

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

Monday, May 13, 2019 – 6:30 p.m.

CALL TO ORDER:

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

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes from April 30, 2019 Meeting (Pages 3-11)

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 12-14)

PUBLIC COMMENT:

PETITIONS:

1. **19 – 07 – Kendall County Planning, Building and Zoning Committee (Pages 15-38)**
Request: Text Amendment to Section 11.05A of the Kendall County Zoning Ordinance Pertaining to the Parking and Storage of Unoccupied Recreational Vehicles, Trailers and Mobile Homes
Purpose: Proposal Allows for the Parking of Unoccupied Recreational Vehicles, Trailers and Mobile Homes in the Front and Corner Yard Setbacks in the R-4, R-5, R-6, and R-7 Zoning Districts Provided that No Sidewalk, Trail, or Visibility of Motorists is Blocked; Removes the Requirement that Certain Recreational Vehicles be Registered; Removes the Seventy-Two (72) Hour Parking Provision
2. **19 – 08 – Daniel, Bruce, and Norma VanDeventer and Deborah Hull on Behalf of the Wilbur C. VanDeventer Trust (Current Owner) and Diane and Craig Zimmerman (Prospective Buyer) (Pages 39-93)**
Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural to R-1 One-Family Residential
PIN: 02-11-300-007
Location: The Northeast Side of the T-Intersection Created by Galena Road and Kennedy Road in Bristol Township
Purpose: Proposal Rezones the Property to R-1 to Allow the Prospective Buyer to Construct One House on the Property

NEW BUSINESS:

1. Discussion of SB 7 (Pages 94-111)
2. Request for Guidance Regarding Alleged Stormwater Ordinance Violation at 508 W. Route 126 (Anderson Tree Farm) (Pages 112-115)

3. Recommendation on Annual Facility Inspection Report for NPDES Permit for Stormwater Discharges from Separate Storm Sewer Systems (MS4) (Pages 116-140)
4. Approval of Setting a Date and Time for a Second Meeting of the Planning, Building and Zoning Committee in the Month of May 2019

OLD BUSINESS:

1. Discussion of Land Cash Ordinance (Pages 141-146)
2. Discussion of Junk and Debris Ordinance Update
3. Update on 45 Cheyenne Court (Pages 147-148)
4. Zoning Ordinance Project Update

REVIEW VIOLATION REPORT (Pages 149-154):

1. Update on Zoning Violation at 790 Eldamain Road
2. Approval to Forward Violation of Stormwater Ordinance at 84 Woodland Drive, Plano to the State's Attorney's Office (Pages 155-204)

REVIEW NON-VIOLATION COMPLAINT REPORT (Page 205):

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

REVIEW PERMIT REPORT (Pages 206-214):

REVIEW REVENUE REPORT (Page 215):

CORRESPONDENCE:

1. April 30, 2019 Email from Anderson Tree Farm Regarding Special Use Permit Application (Page 216)
2. May 3, 2019 Letter from IDOT Regarding Noise Traffic Study on Routes 47 and 30 (Pages 217-222)

PUBLIC COMMENT:

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

ADJOURNMENT:

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

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 & 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of April 30, 2019 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Prochaska at 8:00 a.m. Chairman Prochaska led the attendees in the Pledge of Allegiance.

ROLL CALL

Committee Members Present: Elizabeth Flowers, Judy Gilmour, Matt Kellogg (Vice-Chairman), John Purcell (arrived at 8:18 a.m.), and Matthew Prochaska (Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Brian Holdiman (Code Inspector), Ed Gruber, Linda Wilkinson, Chris Paluch, Greg Petersen, Todd Milliron, and June McCord

APPROVAL OF AGENDA

Member Gilmour made a motion, seconded by Member Kellogg, to move the Plattville Intergovernmental Agreement item to ahead of Petitions and approve the agenda as amended. With a voice vote of four (4) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Gilmour made a motion, seconded by Member Flowers, to approve the minutes of the April 8, 2019, meeting. Mr. Asselmeier noted that the minutes were corrected at the April 16, 2019, County Board meeting regarding 790 Eldamain. With a voice vote of four (4) ayes, the motion carried unanimously.

EXPENDITURE REPORT

Mr. Asselmeier gave the report and noted that one (1) of the Department's trucks was in the shop because of a nail in one (1) of the tires. Motion by Member Gilmour, seconded by member Kellogg, to forward the report to Finance for review. With a voice vote of four (4) ayes, the motion carried unanimously.

PUBLIC COMMENT:

Linda Wilkinson would like to see a limit on hours of operation for gun ranges to daylight hours. She would like to see fencing in addition to berming. She would like to see measurements from property lines and not firing lines. She would like to see a minimum bond set in the ordinance. She agreed with the language related to forest preserves. She would like to see the grandfathering apply to lawfully permitted operating gun ranges.

Chris Paluch would like the grandfathering provisions for outdoor shooting ranges to apply to legally permitted ranges only.

Greg Petersen did not agree with some of the reversals made by the Planning, Building and Zoning Committee of the recommendations made by the Kendall County Zoning Board of

Appeals. He believed that fencing should be around the berms. He believed measurements should note the residential areas of a property instead of tillable acres of a property.

Todd Milliron would like to see a map showing the locations of all gun ranges for prospective home buyers.

NEW BUSINESS

Approval of an Intergovernmental Agreement between the Village of Plattville 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 Plattville for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Plattville to the County of Kendall

Mr. Asselmeier summarized the request.

The proposed Intergovernmental Agreement is the same as previous years.

The proposal will go to the Plattville Village Board on May 20, 2019.

Plattville Village President June McCord stated that the Village had some questions regarding costs associated with the agreement. Mr. Asselmeier will be attending the Plattville Village Board meeting on this topic.

Member Kellogg made a motion, seconded by Member Gilmour, to recommend approval of the Intergovernmental Agreement.

Yeas (4): Flowers, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (1): Purcell

The motion carried. The proposal will go to the County Board after the Village of Plattville approves the Intergovernmental Agreement.

PETITIONS

Petition 19-01 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

On July 11, 1972, the Kendall County Board granted a special use permit for a Day Nursery School at 43 West Street in Bristol. Restriction 4 of the special use permit stated that the special use permit shall be subject to review every two (2) years.

Since 1972, the subject property was divided into three (3) parcels. The parcel addressed as 43 West Street has a parcel identification number of 02-16-228-012. This property is owned by Jude and Carrie Vickery; the Vickery's submitted an email stating their support for the revocation of the special use permit.

The southwestern parcel, identified by parcel identification number 02-16-276-020 is owned by Brad, William, and Kay Phillips. This parcel was created in 2005. The Phillips family owns the land northwest of the subject property.

The southeastern parcel, identified by parcel identification number 02-16-276-022, is owned by Karen Klatt and her late husband Tom. This parcel was created in 2010 and the Klatts owned the property northeast of the subject property.

Based on the County's databases, no structures exist on the parcel owned by the Phillipses or the Klatts and no demolition permits were issued by Kendall County in the last two years.

The Planning, Building and Zoning Department sent letters to each property owner on August 22, 2018, asking if the property owners desired to keep the special use permit. No response was provided. On November 19, 2018, the Department mailed certified letters to each property owner. The green cards are on file in the Planning, Building and Zoning Department office. Neither the Klatts nor the Phillips responded to the follow-up letter.

At their meeting on December 10, 2018, the Planning, Building, and Zoning Committee voted to initiate the revocation of the special use permit on these properties. The property owners were invited to this meeting, but none of them attended.

The subject properties are zoned R-3. If the special use permit is revoked, the properties will retain their R-3 zoning classification.

On April 1, 2019, the Kendall County Zoning Board of Appeals held a public hearing on this request. Zero (0) members of the public testified in favor or in opposition to the request. The Kendall County Zoning Board of Appeals unanimously approved the following Findings of Fact and recommended approval of the requested revocation.

§ 13.08.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the revocation of special use permits.

In any case where a special use has not been established within two (2) years from the date of granting thereof, then, the County Board may revoke the special use, or if the special use has been discontinued for a continuous period of two (2) years, the County Board may revoke the special use. Based on the information stated in Jude Vickery's email of December 10, 2018, the fact that no structures exist on the two parcels created from the original parcel, and the fact that no demolition permits were issued on the subject properties in the last two (2) years, the special use has been discontinued for a continuous period of two (2) years.

Staff recommends approval of the proposed special use permit revocation.

The typographical error in the memo regarding Brad Phillips' name will be corrected.

Member Gilmour made a motion, seconded by Member Kellogg, to recommend approval of the revocation.

Yeas (4): Flowers, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (1): Purcell

The motion carried. This proposal will go to the County Board on May 7th.

Petition 19-03 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

On October 15, 1996, the Kendall County Board granted a special use permit for a truck driver training school at 14525 Route 71, Yorkville. Restriction 12 of the special use permit stated that the special use permit shall be subject to review every two (2) years. On November 16, 1999, the Kendall County Board granted an amendment to the special use permit to add a classroom and office building and a sign to the approved site plan.

The current property owners, Kerry and Susan Fierke, purchased the property in 2006. No advertisements or signage exists noting that the property has a truck driver training school. In addition, based on the aerial, the classroom and office building was not constructed. No building or demolition permits are on file in the Planning, Building and Zoning Department.

The Planning, Building and Zoning Department sent a letter to the property owners on August 22, 2018, asking if the property owners desired to keep the special use permit. No response was provided. On November 19, 2018, the Department mailed a certified letter to the property owners. The green card is on file in the Planning, Building and Zoning Department office. No response was provided to the follow-up letter.

At their meeting on December 10, 2018, the Planning, Building, and Zoning Committee voted to initiate the revocation of the special use permit on this property. The property owners were invited to this meeting, but did not attend.

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

On April 1, 2019, the Kendall County Zoning Board of Appeals held a public hearing on this request. Zero (0) members of the public testified in favor or in opposition to the request. The Kendall County Zoning Board of Appeals unanimously approved the following Findings of Fact and recommended approval of the requested revocation.

§ 13.08.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the revocation of special use permits.

In any case where a special use has not been established within two (2) years from the date of granting thereof, then, the County Board may revoke the special use, or if the special use has been discontinued for a continuous period of two (2) years, the County Board may revoke the special use. Based on the lack of advertisement and the fact that the additional structure requested in 1999 was not built, the special use has been discontinued for a continuous period of two (2) years.

Staff recommends approval of the proposed special use permit revocation.

Member Kellogg made a motion, seconded by Member Gilmour, to recommend approval of the revocation.

Yeas (4): Flowers, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (1): Purcell

The motion carried. This proposal will go to the County Board on May 7th.

Petition 19-18 Cindy Harney and Maria Serrano

Mr. Asselmeier summarized the request.

In 2013, Kendall County granted a Conditional Use Permit for an ECHO Housing Unit at 13443 Fennel Road. This Conditional Use Permits has been renewed annual as required by the Kendall County Zoning Ordinance.

The current property owner, Cindy Harney, is attempting to sell the property and the prospective buyer, Maria Serrano, has a qualifying family member that wishes to occupy the ECHO Housing Unit. The necessary paperwork has been filed with the Kendall County Planning, Building and Zoning Department.

Staff recommends approval of the requested transfer with the condition that the transfer not occur until the sale of the subject property is final.

Member Kellogg made a motion, seconded by Member Flowers, to approve the transfer.

Yeas (4): Flowers, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (1): Purcell

The motion carried.

NEW BUSINESS

Review of Plumbing Inspection Contract Between Kendall County and Randy Erickson, D.B.A. Erickson Construction

Mr. Asselmeier summarized the request.

Kendall County's contract with Randy Erickson, D.B.A Erickson Construction expires in December 2019.

The County's insurance consultant recommended changes to the section pertaining to insurance. The proposed contract contains more detailed insurance requirements than the existing contract.

The Planning, Building and Zoning Department would like the Committee's input before negotiating with Randy Erickson; Mr. Erickson has not reviewed the contract.

Member Purcell arrived at this time (8:18 a.m.).

Member Flowers made a motion, seconded by Member Kellogg, to recommend approval of the insurance changes as proposed.

Yeas (4): Flowers, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (1): Purcell
Absent (0): None

The motion carried. Mr. Erickson will be notified of the proposed changes.

Discussion of Junk and Debris Ordinance

Mr. Asselmeier presented information. The Committee reviewed the existing Junk and Debris Ordinance and the suggestions of the State's Attorney's Office. The Committee also reviewed a similar Health Department related ordinance and a regulation from Kane County.

Mr. Holdiman expressed his opinion that the Health Department regulation has historically been enforced by the Health Department, but the simpler method would be to rewrite the Junk and Debris Ordinance with the same enforcement procedure as the Inoperable Vehicle Ordinance.

Discussion occurred regarding burning regulations. Garbage collection service in the rural areas is not provided in many cases. People can burn landscaping waste on their property if the waste is generated on the property.

The definition of junk seems subjective. Mr. Holdiman explained how he investigates junk and debris complaints. The consensus of the Committee was to investigate junk, and not burning, regulations.

Mr. Holdiman recommended that the enforcement provisions of the Junk and Debris Ordinance should be the same as Inoperable Vehicle Ordinance.

The consensus of the Committee was to ask the State's Attorney's Office to do a general revision of the Junk and Debris Ordinance with a similar enforcement provision as the Inoperable Vehicle Ordinance without creating conflicts with existing Health Department regulations.

OLD BUSINESS

Update on 45 Cheyenne Court

Mr. Asselmeier provided an update. The property owner's deadline for providing an invoice for siding is April 30th.

REVIEW OF THE VIOLATION REPORT

The Committee reviewed the violation report.

REVIEW NON-VIOLATION COMPLAINT REPEORT

The Committee reviewed the non-violation report.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report.

CORRESPONDENCE

Letter Regarding Dumping at Newark High School

Mr. Asselmeier read the correspondence.

June 17, 2019-Illinois Agriculture and Water: Protecting and Controlling a Valuable Resource
Flyer

Mr. Asselmeier read the flyer.

Letter to Fran Klaas from Friends of the Fox River

Mr. Asselmeier read the letter.

PUBLIC COMMENT

None

COMMENTS FROM THE PRESS:

None

EXECUTIVE SESSION

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

Yeas (4): Flowers, Gilmour, Kellogg, and Prochaska
Nays (1): Purcell
Abstain (0): None
Absent (0): None

The motion carried. The Committee recessed at 9:00 a.m.

Chairman Prochaska called the Committee back to order at 9:03 a.m.

ROLL CALL

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

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Brian Holdiman (Code Inspector)

NEW BUSINESS

Approval to Release the Executive Session Minutes of April 30, 2019

Member Purcell made a motion, seconded by Member Kellogg, to recommend releasing the executive session minutes of April 30, 2019.

Yeas (5): Flowers, Gilmour, Kellogg, Purcell, and Prochaska
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the County Board on May 7.

The consensus of the Committee was to ask Mr. Asselmeier to inform the Kendall County Regional Planning Commission that the Committee will not discharge the proposed changes to the Land Resource Management Plan in Lisbon Township to the County Board.

ADJOURNMENT

Member Kellogg made a motion, seconded by Member Flowers, to adjourn. With a voice vote of five (5) ayes, the motion carried unanimously. Chairman Prochaska adjourned the meeting at 9:06 a.m.

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

Enc.

**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
APRIL 30, 2019**

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)
Ed Gruber		
Synda Wilkinson		
Chris Paluch		
Greg Belton		
Todd Miller		

fmrptclaim		Kendall County		Claims Listing		04/02/19	8:22:46 AM	Page 001
Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount	
BUILDING AND ZONING								
1 020541	BUILDING & ZONING PETTY CASH	MARCH 2019	OFFICE SUPPLIES	04/02/19	01020026200	OFFICE SUPPLIES	2.00	
2 191522	SOURCE ONE OFFICE PRODUCTS	535755	OFFICE SUPPLIES	04/02/19	01020026200	OFFICE SUPPLIES	87.32	
3 220620	VERIZON	9826583573	CODE OFFICIAL - CELL	04/02/19	01020026207	CELLULAR PHONE	89.32*	
							55.68	
							55.68*	
4 110531	KENDALL CO HIGHWAY DEPT	MARCH 2019	MARCH 2019 FUEL - PBZ	04/02/19	01020026217	VEHICLE MAINT/REPAIRS	128.60	
							128.60*	
Total BUILDING AND ZONING							273.60*	
GRAND TOTAL							273.60**	

frmPrctClaim	Kendall County	Supplemental Claims Listing			04/16/19	8:18:25 AM	Page 001
Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
BUILDING AND ZONING							
1 020541	BUILDING & ZONING PETTY CASH	APRIL 2019	IACZO APRIL 2019 MEE	04/15/19	01020026204	CONFERENCES	18.91
2 190816	SHAW MEDIA	031910101009	MARCH 2019 LEGAL NOT	04/15/19	01020026209	LEGAL PUBLICATIONS	18.91*
3 261005	RANDY ERICKSON	MARCH 2019	MARCH 2019 PLUMBING	04/15/19	01020026361	PLUMBING INSPECTIONS	467.48
4 110545	KENDALL COUNTY RECORDER	1000	MARCH 27, 2019 RECOR	04/15/19	01020026370	RECORDING EXPENSE	1,120.00
5 110545	KENDALL COUNTY RECORDER	996	FEBRUARY 20, 2019	04/15/19	01020026370	RECORDING EXPENSE	1,120.00*
6 120542	LEO'S	1124	HISTORIC PRESERVATIO	04/16/19	01020026383	HISTORICAL PRESERVATION C	53.00
Total BUILDING AND ZONING							148.00
							148.00*
ENGINEERING/CONSULTING ESCROW ACCT							
7 230933	WBK ENGINEERING, LLC	20086	FOX METRO EXPANSION	04/15/19	59020000046	FOX METRO WATER REC DIST	1,913.39*
Total ENGINEERING/CONSULTING ESCROW							407.48
							407.48*
GRAND TOTAL							407.48*
							2,320.87**

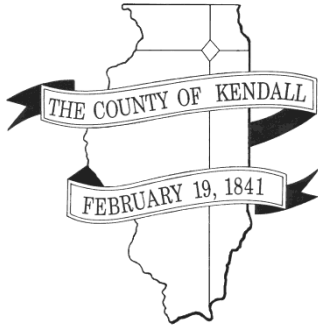
Page 001

Dist Amount

111.30
111.30*

111.30*

111.30**



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Zoning Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: May 3, 2019
Re: Petition 19-07- Request from the Kendall County Planning, Building and Zoning Committee for Text Amendment to Section 11.05A of the Kendall County Zoning Ordinance Pertaining to the Parking of Trailers

At the January Planning, Building and Zoning Committee meeting, the Committee requested Staff to prepare a proposed text regarding Section 11.05A of the Kendall County Zoning Ordinance pertaining to the parking of recreation vehicles, trailers and mobile homes.

The proposal is divided into three (3) parts:

Part One: Amends Section 11.05A.1.b by allowing the parking of recreational vehicles, trailers and mobile homes in the front and corner yard setbacks in the R-4, R-5, R-6, and R-7 Zoning Districts provided that no sidewalk, trail, or visibility of motorists is blocked. The remainder of Section 11.05A.1.b is renumbered to reflect the amendment.

Part Two: The requirement that certain recreational vehicles be registered is removed because the proposal renders the registrations moot. Five (5) recreational vehicles were registered with the County.

Part Three: Section 11.05.A.2 is amended by removing the seventy-two (72) hour parking provision. The remainder of Section 11.05.A.2 is renumbered to reflect the amendment.

A redline version of the proposal is attached to this memo.

At their meeting on February 11, 2019, the Planning, Building and Zoning Committee voted to initiate a text amendment to the Kendall County Zoning Ordinance reflecting this proposal.

ZPAC reviewed this proposal at their meeting on March 5, 2019. ZPAC unanimously recommended approval. The minutes of the ZPAC meeting are attached.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on March 27, 2019. The Kendall County Regional Planning Commission unanimously recommended approval. The minutes of the Kendall County Regional Planning Commission are attached.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on April 1, 2019. Three (3) members of the public testified in opposition to this proposal. Their concerns focused on code enforcement and the negative impacts to the aesthetics of the neighborhood if the proposal passed. One (1) of the members of the public requested that Kendall County adopt regulations similar to the Village of Oswego's regulations on this matter. The Kendall County Zoning Board of Appeals unanimously issued a negative recommendation of the proposal. Members voted no because they felt that Boulder Hill would turn into a trailer park and housing values would be depressed because the neighborhood would look bad. Also, just because an ordinance is difficult to enforce, does not mean that the ordinance should be repealed. The minutes of that portion of the April 1, 2019 hearing on this proposal are attached.

The proposal was sent to the townships on March 4, 2019. On April 10, 2019, Oswego Township sent a letter of objection regarding the proposal. Oswego Township would like to see Kendall County adopt similar regulations as the Village of Oswego, if allowed by State law. Oswego Township does not have a Planning Commission, so their objection does not trigger a supermajority vote at the County Board for approval of this proposal.

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

Thanks,

MHA

ENC: Redlined Version of Section 11.05A of the Kendall County Zoning Ordinance
March 5, 2019 ZPAC Meeting Minutes
March 27, 2019 Kendall County Regional Planning Commission Meeting Minutes
April 1, 2019 Kendall County Zoning Board of Appeals Minutes (Petition 19-07 Portion Only)
April 10, 2019 Oswego Township Letter

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

A. Storage of Unoccupied Recreational Vehicles, Trailers and Mobile Homes (Amended 7/18/2006)

1. Unoccupied recreational vehicles, trailers and their contents may be located on lots in any district provided they comply with the following regulations:

a. The number of recreational vehicles and trailers on a lot shall not be restricted when such recreational vehicles or trailers are located within the interior of a permitted structure or when fully screened from adjacent property. Screening shall consist of permitted solid fencing, structures, or evergreen landscaping such that the vehicle does not exceed the height of the permitted screening and so that the vehicle is not directly visible from adjacent properties when viewed at ground level.

b. Recreational vehicles trailers and their contents not stored within a permitted structure shall comply with the following parking requirements:

i. Except for the A-1, R-1, R-2 and R-3 districts, unless otherwise permitted in Section 11.02, such vehicles shall be parked on a hard surfaced all weather pad constructed of concrete, asphalt, brick or stone pavers or comparable material.

ii. **Except in the R-4, R-5, R-6, and R-7 districts**, recreational vehicles, trailers and their contents may not encroach into a required front or corner side yard setback, shall not block any portion of a sidewalk or trail and shall not be parked or stored in a way that obstructs the visibility of oncoming traffic so as to create a safety hazard.

iii. **In the R-4, R-5, R-6, and R-7 districts**, recreational vehicles, trailers and their contents may **not** encroach into a required front or corner side yard setback, **but** shall not block any portion of a sidewalk or trail and shall not be parked or stored in a way that obstructs the visibility of oncoming traffic so as to create a safety hazard.

iv. **iii.** Recreational vehicles may be stored or parked within a required rear or interior side yard setback.

~~Exception: An owner of a recreational vehicle located on property in the R-4, R-5, R-6 or R-7 Residential District which cannot comply with the front yard setback provisions of Section 4.08.A.1.b.ii above as of June 20, 2006 and that has registered said vehicle with the Kendall County Planning Building and Zoning Department, may be permitted to store such vehicle within the front yard setback provided said encroachment does not obstruct the required sight distance triangle, in the case of a corner lot, or create an obstruction so as to compromise the safety of pedestrians or other vehicles operating within the road right-of-way (R.O.W.) Said exemption shall apply to the original recreational vehicle registered and any replacement of said recreational vehicle. This exception shall be non-transferable to any subsequent owner(s) or occupants of the property and shall terminate upon either the sale of the property or change in occupancy of the dwelling unit should the owners chose to maintain it as a rental property. Owners shall be required to register their properties with the Planning, Building and Zoning Department on a form approved by the Department prior to December~~

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

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

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

(Amended 7/18/2006)

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

~~a) For purposes of conducting maintenance on, or the loading and unloading of a recreational vehicle or trailer in preparation for a trip or similar recreational use provided the duration does not exceed 72 hours within a one-week period.~~

b) When a visiting guest or relative of the property owner is in possession of a recreational vehicle. The time period during which the recreational vehicle may be parked or stored on the lot shall be limited to 14 consecutive days within a one year period or 21 days (non-consecutive) within a one year period unless otherwise approved in writing by the Zoning Administrator.

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

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
March 5, 2019 – Unapproved Meeting Minutes

Senior Planner Matt Asselmeier called the meeting to order at 9:08 a.m.

Present:

Megan Andrews – Soil and Water Conservation District
Meagan Briganti – GIS
David Guritz – Forest Preserve
Fran Klaas – Highway Department
Aaron Rybski – Health Department
Matt Asselmeier – PBZ Department

Absent:

Greg Chismark – WBK Engineering, LLC
Brian Holdiman – PBZ Department
Deputy Commander Jason Langston – Sheriff's Department
Matthew Prochaska – PBZ Committee Chair

Audience:

Dan Kramer, Dan Huddleston, Mark Bossong, Chris Fowler, and Craig Zimmerman

AGENDA

Mr. Asselmeier requested that the agenda be amended by moving Public Comment to before Petitions and moving Petition 19-08 to ahead of Petition 19-07. Mr. Klaas made a motion, seconded by Ms. Andrews, to approve the agenda as amended. With a voice vote of all ayes the motion carried unanimously.

MINUTES

Ms. Andrews made a motion, seconded by Ms. Briganti, to approve the February 5, 2019, meeting minutes. With a voice vote of all ayes the motion carried unanimously.

PUBLIC COMMENT

Dan Huddleston, President of the Homeowners' Association of Equestrian Estates at Legacy Farm, expressed his opposition to the proposed increase of the number of horses allowed at 17 Ashe Road. When the development was created, the boarding of horses at the subject property was for residents of the subdivision only. Boarding was opened to non-residents in 2012. He stated that the barn operating as business negatively impacted the property values in the subdivision. The increase in business will result in increased traffic and greater maintenance costs to the roads. He expressed concerns regarding the collection of manure; it is not happening frequently.

Mark Bossong agreed with Mr. Huddleston. Mr. Bossong said that they no longer board their horse at the subject property.

There are six (6) homeowners in the subdivision. The previous owner made it unpleasant for residents to board horses at the barn.

The owner of the barn is a member of the Homeowners' Association.

No notices of shows have been provided to the Homeowners' Association. The Homeowners' Association has not request additional financial assistance for road maintenance. The barn owner pays her fees to the Homeowners' Association.

Mr. Huddleston would like the insurance paid by barn owner to be increased. He also noted that Ms. Flisk does not own any horses boarded at the property.

Chris Fowler, attorney for the Homeowners' Association, discussed the cost increases on the Homeowners' Association.

PETITIONS

Petition 18-24 Dorothy Flisk on Behalf of Skyfall Equestrian, LLC – Major Amendment to a Special Use Permit by Increasing the Number of Horses Allowed Boarded at 17 Ashe Road from 24 to 36 in Little Rock and Bristol Townships

Mr. Asselmeier summarized the request. The property is approximately eight point five (8.5) acres. The existing stable has twenty-six (26) horse stalls. The property has a total of sixteen (16) paddock areas and an "arena" area.

The Petitioner would like to demolish the accessory structures and construct an area for hay and straw and an additional twelve (12) stalls. The new barn will be constructed where the current brown barn is located, using the same footprint. The new barn will be ten feet to twelve feet (10'-12') in height. The new barn will be a prefab construction type. The existing frame shed shall be located to the rear of the paddock area. The Petitioner would also like to construct a lounging arena north of the existing "arena" area.

The Petitioner has a waitlist and would like to expand because of the waitlist. If approved, the Petitioner would like to expand operations in the summer of 2019.

The Petitioner provided an EcoCat from 2005. Since no new building footprints are planned, an update EcoCat was not required.

The Petitioner applied for an NRI in February 2019. Ms. Andrews reported that her office is preparing a letter on the subject.

Revised information was sent to Little Rock Township Revised on February 21, 2019.

Revised information was sent to Bristol Township on February 21, 2019.

The City of Plano had no objections to the proposal.

Revised information was sent to the Bristol-Kendall Fire Protection District on February 21, 2019.

The Little Rock Fox Fire Protection District had no objections to the original proposal.

The Petitioner currently has manure picked up four (4) days per week and has a mushroom farmer collect manure for composting once per week. The manure area is sealed and graded with four (4) concrete blocks across the back and is four (4) rows high and three (3) rows deep. The Petitioner plans to install an opaque fence around the manure area.

Discussion occurred regarding the manure management plan. Mr. Rybski requested additional monitoring of manure. With straw, every stall has to be cleared every day.

Dan Kramer, attorney for the Petitioner, provided a history of the development. Mr. Kramer noted that the Petitioner attempted to meet with the Homeowners' Association. The Petitioner has no objections to the conditions proposed by County Staff.

Mr. Rybski discussed the manure pickup issues. Mr. Rybski noted that the area should be cleaned at least every seven to eight (7-8) days. Mr. Kramer noted that, in the summer, manure pickups will occur every two to three (2-3) days. Mr. Rybski requested that the manure management plan state the two to three (2-3) day pickup during the warmer months. Discussion occurred regarding the Public Health Nuisance Ordinance. Mr. Kramer will provide a more detailed manure management plan to Mr. Rybski by Noon on March 8, 2019. If an updated plan is not provided, the proposal will not advance to the Regional Planning Commission.

Mr. Guritz made a motion, seconded by Mr. Klaas, to forward the major amendment to the special use permit, provided that the manure management plan is provided to the Kendall County Health Department by Noon on March 8, 2019, and subject to the following conditions to the Kendall County Regional Planning Commission:

1. All of the conditions contained in Ordinance 2012-22, except condition number 1 shall remain in effect.
2. Condition number 1 contained in Ordinance 2012-22 is hereby amended to read, "A maximum of thirty-six (36) horses are allowed to be housed in the stable."
3. The site shall be developed substantially in accordance with the attached site plan.
4. The owner(s) of the property shall secure applicable building permits prior to the construction of any structures on the property.

5. The owners(s) of the facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
6. Failure to comply with one or more of the above conditions or restrictions contained in this ordinance and Ordinance 2012-22 could result in the amendment or revocation of the special use permit.
7. If one or more of the conditions contained in this ordinance and Ordinance 2012-22 is declared invalid by a court of competent jurisdiction, the remaining conditions of both ordinances shall remain valid.

Ayes (4): Andrews, Asselmeier, Briganti, and Rybski
 Nays (0): None
 Present (2): Guritz and Klaas
 Absent (4): Chismark, Holdiman, Langston, and Prochaska

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on March 27, 2019, if the manure management plan is submitted as scheduled.

Petition 19-08 Daniel, Bruce and Norma VanDeventer and Deborah Hull on Behalf of the Wilbur C. VanDeventer Trust (Current Owner) and Diane and Craig Zimmerman (Prospective Buyer) – Map Amendment Rezoning the Property at the Northeast Side of the T-Intersection Created by Galena Road and Kennedy Road (PIN 02-11-300-007) from A-1 to R-1 in Bristol Township

Mr. Asselmeier summarized the request. Diane and Craig Zimmerman would like to purchase the subject property and construct a single-family home on the property and operate a home-based carpentry business as allowed by the Kendall County Zoning Ordinance. The property lacks a housing allocation. Therefore, a map amendment is required.

The property is approximately fifteen (15) acres in size. Trails are planned along Galena Road and Blackberry Creek, but a rezoning request cannot be conditioned. A sizeable portion of the property is in the floodplain. The adjacent zoning districts around the property are A-1, R-1, and R-3 in the County and business zoning in Yorkville. The future land use map calls for the property to be residential.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on February 19, 2019. Ms. Andrews reported that they will finish the report the week of March 11th.

Petition information was sent to Bristol Township on February 25, 2019.

Petition information was sent to the Village of Montgomery on February 25, 2019. Mr. Asselmeier noted that the United City of Yorkville was also notified because they own property within the notification area.

Petition information was sent to the Bristol-Kendall Fire Protection District on February 25, 2019.

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

The property fronts Galena Road. A variance to the County highway regulations would be required and the County might require additional right-of-way when they do road improvements in the area.

No new odors are foreseen.

Any new lighting would be for residential use only and must be in compliance with the regulations related to home occupations contained in the Zoning Ordinance.

No fencing or buffer is presently planned for the property.

Any new homes constructed in the floodplain would have to secure a stormwater permit.

Electricity is nearby. New well and septic information would have to be evaluated as part of the building permit process.

Mr. Klaas requested a more detailed site plan showing the access point with Galena Road. Mr. Zimmerman will provide the site plan as part of the application for variance to the County's highway regulations.

Mr. Rybski made a motion, seconded by Mr. Klaas, to recommend approval of the map amendment as requested.

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

The motion passed. This proposal will go to the Kendall County Regional Planning Commission on March 27, 2019.

Petition 19-07 Kendall County Planning, Building and Zoning Committee – Text Amendment to Section 11.05A of the Kendall County Zoning Ordinance Pertaining to the Parking and Storage of Unoccupied Recreational Vehicles, Trailers, and Mobile Homes

Mr. Asselmeier summarized the request.

At the January Planning, Building and Zoning Committee meeting, the Committee requested Staff to prepare a proposed text regarding Section 11.05A of the Kendall County Zoning Ordinance pertaining to the parking of recreation vehicles, trailers and mobile homes.

The proposal is divided into three (3) parts:

Part One: Amends Section 11.05A.1.b by allowing the parking of recreational vehicles, trailers and mobile homes in the front and corner yard setbacks in the R-4, R-5, R-6, and R-7 Zoning Districts provided that no sidewalk, trail, or visibility of motorists is blocked. The remainder of Section 11.05.A.1.b is renumbered to reflect the amendment.

Part Two: The requirement that certain recreational vehicles be registered is removed because the proposal renders the registrations moot. Five (5) recreational vehicles were registered with the County.

Part Three: Section 11.05.A.2 is amended by removing the seventy-two (72) hour parking provision. The remainder of Section 11.05.A.2 is renumbered to reflect the amendment.

At their meeting on February 11, 2019, the Planning, Building and Zoning Committee voted to initiate a text amendment to the Kendall County Zoning Ordinance reflecting this proposal.

Discussion occurred regarding blocking sidewalks and potential increase in the number of unoccupied recreational vehicles in certain parts of the County.

Mr. Klaas made a motion, seconded by Mr. Guritz, to recommend approval of the text amendment as requested.

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

The motion passed. This proposal will go to the Kendall County Regional Planning Commission on March 27, 2019.

Petition 19-09 Kendall County Regional Planning Commission – Text Amendment to Section 7.01.C of the Kendall County Zoning Ordinance by Adding Kendall County Sheriff Shooting Range in Oswego Township (Ordinance Would Expire December 31, 2024) to the List of Permitted Uses in the A-1 District, Related Citation Corrections, and Update to Appendix 9-Table of Uses in the Kendall County Zoning Ordinance to Reflect this Addition

Mr. Asselmeier summarized the request.

At their meeting on February 27, 2019, the Kendall County Regional Planning Commission voted to initiate a text amendment to the Kendall County Zoning Ordinance amending Section 7.01.C by adding Kendall County Sheriff's Office shooting range to the list of permitted uses in the A-1 Agricultural District in Oswego Township only with an expiration date of December 31, 2024, related citation corrections, and update to Appendix 9-Table of Uses in the Kendall County Zoning Ordinance to reflect this addition.

Presently, Kendall County Sheriff's Office shooting ranges are special uses in the A-1, B-2, B-3, B-4, B-6, M-1, M-2, and M-3 Zoning Districts. The County Board may impose restrictions on Kendall County Sheriff's Office shooting ranges. If

this proposal is approved, Kendall County Sheriff's Office shooting ranges would remain special uses on A-1 zoned properties in all of the townships except Oswego Township.

Similarly, outdoor target practice and shooting ranges are special uses with conditions in the A-1 and M-3 Zoning Districts.

Mr. Klaas made a motion, seconded by Mr. Guritz, to recommend approval of the text amendment as requested.

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

The motion passed. This proposal will go to the Kendall County Regional Planning Commission on March 27, 2019.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petitions 19-04 and 19-05 were approved by the County Board.

OLD BUSINESS/NEW BUSINESS

Mr. Asselmeier reported that a petition for special use permit for a banquet facility on Crimmin Road will likely be submitted on or before the March application deadline.

Mr. Asselmeier reported that the Planning, Building and Zoning Committee is pursuing revocations of special use permits at 43 West Street in Bristol and 14525 Route 71. Neither of the uses appear active.

CORRESPONDENCE

None

ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Klaas to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 10:40 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Meeting Minutes of March 27, 2019 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Larry Nelson, Ruben Rodriguez, Benjamin Schroeder, and John Shaw

Members Absent: Claire Wilson

Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)

In the Audience: Dan Kramer, Chet Sergo, Mary Kay Sergo, Dan Huddleston, Mark Bassong, Jean Cook, Celia Bulper, Dorothy Flisk, Craig Zimmerman, Craig Krause, Brittany Krause, and Brad Blocker

APPROVAL OF AGENDA

Member Nelson made a motion, seconded by Member Bledsoe to approve the agenda with the change of moving Petition 19-08 ahead of Petition 19-07. With a voice vote of eight (8) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Bledsoe made a motion, seconded by Member Casey to approve the minutes of the February 27, 2019, meeting with a correction of adding "range" to after "gun" in the second paragraph under Approval to Initiate a Text Amendment for the Kendall County Sheriff's shooting range. With a voice vote of eight (8) ayes, the motion carried unanimously.

PETITIONS

18-24 Dorothy Flisk on Behalf of Skyfall Equestrian, LLC

Mr. Asselmeier summarized the request.

The property is approximately eight point five (8.5) acres. The existing stable has twenty-six (26) horse stalls. The property has a total of sixteen (16) paddock areas and an "arena" area.

The Petitioner would like to demolish the accessory structures and construct an area for hay and straw and an additional twelve (12) stalls. The new barn will be constructed where the current brown barn is located, using the same footprint. The new barn will be ten feet to twelve feet (10'-12') in height. The new barn will be a prefab construction type. The existing frame shed shall be located to the rear of the paddock area. The Petitioner would also like to construct a lounging arena north of the existing "arena" area.

The Petitioner has a waitlist and would like to expand because of the waitlist. If approved, the Petitioner would like to expand operations in the summer of 2019.

The Petitioner provided an EcoCat from 2005. Since no new building footprints are planned, an update EcoCat was not required.

The Petitioner applied for an NRI in February 2019 and the LESA Score was 167 indicating a low level of protection.

Revised information was sent to Little Rock Township Revised on February 21, 2019.

Revised information was sent to Bristol Township on February 21, 2019.

The City of Plano had no objections to the proposal.

Revised information was sent to the Bristol-Kendall Fire Protection District on February 21, 2019.

The Little Rock Fox Fire Protection District had no objections to the original proposal.

ZPAC recommended approval of the petition.

The Petitioner currently has manure picked up four (4) days per week and has a mushroom farmer collect manure for composting once per week. The manure area is sealed and graded with four (4) concrete blocks across the back and is four (4) rows high and three (3) rows deep. The Petitioner plans to install an opaque fence around the manure area.

Staff recommended approval subject to the following conditions:

1. All of the conditions contained in Ordinance 2012-22, except condition number 1 shall remain in effect.
2. Condition number 1 contained in Ordinance 2012-22 is hereby amended to read, "A maximum of thirty-six (36) horses are allowed to be housed in the stable."
3. The site shall be developed substantially in accordance with the attached site plan.
4. The owner(s) of the property shall secure applicable building permits prior to the construction of any structures on the property.
5. The owners(s) of the facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
6. Failure to comply with one or more of the above conditions or restrictions contained in this ordinance and Ordinance 2012-22 could result in the amendment or revocation of the special use permit.
7. If one or more of the conditions contained in this ordinance and Ordinance 2012-22 is declared invalid by a court of competent jurisdiction, the remaining conditions of both ordinances shall remain valid.

Dan Kramer gave a summary of the way the property was originally setup and that Dorothy Flisk owns the barn and six (6) other lots in the subdivision.

Chairman Ashton asked if the manure plan met the State requirements. Mr. Kramer stated there really are no requirements on manure, but they believe they do meet the expectations.

Member Schroeder expressed concerns about the removal of the urine waste and proximity to the creek. He is concerned that with the increase in horses, an increase in the amount of waste will occur. Mr. Kramer said the Health Department had no concerns about the waste.

Dan Huddleston, President of the HOA, spoke about the concerns of the members/neighbors. They are concerned about increased traffic, light pollution, noise, and manure. They are also concerned about the decreased value in their homes due to the fact of having a business in their backyard. Mark Bassong, Vice President of the HOA, agreed with everything Mr. Huddleston said.

Member Rodriguez asked if there was any talk about putting in a separate road to her barn. Mr. Huddleston said there is no way to install a new road.

Mr. Kramer said that request had nothing to do with the covenants of the HOA.

Jean Cook, Arlene Vankamper, and Mary Kay Sergo who board their horses at the stable spoke about how well maintained it is and how it enhanced the area.

Dorothy Flisk owner of the property answered questions about the disposal of urine and manure. She discussed the value and what kind of horses they board. Discussion occurred regarding her business operations, the number of vehicles using the road, and the number of employees at the business.

Member Nelson asked if they had thought about putting in Arborvites. Inadequate space exists for planting Arborvites near the paddock area.

Member Nelson made a motion, seconded by Member Bledsoe, to recommend approval of Petition 18-24 with the conditions proposed by Staff.

Yes (6): Ashton, Bledsoe, Davis, Nelson, Rodriguez, and Shaw
No (2): Casey and Schroeder
Absent (1): Wilson

The motion carried.

Petition 18-24 will go to the Zoning Board of Appeals on April 29, 2019.

19-08 Daniel, Bruce, and Norma Van Deventer and Deborah Hull on Behalf of the Wilbur C. VanDeventer Trust (current Owner) and Diane and Craig Zimmerman (Prospective Buyer)

Mr. Asselmeier summarized the request.

Craig Zimmerman, the prospective buyer, gave a summary that he wants to build a house/workshop on the property.

Craig and Brittany Krause expressed concerns of why did the property had to be rezoned from A1 to R1. Mr. Asselmeier stated it needs to be rezoned in order for them to build a house on it. Discussion also occurred regarding the address of the property.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of Petition 19-08.

Yes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Shaw
No (0): None
Absent (1): Wilson

KCRPC Meeting Minutes 3.27.19

Page 3 of 5

The motion carried.

Petition 19-08 will go to the Zoning Board of Appeals on April 1, 2019.

19-07 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request. He explained enforcement issues in Boulder Hill and this proposal was the suggest way of resolving those issues.

Member Davis made a motion, seconded by Member Bledsoe, to recommend approval of Petition 19-07.

Yes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Shaw

No (0): None

Absent (1): Wilson

The motion carried.

Petition 19-07 will go to the Zoning Board of Appeals on April 1, 2019.

19-09 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

Brad Blocker, Na-An-Say Township Supervisor, spoke about his issues which is the A1 outline reads to allow for the purposes best suited for agricultural purposes. He believes that taking it out of special use and turning it into a permitted use in this case it is pretty much a stretch to call that an Agricultural Use.

Members of the Commission gave Mr. Blocker a background on the proposal. No agricultural land is being taken out of use. It was noted that the proposal is for Oswego Township and the ordinance expires on December 31, 2024.

Member Nelson made a motion, seconded by Member Davis, to recommend approval of Petition 19-09.

Yes (9): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Shaw

No (0): None

Absent (1): Wilson

The motion carried.

Petition 19-09 will go to the Zoning Board of Appeals on April 1, 2019.

OLD BUSINESS

Update on Petition 18-04 Request from Kendall County Regional Planning Commission for Changes to the Future Land Use Map for Properties Near Route 47 in Lisbon Township

Mr. Asselmeier gave an Update. This proposal will go the Planning, Building and Zoning Committee in April.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

Approval to Initiate a Text Amendment to Section 4.06 and 4.07 of the Kendall County Zoning Ordinance by allowing Research and Development Related Home Occupations to be Conducted Outside of a Dwelling or Permitted Accessory Structure and Adding the Phrase "Unless Otherwise Permitted by Law" to the End of Section 4.06.f and Section 4.07.g

Mr. Asselmeier summarized the request.

Mr. Nelson said this came out of a person wanting to do research on guns out of their home. Under current regulations he could not discharge a firearm outdoors as part of his business.

Member Rodriguez made a motion, seconded by Member Bledsoe, to approve initiating the text amendment.

Yes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, and Schroeder
No (0): None
Absent (1): Wilson
Abstain (1): Shaw

The motion carried.

This petition will go to ZPAC on April 2, 2019.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier announced there were three (3) new petitions coming next month.

Member Schroeder talked about the sprinkler issue at the planned banquet facility on Schlapp Road.

ADJOURNMENT

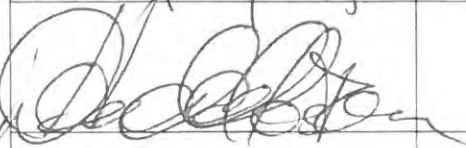
Member Rodriguez made a motion, seconded by Member Nelson, to adjourn. With a voice vote of eight (8) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 9:10 p.m.

Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Encs.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MARCH 27, 2019

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 Kramer	1197 N. S. Bldg II Yorkville, IL 62360	
CHET SERGO		
Mary Kay Sergio		
		
Mark Bassong		
an (a)		
Celia Bulger		
Dorothy Flisak		

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MARCH 27, 2019**

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)
Craig Zimmerman		
Brittany Kruse		
BRAD Blocker		

**MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
April 1, 2019 – 7:00 p.m.**

CALL TO ORDER

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

ROLL CALL:

Members Present: Randy Mohr (Chair); Scott Cherry, Karen Clementi, Tom LeCuyer, Dick Thompson, and Dick Whitfield

Members Absent: Cliff Fox

Staff Present: Matthew Asselmeier, AICP, Senior Planner and Ruth Ann Sikes, Part Time Office Assistant, (Zoning)

Public: Margaret Sheehan, Mark Perle, Jim Williams, Linda Wilkinson, Greg Peterson, Boyd Ingemunson, Martin Cann, James Manning, Mike Hawkins, Wendy Martorano, Priscilla Gruber, Ed Gruber, Todd Milliron, Judy Bush, and Virginia Lake

PETITIONS

Chairman Mohr swore in all of the members of the public that wished to speak on the petitions.

The Zoning Board of Appeals started their review of Petition 19-07 at 9:19 p.m.

Petition 19-07 – Kendall County Planning, Building and Zoning Committee

Request: Text Amendment to Section 11.05A of the Kendall County Zoning Ordinance Pertaining To the Parking and Storage of Unoccupied Recreational Vehicles, Trailers and Mobile Homes

Purpose: Proposal Allows for the Parking of Unoccupied Recreational Vehicles, Trailers and Mobile Homes in the Front and Corner Yard Setbacks in the R-4, R5, R6, and R7 Zoning Districts Provided that No Sidewalk, Trail, or Visibility of Motorists is Blocked; Removes The Requirement that Certain Recreational Vehicles be Registered, Removes the Seventy-Two (72) Hour Parking Provision

Mr. Asselmeier summarized the request.

At the January Planning, Building and Zoning Committee meeting, the Committee requested Staff to prepare a proposed text regarding Section 11.05A of the Kendall County Zoning Ordinance pertaining to the parking of recreation vehicles, trailers and mobile homes.

The proposal is divided into three (3) parts:

Part One: Amends Section 11.05A.1.b by allowing the parking of recreational vehicles, trailers and mobile homes in the front and corner yard setbacks in the R-4, R-5, R-6, and R-7 Zoning Districts provided that no sidewalk, trail, or visibility of motorists is blocked. The remainder of Section 11.05.A.1.b is renumbered to reflect the amendment.

Part Two: The requirement that certain recreational vehicles be registered is removed because the proposal renders the registrations moot. Five (5) recreational vehicles were registered with the County.

Part Three: Section 11.05.A.2 is amended by removing the seventy-two (72) hour parking provision. The remainder of Section 11.05.A.2 is renumbered to reflect the amendment.

At their meeting on February 11, 2019, the Planning, Building and Zoning Committee voted to initiate a text amendment to the Kendall County Zoning Ordinance reflecting this proposal.

The proposal was sent to the townships on March 4, 2019. To date, no townships have provided written comments.

ZPAC reviewed this proposal at their meeting on March 5, 2019. ZPAC unanimously recommended approval.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on March 27, 2019. The Kendall County Regional Planning Commission unanimously recommended approval.

Chairman Mohr started the public hearing on Petition 19-07 at 9:20 p.m.

Judy Bush voiced concerns about vehicles being parked in front of houses. She questioned enforcement procedures. She provided information on the Village of Oswego's regulations on this topic.

Virginia Lake stated that she works very hard on keeping her home clean and believes all of these vehicles being out in front makes Boulder Hills look bad. She requested that the proposal be denied.

Jim Williams stated he has been a resident of Boulder Hill for fifty (50) years and has seen no resolution to zoning issues in the neighborhood. He expressed concerns that people work the system and get away with breaking the rules.

Mr. Asselmeier stated that the Planning, Building and Zoning Department does not have the authority to write tickets or assess fines right now, but they are working on getting that authority.

Chairman Mohr closed the public hearing on Petition 19-07 at 9:44 p.m.

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

The votes were as follows:

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

The motion failed. Members voted no because they felt that Boulder Hill would turn into a trailer park and housing values would be depressed because the neighborhood would look bad. Also, just because the Ordinance is difficult to enforce, does not mean that the Ordinance should be repealed.

This proposal will be sent to the townships for their review and will go to the Planning, Building and Zoning Committee on May 13, 2019.

The Zoning Board of Appeals completed their review of Petition 19-07 at 9:52 p.m.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Clementi made a motion, seconded by Member Cherry, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 10:15 p.m.

Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Exhibits

1. Staff Report on Petition 19-07 Dated March 28, 2019.
2. Certificate of Publication and Mailings for Petition 19-07 (Not Included with Report but on file in Planning, Building and Zoning Office).
3. Village of Oswego RV Parking Regulations.

**KENDALL COUNTY
ZONING BOARD OF APPEALS
APRIL 1, 2019**

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

NAME	ADDRESS	SIGNATURE
Margaret Sheehan		
Mark Perle		
Jim Williams		
Linda M. Wilkinson		
Greg Peterson		
Boyd Ingemanson		
Martin Cann		
James Manning		
Mike Hawthinson Jr		
Mike Hawthinson Jr		
Wanda Matran		
Fredricka Guelen		
E P Dember		
John Mullin		
Jeffrey Bush		
Nugent Lake		

VILLAGE OF OSWEGO ZONING ORDINANCE

12.02 PARKING AND STORING RECREATIONAL VEHICLES

- A. Application. These regulations shall apply to all recreational vehicles.
- B. Recreational Vehicle Defined. Under this ordinance a recreational vehicle is defined as including but not limited to the following: camping trailer, motor home, mini motor home, travel trailer, truck camper, van camper, conversion van, box camper, boat, jet ski, snowmobile and trailer.
- C. Parking on Village Streets. No recreational vehicle shall be parked on any street between the hours of 10:00 p.m. and 5:00 a.m.
- D. One Recreational Vehicle Maximum. Only one (1) recreational vehicle may be parked or stored outside of a completely enclosed structure on the premises of a residential lot. In instances where multiple recreational vehicles are located on the same one trailer, that one trailer and the recreational vehicles on that one trailer shall be considered "one" (1) recreational vehicle
- E. Front Yard Prohibited. A recreational vehicle may not be parked or stored in the front yard of any residential lot.
- F. Rear or Side Yard Allowed. A recreational vehicle may be parked or stored in the rear yard or the side yard of any residential lot as long as no portion of the recreational vehicle is parked or stored in the front yard.
- G. Improved Surface. A recreational vehicle must be parked or stored on an improved surface. Under this ordinance an improved surface shall be defined as a compacted macadam base or equal, not less than four (4) inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material.
- H. Loading/Unloading. A recreational vehicle may be parked in the driveway of a residential lot for up to seventy-two (72) hours within a one (1) week period for the purpose of loading and unloading the recreational vehicle. For the purposes of this section, loading and unloading shall be defined as maintenance and packing the recreational vehicle for the purposes of a recreational use.
- I. Exception and Non-Resident Permit
 - 1. In addition to the parking permitted under section (H) above, a Village resident may apply for an exception permit from the Village Administrator allowing the resident to park or store a recreational vehicle on the resident's property for up to seventy-two (72) hours. A resident may receive a maximum of two (2) exception permits within a twelve (12) month period.
 - 2. A Village resident may apply for an exception permit from the Village Administrator allowing the resident to park a recreational vehicle in the driveway of the resident's property if the recreational vehicle is used on a daily basis as the resident's principal means of transportation. A permit granted under this provision shall expire after one (1) year or on the date that the recreational vehicle

VILLAGE OF OSWEGO ZONING ORDINANCE

is no longer used on a daily basis as the resident's principal means of transportation. The renewal of an exception permit shall be subject to the review and approval of the Village Administrator.

3. A non-resident of the Village who is an owner or operator of a recreational vehicle must obtain a temporary parking permit from the Village in order to park or store a recreational vehicle on a residential lot in the Village. Such permit may be issued if:
 - a. The owner or operator of the recreational vehicle is not a resident of the Village; and,
 - b. The non-resident owner or operator will be or is in the Village for the purpose of visiting a resident of the Village; and,
 - c. The resident of the Village approves of the parking or storing of the recreational vehicle on his/her residential lot; and,
 - d. The period that the recreational vehicle will be parked or stored on the residential lot will not exceed the following:
 - i. Fourteen (14) consecutive days in a one (1) year period or
 - ii. Twenty-one (21) non-consecutive days within a one (1) year period.
4. In the event of an actual hardship, the Village Administrator may issue a temporary permit to allow parking a recreational vehicle on lot for a good cause shown on a case by case basis.

J. Blocking Sidewalk/Visibility Prohibited

1. No recreational vehicle shall be parked or stored in such a way as to block any portion of the sidewalk.
2. No recreational vehicle shall be parked or stored in such a way as to block the visibility of oncoming traffic so as to create a safety hazard.

K. Violations, Penalty, and Enforcement

1. When a person, firm, or corporation is in violation of this ordinance, the Village shall issue a written notice of the violation to the offender.
2. If a resident offender has not had a violation of this ordinance within the twelve (12) months preceding the violation at issue, the resident offender shall be given a ten (10) day grace period in which to come into compliance with the ordinance. If the resident offender is not in compliance with the ordinance on the eleventh (11th) day a fine shall be imposed for the violation and each day thereafter that the resident offender is not in compliance shall constitute a separate offense.

VILLAGE OF OSWEGO ZONING ORDINANCE

3. If a non-resident offender has not had a violation of this ordinance within the twelve (12) months preceding the violation at issue, the non-resident offender shall be given a three (3) day grace period in which to come into compliance with the ordinance. If the non-resident offender is not in compliance with the ordinance on the fourth (4th) day a fine shall be imposed for the violation and each and every day thereafter that the non-resident offender is not in compliance shall constitute a separate offense.
4. If an offender has violated this ordinance within the twelve (12) months preceding the violation at issue, there shall be no grace period for the violation at issue.
5. Each day that a violation is permitted to exist after notification thereof shall constitute a separate offense.
6. Fines shall be imposed based on the following schedule:
 - a. A \$25 fine for the first offense.
 - b. A \$50 fine for the second offense.
 - c. A \$100 fine for the third offense.
 - d. A \$250 fine for the fourth offense.
 - e. A \$500 fine for the fifth offense.
 - f. A \$500 fine for each offense after the fifth offense. (ordinance 02-11)



84 Templeton Dr. #104
Oswego, IL 60543

April 10, 2019

Mr. Matt Asselmeier
Senior Planner Kendall County
111 West Fox Street Rm #204
Yorkville, IL 60560

Dear Mr. Asselmeier:

The Oswego Township Board held its monthly meeting yesterday and discussed Kendall County's Zoning Ordinance 19-07 which provides for the parking and storage of Unoccupied Recreation Vehicles.

The Oswego Township Board unanimously agreed to submit a written objection to the proposed amendments.

The Board recommended a draft, similar to the Ordinance used by the Village of Oswego for similar parking restrictions. This draft should be less any Home Rule privileges not afforded the County.

For further information regarding this issue, please feel free to contact Brian LeClercq, the Township Supervisor, at 630-364-7954.

Sincerely,

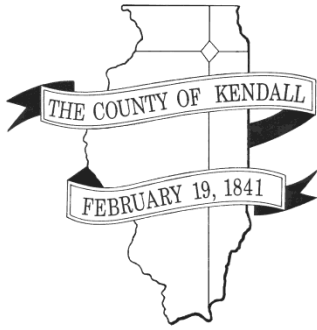
A handwritten signature in black ink that reads "Donna Stanley". The signature is written in a cursive style.

Donna Stanley
Operations Manager

Supervisor 630 554-3211
Assessor 630 554-3214
Fax 630 554-2950

www.OswegoTownship.com

Road Commissioner 630 264-4587
Fax 630 264-6695



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-08

**Daniel, Bruce, and Norma VanDeventer and Deborah Hull on
Behalf of the Wilbur C. VanDeventer Trust (Current Owner) and
Diane and Craig Zimmerman (Prospective Buyer)
Map Amendment Rezoning Property from A-1 to R-1**

INTRODUCTION

Diane and Craig Zimmerman would like to purchase the subject property and construct a single-family home on the property and operate a home-based business as allowed by the Kendall County Zoning Ordinance. The property lacks a housing allocation. Therefore, a map amendment is required.

SITE INFORMATION

PETITIONERS: Daniel, Bruce, and Norma VanDeventer and Deborah Hull on Behalf of the Wilbur C. VanDeventer Trust (Current Owner) and Diane and Craig Zimmerman (Prospective Buyer)

ADDRESS: Between 7977 and 7823 Galena Road

LOCATION: Northeast Side of the T-Intersection Created by Galena Road and Kennedy Road



TOWNSHIP: Bristol

PARCEL #: 02-11-300-007

LOT SIZE: 15.62 +/- Acres

EXISTING LAND USE: Agricultural

ZONING: A-1 Agricultural District

LRMP:	Future Land Use	Rural Residential (Max 0.65 DU/Acre) and Suburban Residential (Max 1.0 DU/Acre)
	Roads	Galena Road is a County Maintained Major Collector Road.
	Trails	Yorkville has a trail planned along Galena Road and Montgomery has a trail planned along Blackberry Creek.
	Floodplain/Wetlands	Blackberry Creek runs through the property and development can occur only the south portion of the property is outside the floodplain. There is a freshwater emergent wetland on the northwest side of the property.

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 to R-1

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Forest Preserve	A-1	Forest Preserve and Rural Residential	R-3 (County) R-2, R-3, and R-5B (Montgomery)
South	Agricultural and Single-Family Residential	R-1 (County) B-3 (Yorkville)	Urban Area	A-1, R-1, and R-3 (County) R-2, B-3, and OS-2 (Yorkville)
East	Single-Family Residential	A-1 and R-3	Suburban Residential	A-1 and R-3 (County) R-2 and M-2 (Yorkville)
West	Forest Preserve and Single-Family Residential	A-1 and R-1	Rural Residential	A-1 and R-1 (County) R-3 and R-5B (Montgomery)

The aerial of the property is included as Attachment 2. Pictures of the property are included as Attachments 3-7. The topographical site plan is included as Attachment 8. The general site plan is included as Attachment 9.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated, see Attachment 1 Pages 10 and 11.

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on February 19, 2019, see Attachment 1, Page 9. The LESA Score was 129 indicating a low level of protection. The NRI Report is included as Attachment 12.

ACTION SUMMARY

BRISTOL TOWNSHIP

Petition information was sent to Bristol Township on February 25, 2019.

VILLAGE OF MONTGOMERY

Petition information was sent to the Village of Montgomery on February 25, 2019. A letter of no objection is included as Attachment 14.

UNITED CITY OF YORKVILLE

Petition information was sent to the United City of Yorkville at the end of February. The subject property is across the street from Yorkville, but is in Montgomery's planning jurisdiction. Yorkville reviewed this proposal during April 2019 and expressed no objection to the proposal as noted in Attachment 16.

BRISTOL-KENDALL FIRE PROTECTION DISTRICT

Petition information was sent to the Bristol-Kendall Fire Protection District on February 25, 2019.

ZPAC

ZPAC reviewed this petition at their meeting on March 5, 2019. The Kendall County Highway Department requested a site plan showing the location of the proposed driveway for the house. It was noted that a variance would be required to the Kendall County Highway Regulations, if the Petitioner desired more than a right-in, right-out point of ingress/egress. ZPAC unanimously recommended approval of the request. The minutes of this meeting are included as Attachment 10.

KCRPC

The Kendall County Regional Planning Commission reviewed this petition at their meeting on March 27, 2019. A neighbor questioned why the property needed to be rezoned. Mr. Asselmeier explained Kendall County's forty (40) acre rule and housing allocation rules in agricultural areas. The address of the property required clarification. The Kendall County Regional Planning unanimously recommended approval of the request. The minutes of this meeting are included as Attachment 12.

ZBA

The Kendall County Zoning Board of Appeals held a public hearing on this petition on April 1, 2019. Other than the Petitioner's Attorney, no other members of the public testified in favor or in opposition to the proposal. The Kendall County Zoning Board of Appeals unanimously recommended approval of the request. The minutes of the meeting are included as Attachment 15.

GENERAL INFORMATION

The Petitioner desires the map amendment in order to construct one (1) single-family home on the property.

If approved, the Zimmermans would like to run a carpentry business out of the property in accordance with Kendall County's home occupation regulations.

BUILDING CODES

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

ACCESS

The property fronts Galena Road. Staff has no concerns regarding the ability of Galena Road to support the proposed map amendment. A variance to the Kendall County Highway Access Regulation Ordinance will be required, if the Petitioner desired more than a right-in, right-out point of ingress/egress. At their meeting on March 19, 2019, the County Board approved an ordinance granting access onto Galena Road at the subject property. A copy of the ordinance is included as Attachment 11.

ODORS

No new odors are foreseen.

LIGHTING

Any new lighting would be for residential use only and must be in compliance with the regulations related to home occupations contained in the Zoning Ordinance.

SCREENING

No fencing or buffer is presently planned for the property.

STORMWATER

Any new homes constructed in the floodplain would have to secure a stormwater permit.

UTILITIES

Electricity is nearby. New well and septic information would have to be evaluated as part of the building permit process.

FINDINGS OF FACT

Existing uses of property within the general area of the property in question. The surrounding properties are a mix of agricultural, single-family residential, and forest preserve uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1, R-1, and R-3. Both the Village of Montgomery and the United City of Yorkville have residentially zoned properties within one half (1/2) mile of the subject property.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and can be used for farming. A single-family home cannot be constructed on the property because a residential housing allocation does not exist and because the property is less than forty (40) acres in size.

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 supports residential growth. A residential subdivision inside the Village of Montgomery is located within one half (1/2) mile of the subject property. No uses that would negatively impact residential development are located near the subject property.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposed amendment is consistent with the Future Land Use Map contained in the Land Resource Management Plan which calls for the subject property to be Rural Residential and Suburban Residential. Per the definition of Rural Residential, uses permitted within the R-1 Zoning District are types of Rural Residential uses.

RECOMMENDATION

Staff recommends approval of the proposed map amendment.

ATTACHMENTS

1. Application Materials (Including the Petitioner's Findings of Fact, NRI Application, and EcoCat)
2. Aerial
3. Looking West
4. Looking East
5. Looking Northeast
6. Looking West from Eastern Neighbor
7. Intersection of Kennedy and Galena Roads

8. Topographical Site Plan
9. General Site Plan
10. March 5, 2019 ZPAC Minutes
11. Access Variance Ordinance
12. NRI Report
13. March 27, 2019 Kendall County Regional Planning Commission Minutes
14. March 8, 2019 Montgomery Letter
15. April 1, 2019 Kendall County Zoning Board of Appeals Minutes
16. April 24, 2019 Email from Jason Engberg



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME Zimmerman Re-Zoning FILE #: 14-08

NAME OF APPLICANT <u>Craig & Diane Zimmerman</u>		
CURRENT LANDOWNER/NAME(s) <u>Wilber C. Van Denter Trust</u>		
SITE INFORMATION ACRES <u>15.62 acres</u>	SITE ADDRESS OR LOCATION <u>8225 Galena Rd</u>	ASSESSOR'S ID NUMBER (PIN) <u>02-11-300-007</u>
EXISTING LAND USE <u>Ag</u>	CURRENT ZONING <u>A-1</u>	LAND CLASSIFICATION ON LRMP <u>Rural Residential</u>
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <u>R-1</u>)	<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.)
AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹ PRIMARY CONTACT <u>Boyd Ingemunson</u>	PRIMARY CONTACT MAILING ADDRESS <u>759 John St.</u>	PRIMARY CONTACT EMAIL <u>boydingemunson@gmail.com</u>
PRIMARY CONTACT PHONE # <u>630 553-5622</u>	PRIMARY CONTACT FAX # <u>630 553-7958</u>	PRIMARY CONTACT OTHER # (Cell, etc.) <u>630 913-1950</u>
² ENGINEER CONTACT <u>N/A</u>	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT 		DATE <u>2/15/19</u>

FILE PAID: \$ _____
CHECK #: _____

¹Primary Contact will receive all correspondence from County

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

Please fill out the following findings of fact to the best of your capabilities. § 13.07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

Existing uses of property within the general area of the property in question.

Residential / Agricultural

The Zoning classification of property within the general area of the property in question.

R-1 / R-3 / ~~A-1~~ A-1

The suitability of the property in question for the uses permitted under the existing zoning classification.

property is suitable

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.

~~trend~~ Development trending
to Residential Use

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

~~Consid~~ Consistent with
LRMP

Justification for Re-Zoning

Petitioner's are seeking to re-zone the property to R-1 to build a residence and an outbuilding. Upon re-zoning Petitioner's would be seeking to utilize the property for a home occupation as permitted in the Kendall County Zoning Ordinance.

02/01/2019

**Fidelity National Title Insurance Company
A.L.T.A. COMMITMENT**

WTC File No. :YVL-CRE-2019KL-263.0

MINUTES, 0 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 363.60 FEET; THENCE NORTH 0 DEGREES, 52 MINUTES, 0 SECONDS EAST, PARALLEL WITH SAID EAST LINE, 1041.00 FEET; THENCE NORTH 89 DEGREES, 56 MINUTES, 0 SECONDS EAST, 396.76 FEET TO THE WEST LINE OF THE NORTH WEST 1/4 OF SAID SECTION 11; THENCE NORTH 0 DEGREES, 33 MINUTES, 11 SECONDS EAST ALONG SAID WEST LINE, 305.30 FEET; THENCE NORTH 89 DEGREES, 40 MINUTES, 0 SECONDS EAST, 658.20 FEET; THENCE SOUTH 0 DEGREES, 20 MINUTES, 49 SECONDS WEST, 511.59 FEET TO THE SOUTH WEST CORNER OF PURCELL'S FIRST SUBDIVISION OF PART OF NORTH WEST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 417.24 FEET TO SAID ORIGINAL CENTER LINE; THENCE SOUTH 45 DEGREES, 25 MINUTES, 54 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 863.07 FEET TO AN ANGLE POINT THEREIN; THENCE SOUTH 82 DEGREES, 27 MINUTES, 37 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 69.19 FEET TO THE EAST LINE OF A TRACT DESCRIBED IN A TRUSTEE'S DEED RECORDED FEBRUARY 13, 1981 AS DOCUMENT 81-457 EXTENDED SOUTHERLY; THENCE NORTH 0 DEGREES, 52 MINUTES, 00 SECONDS EAST ALONG SAID EXTENDED EAST LINE AND SAID EAST LINE, 294.44 FEET TO THE NORTH EAST CORNER OF SAID TRACT; THENCE NORTH 89 DEGREES, 08 MINUTES, 0 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT, 439.0 FEET TO THE NORTH WEST CORNER THEREOF; THENCE SOUTH 0 DEGREES, 52 MINUTES, 0 SECONDS WEST ALONG THE WEST LINE OF SAID TRACT, 370.13 FEET TO SAID ORIGINAL CENTER LINE; THENCE SOUTH 66 DEGREES, 44 MINUTES, 0 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 32.87 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS. EXCEPT THAT PART LYING IN SECTION 10, TOWNSHIP 37 NORTH RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY. SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOS.

PERMANENT TAX NUMBER: 02-11-300-007

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Law Office of Lisa A. Coffey, P.C.
3408 Orchard Road
Oswego, IL 60543

Agent for:
Fidelity National Title Insurance Company

9710045 10/06/1997 03:09P 1 of 1
Paul Anderson, Kendall County, IL Recorder

Form No. 10R
AMERICAN LEGAL FORMS, CHICAGO, IL 60601-1021

WARRANTY DEED
Statutory (ILLINOIS) (General)

CAUTION: Consult a lawyer before using or acting under this form. Neither the publisher nor the seller of this form makes any warranty with respect thereto, including any warranty of merchantability or fitness for a particular purpose.

THE GRANTOR (NAME AND ADDRESS)

WILBUR VAN DEVENTER and
JESSIE VAN DEVENTER, his wife,
8225 Galena Road
Bristol, Illinois 60512

(The Above Space For Recorder's Use Only)

of the _____ of _____ County
of _____ State of _____
for and in consideration of _____ DOLLARS, (\$10.00)
in hand paid. CONVEY _____ and WARRANT _____ to
THE WILBUR C. VANDEVENTER DECLARATION OF TRUST DATED SEPTEMBER 15, 1997,
Wilbur C. VanDeventer, Trustee, 8225 Galena Road, Bristol, Illinois 60512

(NAMES AND ADDRESS OF GRANTEE(S))

the following described Real Estate situated in the County of _____ in the State of Illinois, to wit:
(See reverse side for legal description.) hereby releasing and waiving all rights under and by virtue of the Homestead
Exemption Laws of the State of Illinois. SUBJECT TO: General taxes for _____ and subsequent years and
covenants, conditions, restrictions and easements of record.

Permanent Index Number (PIN): 02-11-300-007

Address(es) of Real Estate: 8225 Galena Road, Bristol, Illinois 60512

DATED this _____ day of _____ 19 97

PLEASE
PRINT OR
TYPE NAME(S)
BELOW
SIGNATURE(S)

Wilbur VanDeventer (SEAL)
Jessie VanDeventer (SEAL)

State of Illinois, County of _____ ss. I, the undersigned, a Notary Public in and for
said County, in the State aforesaid, DO HEREBY CERTIFY that
Wilbur VanDeventer and Jessie VanDeventer, his wife
personally known to me to be the same persons, whose names are
subscribed in the foregoing instrument, appeared before me this day in person,
and acknowledged that _____ signed, sealed and delivered the said
instrument as _____ free and voluntary act, for the uses and purposes
therein set forth, including the release and waiver of the right of homestead.

IMPRESS SEAL HERE

Given under my hand and official seal, this _____ day of _____ 19 97

Commission expires _____

John D. Gutzke, ROLEWICK & GUTZKE, P.C. (cjp)
1776 S. Naperville Road, Ste 104A, Wheaton, IL 60187-8133

PAGE 1 SEE REVERSE SIDE ►

Legal Description	
of premises commonly known as <u>8225 Galena Road, Bristol, Illinois 60512</u>	
<div style="font-size: 48px; opacity: 0.3; transform: rotate(-30deg); position: absolute; top: 50%; left: 50%;">Official</div>	
<p>This Transaction is exempt from the Real Estate Transfer Tax Act pursuant to 35 ILCS 200/31-45 (a).</p> <p>Dated: <u>7-28-77</u> By: [REDACTED]</p>	
<p>MAIL TO:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><p>John D. Gutake, Esquire (cjp) ROLEWICK & GUTAKE, P.C. <small>(Name)</small></p><p>1776 S. Naperville Road, Ste 104A <small>(Address)</small></p><p>Wheaton, IL 60187-8133 <small>(City, State and Zip)</small></p></div>	<p>SEND SUBSEQUENT TAX BILLS TO:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><p>Mr. Wilbur C. VanDeventer <small>(Name)</small></p><p>[REDACTED] <small>(Address)</small></p><p>[REDACTED] <small>(City, State and Zip)</small></p></div>
<p>OR RECORDER'S OFFICE BOX NO. _____</p>	
<p>PAGE 2</p>	

LEGAL DESCRIPTION

THAT PART OF THE EAST 1/2 OF SECTION 10 AND PART OF THE WEST 1/2 OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH EAST CORNER OF THE SOUTH EAST 1/4 OF SAID SECTION 10; THENCE SOUTH 0 DEGREES, 52 MINUTES, 00 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTH EAST 1/4, 666.52 FEET TO THE ORIGINAL CENTER LINE OF GALENA ROAD (FORMERLY CALLED CANNONBALL TRAIL); THENCE SOUTH 66 DEGREES, 44 MINUTES, 0 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 72.32 FEET TO A LINE DRAWN PARALLEL WITH AND 66.00 FEET, NORMALLY DISTANT, WESTERLY OF SAID EAST LINE FOR A POINT OF BEGINNING; THENCE SOUTH 66 DEGREES 44 MINUTES, 0 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 363.60 FEET; THENCE NORTH 0 DEGREES, 52 MINUTES, 0 SECONDS EAST, PARALLEL WITH SAID EAST LINE, 1041.00 FEET; THENCE NORTH 89 DEGREES, 56 MINUTES, 0 SECONDS EAST, 396.76 FEET TO THE WEST LINE OF THE NORTH WEST 1/4 OF SAID SECTION 11; THENCE NORTH 0 DEGREES, 33 MINUTES, 11 SECONDS EAST ALONG SAID WEST LINE, 305.30 FEET; THENCE NORTH 89 DEGREES, 40 MINUTES, 0 SECONDS EAST, 658.10 FEET; THENCE SOUTH 0 DEGREES, 20 MINUTES, 49 SECONDS WEST, 511.98 FEET TO THE SOUTH WEST CORNER OF PURCELL'S FIRST SUBDIVISION OF PART OF NORTH WEST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 417.24 FEET TO SAID ORIGINAL CENTER LINE; THENCE SOUTH 45 DEGREES, 25 MINUTES, 54 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 863.07 FEET TO AN ANGLE POINT THEREIN; THENCE SOUTH 82 DEGREES, 27 MINUTES, 37 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 69.19 FEET TO THE EAST LINE OF A TRACT DESCRIBED IN A TRUSTEE'S DEED RECORDED FEBRUARY 13, 1981 AS DOCUMENT 81-457 EXTENDED SOUTHERLY; THENCE NORTH 0 DEGREES, 52 MINUTES, 00 SECONDS EAST ALONG SAID EXTENDED EAST LINE AND SAID EAST LINE, 294.44 FEET TO THE NORTH EAST CORNER OF SAID TRACT; THENCE NORTH 89 DEGREES, 08 MINUTES, 0 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT, 439.0 FEET TO THE NORTH WEST CORNER THEREOF; THENCE SOUTH 0 DEGREES, 52 MINUTES, 0 SECONDS WEST ALONG THE WEST LINE OF SAID TRACT, 370.13 FEET TO SAID ORIGINAL CENTER LINE; THENCE SOUTH 66 DEGREES, 44 MINUTES, 0 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 32.87 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Plot
more

PERMANENT INDEX NUMBER: 02-11-300-007

KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant _____
Address _____
City _____ State _____ Zip _____
2. Nature of Benefit Sought _____
3. Nature of Applicant: (Please check one)
☐ Natural Person
☐ Corporation
☐ Land Trust/Trustee
☒ Trust/Trustee
☐ Partnership
☐ Joint Venture
4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:
5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

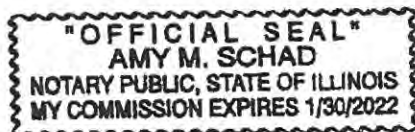
NAME	ADDRESS	INTEREST
Daniel VanDeventer		1/4
Bruce VanDeventer		1/4
Deborah Hull		1/4
Norma VanDeventer		1/4

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
 Daniel VanDeventer, Trustee of the Wilbur C. VanDeventer Declaration of Trust dtd 9/15/1997

 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 18th day of February, A.D. 2019

(seal)



Notary Public



Kendall County Soil & Water
Conservation District

RECEIVED

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3



www.kendallswcd.org

BY: MEA

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Craig & Diane Zimmerman Contact Person: Boyd Ingerson
Address: 759 John St.
City, State, Zip: Yorkville IL 60560
Phone Number: () 630 553-5622
Email: boydingerson@gmail.com

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

Site Location & Proposed Use

Township Name Bristol Township 37 N, Range 7 E, Section(s) 10
Parcel Index Number(s) 02-11-300-007
Project or Subdivision Name Zimmerman Re-Zoning Number of Acres 15.62
Current Use of Site Ag Proposed Use Residential
Proposed Number of Lots 1 Proposed Number of Structures 2
Proposed Water Supply well Proposed type of Wastewater Treatment Septic
Proposed type of Storm Water Management n/a

Type of Request

☒ Change in Zoning from A-1 to R-1

☐ Variance (Please describe fully on separate page)

☐ Special Use Permit (Please describe fully on separate page)

Name of County or Municipality the request is being filed with: _____

In addition to this completed application form, please including the following to ensure proper processing:

- ☒ Plat of Survey/Site Plan – showing location, legal description and property measurements
- ☐ Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
- ☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
- ☒ NRI fee (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:

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

Fee for first five acres and under	\$ 375.00
Additional Acres at \$18.00 each	\$ 198
Total NRI Fee	\$ 573

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

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



Petitioner or Authorized Agent



2/14/19
Date


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

FOR OFFICE USE ONLY

NRI# 1904 Date Initially rec'd 2/19/19 Date all rec'd _____ Board Meeting March 11, 2019
Fee Due \$ _____ Fee Paid \$ 573.00 Check # Over/Under Payment _____ Refund Due _____








EcoCAT
Ecological Compliance Assessment Tool

1 of 3

Find | Next



Applicant:	Craig and Diane Zimmerman	IDNR Project Number:	1907946
Contact:	Boyd Ingemunson	Date:	02/19/2019
Address:	<div></div>		
Project:	Zimmerman Rezoning		
Address:	8225 Galena Road, Bristol		

Description: Rezoning property from A-1 to R-1 on the north side of Galena Road across from Kennedy Road.

Natural Resource Review Results

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

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

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


Location

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

County: Kendall

Township, Range, Section:

37N, 7E, 10
37N, 7E, 11



IL Department of Natural Resources	Government Jurisdiction
Contact	Kendall County
Justin Dillard	Matthew Asselmeier
217-785-5500	111 W. Fox Street
Division of Ecosystems & Environment	Yorkville, Illinois 60560 -1621

Disclaimer

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

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act. Illinois Natural

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.

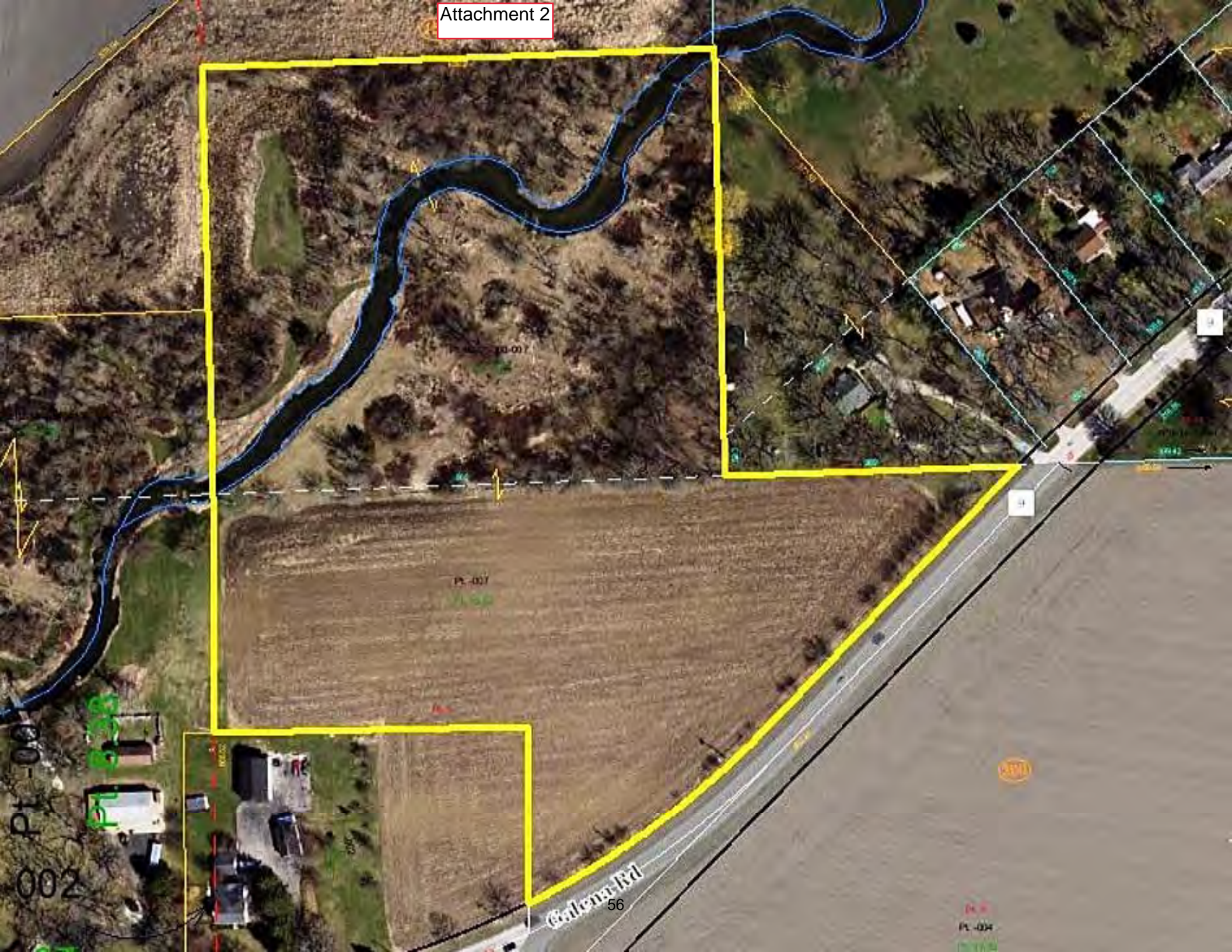
Page 1 of 3

CONSENT FOR RE-ZONING APPLICATION

I, Daniel VanDeventer, Trustee of the Wilbur C. VanDeventer Declaration of Trust dated September 15, 1997, hereby consent to Craig and Diane Zimmerman proceeding with the application with Kendall County to re-zone property identified under parcel # 02-11-300-007 from A-1 to R-1. Said consent is contingent upon the applicants closing on the purchase of the property prior to the re-zoning.



Daniel VanDeventer, Trustee









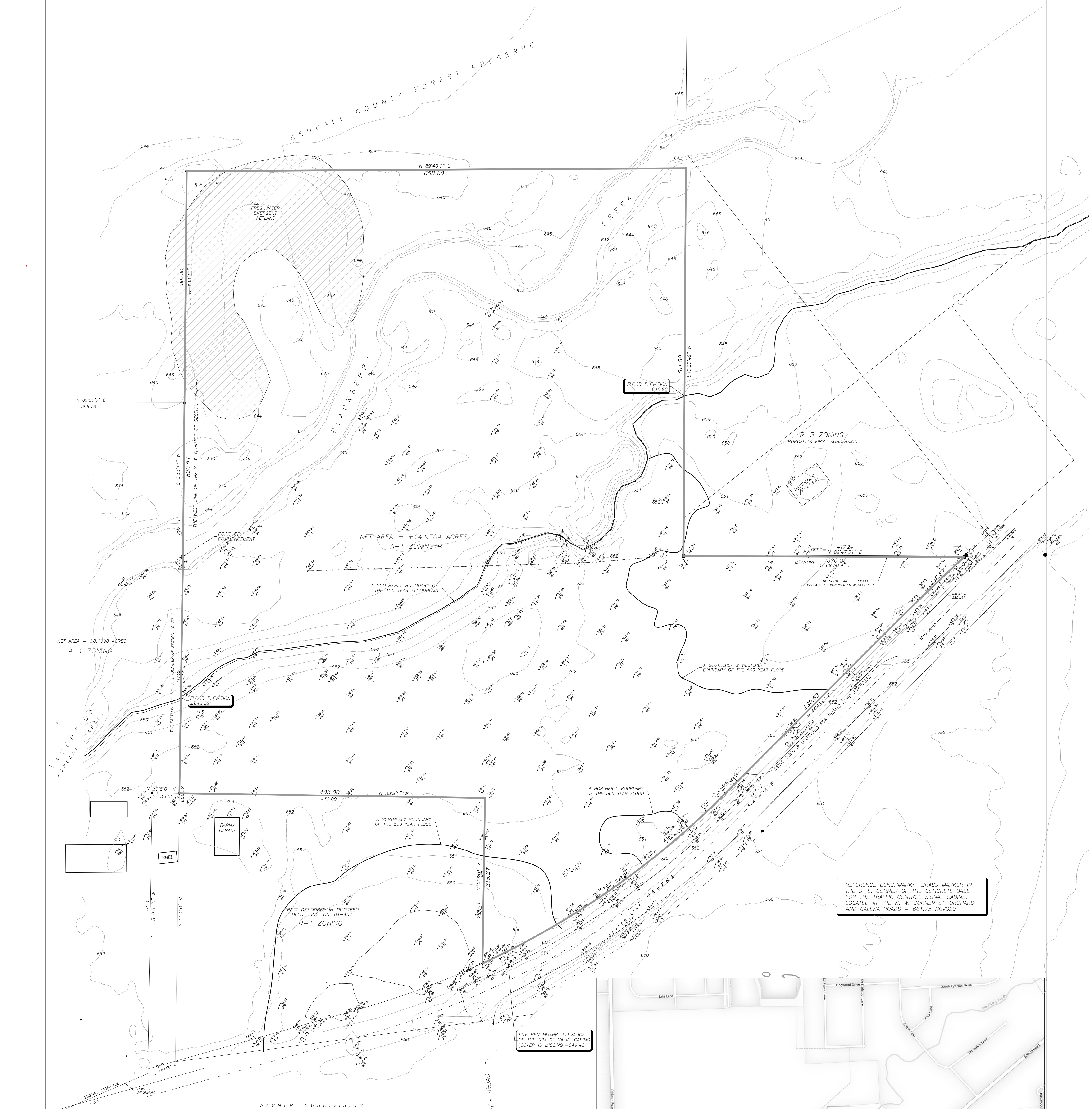




OF

THAT PART OF THE EAST 1/2 OF SECTION 10 AND PART OF THE WEST 1/2 OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH EAST CORNER OF THE SOUTH EAST 1/4 OF SAID SECTION 10; THENCE SOUTH 0 DEGREES, 52 MINUTES, 00 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTH EAST 1/4, 666.52 FEET TO THE ORIGINAL CENTER LINE OF CANNONBALL (FORMERLY Laid CANNONBALL TRAIL) THENCE SOUTH 89 DEGREES, 31 MINUTES, 00 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE OF CANNONBALL TRAIL 363.60 FEET; THENCE NORTH 0 DEGREES, 52 MINUTES, 0 SECONDS EAST, PARALLEL WITH SAID EAST LINE, 1041.00 FEET; THENCE NORTH 89 DEGREES, 56 MINUTES, 0 SECONDS EAST, 396.76 FEET TO THE WEST LINE OF THE NORTH WEST 1/4 OF SAID SECTION 11; THENCE NORTH 0 DEGREES, 33 MINUTES, 11 SECONDS EAST ALONG SAID WEST LINE, 305.30 FEET; THENCE NORTH 0 DEGREES, 40 MINUTES, 0 SECONDS EAST, 658.20 FEET; THENCE SOUTH 0 DEGREES, 20 MINUTES, 49 SECONDS WEST, 511.59 FEET TO THE SOUTH WEST CORNER OF PURCELL'S FIRST SUBDIVISION OF PART OF NORTH WEST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE SOUTH 89 DEGREES, 31 MINUTES, 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION 273.28 FEET TO THE SOUTH EAST CORNER OF SAID SOUTH EAST 1/4 OF SAID SECTION 10; THENCE SOUTH 89 DEGREES, 25 MINUTES, 54 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 863.07 FEET TO AN ANGLE POINT THEREIN; THENCE SOUTH 82 DEGREES, 27 MINUTES, 37 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 69.19 FEET TO THE EAST LINE OF A TRACT DESCRIBED IN A TRUSTEE'S DEED RECORDED FEBRUARY 13, 1981 AS DOCUMENT 81-457 EXTENDED SOUTHERLY; THENCE NORTH 0 DEGREES, 52 MINUTES, 00 SECONDS EAST ALONG SAID EXTENDED EAST LINE AND SAID EAST LINE, 294.44 FEET TO THE NORTH EAST CORNER OF SAID TRACT; THENCE NORTH 89 DEGREES, 08 MINUTES, 0 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT, 43.80 FEET TO THE NORTH WEST CORNER OF SAID TRACT; THENCE NORTH 89 DEGREES, 02 MINUTES, 00 SECONDS WEST ALONG SAID NORTH LINE OF SAID TRACT, 370.70 FEET TO SAID ORIGINAL CENTER LINE; THENCE NORTH 89 DEGREES, 44 MINUTES, 0 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 48.79 FEET TO THE POINT OF BEGINNING; IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART LYING IN SECTION 10, TOWNSHIP 37 NORTH RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS.



NOTE: UTILITY INSTALLATIONS (POLES, SPLICE BOXES, VALVES & VAULTS) ARE SHOWN IN AND ALONG THE ROAD RIGHT-OF-WAY WHERE THEY WERE OBSERVED. NO EVIDENCE OF UTILITY FACILITIES OTHERWISE EXISTING WITHIN THE PROPERTY BOUNDARIES WERE OBSERVED WHILE CONDUCTING THE SURVEY.

