



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

Monday, August 9, 2021 – 6:30 p.m.

CALL TO ORDER:

ROLL CALL: Elizabeth Flowers, Scott Gengler (Chairman), Judy Gilmour (Vice-Chair), Dan Koukol, and Robyn Vickers

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes from July 12, 2021, Meeting (Pages 3-14)

PUBLIC COMMENT:

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 15-19)

PETITIONS:

1. **Petition 21 – 24 – Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner) and Pulte Home Corporation (Billboard Owner) (Pages 20-78)**
Request: Renew the Special Use Permit Granted by Ordinance 2004-43 and Renewed by Ordinance 2019-22 Allowing the Placement of an Outdoor Advertising Sign (Billboard) at the Subject Property
PIN: 03-01-127-006
Location: Southeast Corner of the Intersection of U.S. Route 34 and Hafenrichter (Farnsworth) in Oswego Township
Purpose: Petitioner Wishes to Renew Special Use Permit for Billboard; Property is Zoned M-2
2. **Petition 21 – 26 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis (Pages 79-187)**
Request: Major Amendments to the Special Use Permit for a Banquet Facility Granted by Ordinance 2019-23 by Dividing the Building Allowed to be a Banquet Facility into Separate Event Spaces, Setting the Maximum Capacities of the Event Spaces, Setting the Days of and Hours of Operation for the Event Spaces, Amending the Landscaping Plan, and Removing the Requirement that the Barn Doors be Closed by 7:00 p.m. at Events with Music
PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008
Location: 10978 Crimmin Road, Newark, Fox Township
Purpose: Petitioners Wish to Amend the Existing Special Use Permit; Property is Zoned A-1 with a Special Use Permit

NEW BUSINESS:

1. Approval of Request from Mark Nichols for a Refund in the Amount of \$388.00 for an Unused Garage Addition Permit at 6145 Whitetail Ridge Drive (PIN: 05-12-226-013) in Kendall Township (Page 188)

2. Approval of Request from Michael Isadore to Renew a Special Use Permit for Swimming Lessons Granted by Ordinance 1982-02 at 15331 Burr Oak Road, Plano (Page 189-191)
3. Approval of an Intergovernmental Agreement between the Village of Millbrook and the County of Kendall to Administer the County's Ordinances for Zoning, Building Code, Subdivision Control, Comprehensive Plan, and Stormwater Management within the Jurisdiction of the Village of Millbrook for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Millbrook to the County of Kendall (Pages 192-205)
4. NPDES Survey Results (Pages 206-212)
5. July 31, 2021 Meet the Code Official Event (Page 213)

OLD BUSINESS:

1. Discussion of Scheduling a Special Planning, Building and Zoning Committee Meeting in Boulder Hill; Committee Could Select a Date, Time, Location, and Agenda Items for the Special Meeting (Page 214)

REVIEW VIOLATION REPORT (Pages 215-218):

REVIEW NON-VIOLATION REPORT (Pages 219-220):

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

1. August 16, 2021 Meeting at Lyon Farm (Page 221)
2. Changing the Start Time of Meetings from 6:30 p.m. to 6:00 p.m.

REVIEW PERMIT REPORT (Pages 222-243):

REVIEW REVENUE REPORT (Page 244):

CORRESPONDENCE:

1. July 16, 2021, Letter from Bright Farms Regarding Annexation Hearing for PIN: 01-12-400-006 Into the City of Plano (Pages 245-251)

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

ADJOURNMENT:

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

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 and 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of July 12, 2021 – Unofficial until Approved

CALL TO ORDER

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

ROLL CALL

Committee Members Present: Scott Gengler (Chairman), Judy Gilmour (Vice-Chairwoman), and Dan Koukol

Committee Members Absent: Elizabeth Flowers and Robyn Vickers

Also Present: Matt Asselmeier (Senior Planner), Wanda Hogan, and Michael Mattingly

APPROVAL OF AGENDA

Member Gilmour made a motion, seconded by Member Koukol, to approve the agenda as presented. With a voice vote of three (3) ayes, the motion carried.

APPROVAL OF MINUTES

Member Gilmour made a motion, seconded by Member Koukol, to approve the minutes of the June 7, 2021, meeting. With a voice vote of three (3) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report from June 2021. Member Gilmour made a motion, seconded by Member Koukol, to forward the bills to the County Board. With a voice vote of three (3) ayes, the motion carried.

PETITIONS

Petition 21-19 Wanda and Thomas Hogan

Mr. Asselmeier summarized the request.

In March 2021, the Petitioners submitted an application for a market at the subject property. At the Kendall County Regional Planning Commission meeting, Kendall County Zoning Board of Appeals hearing, and Kendall County Planning, Building and Zoning Committee meeting, concerns were raised about the intensity of the use, the compatibility of the use in relation to adjacent agricultural uses, the impact of the proposed use on property values, safety at the property and along Brisbin Road, and the appearance of the property. After receiving negative recommendations at the above meetings and hearing, the Petitioners withdrew the original Petition.

On May 13, 2021, the Petitioners submitted a revised Petition. According to the information provided to the County, the Petitioners would like to offer an outdoor, twenty (20) stall market on the subject property with food. The market would feature vendors, including the Petitioners,

their family members, and other vendors, that would sell goods not produced on the premises. The Petitioners have removed some items from the property and have agreed to install a four foot (4') snow fence around the ponds when the market is occurring.

The application materials, plat of survey, site plan, aerial of the property were provided and updated site plan were provided.

The property is located at 14975 Brisbin Road.

The property is approximately three point eight (3.8) acres.

The current land use is Agricultural. The future land use is Rural Estate Residential.

Brisbin Road is a township maintained Major Collector.

There are no trails planned along Brisbin Road.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural.

The adjacent zoning districts are A-1.

The Future Land Use Map calls for the area to be Agricultural and Rural Estate Residential. The Village of Plattville's Future Land Use Map calls for the property to be Low Density Residential. The subject property is greater than one point five (1.5) miles from the Village of Lisbon. However, the Village of Lisbon's Future Land Use Map calls for this property to be Mixed Use Business and Agricultural.

The A-1 special use to the west is for an indoor storage facility of boats, trailers, recreational vehicles and classic cars.

EcoCat submitted on February 2, 2021, and consultation was terminated.

NRI application submitted on January 28, 2021 as part of the original application. A revised application was submitted on May 13, 2021. The LESA Scores from both the original and revised applications was 190 indicating a low level of protection. The revised NRI Report was provided.

Lisbon Township was emailed information on May 18, 2021. To date, no comments were received.

The property is in Lisbon Township, but Seward Township maintains Brisbin Road in this area. Seward Township was emailed information on May 18, 2021. Seward Township Highway Commissioner Scott Cryder sent a letter stating that he was withdrawing the objection of the previous Township Highway Commissioner and recommending approval of the requested special use permit. This letter was provided.

The Village of Plattville was emailed information on May 18, 2021. To date, no comments were received.

Lisbon-Seward Fire Protection District was emailed information on May 18, 2021. The Fire Protection District requested two (2) fire extinguishers and two (2) basic first aid kits, one (1) at

the entrance and one (1) in the middle of the market. The Fire Protection District's email was provided.

ZPAC reviewed this proposal at their meeting on June 1, 2021. The Petitioner stated the food vendor would be similar to a food truck. The Petitioner agreed to install hand washing stations near the restrooms. Given the number of events, the use would not meet the requirements for testing under the State's non-community well program. The Petitioner reiterated that no parking would occur along Brisbin Road. The Petitioner's Attorney invited everyone onto the site and asked if something needed to be removed or relocated, to let the Petitioner know. ZPAC voted to recommend approval of the proposal by 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 June 23, 2021. The Petitioners clarified that the individual vendor stalls would be approximately fifteen feet by twenty feet (15'X20'). The Petitioners agreed that the request by the Lisbon-Seward Fire Protection District be added as a condition of the special use permit. Discussion occurred regarding overflow parking and the Petitioners agreed to amend the site plan showing additional parking to the west of the market area. Commissioners wanted to see no parking/tow zone signs installed by the Township in front of the subject property, if the Township could lawfully install such signs. Tom Anzelc felt the proposal was not the right fit for Lisbon Township. Cathleen Anzelc expressed concerns about precedent, noted that another market was in the area, felt that property values would be negatively impacted, asked who would monitor the property for setup and teardown, and was concerned that the use will be incompatible with agricultural uses. Letters of support from neighbors Don and Jacque Schuck, Brenda and Dustin Walzer, and Carla and Sherman Tweet, Jr. were read. The Kendall County Regional Planning Commission voted to recommend approval of the proposal with the conditions proposed by Staff and that the Petitioners developed additional parking west of the site plan for overflow or vendor parking within one (1) year of the approval of the special use permit. The Commission also recommended that the applicable Township examine establishing a no parking or tow-away zone along Brisbin Road at the subject property. The vote was eight (8) in favor and two (2) in opposition. Chairman Ashton voted no because he was unsure if the Petitioners would install the extra parking. Member Stewart voted no because he did not believe the site had been satisfactorily cleaned up. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on June 28, 2021. Discussion occurred regarding the procedures for new special use permits, major amendments to special use permits and minor amendments to special use permits. The revised site plan was presented and discussed. It was noted that parking spaces 14-47 would be installed by April 2022. Chairman Mohr noted that the property did not stand out on Brisbin Road; someone had to look to find the property. Discussion occurred regarding having the fire extinguishers examined by the Lisbon-Seward Fire Protection District. A letter of support from neighbor Jose Oliveres Guzman was read into the record. No one from the public spoke in opposition to the request. The Kendall County Zoning Board of Appeals recommended approval with the conditions proposed by Staff and timetable for installing parking spaces 14-47 by vote of six (6) in favor and zero (0) in opposition. Member Whitfield was absent. The minutes of the hearing were provided.

According to the plat of survey, the original site plan, and the revised site plan, the site will consist of twenty (20) outdoor vendor stations plus one (1) additional food vendor located along

the western and southwestern portion of the property near the existing approximately forty foot by eighty foot (40'X80') steel barn. A food area will be located north of the barn. An existing red storage trailer is located north of the existing gravel drive.

No new buildings are planned for the site. No existing structures are planned for demolition.

One (1) four foot (4') temporary snow fence will be installed around the ponds when the market is occurring.

Section 7:01.D.48 places several conditions and restrictions on special use permits regarding the sale of pottery, art, and home décor. These include:

1. A sit-down food area is allowed if incidental to the primary operation of retail sales.
2. The subject parcel must not be less than three (3) acres in size.
3. Must be along a hard surfaced road classified as an arterial or major collector in the Land Resource Management Plan.
4. Is located in an area not designated as Agricultural on the Land Resource Management Plan.
5. Must occur in a manner that will preserve the existing farmhouse, barns, related structures, and the pastoral setting.
6. Must serve as a transitional use between agricultural areas and advancing suburban development.
7. Must serve to prevent spot zoning.
8. Retail and wholesale must occur in an existing building, unless otherwise approved by the County Board.
9. Any new structures must reflect the current architecture of the existing structures.
10. No outside display of goods.
11. Cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
12. Limited demolition of farmhouse and outbuildings is allowed.
13. Site plan is required.
14. Signage must follow the requirements in the Zoning Ordinance.
15. Off-street parking must follow the requirements in the Zoning Ordinance.

Assuming the County Board approves sales outside existing buildings, all of the above requirements of the Zoning Ordinance are addressed.

If approved, this would be the tenth (10th) special use permit for the sale of products not grown on the premises in the unincorporated area.

According to the business plan provided, the Petitioner would like to operate the market a maximum two (2) weekends per month between April and October. The market would be open from 8:00 a.m. until 5:00 p.m. with vendors given additional time to set-up their spaces. A weekend is considered Saturday and Sunday.

Other than the Petitioners and their family, the business will not have any employees.

All vendors will have necessary insurance.

No new structures are planned for the property.

A barrier will be installed by the propane tank.

According to the site plan and revised site plan, two (2) porta-johns are planned south of the existing red storage trailer.

A potable water source is available in the existing steel barn.

The Petitioners would make accommodations for vendors that want electricity. Solar panels are onsite.

A refuse area is planned east of the porta-johns.

The property drains to the east.

The Petitioners secured stormwater permits in 2000 for the construction of the two (2) ponds on the premises.

Based on the information provided, no stormwater permits are required.

The property fronts Brisbin Road. Patrons would drive west on the existing gravel driveway and parking in one (1) of the designated areas. Patrons would leave the property on the same gravel driveway.

Following the Regional Planning Commission meeting, the Petitioners updated the parking layout on the site plan. The site plan showed two (2) parking areas. The parking area by the existing steel barn consists of eight (8) parking spaces including three (3) handicapped accessible parking spaces. The eight (8) parking stalls would be eight feet by fifteen feet (8'X15'). The three (3) handicapped parking spaces would be ten feet by fifteen feet (10'X15') with a five foot (5') landing area. An additional forty-seven (47) parking spaces were planned along the north and west sides of the site. Originally, the Petitioners planned to install thirteen (13) parking spaces along the north property line, but the Regional Planning Commission was concerned about overflow parking for patrons and vendor parking. The number of available parking spaces could be reduced if vendors with larger vehicles and trailers occupy the parking spaces along the western end of the site. The parking spaces would be gravel, hay, or grass with the exception of the three (3) handicapped accessible spaces which would be hard surfaced.

Vendors would park at their vending station.

The Petitioners plan to use cones with chains to keep vehicles away from pedestrians.

No additional lighting was planned as part of this project. If additional lighting were added, a photometric plan would be required because the number of parking spaces exceeds thirty (30).

The Petitioner plans to have a sign at Brisbin Road when the market is open. A picture of the sign was provided. The sign is approximately four feet by six feet (4'X6') in size. While the sign can be illuminated, the Petitioner will not light the sign.

No additional landscaping is planned.

No information regarding noise control was provided.

The Findings of Fact were 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. True. The Petitioner has submitted a site plan indicating that measures will be taken to ensure that the use will not have a negative impact on public health, safety, morals, comfort, or general welfare. Conditions may be placed in the special use permit to address hours of operation and signage. The Petitioner agreed to follow all applicable public health and public safety related laws.

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. True. Conditions are proposed that will regulate hours of operation and site layout. No new buildings or other significant alterations away from the appearance of the property as an agricultural related property are planned.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Utilities are already available at the property. The site plan includes a parking plan. The property previously secured a stormwater management permit.

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. This is true. No variances have been requested.

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 3-5 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."

Staff recommended 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 site plan. Any new structures related to the uses allowed by this special use permit shall require a major amendment to the special use permit and any new structures must reflect the current architecture of the existing structures. Limited demolition of farmhouse and outbuildings is allowed. The parking spaces identified as spaces 14-47 on the site plan shall be installed by April 2022. **(Clarified at the Zoning Board of Appeals)**
2. The owner(s) or operator(s) of the business allowed by this special use permit must ensure the four foot (4') fence is erected around the ponds as shown on the site plan prior to the opening of the business allowed by this special use permit when the business is open to the public.
3. The subject parcel must remain at least (3) acres in size.
4. The uses allowed by this special use permit must occur in a manner that will preserve the existing farmhouse, barns, related structures, and the pastoral setting.
5. Retail and wholesale sales may occur outside existing buildings.
6. The uses allowed by this special use permit cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
7. A maximum twenty (20) vendors and one (1) additional food vendor may be on the subject property.
8. The uses allowed by this special use permit may operate a maximum of two (2) weekends per month. For the purposes of this ordinance, a weekend shall be considered Saturdays and Sundays. The uses may be open for sale between the hours of 8:00 a.m. and 5:00 p.m. The property owner may reduce these hours of operation. Vendors may setup no earlier than two (2) hours prior to opening and must be offsite within two (2) hours of closing. The uses allowed by this special use permit may be operational between the months of April and October.
9. Only the owners of the property and their family members shall be employees of the business allowed by this special use permit.
10. The owners of the business allowed by this special use permit may install one (1) sign along Brisbin Road. The sign shall be a maximum of four feet by six feet (4'X6') in size. The sign shall not be illuminated. The sign may be placed along Brisbin Road on days when the uses allowed by the special use permit are open. The sign may be placed along Brisbin Road the day before the business allowed by this special use permit is open.
11. All trash and garbage generated by uses allowed by this special use permit shall be stored in the garbage areas designated on the site plan. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
12. No music shall be generated by the uses allowed this special use permit.

13. The owner(s) or operator(s) of the uses allowed by this special use permit shall live at the subject property as their primary place of residence.
14. The operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the uses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use.
16. On the days when the uses allowed by this special use permit are open to the public, two (2) fully functioning fire extinguishers and two (2) basic first aid kits shall be available, one (1) set of these items shall be located at the entrance to the market and the other set shall be located in the middle of the market. **(Added at Regional Planning Commission)**
17. 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.
18. This special use permit and the ordinance granting this special use permit shall be considered revoked on the tenth (10th) anniversary of the Kendall County Board's approval of this special use permit ordinance or when Thomas or Wanda Hogan no longer own the subject property, whichever occurs first. If Thomas or Wanda Hogan wish to continue the use allowed by this special use permit after the tenth (10th) anniversary of the Kendall County Board's approval of this special use permit ordinance or if a subsequent owner of the subject property wishes to operate the use allowed by this special use permit, a new special use permit shall be required. This condition shall not be eligible for a minor amendment.
19. 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 was provided.

Member Koukol asked about the location and use of the propane tank. Ms. Hogan said the propane tank was for the whole property.

Member Koukol asked which committees changed their minds and the reasons for the change in minds. Mr. Asselmeier responded that the Regional Planning Commission originally opposed the proposal unanimously. The second time through the process, the Regional Planning Commission voted eight (8) in favor and two (2) in opposition. Mr. Asselmeier noted that the new Seward Township Highway Commissioner did not oppose the project, the Petitioners did cleanup the property, the Petitioners added the snow fence, the Petitioners increased the number of parking spaces, and the Petitioners also agreed to a sunset provision.

Member Koukol noted the property had been cleaned up.

Member Koukol asked if the semi would be parked in the open during the market. Ms. Hogan responded the semi would be parked inside the building and would not be accessible to the public.

Member Gilmour asked about insurance. Ms. Hogan said the vendors will carry insurance in the amount customarily required for this type of function. Ms. Hogan also stated that the they (the Hogans) will also carry insurance.

Chairman Gengler asked about lighting plans, particularly in October. Ms. Hogan did not plan to have permanent lighting other than the existing solar powered lights.

Member Gilmour made a motion, seconded by Member Koukol, to forward the proposal to the County Board. With a voice vote of three (3) ayes, the motion carried.

The proposal goes to the County Board on July 20, 2021, on the regular agenda.

Member Koukol asked if the Hogans would be operational this year. Ms. Hogan said that she was doubtful they would be operational until October 2021.

NEW BUSINESS

Approval of a Request from Vivint Solar, Inc. for a Refund in the Amount of \$200.00 for an Unused Solar Permit at 22 Gastville Street (PIN: 03-12-204-004) in Oswego Township

Mr. Asselmeier summarized the request.

Member Koukol asked if the ownership of the property had changed. Mr. Asselmeier stated that he was unaware if the property ownership had changed.

Member Koukol made a motion, seconded by Member Gilmour, to approve the refund as requested. With a voice vote of three (3) ayes, the motion carried.

Discussion of Scheduling a Special Planning, Building and Zoning Committee Meeting in Boulder Hill; Committee Could Select a Date, Time, Location, and Agenda Items for the Special Meeting

Mr. Asselmeier presented a draft agenda for the meeting.

The intent of the meeting was to inform people in Boulder Hill of the various ordinances, introduce staff, and explain applicable enforcement procedures.

Member Gilmour asked how the meeting would be advertised. Mr. Asselmeier said a notice would be run in the newspaper and the notice would be posted on the Boulder Hill Facebook page. Also, depending on timing, the notice might run in the Oswego Township newsletter.

The consensus of the Committee was to use the Oswego Township building or another building, provided a fee was not charged. Mr. Asselmeier will check with Oswego Township Joe West to see if the building was available and if a fee would be charged. September or October at 6:30 p.m. would be the target month and time.

The Committee will discuss this further at the August meeting.

OLD BUSINESS

Discussion of Placing Zoning Related Signs at Various Entrances to Kendall County; Committee Could Approve Placing Signs at a Cost of \$100.00 Per Sign

Mr. Asselmeier read an email from Fran Klaas on the subject.

Chairman Gengler favored other avenues, like posting on social media pages, that the County has zoning compared to installing signs. He also favored targeting certain townships where the issues were prevalent.

Member Koukol noted there were several properties advertised online as having business potential.

The consensus of the Committee was to layover this matter.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the non-violation report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Mr. Asselmeier reported that the Commission met with a consultant to explore doing surveys of historic structures. The Commission needs to determine which township to survey. The Commission would apply for a Certified Local Government grant to cover the cost of most of the project.

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

Member Gilmour requested an update on Hide-A-Way Lakes. Mr. Asselmeier said that Mr. Holdiman conducted an inspection at the property and the property has been cleaned up under the new ownership. The Department has not verified that people were still living at the property. The new owner has not submitted any requests to amend the special use permit at the property. Member Gilmour noted that the Health and Environment Committee received information that people were still living at the property. She also noted that the Health Department has assisted several people in finding housing that previously lived at the camp.

EXECUTIVE SESSION

None

ADJOURNMENT

Member Koukol made a motion, seconded by Member Gilmour, to adjourn. With a voice vote of three (3) ayes, the motion carried.

Chairman Gengler adjourned the meeting at 7:16 p.m.

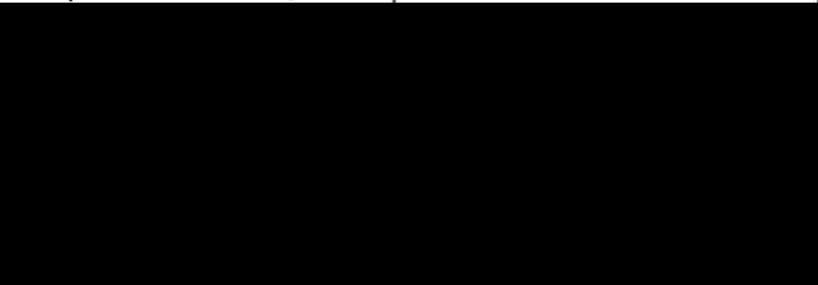
Minutes prepared by Matthew H. Asselmeier, AICP, CFM Senior Planner

Enc.



**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
JULY 12, 2021**

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)
Mike Mitting		
Amanda Lopez		

07/09/2021 12:00 | Kendall County
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CLERK: pherber BATCH: 1684 NEW INVOICES
VENDOR REMIT NAME INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE

PENDING UNPAID INVOICES

955 00000 ILLINOIS EPA ILR400261 (A) 071521 1,000.00 .00 .00
CASH 000008 2021/08 INV 07/09/2021 SEP-CHK: N DISC: .00
ACCT 1Y210 DEPT 19 DUE 07/09/2021 DESC:FY-2022 STORMWATER MS4
CONDITIONS THAT PREVENT POSTING INVOICE 955/19272
11001902 63670 1,000.00 1099:

* Invoice must be approved or voided to post.

1153 00000 KENDALL CO HIGHW JUNE 1-31 2021 071521 152.10 .00 .00
CASH 000008 2021/08 INV 07/09/2021 SEP-CHK: N DISC: .00
ACCT 1Y210 DEPT 19 DUE 07/09/2021 DESC:PBZ TRUCK FUEL JUNE 2021
CONDITIONS THAT PREVENT POSTING INVOICE 1153/19274
11001902 62170 152.10 1099:

* Invoice must be approved or voided to post.

1172 00000 KENDALL PRINTING 21-0629 071521 48.00 .00 .00
CASH 000008 2021/08 INV 07/09/2021 SEP-CHK: N DISC: .00
ACCT 1Y210 DEPT 19 DUE 07/09/2021 DESC:BUSINESS CARDS - BRIAN HOLDIMAN
CONDITIONS THAT PREVENT POSTING INVOICE 1172/19268
11001902 62000 48.00 1099:

* Invoice must be approved or voided to post.

1849 00001 VERIZON 9882374541 071521 84.88 .00 .00
CASH 000008 2021/08 INV 07/09/2021 SEP-CHK: N DISC: .00
ACCT 1Y210 DEPT 19 DUE 07/09/2021 DESC:PBZ Cellphones
CONDITIONS THAT PREVENT POSTING INVOICE 1849/19280
11001902 62070 84.88 1099:

* Invoice must be approved or voided to post.

1849 00001 VERIZON 9882374541 - 1 071521 25.15 .00 .00
CASH 000008 2021/08 INV 07/09/2021 SEP-CHK: N DISC: .00
ACCT 1Y210 DEPT 19 DUE 07/09/2021 DESC:ZONING CELL PHONE
CONDITIONS THAT PREVENT POSTING INVOICE 1849/19285
11001902 62070 25.15 1099:
CVD19 -PBZ -EQUIP -

* Invoice must be approved or voided to post.

NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE CHK/WIRE
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[illegible]

07/09/2021 12:00 | Kendall County
pherber | 07092021

| P
| apinvent 3

CLERK: pherber BATCH: 1684

NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE
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1928	00000 WBK ENGINEERING, 22090			071521	300.64	.00	.00
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CASH 000008	2021/08	INV 07/09/2021	SEP-CHK: N	DISC: .00	180119 63150	300.64	1099:
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ACCT 1Y210	DEPT 19	DUE 07/09/2021	DESC:FOX METRO O&M BUILDING		18-04 -CONTSVC -002 WBK		
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CONDITIONS THAT PREVENT POSTING INVOICE 1928/19267

* Invoice must be approved or voided to post.

1962	00000 RANDY ERICKSON	JUNE 2021		071521	1,650.00	.00	.00
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CASH 000008	2021/08	INV 07/09/2021	SEP-CHK: N	DISC: .00	11001902 63610	1,650.00	1099:7
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ACCT 1Y210	DEPT 19	DUE 07/09/2021	DESC:PLUMBING INSPECTIONS	JUNE 2021			
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CONDITIONS THAT PREVENT POSTING INVOICE 1969/19270

* Invoice must be approved or voided to post.

2063	00000 RUNCO OFFICE SUP	830422,831254,831939		071521	208.85	.00	.00
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CASH 000008	2021/08	INV 07/09/2021	SEP-CHK: N	DISC: .00	11001902 62000	208.85	1099:
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ACCT 1Y210	DEPT 19	DUE 07/09/2021	DESC:OFFICE SUPPLIES				
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CONDITIONS THAT PREVENT POSTING INVOICE 2063/19275

* Invoice must be approved or voided to post.

13 PENDING UNPAID INVOICES	TOTAL	4,797.10					
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0 INVOICE(S)	REPORT POST TOTAL	.00					
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	REPORT TOTALS	.00					
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07/15/2021 08:20 | Kendall County | P 1
 pherber | PBZ REFUND 24-2021-014 | apinvent 1

CLERK: pherber BATCH: 1705 NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE
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PENDING UNPAID INVOICES

2626	00000	VIVINT SOLAR DEV	BP#24-2021-014	073121	200.00	.00	.00
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CASH 000008	2021/08	INV 07/15/2021	SEP-CHK: N	DISC: .00			
ACCT 12210	DEPT 19	DUE 07/15/2021	DESC: LITPOLD	22 GASTVILLE ST.	11001902.63850		200.00 1099:

CONDITIONS THAT PREVENT POSTING INVOICE 2626/19550

* Invoice must be approved or voided to post.

1 PENDING UNPAID INVOICES	TOTAL	200.00
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0 INVOICE(S)	REPORT POST TOTAL	.00
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REPORT TOTALS	.00
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07/26/2021 10:27
pherber

Kendall County
| 07262021

CLERK: pherber BATCH: 1712
NEW INVOICES
VENDOR REMIT NAME INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE

PENDING UNPAID INVOICES

61 00000 AMERICAN PLANNIN 160919-2174 073121 558.00 .00 .00
CASH 000008 2021/08 INV 07/26/2021 SEP-CHK: N DISC: .00
ACCT 1Y210 DEPT 19 DUE 07/26/2021 DESC:Membership - IL & County Planning 11001902 62030 558.00 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 61/19600

* Invoice must be approved or voided to post.

1165 00000 KENDALL COUNTY R 253 073121 134.00 .00 .00
CASH 000008 2021/08 INV 07/26/2021 SEP-CHK: N DISC: .00
ACCT 1Y210 DEPT 19 DUE 07/26/2021 DESC:June 1 - 30, 2021 Recordings 11001902 63700 134.00 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 1165/19602

* Invoice must be approved or voided to post.

3208 00000 KENDALL COUNTY H 8/16/2021 Meeting 073121 50.00 .00 .00
CASH 000008 2021/08 INV 07/26/2021 SEP-CHK: N DISC: .00
ACCT 1Y210 DEPT 19 DUE 07/26/2021 DESC:HISTORIC PRESERVATION MEETING 8/16/21 11001902 63830 50.00 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 3208/19608

* Invoice must be approved or voided to post.

3 PENDING UNPAID INVOICES TOTAL 742.00

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

Petition 21-24

**Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner)
and Pulte Home Corporation (Billboard Owner)**

**M-2 Special Use – Renewal of a Special Use Permit for an Off-Premise Advertising Sign at the Northeast Corner of Route 34 and
Hafenrichter (Farnsworth)**

INTRODUCTION

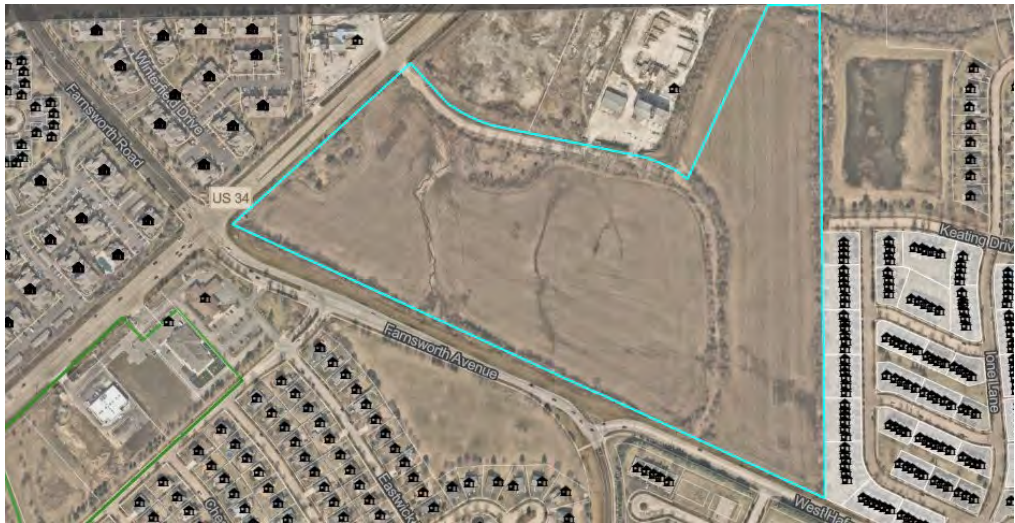
In December 2004, through Ordinance 2004-43, the Kendall County Board approved a special use permit for the placement of an off-premise advertising sign at the subject property. The special use permit was renewed in 2017 through Ordinance 2017-14. The special use was renewed again in 2019 through Ordinance 2019-22. Restriction Number 2.C of the 2019 special use permit renewal and Section 12:06.A.4 require the owner to either remove the sign or to renew the special use permit every two (2) years.

SITE INFORMATION

PETITIONER Dave Hamman on Behalf of KEKA Farms, LLC and Pulte Home Corporation

ADDRESS No Address Has Been Assigned to the Sign

LOCATION Northeast Corner of Route 34 and Hafenrichter (Farnsworth)



TOWNSHIP Oswego

PARCEL # 03-01-127-006

LOT SIZE 42.89 acres (Sign is on the southwest corner.)

EXITING LAND USE
Agricultural

ZONING M-2 Heavy Industry District with a Special Use Permit (Off-Premise Sign)

LRMP	Land Use	County: Commercial and Suburban Residential (Max 1 DU/Acre) City of Aurora: Commercial
	Roads	Route 34 is maintained by IDOT Hafenrichter/Farnsworth is a Local Road Maintained by Oswego Township.
	Trails	Aurora has a trail planned along Hafenrichter.
	Floodplain/ Wetlands	There are no wetlands or floodplain on the property.

REQUESTED ACTION Renewal of the Special Use Permit Awarded by Ordinance 2004-43 Granting a Special Use Permit for an Off-Premise Advertising Sign at the Subject Property

APPLICABLE REGULATIONS Section 12:06.A – Signs – General Standards
Section 12:12 – Signs – Special Use Signs: Commercial off-premise advertising structures may be permitted via a special use only in the M-2 and M-3 Manufacturing Districts.

Section 13:08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Industrial	M-2 SU	Low Density Residential (0-5 du/acre) (Aurora)	Aurora, Kane County, DuPage County and M-2 SU in Unincorporated Kendall County
South	Commercial/Residential	Aurora (B-2(S), R-1(S) and R-5(S))	Low Density Residential (0-5 du/acre) and Commercial (Aurora)	Aurora and R-3 in Unincorporated Kendall County
East	Agricultural/Residential	Aurora (R-1(S) and R-5(S))	Low Density Residential (0-5 du/acre) and Medium Density Residential (6-10 du/acre) (Aurora)	Aurora and Will County
West	Residential	Aurora (R-5(S))	Commercial, Light Industrial and Industrial (Aurora)	Aurora, A-1, M-1 SU, and B-3 in Unincorporated Kendall County

PHYSICAL DATA

ENDANGERED SPECIES REPORT

Not Required

NATURAL RESOURCES INVENTORY

Not Required

ACTION SUMMARY

OSWEGO TOWNSHIP

Petition information was sent to Oswego Township on June 10, 2021.

CITY OF AURORA

Petition information was sent to the City of Aurora on June 10, 2021. The property owner is in annexation negotiations with the City of Aurora. The City of Aurora submitted an email on June 10, 2021, stating they did not objection, but that the sign would be removed upon annexation. The email is included as Attachment 7.

OSWEGO FIRE PROTECTION DISTRICT

Petition information was sent to Oswego Fire Protection District on June 10, 2021. The Oswego Fire Protection District submitted an email on June 10, 2021, stating they had not comments regarding the request. The email is included as Attachment 6.

ZPAC

ZPAC reviewed this proposal at their meeting on July 6, 2021. ZPAC recommended approval of the request by vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting are included as Attachment 8.

RPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 28, 2021. There were no comments or questions regarding the proposal. The Kendall County Regional Planning Commission recommended approval of the request by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting are included as Attachment 9.

ZBA

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 2, 2021. No members of the public testified in favor or in opposition to this request. To date, there have been no complaints regarding this billboard. The Kendall County Zoning Board of Appeals recommended approval with conditions by a vote four (4) in favor and zero (0) in opposition with three (3) members absent. The minutes of the hearing are included as Attachment 10.

GENERAL INFORMATION

The sign is twelve feet by sixteen feet (12' X 16') in size. There will be fourteen feet (14') from the ground to the top of the sign. Renderings of the sign and the petitioner's application (including lease, findings of fact, and site plan) are included as Attachment 1.

The petitioner desires to renew the special use permit awarded by Ordinance 2004-43 and renewed by Ordinance 2017-14 with no changes in restrictions. Ordinance 2004-43 is included as Attachment 2, Ordinance 2017-14 included as Attachment 3, and Ordinance 2019-22 is included as Attachment 4.

The restrictions imposed by Ordinance 2019-22 include:

1. The sign shall look substantially in the form as shown in the attached Exhibit.
2. The sign shall be located substantially in the location depicted on the attached Site Plan.
3. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.

4. The sign will not be illuminated.
5. The advertising on the sign is restricted to Pulte Group's residential development.
6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The appearance of the signs was included as Exhibits C and D in Ordinance 2019-22.

Pursuant to Section 12:06.A.4, real estate and development signs may be located offsite for a period not to exceed two (2) years, provided a special use permit is issued.

A picture of the sign is included as Attachment 5.

BUILDING CODES

Since the sign is pre-existing, a building permit would not be required.

ACCESS

Not Applicable

TRAILS

A trail is planned along Hafenrichter. However, the City of Aurora has not previously requested a right-of-way dedication.

PARKING

Not Applicable

LIGHTING

The sign will not be illuminated.

SIGNAGE

Not Applicable

SCREENING

Not Applicable

STORMWATER

No portion of the property is in a flood area and no wetlands exist on the property. No stormwater issues are anticipated by the proposal.

EASEMENTS

No easements are believed to be impacted by the proposed sign.

FINDINGS OF FACT

*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. **Provided that the sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.***

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. **True, the proposed special use will not negatively impact adjoining properties.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.***

*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. **True, the proposed special use shall conform to the applicable regulations of the district.***

*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 special use is consistent with the purposes and objectives of the Land Resource Management Plan.***

RECOMMENDATION

If approved, Staff recommends the following conditions be included in the approving special use ordinance:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Home Corporation (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Home Corporation's residential development.
5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
6. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
7. 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 11.

ATTACHMENTS

1. Application (Including Renderings, Site Plan, and Applicant's Findings of Fact)
2. Ordinance 2004-43
3. Ordinance 2017-14
4. Ordinance 2019-22
5. Picture of Sign
6. June 10, 2021 Oswego Fire Protection District Email
7. June 10, 2021 City of Aurora Email
8. July 6, 2021 ZPAC Minutes (This Petition Only)
9. July 28, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)

10. August 2, 2021 Kendall County Zoning Board of Appeals Minutes (This Petition Only)
11. 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 #: _____

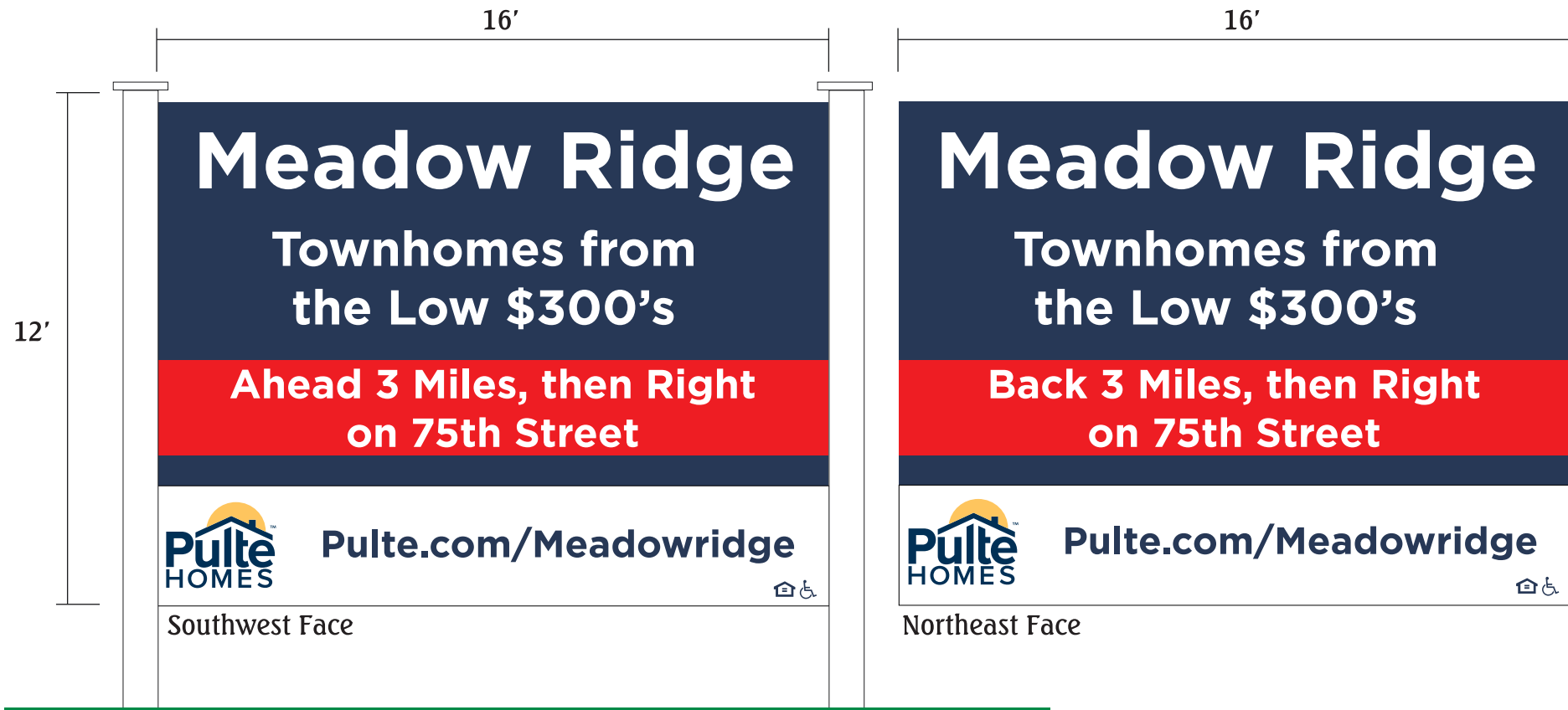
NAME OF APPLICANT		
Heather Lawson		
CURRENT LANDOWNER/NAME(s)		
Dave Hamman		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
42.39	SE corner of Hafenrichter and Route 34	PIN 03-01-127-006
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
	M2	
REQUESTED ACTION (Check All That Apply):		
<input checked="" 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 type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Heather Lawson		
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER # (Cell, etc.)
²ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
NA	NA	NA
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
NA	NA	NA
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	DocuSigned by: F3FDfE3993FB4ED...	DATE 5/26/2021

FEE PAID: \$ _____
CHECK #: _____

¹Primary Contact will receive all correspondence from County

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

12'x16' Double Sided Informational Billboard.
NE Corner OF Fransworth & Ogden In Aurora.



12'x16' Double Sided Billboard Re-face.
3/8" MDO Painted Ronan Dark Blue w/White, Red & Digital Vinyl.

Approval Signature _____



426 W. Fifth Ave.
Naperville, IL. 60563

Phone: 630-357-2300
Fax: 630-357-3977

Signs@SignsNowNaperville.com



BILLBOARD LEASE AGREEMENT

Lessee:

Pulte Home Corporation
1900 E. Golf Road, Suite 300
Schaumburg, IL 60173
Contact: Heather Lawson, Marketing Manager
Ph: 847.230.5400 (main) ext. 5334
Fax: 847.969.9395

Lessor:

KEKA Farms LLC
Attn: Dave Hamman

Ph:

Fax 1:

Fax 2:

Sign Location: Northeast Corner of Farnsworth and Ogden avenues, in unincorporated Kendall County, Illinois

Sign Information: 12' X 16' double face sign

Terms of Contract

1. Sign owner to maintain sign structure.
2. Contract term of 12 months from the date of signed contract. Renewable for additional time as needed and agreed upon by Lessee and Lessor, provided that Lessee acknowledges that Lessor has a Land Purchase Contract with DH Horton which this Billboard Lease agreement is subject and subordinated to, and which refers to the location of the Billboard as being on the "Commercial Lot" which provides, "Seller has a sign lease with Pulte Homes for signage on the Commercial Lot which is terminable by either Seller or Pulte Homes with 30 days written notice. Seller shall give notice of termination of that sign lease upon closing, together with an agreement by Seller, acceptable in form and substance to Buyer, that no builder signage similar to the existing sign will be permitted on the Commercial Lot post-Closing, unless on a sign permitted by the City of Aurora."
3. Advertiser (Also referred to herein as Lessee) and property owner have a mutual cancellation policy with 30 days written notice.
4. Rent: \$800.00 per month payable monthly for double face sign. Installation and maintenance of faces shall be the sole responsibility of Lessee during the duration of the lease agreement. Agreement is null & void if sign location is deemed illegal.

