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

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**AGENDA**

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Monday, June 10, 2024 – 6:30 p.m.

CALL TO ORDER:

ROLL CALL: Elizabeth Flowers, Dan Koukol, Ruben Rodriguez (Vice-Chairman), Brooke Shanley, and Seth Wormley (Chairman)

APPROVAL OF AGENDA (VV):

APPROVAL OF MINUTES (VV): Approval of Minutes from May 6, 2024, Meeting (Pages 3-10)

NEW BUSINESS:

1. Introduction of Planning, Building and Zoning Department Intern Eleanor Engel

PUBLIC COMMENT:

EXPENDITURE REPORT: Review of Expenditures from May 2024 (Pages 12-15)  
Six Month PBZ Financial Report Review (Pages 16-19)

PETITIONS (Roll Call Votes):

1. **Petition 24 – 06 – Jerry Styrzula on Behalf of A&D Properties, LLC (Pages 20-117)**  
Request: Map Amendment Rezoning the Subject Property from B-3 Highway Business District to M-1 Limited Manufacturing District  
PINs: 05-09-300-015  
Location: 7789 Route 47, Yorkville in Kendall Township  
Purpose: Petitioner Wants to Rezone the Property in Order to Operate a Trucking Business
2. **Petition 24 – 09 – Tim O'Brien on Behalf of Seward Township (Pages 118-183)**  
Request: Major Amendment to the Special Use Permit for a Governmental Building and Facility Granted by Ordinance 2009-31 by Changing the Site Plan  
PIN: 09-17-400-005  
Location: 14719 O'Brien Road, Minooka in Seward Township  
Purpose: Petitioner Wants to Construct a Building Addition and Related Infrastructure; Property is Zoned A-1 with a Special Use Permit
3. **Petition 24 – 14 – Tim O'Brien on Behalf of Seward Township (Pages 184-217)**  
Request: Amendment to the Future Land Use Map Contained in the Land Resource Management Plan by Adopting a New Future Land Use Map for Seward Township and Related Text Changes  
Location: Seward Township  
Purpose: Petitioner Wants to Adopt a New Future Land Use Map for Seward Township

NEW BUSINESS:

1. Approval to Initiate Text Amendments to the Kendall County Zoning Ordinance Pertaining to Pipe Line Depth (Roll Call Vote) (Pages 218-219)



2. Review of Annual NPDES Survey (Pages 220-225)
3. 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 (Roll Call Vote) (Pages 226-238)
4. Approval of a Contract for Plumbing Inspections Between Kendall County and Mayer Construction, LLC, D.B.A. Mayer Plumbing, LLC (Roll Call Vote) (Pages 239-247)

OLD BUSINESS:

1. Update on Stormwater Permit at 13039 McKanna Road (PIN: 09-09-100-002) in Seward Township

REVIEW VIOLATION REPORT (Pages 248-250):

REVIEW PRE-VIOLATION REPORT (Pages 251-255):

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

1. July 15, 2024, Historic Preservation Group Summer Meeting (Page 256)

REVIEW PERMIT REPORT (Pages 257-272):

REVIEW REVENUE REPORT (Page 273):

CORRESPONDENCE:

1. May 14, 2024, Letter from TC Energy Regarding ANR Pipeline's Heartland Project (Pages 274-279)

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

ADJOURNMENT (VV):

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



**KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE**

***Kendall County Office Building***

***Rooms 209 and 210***

***111 W. Fox Street, Yorkville, Illinois***

**6:30 p.m.**

**Meeting Minutes of May 6, 2024 – Unofficial until Approved**

**CALL TO ORDER**

The meeting was called to order by Chairman Wormley at 6:33 p.m.

**ROLL CALL**

Committee Members Present: Elizabeth Flowers, Dan Koukol, Ruben Rodriguez, and Seth Wormley

Committee Members Absent: Brooke Shanley

Also Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant, Dan Kramer, and Dave Stotz

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Member Flowers made a motion, seconded by Member Rodriguez, to approve the minutes of the April 8, 2024, meeting. With a voice vote of four (4) ayes, the motion carried.

**PUBLIC COMMENT**

Dave Stotz, resident of Yorkville spoke about one (1) of his neighbors having numerous parties with lots of people. The noise level became unmanageable. Mr. Stotz stated that he complained to the owner about the noise and they told him they would turn it down. Mr. Stotz stated they have parties every week. He also stated they were in the process of building a soccer field. The soccer field is supposed to have large, bright lights.