PLAT REVISED 03/04/2019
(ADD TOPOGRAPHY AND FIELD
SURVEY DATA)

PLAT REVISED 03/05/2019
(BOUNDARY ADJUSTMENT, ADD UTILITY
NOTE & GENERAL CLARIFICATION)

ORDERED BY: LICA, A. GEEFF, ATDY

STATE OF ILLINOIS) S. S.
COUNTY OF KENDALL)
THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR,
HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT
THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID
PROPERTY. THIS PRESENT SERVICE CONFORMS TO THE
CURRENT ILLINOIS MINIMUM STANDARDS OF A BOUNDARY SURVEY
CURRENT ILLINOIS MINIMUM STANDARDS OF A BOUNDARY SURVEY,
AND OF A TOPOGRAPHICAL SURVEY.
THIS 18TH DAY OF FEBRUARY, A. D. 20 19.

ILLINOIS LAND SURVEYOR NO. 2675
(LICENSE SUBJECT TO RENEWAL AND EXPIRES 11/30/2020)
REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
LINE DIRECTIONS AND BEARINGS, WHERE SHOWN, ARE BASED ON A DEED DATUM LINE.
PLEASE COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES

ORDER NO. 19 B 36
FILE NO. 19085

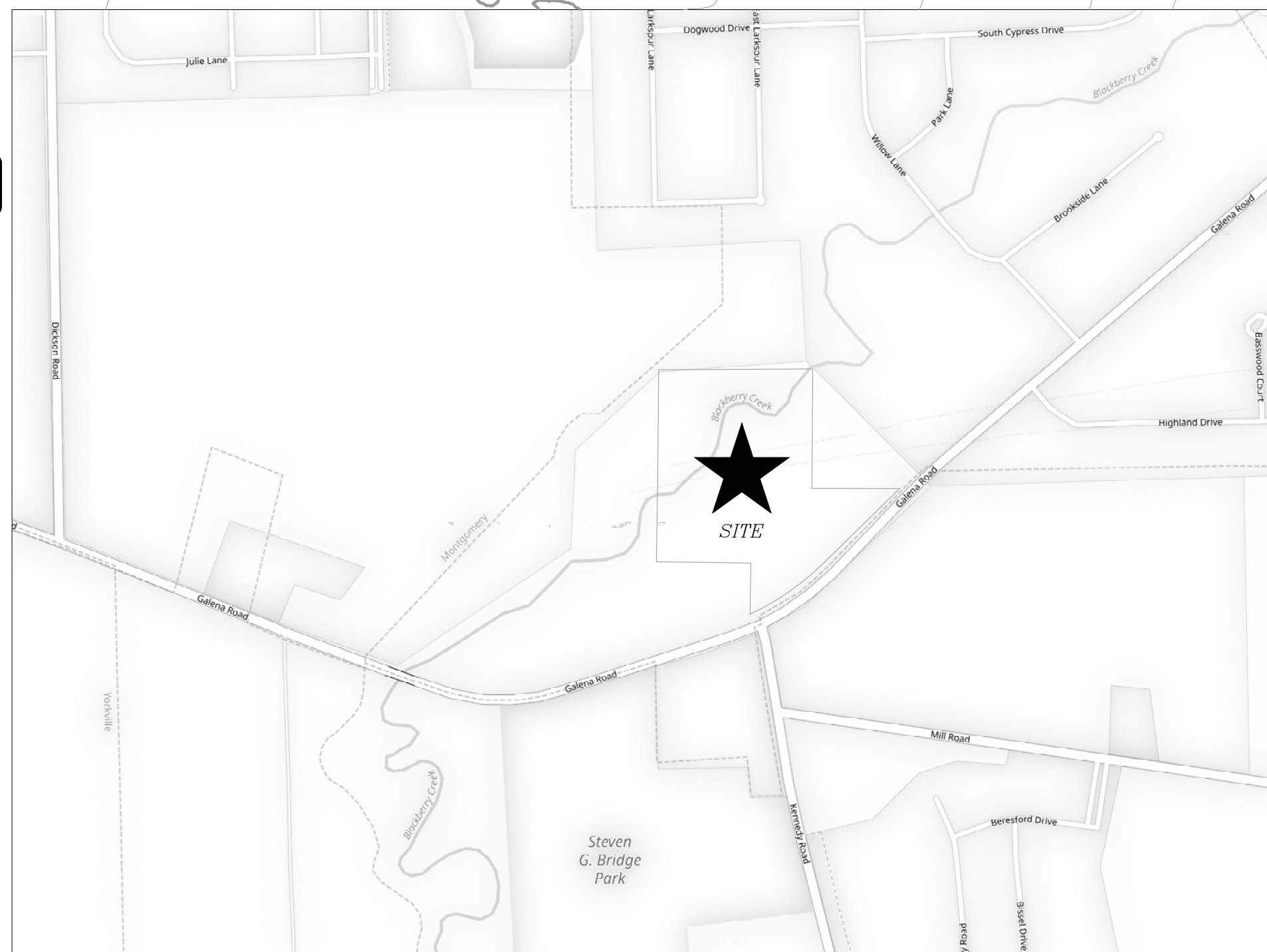
FILE NO. 19085

14.95 ACRES GALENA ROAD.DWG

FIELD WORK COMPLETED, BUILDINGS AND OTHER
IMPROVEMENTS LOCATED AS SHOWN ON THE 18TH
OF FEBRUARY, A. D., 2019.

REFERENCE BENCHMARK: BRASS MARKER IN THE S. E. CORNER OF THE CONCRETE BASE FOR THE TRAFFIC CONTROL SIGNAL CABINET LOCATED AT THE N. W. CORNER OF ORCHARD AND GALENA ROADS = 661.75 NGVD29

SITE BENCHMARK: ELEVATION
OF THE RIM OF VALVE CASING
(COVER IS MISSING)=649.42

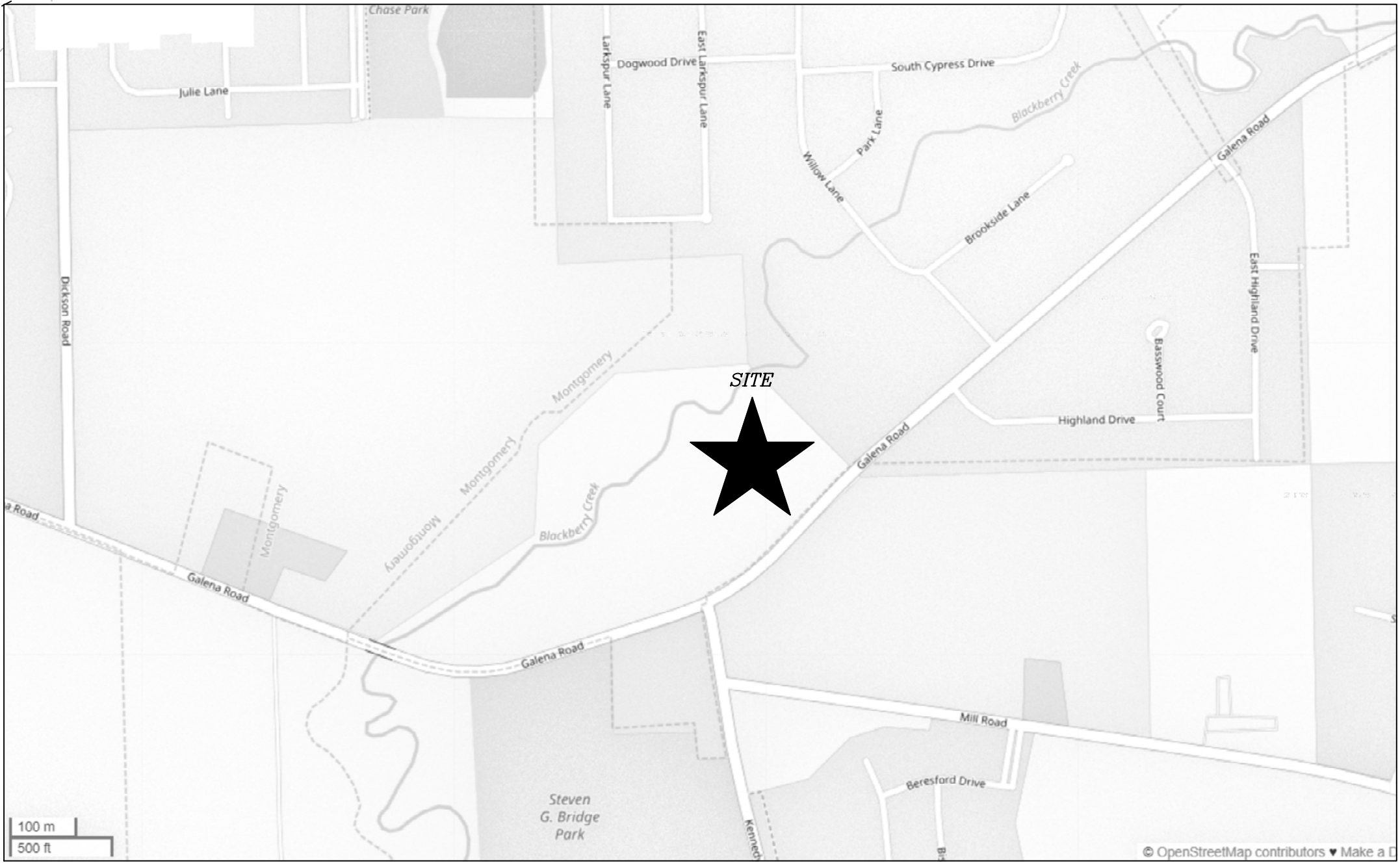
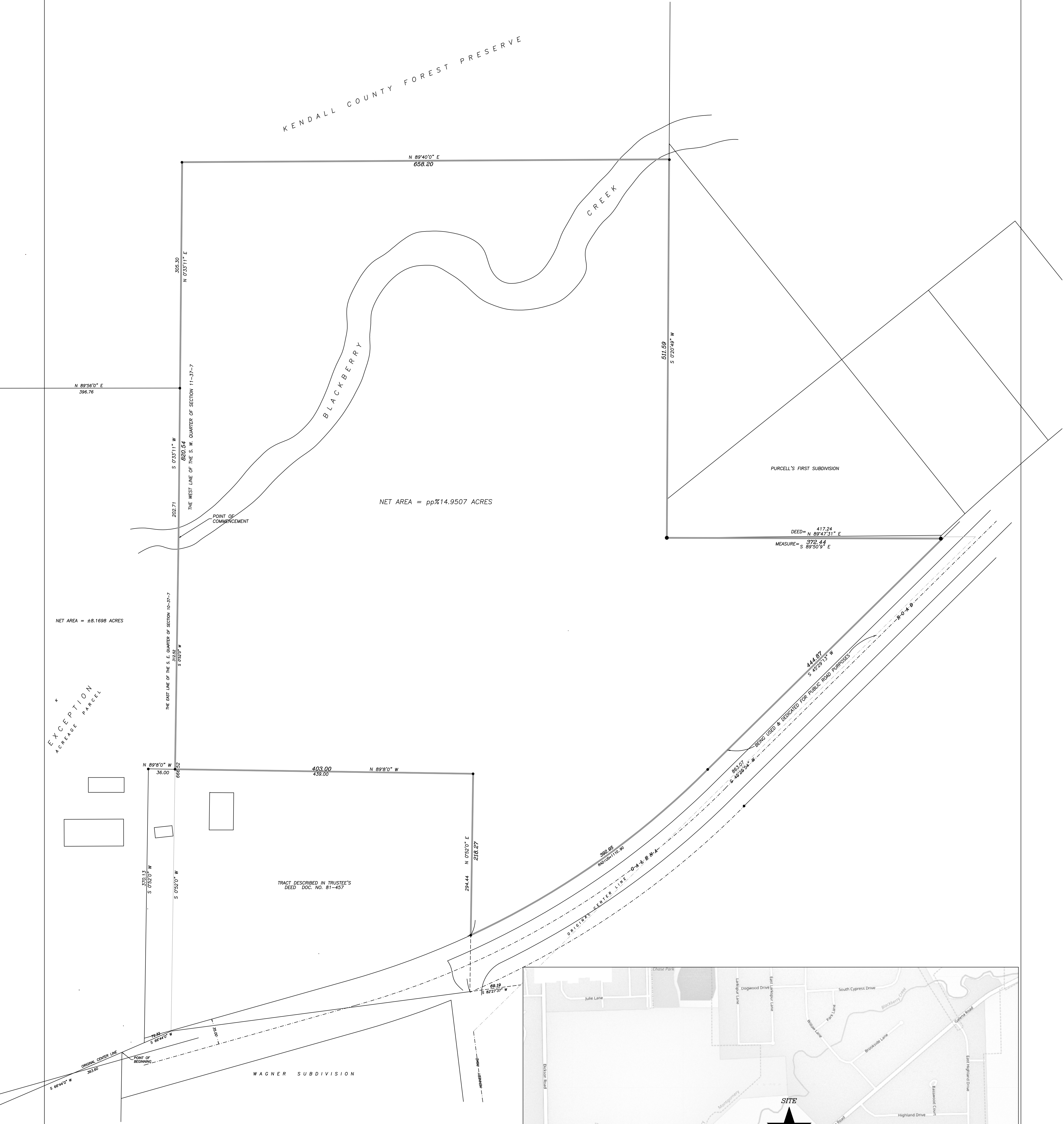
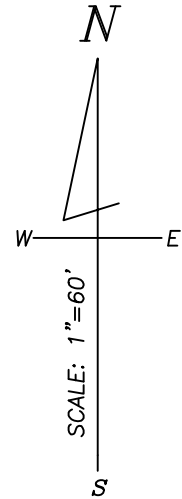


© VICINITY MAP
OpenStreetMap contributors
<https://www.openstreetmap.org/copyright>

WILLIAM M. WINGSTEDT
ILLINOIS PROFESSIONAL LAND SURVEYOR
329 WHITE PINES CT., OSWEGO, ILLINOIS 60543
PHONE: (630) 554-8209 FAX (630) 551-1207

PLAT OF SURVEY

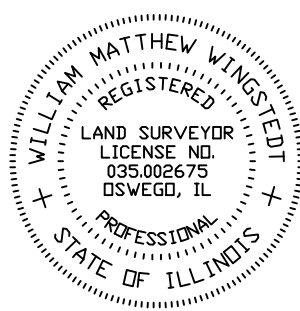
OF
THAT PART OF THE EAST 1/2 OF SECTION 10 AND PART OF THE WEST 1/2 OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH EAST CORNER OF THE SOUTH EAST 1/4 OF SAID SECTION 10; THENCE SOUTH 0 DEGREES, 52 MINUTES, 00 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTH EAST 1/4, 666.52 FEET TO THE ORIGINAL CENTER LINE OF GALENA ROAD (FORMERLY CALLED CANNONBALL TRAIL); THENCE SOUTH 66 DEGREES, 44 MINUTES, 0 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 72.32 FEET TO A LINE DRAWN PARALLEL WITH AND 66.00 FEET, NORMALLY DISTANT, WESTERLY OF SAID EAST LINE FOR A POINT OF BEGINNING; THENCE SOUTH 66 DEGREES 44 MINUTES, 0 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 363.60 FEET; THENCE NORTH 0 DEGREES, 52 MINUTES, 0 SECONDS EAST, PARALLEL WITH SAID EAST LINE, 1041.00 FEET; THENCE NORTH 89 DEGREES, 56 MINUTES, 0 SECONDS EAST, 396.76 FEET TO THE WEST LINE OF THE NORTH WEST 1/4 OF SAID SECTION 11; THENCE NORTH 0 DEGREES, 33 MINUTES, 11 SECONDS EAST ALONG SAID WEST LINE, 305.30 FEET; THENCE NORTH 89 DEGREES, 40 MINUTES, 0 SECONDS EAST, 658.20 FEET; THENCE SOUTH 0 DEGREES, 20 MINUTES, 49 SECONDS WEST, 511.59 FEET TO THE SOUTH WEST CORNER OF PURCELL'S FIRST SUBDIVISION OF PART OF NORTH WEST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 417.24 FEET TO SAID ORIGINAL CENTER LINE; THENCE SOUTH 45 DEGREES, 25 MINUTES, 54 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 863.07 FEET TO AN ANGLE POINT THEREIN; THENCE SOUTH 82 DEGREES, 27 MINUTES, 37 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 69.19 FEET TO THE EAST LINE OF A TRACT DESCRIBED IN A TRUSTEE'S DEED RECORDED FEBRUARY 13, 1981 AS DOCUMENT 81--457 EXTENDED SOUTHERLY; THENCE NORTH 0 DEGREES, 52 MINUTES, 00 SECONDS EAST ALONG SAID EXTENDED EAST LINE AND SAID EAST LINE, 294.44 FEET TO THE NORTH EAST CORNER OF SAID TRACT; THENCE NORTH 89 DEGREES, 08 MINUTES, 0 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT, 439.0 FEET TO THE NORTH WEST CORNER THEREOF; THENCE SOUTH 0 DEGREES, 52 MINUTES, 0 SECONDS WEST ALONG THE WEST LINE OF SAID TRACT, 370.13 FEET TO SAID ORIGINAL CENTER LINE; THENCE SOUTH 66 DEGREES, 44 MINUTES, 0 SECONDS WEST ALONG SAID ORIGINAL CENTER LINE, 32.87 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS. EXCEPT THAT PART LYING IN SECTION 10, TOWNSHIP 37 NORTH RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY. SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS.



ORDERED BY: LISA A. COFFEY, ATTY.

STATE OF ILLINOIS } S. S.

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL AT OSWEGO, ILLINOIS, THIS 18TH DAY OF FEBRUARY, A. D., 2019.



ORDER NO. 19 B 36
FILE NO. 19085

14.95 ACRES GALENA ROAD.DWG
● = found iron stake
○ = set iron stake
0 1/4" 1/2" 3/4" 1"
0' 15' 30' 45' 60'

FIELD WORK COMPLETED, BUILDINGS AND OTHER IMPROVEMENTS LOCATED AS SHOWN ON THE 18TH OF FEBRUARY, A. D., 2019.

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

WILLIAM M. WINGSTEDT
ILLINOIS PROFESSIONAL LAND SURVEYOR
329 WHITE PINES CT., OSWEGO, ILLINOIS 60543
PHONE: (630) 554-8209 FAX (630) 551-1207

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
March 5, 2019 – Unapproved Meeting Minutes**

Senior Planner Matt Asselmeier called the meeting to order at 9:08 a.m.

Present:

Megan Andrews – Soil and Water Conservation District
Meagan Briganti – GIS
David Guritz – Forest Preserve
Fran Klaas – Highway Department
Aaron Rybski – Health Department
Matt Asselmeier – PBZ Department

Absent:

Greg Chismark – WBK Engineering, LLC
Brian Holdiman – PBZ Department
Deputy Commander Jason Langston – Sheriff's Department
Matthew Prochaska – PBZ Committee Chair

Audience:

Dan Kramer, Dan Huddleston, Mark Bossong, Chris Fowler, and Craig Zimmerman

AGENDA

Mr. Asselmeier requested that the agenda be amended by moving Public Comment to before Petitions and moving Petition 19-08 to ahead of Petition 19-07. Mr. Klaas made a motion, seconded by Ms. Andrews, to approve the agenda as amended. With a voice vote of all ayes the motion carried unanimously.

MINUTES

Ms. Andrews made a motion, seconded by Ms. Briganti, to approve the February 5, 2019, meeting minutes. With a voice vote of all ayes the motion carried unanimously.

PUBLIC COMMENT

Dan Huddleston, President of the Homeowners' Association of Equestrian Estates at Legacy Farm, expressed his opposition to the proposed increase of the number of horses allowed at 17 Ashe Road. When the development was created, the boarding of horses at the subject property was for residents of the subdivision only. Boarding was opened to non-residents in 2012. He stated that the barn operating as business negatively impacted the property values in the subdivision. The increase in business will result in increased traffic and greater maintenance costs to the roads. He expressed concerns regarding the collection of manure; it is not happening frequently.

Mark Bossong agreed with Mr. Huddleston. Mr. Bossong said that they no longer board their horse at the subject property.

There are six (6) homeowners in the subdivision. The previous owner made it unpleasant for residents to board horses at the barn.

The owner of the barn is a member of the Homeowners' Association.

No notices of shows have been provided to the Homeowners' Association. The Homeowners' Association has not request additional financial assistance for road maintenance. The barn owner pays her fees to the Homeowners' Association.

Mr. Huddleston would like the insurance paid by barn owner to be increased. He also noted that Ms. Flisk does not own any horses boarded at the property.

Chris Fowler, attorney for the Homeowners' Association, discussed the cost increases on the Homeowners' Association.

PETITIONS

Petition 18-24 Dorothy Flisk on Behalf of Skyfall Equestrian, LLC – Major Amendment to a Special Use Permit by Increasing the Number of Horses Allowed Boarded at 17 Ashe Road from 24 to 36 in Little Rock and Bristol Townships

Mr. Asselmeier summarized the request. The property is approximately eight point five (8.5) acres. The existing stable has twenty-six (26) horse stalls. The property has a total of sixteen (16) paddock areas and an "arena" area.

The Petitioner would like to demolish the accessory structures and construct an area for hay and straw and an additional twelve (12) stalls. The new barn will be constructed where the current brown barn is located, using the same footprint. The new barn will be ten feet to twelve feet (10'-12') in height. The new barn will be a prefab construction type. The existing frame shed shall be located to the rear of the paddock area. The Petitioner would also like to construct a lounging arena north of the existing "arena" area.

The Petitioner has a waitlist and would like to expand because of the waitlist. If approved, the Petitioner would like to expand operations in the summer of 2019.

The Petitioner provided an EcoCat from 2005. Since no new building footprints are planned, an update EcoCat was not required.

The Petitioner applied for an NRI in February 2019. Ms. Andrews reported that her office is preparing a letter on the subject.

Revised information was sent to Little Rock Township Revised on February 21, 2019.

Revised information was sent to Bristol Township on February 21, 2019.

The City of Plano had no objections to the proposal.

Revised information was sent to the Bristol-Kendall Fire Protection District on February 21, 2019.

The Little Rock Fox Fire Protection District had no objections to the original proposal.

The Petitioner currently has manure picked up four (4) days per week and has a mushroom farmer collect manure for composting once per week. The manure area is sealed and graded with four (4) concrete blocks across the back and is four (4) rows high and three (3) rows deep. The Petitioner plans to install an opaque fence around the manure area.

Discussion occurred regarding the manure management plan. Mr. Rybski requested additional monitoring of manure. With straw, every stall has to be cleared every day.

Dan Kramer, attorney for the Petitioner, provided a history of the development. Mr. Kramer noted that the Petitioner attempted to meet with the Homeowners' Association. The Petitioner has no objections to the conditions proposed by County Staff.

Mr. Rybski discussed the manure pickup issues. Mr. Rybski noted that the area should be cleaned at least every seven to eight (7-8) days. Mr. Kramer noted that, in the summer, manure pickups will occur every two to three (2-3) days. Mr. Rybski requested that the manure management plan state the two to three (2-3) day pickup during the warmer months. Discussion occurred regarding the Public Health Nuisance Ordinance. Mr. Kramer will provide a more detailed manure management plan to Mr. Rybski by Noon on March 8, 2019. If an updated plan is not provided, the proposal will not advance to the Regional Planning Commission.

Mr. Guritz made a motion, seconded by Mr. Klaas, to forward the major amendment to the special use permit, provided that the manure management plan is provided to the Kendall County Health Department by Noon on March 8, 2019, and subject to the following conditions to the Kendall County Regional Planning Commission:

1. All of the conditions contained in Ordinance 2012-22, except condition number 1 shall remain in effect.
2. Condition number 1 contained in Ordinance 2012-22 is hereby amended to read, "A maximum of thirty-six (36) horses are allowed to be housed in the stable."
3. The site shall be developed substantially in accordance with the attached site plan.
4. The owner(s) of the property shall secure applicable building permits prior to the construction of any structures on the property.

5. The owners(s) of the facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
6. Failure to comply with one or more of the above conditions or restrictions contained in this ordinance and Ordinance 2012-22 could result in the amendment or revocation of the special use permit.
7. If one or more of the conditions contained in this ordinance and Ordinance 2012-22 is declared invalid by a court of competent jurisdiction, the remaining conditions of both ordinances shall remain valid.

Ayes (4): Andrews, Asselmeier, Briganti, and Rybski
Nays (0): None
Present (2): Guritz and Klaas
Absent (4): Chismark, Holdiman, Langston, and Prochaska

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on March 27, 2019, if the manure management plan is submitted as scheduled.

Petition 19-08 Daniel, Bruce and Norma VanDeventer and Deborah Hull on Behalf of the Wilbur C. VanDeventer Trust (Current Owner) and Diane and Craig Zimmerman (Prospective Buyer) – Map Amendment Rezoning the Property at the Northeast Side of the T-Intersection Created by Galena Road and Kennedy Road (PIN 02-11-300-007) from A-1 to R-1 in Bristol Township

Mr. Asselmeier summarized the request. Diane and Craig Zimmerman would like to purchase the subject property and construct a single-family home on the property and operate a home-based carpentry business as allowed by the Kendall County Zoning Ordinance. The property lacks a housing allocation. Therefore, a map amendment is required.

The property is approximately fifteen (15) acres in size. Trails are planned along Galena Road and Blackberry Creek, but a rezoning request cannot be conditioned. A sizeable portion of the property is in the floodplain. The adjacent zoning districts around the property are A-1, R-1, and R-3 in the County and business zoning in Yorkville. The future land use map calls for the property to be residential.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on February 19, 2019. Ms. Andrews reported that they will finish the report the week of March 11th.

Petition information was sent to Bristol Township on February 25, 2019.

Petition information was sent to the Village of Montgomery on February 25, 2019. Mr. Asselmeier noted that the United City of Yorkville was also notified because they own property within the notification area.

Petition information was sent to the Bristol-Kendall Fire Protection District on February 25, 2019.

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

The property fronts Galena Road. A variance to the County highway regulations would be required and the County might require additional right-of-way when they do road improvements in the area.

No new odors are foreseen.

Any new lighting would be for residential use only and must be in compliance with the regulations related to home occupations contained in the Zoning Ordinance.

No fencing or buffer is presently planned for the property.

Any new homes constructed in the floodplain would have to secure a stormwater permit.

Electricity is nearby. New well and septic information would have to be evaluated as part of the building permit process.

Mr. Klaas requested a more detailed site plan showing the access point with Galena Road. Mr. Zimmerman will provide the site plan as part of the application for variance to the County's highway regulations.

Mr. Rybski made a motion, seconded by Mr. Klaas, to recommend approval of the map amendment as requested.

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

The motion passed. This proposal will go to the Kendall County Regional Planning Commission on March 27, 2019.

Petition 19-07 Kendall County Planning, Building and Zoning Committee – Text Amendment to Section 11.05A of the Kendall County Zoning Ordinance Pertaining to the Parking and Storage of Unoccupied Recreational Vehicles, Trailers, and Mobile Homes

Mr. Asselmeier summarized the request.

At the January Planning, Building and Zoning Committee meeting, the Committee requested Staff to prepare a proposed text regarding Section 11.05A of the Kendall County Zoning Ordinance pertaining to the parking of recreation vehicles, trailers and mobile homes.

The proposal is divided into three (3) parts:

Part One: Amends Section 11.05A.1.b by allowing the parking of recreational vehicles, trailers and mobile homes in the front and corner yard setbacks in the R-4, R-5, R-6, and R-7 Zoning Districts provided that no sidewalk, trail, or visibility of motorists is blocked. The remainder of Section 11.05A.1.b is renumbered to reflect the amendment.

Part Two: The requirement that certain recreational vehicles be registered is removed because the proposal renders the registrations moot. Five (5) recreational vehicles were registered with the County.

Part Three: Section 11.05.A.2 is amended by removing the seventy-two (72) hour parking provision. The remainder of Section 11.05.A.2 is renumbered to reflect the amendment.

At their meeting on February 11, 2019, the Planning, Building and Zoning Committee voted to initiate a text amendment to the Kendall County Zoning Ordinance reflecting this proposal.

Discussion occurred regarding blocking sidewalks and potential increase in the number of unoccupied recreational vehicles in certain parts of the County.

Mr. Klaas made a motion, seconded by Mr. Guritz, to recommend approval of the text amendment as requested.

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

The motion passed. This proposal will go to the Kendall County Regional Planning Commission on March 27, 2019.

Petition 19-09 Kendall County Regional Planning Commission – Text Amendment to Section 7.01.C of the Kendall County Zoning Ordinance by Adding Kendall County Sheriff Shooting Range in Oswego Township (Ordinance Would Expire December 31, 2024) to the List of Permitted Uses in the A-1 District, Related Citation Corrections, and Update to Appendix 9-Table of Uses in the Kendall County Zoning Ordinance to Reflect this Addition

Mr. Asselmeier summarized the request.

At their meeting on February 27, 2019, the Kendall County Regional Planning Commission voted to initiate a text amendment to the Kendall County Zoning Ordinance amending Section 7.01.C by adding Kendall County Sheriff's Office shooting range to the list of permitted uses in the A-1 Agricultural District in Oswego Township only with an expiration date of December 31, 2024, related citation corrections, and update to Appendix 9-Table of Uses in the Kendall County Zoning Ordinance to reflect this addition.

Presently, Kendall County Sheriff's Office shooting ranges are special uses in the A-1, B-2, B-3, B-4, B-6, M-1, M-2, and M-3 Zoning Districts. The County Board may impose restrictions on Kendall County Sheriff's Office shooting ranges. If

this proposal is approved, Kendall County Sheriff's Office shooting ranges would remain special uses on A-1 zoned properties in all of the townships except Oswego Township.

Similarly, outdoor target practice and shooting ranges are special uses with conditions in the A-1 and M-3 Zoning Districts.

Mr. Klaas made a motion, seconded by Mr. Guritz, to recommend approval of the text amendment as requested.

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

The motion passed. This proposal will go to the Kendall County Regional Planning Commission on March 27, 2019.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petitions 19-04 and 19-05 were approved by the County Board.

OLD BUSINESS/NEW BUSINESS

Mr. Asselmeier reported that a petition for special use permit for a banquet facility on Crimmin Road will likely be submitted on or before the March application deadline.

Mr. Asselmeier reported that the Planning, Building and Zoning Committee is pursuing revocations of special use permits at 43 West Street in Bristol and 14525 Route 71. Neither of the uses appear active.

CORRESPONDENCE

None

ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Klaas to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 10:40 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

KENDALL COUNTY
Ordinance No. _____

An Ordinance Granting Variance to the Kendall County Highway Access Regulation Ordinance

WHEREAS, access to Kendall County Highways has been regulated by the Kendall County Board through the Kendall County Highway Access Regulation Ordinance, originally adopted by the Board on May 18, 1999 and notwithstanding subsequent revisions; and

WHEREAS, Galena Road (County Highway 9) has been classified as an Access 2 Highway in said Ordinance, requiring a spacing for private accesses of not less than 1,320 feet; and

WHEREAS, Diane and Craig Zimmerman have petitioned Kendall County for the installation of a private access on the north side of Galena Road approximately 500 feet east of the intersection of Galena Road and Kennedy Road as depicted on the attached Location Map; and

WHEREAS, in consideration of other private accesses in the immediate vicinity of said proposed access, the extremely low volume nature of the private access proposed, and the minimal conflict created by installation of said access.

THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants a variance to the Kendall County Highway Access Regulation Ordinance, for the specified purpose, subject to the terms and conditions imposed herein.

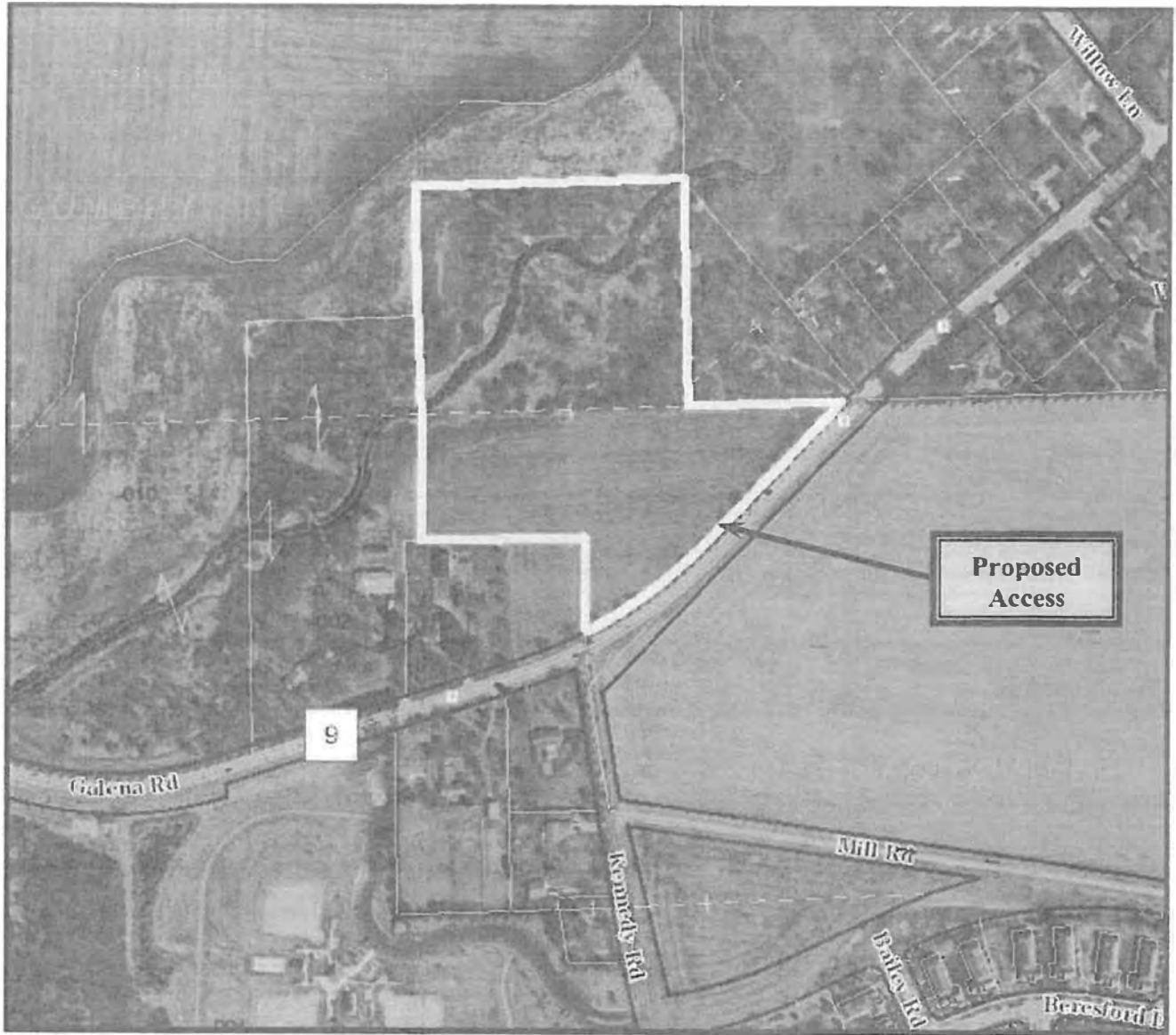
1. The above listed recitals are incorporated herein as if fully set out herein.
2. That a variance is hereby authorized for Diane and Craig Zimmerman, for the installation of a single, full-access driveway on the north side of Galena Road approximately 500 feet east of the intersection of Galena Road and Kennedy Road. Said access shall conform in all ways to the construction requirements of the Kendall County Highway Department, and shall be constructed at no cost to the Department.
3. That said access shall serve a single family residence and shall be constructed for no other purpose.
4. Any exceptions, violations or noncompliance to the requirements contained herein, on behalf of the petitioner, will result in the immediate forfeiture of the variance.

Approved by the County Board of Kendall County, State of Illinois.

Scott Gryder – Kendall County Board Chairman

I, Debbie Gillette, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of an ordinance adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the _____ day of _____, A.D., 2019

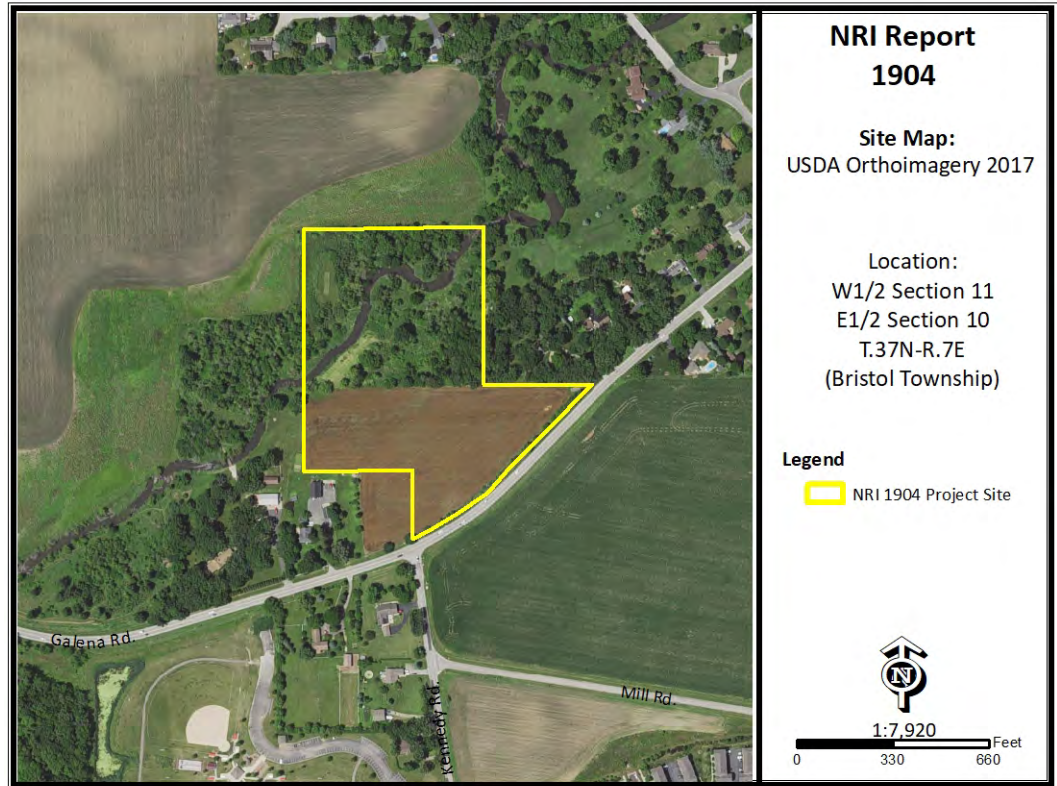
Debbie Gillette – County Clerk



LOCATION MAP
Galena Road Variance Request
Diane & Craig Zimmerman
Between 7977 and 7823 Galena Road
Related to Zoning Petition 19-08

March 19, 2019

NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1904



March 2019

Petitioner: Craig & Diane Zimmerman
Contact: Attorney Boyd Ingemunson

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

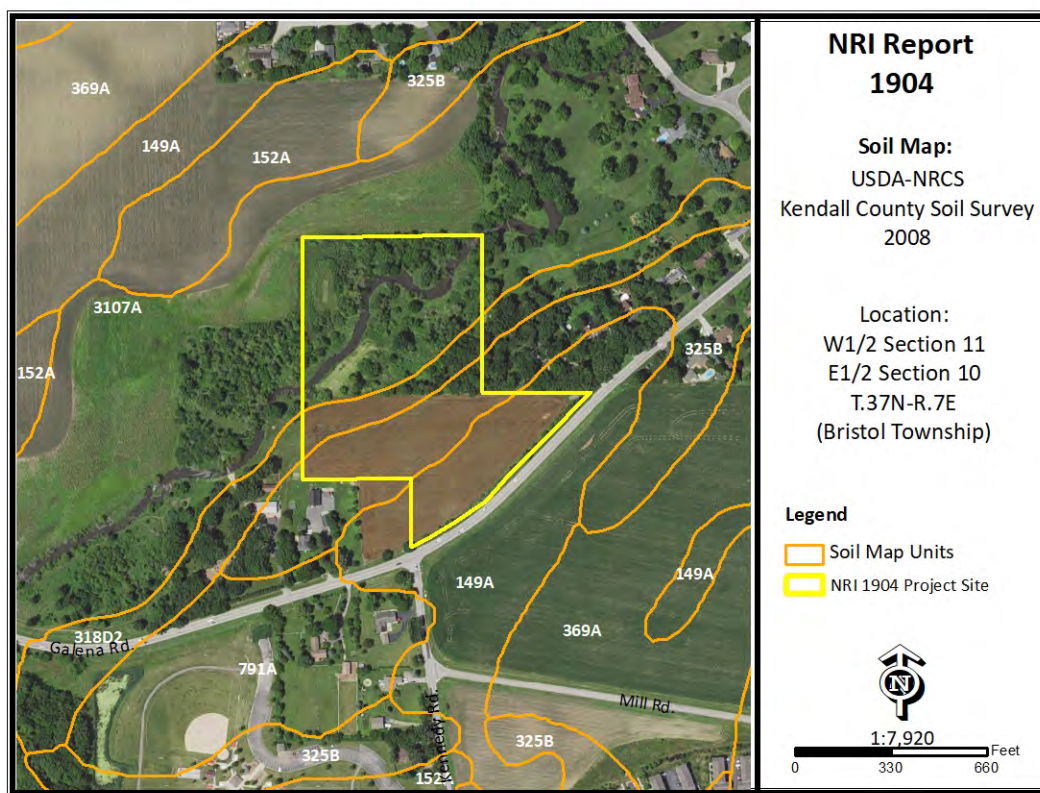
1904

Executive Summary

March 11, 2019

Petitioner: Craig & Diane Zimmerman**Contact Person:** Attorney Boyd Ingemunson**County or Municipality the petition is filled with:** Kendall County**Location of Parcel:** W½ Section 11 E½ Section 10 T.37N.-R.7E. (Bristol Township), 3rd Principal Meridian in Kendall Co., IL**Project or Subdivision Name:** Zimmerman Rezoning**Existing Zoning & Land Use:** A-1; Agricultural, Row crop, Wooded, Creek**Proposed Zoning & Land Use:** R-1; Residential (Proposed: 2 Structures, 1 Lot)**Proposed Water Source:** Well**Proposed Type of Sewage Disposal System:** Septic**Proposed Type of Storm Water Management:** N/A**Size of Site:** 15.62 acres**Land Evaluation Site Assessment Score:** 129 (Land Evaluation: 86; Site Assessment: 43)

Natural Resource Concerns

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
149A	Brenton silt loam, 0-2% slopes	Somewhat poorly drained	B/D	Non-hydric Hydric Inclusions Likely	Prime Farmland
318D2	Lorenzo loam, 6-12% slopes, eroded	Well drained	B	Non-hydric	Farmland of Statewide Importance

325B	Dresden silt loam, 2-4% slopes	Well drained	B	Non-hydric	Prime Farmland
3107A	Sawmill silty clay loam, heavy till plain, 0-2% slopes, frequently flooded	Poorly drained	B/D	Hydric	Prime Farmland if drained and either protected from flooding or not frequently flooded during the 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, 3107A Sawmill silty clay loam, is classified as a hydric soil. Additionally, 149A Brenton 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, three are designated as prime farmland: 149A Brenton silt loam, 325B Dresden silt loam, 3107A Sawmill silty clay loam. One, 318D2 Lorenzo loam, is classified as farmland of statewide importance.