I HAVE READ AND UNDERSTAND THE LEASE AGREEMENT STATED ABOVE

AUTHORIZED SIGNATURES

DocuSigned by:
[Redacted]
F3FDFE3993FB4ED...

Signature of Pulte Home Corporation

5/26/2021

Date

[Redacted Signature]

Signature of Lessor KEKA Farms
LLC by Dave Hamman, one of its
Managers

May 25, 2021

Date

May 25, 2021

KEKA Farms, LLC
Dave Hamman

[REDACTED]

Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Planning, Building & Zoning Department:

On behalf of KEKA Farms LLC, I am writing this letter to grant permission/approval to Pulte Homes to renew the special use permit for the sign located on my property at Hafenrichter and Route 34 (PIN 03-01-127-006).

Sincerely,

[REDACTED]

Dave Hamman, Manager

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.

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.

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

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.

03-01-127-006

03-01-200-012

03-01-127-004

State of Illinois
County of Kendall

Zoning Petition
#0457

ORDINANCE NUMBER 2004 - 43
GRANTING SPECIAL USE
SOUTHEAST CORNER OF HAFENRICHTER AND ROUTE 34

WHEREAS, Centex Homes filed a petition for a Special Use within the M-2 district, for property generally located at the intersection of Hafenrichter and Route 34 in Oswego Township; and

WHEREAS, said petition is to allow an off-premise advertising sign, as provided in Sections 12.11 and 12.12 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is zoned M-2: Manufacturing; and

WHEREAS, said property is legally described as follows:

Part of the north half of Section 1, Township 37 North, Range 8 East of the Third Principal Meridian in Oswego Township Kendall County Illinois

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

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

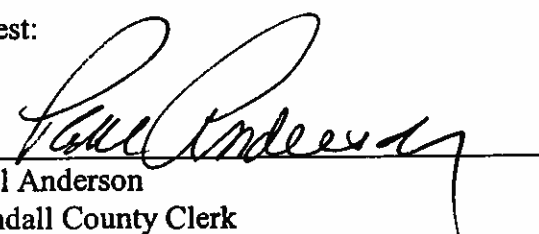
NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a SPECIAL USE PERMIT to permit an off-premise advertising sign on the subject parcel as depicted in Group Exhibits "A" and "B" attached hereto and made a part hereof, subject to the following conditions:

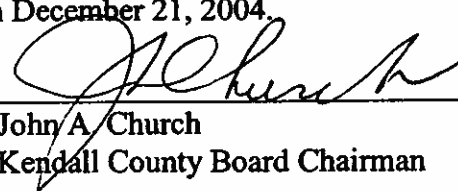
1. The sign will be removed or Centex Homes will apply to renew their special use in three years from the date of this ordinance.
2. The sign will not be illuminated; and
3. The advertising on the sign is restricted to Centex Homes' developments.

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

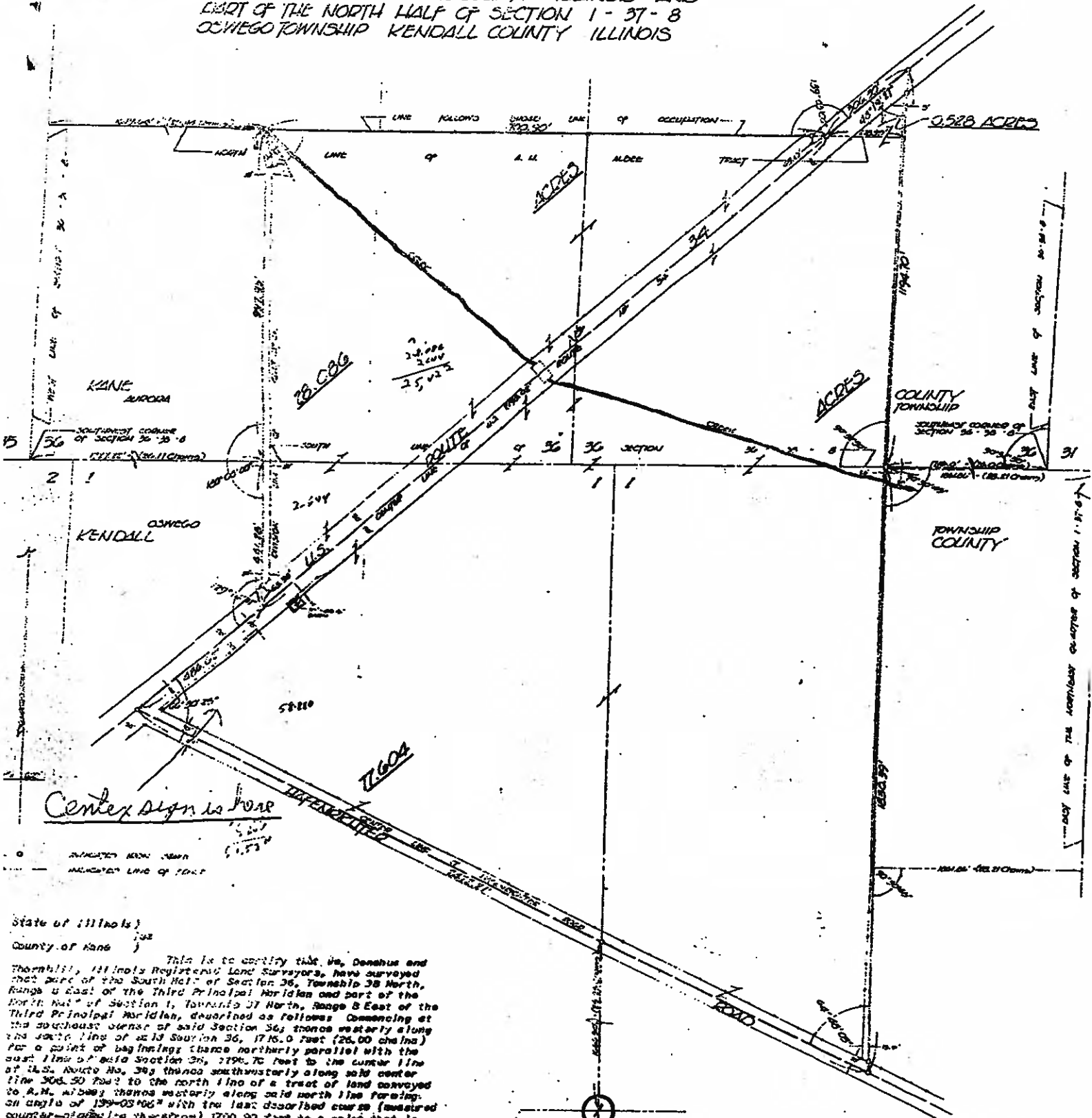
IN WITNESS OF, this ordinance has been enacted on December 21, 2004.

Attest:


Paul Anderson
Kendall County Clerk


John A. Church
Kendall County Board Chairman

PART OF THE SOUTH HALF OF SECTION 36-38-8
AURORA TOWNSHIP KANE COUNTY ILLINOIS AND
EAST OF THE NORTH HALF OF SECTION 1-37-8
OSWEGO TOWNSHIP KENDALL COUNTY ILLINOIS



State of Illinois)
County of Kane)

This is to certify that we, Donahue and Thornhill, Illinois Registered Land Surveyors, have surveyed that part of the South Half of Section 36, Township 38 North, Range 8 East of the Third Principal Meridian and part of the North Half of Section 1, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the southeast corner of said Section 36; thence westerly along the south line of said Section 36, 1716.0 feet (26.00 chains) for a point of beginning; thence northerly parallel with the east line of said Section 36, 2796.70 feet to the center line of U.S. Route No. 36; thence southeasterly along said center line 306.50 feet to the north line of a tract of land conveyed to A.M. Weber; thence westerly along said north line forming an angle of 139°03'06" with the last described course (measured counter-clockwise therefrom) 1700.90 feet to a point that is 1670.04 feet (25.44 chains) easterly of the west line of said Section 36; thence southerly along a line forming an angle of 22°47'17" with the last described course (measured clockwise therefrom) 907.93 feet to a point on the south line of said Section 36 that is 1727.22 feet (26.17 chains) easterly of the southeast corner of said Section 36; thence continuing southerly along the prolongation of the last described course 41.20 feet to the center line of said U.S. Route No. 36; thence southeasterly along said center line 486.62 feet to the center line of Haffenrichter Road; thence southeasterly along the center line of said Haffenrichter Road 2472.21 feet to a line drawn parallel with the east line of the Northeast Quarter of said Section 1 from the point of beginning; thence northerly along said parallel line 1830.39 feet to the point of beginning. In Aurora Township, Kane County and Oswego Township, Kendall County, Illinois and containing 105.690 acres, as shown by the plat hereon drawn which is a correct representation of said survey. All distances are shown in feet and decimal parts thereof.

Dated at Geneva, Illinois, April 3, 1973

John D. Donahue
Illinois Registered Land Surveyor No. 1740

DONAHUE AND THORNHILL
GENEVA ILLINOIS

EXHIBIT "B"

8'

CENTEX HOMES

Crossings at Wolf Creek

Homes from \$170's-\$300's

 Bricks Welcome

South on Rte. 59 to 119th West

Attachment 2, Page 3

14.5"

19"

7"

12'


48" ABOVE GRADE

8'

CENTEX HOMES

Springbrook at Farmington Lakes

Townhomes from \$150's-\$180's

 Bricks Welcome

Rte. 34 West to Douglas North

7.5"

14.5"

19"

7"

12'

48" ABOVE GRADE

State of Illinois
County of Kendall

Zoning Petition
#17-19

ORDINANCE NUMBER 2017 - 14

GRANTING A SPECIAL USE PERMIT FOR
**THE RENEWAL OF A SPECIAL USE PERMIT FOR A COMMERCIAL OFF-
PREMISE ADVERTISING STRUCTURE (BILLBOARD) ON THE PARCEL
IDENTIFIED AS 03-01-127-006 AND REVOKING THE SPECIAL USE PERMIT FOR A
COMMERCIAL OFF-PREMISE ADVERTISING STRUCTURE (BILLBOARD) ON
THE PARCEL IDENTIFIED AS 03-01-127-004 LOCATED AT THE CORNER OF
ROUTE 34 AND HAFENRICHTER (FARNSWORTH) IN OSWEGO TOWNSHIP**

WHEREAS, the Kendall County Board granted a special use permit for a commercial off-premise advertising structure at the corner of Route 34 and Hafenrichter (Farnsworth) by Ordinance 2004-43 on December 21, 2004; and

WHEREAS, Ordinance 2004-43 granted a special use permit for the properties identified by Parcel Identification Numbers 03-01-127-006 and 03-01-127-004; and

WHEREAS, Ordinance 2004-43 required that the special use be renewed every three years; and

WHEREAS, the Pulte Group representing Dave Hamman petitioned for the renewal of the special use permit allowed by Ordinance 2004-43; and

WHEREAS, the petitioners propose to retain the sign on the parcel identified by Parcel Identification Number 03-01-127-006 and to revoke the special use permit on the parcel identified by Parcel Identification Number 03-01-127-004; and

WHEREAS, said property is currently zoned M-2 Heavy Industrial District with a special use permit for a commercial off-premise advertising structure; and

WHEREAS, said property is legally described as:

PART OF THE NORTH HALF OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN IN OSWEGO TOWNSHIP KENDALL COUNTY, ILLINOIS

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on August 28, 2017; 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. **Provided that the sign is placed in a location in compliance with Section 12 of the Kendall County Zoning Ordinance, the special use will not be detrimental to or endanger the public***

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#17-19

health, safety, morals, comfort, or general welfare of the public.

*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. **True, the proposed special use will not negatively impact adjoining properties.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.***

*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. **True, the proposed special use shall conform to the applicable regulations of the district.***

*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 special use is consistent with the purposes and objectives of the Land Resource Management Plan.***

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, the Kendall County Board hereby grants approval of a special use zoning permit to for the placement of a commercial off-premise advertising structure on the parcel identified by Parcel Identification Number 03-01-127-006 in accordance to the submitted Site Plan included as "Exhibit A and Exhibit B" attached hereto and incorporated herein subject to the following conditions:

1. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
2. The sign will not be illuminated.

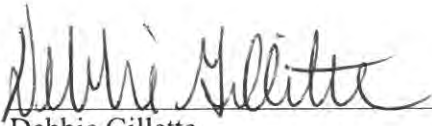
State of Illinois
County of Kendall

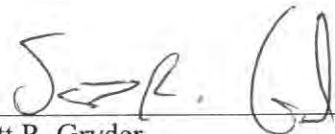
Zoning Petition
#17-19

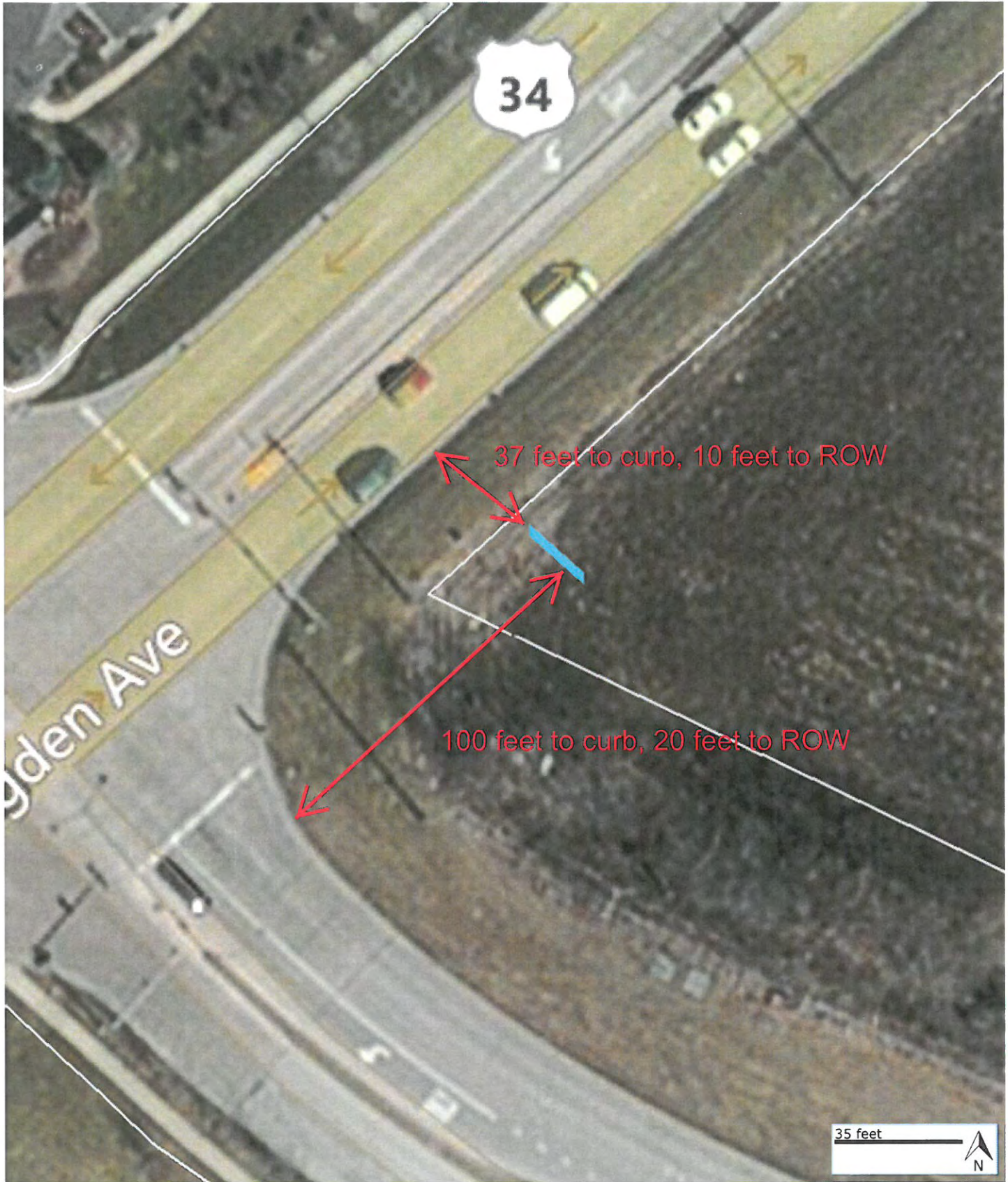
3. The advertising on the sign is restricted to Pulte Group's residential development.
4. The special use permit awarded by Ordinance 2004-43 to the property identified by Parcel ID Number 03-01-127-004 for an off-premise advertising structure is revoked with the adoption of this ordinance.
5. The owners of the off-premise advertising structure allowed by this special use permit shall obtain a building permit for the structure.
6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

IN WITNESS OF, this ordinance has been enacted on September 19, 2017.

Attest:


Debbie Gillette
Kendall County Clerk


Scott R. Gryder
Kendall County Board Chairman



12'x16' Double Sided Informational Billboard.
NE Corner OF Fransworth & Ogden In Aurora.

192 SQ. Ft.



12"x192" Single Sided Model Now Open Patch.
3/8" MDO Painted Ronan Dark Blue w/White Vinyl Copy.
Qty: 2

Sign is not illuminated. Sign is 12' tall with 2' tall posts= 14' from ground to top of sign. Sign is 16' wide. 3/8" MDO Painted Ronan Dark Blue w/ White. Duranodic Bronze and Digital Vinyl. MDO Mounted to 2 White Wooden 10" x 10" columns.

Approval Signature

signsnow215@gmail.com

Phone: 630-357-2300
Fax: 630-357-3977

signsnow 426 W. Fifth Ave.
Naperville, IL. 60563

State of Illinois
County of Kendall

Zoning Petition
#19-25

ORDINANCE NUMBER 2019- 22

**GRANTING A RENEWAL TO A SPECIAL USE PERMIT GRANTED BY ORDINANCE 2004-43
ON PROPERTY ZONED M-2 HEAVY INDUSTRIAL DISTRICT FOR AN OUTDOOR
ADVERTISING SIGN ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF U.S.
ROUTE 34 AND HAFENRICHTER (FARNSWORTH) (PIN: 03-01-127-006)
IN OSWEGO TOWNSHIP**

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits, make amendments to existing special use permits, and place conditions on special use permits and provides the procedure through which special use permits are issued and amended; and

WHEREAS, Section 12.12 of the Kendall County Zoning Ordinance permits the placement of outdoor advertising structures and off-premise advertising signs as a special use permit with certain restrictions in the M-2 Heavy Industrial Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the M-2 Heavy Industrial Zoning District and consists of approximately 42.93 acres located at the southeast corner of the intersection of U.S. Route 34 and Hafenrichter (Farnsworth) (PIN: 03-01-127-006) in Oswego 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 KEKA Farms, LLC and is represented by Dave Hamman and the owner leases the property to Pulte Group and shall collectively hereinafter be referred to as "Petitioner"; and

WHEREAS, on December 21, 2004, the Kendall County Board approved Ordinance 2004-43 granting a special use permit for the placement of an outdoor advertising sign (billboard) on the subject property with conditions; and

WHEREAS, Condition #1 of Ordinance 2004-05 required that the special use granted by said ordinance be renewed every three years;

WHEREAS, on September 19, 2017, the Kendall County Board approved Ordinance 2017-14 granting a renewal of the special use permit for the placement of an outdoor advertising sign (billboard) on the subject property with conditions; and

WHEREAS, Condition #1 of Ordinance 2017-14 and Section 12.06.A.4 of the Kendall County Zoning Ordinance require special use permits for such signs to be renewed every two years; and

WHEREAS, on or about June 14, 2019, Petitioner filed a petition for renewal of the special use permit granted by Ordinance 2004-05 and renewed by Ordinance 2017-14; and

WHEREAS, following due and proper notice by publication in the Beacon-News on June 30, 2019, the Kendall County Zoning Board of Appeals conducted a public hearing on July 29, 2019, at 7:00 p.m. in the County Office Building at 111 W. Fox Street in Yorkville, at which evidence, testimony, and exhibits in support of the requested renewal to an existing special use permit was presented and zero members of the public testified in favor or in opposition to the request; and

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WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval with conditions of the renewal to an existing special use permit as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 29, 2019, 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 of the requested renewal to an existing 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

WHEREAS, this renewal to an existing 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 renewal to an existing special use permit allowing the placement of an outdoor advertising structure (billboard) on the subject property subject to the following conditions:
 - A. The sign shall look substantially in the form as shown in Exhibit C attached hereto.
 - B. The sign shall be located substantially in the location depicted on the Site Plan attached hereto as Exhibit D.
 - C. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
 - D. The sign will not be illuminated.
 - E. The advertising on the sign is restricted to Pulte Group's residential development.
 - F. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
 - G. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.

State of Illinois
County of Kendall

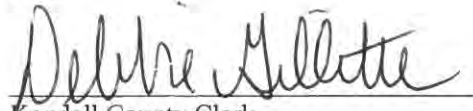
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#19-25

H. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

3. 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 major amendment to an existing special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 27th day of August, 2019.

Attest:


Kendall County Clerk
Debbie Gillette

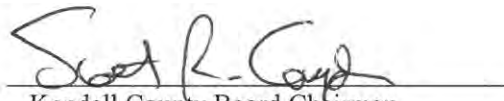

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

Legal Description

THAT PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 36, 1716.0 FEET FOR THE POINT OF BEGINNING; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 36, 1194.70 FEET TO THE CENTER LINE OF U. S. ROUTE NO. 34; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 306.50 FEET; THENCE WEST ALONG A LINE FORMING AN ANGLE OF 139 DEGREES, 03 MINUTES, 06 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED COUNTERCLOCKWISE THEREFROM, 1700.90 FEET TO A POINT THAT IS 1679.04 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 36; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 88 DEGREES, 17 MINUTES, 17 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED CLOCKWISE THEREFROM, 997.93 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 36 THAT IS 1727.22 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE CONTINUING SOUTHERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 441.28 FEET TO THE CENTER LINE OF SAID U. S. ROUTE NO. 34; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 486.62 FEET TO THE CENTER LINE OF HAFENRICHTER ROAD; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID HAFENRICHTER ROAD 2472.21 FEET TO A LINE DRAWN PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1 FROM THE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID PARALLEL LINE 1830.39 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ALL THAT PART FALLING WITHIN THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN FALLING WITHIN THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 36, 1851.94 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS WITH SAID SOUTH LINE, MEASURED FROM WEST TO NORTH, 482.53 FEET, THIS LINE HEREINAFTER REFERRED CALLED LINE "A", FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 97 DEGREES 52 MINUTES 31 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 710.83 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 101 DEGREES 10 MINUTES 19 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 327.11 FEET; THENCE NORTHWESTERLY ALONG A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 390.0 FEET, 244.0 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 200.0 FEET TO THE CENTER LINE OF U.S. ROUTE NO. 34; THENCE NORTHEASTERLY ALONG SAID CENTER LINE 653.09 FEET TO THE NORTHWESTERLY EXTENSION OF SAID LINE "A"; THENCE SOUTHEASTERLY ALONG SAID EXTENDED LINE "A" 470.73 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP AURORA, KANE COUNTY, ILLINOIS AND THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS

AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, FALLING WITHIN THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, 1851.94 FEET TO THE POINT OF BEGINNING; THENCE

NORTHWESTERLY AT AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE PROLONGATION OF THE LAST DESCRIBED COURSE, 667.53 FEET TO A POINT; THENCE SOUTHWESTERLY AT AN ANGLE OF 97 DEGREES 52 MINUTES 31 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 721.67 FEET; THENCE SOUTHEASTERLY AT AN ANGLE OF 78 DEGREES 49 MINUTES 41 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 426.88 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT CONCAVE TO THE SOUTHWEST, THE CHORD OF WHICH FORMS AN ANGLE OF 163 DEGREES 10 MINUTES 57 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE HAVING A RADIUS OF 335.00 FEET, AN ARC DISTANCE OF 196.66 FEET AND A CHORD DISTANCE OF 193.85 FEET TO A POINT; THENCE NORTHEASTERLY AT AN ANGLE OF 84 DEGREES 21 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE CHORD OF THE LAST DESCRIBED COURSE, 727.61 FEET TO THE SOUTH LINE OF AFORESAID SOUTHEAST 1/4; THENCE EASTERLY ALONG THE SOUTH LINE OF THE AFORESAID SOUTHEAST 1/4 51.42 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS AND IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS, AND ALSO EXCEPT THAT PART OF THE LAND CONVEYED TO DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS BY INSTRUMENT RECORDED APRIL 26, 2007 AS DOCUMENT 200700013871, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS

AND ALSO EXCEPTING ALL THAT PART LYING NORTHERLY OF THE CENTERLINE OF U.S. 34

Exhibit B

FINDINGS OF FACT

*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. **Provided that the sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.***

*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. **True, the proposed special use will not negatively impact adjoining properties.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.***

*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. **True, the proposed special use shall conform to the applicable regulations of the district.***

*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 special use is consistent with the purposes and objectives of the Land Resource Management Plan.***

Recommendation

The Kendall County Zoning Board of Appeals recommends approval of the requested renewal to an existing special use permit with the following conditions:

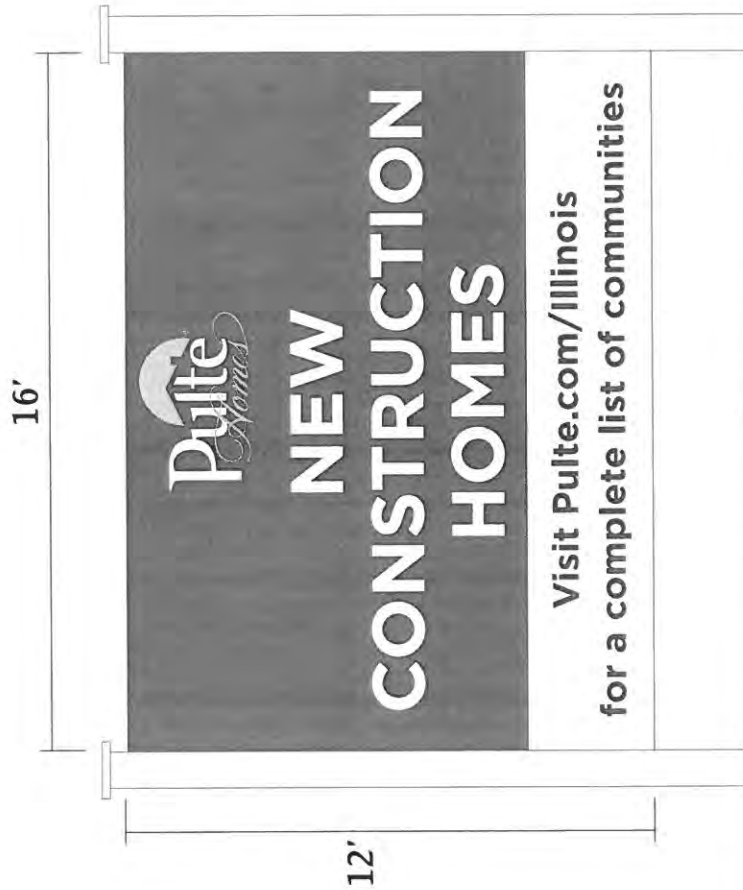
1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Group's residential development.
5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
6. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The Kendall County Zoning Board of Appeals issues this recommendation by a vote of six (6) in favor, zero (0) opposed, and one (1) absent.

July 29, 2019

Exhibit C

12'x16' Double Sided Informational Billboard.
NE Corner OF Fransworth & Ogden In Aurora.



Sign is not illuminated. Sign is 12' tall with 2' tall posts = 14' from ground to top of sign.
Sign is 16' wide. 3/8" MDO Painted Ronan Dark Blue w/ White, Duranodic Bronze and Digital Vinyl.

12'x16' Double Sided Billboard Re-face.

3/8" MDO Painted Ronan Dark Blue w/White, Light Grey & Digital.

Qty 1

Approval Signature _____



426 W. Fifth Ave.
Naperville, IL 60563

Phone: 630-357-2300
Fax: 630-357-3977

Signs@SignsNowNaperville.com

Exhibit D



Meadow Ridge

Townhomes from
the Low \$300's

Ahead 3 Miles, then Right
on 75th Street

05/27/2021 08:53

Matt Asselmeier

From: Alec Keenum <akeenum@oswegofire.com>
Sent: Thursday, June 10, 2021 8:19 AM
To: Matt Asselmeier
Cc: John Cornish
Subject: [External]RE: Kendall County Zoning Petition 21-24

Matt,

Thank you for the information. At this time, the Oswego Fire Protection District has no comments concerning this petition.

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

Matt Asselmeier

From: Sieben, Ed <SiebenE@aurora.il.us>
Sent: Thursday, June 10, 2021 10:51 AM
To: Matt Asselmeier; Captain Alec Keenum; Claude Ainsworth (cainsworth@oswegotownship.com); Joe West (jwest@oswegotownship.com); John Cornish; Kenneth Holmstrom; Vacek, Tracey; Morgan, Jill; City Clerk
Cc: Scott Koeppel; Scott Gengler
Subject: [External]RE: Kendall County Zoning Petition 21-24

Matt, no objection provided that the sign would need to be removed upon annexation of the property to Aurora. We are currently in negotiations for that.

Edward T. Sieben
Director/Zoning Administrator
City of Aurora
Zoning & Planning Division
77 S. Broadway, 2nd Flr.
(630) 256-3080

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
July 6, 2021 – Unapproved Meeting Minutes**

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Sgt. Scott Moran – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:

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

Audience:

Boyd Ingemunson and JoAnn Bright-Theis

PETITIONS

Petition 21-24 Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner) and Pulte Home Corporation (Billboard Owner)

Mr. Asselmeier summarized the request.

In December 2004, through Ordinance 2004-43, the Kendall County Board approved a special use permit for the placement of an off-premise advertising sign at the subject property. The special use permit was renewed in 2017 through Ordinance 2017-14. The special use was renewed again in 2019 through Ordinance 2019-22. Restriction Number 2.C of the 2019 special use permit renewal and Section 12:06.A.4 require the owner to either remove the sign or to renew the special use permit every two (2) years. The site plan and picture of the sign were provided.

The property is located at the southeast corner of Route 34 and Hafenrichter (Farnsworth) in Oswego Township. The property is zoned M-2.

The Land Resource Management Plan calls for the property to be commercial and suburban residential. Aurora's Comprehensive Plan calls for the property to be commercial.

Route 34 is maintained by IDOT. Hafenrichter/Farnsworth is a Local Road Maintained by Oswego Township. Aurora has a trail planned along Hafenrichter.

There are no wetlands or floodplain on the property.

The adjacent land uses are agricultural, residential, commercial, and industrial.

The adjacent zoning districts are M-2 in the County and R-1 (S), R-5 (S), and B-2 (S) in Aurora.

Aurora's Future Land Use Map calls for the area to be Low- and Medium-Density Residential, Commercial, Light Industrial, and Industrial.

Nearby zoning districts include A-1, R-3, B-3, M-1 SU, M-2 SU, in Kendall County and various districts in Aurora, Kane County, Will County, and DuPage County.

EocCat and Natural Resource Inventory not required.

Petition information was sent to Oswego Township on June 10, 2021.

Petition information was sent to the City of Aurora on June 10, 2021. The property owner is in annexation negotiations with the City of Aurora. Aurora sent an email on June 10, 2021, expressing no objections, but the sign would be removed upon annexation into Aurora. This email was provided.

Petition information was sent to Oswego Fire Protection District on June 10, 2021. Oswego Fire Protection District submitted an email on June 10, 2021, stating they had no comments regarding the request. This email was provided.

The sign is twelve feet by sixteen feet (12' X 16') in size. There will be fourteen feet (14') from the ground to the top of the sign. Renderings of the sign and the petitioner's application (including lease, findings of fact, and site plan) were provided.

The petitioner desires to renew the special use permit awarded by Ordinance 2004-43 and renewed by Ordinance 2017-14 with no changes in restrictions. Ordinance 2004-43, Ordinance 2017-14, and Ordinance 2019-22 were provided.

The restrictions imposed by Ordinance 2019-22 include:

1. The sign shall look substantially in the form as shown in the attached Exhibit.
2. The sign shall be located substantially in the location depicted on the attached Site Plan.
3. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
4. The sign will not be illuminated.
5. The advertising on the sign is restricted to Pulte Group's residential development.
6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The appearance of the signs was included as Exhibits C and D in Ordinance 2019-22.

Pursuant to Section 12:06.A.4, real estate and development signs may be located offsite for a period not to exceed two (2) years, provided a special use permit is issued.

A picture of the sign was provided.

Since the sign is pre-existing, a building permit would not be required.

There were no concerns regarding access.

A trail is planned along Hafenrichter. However, the City of Aurora has not previously requested a right-of-way dedication.

Parking and screening information was not applicable.

The sign will not be illuminated.

No portion of the property is in a flood area and no wetlands exist on the property. No stormwater issues are anticipated by the proposal.

No easements were believed to be impacted by the proposed sign.

The proposed Findings of Fact were 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. Provided that the sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.

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. True, the proposed special use will not negatively impact adjoining properties.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.

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. True, the proposed special use shall conform to the applicable regulations of the district.

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 special use is consistent with the purposes and objectives of the Land Resource Management Plan.

Staff recommended the following conditions be included in the approving special use ordinance:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Home Corporation (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Home Corporation's residential development.
5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
6. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Mr. Gengler asked if the special use permit had to be amended in order for the sign to be illuminated. Mr. Asselmeier responded yes.

Mr. Holdiman made a motion, seconded by Mr. Rybski, to recommend approval of the proposal.

The votes were as follows:

Yeas (6): Asselmeier, Gengler, Holdiman, Moran, Olson, and Rybski

Nays (0): None

Abstain (0): None

Absent (4): Briganti, Chismark, Guritz, Klaas

The motion carried.

The proposal goes to the Kendall County Regional Planning Commission on July 28, 2021.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Holdiman made a motion, seconded by Mr. Rybski, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The ZPAC, at 9:18 a.m., adjourned.

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

Attachment 9, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of July 28, 2021 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Bob Stewart, Claire Wilson, and Seth Wormley

Members Absent: Tom Casey and Dave Hamman

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Boyd Ingemunson, JoAnn Bright-Theis, Adam Theis, Steve Knutson, Kurt Buhle, Jeanette Buhle, John Vogt, and Robert Bright

PETITIONS

Petition 21-24 Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner) and Pulte Home Corporation (Billboard Owner)

Mr. Asselmeier summarized the request.

In December 2004, through Ordinance 2004-43, the Kendall County Board approved a special use permit for the placement of an off-premise advertising sign at the subject property. The special use permit was renewed in 2017 through Ordinance 2017-14. The special use was renewed again in 2019 through Ordinance 2019-22. Restriction Number 2.C of the 2019 special use permit renewal and Section 12:06.A.4 require the owner to either remove the sign or to renew the special use permit every two (2) years. The site plan and picture of the sign were provided.

The property is located at the southeast corner of Route 34 and Hafenrichter (Farnsworth) in Oswego Township. The property is zoned M-2.

The Land Resource Management Plan calls for the property to be commercial and suburban residential. Aurora's Comprehensive Plan calls for the property to be commercial.

Route 34 is maintained by IDOT. Hafenrichter/Farnsworth is a Local Road Maintained by Oswego Township. Aurora has a trail planned along Hafenrichter.

There were no wetlands or floodplain on the property.

The adjacent land uses were agricultural, residential, commercial, and industrial.

The adjacent zoning districts were M-2 in the County and R-1 (S), R-5 (S), and B-2 (S) in Aurora.

Aurora's Future Land Use Map called for the area to be Low- and Medium-Density Residential, Commercial, Light Industrial, and Industrial.

Nearby zoning districts included A-1, R-3, B-3, M-1 SU, M-2 SU, in Kendall County and various districts in Aurora, Kane County, Will County, and DuPage County.

EocCat and Natural Resource Inventory not required.

Petition information was sent to Oswego Township on June 10, 2021.

Petition information was sent to the City of Aurora on June 10, 2021. The property owner was in annexation negotiations with the City of Aurora. Aurora sent an email on June 10, 2021, expressing no objections, but the sign would be removed upon annexation into Aurora. This email was provided.

Petition information was sent to Oswego Fire Protection District on June 10, 2021. Oswego Fire Protection District submitted an email on June 10, 2021, stating they had no comments regarding the request. This email was provided.

ZPAC reviewed this proposal at their meeting on July 6, 2021. ZPAC recommended approval of the request by vote of six (6) in favor and zero (0) in opposition with four (4) member absent. The minutes of the meeting were provided.

The sign is twelve feet by sixteen feet (12' X 16') in size. There will be fourteen feet (14') from the ground to the top of the sign. Renderings of the sign and the petitioner's application (including lease, findings of fact, and site plan) were provided.

The petitioner desires to renew the special use permit awarded by Ordinance 2004-43 and renewed by Ordinance 2017-14 with no changes in restrictions. These ordinances were provided.

The restrictions imposed by Ordinance 2019-22 include:

1. The sign shall look substantially in the form as shown in the attached Exhibit.
2. The sign shall be located substantially in the location depicted on the attached Site Plan.
3. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
4. The sign will not be illuminated.
5. The advertising on the sign is restricted to Pulte Group's residential development.
6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The appearance of the signs was included as Exhibits C and D in Ordinance 2019-22.

Pursuant to Section 12:06.A.4, real estate and development signs may be located offsite for a period not to exceed two (2) years, provided a special use permit is issued.

A picture of the sign was provided.

Since the sign was pre-existing, a building permit would not be required.

Access concerns, parking concerns, and screening concerns were not applicable.

A trail was planned along Hafenrichter. However, the City of Aurora has not previously requested a right-of-way dedication.

The sign will not be illuminated.

No portion of the property was in a flood area and no wetlands existed on the property. No stormwater issues were anticipated by the proposal.

No easements were believed to be impacted by the proposed sign.

The proposed Findings of Fact were 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. Provided that the sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.

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. True, the proposed special use will not negatively impact adjoining properties.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.

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. True, the proposed special use shall conform to the applicable regulations of the district.

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 special use is consistent with the purposes and objectives of the Land Resource Management Plan.

If approved, Staff recommended the following conditions be included in the approving special use ordinance:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Home Corporation (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Home Corporation's residential development.
5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
6. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Ashton asked if anyone had any comments or questions regarding the Petition. There were no comments or questions regarding the Petition.

Member Nelson made a motion, seconded by Member McCarthy-Lange, to recommend approval of the Petition.

The votes were as follows:

Ayes (8): Ashton, Bledsoe, McCarthy-Lange, Nelson, Rodriguez, Stewart, Wilson, and Wormley
Nays (0): None
Absent (2): Casey and Hamman
Abstain (0): None

The motion carried.

This proposal will go to the Kendall County Zoning Board of Appeals on August 2, 2021.

ADJOURNMENT

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




The Kendall County Regional Planning Commission meeting adjourned at 8:10 p.m.

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

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
JULY 28, 2021**

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)
Boud Ingemansen		
		
STEVE KNUTSON		
KURT BUEHE		
John Voyle		
James Burke		
		
		

**MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
August 2, 2021 – 7:00 p.m.**

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:04 p.m.

ROLL CALL:

Members Present: Karen Clementi, Cliff Fox, Randy Mohr, and Dick Thompson

Members Absent: Scott Cherry, Tom LeCuyer, and Dick Whitfield

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

Others Present: Adam Theis, JoAnn Bright-Theis, Steve Knutson, Kurt Buhle, and Scott Gengler

Chairman Mohr swore in Adam Theis, JoAnn Bright-Theis, Steve Knutson, and Kurt Buhle.

PETITIONS

The Zoning Board of Appeals started their review of Petition 21-24 at 7:05 p.m.

Petition 21 – 24 – Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner) and Pulte Home Corporation (Billboard Owner)

Request: Renew the Special Use Permit Granted by Ordinance 2004-43 and Renewed by Ordinance 2019-22 Allowing the Placement of an Outdoor Advertising Sign (Billboard) at the Subject Property

PIN: 03-01-127-006

Location: Southeast Corner of the Intersection of U.S. Route 34 and Hafenrichter (Farnsworth) in Oswego Township

Purpose: Petitioner Wishes to Renew Special Use Permit for Billboard; Property is Zoned M-2

Mr. Asselmeier summarized the request.

In December 2004, through Ordinance 2004-43, the Kendall County Board approved a special use permit for the placement of an off-premise advertising sign at the subject property. The special use permit was renewed in 2017 through Ordinance 2017-14. The special use was renewed again in 2019 through Ordinance 2019-22. Restriction Number 2.C of the 2019 special use permit renewal and Section 12:06.A.4 require the owner to either remove the sign or to renew the special use permit every two (2) years. The site plan and picture of the sign were provided.

The property is located at the southeast corner of Route 34 and Hafenrichter (Farnsworth) in Oswego Township. The property is zoned M-2.

The Land Resource Management Plan calls for the property to be commercial and suburban residential. Aurora's Comprehensive Plan calls for the property to be commercial.

Route 34 is maintained by IDOT. Hafenrichter/Farnsworth is a Local Road Maintained by Oswego Township. Aurora has a trail planned along Hafenrichter.

There were no wetlands or floodplain on the property.

The adjacent land uses were agricultural, residential, commercial, and industrial.

The adjacent zoning districts were M-2 in the County and R-1 (S), R-5 (S), and B-2 (S) in Aurora.

Aurora's Future Land Use Map called for the area to be Low- and Medium-Density Residential, Commercial, Light Industrial, and Industrial.

Nearby zoning districts included A-1, R-3, B-3, M-1 SU, M-2 SU, in Kendall County and various districts in Aurora, Kane County, Will County, and DuPage County.

EocCat and Natural Resource Inventory not required.

Petition information was sent to Oswego Township on June 10, 2021. No comments were received.

Petition information was sent to the City of Aurora on June 10, 2021. The property owner was in annexation negotiations with the City of Aurora. Aurora sent an email on June 10, 2021, expressing no objections, but the sign would be removed upon annexation into Aurora. This email was provided.

Petition information was sent to Oswego Fire Protection District on June 10, 2021. Oswego Fire Protection District submitted an email on June 10, 2021, stating they had no comments regarding the request. This email was provided.

ZPAC reviewed this proposal at their meeting on July 6, 2021. ZPAC recommended approval of the request by vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 28, 2021. There were no comments or questions regarding the proposal. The Kendall County Regional Planning Commission recommended approval of the request by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

The sign is twelve feet by sixteen feet (12' X 16') in size. There will be fourteen feet (14') from the ground to the top of the sign. Renderings of the sign and the petitioner's application (including lease, findings of fact, and site plan) were provided.

The petitioner desires to renew the special use permit awarded by Ordinance 2004-43 and renewed by Ordinance 2017-14 with no changes in restrictions. These ordinances were provided. The restrictions imposed by Ordinance 2019-22 include:

1. The sign shall look substantially in the form as shown in the attached Exhibit.
2. The sign shall be located substantially in the location depicted on the attached Site Plan.

3. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
4. The sign will not be illuminated.
5. The advertising on the sign is restricted to Pulte Group's residential development.
6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The appearance of the signs was included as Exhibits C and D in Ordinance 2019-22.

Pursuant to Section 12:06.A.4, real estate and development signs may be located offsite for a period not to exceed two (2) years, provided a special use permit is issued.

A picture of the sign was provided.

Since the sign was pre-existing, a building permit would not be required.

Access concerns, parking concerns, and screening concerns were not applicable.

A trail was planned along Hafenrichter. However, the City of Aurora has not previously requested a right-of-way dedication.

The sign will not be illuminated.

No portion of the property was in a flood area and no wetlands existed on the property. No stormwater issues were anticipated by the proposal.

No easements were believed to be impacted by the proposed sign.

The proposed Findings of Fact were 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. Provided that the sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.

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. True, the proposed special use will not negatively impact adjoining properties.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.

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. True, the proposed special use shall conform to the applicable regulations of the district.

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 special use is consistent with the purposes and objectives of the Land Resource Management Plan.

If approved, Staff recommended the following conditions be included in the approving special use ordinance:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Home Corporation (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Home Corporation's residential development.
5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
6. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Mohr asked if the County ever received any complaints about this billboard. Mr. Asselmeier responded no.

Chairman Mohr opened the public hearing at 7:08 p.m.

No members of the public wished to testify regarding this Petition.

Chairman Mohr closed the public hearing at 7:08 p.m.

Member Clementi made a motion, seconded by Member Fox, to approve the Findings of Fact.

The votes were as follows:

Ayes (4): Clementi, Fox, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

Member Clementi made a motion, seconded by Member Thompson, to recommend approval of the requested special use permit renewal with the conditions proposed by Staff.

The votes were as follows:

Ayes (4): Clementi, Fox, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

The proposal will go to the Kendall County Planning, Building and Zoning Committee on Monday, August 9, 2021.

The Zoning Board of Appeals completed their review of Petition 21-24 at 7:09 p.m.

PUBLIC COMMENTS

Mr. Asselmeier said there are two (2) Petitions for the August meeting, a rezoning on the south of Route 52 west of Jughandle Road and a rezoning on the west side of Jughandle Road south of Route 52.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Clementi made a motion, seconded by Member Fox, to adjourn.

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

The Zoning Board of Appeals meeting adjourned at 8:04 p.m.

The next hearing/meeting will be on August 30, 2021.

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

Exhibits

1. Memo on Petition 21-24 Dated July 30, 2021
2. Certificate of Publication for Petition 21-24 (Not Included with Report but on file in Planning, Building and Zoning Office)

State of Illinois
County of Kendall

Zoning Petition
#21-24

ORDINANCE NUMBER 2021-_____

**GRANTING A RENEWAL TO A SPECIAL USE PERMIT GRANTED BY ORDINANCE 2004-43
ON PROPERTY ZONED M-2 HEAVY INDUSTRIAL DISTRICT FOR AN OUTDOOR
ADVERTISING SIGN ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF U.S.
ROUTE 34 AND HAFENRICHTER (FARNSWORTH) (PIN: 03-01-127-006)
IN OSWEGO TOWNSHIP**

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

WHEREAS, Section 12:12 of the Kendall County Zoning Ordinance permits the placement of outdoor advertising structures and off-premise advertising signs as a special use permit with certain restrictions in the M-2 Heavy Industrial Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the M-2 Heavy Industrial Zoning District and consists of approximately 42.9 acres located at the southeast corner of the intersection of U.S. Route 34 and Hafenrichter (Farnsworth) (PIN: 03-01-127-006) in Oswego 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 KEKA Farms, LLC and is represented by Dave Hamman and the owner leases the property to Pulte Home Corporation and shall collectively hereinafter be referred to as “Petitioner”; and

WHEREAS, on December 21, 2004, the Kendall County Board approved Ordinance 2004-43 granting a special use permit for the placement of an outdoor advertising sign (billboard) on the subject property with conditions; and

WHEREAS, Condition #1 of Ordinance 2004-05 required that the special use granted by said ordinance be renewed every three years;

WHEREAS, on September 19, 2017, the Kendall County Board approved Ordinance 2017-14 granting a renewal of the special use permit for the placement of an outdoor advertising sign (billboard) on the subject property with conditions; and

WHEREAS, on August 27, 2019, the Kendall County Board approved Ordinance 2019-22 granting a renewal of the special use permit for the placement of an outdoor advertising sign (billboard) on the subject property with conditions; and

WHEREAS, Condition #2.C of Ordinance 2019-22 and Section 12:06.A.4 of the Kendall County Zoning Ordinance require special use permits for such signs to be renewed every two years; and

WHEREAS, on or about June 3, 2021, Petitioner filed a petition for renewal of the special use permit granted by Ordinance 2004-05 and renewed by Ordinance 2019-22; and

WHEREAS, following due and proper notice by publication in the Beacon-News on July 6, 2021, the Kendall

State of Illinois
County of Kendall

Zoning Petition
#21-24

County Zoning Board of Appeals conducted a public hearing on August 2, 2021, at 7:00 p.m. in the County Office Building at 111 W. Fox Street in Yorkville, at which evidence, testimony, and exhibits in support of the requested renewal to an existing special use permit was presented and zero members of the public testified in favor or 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 with conditions of the renewal to an existing special use permit as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 2, 2021, 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 renewal to an existing special use permit; 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

WHEREAS, this renewal to an existing 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 renewal to an existing special use permit allowing the placement of an outdoor advertising structure (billboard) on the subject property subject to the following conditions:
 - A. The sign shall look substantially in the form as shown in Exhibit C attached hereto.
 - B. The sign shall be located substantially in the location depicted on the Site Plan attached hereto as Exhibit D.
 - C. The sign will be removed or Pulte Home Corporation (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
 - D. The sign will not be illuminated.
 - E. The advertising on the sign is restricted to Pulte Home Corporation's residential development.

State of Illinois
County of Kendall

Zoning Petition
#21-24

- F. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
 - G. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
 - H. 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 renewal to an existing 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 major amendment to an existing 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 August, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

Legal Description

THAT PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 36, 1716.0 FEET FOR THE POINT OF BEGINNING; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 36, 1194.70 FEET TO THE CENTER LINE OF U. S. ROUTE NO. 34; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 306.50 FEET; THENCE WEST ALONG A LINE FORMING AN ANGLE OF 139 DEGREES, 03 MINUTES, 06 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED COUNTERCLOCKWISE THEREFROM, 1700.90 FEET TO A POINT THAT IS 1679.04 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 36; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 88 DEGREES, 17 MINUTES, 17 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED CLOCKWISE THEREFROM, 997.93 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 36 THAT IS 1727.22 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE CONTINUING SOUTHERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 441.28 FEET TO THE CENTER LINE OF SAID U. S. ROUTE NO. 34; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 486.62 FEET TO THE CENTER LINE OF HAFENRICHTER ROAD; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID HAFENRICHTER ROAD 2472.21 FEET TO A LINE DRAWN PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1 FROM THE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID PARALLEL LINE 1830.39 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ALL THAT PART FALLING WITHIN THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN FALLING WITHIN THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 36, 1851.94 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS WITH SAID SOUTH LINE, MEASURED FROM WEST TO NORTH, 482.53 FEET, THIS LINE HEREINAFTER REFERRED CALLED LINE "A", FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 97 DEGREES 52 MINUTES 31 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 710.83 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 101 DEGREES 10 MINUTES 19 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 327.11 FEET; THENCE NORTHWESTERLY ALONG A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 390.0 FEET, 244.0 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 200.0 FEET TO THE CENTER LINE OF U.S. ROUTE NO. 34; THENCE NORTHEASTERLY ALONG SAID CENTER LINE 653.09 FEET TO THE NORTHWESTERLY EXTENSION OF SAID LINE "A"; THENCE SOUTHEASTERLY ALONG SAID EXTENDED LINE "A" 470.73 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP AURORA, KANE COUNTY, ILLINOIS AND THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS

AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, FALLING WITHIN THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, 1851.94 FEET TO THE POINT OF BEGINNING; THENCE

NORTHWESTERLY AT AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE PROLONGATION OF THE LAST DESCRIBED COURSE, 667.53 FEET TO A POINT; THENCE SOUTHWESTERLY AT AN ANGLE OF 97 DEGREES 52 MINUTES 31 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 721.67 FEET; THENCE SOUTHEASTERLY AT AN ANGLE OF 78 DEGREES 49 MINUTES 41 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 426.88 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT CONCAVE TO THE SOUTHWEST, THE CHORD OF WHICH FORMS AN ANGLE OF 163 DEGREES 10 MINUTES 57 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE HAVING A RADIUS OF 335.00 FEET, AN ARC DISTANCE OF 196.66 FEET AND A CHORD DISTANCE OF 193.85 FEET TO A POINT; THENCE NORTHEASTERLY AT AN ANGLE OF 84 DEGREES 21 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE CHORD OF THE LAST DESCRIBED COURSE, 727.61 FEET TO THE SOUTH LINE OF AFORESAID SOUTHEAST 1/4; THENCE EASTERLY ALONG THE SOUTH LINE OF THE AFORESAID SOUTHEAST 1/4 51.42 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS AND IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS, AND ALSO EXCEPT THAT PART OF THE LAND CONVEYED TO DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS BY INSTRUMENT RECORDED APRIL 26, 2007 AS DOCUMENT 200700013871, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS

AND ALSO EXCEPTING ALL THAT PART LYING NORTHERLY OF THE CENTERLINE OF U.S. 34

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 2, 2021, by a vote of four (4) in favor and zero (0) in opposition. Members Cherry, LeCuyer, and Whitfield were absent.

FINDINGS OF FACT

§ 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. **Provided that the sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.***

*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. **True, the proposed special use will not negatively impact adjoining properties.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.***

*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. **True, the proposed special use shall conform to the applicable regulations of the district.***

*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 special use is consistent with the purposes and objectives of the Land Resource Management Plan.***

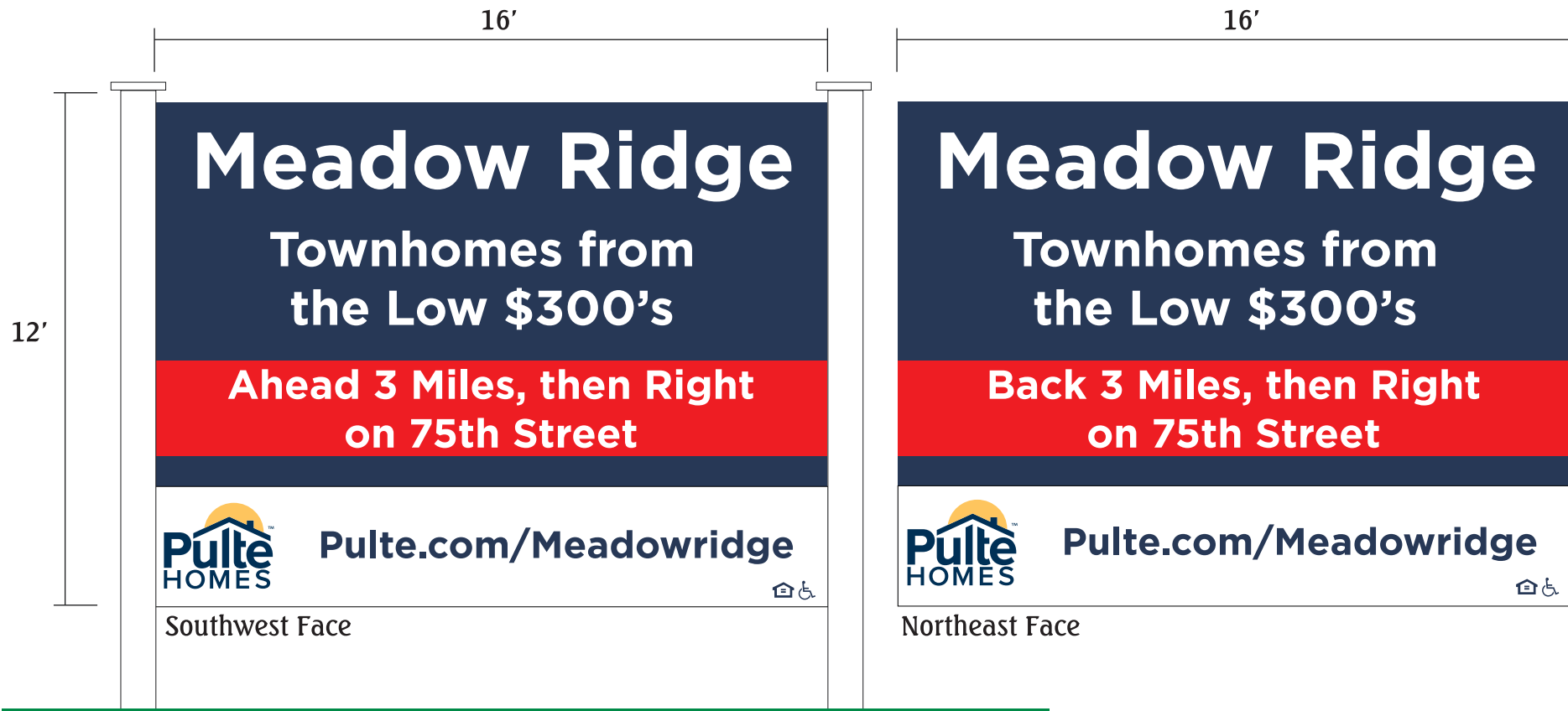
RECOMMENDATION

Approval subject to the following conditions:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Home Corporation (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Home Corporation's residential development.
5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.

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

12'x16' Double Sided Informational Billboard.
NE Corner OF Fransworth & Ogden In Aurora.



12'x16' Double Sided Billboard Re-face.
3/8" MDO Painted Ronan Dark Blue w/White, Red & Digital Vinyl.

Approval Signature _____



426 W. Fifth Ave.
Naperville, IL. 60563

Phone: 630-357-2300
Fax: 630-357-3977

Signs@SignsNowNaperville.com





DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 21-26

**Robert Bright on Behalf of the Madison Trust and Castle Bank
N A and JoAnn Bright-Theis**

Major Amendment to A-1 Special Use for a Banquet Facility

INTRODUCTION

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions. The Petitioners would like to change their use of the approximately nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year.

The application materials are included as Attachment 1. Ordinance 2019-23 is included as Attachment 2.

SITE INFORMATION

PETITIONER Robert Bright on Behalf of the Madison Trust and Castle Bank NA and JoAnn Bright Theis

ADDRESS 10978 Crimmin Road, Newark

LOCATION Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road



TOWNSHIP Fox

PARCEL #s 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008

LOT SIZE 38.34 +/- Acres

EXISTING LAND USE Agricultural/Farmstead/Banquet Facility

ZONING A-1 Agricultural District with a Special Use Permit for a Banquet Facility

LRMP	Future Land Use	Agricultural
	Roads	Crimmin Road is a Major Collector Road and is also classified as a Scenic Route.
	Trails	None
	Floodplain/ Wetlands	A riverine wetland is located along the southwest edge of the subject property.

REQUESTED ACTION Major Amendment to A-1 Special Use to Operate a Banquet Facility

APPLICABLE REGULATIONS §7:01 D.12 – A-1 Special Uses – Permits Banquet Facilities to be Located in the A-1 District with Approval of a Special Use Provided that the Facility Meets Certain Criteria

§ 13:08 – Special Use Procedures and Procedure for Approving Major Amendments to Existing Special Uses

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Wooded/ Millington Forest Preserve	A-1	Rural Residential (Max 0.65 DU/Acre) and Forest Preserve	A-1
South	Agricultural/Religious	A-1	Agricultural	A-1
East	Millington Forest Preserve	A-1	Forest Preserve	A-1
West	Agricultural/Farmstead	A-1	Rural Residential (Max 0.65 DU/Acre)	A-1, A-1 SU, R-2, and R-3

The special use permit to the west is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property is included as Attachment 3.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site

Millington Railroad Fen Natural Landmark
Tucker-Millington Fen Natural Preserve
River Redhorse (*Moxostoma carinatum*)

Consultation was terminated; EcoCat related materials are included as Attachment 1, Pages 39-41 and Page 43.

NATURAL RESOURCES INVENTORY

The LESA Score was 181 indicating a low level of protection. The NRI report is included as Attachment 1, Pages 28-38.

ACTION SUMMARY

FOX TOWNSHIP

The Fox Township Planning Commission reviewed this Petition at their meetings on July 6, 2021, and July 21, 2021. The Fox Township Planning Commission recommended in favor of dividing the space and setting the maximum number of guests for Event Space A at two hundred eighty (280) and sixty (60) for Event Space B. They recommended against deleting the requirement that the barn doors close at 7:00 p.m. They recommended that weekday events conclude by 10:00 p.m. with guests allowed one (1) extra hour to vacate the property; weekend events concluded at 11:00 p.m. with allowed one (1) extra hour to vacate the property. They defined weekends as Fridays and Saturdays. They recommended keeping the maximum number of large events at thirty (30) per year and the small event space be available to rent on weekends on an unlimited basis. The above recommendations were approved unanimously of the three (3) Commissioners in attendance on July 21st. The Commission also recommended that the smaller event space be available to rent on weekdays on an unlimited basis by a vote of two (2) in favor and one (1) in opposition; two (2) Commissioners were absent. The Commissioner that voted no felt that allowing an unlimited number of events at the property would transform the property from a primarily agricultural use to a primarily non-agricultural business use. The minutes of the July 6, 2021, meeting are included as Attachment 4. The summary of the July 21, 2021, meeting is included as Attachment 8.

The Fox Township Board reviewed this proposal at their meeting on July 12, 2021. The Township Board had concerns regarding whether or not the Petitioners were following the current restrictions, the direction of speakers, extending the hours of operation, extending the operating season, noise level, and traffic. The unapproved minutes of this meeting are included as Attachment 5.

NEWARK FIRE PROTECTION DISTRICT

Newark Fire Protection District was emailed information on June 24, 2021.

VILLAGE OF NEWARK

The Village of Newark was emailed information on June 24, 2021.

ZPAC

ZPAC reviewed this proposal at their meeting on July 6, 2021. The Health Department noted that the Petitioners were working with them to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. The Health Department requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. The Petitioners did not object to the condition be added to the list of conditions. The Health Department also noted that the well qualified as a non-community well and must follow the rules of that program. Discussion occurred regarding having live music events at the property. Live music events have occurred ancillary to other banquet center events and can occur inside the building. ZPAC recommended approval of the requested amendments by a vote of six (6) in favor and zero (0) in opposition; four (4) members were absent. The minutes of this meeting are included as Attachment 6. An email stating that the Petitioners applied for septic permit is included as Attachment 7.

RPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 28, 2021. The Petitioners agreed to change the end time of events from Midnight to 11:00 p.m. Guests would still have one (1) hour to leave the property. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's opinion on the proposal. Kurt Buhle stated that he moved to the area for peace and quiet; the banquet facility was not a quiet operation. He stated that the north barn doors were currently not closed, events were occurring during the non-operating time of the year, and events were occurring after 10:00 p.m. John Vogt expressed concerns about noise and increase traffic. Robert Bright invited everyone, including his neighbors, onto the subject the property and that installing the sound system was on the priority list. Members Rodriguez and Wormley visited the subject property. Member Nelson suggested planting additional evergreen type trees in addition to the plantings required by the landscaping plan. The Petitioners were agreeable with this suggestion. Member Wilson suggested installing a fence in addition to the evergreens. The Kendall County Regional Planning Commission recommended approval of the Petition with the requirement that the Petitioners submit a landscaping plan with evergreen type trees planted and a timeframe for planting the evergreens. The landscaping plan should be submitted prior to the Kendall County Planning, Building and Zoning Committee meeting. The vote was eight (8) in favor and zero (0) in opposition with two (2) members absent. Member Wilson made a motion to add the fencing requirement, but that motion died for lack of second. The minutes of the meeting are included as Attachment 9.

ZBA

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 2, 2021. The Petitioners reiterated their reasons for requesting the amendments. Chairman Mohr and Member Clementi expressed concerns that the Petitioners were not following the existing regulations regarding hours of operation and having the barn doors closed. The Petitioners provided an updated landscaping plan and stated that the new trees would be planted by November 30, 2021. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's recommendations. Steve Knutson, as a private resident, felt that the Petitioners have not been following the existing regulations completely and neighbors should be given a right to have at least a few nights of quiet. Kurt Buhle expressed concerns regarding the Petitioners not following existing regulations; he was also concerned about noise, traffic, safety, security, and property values. The Kendall County Zoning Board of Appeals recommended approval of the request by vote of four (4) in favor and zero (0) in opposition with three (3) members absent subject to the following conditions:

1. The building shall be divided as requested by the Petitioners.
2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall at the time of planting and shall be planted by November 30, 2021.
3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.
4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.
5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.
6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.
7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.

8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.
10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.
11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The minutes of the hearing are included as Attachment 10.

GENERAL

As noted in Attachment 2, Ordinance 2019-23 placed the following restrictions on the special use permit for a banquet facility at the subject property:

- A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.
- B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
- C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
- D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.
- E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
- F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.
- G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- H. The noise regulations are as follows:

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

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

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

- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified

music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.

- J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).
- K. A new certificate of occupancy must be issued for the barn.
- L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.
- M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.
- N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
- O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.
- P. 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.
- Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

As noted on Attachment 1, Page 5, the Petitioners would like to divide the nearly nineteen thousand seven hundred (19,700) square foot building into Event Space A with nine thousand six hundred (9,600) square feet, Event Space B with two thousand nine hundred (2,900) square feet, and the remaining seven thousand two hundred forty-two (7,242) square feet as non-project space. As noted on Attachment 1, Pages 3-4, the Petitioners would like to utilize Event Space B year-round for smaller events.

In order to accommodate this proposed change in business operations, the Petitioners are requesting the following changes to the special use permit (changes marked in red):

- C. A maximum of two hundred eighty (280) guests ~~shall be allowed~~ in attendance ~~at a banquet center related event may be on the subject property at a given time within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.~~
- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. ~~For events with music, the north and south barn doors shall close by 7:00 p.m.~~
- J. ~~Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events~~

~~would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.~~

The Petitioners provided a comparison of certain restrictions on banquet centers which can be found on Attachment 1, Page 6.

The Petitioners have no plans to change the site plan or parking illumination plan approved as part of Ordinance 2019-23. Also, other than Conditions C, I, J, and the landscaping plan to include more evergreen type trees, the Petitioners do not propose any other changes to the requirements of the special use permit.

BUILDING CODES

An updated Occupancy Permit will be required reflecting the change of use.

ENVIRONMENTAL HEALTH

The Petitioners were working with Environmental Health regarding the size of the septic system.

ROAD ACCESS

The property fronts Crimmin Road.

PARKING AND INTERNAL TRAFFIC CIRCULATION

According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

LIGHTING

Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

SIGNAGE

One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

LANDSCAPING

As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue. At the Zoning Board of Appeals hearing, the Petitioners submitted a revised landscaping plan showing the planting of twelve (12) additional cedar trees that will be approximately twelve feet (12') in height at the time of planting. The planting of the cedar trees will occur in the fall of 2021.

NOISE CONTROL

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building and speakers on the ceiling will be pointed downward. The Petitioners also require disc jockeys to plug into the venue's sound system so the Petitioners can control the noise level.

With the combination of distance, plantings, and control of the sound system, the Petitioners believe noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

FINDINGS OF FACT

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 Kendall County Zoning Board of Appeals did not make a finding of this fact. Chairman Mohr and Member Thompson voted for a positive finding and Members Clementi and Fox voted for a negative finding.

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 proposed use will be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity cannot be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit. Chairman Mohr and Members Clementi and Fox voted for the negative finding and Member Thompson voted for a positive finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress. Finding approved by all members present.

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. The site conforms to the regulations of the A-1 Agricultural Zoning District. Members Clementi, Fox, and Thompson voted for the positive finding and Chairman Mohr voted for a negative finding.

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 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness." Chairman Mohr and Members Clementi and Fox voted for the positive finding and Member Thompson vote for a negative finding.

RECOMMENDATION

Staff recommends approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown on Attachment 1, Page 5.
2. The landscaping plan referenced in Condition 2.A is amended to include the amended landscaping provided at the Zoning Board of Appeals hearing. **The twelve (12) cedar trees shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021. (Added at ZBA)**
3. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:
 - C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the

total allowable guests shall not exceed a total of two hundred eighty (280) guests.

4. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:
 - I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. **Musicians and disc jockeys shall be required to plug into a sound system provided and controlled by the owners of the business allowed by the special use permit. (Added at ZBA)**
5. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:
 - J. Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
6. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
7. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
8. 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 attached.

ATTACHMENTS

1. Application Materials
2. Ordinance 2019-23
3. Aerial
4. July 6, 2021 Fox Township Planning Commission Minutes
5. July 12, 2021 Fox Township Board Minutes
6. July 6, 2021 ZPAC Minutes (This Petition Only)
7. July 12, 2021 Email from the Kendall County Health Department
8. July 21, 2021 Fox Township Planning Commission Meeting Summary
9. July 28, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)
10. August 2, 2021 Kendall County Zoning Board of Appeals Minutes (This Petition Only)
11. Draft Ordinance



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME Brighter Daze Farms

FILE # 21-26

NAME OF APPLICANT		
Robert Bright and JoAnn Bright-Theis		
CURRENT LANDOWNER/NAME(s)		
Madison Trust and Castle Bank NA		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
38.34 Acres	10978 Crimmins Rd. in Fox Township	04-29-300-010 and more
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Agricultural	A-1	Agricultural
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to <input type="checkbox"/>) <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; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Boyd Ingemunson	[REDACTED]	[REDACTED]
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
[REDACTED]	[REDACTED]	[REDACTED]
²ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
n/a	n/a	n/a
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
n/a	n/a	n/a
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
[REDACTED]		6/22/21

FEE PAID: \$ 115.00
CHECK #: [REDACTED]

¹Primary Contact will receive all correspondence from County

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

RECEIVED
JUN 22 2021
KENDALL COUNTY
PLANNING, BUILDING
& ZONING

PROPOSED AMENDMENTS TO SPECIAL USE

Original Conditions

C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of the building. For events with music, the north and south barn doors shall close by 7:00 p.m.

J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

Proposed Amended Conditions:

C. A maximum of two hundred eighty (280) guests shall be allowed to be in attendance within event space A at a given time. A maximum of sixty (60) guests shall be allowed to be in attendance within event space B at a given time. There shall only be one event taking place at a given time and the total allowable guests shall not exceed a total of two hundred (280) guests.

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of the building.

J. Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event space A would close on November 1st and reopen April 1st. Event space B may operate year round.



Mission Statement (Event Space "B")

BrighterDaze Farm is committed to offering an exclusive and memorable experience for our customer's event. BrighterDaze is the ideal setting for anyone looking for a beautiful, private and spacious venue. We provide an 2,900 square foot event space that can accommodate intimate weddings of approximately (60) people. We understand that everyone has a different idea of perfect; that's why we allow our customers the opportunity to customize the finest details of their event.

Business Plan

Hours of Operation:

Monday – Thursday: 9:00 AM – 10:00 PM

Friday – Saturday: 9:00 AM – 12:00 PM

Holiday Schedule: Open on the Eve and Day of all Federal Holidays

Open Year Round

Event Tours scheduled by appointment by appointment only outside hours of operation

Event Setup begins at 9:00 AM CST the day of event

Customers are to "vacate" the property 1 hour after conclusion of event

of Employees: 1

Event Setup & Cleanup Plans: BDF to utilize local sub-contracting services for all applicable trades to include but not limited to: Table(s), chair(s), linens, decorations (flowers, center-pieces, etc), food, beverage(s), bathrooms and cleanup services.

NO CASH BARS allowed

Bathrooms: Onsite.

Max Occupancy: 60 people

Venue Information: 2,900 sq ft Intimate Event Space

Noise Control: All music/noise to originate from within venue at all times with the exception of processional(s)/recessional(s).

Sound not to exceed 65 dB (7:00 AM – 10:00 PM)

Sound not to exceed 55 dB (10:00 PM – 7:00 AM)

BrighterDaze Farm has mature trees located on the property to facilitate dampening the sound.

Distance from Venue to Crimmin Rd = 700'

Setback from Crimmin Rd to neighbors residence = 200'

Parking Plan: One-Way Traffic Pattern to be utilized during business hours

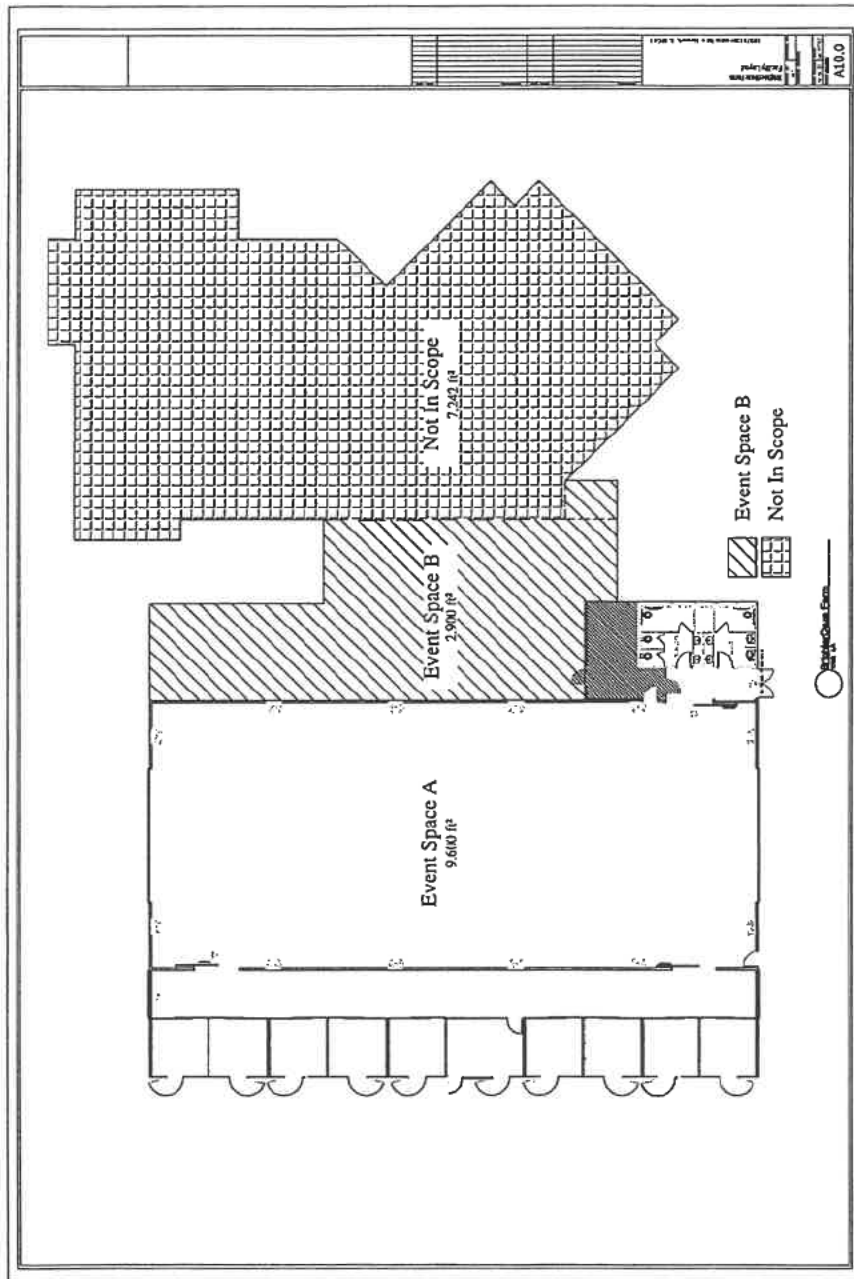
34 Regular Parking Spaces + 4 Handicapped Spaces (Venue)

75 Regular Parking Spaces (Remote)

Lighting to be "off" 1 hour after conclusion of event

Sale of Ancillary Items

BDF reserves the right to sell ancillary items such as sweaters, shirts, cups/glasses, etc



Comparison A-1 Special Uses for Banquet Facilities

	Brighter Daze	Northfork	Ashley Farms	Mathre 1916	Harvest Moon
operation calendar	April 1 st - November 30	May 1 st - November 15	year round	May thru 2 nd full week of November	May 1 st - October 31 st
# of Events	30	No limit	60	No limit	No more than 4 events in a 7 day period
Days of Operation	Friday - Monday Mon or Thurs if federal holiday	No limit	No limit	No limit	No limit
Music Restrictions	- No music outside building - Barn Doors closed by 7 p.m.	No Restriction	No music outside building	No Restriction	- No music outside building - No bands
Event end time	10:00 p.m	No Restriction	12:00 a.m.	11:30 p.m.	12:00 a.m.

Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of $88^{\circ}55'20''$ with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of $136^{\circ}30'40''$ with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of $105^{\circ}18'51''$ with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of $136^{\circ}53'45''$ with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of $148^{\circ}16'44''$ with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of $89^{\circ}59'40''$ with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of $95^{\circ}37'45''$ with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of $107^{\circ}48'12''$ with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

CHICAGO TITLE INSURANCE COMPANY**COMMITMENT NO.** [REDACTED]

ORIGINATING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Chicago Title Company, LLC 2000 West Galena, Suite 105 Aurora, IL 60506 Main Phone: (630)892-3775 Email: auroraescrow@ctt.com	Chicago Title and Trust Company 2000 West Galena, Suite 105 Aurora, IL 60506 Main Phone: (630)892-3775 Main Fax: (630)892-9241

Issued By: Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560

SCHEDULE A**ORDER NO.** [REDACTED]

Property Ref.: Vacant land, Newark, IL 60541

1. Effective Date: September 20, 2017

2. Policy or Policies to be issued:

a. ALTA Owner's Policy 2006

Proposed Insured: Madison Trust Company, Custodian FBO Robert A. Bright M1507085
Policy Amount: \$250,000.00

b. ALTA Loan Policy 2006

Proposed Insured: First National Bank, its successors and/or assigns as their respective interests may appear
Policy Amount: \$390,000.00

3. The estate or interest in the land described or referred to in this Commitment is:

Fee Simple

4. Title to the estate or interest in the land is at the Effective Date vested in:

First National Bank of Omaha, DeKalb Illinois, (formerly known as Castle Bank, a division of First National Bank of Omaha) as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Nuber 2526, as to parcels 1 and 2

Madison Trust Company, Custodian FBO Robert A. Bright M1507085 as to parcel 3

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE A
(continued)

5. The land referred to in this Commitment is described as follows:

PARCEL 1:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 29, THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30, THAT PART OF THE NORTHEAST QUARTER OF SECTION 31 AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET FOR A POINT OF BEGINNING; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 1058.74 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH IS TANGENT TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT, 299.42 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A CURVE TO THE LEFT WITH A RADIUS OF 730.0 FEET, AN ARC DISTANCE OF 8.76 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 29; THENCE SOUTHERLY, ALONG SAID WEST LINE, 22.82 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 53 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1066.40 FEET; THENCE SOUTH SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 16 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 889.54 FEET TO A POINT ON A SOUTHERLY LINE OF A TRACT CONVEYED TO ROBERT A BRIGHT, AS TRUSTEE OF THE ROBERT A BRIGHT DECLARATION OF TRUST BY TRUSTEE'S DEED RECORDED AS DOCUMENT 9801248 ON FEBRUARY 4, 1998; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY LINE WHICH FORMS AN ANGLE OF 89 DEGREES 59 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 197.0 FEET TO A SOUTHERLY CORNER OF SAID BRIGHT TRACT; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 95 DEGREES 37 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 359.61 FEET TO A POINT ON A LINE DRAWN EASTERLY, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 32, FROM THE POINT OF BEGINNING AND WHICH IS 607.20 FEET FROM THE POINT OF BEGINNING; THENCE WESTERLY, ALONG SAID PARALLEL LINE WHICH FORMS AN ANGLE OF 107 DEGREES 48 MINUTES 12 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 607.20 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 233.54 FEET

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE A
(continued)

FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY, ALONG SAID EAST LINE, 178.96 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 105.22 FEET TO THE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31, WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE A

(continued)

DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 33.0 FEET TO THE POINT OF BEGINNING; ALL IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31 WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF

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ALTA Commitment (06/17/2006)

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE A
(continued)

33.0 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 96.90 FEET; THENCE CONTINUING ALONG SAID CENTERLINE AND THE LAST DESCRIBED COURSE BEING A CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 279.87 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 16 MINUTES 45 SECONDS WITH THE CHORD OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 336.0 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 64.05 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 273.94 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 33.58 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 239.11 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 57.63 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 361.78 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHEASTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE A
(continued)

IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

END OF SCHEDULE A

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE B

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

General Exceptions

1. **Rights or claims of parties in possession not shown by Public Records.**
2. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.**
3. **Easements, or claims of easements, not shown by the Public Records.**
4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
5. **Taxes or special assessments which are not shown as existing liens by the Public Records.**
6. **We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically.**
7. **Note for Information: The coverage afforded by this commitment and any policy issued pursuant hereto shall not commence prior to the date on which all charges properly billed by the company have been fully paid.**

A Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

B 8. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-29-300-007-0000 (1 of 12)

Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE B
(continued)

- C 9. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-29-300-010-0000 (2 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)
- D 10. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-29-300-012-0000 (3 of 12)
Note: Taxes for the year 2016 amounting to \$2,033.16 are paid of record.
(affects part of parcel 1)
- E 11. Taxes for the years 100.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-30-400-007-0000 (4 of 12)
Note: Taxes for the year 2016 amounting to \$89.30 are paid of record.
(affects part of parcel 1)
- F 12. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-30-400-011-0000 (5 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. 1 [REDACTED]

SCHEDULE B
(continued)

- G 13. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-32-100-006-0000 (6 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)
- H 14. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-32-100-008-0000 (7 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)
- I 15. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-30-400-012-0000 (8 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects parts of parcels 2 and 3)
- J 16. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-30-400-013-0000 (9 of 12)
Note: Taxes for the year 2016 amounting to \$5952.78 are paid of record.
(affects parts of parcels 2 and part of parcel 3)

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COMMITMENT NO. 1 [REDACTED]

CHICAGO TITLE INSURANCE COMPANY

SCHEDULE B
(continued)

- K 17. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-30-400-014-0000 (10 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 2)
- L 18. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-31-200-013-0000 (11 of 12)
Note: Taxes for the year 2016 amounting to \$18.20 are paid of record.
(affects part of parcel 3)
- M 19. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-31-200-014-0000 (12 of 12)
Note: Taxes for the year 2016 amounting to \$6,973.78 are paid of record.
(affects part of parcel 2)
- N 20. Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. 201200000710 made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of \$900,000.00.
Modification of Mortgage recorded April 25, 2013 as Document No. 201300008721.
(affects parcels 1 and 2)
- O 21. Assignment of Rents recorded January 12, 2012 as Document No. 201200000711 made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.
(affects parcels 1 and 2)

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ALTA Commitment (08/17/2006)

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE B
(continued)

- P 22. Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. 201200000712 made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of \$500,000.00.
- (affects parcel 2)
- Q 23. Assignment of Rents recorded January 12, 2012 as Document No. 201200000713 made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.
- (affects parcel 2)
- AE 24. If work has been performed on the Land within the last six months which may subject the Land to liens under the mechanics lien laws, the Company should be furnished satisfactory evidence that those who have performed such work have been fully paid and have waived their rights to a lien. If evidence is not provided or is unsatisfactory, this commitment/policy will be subject to the following exception:
- Any lien, or right to a lien, for services, labor or material, heretofore or hereafter furnished, imposed by law, and not shown by the Public Records.
- The Company reserves the right to add additional items or make further requirements after review of the requested documentation.
- AB 25. Information should be furnished establishing whether any written agreement has been entered into by and between any party and a broker for the purposes of buying, selling, leasing or otherwise conveying any interest in the Land described herein. If such an agreement has been entered into, satisfactory evidence should be furnished establishing that the compensation agreed upon in such agreement has been paid and the broker's lien, or right to a lien, for such amount has been extinguished. In the event said evidence is not furnished, our policy(ies), when issued, will be subject to the following exception:
- Any lien, or right to a lien, imposed by law under the provisions of the Commercial Real Estate Broker Lien Act for compensation agreed upon by a broker and the broker's client or customer under the terms of a written agreement entered into for the purposes of buying, selling, leasing, or otherwise conveying any interest in the Land described in Schedule A.
- AC 26. The Company should be furnished a statement that there is no property manager employed to manage the Land, or, in the alternative, a final lien waiver from any such property manager.

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COMMITMENT NO. [REDACTED]

CHICAGO TITLE INSURANCE COMPANY

SCHEDULE B
(continued)

AF 27. The Company should be furnished the following:

- a) A Certification of Trust executed by the trustee in accordance with 760 ILCS 5/8.5, together with excerpts of the trust agreement and amendments thereto relating to the designation of trustees and the power of the trustee to act in the current transaction, or
- b) In the alternative, the trustee, in his or her sole discretion, may deliver to the Company a full copy of the trust agreement together with all amendments thereto.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

S 28. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held.

T 29. The Land described in Schedule A either is unsubdivided property or constitutes part of a subdivided lot. As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative, compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.)

AD 30. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.

U 31. Rights of the public, the state of Illinois and the municipality in and to that part of the land, if any, taken or used for road purposes. Affects part of the land lying in Crimmin Road in survey dated Jan 5, 1998 by James M. Olson, surveyor no. 2253.

V 32. Rights of way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.

W 33. Rights of owners of land bordering on the streams in respect to the water and use of the surface of said body of water.

X 34. Easement granted June 9, 1964 and recorded July 21, 1964 as document 145640 by Crimmins, et al to Illinois Power Company, its successors and assigns, the right and easement for public utilities purposes as described therein, together with the right of ingress and egress thereto for said purposes. Said easement was assigned to Northern Illinois Gas Company, its successors and assigns, by instrument recorded March 3, 1966 as document 151253.

Y 35. Encroachment of the fence located mainly on the land onto the property North and adjoining by approximately 3.2 feet and along the West line measuring 255.45 feet by approximately 1.3 feet in section 30, land onto the property Southwesterly and adjoining by approximately 16.4 feet and the property Southerly and adjoining by approximately 19.4 feet in section 31 and onto the property South and adjoining by approximate 8.5 feet and onto the property East and adjoining by approximate 7.5 feet in section 28; onto property North and adjoining by approximate 20.5 feet in section 29; as shown on plat of survey number 2253 prepared by Illinois Professional Land Surveyer dated January 5, 1998.