**EXPENDITURE REPORT**

The Committee reviewed the Expenditure Report from April 2024.

**PETITIONS:**

*Petition 24-04 Larry Nelson on Behalf of the Fox Valley Family YMCA, Inc.*

Mr. Asselmeier summarized the request.

The Petitioner would like to construct one (1) fifty-nine thousand, two hundred thirty-three (59,233) square foot YMCA building on the subject property as part of Phase I of the project with related parking. Phase II consists of an eighty-nine thousand nine hundred thirty-six (89,936) square foot swimming pool and daycare addition with related parking.

The proposed use is a permitted use in the B-4 zoning district. However, the Petitioner would like a reduction in the screening requirements and a determination in the number of parking spaces is required.



Section 13:10 of the Zoning Ordinance requires site plan review for structures on properties zoned B-4.

The property was de-annexed from Yorkville and zoned B-4 by court order in 2020.

The application materials, revised site plan, and a picture of the proposed structure were provided.

Section 11:04 of the Zoning Ordinance states that the number of parking spaces for community centers shall be determined by the Regional Planning Commission and approved by the County Board.

The site plan shows one hundred fifty-five (155) parking spaces, including eight (8) handicapped accessible spaces in the first phase. An additional one hundred twenty-eight (128) parking spaces are proposed in the second phase.

At their meeting on April 2, 2024, ZPAC approved the proposed site plan and set the number of parking spaces initially at fifty (50). The parking spaces would be gravel except for the required handicapped accessible parking spaces. The minutes of the meeting were provided.

At their meeting on April 24, 2024, the Kendall County Regional Planning Commission recommended fifty (50) parking spaces originally and two hundred eighty-three parking spaces at the end of the project. The minutes of this meeting were provided.

For reference, there are two hundred sixteen (216) parking spaces at the existing YMCA facility on Eldamain Road.

Petition information was sent to Bristol Township on March 20, 2024.

Petition information was sent to the United City of Yorkville on March 20, 2024. They will be reviewing the proposal at their May meetings.

Petition information was sent to the Bristol-Kendall Protection District on March 20, 2024.

The site plan evaluation criteria were provided.

The draft approval letter was provided.

Chairman Wormley stated the new YMCA at 1520 Cannonball Trail will have fifty (50) parking spaces to start with that were approved and more parking will be added in phases. Chairman Wormley stated this is a donation-based project which will be done in phases.

Member Flowers asked if there is another egress. Mr. Asselmeier responded that there is one (1) in and one (1) out. The infrastructure is being designed for a final buildout of the project for the new YMCA. Chairman Wormley also stated the stormwater is designed for approximately two hundred (200) spaces. He stated the total amount of parking spaces at the end will be two hundred eighty-three (283). Mr. Asselmeier stated that for reference the YMCA on Eldamain has two hundred sixteen (216) total parking spaces. Member Flowers question having only one (1) ingress/egress Chairman Wormley stated that the entrance on the site plan is twenty-four feet (24') wide and should be adequate.

Member Rodriguez made a motion, seconded by Member Koukol, to recommend approval of setting the number of parking spaces initially at fifty (50).



The votes were as follows:

Yeas (4):        Rodriguez, Flowers, Wormley and Koukol  
Nays (0):        None  
Abstain (0):    None  
Absent (1)      Shanley

The proposal will go to the May 21, 2024, Kendall County Board meeting on the regular agenda.

*Petition 24-05 George S. and Heidi R. Oliver*

Mr. Asselmeier summarized the request.

The Petitioner would like to vacate the easement between the two (2) properties in order to build a house over the common lot line.

WBK Engineering, the Homeowners' Association and all of the utilities have reviewed the proposal and expressed no opposition.

The draft vacation ordinance was provided.

Member Koukol made a motion, seconded by Member Rodriguez, to recommend approval of the vacation.

The votes were as follows:

Yeas (4):        Koukol, Rodriguez, Flowers, and Wormley  
Nays (0):        None  
Abstain (0):    None  
Absent (1)      Shanley

The proposal will go to the May 21, 2024, Kendall County Board meeting on the consent agenda.

