEY L		9186 CHATHAM PL NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	THORNBROOK CONSTRUCTION, INC.
7/21/2020	012020160 01 House		05-12-205-001 GRINTER BRIAN R & KATHLEEN M		6285 WHITETAIL RIDGE CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	J. STRAHANSKI BUILDERS, INC.
10/19/2020	012020274 01 House		06-05-402-004 DOUGLAS JAMAL		4332 CHERRY RD OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 1	
6/10/2020	012020122 01 House		06-05-402-025 STEVENS RICK & DEBORAH		4098 CHERRY RD OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 1	DJK CUSTOM HOMES, INC.
3/23/2020	012020047 01 House		05-12-228-018 HORENI KELLY		7250 IRONWOOD CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	JOHN WATTS JPM CUSTOM HOMES
7/6/2020	012020174 01 House		03-13-400-014 CAMPBELL VICKY		65 RANCE RD OSWEGO, IL 60543-		

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6/2/2020	012020108 01 House	05-17-103-005 CRACKEL TODD & CASSANDRA	10910 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	CLEAN EDGE CONSTRUCTION		
5/8/2020	012020067 01 House	01-19-476-005 LASOURD LONNIE & TRINA	17224 FRAZIER ROAD PLANO, IL. 60545	HRVATIN SUB			
9/2/2020	012020246 01 House	04-08-400-011 LEITNER BRYAN SR & SHAUNA	16154 ROGERS ROAD NEWARK, IL. 60541				
6/2/2020	012020039 01 House	03-31-426-001 GLEN AND ASHLEE SCHNEIDER	5171 RESERVATION RD OSWEGO, IL 60543-		T4 CONSTRUCTION INC.		
1/10/2020	012020012 01 House	06-05-402-018 MURATORE FLORENTINO & ABBY T	4125 STEAM MILL CT OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 1	REVOLUTION BUILDERS CONSTRUCTION		
9/1/2020	012020235 01 House	02-26-402-003 TIM GREYER BUILDERS	10 OAK CREEK DR YORKVILLE, IL 60560-	OAK CREEK SUB	SAME		
1/10/2020	012020013 01 House	05-12-277-011 WESTPHAL GRANT R	6073 LEGACY CIR YORKVILLE, IL 60560-	WHITETAIL RIDGE	WILLMAN & GROESCH G.C.		
10/21/2020	012020304 01 House	01-10-301-005 ROBERT & DIANE MCQUADE	1594 LITTLE ROCK RD PLANO, IL 60545-	BERNS FIRST SUB	MCQUADE		
8/18/2020	012020191 01 House	05-12-220-007 MARCHINI AK ANDREW A & KRISTIN M	7317 CLUBHOUSE DRIVE YORKVILLE, IL. 60560	WHITETAIL RIDGE	CL DESIGN-BUILD, INC.		
5/8/2020	012020082 01 House	06-08-151-004 OVERSTREET, GREG AND MEGAN	4902 LEES CT OSWEGO, IL 60543-	GROVE ESTATES	OVERSTREET BUILDERS, INC.		
4/16/2020	012020066 01 House	05-02-126-006 ENGELHARDT LUKE & TIFFANY	7487 AUDREY AVENUE YORKVILLE, IL. 60560	ROSEHILL	JPM CUSTOM HOMES		

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9/17/2020	012020269 01 House		07-19-200-007 JACOB SPRAGGON		17075 INDIAN RD. NEWARK, IL. 60541		
5/11/2020	012020079 01 House		06-05-394-003 STRATTON BRIAN & LORENA		4720 WAAKEESHA DR OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 2	DJK CUSTOM HOMES, INC.
5/29/2020	012020096 01 House		06-08-101-025 KAY NEIL & JANINE		7141 JOYCE CT OSWEGO, IL 60543-	GROVE ESTATES	CRESTVIEW BUILDERS
8/4/2020	012020187 01 House		07-07-400-003 HARVEY MICHAEL E & CHERYLA		17418 LISBON CENTER RD NEWARK, IL 60541-		
7/31/2020	012020205 01 House		04-08-400-010 ANDREW & MARCIA PAKENHAM		7526 FINNIE RD NEWARK, IL 60541-		
6/2/2020	012020109 01 House		04-21-105-004 FRIEL BRIAN & PARA DONNA		9287 LEE HILL RD NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 4	CL DESIGN BUILD
8/20/2020	012020193 01 House		05-35-300-001 MEADOW CREEK FARMS INC		7621 HELMAR RD YORKVILLE, IL 60560-		
10/6/2020	012020261 01 House		05-06-351-009 LAWRENCE SHAWN J		3 HILLSIDE DRIVE YORKVILLE, IL. 60560	PAVILLION HEIGHTS UNIT 4	
6/23/2020	012020146 01 House		05-08-352-002 JONES ANDREW		7782 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	HOMEOWNER
6/12/2020	022020140 02 Garage		02-26-476-003 WADE, KATHRYN A & DAVIS, MICHAEL D		36 OAK CREEK DR YORKVILLE, IL 60560-	OAK CREEK SUB UNIT 2	AJ SCHAIBLEY INC.
9/3/2020	022020243 02 Garage		02-34-151-016 MEDLICOTT ROBERTA J		52 QUINSEY LANE YORKVILLE, IL 60560-	QUINSEY SUB	LEW KORTAS

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7/8/2020	022020177	02 Garage	03-04-480-008	MONNETT DEBRA S	124 SAUGATUCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	
9/28/2020	022020281	02 Garage	02-22-104-003	BRUMMEL KENNETH J & MARY	13 LAKEVIEW DR YORKVILLE, IL 60560-	BRISTOL LAKE SUB	SAME
1/14/2020	022020004	02 Garage	02-22-103-002	VALENCIA ERICA	62 LILLIAN LN YORKVILLE, IL 60560-	BRISTOL LAKE SUB	Self
6/18/2020	022020144	02 Garage	03-03-351-009	DIAZ JOSE R	135 SAUGATUCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	
2/10/2020	022020029	02 Garage	03-18-427-002	TRACY WILLIAM ALFRED	53 OSAGE CT OSWEGO, IL 60543-	HIGHLAND SUB	
6/16/2020	022020141	02 Garage	05-07-328-002	SAAR MICHAEL & DAYLE	14 TIMBERCREEK DR YORKVILLE, IL 60560-	TIMBER CREEK SUB	RLK BUILDERS INC
7/30/2020	022020162	02 Garage	04-09-351-018	SMITH BENJAMIN D & KELLY A	15 SHAGBARK LN MILLBROOK, IL 60536-	FOXHURST UNIT 6	CARMODY CONSTRUCTION
3/25/2020	032020058	03 Accessory Buildings	09-30-200-007	LARKIN DONALD SR & JOBETH	, -		
7/1/2020	032020165	03 Accessory Buildings	03-04-179-015	MYERS GREGORY	25 PEMBROOKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	
10/2/2020	032020289	03 Accessory Buildings	03-05-454-007	ROBLES JUAN L PENNA & BELTRAN MARIA DEL CARMEN VACQUIET	32 CIRCLE DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	JP CONSTRUCTION
8/18/2020	032020223	03 Accessory Buildings	04-02-230-002	MOUIS KEITH F & JESSICAA	6160 RED GATE LN YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS	PAT CLARK

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10/6/2020	032020290	03 Accessory Buildings	02-35-310-001	VICK ADAM & MELISSA	7783 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
5/8/2020	032020068	03 Accessory Buildings	01-19-476-005	LASOURD LONNIE & TRINA	17224 FRAZIER ROAD PLANO, IL. 60545	HRVATIN SUB	
3/16/2020	032020051	03 Accessory Buildings	03-07-403-003	NINO SERGIO YIRE	183 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 2	
1/14/2020	032020021	03 Accessory Buildings	01-19-301-005	SKILLIN SHANE W & STACY M	17879 FRAZIER RD SANDWICH, IL 60548-	LETT SUB	MORTON BUILDINGS
1/22/2020	032020022	03 Accessory Buildings	09-07-200-030	SHARKEY ERIN	13315 D GROVE RD MINOOKA, IL 60447-	HIGHGROVE	ZENZ BUILDINGS
8/10/2020	032020221	03 Accessory Buildings	05-16-300-009	CROSS EVANGELICAL LUTHRN CHRCH	8535 ROUTE 47 YORKVILLE, IL 60560-		BOB LEE CONSTRUCTION
4/8/2020	032020063	03 Accessory Buildings	02-35-381-006	LAVERY RAYMOND T & KELLEY	5985 DANIELLE LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	
8/27/2020	032020237	03 Accessory Buildings	03-08-281-007	JENSEN MICHAEL J SR & ELIZABETH M	111 CIRCLE DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	
7/7/2020	032020176	03 Accessory Buildings	03-05-429-008	BRAVES REALTY LLC 18 GREENFIELD	18 GREENFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 6	
5/18/2020	032020098	03 Accessory Buildings	03-24-201-009	KUCYK JOHN A & LAURA	28 PIONEER CT OSWEGO, IL 60543-	EAST KENDALL ESTATES	
6/10/2020	032020138	03 Accessory Buildings	02-28-453-007	KLEIN JEFFREY & MICHELLE	602 VICTORIA AVE YORKVILLE, IL 60560-	WACKERLIN SUB	

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8/18/2020	032020226	03 Accessory Buildings	03-08-277-023	PETERSEN JACKIE	15 FIELDPOINT RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	SHED CRAFT
9/25/2020	032020282	03 Accessory Buildings	04-21-127-001	RIZZO ANTHONY C & JANNETTE K	15796 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	WILLMAN & GROESCH GC
9/30/2020	032020285	03 Accessory Buildings	08-11-226-003	BD OF TR OF TWP OF LISBON	7095 CHICAGO ROAD YORKVILLE, IL. 60560		
9/22/2020	032020276	03 Accessory Buildings	03-35-375-002	CROSLEY CHAD & ELIZABETH	5906 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	
8/6/2020	032020214	03 Accessory Buildings	03-04-379-008	BURKE DEBORAH	53 HUBBARD WAY MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	
3/11/2020	032020048	03 Accessory Buildings	01-26-300-024	HAAG DONALD L & LOIS K	13625 HALE RD PLANO, IL 60545-		CLEARY BUILDINGS
6/24/2020	032020149	03 Accessory Buildings	03-04-454-019	RAINEY GORDON	71 SAUGATUCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 19	BOB LEE CONSTRUCTION
10/27/2020	032020309	03 Accessory Buildings	08-02-476-005	SCHEIBE DARLES L & VIVIAN K	YORKVILLE, IL 60560-	MURDO T MACKENZIE SUB	TCB CONSTRUCTION INC
9/11/2020	032020256	03 Accessory Buildings	04-20-226-005	GOODLET TIMOTHY J & MARISSA	16077 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 4	
6/24/2020	032020148	03 Accessory Buildings	03-04-253-012	MOYER HEATHER R & CHAMBERLAIN	48 INGLESHERE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	TUFF SHED
5/8/2020	032020085	03 Accessory Buildings	05-07-403-012	SEIDELMAN DANNY & CINDY	15 TIMBERCREEK CT YORKVILLE, IL 60560-	TIMBER CREEK SUB	GUYS CONSTRUCTION INC

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6/24/2020	032020151	03 Accessory Buildings	07-29-200-005	WALKER BRIAN	16430 STEPHENS RD NEWARK, IL 60541-		
8/18/2020	032020227	03 Accessory Buildings	03-08-302-002	LECHUGA LORENZO & TERESA	115 LAURIE LN OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	
8/5/2020	032020213	03 Accessory Buildings	02-14-151-002	SCHOOFF GREGORY S & BAUER-SCHOOFF VICI, M M	84 S ROYAL OAKS DR BRISTOL, IL 60512-	THE WOODS OF BLACKBERRY OAKS	TUFF SHED
8/5/2020	032020208	03 Accessory Buildings	03-08-106-013	YACOVELLI NICHOLAS A	27 BOAT LN OSWEGO, IL 60543-	MARINA VILLAGE RESUB	TUFF SHED
9/24/2020	032020280	03 Accessory Buildings	05-07-201-005	CORWIN SCOTT E & AMY L	7255 PAVILLION RD YORKVILLE, IL 60560-	MATLOCK MEADOWS	
8/3/2020	032020207	03 Accessory Buildings	04-16-350-016	GRANT BRIAN & KAREN	9029 WILCOX CT NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 1	
8/12/2020	032020216	03 Accessory Buildings	04-08-200-034	ROBIN & TRICIA KLECKNER	7100 OAKBROOK RD NEWARK, IL 60541-	OAK BROOK CREEK SUB	A&B EXTERIORS, LLC
7/14/2020	032020181	03 Accessory Buildings	06-02-103-003	BLALOCK BRIAN S & CAROL M	1937 WINCHESTER CT OSWEGO, IL 60543-	SOUTHFIELD ESTATES	
9/15/2020	032020247	03 Accessory Buildings	03-08-277-031	RAMIREZ, RAMON & RAMOS, IRENE	33 FIELDPOINT RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	HOMEOWNER
7/16/2020	032020185	03 Accessory Buildings	03-04-408-004	REED, GENE M & RUFF, KIMBERLY M	108 TEALWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 27	HOMEOWNER
5/21/2020	032020104	03 Accessory Buildings	02-15-161-001	WALKER ROBERT & SARAH	33 PLUM ST BRISTOL, IL 60512-	HUNTSVILLE (ORIGINAL TOWN)	

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7/1/2020	032020166	03 Accessory Buildings	03-05-430-040	WEISENBORN GROEGE W JR & IMBEDIYA	27 SENECA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	TUFF SHED
6/5/2020	032020125	03 Accessory Buildings	04-13-277-007	ELLIS WILLIAM & SUSAN M	8558 W HIGHPOINT RD YORKVILLE, IL 60560-	COTSWOLD FEN PUD RESUB LOT 12 PHASE 2	
7/1/2020	032020163	03 Accessory Buildings	04-20-300-002	WHITFIELD R W & K J	9911 B FOX RIVER DR NEWARK, IL 60541-		
5/28/2020	032020114	03 Accessory Buildings	03-04-454-012	LIFF DALE R & JILL M	82 AMESBURY RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 19	
3/24/2020	032020049	03 Accessory Buildings	02-22-102-007	SCHOMER WILLIAM & KIMBERLY	71 LILLIAN LN YORKVILLE, IL 60560-	BRISTOL LAKE SUB	SAME
9/4/2020	032020248	03 Accessory Buildings	03-05-454-011	PIEL, NICHOLAS & ANDRE, LINDA	4 SCARSDALE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	
10/2/2020	032020286	03 Accessory Buildings	03-04-326-006	SAENZ JUAN FRANCISCO	54 MARNEL RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	
7/29/2020	032020178	03 Accessory Buildings	08-29-400-002	KENDALL COUNTY SHERIFF'S OFFICE	10040 JOLIET RD NEWARK, IL 60541-		
8/17/2020	032020179	03 Accessory Buildings	05-09-154-001	JENSEN BRADLEY & NICOLE & RUNKLE	7344 ROUTE 47 YORKVILLE, IL 60560-		
3/12/2020	032020041	03 Accessory Buildings	02-11-127-006	DARBY TYLER & THOMAS TIFFANY	40 N CYPRESS DR BRISTOL, IL 60512-	WILLOWBROOK UNIT 2 AMNDED PLAT	HOMEOWNER
8/31/2020	032020241	03 Accessory Buildings	03-15-126-005	KOPACZ REVOCABLE LIVING TRUST	2150 DOUGLAS RD OSWEGO, IL 60543-		

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6/9/2020	032020131	03 Accessory Buildings	01-05-176-005	BOND MICHAEL E & CHERIE L	232 CREEK RD PLANO, IL 60545-		CLEARY BUILDING CORP
7/29/2020	032020182	03 Accessory Buildings	03-08-227-023	TRUEMPER DEAN & TERRY	7 BRIGHTON WAY MONTGOMERY, IL 60538-	BOULDER HILL UNIT 20	
8/31/2020	032020239	03 Accessory Buildings	03-24-100-003	GENTILE DAVE	680 RANCE RD OSWEGO, IL 60543-		CLEARY BUILDINGS
6/2/2020	042020117	04 Additions	05-04-176-010	HACKERSON STEVEN & JANE	70 WOODEN BRIDGE DR YORKVILLE, IL 60560-	CROOKED CREEK WOODS	RLK BUILDERS INC
5/28/2020	042020110	04 Additions	02-35-301-004	SHULDA JOSEPH D & BETTY	343 AUSTIN CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY AM KITCHEN AND BATH UNIT 1	
9/10/2020	042020257	04 Additions	02-27-177-013	DEARBORN DEREK & JACQUELINE	8940 D ROUTE 34 YORKVILLE, IL 60560-	BAKERS SUB	CARMODY CONSTRUCTION INC.
10/6/2020	042020291	04 Additions	03-23-201-002	FISCHER CINDY	3021 ROTH RD OSWEGO, IL 60543-		
10/16/2020	042020300	04 Additions	01-29-351-006	CHAPMAN DARRELL & SHARON	16919 GRISWOLD SPRINGS RD PLANO, IL 60545-	BILLY R WILLIAMS SUB	CARL WUNSCHHEL
8/10/2020	042020222	04 Additions	02-21-151-010	SCHICK GEORGINE	7 AMANDA LN YORKVILLE, IL 60560-	ASHLEY WOODS	JOSEPH BARRY
10/6/2020	042020284	04 Additions	03-05-453-008	CERDA MOISES & ANA L	143 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	
9/9/2020	042020254	04 Additions	06-24-400-005	ZAVALA SALOMON	9699 LINE RD PLAINFIELD, IL 60544-		

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6/15/2020	042020133	04 Additions	03-04-329-009	KUSNIERZ MALGORZATA	25 WHITNEY WAY MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	OWNER
6/26/2020	052020154	05 Remodeling	03-35-352-001	CHASTAIN DONALD N & NORMA JEAN	5957 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	TRANQUILITY BUILDERS
5/12/2020	052020088	05 Remodeling	03-27-376-003	FARIES STANLEY C & PATRICIA M	94 LEISURE LN OSWEGO, IL 60543-	LEISURE LEA UNIT 3	BMF REMODELING LLC
8/18/2020	052020225	05 Remodeling	03-07-229-008	GARCIA DE PONCE MARIA O	5 MARLIN DR OSWEGO, IL 60543-	MARINA TERRACE	RECON SOLUTIONS INC
5/21/2020	052020106	05 Remodeling	04-09-352-003	HEIM ROBERT R & JUDITH A	7725 DOBSON LN NEWARK, IL 60541-	FOXHURST UNIT 5	AM KITCHEN AND BATH
9/11/2020	052020259	05 Remodeling	04-36-400-005	HELMAR LUTHERAN CONGREGATION	11935 LISBON RD NEWARK, IL 60541-		RON MATHRE
1/31/2020	052020025	05 Remodeling	03-08-303-007	BAYLOR TROY R & DAWN M	105 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	
5/21/2020	052020107	05 Remodeling	04-16-126-003	CAMPBELL MICHAEL J	21 FOXHURST LN MILLBROOK, IL 60536-	FOXHURST UNIT 1	AM KITCHEN & BATH
1/9/2020	052020016	05 Remodeling	02-35-382-002	HERBER JASON J & PAMELAA	5968 DANIELLE LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY ARTISAN UNIT 2	ARTISAN ENTERPRISES
10/23/2020	052020308	05 Remodeling	02-23-153-015	RANGE SHANNON L	6 OAKLAWN AVE YORKVILLE, IL 60560-	RIVER RIDGE UNIT 1	
10/20/2020	052020303	05 Remodeling	02-21-151-002	JAMES & RITA FELTES	4 PATRICIA LN YORKVILLE, IL 60560-	RICHARDS BLACKBERRY ESTATES	

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10/14/2020	052020296	05 Remodeling	02-29-401-004	BIANCHI STACY K	703 CONOVER LN YORKVILLE, IL 60560-	RESUB LOT 3 CONOVERS 3RD SUB	
2/19/2020	052020033	05 Remodeling	03-18-453-007	SCHAUER STEVEN & SUSAN	120 RIVERVIEW CT OSWEGO, IL 60543-	RIVERVIEW HEIGHTS SUB AM KITCHEN AND BATH OF LOT 82	
6/3/2020	052020077	05 Remodeling	04-08-200-026	FRIEDERS MARK & TRACY	7425 OAKBROOK RD NEWARK, IL 60541-		CHARLES RUH
3/12/2020	052020046	05 Remodeling	02-15-278-003	PROCHASKA GEORGE F & REGINA K	50 S ROYAL OAKS DR BRISTOL, IL 60512-	THE WOODS OF BLACKBERRY OAKS	AM KITCHEN AND BATH
7/28/2020	052020200	05 Remodeling	09-20-400-005	MIGLIORINI ADAM J	15975 OBRIEN RD MINOOKA, IL 60447-		MARANATHA CONSTRUCTION
9/14/2020	052020260	05 Remodeling	06-03-251-001	WOODS ANDREW W & ASHLEY D	2017 DEVONSHIRE CT OSWEGO, IL 60543-	SOUTHFIELD ESTATES	TRANQUILITY BUILDERS INC.
3/25/2020	052020057	05 Remodeling	02-36-102-003	HENCZEL DAVID C DECL OF TRUST & PATRICIA MEZA DENALICE	385 COUNTRY RD YORKVILLE, IL 60560-	FARM COLONY	MICHAEL ANTHONY BUILDERS, INC.
10/6/2020	062020270	06 Commercial - M Zone	03-06-200-012	REICH BROTHERS	275 ROUTE 31 OSWEGO, IL 60543-		KEELEY CONSTRUCTION
9/3/2020	062020249	06 Commercial - M Zone	08-04-100-002	FS GRAIN LLC % GENERAL MANAGER	9513 HELMAR ROAD NEWARK, IL. 60541		WALLIN CONSTRUCTION INC.
6/29/2020	072020157	07 Commercial - B Zone	09-35-400-009	MIDWEST GAS INC	17845 RIDGE RD MINOOKA, IL 60447-		
10/27/2020	082020310	08 Barns/Farm Buildings	05-21-400-008	LUDWIG ADAM E	9239 WALKER RD YORKVILLE, IL 60560-		

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10/9/2020	082020294	08 Barns/Farm Buildings	08-01-100-003	WESTPHALL CORY	6522 HELMAR RD YORKVILLE, IL 60560-		
10/27/2020	082020311	08 Barns/Farm Buildings	04-13-277-005	MALKOWSKI DENNIS F & BARBARA	8450 W HIGHPOINT RD YORKVILLE, IL 60560-		
9/23/2020	082020277	08 Barns/Farm Buildings	09-21-100-009	ZEITER GARY & BRENDA	3549 BELL ROAD MINOOKA, IL. 60447		
7/6/2020	082020168	08 Barns/Farm Buildings	01-23-100-012	HAMMAN JOSEPH P & MARCY	13355 FAXON RD PLANO, IL 60545-		
7/1/2020	082020164	08 Barns/Farm Buildings	05-31-200-006	FAZIO NATALE & PERONA ALEXIS	11010 CATON FARM RD YORKVILLE, IL 60560-		
6/29/2020	082020158	08 Barns/Farm Buildings	05-24-400-011	LEEDY CHARLENE L TRUST	, -		
4/15/2020	082020065	08 Barns/Farm Buildings	06-04-400-005	UNDERWOOD TODD J & ALISON W	6909 SCHLAPP RD OSWEGO, IL 60543-		
4/14/2020	082020064	08 Barns/Farm Buildings	09-21-100-007	FLEMING PETER M & SARA	3911 BELL RD MINOOKA, IL 60447-		
8/31/2020	082020238	08 Barns/Farm Buildings	09-23-300-022	RICHARDSON BOBBY J & KRISTIN N	15855 HARE RD MINOOKA, IL 60447-		
10/29/2020	082020315	08 Barns/Farm Buildings	03-34-226-002	MARZ RUTH	2080 SIMONS RD OSWEGO, IL 60543-		
9/23/2020	082020279	08 Barns/Farm Buildings	07-16-100-003	LAPRAIRIE PETER J & ENGELBY SABINE	14080 TOWNHOUSE RD NEWARK, IL 60541-		

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9/17/2020	082020267	08 Barns/Farm Buildings	04-27-100-006	POTTINGER CRAIG J & SARAH L	14686 WALKER RD NEWARK, IL. 60541		
9/16/2020	082020265	08 Barns/Farm Buildings	05-08-102-002	KENDALL COUNTY FAIR ASSOC	10826 ROUTE 71 YORKVILLE, IL 60560-		
9/14/2020	082020262	08 Barns/Farm Buildings	08-01-452-010	HORTON JAMES J & NANCY L	6336 CHICAGO RD YORKVILLE, IL 60560-		
8/25/2020	082020234	08 Barns/Farm Buildings	08-36-200-002	WAKE ROY & KATHRYN	6232 WHITEWILLOW RD MINOOKA, IL 60447-		
8/20/2020	082020230	08 Barns/Farm Buildings	07-07-400-004	BARROWMAN ROGER & CYNTHIA	14001 FENNEL RD NEWARK, IL 60541-		
7/6/2020	082020169	08 Barns/Farm Buildings	01-05-151-005	SCHIOUR ANTHONY & FOUT LAURA	577 CREEK RD PLANO, IL 60545-		
7/7/2020	092020173	09 Signs	03-07-279-001	LIGHT ROAD APARTMENTS LLC	1100-1800 LIGHT RD OSWEGO, IL 60543-		SIGNARAMA, LIBERTYVILLE
10/21/2020	102020306	10 Other	06-10-200-006	KELLER FRANK	7426 SCHLAPP RD OSWEGO, IL 60543-		
5/28/2020	122020115	12 Swimming Pools	02-26-376-003	HANCOCK JAMES B & JANINE A	9 FOX HILL CT YORKVILLE, IL 60560-	OAK CREEK SUB	POOL & SPA WORKS, INC.
6/5/2020	122020127	12 Swimming Pools	02-27-326-006	WIEWORKA CRYSTAL M & NEFF DOUG	17 N PARK DR YORKVILLE, IL 60560-		ALL PROPERTY SERVICES, INC.
6/4/2020	122020124	12 Swimming Pools	03-04-307-008	SHEPHERD JOSEPH H & DEBBIE J LIVING TRUST	23 WYNDHAM DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	

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4/23/2020	122020071	12 Swimming Pools	03-05-404-005	MCKINNEY MARCUS A & SMITH LEEANN	110 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 6	GREAT ESCAPE
6/3/2020	122020120	12 Swimming Pools	03-05-253-021	COSMANO ASHLY	25 N BEREMAN RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 15 REUSB	Midwest Pool Installers
5/18/2020	122020100	12 Swimming Pools	02-35-413-008	DUNCAN JEFFREY S	7393 GILDA CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	JETS REMODLING & CONSTRUCTION
5/4/2020	122020080	12 Swimming Pools	02-23-352-009	KNAPP LUCAS & ANGELICA	58 TIMBER VIEW LN YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 2	SWIM SHACK
4/30/2020	122020078	12 Swimming Pools	02-35-103-014	NELSON STEPHANIE A & BENJAMIN M	7889 VAN EMMON RD YORKVILLE, IL 60560-	WENDLING SUB	
4/29/2020	122020075	12 Swimming Pools	03-05-253-009	BUSIC STEPHANIE L	14 E RIVER RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 15 REUSB	A&J RECREATIONAL SERVICES
5/18/2020	122020097	12 Swimming Pools	03-24-201-009	KUCYK JOHN A & LAURA	28 PIONEER CT OSWEGO, IL 60543-	EAST KENDALL ESTATES	
5/14/2020	122020095	12 Swimming Pools	06-06-201-009	BONNELL DUSTIN J & CHRISTINA M	30 NAAUSAY CT OSWEGO, IL 60543-	IL NA-AU-SAY WOODS	
8/4/2020	122020212	12 Swimming Pools	03-05-276-006	GONZALEZ GUSTAVO & ADRIANA & CHRISTINA	38 N BEREMAN RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 15 REUSB	PRECISION POOL PROFESSIONALS
4/27/2020	122020069	12 Swimming Pools	03-12-476-001	MAURICIO LOUIS E & MENDOZA ALICIA	139 WOLF RD OSWEGO, IL 60543-		
3/24/2020	122020056	12 Swimming Pools	06-06-126-001	FEIN JASON M & COLEEN E	11 ABBEYFEALE DR OSWEGO, IL 60543-	ABBEEFEALE FARMS	EPIC ESCAPES

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5/8/2020	122020087	12 Swimming Pools	06-06-276-013	TARMANN ADAM & STEPHANIE	2 CHIPPEWA CT OSWEGO, IL 60543-	NA-AU-SAY WOODS UNIT 2	
8/10/2020	122020220	12 Swimming Pools	09-05-100-003	KWIATKOWSKI MATTHEW A & KRISTINE I	12090 GROVE RD MINOOKA, IL 60447-		A&J RECREATIONAL SERVICES
6/26/2020	122020153	12 Swimming Pools	03-05-429-009	BENAVIDES DANIEL T & FERNANDO	20 GREENFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 6	MARK SMITH
3/4/2020	122020037	12 Swimming Pools	02-34-470-013	JUBIC DOUGLAS E & HEATHER W	8241 SHADOW CREEK LN YORKVILLE, IL 60560-	SHADOW CREEK SUB	SWIM SHACK INC
2/21/2020	122020034	12 Swimming Pools	02-15-402-012	WILSON ROBIN & ROBLES ROBERT	26 W ROYAL OAKS DR BRISTOL, IL 60512-	BLACKBERRY RIDGE	ALL PROPERTY SERVICES
6/12/2020	122020142	12 Swimming Pools	03-27-427-023	SILVA KOLANI	2 RED HAWK DR OSWEGO, IL 60543-	RED HAWK LANDING	PRECISION POOL PROFESSIONALS
6/8/2020	122020128	12 Swimming Pools	02-15-155-004	DOLCEHOMES INC	11 BRISTOL RIDGE RD BRISTOL, IL 60512-	HUNTSVILLE (ORIGINAL TOWN)	
6/10/2020	122020139	12 Swimming Pools	02-24-151-002	QUILLEN BRAD & TAMMY	6938 SUNDOWN LN YORKVILLE, IL 60560-	HERRENS SUB	EXPERT POOL BUILDERS
2/19/2020	122020023	12 Swimming Pools	06-07-130-001	WILSON CHRISTOPHER E & JILLIAN	7148 IRONWOOD CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	QUANTUS POOLS CORP.
6/11/2020	122020137	12 Swimming Pools	02-21-180-001	LOVELESS RONALD	10 W LEXINGTON CIR YORKVILLE, IL 60560-	BLACKBERRY CREEK	
6/25/2020	122020135	12 Swimming Pools	03-24-100-018	KOEBELE JONATHAN A & JESSICA	675 WOOLLEY RD OSWEGO, IL 60543-		

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9/14/2020	122020258	12 Swimming Pools	02-14-226-004	REINERT GREGORY A & LAURA R	170 E RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 4	
6/9/2020	122020134	12 Swimming Pools	04-13-278-002	JOHN HUNTER	18 COTSWOLD DR YORKVILLE, IL 60560-	COTSWOLD FEN PUD PHASE 2	
6/11/2020	122020132	12 Swimming Pools	03-07-403-007	DIAZ JAVIER	175 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 2	The Great Escape
8/24/2020	122020231	12 Swimming Pools	02-35-432-006	PANATTONI RICHARD A & RACHEL A	5688 SCHMIDT LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	SWIM SHACK
7/8/2020	122020175	12 Swimming Pools	02-35-413-004	LEONARD RYAN & KELLY	5586 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	JJ ELITE INSTALLATION
7/6/2020	122020171	12 Swimming Pools	05-04-178-007	KELLY JAMES M & MELISSA M	65 CROOKED CREEK DR YORKVILLE, IL 60560-	CROOKED CREEK WOODS	MIDWEST POOL INSTALLERS
7/2/2020	122020167	12 Swimming Pools	06-06-201-013	MERRILL JOELA & SARAH A	6 NAAUSAY CT OSWEGO, IL 60543-	NA-AU-SAY WOODS	
6/30/2020	122020161	12 Swimming Pools	02-27-376-004	CLOUGH, LISA GRANT & KASCHER, MICHAEL A	216 TUMA RD YORKVILLE, IL 60560-		ADVANCED POOL CONTRACTORS
6/29/2020	122020156	12 Swimming Pools	03-09-108-007	BEYER JORDAN L	140 CIRCLE DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	
9/15/2020	122020263	12 Swimming Pools	03-24-201-015	CETNAR CHRISTOPHER J & JENNIFER J	3202 STEWART RD OSWEGO, IL 60543-	EAST KENDALL ESTATES	
6/26/2020	122020155	12 Swimming Pools	03-05-279-006	CAMPBELL JOSEPH	12 KNOLLWOOD DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	PRECISION POOL

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9/2/2020	122020245	12 Swimming Pools	03-08-230-005	BRAVES REALTY LLC % DENNIS JARRETT	38 OLD POST RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	OSCAR
8/27/2020	122020236	12 Swimming Pools	02-35-277-003	BAUGHMAN LUCAS & ALLISON	192 COUNTRY RD YORKVILLE, IL 60560-	FARM COLONY	DesRoches Backyard Pools
8/24/2020	122020232	12 Swimming Pools	03-05-276-019	BARAJAS SONIA	33 ALDON RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 15 REUSB	
8/18/2020	122020224	12 Swimming Pools	02-27-378-002	WINDERS MATTHEW R & JACQUELYN	4 CENTRAL DR YORKVILLE, IL 60560-	FOX RIVER GARDENS	
6/1/2020	122020118	12 Swimming Pools	03-05-253-025	FORESTA JOSEPH E III & MELANIE L	13 W ALDON CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 15 REUSB	A&J RECREATIONAL SERVICES, INC.
8/6/2020	122020217	12 Swimming Pools	03-04-303-002	ZURAWSKI ZACHARY & AMBER	13 WOODRIDGE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 5	
6/4/2020	122020123	12 Swimming Pools	03-04-303-006	TORRES MARIO VALLEJO & VALLEJO MAYRA	5 WOODRIDGE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 5	THE GREAT ESCAPE
5/6/2020	122020084	12 Swimming Pools	03-05-277-040	HEARD COLBY T & DANIELLE M	9 WOODCLIFF DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 2	
5/6/2020	122020083	12 Swimming Pools	02-34-204-006	EVANS JAMES R & TARA	44 RIVERSIDE ST YORKVILLE, IL 60560-	FOX RIVER GARDENS	OWNER
8/4/2020	122020209	12 Swimming Pools	02-29-282-005	BENSON, ERIC & VASHKELIS-BENSON, TEDESCA I	216 PLEASURE DR YORKVILLE, IL 60560-	COUNTRYSIDE SUB UNIT 7	MARK'S BACKYARD OASIS
7/30/2020	122020203	12 Swimming Pools	04-08-200-034	KLECKNER, ROBIN & TRICIA	7100 OAKBROOK RD NEWARK, IL 60541-	OAK BROOK CREEK SUB	SWIM SHACK INC.

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7/16/2020	122020184	12 Swimming Pools	03-05-426-004	WILSON GEORGE M & KAITLYN R	21 BRIARCLIFF RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	
1/31/2020	122020024	12 Swimming Pools	02-22-426-002	KNOEBEL JONATHAN BRADY	19 TIMBER VIEW LN YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 2	QUANTUS POOL
3/4/2020	122020032	12 Swimming Pools	02-36-102-009	ANDERSON MICHAEL J & SANDRAM	429 COUNTRY RD YORKVILLE, IL 60560-	FARM COLONY	SIGNATURE POOLS & SPAS, INC.
5/14/2020	122020093	12 Swimming Pools	03-07-252-031	ZGOBICA ANDREW	104 ST GEORGE LN OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 2	HOMEOWNER
6/18/2020	132020145	13 Decks	05-09-101-006	BOYER TIMOTHY M & SUSAN M	7250 B ROUTE 47 YORKVILLE, IL 60560-		
6/8/2020	132020129	13 Decks	02-15-155-004	DOLCE HOMES INC	11 BRISTOL RIDGE RD BRISTOL, IL 60512-	HUNTSVILLE (ORIGINAL TOWN)	
6/2/2020	132020116	13 Decks	04-02-226-002	PATTERMAN BLAKE	6233 POLO CLUB DR YORKVILLE, IL 60560-	THE WOOD OF SILVER SPRINGS PHASE 2	
5/27/2020	132020113	13 Decks	02-34-204-006	EVANS JAMES R & TARA	44 RIVERSIDE ST YORKVILLE, IL 60560-	FOX RIVER GARDENS REPLAT LOTS 6-14 & 15-58	SAME
5/18/2020	132020099	13 Decks	02-35-413-008	DUNCAN JEFFREY S	7393 GILDA CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	JETS REMODELING & CONSTRUCTION
5/14/2020	132020094	13 Decks	06-06-201-009	BONNELL DUSTIN J & CHRISTINA M	30 NAAUSAY CT OSWEGO, IL 60543-	IL NA-AU-SAY WOODS	
5/13/2020	132020091	13 Decks	05-17-202-001	JENDRZEJCZYK MICHAEL SR & RACHEL	106 RONHILL RD YORKVILLE, IL 60560-	RONHILL ESTATES UNIT 2	SAME

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4/30/2020	132020076	13 Decks	02-35-103-014	NELSON STEPHANIE A & BENJAMIN M	7889 VAN EMMON RD YORKVILLE, IL 60560-	WENDLING SUB	
4/2/2020	132020060	13 Decks	04-09-351-010	ANDERSON GREGORY J & DAWN M	6 FOX RUN DR MILLBROOK, IL 60536-	FOXHURST UNIT 4	G&T CONCRETE CO.
2/26/2020	132020035	13 Decks	02-35-432-003	ODONOGHUE WILLIAM T & STEPHANIE L	5650 SCHMIDT LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	WARNERS DECKING
10/27/2020	132020312	13 Decks	05-12-205-010	WHITETAIL RIDGE GOLF CLUB LLC	7671 CLUBHOUSE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	WALKER CUSTOME HOMES
10/23/2020	132020305	13 Decks	06-14-200-003	RAMIREZ LYDIA	1152 ROUTE 126 PLAINFIELD, IL 60586-		
10/14/2020	132020297	13 Decks	03-18-428-008	WOLF SANDRA & M J YOUNG	5150 ROUTE 34 OSWEGO, IL 60543-		WILLMAN & GROESCH G.C.
10/7/2020	132020295	13 Decks	05-02-128-004	WITCPALEK JOHN & ELIZABETH	7436 AUDREY AVE YORKVILLE, IL 60560-	ROSEHILL	WEDGEWOOD CONSTRUCTION INC.
8/24/2020	132020233	13 Decks	01-19-277-002	SMITH, DAVID P & ZAHN, MIRANDA A	107 HUNTSMEN DR PLANO, IL 60545-	HUNTSMEN TRAILS SUB	CLEAN EDGE CONSTRUCTION INC.
7/16/2020	132020183	13 Decks	09-06-300-007	WHALEN DAVID M & CATHY L	12538 BRISBIN RD YORKVILLE, IL 60560-		OWNER
7/6/2020	132020170	13 Decks	03-05-253-009	BUSIC STEPHANIE L	14 E RIVER RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 15 REUSB	PARTIPILO CUSTOM DECKS
7/6/2020	132020159	13 Decks	02-35-227-005	TORRES ELIGIO & JANET	305 FARM CT YORKVILLE, IL 60560-	FARM COLONY	

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6/24/2020	132020150	13 Decks	03-27-401-021	MISSANA JOSEPH A & LEANN	4600 B DOUGLAS RD OSWEGO, IL 60543-	QUAIL RUN	FRANK E NADHERNY
6/19/2020	132020147	13 Decks	05-02-125-001	HIGGINS, TIMOTHY P & RYAN JOYCE L	7686 AUDREY AVE YORKVILLE, IL 60560-	FIELDS OF FARM COLONY HOMEOWNER UNIT 2	
10/27/2020	142020313	14 Demolitions	01-27-300-002	CEDARDELL FARMS LLC	4573 FOX RIVER DR PLANO, IL 60545-		
10/6/2020	142020293	14 Demolitions	01-34-400-001	ROTH THOMAS	14363 RIVER RD PLANO, IL 60545-		NESSON, DUSTY
9/30/2020	142020287	14 Demolitions	03-08-153-027	DEER RUN OF OSWEGO CONDO ASSOC	2500 #101 LIGHT RD OSWEGO, IL 60543-	DEER RUN	POOL BUSTERS LLC
7/28/2020	142020197	14 Demolitions	05-07-102-009	DUDA MICHAEL B & DOLORES O	58 HILLSIDE DR YORKVILLE, IL 60560-	PAVILLION HEIGHTS UNIT 2	POOL BUSTERS LLC
5/26/2020	142020105	14 Demolitions	05-26-300-004	STEVENSON ROBERT O & DORIS E	7621 CATON FARM RD YORKVILLE, IL 60560-		SCOTT RIEMENSCHNEIDER
9/22/2020	142020275	14 Demolitions	09-04-300-017	ALLEN CHARLES J & CAROLA	3827 VAN DYKE RD MINOOKA, IL 60447-		
5/4/2020	142020081	14 Demolitions	01-27-300-005	CEDARDELL FARMS LLC	4912 FOX RIVER DR PLANO, IL 60545-		
5/8/2020	142020072	14 Demolitions	02-16-277-003	15 CT LLC	26 CANNONBALL TRL BRISTOL, IL 60512-		BM 1 SERVICE
9/17/2020	142020268	14 Demolitions	04-27-100-003	POTTINGER CRAIG J & SARAH L	14886 WALKER RD NEWARK, IL 60541-		

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10/22/2020	142020052	14 Demolitions	04-25-200-006	DIEDERICH RONALD E & MARTHA A	10017 LISBON RD YORKVILLE, IL 60560-		
2/10/2020	142020028	14 Demolitions	08-25-100-004	WIESBROOK, LINDA & CHRIST TWEET FAMILY TRUST	16204 CHURCH RD MINOOKA, IL 60447-		ANTREX, INC.
9/14/2020	142020244	14 Demolitions	03-27-100-003	HEISE WILLIAM O	4033 DOUGLAS RD OSWEGO, IL 60543-		
1/8/2020	142020015	14 Demolitions	04-20-300-006	BUDD FARMS LLC	9388 FOX RIVER DR NEWARK, IL 60541-		
9/10/2020	142020211	14 Demolitions	05-18-300-021	DUKES FARM LLC %BRIAN J MORAN	8724 W HIGHPOINT RD YORKVILLE, IL 60560-		KENDALL EXCAVATING
7/28/2020	142020199	14 Demolitions	02-07-100-011	HAGEMANN FAMILY TRUST % ANN MARIE LACEMANNI	1414 EL DAMAIN RD PLANO, IL 60545-		JASON BRUMMEL
7/29/2020	152020202	15 Electrical Upgrades	XPO LOGISTICS/WAYNE CLUBBY	26 ROUTE 30 AURORA, IL 60503-			SCHWAN ELECTRIC CONTRACTING
7/29/2020	152020180	15 Electrical Upgrades	08-29-400-002	KENDALL COUNTY SHERIFF'S OFFICE	10040 JOLIET RD NEWARK, IL 60541-		
4/29/2020	152020074	15 Electrical Upgrades	03-04-329-009	KUSNIERZ MALGORZATA	25 WHITNEY WAY MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	
9/18/2020	172020253	17 Change in Occupancy	03-05-401-003	BOULDER HILL NUTRITION CENTER	75 BOULDER HILL PASS MONTGOMERY, IL 60538-		
7/22/2020	172020192	17 Change in Occupancy	03-18-451-002	WANDA ZACHARY	5462 ROUTE 34 OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	MICHAEL DWYER

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4/21/2020	172020062	17 Change in Occupancy	03-05-401-003	EVERAFTER SALON LLC	79 BOULDER HILL PASS MONTGOMERY, IL 60538-		POTTER CONSTRUCTION & ASCO INC
3/24/2020	182020055	18 Driveway	03-34-400-011	DEBOER KAREN	2051 PLAINFIELD RD OSWEGO, IL 60543-		JOHN GREEN EXCAVATING CO.
7/30/2020	182020189	18 Driveway	06-08-151-007	LTW GROUP TRUST/CARDOMONE	7387 ROBERTS DR OSWEGO, IL 60543-	GROVE ESTATES	MDCS
10/22/2020	182020307	18 Driveway	03-31-452-012	WECKEL DONALD C & YAVONNE N	32 OTTAWA CT OSWEGO, IL 60543-	NA-AU-SAY WOODS	
9/17/2020	182020266	18 Driveway	03-05-253-026	NOLAN MICHAEL G & CATHERINE A	11 W ALDON CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 15 REUSB	PALLERA CONSTRUCTION INC.
9/18/2020	182020264	18 Driveway	01-10-101-003	MICHAEL AND DAWN CECH	1148 VILMIN RD PLANO, IL 60545-		
8/31/2020	182020228	18 Driveway	03-07-229-016	RENZETTI JOSEPH T III	6 DOLPHIN CT OSWEGO, IL 60543-	MARINA TERRACE	JON-CEMETRIX CONCRETE
8/11/2020	182020219	18 Driveway	03-04-378-010	MIRANDA ANDREA	65 PUEBLO RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	
7/29/2020	182020204	18 Driveway	03-12-203-009	LIWINSKI SYLWESTER & IWONA	17 GASTVILLE ST AURORA, IL 60503-	GASTVILLE	
6/16/2020	182020143	18 Driveway	03-05-430-045	MCQUEEN JOSEPH A & THERESA M	37 SENECA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	BUDS CONCRETE, INC.
6/8/2020	182020130	18 Driveway	03-05-431-006	KIRKWOOD RICKEY	5 HAMPTON RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 4	FORTIS GROUND WERKS

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5/8/2020	182020086	18 Driveway	03-04-376-030	BARLETT DUSTIN W & KEARNS CRYSTAL K	27 LONGBEACH RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	88 CONSTRUCTION
7/27/2020	192020195	19 Fire Restoration	03-04-154-022	MCCOY JIMMY	22 ROULOCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	OMNICON, INC.
3/19/2020	192020053	19 Fire Restoration	03-07-427-009	HAGEN MATTHEW	144 LAURIE LN OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	UNLIMITED FIRE RESTORATION INC.
7/28/2020	202020198	20 Patio	03-05-430-040	WEISENBORN GROEGE W JR & IRMA DEBIVA	27 SENECA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	
7/6/2020	202020172	20 Patio	03-08-253-014	BERRY JAMES W JR & CONNIE	24 ASHLAWN AVE MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	C&C CONSTRUCTION & MANAGEMENT, LLC
6/5/2020	202020126	20 Patio	03-05-430-024	MARSHALL DARRYL L & CHERYL S	52 S BEREMAN RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	BKL CONSTRUCTION INC.
10/27/2020	202020314	20 Patio	03-08-227-021	CAMPOS, JOSEPH & LAURA	8 CAYMAN DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 20	CONCRETOS VAZQUEZ
8/20/2020	202020229	20 Patio	03-05-253-017	DAVIS KENNETH T & JINNA L	33 N BEREMAN RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 15 REUSB	SALINAS BROTHERS INC
8/7/2020	202020215	20 Patio	03-04-378-010	MIRANDA ANDREA	65 PUEBLO RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	
11/2/2020	232020317	23 Generator	02-21-151-010	SCHICK GEORGINE	7 AMANDA LN YORKVILLE, IL 60560-	ASHLEY WOODS	INDEPENDENCE RENEWABLE ENERGY
9/22/2020	232020273	23 Generator	05-02-102-004	MARK RIPSCH	326 EMILY CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 1	LEE LEGLER CONSTRUCTION & P.L.L.C.

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9/22/2020	232020272	23 Generator	05-18-320-001	STURDEVANT JESSE W & MARY SUE	2005 BERNADETTE LN YORKVILLE, IL 60560-	HAWTHORN VILLAGE	LEE LEGLER CONSTRUCTION & ELEC
9/22/2020	232020271	23 Generator	05-07-127-007	BEVERSDORF BRIAN	24 HIGHVIEW DR YORKVILLE, IL 60560-	PAVILLION HEIGHTS UNIT 1	LEE LEGLER CONSTRUCTION & ELEC
8/10/2020	232020218	23 Generator	02-33-276-005	GILLINGHAM JAMES & SUZANNE	98 QUINSEY RD YORKVILLE, IL 60560-	NELSONS SUB	
7/21/2020	232020188	23 Generator	06-06-201-010	DARRAH WILLIAM L & SUSAN G	24 NAAUSAY CT OSWEGO, IL 60543-	IL NA-AU-SAY WOODS	LEE LEGLER CONSTRUCTION & ELEC
2/18/2020	232020030	23 Generator	02-23-303-026	MCKINNEY ELMO JR	21 CANYON CT YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 1	LEE LEGLER CONSTRUCTION & ELEC
2/4/2020	232020027	23 Generator	06-07-228-010	SCHWARTZ MICHAEL & MICHELE	7464 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	LEE LEGLER CONSTRUCTION & ELEC
1/10/2020	242020017	24 Solar	03-07-277-011	RODRIGUEZ ADRIAN VILLA	1 SHORE CT OSWEGO, IL 60543-	MARINA TERRACE	BLUE RAVEN SOLAR LLC
1/8/2020	242020014	24 Solar	03-12-100-002	NAVARRO SALVADOR	1026 HARVEY RD OSWEGO, IL 60543-		VIVINT SOLAR DEVELOPERS, LLD
5/20/2020	242020101	24 Solar	03-04-176-015	ALVAREZ MARIA E	108 FERNWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 33	SUNRUN INSTALLATION SERVICES
5/18/2020	242020090	24 Solar	02-22-476-004	GOLKOSKY JOHN	43 TIMBER VIEW LN YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 2	
5/12/2020	242020089	24 Solar	02-35-380-018	KNOLL MICHAEL C & COLLEEN M	7720 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	FREEDOM FOREVER IL LLC

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4/28/2020	242020073	24 Solar	09-13-400-007	DELONG CO INC	MINOOKA, IL 60447		GRNE SOLAR
4/23/2020	242020070	24 Solar	05-16-300-005	HERNANDEZ JUAN J	9850 AMENT RD YORKVILLE, IL 60560-		VIVINT SOLAR
4/3/2020	242020061	24 Solar	03-04-328-019	GARCIA ORLANDO & ONTIVOSOS MARTINEZ LUCIA A ZUCENIA	32 WHITNEY WAY MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	VIVINT SOLAR
4/1/2020	242020059	24 Solar	03-04-478-019	ALVARADO ARMANDO	46 EASTFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	VIVINT SOLAR
3/16/2020	242020050	24 Solar	03-04-277-038	GONZALES FRANK M JR & NANCY	32 AFTON DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	SUNRUN INSTALLATION
3/11/2020	242020045	24 Solar	03-04-479-023	GARCIA JOSE R	113 SAUGATUCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	SUNRUN INSTALLATION
3/11/2020	242020044	24 Solar	05-07-451-013	TREVINO SYLVIA, JOSE & SILVIA M	120 TIMBERCREEK DR YORKVILLE, IL 60560-	TIMBER CREEK SUB	SUNRUN INSTALLATION
3/11/2020	242020042	24 Solar	02-35-277-005	JONES SEAN K & ASHLEY	204 COUNTRY RD YORKVILLE, IL 60560-	FARM COLONY	FREEDOM FOREVER IL LLC
3/11/2020	242020040	24 Solar	02-11-128-005	RAMBOW TAMMY L & CHAPLIN G MICHAEL	32 S CYPRESS DR BRISTOL, IL 60512-	WILLOWBROOK UNIT 2 AMNDED PLAT	SUMMIT SOLAR SOLUTIONS, LLC
7/17/2020	242020186	24 Solar	03-04-376-058	CABRERA ALONSO CHAVEZ	76 SIERRA RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	VIVINT SOLAR DEVELOPER, LLC
6/26/2020	242020152	24 Solar	03-04-177-015	BENAVIDES JAIME	105 FERNWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	SUNRUN INSTALLATION

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3/5/2020	242020038	24 Solar	02-16-201-004	MILLIGAN MICHAEL G & ZEDROW LAURA JO	9439 CORNEILS RD BRISTOL, IL 60512-	BRISTOL WOODS	RISE POWER LLC
2/5/2020	242020026	24 Solar	03-19-203-002	GARAY CARLA G & JUAREZ ISMAEL	5408 ROUTE 71 OSWEGO, IL 60543-		VIVINT SOLAR DEVELOPER, LLC
1/10/2020	242020020	24 Solar	03-05-404-024	KIES NICHOLAS C & JENNIFER L	148 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	VIVINT SOLAR DEVELOPER, LLC
1/14/2020	242020019	24 Solar	04-15-200-005	CURRAN ROBERT M GERALD F & DENISE M	14330 A BUDD RD YORKVILLE, IL 60560-		POWER HOME SOLAR / BRYAN LAW
2/18/2020	242020018	24 Solar	02-03-400-005	PORTER, DONALD & FISCHER, HEATHER	522 DICKSON RD BRISTOL, IL 60512-		POWER HOME SOLAR / BRYAN LAW
6/9/2020	242020136	24 Solar	07-24-400-003	MEDEIROS KEITH J & KATHLEEN M	12448 ROUTE 52 NEWARK, IL 60541-		SUMMIT SOLAR SOLUTIONS
6/3/2020	242020119	24 Solar	02-11-176-011	REUTER, STACY L & WHEATON, JOHN W	7535 GALENA RD BRISTOL, IL 60512-	PURCELLS 3RD SUB	VIVINT SOLAR DEVELOPER, LLC
10/14/2020	242020298	24 Solar	03-08-152-003	RODRIGUEZ CARLOS	16 BOAT LN OSWEGO, IL 60543-	MARINA VILLAGE	VIVINT SOLAR LLC
9/30/2020	242020288	24 Solar	03-05-454-028	CHAMBERLAIN JOSEPH T & SUSAN M	3 CREVE CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	
9/29/2020	242020283	24 Solar	03-08-227-026	MAGANA ADRIAN & GRAMILLO JAQUELINE	3 OLD POST RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	SUMMIT SOLAR SOLUTIONS, LLC
9/4/2020	242020250	24 Solar	03-05-352-003	SALGADO JORGE ERIC & SALGADO OSCAR & SALGADO FERDINAND	975 ROUTE 31 OSWEGO, IL 60543-		HEADLINE SOLAR, LLC

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8/31/2020	242020242	24 Solar	01-19-326-003	EKLE LINCOLN T & KIMBERLY R	17676 FRAZIER RD SANDWICH, IL 60548-	HOLLIS PARK UNIT 2	EMPIRE SOLAR GROUP
8/31/2020	242020240	24 Solar	03-24-201-008	ZUNO YOLANDA	36 PIONEER CT OSWEGO, IL 60543-	EAST KENDALL ESTATES	VIVINT SOLAR LLC
5/27/2020	242020112	24 Solar	03-04-254-006	MORSON KIM M	102 HEATHGATE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 27	VIVINT SOLAR DEVELOPER
8/5/2020	242020210	24 Solar	02-15-177-005	COULOURIS, GREGORY L & DUBLIN, GREGORY L	2480 A BRISTOL RIDGE RD BRISTOL, IL 60512-		RISE POWER LLC
7/30/2020	242020206	24 Solar	03-04-431-002	PERENZIN DAVIDE & PILONI JACQUELINE	53 SONORA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 24	FREEDOM FOREVER IL LLC
7/22/2020	242020194	24 Solar	02-27-380-003	WARCZYNSKI ROBERT D	63 RIVERSIDE DR YORKVILLE, IL 60560-		BEN CHVATAL
7/21/2020	242020190	24 Solar	03-05-430-043	ORTEGA JOSE E & BEATRIZ	33 SENECA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	SUNRUN INSTALLATION SERVICE
5/26/2020	242020111	24 Solar	03-04-428-003	SMITH ADRIAN	166 HEATHGATE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	VIVINT SOLAR DEVELOPER, LLC

PLANNING BUILDING & ZONING RECEIPTS 2020

DATE	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	MONTHLY FY 20	TOTAL FY 20	MONTHLY FY 19	TOTAL FY 19
December	\$6,393.10	\$45.00	\$10,062.33	\$0.00	\$16,500.43	\$16,500.43	\$19,295.84	\$19,295.84
January	\$7,858.80	\$1,088.00	\$2,971.83	\$0.00	\$11,918.63	\$28,419.06	\$4,142.44	\$23,438.28
February	\$2,140.00	\$1,216.00	\$0.00	\$0.00	\$3,356.00	\$31,775.06	\$3,661.39	\$27,099.67
March	\$11,126.17	\$3,372.00	\$9,156.96	\$3,000.00	\$26,655.13	\$58,430.19	\$14,437.36	\$41,537.03
April	\$3,750.00	\$433.00	\$6,604.73	\$0.00	\$10,787.73	\$69,217.92	\$7,758.96	\$49,295.99
May	\$12,275.52	\$0.00	\$9,167.77	\$2,000.00	\$23,443.29	\$92,661.21	\$5,169.92	\$54,465.91
June	\$23,055.92	\$0.00	\$14,889.89	\$3,000.00	\$40,945.81	\$133,607.02	\$34,227.45	\$88,693.36
July	\$9,095.96	\$0.00	\$8,020.26	\$1,000.00	\$18,116.22	\$151,723.24	\$21,307.66	\$110,001.02
August	\$7,330.52	\$1,487.00	\$1,814.10	\$0.00	\$10,631.62	\$162,354.86	\$6,232.25	\$116,233.27
September	\$10,739.38	\$6,041.54	\$7,019.14	\$1,000.00	\$24,800.06	\$187,154.92	\$21,822.62	\$138,055.89
October	\$10,431.84	\$516.00	\$4,856.78	\$1,000.00	\$16,804.62	\$203,959.54	\$14,762.05	\$152,817.94
November					\$0.00	\$203,959.54	\$10,035.57	\$162,853.51
TOTAL	\$104,197.21	\$14,198.54	\$74,563.79	\$11,000.00	\$203,959.54			