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE B

(continued)

- Z 36. Easement in favor of Nicor Gas, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the provisions relating thereto contained in the grant recorded/filed as document no. 2000004172.
(see instrument for affects)
- AA 37. Terms and provisions of a Kendall County Health Department Well Variance recorded October 19, 2004 as Document No. 200400029156.
(For further particulars, see record.)
- AG 38. All endorsement requests should be made prior to closing to allow ample time for the company to examine required documentation.
(This note will be waived for policy).
- AH 39. Note for additional information: the "**Kendall**" county recorder requires that any documents presented for recording contain the following information:
- A. The name and address of the party who prepared the document;
 - B. The name and address of the party to whom the document should be mailed after recording;
 - C. All permanent real estate tax index numbers of any property legally described in the document;
 - D. The address of any property legally described in the document;
 - E. All deeds should contain the address of the grantee and should also note the name and address of the party to whom the tax bills should be sent.
 - F. Any deeds conveying unsubdivided land, or, portions of subdivided land, may need to be accompanied by a properly executed "plat act affidavit."
- AI 40. For residential property only:
A provision for inflation coverage will be added to the owner's policy. This enhancement can automatically increase the amount of the owner's policy. For additional information, please contact your local underwriter.

END OF SCHEDULE B

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

SCHEDULE B
(continued)

Title Insurance Agent:

Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560
Phone: (630)553-9500
Fax: (630)553-5764

Authorized Signatory

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COMMITMENT NO. [REDACTED]

CHICAGO TITLE INSURANCE COMPANY

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the Insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org>.

END OF CONDITIONS

1031 EXCHANGE SERVICES

If your transaction involves a tax deferred exchange, we offer this service through our 1031 division, IPX1031. As the nation's largest 1031 company, IPX1031 offers guidance and expertise. Security for Exchange funds includes segregated bank accounts and a 100 million dollar Fidelity Bond. Fidelity National Title Group also provides a 50 million dollar Performance Guaranty for each Exchange. For additional information, or to set-up an Exchange, please call Scott Nathanson at (312)223-2178 or Anna Barsky at (312)223-2169.

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KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Madison Trust Company FBO Robert Bright M1507085.
 Address 401 East 8th Street Suite 200P
 City Sioux Falls State SD Zip 57103
2. Nature of Benefit Sought Special Use Permit
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:
Self-Directed IRA
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 | ADDRESS | INTEREST |
|---------------|------------|----------|
| Robert Bright | [REDACTED] | 100% |
| | | |
| | | |
| | | |
| | | |
6. Name, address, and capacity of person making this disclosure on behalf of the applicant.
Shaine Timmins, 401 East 8th Street, Suite 200P, Sioux Falls, SD 57103, Authorized Signer for Madison Trust Company
[REDACTED]

VERIFICATION

- I, Shaine Timmins, 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 19th day of March, A.D. 2019

(seal)

[REDACTED]
Notary Public

CHAYA TOVA SLATER
 NOTARY PUBLIC-STATE OF NEW YORK
 No. 01SL6348808
 Qualified In Rockland County
 My Commission Expires 10-03-2020



CORPORATE RESOLUTION

This resolution remains in effect until you receive notice that it has been revoked or receive a new form.

I. Organization Information

- a. Name of Organization: Madison Trust Company, Inc.
- b. Organization Type: Trust Company serving as IRA Custodian
- c. Corporate Headquarters: 401 E. 8th Street, Suite 200P, Sioux Falls, SD 57103
- d. Telephone Number: 800-721-4900

II. This resolution is an authorization to act on behalf of Madison Trust Company's accounts.

III. Authorized Signatories:

The Individuals who sign below are authorized to:

- a. Sign any documents related to assets held by Madison Trust Company's accounts.
- b. Invest and redeem the assets held by Madison Trust Company's accounts.
- c. Obtain account information and give instructions for the purchase, sale, exchange, transfer or assets or securities held by Madison Trust Company's accounts.
- d. Establish access to Madison Trust Company's accounts online or through any other electronic or telephonic system.
- e. Engage in any other action regarding the assets held by Madison Trust Company's accounts.

The number of signatures required on a document is one (1).

Name of authorized signatories:

E. Brian Finkelstein, Chairman

Mervyn Klein, CEO

Daniel Gleich, President



Dated: 02/20/2018

Dated: 02/20/2018

Dated: 02/20/2018


Additional Persons who can conduct transactions:

The individuals listed below are authorized to sign Transfer Authorizations, Re-registration Confirmations, Assignment of Notes, and any documents related to assets on behalf of Madison Trust Company's accounts.

Charles Knopf

Alexa Holzberg

Aidy Markowitz

Tova Slater

Maggie Borchardt

Amanda Pillitteri

Anne McBride

Brittany Bordeaux

Elizabeth Frasciello

Jim Riswold

Nick Talarico

Xiomara Rodriguez

Seth Bergida

Shaine Timmins

Liam Stewart

Ian Robertson

Zachary Croan

The individuals listed below are authorized to sign IRA LLC Operating Agreements on behalf of Madison Trust Company's accounts.

Charles Knopf

Alexa Holzberg

Aidy Markowitz

Tova Slater

Maggie Borchardt

Amanda Pillitteri

Shaine Timmins

Ian Robertson

Elizabeth Frasciello

Joel Galkin

Mark Weissman

Kathleen Christman

Laurah Boswell

Anne McBride

Liam Stewart

Brittany Bordeaux

Zachary Croan



Certification and Indemnification:

The undersigned signatories of Madison Trust Company hereby certify that:

- Each of the authorized signatories listed below is authorized by resolution of the board of directors to act on behalf of the organization in connection with any of the Madison Trust Company accounts.
- Madison Trust Company agrees to indemnify and hold harmless any investment company, its officers, employees and agents from and against all losses, claims and expenses (including attorney's fees) incurred by the investment company for relying in good faith upon the information provided in this resolution and for action on instructions believed by the investment company to have originated from any authorized signatory or additional authorized person listed above.
- This resolution remains in full force and effect until revoked by an authorized signatory of Madison Trust Company. Any revocation will not affect any liability resulting from transactions initiated before the investment company has had a reasonable amount of time to act upon the revocation.

The undersigned are authorized to certify this information on behalf of Madison Trust Company and confirm that these provisions conform to the charter or other organizing document of Madison Trust Company.

Authorized Signatories:

E. Brian Finkelstein, Chairman

Mervyn Klein, CEO

Daniel Gleich, President



Dated: 02/20/2018

Dated: 02/20/2018

Dated: 02/20/2018

KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Bright & Entheising Events
 Address 10978 Crimmin Rd
 City Newark, IL 60541 State IL Zip 60541
2. Nature of Benefit Sought Special Use Permit
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:

 Event Venue
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	ADDRESS	INTEREST
JoAnn Bright-Theis		25%
Adan Theis		25%
Nicola Bright		25%
Robert Bright		25%
6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
JoAnn Bright-Theis 10978 Crimmins Rd Newark, IL 60541

VERIFICATION

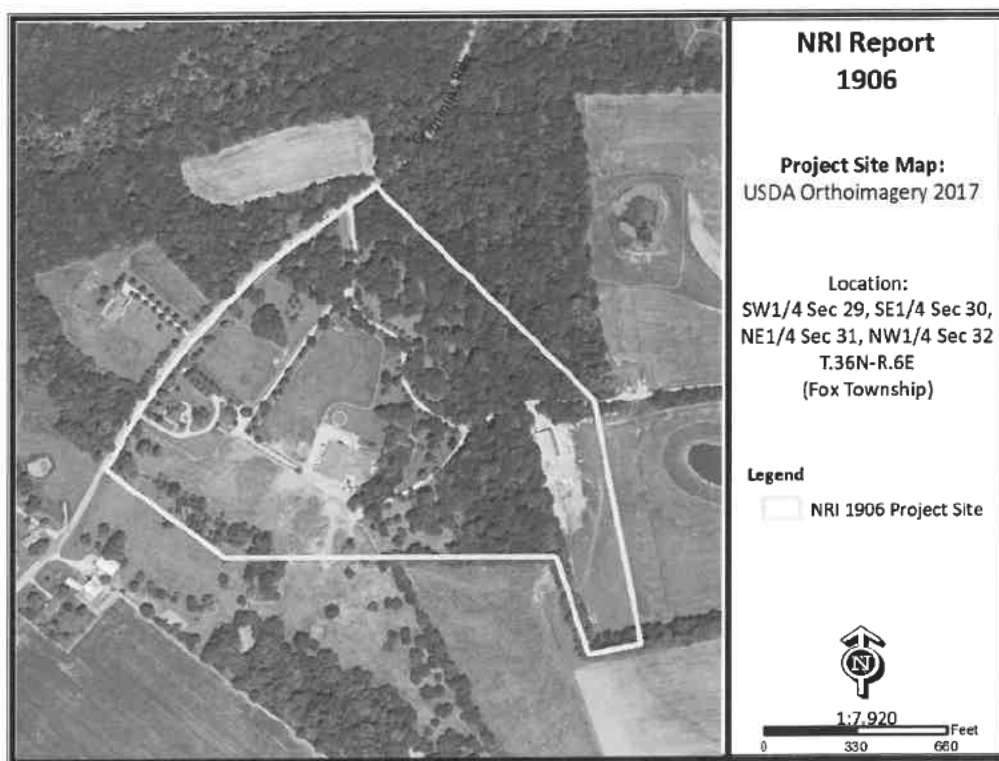
I, _____, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance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

Subscribed and sworn to before me this _____ day of _____, A.D. _____

(seal)

Notary Public

NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1906



April 2019

Petitioner: Robert Bright
Contact: JoAnn Bright-Theis

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

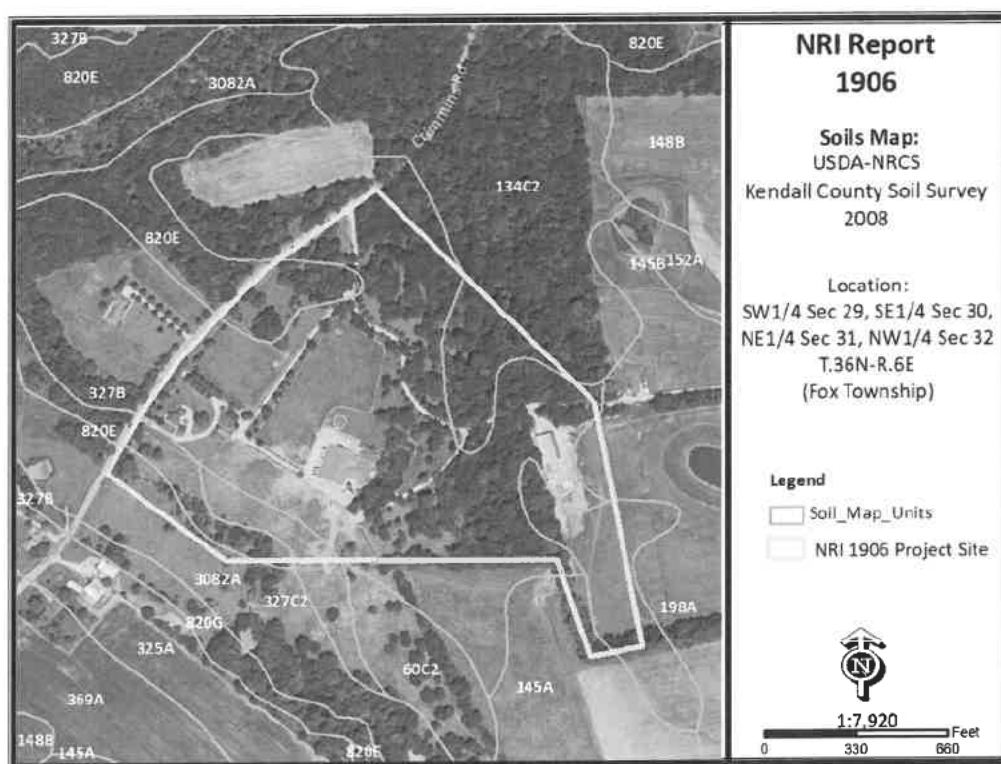
1906

Executive Summary

April 8, 2019

Petitioner: Robert Bright**Contact Person:** JoAnn Bright-Theis**County or Municipality the petition is filed with:** Kendall County**Location of Parcel:** SW¼ Section 29, SE ¼ Section 30, NE ¼ Section 31 & NW ¼ Section 32 T.36N.-R.6E. (Fox Township), 3rd Principal Meridian in Kendall Co., IL**Project or Subdivision Name:** Not Provided**Existing Zoning & Land Use:** A-1; Residential, Barn with Paddock areas, Wooded**Proposed Zoning & Land Use:** A-1 Special Use; Banquet Center**Proposed Water Source:** Well**Proposed Type of Sewage Disposal System:** Septic**Proposed Type of Storm Water Management:** N/A**Size of Site:** 38.3acres**Land Evaluation Site Assessment Score:** 181 (Land Evaluation: 78; Site Assessment: 103)

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
134C2	Camden silt loam, 5-10% slopes, eroded	Well drained	B	Non-hydric	Statewide Importance
145A	Saybrook silt loam, 0-2% slopes	Moderately well drained	C	Non-hydric	Prime Farmland
145B	Saybrook silt loam, 2-5% slopes	Moderately well drained	C	Non-hydric	Prime Farmland
198A	Elburn silt loam, 0-2% slopes	Somewhat poorly drained	B/D	Non-hydric Hydric Inclusions likely	Prime Farmland
327B	Fox silt loam, 2-4% slopes	Well drained	B	Non-hydric	Prime Farmland
327C2	Fox silt loam, 4-6% slopes, eroded	Well drained	B	Non-hydric	Prime Farmland
820E	Hennepin-Casco complex, 12-30% slopes	Hennepin: Well drained Casco: Somewhat Excessively drained	Hennepin: C Casco: B	Non-hydric	Non-prime
3082A	Millington silt loam, 0-2% slopes, frequently flooded	Poorly drained	B/D	Hydric	Prime Farmland (if drained and protected from flooding or not frequently flooded during growing season)

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, 3082A Millington silt loam is identified as a hydric soil and, 198A Elburn silt loam is denoted 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, six are designated as prime farmland one is classified as being of statewide importance.

Table 2:

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
134C2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
145A	Low	February - April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-3.8'	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
145B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
198A	Low	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
327B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
327C2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
820E	Hennepin: Very High Casco: High	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
3082A	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0' June, Nov, Dec: Upper Limit: -- Lower Limit: --	January - May Surface Water Depth & Duration: 0.0'-0.5'; Brief Frequency: Frequent June, Nov, Dec: Surface Water Depth & Duration: - Frequency: None	January - May Brief, Frequent June, Nov, Dec Brief, Frequent

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, shallow excavations, lawns/landscaping 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.

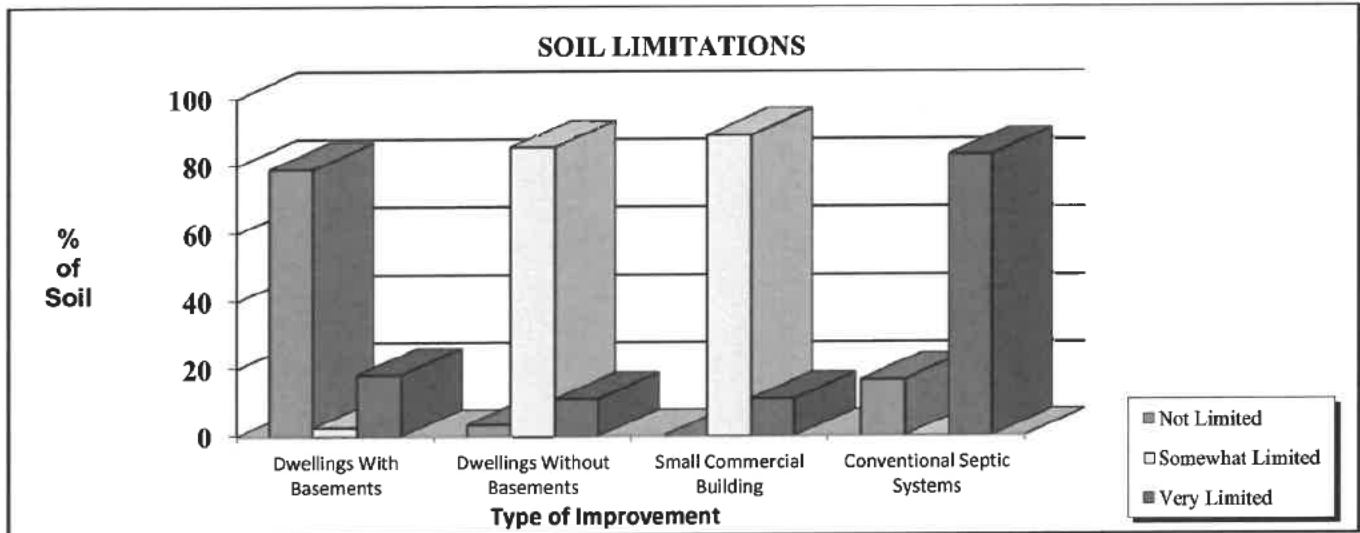
Table 3a: Building Limitations

Soil Type	Dwellings without Basements	Dwellings with Basements	Small Commercial Building	Onsite Conventional Sewage Disposal System
134C2	Somewhat Limited: Shrink-swell	Not Limited	Somewhat Limited: Slope, Shrink-swell	Suitable
145A	Somewhat Limited: Shrink-swell	Somewhat Limited: Depth to saturated zone	Somewhat Limited: Shrink-swell	Suitable
145B	Somewhat Limited: Shrink-swell	Somewhat Limited: Depth to saturated zone	Somewhat Limited: Shrink-swell	Suitable
198A	Somewhat Limited: Depth to saturated zone; Shrink-swell	Very Limited: Depth to saturated zone; Shrink-swell	Somewhat Limited: Depth to saturated zone; Shrink-swell	Suitable
327B	Somewhat Limited: Shrink-swell	Not Limited	Somewhat Limited: Shrink-swell	Unsuitable: Gravel
327C2	Not Limited	Not Limited	Somewhat Limited: Slope	Unsuitable: Gravel
820E	Very Limited: Slope	Very Limited: Slope	Very Limited: Slope	Unsuitable: Gravel
3082A	Very Limited: Ponding; Flooding; Depth to saturated zone	Very Limited: Ponding; Flooding; Depth to saturated zone; Shrink-swell	Very Limited: Ponding; Flooding; Depth to saturated zone	Unsuitable: Frequently Flooded

Table 3b: Building Limitations

Soil Type	Shallow Excavations	Lawns & Landscaping
134C2	Somewhat Limited: Dusty, Unstable excavation walls	Somewhat Limited: Dusty
145A	Somewhat Limited: Depth to saturated zone; Dusty; Unstable excavation walls	Somewhat Limited: Dusty
145B	Somewhat Limited: Depth to saturated zone; Dusty, Unstable excavation walls	Somewhat Limited: Dusty
198A	Somewhat Limited: Depth to saturated zone; Dusty; Unstable excavation walls	Somewhat Limited: Depth to saturated zone; Dusty
327B	Somewhat Limited:	Somewhat Limited:

	Dusty; Unstable excavation walls	Dusty
327C2	Somewhat Limited: Dusty; Unstable excavation walls	Somewhat Limited: Dusty
820E	Hennepin: Very Limited: Slope; Dusty; Unstable excavation walls Casco: Very Limited: Slope; Unstable excavation walls; Dusty	Hennepin: Very Limited: Slope; Low exchange capacity; Dusty Casco: Very Limited: Slope; Dusty; Droughty
3082A	Very Limited: Ponding; Depth to saturated zone; Flooding; Dusty; Unstable excavation walls	Very Limited: Ponding; Flooding; Depth to saturated zone; Dusty



Building Limitations Maps:

Figure 2a: Dwellings With Basements

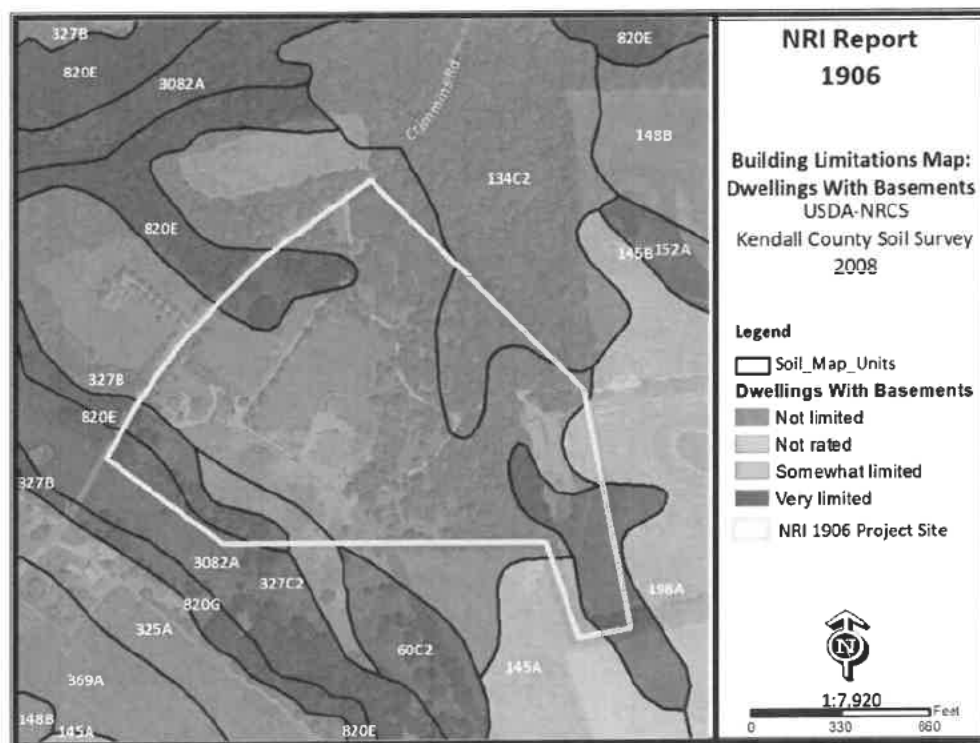


Figure 2b: Dwellings Without Basements

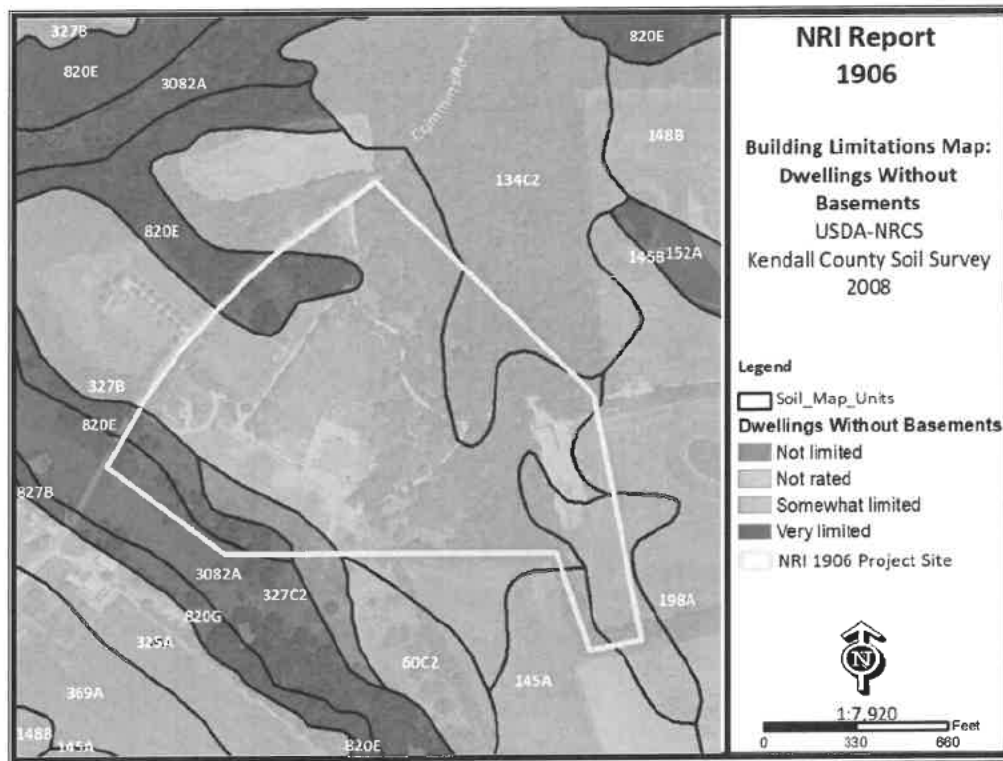


Figure 2c: Small Commercial Building

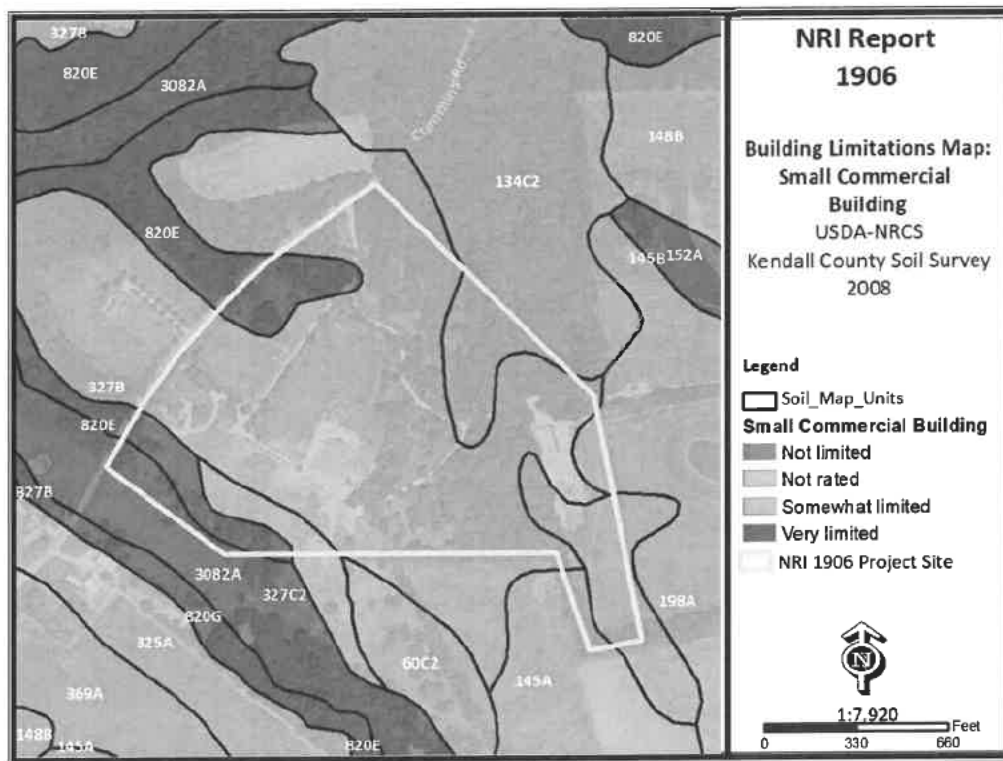


Figure 2d: Shallow Excavations

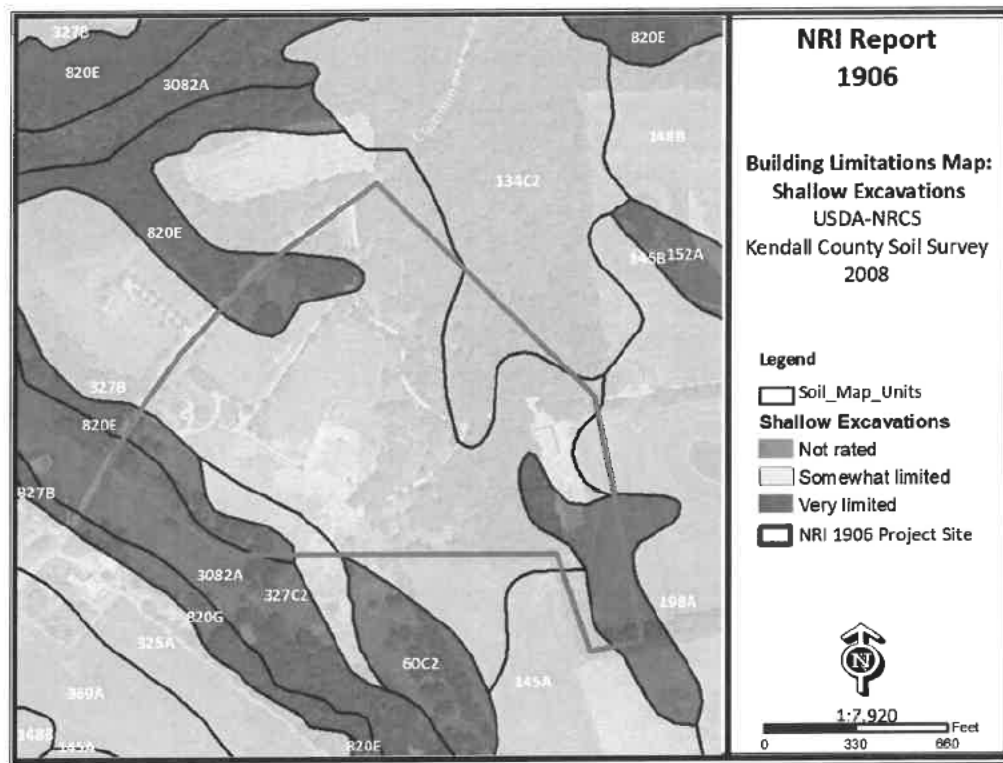
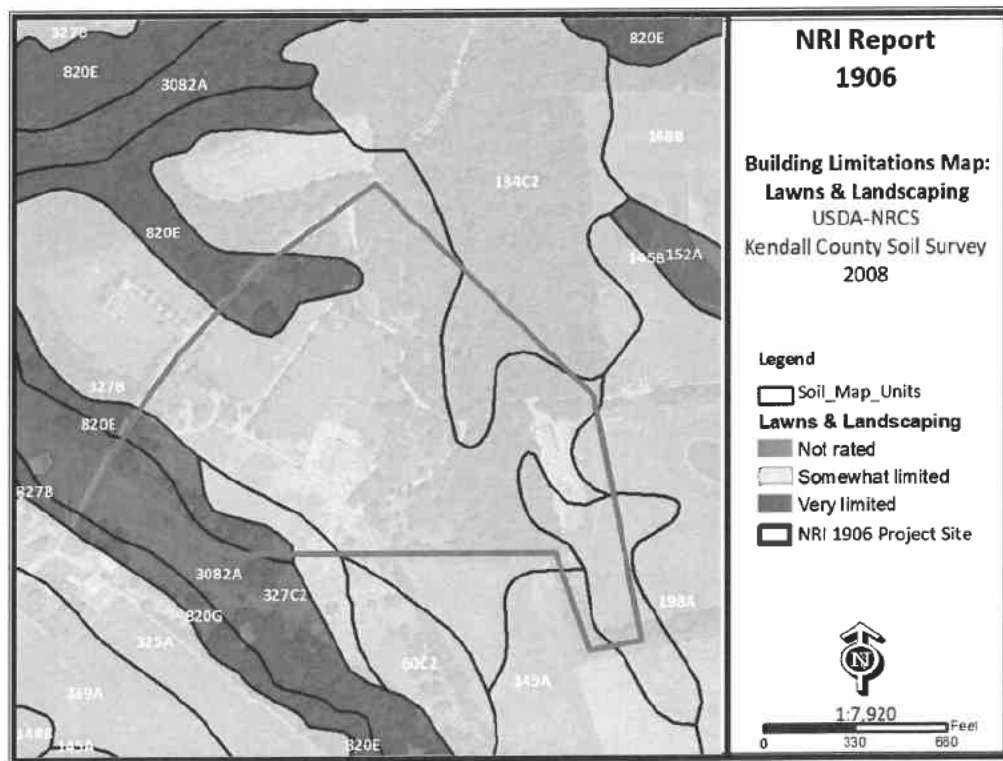


Figure 2e: Lawns & Landscaping



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)
134C2	5	82	2.6	213.2
145A	2	94	0.4	37.6
145B	2	94	0.6	56.4
198A	1	100	2.8	280.0
327B	4	79	26.4	2085.6
327C2	4	79	1.3	102.7
820E	7	47	3.7	173.9
3082A	4	79	0.5	39.5
Totals			38.3	2988.9
LE Score		LE= 2988.9/38.3		LE = 78

The Land Evaluation score for this site is **78**, indicating that this site is not predominately prime farmland well suited for agricultural production.

Table 4b: Site Assessment Computation

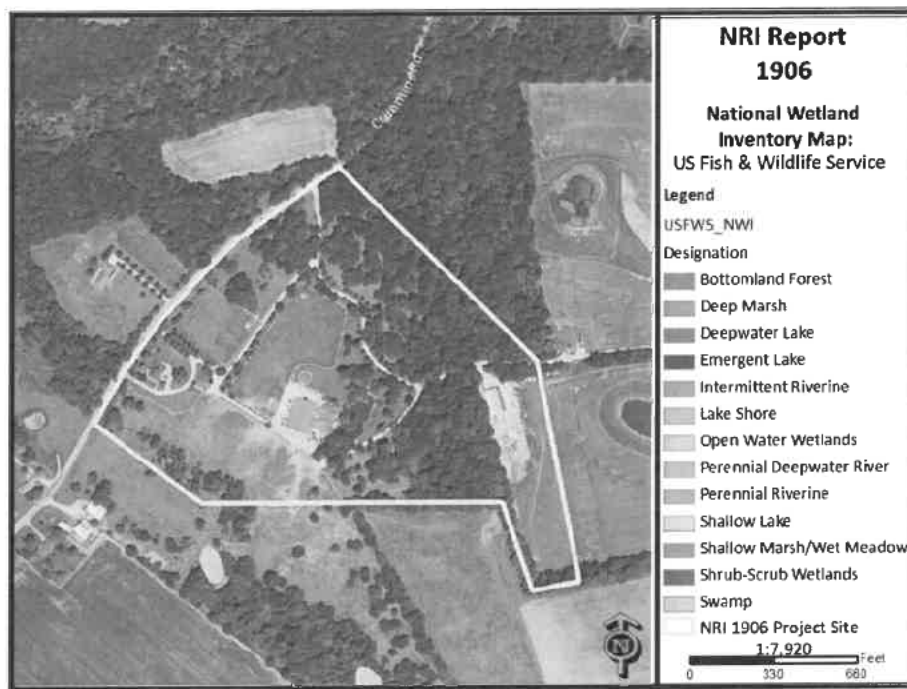
A. Agricultural Land Uses	Points
1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
2. Current use adjacent to site. (30-20-15-10-0)	20
3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
4. Size of site. (30-15-10-0)	10
B. Compatibility / Impact on Uses	
1. Distance from city or village limits. (20-10-0)	10
2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	10
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)	6
Site Assessment Score:	103

Land Evaluation Value: 78 + Site Assessment Value: 103 = LESA Score: 181

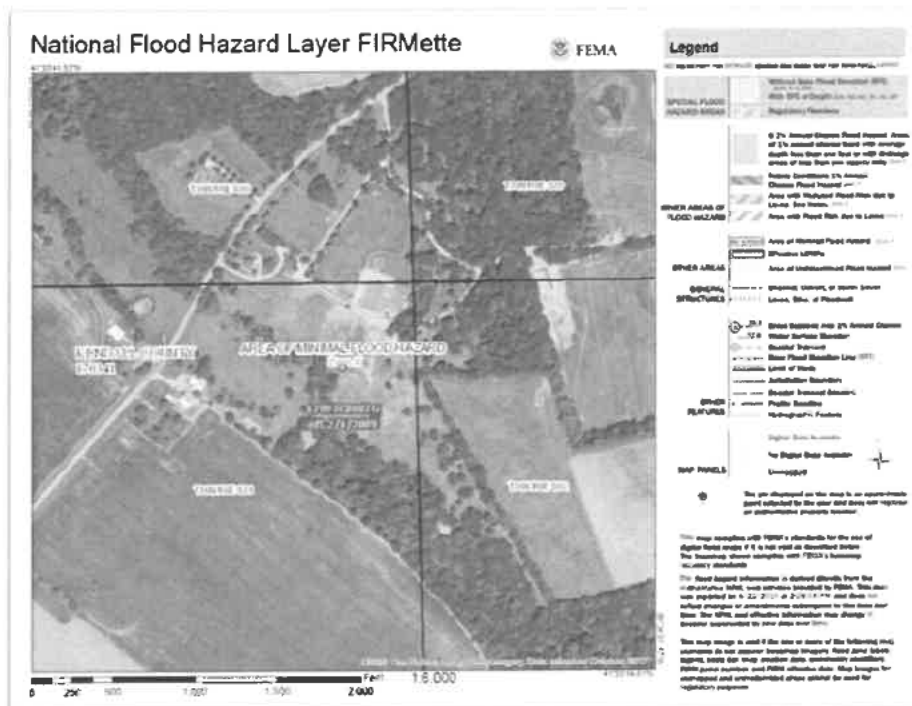
LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 181** 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 not 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* (<http://www.aiswcd.org/illinois-urban-manual/>) 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 Robert Bright at the request of their contact JoAnn Bright-Theis for the proposed A-1 Special Use petition project. This parcel is located in portions of Sections 29, 30, 31 & 32 in Fox Township (T.36N.-R.6E. 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 78 out of a possible 100 points indicating the soils found on the project site are not predominately prime farmland well suited for agricultural production. The overall LESA Score for this site is 181 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 eight soil types identified onsite, six are designated as prime farmland, one is designated as farmland of statewide importance and one is not indicated as either. 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 soil type found onsite, 3082A Millington silt loam is designated as a hydric soil and one soil type, 198A Elburn silt loam 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, 83.3% are unsuitable for onsite conventional septic systems, 80.1% of the soils are very limited for shallow excavations, 78.8% are very limited for onsite conventional septic systems, 18.3% are very limited for dwellings with basements and shallow excavations, and 11% are very limited for dwellings without basements, 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, since 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 Fox River Watershed and Clear Creek subwatershed.

This development should include a soil erosion sediment control plan to 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).

04/08/19
Date



Applicant: Robert Bright
Contact: JoAnn Bright-Theis
Address: 10978 Crimmin Rd
 Newark, IL 60541

IDNR Project Number: 2114879
Date: 06/16/2021

Project: Major Amendment to Existing Special Use Permit
Address: 10978 Crimmins Rd., Newark

Description: Applicant is seeking an expansion of the allowed number of events and operating days

Natural Resource Review Results

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

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site
 Millington Railroad Fen Natural Heritage Landmark
 Tucker-Millington Fen Nature Preserve
 River Redhorse (*Moxostoma carinatum*)

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location

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

County: Kendall

Township, Range, Section:

36N, 6E, 30
 36N, 6E, 31
 36N, 6E, 32



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

Government Jurisdiction
 Kendall County Board
 Matt Asselmeier
 111 W. Fox St.
 Yorkville IL, Illinois 60560

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: 2114879

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: 2114879

**EcoCAT Receipt****Project Code** 2114879**APPLICANT****DATE**Robert Bright
JoAnn Bright-Theis
[REDACTED]

6/16/2021

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. the amendment to the special use will not be detrimental to 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 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.

The amendment to the special use will not be substantially injurious to the use of other properties in the immediate vicinity. All provisions provided in the original special use ordinance shall continue in full force and effect to ensure that the use does not adversely impact adjacent uses and is compatible with the surrounding area

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

All necessary utilities, roads, drainage, and necessary facilities have previously been provided

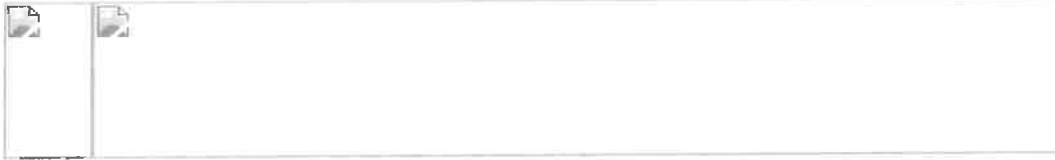
That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals The amendment to the special use conforms to the applicable regulations for an Agricultural

District

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 amendment to the special use is consistent with the purpose and objectives of the Land Resource

Management Plan



Search EcoCAT Consultations

Project Number	Project Name	Date Received	Applicant	Jurisdiction	File Status	Results	Measures Adopted	City *	County	TRS **
2114879	Major Amendment to Existing Special Use Permit	6/16/2021	Robert Bright	Kendall County Board	Closed	Consultation Termination Terminated Closed		Newark	Kendall	36N6E30 36N6E31 36N6E32

* Information in the city field was entered by applicants and has not been proofed or validated by IDNR. The existence of mis-spelled city names may reduce the number of projects found when you search by city.

** Sorting by this field may list repeats for projects that fall into more than one TRS.

State of Illinois
County of Kendall

Zoning Petition
#19-12

ORDINANCE NUMBER 2019-23

GRANTING A SPECIAL USE PERMIT ON PROPERTY ZONED A-1 AGRICULTURAL FOR A BANQUET FACILITY ON A 38.34 ACRE +/- PARCEL LOCATED AT 10978 CRIMMIN ROAD ON THE PROPERTY IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, AND 04-32-100-008 IN FOX 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, Section 7.01.D.10 of the Kendall County Zoning Ordinance permits the operation of banquet facilities as a special use with certain restrictions in the A-1 Agricultural Zoning District; 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 38.34 acres located at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008) in Fox 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 Madison Trust and Castle Bank N A as represented by Robert Bright and JoAnn Bright-Theis has permission to operate a banquet facility on the subject property and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about March 19, 2019, Petitioner filed a petition for a special use permit allowing the operation of a banquet facility at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on June 6, 2019, the Kendall County Zoning Board of Appeals conducted a public hearing on July 1, 2019, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and their representative presented evidence, testimony, and exhibits in support of the requested special use permit and zero members of the public testified in favor, one member of the public testified in opposition, and two members of the public expressed concerns regarding the petition; 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 July 1, 2019, 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 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

State of Illinois
County of Kendall
County Zoning Ordinance; and

Zoning Petition
#19-12

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 banquet facility on the subject property subject to the following conditions:
 - A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.
 - B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
 - C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
 - D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.
 - E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
 - F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.
 - G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
 - H. The noise regulations are as follows:

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

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

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

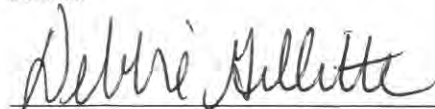
State of Illinois
County of Kendall

Zoning Petition
#19-12

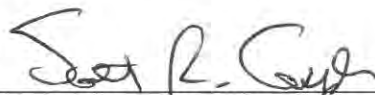
- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.
 - J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).
 - K. A new certificate of occupancy must be issued for the barn.
 - L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.
 - M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.
 - N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
 - O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.
 - P. 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.
 - Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
3. 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 27th day of August, 2019.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of $88^{\circ}55'20''$ with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of $136^{\circ}30'40''$ with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of $105^{\circ}18'51''$ with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of $136^{\circ}53'45''$ with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of $148^{\circ}16'44''$ with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of $89^{\circ}59'40''$ with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of $95^{\circ}37'45''$ with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of $107^{\circ}48'12''$ with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

Exhibit B

FINDINGS OF FACT

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 establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties. The Kendall County Sheriff's Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners.

Member Clementi dissented with the above Finding and stated that the proposed special use permit would be detrimental and will endanger the public health.

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 proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, and buffering within the ordinance granting the special use permit.

Chairman Mohr and Member Clementi dissented with the above Finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's site plan addresses utilities, drainage, and points of ingress and egress.

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. The site conforms to the regulations of the A-1 Agricultural Zoning District.

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 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

Recommendation

The Kendall County Zoning Board of Appeals recommends approval of the requested special use permit with the conditions:

- A. The site shall be developed substantially in accordance with the attached Site Plan, Landscaping Plan, and Parking Illumination Plan.
- B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.

- C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
- D. The subject parcel must maintain a minimum of five (5) acres.
- E. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
- F. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
- G. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.
- H. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- I. The noise regulations are as follows:

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

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

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
- J. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, barn doors shall close by 7:00 p.m.
- K. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).
- L. A new certificate of occupancy must be issued for the barn.
- M. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.
- N. No patron or other entity associated with the business allowed by this special use permit shall

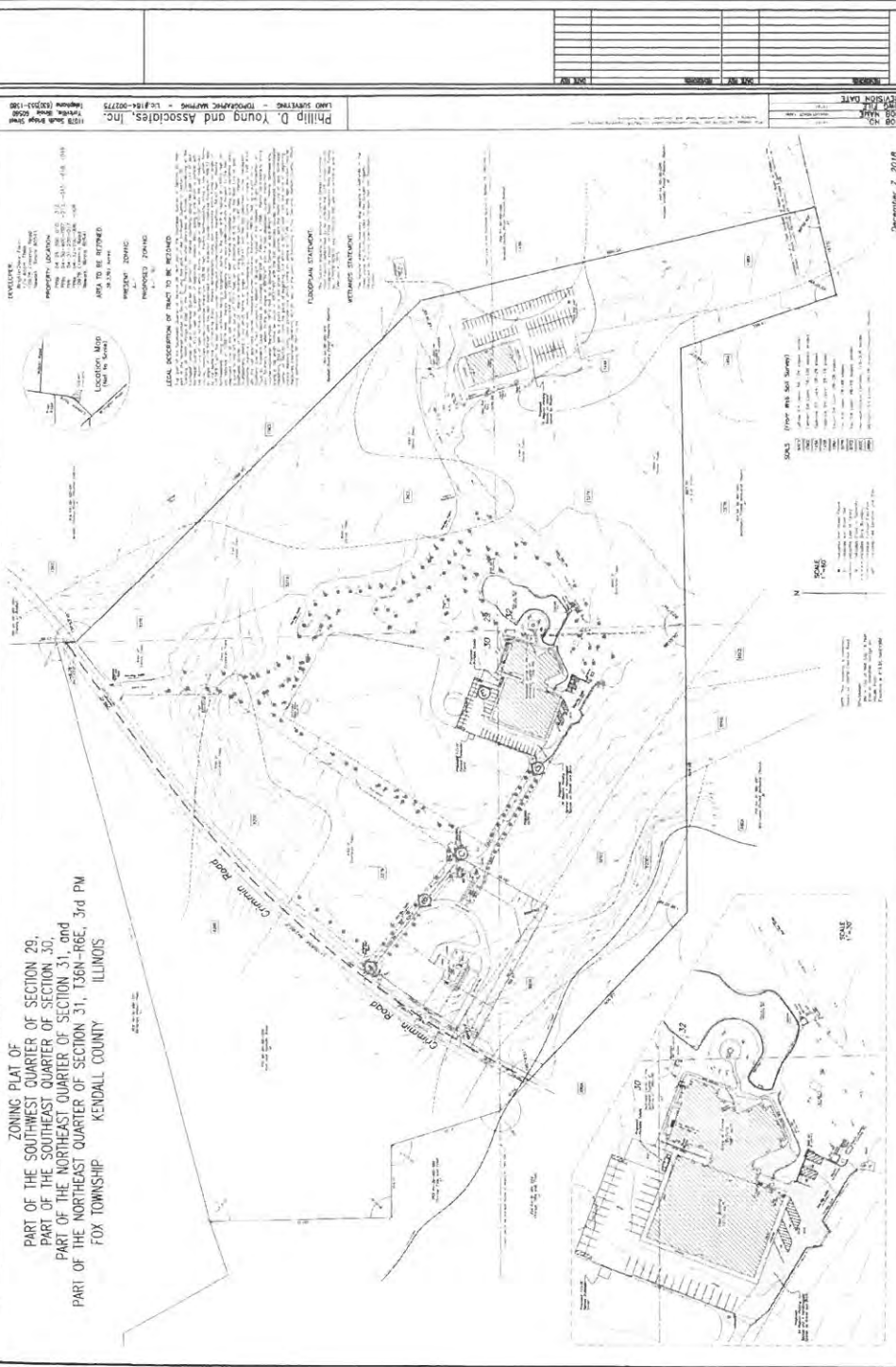
be allowed to park on Crimmin Road.

- O. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
- P. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.
- Q. 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.
- R. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The Kendall County Zoning Board of Appeals issues this recommendation by a vote of four (4) in favor, one (1) opposed, and two (2) absent.

July 1, 2019

Exhibit D



B Main Entrance Drive



C Middle Drive



D Main Drive



E NE View



A Main Entrance

Notes:
1) (166) Trees Ranging from 3" - 36"

BrightDaze Farm Landscaping Plan

E NE View

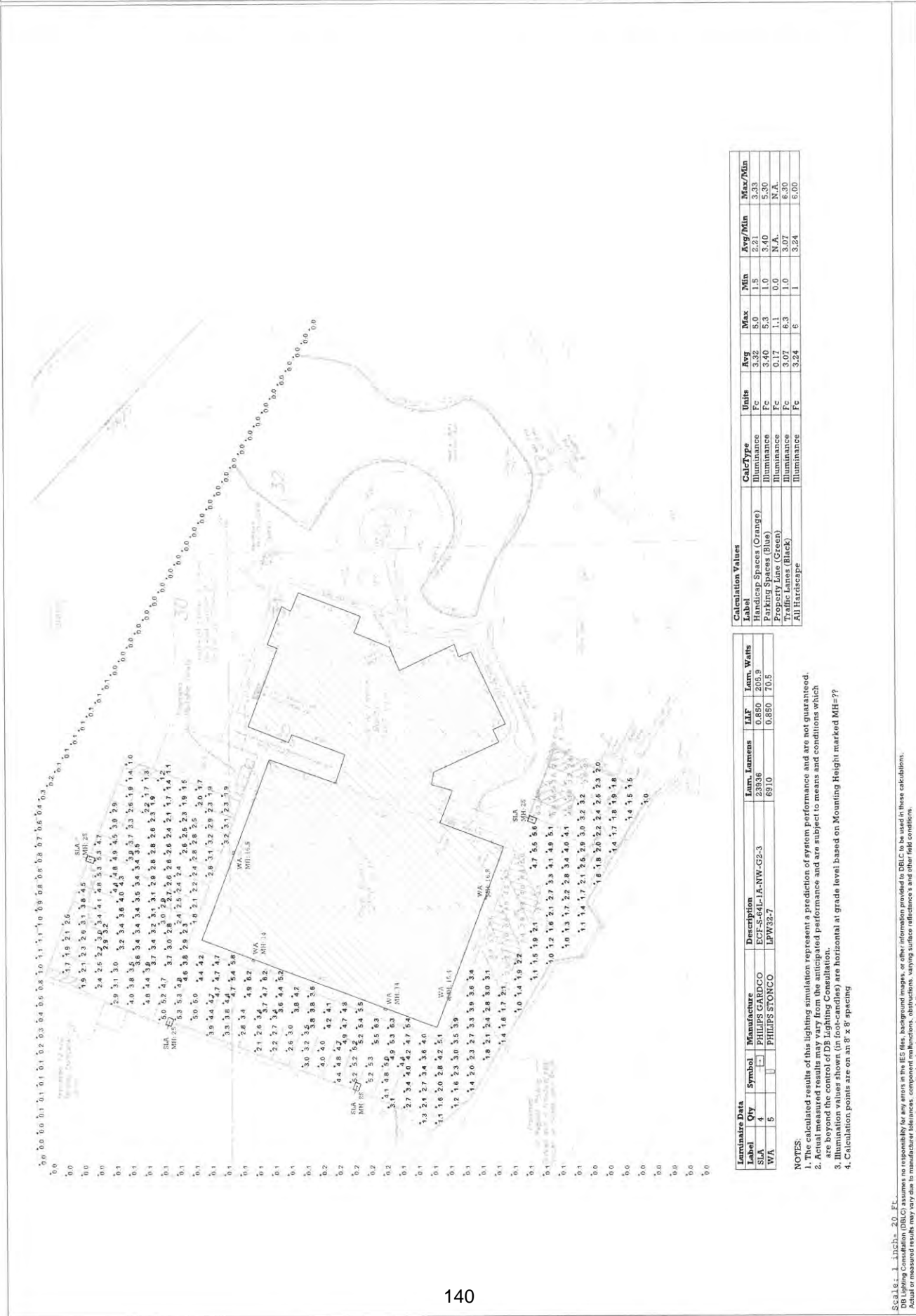
A Main Entrance

D Main Drive

C Middle Drive

B Main Entrance Drive

Project Name: BrighterDaze Farms Parking Project ID Number: 2019-151 Date: 03/14/2019		24" x 36" Page 1 of 1	
Prepared For: Brittany Miller Prepared by: DB Lighting Consultation 401-924-4113		Chicago Lightworks 505 Warrenville Rd. Suite 101 Suite 101 60532	
Revisions	Rev	Date	Comments



Calculation Values					
Label	CalcType	Units	Avg	Max	Min
Handicap Spaces (Orange)	Illuminance	Fc	3.32	5.0	1.5
Parking Spaces (Blue)	Illuminance	Fc	3.40	5.3	1.0
Property Line (Green)	Illuminance	Fc	0.17	1.1	0.0
Traffic Lanes (Black)	Illuminance	Fc	3.07	6.3	1.0
All Hardscapes	Illuminance	Fc	3.24	6	1

Luminaires Data		Symbol	Manufacturer	Description	LAUF	Lum. Lumens	Lum. Watts
Label	Qty						
SLA	4		PHILIPS GARDGO	ECF-S-64L-1A-NW-G2-3	0.850	23936	205.9
WA	5		PHILIPS STONCO	LPW32-7	0.850	6910	70.5

NOTES

- The calculated results of this lighting simulation represent a prediction of system performance and are not guaranteed.
- Actual results may vary from the anticipated performance and are subject to means and conditions which are beyond the control of DB Lighting Consultation.
- Illumination values shown (in foot-candles) are horizontal at grade level based on Mounting Height marked MH=??
- Calculation points are on an 8' x 8' spacing



Scale: 1 inch = 20 Ft.

DB Lighting Consultation (DBLC) assumes no responsibility for any errors in the EES files, background images, or other information provided to DBLC to be used in these calculations. Actual or measured results may vary due to manufacturer tolerances, component malfunctions, obstructions, varying surface reflectance and other field conditions. The owner assumes all responsibility for compliance with local, state and federal codes and regulations.

Attachment 3

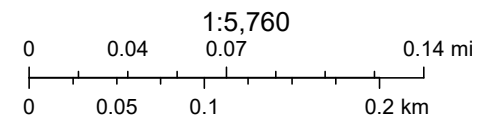


June 22, 2021

 Kendall County Address Points  Kendall County Forest Preserves

Ownership Parcel

141



Map data © OpenStreetMap contributors, Microsoft, Esri Community Maps contributors, Map layer by Esri

Kendall County Web GIS
View GIS Disclaimer at <https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/>.

Fox Township Planning Commission

Special Meeting Minutes

July 6, 2021

Fox Township Planning Commission was called to order by Meeting Facilitator Chair Stephen Knutson at 7:00 P.M. Committees present were Vice Chair Gayle Roberts, and Members Jeff Christensen, John Jurca, and Terry Luxmore. Also Present Boyd Ingemunson Lawyer Repeating the Bright Family.

Call to order was opened by Knutson.

Knutson open the meeting by having Ingemunson giving a presentation about the Amendments that the Brights are requesting to be changed. Currently the Event Space is only allowed 30 events per year. The Following is info on the current Events both past and present requested by the committee.

- There were 8 Weddings for 2020
- There has been 6 Weddings already for 2021 and 18 More are Booked for the Rest of the Current year.
- Standard Wedding ends at 10 P.M. If this Amendment is passed the Bright family said they would charge an additional \$2000 to their customers to extend the party past 10 P.M.
- The Bright family said their goal was to have 60 events as their goal using both the bigger and smaller space.
- 12-15 Events were lost in revenue due to their current restrictions.

Knutson then opened the floor to the neighbors.

Neighbor John opened by saying he was concerned about the Noise. The Barn doors are not being closed. The music is increasingly becoming louder. He is concerned about property value in that the reason they moved out to the country was for the quiet. He also is concerned that if the amendment is approved in this short amount of time that they will request more again soon and ask when does it stop.

Neighbors Kurt and Jeanette are also concerned. Their comments were the current rules are not being followed. They said that the barn doors are never shut. The music can be heard inside their house. They are concerned about having events during the week because of this. Police were called and the Police informed them that there is nothing they can do but inform the Zoning Committee. They also commented that the current hours are not being enforced and that they were already going 1 to 2 hours after the current time. They were also concerned with safety because many cars are getting lost and turning around in their driveway.

The comments from the Planning Commission were as followed.

They want to double check to see what the current rules are for the other Venues in Fox Township.

They wanted to know if we could specify maybe having the smaller venue with 40 people or less allowed during the week and the larger one on the Weekend nights.

They would also still want to put a limit of events allowed per year.

The extend hours were also questioned on when the cut off our is given then how long after that are they allowed to be open for cleanup. Also, could there be earlier hours for weekdays or later for weekends.

There was also question on how the ordinance are going to be self-enforced.

Ingemunson commented afterward that the family is willing to change and admen some of the Petition in order to help with the decision. He would make some changes and forward them to us.

Meeting adjourned at 9:19 P.M.

Respectfully Submitted.

Rachel Toftoy

Fox Township Clerk

The next Fox Township Planning me is scheduled for Tuesday August 17th at 7:00 P.M.

The Kendall County Zoning Board meeting is at the Assessors Office in Yorkville on August 2nd.

Attachment 5

Fox Township Board Meeting

July 12, 2021

Fox Township Board was called to order by Township Supervisor Randy Seggebruch at 7:00 P.M. Seggebruch led the Pledge of Allegiance. Trustee's present were Supervisor Seggebruch, Township Clerk Rachel Toftoy, and Township Trustees Tim Hoots, Sarah Spang, Bruce Monkemeyer, Jennifer Henze. Also, present was Township Road Commissioner Brad Mathre, and Fox Township Assessor Richard Whitefield. A quorum was established.

Motion to approve the agenda for the July 12, 2021, motion was made Monkemeyer and was seconded by Spang. Motion Carried.

Motion for approve the minutes from the June 14, 2021, motion was made by Henze, and was seconded by Hoots. Motion Carried.

Motion to approve the minutes for the June 28, 2021 Special Meeting, motion was made by Henze, and was seconded by Spang. Motion Carried.

Deputy Briars from The Kendall County Sheriff's Department reported they are having a National Night Out on 8/3/2021 from 6-9pm in Yorkville, IL.

Public Comments followed. Jackie Kowalski from the Village of Millbrook introduced herself. Boyd Ingemunson the Lawyer representing Brighter Days, introduced himself and incourgaged the Board to ask him questions regarding the new changes.

Board Comments followed. The Board Concerns were for the Brighter Days Changes were as followed.

Are the Current Rules Being Followed?

Likes that the speakers and being pointed downward.

They were concerned with the extended times requested.

They were concerned with the Number of Days they would have Guest in the Larger Building, but no concerns with more days available for guest in the Smaller Building.

They were concerned that they keep the noise the level previously approved.

They also were concerned about the traffic of guest getting lost and turning around in neighbor's driveways. Ingemunson says that Brighter Days is working on clear signage to help with this.

A motion to approve payment of all bills presented by Hoots and Seconded by Monkemeyer.
Roll Call- Spang YES, Henze YES, and Seggebruch YES, Motion Passed.

The next meeting of The Fox Township Board will be held August 9, 2021, at 7:00 P.M.

A motion to adjourn the meeting was made by Hoots and seconded by Spang.

Meeting adjourned at 7:43 P.M.

Respectfully Submitted.

Rachel Toftoy

Fox Township Clerk

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
July 6, 2021 – Unapproved Meeting Minutes**

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Sgt. Scott Moran – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:

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

Audience:

Boyd Ingemunson and JoAnn Bright-Theis

PETITIONS

Petition 21-26 Robert Bright on Behalf of Castle Bank NA and JoAnn Bright-Theis

Mr. Asselmeier summarized the request.

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions. The Petitioners would like to change their use of the approximately nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year.

The application materials and Ordinance 2019-23 were provided.

The property was approximately thirty-eight (38) acres in size.

Crimmin Road was a Major Collector Road and is also classified as a Scenic Route. There were no trails planned in the area.

A riverine wetland was located along the southwest edge of the subject property.

The adjacent land uses were agricultural, religious, and the Millington Forest Preserve.

The adjacent zoning districts were A-1.

The Future Land Use Map called for the area to be Rural Residential, Agricultural, and Forest Preserve.

The nearby zoning districts were A-1, A-1 SU, R-2, and R-3.

The special use permit is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property was provided.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site
Millington Railroad Fen Natural Landmark

Tucker-Millington Fen Natural Preserve
River Redhorse (*Moxostoma carinatum*)

EcoCat related materials were provided.

The LESA Score was 181 indicating a low level of protection. The NRI report was provided

Fox Township was emailed information on June 24, 2021.

Newark Fire Protection District was emailed information on June 24, 2021.

The Village of Newark was emailed information on June 24, 2021.

Ordinance 2019-23 placed the following restrictions on the special use permit for a banquet facility at the subject property:

- A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.
- B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
- C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
- D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.
- E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
- F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.
- G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- H. The noise regulations are as follows:

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

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

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

- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.
- J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility

would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

- K. A new certificate of occupancy must be issued for the barn.
- L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.
- M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.
- N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
- O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.
- P. 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.
- Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

As noted in the application materials, the Petitioners would like to divide the nearly nineteen thousand seven hundred (19,700) square foot building into Event Space A with nine thousand six hundred (9,600) square feet, Event Space B with two thousand nine hundred (2,900) square feet, and the remaining seven thousand two hundred forty-two (7,242) square feet as non-project space. The Petitioners would like to utilize Event Space B year-round for smaller events.

In order to accommodate this proposed change in business operations, the Petitioners are requesting the following changes to the special use permit (changes marked in red):

- C. A maximum of two hundred eighty (280) guests ~~shall be allowed~~ in attendance ~~at a banquet center related event may be on the subject property at a given time within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.~~
- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. ~~For events with music, the north and south barn doors shall close by 7:00 p.m.~~
- J. ~~Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.~~

The Petitioners provided a comparison of certain restrictions on banquet centers.

The Petitioners have no plans to change the site plan, landscaping plan, or parking illumination plan approved as part of Ordinance 2019-23. Also, other than Conditions C, I, and J, the Petitioners do not propose any other changes to the requirements of the special use permit.

An updated Occupancy Permit will be required reflecting the change of use.

The Petitioners were working with Environmental Health regarding the size of the septic system.

The property fronts Crimmin Road.

According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

The proposed Findings of Fact were 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 establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with the site plan, landscaping plan, and lighting plan approved as part of Ordinance 2019-23.

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 proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress.

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. The site conforms to the regulations of the A-1 Agricultural Zoning District.

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 3-6

of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

Staff recommended approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown on Attachment 1, Page 5.
2. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:
 - C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.
3. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:
 - I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings.
4. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:
 - J. Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
5. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
6. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Mr. Rybski noted that the Petitioners were working with the Kendall County Health Department to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. Mr. Rybski requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. Mr. Ingemunson did not object to the condition be added to the list of conditions.

Mr. Gengler asked if the Petitioners wanted to have live music events at the property. Boyd Ingemunson, Attorney for the Petitioners, responded that live music events occur ancillary to banquet center events. The Petitioners have no intention of having stand-alone live music events. Live music events could occur inside the building.

Mr. Ingemunson noted that the Petitioners wanted to have events year-round at the property.

Mr. Rybski noted that the well qualified as a non-community well and must follow the rules of that program.

Mr. Rybski made a motion, seconded by Ms. Olson, to recommend approval of the proposal.

The votes were as follows:

Yeas (6): Asselmeier, Gengler, Holdiman, Moran, Olson, and Rybski

Nays (0): None

Abstain (0): None

Absent (4): Briganti, Chismark, Guritz, Klaas

The motion carried.

The proposal goes to the Kendall County Regional Planning Commission on July 28, 2021.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Holdiman made a motion, seconded by Mr. Rybski, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The ZPAC, at 9:18 a.m., adjourned.

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

Matt Asselmeier

From: Aaron Rybski
Sent: Monday, July 12, 2021 10:34 AM
To: Matt Asselmeier
Subject: Petition 21-26 Brighter Daze

Hello,

I am passing along word that a permit to repair the septic system for Brighter Daze has been secured. As such, they have met the condition that we were putting in as part of their approval/recommendation from ZPAC. They are settling in on a contractor and they likely will be completing the repair in the coming weeks.

If you have any questions, please let me know.

A.R.

Proposed Amendments to Special Use
Brighter Daze Banquet Facility
1097 Crimmins Road, Newark, Illinois
Fox Township Plan Commission
Report

July 12, 2012

The Fox Township Plan Commission met in Millbrook to review the Bright family request for their Special Use Amendment. This is a report from that meeting, prepared for the Fox Township Board of Trustees.

A Special Use Permit for a Banquet Facility at this property was granted August 27, 2019.

1. Petitioners ask to create a new indoor SPACE B for year around use. Maximum number of guests will be 60.

Plan Commission recommends approval of indoor facility request. SPACE B may be used on weekends and week days. There shall be no limit on the number of events per year in the small indoor space. Existing Special Use Ordinance limits the number of events on the property to one event per day.

2. Petitioners ask that the two pair of large barn doors be allowed to be open during large events (280 guests) after 7:00 pm. When large doors are closed there are two smaller doors that may remain open. The point of closing the barn doors is to reduce the sound of music. Neighbors present at the meeting, report noncompliance of door closing at prior events.

Plan Commission recommends that large barn doors be closed at 7:00 pm on large event nights.

3. Petitioners ask that event conclusion time be changed from 10:00 pm to midnight. Neighbors present at the meeting, report noncompliance of prior closing time.

Plan Commission recommends that week night events of only 60 guests be concluded by 10:00 pm, and that all guest leave the property before 11:00pm. (The Plan Commission understands conclusion means the bar is closed and the music stops.)

Plan Commission recommends that large weekend events be concluded by 11:00 pm, and that guests leave the property before midnight. (Weekends include holidays and the evening before a holiday.)

4. Petitioners ask that limit of one large event per weekend be changed to permit two large events per weekend. Petitioners ask to increase number of large events.

Plan Commission recommends that large events (280 guests) remain limited to one per weekend. Existing Special Use Permit limits season for large events from April 1 to November 1. There are 30 weekends during this season.

5. Plan Commission, and neighbors present at the meeting, had questions about Special Use Ordinance enforcement. The single time one of the neighbors had called the Sheriff, the event in question was over before the Sheriff arrived.

Matt Asselmeier, Kendall County Planner, was present at the meeting and reviewed Special Use Ordinance enforcement. The first step is to call the Sheriff, who makes a report to the County. Non compliance may result in Citations. Repeated violations over a period of time could cause the Special Use Permit to be revoked by the County Board. Of the 238 Special Use Permits issued in recent history, only two Permits have been revoked.

6. Plan Commission Chairman, Steve Knutson, acknowledges that the Petitioners desire to maximize the economic return on their property, and the neighbors concern about property values are in conflict. A banquet facility is a permitted Special Use within Agriculture zoning. Adjoining neighbors expect to enjoy the rural quality of their property. The petitioners want to grow their business. Compromise is never comfortable.

Attachment 9, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of July 28, 2021 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Bob Stewart, Claire Wilson, and Seth Wormley

Members Absent: Tom Casey and Dave Hamman

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Boyd Ingemunson, JoAnn Bright-Theis, Adam Theis, Steve Knutson, Kurt Buhle, Jeanette Buhle, John Vogt, and Robert Bright

PETITIONS

Petition 21-26 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and Jo-Ann Bright-Theis

Mr. Asselmeier summarized the request.

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions. The Petitioners would like to change their use of the approximately nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year.

The application materials and Ordinance 2019-23 were provided.

The property was approximately thirty-eight (38) acres in size.

Crimmin Road was a Major Collector Road and is also classified as a Scenic Route. There were no trails planned in the area.

A riverine wetland was located along the southwest edge of the subject property.

The adjacent land uses were agricultural, religious, and the Millington Forest Preserve.

The adjacent zoning districts were A-1.

The Future Land Use Map called for the area to be Rural Residential, Agricultural, and Forest Preserve.

The nearby zoning districts were A-1, A-1 SU, R-2, and R-3.

The special use permit to the west is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property was provided.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site

Millington Railroad Fen Natural Landmark

Tucker-Millington Fen Natural Preserve

River Redhorse (*Moxostoma carinatum*)

EcoCat related materials were provided, including notice of consultation termination.

The LESA Score was 181 indicating a low level of protection. The NRI report was provided.

The Fox Township Planning Commission reviewed this Petition at their meetings on July 6, 2021, and July 21, 2021. The Fox Township Planning Commission recommended in favor of divided the space and setting the maximum number of guests for Event Space A at two hundred eighty (280) and sixty (60) for Event Space B. They recommended against deleting the requirement that the barn doors close at 7:00 p.m. They recommended that weekday events conclude by 10:00 p.m. with guests allowed one (1) extra hour to vacate the property; weekend events concluded at 11:00 p.m. with allowed one (1) extra hour to vacate the property. They defined weekends as Fridays and Saturdays. They recommended keeping the maximum number of large events at thirty (30) per year and the small event space be available to rent on weekends on an unlimited basis. The above recommendations were approved unanimously of the three (3) Commissioners in attendance on July 21st. The Commission also recommended that the smaller event space be available to rent on weekdays on an unlimited basis by a vote of two (2) in favor and one (1) in opposition; two (2) Commissioners were absent. The Commissioner that voted no felt that allowing an unlimited number of events at the property would transform the property from a primarily agricultural use to a primarily non-agricultural business use. The minutes of the July 6, 2021, meeting were provided.

The Fox Township Board reviewed this proposal at their meeting on July 12, 2021. The Township Board had concerns regarding whether or not the Petitioners were following the current restrictions, the direction of speakers, extending the hours of operation, extending the operating season, noise level, and traffic. The unapproved minutes of this meeting were provided.

Newark Fire Protection District was emailed information on June 24, 2021.

The Village of Newark was emailed information on June 24, 2021.

ZPAC reviewed this proposal at their meeting on July 6, 2021. The Health Department noted that the Petitioners were working with them to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. The Health Department requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. The Petitioners did not object to the condition be added to the list of conditions. The Health Department also noted that the well qualified as a non-community well and must follow the rules of that program. Discussion occurred regarding having live music events at the property. Live music events have

occurred ancillary to other banquet center events and can occur inside the building. ZPAC recommended approval of the requested amendments by a vote of six (6) in favor and zero (0) in opposition; four (4) members were absent. The minutes of this meeting and an email stating that the Petitioners applied for septic permit was provided.

Ordinance 2019-23 placed the following restrictions on the special use permit for a banquet facility at the subject property:

- A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.
- B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
- C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
- D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.
- E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
- F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.
- G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- H. The noise regulations are as follows:

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

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

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

- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.
- J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays,

Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

- K. A new certificate of occupancy must be issued for the barn.
- L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.
- M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.
- N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
- O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.
- P. 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.
- Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

As noted in the application materials, the Petitioners would like to divide the nearly nineteen thousand seven hundred (19,700) square foot building into Event Space A with nine thousand six hundred (9,600) square feet, Event Space B with two thousand nine hundred (2,900) square feet, and the remaining seven thousand two hundred forty-two (7,242) square feet as non-project space. The Petitioners would like to utilize Event Space B year-round for smaller events.

In order to accommodate this proposed change in business operations, the Petitioners were requesting the following changes to the special use permit (changes marked in red):

- C. A maximum of two hundred eighty (280) guests **shall be allowed** in attendance ~~at a banquet center related event may be on the subject property at a given time within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.~~
- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. ~~For events with music, the north and south barn doors shall close by 7:00 p.m.~~
- J. ~~Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by~~

~~appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.~~

The Petitioners provided a comparison of certain restrictions on banquet centers.

The Petitioners have no plans to change the site plan, landscaping plan, or parking illumination plan approved as part of Ordinance 2019-23. Also, other than Conditions C, I, and J, the Petitioners do not propose any other changes to the requirements of the special use permit.

An updated Occupancy Permit will be required reflecting the change of use.

The Petitioners were working with Environmental Health regarding the size of the septic system.

The property fronts Crimmin Road.

According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processional and recessional at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building and speakers on the ceiling will be pointed downward. The Petitioners will also require disc jockeys to plug into the venue's sound system so the Petitioners can control the noise level.

With the combination of distance, plantings and control of the sound system, the Petitioners believed noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

The proposed Findings of Fact were 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 establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with the site plan, landscaping plan, and lighting plan approved as part of Ordinance 2019-23.

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 proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress.

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. The site conforms to the regulations of the A-1 Agricultural Zoning District.

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 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

Staff recommended approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown in the application materials.
2. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:
 - C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.
3. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:

- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings.
4. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:
 - J. Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
5. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
6. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Boyd Ingemunson, Attorney for the Petitioners, explained the history of the business. He explained the table comparing the conditions on the Petitioners' special use permit with the special use permit for other banquet facilities. He stated that the restrictions regarding the number of events, event end time, and season of event were unique to the Petitioners' special use permit. He noted that no violations have occurred and the sound level was constantly monitored. The speakers were in the ceiling and pointed downward.

Member Rodriguez stated that he visited the subject property. He was very impressed by the venue. He said that the Petitioners turned on the music at a high level and they took a sound reading at the street. Noise from passing vehicles was louder than the sound from the sound system. He encouraged all Commissioners to visit the property. He also noted the breeze inside the building with the open barn doors.

Member Wilson asked if the spaces were air conditioned. Mr. Ingemunson responded that Event Space B is basically a large living room and Event Space A is basically a barn.

Member Wilson asked about the use of the space not included in either event space. Mr. Ingemunson responded that is a private living area.

Member Wilson expressed concerns about noise if events last until Midnight.

Member Wilson asked about fire suppression. Mr. Ingemunson responded that the Petitioners have complied with applicable fire codes. Member Wilson asked about the number exits. Mr. Ingemunson responded that, in addition to the barn doors, there were exit doors adjacent to the barn doors. Adam Theis said there were three (3) separate entrances.

Mr. Theis clarified that the Petitioners were changing the proposal to have events end at 11:00 p.m. and patrons given one (1) hour to vacate the property.

Member Wilson asked if any other noise suppression systems exist beside the control of the speakers. Mr. Theis stated that the barn was insulated and there were several walls. The property also has several trees and a berm.

Member Nelson asked if any speakers were located outside the barn. Mr. Ingemunson said no amplified music would originate outside the building.

Member Wilson asked if events were catered. Mr. Ingemunson responded that events were catered.

Steve Knutson, Chairman of the Fox Township Planning Commission, stated that the Commission did not agree with all of the amendments. He noted that the existing special use permit has not been in existence for a long period of time. He expressed concerns regarding potential violations of the existing special use permit. Ending events at 11:00 p.m. compared to Midnight would be favorable.

Kurt Buhle stated he moved to the area for the peace and quiet and it is not quiet during the events. He was concerned about the impact of the proposal on land value because of the increase in noise and traffic. He was also concerned that future amendments would be proposed. He has not witnessed the north barn doors closed. The Petitioners have had events after closing season. Several events have gone after 11:00 p.m. He has called the Sheriff one (1) time because of excessive noise. No noise reading occurred when he called the Sheriff because the event had ended. Member Wilson encouraged Mr. Buhle to obtain decibel readings. Mr. Buhle purchased his property in 2012.

John Vogt expressed concerns about noise. He noted traffic usually comes and goes to the north. He would be agreeable to having the south barn doors open. He said events have lasted until 11:00 p.m. He has lived in the area for forty (40) years. He moved here for the peace and quiet and that is not the case. He also believed that his property values have been negatively impacted unless someone with a companion business wanted to purchase his property.

Jeanette Buhle asked Member Rodriguez if the barn windows were open during his visit. Member Rodriguez responded yes. Discussion occurred about the type of the new sound system. Ms. Buhle said they previously heard the noise from the property inside their house. She also noted the small number of trees blocking the barn. She would like to have the conditions in the special use followed and they will call the Sheriff in the future every time there is a violation.

Mr. Ingemunson stated that the Petitioners were going to install additional pine trees. Neither barn door is aimed at the Buhle property.

Robert Bright invited everyone, including his neighbors, to tour the property. Installing the sound system was on the priority list.

Discussion occurred regarding the existing approved landscaping plan. Member Nelson suggested planting evergreens, like a whispering pine or Colorado blue spruce. Mr. Theis was agreeable to adding more trees to the landscaping plan. Member Rodriguez noted that a large number of large trees were located on the property. JoAnn Bright-Theis was agreeable to adding evergreens. Member Nelson discussed the impact of banquet facilities on ambient noise as measured with a decimeter. Member Wilson suggested installing a sound barrier fence in addition to the evergreens.

Member Wormley expressed his support for the proposal and the planting of additional trees. He was concerned about having the barn doors closed on hot days because of the collection of heat.

Mr. Knutson reiterated the short history of the operation of this business. He was concerned about non-compliance with the existing regulations.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the Petition with the requirement that the Petitioners submit a landscaping plan with evergreen type trees planted and a timeframe for planting the evergreens. The landscaping plan should be submitted prior to the Kendall County Planning, Building and Zoning Committee meeting.

Member Wilson made a motion to amend the previous motion to require the installation of a fence as a sound barrier in addition to the evergreens. The motion died for lack of a second.

The votes on the original, un-amended motion were as follows:

Ayes (8): Ashton, Bledsoe, McCarthy-Lange, Nelson, Rodriguez, Stewart, Wilson, and Wormley

Nays (0): None

Absent (2): Casey and Hamman

Abstain (0): None

The motion carried.

This proposal will go to the Kendall County Zoning Board of Appeals on August 2, 2021.

ADJOURNMENT

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




The Kendall County Regional Planning Commission meeting adjourned at 8:10 p.m.

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

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
JULY 28, 2021**

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)
Bald Ingemansen		
		
STEVE KNUTSEN		
Kurt Bugle		
John Voyle		
James Bugle		
		
		

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
August 2, 2021 – 7:00 p.m.

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:04 p.m.

ROLL CALL:

Members Present: Karen Clementi, Cliff Fox, Randy Mohr, and Dick Thompson

Members Absent: Scott Cherry, Tom LeCuyer, and Dick Whitfield

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

Others Present: Adam Theis, JoAnn Bright-Theis, Steve Knutson, Kurt Buhle, and Scott Gengler

Chairman Mohr swore in Adam Theis, JoAnn Bright-Theis, Steve Knutson, and Kurt Buhle.

PETITIONS

The Zoning Board of Appeals started their review of Petition 21-26 at 7:09 p.m.

Petition 21 – 26 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis

Request: Major Amendments to the Special Use Permit for a Banquet Facility Granted by Ordinance 2019-23 by Dividing the Building Allowed to be a Banquet Facility into Separate Event Spaces, Setting the Maximum Capacities of the Event Spaces, Setting the Days of and Hours of Operation for the Event Spaces, and Removing the Requirement that the Barn Doors be Closed by 7:00 p.m. at Events with Music

PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008

Location: 10978 Crimmin Road, Newark, Fox Township

Purpose: Petitioners Wish to Amend the Existing Special Use Permit; Property is Zoned A-1 with a Special Use Permit

Mr. Asselmeier summarized the request.

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions. The Petitioners would like to change their use of the approximately nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year.

The application materials and Ordinance 2019-23 were provided.

The property was approximately thirty-eight (38) acres in size.

Crimmin Road was a Major Collector Road and is also classified as a Scenic Route. There were no trails planned in the area.

A riverine wetland was located along the southwest edge of the subject property.

The adjacent land uses were agricultural, religious, and the Millington Forest Preserve.

The adjacent zoning districts were A-1.

The Future Land Use Map called for the area to be Rural Residential, Agricultural, and Forest Preserve.

The nearby zoning districts were A-1, A-1 SU, R-2, and R-3.

The special use permit to the west is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property was provided.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site

Millington Railroad Fen Natural Landmark

Tucker-Millington Fen Natural Preserve

River Redhorse (*Moxostoma carinatum*)

EcoCat related materials were provided, including notice of consultation termination.

The LESA Score was 181 indicating a low level of protection. The NRI report was provided.

The Fox Township Planning Commission reviewed this Petition at their meetings on July 6, 2021, and July 21, 2021. The Fox Township Planning Commission recommended in favor of dividing the space and setting the maximum number of guests for Event Space A at two hundred eighty (280) and sixty (60) for Event Space B. They recommended against deleting the requirement that the barn doors close at 7:00 p.m. They recommended that weekday events conclude by 10:00 p.m. with guests allowed one (1) extra hour to vacate the property; weekend events concluded at 11:00 p.m. with allowed one (1) extra hour to vacate the property. They defined weekends as Fridays and Saturdays. They recommended keeping the maximum number of large events at thirty (30) per year and the small event space be available to rent on weekends on an unlimited basis. The above recommendations were approved unanimously of the three (3) Commissioners in attendance on July 21st. The Commission also recommended that the smaller event space be available to rent on weekdays on an unlimited basis by a vote of two (2) in favor

and one (1) in opposition; two (2) Commissioners were absent. The Commissioner that voted no felt that allowing an unlimited number of events at the property would transform the property from a primarily agricultural use to a primarily non-agricultural business use. The minutes of the July 6, 2021, meeting were provided. The summary of the July 21, 2021, meeting was provided.

The Fox Township Board reviewed this proposal at their meeting on July 12, 2021. The Township Board had concerns regarding whether or not the Petitioners were following the current restrictions, the direction of speakers, extending the hours of operation, extending the operating season, noise level, and traffic. The unapproved minutes of this meeting were provided.

Newark Fire Protection District was emailed information on June 24, 2021. No comments were provided.

The Village of Newark was emailed information on June 24, 2021. No comments were provided.

ZPAC reviewed this proposal at their meeting on July 6, 2021. The Health Department noted that the Petitioners were working with them to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. The Health Department requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. The Petitioners did not object to the condition be added to the list of conditions. The Health Department also noted that the well qualified as a non-community well and must follow the rules of that program. Discussion occurred regarding having live music events at the property. Live music events have occurred ancillary to other banquet center events and can occur inside the building. ZPAC recommended approval of the requested amendments by a vote of six (6) in favor and zero (0) in opposition; four (4) members were absent. The minutes of this meeting and an email stating that the Petitioners applied for septic permit was provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 28, 2021. The Petitioners agreed to change the end time of events from Midnight to 11:00 p.m. Guests would still have one (1) hour to leave the property. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's opinion on the proposal. Kurt Buhle stated that he moved to the area for peace and quiet; the banquet facility was not a quiet operation. He stated that the north barn doors were currently not closed, events were occurring during the non-operating time of the year, and events were occurring after 10:00 p.m. John Vogt expressed concerns about noise and increase traffic. Robert Bright invited everyone, including his neighbors, onto the subject the property and that installing the sound system was on the priority list. Members Rodriguez and Wormley visited the subject property. Member Nelson suggested planting additional evergreen type trees in addition to the plantings required by the landscaping plan. The Petitioners were agreeable with this suggestion. Member Wilson suggested installing a fence in addition to the evergreens. The Kendall County Regional Planning Commission recommended approval of the Petition with the requirement that the Petitioners

submit a landscaping plan with evergreen type trees planted and a timeframe for planting the evergreens. The landscaping plan should be submitted prior to the Kendall County Planning, Building and Zoning Committee meeting. The vote was eight (8) in favor and zero (0) in opposition with two (2) members absent. Member Wilson made a motion to add the fencing requirement, but that motion died for lack of second. The minutes of the meeting were provided.

Ordinance 2019-23 placed the following restrictions on the special use permit for a banquet facility at the subject property:

- A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.
- B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
- C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
- D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.
- E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
- F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.
- G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- H. The noise regulations are as follows:

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

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

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the

maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.
- J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).
- K. A new certificate of occupancy must be issued for the barn.
- L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.
- M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.
- N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
- O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.
- P. 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.
- Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

As noted in the application materials, the Petitioners would like to divide the nearly nineteen thousand seven hundred (19,700) square foot building into Event Space A with nine thousand six hundred (9,600) square feet, Event Space B with two thousand nine hundred (2,900) square feet, and the remaining seven thousand two hundred forty-two (7,242) square feet as non-project space. The Petitioners would like to utilize Event Space B year-round for smaller events.

In order to accommodate this proposed change in business operations, the Petitioners were requesting the following changes to the special use permit (changes marked in red):

- C. A maximum of two hundred eighty (280) guests **shall be allowed** in attendance ~~at a~~

~~banquet center related event may be on the subject property at a given time within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.~~

- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. ~~For events with music, the north and south barn doors shall close by 7:00 p.m.~~
- J. ~~Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.~~

The Petitioners provided a comparison of certain restrictions on banquet centers.

The Petitioners have no plans to change the site plan or parking illumination plan approved as part of Ordinance 2019-23. Also, other than Conditions C, I, J, and the landscaping plan to include more evergreen type trees, the Petitioners do not propose any other changes to the requirements of the special use permit.

An updated Occupancy Permit will be required reflecting the change of use.

The Petitioners were working with Environmental Health regarding the size of the septic system.

The property fronts Crimmin Road.

According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue. The Petitioners submitted a revised landscaping plan showing the planting of twelve (12) additional cedar trees that will be approximately twelve feet (12') in height at the time of planting. The planting of the cedar trees will occur in the fall of 2021.

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building and speakers on the ceiling will be pointed downward. The Petitioners will also require disc jockeys to plug into the venue's sound system so the Petitioners can control the noise level.

With the combination of distance, plantings and control of the sound system, the Petitioners believed noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

The proposed Findings of Fact were 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 establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with the site plan, landscaping plan, and lighting plan approved as part of Ordinance 2019-23.

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 proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress.

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. The site conforms to the regulations of the A-1 Agricultural Zoning District.

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 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

Staff recommended approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown in the application materials.
2. The landscaping plan referenced in Condition 2.A is amended to include the amended landscaping provided at the Zoning Board of Appeals hearing.
3. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:
 - C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.
4. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:
 - I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings.
5. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:
 - J. Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
6. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
7. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.

8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Mohr opened the public hearing at 7:21 p.m.

Adam Theis explained the requested changes. He noted the sound control changes and the landscaping changes. He stated that the property has not received any citations. He stated that the company has been managed successfully and can respond to the growth in the industry. He explained the division of the space and the reasons for the amendments.

Chairman Mohr stated that this was the only Petition that he received a phone call after approval in his ten (10) years on the Zoning Board. He stated that the barn doors were not being closed during events presently. He questioned if the Petitioners will follow new rules in the future, if they were not following the existing rules. Mr. Theis stated that they have always followed the noise regulations and, when the doors were open, they felt that it was a life safety issue. Member Clementi echoed Chairman Mohr's comments. Mr. Theis stated they would like the doors open to take advantage of the beauty of the property and the breeze from the south. Mr. Theis further stated that they have always followed the noise regulations; he noted the new investments in the sound system.

Member Clementi asked how many events have occurred at the property since the special use permit was issued. Mr. Theis responded thirty (30).

Member Clementi questioned noise mitigation practices. Mr. Theis noted the addition of vegetation on the berm.

Member Clementi asked about the hours of operation. Mr. Theis stated they followed the current regulations.

Mr. Asselmeier asked when the trees would be installed. JoAnn Bright-Theis felt that November 30th would be ideal in order to save the most money when buying trees.

Steve Knutson, Fox Township Planning Commission Chairman, explained his background and experience on the Evanston Planning Commission. He noted that the Fox Township Planning Commission had two (2) meetings regarding this Petition. He explained that neighbors reported several examples of non-compliance in terms of hours of operation and season of operation.

Chairman Mohr asked why the Fox Township Board did vote on the proposal. Mr. Knutson said that the Commission did vote on various aspects of the requests. Mr. Asselmeier stated that a township board speaks for the Township, but a township planning commission can submit recommendations. Townships cannot formally object to special use permit requests.

Steve Knutson, as a private resident, noted that the existing ordinance has been in existence for two (2) years. The Fox Township Planning Commission recommended approval of the division of the space. The reason for the recommendation for one (1) event per weekend was to give neighbors the opportunity to have one (1) quiet night. Mr. Knutson felt that compliance with the existing regulations was sketchy.

Kurt Buhle expressed his concerns that the Petitioners were not following the existing regulations. He questioned whether or not the Petitioners would follow new rules. He expressed concerns about events going to 11:00 p.m. every night because he was unsure how the change would impact his sleep. He was

concerned about the impact of the new sound system on noise. He was concerned how the proposal would impact property values by having a commercial business in an agricultural area. He was also concerned about safety, security, and traffic. Noise and music was an issue.

Mr. Asselmeier explained the procedure for investigating noise complaints.

Chairman Mohr asked about alcohol regulations. Mr. Asselmeier stated that Fox Township has not reported to the County any violations of township regulations.

Chairman Mohr closed the public hearing at 7:40 p.m.

Mr. Asselmeier noted that State law required the concurrent vote of four (4) members to rule in favor of the applicant.

The Board reviewed the Findings individually.

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 establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with the site plan, landscaping plan, and lighting plan approved as part of Ordinance 2019-23.

Member Clementi stated that noise was detrimental to the public health by negatively impacting the ability of neighbors to get a good night's sleep.

The votes were as follows:

Ayes (2):	Mohr and Thompson
Nays (2):	Clementi and Fox
Abstain (0):	None
Absent (3):	Cherry, LeCuyer, and Whitfield

The motion failed. A finding was not made for this fact.

Chairman Mohr felt the plan that was put in place was a good plan, but the question was is the plan being implement.

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 proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by establishing

restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit.

The votes were as follows:

Ayes (1): Thompson
Nays (3): Clementi, Fox, and Mohr
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion failed. The finding will be made in the negative.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress, and the Petitioners have submitted a permit for the septic system.

The votes were as follows:

Ayes (4): Clementi, Fox, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

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. The site conforms to the regulations of the A-1 Agricultural Zoning District.

The votes were as follows:

Ayes (3): Clementi, Fox, and Thompson
Nays (1): Mohr
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

Chairman Mohr felt that the use could become more of a business use than an agricultural use.

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 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

The votes were as follows:

Ayes (3): Clementi, Fox, and Mohr

Nays (1): Thompson
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

Member Clementi made a motion, seconded by Member Fox, to recommend approval of the requested special use permit subject to the following conditions:

1. The building shall be divided as requested by the Petitioners.
2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall at the time of planting and shall be planted by November 30, 2021.
3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.
4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.
5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.
6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.
7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.
8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.
10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.
11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The votes were as follows:

Ayes (4): Clementi, Fox, Mohr, and Thompson

Nays (0): None

Abstain (0): None

Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

The proposal will go to the Kendall County Planning, Building and Zoning Committee on Monday, August 9, 2021.

The Zoning Board of Appeals completed their review of Petition 21-26 at 8:03 p.m.

PUBLIC COMMENTS

Mr. Asselmeier said there are two (2) Petitions for the August meeting, a rezoning on the south of Route 52 west of Jughandle Road and a rezoning on the west side of Jughandle Road south of Route 52.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Clementi made a motion, seconded by Member Fox, to adjourn.

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

The Zoning Board of Appeals meeting adjourned at 8:04 p.m.

The next hearing/meeting will be on August 30, 2021.

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

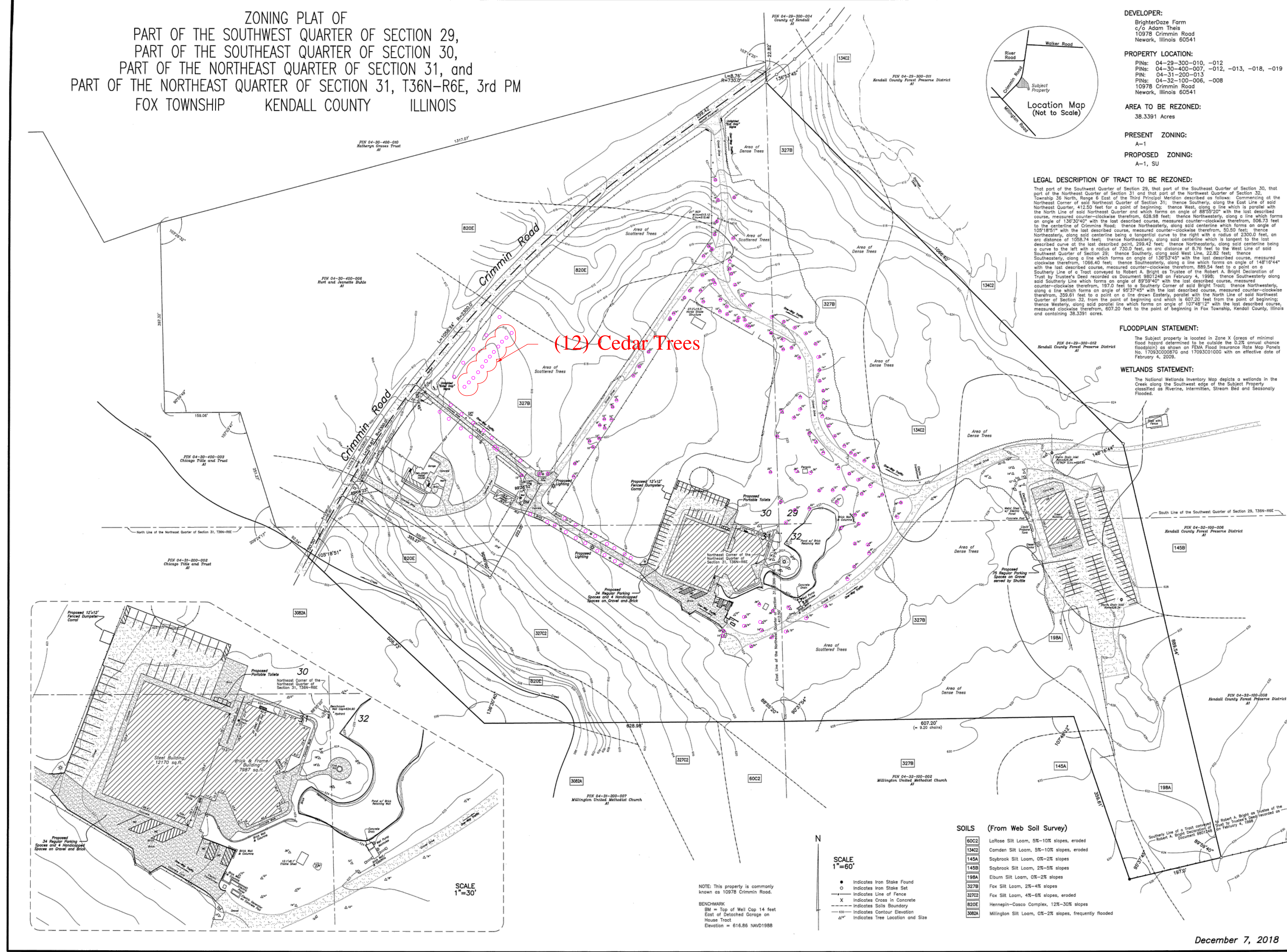
Exhibits

1. Memo on Petition 21-26 Dated July 30, 2021
2. Certificate of Publication for Petition 21-26 (Not Included with Report but on file in Planning, Building and Zoning Office)
3. Revised Landscaping Plan

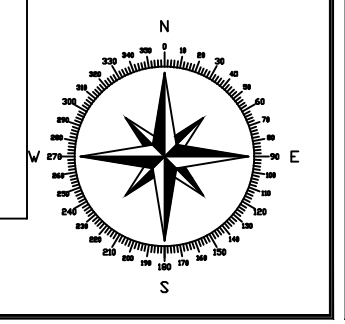
In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree 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.

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ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 29,
PART OF THE SOUTHEAST QUARTER OF SECTION 30,
PART OF THE NORTHEAST QUARTER OF SECTION 31, and
PART OF THE NORTHEAST QUARTER OF SECTION 32, T36N-R6E, 3rd PM
FOX TOWNSHIP KENDALL COUNTY ILLINOIS



Philip D. Young and Associates, Inc. LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775	
10978 South Bridge Street Newark, Illinois 60541 Telephone (630)553-1500	
15127 BRIGHTERDAZE FARM 10978	
JOB NO. JOB NAME JOB DATE REVISION DATE	



BrighterDaze Farm Landscaping Plan	
DRAWN BY ART	CHECKED BY
PROJECT NUMBER	
DATE ISSUED 07/29/21	SCALE N/A
SHEET NUMBER	
1.0	

10978 Crimmins Rd • Newark, IL 60541

State of Illinois
County of Kendall

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#21-26

ORDINANCE NUMBER 2021-_____

GRANTING MAJOR AMENDMENTS TO THE SPECIAL USE PERMIT FOR A BANQUET FACILITY GRANTED BY ORDINANCE 2019-23 BY DIVIDING THE BUILDING ALLOWED TO BE A BANQUET FACILITY INTO SEPARATE EVENTS SPACES, SETTING THE MAXIMUM CAPACITIES OF THE EVENT SPACES, SETTING THE DAYS OF AND HOURS OF OPERATION FOR THE EVENT SPACES, AMENDING THE LANDSCAPING PLAN, AND REMOVING THE REQUIREMENT THAT THE BARN DOORS BE CLOSED BY 7:00 P.M. AT EVENTS WITH MUSIC ON A 38.34 ACRE +/- PARCEL LOCATED AT 10978 CRIMMIN ROAD ON THE PROPERTY IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, AND 04-32-100-008 IN FOX TOWNSHIP

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

WHEREAS, Section 7:01.D.12 of the Kendall County Zoning Ordinance permits the operation of banquet halls as a special use with certain restrictions in the A-1 Agricultural Zoning District; 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 38.34 acres located at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, AND 04-32-100-008) in Fox 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 August 27, 2019, the Kendall County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility with restrictions at the subject property; and

WHEREAS, Condition 2.A of Ordinance 2019-23 established a landscaping plan at the subject property; and

WHEREAS, Condition 2.C of Ordinance 2019-23 set the maximum number of guests in attendance at a banquet center related event at two hundred eighty (280); and

WHEREAS, Condition 2.I of Ordinance 2019-23 required that the north and south barn doors be closed by 7:00 p.m. at events with music; and

WHEREAS, Condition 2.J of Ordinance 2019-23 established the hours of operation, a season of operation, and set a maximum number of events allowed at the subject property at thirty (30);

WHEREAS, the subject property is currently owned by Madison Trust and Castle Bank N A as represented by Robert Bright and JoAnn Bright-Theis has permission to operate a banquet facility on the subject property and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about June 22, 2021, the Petitioner’s representative filed a petition for a major amendment to Ordinance 2019-23 which granted a special use permit allowing the operation of a banquet facility at the

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subject property by dividing the building allowed to be a banquet facility into separate event spaces, setting the maximum capacities of the event spaces, setting the days of and hours of operation for the event spaces, and removing the requirement that the barn doors be closed by 7:00 p.m. at events with music; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on July 15, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on August 2, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested major amendments to an existing special use permit and zero members of the public testified in favor, one member of the public testified in opposition, and one member of the public expressed concerns regarding the requested major amendments; 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 major amendments to an existing special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 2, 2021, 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 major amendments to an existing 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

WHEREAS, these major amendments to an existing 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 major amendments to the special use permit granted by Ordinance 2019-23 which allowed for the operation of a banquet facility on the subject property subject to the following conditions:
 - A. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown on building diagram attached hereto as Exhibit C.
 - B. The landscaping plan referenced in Condition 2.A of Ordinance 2019-23 is amended to include the amended landscaping attached hereto as Exhibit D. The twelve (12) cedar trees shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021.

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- C. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:
 “A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.”
 - D. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:
 “No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. Musicians and disc jockeys shall be required to plug into a sound system provided and controlled by the owners of the business allowed by the special use permit.”
 - E. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:
 “Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.”
 - F. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
 - G. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
 - H. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- 3. These major amendments to an existing 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 these major amendments to an existing special use permit.

IN WITNESS OE, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of August, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of $88^{\circ}55'20''$ with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of $136^{\circ}30'40''$ with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of $105^{\circ}18'51''$ with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of $136^{\circ}53'45''$ with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of $148^{\circ}16'44''$ with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of $89^{\circ}59'40''$ with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of $95^{\circ}37'45''$ with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of $107^{\circ}48'12''$ with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 2, 2021. Members Cherry, LeCuyer, and Whitfield were absent.

FINDINGS OF FACT

§ 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 Kendall County Zoning Board of Appeals did not make a finding of this fact. Chairman Mohr and Member Thompson voted for a positive finding and Members Clementi and Fox voted for a negative finding.

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 proposed use will be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity cannot be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit. Chairman Mohr and Members Clementi and Fox voted for the negative finding and Member Thompson voted for a positive finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress. Finding approved by all members present.

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. The site conforms to the regulations of the A-1 Agricultural Zoning District. Members Clementi, Fox, and Thompson voted for the positive finding and Chairman Mohr voted for a negative finding.

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 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness." Chairman Mohr and Members Clementi and Fox voted for the positive finding and Member Thompson vote for a negative finding.

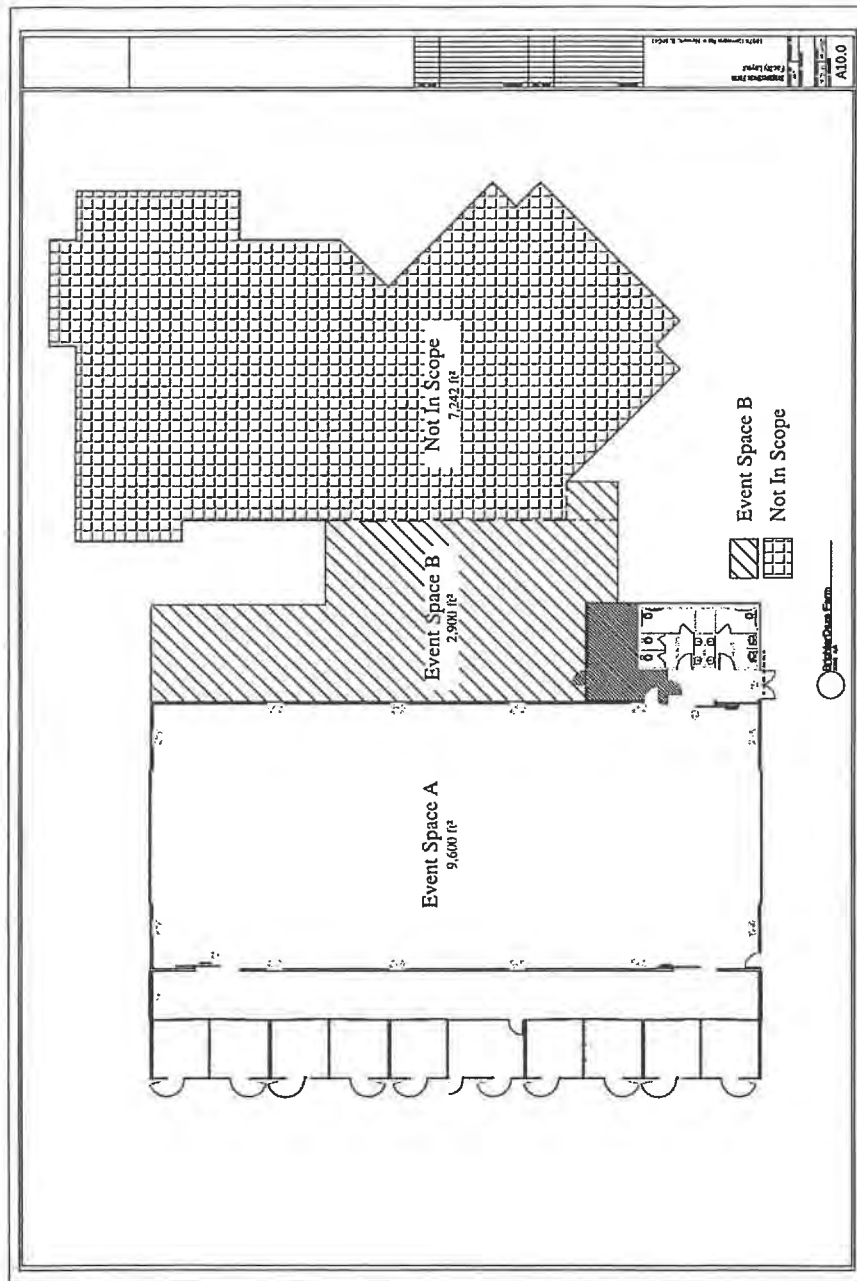
RECOMMENDATION

Approval by vote of four (4) in favor and zero (0) in opposition subject to the following conditions:

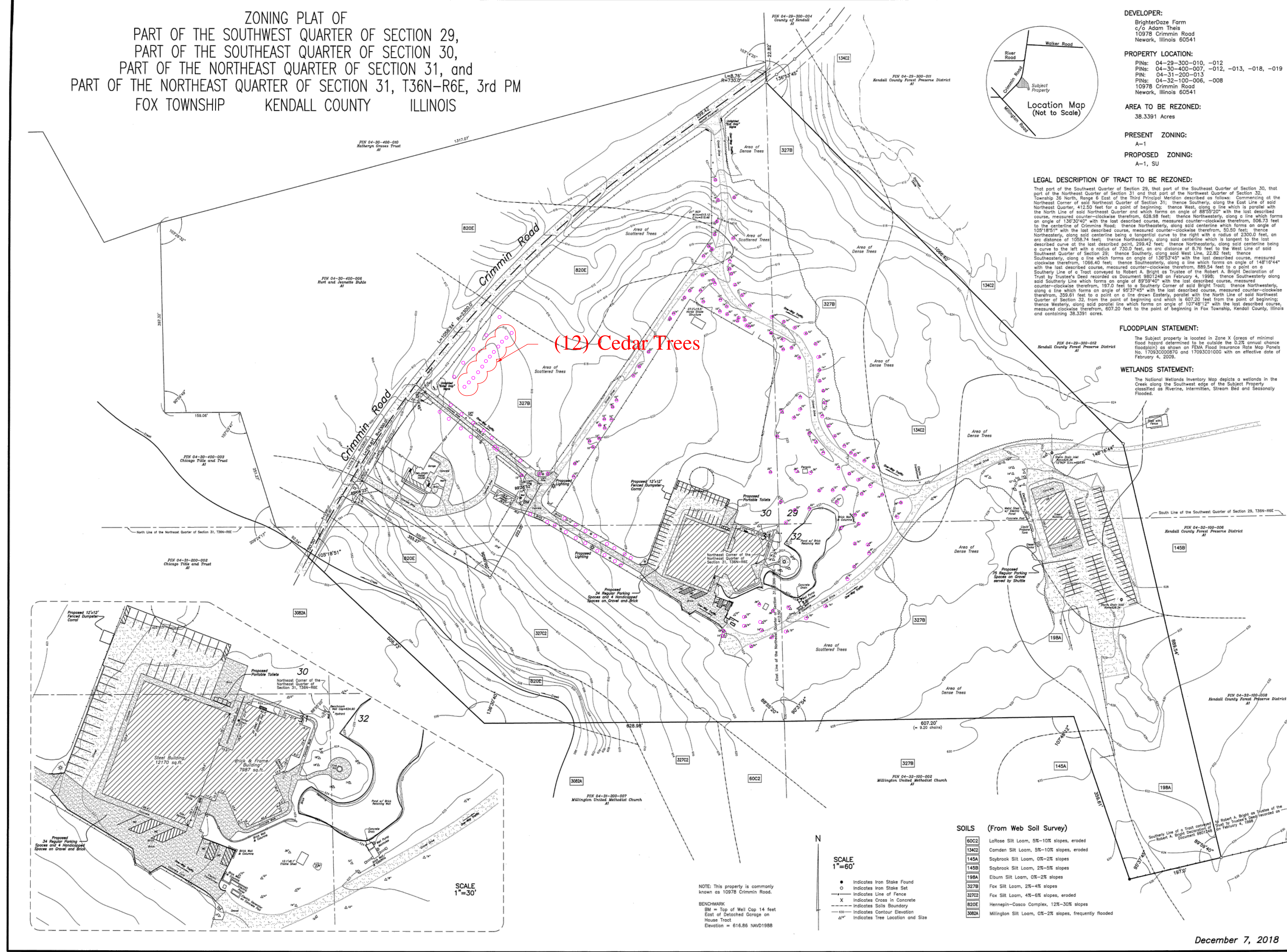
1. The building shall be divided as requested by the Petitioners.
2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall

at the time of planting and shall be planted by November 30, 2021.

3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.
4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.
5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.
6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.
7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.
8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.
10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.
11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.



ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 29,
PART OF THE SOUTHEAST QUARTER OF SECTION 30,
PART OF THE NORTHEAST QUARTER OF SECTION 31, and
PART OF THE NORTHEAST QUARTER OF SECTION 31, T36N-R6E, 3rd PM
FOX TOWNSHIP KENDALL COUNTY ILLINOIS



(12) Cedar Trees

DEVELOPER:
BrighterDaze Farm
c/o Adam Theis
10978 Crimmin Road
Newark, Illinois 60541

PROPERTY LOCATION:
PINs: 04-29-300-010, -012
PINs: 04-30-400-007, -012, -013, -018, -019
PINs: 04-31-200-013
PINs: 04-32-100-006, -008
10978 Crimmin Road
Newark, Illinois 60541

AREA TO BE REZONED:
38.3391 Acres

PRESENT ZONING:
A-1

PROPOSED ZONING:
A-1, SU

LEGAL DESCRIPTION OF TRACT TO BE REZONED:
That part of the Southwest Quarter of Section 29, that part of the Southwest Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northeast Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31, thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet to a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of 88°55'20" with the last described course, measured counter-clockwise therefrom, 508.73 feet to the centerline of Crimmin Road; thence Northerly, along said centerline which forms an angle of 105°18'51" with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northerly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, on an arc distance of 1058.74 feet; thence Northerly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northerly, along said centerline being a curve to the left with a radius of 730.0 feet, on an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southerly, along a line which forms an angle of 136°33'45" with the last described course, measured clockwise therefrom, 1068.40 feet; thence Southerly, along a line which forms an angle of 148°16'44" with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 8801248 on February 4, 1998; thence Southerly, along said Southerly Line which forms an angle of 89°39'40" with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northerly, along a line which forms an angle of 89°39'40" with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northeast Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of 107°48'12" with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

FLOODPLAIN STATEMENT:
The Subject property is located in Zone X (Areas of minimal flood hazard determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map Panels No. 17093C00087D and 17093C01000D with an effective date of February 4, 2009.

WETLANDS STATEMENT:
The National Wetlands Inventory Map depicts a wetlands in the Creek along the Southwest edge of the Subject Property classified as Riverine, Intermittent, Stream Bed and Seasonally Flooded.

SOILS (From Web Soil Survey)

60C2	LoRosa Silt Loom, 5%-10% slopes, eroded
134C2	Camden Silt Loom, 5%-10% slopes, eroded
145A	Soybrook Silt Loom, 0%-2% slopes
145B	Soybrook Silt Loom, 2%-5% slopes
198A	Elburn Silt Loom, 0%-2% slopes
327B	Fox Silt Loom, 2%-4% slopes
327C2	Fox Silt Loom, 4%-6% slopes, eroded
820E	Hennepin-Casco Complex, 12%-30% slopes
3082A	Millington Silt Loom, 0%-2% slopes, frequently flooded

NOTE: This property is commonly known as 10978 Crimmin Road.

BENCHMARK
BM = Top of Well Cap 14 feet East of Detached Garage on House Tract
Elevation = 616.86 NAVD1988

- SCALE 1"=60'
- Indicates Iron Stake Found
 - Indicates Iron Stake Set
 - Indicates Line of Fence
 - X Indicates Cross in Concrete
 - Indicates Soils Boundary
 - Indicates Contour Elevation
 - △△△ Indicates Tree Location and Size

Philip D. Young and Associates, Inc.
11078 South Bridge Street
Yorkville, Illinois 60550
Telephone (630)553-1500

LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

Plan prepared 12/07/18 per Client comments dated 12/05/18 regarding parking spaces, building area, and portable toilet and dumpster corner locations.

18197	BRIGHTERDAZE FARM	12/17/18
JOB NO.	JOB NAME	REVISION DATE
18197	BRIGHTERDAZE FARM	12/17/18

December 7, 2018

Brighter Daze Farm Landscaping Plan
SCALE: Not to Scale

BrighterDaze Farm
Landscaping Plan

DRAWN BY	CHECKED BY
ART	
PROJECT NUMBER	
DATE ISSUED	SCALE
07/29/21	N/A
SHEET NUMBER	

1.0

10978 Crimmins Rd • Newark, IL 60541

Matt,
The refund requested is \$388.00.

Pam Herber

Kendall County Planning, Building & Zoning
111 West Fox Street #203
Yorkville, IL. 60560
Phone: 630-553-4141

From: Brian Holdiman
Sent: Wednesday, July 7, 2021 8:12 AM
To: Pam Herber <pherber@co.kendall.il.us>
Cc: Matt Asselmeier <masselmeier@co.kendall.il.us>
Subject: FW: [External]Garage distance

Pam – Please process this refund

Respectfully,

Brian Holdiman

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

From: Brian Holdiman
Sent: Wednesday, July 7, 2021 8:11 AM
To: 'mark nichols'
Subject: RE: [External]Garage distance

We can refund – We just have to seek approval from a committee - They will meet August 9th – I will process your request

Respectfully,

Brian Holdiman

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

From: mark nichols
Sent: Wednesday, July 7, 2021 8:10 AM
To: Brian Holdiman <BHoldiman@co.kendall.il.us>
Subject: Re: [External]Garage distance

Brian I have permanently canceled my garage addition prices don't justify what I was going to gain from doing the project
What are the chances of getting some or all of my permits fees back
Thank you Mark Nichols



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: July 13, 2021

Re: Request from Michael Isadore to Renew a Special Use Permit at 15331 Burr Oak Road

In 1982, the Kendall County Board granted a special use permit for swimming lessons at 15331 Burr Oak Road (Ordinance 1982-2). Restriction #1 of this special use permit required annual renewal by the County Board/Committee.

On July 12, 2021, the property owner, Michael Isadore, submitted the attached email requesting the special use permit be renewed.

If you have any questions, please let me know.

MHA

ENC: Ordinance 1982-2

July 12, 2021 Email from Michael Isadore

Bad legal
think it is

Pt 01-33-400-005

ORDINANCE 82-2
AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

82-03

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

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 29th day of April, 1982, A.D., on the site described in the petition and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois that the petition be granted and the Zoning maps and ordinance be amended in the manner required by law; and

NOW THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be and it is hereby rezoned from A1, Agriculture District to ALSU for the purpose of setting standards and restrictions for swimming instruction classes, and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

That part of the Southeast Quarter of Section 33, Township 37 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of said Section 33; thence West on the South line of said Section, 952 feet to the center line extended Southeasterly of a public highway running Northwesterly through said quarter-section; thence North 34° 43' 30" West on the center line of said public highway and forming an angle of 53° 19' 30" as measured from West to North with the Southline of said Section 33, 1,992.9 feet to a point of beginning; thence North 55° 16' 30" East at right angles to the center line of said highway 315.15 feet; thence South 34° 43' 30" West, 372 feet to the point of beginning; in the Township of Little Rock, Kendall County, Illinois.

BE IT FURTHER ORDAINED that the above special use classification shall be expressly made subject to the following conditions:

1. Renewal annually by County Board/Committee.
2. Operations regulations:
 - a. Season June 1 thru August 31
 - b. Monday thru Saturday, 9 a.m. to 6 p.m.
3. Off street parking on north side of street only.
4. Copy of lease to be reviewed by County Board/Committee prior to Special Use approval.
5. No additional facilities be constructed as accessory uses to the Special Use without prior approval of County Board/Committee.
6. No concession structure be built and sales to be limited to pool users only. Health permit and sales tax reporting, enforced.
7. Pool can be leased to a non-profit organization only.

PASSED THIS 11th day of May, 1982.

Robert J. Cherry
Chairman, County Board of
Kendall County, Illinois

ATTEST:

Jean P. Brady
County Clerk

Matt Asselmeier

From: mike isadore [redacted]
Sent: Monday, July 12, 2021 1:02 PM
To: Matt Asselmeier
Subject: Re: [External]15331 BURR OAK RD SPECIAL USE PERMIT FOR SWIMMING LESSONS

Yes I would. Thank you so much for following up with that.

Michael Isadore [redacted]
[redacted]

Sent from my iPhone

On Jul 12, 2021, at 12:04 PM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Michael:

Do you wish to renew the special use permit for swimming lessons at your property at 15331 Burr Oak Road?

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: mike isadore [mailto:[redacted]]
Sent: Tuesday, September 10, 2019 7:13 PM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>
Subject: [External]15331 BURR OAK RD SPECIAL USE PERMIT FOR SWIMMING LESSONS

Hello Matt

I do wish to renew the special use of the pool on my property at 15331 burr oak road Plano IL 60545, PT-01-33-400-005 Please let me know if you need any further information from me, If possible can you please kindly confirm that you got this email.. Thank you very much and hope you have a great week.

Sincerely

Michael Isadore
property owner



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner
Date: July 29, 2021
Re: Proposed Intergovernmental Agreement Between Kendall County and the Village of Millbrook

The agreement between the Village of Millbrook and Kendall County allowing the County to provide Planning, Building and Zoning Department related services expires in September.

No changes from the previous contract are proposed.

During the current agreement period, the County conducted 2 investigations in Millbrook and issued 4 permits with 9 inspections.

The Village of Millbrook approved the proposal at their meeting in July.

A copy of the proposed Intergovernmental Agreement is attached.

Thanks,

MHA

ENC.: Clean Copy

INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF MILLBROOK
AND THE COUNTY OF KENDALL

THIS AGREEMENT, made this ____ day of September, 2021 by and between the VILLAGE OF MILLBROOK, a body corporate and politic, and the COUNTY OF KENDALL, a body corporate and politic, WITNESSETH:

WHEREAS, the Village of Millbrook was incorporated by act of the voters on November 5th, 2002, and

WHEREAS, Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*) permits units of local government to obtain or share services and to jointly contract, combine or transfer any power, privilege, function or authority among themselves, and

WHEREAS, the Local Land Resource Management Planning Act (50 ILCS 805/6) provides that a municipality and a County may enter into intergovernmental agreements for joint or compatible planning, local land resource management administration and zoning ordinance enforcement, and

WHEREAS, the Village of Millbrook adopted a Comprehensive Plan on August 22, 2009, and

WHEREAS, all the property located within the described boundaries of the Village of Millbrook have been heretofore subject to the building and zoning codes of the County of Kendall, and to the County Flood Plain, Soil Erosion and Stormwater Management Ordinances, and

WHEREAS, the parties desire to continue that relationship,

NOW, THEREFORE, it is hereby agreed as follows:

- 1) The above recitals are incorporated by reference as if fully set forth herein.
- 2) That the Village of Millbrook has by ordinance duly adopted the Zoning Ordinance of the County of Kendall, the Building Code of the County of Kendall, the Comprehensive Plan of the County of Kendall, the Subdivision Control Ordinance of the County of Kendall, the Countywide Stormwater Management Ordinances as its own and further agrees that any subsequent text amendments to said ordinances and plans as may be adopted by Kendall County from time to time shall be adopted and incorporated by the Village of Millbrook as its own.

3) That for the consideration of \$1 the receipt and sufficiency of which is hereby acknowledged, the County of Kendall agrees to continue administering the County Ordinances for the Village of Millbrook as described in Paragraph (2) above and in accordance with the procedures attached hereto as Exhibit A and incorporated herein by reference all of which have been duly adopted by the Village of Millbrook, and apply them to all properties located within the municipal boundaries of the Village of Millbrook.

4) In addition to the consideration set forth in Paragraph 3 above, the Village of Millbrook shall be responsible for all costs associated with the enforcement of the Zoning Ordinance of the County of Kendall, the Subdivision Control Ordinance of the County of Kendall, and the Countywide Stormwater Management Ordinance for cases within the boundaries of the Village of Millbrook. At the written request of the Village of Millbrook, Kendall County shall provide an estimated cost for investigating individual alleged violations. Upon approval of the cost estimate by the Village of Millbrook, Kendall County will conduct the necessary investigation and bill the Village of Millbrook accordingly. The Village of Millbrook shall reimburse the County of Kendall for any actual costs incurred acting on behalf of the Village of Millbrook as provided herein.

5) The Village of Millbrook shall defend with counsel of the County's own choosing, indemnify and hold harmless the County of Kendall, its past, present, and future board members, elected officials, insurers, employees and agents from and against any and all claims, liabilities, obligations, losses, penalties, fines, damages, and expenses and costs relating thereto including, but not limited to, attorney's fees and other legal expenses which the County, its board members, elected officials, insurers, employees and/or agents may sustain, incur or be required to pay arising in any manner out of the County's performance or alleged failure to perform its obligations pursuant to the Agreement.

6) That the Village of Millbrook shall secure, pay for and maintain throughout the period during which services are provided under this Agreement, general liability insurance with minimum limits of coverage equal to or greater than those limits maintained by the Village on the date of the execution of this agreement attached hereto as Ex. B and incorporated herein by reference. The Village's general liability coverage shall be primary coverage in circumstances of alleged or proved errors or negligence by the County or the County's employees, arising out of the County's performance or alleged failure to perform its obligations pursuant to this Agreement. The Village's coverage shall name the County of Kendall as an additional insured, with its members, representatives, officers, agents and employees. A certificate of insurance evidencing the required coverage and the appropriate additional insurer's endorsement shall be furnished to the County upon execution of this Agreement. Such insurance shall be modifiable or cancelable only upon written notice by registered mail, mailed to the County at least ninety (90) days in advance of such modification or cancellation. The Village shall furnish a copy of its insurance policies for examination by the County at any time upon demand of the County.

7) Kendall County shall maintain auto liability coverage for all County owned vehicles used by the County to perform its obligations pursuant to this Agreement. However, the Village of

Millbrook shall pay the full cost of the deductible incurred by the County for any auto insurance claims arising out of or related to the County's performance of its obligations pursuant to this Agreement.

8) That this Agreement shall be for a term of one (1) year, commencing on the date of execution hereof, subject to annual renewal by the parties at least 30 days before the anniversary date each year, said renewal to be in writing.

9) This Agreement may be terminated by either party upon 30 days' written notice to the other party.

10) This Agreement represents the entire Agreement between the parties and there are no other promises or conditions in any other Agreement whether oral or written. This Agreement supersedes any prior written or oral agreements between the parties and may not be modified except in writing acknowledged by both parties.

11) This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.

12) The County of Kendall and the Village of Millbrook each hereby warrant and represent that their respective signatures set forth below have been and are on the date of this Agreement duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

13) This Agreement shall be construed in accordance with the law and Constitution of the State of Illinois and if any provision is invalid for any reason such invalidations shall not render invalid other provisions which can be given effect without the invalid provision.

14) Any notice from either party to the other party hereto shall be in writing and shall be deemed served if mailed by prepaid certified mail addressed as follows:

Kendall County Administrator
111 West Fox Street
Yorkville, Illinois 60560

Village of Millbrook
PO Box 51
Millbrook, Illinois 60536

VILLAGE OF MILLBROOK

COUNTY OF KENDALL

BY: 

Village President- Jackie Kowalski

BY: _____

Chairman of Kendall County Board

ATTEST: 

Village Clerk

ATTEST: _____

Kendall County Clerk

Exhibit A

Procedure for Processing Zoning & Subdivision Cases For The Village Of Millbrook Under County/Municipal Intergovernmental Agreement

Under the terms of the intergovernmental Agreements executed between the Village of Millbrook and Kendall County, the County PBZ staff as well as the Kendall County ZPAC, Concept Review Committee, Regional Planning Commission, and Zoning Board of Appeals, will serve as the municipal staff and the municipal recommending bodies in providing the Village Board with recommendations on applications for zoning map amendments, Special Uses, subdivision plat approvals and zoning variance requests involving properties within the corporate boundaries or proposed for annexation into the corporate boundaries of the municipality. In each instance, the Village Board of the municipality shall be responsible for acting on the recommendations supplied and adopting any related ordinances approving such requests. The following outline shall be followed when filing and processing such applications:

1. Pre-Application Meeting:

Prior to the submission of any applications, the petitioner shall schedule a joint “pre-application” meeting with County staff and representatives of the affected municipality to review the proposed request and provide preliminary feedback as well as guidance regarding the steps involved in the processing of the application.

2. Filing of an Application:

- a.) Using the applicable application forms and handouts provided by the County, the petitioner will submit the requisite number of copies of application and supporting documents and plans along with all required fees to the Kendall County Planning Building and Zoning Department (PBZ).
- b.) Simultaneous to that filing, the applicant shall forward an original copy of the application forms along with a copy of all related plans and supporting documents to the Village Clerk of the affected municipality for creation of the Village’s Official file on the matter.

3. Review and Processing of Zoning Map Amendments and Special Uses:

- a.) Zoning Map Amendments and Special Uses, shall first be forwarded to the Zoning and Platting Advisory Committee (ZPAC) for review and recommendation. In addition to the regular attendees of the County’s ZPAC Committee, representatives from

Exhibit A

the affected municipality will be invited to participate as sitting members of the committee.

- b.) The PBZ staff will prepare a preliminary staff report and schedule the matter for review at the next available ZPAC meeting.
- c.) The County will prepare and post the required agendas and will forward a copy of the agenda and staff report to the affected Village Clerk for filing of the report and posting of the agenda in an approved municipal location.
- d.) After review by ZPAC, their recommendation shall be forwarded to the next available meeting of the Kendall County Regional Plan Commission (KCRPC) for conduct of a public meeting, review and recommendation.
- e.) All notices required per the Kendall County Zoning Ordinance and Plan Commission By-Laws shall be mailed and published prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.
- f.) The County shall forward copies of the agenda, staff report and minutes of the ZPAC meeting to KCRPC as well as the Clerk of the affected municipality along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application for inclusion the Official Village file.
- g.) The County shall post copies of the agenda as required per County policies.
- h.) The Village Clerk shall also be responsible for posting of the agenda in an approved municipal location.
- i.) Following review and recommendation by the Regional Plan Commission, petitions involving a zoning map amendment shall be forwarded to the next available meeting of the Kendall County Zoning Board of Appeals (ZBA) for the conduct of the formal Public Hearing on the zoning matter as well as a review of the findings of fact and development of a recommendation to be submitted to the Village Board for their consideration and action.
- j.) All notices required per State Statute, the County Zoning Ordinance and ZBA By-Laws shall be mailed and published prior

Exhibit A

to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.

- k.) The County shall be responsible for posting of the hearing sign on the affected property at least 15 days prior to the hearing.
- l.) The County shall forward copies of the agenda, staff report and copy of the minutes of the KCRPC meeting to the ZBA as well as to the Clerk of affected municipality for filing along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.
- m.) The County shall post copies of the ZBA agenda as required per County policies. The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.
- n.) If the application involves a request for a Special Use, the petition shall be forwarded to the next available meeting of the Kendall County Zoning Board of Appeals (ZBA) for the conduct of the formal Public Hearing on the Special Use as well as a review of the findings of fact and development of a recommendation to be submitted to the Village Board for their consideration and action.
- o.) All required notices required per State Statute and the County Zoning Ordinance shall be mailed and posted prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.
- p.) The County shall be responsible for posting of the hearing sign on the affected property at least 15 days prior to the hearing.
- q.) The County shall forward copies of the agenda, staff report and minutes of the KCRPC meeting to the ZBA as well as the Clerk of affected municipality for filing along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.
- r.) The County shall post copies of the agenda as required per County policies.
- s.) The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.

Exhibit A

- t.) Following review and recommendation by the ZBA, PBZ staff will forward to the appropriate Village Board a report summarizing all of the recommendations and actions taken by each of the review and recommending bodies along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.
- u.) Along with the report, PBZ staff will prepare a draft ordinance approving the requested map amendment or Special Use for action by the Village Board. The summary report and draft ordinance in addition to a copy of the minutes of the ZBA meeting shall be forwarded to the appropriate Village Clerk for filing and scheduling of the matter for action by the Village Board at the next available Board meeting.
- v.) In the event a related annexation hearing is required, the Clerk shall coordinate with the applicant to insure proper notice has been supplied and shall be responsible for the preparation and posting of Board's Agenda.
- w.) Following action by the Village Board, the Village Clerk shall submit certified copies of any ordinances adopted by the Board in approving the request, to the County Clerk for recording.
- x.) The Village Clerk shall also submit a copy of the ordinance(s) to the PBZ office for inclusion in the related case file.

4. Review and Processing of Preliminary and Final Subdivision Plats:

- a.) Preliminary and/or Final Plats, shall first be forwarded to the Zoning and Platting Advisory Committee (ZPAC) for review and recommendation. In addition to the regular attendees of the County's ZPAC Committee, representatives from the affected municipality will be invited to participate as sitting members of the committee.
- b.) The PBZ staff will prepare a preliminary staff report and schedule the matter for review at the next available ZPAC meeting.
- c.) The County will prepare and post the required agendas and will forward a copy of the agenda and staff report to the ZPAC members and the affected Village Clerk for filing of the report and posting of the agenda in an approved municipal location.

Exhibit A

- d.) After review by ZPAC, their recommendation shall be forwarded to the next available meeting of the Kendall County Regional Plan Commission (KCRPC) for conduct of a public meeting, review and recommendation.
- e.) All required notices required per the Kendall County Zoning Ordinance and Plan Commission By-Laws shall be mailed and published prior to the meeting by the petitioner.
- f.) The County shall forward copies of the agenda, staff report and a copy of the minutes of the ZPAC meeting to the KCRPC as well as the Clerk of affected municipality along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application for inclusion the Official Village file.
- g.) The County shall post copies of the agenda as required per County policies.
- h.) The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.
- i.) Following review and recommendation by the KCRPC, PBZ staff will prepare a report to the appropriate Village Board summarizing all of the recommendations and actions taken by each of the review and recommending bodies.
- j.) In addition to the summary the report, PBZ staff will prepare a draft ordinance approving the requested Preliminary and/or Final Plat for action by the Village Board. The summary report and draft ordinance shall NOT be forwarded to the appropriate Village Clerk for scheduling of the matter for action by the Village Board until such time as formal approval of the related preliminary and/or final engineering plans and or other supporting documents or agreements has been granted.
- k.) Once these approvals are received, PBZ staff will forward the summary report and draft ordinance in addition to a copy of the minutes of the KCRPC meeting to the appropriate Village Clerk along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.

Exhibit A

- l.) The Village Clerk shall then schedule the matter for action by the Village Board and prepare the related agendas for posting.
- m.) Following action by the Village Board, the Village Clerk shall submit certified copies of any ordinances adopted by the Board in approving the request, to the County Clerk for recording.
- n.) The Village Clerk shall also submit a copy of the ordinance(s) to the PBZ office for inclusion in the related case file.

5. Review and Processing of Zoning Variance:

- a.) Zoning Variances shall be forwarded to the next available meeting of the Kendall County Zoning Board of Appeals (ZBA) for the conduct of the formal Public Hearing on the matter as well as a review of the findings of fact and development of a recommendation to be submitted to the Village Board for their consideration and action.
- b.) All notices required per State Statute, the County Zoning Ordinance and ZBA By-Laws shall be mailed and published prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.
- c.) The County shall be responsible for posting of the hearing sign on the affected property at least 15 days prior to the hearing.
- d.) The County shall prepare and forward copies of the agenda and staff report to the ZBA as well as the Clerk of affected municipality for filing along with copies of any related plans, documents or supporting information submitted to the county by the petitioner in support of the application.
- e.) The County shall post copies of the agenda as required per County policies.
- f.) The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.
- g.) Following review and recommendation by the ZBA, the PBZ staff will forward a report summarizing the findings and recommendations made by ZBA along with copies of any related plans, documents or supporting information submitted to the

Exhibit A

county by the petitioner in support of the application. Along with the report, PBZ staff will prepare a draft ordinance approving the variance for action by the Village Board.

- h.) The summary report, draft ordinance and minutes of the ZBA meeting shall be forwarded to the appropriate Village Clerk for filing and scheduling of the matter for action by the Village Board at the next available Board meeting.
- i.) The Village Clerk shall be responsible for the preparation and posting of Board's Agenda.
- j.) Following action by the Village Board, the Village Clerk shall submit certified copies of any ordinances adopted by the Board in approving the request, to the County Clerk for recording.
- k.) The Village Clerk shall also submit a copy of the ordinance(s) to the PBZ office for inclusion in the related case file.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/16/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Illinois Municipal League Risk Management Association c/o Cannon Cochran Management Services, Inc. Towne Centre Building 2 East Main Street Danville, IL 61832	CONTACT NAME: Julia Reynolds PHONE (A/C No. Ext.): (217) 444-1199 E-MAIL ADDRESS: jreynolds@ccmsi.com FAX (A/C No.): (217) 477-6799														
INSURED VILLAGE OF MILLBROOK ATTN: STEVE MOELLER PO BOX 51 MILLBROOK IL 60536-0051	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A: Illinois Municipal League Risk Management Association</td><td></td></tr><tr><td>INSURER B:</td><td></td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Illinois Municipal League Risk Management Association		INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS																				
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJ-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:		[REDACTED]	1/1/2021	1/1/2022	<table border="1"><tr><td>EACH OCCURRENCE</td><td>\$ 1,000,000</td></tr><tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td>\$</td></tr><tr><td>MED EXP (Any one person)</td><td>\$</td></tr><tr><td>PERSONAL & ADV INJURY</td><td>\$</td></tr><tr><td>GENERAL AGGREGATE</td><td>\$</td></tr><tr><td>PRODUCTS - COMP/OP AGG</td><td>\$</td></tr><tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td>\$ 1,000,000</td></tr><tr><td>BODILY INJURY (Per person)</td><td>\$</td></tr><tr><td>BODILY INJURY (Per accident)</td><td>\$</td></tr><tr><td>PROPERTY DAMAGE (Per accident)</td><td>\$</td></tr></table>	EACH OCCURRENCE	\$ 1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	MED EXP (Any one person)	\$	PERSONAL & ADV INJURY	\$	GENERAL AGGREGATE	\$	PRODUCTS - COMP/OP AGG	\$	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000	BODILY INJURY (Per person)	\$	BODILY INJURY (Per accident)	\$	PROPERTY DAMAGE (Per accident)	\$
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PROPERTY DAMAGE (Per accident)	\$																									
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		[REDACTED]	1/1/2021	1/1/2022	<table border="1"><tr><td>EACH OCCURRENCE</td><td>\$ 7,000,000</td></tr><tr><td>AGGREGATE</td><td>\$ 16,000,000</td></tr></table>	EACH OCCURRENCE	\$ 7,000,000	AGGREGATE	\$ 16,000,000																
EACH OCCURRENCE	\$ 7,000,000																									
AGGREGATE	\$ 16,000,000																									
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$		[REDACTED]	1/1/2021	1/1/2022	<table border="1"><tr><td>E.L. EACH ACCIDENT</td><td>\$ 3,000,000</td></tr><tr><td>E.L. DISEASE - EA EMPLOYEE</td><td>\$ 3,000,000</td></tr><tr><td>E.L. DISEASE - POLICY LIMIT</td><td>\$ 3,000,000</td></tr></table>	E.L. EACH ACCIDENT	\$ 3,000,000	E.L. DISEASE - EA EMPLOYEE	\$ 3,000,000	E.L. DISEASE - POLICY LIMIT	\$ 3,000,000														
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E.L. DISEASE - EA EMPLOYEE	\$ 3,000,000																									
E.L. DISEASE - POLICY LIMIT	\$ 3,000,000																									
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input type="checkbox"/> N/A		[REDACTED]	1/1/2021	1/1/2022	<table border="1"><tr><td>per occurrence</td><td>250,000,000</td></tr></table>	per occurrence	250,000,000																		
per occurrence	250,000,000																									
A	PROP / IM / APD		[REDACTED]	1/1/2021	1/1/2022																					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

PROOF OF COVERAGE

CERTIFICATE HOLDER

VILLAGE OF MILLBROOK

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED RE

© 1988-2015 ACORD CORPORATION. All rights reserved.

To: Scott Koeppel, Kendall County
From: Julia Reynolds, IMLRMA Program Coordinator/Underwriter

Re: Intergovernmental Agreement Between the Village of Millbrook and the County of Kendall

The limits of liability currently provided to the Village of Millbrook with respect to General Liability and Public Officials Liability are as follows:

General Liability: \$8 million each occurrence/\$16 million annual aggregate
Public Officials Liability: \$8 million each occurrence/\$16 million annual aggregate

Coverage Limits provided by:

ILLINOIS MUNICIPAL LEAGUE RISK MANAGEMENT ASSOCIATION
500 E CAPITOL AVE – PO BOX 5180 – SPRINGFIELD, ILLINOIS 62705

Member: Village of Millbrook Agreement No: [REDACTED]

Coverage Period: from 12:01 a.m. CST on January 1, 2021
to 12:01 a.m. CST on January 1, 2022

NPDES Annual Evaluation Survey Questions
Kendall County

Public Education and Outreach

1. What topics are you interested in learning more about that the County could provide information on for the public? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
 - A. How to properly store and dispose of common household products such as fuel, oil, paint, etc.
Most Interested (1) Na-Au-Say (1) Oswego
Middle Interested
Least Interested (1) Lisbon
 - B. How to incorporate green infrastructure such as rain gardens, rain barrels, or permeable pavement onto my property to improve rainwater runoff.
Most Interested
Middle Interested (1) Lisbon
Least Interested (1) Na-Au-Say (1) Oswego
 - C. How to compost to reduce the amount of waste my household generates.
Most Interested (1) Lisbon
Middle Interested (1) Na-Au-Say (1) Oswego
Least Interested
2. Do you utilize the stormwater information listed on the County's website at <https://www.co.kendall.il.us/departments/planning-building-zoning/npdes?>
 - A. Yes
 - B. No (1) Na-Au-Say (1) Lisbon (1) Oswego
3. Do you find the stormwater information listed on the County's website helpful?
 - A. Yes
 - B. No
 - C. Do not utilize information on County Website (1) Na-Au-Say (1) Lisbon (1) Oswego

Public Participation/Involvement

1. Do you think the County offers enough volunteer opportunities for members of the community?
 - A. Yes
 - B. No
 - C. Not familiar with County volunteer opportunities (1) Na-Au-Say (1) Lisbon (1) Oswego

2. Do you utilize the volunteer opportunities information listed on the County's website at <https://www.co.kendall.il.us/departments/administration-services/volunteer-opportunities>?
 - A. Yes
 - B. No (1) Na-Au-Say (1) Lisbon (1) Oswego

3. Do you find the volunteer opportunities information listed on the County's website helpful?
 - A. Yes
 - B. No
 - C. Not familiar with County volunteer opportunities (1) Na-Au-Say (1) Lisbon (1) Oswego

4. What volunteer opportunities would you be interested in in participating in in the future? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
 - A. River clean-up
 - B. Electronic recycling
 - C. Household waste (fuel, oil, paint, etc.) recycling
 - Little Rock-
 - Bristol-
 - Oswego-Electronic recycling, Household waste recycling, River clean-up
 - Fox-
 - Kendall-
 - Na-Au-Say-Electronic recycling
 - Big Grove-
 - Lisbon-Household waste recycling, Electronic recycling, River clean-up
 - Seward-
 - Blank-

Illicit Discharge Detection & Elimination

1. If an illicit discharge is identified by a Township staff member or reported to the Township office, do you work with the County to get it removed?
 - A. Yes
 - B. No
 - C. Have not identified illicit discharge. (1) Na-Au-Say (1) Lisbon (1) Oswego

2. Do you feel the County is doing a sufficient job in identifying, tracking, and removing illicit discharges and non-stormwater discharges that are significant polluters within the County?
 - A. Yes
 - B. No
 - C. There have not been illicit discharges identified within my Township. (1) Na-Au-Say (1) Lisbon (1) Oswego

3. What can the County do to better identify and track illicit discharges?
- A. Perform more visual inspections at outfalls throughout the County.
 - B. Once an illicit discharge is identified perform more grab samples downstream of the location.
 - C. Both of the above. (1) Lisbon (1) Oswego
 - D. None of the above. (1) Na-Au-Say
 - E. Other:
-
-

Construction and Post-Construction Runoff Control

1. Do you feel that the County does an adequate job inspecting soil erosion and sediment control on construction sites within your township?
- A. Yes (1) Na-Au-Say (1) Lisbon (1) Oswego
 - B. No
 - C. There have not been construction projects within my Township during the past year.
2. What can the County do to better monitor soil erosion and sediment control issues on construction sites?
-
-

Pollution Prevention/Good Housekeeping

1. Do you feel the County provides adequate training to staff members to keep them informed on stormwater pollution prevention practices?
- A. Yes
 - B. No (1) Lisbon (1) Oswego
2. Do you feel the County is taking necessary measures to reduce flooding throughout the County?
- A. Yes
 - B. No (1) Na-Au-Say (1) Lisbon (1) Oswego

General comments or questions regarding Stormwater Management and/or NPDES requirements:

Township:_____

Name of Person Completing Survey (Optional):_____

Responding Townships:

Na-Au-Say

Lisbon

Oswego

	2019 Notes	2020 Notes	2021 Notes
Dispose Products			
Most Interested	7 4 From OS, LR, SE, LS, Fox	2 NAS and BG	2 NAS and OS
Middle Interested		1 BL	
Least Interested			1 LS
Incorporate Green Infrastructure			
Most Interested		1 OS	
Middle Interested	5 2 From OS, SE, LS, Fox	1 BL	1 LS
Least Interested	1 LR	2 NAS and BG	2 NAS and OS
Compost			
Most Interested			1 LS
Middle Interested		3 NAS BL and BG	2 NAS and OS
Least Interested	6 2 From OS, LR, SE, LS, Fox		
Utilize SW Info			
Yes	1 OS	1 OS	
No	7 3 From OS, LR, SE, LS, Fox	3 NAS, BL, and BG	3 NAS, LS, and OS
No Response			
SW Info Helpful			
Yes	2 OS and SE	1 OS	
No	4 2 From OS, LS, Fox	2 BL and BG	
Do Not Utilize	N/A	N/A	3 NAS, LS, and OS
No Response	3 OS, LR, SE	1 NAS	
Enough Volunteer Opportunities			
Yes	2 OS and SE	2 OS and BG	
No	5 2 From OS, LR, LS, Fox	1 NAS	
Not Familiar	N/A	N/A	3 NAS, LS, and OS
No Response	1 OS	1 BL	
Utilize Volunteer Opportunities			

Yes	1 SE	1 BL	
No	7 4 From OS, LR, LS, Fox	2 OS and BG	3 NAS, LS, and OS
No Response		1 NAS	
Volunteer Opportunities Helpful			
Yes	2 OS and SE	1 OS	
No	3 OS, LS, Fox	2 BL and BG	
Not Familiar	N/A	N/A	3 NAS, LS, and OS
No Response	3 2 From OS and LR	1 NAS	
River Clean-up			
	Least Popular Except in OS		Least Popular
Electronic Recycling			
	Most Popular		Most Popular in NAS and OS
Household Waste Recycling			
	Second Most Popular		LS
Work With County on Illicit Discharge			
Yes	2 2 From OS	1 OS	
No	0	0	
No Illicit Discharge	5 2 From OS, LR, SW, LS, and Fox	3 NAS BL and BG	3 NAS, LS, and OS
Sufficient Job			
Yes	1 OS	0	
No	0	0	
No Illicit Discharge	7 3 From OS, LR, SE, LS, Fox	4 OS, NAS, BL, and BG	3 NAS, LS, and OS
What Can County Do Better			
More Visual Inspections	0	1 BL	
More Grab Samples	1 SE	0	
Both of Above	5 3 From OS, LR, and LS	2 NAS OS	2 LS and OS
None of Above	0	1 BG	1 NAS
Other	Educate Public and Public Officials-Fox	0	
Soil and Erosion Inspections			

Yes	3 3 From OS	2 OS and BG	3 NAS, LS, and OS
No	2 LS and Fox	0	
No Construction Projects	2 LR and SE	2 NAS and BL	
What Can County Do Better	Work Closer with Township (OS) Enforce Maintenance of Silt Fences (Fox) Keep Sediment out of Road Ditches (LS)	No Responses	No Responses
Adequate Training			
Yes	3 2 From OS and SE	2 NAS and BG	
No	3 1 From OS, LR, and Fox	1 OS	2 LS and OS
No Response	1 OS	1 BL	1 NAS
Unaware of Training/No Training at Township	1 LS and Fox		
Necessary Steps to Reduce Flooding			
Yes	1 SE	1 BG	
No	6 3 From OS, LR, LS and Fox	3 NAS, OS, and BL	3 NAS, LS, and OS
No Response	1 OS		
Key			
OS-Oswego			
LR-Little Rock			
SE-Seward			
LS-Lisbon			
Fox			
NAS-Na-Au-Say			
BL-Blank			
BG-Big Grove			

MEET THE CODE OFFICIAL

**BRIAN HOLDIMAN - CODE OFFICIAL
UNINCORPORATED KENDALL COUNTY**

**NEW BUILD, RENOVATIONS,
UPGRADES, ADDITIONS, PLAN REVIEW**

**HE WILL BE AVAILABLE TO PROVIDE YOU WITH
ANSWERS TO QUESTIONS FOR YOUR UPCOMING
PROJECTS. COME ON IN AND ASK!!**

SATURDAY

9:00am – 12noon

07/31/2021

WHERE:

ACE HARDWARE

4500 IL Route 71

OSWEGO



**KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE MEETING**

Location • Location

• City, IL • ZIP

(630) 553-4141

Fax (630) 553-4179

AGENDA

Day, Month XX, 2021 – X:XX p.m.

CALL TO ORDER:

ROLL CALL: Elizabeth Flowers, Scott Gengler (Chairman), Judy Gilmour (Vice-Chair), Dan Koukol, and Robyn Vickers

APPROVAL OF AGENDA:

PUBLIC COMMENT:

NEW BUSINESS:

1. Introduction of Planning, Building and Zoning Department Staff
2. Overview of Zoning Ordinance
3. Overview of Noise Ordinance
4. Overview of Junk and Debris and Inoperable Vehicle Ordinances
5. Ordinance Enforcement Procedures

REVIEW VIOLATION REPORT:

REVIEW PRE-VIOLATION REPORT:

PUBLIC COMMENT:

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.

2021 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V21-001	Tanner/CTLTC FNV2871	02-34-253-005			R-3 RV violations-multiple	12/10/2020	6/18/2021			6/22/2021
V21-002	BO Transmissions	03-12-251-001	1214 Route 30 Aurora		Junk & Debris	7/13/2020	1/10/2021			1/11/2021
V21-003	Jeff Crisci	01-05-203-003	16388 Galeana Rd. Plano	Vil of Little Rock	Business w/o Zoning	12/10/2020	1/16/2021			2/2/2021
V21-004	VOID									
V21-005	Librado & Sharon Joaquin	03-27-377-015	2543 Simons Rd. Oswego		Building addition w/o permit	1/28/2021	3/5/2021			2/19/2021
V21-006	Antonio & Miriam Villaseñor	03-04-408-025	92 Longbeach Rd. Montgomery	Boulder Hill	Multiple Violations	2/16/2021	3/18/2021			3/23/2021
V21-007	Old Second National Bank	02-34-227-001	8027 Van Emmon Rd. Yorkville		Multiple Violations	1/8/2021	5/3/2021			7/21/2021
V21-008	Salvador Gomez	09-27-200-004	2511 Wildy Rd. Minooka		Business w/o Zoning	3/10/2021	4/10/2021			4/12/2021
V21-009	Domingo Padilla	03-12-204-015	46 Gastville St. Aurora	Gastville	Business w/o Zoning	3/26/2021	4/26/2021			
V21-010	Benjamin Aguilar	02-16-226-011	68 Hunter Ln. Bristol		Multiple Violations	3/29/2021	4/29/2021			4/27/2021
V21-011	Mario & Linda Jimenez	09-21-100-010	3579 Bell Rd. Minooka		Shed - No Permit	3/29/2021	4/29/2021			5/18/2021
V21-012	Jeff Matyska	01-25-456-005	4475 Mitchell Ct. Plano	Schaefer Woods	Business w/o Zoning	3/31/2021	4/30/2021			5/3/2021
V21-013	Elroy Ramirez	03-12-203-013	39 Gastville St. Aurora	Gastville	Business w/o Zoning	3/4/2021	6/7/2021			7/20/2021
V21-014	Luis Sanchez	03-12-203-011	29 Gastville St. Aurora	Gastville	Business w/o Zoning	3/4/2021	5/7/2021			7/21/2021
V21-015	Teofilo Quiroz	09-05-400-018	4080 Van Dyke Rd. Minooka		Fill in Floodplain	4/2/2021	5/7/2021			4/28/2021
V21-016	William & Kevin Graham	03-04-306-004	57 Circle Dr. E. Montgomery	Boulder Hill	Junk & Debris	3/30/2021	5/8/2021			4/19/2021
V21-017	VOID									
V21-018	Sharp Holdings	07-05-400-007	16100 Newark Rd.		Fence co-burning debris	3/31/2021	5/10/2021			6/3/2021
V21-019	Gutierrez,Deleus,	08-02-300-012	12830 Ashley Rd. Newark		Landscape business	5/4/2021	6/22/2021			6/1/2021
V21-020	Kawulich, Alison & Larry	02-35-380-002	5755 Fields Dr. Yorkville	FOFC	Prohibited Trailer parking	5/5/2021	6/4/2021			6/7/2021
V21-021	Doragon Properties Inc.	09-31-100-005	5681 Whitewillow Rd. Minooka		Special Use violation	5/17/2021	8/17/2021			
V21-022	VOID									
V21-023	Strever, Jason & Brooke	01-19-477-006	3868 Sandy Bluff Rd. Plano	Sugarbrook Estates	Obstructing water flow-fill	6/7/2021	7/23/2021			6/30/2021
V21-024	Wolfgang, Dirk & Janice	02-13-479-003	19 Center Dr. Oswego	Riverview Heights	Junk & Debris	3/22/2021				

→ Health Dept & SAO

→ Review
City of IL

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	9912 Millbrook Rd		Zoning Setback violations	12/3/2019	12/16/2019			12/17/2019
20-003	Gonzalez	03-09-152-019	14 Ridgfield 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			12/3/2020
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	Crisol	01-05-203-003	16388 Galena Rd		Prohibited Storage Business	3/4/2020	3/18/2020			8/5/2020
20-015	ERR 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	Inoperable Vehicle	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 Rd	Boulder Hill	Prohibited semi tractor parking	3/19/2020	4/2/2020			6/10/2020
20-024	Velasquez	01-20-357-018	84 Woodland Dr	Sugarbrook Estate	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			
20-026	Niles	08-02-402-002	94 Pletcher Dr	Plattville	Stormwater/Culvert built	6/18/2020	7/20/2020			
20-027	Hansel Ridge, LLC	09-13-200-002	195 Route 52		Multiple Violations	7/17/2020	9/22/2020			10/21/2020
20-028	King	03-04-378-039	43 Saugatuck Rd	Boulder Hill	Fence Violation	7/22/2020	8/22/2020			8/28/2020
20-029	Anitch	03-27-301-002	3195 Plainfield Rd		Sign - No permit	7/30/2020	8/29/2020			8/28/2020
20-030	Braves%Jarrett Realty	03-08-230-005	38 Old Post Rd	Boulder Hill	Pool - No permit	7/24/2020	9/3/2020			9/2/2020
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			1/21/2021
20-033	Oliver/Balog	03-26-300-007	Lot 22	Red Hawk Landing	Possible Gun Range	8/26/2020	9/28/2020			9/28/2020
20-034	Staudacher Family Trust	02-21-200-014	9155 Kennedy Rd		Stormwater Violation	9/16/2020	10/19/2020			10/16/2020
20-035	Wieschhaus	02-21-200-028			Stormwater Violation	9/21/2020	11/13/2020			11/19/2020
20-036	Marmolejo	03-08-253-007	10 Ashlawn Ave	Boulder Hill	Driveway - No Permit	10/7/2020	10/21/2020			12/10/2020
20-037	Briscoe	09-13-200-006	192 Route 52	see V20-027	Multiple Zoning Violations	10/20/2020	11/19/2020			12/14/2020
20-038	Plainfield Board of Education	06-23-200-004	Wheeler Rd		Multiple Zoning Violations	10/22/2020	11/22/2020			12/3/2020
20-039	Moreno, Luis & Cesario	09-09-100-002	13039 McKanna Rd		Trucking Business in A-1 zoning	10/22/2020	1/15/2021			1/11/2021
20-040	Martinez	03-05-432-007	13 Durango Rd	Boulder Hill	Landscape Bus/Commercial Vehicle InR-6	10/22/2020	1/8/2021			1/14/2021
20-041	Neal	03-04-456-001	3 Wenbley Rd	Boulder Hill	Prohibited Trailer parking	8/11/2020	11/28/2020			12/3/2020
20-042	Amwoza	03-09-155-021	303 Boulder Hill Pass	Boulder Hill	Junk & Debris/Prohibited Parking	7/13/2020	11/28/2020			1/14/2021
20-043	Cushing	03-04-306-007	63 Circle Dr. E	Boulder Hill	Prohibited Boat parking	9/10/2020	11/28/2020			12/1/2020
20-044	Seideman	03-04-303-014	10 Marnel Rd.	Boulder Hill	Inoperable Vehicle	9/25/2020	11/28/2020			12/3/2020
20-045	Vorin	02-35-312-002	7768 Madeline Dr	FOFC	Building w/o permit	10/26/2020	12/2/2020			11/10/2020
20-046	Ratu	02-27-328-007	56 Riverside Dr	Fox River Garden	Junk & Debris	8/11/2020	1/15/2021			12/28/2020
20-047	Whaley	02-35-380-005	5727 Fields Dr	FOFC	Prohibited camper parking	10/23/2020	12/2/2020			12/3/2020
20-048	Moran	03-04-476-019	93 Longbeach Rd	Boulder Hill	Inoperable Vehicles	7/7/2020	12/2/2020			2/16/2021

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2019 VIOLATIONS

19-049	Martinez	03-12-100-004	1038 Harvey Rd		Multiple Violations	5/13/2019	8/1/2019		2/27/2020	6/3/2019
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 Cebohd 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 Cebohd 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	5/29/2019			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	Sillas	03-08-280-029	7 Fieldcrest Dr	Boulder Hill	Prohibited Boat parking	5/16/2019	5/30/2019			6/3/2019
19-060	Myles	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/Barra	03-04-326-006	54 Marnel Rd.	Boulder Hill	Prohibited Boat parking	5/16/2019	8/19/2019			8/28/2019
19-063	Reihert	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	5886 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 Lughandle Rd	Langeland's	Trucking Business Prohibited	6/4/2019	7/26/2019			7/23/2019
19-075	Brooks	03-04-177-023	16 Ingleshire Rd	Boulder Hill	Inoperable Vehicle	6/5/2019	7/15/2019			6/11/2019
19-076	Gallegos	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 parked 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	6/21/2019	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			7/11/2019
19-087	Malley 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 Ridgefield Rd	Boulder Hill	Prohibited RV Parking	7/10/2019	7/20/2020			12/16/2019
19-089	Urfanova	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.		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	Boff	03-04-328-013	50 Longbeach Rd	Boulder Hill	Prohibited Boat Parking	7/24/2019	8/7/2019			8/8/2019
19-097	McNeilly	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 Wyncham Dr	Boulder Hill	Multiple Violations	7/25/2019	10/25/2019			11/5/2019

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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

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PRE-VIOLATION REPORT
2021

Date Opened	Parcel #	Address	Subdivision	Description of Complaint	Inspection Date	Comments	F/U/P	Closed	Violation
12/1/2020	03-08-280-022	8 Barclay Ct. Montgomery	Boulder Hill	Animal's living in shed	12/3/2020	No evidence of animals		12/3/2020	N
12/3/2020	03-04-454-020	73 Saugatuck Rd	Boulder Hill	House Fire	12/3/2020	Applied for BP #19-2021-016	1/5/2021	12/3/2021	N
12/8/2020	02-34-176-003	34 Riverside St. Yorkville	Fox River Gardens	Remodeling w/o permit-bus out of home	12/8/2020	Remodeling permit not required		12/8/2020	N
12/9/2020	09-33-300-003	3526 Holt Rd. Minooka		Remodeling business - Rustic Roots	12/16/2020	Not enough evidence		12/16/2020	N
12/14/2020		8045 Van Emmon Rd. Yorkville	Hideaway Lakes Campground	No water for 4 days		Referred to II Dept of Health		12/15/2020	N
1/7/2021	02-27-401-002	8045 Van Emmon Rd. Yorkville		Construction - no permit	1/14/2021	New Owner-cosmetic work		1/14/2021	N
1/12/2021	03-05-433-014	32 Seneca Dr. Montgomery	Boulder Hill	Garage Fire	1/17/2021	Applied for BP 03-2021-020		1/14/2021	N
1/14/2021	02-34-276-003	8042 Van Emmon Rd.		Shed building w/o permit	1/18/2021	2nd shed	2/21/2021	3/24/2021	N
2/5/2021	03-08-202-005	48 Fernwood Dr. Montgomery	Boulder Hill	Trailer in driveway	2/11/2021	Trailer not in setback area		2/16/2021	N
2/9/2021	03-04-153-016	53 Fernwood Rd. Montgomery	Boulder Hill	Trailers parked in front yard setback	3/15/2021	Trailer is gone		3/15/2021	N
3/2/2021	01-16-401-004	96 N. Linden Dr. Plano	Meyersbrook	Shed-fence encroachment on neighbor	3/12/2021	Only the Fence encroaches-civil matter		3/15/2021	N
3/2/2021	01-19-301-005	17879 Frazier Rd. Sandwich	Lett	Autobody shop business	3/12/2021	Hobby - Appl Home Occupation		4/6/2021	N
3/2/2021	04-31-200-007	11090 Cimmis Rd. Newark		Junk/Trash all over	3/9/2021	Trash pit	3/25/2021	4/6/2021	N
3/2/2021	01-05-203-003	16388 Galeana Rd. Plano	FOFC	Midwest Storage business	3/9/2021	Several containers have returned	4/1/2021	5/3/2021	N
3/11/2021	02-35-401-001	5617 Fields Dr. Yorkville		Possible remodel w/o permit	3/18/2021	Water damage - Cosmetic repair		3/23/2021	N
3/15/2021	03-20-400-018	3842 Grove Rd. Oswego		Possible Business	3/18/2021	Unable to confirm-no sign or website		3/30/2021	N
3/22/2021	03-01-331-001	03-01-331-001		Homeless Camp	3/24/2021	City of Aurora		4/8/2021	N
3/23/2021	03-05-326-005	716 Route 25 Oswego	Sunset View Estates	Fence in front yard	4/22/2021	Closed per BLH		4/22/2021	N
3/25/2021	03-04-428-006	1172 Heathgate Rd.	Boulder Hill	RV Parked in R/F/yard setback	3/25/2021	Trailer is gone		4/2/2021	N
3/29/2021	03-08-303-001	117 Dolores St. Oswego	Shore Heights	Possible Business-Trailers - Inop Vehicles	4/2/2021	Trailer and vehicles removed		5/3/2021	N
3/30/2021	08-26-300-006	7645 Whitwill Rd. Minooka		Barn Addition - No permit	4/2/2021	Closed - Incorrect parcel		4/20/2021	N
3/30/2021	09-04-300-005	3610 Van Dyke Rd. Minooka		New Structure/Inoperable Vehicle	4/2/2021	Meeting w/ Brian	4/14/2021	4/14/2021	N
3/30/2021	03-07-431-008	119 Dolores St. Oswego	Shore Heights	Inoperable Vehicles/Junk & Debris	4/2/2021	See notes- no violations seen		4/21/2021	N
3/30/2021	03-07-429-014	134 Dolores St. Oswego	Shore Heights	Inoperable Vehicles	4/2/2021	Vehicles are operable by definition	4/28/2021	4/28/2021	N
3/30/2021	03-08-303-007	105 Dolores St. Oswego	Shore Heights	Inoperable Camper	4/2/2021	Inoperable Camper		6/5/2021	N
4/5/2021	03-35-451-002	1400 Plainfield Rd	County Clerks	Rental Unit - Horses in R3	4/7/2021	Renter moved out-closed	4/19/2021	4/19/2021	N
4/5/2021	03-04-455-007	68 Saugatuck Rd	Boulder Hill	Non compliant 8 ft fence	4/8/2021	Filed for variance-denied-fence was shortened	6/3/2021	7/21/2021	N
4/6/2021	05-18-400-011	8756 E. Highpoint Rd.		Operating a landscaping bus/Junk& Debris	4/21/2021	Inspected property-net w/owner	4/9/2021	4/27/2021	N
4/8/2021	03-05-404-030	11 Greenfield Rd.	Boulder Hill	Fill being placed - Dump trucks	4/8/2021	Replacement of existing		4/8/2021	N
4/9/2021	02-34-130-004	55 Riverside St	Fox River Gardens	Multiple violations	4/14/2021	No piles over 3ft seen		4/14/2021	N
4/13/2021	03-04-151-007	56 Fernwood Rd.	Boulder Hill	Trailer in driveway	4/15/2021	Trailers and junk removed		4/19/2021	N
4/13/2021	02-35-380-012	7584 Madeline Dr.	Fields of Farm Colony	Trailer in front yard setback	4/15/2021	Left paperwork N/A	5/24/2021	5/24/2021	N
4/13/2021	03-04-180-002	115 Fernwood Rd.	Boulder Hill	Business operating out of residence	4/15/2021	N/A Trailer in dirt	5/24/2021	5/24/2021	N
4/14/2021	03-12-204-002	4 Gastville St.	Gastville	Landscaping business out of residence	3/28/2021	Allowed in M-1 zoning		4/28/2021	N
4/14/2021	03-12-204-009	38 Gastville St.	Gastville Acreage	Business operating out of residence	5/3/2021	No evidence of business		5/4/2021	N
4/14/2021	03-12-204-006	24 Gastville St.	Gastville	Business operating out of residence	4/28/2021	Grandfathered permitted use R-3		4/28/2021	N
4/14/2021	03-12-203-009	17 Gastville St.	Gastville	Chickens in R-3 zoned property	4/28/2021	Unable to view chickens		4/28/2021	N
4/14/2021	03-12-203-015	3 Gastville St.	Gastville	Karnes Construction business in R-3	4/28/2021	Storage of personal truck in bldg		4/28/2021	N
4/14/2021	03-12-204-014	47 Gastville St.		Painting business in R-3 zoning	4/28/2021	Home Occupation		4/28/2021	N
4/14/2021	03-12-204-004	22 Gastville St.	Gastville Acreage	Curtis Garage business in R-3 zoning	4/28/2021	Home Occupation		4/28/2021	N
4/14/2021	03-12-204-005	26 Gastville St.	Gastville Acreage	Andeles Landscaping business	5/30/2021	Removed from residence	7/2/2021	6/16/2021	N
4/15/2021	09-18-300-016	804 McHugh Rd. Minooka		Burning landscape business debris	4/15/2021	Gate - Nelly Landscaping	5/30/2021	6/28/2021	N
4/15/2021	02-28-403-005	804 McHugh Rd. Yorkville		Junk & Debris	4/15/2021	No Junk & Debris seen		4/19/2021	N
4/15/2021	02-29-300-008	River Rd.		Gunfire at campground	4/13/2021	Not a violation of SU Permit		4/23/2021	N
4/20/2021	02-01-300-008	Garza, Oscar & Juanita	Probst	Junk & Debris - weeds	5/3/2021	Bristol Township matter		5/10/2021	N
4/27/2021	03-07-403-001	100 blk of Heathgate (171)	Boulder Hill	Structure Fire	4/26/2021	Pics taken	7/1/2021		
4/28/2021	02-35-413-021	187 Dolores St. Oswego	Shore Heights	Junk & Debris	5/30/2021	Scrap metal in driveway - met w Brian		6/3/2021	N
4/28/2021	04-09-200-002	5847 Audrey Ave Yorkville	FOFC	Deck construction w/o permit	4/28/2021	Remodeling permit not required		4/28/2021	N
4/28/2021	03-09-108-005	7119 Fox River Dr.	Millbrook	Granite company	4/30/2021	Display and stone are gone		5/18/2021	N
4/28/2021	09-23-200-011	136 Circle Drive E, Montgomery	Boulder Hill	Inoperable Vehicle	5/30/2021	Vehicle is operable		6/3/2021	N
4/28/2021	09-23-200-011	15423 Ridge Rd. Minooka		Dumping of debris and burning on site	7/4/2021	Dicn't see active burning or dumping		7/6/2021	N
5/4/2021	03-31-477-004	16 Chilipeva Dr. Oswego	Na-Au-Say Woods	Abandoned Property	5/5/2021	Referred to Oswego Township		5/5/2021	N
5/4/2021	02-13-478-005	39 w Pleasantview Dr. Oswego	Riverview Hts	Horse in R-3 Zoning	5/9/2021	No Horse observed		5/10/2021	N

2021

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KENDALL COUNTY HISTORIC PRESERVATION COMMISSION

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

July 22, 2021

Dear County Board Members,

On behalf of the members on the Kendall Historic Preservation Commission, I would like to invite you to a meeting of Kendall County historic preservation organizations on **August 16, 2021**, at **6:30 p.m.**, at the Kendall County Historical Society at Lyon Farm (7935 Route 71, Yorkville).

The purpose of this meeting is to explore collaborative opportunities between historic preservation groups in Kendall County and to receive updates on the activities of local historic preservation groups coming out of the pandemic.

This meeting will be in-person attendance only; a remote attendance option will not be provided.

Please share this information with members of your boards and other parties that share our interest in historic preservation.

If you have any questions regarding this event, please contact Matt Asselmeier at 630-553-4139 or masselmeier@co.kendall.il.us

We hope to see you on August 16th.

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	1	\$950,000	\$7,035	\$4,135
Garage	1	\$30,000	\$0	\$0
Accessory Buildings	7	\$84,137	\$881	\$0
Additions	3	\$155,200	\$1,196	\$0
Remodeling	1	\$260,000	\$285	\$0
Swimming Pools	3	\$186,168	\$600	\$0
Decks	2	\$70,000	\$400	\$0
Electrical Upgrades	1	\$3,379	\$200	\$0
Driveway	1	\$6,000	\$200	\$0
Fire Restoration	1	\$140,000	\$560	\$0
Generator	1	\$7,350	\$110	\$0
Solar	6	\$129,546	\$1,500	\$0
	28	\$2,021,780	\$12,967	\$4,135

2020 YTD - 25 Houses
 195 Permits
 July 2020 - 6 Houses
 40 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	16	3	3	3	0	4	2	1	0	0	0	0	0
Garage	6	1	0	1	2	1	0	1	0	0	0	0	0
Accessory Buildings	45	3	2	3	11	9	10	7	0	0	0	0	0
Additions	15	1	2	2	3	1	3	3	0	0	0	0	0
Remodeling	8	0	1	3	1	0	2	1	0	0	0	0	0
Commercial - M Zone	10	0	0	1	3	6	0	0	0	0	0	0	0
Commercial - B Zone	10	0	0	1	0	1	8	0	0	0	0	0	0
Barns/Farm Buildings	8	0	0	0	2	3	3	0	0	0	0	0	0
Signs	2	0	0	0	0	1	1	0	0	0	0	0	0
Swimming Pools	28	0	3	8	7	2	5	3	0	0	0	0	0
Decks	12	0	0	0	2	3	5	2	0	0	0	0	0
Demolitions	11	2	0	2	3	3	1	0	0	0	0	0	0
Electrical Upgrades	5	1	0	0	1	2	0	1	0	0	0	0	0
Change in Occupancy	2	0	0	2	0	0	0	0	0	0	0	0	0
Driveway	6	0	0	1	1	2	1	1	0	0	0	0	0
Fire Restoration	3	1	0	1	0	0	0	1	0	0	0	0	0
Patio	7	0	0	0	2	4	1	0	0	0	0	0	0
Wind Turbine	2	0	0	0	2	0	0	0	0	0	0	0	0
Generator	10	2	0	4	2	0	1	1	0	0	0	0	0
Solar	14	1	0	2	3	0	2	6	0	0	0	0	0
	220	15	11	34	45	42	45	28	0	0	0	0	0

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
3/16/2021	012021054	01 House	06-08-101-020 IVEC MARTIN & KATHRYN S	7301 JOYCE CT OSWEGO, IL 60543-	GROVE ESTATES	
3/16/2021	012021053	01 House	06-08-101-027 MORRIS PATRICK J & MICHELE R	7251 JOYCE CT OSWEGO, IL 60543-	GROVE ESTATES	
3/4/2021	012021033	01 House	02-35-414-009 GRUNT DENNIS	7576 THORNHILL CT. YORKVILLE, IL. 60560	ROSEHILL	CL DESIGN BUILD, INC.
2/23/2021	012021030	01 House	06-02-300-006 TOM & ROBIN KEOUGH	1915 JOHNSON ROAD OSWEGO, IL. 60543		SAME
6/22/2021	012021198	01 House	06-02-102-002 HANNEY RYAN P & THOMAS DANA R	6145 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	SG HOME BUILDERS
6/16/2021	012021182	01 House	02-21-200-028 WIESCHHAUS KRISTOPHER T & LUNITA ADV KA	9261 KENNEDY RD YORKVILLE, IL 60560-		
3/9/2021	012021029	01 House	09-21-100-009 WOOLVERTON BRADY & DEVAN	3549 BELL RD MINOOKA, IL 60447-		
1/28/2021	012021023	01 House	06-05-393-002 BRAD & DIANA SELLERS	4565 WAAKEESHA DR OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 2	REVOLUTION BUILDERS CONSTRUCTION, LLC
5/24/2021	012021144	01 House	02-35-413-012 GACH MICHAEL P & CHERYL D	7372 GILDA COURT YORKVILLE, IL. 60560	FIELDS OF FARM COLONY UNIT 4	BRAD DRENDEL BUILDERS, INC.
6/4/2021	012021154	01 House	06-06-450-002 MCCUE BUILDERS INC.	5613 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	SAME
3/11/2021	012021051	01 House	04-21-102-004 MINELLI JOHN M & HEATHER K	9253 CHATHAM PL NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	OWNER

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Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
5/11/2021	012021136	01 House	08-19-300-007	REHBERG LOGAN J & DANIELLE A	15924 LISBON ROAD NEWARK, IL. 60541		
1/21/2021	012021021	01 House	08-03-200-002	PEARCE KIMBERLY A & KENDALL	12307 ASHLEY RD NEWARK, IL 60541-		BUILD SIMPLY MODERN
2/11/2021	012021025	01 House	06-08-126-005	MCCUE BUILDERS INC	7206 FITKINS DR OSWEGO, IL 60543-	ESTATES OF FOX CHASE UNIT 3	MCCUE BUILDERS, INC.
5/25/2021	012021143	01 House	05-12-220-005	FALCONE ANTHONY & SHARI	6332 VALLEYVIEW CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	DWELL HOMES
3/3/2021	022020103	02 Garage	03-15-151-001	GERACE PAUL J & AYMEE	2996 WOLF RD OSWEGO, IL 60543-		HOMEOWNER
1/29/2021	022021026	02 Garage	05-17-200-003	KAYTANA PROPERTIES LLC AMENT	10021 AMENT RD YORKVILLE, IL 60560-		LESTER BUILDINGS
4/21/2021	022021098	02 Garage	01-16-476-003	WOLF TRENT	39 S LINDEN DR PLANO, IL 60545-	MEYERBROOK UNIT 5	OWNER
3/3/2021	022021040	02 Garage	02-14-426-004	BROOKER LISA R	100 RICKARD DR OSWEGO, IL 60543-		COUNTRYSIDE BARNS
4/23/2021	022021105	02 Garage	04-16-350-009	FORDYCE ANDREW J & GILL A	8855 KIMBALL CT NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 1	COACH HOUSE GARAGES
6/3/2021	022021162	02 Garage	05-08-352-006	HAGOS YONAS A & KRISTEN A	7912 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	REINERT STRUCTURES
7/15/2021	032021227	03 Accessory Buildings	01-26-300-032	JOHNSON CARL E & JOANNE M	4677 NEEDHAM RD PLANO, IL 60545-		EVERLAST (BOONDOCKS BARNS)

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Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
7/8/2021	032021217	03 Accessory Buildings	05-07-328-002 SAAR MICHAEL & DAYLE	14 TIMBERCREEK DR YORKVILLE, IL 60560-	TIMBER CREEK SUB	
7/1/2021	032021209	03 Accessory Buildings	01-25-456-009 DECRANE TOMMY C & EILEEN M	4492 MITCHELL CT PLANO, IL 60545-	SCHAEFER WOODS SOUTH UNIT 3	ARROWHEAD BRICK PAVERS, INC.
6/21/2021	032021196	03 Accessory Buildings	02-21-151-002 FELTES JAMES A & RITAL	4 PATRICIA LN YORKVILLE, IL 60560-	RICHARDS BLACKBERRY ESTATES	CLEAN EDGE CONSTRUCTION
6/1/2021	032021156	03 Accessory Buildings	02-14-428-011 MESSENGER NATHAN L & KENDALL P	27 E RICKARD DR OSWEGO, LYNNWOOD EXTENSION 3 IL 60543-		
5/11/2021	032021132	03 Accessory Buildings	09-23-400-006 DAVIS CARLOS & TRACY	15875 RIDGE RD MINOOKA, IL 60447-		
7/15/2021	032021223	03 Accessory Buildings	02-11-300-025 GUTIERREZ MICKEY	1729 KENNEDY RD BRISTOL, IL 60512-		WICK BUILDINGS
4/7/2021	032021080	03 Accessory Buildings	03-04-302-003 MALIORIS GEDIMINAS & MICHELLE	22 HAMPTON RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 4	TUFF SHED
6/29/2021	032020251	03 Accessory Buildings	06-02-102-002 HANAY RYAN P & THOMAS DANA R	6145 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	MORTON BUILDINGS INC
3/8/2021	032021049	03 Accessory Buildings	05-19-300-003 CARLSEN BRIDGET A & BLAGG TAMMY	9950 LISBON RD YORKVILLE, IL 60560-		BOB LEE CONSTRUCTION
6/4/2021	032021142	03 Accessory Buildings	06-02-103-007 ESPOSITO PATRICK A	6127 DOVER CT OSWEGO, IL SOUTHFIELD ESTATES 60543-		
2/23/2021	032021032	03 Accessory Buildings	06-02-300-006 TOM & ROBIN KEOUGH	1915 JOHNSON ROAD OSWEGO, IL. 60543		

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Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
4/6/2021	032021077	03 Accessory Buildings	04-21-102-004	MINELLI JOHN M & HEATHER K	9253 CHATHAM PL NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	SAME
4/7/2021	032021079	03 Accessory Buildings	03-04-302-003	MALIORIS GEDIMINAS & MICHELLE	22 HAMPTON RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 4	TUFF SHED
2/11/2021	032021028	03 Accessory Buildings	03-17-127-001	SAMBORSKI WAYNE & CANDACE	4670 MILL RD OSWEGO, IL 60543-	HERRENS RIVERVIEW ADDN	TUFF SHED, INC.
4/29/2021	032021118	03 Accessory Buildings	06-06-276-006	WARPINSKI FAMILY	8 IROQUOIS CT OSWEGO, IL 60543-	NA-AU-SAY WOODS UNIT 2	COACH HOUSE GARAGES
5/5/2021	032021120	03 Accessory Buildings	02-29-281-001	SULLIVAN CHARLES P & SHARON P	1204 PRAIRIE LN YORKVILLE, IL 60560-	COUNTRYSIDE SUB UNIT 2	
5/4/2021	032021117	03 Accessory Buildings	05-07-451-016	PRIDEMORE CHARLES L & NISHA M	146 TIMBERCREEK DR YORKVILLE, IL 60560-	TIMBER CREEK SUB	TUFF SHED
6/15/2021	032021172	03 Accessory Buildings	04-21-127-001	RIZZO ANTHONY C & JANNETTE K	15796 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	
4/28/2021	032021114	03 Accessory Buildings	03-08-303-004	CHESSER, LLOYD	111 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	TUFF SHED
6/15/2021	032021171	03 Accessory Buildings	05-07-452-004	HANSEN JEFFREY L & KAY L	11130 C LEGION RD YORKVILLE, IL 60560-		CLEARLY BUILDINGS CORP.
6/4/2021	032021168	03 Accessory Buildings	02-22-126-005	THORSON TODD JOSEPH & NANCY ANN	18 LAKEVIEW DR YORKVILLE, IL 60560-	BRISTOL LAKE SUB	CLEARLY BUILDING CORP.
5/5/2021	032021121	03 Accessory Buildings	04-08-400-002	MILLBROOK HUNTING CLUB	7609 WHITFIELD RD NEWARK, IL 60541-		

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Issue Date	Permit ID	Permit Category	Parcel Number	Property Address	Subdivision	Contractor Name
4/21/2021	032021100	03 Accessory Buildings	03-35-352-003 VAN METER LAWRENCE G & ORTIZ KATHY ANN D	6051 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	TUFF SHED
5/4/2021	032021122	03 Accessory Buildings	03-13-400-005 RODRIGUEZ, HECTOR	227 RANCE RD OSWEGO, IL 60543-		
5/26/2021	032021161	03 Accessory Buildings	04-36-300-011 TALLEY CHRISTIAN J & NICOLE P	11526 HELMAR RD, NEWARK, IL. 60541		BOB LEE CONSTRUCTION
3/23/2021	032021059	03 Accessory Buildings	01-19-426-007 WOODS JEFFREY J & RAQUEL L	25 HUNTSMEN DR PLANO, IL 60545-	HUNTSMEN TRAILS SUB	
4/28/2021	032021112	03 Accessory Buildings	02-16-226-011 AGUILAR BENJAMIN A	68 HUNTER LN BRISTOL, IL 60512-	BRISTOL WOODS UNIT 2	
5/11/2021	032021130	03 Accessory Buildings	02-35-301-003 GALARZA RICARDO	339 AUSTIN CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY TUFF SHED INC. UNIT 1	
5/26/2021	032021158	03 Accessory Buildings	02-27-302-003 MILLER THOMAS	118 TUMA RD YORKVILLE, IL 60560-		
7/2/2021	032021176	03 Accessory Buildings	05-08-402-005 ARCHBOLD EDGAR E & AELITA	6 JULIUS CT YORKVILLE, IL 60560-	RONHILL ESTATES	
3/23/2021	032021061	03 Accessory Buildings	01-20-352-007 WHITEIS ROBERT H & SANDRA L LIV TRUST	174 WOODLAND DR PLANO, IL 60545-	SUGAR BROOK ESTATES UNIT 3	
6/30/2021	032021208	03 Accessory Buildings	02-36-300-015 TODUS JOHN K & THERESA A	5600 MINKLER RD YORKVILLE, IL 60560-	SQUAW VALLEY UNIT 2	
4/29/2021	032021009	03 Accessory Buildings	08-12-102-008 WEST ROGER J & SUSAN A	6787 CHICAGO RD YORKVILLE, IL 60560-		CLEARY BUILDING CORP.

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Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
4/7/2021	032021082	03 Accessory Buildings	03-07-426-001	BIENEMAN RICHARD J & SUSAN M	104 AUGUSTA RD OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	
4/6/2021	032021078	03 Accessory Buildings	09-05-400-021	PRODEHL JAMIE & JILLIAN	4405 VAN DYKE RD MINOOKA, IL 60447-		WICK BUILDINGS
7/15/2021	032021224	03 Accessory Buildings	06-05-151-005	LYNCH CHRISTINA J & MICHAEL T	59 W TIMBERLAKE TRL OSWEGO, IL 60543-	ARROWHEAD HILLS UNIT 2	
1/14/2021	032021020	03 Accessory Buildings	03-05-432-014	OLD SECOND NATIONAL BANK	32 SENECA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	BOB LEE CONSTRUCTION
6/9/2021	032021170	03 Accessory Buildings	02-31-477-002	BURKE KAREN	18 W BIRCH CT YORKVILLE, IL 60560-	FOXLAWN UNIT 1	
1/13/2021	032021015	03 Accessory Buildings	03-32-352-007	MAECHTLE STEPHEN J & CASINO PAMELAD	63 TOMAHAWK TRL OSWEGO, IL 60543-	ARROWHEAD HILLS	
4/7/2021	042021081	04 Additions	04-02-226-011	BRUCK RONALD & KATHERINE	6087 POLO CLUB DR YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS PHASE 3	JOEL M SPEARS
4/21/2021	042021092	04 Additions	05-17-300-011	HANSEN KEVIN & RACHEL	8945 A IMMANUEL RD YORKVILLE, IL 60560-		T4 CONSTRUCTION INC.
4/5/2021	042021065	04 Additions	04-21-400-001	THANEPOHN DOUGLAS & GAYLE N	9933 MILLBROOK RD NEWARK, IL 60541-		WATER THRU FIRE HOME RESTORATION
2/23/2021	042021038	04 Additions	02-23-202-021	ARRIAGA JESUS & IMELDA A	7424 ROUTE 34 OSWEGO, IL 60543-		
2/19/2021	042021036	04 Additions	03-27-377-015	JOAQUIN LIBRADO & SHARON	2543 SIMONS RD OSWEGO, IL 60543-		

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Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
1/4/2021	042021012	04 Additions	02-35-380-009	PHILLIPS MATT & TONYA	5653 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
7/29/2021	042021231	04 Additions	06-14-100-012	PRIORELLO JACLYN C & HASELTINE STANLEY	1650 ROUTE 126 PLAINFIELD, IL 60544-		
6/16/2021	042021181	04 Additions	02-14-426-006	ENTILE MATTHEW R	86 W RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 5	
7/2/2021	042021179	04 Additions	05-08-402-005	ARCHBOLD EDGAR E & AELITA	6 JULIUS CT YORKVILLE, IL 60560-	RONHILL ESTATES	
6/16/2021	042021175	04 Additions	04-34-100-001	STANDARD BANK & TRUST CO	14905 HUGHES RD NEWARK, IL 60541-		
7/16/2021	042021221	04 Additions	02-15-476-001	WOLF TROY J & RENAE E	2820 BRISTOL RIDGE RD BRISTOL, IL 60512-	STRUKELES PARADISE LAKE UNIT 1	MI-TER BUILT HOMES, INC.
5/25/2021	042021152	04 Additions	02-21-151-016	GREITER DAVID F JR & LORIA	14 AMANDA LN YORKVILLE, IL 60560-	ASHLEY WOODS	
4/6/2021	042021071	04 Additions	04-30-178-002	COVERT ANDREW L & JESSICA M	10384 FOX RIVER DR NEWARK, IL 60541-		
4/15/2021	042021093	04 Additions	01-25-454-010	BUZAY LINDA M	12378 ANDREW ST PLANO, IL 60545-	SCHAEFER WOODS NORTH UNIT 3	VALLEY RIDGE DEVELOPMENT
7/8/2021	042021219	04 Additions	04-21-102-013	OSTREKO LUKE A & MEGHAN	16003 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 4	BART CONSTRUCTION
7/29/2021	052021229	05 Remodeling	03-06-200-012	325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		TANGENT TECHNOLOGIES

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Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
6/29/2021	052021204	05 Remodeling	02-23-303-023 GLEASON JOHN ROBERT & JODY NATTOLI	16 CANYON CT YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 1	PHENOMENAL CONSTRUCTION, INC.
3/31/2021	052021069	05 Remodeling	01-32-226-007 SMITH, JAMES	16031 BURR OAK RD PLANO, IL 60545-	DEER RIDGE PUD	
3/23/2021	052021060	05 Remodeling	02-24-202-002 EICHEMBERGER JORDAN S & SKYE R	159 PLEASANTVIEW DR OSWEGO, IL 60543-	SERENITY ON THE FOX	TRANQUILITY BUILDERS
4/5/2021	052021073	05 Remodeling	05-08-376-012 ANGELO MICHAEL P & JULIE A	27 JULIUS CT YORKVILLE, IL 60560-		SAME
2/19/2021	052021037	05 Remodeling	04-01-402-005 GORMAN JAMES	12345 FOX RD YORKVILLE, IL 60560-	REINERT FOX ROAD SUB	SELF
1/15/2021	052021010	05 Remodeling	04-16-205-003 OLIVER HOFFMAN FOUNDATION	8225 FOX RIVER DR NEWARK, IL 60541-		MALL BUILDERS
6/8/2021	052021165	05 Remodeling	03-06-200-012 REICH BROTHERS	275 ROUTE 31 OSWEGO, IL 60543-		KEELY CONSTRUCTION, INC.
3/9/2021	052020322	05 Remodeling	07-09-100-009 GEISTLER GREGORY M & STACI J	15697 LISBON CENTER RD NEWARK, IL 60541-		
5/26/2021	062021146	06 Commercial - M Zone	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
4/28/2021	062021113	06 Commercial - M Zone	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
4/27/2021	062021109	06 Commercial - M Zone	03-06-200-012 325 SOUTH ROUTE 31 LLC / THE GRID	275 ROUTE 31 OSWEGO, IL 60543-		

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Issue Date	Permit ID	Parcel Number	Property Address	Subdivision	Contractor Name
4/28/2021	062021104	04-05-300-001	6650 SANDY BLUFF RD SANDWICH, IL 60548-	MINNESOTA LIMITED	
	06 Commercial - M Zone	ANR PIPELINE CO			
3/25/2021	062021039	03-06-200-012	275 ROUTE 31 OSWEGO, IL 60543-	LEOPARDO COMPANIES, INC.	
	06 Commercial - M Zone	325 SOUTH ROUTE 31 LLC			
5/26/2021	062021151	04-05-300-001	6650 SANDY BLUFF RD SANDWICH, IL 60548-	MINNESOTA LIMITED	
	06 Commercial - M Zone	ANR PIPELINE CO			
5/26/2021	062021150	04-05-300-001	6650 SANDY BLUFF RD SANDWICH, IL 60548-	MINNESOTA LIMITED	
	06 Commercial - M Zone	ANR PIPELINE CO			
5/26/2021	062021149	04-05-300-001	6650 SANDY BLUFF RD SANDWICH, IL 60548-	MINNESOTA LIMITED	
	06 Commercial - M Zone	ANR PIPELINE CO			
5/26/2021	062021148	04-05-300-001	6650 SANDY BLUFF RD SANDWICH, IL 60548-	MINNESOTA LIMITED	
	06 Commercial - M Zone	ANR PIPELINE CO			
6/16/2021	072021192	09-13-200-010	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
	07 Commercial - B Zone	FOUR SEASONS STORAGE, LLC			
6/16/2021	072021189	09-13-200-010	14339 COUNTY LINE ROAD SHOREWOOD, IL 60404		
	07 Commercial - B Zone	FOUR SEASONS STORAGE, LLC			
6/16/2021	072021188	09-13-200-010	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
	07 Commercial - B Zone	FOUR SEASONS STORAGE, LLC			
6/16/2021	072021187	09-13-200-010	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
	07 Commercial - B Zone	FOUR SEASONS STORAGE, LLC			
6/16/2021	072021186	09-13-200-010	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
	07 Commercial - B Zone	FOUR SEASONS STORAGE, LLC			

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Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
6/16/2021	072021185	07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
6/16/2021	072021184	07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
6/16/2021	072021191	07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
6/15/2021	072021155	07 Commercial - B Zone	09-13-200-007 GOPROBALL, LLC	14285 COUNTY LINE RD SHOREWOOD, IL 60404-		SCI DESIGN, INC/ ROBERT CAFFRETTI, C
4/8/2021	072021057	07 Commercial - B Zone	03-05-253-032 OSWEGOLAND PARK DISTRICT	0 BOULDER HILL PASS MONTGOMERY, IL 60538-	TBD	
6/28/2021	082021203	08 Barns/Farm Buildings	07-29-200-005 WALKER BRIAN	16430 STEPHENS RD NEWARK, IL 60541-		
6/7/2021	082021173	08 Barns/Farm Buildings	06-27-100-005 KELLOGG JOHN	2926 WALKER RD. YORKVILLE, IL. 60560		
6/7/2021	082021166	08 Barns/Farm Buildings	05-09-154-001 JENSEN BRADLEY & NICOLE & RUNKLE DARDA	7344 ROUTE 47 YORKVILLE, IL 60560-		
6/1/2021	082021160	08 Barns/Farm Buildings	09-09-300-005 CABRAL FIDENCIO	13724 MCKANNA RD MINOOKA, IL 60447-	BLEUERS SUB	
5/11/2021	082021129	08 Barns/Farm Buildings	08-04-300-003 CENTRAL LAND MANAGEMENT INC	12915 ROUTE 47 NEWARK, IL 60541-		
5/11/2021	082021127	08 Barns/Farm Buildings	09-21-100-010 JIMENEZ MARIO & LINDA	3579 BELL RD MINOOKA, IL 60447-		

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Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
5/27/2021	082020302	08 Barns/Farm Buildings	09-09-300-002 BARRIOS NICOLAS & SANDRA	13825 MCKANNA RD. MINOOKA, IL. 60447		
4/15/2021	082021094	08 Barns/Farm Buildings	07-16-200-003 MORSCH DENNIS W & MELISSA J	14360 TOWNHOUSE RD NEWARK, IL 60541-		
4/12/2021	082021084	08 Barns/Farm Buildings	09-13-200-006 BRISCOE JARROD	195 US RT 52 MINOOKA, IL 60447-		
6/16/2021	092021178	09 Signs	04-17-300-002 DICKSON VALLEY MINISTRIES	8250 FINNIE RD NEWARK, IL 60541-		
5/18/2021	092021137	09 Signs	03-06-200-012 325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		AURORA SIGN COMPANY
4/22/2021	122021099	12 Swimming Pools	03-05-427-006 NICASIO ADRIANA	36 CIRCLE DR E MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	OWNER
4/15/2021	122021088	12 Swimming Pools	09-07-200-036 BEARD ROBERT & LISA	13217 GROVE RD MINOOKA, IL 60447-		
4/6/2021	122021076	12 Swimming Pools	02-15-302-003 SCHNELLER ROBERT J & CAROL A	26 SOUTH ST BRISTOL, IL 60512-		
4/5/2021	122021074	12 Swimming Pools	02-14-251-001 HARVEY HEATHER	185 DAVID CT OSWEGO, IL 60543-	LYNWOOD EXTENSION 4	WETTER WATER POOL INSTALL
4/6/2021	122021072	12 Swimming Pools	03-32-327-008 WACKERLIN ROY & MARGARET	4501 RESERVATION RD OSWEGO, IL 60543-		
3/31/2021	122021070	12 Swimming Pools	04-02-227-002 WARREN BRANDON M	6202 POLO CLUB DR YORKVILLE, IL 60560-	THE WOOD OF SILVER SPRINGS PHASE 2	AG POOL MASTERS

Permit Approval Date Report

Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
3/29/2021	122021066	12 Swimming Pools	02-35-387-001 BIESCHKE RACHEL M & GERALDINE T	7503 COLE CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
5/20/2021	122021062	12 Swimming Pools	02-23-352-005 MICK JASON & ERIN	422 TIMBER RIDGE DR YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 2	SWIM SHACK, INC.
4/12/2021	122021056	12 Swimming Pools	02-36-106-005 LYNCH KIMBERLY D & PHILIP J	245 FOXTAIL LN YORKVILLE, IL 60560-	FARM COLONY UNIT 2 PHAE 3	FOX POOL CHICAGO
3/16/2021	122021052	12 Swimming Pools	06-03-250-005 LARSEN GREGORY L & KRISTINE K	6475 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	PRECISION PROPERTY PROS, INC.
5/5/2021	122021106	12 Swimming Pools	05-07-451-010 JANSEN MEGAN A	76 TIMBERCREEK DR YORKVILLE, IL 60560-	TIMBER CREEK SUB	GREAT ESCAPE
3/8/2021	122021046	12 Swimming Pools	02-35-412-002 PALENCIA DANIEL & CORTNEY	5560 JENNIFER CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	PRECISION PROPERTY PROS INC
7/8/2021	122021218	12 Swimming Pools	03-04-154-001 VARGAS ALBERTO ALVAREZ & ALVAREZ CRISTINA A	39 WOODRIDGE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 12	
7/6/2021	122021210	12 Swimming Pools	02-34-471-005 TUPPER MARK T & TINA M	5965 SHADOW CREEK CT YORKVILLE, IL 60560-	SHADOW CREEK SUB	EPIC ESCAPES
7/7/2021	122021206	12 Swimming Pools	05-06-127-001 BIESTERFELD DEVON	42 W FOX GLEN DR YORKVILLE, IL 60560-	FOX GLEN	
6/22/2021	122021195	12 Swimming Pools	02-21-326-008 HILL MICHAEL D & CRISTINA	10 CONCORD CT YORKVILLE, IL 60560-	BLACKBERRY CREEK	A & J RECREATIONAL SERVICES
6/16/2021	122021194	12 Swimming Pools	06-08-101-027 MORRIS PATRICK J & MICHELE R	7251 JOYCE CT OSWEGO, IL 60543-	GROVE ESTATES	SUNSET POOLS AND SPAS

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Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
6/16/2021	122021193	12 Swimming Pools	03-04-180-008 MAMMEN STEVEN & MCCARTHY KRISTIE	36 INGLESHERE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	
5/11/2021	122021131	12 Swimming Pools	02-35-431-005 BRENART HEATHER & ROBERT F	5671 SCHMIDT LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	A & J RECREATIONAL SERVICES
5/11/2021	122021126	12 Swimming Pools	02-35-380-003 REICHIERT ANDREW & APRIL	5735 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	SUNCO POOLS INC.
4/27/2021	122021110	12 Swimming Pools	03-04-401-002 VARGAS ALURAN & RETA DOMINGO D LIEDA MANEY 06-07-401-001	71 INGLESHERE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	A & J RECREATIONAL SERVICES
3/5/2021	122021042	12 Swimming Pools	CATALDO STEVEN A & CATALDO KIMBERLEY A 03-08-176-008 CROSS JAVAN J & SELENA M MONTANEZ	7581 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	PLATINUM POOL
6/24/2021	122021199	12 Swimming Pools	03-31-452-017 CHICAGO TITLE LAND TRUST COMPANY	24 MARINA DR OSWEGO, IL 60543-	MARINA VILLAGE RESUB	
2/22/2021	122021035	12 Swimming Pools	02-21-177-014 RATOS JAMES C & JENNIFER L	31 CHIPPEWA DR OSWEGO, IL 60543-	NA-AU-SAY WOODS	SIGNATURE POOLS & SPAS, INC.
2/18/2021	122021034	12 Swimming Pools	06-02-300-006 TOM AND ROBIN KEOUGH	3150 D CANNONBALL TRL BRISTOL, IL 60512-		QUANTUS POOLS CORP
2/23/2021	122021031	12 Swimming Pools	06-05-151-005 LYNCH CHRISTINA J & MICHAEL T	1915 JOHNSON ROAD OSWEGO, IL 60543		SAME
7/15/2021	122021225	12 Swimming Pools	01-03-353-004 MURILLO EDUARDO	59 W TIMBERLAKE TRL OSWEGO, IL 60543-	ARROWHEAD HILLS UNIT 2	
4/30/2021	122021108	12 Swimming Pools		29 JACK ST PLANO, IL 60545-	STAINFIELD SUB	

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Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/14/2021	132021085	13 Decks	09-07-200-036 BEARD ROBERT & LISA	13217 GROVE RD MINOOKA, IL 60447-		
7/15/2021	132021226	13 Decks	06-05-151-005 LYNCH CHRISTINA J & MICHAEL T	59 W TIMBERLAKE TRL OSWEGO, IL 60543-	ARROWHEAD HILLS UNIT 2	
7/8/2021	132021220	13 Decks	02-35-203-005 TISCHLER RICHARD P & LEA K	135 COUNTRY RD YORKVILLE, IL 60560-	FARM COLONY UNIT 2	CHRIS BOURQUE
6/30/2021	132021207	13 Decks	09-05-100-003 KWIATKOWSKI MATTHEW A & DISTANCE 1 01-25-454-010 BUZAY LINDA M	12090 GROVE RD MINOOKA, IL 60447-		DON CARTER BUILDERS
7/14/2021	132021205	13 Decks	12378 ANDREW ST PLANO, IL 60545-	SCHAEFER WOODS NORTH UNIT 3		VALLEY RIDGE
6/4/2021	132021169	13 Decks	02-35-413-004 LEONARD RYAN & KELLY	5586 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	CLEAN EDGE CONSTRUCTION INC.
6/3/2021	132021167	13 Decks	03-09-155-009 SHARP ASHLEY K	139 CIRCLE DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	
6/3/2021	132021164	13 Decks	02-28-152-007 BOSMAN-LOPEZ MARISELA	207 A PLEASURE DR YORKVILLE, IL 60560-	COUNTRYSIDE SUB UNIT 7	GREEN T LANDSCAPING
5/13/2021	132021138	13 Decks	03-07-253-004 PRELL THOMAS	127 KEVIN LN OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 2	
5/18/2021	132021133	13 Decks	02-35-412-005 ONEIL DANIEL & CHRISTIE	5575 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	DDT HOME TRANSFORMATIONS, LLC
4/21/2021	132021102	13 Decks	02-11-127-014 KOEHLER AARON P & JENNIFER	45 S CYPRESS DR BRISTOL, IL 60512-	WILLOWBROOK UNIT 2 AMNDED PLAT	UPPERDECK DESIGN & CONSTRUCTION

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Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
5/5/2021	132021119	13 Decks	03-24-201-009 KUCYK JOHN A & LAURA	28 PIONEER CT OSWEGO, IL EAST KENDALL ESTATES 60543-		CLEAN EDGE CONSTRUCTION
5/25/2021	142021147	14 Demolitions	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
5/25/2021	142021145	14 Demolitions	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
5/11/2021	142021128	14 Demolitions	08-04-300-003 CENTRAL LAND MANAGEMENT INC	12915 ROUTE 47 NEWARK, IL 60541-		
4/26/2021	142021107	14 Demolitions	08-04-100-018 FS GRAIN LLC % GENERAL MANAGER	9512 HELMAR RD NEWARK, IL 60541-		MIDWEST DIRT WORKS
4/19/2021	142021096	14 Demolitions	05-24-400-009 STEWART FARMS LAND HOLDING LLC	9618 B HOPKINS RD YORKVILLE, IL 60560-		
4/13/2021	142021086	14 Demolitions	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		NEXXTGEN CORPORATION
7/6/2021	142021047	14 Demolitions	05-28-400-002 VELAZQUEZ ROBERTO R	10744 ROUTE 47 YORKVILLE, IL 60560-		SEMPER FI LAND SERVICES INC.
3/4/2021	142021041	14 Demolitions	01-32-226-007 SMITH LAND TRUST % JAMES & SUSAN CAATLI	16031 BURR OAK RD PLANO, DEER RIDGE PUD IL 60545-		SAME
2/2/2021	142021027	14 Demolitions	05-28-400-004 LW WEIDERT FARMS INC.	9017 CATON FARM RD YORKVILLE, IL 60560-		O'DONNELL EXCAVATING & TRUCKING
2/2/2021	142021024	14 Demolitions	03-05-253-032 OSWEGOLAND PARK DISTRICT	0 BOULDER HILL PASS MONTGOMERY, IL 60538-		TBD

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Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
3/4/2021	142020301	14 Demolitions	01-17-400-004 YUNDT BARBARA G	2622 CREEK RD PLANO, IL 60545-		
7/28/2021	152021233	15 Electrical Upgrades	03-08-279-002 BAUER ANTHONY L	8 PICKFORD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	ABC PHCE
5/19/2021	152021139	15 Electrical Upgrades	01-01-200-002 TMF MANAGEMENT LLC/GREG KUPPLER	12127 B GALENA RD PLANO, IL 60545-		OLSON ELECTRIC
5/5/2021	152021123	15 Electrical Upgrades	05-12-228-006 FERGUSON GREGORY L TR & FERGUSON PENNY A TTD	6088 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	BAKER ELECTRIC
4/9/2021	152021083	15 Electrical Upgrades	03-04-283-021 WEIGAND JULIE A & RONALD L JR	9 FALLCREEK CIR MONTGOMERY, IL 60538-		ABC PHCE
1/21/2021	152021022	15 Electrical Upgrades	03-23-276-001 CLP GROUP INC / ROBERT MUNGO	3112 ROTH RD OSWEGO, IL 60543-		
4/6/2021	172021067	17 Change in Occupancy	03-06-200-012 325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		BOB THOMPSON, TANGENT FOUNDATION
7/2/2021	182021211	18 Driveway	03-04-477-031 HARTMAN STEVEN D & MICHELLE L	66 SPRINGDALE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	J A CONCRETE
6/28/2021	182021202	18 Driveway	05-02-201-006 BADUS MARIA & FRANK E	7405 AUDREY AVE YORKVILLE, IL 60560-	ROSEHILL	
5/6/2021	182021125	18 Driveway	03-04-477-030 HERNANDEZ ANTONIO & PADILLA MARICELA	64 SPRINGDALE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	
5/5/2021	182021124	18 Driveway	09-05-400-018 QUIROZ TEOFILO & NORMA	4080 VAN DYKE RD MINOOKA, IL 60447-		

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Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/14/2021	182021089	18 Driveway	03-09-101-002 CAMPOS JOSEPH F	21 CAYMAN DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 20	CONCRETOS VAZQUEZ
2/10/2021	182020329	18 Driveway	02-21-200-028 WIESCHHAUS KRISTOPHER T & UNIT ADVAR	9261 KENNEDY RD YORKVILLE, IL 60560-		
7/16/2021	192021228	19 Fire Restoration	03-04-427-021 ZIMMERMAN PATRICIA	171 HEATHGATE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	FIRST ONSITE RESTORATION
3/8/2021	192021048	19 Fire Restoration	03-04-377-006 CWT REAL ESTATE HOLDINGS LLC	57 SIERRA RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	LEADS CONSTRUCTION CORPORATION
1/11/2021	192021016	19 Fire Restoration	03-04-454-020 FELECiano HEATHER	73 SAUGATUCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 19	INVISO SERVICES
6/21/2021	202021197	20 Patio	03-04-452-004 LOPEZ REYNALDO GARRIDO	61 STRATFORD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 19	
6/1/2021	202021163	20 Patio	03-07-229-015 ROWE KEVIN & LEANN	8 DOLPHIN CT OSWEGO, IL 60543-	MARINA TERRACE	CRACK ATTACK TEAM
5/25/2021	202021157	20 Patio	03-04-427-018 TRUJILLO JENARO RODRIGUEZ	163 HEATHGATE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	SERGIOS LANDSCAPING & CONSTRUCTION
5/18/2021	202021140	20 Patio	03-04-479-005 HURTADO CRISTAL	49 EASTFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	F AND J CONSTRUCTION
5/12/2021	202021134	20 Patio	03-04-177-002 GRATON BIANCA & MITCHELL ALEX	79 FERNWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	TWINS CONCRETE, LTD.
4/14/2021	202021090	20 Patio	03-09-101-002 CAMPOS JOSEPH F	21 CAYMAN DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 20	CONCRETOS VAZQUEZ

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Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/6/2021	202021075 20 Patio		03-08-202-029 CERVANTES GILVERTO	5 GUILFORD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 14	
4/27/2021	212021115 21 Wind Turbine		08-14-200-003 MCDONALD THOMAS J & DONNA K	14207 CHURCH RD MINOOKA, IL 60447-		
4/15/2021	212021091 21 Wind Turbine		05-29-200-012 KRABER LOGAN & DENA J	10450 IMMANUEL RD YORKVILLE, IL 60560-		
3/5/2021	232021044 23 Generator		06-02-103-003 BLALOCK BRIAN S & CAROL M	1937 WINCHESTER CT OSWEGO, IL 60543-	SOUTHFIELD ESTATES	LEE LEGLER CONSTRUCTION & PHERBER
1/14/2021	232021018 23 Generator		02-36-106-006 BAUGHMAN ROBERT & VICKI	233 FOXTAIL LN YORKVILLE, IL 60560-	FARM COLONY UNIT 2 PHAE 3	BAKER ELECTRIC
1/14/2021	232021017 23 Generator		06-07-130-001 WILSON CHRISTOPHER E & VERLINDA	7148 IRONWOOD CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	NICK MIKENTINAC - NMM INC.
7/2/2021	232021212 23 Generator		05-03-300-009 BREWER GAIL	6670 WING RD YORKVILLE, IL 60560-		LEE LEGLER CONSTRUCTION AND PHERBER
6/28/2021	232021201 23 Generator		04-21-125-034 KATH RODNEY L	9186 CHATHAM PL NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	LEE LEGLER CONSTRUCTION AND PHERBER
4/21/2021	232021103 23 Generator		06-02-300-018 MARTINEZ ANDRES HERBERT	1585 JOHNSON RD OSWEGO, IL 60543-		ABT ELECTRONICS INCL
4/13/2021	232021087 23 Generator		05-06-351-010 FAMERA GERALD L TRUST	7 HILLSIDE DR YORKVILLE, IL 60560-	PAVILLION HEIGHTS UNIT 4	RITZMAN ELECTRIC INC
3/5/2021	232021043 23 Generator		05-18-203-006 OTTOSEN JOEL D & NANCY A	42 MAPLE RIDGE CT YORKVILLE, IL 60560-	MAPLE GROVE	LEE LEGLER CONSTRUCTION & PHERBER

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
3/23/2021	232021058	23 Generator	05-12-228-021 DENANDO PETER M & LORA A	7164 IRONWOOD CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	SATURN
3/5/2021	232021045	23 Generator	02-34-126-002 BAR TEN TRUST	288 TUMA RD YORKVILLE, IL 60560-		LEE LEGLER CONSTRUCTION & PROPERTY
7/28/2021	242021232	24 Solar	02-10-228-002 NELSON LEONARD	39 W LARKSPUR LN BRISTOL, IL 60512-	WILLOWBROOK UNIT 3	VIVINT SOLAR DEVELOPER LLC
7/23/2021	242021230	24 Solar	02-15-155-004 DOLCEHOMES INC	11 BRISTOL RIDGE RD BRISTOL, IL 60512-	HUNTSVILLE (ORIGINAL TOWN)	SUNRUN INSTALLATION
7/6/2021	242021216	24 Solar	01-32-101-001 HUHN EDWARD J & HARRIETTE M	16696 GRISWOLD SPRINGS RD PLANO, IL 60545-	SANDY BLUFF DUTCH ACRES	SUNRUN INSTALLATION
7/6/2021	242021215	24 Solar	05-18-203-013 ALARCON ARTURO & MARIA	10 MAPLE RIDGE LN YORKVILLE, IL 60560-	MAPLE GROVE	SUNRUN INSTALLATION
7/6/2021	242021214	24 Solar	02-14-251-003 DEARTH CYNTHIA	181 W RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 4	SUNRUN INSTALLATION
7/6/2021	242021213	24 Solar	03-04-277-031 FRIEND, DAVID P & MENDEZ, NANCY P	18 AFTON DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 27	SUNRUN INSTALLATION
6/29/2021	242021200	24 Solar	03-08-304-004 SCHRAMER HERBERT JOHN	1540 ROUTE 31 OSWEGO, IL 60543-	PROSPECT VILLA SUB	WINDSOLEIL INCORPORATED
6/16/2021	242021177	24 Solar	03-04-428-016 RAMIREZ JOSEPH E MARQUEZ	34 SONORA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	SUNRUN INSTALLATION
4/27/2021	242021111	24 Solar	03-08-304-001 VALENCIA RUBEN MARTINEZ & BARBARA DAWVEN DEV/DBLCT	1438 ROUTE 31 OSWEGO, IL 60543-	C G RICKETTS SUB	SUNRUN INSTALLATION

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/23/2021	242021101	24 Solar	09-22-400-004 IBARRA JOSE A	2068 BELL RD MINOOKA, IL 60447-		PALMETTO SOLAR
4/15/2021	242021095	24 Solar	03-04-329-013 SMITH ANTHONY DEWONE & NORA LATBITE	33 WHITNEY WAY MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	FREEDOM FOREVER IL LLC
3/25/2021	242021064	24 Solar	03-04-256-004 AGUIRRE JUANA M & MOSQUEDA DOMINIC VALERIO	7 HUNTER DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 34	SUNRUN INSTALLATION CORPORATION
3/23/2021	242021063	24 Solar	01-14-300-004 MCLEMMEN GREGORY P & SHARON M	2970 ROCK CREEK RD PLANO, IL 60545-		BLISS BROTHERS/BRANDON HARRIS
1/14/2021	242021019	24 Solar	01-10-200-004 WYKES JOHN A & CHRISTINE	14176 SEARS RD PLANO, IL 60545-		TRON SOLAR LLC

PLANNING BUILDING & ZONING RECEIPTS 2021

DATE	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	MONTHLY FY 21	TOTAL FY 21	MONTHLY FY 20	TOTAL FY 20
December	\$4,495.00	\$2,071.00	\$1,814.10	\$0.00	\$8,380.10	\$8,380.10	\$16,500.43	\$16,500.43
January	\$6,161.78	\$1,966.50	\$5,021.91	\$2,000.00	\$15,150.19	\$23,530.29	\$11,918.63	\$28,419.06
February	\$5,475.00	\$2,759.00	\$6,910.89	\$2,000.00	\$17,144.89	\$40,675.18	\$3,356.00	\$31,775.06
March	\$14,310.80	\$1,987.00	\$18,309.57	\$2,000.00	\$36,607.37	\$77,282.55	\$26,655.13	\$58,430.19
April	\$20,812.72	\$491.00	\$414.41	\$0.00	\$21,718.13	\$99,000.68	\$10,787.73	\$69,217.92
May	\$12,806.06	\$1,679.00	\$8,132.75	\$1,000.00	\$23,617.81	\$122,618.49	\$23,443.29	\$92,661.21
June	\$27,942.04	\$2,584.00	\$11,461.51	\$1,000.00	\$42,987.55	\$165,606.04	\$40,945.81	\$133,607.02
July	\$9,546.24	\$949.00	\$0.00	\$0.00	\$10,495.24	\$176,101.28	\$18,116.22	\$151,723.24
August					\$0.00		\$10,631.62	\$162,354.86
September					\$0.00		\$24,800.06	\$187,154.92
October					\$0.00		\$16,804.62	\$203,959.54
November					\$0.00		\$4,518.96	\$208,478.50
TOTAL	\$101,549.64	\$14,486.50	\$52,065.14	\$8,000.00	\$176,101.28			



One Bridge Street, Suite 94
Irvington, NY 10533
1-866-857-8745 • brightfarms.com

July 16, 2021

Kendall County Illinois
Attn Matt Asselmeier
111 W Fox St
Yorkville, IL 60560

Dear Property Owner:

This letter of notification has been sent in accordance with the provisions of the City of Plano zoning ordinance to inform you of a scheduled public hearing to be held by the Plano Planning Commission on August 2, year at 7:00 p.m. (prevailing time) at Plano City Hall, Council Chambers, 17 E. Main Street, Plano IL 60545(Use James Street entrance).

You are being notified because you are listed as the owner of a parcel of land within two hundred fifty feet (250') of property which is the subject of a Petition for Annexation filed with the City of Plano (copy of petition attached).

All interested persons will be given the opportunity to be heard at the public hearing. Interested persons may present either written or verbal comment at the public hearing.

If you have any questions regarding this notice, you may direct them to the Building, Planning, & Zoning Department, City of Plano at (630) 552-8425 between 8:00 am and 5:00 p.m. Monday through Friday.

This letter has been prepared and mailed by:

Project Developer



Signature



STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)
)
CITY OF PLANO)

PETITION FOR ANNEXATION
AND
PETITION FOR ANNEXATION AGREEMENT

The undersigned, CHI Greenhouse 2, LLC (PURCHASER), herewith petitions the City of Plano to annex the real estate hereinafter described in accordance with the terms and provisions of an Annexation Agreement, submitted to the City, and to zone the same in accordance with the terms and provisions of the requests contained in the Annexation Agreement, and in support hereof states as follows:

1. Upon the signing of the Annexation Agreement, the undersigned PURCHASER will be the owner of the real estate legally described on "Exhibit A", attached hereto and made a part hereof, and depicted on the Plat of Annexation attached as Exhibit "B".

2. Attached hereto as Exhibit "C" is a copy of the Purchase and Sale Agreement giving Petitioner exclusive right to purchase the real estate.

3. No other persons or entities have rights to purchase the real estate during the term of the Purchase and Sale Agreement.

4. Said real estate is vacant and unimproved and no electors reside thereon.

5. The real estate is contiguous to the existing boundaries of the City of Plano, Kendall County, Illinois, and is not within the corporate limits of any other municipality.

6. The undersigned PURCHASER has heretofore submitted to the City, for its

consideration, review and approval, a proposed Annexation Agreement which, by the terms thereof, requests that the real estate, upon annexation, be, under the terms of the Plano Zoning Ordinance, zoned: **M3 - PUD**.

7. The undersigned OWNER is supportive of the annexation process herein requested, said annexation to be effected upon PURCHASER'S consummation of the purchase of the real estate.

WHEREFORE, the undersigned prays as follows:

A. That the City adopt an Ordinance annexing the real estate herein described into the City of Plano, Kendall County, Illinois.

B. That the City adopt an Ordinance zoning and classifying the real estate herein described, upon annexation, into the following Zoning District under the Plano Zoning Ordinance: **M-3 PUD**.

C. For such other and further relief as may be appropriate.

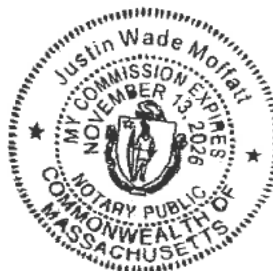
CHI GREENHOUSE 2, LLC

BY: 

Being a Duly Authorized Representative of Owner as
of the Date of Signing of the Annexation Agreement.

SUBSCRIBED and SWORN
to before me this 8th day of
July, 2021, by
Sean Patrick O'Neill


Notary Public



MORRIS FAMILY FARM LIMITED PARTNERSHIP

BY: 

Owner of Record

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL ESTATE SOUGHT TO BE ANNEXE)

COMMON ADDRESS: NOT APPLICABLE. (The real estate surrounds 1855 Eldamain Road on three sides)

PIN: 01-12-400-06

EXHIBIT "A"
Legal Description

PARCEL 1:

PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER, THENCE SOUTH 01 DEGREES 02 MINUTES 01 SECONDS EAST 293.05 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, THENCE NORTH 89 DEGREES 56 MINUTES 59 SECONDS WEST 86.19 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 01 DEGREES 41 MINUTES 00 SECONDS EAST 150.04 FEET, THENCE NORTH 89 DEGREES 56 MINUTES 59 SECONDS WEST 204.41 FEET, THENCE NORTH 01 DEGREES 02 MINUTES 01 SECONDS WEST 150.00 FEET, THENCE SOUTH 89 DEGREES 56 MINUTES 59 SECONDS EAST 202.70 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PART OF THE SOUTHEAST QUARTER OF SECTION 12 IN TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND BOUNDED AS FOLLOWS, TO-WIT: BEGINNING ON THE EAST LINE OF THE SAID SOUTHEAST QUARTER OF SECTION 12, 5.86 CHAINS FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH 86° WEST TO THE WEST LINE OF SAID QUARTER SECTION TO A POINT 3.42 CHAINS FROM THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE PLACE OF BEGINNING, CONTAINING 141.52 ACRES, AND FURTHER KNOWN ON THE RECORDS OF KENDALL COUNTY, ILLINOIS, IN PLAT BOOK 4, PAGE 28, AS LOT 7, SECTION 12, TOWNSHIP AND RANGE AFORESAID, SITUATED IN KENDALL COUNTY, ILLINOIS;

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER SECTION, 607.0 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH ALONG SAID EAST LINE, 295.16 FEET; THENCE WEST AT RIGHT ANGLES TO SAID EAST LINE, 295.16 FEET; THENCE SOUTH PARALLEL WITH SAID EAST LINE, 295.16 FEET; THENCE EAST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 295.16 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF LITTLE ROCK, KENDALL COUNTY, ILLINOIS.

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Kendall County Web GIS



July 20, 2021

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