Table 2:

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
149A	Low	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: -- Frequency: None	January - May None
318D2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
325B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
3107A	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: 0.0'-0.5', Brief (2-7 days) Frequency: Frequent	January - May Brief (2-7 days); 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, lawns/landscaping, onsite conventional sewage disposal systems, shallow excavations and local roads & streets. 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 with Basements	Dwellings without Basements	Lawns & Landscaping	Onsite Conventional Sewage Disposal System
149A	Very Limited: Depth to saturated zone; Shrink-swell	Somewhat Limited: Depth to saturated zone; Shrink-swell	Somewhat Limited: Depth to saturated zone; Dusty	Suitable
318D2	Somewhat Limited: Slope	Somewhat Limited: Slope	Somewhat Limited: Droughty, Slope, Dusty	Unsuitable: Gravel
325B	Not Limited:	Somewhat Limited: Shrink-swell	Somewhat Limited: Dusty	Unsuitable: Gravel
3107A	Very Limited: Ponding, Flooding, Depth to saturated zone, Shrink-swell	Very Limited: Ponding, Flooding, Depth to saturated zone, Shrink-swell	Very Limited: Ponding, Flooding, Depth to saturated zone, Dusty	Unsuitable: Frequently Flooded

Table 3b: Building Limitations

Soil Type	Shallow Excavations	Local Roads & Streets
149A	Very Limited: Depth to saturated zone; Dusty, Unstable excavation walls	Very Limited: Frost action; Low strength; Depth to saturated zone; Shrink-swell
318D2	Very Limited: Unstable excavation walls, Slope, Dusty	Somewhat Limited: Frost action, Slope
325B	Somewhat Limited: Dusty, Unstable excavation walls	Somewhat Limited: Frost action; Shrink-swell
3107A	Very Limited: Ponding, Depth to saturated zone, Flooding, Dusty, Unstable excavation walls	Very Limited: Ponding, Depth to saturated zone, Frost action, Flooding, Low strength

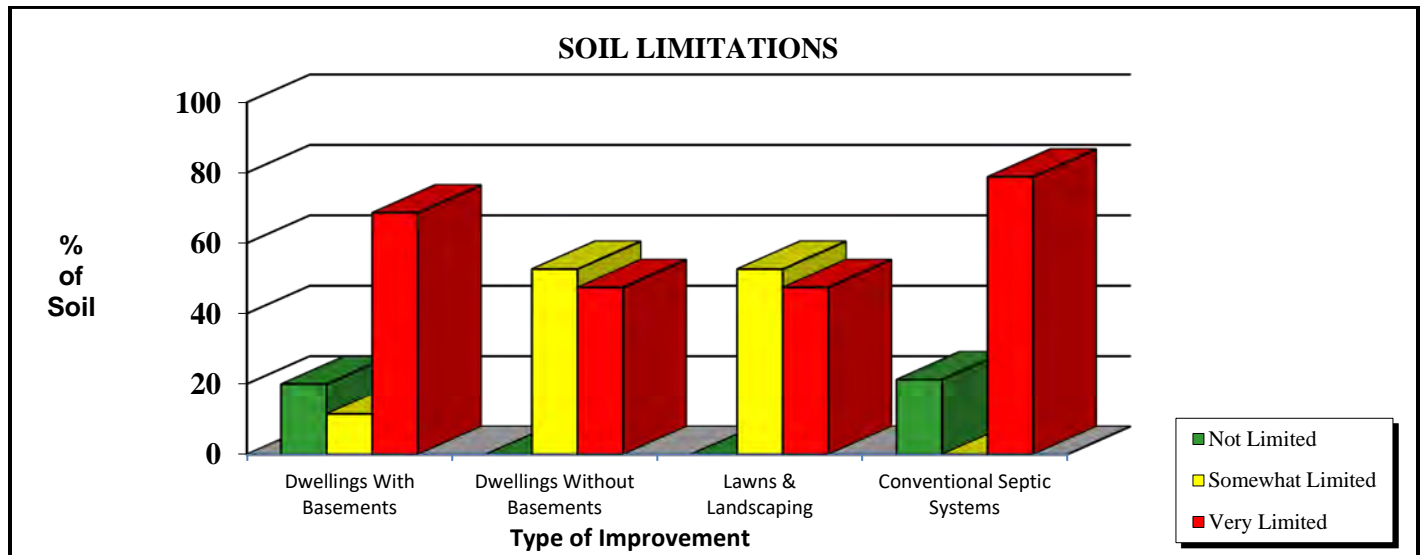
**Building Limitations Maps:**

Figure 2a: Dwellings With Basements

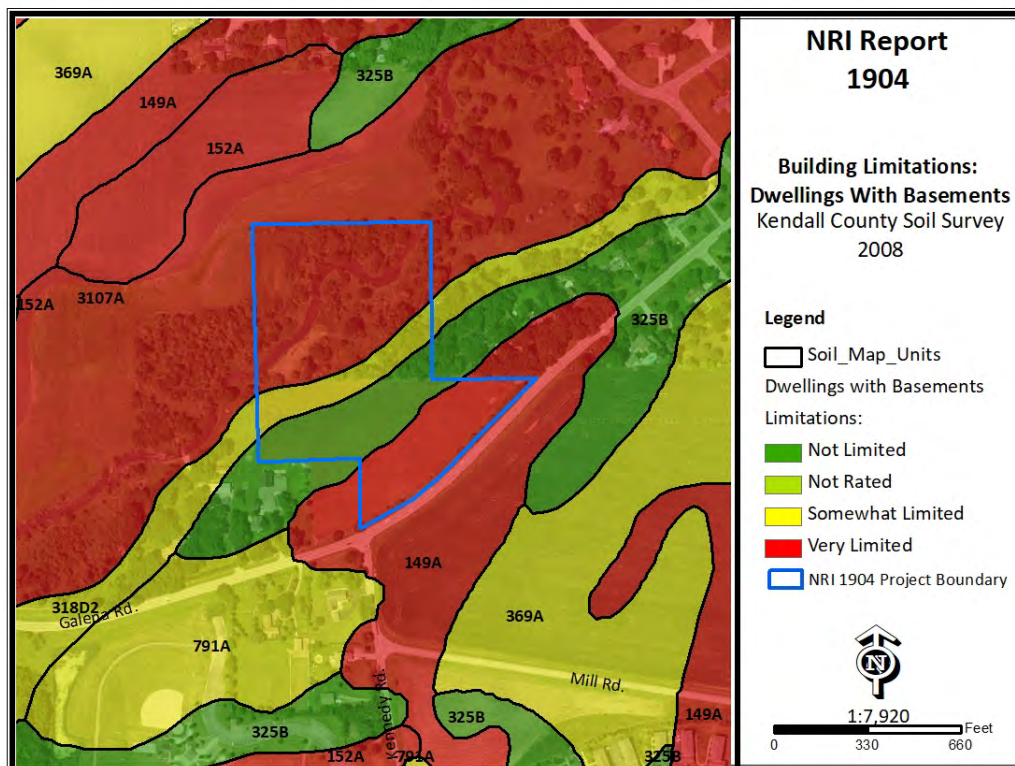


Figure 2b: Dwellings Without Basements

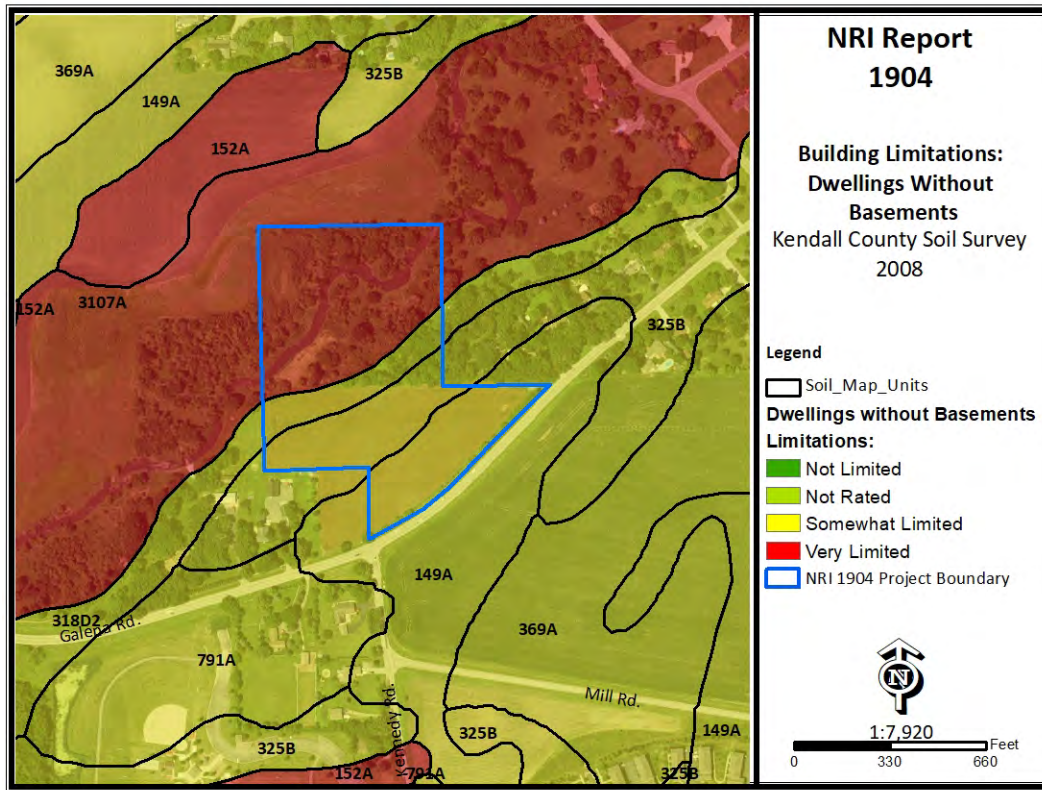


Figure 2c: Lawns & Landscaping

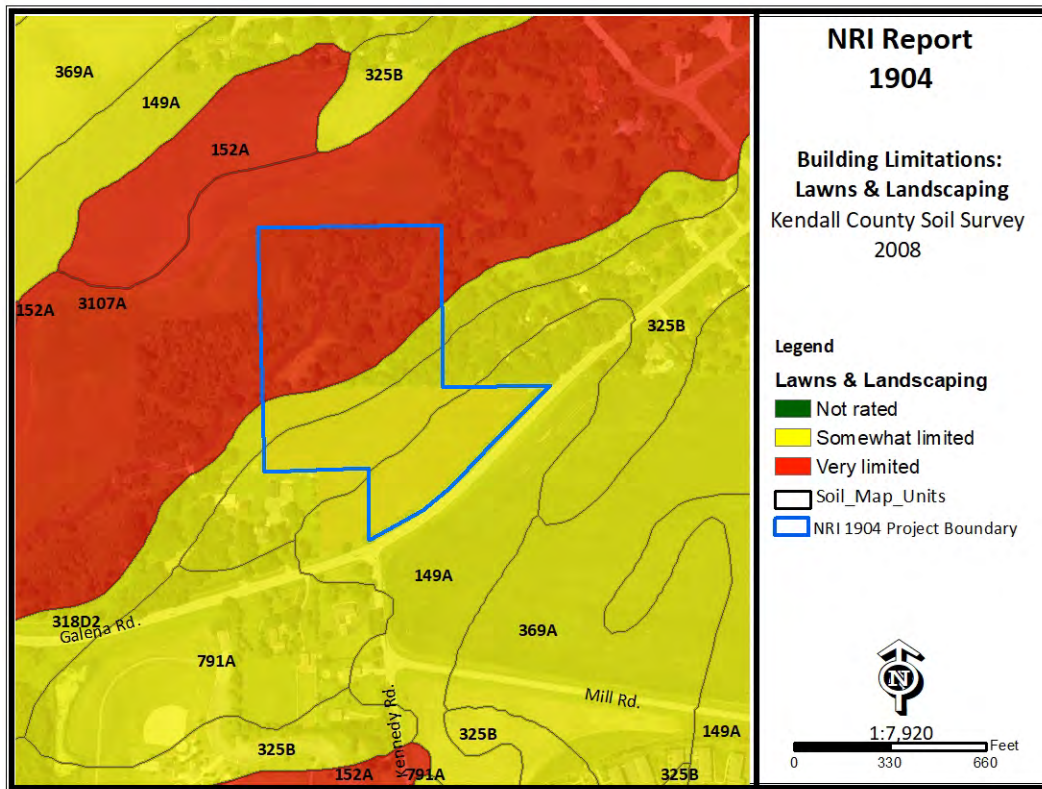


Figure 2d: Shallow Excavations

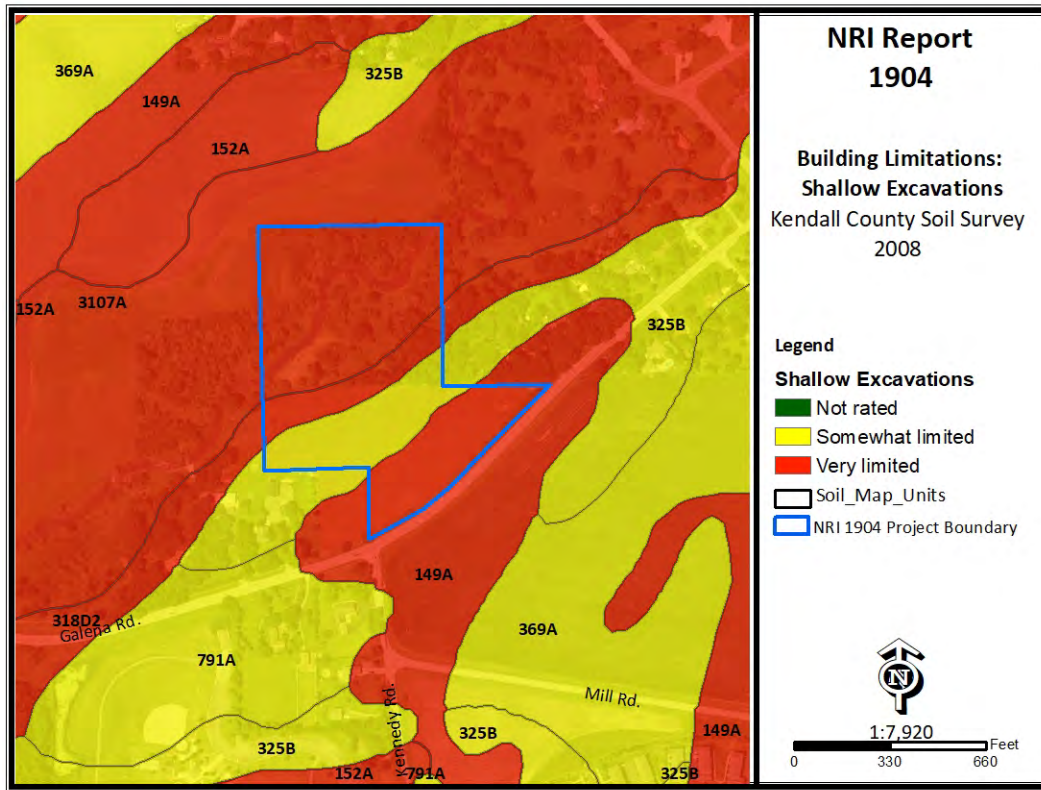
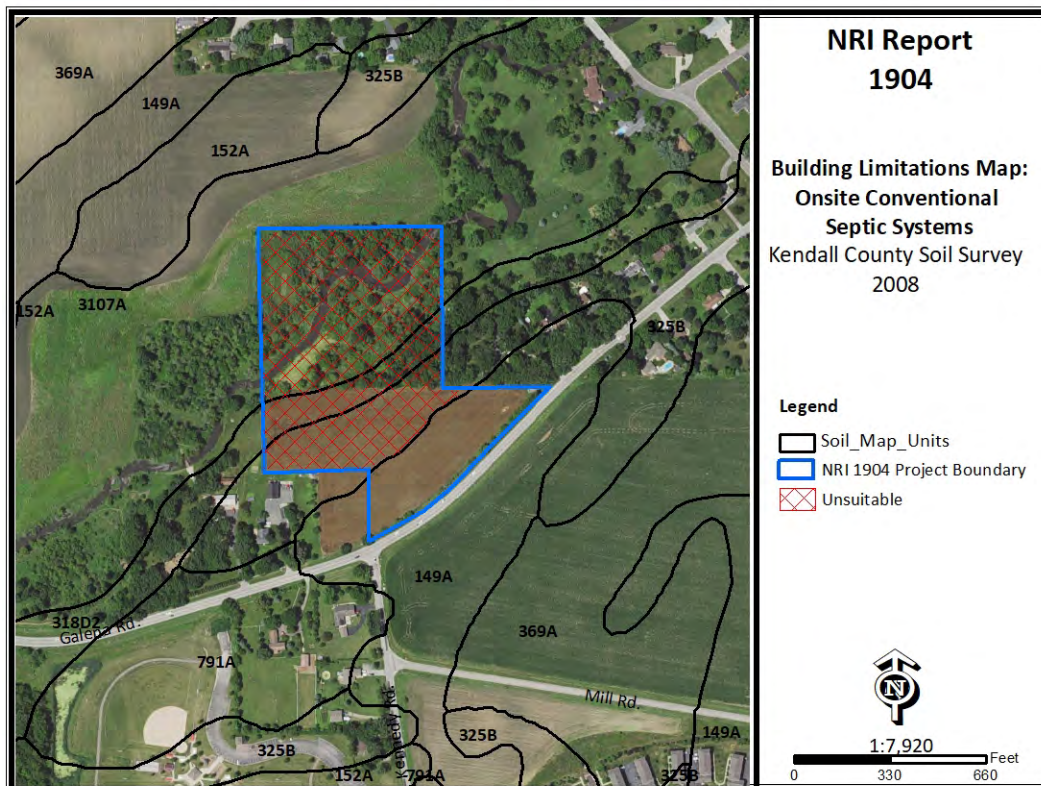


Figure 2e: Onsite Conventional Septic Systems



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)
149A	1	100	3.3	330.0
318D2	6	69	1.8	124.2
325B	4	79	3.1	244.9
3107A	3	87	7.4	643.8
Totals			15.6	1342.9
LE Score		LE= 1342.9/15.6		LE = 86

The Land Evaluation score for this site is **86**, indicating that this site is predominately prime farmland well suited for agricultural production.

Table 4b: Site Assessment Computation

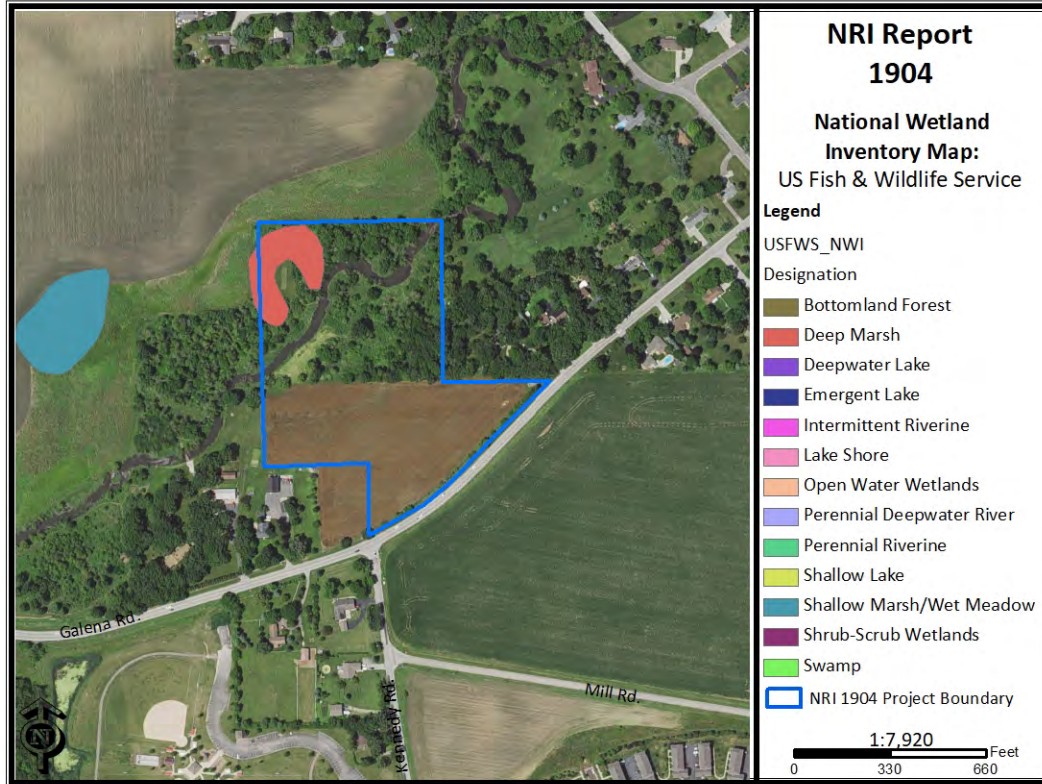
A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	0
	2. Current use adjacent to site. (30-20-15-10-0)	10
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	10
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	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)	0
	2. Availability of public water system. (10-8-6-0)	0
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	6
	Site Assessment Score:	43

Land Evaluation Value: 86 + Site Assessment Value: 43 = LESA Score: 129

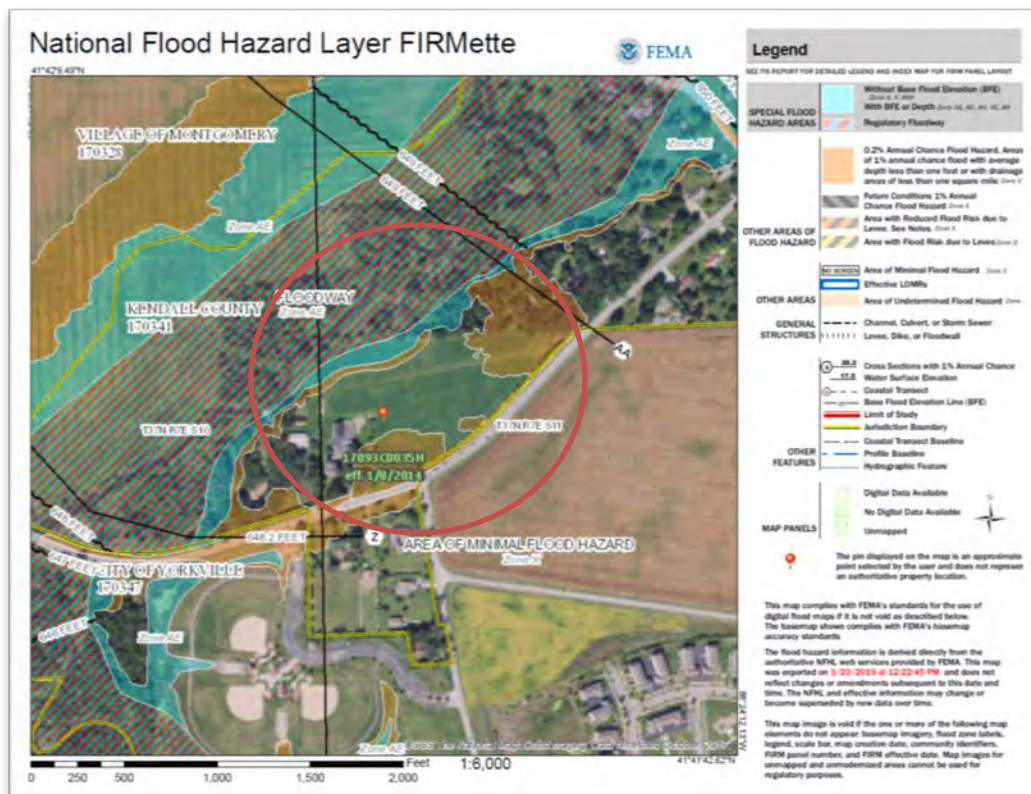
LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 129** 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 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: A portion of the parcel is located within the floodplain.



Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<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 Craig and Diane Zimmerman at the request of their contact Attorney Boyd Ingemunson for the proposed rezoning from A-1 to R-1 petition project (Zimmerman Rezoning). This parcel is located in the west ½ of Section 11 and the east ½ of Section 10 of Bristol Township (T.37N.-R.7E. 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 86 out of a possible 100 points indicating the soils found on the project site are predominately prime farmland well suited for agricultural production when soils are in an undisturbed state. The LESA Score for this site is 129 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 four soil types identified onsite, three are designated as prime farmland and one is designated as farmland of statewide importance. 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, 3107A Sawmill silty clay loam is designated as a hydric soil and one soil type, 149A Brenton silt loam has the potential to have hydric inclusions.

For proposed land uses, soils can have potential limitations. This report indicates that for soils located on the parcel, 80.1% of the soils are very limited for shallow excavations, 78.8% are very limited for onsite conventional septic systems, 68.6% are very limited for dwellings with basement and local roads/streets and 47.4% are very limited for dwellings without basements 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.

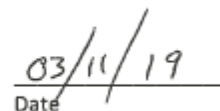
This site is located within the Fox River Watershed and Blackberry Creek subwatershed.

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).


Signature


Date

Attachment 13, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Meeting Minutes of March 27, 2019 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Larry Nelson, Ruben Rodriguez, Benjamin Schroeder, and John Shaw

Members Absent: Claire Wilson

Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)

In the Audience: Dan Kramer, Chet Sergo, Mary Kay Sergo, Dan Huddleston, Mark Bassong, Jean Cook, Celia Bulper, Dorothy Flisk, Craig Zimmerman, Craig Krause, Brittany Krause, and Brad Blocker

APPROVAL OF AGENDA

Member Nelson made a motion, seconded by Member Bledsoe to approve the agenda with the change of moving Petition 19-08 ahead of Petition 19-07. With a voice vote of eight (8) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Bledsoe made a motion, seconded by Member Casey to approve the minutes of the February 27, 2019, meeting with a correction of adding “range” to after “gun” in the second paragraph under Approval to Initiate a Text Amendment for the Kendall County Sheriff’s shooting range. With a voice vote of eight (8) ayes, the motion carried unanimously.

PETITIONS

18-24 Dorothy Flisk on Behalf of Skyfall Equestrian, LLC

Mr. Asselmeier summarized the request.

The property is approximately eight point five (8.5) acres. The existing stable has twenty-six (26) horse stalls. The property has a total of sixteen (16) paddock areas and an “arena” area.

The Petitioner would like to demolish the accessory structures and construct an area for hay and straw and an additional twelve (12) stalls. The new barn will be constructed where the current brown barn is located, using the same footprint. The new barn will be ten feet to twelve feet (10’-12’) in height. The new barn will be a prefab construction type. The existing frame shed shall be located to the rear of the paddock area. The Petitioner would also like to construct a lounging arena north of the existing “arena” area.

The Petitioner has a waitlist and would like to expand because of the waitlist. If approved, the Petitioner would like to expand operations in the summer of 2019.

The Petitioner provided an EcoCat from 2005. Since no new building footprints are planned, an update EcoCat was not required.

The Petitioner applied for an NRI in February 2019 and the LESA Score was 167 indicating a low level of protection.

Revised information was sent to Little Rock Township Revised on February 21, 2019.

Revised information was sent to Bristol Township on February 21, 2019.

The City of Plano had no objections to the proposal.

Revised information was sent to the Bristol-Kendall Fire Protection District on February 21, 2019.

The Little Rock Fox Fire Protection District had no objections to the original proposal.

ZPAC recommended approval of the petition.

The Petitioner currently has manure picked up four (4) days per week and has a mushroom farmer collect manure for composting once per week. The manure area is sealed and graded with four (4) concrete blocks across the back and is four (4) rows high and three (3) rows deep. The Petitioner plans to install an opaque fence around the manure area.

Staff recommended approval subject to the following conditions:

1. All of the conditions contained in Ordinance 2012-22, except condition number 1 shall remain in effect.
2. Condition number 1 contained in Ordinance 2012-22 is hereby amended to read, "A maximum of thirty-six (36) horses are allowed to be housed in the stable."
3. The site shall be developed substantially in accordance with the attached site plan.
4. The owner(s) of the property shall secure applicable building permits prior to the construction of any structures on the property.
5. The owners(s) of the facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
6. Failure to comply with one or more of the above conditions or restrictions contained in this ordinance and Ordinance 2012-22 could result in the amendment or revocation of the special use permit.
7. If one or more of the conditions contained in this ordinance and Ordinance 2012-22 is declared invalid by a court of competent jurisdiction, the remaining conditions of both ordinances shall remain valid.

Dan Kramer gave a summary of the way the property was originally setup and that Dorothy Flisk owns the barn and six (6) other lots in the subdivision.

Chairman Ashton asked if the manure plan met the State requirements. Mr. Kramer stated there really are no requirements on manure, but they believe they do meet the expectations.

Member Schroeder expressed concerns about the removal of the urine waste and proximity to the creek. He is concerned that with the increase in horses, an increase in the amount of waste will occur. Mr. Kramer said the Health Department had no concerns about the waste.

Dan Huddleston, President of the HOA, spoke about the concerns of the members/neighbors. They are concerned about increased traffic, light pollution, noise, and manure. They are also concerned about the decreased value in their homes due to the fact of having a business in their backyard. Mark Bassong, Vice President of the HOA, agreed with everything Mr. Huddleston said.

Member Rodriguez asked if there was any talk about putting in a separate road to her barn. Mr. Huddleston said there is no way to install a new road.

Mr. Kramer said that request had nothing to do with the covenants of the HOA.

Jean Cook, Arlene Vankamper, and Mary Kay Sergo who board their horses at the stable spoke about how well maintained it is and how it enhanced the area.

Dorothy Flisk owner of the property answered questions about the disposal of urine and manure. She discussed the value and what kind of horses they board. Discussion occurred regarding her business operations, the number of vehicles using the road, and the number of employees at the business.

Member Nelson asked if they had thought about putting in Arborvites. Inadequate space exists for planting Arborvites near the paddock area.

Member Nelson made a motion, seconded by Member Bledsoe, to recommend approval of Petition 18-24 with the conditions proposed by Staff.

Yes (6): Ashton, Bledsoe, Davis, Nelson, Rodriguez, and Shaw
No (2): Casey and Schroeder
Absent (1): Wilson

The motion carried.

Petition 18-24 will go to the Zoning Board of Appeals on April 29, 2019.

19-08 Daniel, Bruce, and Norma Van Deventer and Deborah Hull on Behalf of the Wilbur C. VanDeventer Trust (current Owner) and Diane and Craig Zimmerman (Prospective Buyer)

Mr. Asselmeier summarized the request.

Craig Zimmerman, the prospective buyer, gave a summary that he wants to build a house/workshop on the property.

Craig and Brittany Krause expressed concerns of why did the property had to be rezoned from A1 to R1. Mr. Asselmeier stated it needs to be rezoned in order for them to build a house on it. Discussion also occurred regarding the address of the property.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of Petition 19-08.

Yes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Shaw
No (0): None
Absent (1): Wilson

The motion carried.

Petition 19-08 will go to the Zoning Board of Appeals on April 1, 2019.

19-07 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request. He explained enforcement issues in Boulder Hill and this proposal was the suggest way of resolving those issues.

Member Davis made a motion, seconded by Member Bledsoe, to recommend approval of Petition 19-07.

Yes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Shaw
No (0): None
Absent (1): Wilson

The motion carried.

Petition 19-07 will go to the Zoning Board of Appeals on April 1, 2019.

19-09 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

Brad Blocker, Na-An-Say Township Supervisor, spoke about his issues which is the A1 outline reads to allow for the purposes best suited for agricultural purposes. He believes that taking it out of special use and turning it into a permitted use in this case it is pretty much a stretch to call that an Agricultural Use.

Members of the Commission gave Mr. Blocker a background on the proposal. No agricultural land is being taken out of use. It was noted that the proposal is for Oswego Township and the ordinance expires on December 31, 2024.

Member Nelson made a motion, seconded by Member Davis, to recommend approval of Petition 19-09.

Yes (9): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Shaw
No (0): None
Absent (1): Wilson

The motion carried.

Petition 19-09 will go to the Zoning Board of Appeals on April 1, 2019.

OLD BUSINESS

Update on Petition 18-04 Request from Kendall County Regional Planning Commission for Changes to the Future Land Use Map for Properties Near Route 47 in Lisbon Township

Mr. Asselmeier gave an Update. This proposal will go the Planning, Building and Zoning Committee in April.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

Approval to Initiate a Text Amendment to Section 4.06 and 4.07 of the Kendall County Zoning Ordinance by allowing Research and Development Related Home Occupations to be Conducted Outside of a Dwelling or Permitted Accessory Structure and Adding the Phrase “Unless Otherwise Permitted by Law” to the End of Section 4.06.f and Section 4.07.g

Mr. Asselmeier summarized the request.

Mr. Nelson said this came out of a person wanting to do research on guns out of their home. Under current regulations he could not discharge a firearm outdoors as part of his business.

Member Rodriguez made a motion, seconded by Member Bledsoe, to approve initiating the text amendment.

Yes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, and Schroeder

No (0): None

Absent (1): Wilson

Abstain (1): Shaw

The motion carried.

This petition will go to ZPAC on April 2, 2019.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier announced there were three (3) new petitions coming next month.

Member Schroeder talked about the sprinkler issue at the planned banquet facility on Schlapp Road.

ADJOURNMENT

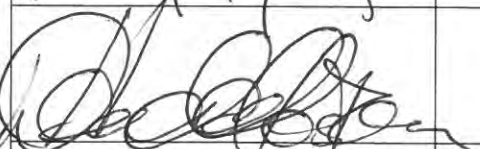
Member Rodriguez made a motion, seconded by Member Nelson, to adjourn. With a voice vote of eight (8) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 9:10 p.m.

Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Encs.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MARCH 27, 2019**

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 Kramer	1102 S. Bridge Yorkville, IL 62380	
CHET SERGO		
Mary Kay Sergio		
		
Mark Bassong		
Don Car		
Celia Bulger		
Dorothy Fliss		

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MARCH 27, 2019**

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)
Craig Zimmerman		
Brittany Krause		
BRAD Blocker		



Village Board

Matt Brolley
Village President

Penny FitzPatrick
Village Clerk

Trustees:
Stan Bond
Peter Heinz
Steve Jungermann
Denny Lee
Doug Marecek
Theresa Sperling

March 8, 2019

Mr. Boyd Ingemunson
759 John St.
Yorkville, IL 60560

Re: Petition 19-08 Map Amendment Rezoning Property from A-1 to R-1
Located between 7977 and 7823 Galena Rd. Unincorporated Kendall County.

Dear Mr. Esparza:

Staff

Jeff Zoepfel
Village
Administrator

Phillip J. Smith
Chief of Police

Rick Radde
Dir. of Public Works

Justin VanVooren
Director of Finance

Richard Young
Dir. of Community
Development

Zoning Question: This office has been requested to provide an opinion regarding the potential map amendment and rezoning of the property located between 7977 and 7823 Galena Road, Bristol, IL from A-1 Agricultural District to R-1 Residential District. The rezoning would be administered under the Kendall County Zoning Ordinance as the parcel is outside of the Village limits, but within the Village's planning boundary.

Zoning Opinion: Village staff is not opposed to the parcel being rezoned to a residential zoning district and would request that in the future, the contract purchasers be willing to grant an easement for a trail on the north side of Blackberry Creek which runs through the property.

If after review you should have any questions please contact me at: (331) 212-9021.

Sincerely,



Richard J. Young
Director of Community Development

Cc: Kendall County Department of Planning, Building and Zoning

**MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
April 1, 2019 – 7:00 p.m.**

CALL TO ORDER

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

ROLL CALL:

Members Present: Randy Mohr (Chair); Scott Cherry, Karen Clementi, Tom LeCuyer, Dick Thompson, and Dick Whitfield

Members Absent: Cliff Fox

Staff Present: Matthew Asselmeier, AICP, Senior Planner and Ruth Ann Sikes, Part Time Office Assistant, (Zoning)

Public: Margaret Sheehan, Mark Perle, Jim Williams, Linda Wilkinson, Greg Peterson, Boyd Ingemunson, Martin Cann, James Manning, Mike Hawkins, Wendy Martorano, Priscilla Gruber, Ed Gruber, Todd Milliron, Judy Bush, and Virginia Lake

PETITIONS

Chairman Mohr swore in all of the members of the public that wished to speak on the petitions.

The Zoning Board of Appeals started their review of Petition 19-08 at 7:05 p.m.

Petition 19-08 – Daniel, Bruce, and Norma Van Deventer and Deborah Hull on Behalf of the Wilbur C. VanDeventer Trust (Current Owner) and Diane and Craig Zimmerman (Prospective Buyer)

Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural to R-1 One-Family Residential

PINs: 02-11-300-007

Location: The Northeast Side of T-Intersection Created by Galena Road and Kennedy Road in Bristol Township

Purpose: Proposal Rezones the Property to R-1 to Allow the Prospective Buyer to Construct One House on the Property

Mr. Asselmeier summarized the request.

Diane and Craig Zimmerman would like to purchase the subject property and construct a single-family home on the property and operate a home-based business as allowed by the Kendall County Zoning Ordinance. The property lacks a housing allocation. Therefore, a map amendment is required.

The property is approximately fifteen (15) acres in size.

The Land Resource Management Plan calls for the property to be residential.

Trails are planned along Galena Road and along Blackberry Creek. Blackberry Creek runs through the property and development can occur only the south portion of the property is outside the floodplain. There is a freshwater emergent wetland on the northwest side of the property.

The zoning in the area is A-1 and R-3 with Yorkville and Montgomery having zoning within a half (1/2) mile of the property.

EcoCat was submitted and consultation was terminated.

The LESA Score was 129 indicating a low level of protection.

Petition information was sent to Bristol Township on February 25, 2019.

Petition information was sent to the Village of Montgomery on February 25, 2019.

Petition information was sent to the United City of Yorkville at the end of February. The subject property is across the street from Yorkville, but is in Montgomery's planning jurisdiction. Yorkville will be reviewing the proposal during April 2019.

Petition information was sent to the Bristol-Kendall Fire Protection District on February 25, 2019.

ZPAC reviewed this petition at their meeting on March 5, 2019. The Kendall County Highway Department requested a site plan showing the location of the proposed driveway for the house. It was noted that a variance would be required to the Kendall County Highway Regulations, if the Petitioner desired more than a right-in, right-out point of ingress/egress. ZPAC unanimously recommended approval of the request.

The Kendall County Regional Planning Commission reviewed this petition at their meeting on March 27, 2019. A neighbor questioned why the property needed to be rezoned. Mr. Asselmeier explained Kendall County's forty (40) acre rule and housing allocation rules in agricultural areas. The address of the property required clarification. The Kendall County Regional Planning unanimously recommended approval of the request.

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

The property fronts Galena Road. Staff has no concerns regarding the ability of Galena Road to support the proposed map amendment. A variance to the Kendall County Highway Access Regulation Ordinance will be required, if the Petitioner desired more than a right-in, right-out point of ingress/egress. At their meeting on March 19, 2019, the County Board approved an ordinance granting access onto Galena Road at the subject property.

No new odors are foreseen.

Any new lighting would be for residential use only and must be in compliance with the regulations related to home occupations contained in the Zoning Ordinance.

No fencing or buffer is presently planned for the property.

Any new homes constructed in the floodplain would have to secure a stormwater permit.

Electricity is nearby. New well and septic information would have to be evaluated as part of the building permit process.

The proposed Findings of Fact are as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are a mix of agricultural, single-family residential, and forest preserve uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1, R-1, and R-3. Both the Village of Montgomery and the United City of Yorkville have residentially zoned properties within one half (1/2) mile of the subject property.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and can be used for farming. A single-family home cannot be constructed on the property because a residential housing allocation does not exist and because the property is less than forty (40) acres in size.

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 supports residential growth. A residential subdivision inside the Village of Montgomery is located within one half (1/2) mile of the subject property. No uses that would negatively impact residential development are located near the subject property.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposed amendment is consistent with the Future Land Use Map contained in the Land Resource Management Plan which calls for the subject property to be Rural Residential and Suburban Residential. Per the definition of Rural Residential, uses permitted within the R-1 Zoning District are types of Rural Residential uses.

Staff recommends approval of the proposed map amendment.

Chairman Mohr started the Public Hearing on Petition 19-08 at 7:12 p.m.

Boyd Ingemunson, Attorney for the Petitioner, stated that the Zimmerman's are contract purchases of the property. The sale is contingent on the zoning of the property.

Chairman Mohr closed the Public Hearing on Petition 19-08 at 7:13 p.m.

Member Clementi made a motion, seconded by Member LeCuyer, to approve the Findings of Fact and the Map Amendment as proposed by Staff.

The votes were as follows:

Ayes (6): Mohr, Cherry, Clementi, LeCuyer, Thompson, and Whitfield

Nays (0): None
Absent (1): Fox

The motion passed. This proposal will go to the Planning, Building and Zoning Committee on May 13, 2019.

The Zoning Board of Appeals completed their review of Petition 19-08 at 7:15 p.m.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Clementi made a motion, seconded by Member Cherry, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 10:15 p.m.

Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Exhibits

1. Staff Report on Petition 19-08 Dated March 28, 2019.
2. Certificate of Publication and Mailings for Petition 19-08 (Not Included with Report but on file in Planning, Building and Zoning Office).

Matt Asselmeier

From: Jason Engberg <jengberg@yorkville.il.us>
Sent: Wednesday, April 24, 2019 9:31 AM
To: Matt Asselmeier
Cc: Krysti Barksdale-Noble
Subject: [External]8225 Galena Road 1.5 Mile Review

Matt,

The Galena Road 1.5 mile review was brought in front of the City Council last night and there were no comments or concerns made regarding this request. All boards and reviewing bodies have no objection to this request.

Thanks,

Jason Engberg, AICP
Senior Planner
United City of Yorkville
800 Game Farm Road
Yorkville, Illinois 60560
630.553.8555

--

This email was Malware checked by UTM 9. <http://www.sophos.com>

ADULT USE CANNABIS SUMMARY

The following summarizes the major elements of the amendment that will be filed to Senate Bill 7 to legalize recreational adult use cannabis in Illinois.

PERSONAL USE OF CANNABIS

Starting January 1, 2020, adults over 21 will be able to legally purchase cannabis for recreational use from licensed dispensaries across the state.

- Possession limit for Illinois residents:
 - 30 grams of cannabis flower;
 - 5 grams of cannabis concentrate;
 - 500 milligrams of THC contained in a cannabis-infused product; or
 - People may possess more than 30 grams of cannabis if it is grown and secured in their residence under certain conditions.
- Possession limit for non-Illinois residents:
 - 15 grams of cannabis flower;
 - 2.5 grams of cannabis;
 - 250 milligrams of THC contained in a cannabis-infused product.
- The possession limits are to be considered cumulative.

COMPASSIONATE USE OF MEDICAL CANNABIS PILOT PROGRAM

- The legalization of adult use cannabis does not alter the state’s medical cannabis pilot program.

PROMOTING EQUITY

- Creation of a \$20 million low-interest loan program
 - DCEO will administer a low-interest loan program to qualified “social equity applicants” to help defray the start-up costs associated with entering the licensed cannabis industry.
- Establishment of a “social equity applicant” status for licensing
 - A social equity applicant is an Illinois resident that meets one of the following criteria:
 - Applicant with at least 51 percent ownership and control by one or more individuals who have resided for at least 5 of the preceding 10 years in a disproportionately impacted area.
 - Applicant with at least 51 percent ownership and control by one or more individuals who have been arrested for, convicted of, or adjudged to be a ward of the juvenile court for any offense that is eligible for expungement under this Act or member of an impacted family;
 - For applicants with a minimum of 10 full-time employees, an applicant with at least 51% of current employees who:
 - Currently reside in a disproportionately impacted area; or
 - Have been arrested for, convicted of, or adjudged to be a ward of the juvenile court for any offense that is eligible for expungement under this Act or member of an impacted family.

- Application for new entrants to the market
 - Scoring process for dispensaries. (The Department of Agriculture will develop a similar process through the rulemaking process for cultivation centers, processors, and craft growers.)
 - The legislation contains the scoring process IDFPR will use to review applications.
 - Out of a total of 200 points, 25 points are specifically designated for applicants that qualify as “social equity applicants.”
 - IDFPR may award up to 12 bonus points for applicants for preferred, but not required, initiatives. Bonus points will only be awarded in the event that the department receives a greater number of applications that meet the minimum number of points required.
 - Labor and employment practices (2)
 - Labor peace agreement (2)
 - Local community/neighborhood report (2)
 - Environmental plan (2)
 - Illinois owner (2)
 - A plan to engage the community (2)
- Fee waivers
 - The Department of Financial and Professional Regulation and the Department of Agriculture will waive 50 percent of any non-refundable license application fees (up to 2 applications) and any non-refundable fees associated with purchasing a license to operate a cannabis business establishment (up to two licenses) if social equity applicants meet certain conditions.
- Reducing up-front costs
 - Applicants who receive a conditional dispensing organization license will have 180 days from the date of the award to identify a physical location for the dispensing organization retail storefront when new entrants are allowed in the market. This will reduce the costs associated with entering the industry.
- Limitations on ownership
 - No person or entity shall hold any legal, equitable, or beneficial interest, directly or indirectly, of more than 3 cultivation centers.
 - No person or entity shall hold any legal, equitable, or beneficial interest, directly or indirectly, of more than 10 dispensing organizations.
 - No craft grower license shall be issued to any person or entity with more than 10% interest in a cultivation center.
 - No person or entity shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, of more than one craft grower license under this article.
- Identify disproportionately impacted areas.
 - DCEO will designate “disproportionately impacted areas” for social equity applicants
 - “Disproportionately impacted area” is defined as a geographic area that is economically disadvantaged and has been impacted by high rates of arrest, conviction, and incarceration for violations of the Cannabis Control Act.

ACHIEVING EQUITY THROUGH OWNERSHIP AND LICENSURE

The following process is designed to ensure the most equitable marketplace in the country.

- Early approval adult use license for current medical cannabis license holders
 - Timeline for licensing
 - Cultivation organizations:
 - Medical cannabis cultivators may apply for a license within 60 days of the effective date of the Act.
 - Licenses will be distributed to eligible applicants within 45 days.
 - Dispensing organizations:
 - Medical cannabis dispensaries may apply for a license within 60 days of the effective date of the Act.
 - Licenses will be distributed to eligible applicants within 14 days.
 - The sale of adult use cannabis will begin January 1, 2020.
 - These entities may apply for a second license at a new location under the same parameters.
 - Licensing costs for early approval adult use licenses
 - Cultivation organizations:
 - Non-refundable permit fee: \$100,000
 - Cannabis business development fund fee: 5% of total sales between July 1, 2018 to July 1, 2019 or \$500,000, whichever is less.
 - Dispensing organizations:
 - License 1
 - Non-refundable permit fee: \$30,000
 - Cannabis business development fund fee: 3% of total sales between July 1, 2018 to July 1, 2019 or \$100,000, whichever is less.
 - License 2
 - Non-refundable permit fee: 30,000
 - Cannabis business development fund fee: \$200,000
- New entrants to the adult use cannabis market
 - License types
 - Cultivation centers
 - Craft growers
 - Processors
 - Transporting organizations
 - Dispensing organizations
 - Timeline
 - WAVE 1
 - Department of Financial and Professional Regulation
 - May 1, 2020: The agency awards licenses for up to 75 new dispensing organizations
 - Department of Agriculture
 - July 1, 2020: The agency awards up to 40 licenses for processors, up to 40 licenses for craft growers, and licenses for transporting organizations.

- WAVE 2
 - Department of Financial and Professional Regulation
 - December 21, 2021: The agency awards up to 110 licenses for new dispensing organizations
 - Department of Agriculture
 - December 21, 2021: The agency awards up to 60 licenses for craft growers, up to 60 licenses for processors, and licenses for transporting organizations.
- Licensing costs for new entrants to the market
 - Craft growers
 - Non-refundable application fee \$5,000
 - License fee \$40,000
 - Processors
 - Non-refundable application fee \$5,000
 - License fee \$40,000
 - Transporting organizations
 - Non-refundable application fee \$5,000
 - License fee \$10,000
 - Dispensing organizations
 - Non-refundable application fee \$5,000
 - License fee \$30,000

INVESTING IN COMMUNITIES THAT SUFFERED THROUGH THE WAR ON DRUGS

- The proposal would establish a new grant program, the Restoring Our Communities (ROC) program, to invest in communities that have suffered the most because of discriminatory drug policies.
- ROC program overview
 - ICJIA will designate “ROC Areas” or locations where applicants will be eligible to apply for state funding through the ROC Board.
 - The ROC Board will consist of over 22 members and be chaired by the Governor, or his designee, and the Attorney General, or his designee.
 - The ROC Board will develop a grant application, solicit applications from eligible ROC Areas, distribute grants across the state, and monitor and evaluate ROC programs.
 - The ROC Board will deliver an annual report to the Governor’s Office about its progress.

EXPUNGING RECORDS

The following stand-alone offenses eligible for expungement.

Section 4 Possession (unlawful for any person to knowingly possess cannabis in the following amounts)		
a. <10g	Civil law violation	Fees; May be given probation and charges dismissed §10(a)
b. 10-30g	Class B Misdemeanor	<6 months; May be given probation and charges dismissed §10(a)
c. 30-100g	Class A Misdemeanor	<1 year; May be given probation and charges dismissed §10(a)
d. 100-500g	Class 4 Felony	1-3 years
Section 5 Manufacturer/Deliver (unlawful for any person knowingly to manufacture, deliver, or possess with intent to deliver or manufacture cannabis in the following amounts)		
a. <2.5g	Class B Misdemeanor	<6 months; May be given probation and charges dismissed §10(a)
b. 2.5-10g	Class A Misdemeanor	<1 year; May be given probation and charges dismissed §10(a)
c. 10-30g	Class 4 Felony	1-3 years; May be given probation and charges dismissed §10(a)
Section 8 Plants (unlawful for any person knowingly to produce or possess cannabis sativa plant unless authorized for purposes of research)		
a. < 5 plants	Class A Misdemeanor	< 1 year; May be given probation and charges dismissed §10(a)
b. 5-20 plants	Class 4 Felony	1-3 years; May be given probation and charges dismissed §10(a)

- Process for expungement
 - The proposal sets forth an expedited process of expunging the criminal records of individuals arrested, convicted, on supervision, or on probation for misdemeanor or Class 4 felony

violations of the Cannabis Control Act. The primary goals of this section are to (1) expunge cannabis-related records, and (2) streamline the process.

- The automatic expungement process requires the following:
 - The Department of State Police must identify all individuals with criminal records that are eligible for expungement and automatically expunge records of minor violations within two years of the effective date of the Act.
 - Within 180 days of the effective date of this act, the Department of State Police must notify (a) the prosecutor's offices responsible for prosecuting the offenses, (b) local law enforcement agencies, and (c) the Illinois Attorney General's office identifying all individuals with minor violations that are eligible for expungement.
 - Within 180 days of receipt of the notice from the Department of State Police, the appropriate States Attorney's offices shall file a proposed order with the court seeking expungement on behalf of individuals with eligible offenses. The Attorney General's office may file the proposed order if the State's Attorney has not.
 - Within 180 days after receiving the proposed order, the court will review the proposed order and order the expungement of court and law enforcement records unless it determines that the offense does not meet the definition of a minor violation.
 - The court will provide copies of the order to the Department of State Police, the arresting agency, relevant criminal justice agencies, and the individual whose record has been expunged.
- **The automatic expungement process does not apply to individuals with misdemeanor or Class 4 felony violations that were accompanied by charges other than a qualifying offense. Individuals with those records, and individuals in other circumstances, may separately petition the court to have their records expunged.**

EMPLOYMENT

- Nothing in the proposal prohibits employers from adopting reasonable employment policies concerning smoking, consumption, storage or use of cannabis in the workplace.
- Nothing in the proposal prohibits employers from disciplining an employee or terminating employment of an employee for violating the employer's employment policies or workplace drug policy.

TAXATION

- All taxes are deposited in the new Cannabis Regulation Fund
- Cultivation privilege tax
 - 7% of the gross receipts from the sale of cannabis by a cultivator, craft grower, or processor to a dispensing organization
- Cannabis purchaser excise tax:
 - 10% of the purchase price – Cannabis with a THC level at or below 35%
 - 20% of the purchase price – All cannabis infused products
 - 25% of the purchase price – Cannabis with a THC level above 35%
 - These taxes shall be in addition to all other occupation, privilege, or excise taxes imposed by the State of Illinois or by any municipal corporation or political subdivision.
- Municipal purchaser excise tax:
 - Municipalities may enact a purchaser excise tax up to 3% in increments of 0.25%
 - Counties may enact a purchaser excise tax up to 0.5% in incorporated areas in increments of 0.25%
 - Unincorporated areas may adopt a purchaser excise tax up to 3.5% in increments of 0.25%

ALLOCATION OF STATE REVENUE

- The Department of Revenue will provide an official FY20 revenue estimate in the coming days.
- Tax revenue will be deposited in the new Cannabis Regulation Fund
- State agencies responsible for administering the adult use cannabis program will receive resources to cover administrative costs from the taxes collected by the program.
- All remaining revenue will be allocated as follows:
 - 35% will be transferred to the General Revenue Fund,
 - 25% will be transferred to the Restoring Our Communities Fund for community reinvestment,
 - 20% will be transferred to a fund that will support mental health and substance abuse services at local health departments,
 - 10% will be transferred to the Budget Stabilization Fund to pay the backlog of unpaid bills,
 - 8% will be transferred to the Illinois Law Enforcement Training and Standards Board to create a law enforcement grant program, and
 - 2% will be transferred to the Drug Treatment Fund to fund public education and awareness.

GOVERNANCE

- Governor's Office
 - The Governor will appoint a Cannabis Regulation Oversight Officer who will be stationed in IDFPR. This person, and his or her team, will have the authority to make statutory and regulatory recommendations concerning the adult use program. This person will also coordinate efforts between state agencies involved in regulating and taxing the sale of cannabis in Illinois.
- Department of Revenue
 - Responsible for enforcing and collecting taxes associated with the sale of cannabis.
- Department of Agriculture
 - Responsible for licensure and oversight of cultivation centers, craft growers, processing organizations, and transporting organizations.
 - Responsible for authorizing laboratories that test cannabis
- Department of Financial and Professional Regulation
 - Responsible for licensure and oversight of dispensing organizations.
- Illinois State Police
 - Responsible for conducting background checks on everyone involved in the licensed cannabis sector.
 - Responsible for reviewing security plans for all licensed entities.
 - Responsible for reviewing all criminal history record information and identifying all individuals with minor violations that are eligible for automatic expungement.
- Department of Public Health
 - Responsible for developing recommendations surrounding health warnings and facilitating the Adult Use Cannabis Public Health Advisory Committee.
- Department of Commerce and Economic Opportunity
 - Responsible for administering a loan program, a grant program, and technical assistance for social equity applicants.
- Department of Human Services
 - Responsible for making recommendations to the Adult Use Cannabis Public Health Advisory Committee regarding drug treatment and prevention.
 - Responsible for developing and disseminating consumer education materials.
- ICJIA

- Responsible for designating ROC areas across the state that may apply for funding from the ROC board for community reinvestment.

PUBLIC HEALTH AND SAFETY

- Twenty percent of revenue generated by the sale of adult use cannabis will support efforts to address substance abuse and mental health.
- Advertising
 - No cannabis business establishment shall place or maintain, or cause to be placed or maintained, an advertisement, of cannabis or a cannabis-infused product in any form or through any medium:
 - Within 1,000 feet of the perimeter of a school grounds, playground, hospital, healthcare facility, recreation center or facility, child care center, public park or public library, or any arcade to which admission is not restricted to person's age 21 years or older;
 - On or in a public transit vehicle or public transit shelter;
 - On or in a publicly owned or public operated property;
 - Which contains information that is false or misleading, promotes excessive consumption, depicts a person under 21 years of age consuming cannabis, includes the image of a cannabis leaf; or
 - Includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children, or any other likeness to images, characters, or phrases that are popularly used to advertise to children, or any imitation of candy packaging or labeling, or that promotes the consumption of cannabis.
 - These restrictions do not apply to noncommercial messages.
- Packaging requirements
 - The following warnings shall apply to all cannabis products: "This product contains cannabis and is intended for use by adults 21 and over. Its use can impair cognition and may be habit forming. This product should not be used by pregnant or breastfeeding women. It is unlawful to sell or provide this item to any individual, and may not be transported outside the state of Illinois. It is illegal to operate a motor vehicle while under the influence of cannabis. Possession or use of this product may carry significant legal penalties in some jurisdictions and under federal law."
 - All harvested cannabis intended for distribution to a cannabis enterprise must be packaged in a sealed, labeled container.
 - Packaging of any product containing cannabis shall be child-resistant and light-resistant consistent with current standards, including the Consumer Product Safety Commission standards referenced by the Poison Prevention Act.
 - The label of each cannabis product shall contain, among other things, a "use by" date on the label, the quantity of cannabis contained in the product, and a content list.
 - All cannabis products must contain warning statements established for consumers, of a size to be legible and readily visible to a consumer inspecting a package, which may not be covered or obscured in any way.
 - Packaging must not contain information that:
 - Is false or misleading;
 - Promotes excessive consumption;
 - Depicts a person under 21 years of age consuming cannabis;

- Includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children, or any other likeness to images, characters, or phrases that are popularly used to advertise to children, or any packaging or labeling that bears resemblance to any product available for consumption as a commercially available candy, or that promotes consumption of cannabis;
- Contains any seal, flag, crest, coat of arms, or other insignia likely to mislead the consumer to believe that the product has been endorsed, made or used by the State of Illinois.

HOME GROW

- Illinois households are permitted to grow up to five cannabis plants under certain conditions:
 - The grower is an adult aged 21 or older,
 - The grower is in a household that owns the residence or has permission from the owner,
 - The grower is limited to growing 5 or less plants,
 - The grower must keep cannabis in a separately locked room away from members of the household who are under 21, and
 - The grower is prohibited from growing cannabis in public view.

LOCAL ORDINANCES

- Municipalities may pass ordinances prohibiting the establishments of dispensaries in their jurisdiction.
 - Local units of government must adopt 'opt out' ordinances within one year of the effective date of the statute or they are limited to adopting 'opt out' provisions via local referendum.
- Municipalities may enact reasonable zoning restrictions pertaining to licensed cultivation centers, craft growers, processing organizations, and dispensaries.

Medical Cannabis Related Regulations
Section 3.02 (Definitions)

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

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

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

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

Section 10.01.C.10 (Special Use in M-1 and M-2 Districts)

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

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

b. **Preliminary Requirements.** All Medical Cannabis Cultivation Center special use permit applicants shall comply with the following requirements before

applying for a special use permit and shall maintain compliance at all times thereafter.

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

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

iii. *Location.* A Cultivation Center must be located more than 2,500 feet from the property line of any pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use, as required pursuant to 410 ILCS 130/105.

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

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

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

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

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

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

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

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

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

d. Operational and Facility Requirements:

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

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

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

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

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

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

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

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

e. Legal Protections.

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

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

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

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

Amendment to Section 10.01.C.11 (Special Uses in M-1 and M-2 Districts)

11. Medical Cannabis Dispensing Centers- Temporary (will be automatically repealed on July 1, 2020)

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

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

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

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

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

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

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

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

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

- i. A scale drawing of the front, rear, or side of the building or structure showing dimensions and architectural details (Building Elevations); and
- ii. A location map demonstrating the property meets location conditions identified in 410 ILCS 130/130 & Section 1290.50.19, as amended.

d. Operational and Facility Requirements:

- i. *Enclosed, Loading/unloading bay.* All medical cannabis deliveries shall take place in an Enclosed, Locked Facility.
- ii. *Storage.* No outdoor storage of any kind will be permitted at Dispensing Organizations.
- iii. *Advertisement/Signs.*

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

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

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

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

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

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

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

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

clearly visible and readable by customers and shall be written in English.

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

- 1) produce or manufacture cannabis;
- 2) allow consumption of cannabis at the dispensary;
- 3) sell cannabis unless it is pre-packaged and labeled in accordance with Part, 8 Ill. Adm. Code 1000 and 77 Ill. Adm. Code 946;
- 4) sell cannabis or cannabis-infused products to consumer unless the consumer presents an active registered qualifying patient or designated caregiver card issued by DPH;
- 5) enter into an exclusive agreement with any cultivation center;
- 6) operate drive through windows;
- 7) transport cannabis to residences of registered qualifying patients or designated caregivers;
- 8) operate if video surveillance equipment is inoperative;
- 9) operate if the point of sale equipment is inoperative;
- 10) operate if the State's medical cannabis electronic verification system is inoperative; or,
- 11) have fewer than two people working at any time while the dispensary is open.

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

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

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

e. Legal Protections.

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

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

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

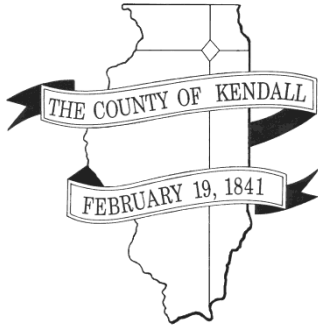
f. Revocation:

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

ii. Applicants must be registered with the Illinois Department of Financial and Professional Regulation prior to commencing operations and shall remain registered at all times of operation. The Dispensing Organization must notify Kendall County within ten (10) days of its registration being

suspended or revoked. Failure to register or timely notify Kendall County of the suspension or revocation will result in immediate revocation of the special use.

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



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, Senior Planner

Date: May 3, 2019

Re: Flooding at the End of Viking Blvd

At the April 8, 2019, Planning, Building and Zoning Committee meeting, an email from Brian Holdiman was read regarding flooding at the end of Viking Blvd, among other topics of concerns regarding Anderson Tree Farm. In particular, a neighbor alleged that the owners of Anderson Tree Farm dumped dirt illegal on the property and diverted water flow. A copy of this email is attached.

The Planning, Building and Zoning Department is unable to determine if a violation to the Stormwater Ordinance has occurred. Accordingly, the Department requests guidance as to how to proceed. We recommend that WBK conduct an investigation on the property to determine if a violation exists.

If you have any questions, please let me know.

Thanks,

MHA

ENCs: March 25, 2019 Email from Brian Holdiman

Matt Asselmeier

From: Brian Holdiman
Sent: Monday, March 25, 2019 3:24 PM
To: Matt Asselmeier
Cc: Scott Koepfel; Matthew G. Prochaska
Subject: Anderson Tree Farm Inspection
Attachments: SPBZkonica19032515460.pdf

Good Afternoon –

On Wednesday March 20, 2019 I performed a site inspection and had a meeting with Karen Anderson at the Anderson Tree Farm at 508 Route 126 Plainfield.

Items discussed –

1. Seasonal Festival Letter dated August 28, 2013 approving a conditional use on the property. Mrs. Anderson indicated she tried this in 2013 and it was unsuccessful. They have not attempted a seasonal festival again. I did not see a season festival set up on site but should follow up in the fall to confirm.
2. Gun Range. Mrs. Anderson held a conceal carry class on site in May of 2018. They were notified that they could not hold classes there or allow any public shooting for compensation. She claims the last time anyone fired a gun on site was May 19, 2018. I did not see any gun range set up on site.
3. Landscape Business. Mrs. Anderson explained they sell trees on site and in conjunction with that permitted use they do deliver the trees and mulch to a site and provide the installation. She claims they only sell product grown on site. I did not witness any bulk product for sale.
4. Truck storage lot. I noticed a gravel parking area on site with several vehicles that appeared to be parked without being occupied. I speculated that they may be using the area as a truck stop or rest area with overnight parking. When I questioned Mrs. Anderson she said that that has happened on occasion but she would cease that operation completely as it is not part of their primary business.
5. Banquet Facility. When I met with Mrs. Anderson our meeting was held in a large post frame building that had a kitchen area. The building was permitted under the Ag Exemption a few years ago. Mrs. Anderson explained that they do hold one public charity event annually in the space along with a few family or friend type events throughout the year. They do have a food handling permit from the Kendall County Health Department.
6. Viking Blvd Storm Water Issue. On August 20, 2018 there was a water back up at the dead end of Viking Blvd where it enters the Anderson property. Mrs. Anderson indicated that they have not performed any work in that area other than top off an existing private road with some asphalt shavings. There is a picture attached of this flooding. I am not qualified to determine if this is a violation of the stormwater ordinance. Joe Clark who is the neighbor being impacted by the water is willing to attend a meeting to explain his observations. He has also been in contact with Na-Au-Say Township Highway Commissioner Ken Hostert who has also inspected the site and may be able to provide additional information.

In summary much of the information provided at the meeting is in contradiction to this website:

<https://www.visitandersonreefarm.com/>

I have attached a few photos and supporting information. In my opinion if PBZ wants to move forward citing the Anderson's with an ordinance violation we should request the States Attorney's Office provide direction of what evidence needs to be gathered.

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

iCloud

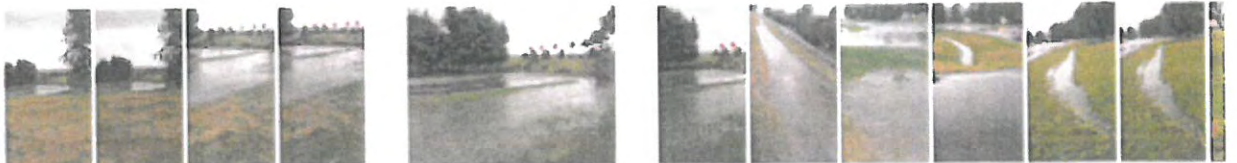


Sign In



August 20, 2018

6:37 PM





August 20, 2018
6:42 PM





Illinois Environmental Protection Agency

Bureau of Water • 1021 N. Grand Avenue E. • P.O. Box 19276 • Springfield • Illinois • 62794-9276

Division of Water Pollution Control ANNUAL FACILITY INSPECTION REPORT

for NPDES Permit for Storm Water Discharges from Separate Storm Sewer Systems (MS4)

This fillable form may be completed online, a copy saved locally, printed and signed before it is submitted to the Compliance Assurance Section at the above address. Complete each section of this report.

Report Period: From March, 2018 To March, 2019

Permit No. ILR40 0261

MS4 OPERATOR INFORMATION: (As it appears on the current permit)

Name: Kendall County Mailing Address 1: 111 West Fox Street
Mailing Address 2: _____ County: Kendall
City: Yorkville State: IL Zip: 60560 Telephone: 630-553-4150
Contact Person: Matthew Asselmeier Email Address: masselmeier@co.kendall.il.us
(Person responsible for Annual Report)

Name(s) of governmental entity(ies) in which MS4 is located: (As it appears on the current permit)

Kendall County

THE FOLLOWING ITEMS MUST BE ADDRESSED.

A. Changes to best management practices (check appropriate BMP change(s) and attach information regarding change(s) to BMP and measurable goals.)

- | | | | |
|--|--------------------------|---|--------------------------|
| 1. Public Education and Outreach | <input type="checkbox"/> | 4. Construction Site Runoff Control | <input type="checkbox"/> |
| 2. Public Participation/Involvement | <input type="checkbox"/> | 5. Post-Construction Runoff Control | <input type="checkbox"/> |
| 3. Illicit Discharge Detection & Elimination | <input type="checkbox"/> | 6. Pollution Prevention/Good Housekeeping | <input type="checkbox"/> |

B. Attach the status of compliance with permit conditions, an assessment of the appropriateness of your identified best management practices and progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, and your identified measurable goals for each of the minimum control measures.

C. Attach results of information collected and analyzed, including monitoring data, if any during the reporting period.

D. Attach a summary of the storm water activities you plan to undertake during the next reporting cycle (including an implementation schedule.)

E. Attach notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable).

F. Attach a list of construction projects that your entity has paid for during the reporting period.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Owner Signature:

Scott Gryder

Printed Name:

Date:

County Board Chairman

Title:

EMAIL COMPLETED FORM TO: epa.ms4annualinsp@illinois.gov

or Mail to: ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
WATER POLLUTION CONTROL
COMPLIANCE ASSURANCE SECTION #19
1021 NORTH GRAND AVENUE EAST
POST OFFICE BOX 19276
SPRINGFIELD, ILLINOIS 62794-9276

Illinois Environmental Protection Agency
ANNUAL FACILITY INSPECTION REPORT
for NPDES Permit for Storm Water Discharges from Separate Storm Sewer Systems (MS4)

Kendall County, Illinois (NPDES Permit No. ILR400261)
YEAR 3: March 2018-March 2019

Table of Contents

Part 1. Changes to Best Management Practices	1
Part 2. Status of Compliance with Permit Conditions	2
A. Public Education and Outreach.....	2
A.1 Distributed Paper Material.....	2
A.2 Speaking Engagement	2
A.4 Community Event.....	2
A.6 Other Public Involvement	3
B. Public Participation/Involvement	3
B.3 Stakeholder Meetings.....	3
B.7 Other Public Involvement	3
C. Illicit Discharge Detection and Elimination	3
C.1 Storm Sewer Map Preparation	3
C.3 Detection/Elimination Prioritization Plan	4
C.4 Illicit Discharge Tracing Procedures	4
C.5 Illicit Source Removal Procedures.....	4
C.6 Program Evaluation and Assessment.....	4
C.7 Visual Dry Weather Screening.....	5
D. Construction Site Runoff Control	5
D. 1 Regulatory Control Program.....	5
D.2 Erosion and Sediment Control BMPs	6
D.3 Other Waste Control Program	6
D.4 Site Plan Review Procedures.....	6
D.6 Site Inspection/Enforcement Procedures.....	6
D.7 Other Construction Site Runoff Controls	6
E. Post-Construction Runoff Control.....	7
E.3 Long Term O&M Procedures	7
E.5 Site Inspections During Construction	7
E.7 Other Post-Construction Runoff Controls.....	7
F. Pollution Prevention/Good Housekeeping	8
F.1 Employee Training Program.....	8
F.4 Municipal Operation Waste Disposal.....	8
F.5 Flood Management/Assess Guidelines	8
F.6 Other Municipal Operations Controls.....	9
Part 3. Information and Data Collection Results	10
Part 4. Summary of Next Reporting Period Stormwater Activities.....	11
A. Public Education and Outreach	12
A.1 Distributed Paper Material	12
A.2 Speaking Engagement	12
A.4 Community Event.....	12
A.6 Other Public Education.....	12

B. Public Participation/Involvement	12
B.3 Stakeholder Meetings	12
B.7 Other Public Involvement	13
C. Illicit Discharge Detection and Elimination	13
C.1 Storm Sewer Map Preparation	13
C.3 Detection/Elimination Prioritization Plan	13
C.4 Illicit Discharge Tracing Procedures	13
C.5 Illicit Source Removal Procedures	13
C.6 Program Evaluation and Assessment	14
C.7 Visual Dry Weather Screening	14
D. Construction Site Runoff Control	14
D.1 Regulatory Control Program	14
D.2 Erosion and Sediment Control BMPs	14
D.3 Other Waste Control Program	14
D.4 Site Plan Review Procedures	14
D.6 Site Inspection/Enforcement Procedures	15
D.7 Other Construction Site Runoff Controls	15
E. Post-Construction Runoff Control	15
E.3 Long-Term O&M Procedures	15
E.5 Site Inspections During Construction	15
E.7 Other Post-Construction Runoff Controls	15
F. Pollution Prevention/Good Housekeeping	16
F.1 Employee Training Program	16
F.4 Municipal Operation Waste Disposal	16
F.5 Flood Management/Assess Guidelines	16
F.6 Other Municipal Operations Controls	16
Part 5. Notice of Qualifying Local Program	17
Part 6. Construction Projects Conducted During Year 3	18
Appendix 1	19

Part 1. Changes to Best Management Practices

There are no changes to the Best Management Practices in Year 3 (March 2018-March 2019) for the six minimum control measures as described in the Notice of Intent for Kendall County submitted on July 19, 2016.

Note: **X** indicates BMPs performed that were proposed for Year 3 in NOI

+ indicates BMPs performed that were not originally proposed for Year 3 in NOI

A. Public Education and Outreach	
X	A.1 Distributed Paper Material
X	A.2 Speaking Engagement
	A.3 Public Service Announcement
X	A.4 Community Event
	A.5 Classroom Education Material
X	A.6 Other Public Education
B. Public Participation/Involvement	
	B.1 Public Panel
	B.2 Educational Volunteer
X	B.3 Stakeholder Meeting
	B.4 Public Hearing
	B.5 Volunteer Monitoring
	B.6 Program Coordination
X	B.7 Other Public Involvement
C. Illicit Discharge Detection and Elimination	
X	C.1 Storm Sewer Map Preparation
	C.2 Regulatory Control Program
X	C.3 Detection/Elimination Prioritization Plan
X	C.4 Illicit Discharge Tracing Procedures
X	C.5 Illicit Source Removal Procedures
X	C.6 Program Evaluation and Assessment
X	C.7 Visual Dry Weather Screening
	C.8 Pollutant Field Testing
	C.9 Public Notification
	C.10 Other Illicit Discharge Controls

D. Construction Site Runoff Control	
X	D.1 Regulatory Control Program
X	D.2 Erosion and Sediment Control BMPs
X	D.3 Other Waste Control Programs
X	D.4 Site Plan Review Procedures
	D.5 Public Information Handling Procedures
X	D.6 Site Inspection/Enforcement
X	D.7 Other Construction Site Runoff Controls
E. Post-Construction Runoff Control	
	E.1 Community Control Strategy
	E.2 Regulatory Control Program
X	E.3 Long-Term O&M Procedures
	E.4 Pre-Construction Review of BMP
X	E.5 Site Inspections During Construction
	E.6 Post-Construction Inspections
X	E.7 Other Post-Const. Runoff Controls
F. Pollution Prevention/Good Housekeeping	
X	F.1 Employee Training Program
	F.2 Inspection and Maintenance Program
	F.3 Municipal Operations Storm Water Control
X	F.4 Municipal Operation Waste Disposal
X	F.5 Flood Management/Assess Guidelines
X	F.6 Other Municipal Operations Controls

Part 2. Status of Compliance with Permit Conditions

(Provide the status of compliance with permit condition, an assessment of the appropriateness of your identified best management practices and progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable [MEP] , and your identified measurable goals for each of the minimum control measures.)

Kendall County submitted a Notice of Intent on July 19, 2016, which initiated a new 5-year permit cycle. The BMPs listed in the 2016 NOI were selected to meet the requirements of the NPDES Phase II program and reduce nonpoint source pollution in Kendall County.

The status of BMPs and measurable goals performed in Year 3 (March 2018-March 2019) are described below.

A. Public Education and Outreach

A.1 Distributed Paper Material

Measurable Goals: 1) Track number of people requesting to see the County's Plan on an annual basis.

Due to the increased preference of electronic documents and the effort to minimize paper waste, Kendall County provides much of their information on the County's website. Kendall County continues to provide links on their website to PDFs of the Stormwater Management Program Plan, the NOI, and Annual Reports. The website also includes materials about sources of stormwater pollution and ways to minimize pollutants. The County's website includes EPA web links as well as web links to other sites that contain information about the benefits of green infrastructure and rain gardens, impacts of climate change on water resources, and the impacts of climate change on the Midwest.

Kendall County typically tracks the number of views the County website receives annually. Due to technical issues, the County was unable to track the number of views the County website and NPDES documents received in Year 3.

A.2 Speaking Engagement

Measurable Goals: An increase in number of presentations annually and amount of public attendance/participation.

Kendall County did not conduct or host any presentations in Year 3.

A.4 Community Event

Measurable Goals: Increased interest and attendance in annual workshops/seminars.

The Kendall County Soil and Water Conservation District (SWCD) hosted a used oil drop off recycling event on June 16, 2018 at the Grainco FS Tire Center parking lot on State Route 47 in Yorkville. Many local residents participated by bringing their used oil, anti-freeze, and oil filters to be safely disposed. During the event 1,010 gallons of used oil, 60 gallons of used anti-freeze, and 1 large container of used oil filters were collected.

A.6 Other Public Involvement

Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluation surveys.

Kendall County typically tracks the number of views the County website receives annually. Due to technical issues, the County was unable to track the number of views the County website and NPDES documents received in Year 3.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 3 to get input on how they can improve public education and outreach. One township completed the survey. The survey results are included at the end of this report in Appendix 1.

B. Public Participation/Involvement

B.3 Stakeholder Meetings

Measurable Goals: Attend the annual public meeting and work with the County to establish a positive dialogue and eventually develop County-wide coordination of stormwater management efforts.

The Kendall County Stormwater Management Oversight Committee held an annual public meeting on October 11, 2018 at 4:00pm in the County Board Room located in the Kendall County Office Building, 111 W. Fox Street, Yorkville, IL. The meeting was held to receive public input regarding stormwater management related regulations and enforcement and to discuss proposed changes to the Kendall County Stormwater Management Ordinance.

At the meeting, 6 of the 10 committee members were present. Also in attendance was the Kendall County Senior Planner, a representative of the State's Attorney's Office, a member of the Kendall County Soil and Water Conservation District, and a representative from the Village of Oswego.

B.7 Other Public Involvement

Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluation surveys.

Kendall County typically tracks the number of views the County website receives annually. Due to technical issues, the County was unable to track the number of views the County website and NPDES documents received in Year 3.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 3 to get input on how they can improve public participation and involvement. One township completed the survey. The survey results are included at the end of this report in Appendix 1.

C. Illicit Discharge Detection and Elimination

C.1 Storm Sewer Map Preparation

Measurable Goals: Update storm sewer mapping annually.

Kendall County updated their storm sewer GIS layer this past year.

C.3 Detection/Elimination Prioritization Plan

Measurable Goals: Track the number of illicit dischargers discovered and track removal process.

Kendall County continues to work on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There were no illicit discharges detected during the past reporting period.

The Highway Department performs stormwater related inspections on a daily basis throughout the County as they relate to road maintenance.

C.4 Illicit Discharge Tracing Procedures

Measurable Goals: Track number of illicit discharges discovered and track removal process annually.

Kendall County continues to work on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There were no illicit discharges detected during the past reporting period.

The County has an Outfall Inspection Procedure Flow Chart (Figure 2) in their Kendall County Stormwater Management Program Plan for detecting and tracing illicit discharges. There is also an Indirect Illicit Discharge Tracking Form available in Appendix 5.6 of the Kendall County Stormwater Management Program Plan for use by County personnel.

C.5 Illicit Source Removal Procedures

Track the number of illicit dischargers discovered and track removal process.

Kendall County continues to work on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There were no illicit discharges detected during the past reporting period.

The County has an 8-step protocol in place for ensuring the removal of illicit discharges. This protocol is explained under Section 3.3.D.3 of the Kendall County Stormwater Management Program Plan.

C.6 Program Evaluation and Assessment

Measurable Goals: Annual evaluation surveys.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 3 to get input on how they can improve their illicit discharge detection and elimination. One township completed the survey. The survey results are included at the end of this report in Appendix 1

C.7 Visual Dry Weather Screening

Measurable Goals: Track the number of illicit dischargers discovered and track removal process.

Kendall County continues to work on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There were no illicit discharges detected during the past reporting period.

The County has a Stormwater Outfall Inspection Data Form available in Appendix 5.3 of the Kendall County Stormwater Management Program Plan for use by County personnel. During the past reporting period, visual dry weather screening was not conducted.

D. Construction Site Runoff Control

D.1 Regulatory Control Program

Measurable Goals: Implementation of the Kendall County Stormwater Ordinance.

On May 21, 2013, the Kendall County Stormwater Management Ordinance was revised. This Ordinance specifically outlines regulations on runoff for NPDES (Sec. 202). The Ordinance includes revised regulations for stormwater management, plan reviews, and long-term maintenance. Kendall County continues to implement and comply with the Kendall County Stormwater Ordinance.

Kendall County has been working with a review consultant since 2008 who continues to provide stormwater, engineering, wetland, and Soil Erosion and Sediment Control (SESC) review for proposed developments. The consultant conducted SESC inspections at three sites during the past reporting period on behalf of Kendall County. Those sites include the Fox Metro Water Reclamation District (FMWRD) Plant Expansion Site, the Fox Metro Orchard Road Compensatory Storage Site, and the Nicor Aux Sable Phase VII Pipeline Replacement Site. The table below provides a breakdown of the projects and the number of SESC inspections completed by the consultant in Year 3.

Construction Project	Date SESC Inspections Started	Date SESC Inspections Ended	# of Inspections Completed in Year 3
FMWRD Plant Expansion	May 2016	Still in progress	2018: 19 inspections 2019: 4 inspections
FMWRD Orchard Rd. Comp. Storage	April 2017	September 2018	2018: 6 inspections
Nicor Aux Sable Pipeline Replacement	March 2018	Still in progress	2018: 47 inspections by two different consultants 2019: 16 inspections by one consultant

Soil Erosion and Sediment control inspections were also completed by the Kendall County SWCD throughout the year.

D.2 Erosion and Sediment Control BMPs

Measurable Goals: Adoption of County ordinance amendments as developed.

The County outlines the Soil Erosion and Sediment Control requirements for construction sites in Article 3 of the Kendall County Stormwater Management Ordinance.

No amendments to the Soil Erosion and Sediment Control requirements were developed because none were needed this year.

D.3 Other Waste Control Program

Measurable Goals: Adoption of County ordinance amendments as developed.

No amendments to the Other Waste Control Program were developed because none were needed this year.

D.4 Site Plan Review Procedures

Measurable Goals: Adoption of ordinance amendments as developed.

All construction projects are required to have a Soil Erosion and Sediment Control Plan in place prior to construction as stated in Sec. 301 of the Ordinance. The SESC Plan must be prepared in accordance with the requirements of the Ordinance as well as the standards and specifications contained in the most recent Illinois Urban Manual.

No amendments to the Site Plan Review Procedures were developed because none were needed this year.

D.6 Site Inspection/Enforcement Procedures

Measurable Goals: Develop enforceable procedures for construction site inspections.

Construction site inspections are enforced under Sec. 303 and Sec. 304 of the Kendall County Stormwater Management Ordinance.

If a site is not in compliance with the Ordinance, the property owner has 7 days to correct the issue. If the issue is not corrected in that time frame, a Stop-Work Order will be issued and the permit may be revoked.

D.7 Other Construction Site Runoff Controls

Measurable Goals: Soil Erosion and Sediment Control (SESC) inspections will be monitored and filed until final site acceptance by Kendall County.

Kendall County evaluates their Construction Site Runoff Control Program by monitoring and recording Construction Site Runoff Control compliance.

The County works with consultants who conduct SESC inspections at Kendall County construction sites. The consultant utilizes the Soil Erosion and Sediment Control Inspection Form found in Appendix 5.5 of the Kendall County Stormwater Management Program Plan during inspections. During the annual year of April 1st 2018 through March 31st 2019, three sites were inspected regularly in Kendall County. The three sites were the

Fox Metro Water Reclamation District (FMWRD) Plant Expansion Site, the Fox Metro Orchard Road Compensatory Storage Site, and the Nicor Aux Sable Phase VII Pipeline Replacement Site. The number of inspections completed by the consultant on behalf of Kendall County can be found above in the table under Section D.1. The Kendall County SWCD also completed SESC inspections during Year 3.

E. Post-Construction Runoff Control

E.3 Long Term O&M Procedures

Measurable Goals: Adoption of revised Kendall County Stormwater Management Ordinance.

Kendall County continues to monitor and enforce long term maintenance requirements of the Kendall County Stormwater Management Ordinance. No revisions were made in the past year.

E.5 Site Inspections During Construction

Measurable Goals: Implementing ordinance amendments, as developed.

Kendall County continues to monitor and enforce soil erosion and sediment control requirements of the Kendall County Stormwater Management Ordinance under Sec. 303 and Sec. 304. No amendments were developed in the past year.

Kendall County works with consultants who conduct regular SESC inspections during and after construction until the site is fully stabilized. Construction for the Fox Metro Orchard Road Compensatory Storage Site was completed in June 2017. Inspections continued on a monthly basis until the site achieved full vegetation establishment in September 2018. Construction for the Nicor Aux Sable Phase VII Pipeline Replacement Site was completed in November 2018. The site continues to be inspected regularly until final stabilization is achieved.

E.7 Other Post-Construction Runoff Controls

Measurable Goals: 1) Collaborate with other MS-4's in Kendall County and stakeholders, including the Conservation Foundation and the Kendall County Soil and Water Conservation District, to evaluate relevant flood control techniques to determine the potential effects of climate change. 2) Annual evaluation survey.

Active work has not been done to collaborate with other MS-4's and stakeholders in order to evaluate relevant flood control techniques and determine the potential effects of climate change. Kendall County started investigating the potential effects of climate change by posting web links to EPA information on the County website.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 3 to get input on how they can minimize construction runoff. One township completed the survey. The survey results are included at the end of this report in Appendix 1.

F. Pollution Prevention/Good Housekeeping

F.1 Employee Training Program

Measurable Goals: Increase participation at workshops.

Kendall County provides links on the County website to EPA's websites about green infrastructure and climate change. They also have EPA information posted on the County website about NPDES and clean water. This information is available to County staff, townships, and the public. The Kendall County SWCD has developed a variety of training materials which include presentations related to erosion and sediment control, best management practices, and associated regulations. These materials can be requested from the SWCD as needed.

Kendall County's Senior Planner is in the process of becoming a Certified Floodplain Manager, which is a nation-wide certification program established by the Association of State Floodplain Managers (ASFPM).

On March 22, 2019, the Kendall County Soil and Water Conservation District in partnership with the Village of Oswego hosted a Soil Erosion and Sediment Control Workshop. Two County staff members attended the workshop along with 1 representative from the County's stormwater engineering consultant.

F.4 Municipal Operation Waste Disposal

Measurable Goals: Reduce the impact of Municipal Operations of stormwater runoff.

Kendall County continues to collect litter and track the amount of material collected. Kendall County collected 9.44 tons of garbage from within County right-of-way in 2018. Kendall County continues to minimize the discharge of pollutants from vehicle washing by treating the wash water by collection in a sediment basin or using an inlet filter prior to discharge. The County continues to properly store building materials, building products, construction waste, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing materials, detergents, and other materials to guard against exposure to precipitation and stormwater.

F.5 Flood Management/Assess Guidelines

Measurable Goals: Incorporate revised floodplain guidelines and DFIRMs by reference.

On May 21, 2013, the Kendall County Stormwater Management Ordinance was revised. This Ordinance states as one of its goals the reduction of flooding and its economic and human impacts, while also stating a goal to make federally subsidized flood insurance available. Kendall County did not make any revisions to the floodplain guidelines this past year.

Kendall County's Senior Planner is in the process of becoming a Certified Floodplain Manager. This certification will help the County reach its goals listed in the ordinance by providing the Senior Planner with knowledge to assess and deal with the issues of flooding and its damaging effects.

F.6 Other Municipal Operations Controls

Measurable Goals: Annual Evaluation surveys.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 3 to get input on how they can continue to prevent stormwater pollution. One township completed the survey. The survey results are included at the end of this report in Appendix 1.

Part 3. Information and Data Collection Results

(Provide information and water quality sampling/monitoring data related to illicit discharge detection and elimination collected during the reporting period.)

There were no illicit discharges detected during the reporting period, therefore, water quality sampling/monitoring data was not collected.

Part 4. Summary of Next Reporting Period Stormwater Activities

(Present a summary of the storm water activities you plan to undertake during the next reporting cycle, including and implementation schedule in the sections following the table.)

The table shown below summarizes the BMPs committed to for Year 4 (March 2019-March 2020). Specific BMPs and measurable goals for Year 4 program development activities are presented in the sections following the table.

Note: **X** indicates BMPs committed to for Year 4 in NOI

+ indicates BMPs committed to for Year 4 that were not originally in NOI

A. Public Education and Outreach	
X	A.1 Distributed Paper Material
X	A.2 Speaking Engagement
	A.3 Public Service Announcement
X	A.4 Community Event
	A.5 Classroom Education Material
X	A.6 Other Public Education
B. Public Participation/Involvement	
	B.1 Public Panel
	B.2 Educational Volunteer
X	B.3 Stakeholder Meeting
	B.4 Public Hearing
	B.5 Volunteer Monitoring
	B.6 Program Coordination
X	B.7 Other Public Involvement
C. Illicit Discharge Detection and Elimination	
X	C.1 Storm Sewer Map Preparation
	C.2 Regulatory Control Program
X	C.3 Detection/Elimination Prioritization Plan
X	C.4 Illicit Discharge Tracing Procedures
X	C.5 Illicit Source Removal Procedures
X	C.6 Program Evaluation and Assessment
X	C.7 Visual Dry Weather Screening
	C.8 Pollutant Field Testing
	C.9 Public Notification
	C.10 Other Illicit Discharge Controls

D. Construction Site Runoff Control	
X	D.1 Regulatory Control Program
X	D.2 Erosion and Sediment Control BMPs
X	D.3 Other Waste Control Programs
X	D.4 Site Plan Review Procedures
	D.5 Public Information Handling Procedures
X	D.6 Site Inspection/Enforcement Procedures
X	D.7 Other Construction Site Runoff Controls
E. Post-Construction Runoff Control	
	E.1 Community Control Strategy
	E.2 Regulatory Control Program
X	E.3 Long-Term O&M Procedures
	E.4 Pre-Construction Review of BMP Designs
X	E.5 Site Inspections During Construction
	E.6 Post-Construction Inspections
X	E.7 Other Post-Construction Runoff Controls
F. Pollution Prevention/Good Housekeeping	
X	F.1 Employee Training Program
	F.2 Inspection and Maintenance Program
	F.3 Municipal Operations Storm Water Control
X	F.4 Municipal Operation Waste Disposal
X	F.5 Flood Management/Assess Guidelines
X	F.6 Other Municipal Operations Controls

A. Public Education and Outreach

A.1 Distributed Paper Material

Measurable Goals: 1) Track number of people requesting to see the County's Plan on an annual basis

Kendall County will maintain educational links on their website providing information on what residents can do to minimize and reduce stormwater runoff pollution, the benefits of green infrastructure and rain gardens, and the impacts of climate change. The County will add the Year 3 NPDES Annual Report to their website for public viewing. The County will track the number of people requesting and viewing the Stormwater Management Program Plan, the NOI, and Annual Reports in Year 4.

A.2 Speaking Engagement

Measurable Goals: An increase in number of presentations annually and amount of public attendance/participation.

Kendall County will present to local groups regarding the Ordinance to encourage input from stakeholders and will work with the Kendall County Health Department and the Kendall County Soil and Water Conservation District (SWCD) to provide educational opportunities to residents.

A.4 Community Event

Measurable Goals: Increased interest and attendance in annual workshops/seminars.

Kendall County will work with the Kendall County Soil and Water Conservation (SWCD), the Conservation Foundation, and other county departments to promote educational efforts and workshops related to stormwater and conservation activities.

A.6 Other Public Education

Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluations.

Kendall County will maintain the current links on their website and track the number of views on the Kendall County NPDES webpage. The County will add links to the websites of local watershed committees and conservation groups to further promote public education.

Kendall County will create an annual evaluation survey and send it out to the public for feedback about County programs.

B. Public Participation/Involvement

B.3 Stakeholder Meetings

Measurable Goals: Hold an annual public meeting to establish positive dialogue and eventually develop County-wide coordination of stormwater management efforts.

Kendall County will work to establish a dialogue with local communities in the County to

coordinate stormwater efforts. The County will continue to hold an annual public meeting to provide input into the MS4 program and will comply with State and local public notice requirements when implementing public participation and involvement activities. The County will work to identify environmental justice areas and include public participation on these issues.

B.7 Other Public Involvement

Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluation surveys.

Kendall County will place new links to the County website as needed and maintain existing links. The County will track the number of views on the NPDES website and related links. The County will send out an evaluation survey to the community for feedback.

C. Illicit Discharge Detection and Elimination

C.1 Storm Sewer Map Preparation

Measurable Goals: Update storm sewer mapping annually.

Kendall County will conduct field verifications for locations of sewer features in Year 4. The County will continue to update their in-house GIS mapping layer of storm sewer systems as needed.

C.3 Detection/Elimination Prioritization Plan

Measurable Goals: Track the number of illicit dischargers discovered and track removal process.

Kendall County will work with the Kendall County Health Department and the Kendall County Highway Department to implement an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. The Highway Department will continue to perform stormwater related inspections on a daily basis throughout the County as they relate to road maintenance.

C.4 Illicit Discharge Tracing Procedures

Measurable Goals: Track number of illicit dischargers discovered and track removal process annually.

Kendall County will continue development of a program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. The County will perform dry and wet weather monitoring and tracing of flow upstream to source with field mapping.

C.5 Illicit Source Removal Procedures

Measurable Goals: Track number of illicit dischargers discovered and track removal process.

Kendall County will continue development of a program to identify, trace, and remove

illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. The County will issue notices to source of illicit discharge discovered under the tracing process for removal of discharge under the Kendall County Stormwater Management Ordinance with compliance dates.

C.6 Program Evaluation and Assessment

Measurable Goals: Annual evaluation surveys.

Kendall County will evaluate their Illicit Discharge Detection and Elimination Program once established by having participants fill out an evaluation form.

C.7 Visual Dry Weather Screening

Measurable Goals: Track the number of illicit dischargers discovered and track removal process.

Kendall County will continue development of a program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. Kendall County will do periodical visual monitoring of outfalls during dry weather to determine non-stormwater discharges and their significance.

D. Construction Site Runoff Control

D.1 Regulatory Control Program

Measurable Goals: Implementation of the Kendall County Stormwater Ordinance.

Kendall County will continue to implement the Kendall County Stormwater Ordinance.

D.2 Erosion and Sediment Control BMPs

Measurable Goals: Adoption of ordinance amendments as developed.

Kendall County will continue to evaluate if amendments to the soil erosion and sediment control requirements are needed.

D.3 Other Waste Control Program

Measurable Goals: Adoption of ordinance amendments as developed.

Kendall County will continue to evaluate if amendments are needed. The County will develop an amendment to the Stormwater County Management Ordinance incorporating additional SESC requirements, BMPs, and Illinois Urban Manual revisions as necessary.

D.4 Site Plan Review Procedures

Measurable Goals: Adoption of ordinance amendments as developed.

Kendall County will continue to evaluate if amendments are needed. The County will develop an amendment to the Stormwater County Management Ordinance incorporating additional SESC requirements, BMPs, and Illinois Urban Manual revisions as necessary.

D.6 Site Inspection/Enforcement Procedures

Measurable Goals: Develop enforceable procedures for construction site inspections.

Kendall County will work to develop enforcement procedures as necessary.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County constructions sites. The County will also continue to work with the Kendall County Soil & Water Conservation District to conduct stormwater inspections.

D.7 Other Construction Site Runoff Controls

Measurable Goals: Soil Erosion and Sediment Control (SESC) inspections will be monitored and filed until final site acceptance by Kendall County.

Kendall County will continue evaluating their Construction Site Runoff Control Program by monitoring and recording Construction Site Runoff Control compliance.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County construction sites. The County will also continue to work with the Kendall County Soil & Water Conservation District to conduct stormwater inspections.

E. Post-Construction Runoff Control

E.3 Long-Term O&M Procedures

Measurable Goals: Adoption of revised Kendall County Stormwater Management Ordinance.

Kendall County will work on revisions for long term maintenance within the Kendall County Stormwater Management Ordinance as needed.

E.5 Site Inspections During Construction

Measurable Goals: Implementing ordinance amendments, as developed.

Kendall County will update the Kendall County Stormwater Management Ordinance to include enforcement procedures as needed.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County constructions sites until final stabilization is achieved.

E.7 Other Post-Construction Runoff Controls

Measurable Goals: 1) Collaborate with other MS-4's in Kendall County and stakeholders, including the Conservation Foundation and the Kendall County Soil and Water Conservation District, to evaluate relevant flood control techniques to determine the potential effects of climate change. 2) Annual evaluation surveys.

Kendall County will begin implementation of a MS-4/stakeholder plan. The County will continue to provide an evaluation survey to get feedback about County programs.

F. Pollution Prevention/Good Housekeeping

F.1 Employee Training Program

Measurable Goals: Increase participation at workshops.

Kendall County will continue to provide training resources and opportunities to County staff.

F.4 Municipal Operation Waste Disposal

Measurable Goals: Reduce the impact of Municipal operations on stormwater run-off.

The Kendall County Highway Department will continue to collect litter from county highways and track the amount of material collected and make sure that material is properly disposed. The County will work to minimize discharge of pollutants from vehicle washing by collecting the wash water in a sediment basin or through use of an inlet filter and treating the water prior to discharge. The County will continue to properly store building materials, building products, construction waste, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, detergents, and other materials to guard against exposure to precipitation and stormwater. The County will continue inspections to maintain the integrity of the stormwater system and has procedures in place to respond to spills and leaks into stormwater.

F.5 Flood Management/Assess Guidelines

Measurable Goals: Incorporate revised floodplain guidelines and DFIRMS by reference.

Kendall County will revise the Kendall County Stormwater Management Ordinance to incorporate more floodplain guidelines and DFIRMS by reference.

F.6 Other Municipal Operations Controls

Measurable Goals: Annual evaluation surveys.

Kendall County will continue to evaluate their Pollution Prevention/Good Housekeeping program by having participants fill out an evaluation survey.

Part 5. Notice of Qualifying Local Program

Kendall County does not rely on any other government entity to satisfy permit obligations.

Part 6. Construction Projects Conducted During Year 3

(Provide a list of construction projects your entity has paid for during the reporting period)

Construction Project	Description
Sherrill Road Reconstruction	This project involved reconstruction of approximately 4 miles of Sherrill Road from Ashley Road east to O'Brien Road. The site is 49 acres. Construction began in September of 2016 and the project was completed in June of 2018 (IDOT Section No. 11-00115-00-FP).
Eldamain Road Reconstruction	This project involves reconstruction of Eldamain Road from U.S. Route 34 south to River Road. The site is 33 acres. Construction began on January 4, 2018 and is still ongoing. It is expected to be completed by the Summer of 2019 (IDOT Section No. 16-00136-00-RP).
Little Rock Road Intersection Reconstruction	This project involves intersection reconstruction on Little Rock Road just south of Galena Road. The project includes approximately 2,000 feet of reconstruction work. The site is 4 acres. Construction began on April 18, 2018 and was completed on June 20, 2018 (IDOT Section No. 15-00131-00-SP).
Little Rock Road Box Culvert	This project is located on Vilmin Road heading north about 950 feet. The site is 1.75 acres. Construction began in September of 2018 and is still ongoing. It is expected to be completed by the Summer of 2019 (IDOT Section No. 17-00140-00-BR).

APPENDIX 1

2018 NPDES ANNUAL EVALUATION SURVEY RESPONSES

2018 NPDES Annual Evaluation Survey Responses
Kendall County

Public Education and Outreach

1. What topics are you interested in learning more about that the County could provide information on? 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
Middle Interested
Least Interested (1)-Na-Au-Say
 - 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
Least Interested (1)-Na-Au-Say
 - C. How to compost to reduce the amount of waste my household generates.
Most Interested
Middle Interested
Least Interested (1)-Na-Au-Say
2. Do you utilize the stormwater information listed on the County's website at <https://www.co.kendall.il.us/planning-building-zoning/npdes/>?
 - A. Yes (1)-Na-Au-Say
 - B. No
3. Do you find the stormwater information listed on the County's website helpful?
 - A. Yes (1)-Na-Au-Say
 - B. No

Public Participation/Involvement

1. Do you think the County offers enough volunteer opportunities for members of the community?
 - A. Yes
 - B. No
 - No Response (1)-Na-Au-Say
2. Do you utilize the volunteer opportunities information listed on the County's website at <https://www.co.kendall.il.us/administration/volunteer-opportunities/>?

- A. Yes
 - B. No (1)-Na-Au-Say
3. Do you find the volunteer opportunities information listed on the County's website helpful?
- A. Yes
 - B. No
 - No Response (1)-Na-Au-Say
4. What volunteer opportunities would you be interested in participating 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-
 Fox-
 Kendall-
 Na-Au-Say-No Response
 Big Grove-
 Lisbon-
 Seward-

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 (1)-Na-Au-Say
 - B. No
 - C. Have not identified illicit discharge.
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 (1)-Na-Au-Say
 - C. There have not been illicit discharges identified within my Township.
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) Na-Au-Say
 - D. None of the above.

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
 - B. No (1)-Na-Au-Say
 - 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?

Little Rock-

Bristol-

Oswego-

Fox-

Kendall-

Na-Au-Say-Identify Problems-Advise BCP and Enforce

Big Grove-

Lisbon-

Seward-

Pollution Prevention/Good Housekeeping

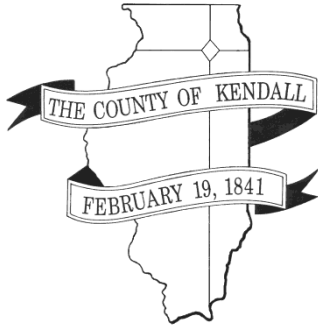
1. Do you feel the County provides adequate training to staff members to keep them informed on stormwater pollution prevention practices?
 - A. Yes
 - B. No (1)-Na-Au-Say
2. Do you feel the County is taking necessary measures to reduce flooding throughout the County?
 - A. Yes
 - B. No (1)-Na-Au-Say

Responding Townships:

Na-Au-Say

Name of Person Completing Survey:

Brad Blocker (Na-Au-Say Township Supervisor)



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, Senior Planner
Date: April 22, 2019
Re: Land Cash Ordinance

Following the March 8th, Planning, Building and Zoning Committee meeting, Staff met with a representative from the Fox Valley Realtors Association and Kendall County Assessor Andy Nicoletti regarding the Fair Market Value Calculation contained in the Kendall County Land Cash Ordinance.

The current calculation method is as follows:

- (1) Determine “numerator” consisting of the summation of assessed values for the most recent three consecutive years of Improved lots (R/40), Improvements (R/40) and Farm Homesites (F1/11) as shown in the final abstracts of assessed property values on Form PTAX-260-A, provided by the County Chief Assessor,
- (2) Determine “denominator” consisting of the summation of the number of improved acres of Improved lots (R/40), Improvements (R/40) and Farm Homesites (F1/11) within the County for the most recent three consecutive years,
- (3) Divide “numerator” by “denominator” and multiply by three to convert to Fair Market Value of an improved acre.

Using the above calculation, the Fair Market Value set in 2014 was \$72,680. Using this calculation, the present Fair Market Value should be \$110,111.

When examining the information, Kendall County Assessor Andy Nicoletti used the definition Fair Market Value found in the 2009 version of the Land Cash Ordinance which states:

An “Improved Acre” is defined as a tract of land improved with streets, curbs, water, storm sewer, sanitary sewer, electrical, natural gas and telephone service. Taking the value of “Improved Acre” for the previous three (3) years, the Fair Market Value for unincorporated areas would be \$39,498. The Fair Market Value for properties inside municipalities would be \$72,183. The Fair Market Value for all sales would be \$47,121.

Kendall County Assessor Andy Nicoletti also suggested using Unimproved Lots/Land (R/30) instead of Improvements (R/40). If this change occurred, the Fair Market Value would be \$21,183

Updated tables for four (4) bedroom homes reflecting the new Fair Market Values are attached.

If you have any questions, please let me know.

Thanks,

MHA

ENCs: Fair Market Tables

Land Cash Donation Calculation Sheet - (2014)(2019)

Unit Type: Four-Bedroom Single-family Detached Unit

Forest Preserve/Park Donation:

$$\begin{array}{rclcl}
 & & \text{10.0 acres} & & \\
 \text{(#Dwelling Units) x (Total Population per Unit) x } & \frac{\text{1,000 population}}{\text{10.0 acres}} & \text{x } & (\$72,680) = \text{Contribution per Unit} \\
 (1 \text{ unit}) \text{ x } & (3.764) & \text{x } & (0.010) & \text{x } (\$72,680) = \$ 2,735.68 \\
 \text{(1 unit) x} & \text{(3.764)} & \text{x} & \text{(0.010)} & \text{x } (\$110,111) = \$ 4,144.58
 \end{array}$$

School Donation:

$$\begin{array}{rclcl}
 & & \text{\# acres per school type} & \text{x Fair Market Value} & \\
 \text{(#Dwelling Units) x (Students per Unit by Grade) x school capacity by school type x } & (\$72,680) & (\$110,111) & = \text{Contribution} \\
 \text{per Unit} & & & &
 \end{array}$$

Elementary

$$\begin{array}{rclcl}
 (1 \text{ unit}) \text{ x } & (0.644) & \text{x } & (0.021) & \text{x } (\$72,680) = \$ 982.92 \\
 \text{(1 unit) x} & \text{(0.644)} & \text{x} & \text{(0.021)} & \text{x } (\$110,111) = \$ 1489.14
 \end{array}$$

Middle School

$$\begin{array}{rclcl}
 (1 \text{ unit}) \text{ x } & (0.184) & \text{x } & (0.027) & \text{x } (\$72,680) = \$ 361.07 \\
 \text{(1 unit) x} & \text{(0.184)} & \text{x} & \text{(0.020)} & \text{x } (\$110,111) = \$ 405.21
 \end{array}$$

High School

$$\begin{array}{rclcl}
 (1 \text{ unit}) \text{ x } & (0.360) & \text{x } & (0.034) & \text{x } (\$72,680) = \$ 889.60 \\
 \text{(1 unit) x} & \text{(0.360)} & \text{x} & \text{(0.038)} & \text{x } (\$110,111) = \$ 1506.31
 \end{array}$$

$$\text{Total School Contribution} \quad \text{-----} \quad = \$ 2,233.59$$

\$3,400.66

Forest Preserve Contribution

\$ 2,735.68 \$4,144.58

+ Total School Contribution

+ \$ 2,233.59 \$3,400.66

Total Contribution per 4- Bedroom Unit

\$ 4,969.27 \$7,545.24

TABLE 5 (Page 3 of 4)

Land Cash Donation Calculation Sheet - (2014)~~(2019)~~(\$39,498)

Unit Type: Four-Bedroom Single-family Detached Unit

Forest Preserve/Park Donation:

		<u>10.0 acres</u>			
(#Dwelling Units) x (Total Population per Unit) x		1,000 population		x (\$72,680) = Contribution per Unit	
(1 unit) x	(3.764)	x	(0.010)	x (\$72,680) =	\$ 2,735.68
(1 unit) x	(3.764)	x	(0.010)	x (\$39,498) =	\$ 1,486.70

School Donation:

		<u># acres per school type</u>		x Fair Market Value	
(#Dwelling Units) x (Students per Unit by Grade) x school capacity by school type x				(\$72,680) (\$39,498) =Contribution per Unit	

Elementary

(1 unit) x	(0.644)	x	(0.021)	x (\$72,680) =	\$ 982.92
(1 unit) x	(0.644)	x	(0.021)	x (\$39,498) =	\$ 534.17

Middle School

(1 unit) x	(0.184)	x	(0.027)	x (\$72,680) =	\$ 361.07
(1 unit) x	(0.184)	x	(0.020)	x (\$39,498) =	\$ 145.35

High School

(1 unit) x	(0.360)	x	(0.034)	x (\$72,680) =	\$ 889.60
(1 unit) x	(0.360)	x	(0.038)	x (\$39,498) =	\$ 540.33

Total School Contribution ----- = **\$ 2,233.59**

~~\$3,400.66~~

Forest Preserve Contribution

\$ 2,735.68 \$1,486.70

+ Total School Contribution

+ \$ 2,233.59 \$1,219.85

Total Contribution per 4- Bedroom Unit

\$ 4,969.27 \$2,706.55

TABLE 5 (Page 3 of 4)

Land Cash Donation Calculation Sheet - (2014)(2019)(\$72,183)

Unit Type: Four-Bedroom Single-family Detached Unit

Forest Preserve/Park Donation:

		<u>10.0 acres</u>			
(#Dwelling Units) x (Total Population per Unit) x		1,000 population		x (\$72,680) = Contribution per Unit	
(1 unit) x	(3.764)	x	(0.010)	x (\$72,680) =	\$ 2,735.68
(1 unit) x	(3.764)	x	(0.010)	x (\$72,183) =	\$ 2,716.97

School Donation:

		<u># acres per school type</u>		x Fair Market Value	
(#Dwelling Units) x (Students per Unit by Grade) x school capacity by school type x				(\$72,680) (\$72,183) = Contribution per Unit	

Elementary

(1 unit) x	(0.644)	x	(0.021)	x (\$72,680) =	\$ 982.92
(1 unit) x	(0.644)	x	(0.021)	x (\$72,183) =	\$ 976.20

Middle School

(1 unit) x	(0.184)	x	(0.027)	x (\$72,680) =	\$ 361.07
(1 unit) x	(0.184)	x	(0.020)	x (\$72,183) =	\$ 265.63

High School

(1 unit) x	(0.360)	x	(0.034)	x (\$72,680) =	\$ 889.60
(1 unit) x	(0.360)	x	(0.038)	x (\$72,183) =	\$ 987.46

Total School Contribution		= \$ 2,233.59
		\$2,229.29

Forest Preserve Contribution	\$ 2,735.68	\$2,716.97
+ Total School Contribution	+ \$ 2,233.59	\$2,229.29
Total Contribution per 4- Bedroom Unit	\$ 4,969.27	\$4,946.26

TABLE 5 (Page 3 of 4)

Land Cash Donation Calculation Sheet - (2014)~~(2019)~~(\$47,121)

Unit Type: Four-Bedroom Single-family Detached Unit

Forest Preserve/Park Donation:

		<u>10.0 acres</u>			
(#Dwelling Units) x (Total Population per Unit) x		1,000 population		x (\$72,680) = Contribution per Unit	
(1 unit) x	(3.764)	x	(0.010)	x (\$72,680) =	\$ 2,735.68
(1 unit) x	(3.764)	x	(0.010)	x (\$47,121) =	\$ 1,773.63

School Donation:

		<u># acres per school type</u>		x Fair Market Value	
(#Dwelling Units) x (Students per Unit by Grade) x school capacity by school type x				(\$72,680) (\$47,121) = Contribution per Unit	

Elementary

(1 unit) x	(0.644)	x	(0.021)	x (\$72,680) =	\$ 982.92
(1 unit) x	(0.644)	x	(0.021)	x (\$47,121) =	\$ 637.26

Middle School

(1 unit) x	(0.184)	x	(0.027)	x (\$72,680) =	\$ 361.07
(1 unit) x	(0.184)	x	(0.020)	x (\$47,121) =	\$ 173.40

High School

(1 unit) x	(0.360)	x	(0.034)	x (\$72,680) =	\$ 889.60
(1 unit) x	(0.360)	x	(0.038)	x (\$47,121) =	\$ 644.62

Total School Contribution	-----	= \$ 2,233.59
----------------------------------	-------	----------------------

Forest Preserve Contribution		\$ 2,735.68 \$1,773.63
+ Total School Contribution		+ \$ 2,233.59 \$1,455.28
Total Contribution per 4- Bedroom Unit		\$ 4,969.27 \$3,228.91

TABLE 5 (Page 3 of 4)

Land Cash Donation Calculation Sheet - (2014)~~(2019)~~(\$21,183)

Unit Type: Four-Bedroom Single-family Detached Unit

Forest Preserve/Park Donation:

$$\begin{array}{l}
 \text{(#Dwelling Units) x (Total Population per Unit) x } \frac{10.0 \text{ acres}}{1,000 \text{ population}} \text{ x } (\$72,680) = \text{Contribution per Unit} \\
 (1 \text{ unit}) \text{ x } (3.764) \text{ x } (0.010) \text{ x } (\$72,680) = \$ 2,735.68 \\
 \textcolor{red}{(1 \text{ unit}) \text{ x } (3.764) \text{ x } (0.010) \text{ x } (\$21,183) = \$ 797.33}
 \end{array}$$

School Donation:

$$\begin{array}{l}
 \text{(#Dwelling Units) x (Students per Unit by Grade) x } \frac{\text{\# acres per school type}}{\text{school capacity by school type}} \text{ x Fair Market Value} \\
 \text{Unit x } (\$72,680) \textcolor{red}{(\$21,183)} = \text{Contribution per Unit}
 \end{array}$$

Elementary

$$\begin{array}{l}
 (1 \text{ unit}) \text{ x } (0.644) \text{ x } (0.021) \text{ x } (\$72,680) = \$ 982.92 \\
 \textcolor{red}{(1 \text{ unit}) \text{ x } (0.644) \text{ x } (0.021) \text{ x } (\$21,183) = \$ 286.48}
 \end{array}$$

Middle School

$$\begin{array}{l}
 (1 \text{ unit}) \text{ x } (0.184) \text{ x } (0.027) \text{ x } (\$72,680) = \$ 361.07 \\
 \textcolor{red}{(1 \text{ unit}) \text{ x } (0.184) \text{ x } (0.020) \text{ x } (\$21,183) = \$ 77.95}
 \end{array}$$

High School

$$\begin{array}{l}
 (1 \text{ unit}) \text{ x } (0.360) \text{ x } (0.034) \text{ x } (\$72,680) = \$ 889.60 \\
 \textcolor{red}{(1 \text{ unit}) \text{ x } (0.360) \text{ x } (0.038) \text{ x } (\$21,183) = \$ 289.78}
 \end{array}$$

$$\begin{array}{l}
 \text{Total School Contribution} \text{-----} = \$ 2,233.59 \\
 \textcolor{red}{\$654.21}
 \end{array}$$

$$\begin{array}{l}
 \text{Forest Preserve Contribution} \text{-----} \$ 2,735.68 \textcolor{red}{\$797.33} \\
 \text{+ Total School Contribution} \text{-----} \textcolor{red}{+ \$ 2,233.59 \$654.21} \\
 \text{Total Contribution per 4- Bedroom Unit} \text{-----} \$ 4,969.27 \textcolor{red}{\$1,451.54}
 \end{array}$$

TABLE 5 (Page 3 of 4)

Matt Asselmeier

From: gregger2371 <[REDACTED]>
Sent: Tuesday, April 30, 2019 2:56 PM
To: Matt Asselmeier
Subject: [External]RE: [External]RE: 45 Cheyenne Court

Hey matt. Greg from 45 cheyenne ct. Here. Just dropped off invoice at your office at the front desk. Thanks. Delivery of this order should be in about 3 to 4 weeks.
The first smaller order is here now. We are doing some staining. Any questions let me know. Greg

Sent from my Sprint Samsung Galaxy S7 edge.

----- Original message -----

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Date: 4/29/19 9:22 AM (GMT-06:00)
To: gregger2371 <[REDACTED]>
Subject: RE: [External]RE: 45 Cheyenne Court

Greg:

What is the status of the invoice?

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179


THE WOODWORKERS SHOPPE
 sales@woodworkersshoppe.com
 www.woodworkersshoppe.com

The Woodworkers Shoppe, Inc.
 3308 N. Abbe Rd.
 Comins, Michigan 48619-9704
 Phone 989-848-5408
 Fax 989-848-5535

Delivered Order

Order No **54113**
Order Date **04/30/2019**
Delivery By 04/30/2019



Sold To
 Greg Stromberg

Ship To:
 Greg Stromberg
 45 Cheyenne Ct
 Oswego, IL, 60543
 This is a reprint

Page 1 of 1

Customer StrombergG	Taken By: Kim Skillern	Sales Rep: All
Your Ref:	Email: kim@woodworkersshoppe.com	Payment:

Special Instructions	Notes

Line	Product Code	Description	Qty/Footage	Price	Per	Total
1	388CHL	3 x 8 Cedar T&G End Matched Half Log SMOOTH	2,000 lf	4.35	lf	8,700.00
2	4410CIC	4 x 4 x 10 Cedar Inside Corner	13 Ea	30.00	Ea	390.00
3	4412CDT	4 x 4 x 12 Cedar "D" Trim	528 lf	2.93	lf	1,547.04
4	H44S	Custom Hewn for 4x4 D Trim	528 lf	0.18	lf	95.04
5	DelSO	Delivery (SMALL - Trailer) (MAY BE SUBJECT TO ADDITIONAL FUEL SURCHARGE AT TIME OF DELIVERY) You Saved \$933.80	406 Ea	0.00	Ea	0.00


Skyline Woods
 Natural Wood Siding and Paneling
 www.skylinewoods.com

Payment Method	Amount Received
VISA - Shift4	\$5,500.00
Merchant #	
Account #	
Authorization #	

Subtotal	\$10,732.08
Sales Tax	\$0.00
Order Total	\$10,732.08
Amount Due	\$5,232.08

****FREIGHT SHIPPING POLICY:** The Woodworkers Shoppe (WWS) insures each shipment through its common carriers. In the unlikely event that damage does occur during shipment, note on the carriers delivery receipt exactly what damages occurred and notify your WWS customer sales rep immediately. These procedures allow WWS to file a claim for the product with the freight carrier and ship replacement product out in a timely manner. Thank you for your cooperation.

All returns must be made within 60 days and MUST be accompanied by original invoice.
 Special/Custom orders are NOT returnable * All returns subject to a 15% restocking fee.
 A late charge of 2% per month (24% annual) will be applied to all past due accounts.
 We will not warranty any product used on the exterior when a solid color stain and/or paint is applied.

2019 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V19-001	Coonley	03-04-428-001	162 Heathgate Rd	Boulder Hill	Junk & Debris	12/19/2018	1/13/2019			2/21/2019
19-002	Peaslee	03-09-108-011	148 Circle Dr East	Boulder Hill	Zoning Violation - Fence	12/21/2018	2/1/2019			2/21/2019
19-003	Staggs	02-31-477-005	4 Poplar Rd	Foxlawn	Chickens in R-4 Zoning	12/28/2018	1/11/2019			1/11/2019
19-004	Whitlock	03-04-476-035	82 Paddock St	Boulder Hill	Prohibited parking - boat/trailer	1/3/2019	1/18/2019			1/18/2019
19-005	Butz	03-04-476-030	72 Paddock St	Boulder Hill	Prohibited parking - boat/trailer	1/3/2019	2/28/2019			2/28/2019
19-006	Alfaro/Vargas	03-04-477-009	61 Paddock St.	Boulder Hill	Prohibited parking - trailer	1/3/2019	1/18/2019			1/18/2019
19-007	Kubica/Mszal	03-04-376-057	74 Sierra	Boulder Hill	Prohibited pkg com vehicles	1/3/2019	3/28/2019			4/11/2019
19-008	Fletcher	03-03-351-001	63 Sonora Dr	Boulder Hill	Prohibited Motor Home pkg	1/3/2019	1/29/2018			1/28/2019
19-009	Green/Gaither	03-04-329-013	33 Whitney Way	Boulder Hill	Prohibited pkg com vehicle	1/3/2019	1/18/2019			1/18/2019
19-010	Jordan	03-04-480-011	130 Saugatuk	Boulder Hill	Prohibited parking - boat/trailer	1/3/2019	1/18/2019			1/18/2019
19-011	Bravo	03-08-227-032	15 Old Post Rd	Boulder Hill	Multiple Violations	1/3/2019	1/18/2019			1/19/2018
19-012	Machado	03-04-329-012	31 Whitney Way	Boulder Hill	Multiple Violations	1/3/2019	4/15/2019			4/8/2019
19-013	Amador	03-05-404-017	134 Boulder Hill Pass	Boulder Hill	Prohibited parking/surface	1/4/2019	1/29/2019			1/11/2019
19-014	ERB Properties, LLC	09-13-400-006	276 Route 52		Possible Landscape Business	1/10/2019	5/21/2019			
19-015	Sasso	09-36-300-004	660 Holt Rd		Possible Landscape Business	1/10/2019	2/15/2019			2/14/2019
19-016	Hardkopf	03-04-253-010	44 Ingleshire Rd	Boulder Hill	Junk & Debris	1/11/2019	4/15/2019			6/1/2019
19-017	Lozano/Nolasco	03-05-404-023	146 Boulder Hill Pass	Boulder Hill	Illegal parking /commercial vehicle	2/7/2019	2/21/2019			3/14/2019
19-018	Hagemeyer	03-04-352-021	172 Boulder Hill Pass	Boulder Hill	Prohibited Parking - rec vehicle	2/7/2019	2/21/2019			2/13/2019
19-019	Bodnar	08-29-200-005	16296 Route 47	Boulder Hill	Junk & Debris	2/28/2019	5/21/2019			
19-020	Kline	03-04-277-017	247 Fernwood Rd	Boulder Hill	Junk & Debris	3/11/2019	3/21/2019			3/22/2019
19-021	Penley	03-04-377-014	73 Sierra Rd	Boulder Hill	Prohibited Parking - Semi Truck	3/17/2019	3/25/2019			3/25/2019
19-022	Flores	08-11-100-014	7701 Plattville Rd		Multiple Violations	3/13/2019	4/22/2019			
19-023	Mayhugh	03-04-377-009	63 Sierra Rd	Boulder Hill	Prohibited Trailer Parking	3/26/2019	4/22/2019			4/16/2019
19-024	Cerbebrus SFR Holdings	03-04-377-015	75 Sierra Rd	Boulder Hill	Prohibited Trailer Parking	3/26/2019	4/22/2019			
19-025	Ruiz	03-03-352-001	132 Saugatuck Rd	Boulder Hill	Prohibited Commercial Vehicle parki	3/26/2019	5/1/2019			
19-026	Hornbaker	03-04-377-018	31 Saugatuck Rd	Boulder Hill	Prohibited Boat Parking	3/27/2019	5/13/2019			
19-027	Espino / Castillo	03-04-351-012	22 Durango Rd	Boulder Hill	Prohibited Semi Parking	3/28/2019	4/11/2019			4/11/2019
19-028	Graham	03-04-306-004	57 Circle Dr E	Boulder Hill	Junk & Debris	3/28/2019	5/1/2019			
19-029	Del Toro	03-04-305-016	52 Circle Dr E	Boulder Hill	Prohibited Trailer Parking	3/29/2019	4/22/2019			4/29/2019
19-030	Swanson	03-08-202-003	44 Circle Dr W	Boulder Hill	Prohibited Trailer Parking	4/12/2019	4/26/2019			
19-031	Old 2nd/Tanner	03-07-231-006	101 Harbor Dr	Marina Terrace	Junk & Debris	4/16/2019	4/30/2019			4/29/2019
19-032	Sharp	03-09-155-009	139 Circle Dr W	Boulder Hill	Prohibited Trailer Parking	4/15/2019	4/29/2019			
19-033	C. Motter Properties	02-35-300-013	7842 Route 71		Illegal Banner Sign	4/15/2019	4/29/2019			
19-034	Zedrow	03-08-230-015	19 Somerset Rd	Boulder Hill	Building w.o Permit	4/15/2019	4/29/2019			4/23/2019
19-035	Hansen	03-08-230-011	7 Somerset Rd	Boulder Hill	Inoperable Vehicle	4/16/2019	4/30/2019			
19-036	Gonzalez	03-09-152-019	14 Ridgefield Rd	Boulder Hill	Prohibited Trailer parking	4/16/2019	4/30/2019			
19-037	Roman	03-04-378-023	50 Hubbard Way	Boulder Hill	Prohibited parking on grass	4/24/2019	5/8/2019			
19-038	Reyes	03-04-378-026	56 Hubbard Way	Boulder Hill	Prohibited parking on grass	4/24/2019	5/8/2019			
19-039	Michel	07-18-400-001	17510 Fern Dell Rd		Accessory Bldg w/o Permit	4/29/2019	5/13/2019			
19-040	Hall	03-09-151-010	32 Somerset Rd	Boulder Hill	Prohibited Trailer Parking	4/30/2019	5/14/2019			
19-041	Guijosa	07-24-200-003	15285 Route 52		Building w.o Permit	4/30/2019	5/14/2019			

2018 VIOLATIONS

g\sc	Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V18-	V18-001	Bliek/Derevanko	01-34-300-008	14824 Millhurst Rd		Storage Containers	12/12/2017	1/14/2019			1/15/2019
V18-	V18-002	Romero/Rios	03-05-229-002	20 Fernwood	Boulder Hill	Pool w/o fencing & Junk and Debris	12/12/2017	4/1/2018			5/2/2018
V18-	V18-003	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Junk & Debris on Trailer	12/19/2017				3/1/2018
V18-	V18-004	Hutchings	03-04-380-002	20 Saugatuck Rd	Boulder Hill	Inoperable Vehicle	12/19/2017	5/1/2018			4/26/2018
V18-	V18-005	Hornbaker	03-04-377-018	31 Saugatuck Rd	Boulder Hill	Prohibited Parking	12/19/2017	1/15/2018			5/21/2018
V18-	V18-006	Gonzalez	03-09-152-019	14 Ridgefield	Boulder Hill	Inoperable Vehicle	1/25/2018	5/7/2018			2/8/2018
V18-	V18-007	Rod	08-02-300-008	7775 Platville Rd		Sunroom built w/o Permit	2/1/2018				3/7/2018
V18-	V18-008	Jordan	03-04-480-011	130 Saugatuck Rd	Boulder Hill	Prohibited Parking - Boat in yard	2/8/2018				4/13/2018
V18-	V18-009	Petersen	03-04-454-015	63 Saugatuck Rd	Boulder Hill	Inoperable Vehicle	2/8/2018	4/16/2018			2/13/2018
V18-	V18-010	Hafenrichter	03-03-352-003	138 Saugatuck Rd	Boulder Hill	Prohibited Parking - Rec. Vehicle	2/8/2018				11/1/2018
V18-	V18-011	Ring	06-02-177-007	1551 Cherry Rd	Oswego Plains	Landscaping Bus in R3 Zoning	2/15/2018	5/11/2018	Matt		3/16/2018
V18-	V18-012	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Inoperable Vehicle	3/1/2018	3/16/2018			3/28/2018
V18-	V18-013	Straudacher Farm Tr	02-21-200-014	9155 Kennedy Rd		Stormwater Violation	2/20/2018		Matt		5/30/2018
V18-	V18-014	Lakewest Builders	04-16-378-003	15749 Sumner Ct	Est. of Millbrook	Stormwater Violation	3/19/2018	10/29/2018		8/17/2018	5/4/2018
V18-	V18-015	Schleining	02-06-300-010/008	790 Eldamain Rd		Fence Violation	3/26/2018	4/27/2018			6/19/2018
V18-	V18-016	Cusimano, Kesselring	02-34-151-003	90 Quinsey Rd	Nelson Quinsey	Junk & Debris	3/27/2018	5/31/2018	Brian		4/26/2018
V18-	V18-017	Hart	03-09-155-012	7 Circle Ct	Boulder Hill	Inoperable Vehicle & Junk & Debris	3/27/2018	4/34/18			6/19/2018
V18-	V18-018	Old 2nd Nat Bank	02-34-151-005	82 Quinsey	Nelson Quinsey	Shed falling down/Junk & Debris	3/27/2018	5/31/2018			5/2/2018
V18-	V18-019	Schanz	03-04-454-017	67 Saugatuck	Boulder Hill	Prohibited Parking of Trailer	3/27/2018				4/26/2018
V18-	V18-020	Blewer	03-09-102-003	204 Boulder Hill Pass	Boulder Hill	Prohibited Parking of Trailer	3/27/2018				5/2/2018
V18-	V18-021	Beyer	03-09-108-007	140 Circle Dr E	Boulder Hill	Prohibited parking of Trailer	3/27/2018	5/1/2018			4/26/2018
V18-	V18-022	VOID									
V18-	V18-023	Ybarra	03-05-276-021	29 Aldon Rd	Boulder Hill	Junk & Debris/ Inoperable Vehicle	3/29/2018	5/31/2018		7/17/2018	
V18-	V18-024	Douglas	03-05-430-025	54 S. Bereman	Boulder Hill	Junk & Debris	4/11/2018	5/25/2018			7/18/2018
V18-	V18-025	Alkhazraji	03-09-104-002	212 Boulder Hill Pass	Boulder Hill	Inoperable Vehicle	4/13/2018	4/27/2018			5/10/2018
V18-	V18-026	Perez	03-09-103-002	22 Canyon Dr	Boulder Hill	Prohibited parking - Trailer	4/13/2018	5/13/2018			5/27/2018
V18-	V18-027	Min	03-04-479-015	69 Eastfield Rd	Boulder Hill	Illegal Pkg on non approved surface	4/23/2018	5/7/2018			6/19/2018
V18-	V18-028	Bautista	03-04-476-032	75 Springdale Rd	Boulder Hill	Illegal Pkg on non approved surface	4/23/2018	5/31/2018			5/21/2018
V18-	V18-029	Fehrle	03-04-477-037	78 Springdale Rd	Boulder Hill	Illegal Pkg on non approved surface	4/23/2018	5/7/2018			6/19/2018
V18-	V18-030	Wargo	03-04-477-038	80 Springdale Rd	Boulder Hill	Illegal Pkg on non approved surface/ Junk & Debris	4/23/2018	5/30/2018			6/19/2018
V18-	V18-031	VOID									
V18-	V18-032	Shachtay	03-04-477-019	81 Paddock St	Boulder Hill	Illegal Pkg on non approved surface	4/24/2018	11/19/2018			11/20/2018
V18-	V18-033	Muniz	09-18-300-016	Brisbin Rd		Landscaping Bus IN A1/ Junk & Debris	4/30/2018	12/1/2018			12/3/2018
V18-	V18-034	Bravo	03-08-227-032	15 Old Post Rd	Boulder Hill	Prohibited parking on grass	5/3/2018	5/17/2018			5/21/2018
V18-	V18-035	Marmolejo	03-08-253-007	10 Ashlawn	Boulder Hill	Prohibited parking of trailer	5/3/2018	5/17/2018			5/21/2018
V18-	V18-036	Guddendorf	03-04-303-010	2 Marnel Rd	Boulder Hill	Inoperable Vehicle	5/3/2018	5/17/2018			5/21/2018
V18-	V18-037	Baustian	05-03-200-005	8510 Hilltop		Junk & Debris	5/4/2018	5/18/2018			5/24/2018
V18-	V18-038	Higgins	05-02-125-001	7686 Audrey Dr	FOFC	Prohibited Parking of Trailer(s)	5/4/2018	5/18/2018			7/18/2018
V18-	V18-039	Cargle	09-13-300-002	920 Route 52		Accessory Bldg Built w/o Permit	5/4/2018	5/18/2018			6/5/2018
V18-	V18-040	APAF, LLC	03-04-427-017	159 Heathgate Rd	Boulder Hill	Junk & Debris/ Illegal Boat Parking	5/23/2018	6/6/2018			6/19/2018
V18-	V18-041	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Prohibited parking of RV	5/31/2018	6/15/2018			6/19/2018
V18-	V18-042	Stuphin	03-09-105-004	118 Circle Dr. East	Boulder Hill	Inoperable Vehicle	5/31/2018	6/15/2018			6/19/2018
V18-	V18-043	Amwotz	03-09-155-021	303 Boulder Hill Pass	Boulder Hill	Inoperable Vehicle	5/31/2018	6/15/2018			6/19/2018
V18-	V18-044	Amstadt	02-35-380-001	7796 Madeline Dr	FOFC	Prohibited Parking of RV	5/31/2018	6/18/2018			6/19/2018
V18-	V18-045	Chicago Title Land	02-35-381-008	5896 Fields Dr	FOFC	Illegal Boat parking	6/5/2018	6/19/2018			9/4/2018
V18-	V18-046	Wolgast	02-13-479-003	19 Center Dr	Riverview Hts	Multiple Violations	6/14/2018	8/3/2018			7/5/2018
V18-	V18-047	US Bank Trust Ntl Assn	03-08-303-006	107 Dolores St	Boulder Hill	Junk & Debris	6/14/2018	6/28/2018			

2018 VIOLATIONS

V18-048	Greenslade	03-09-152-021	18 Ridgefield Rd	Boulder Hill	Prohibited RV Parking	6/26/2018	7/29/2018		8/1/2018
V18-049	Hornbaker	03-04-377-018	31 Saugatuck Rd	Boulder Hill	Prohibited Boat Parking	6/26/2018	10/1/2018		10/9/2018
V18-050	Smith	03-05-404-026	152 Boulder Hill Pass	Boulder Hill	Multiple Violations	6/26/2018	8/13/2018		8/15/2018
V18-051	Stone	05-07-101-004	10 Hillview Ct	Pavillion Hts	Inoperable Vehicle	7/5/2018	7/19/2018		8/1/2018
V18-052	Sullivan	05-07-101-002	20 Hillview Ct	Pavillion Hts	Illegal Discharge of Sump	7/5/2018	7/19/2018		7/10/2018
V18-053	Gates	02-27-151-008	4401 Tuma Rd	Kenny	Junk & Debris	7/9/2018	7/23/2018		7/25/2018
V18-054	Velaquez	01-20-352-018	84 Woodland Dr	Sugarbrook	Stormwater Violation	7/10/2018	11/5/2018	Matt	11/6/2018
V18-055	Elliott	04-16-128-001	8055 Whitfield Dr	Vil of Millbrook	Burning of Landscaping Bus. Debris	7/10/2018	7/24/2018	Matt	10/2/2018
V18-056	Vasquez	03-05-278-028	1 Krollwood Dr	Boulder Hill	Camper not on approved surface	7/11/2018	10/27/2018	Matt	12/4/2018
V18-057	Keivanfar	03-08-153-031	2500 Light Rd #105	Deer Run Condos	No Permit - Remodeling	7/13/2018	9/21/2018		12/3/2018
V18-058	Johnson	03-04-354-006	68 Hampton Rd	Boulder Hill	Chickens not allowed in R-6	7/17/2018	7/31/2018		8/1/2018
V18-059	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Prohibited Boat Parking	7/18/2018	9/17/2018		7/31/2018
V18-060	Zack	03-05-476-020	15 Codorus Rd	Boulder Hill	Prohibited Boat Parking (2)	7/18/2018	8/13/2018		9/17/2018
V18-061	Gonzalez	03-09-152-019	14 Ridgefield	Boulder Hill	Prohibited trailer parking	7/18/2018	8/13/2018		8/15/2018
V18-062	Quinn	02-35-413-019	5805 Audrey Ave	FOFC	Prohibited trailer parking	7/18/2018	8/1/2018		8/1/2018
V18-063	Montano	03-15-251-002	2450 Wolf Rd		Prohibited Business w/o Zoning	7/26/2018	8/1/2019		8/2/2018
V18-064	Decker	03-09-108-005	136 Circle Dr E	Boulder Hill	Prohibited Parking	7/26/2018	5/1/2019		
V18-065	Machado	03-04-329-012	31 Whitney Way	Boulder Hill	Multiple Violations	7/26/2018	8/9/2018		8/22/2018
V18-066	Nunez	02-24-300-003	6725 Route 71		Business w/o Proper Zoning	7/30/2018	HOLD 12/21/18	Matt	1/15/2019
V18-067	Otto	03-04-151-007	56 Fernwood Rd	Boulder Hill	Prohibited parking on grass	7/31/2018	8/14/2018		8/22/2018
V18-068	Butz	03-04-305-023	16 Wyndham Dr	Boulder Hill	Junk & Debris	8/1/2018	9/28/2018		10/31/2018
V18-069	Nanniga	03-03-351-008	135 Saugatuck	Boulder Hill	Inoperable Vehicle	8/14/2018	9/17/2018		9/17/2018
V18-070	Elpers	01-29-151-008	4350 Sandy Bluff Rd		Pool/Pool House built w/o Permit	8/14/2018	8/28/2018		8/28/2018
V18-071	Perez	03-09-103-002	22 Cayman Dr	Boulder Hill	Pool w/o Permit	8/23/2018	9/6/2018		9/6/2018
V18-072	Coonley	03-04-428-001	162 Heathgate Rd	Boulder Hill	Multiple Violations	8/23/2018	9/20/2018		10/31/2018
V18-073	Bozarth	03-04-478-031	72 Eastfield Rd	Boulder Hill	Prohibited RV Parking	8/28/2018	9/11/2018		10/31/2018
V18-074	Greenslade	03-09-152-021	18 Ridgefield Rd	Boulder Hill	Prohibited Boat Parking	8/28/2018	9/11/2018		9/17/2018
V18-075	Navarro	03-12-100-009	1026 Harvey Rd.		Multiple Violations	9/4/2018	12/26/2018	Matt	12/18/2018
V18-076	Corn Ed	03-12-100-001			Multiple Violations(V18-075)	9/4/2018	12/26/2018	Matt	12/18/2018
V18-077	Martinez	03-12-100-004	1038 Harvey Rd.		Zoning Violation	9/6/2018	12/14/2018	Matt	12/18/2018
V18-078	American Elm	03-04-277-022	2 Pendleton Pl	Boulder Hill	Multiple Violations	9/11/2018	9/25/2018		9/26/2018
V18-079	Duvall & Paulette	03-04-277-042	40 Afton Dr.	Boulder Hill	Inoperable Vehicle	9/11/2018	10/1/2018		10/31/2018
V18-080	Hughes	03-04-277-041	38 Afton Dr	Boulder Hill	Inoperable Vehicle	9/11/2018	11/5/2018		12/3/2018
V18-081	Saleem Mohammed	03-07-230-007	3 Dolphin Ct	Marina Terrace	Junk & Debris	9/13/2018	9/27/2018		9/27/2018
V18-082	BLEED SULO LLC	05-21-300-006	9513 Walker Rd		Inoperable Vehicle & Pkg Non apprvd surface	9/13/2018	11/23/2018		11/20/2018
V18-083	Anderson	06-13-176-003	508 W. Rt. 126		Stormwater Violation	10/2/2018	11/1/2018	Matt	
V18-084	Allen	03-04-376-040	52 Sierra Rd.	Boulder Hill	Junk & Debris	10/2/2018	11/23/2018		11/20/2018
V18-085	Haggemeier	03-04-477-002	99 Longbeach Rd	Boulder Hill	3 Inoperable Vehicles	10/2/2018	10/16/2018		10/17/2018
V18-086	Marmolejo	03-08-253-007	10 Ashawn	Boulder Hill	Prohibited Parking	10/3/2018	10/27/2018		10/29/2018
V18-087	Greenslade	03-09-152-021	18 Ridgefield Rd	Boulder Hill	Prohibited Parking	10/3/2018	10/27/2018	Matt	12/3/2018
V18-088	Smith	03-05-404-026	152 Boulder Hill Pass	Boulder Hill	Multiple Violations	10/3/2018	10/17/2018		10/16/2018
V18-089	Rife	03-31-452-006	5 Ottawa Ct.	Na-Au-Say	Prohibited Parking	10/4/2018	12/1/2018		12/4/2018
V18-090	Moran	03-05-426-018	8 Greenbriar Rd	Boulder Hill	Inoperable Vehicle	10/9/2018	12/14/2018		12/19/2018
V18-091	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Inoperable Vehicle	10/9/2018	10/23/2018		10/23/2018
V18-092	Haefner	02-14-252-002	147 W. Rickard Dr.	Lynwood	Inoperable Vehicles	10/9/2018	11/1/2018		11/1/2018
V18-093	Undesser	02-15-177-006	2480 B Bristol Rdg Rd		Inoperable Vehicles	10/9/2018	11/2/2018		12/3/2018
V18-094	Camacho	03-05-476-011	9 Clay Ct.	Boulder Hill	Inoperable Vehicle	10/16/2018	10/30/2018		10/29/2018
V18-095	CT&T	03-08-278-009	4 Culver Rd.	Boulder Hill	Multiple Violations	10/16/2018	10/30/2018		10/29/2018
V18-096	Akers	03-04-379-002	55 Longbeach Rd.	Boulder Hill	Junk & Debris	10/22/2018	1/20/2019		1/15/2019

2018 VIOLATIONS

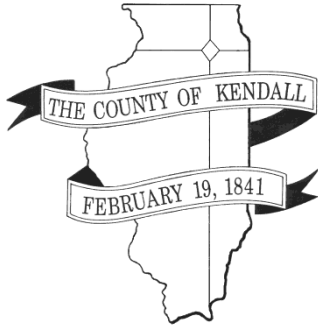
V18-097	Ortiz	03-09-104-009	63 Old Post Rd	Boulder Hill	Illegal Home Occupation/Commercial Vans	11/7/2018	12/3/2018			12/3/2018
V18-098	Stukas	03-05-428-002	29 Circle Drive E	Boulder Hill	Inoperable Vehicle	11/7/2018	11/21/2018			11/13/2018
V18-099	Auer	02-06-400-005	West Beecher Rd		Stormwater Violation	11/14/2018	12/14/2018	Matt		11/20/2018
V18-100	Schmidt	03-07-252-012	120 Augusta Rd		Junk & Debris	11/14/2018	5/1/2019			
V18-101	Coulouris & Dublin	02-15-177-005	2480 A Bristol Rdg Rd		Multiple Violations	11/19/2018	12/14/2018			
V18-102	Allen	09-04-300-017	3827 Van Dyke Rd		Mobile Home Violation	11/21/2018	5/31/2019	Matt		12/21/2018

2017 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	Closed	SAO
V17-001	VOID									
V17-002	Randy Fowler	01-28-252-001	1203 W. South Street	Caguelin's Sub	Abandoned Struc	12/7/2016			1/18/2018	
V17-003	March & Lisa Schulz	03-04-278-041	146 Heathgate Rd	Boulder Hill	Inoperable Vehic	1/25/2017			2/7/2017	
V17-004	Meysers/Presnell	03-04-255-010	119 Heathgate Rd	Boulder Hill	Inoperable Vehic	12/7/2016			1/1/8/2017	
V17-005	Stevenson	02-13-429-004	15 Clark Avenue	Owner's	Occupied Rec. V	12/19/2016			1/4/2017	
V17-006	Ramiro Guzman	09-04-300-002	McKanna Rd		Fill in Floodplain	1/10/2017			8/17/2017	
V17-007	Maria Ramirez	03-07-276-002	15 Shell Court	Marina Terrace	Inop Vehicles & f	1/17/2017			8/17/2017	
V17-008	Steven Odermatt	03-04-255-012	123 Heathgate Rd	Boulder Hill	Inoperable Vehic	1/25/2017			2/6/2017	
V17-009	George Olmstead	06-02-201-002	27 Oswego Plains Dr	Oswego Plains S	Remodeling w/o	1/31/2017			4/18/2017	
V17-010	Fed Home Ln Mortg	01-03-353-010	35 Earl Street	Stainfield	Junk & Debris/ In	2/7/2017			3/21/2017	
V17-011										
V17-012	Gomez Salvador	09-27-200-004	2511 Wildy Rd		Bus w/o Prop Zc	3/1/2017			8/17/2017	
					Permit/Sign Ord Violation/ Poss.					
					Zoning Ordinance Violation					
V17-013	Leroy Richmond	02-10-227-004	61 W. Larkspur	Willowbrook	Unsecured struc	3/1/2017			3/21/2017	
V17-014	Two Star Enterp. LLC	02-06-400-006			Stormwater Viol	3/13/2017			8/17/2017	
V17-016	Aguirre, Marciana	03-12-203-001	12 Council Ave		Remodeling w/o	3/10/2017			8/17/2017	
V17-017	Daugherty, Richard	03-27-401-001	4520 Douglas Rd	Ring Neck	Inoperable Vehic	3/13/2017			5/7/2017	
V17-018	Wargo, Craig & Susan	03-04-477-038	80 Springdale Ln	Boulder Hill	Junk & Debris	3/14/2017			3/30/2017	
V17-019	Fitzgerald, Richard	03-08-326-008	75 Century Dr	Wormley Estates	Inoperable Vehic	3/20/2017			4/12/2017	
V17-020	Ballines, Noe	03-08-227-008	54 Codorus Rd	Boulder Hill	Junk & Debris	3/24/2017			4/12/2017	
V17-021	Coyne	09-24-100-001	15200 Ridge Road	Clark's	Operating Bus. w	3/20/2017			4/10/2017	
V17-022	Montano	03-15-251-002	2450 Wolf Road		Operating Bus. w	3/31/2017			8/29/2017	
V17-023	LaSalle Natl Bank	02-19-400-006	11443 Route 34		Junk & Debris/U	3/20/2017			4/2/2018	
V17-024	Jimenez	03-08-280-006	12 Cebold Drive	Boulder Hill	Non-Permitted A	4/10/2017			5/12/2017	
V17-025	Murray	03-31-427-001	38 Eagle View Lane	Reservation Heig	Remodeling w/o	4/27/2017			5/2/2017	
V17-026	CAN NOT LOCATE									
V17-027	Kelley, Craig & Renee	09-22-400-003	2100 Bell Road		Junk & Debris/In	4/11/2017			8/17/2017	
V17-028	Pugsley, Mary	03-04-380-001	106 Circle Drive East	Boulder Hill	Trailer parked in	5/11/2017			5/23/2017	
V17-029	Matile, Dennis	03-09-152-006	230 Boulder Hill Pass	Boulder Hill	Trailer parked in	5/11/2017			6/6/2017	
V17-030	Daum, Andrew	05-02-201-005	6111 Audrey Ave	Rose Hill	Inoperable Vehic	5/15/2017			6/6/2017	
V17-031	Garcia, Luis	03-04-478-005	51 Springdale Rd	Boulder Hill	Repair Bus./ Veh	5/31/2017			6/20/2017	
V17-032	SL Enterprises	03-04-430-008	164 Tealwood Rd	Boulder Hill	RV Parked in Frc	6/1/2017			6/21/2017	
V17-033	Gonzalez	06-13-300-004	609 Wheeler Rd		Party Business	6/1/2017			8/25/2017	
V17-034	Berger, Richard	04-08-200-015	7428 Oakbrook Rd		2 homes on R-1	6/1/2017			8/29/2017	
V17-035	Pepple	03-04-431-004	57 Sonora Dr	Boulder Hill	Bus Operating in	6/9/2017			8/17/2017	

2017 VIOLATIONS

V17-036	CAN NOT LOCATE								
V17-037	Temes	02-35-382-008	5812 Danielle Lane	Fields Of Farm C	RV Parked in Frc	6/8/2017			8/17/2017
V17-038	Memming	03-32-328-005	8 Crestview Drive	Crestview Wood	RV Parked in Frc	6/9/2017			8/17/2017
V17-039	Ramon Ramirez	03-08-277-031	33 Fieldpoint Rd	Boulder Hill	Garage/Shed built	6/20/2017			8/4/2017
V17-040	McDonald	08-14-200-003	14207 Church Rd		Poss. Op. Indoor	6/23/2017			7/17/2017
V17-041	Hernandez	03-05-476-012	10 Clay Street	Boulder Hill	Prohibited Parkir	7/12/2017			8/4/2017
V17-042	Hrvatin, Arthur	01-19-476-006		Hrvatin	Violation of Stor	7/12/2017			8/10/2017
V17-043	First American Bank	05-18-226-002	8115 E. Highpoint Rd	Tucek-Oak Grov	Op. Trucking Bu	7/27/2017			4/2/2018
V17-044	Davis, Carlos & Tracy	09-23-400-006	15875 Ridge Road		Dumping Dirt/St	8/7/2017			1/13/2017
V17-045	Greenslade	03-09-152-021	18 Ridgefield Rd	Boulder Hill	Prohibited Parkin	8/9/2017			1/18/2018
V17-046	Scull, Enoch	01-16-427-001		Meierbrook	Ill. Parking - Limi	8/14/2017			8/29/2017
V17-047	Friel, Steven	03-08-253-012	20 Ashlawn	Boulder Hill	Accessory Buildi	8/14/2017			9/29/2017
V17-048	Evans, Eun	03-05-428-015	10 Hampton Rd	Boulder Hill	Junk&Debris & Il	8/9/2017			8/29/2017
V17-049	Shockerland Co.	02-28-252-027	9316 Route 34		Illegal Banners, Ir	8/14/2017			12/7/2017
V17-050	Beery	01-35-284-001	13040 River Road	Minnetonka Sprin	Accessory Buildi	8/17/2017			9/26/2017
V17-051	Villesenor, Emmanuel	03-08-230-003	34 Old Post Road	Boulder Hill	Inoperable Vehic	9/8/2017			10/18/2017
V17-052	Schanz	03-04-454-017	67 Saugatuck Rd	Boulder Hill	Prohibited Parkir	9/11/2017			1/14/2017
V17-053	Paxton	03-04-455-001	56 Saugatuck Rd	Boulder Hill	Trailer parked in	9/18/2017			10/10/2017
V17-054	Szchliński	03-04-355-004	8 Saugatuck Rd	Boulder Hill	VOID				
V17-055	Nataly Perez	03-35-376-005	1481 Plainfield Rd		Running Landscap	9/27/2017			6/19/2018
V17-056	Moran	03-04-476-019	93 Longbach Rd	Boulder Hill	Inoperable Vehic	10/11/2017	9/10/2018		9/14/2018
V17-057	Larsen	03-08-276-002	6 Old Post Rd	Boulder Hill	Prohibited Parkir	10/18/2017			1/14/2017
V17-058	Hernandez	05-16-300-005	9850 Ament Rd		Structure Built w	10/24/2017			4/2/2018
V17-059	Christensen	04-16-204-007	8255 Fox River Rd	Millbrook	Remodeling with	10/30/2017			1/14/2017
V17-060	Walper	04-16-126-001	8025 Whitfield Rd	Millbrook	Possible occupie	10/30/2017			1/13/2017
V17-061	Hernandez	03-12-203-011	29 Gastville Rd	Gastville Acreage	Running a Landsc	10/30/2017			1/13/2017
V17-062	Bernister	05-09-152-001	33 Bonnie Lane	Williams	Fence placed in d	11/13/2017			1/27/2017
V17-063	Armstadt	02-35-380-001	7796 Madeline Dr	Fields Of Farm C	Prohibited Parkir	11/17/2017			12/15/2017
V17-064	Alvarez	02-35-431-010	5748 Audrey Ave	Fields Of Farm C	Inoperable Vehic	11/17/2017			12/7/2017
V17-065	Bieserfeld	05-06-127-001	42 W. Fox Glen Drive	Fox Glen	Shed being built	11/21/2017			1/30/2017
V17-066	Merchants Ntl Bank	03-18-403-015	5375 Route 34		Occupying B-2 c	11/27/2017			12/11/2017
V17-067	Karen Coonley	03-04-428-001	162 Heathgate Rd	Boulder Hill	Shed being built	11/29/2017			12/14/2017
V17-068	Johnson	05-02-101-002	324 Austin	Fields of Farm C	Illegal Trailer Par	11/28/2017			12/7/2017
V17-069	Commonwealth Edison	03-07-251-001	Commerce Drive		Illegal Dumping /	11/30/2017			1/16/2018
V17-070	Melrose Holdings I LLC	03-07-177-004	Commerce Drive		Illegal Dumping /	11/30/2017			1/18/2018
V17-071	Stephens	04-16-251-009	7 Sherman St.	Village of Millbro	Shipping containe	11/30/2017			1/23/2018
V17-072	Alcala	03-04-355-001	190 Boulder Hill Pass	Boulder Hill	Inoperable Vehic	11/20/2017	X		3/14/2018



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, Senior Planner
Date: May 6, 2019
Re: Alleged Stormwater Management Ordinance Violation at 84 Woodland

In July 2018, the Kendall County Planning, Building and Zoning Department received a complaint of dumping at 84 Woodland without a permit. On July 25, 2018, an inspection occurred at the property and the determination was made that a permit was required because the dumping impacted a natural waterway. On November 10, 2019, the property owner paid for a stormwater management permit, but did not provide any information on the amount of dirt placed onsite or future plans for the property.

The property owner has two (2) options. He can dump more dirt if he provides a plan, topographic survey, and engineering calculations. This option requires the owner to know how much dirt he intends to haul onto the site. The second option is leaving things "as-is" which requires the owner to get a topographic survey and get an engineer to certify that the fill had not impact on the waterway.

On March 13, 2019, the owner was sent a certified letter explaining his options. On April 9, 2019, the owner requested, the Department granted, an extension until April 30, 2019.

A landscaping business is not allowed on the subject property.

All of the information related to this issue is attached to this memo.

Staff requests guidance as to how to proceed. This guidance could include forwarding the case to the State's Attorney's Office.

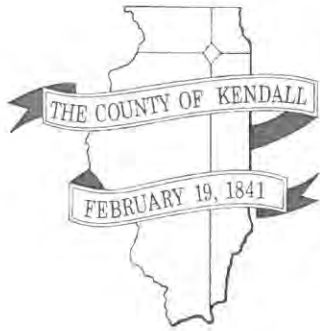
If you have any questions, please let me know.

Thanks,

MHA

ENCs: Redacted 84 Woodland File





DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

VIOLATION

March 13, 2019

Mario Velazquez
[REDACTED]

Dear Property Owners,

According to the records of the Kendall County Tax Assessor's Office, you are the owner of property located at 84 Woodland Drive, Plano, IL (P.I.N. #: 01-20-352-018). It has come to our attention that material has been hauled onto the above referenced property and impacted the water flow and grade without a permit, which is in unincorporated Kendall County.

On July 25, 2018, you met with representatives from Kendall County and indicated that you would secure a Stormwater Management Permit or remove the material that was hauled onto the property. On October 5, 2018, the Kendall County Planning, Building and Zoning Department mailed you a certified letter stating a violation to the Kendall County Stormwater Management Ordinance existed and advised you to either (a) remove the material hauled onto the site and/or (b) complete a Stormwater Management Permit Application. On December 10, 2018, you submitted the cover portion of the Stormwater Management Permit Application and the required escrow deposit. However, you did not supply any engineering information or detailed plans for the site. The County's last correspondence with anyone regarding this project occurred on December 18, 2018, in the form of an email with Jesus Moreno.

Please consider this your thirty (30) day warning to initiate compliance with the Ordinance. Compliance, in this case, consists of (a) removing the material hauled onto the site and/or (b) submitting engineering plans outlining the fill that was deposited on the property and one (1) detailed, written plan for the future dumping of fill on the property, if any additional dumping is planned. Please respond to this letter in writing by the **April 12, 2019** deadline.

If the Planning, Building and Zoning Department does not receive the requested information from you by the deadline date, the Planning, Building and Zoning Department will forward your case to the Kendall County Planning, Building and Zoning Committee with a request that your case be sent to the Kendall County State's Attorney's Office for legal action. **Please be advised that if you are found guilty of violating the Kendall County Stormwater Management Ordinance a maximum fine of Seven Hundred Fifty Dollars (\$750) may be imposed for EVERY DAY the violation continues. You can avoid additional action on this case by submitting the requested documents or by removing the materials hauled onto the site.**

Please direct any correspondence on this matter to me at 630-553-4139 or masselmeier@co.kendall.il.us. Thank you in advance for your cooperation in this matter.

Sincerely,

THE COUNTY OF KENDALL

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building and Zoning Department

Matt Asselmeier

From: Matt Asselmeier
Sent: Tuesday, December 11, 2018 8:59 AM
To: 'Jesus Moreno'
Cc: Brian Holdiman; 'Greg Chismark'; Scott Koeppel
Subject: RE: 84 Woodland

Jesus:

We need a better understanding of what your father wants to do at the property.

1. If he intends to bring in more fill, we will need a plan to approve. That will involve a topographic survey and engineering calculations.
2. If he just wants to resolve the existing complaint / conditions, then he gets the site / drainage swale topographically surveyed and he gets an engineer to certify the fill has no impact.

In my discussion with him yesterday, he indicated that he would like to bring in more fill. Please be advised that he does not have proper zoning to have a landscaping business at the property.

Please let us know as soon as possible as to how you would like to proceed.

Thanks,

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

From: Jesus Moreno [mailto:████████████████████]
Sent: Monday, December 10, 2018 2:03 PM
To: Matt Asselmeier
Subject: Re: 84 Woodland

Matthew,

My father will be arriving at the Yorkville office around 4 to fill out the application and drop the check off.

On Dec 10, 2018, at 1:55 PM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Jesus:

Do you know when you will be dropping off the application?

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning

111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Jesus Moreno [mailto: [REDACTED]]
Sent: Monday, December 10, 2018 1:26 PM
To: Matt Asselmeier
Subject: Re: 84 Woodland

Hello,

I have just seen this email in regards to my father. There has been no further work being done since the notice of the violation. I will personally submit an application for the stormwater management permit. As of now there is no longer a plan on continuing the construction.

Thank you,

Jesus Moreno Jr.

On Dec 6, 2018, at 8:24 AM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Please be advised that the Kendall County Planning, Building and Zoning Committee will be discussing the alleged violation to the Kendall County Stormwater Management Ordinance at 84 Woodland at their meeting on Monday, December 10, 2018. This meeting is at 6:30 p.m. at 111 W. Fox Street in Yorkville.

The Committee will be considering forwarding this matter to the State's Attorney's Office for legal action. This referral can be avoided if you submit an application for a stormwater management permit.

If you have any questions, please let me know.

Thanks,

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

From: Brian Holdiman
Sent: Thursday, August 02, 2018 1:35 PM
To: [REDACTED]
Cc: Matt Asselmeier
Subject: Fwd: Test

Get [Outlook for iOS](#)

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

From: "Matt Asselmeier" <masselmeier@co.kendall.il.us>

Date: Wed, Jul 25, 2018 at 2:05 PM -0500

Subject: RE: Test

To: "[REDACTED]"

Cc: "Greg Chismark" <GChismark@wbkengineering.com>, "Brian Holdiman" <BHoldiman@co.kendall.il.us>

Mario:

Thank you for meeting us at your property today.

In order to get a stormwater permit, please download and complete the application found here, [https://www.co.kendall.il.us/wp-content/uploads/PBZ Stormwater Management Permit.pdf](https://www.co.kendall.il.us/wp-content/uploads/PBZ%20Stormwater%20Management%20Permit.pdf). The application fee is \$1250 (\$1200 is placed in a refundable escrow account and \$50 is non-refundable; the dollar amount remaining after all review services are completed will be the dollar amount you are refunded from the \$1200). Please submit the application to me at masselmeier@co.kendall.il.us.

If you have any questions, please let me know.

Thanks,

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

From: Brian Holdiman
Sent: Wednesday, July 25, 2018 12:30 PM
To: Matt Asselmeier; Greg Chismark
Subject: Fwd: Test

Below is the email address for 84 Woodland Drive

Get [Outlook for iOS](#)

From: Brian Holdiman <bholdiman@co.kendall.il.us>
Sent: Wednesday, July 25, 2018 11:03 AM
To: [REDACTED]
Subject: Test

Get Outlook for iOS

Pam Herber

From: Brian Holdiman
Sent: Tuesday, November 06, 2018 8:51 AM
To: Pam Herber
Subject: FW: 84 Woodland Update

Please print this email and add to file. The file is in the back room open violations

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: Matt Asselmeier
Sent: Tuesday, November 06, 2018 8:29 AM
To: Greg Chismark
Cc: Brian Holdiman; Scott Koeppel
Subject: 84 Woodland Update

Greg:

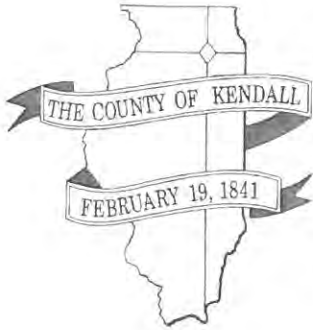
Brian conducted an inspection at 84 Woodland this morning (November 6th) and found no change since our previous visit to the property.

I mailed the owners a certified letter today stating that they were in violation of the stormwater ordinance and informed them that their case would be sent to the Planning, Building and Zoning Committee with a recommendation that the case be forwarded to the Kendall County State's Attorney's Office. The owners were also informed that a maximum fine of \$750 existed for each day they were in violation of the ordinance and they could halt further legal action in the case if they removed the material they dumped on the property or completed a stormwater permit application. Pending approval of the new Planning, Building and Zoning Committee Chairperson, this case will go to the Committee in December; the owners will be informed of the meeting date/time.

If you have any questions, please let me know.

Thanks,

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



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

VIOLATION

November 6, 2018

Mario Velazquez

Dear Property Owners,

According to the records of the Kendall County Tax Assessor's Office, you are the owner of property located at 84 Woodland Drive, Plano, IL (P.I.N. #: 01-20-352-018). It has come to our attention that material has been hauled onto the above referenced property and impacted the water flow and grade without a permit, which is in unincorporated Kendall County.

On July 25, 2018, you met with representatives from Kendall County and indicated that you would secure a Stormwater Management Permit or remove the material that was hauled onto the property. On October 5, 2018, the Kendall County Planning, Building and Zoning Department mailed you a certified letter stating a violation to the Kendall County Stormwater Management Ordinance existed and advised you to either (a) remove the material hauled onto the site and/or (b) complete a Stormwater Management Permit Application.

As of the date of this letter, we have not received an update on the status of either the material removal or the application for a Stormwater Management Permit as required by the Kendall County Stormwater Management Ordinance. Accordingly, the Kendall County Planning, Building and Zoning Department will be forwarding your case to the Kendall County Planning, Building and Zoning Committee with a request that your case be sent to the Kendall County State's Attorney's Office for legal action. **Please be advised that if you are found guilty of violating the Kendall County Stormwater Management Ordinance a maximum fine of Seven Hundred Fifty Dollars (\$750) may be imposed for EVERY DAY the violation continues. You can avoid additional action on this case by completing the Stormwater Management Permit Application that was mailed to you on October 5, 2018, or by removing the materials hauled onto the site.**

Please direct any correspondence on this matter to me at 630-553-4139 or masselmeier@co.kendall.il.us. Thank you in advance for your cooperation in this matter.

Sincerely,

THE COUNTY OF KENDALL

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building and Zoning Department

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.67

Postmark
Here

Sent To Mario Velazquez
 Street, Apt. No.,
 or PO Box No. [REDACTED]
 City, State, ZIP+4 [REDACTED]

PS Form 3800, August 2006

See Reverse for Instructions

7006 2760 0000 1887 7979

Pam Herber

From: Brian Holdiman
Sent: Tuesday, November 06, 2018 8:51 AM
To: Pam Herber
Subject: FW: 84 Woodland Update

Please print this email and add to file. The file is in the back room open violations

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: Matt Asselmeier
Sent: Tuesday, November 06, 2018 8:29 AM
To: Greg Chismark
Cc: Brian Holdiman; Scott Koeppel
Subject: 84 Woodland Update

Greg:

Brian conducted an inspection at 84 Woodland this morning (November 6th) and found no change since our previous visit to the property.

I mailed the owners a certified letter today stating that they were in violation of the stormwater ordinance and informed them that their case would be sent to the Planning, Building and Zoning Committee with a recommendation that the case be forwarded to the Kendall County State's Attorney's Office. The owners were also informed that a maximum fine of \$750 existed for each day they were in violation of the ordinance and they could halt further legal action in the case if they removed the material they dumped on the property or completed a stormwater permit application. Pending approval of the new Planning, Building and Zoning Committee Chairperson, this case will go to the Committee in December; the owners will be informed of the meeting date/time.

If you have any questions, please let me know.

Thanks,

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

Matt Asselmeier

From: Brian Holdiman
Sent: Tuesday, November 06, 2018 7:58 AM
To: Matt Asselmeier
Subject: 84 Woodland Dr.
Attachments: file1-6.jpeg; file-67.jpeg

There has been no change since you and I and Greg visited

Get [Outlook for iOS](#)





SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <u>Silvia Martinez</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Silvia Martinez</u> C. Date of Delivery <u>02/07/13</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to: <u>Mario Velazquez</u> <div style="background-color: black; width: 200px; height: 60px; margin-top: 5px;"></div> </p>	<p>3. Service Type <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>
<p>2. Article Number (Transfer from service label) <u>7006 2760 0000 1887 8037</u></p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, July 2013 Domestic Return Receipt

7006 2760 0000 1887 8037

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ <u>6.88</u>

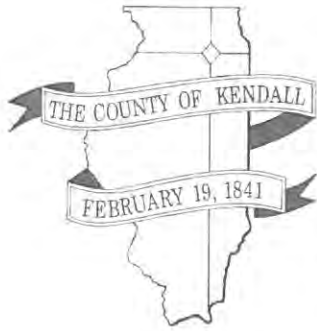
Postmark
Here

Sent to Mario Velazquez

Street, Apt. No.,
or PO Box No.

City, State, ZIP

PS Form 3800, August 2009 See reverse for instructions



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

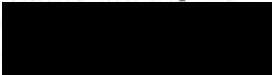
(630) 553-4141

Fax (630) 553-4179

VIOLATION

October 5, 2018

Mario Velazquez



Dear Property Owners,

According to the records of the Kendall County Tax Assessor's Office, you are the owner of property located at 84 Woodland Drive, Plano, IL (P.I.N. #: 01-20-352-018). It has come to our attention that material has been hauled onto the above referenced property and impacted the water flow and grade without a permit, which is in unincorporated Kendall County.

On July 25, 2018, you met with representatives from Kendall County and indicated that you would secure a Stormwater Management Permit or remove the material that was hauled onto the property. As of the date of this letter, we have not received an update on the status of either the material removal or the application for a Stormwater Management Permit as required by the Kendall County Stormwater Management Ordinance.

Please consider this your thirty (30) day warning to initiate compliance with the Ordinance. Compliance, in this case, consists of (a) removing the material hauled onto the site and/or (b) filing out the attached Stormwater Management Permit Application. Please respond to this letter in writing by the **November 5, 2018** deadline.

Thank you in advance for your cooperation in this matter. If you have any questions, feel free to contact our office at 630-553-4139.

Sincerely,

THE COUNTY OF KENDALL

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building and Zoning Department

Attachment:

Stormwater Management Permit Application

Matt Asselmeier

From: Greg Chismark [gchismark@wbkengineering.com]
Sent: Tuesday, September 25, 2018 9:50 AM
To: Matt Asselmeier; Brian Holdiman
Subject: RE: 84 Woodlands

None from me.

Greg Chismark P.E.

Municipal Practice Principal

WBK Engineering, LLC

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

P: 630.443.7755 D: 630.338.8527

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

The information contained in this e-mail is intended only for the individual or entity to whom it is addressed and should not be opened, read or utilized by any other party. This message shall not be construed as official project information or as direction except as expressly provided in the contract document. Its contents (including any attachments) may contain confidential and/or privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. If you received this e-mail in error, please notify the sender by reply e-mail and delete and destroy the message.

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

Sent: Tuesday, September 25, 2018 8:01 AM

To: Greg Chismark; Brian Holdiman

Subject: 84 Woodlands

Greg and Brian:

Have either of you received any correspondence regarding 84 Woodlands recently?

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

Matt Asselmeier

From: Brian Holdiman
Sent: Tuesday, September 25, 2018 8:03 AM
To: Matt Asselmeier; Greg Chismark
Subject: Re: 84 Woodlands

No

Get [Outlook for iOS](#)

On Tue, Sep 25, 2018 at 8:00 AM -0500, "Matt Asselmeier" <masselmeier@co.kendall.il.us> wrote:

Greg and Brian:

Have either of you received any correspondence regarding 84 Woodlands recently?

Thanks,

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

MEMORANDUM

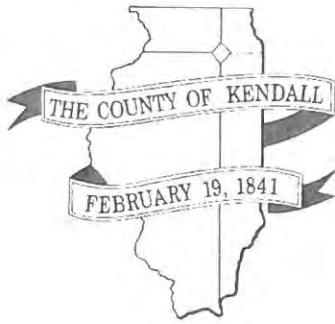
Date: August 3, 2018
To: Matt Asselmeier
CC: Brian Holdiman
From: Greg Chismark
Subject: 84 Woodland Drive

This memo is a follow up to our site visit on July 25, 2018 to the subject address.

It is my understanding that the County has received calls from neighbors concerned about fill being placed on the property and potential for drainage impacts. Based on our July 25 meeting it was obvious that recent fill material was placed adjacent to a primary drainage way that runs through the subdivision. It is unclear if this fill has any impact on the drainage way and more importantly it is unclear how much additional fill the property owner intends to place. The existing drainage way meets the definition of a "watercourse" under the Stormwater Ordinance and any future work requires a stormwater permit.

Accordingly, we request the petitioner submit a stormwater permit and a site grading plan that identifies the area they intend to fill and proposed grades/elevations. This plan shall be prepared by a registered professional engineer and supported by calculations indicating the drainage impact of the proposed work. A survey of the property establishing one foot contours as well as property boundaries will be required. Finally, erosion control measure will need to be depicted and installed prior to plan approval and any additional work

Please contact me directly should you have any questions (630-443-7755).



CODE ENFORCEMENT INVESTIGATION REPORT
DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

*Investigate
Monday
Please*

Date

7/6/18

Violation #

V18-054

Address of Violation:

84 Woodland Drive

City & Zip:

Alton 60545

Subdivision:

Sugarbrook

Unit

Lot

Parcel Number:

01-20-352-018

Zoning:

R-3

Owner or Tenant:

Mario Nieto Velazquez

Description of Complaint:

Filling in back yard with
all kinds of stuff + changing
water flow + grade

Complainant's Name:

Contact Info:

Inspector

BLH

Date

7/9/18

Field Notes

Fill

Photos Taken?

☒ Yes

☐ No

Section of Applicable Code

NOTES: 1st Notice - stop work - schedule inspection with our office prior to
any more fill. (send certified)

F/U 8/6/18

F/U 9/15/18

DATE CLOSED:



89 Woodland Drive
7/25/18
BZH









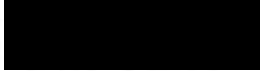
SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <u>Silvia Martinez</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to: <u>Marion Nieto Valdez</u></p> 		<p>B. Received by (Printed Name) <u>Silvia M.</u> C. Date of Delivery <u>7-12-78</u></p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
		<p>7006 2760 0003 5866 6196</p>	
<p>PS Form 3811, July 2013</p>		<p>Domestic Return Receipt</p>	

Kendall County Planning, Building and Zoning

(630) 553-4141

07/10/2018

VELAZQUEZ MARIO NIETO



Violation # 18054

Parcel # 01-20-352-018

84 WOODLAND DR
PLANO, IL 60545 -

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

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

**STOP WORK - SCHEDULE INSPECTION WITH OUR OFFICE PRIOR TO ANY MORE
FILL**

Since most residents are not aware of such code violations, the County allows the property owner a fourteen (14) day period in which to correct this situation. Please contact our office by Tuesday, July 24, 2018.

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

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


Sincerely,

A handwritten signature in black ink, appearing to be 'M. Nieto'.

Code Compliance Officer

Kendall County Planning, Building and Zoning**Request For Compliance****Violation #****18054****REQUEST DATE: 07/10/2018****Parcel #****01-20-352-018**

PROPERTY INFORMATION84 WOODLAND DR
PLANO, IL 60545 -

MAILING INFORMATIONVELAZQUEZ MARIO NIETO


VIOLATION DESCRIPTION

STOP WORK - SCHEDULE INSPECTION WITH OUR OFFICE PRIOR TO ANY MORE FILL

Date of First Inspection:	7/10/2018	Red Tag Issued? N
First Inspector:	BH	Red Tag Date:
Picture Taken?	Y	Complainant: Mary Weymouth

COMMENTS

7/10/18 - 1ST NOTICE SENT CERTIFIED

Pam Herber

From: Brian Holdiman
Sent: Wednesday, July 11, 2018 10:30 AM
To: Pam Herber
Subject: FW: RE: 84 Woodland

Please print and add to file.

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: [REDACTED]
Sent: Wednesday, July 11, 2018 8:40 AM
To: Brian Holdiman
Subject: Re: RE: 84 Woodland

It was quiet yesterday. Will let you know if we see anything going on.

[Sent from AT&T Mail on Android](#)

From: "Brian Holdiman" <BHoldiman@co.kendall.il.us>
Date: Wed, Jul 11, 2018 at 5:30 AM
Subject: RE: 84 Woodland

[REDACTED],

A stop work order was sent certified on Tuesday July 10th. Please let me know if work continues today Wednesday July 11th or any days following.

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: [REDACTED]
Sent: Tuesday, July 10, 2018 9:51 PM

To: Brian Holdiman
Subject: Re: 84 Woodland

Thank you for checking into this. Let me know what you find out.

Sent from my iPad

On Jul 9, 2018, at 10:31 AM, Brian Holdiman <BHoldiman@co.kendall.il.us> wrote:

[REDACTED],

I obtained photos this morning and saw the path they have been using to access the back yard to haul in fill. I am researching our options at the County level and will let you know how we proceed.

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

Pam Herber

From: Brian Holdiman
Sent: Monday, July 09, 2018 6:21 AM
To: Pam Herber
Subject: FW: 84 Woodland Dr. Plano
Attachments: 20180706_115557_1530896301493_resized.jpg; 20180706_115553_1530896305335_resized.jpg; 20180706_115413_1530896309416_resized.jpg

Please print email and pictures and place in my basket.

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: [REDACTED]
Sent: Friday, July 06, 2018 12:03 PM
To: Brian Holdiman
Subject: 84 Woodland Dr. Plano

Backyard at 84 is being filled. This will affect drainage from our lot.
Do they need permit, if so do they have one? Hope pictures show fil.

Sent from my Verizon 4G LTE smartphone







Pam Herber

From: Brian Holdiman
Sent: Monday, July 09, 2018 6:16 AM
To: Pam Herber
Subject: FW: 84 Woodland Dr.

Please print email and place in m basket.

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: Michael Novak
Sent: Friday, July 06, 2018 1:57 PM
To: [REDACTED]
Cc: [REDACTED] Jason Langston; Brian Holdiman
Subject: RE: 84 Woodland Dr.

[REDACTED],

I understand your concerns and appreciate all of your efforts to keep us informed on what is occurring on the property at 84 Woodland. Ordinances regarding building and zoning issues such as the issues you are speaking about are only enforceable by the Kendall County Department of planning, building and zoning. I have spoken with Brian Holdiman several times in regards to issues like this all over the county. At the current time, the enforcement mechanisms of these ordinance are very complicated. The Sheriff's Office has been working with the county to try and improve the process to make these ordinances more easily enforceable. The County Board are the individuals that are working on improving the ordinance enforcement. I do not have specifics as to where this issue is at with them at this time. I would highly encourage you and your neighbors to contact your local representatives on the county board and voice your concerns about these issues. The Kendall County Sheriff's Office does not have the ability to enforce Planning, Building and Zoning ordinances at this time. In fact there are only a small amount of ordinances that the Sheriff's Office can issue citations for.

I appreciate your email and would encourage you to keep gathering evidence of these activities which violate the building and zoning ordinance and please continue to work with Brian Holdiman to hopefully resolve these issues. Working with Brian and your County Board members may aid in getting this issues solved.

Respectfully,

Deputy M. Novak #50
Kendall County Sheriffs Office
Community Policing
1102 Cornell lane
Yorkville, IL 60560
Ph: 630-553-7500 ext. 1167
Cell: 630-768-2857
mnovak@co.kendall.il.us

Confidentiality Notice:

This electronic mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this communication by anyone other than the intended recipient is strictly prohibited. If you have received this communication in error please immediately delete the E-mail and notify the sender at the above E-mail address.

From: [REDACTED]

Sent: Friday, July 06, 2018 1:39 PM

To: [REDACTED]

Cc: Michael Novak; [REDACTED]

Subject: Re: 84 Woodland Dr.

Deputy Novak,

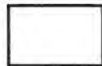
My name is [REDACTED] from Woodland Drive in Plano. Last fall, our neighbor [REDACTED] sent us your email regarding 84 Woodland Drive. I would like to know what action your special task force has taken in regards to the business and activities taking place at this address. It is quite obvious that he is running a landscaping and snow removal business from here. You can drive by at any given time and see all of the work vehicles here. If you look in the back of the house you can see more vehicles, equipment and all of the materials he has stocked piled there as well.

Brian Holdiman has been contacted several times over the past many years by the neighbors about these issues. To this date, the owner has done as he pleases. He continues to run this business, make a parking lot of his property, alter the land and stock plié landscaping materials. Today the neighbor that lives between he and I, saw him filling an area of his yard with broken cement pieces and other materials. She said he's made 4-5 trips so far. This has to stop. At what point is he going to be held responsible for his actions? We work hard to keep our homes and property looking nice and abide by the ordinances, yet he does not.

Please don't ask us yet again to make a list of what we see or take any pictures. You need to make a trip out here and take a look for your self. Sit out here for a day and just watch what goes on. I look forward to hearing your response.

Thank you,

[REDACTED]



Virus-free. www.avast.com

On Mon, Oct 23, 2017 at 7:28 PM, [REDACTED] wrote:

Deputy Novak,

I would like to thank you for taking the time to reach out to me regarding issues at 84 Woodland. I have tried to contact Brian at the Kendall County office, and he just brushes off the issue.

The people have a Landscape business, as well as a towing business which seems to run out of the house. I believe there are probably more.

I am including the emails of the other neighbors which are more involved in the issues at this address:



I am also adding them to this email, so they understand the reason for contacting me.

I have talked to each one of them to let them know they will be contacted.

Sincerely,



On October 23, 2017 at 4:02 PM Michael Novak <mnovak@co.kendall.il.us> wrote:

Mrs. 

My name is Deputy Novak and I am assigned to the Community Policing section at the Kendall County Sheriff's Office. It has been brought to my attention that you as well as some other neighbors have concerns regarding the activities taking place at 84 Woodland dr. I have been assigned to look into these issues, but I wanted to clarify exactly which issues I need to address and which issues are no longer problems. I am aware that there were issues with shooting on the property and I was told that there is a belief that the homeowners may be running a business out of the residence. Please let me know if these are still current problems and if there are any additional problems I need to research. Also if you know of any other neighbors that share these concerns with you can you please forward me their contact info or have them contact me directly. Sometimes, a problem that affects many is easier to solve.

Thank you,

Deputy M. Novak #50

Kendall County Sheriffs Office

Community Policing

[1102 Cornell lane](#)

[Yorkville, IL 60560](#)

[Ph: 630-553-7500 ext. 1167](#)

Cell: 630-768-2857

mnovak@co.kendall.il.us

Confidentiality Notice:

This electronic mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this communication by anyone other than the intended recipient is strictly prohibited. If you have received this communication in error please immediately delete the E-mail and notify the sender at the above E-mail address.

Pam Herber

From: Brian Holdiman
Sent: Monday, July 09, 2018 6:19 AM
To: Pam Herber
Subject: FW: 84 Woodland Dr. Plano
Attachments: 20180706_115557.jpg; 20180706_115553.jpg

Please print email and pictures and place in my basket.

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: [REDACTED]
Sent: Friday, July 06, 2018 12:26 PM
To: Brian Holdiman
Subject: 84 Woodland Dr. Plano

The neighbors at 84 Woodland Dr. are filling their backyard. We think this may affect our drainage. Do they need a permit for this? Do they have a permit approving the fill? Hope you can see the fill in the attached photos.





Pam Herber

From: Brian Holdiman
Sent: Monday, July 09, 2018 6:19 AM
To: Pam Herber
Subject: FW: 84 Woodland Dr.
Attachments: 20180706_155257-1.jpg; 20180706_155437-1-1.jpg

Please print email and pictures and place in my basket.

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: [REDACTED]
Sent: Friday, July 06, 2018 5:51 PM
To: Brian Holdiman
Subject: 84 Woodland Dr.

Attached picture of dump truck and a dumped load. They have been bringing in loads all day.





Pam Herber

From: Brian Holdiman
Sent: Monday, July 09, 2018 6:16 AM
To: Pam Herber
Subject: FW: 84 Woodland Dr. Plano

Please print email and place in my basket.

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: [REDACTED]
Sent: Friday, July 06, 2018 2:17 PM
To: Brian Holdiman
Cc: Matt Asselmeier; Scott Koeppel; Michael Novak
Subject: Re: 84 Woodland Dr. Plano

Thank you!

On Fri, Jul 6, 2018, 2:15 PM Brian Holdiman <BHoldiman@co.kendall.il.us> wrote:

Mary,

I appreciate you sending these photos. No permits have been issued for this project. I will investigate ASAP and let you know my findings in regards to zoning or Stormwater ordinance violations.

Brian Holdiman

Get Outlook for iOS<<https://aka.ms/o0ukef>>

On Fri, Jul 6, 2018 at 12:26 PM -0500, "[REDACTED]" >> wrote:

The neighbors at 84 Woodland Dr. are filling their backyard. We think this may affect our drainage. Do they need a permit for this? Do they have a permit approving the fill?
Hope you can see the fill in the attached photos.

Pam Herber

From: Brian Holdiman
Sent: Monday, July 09, 2018 6:17 AM
To: Pam Herber
Subject: FW: 84 Woodland Dr. Plano

Please print email and place in my basket.

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: Michael Novak
Sent: Friday, July 06, 2018 2:15 PM
To: Brian Holdiman
Subject: RE: 84 Woodland Dr. Plano

Thanks Brian

From: Brian Holdiman
Sent: Friday, July 06, 2018 2:15 PM
To: [REDACTED]
Cc: Matt Asselmeier; Scott Koeppel; Michael Novak
Subject: Re: 84 Woodland Dr. Plano

[REDACTED],

I appreciate you sending these photos. No permits have been issued for this project. I will investigate ASAP and let you know my findings in regards to zoning or Stormwater ordinance violations.

Brian Holdiman

Get [Outlook for iOS](#)

On Fri, Jul 6, 2018 at 12:26 PM -0500, '[REDACTED]' wrote:

The neighbors at 84 Woodland Dr. are filling their backyard. We think this may affect our drainage. Do they need a permit for this? Do they have a permit approving the fill? Hope you can see the fill in the attached photos.









Non Violations 2019

Date	Name	Address	Subdivision	PIN #	Description	Date Inspected	Violation Y/N
12/3/2018	Perez	22 Cayman Dr	Boulder Hill	03-09-103-002	Trailer parked in front yard	1/3/2019	N
12/3/2018	Hurtado	116 Longbeach Rd	Boulder Hill	03-04-408-037	Trailer parked in front yard	1/3/2019	N
12/3/2018	Schanz	67 Saugatuk Rd	Boulder Hill	03-04-454-017	Truck parked on grass/prohibited trailer parking	1/3/2019	N
12/7/2018	Medgyesi	2588 I Rock Creek Rd	Solitude Lakes	01-14-325-003	Build 3 season room w/o permit	1/3/2019	N
12/13/2018	Grogan	14 Maple St	Foxlawn	05-05-103-002	5 Inoperable Vehicles	12/20/2018	N
12/21/2018	Pratt	74 W. Rickard Dr		02-14-428-001	Possible Inoperable Vehicles	1/17/2019	N
12/28/2018	Tapia	99 Clark Ave Oswego	Clark's	02-13-277-003	Trash dumping onto property	1/2/2018	N
1/9/2019	Freda	5724 Minkler Rd		02-36-300-005	Possible Dog Grooming Business	1/12/2019	N
1/9/2019	Benes	2575 Wolfs Crossing Rd		03-15-126-004	Manuer Pile affecting storm drain	1/18/2019	N
2/11/2019	Waldron	8 Shagbark Ln	Foxhurst	04-09-377-002	Possible horses	2/14/2019	N
2/21/2019	Brown	39 Whitney Way	Boulder Hill	03-04-329-016	Possible inoperable vehicle	3/13/2019	N
2/28/2019	Diangikis	7520 Route 34		02-23-202-022	Burn Pile a concern	2/28/2019	N
2/28/2019	Waldron	8 Shagbark Ln	Foxhurst	04-09-377-002	Baby goats in backyard	3/6/2019	N
3/1/2010	Lauderdale	129 Braeburn	Boulder Hill	03-04-407-013	Junk & Debris	3/7/2019	N
3/1/2019	Wilson/Czaska	134 Braeburn	Boulder Hill	03-04-403-018	Junk & Debris	3/7/2019	N
3/7/2019	Lewis	78 N Linden Dr	Meyerbrook	01-16-401-002	Junk & Debris	3/19/2019	N
3/8/2019	Hideaway Lakes	8045 Van Emmon			Raw Sewage	3/8/2019	N-Health Dept
3/13/2019	Freda	5724 Minkler Rd		02-36-300-005	Possible Dog Grooming Business	3/20/2019	N
3/14/2019	Schanz	67 Saugatuk	Boulder Hill	03-04-454-017	Illegal parking	3/27/2019	N
3/18/2019	Wheaton	5626 Minkler Rd	Squaw Valley	02-36-300-014	Box Truck & trailer in front yard	4/24/2019	N
3/19/2019	Francesconi	7646 Fairway Dr	Whitetail	06-07-402-003	Operating Food Business out of home	3/23/2019	Referred to HHD
3/21/2019	Horsely/Kassl	5920 Minkler Rd		02-35-400-011	Possible Dog Grooming Business	3/29/2019	Home Occup
3/22/2019	Gonzalez	38 Circle Dr E	Boulder Hill	03-05-427-009	Possible Inoperable Vehicle	3/28/2019	N
4/9/2019	Nelson	4 Circle Dr W	Boulder Hill	03-05-453-001	Possible Inoperable Vehicle	4/11/2019	N
4/15/2019	Cadena	140 Saugatuck Rd	Boulder Hill	03-03-352-004	Inoperable Vehicle	4/23/2019	N
4/17/2019	Stone	10 Hillview Ct	Pavillion Hts	05-07-101-004	Semi parked in court	4/8/2019	N
4/22/2019	Hughes	50 Circle Drive E	Boulder Hill	03-04-305-016	Inoperable Vehicle	4/18/2019	N
4/22/2019	Gervas	35 Old Post Rd	Boulder Hill	03-08-227-042	Trailer in front yard	4/23/2019	N
4/22/2019	White	23 Woodcliff Dr	Boulder Hill	03-05-277-033	2nd story door/no decking	4/23/2019	N

Permit Summary by Category Kendall County

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	1	\$298,659	\$6,869	\$4,969
Garage	2	\$27,000	\$304	\$0
Accessory Buildings	6	\$126,179	\$1,102	\$0
Additions	1	\$240,000	\$0	\$0
Remodeling	1	\$60,000	\$510	\$0
Barns/Farm Buildings	1	\$50,000	\$0	\$0
Signs	1	\$2,500	\$276	\$0
Swimming Pools	2	\$63,400	\$400	\$0
Decks	2	\$5,800	\$400	\$0
Change in Occupancy	1	\$0	\$200	\$0
Driveway	2	\$12,000	\$400	\$0
Solar	2	\$50,844	\$550	\$0
	22	\$936,383	\$11,011	\$4,969

April 2018 - 1 House
- 23 Total Permits

YTD 2018 - 5 Houses
70 Total 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	2	1	0	0	1	0	0	0	0	0	0	0	0
Garage	3	0	0	1	2	0	0	0	0	0	0	0	0
Accessory Buildings	10	1	1	2	6	0	0	0	0	0	0	0	0
Additions	2	1	0	0	1	0	0	0	0	0	0	0	0
Remodeling	7	0	2	4	1	0	0	0	0	0	0	0	0
Barns/Farm Buildings	5	0	0	4	1	0	0	0	0	0	0	0	0
Signs	3	0	1	1	1	0	0	0	0	0	0	0	0
Swimming Pools	3	0	0	1	2	0	0	0	0	0	0	0	0
Decks	2	0	0	0	2	0	0	0	0	0	0	0	0
Demolitions	4	2	1	1	0	0	0	0	0	0	0	0	0
Change in Occupancy	3	0	1	1	1	0	0	0	0	0	0	0	0
Driveway	2	0	0	0	2	0	0	0	0	0	0	0	0
Fire Restoration	3	0	1	2	0	0	0	0	0	0	0	0	0
Generator	2	0	2	0	0	0	0	0	0	0	0	0	0
Solar	6	4	0	0	2	0	0	0	0	0	0	0	0
	57	9	9	17	22	0	0	0	0	0	0	0	0

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Property Address	Subdivision	Contractor Name
4/11/2019	012019045	01 House	07-09-100-010 BENDER FAMILY LTD PARTNERSHIP % SOY CAPITAL AND SERVICES	12961 SLEEZER NEWARK, IL. 60541		CORE HOMES LLC
4/16/2019	022019059	02 Garage	01-10-101-003 PIERCE ERIC D & AMANDA N	1148 VILMIN RD PLANO, IL 60545-		SELF
4/18/2019	032019060	03 Accessory Buildings	03-18-451-005 MAYER PAUL H & CYNTHIA M	39 E PLEASANTVIEW DR OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	LEON BUILDERS
4/11/2019	032019055	03 Accessory Buildings	05-07-253-003 BECKET CHARLES	11300 ROUTE 71 YORKVILLE, ARCADIA ACRES IL 60560-		GAITHER QUALITY CONSTRUCTION
4/11/2019	032019044	03 Accessory Buildings	03-13-400-005 RODRIGUEZ, HECTOR	227 RANCE RD OSWEGO, IL 60543-		Millennium Construction
4/23/2019	032019062	03 Accessory Buildings	03-08-230-015 ZEDROW DONALD & LINDA	19 SOMERSET RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	SAME
4/3/2019	032019048	03 Accessory Buildings	04-16-251-005 KAIL ROBERT & DEANNA S	25 SHERMAN ST MILLBROOK, IL 60536-		
4/25/2019	032019065	03 Accessory Buildings	03-04-327-009 DALE GARY A & RITA J	33 SURREY RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	TUFF SHED
4/29/2019	032019066	03 Accessory Buildings	03-08-280-027 ROGERSON ROBERT D & DEBRA S	3 FIELDCREST DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	SAME
4/18/2019	052019061	05 Remodeling	03-09-155-012 WALT R PROPERTIES/CRAIG ROSCU	7 CIRCLE CT MONTGOMERY, BOULDER HILL UNIT 21 IL 60538-		SAME
4/1/2019	052019043	05 Remodeling	03-13-400-005 RODRIGUEZ, HECTOR	227 RANCE RD OSWEGO, IL 60543-		Millennium Construction

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
4/11/2019	082019054	08 Barns/Farm Buildings	02-19-200-001	LOFTUS ROBERT M & ILDEFONSA LIV TRUST	11159 FAXON RD YORKVILLE, IL 60560-		
4/9/2019	092019046	09 Signs	03-18-451-001	AUTOSMART, INC.	5498 ROUTE 34 OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	RGC DESIGNS
4/24/2019	122019063	12 Swimming Pools	04-02-226-002	PATTERMAN BLAKE	6233 POLO CLUB DR YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS	
4/11/2019	122019053	12 Swimming Pools	02-35-432-005	MCCABE MICHAEL & KRISTIE	5672 SCHMIDT LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY SWIM SHACK UNIT 4	
4/16/2019	132019057	13 Decks	03-04-453-003	WOLTER WADE A & KORI	59 AMESBURY RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 24	
4/16/2019	132019056	13 Decks	02-21-251-002	SCUMACI ROBERT & LISA M	20 LEXINGTON CIR YORKVILLE, IL 60560-	BLACKBERRY CREEK	SAME
4/9/2019	172019047	17 Change in Occupancy	03-18-451-001	AUTOSMART, INC.	5498 ROUTE 34 OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	
4/9/2019	182019052	18 Driveway	03-09-104-009	ORTIZ YOLANDA & ORTIZ ISIDRO	63 OLD POST RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	CONCRETOS - VASQUES
4/3/2019	182019049	18 Driveway	03-18-403-006	STANISZEWSKI DWAYNE P	107 OSAGE CT OSWEGO, IL 60543-	HIGHLAND SUB	
4/9/2019	242019051	24 Solar	09-35-100-008	FURTO JAMES A & MARGARET	17123 HARE RD MINOOKA, IL 60447-		BLUE RAVEN SOLAR LLC
4/9/2019	242019050	24 Solar	01-25-461-012	GREEN ROBERT A & KRISTINA	12322 MITCHELL DR PLANO, IL 60545-	SCHAEFER WOODS NORTH UNIT 2	SUNRUN INSTALLATION

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Property Address	Subdivision	Contractor Name
2/5/2019	012019017	01 House	03-32-326-003 FAZIO JOSEPH & BOWERS TRACY	67 CRESTVIEW DR OSWEGO, IL. 60543	CRESTVIEW WOODS	DJK CUSTOM HOMES INC.
4/11/2019	012019045	01 House	07-09-100-010 BENDER FAMILY LTD PARTNERSHIP % SOY CAPITAL AND SERVICE 01-14-326-005 SECOR LAWRENCE C & DENISE M	12961 SLEEZER NEWARK, IL. 60541		CORE HOMES LLC
3/13/2019	022019031	02 Garage	01-10-101-003 PIERCE ERIC D & AMANDA N	2588 D ROCK CREEK RD PLANO, IL 60545-	SOLITUDE LAKES SETTLEMENT	COACH HOUSE OF YORKVILLE
4/16/2019	022019059	02 Garage	03-04-327-009 DALE GARY A & RITA J	1148 VILMIN RD PLANO, IL 60545-		SELF
4/25/2019	032019065	03 Accessory Buildings	03-08-230-015 ZEDROW DONALD & LINDA	33 SURREY RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	TUFF SHED
4/23/2019	032019062	03 Accessory Buildings	03-08-280-027 ROGERSON ROBERT D & DEBRA S	19 SOMERSET RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	SAME
4/29/2019	032019066	03 Accessory Buildings	08-12-127-001 SHARP EDDIE W & GUYLA L	3 FIELDCREST DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	SAME
2/5/2019	032019020	03 Accessory Buildings	05-07-253-003 BECKETT CHARLES	6720 CHICAGO RD YORKVILLE, IL 60560-		BOB LEE
4/11/2019	032019055	03 Accessory Buildings	06-33-300-004 WILSON MICHAEL JEAN & PAMELA	11300 ROUTE 71 YORKVILLE, ARCADIA ACRES IL 60560-		GAITHER QUALITY CONSTRUCTION
1/4/2019	032019009	03 Accessory Buildings	04-16-251-005 KAIL ROBERT & DEANNA S	11995 MCKANNA RD MINOOKA, IL 60447-		
4/3/2019	032019048	03 Accessory Buildings		25 SHERMAN ST MILLBROOK, IL 60536-		

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
3/21/2019	032019035	03 Accessory Buildings	01-05-201-002	HENDERSON ALEX	16469 GALENA RD PLANO, IL 60545-	LITTLE ROCK (ORIGINAL TOWN)	SAME
4/18/2019	032019060	03 Accessory Buildings	03-18-451-005	MAYER PAUL H & CYNTHIA M	39 E PLEASANTVIEW DR OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	LEON BUILDERS
4/1/2019	032019044	03 Accessory Buildings	03-13-400-005	RODRIGUEZ, HECTOR	227 RANCE RD OSWEGO, IL 60543-		Millennium Construction
1/22/2019	042019014	04 Additions	02-23-228-008	SHEEREN PATRICIA J	30 BRISTOL CT OSWEGO, IL 60543-	CHRISTIAN SUB	VAN DUZOR CONSTRUCTION CO., INC.
4/18/2019	052019061	05 Remodeling	03-09-155-012	WALT R PROPERTIES/CRAIG POCULI	7 CIRCLE CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	SAME
4/1/2019	052019043	05 Remodeling	03-13-400-005	RODRIGUEZ, HECTOR	227 RANCE RD OSWEGO, IL 60543-		Millennium Construction
3/28/2019	052019040	05 Remodeling	02-21-151-015	KOZLOWICZ ROBERTA	10 AMANDA LN YORKVILLE, IL 60560-	ASHLEY WOODS	ARTISAN ENTERPRISES
3/25/2019	052019039	05 Remodeling	03-08-103-009	US BANK TRUST NA LSF9 MASTER PART TRUST	103 HARBOR DR OSWEGO, IL 60543-	MARINA TERRACE APARTMENTS	ResiPro
3/20/2019	052019034	05 Remodeling	01-36-100-024	NAUMAN REVOCABLE GRANTOR TRUST	13010 C RIVER RD PLANO, IL 60545-	KAFORSKIS SUB	SAME
2/26/2019	052019025	05 Remodeling	02-26-476-005	KOSKI JAMES E & CAROL ANN	44 OAK CREEK DR YORKVILLE, IL 60560-	OAK CREEK SUB UNIT 2	CLEAN EDGE CONSTRUCTION INC.
2/19/2019	052019024	05 Remodeling	09-15-100-007	RUSSELL CHARLES A JR & SAMIOS-RUSSELL MARY	2735 ROUTE 52 MINOOKA, IL 60447-		D'AMICO CONCRETE CO

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
1/15/2019	062018189	06 Commercial - M Zone	03-07-227-002	UTILITY DYNAMICS CORPORATION	5327 LIGHT ROAD OSWEGO, IL. 60543		CLEARY BUILDING CORP.
4/11/2019	082019054	08 Barns/Farm Buildings	02-19-200-001	LOFTUS ROBERT M & ILDEFONSA LIV TRUST	11159 FAXON RD YORKVILLE, IL 60560-		
3/29/2019	082019042	08 Barns/Farm Buildings	09-09-300-005	CABRAL, FIDENCIO	13724 MCKANNA RD MINOOKA, IL 60447-	BLEUERS SUB	
3/29/2019	082019041	08 Barns/Farm Buildings	05-32-200-006	KARALEES VIRGIL N DEC LIV TR & KARALEES PITULI DEC LIV TR	11350 IMMANUEL ROAD YORKVILLE, IL. 60560		
3/25/2019	082019038	08 Barns/Farm Buildings	04-20-300-006	BUDD FARMS LLC	9388 FOX RIVER DR NEWARK, IL 60541-		
3/22/2019	082019036	08 Barns/Farm Buildings	09-07-200-023	FEECE TROY R & SUSAN	13403 GROVE RD MINOOKA, IL 60447-		
4/9/2019	092019046	09 Signs	03-18-451-001	AUTOSMART, INC.	5498 ROUTE 34 OSWEGO, IL 60543-		RGC DESIGNS
3/6/2019	092019028	09 Signs	03-05-301-005	KUHN RICHARD	585 ROUTE 31 OSWEGO, IL 60543-		RJ KUHN PLUMBING HEATING & COOLING
2/7/2019	092019022	09 Signs	03-05-401-003	JAMES MARTIN	89 BOULDER HILL PASS MONTGOMERY, IL 60538-		
4/24/2019	122019063	12 Swimming Pools	04-02-226-002	PATTERMAN BLAKE	6233 POLO CLUB DR YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS	
4/11/2019	122019053	12 Swimming Pools	02-35-432-005	MCCABE MICHAEL & KRISTIE	5672 SCHMIDT LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY SWIM SHACK UNIT 4	

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
3/6/2019	122019029	12 Swimming Pools	05-17-202-001	JENDRZEJCZYK MICHAEL SR & RACHEL	106 RONHILL RD YORKVILLE, IL 60560-	RONHILL ESTATES UNIT 2	Advanced Pool Installers
4/16/2019	132019057	13 Decks	03-04-453-003	WOLTER WADE A & KORI	59 AMESBURY RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 24	
4/16/2019	132019056	13 Decks	02-21-251-002	SCUMACI ROBERT & LISA M	20 LEXINGTON CIR YORKVILLE, IL 60560-	BLACKBERRY CREEK	SAME
3/1/2019	142019027	14 Demolitions	09-07-200-023	FEECE TROY R & SUSAN	13403 GROVE RD MINOOKA, IL 60447-		TROUTMAN EXCAVATING
2/1/2019	142019018	14 Demolitions	02-16-476-001	STEVE KANNEY	2776 CANNONBALL TRL BRISTOL, IL 60512-		SAME
1/22/2019	142019015	14 Demolitions	01-01-400-002	BARBARA S. SEARS	951 ELDAMAIN RD PLANO, IL 60545-		
1/14/2019	142019013	14 Demolitions	03-12-100-009	NAVARRO SALVADOR	-		SAME
4/9/2019	172019047	17 Change in Occupancy	03-18-451-001	AUTOSMART, INC.	5498 ROUTE 34 OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	
2/7/2019	172019021	17 Change in Occupancy	03-05-401-003	JAMES MARTIN	89 BOULDER HILL PASS MONTGOMERY, IL 60538-		SAME
4/9/2019	182019052	18 Driveway	03-09-104-009	ORTIZ YOLANDA & ORTIZ ISIDRO	63 OLD POST RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	CONCRETOS - VASQUES
4/3/2019	182019049	18 Driveway	03-18-403-006	STANISZEWSKI DWAYNE P	107 OSAGE CT OSWEGO, IL 60543-	HIGHLAND SUB	

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
2/28/2019	192019026	19 Fire Restoration	03-07-279-001	LIGHT ROAD LLC	1100-1800 LIGHT RD OSWEGO, IL 60543-		SYNERGY CONSTRUCTION CORPORATION
2/14/2019	232019023	23 Generator	04-20-227-006	KUTAY EDWARD J & JANET R	16082 STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 4	LEE LEGLER CONSTRUCTION & REPAIRS LLC
2/4/2019	232019019	23 Generator	02-11-129-003	PAPASIDERIS FAMILY TRUST	29 BROOKSIDE LN BRISTOL, IL 60512-	WILLOWBROOK UNIT 1	LEE LEGLER CONSTRUCTION & REPAIRS LLC
4/9/2019	242019051	24 Solar	09-35-100-008	FURTO JAMES A & MARGARET	17123 HARE RD MINOOKA, IL 60447-		BLUE RAVEN SOLAR LLC
4/9/2019	242019050	24 Solar	01-25-461-012	GREEN ROBERT A & KRISTINA	12322 MITCHELL DR PLANO, IL 60545-	SCHAEFER WOODS NORTH UNIT 2	SUNRUN INSTALLATION CORPORATION
1/25/2019	242019016	24 Solar	04-17-395-002	SCHULTZ CHRSTOPHER A & CHRISTINA	9020 WILCOX CT NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 1	RETHINK ELECTRIC, LLC
1/15/2019	242019012	24 Solar	03-05-255-007	DAVIS JOSEPH	4 E ALDON CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 2	SUNRUN INSTALLATION CORPORATION
1/15/2019	242019011	24 Solar	03-08-281-001	VALDEZ JAN J & DANIELLE M	105 CIRCLE DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	SUNRUN INSTALLATION CORPORATION
1/15/2019	242019010	24 Solar	03-04-407-002	LOPEZ DAVID	103 BRAEBURN DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 27	SUNRUN INSTALLATION CORPORATION

PLANNING BUILDING & ZONING RECEIPTS 2019

DATE	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	MONTHLY FY19	TOTAL FY19	MONTHLY FY 18	TOTAL FY18
December	\$4,836.48	\$2,625.00	\$9,834.36	\$2,000.00	\$19,295.84	\$19,295.84	\$2,288.40	\$2,288.40
January	\$3,617.44	\$525.00	\$0.00	\$0.00	\$4,142.44	\$23,438.28	\$12,520.13	\$14,808.53
February	\$2,785.20	\$0.00	\$876.19	\$0.00	\$3,661.39	\$27,099.67	\$8,037.67	\$22,846.20
March	\$7,488.08	\$2,092.50	\$4,856.78	\$0.00	\$14,437.36	\$41,537.03	\$21,314.78	\$44,160.98
April	\$7,323.96	\$435.00	\$0.00	\$0.00	\$7,758.96	\$49,295.99	\$11,771.49	\$55,932.47
May							\$7,987.60	\$63,920.07
June							\$19,226.05	\$83,146.12
July							\$14,137.16	\$97,283.28
August							\$7,091.31	\$104,374.59
September							\$19,862.73	\$124,237.32
October							\$21,049.54	\$145,286.86
November							\$10,219.42	\$155,506.28
TOTAL	\$26,051.16	\$5,677.50	\$15,567.33	\$2,000.00	\$49,295.99		\$155,506.28	

Matt Asselmeier

From: andersontreefarm@sbcglobal.net
Sent: Tuesday, April 30, 2019 8:13 AM
To: Matt Asselmeier
Subject: [External]Re: Special Use Permit Application

Hi Matt I have taken off parties and other stuff off web site. Spring has been really bad for sales. I don't have money for special use yet. Thanks karen

Sent from my LG V40 ThinQ, an AT&T 5G Evolution capable smartphone

----- Original message-----

From: Matt Asselmeier
Date: Tue, Apr 9, 2019 2:02 PM
To: andersontreefarm@sbcglobal.net;
Cc:
Subject: Special Use Permit Application

Karen:

Here is the link to the application for a special use permit, https://www.co.kendall.il.us/wp-content/uploads/PBZ_Special_Use_App.pdf.

If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

--

This email was Malware checked by UTM 9. <http://www.sophos.com>



Illinois Department of Transportation

Office of Highways Project Implementation / Region 2 / District 3
700 East Norris Drive / Ottawa, Illinois 61350-1628

May 3, 2019

Mr. Matt Asselmeier, Senior Planner
Kendall County
111 W. Fox St.
Yorkville, IL 60560

FAP 326 (IL 47/US 30)
Section (107, 108, 108S)R-1
IL 47 & US 30, Kennedy Road to Cross Street
Kane & Kendall Counties
Job No. P-93-013-07
Contract No. 66989

Dear Mr. Asselmeier:

The Illinois Department of Transportation, District 3 office in Ottawa is completing engineering studies for reconstructing IL 47 / US 30 from Kennedy Road in Yorkville to Cross Street in Sugar Grove. Proposed improvements include pavement reconstruction to provide two lanes in each direction with a variable-width median, curb and gutter, pedestrian and bicycle accommodations, and intersection and safety improvements as needed.

As part of the Phase I study for this project, projected future traffic noise levels were evaluated for lands either currently under your jurisdiction or land that may come under your jurisdiction near the proposed roadway improvement. Exhibits are attached depicting locations where noise abatement measures were evaluated. Only Barrier 4 was found to be preliminarily feasible and reasonable. Viewpoints will be solicited from those benefitted by Barrier 4 to determine if the abatement measures will be constructed.

For your information, this study area includes undeveloped or agricultural land that is zoned for uses other than agriculture, or land that is planned for future development in a comprehensive land use plan.

For outdoor activity associated with land uses such as residential, recreational, day-care centers, trails, and cemeteries, the approximate distances from the centerline of IL 47 / US 30 to a point at which there could be a noise impact are as follows for various segments of IL 47 / US 30:

Kennedy Road to Cannonball Trail – 150'
Cannonball Trail to Boombah Boulevard – 200'
Boombah Boulevard to Corneils Road – 200'
Corneils Road to Waterpark Way – 195'
Waterpark Way to Galena Road – 200'
Galena Road to Baseline Road/US 30 – 220'

For outdoor activity associated with land uses that are more commercial in nature, such as motels, offices, and restaurants, the approximate distances from the centerline of IL 47 / US 30 to a point at which there could be a noise impact are as follows for various segments of IL 47 / US 30:

Kennedy Road to Cannonball Trail – 90'
Cannonball Trail to Boombah Boulevard – 115'
Boombah Boulevard to Corneils Road – 110'
Corneils Road to Waterpark Way – 90'
Waterpark Way to Galena Road – 105'
Galena Road to Baseline Road/US 30 – 105'

Please understand that these distances are based on a generalized approach and are not site-specific to any areas along IL 47 / US 30. Variations in terrain, roadway profile, intersections, and existing development all impact noise levels and the values listed above are meant to provide a general idea of the distances at which roadway traffic noise may be above the threshold to be considered an impact.

We hope this information will be useful to you in planning and permitting future development in your area. We recommend that you carefully consider the future predicted noise levels to avoid potential issues of public concern over incompatible noise levels.

To help with your future planning and discernment regarding permitting decisions, we encourage you to obtain the Federal Highway Administration (FHWA) publication titled Entering the Quiet Zone: Noise Compatible Land Use Planning. This publication can be obtained from the FHWA website:
http://www.fhwa.dot.gov/environment/noise/noise_compatible_planning/federal_approach/land_use/quietzone.pdf.

For additional information regarding traffic noise, regulations and policy, noise analyses, or noise abatement, we encourage you to visit the department's website: <http://www.idot.illinois.gov/transportation-system/environment/index>. Click on the "Community" link and then the "Traffic Noise" link to access this information.

If you have any questions, please contact Dave Alexander, Location & Environmental Studies Engineer, at (815) 434-8468.

Sincerely,

Kevin Marchek, P.E.
Region Two Engineer

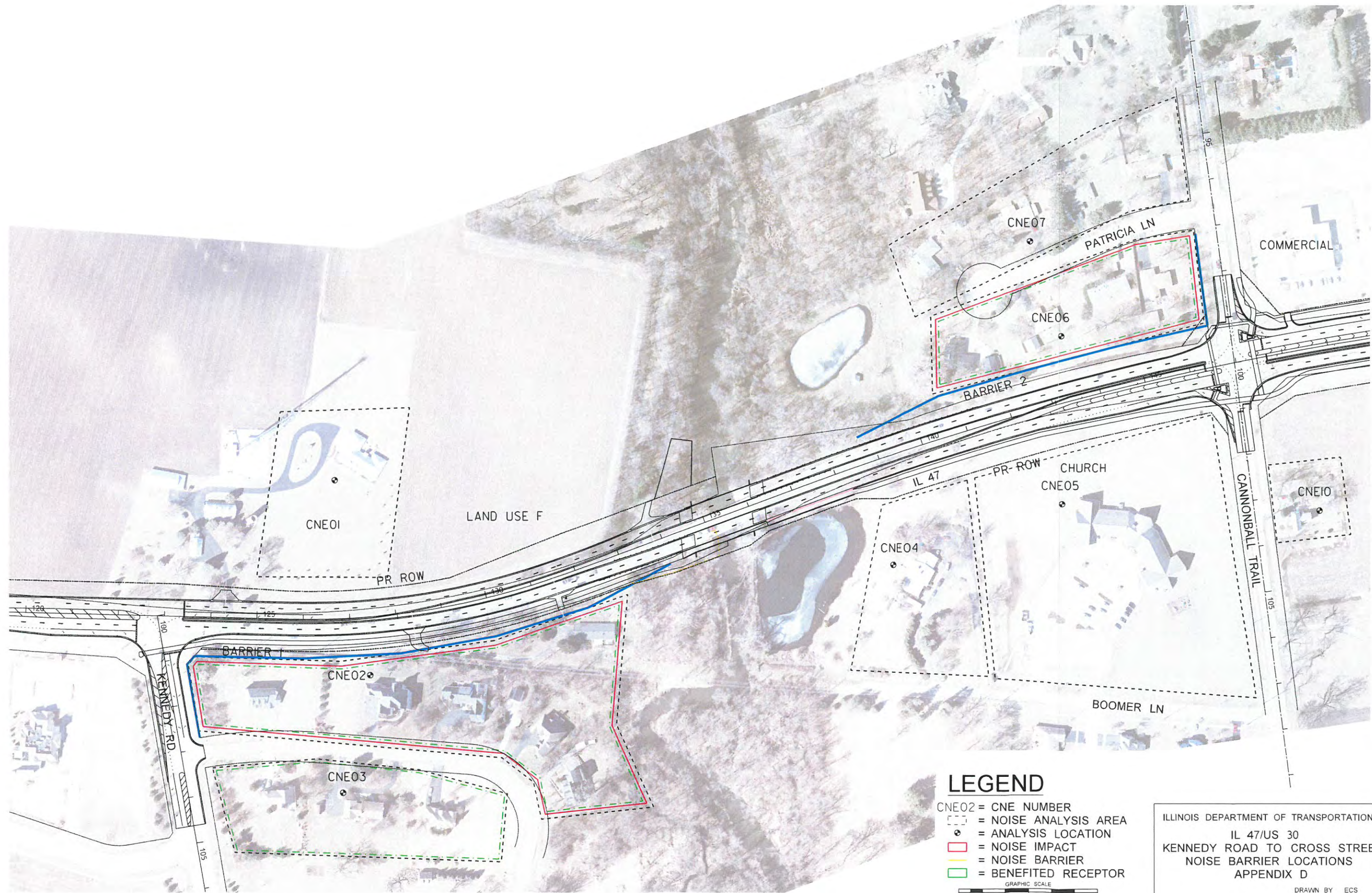
A handwritten signature in blue ink that reads "Dave Broviak" followed by "P.E." in smaller letters.

By: Dave Broviak, P.E.
Studies & Plans Engineer

DA:dld

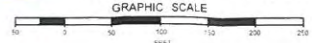
cc: Mr. Fran Klaas, County Engineer
Mr. Scott Koeppel, County Administrator

CONTRACT NO. 66989				
F.A.P. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
326	(107.108.108S)R-1	KANE/KENDALL	4	1
		ILLINOIS	FED. AID PROJECT	



LEGEND

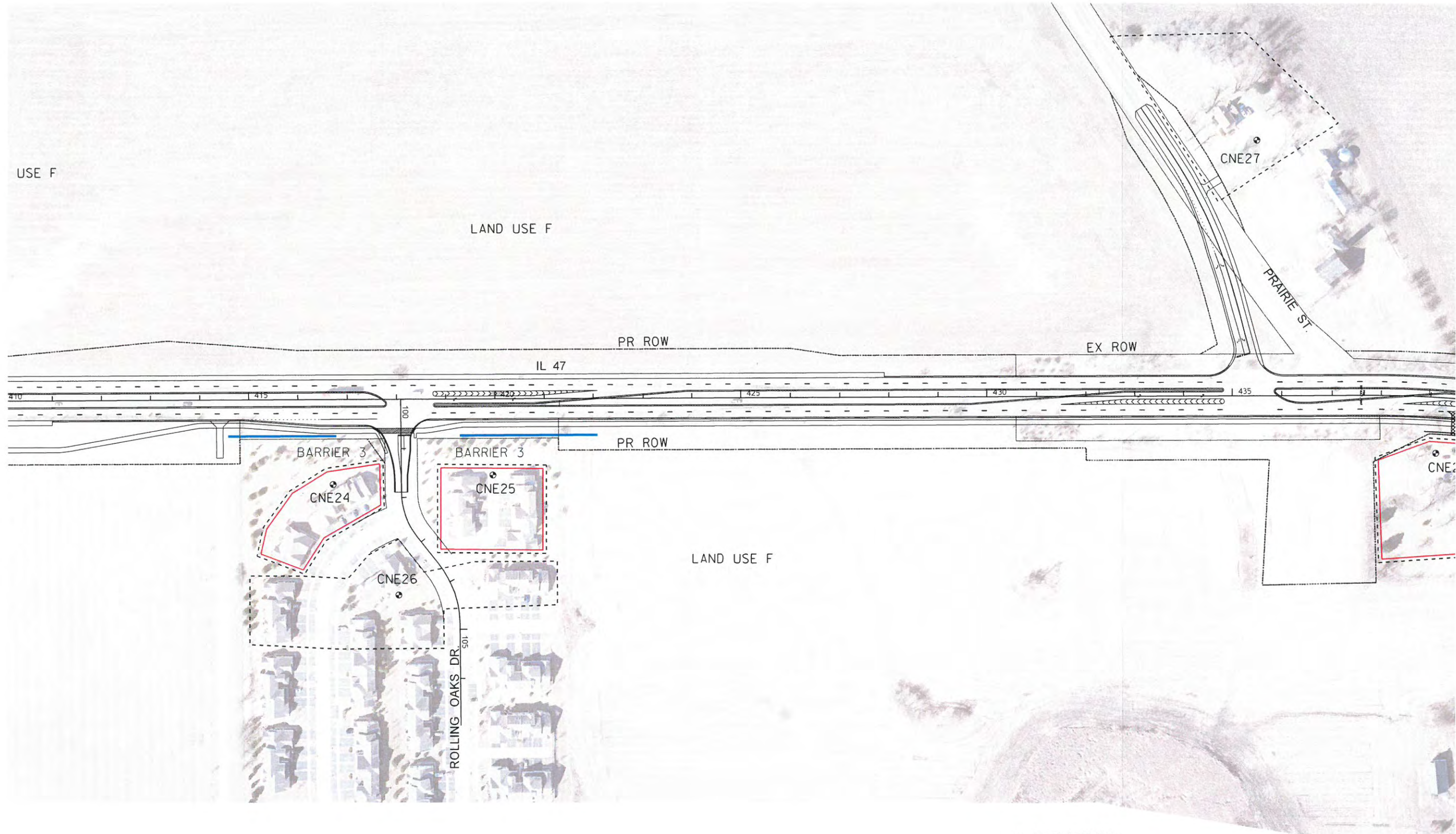
- CNE02 = CNE NUMBER
- [Dashed line] = NOISE ANALYSIS AREA
- [Dot] = ANALYSIS LOCATION
- [Red line] = NOISE IMPACT
- [Yellow line] = NOISE BARRIER
- [Green line] = BENEFITED RECEPTOR



ILLINOIS DEPARTMENT OF TRANSPORTATION
IL 47/US 30
KENNEDY ROAD TO CROSS STREET
NOISE BARRIER LOCATIONS
APPENDIX D

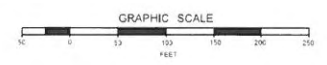
DATE \$DATES
DRAWN BY ECS
CHECKED BY DS

CONTRACT NO. 66989				
F.A.P. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
326	(107.108.108S)R-1	KANE/KENDALL	4	2
		ILLINOIS	FED. AID PROJECT	



LEGEND

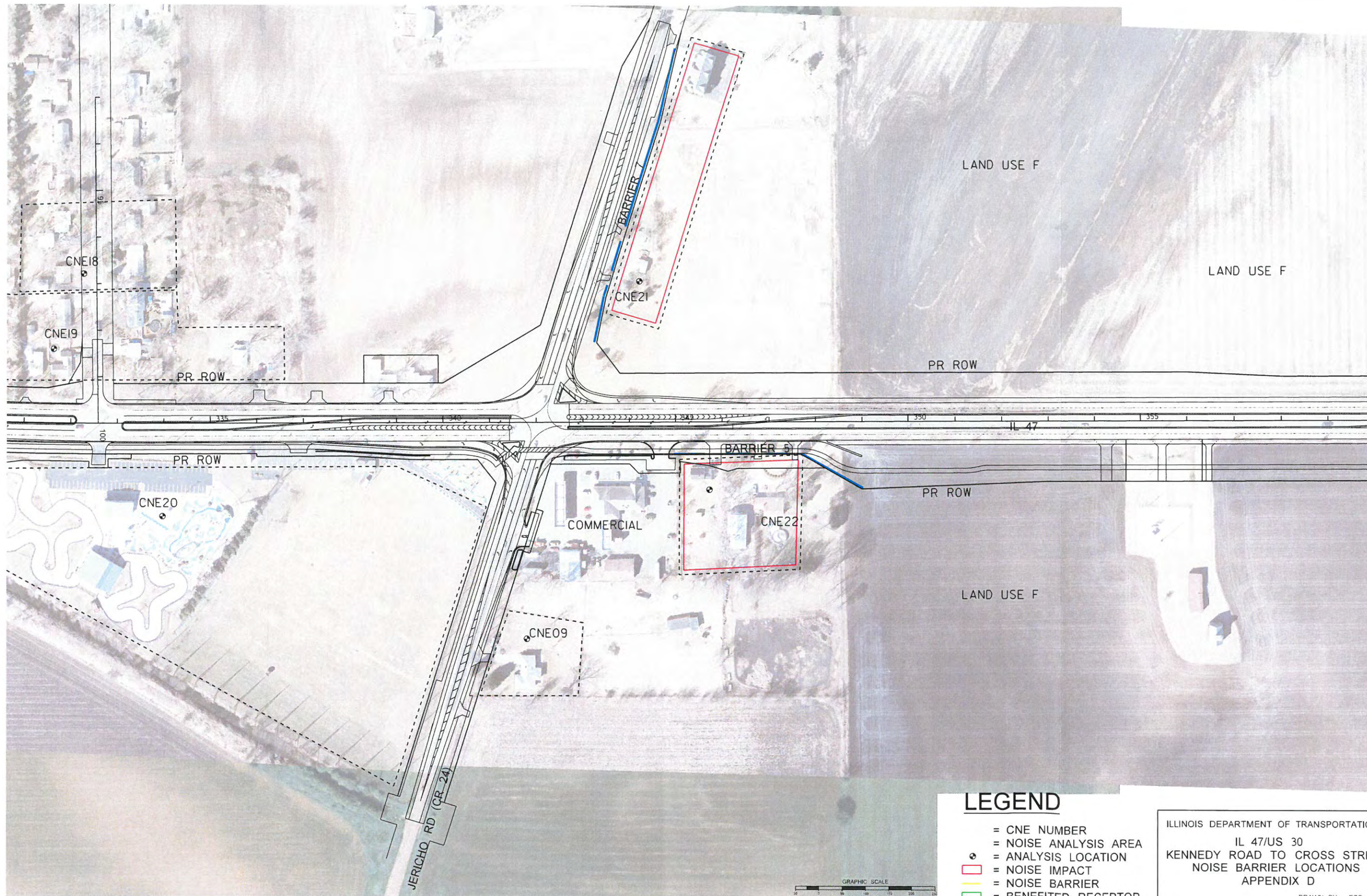
- CNE02 = CNE NUMBER
- [---] = NOISE ANALYSIS AREA
- = ANALYSIS LOCATION
- [Red Outline] = NOISE IMPACT
- [Blue Line] = NOISE BARRIER
- [Green Line] = BENEFITED RECEPTOR



ILLINOIS DEPARTMENT OF TRANSPORTATION
IL 47/US 30
KENNEDY ROAD TO CROSS STREET
NOISE BARRIER LOCATIONS
APPENDIX D
DATE \$DATES
DRAWN BY ECS
CHECKED BY DS

PLOT DATE = \$DATE\$
FILE NAME = \$FILEL\$
PLOT SCALE = \$SCALE\$
USER NAME = \$USER\$

F.A.P. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
326	(107, 108, 108S)R-1	KANE/KENDALL	4	3
		ILLINOIS	FED. AID PROJECT	



LEGEND

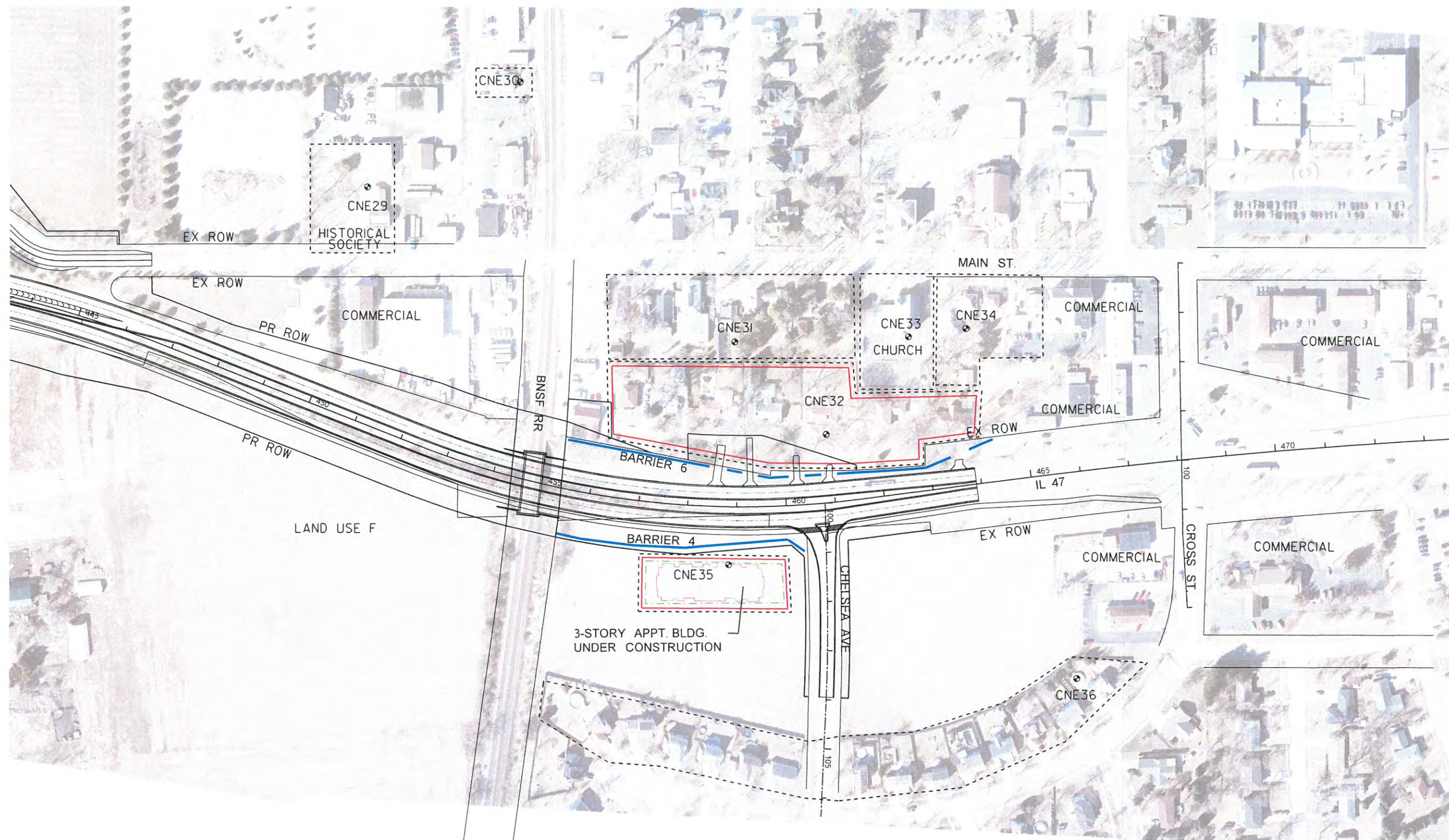
- = CNE NUMBER
- = NOISE ANALYSIS AREA
- = ANALYSIS LOCATION
- = NOISE IMPACT
- = NOISE BARRIER
- = BENEFITED RECEPTOR

ILLINOIS DEPARTMENT OF TRANSPORTATION
IL 47/US 30
KENNEDY ROAD TO CROSS STREET
NOISE BARRIER LOCATIONS
APPENDIX D

DATE \$DATES\$

DRAWN BY ECS
CHECKED BY DS

F.A.P. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
326	(107, 108, 108S)R-1	KANE/KENDALL	4	4
		ILLINOIS	FED. AID PROJECT	



LEGEND

- = CNE NUMBER
- = NOISE ANALYSIS AREA
- = ANALYSIS LOCATION
- = NOISE IMPACT
- = NOISE BARRIER
- = BENEFITED RECEPTOR



ILLINOIS DEPARTMENT OF TRANSPORTATION
IL 47/US 30
KENNEDY ROAD TO CROSS STREET
NOISE BARRIER LOCATIONS
APPENDIX D

DRAWN BY ECS
CHECKED BY DS
DATE \$DATES