**NEW BUSINESS:**

*Approval to Extend the Deadline to Construct and Occupy the Buildings and Install Vegetation at 10744 Route 47*

Mr. Asselmeier summarized the request.

In June 2023, the Planning, Building and Zoning Committee approved a minor amendment to the special use permit granted by Ordinance 2021-23 allowing a landscaping business at 10744 Route 47.

Among other changes to the original proposal, the minor amendment set a deadline of June 1, 2024, to construct and occupy the building shown on the site plan. The minor amendment also set a deadline of June 1, 2024, for the installation of landscaping. The minor amendment was provided

The request is to extend both of the previously listed deadlines to December 1, 2024.

Member Koukol made a motion, seconded by Member Flowers, to approve the extension to December 1, 2024.

The votes were as follows:



Yeas (4): Koukol, Rodriguez, Flowers, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1) Shanley

**Approval to Extend the Deadline to Install the Botanicals at 15759 Route 47**

Mr. Asselmeier summarized the request.

In July 2022, the County Board approved a special use permit for a governmental building or facility by Ordinance 2022-19 at 15759 Route 47. This ordinance was provided.

Condition 2.B required the installation of botanicals by June 1, 2024.

On May 1, 2024, the Lisbon Township Highway Commissioner submitted a request to extend the deadline for six (6) months to December 1, 2024.

Member Koukol made a motion, seconded by Member Flowers, to approve the extension to December 1, 2024.

The votes were as follows:

Yeas (3): Koukol, Flowers, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1) Shanley

Member Rodriguez left at this time (6:54 p.m.)

**OLD BUSINESS:**

**Recommendation of Annual Facility Inspection Report for NPDES Permit for Stormwater Discharges from Separate Storm Sewer Systems (MS4)**

Mr. Asselmeier summarized the Report.

Kendall County is required to submit certain documents annually by June 1st as required by its NPDES Permit.

The 2024 Annual Report is similar to the 2023 Annual Report.

There is a One Thousand Dollar (\$1,000) submittal fee, which has been unchanged for several years.

Member Flowers made a motion, seconded by Member Koukol, to recommend approval of the Report.

The votes were as follows:

Yeas (3): Koukol, Flowers, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (2) Rodriguez and Shanley



The proposal will go to the May 21, 2024, Kendall County Board meeting on the consent agenda.

Approval to Extend or Revoke Building Permit 01-2020-146 for a Single-Family Home at 7782 Tanglewood Trails

Mr. Asselmeier summarized the request.

Brian Holdiman conducted an inspection at the property on April 29, 2024, and determined that a sixty (60) day extension was necessary. They continue to make progress.

Member Koukol made a motion, seconded by Member Flowers, to approve the sixty (60) day extension.

The votes were as follows:

Yeas (3): Koukol, Flowers, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (2) Rodriguez and Shanley

Member Rodriguez returned at this time (6:57 p.m.).

Update on Stormwater Permit at 13039 McKanna Road (PIN: 09-09-100-002) in Seward Township

Chairman Wormley stated that the Petitioner is making significant progress. There should not be a citation at this time. Chairman Wormley recommended an extension.

Member Koukol made a motion seconded by Member Flowers to provide an extension.

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

Follow-Up on April 20, 2024, Code Official Open House in Oswego Township

Mr. Asselmeier reported that ten (10) people attended the open house.

**REVIEW VIOLATION REPORT:**

The Committee reviewed the report.

Member Flowers left at this time (7:10 p.m.)

Mr. Asselmeier stated that the Illinois Supreme Court is reviewing a case related to citation forms and the State's Attorney's Office was reviewing the current forms.

Chairman Wormley suggested a verbiage change on A-1 properties which were being used inappropriately.

Member Flowers returned at this time (7:12 p.m.)

**REVIEW PRE-VIOLATION REPORT:**

The Committee reviewed the report.



**UPDATE FROM HISTORIC PRESERVATION COMMISSION:**

Mr. Asselmeier stated that the County Board will be asked to declare May as the Historic Preservation Month. The County received the reimbursement check from the State of Illinois for the CLG Grant reimbursement. The Historic Preservation Awards are planning to be handed out on May 21, 2024.

**REVIEW PERMIT REPORT:**

The Committee reviewed the report.

**REVIEW REVENUE REPORT:**

The Committee reviewed the report.

**CORRESPONDENCE:**

None

**COMMENTS FROM THE PRESS:**

None

**EXECUTIVE SESSION:**

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

Member Koukol made a motion, seconded by Member Rodriguez, to enter into executive session to review the minutes of meetings lawfully closed under the Illinois Open Meetings Act.

The votes were as follows:

Yeas (4): Koukol, Rodriguez, Flowers, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1) Shanley

The Committee recessed at 7:14 p.m.

The meeting resumed at 7:17 p.m.

**NEW BUSINESS:**

*Approval to Release the Executive Session Minutes of May 6, 2024*

Member Koukol made a motion, seconded by Member Flowers, to recommend release of minutes of the May 6, 2024, executive session.

The votes were as follows:

Yeas (4): Koukol, Flowers, Rodriguez, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1) Shanley

The proposal will go to the May 21, 2024, Kendall County Board meeting on the consent agenda.



### **ADJOURNMENT**

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

Chairman Wormley adjourned the meeting at 7:17 p.m.

Minutes prepared by Wanda A. Rolf, Administrative Assistant

Enc.



[illegible]



**KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE**  
***Kendall County Kendall County Office Building***  
***Rooms 209 & 210***  
***111 W. Fox Street, Yorkville, Illinois***  
**6:30 p.m.**  
**Executive Session Minutes of May 6, 2024**

**CALL TO ORDER**

The executive session was called to order by Chairman Seth Wormley at 7:16 p.m.

**ROLL CALL**

Committee Members Present: Ruben Rodriguez (Vice-Chairman), Elizabeth Flowers, Dan Koukol, and Seth Wormley (Chairman)

Committee Members Absent: Brooke Shanley

Also Present: Matt Asselmeier (Director)

The purpose of this executive session was to review minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

The Committee reviewed the minutes from the following meetings:

December 19, 2016

August 7, 2017

November 7, 2022

The consensus of the Committee was to release the minutes of May 6, 2024. The other minutes shall remain confidential for personnel reasons and litigation reasons.

Motion by Member Koukol, seconded by Member Flowers, to adjourn executive session.

The votes were as follows:

Yeas (4): Rodriguez, Flowers, Koukol, and Wormley

Nays (0): None

Abstain (0): None

Absent (1): Shanley

Chairman Wormley adjourned the executive session at 7:17 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, CFM, Director



# Kendall County



## INVOICE ENTRY PROOF LIST

CLERK: pherber BATCH: 4476

### NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE
PENDING UNPAID INVOICES							
107 00000	AUTOMOTIVE SPECI 26080			051524	373.96	.00	
CASH 000008	2024/05 INV 04/29/2024	SEP-CHK: Y	DISC: .00				
ACCT 1Y210	DEPT 19 DUE 04/29/2024	DESC:2017 Chevy Truck			11001902 62170		373.96 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 107/52595							
* Invoice must be approved or voided to post.							
1172 00000	KENDALL PRINTING 24-0425 & 0426			051524	162.60	.00	
CASH 000008	2024/05 INV 04/29/2024	SEP-CHK: Y	DISC: .00				
ACCT 1Y210	DEPT 19 DUE 04/29/2024	DESC:Envelopes & Inspection Forms			11001902 62000		162.60 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 1172/52593							
* Invoice must be approved or voided to post.							
1508 00000	PARADISE CAR WAS 224905			051524	17.00	.00	
CASH 000008	2024/05 INV 04/29/2024	SEP-CHK: Y	DISC: .00				
ACCT 1Y210	DEPT 19 DUE 04/29/2024	DESC:PBZ TRUCK WASH			11001902 62170		17.00 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 1508/52908							
* Invoice must be approved or voided to post.							
1849 00001	VERIZON 9962156905			051524	126.78	.00	
CASH 000008	2024/05 INV 04/29/2024	SEP-CHK: Y	DISC: .00				
ACCT 1Y210	DEPT 19 DUE 04/29/2024	DESC:PBZ CELL PHONES			11001902 62070		126.78 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 1849/52909							
* Invoice must be approved or voided to post.							
1849 00001	VERIZON 9962156905-1			051524	42.26	.00	
CASH 000008	2024/05 INV 04/29/2024	SEP-CHK: Y	DISC: .00				
ACCT 1Y210	DEPT 19 DUE 04/29/2024	DESC:ECON DEV CELL PHONE			131505 62070		42.26 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 1849/52910							
* Invoice must be approved or voided to post.							

Econ Dev



# Kendall County



## INVOICE ENTRY PROOF LIST

CLERK: pherber BATCH: 4476

### NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE
2063 00000 RUNCO OFFICE SUP 938125-0				051524	115.88	.00	
CASH 000008 2024/05 INV 04/29/2024	SEP-CHK: Y						
ACCT 1Y210 DEPT 19 DUE 04/29/2024	DESC:OFFICE SUPPLIES				11001902 62000		115.88 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 2063/52594							
* Invoice must be approved or voided to post.							
3883 00000 MAYER PLUMBING L APRIL 2024				051524	1,400.00	.00	
CASH 000008 2024/05 INV 04/29/2024	SEP-CHK: Y						
ACCT 1Y210 DEPT 19 DUE 04/29/2024	DESC:APRIL 2024 PLUMBING INSPECTIONS				11001902 63610		1,400.00 1099:
CONDITIONS THAT PREVENT POSTING INVOICE 3883/52907							
* Invoice must be approved or voided to post.							
7 PENDING UNPAID INVOICES				TOTAL	2,238.48		
0 INVOICE(S)				REPORT POST TOTAL	.00		
				REPORT TOTALS	.00		



Kendall County



Zoning-Econ 5-28-24

CLERK: wro1f BATCH: 4526

NEW INVOICES

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

1172	00000	KENDALL PRINTING 24-0520		053124	31.00	.00		
CASH	000008	2024/06	INV 05/20/2024	SEP-CHK: Y	DISC: .00			
ACCT	17210	DEPT 19	DUE 05/20/2024	DESC:Business Cards		11001902 62000		31.00 1099:
CONDITIONS THAT PREVENT POSTING INVOICE					1172/53071			
* Invoice must be approved or voided to post.								
1	PENDING UNPAID INVOICES	TOTAL			31.00			

0	INVOICE(S)	REPORT POST TOTAL	.00	REPORT TOTALS	.00
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# Kendall County



## Zoning-Econ 5-14-24

CLERK: WR01f BATCH: 4484

NEW INVOICES

VENDOR REMIT NAME		INVOICE		PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE
541	00000	FIRST NATIONAL B 38370				051524	75.00	.00	.00
CASH 000008	2024/06	INV 05/01/2024	SEP-CHK: Y		DISC: .00				
ACCT 1V210	DEPT 19	DUE 05/01/2024	DESC:FNBO CC						
1153	00000	KENDALL CO HIGHW 05032024			051524	189.59	.00	.00	.00
CASH 000008	2024/06	INV 05/01/2024	SEP-CHK: Y		DISC: .00				
ACCT 1V210	DEPT 19	DUE 05/01/2024	DESC:73.06 gallons of gas						
1165	00000	KENDALL COUNTY R 050124			051524	57.00	.00	.00	.00
CASH 000008	2024/06	INV 05/01/2024	SEP-CHK: Y		DISC: .00				
ACCT 1V210	DEPT 19	DUE 05/01/2024	DESC:Kendall County Recorder						
1928	00000	WBK ENGINEERING, 25548			051524	465.28	.00	.00	.00
CASH 000008	2024/06	INV 05/01/2024	SEP-CHK: Y		DISC: .00				
ACCT 1V210	DEPT 19	DUE 05/01/2024	DESC:10744 Rt 47 Revised Civil site Plans						
1928	00000	WBK ENGINEERING, 25549			051524	887.50	.00	.00	.00
CASH 000008	2024/06	INV 05/01/2024	SEP-CHK: Y		DISC: .00				
ACCT 1V210	DEPT 19	DUE 05/01/2024	DESC:Prof Svs 3/31/24-4/27/24						
1928	00000	WBK ENGINEERING, 25552			051524	245.00	.00	.00	.00
CASH 000008	2024/06	INV 05/01/2024	SEP-CHK: Y		DISC: .00				
ACCT 1V210	DEPT 19	DUE 05/01/2024	DESC:147 O'Brien Rd						
1928	00000	WBK ENGINEERING, 25438			051524	122.50	.00	.00	.00
CASH 000008	2024/06	INV 05/01/2024	SEP-CHK: Y		DISC: .00				
ACCT 1V210	DEPT 19	DUE 05/01/2024	DESC:Platinfeld solar						
1928	00000	WBK ENGINEERING, 25603			051524	1,347.50	.00	.00	.00
CASH 000008	2024/06	INV 05/01/2024	SEP-CHK: Y		DISC: .00				
ACCT 1V210	DEPT 19	DUE 05/01/2024	DESC:Arbeem LLC						
8 APPROVED UNPAID INVOICES						TOTAL	3,389.37		

JA FSN



# Kendall County



## YEAR-TO-DATE BUDGET REPORT

FOR 2024 13									
ACCOUNTS FOR:		ORIGINAL	TRANSFERS/	REVISED	YTD ACTUAL	ENCUMBRANCES	AVAILABLE	PCT	
1100	General Fund	APPROP	ADJSTMTS	BUDGET			BUDGET	USE/COL	
<b>11001902 Planning, Building and Zoning</b>									
11001902	41180	Building Fee / P	0	-85,000	-51,642.88	.00	-33,357.12	60.8%*	
11001902	41190	PBZ - Recording	0	-1,200	-836.00	.00	-364.00	69.7%*	
11001902	41200	Zoning Fee	0	-10,000	-8,264.00	.00	-1,736.00	82.6%*	
11001902	41450	2012 NRA Source	0	-10	.00	.00	-10.00	0%*	
11001902	51030	Salaries - Cleri	0	51,480	19,338.90	.00	32,141.10	37.6%	
11001902	51070	Salaries - Manag	0	49,739	21,707.81	.00	28,030.85	43.6%	
11001902	51080	Salaries - Compl	0	87,158	38,888.41	.00	48,269.57	44.6%	
11001902	51090	Salaries - ZBA P	0	3,360	1,200.00	.00	2,160.00	35.7%	
11001902	62000	Office Supplies	0	2,200	1,107.95	.00	1,092.05	50.4%	
11001902	62010	Postage	0	1,800	930.80	.00	869.20	51.7%	
11001902	62030	Dues	0	800	285.00	.00	515.00	35.6%	
11001902	62040	Conferences	0	1,100	275.00	.00	825.00	25.0%	
11001902	62050	Mileage	0	50	.00	.00	50.00	0%	
11001902	62060	Training	0	1,000	185.00	.00	815.00	18.5%	
11001902	62070	Cellular Phones	0	1,550	634.12	.00	915.88	40.9%	
11001902	62090	Legal Publicatio	0	1,100	114.70	.00	985.30	10.4%	
11001902	62160	Equipment	0	600	43.25	.00	556.75	7.2%	
11001902	62170	Vehicle Maintena	0	3,000	1,939.39	.00	1,060.61	64.6%	
11001902	63610	Plumbing Inspect	0	14,000	6,580.00	.00	7,420.00	47.0%	
11001902	63630	Consultants	0	14,500	5,588.43	.00	8,911.57	38.5%	
11001902	63670	NPDES Permit Fee	0	1,100	.00	.00	1,100.00	0%	
11001902	63700	Recording Fees	0	1,200	437.00	.00	763.00	36.4%	
11001902	63800	Regional Plan Co	0	500	439.44	.00	60.56	87.9%	
11001902	63810	Zoning Board of	0	500	.00	.00	500.00	0%	
11001902	63830	Historical Prese	0	500	487.50	.00	12.50	97.5%	
11001902	63840	Ad Hoc Zoning	0	500	.00	.00	500.00	0%	
11001902	63850	Refunds	0	50	550.00	.00	-500.00	1100.0%*	
11001902	66500	Miscellaneous Ex	0	600	.00	.00	600.00	0%	
TOTAL Planning, Building and Zoning			0	142,177	39,989.82	.00	102,186.82	28.1%	
TOTAL General Fund			0	142,177	39,989.82	.00	102,186.82	28.1%	
TOTAL REVENUES			0	-96,210	-60,742.88	.00	-35,467.12		
TOTAL EXPENSES			0	238,387	100,732.70	.00	137,653.94		



YEAR-TO-DATE BUDGET REPORT

FOR 2024 13

ACCOUNTS FOR:		ORIGINAL	TRANSFRS/	REVISED	YTD ACTUAL	ENCUMBRANCES	AVAILABLE	PCT
1315	Economic Development Com. Fund	APPROP	ADJUSTMTS	BUDGET			BUDGET	USE/COL
131505 Economic Development Com. Fund								
131505 40010	Transf. from Rstd.	-180,000	0	-180,000	.00	.00	-180,000.00	.00%
131505 51200	salaries - Directo	75,000	0	75,000	35,723.07	.00	39,276.93	47.6%
131505 51300	salaries - other	50,000	0	50,000	16,678.23	.00	33,321.77	33.4%
131505 51350	Salaries - Admini	0	0	0	5,815.38	.00	-5,815.38	100.0%*
131505 61160	Transf. to IMRF Fu	3,240	0	3,240	2,116.79	.00	1,123.21	65.3%
131505 61170	Transf. to SSI Fun	4,400	0	4,400	2,753.99	.00	1,646.01	62.6%
131505 61450	Trns. to Health Ca	28,000	0	28,000	14,721.04	.00	13,278.96	52.6%
131505 62000	Office Supplies	200	0	200	71.00	.00	129.00	35.5%
131505 62010	Postage	200	0	200	6.40	.00	193.60	3.2%
131505 62030	Dues	14,700	0	14,700	12,092.00	.00	2,608.00	82.3%
131505 62040	Conferences	1,000	0	1,000	980.00	.00	20.00	98.0%
131505 62050	Mileage	750	0	750	.00	.00	750.00	.0%
131505 62070	Cellular Phones	540	0	540	271.24	.00	268.76	50.2%
131505 62080	Travel	250	0	250	100.00	.00	250.00	.0%
131505 65610	Advertisements	550	0	550	57.00	.00	450.00	18.2%
131505 66500	Miscellaneous Expe	500	0	500	898.50	.00	443.00	11.4%
131505 68130	Training	500	0	500		.00	-398.50	179.7%*
TOTAL Economic Development Com. Fund		-170	0	-170	92,284.64	.00	-92,454.64	*****%
TOTAL Economic Development Com. Fund		-170	0	-170	92,284.64	.00	-92,454.64	*****%
TOTAL REVENUES		-180,000	0	-180,000	92,284.64	.00	-180,000.00	
TOTAL EXPENSES		179,830	0	179,830		.00	87,545.36	





## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

To: Planning, Building and Zoning Committee

From: Matthew H. Asselmeier, AICP, CFM, Director

Date: June 3, 2024

Re: Mid-Fiscal Year Escrow/Bond Report

Below please find the balances of the various escrow accounts as of the close of business on May 31, 2024.

Tanglewood Trails	\$32,582.00 (On Going) (Punchlist on File)
2884 Route 126 (O'Donovan)	\$1,200.00 (No Permit)
NE Corner of Ridge and Bell	\$0.00 (This Was Closed 1/12/2022)
Go Pro Baseball	\$1,114.19 (Permit 11/6/2020)
SW Corner of E. Beecher and Galena	\$877.50 (Permit Not Issued)
9025 Chicago Road (Clow Pond)	\$0.00 (Closed 10/27/2023)
10744 Route 47 (Always Faithful)	\$522.16 (Permit 6/13/2023)
Central Limestone	\$795.90 (Permit 1/10/2022)
TMF Plastic Solutions	\$0.00 (Closed 12/6/2023)
Yorkville Sewer Interceptor on Corneils RD	\$0.00 (Closed 12/6/2023)
Schlapp Road Banquet Center (Ramirez)	\$0.00 (Closed 12/22/2023)
Bender Pond at 12961 Sleezer Road	\$0.00 (No Permit, On Hold)
Yogi Bear Campground	\$3,070.00 (No Permit)
ANR Pipeline-Sandwich Compressor	\$0.00 (Closed 12/11/2023)
Santoro Farms	\$0.00 (No Permit) (Withdrawn-11/15/2023)
Landscaping Business 5022 Route 126	\$0.00 (Closed 12/6/2023)
8150 Schlapp (Diller)	\$900.00 (Permit 10/26/2023)
16901 O'Brien Road (Medows)	\$2,678.75 (Permit 9/21/2023)
34 Riverside (Mund/Studler)	\$0.00 (Closed 8/4/2023)
South of 16901 O'Brien (Hansen)	\$65.19 (Permit 9/21/2023)
1270 E. