

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 7, 2021 – Approved Meeting Minutes**

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

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:

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

Audience:

Scott Richmond, Lorena Gutierrez, Jose DeJesus Gutierrez, Dan Kramer, Mike Schoppe, and Robert Velazquez

AGENDA

Mr. Rybski made a motion, seconded by Ms. Briganti, to approve the agenda as presented.

With a voice vote of seven (7) ayes, the motion carried.

MINUTES

Mr. Holdiman made a motion, seconded by Mr. Rybski, to approve the August 3, 2021, meeting minutes.

With a voice vote of seven (7) ayes, the motion carried.

PETITIONS

Petition 21-29 Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez on Behalf of JJ Gutierrez Lawn Care, LLC

Mr. Asselmeier summarized the request.

In January 2021, Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez purchased the subject property and wished to operate JJ Gutierrez Lawn Care, LLC at the property.

The application materials, survey of the property, site plan, aerial of the property with site plan superimposed, and topographic survey were provided.

Based on the information provided, a variance to allow parking in the front yard setback was also required.

The property was located at 12830 Ashley Road and consisted of approximately one point five (1.5) acres.

The existing land use was Agricultural/Farmstead and the property was zoned A-1.

The Land Resource Management Plan called for the property to be Agriculture in the County and Plattville's Future Land Use Map called for the property to be Low Density Residential.

Ashley Road was a Township maintained major collector.

There were no trails planned in the area.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural and Farmstead.

The adjacent lands were zoned either A-1 in the County or A-1 inside the Village of Plattville.

The Land Resource Management Plan called for the area to the west to be Agricultural. Plattville's Future Land Use Map called for the area to be Low Density Residential.

The zoning districts within one half (1/2) mile were A-1, A-1 SU, and R-1 in the County and A-1 and R-1 inside the Village of Plattville.

Pictures of the property were provided.

The A-1 special use permit to the west is for electromagnetic compatibility testing.

EcoCAT Report was submitted on July 7, 2021, and consultation was terminated.

The NRI application was submitted on July 16, 2021. The LESA Score was 193 indicating a low level of protection.

Petition information was sent to Lisbon Township on August 5, 2021.

Petition information was sent to the Village of Plattville on August 5, 2021.

Petition information was sent to the Lisbon-Seward Fire Protection District on August 5, 2021. The Fire Protection District requested one (1) fire extinguisher and one (1) first aid kit with applicable signage. The email was provided.

The Petitioners purchased the property in 2021 and started running a landscaping business on the premises without proper zoning. Upon receiving the warning letter, the Petitioners ceased operations of the business and started applying for the special use permit. The Petitioners continue to live at the property.

According to the business plan, JJ Gutierrez Lawn Care has been in business since 2016. The business has five (5) employees. Employees arrive at the property at approximately 6:00 a.m., go to work sites by 7:00 a.m., finish at work sites by 4:00 p.m., and return to the property and leave to go home by 6:00 p.m. The business operates Monday through Saturday. Business equipment presently consists of three (3) six (6) wheel dump trucks, one (1) pickup truck, and five (5) trailers for carrying lawn equipment. The Petitioners presently do not anticipate adding additional employees or equipment.

If approved, the Petitioners planned to start operations immediately.

One (1) two (2) story, approximately two thousand (2,000) square foot house, constructed in 1936 was located on the property.

According to the site plan and the site plan superimposed over the aerial, the Petitioners planned to install one (1) forty foot by eight foot by six foot (40'X8'X6') storage container. The container would be used to store small landscaping equipment such as weed trimmers, power washers, ladders, blowers, and similar equipment.

The site plan and aerial also showed three (3) open storage areas; one (1) for gravel, one (1) for mulch, and one (1) for compost. The storage areas individually were ten feet (10') wide and eighteen feet (18') in depth. The piles of materials stored in these areas would be a maximum of seven feet (7') height.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Per the site survey, the property was served by a shared well. The well was located northwest of the existing house. There was a septic system on the premises. Employees will not be able to use the well on the property and no onsite restrooms will be provided.

There was also a propane tank on the premises located northeast of the house.

No outdoor refuse area was planned as part of the special use.

The property drained to the southeast.

A stormwater management permit will be required. The topographic survey was provided. Greg Chismark provided comments regarding the proposal; his letter was provided.

Per the survey, access to the existing house as by an easement with the properties to the north and east of the subject property.

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According to the site plan and the site plan superimposed over the aerial, the Petitioners proposed to install a new twenty foot (20') wide driveway five (5') feet to the north of the south property line. They also planned to install a culvert under the new driveway. Lisbon Township would have to approve this new access point.

According to the site plan and the site plan superimposed over the aerial, the Petitioners planned to install a gravel area approximately two hundred feet (200') in depth and one hundred fifteen feet (115') wide. There were five (5) parking spaces available on the west side of the gravel area for employee parking. The parking stalls would be ten feet (10') wide by twenty feet (20') long. There would also be a five (5) parking spaces on the east side of the property for trailers and trucks.

According to the site plan and the site plan superimposed over the aerial, the parking lot will be approximately forty-seven feet (47') from the centerline of Ashley Road. The right-of-way for Ashley Road has not been dedicated in this area. Per Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance, the parking area cannot encroach into the required one hundred fifty foot (150') front yard setback. The Petitioners were seeking a variance to allow the parking area as shown on the site plan.

No customers of the business would be invited onto the property.

If there was a motor vehicle or equipment related leak, the area impacted gravel and dirt will be removed and replaced with clean gravel and dirt.

Other than lighting related to signage, no additional lighting was planned as part of the special use.

According to the site plan superimposed over the aerial, the Petitioners planned to install one (1) two (2)-sided sign north of the arborvitae along the west side of the property. The sign would be six feet (6') wide and three feet (3') tall. The sign would be elevated approximately one point five feet (1.5') above grade.

The Petitioners would like the sign to be illuminated. Per Section 12:08.A.2.a of the Kendall County Zoning Ordinance, the sign could be illuminated between 6:00 a.m. and 11:00 p.m.

Two existing A-1 zoned properties with special use permits for landscaping businesses, 1996 Cannonball Trail and 997 Harvey Road, have illuminated signs.

No security gates or fencing was planned as part of the special use.

The Petitioners have already planted sixteen (16) arborvitae on the west side of the property as shown on the site plan and aerial. They were approximately three feet to four feet (3'-4') in height. They will grow to approximately sixteen feet (16') in height.

Fifteen (15) blue spruce trees will be planted near the southern property line in spring of 2022. The height at the time of planting will be five feet to six feet (5'-6') and they will grow to approximately twenty to twenty-five feet (20'-25') in height.

No information was provided regarding noise control.

No new odors were foreseen by the proposed use.

If approved, this would be the fourteenth (14th) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the special use permit 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 the site is developed in accordance with the submitted site plan and provided a variance is granted regarding the location of the parking area, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The owners of the business allowed by the special use permit will not invite the public onto the property. Only landscape related materials and equipment will be stored at the subject property.

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. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. If Lisbon Township approves the new access point, then adequate points of ingress and egress will be provided. No customers will be allowed on the property and employees will not be able to use the well or restrooms in the existing house. The owners of the business allowed by the special use permit have applied for the applicable stormwater 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. Provided a variance is granted for the location of the parking area, the 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 use is consistent with an objective found on Page 9-21 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".

The proposed Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The subject property is approximately two hundred feet (200') deep as measured from west to east. It would be difficult to have off-street parking and the proposed business on the subject property without a variance for parking.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Most A-1 zoned properties, including properties that have existing special use permits for landscaping businesses, are larger and wider and do not have a need for a variance with regards to parking in the front yard setback.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners did not create the size or configuration of the subject property.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The requested variance should not negatively impact any of the neighbors and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Allowing the parking encroachment will not impair any of the above items.

Staff recommended approval of the special use permit for a landscaping business and variance to allow parking in the front yard setback subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan and aerial showing the site plan.
2. A variance to Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance shall be granted allowing off-street parking no closer than forty-seven feet (47') from the centerline of Ashley Road.
3. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site

plan and in substantially the same location as depicted on the site plan. The parking area shall be gravel.

4. The owners of the businesses allowed by this special use permits shall diligently monitor the property for leaks from equipment and vehicles parked and stored items stored on the subject property and shall promptly clean up the site if leaks occur.
5. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
6. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
7. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
8. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan. The maximum height of the piles of landscaping related material shall be seven feet (7'), provided a Stormwater Management Permit is issued.
10. One (1) two (2)-sided business related sign may be installed in substantial the location shown on the site plan. The sign shall be a maximum of six feet (6') wide and three feet (3') tall. The sign may be elevated no greater than one point five feet (1.5') from the ground.
11. A minimum of sixteen (16) arborvitae shall be planted and maintained in substantially the locations shown on the site plan. The arborvitae shall be a minimum of three feet (3') tall at the time of planting and shall grow to approximately twelve feet (12'). Damaged or dead arborvitae shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
12. A minimum of fifteen (15) blue spruce trees shall be planted by June 30, 2022, and maintained in substantially the locations shown on the site plan. The blue spruce trees shall be a minimum of five feet (5') tall at the time of planting and shall grow to approximately twenty feet (20'). Damaged or dead blue spruce trees shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
13. No landscape waste generated off the property can be burned on the subject property.
14. A maximum of five (5) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
15. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
16. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:00 a.m. until 6:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
17. 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.

18. The owners of the business allowed by this special use shall reside at the subject property as their primary place of residence.
19. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
20. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
21. 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.
22. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
23. 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.

Ms. Olson mentioned that the southern half of the site had hydric soils. Scott Richmond, Attorney for the Petitioners, explained that the site would be engineered, particularly with the driveway.

Mr. Rybski asked about the location of the water well. Mr. Richmond responded that the well was shared. The septic was onsite. Mr. Rybski recommended the property have its own well or that easements were clearly stated.

Mr. Gengler asked about the entrance onto the property. Mr. Asselmeier stated that Lisbon Township issues access permits and the County issues driveway permits.

Mr. Gengler thanked the Petitioners for submitting their application.

Mr. Gengler asked if restrooms would be onsite. Mr. Richmond responded that employees report to the site, leave for worksites, come back to the property at the end of the day, and leave.

The neighboring property owner sold the property to the Petitioners.

Mr. Richmond said that the Petitioners were working through the detention requirements.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the special use permit with the conditions proposed by Staff.

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on September 22, 2021.

Petition 21-30 and 21-31 Robert Velazquez on Behalf of Always Faithful Properties, LLC

Mr. Asselmeier summarized the request.

Robert Velazquez, on behalf of Always Faithful Properties, LLC, was requesting a map amendment rezoning approximately thirteen point seven (13.7) more or less acres from A-1 Agricultural District with a special use permit to B-3 Highway Business District in order to operate a landscaping business on the subject property after rezoning and after securing a special use permit to operate a landscaping business on the subject property.

The application materials, aerial of the property, plat of survey and site plan, and Ordinance 1982-10, which granted a special use permit for the storage of recreation vehicles, boats, and antique cars, were provided.

Route 47 is a State maintained Arterial Road. Yorkville has a trail planned along Route 47 in this area. IDOT has bicycle accommodations planned on the roadway.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural, Commercial and Utility.

The Future Land Use Map called for the area to be Transportation Corridor and Commercial.

The nearby zoning districts were A-1 and A-1 SU.

The A-1 special use permit to the south is for agricultural implement sales and service. The parcel to the southeast is owned by the Federal Aviation Administration and is used for a communication tower.

The subject property is over two (2) miles from the United City of Yorkville and the Village of Plattville. Yorkville's Comprehensive Plan calls for this area to be Estate/Conservation Residential. Plattville's Comprehensive Plan calls for this area to be commercial.

EcoCAT Report submitted and consultation terminated.

The application for NRI was submitted on July 7, 2021. The LESA Score was 235 indicating a high level of protection. The NRI was provided.

Petition information was sent to Kendall Township on August 27, 2021.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 27, 2021.

The Petitioner desired to rezone the subject property and obtain a special use permit to operate a landscaping business on the subject property.

According to the business plan provided, the business has a maximum of forty (40) employees during the busy summer season and as few as three (3) employees during the off-season. The County received information that the business could have a maximum of fifty (50) employees. Of these, approximately four (4) employees would be onsite constantly. The normal anticipated hours of operation for employees would be on Monday through Friday from 5:00 a.m. until 7:00 p.m. and from 7:00 a.m. until 1:00 p.m. on Saturdays. The Petitioner acknowledged that, during the winter, employees may arrive at the property anytime to clear snow from customers' properties. Hours of operation for members of the public would be Monday through Friday from 7:00 a.m. until 5:00 p.m. Hours of operation for deliveries would be Monday through Friday from 7:00 a.m. until 5:00 p.m. with limited Saturday hours.

No information was provided regarding the number of company trucks or other business related equipment would be stored at the property.

If approved, the Petitioner planned to start construction immediately start operations as quickly as possible.

According to the site plan, the Petitioner planned to construct the following buildings:

1. One (1) approximately four thousand (4,000) square foot, two (2) story office.
2. Two (2) approximately three thousand one hundred seventy-four (3,174) square foot, three (3) bay garages.
3. One (1) approximately one thousand one hundred fifty (1,150) square foot drive thru maintenance bay.
4. One (1) approximately one thousand two hundred fifty (1,250) square foot storage bay.
5. Three (3) nursery/hoop houses. The hoop houses would be approximately one thousand two hundred (1,200) square feet, one thousand six hundred (1,600) square feet, and two thousand six hundred (2,600) square feet in size respectively.

In addition to the above new structures, the site plan also showed the retention and repurpose of the following structures already located on the property:

1. Two (2) existing barns located near the northeast corner of the site. The barns are approximately nine thousand two hundred sixty-five (9,265) square feet and nine thousand two hundred fifty (9,250) square feet in size respectively. The barns will be used for storage.

2. One (1) existing barn located south of the development area. This barn is approximately one thousand four hundred sixty-five (1,465) square feet in size and will be used for bulk salt storage.

In addition to the proposed and existing buildings, the site plan showed twenty-two (22) concrete block bulk storage bins. The storage bins would be approximately fifteen feet (15') wide, thirty (30') feet deep, and eight feet (8') tall. The materials stored in these bins shall be a maximum ten feet (10') tall.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Electricity was onsite. No information was provided regarding the well or septic system.

According to the site plan, an approximately five thousand (5,000) square foot septic field was planned northeast of Garage Building 2.

The site plan also showed three (3)-five hundred (500) gallon fuel tanks southeast of Garage Building 1.

One (1) trash dumpster surrounded by a six foot (6') wooden fence was also shown on the site plan southeast of Garage Building 1.

The property drained to the southeast. One (1) stormwater detention pond was planned at the southeast corner of the property.

A stormwater management permit will be required. Stormwater related information is included with the site plan.

The property fronted Route 47.

According to the site plan, the existing gravel driveway will be removed and a twenty-four foot (24') wide paved drive will be installed.

The Illinois Department of Transportation had no concerns regarding this proposal; the emails regarding this proposal were provided.

According to the site plan, there were (2) two parking lots. The parking lot west of the Office Building had nineteen (19) parking spaces. The parking lot west of Existing Building 2 had sixteen (16) parking spaces. There was one (1) handicapped parking space in each parking lot. The site plan also showed outdoor parking spaces for company vehicles.

The westernmost parking lot was paved and the easternmost parking lot will be composed of limestone or asphalt screenings.

None of the parking areas were located in the required setbacks.

According the photometric plan, there will ten (10) RAR2-320L-165-4K7-4W(1) pole mounted lights located mostly around the perimeter of the developed area. Four (4) RAR2-320L-165-4K7-5QW(1) pole mounted lights will be located west and southwest of Existing Building 2. Three (3) RWL1-48L-25-4K7-4W lights will be located on Existing Storage Buildings 1 and 2. Two (2) RWL2-160L-80-4K7-WW lights will be located on the Garage Buildings 1 and 2. The pole mounted lights will be lowered to twenty feet (20') in height to comply with the Zoning Ordinance.

The anticipated foot-candles at the property will be 0.8 which was less than the 5.0 foot-candle maximum allowed by the Zoning Ordinance for adjoining properties planned to be commercial.

According to the site plan, there will be one (1) monument sign located approximately fifteen (15') east of the right-of-way line. The sign will be approximately five feet (5') in height and ten feet (10') feet in width, including supports. The sign will not be illuminated.

According to the site plan, there will be one (1) six foot (6') wooden screen fence located along the northern property line north of the Existing Storage Buildings. The Petitioner also planned to install security cameras and an alarm system in all buildings. The Petitioner may install a gate at the main entrance if necessary.

According to the landscaping plan, the Petitioner planned to install the following landscaping around the western parking lot:

1. Three (3) Red Sunset Maples
2. Two (2) Skyline Honeylocusts
3. Fifteen (15) Annabella Hydrangeas
4. Ten (10) Alpine Currants
5. Twenty (20) Double Knock Out Roses
6. Eight (8) Blue Muffin Viburnum
7. One Hundred Forty (140) Autumn Joy Sedums
8. Three Hundred Eighty (380) Russian Stonecrops
9. Two Hundred Ten (210) Dart's Blue Perwinkle

The Petitioner also planned to install eight (8) Techny Arborvitaes around refuse area.

The shrubs shall be two feet (2') in height at the time of planting. The canopy trees will be two point five inch (2.5") caliber at the time of planting and shall grow to fifty feet (50') in height. The Techny Arborvitaes shall be a minimum six feet (6') in height at the time of planting. The Petitioner planned to install all landscaping by May 15, 2022.

In addition to the landscaping mentioned previously, the Petitioner planned to install two (2) hardscape courtyards and two (2) landscape garden showcase areas on the property as shown on the site plan. The site plan also showed a nursery stock area.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the fifteenth (15th) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the map amendment were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or communication purposes.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 or A-1 with a special use permit for agricultural implement sales and service.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and could be used for many uses presently permitted under the A-1 zoning classification.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and commercial uses. Commercial uses in the area probably will increase as the Illinois Department of Transportation widens Route 47.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Transportation Corridor and Commercial. The B-3 Highway Business Districts is consistent with the Commercial classification. The Land Resource Management Plan calls for limited B-3 Highway Business District zoned property on lands classified as Transportation Corridor.

The proposed Finding of Fact for the special use permit 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 the site is developed in accordance with the submitted site plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities are planned for the site. The property has direct access to Route 47 and the Illinois Department of Transportation expressed no concerns regarding the proposed use. A stormwater management permit is required and that permit will address drainage.

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 Petitioner is not requesting any variances 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 use is consistent with a goal found on Page 7-26 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." An objective under this goal further states, "Explore economic development opportunities along Route 47 Corridor to enhance the tax base and to encourage local employment and shopping opportunities."

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Staff recommended approval of the special use permit for a landscaping business subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and photometric plan. The gravel parking lot noted on the site plan shall be composed of either limestone or asphalt screenings. The fourteen (14) light poles shown on the site plan and mentioned in the photometric plan shall be a maximum twenty feet (20') feet in height. The owner of the business allowed by this special use permit may also install a security gate at the main driveway entrance.
2. All of the structures shown on the submitted site plan shall be constructed and occupied by December 31, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The business allowed by this special use permit may commence operations starting upon approval of the special use permit. However, customers shall not be invited onto the property until an occupancy permit has been issued for the office building.
3. The owners of the business allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored on the subject property and shall promptly clean up the site if leaks occur.
4. Any new structures and signs constructed or installed on the property shall not be considered for agricultural

purposes and must secure applicable building permits.

5. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
6. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
7. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
8. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material shall be ten feet (10'), provided a Stormwater Management Permit is issued.
9. One (1) two (2)-sided business related sign may be installed in substantially the location shown on the submitted site plan. The sign shall be a maximum of ten (10') wide and five feet (5') tall, including supports. The sign will not be illuminated.
10. The landscaping shown on the submitted landscaping plan shall be installed no later than May 15, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The Red Sunset Maples shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Skyline Honeylocusts shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Techny Arborvitae shall be a minimum six feet (6') tall at the time of planting. Damaged or dead plants that are part of the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. Nursery stock shall be exempt from this provision.
11. No landscape waste generated off the property can be burned on the subject property.
12. A maximum of fifty (50) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
13. The hours of operation of the business allowed by this special use permit for the members of the public shall be Monday through Friday from 7:00 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
14. The hours of operation of the business allowed by this special use permit for employees of the business shall be Monday through Friday from 5:00 a.m. until 7:00 p.m. and Saturday from 7:00 a.m. until 1:00 p.m. The owner of the business allowed by this special use permit may expand these hours of operation for employees to address the needs of customers impacted by snowfall. Business related deliveries may occur during these hours of operation. The owners of the business allowed by this special use permit may reduce these hours of operation.
15. 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.
16. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.

18. 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.
19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
20. 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.

Ms. Olson requested that a soil erosion and sediment control plan be in place during construction. She also requested that an NPDES Permit be secured. Dan Kramer, Attorney for the Petitioner, was agreeable to these requests.

Mr. Rybski asked about the well and septic system. Mr. Kramer said that a well was on the property and capped. Robert Velazquez said the septic system tank has been identified and abandoned and will get the necessary permits for the septic system.

Mr. Asselmeier explained the uses in the B-3 Zoning District.

Mr. Velazquez said that the business would be consolidated at this site.

Mr. Kramer requested that the deadline to install landscaping be moved June 1, 2022.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested map amendment.

With a voice vote of seven (7) ayes, the motion carried.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested special use permit with conditions proposed by Staff as amended by increasing the number of employees to fifty (50) and changing the deadline to install landscaping to June 1, 2022.

With a voice vote of seven (7) ayes, the motion carried.

The proposals go to the Kendall County Regional Planning Commission on September 22, 2021.

Petition 21-32 Gilbert L. Niznik on Behalf of the Gilbert L. Niznik Revocable Trust Dated September 15, 2017 and Michael and Eryn Ruffatto

Mr. Asselmeier summarized the request.

Michael and Eryn Ruffatto would like to purchase the subject property from the Gilbert L. Niznik Trust Dated September 15, 2017 and construct one (1) house.

The western one hundred feet (100') of the subject property was part of a landing strip per Ordinance 1992-6 and was not part of the rezoning request.

The application materials, aerial of the property, plat of survey, and Ordinance 1992-6 were provided.

The property was approximately twenty-seven (27) acres.

The Future Land Use Map called for the property to be Suburban Residential (Max 1.00 DU/Acre).

Route 126 was a State maintained Arterial.

The County had a trail planned along Route 126.

There is no floodplain on the property. There is a riverine wetland along the southeast corner of the property.

The adjacent land uses were Agricultural, Single-Family Residential, and an Airstrip.

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

The County's Future Land Use Map called for the area to be Suburban Residential (Max 1.00 DU/Acre) and Commercial. The Village of Plainfield's Future Land Use Map called for the area to be Medium Density Residential, Village Residential, and Low Density Residential.

The nearby zoning districts in the unincorporated area were A-1, A-1 SU, R-1 SU, and R-3. The nearby zoning districts in the Village of Plainfield were Low Density Single-Family Residential PUD.

The A-1 special use permit to the west was for professional offices. The R-1 special use to the west was for an airstrip.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on August 12, 2021.

Petition information was sent to Na-Au-Say Township on August 27, 2021.

Petition information was sent to the Village of Plainfield on August 27, 2021.

Petition information was sent to the Plainfield Fire Protection District on August 27, 2021, and they had no concerns about the request; their email was provided.

The Petitioners desired to rezone the subject property in order to build one (1) house on the subject property.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Route 126. Staff had no concerns regarding the ability of Route 126 to support the proposed map amendment.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors are foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. An airstrip is located on the subject property.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-3, and R-1 with a special use permit. Nearby properties inside the Village of Plainfield also have residential zoning.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. Due to the property's size, a single-family home cannot be constructed on the property under A-1 zoning regulations.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered

the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Suburban Residential. The R-1 One Family Residential District is consistent with the Suburban Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Discussion occurred regarding the location and use of the airstrip.

Dan Kramer, Attorney for the Petitioner, explained the history of the residential development to the west of the subject property, the airstrip, and the history of the subject property.

Ms. Olson noted that the southern portion of the site has soils with some limitations. She also requested a soil erosion and sediment control plan.

Mr. Rybski made a motion, seconded by Commander Langston, to recommend of the requested map amendment.

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on September 22, 2021.

Petition 21-33 Elizabeth Bowyer on Behalf of Doragon Properties, LLC

Mr. Asselmeier summarized the request.

The Petitioner would like to operate a monthly craft fair (sale of agricultural products not grown on premises and the sale of pottery, art, and home décor not produced on the premises) one (1) Saturday per month between April 1st and November 1st.

The Petitioner has been operating the craft fair without a special use and would like to come into compliance.

The Zoning Ordinance required the sale of pottery, art, and home décor products to be located on properties not designated as Agricultural on the Future Land Use Map. The Petitioners were seeking a variance to this provision.

The application materials, plat of survey, aerial of the entire property, and aerial of the area where craft fair/market would occur were provided.

The property was granted a special use permit for landscaping business in 2005. This special use permit was also provided.

The property was approximately fifty acres in size.

The Current and Future Land Uses were Agricultural.

Whitewillow Road was a County maintained Major Collector. Brisbin Road was a Township maintained Major Collector.

Minooka has trails planned along Whitewillow and Brisbin Roads.

There were no floodplains or wetlands on the property. The pond was permitted as part of the development of the landscaping business.

The adjacent land uses were Agricultural and Farmstead.

The adjacent zoning districts and nearby zoning districts were A-1.

The County's Future Land Use Map called for the area to be Agricultural. The Village of Minooka's Future Land Use Map called for the area to the north and south to be Traditional Neighborhood and the area to the east to be Light Industrial.

EcoCat submitted on August 24, 2021, and consultation was terminated.

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The Petitioner did an NRI application as part of a proposed cannabis business at the subject property in April 2020. The LESA Score was 220 indicating a medium level of protection. The NRI Report was provided.

Seward Township was emailed information on August 27, 2021.

The Village of Minooka was emailed information on August 27, 2021.

Lisbon-Seward Fire Protection District was emailed information on August 27, 2021. They requested two (2) strategically placed fire extinguishers and first aid kits with related signage. The email from the Fire Protection District was provided.

According to information provided to the County, the Petitioner would like to operate a thirty-one (31) stall craft fair west of the existing main building as identified in the provided aerial. The vendor stalls were approximately twelve foot by fourteen foot (12' X 14'). The stalls were made of wood with an area to erect a tent. The stalls were also numbered; pictures of an example stall and vendor row were provided.

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

Vendors sold a variety of craft products.

Section 7:01.D.48 placed 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. The Petitioner was seeking a variance to this requirement.
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 approved 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 to the County, the Petitioner would like to operate the craft fair one (1) Saturday per month between April 1st and November 1st. Vendors started setting up at 6:00 a.m. The craft fair was open to the public from 8:00 a.m. until about 4:00 p.m. Vendors would leave the site by 6:00 p.m.

The Petitioner had five (5) full-time employees that monitor the craft fair, including herself and her husband.

The usual number patrons on the property at a given time for the craft fair was approximately fifty (50).

No new structures are planned for the property.

There were existing restrooms inside the building used for the landscaping business. There were two (2) porta-johns available for the vendors and patrons at the craft fair.

There was a private well onsite.

The Petitioner would make accommodations for vendors that want electricity.

The property drained to the southeast.

The Petitioners secured applicable permits in 2004 for the construction of the pond on the premises.

Based on the information provided, no stormwater permits were required because the Petitioner did not plan to add any impervious surface.

The property had access from Whitewillow Road.

According to the provided aerial, there were approximately eighty parking (80) spaces on the property. These included parking spaces east and south of the building used for the landscaping business. There was also parking available for vendors west of the vendor row. There were six (6) identified handicapped parking spaces on the property.

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

The Petitioner planned to have one (1) mobile sign placed at the southeast corner of Whitewillow and Brisbin Roads. A picture of the sign was provided. The Petitioners would like the sign to remain at the intersection between May 1st and December 1st of each year. The sign would not be illuminated.

There were other directional signs located on the property and the landscaping business/nursery has separate signage for that portion of the business.

No additional landscaping was planned. Nursery materials along Whitewillow Road served as screening.

No information regarding noise control was provided.

The proposed Findings of Fact for the special use permit 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 subject property already has an established landscaping and nursery business. The proposed use will complement the existing special use and will minimally impact the area.

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, site layout, and noise. No new buildings or other significant alterations away from the current appearance of the property or general area 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. Parking areas are already established. 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 provided the variance to allowing the use on property designated as Agricultural on the Land Resource Management Plan is approved.

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 9-21 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."

The proposed Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. There is no topographical hardship.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Very few A-1 zoned properties have an existing commercial use as intense as the use located on the subject property. Most properties zoned A-1 and classified as Agricultural on the Land Resource Management Plan do not have the existing facilities to support this type of use.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners did not create or request the land designation contained in the Land Resource Management Plan.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The subject property already has a special use permit. The proposed use would only operate for a very brief time of the year. No improvements to the property are planned as part of the proposal. Therefore, no injury to the public welfare or other properties is foreseen.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Because of the limited operations proposed and because no new structures are planned, the proposal will not impair the supply of light or air to adjacent properties, cause increased congestion on local streets, endanger public safety, or impair property values.

Staff recommended approval of the requested special use permit and variance subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the aerial. Other than parking and signage, the craft fair shall be limited to area designated as "Vendor Area" on the aerial. 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.
2. A variance to Section 7:01.D.48 shall be granted to allow the sale of pottery, art, and home décor not produce on the premises to occur on property designated as Agricultural on the Future Land Use Map.
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 pastoral setting. To that end, no vendor stall located in the northern row of the vending area shall be open toward the north.
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 of thirty-one (31) vendors may be on the subject property.
8. The uses allowed by this special use permit may operate a maximum of one (1) Saturday per month. The uses may be open for sale between the hours of 8:00 a.m. and 4:00 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 April 1st and November 1st.
9. A maximum of five (5) people, including the property owner 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 on the subject property at the southeast corner of Whitewillow and Brisbin Roads in substantially the size and appearance of the sign shown in the provided picture. The sign shall not be illuminated. The sign may be in place May 1st until December 1st. The owners of the business allowed by this special use permit may install additional directional signage for patrons inside the property.
11. 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 operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
14. 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 these types of uses.
15. The conditions and restrictions contained in this special use permit shall be separate from the conditions and restrictions contained in Ordinance 2005-37.
16. 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.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
18. 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.

Mr. Gengler expressed concerns regarding having two (2) signs at the corner of Whitewillow and Brisbin Roads. He requested only one (1) sign; preferably the stationary sign. Dan Kramer, Attorney for the Petitioner, explained that the sign was in storage during the off-season. Mr. Kramer agreed to ask the Petitioners to see if they could incorporate the craft fair into the existing stationary sign.

Mr. Asselmeier asked if thirty-one (31) was the maximum number of vendors that they could get. Mr. Kramer requested that the number of vendors be increased to thirty-five (35).

Mr. Gengler asked about the location of restrooms. Mr. Kramer noted the porta-johns and restrooms in the existing building.

Mr. Kramer discussed the Petitioners' application for craft growers. They will apply for another special use permit, if the State issues a craft growers' license.

Mr. Rybski requested information on the septic field. He requested the Petitioners contact the Health Department regarding the location of the septic field shown on the original special use permit. The food trucks had been licensed with the County and they also make sure that large amounts of bottled water were available.

The market has been operating since at least 2020.

Mr. Kramer noted the amount of patrons for the landscaping business during their special sales.

Mr. Holdiman made a motion, seconded by Mr. Asselmeier, to recommend approval of the special use permit with the conditions proposed by Staff and raising the number of stalls to thirty-five (35).

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on September 22, 2021.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 21-24, regarding the billboard at Route 34 and Hafenrichter, was approved.

Mr. Asselmeier also reported that Petition 21-26, regarding the banquet facility on Crimmin Road, was laid over at the Planning, Building and Zoning Committee.

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Ms. Briganti, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 10:21 a.m., adjourned.

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

Enc.

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
SEPTEMBER 7, 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)
Dan Kram 21-30 31 32 33		
Scott Richmond, Esq. 21-29		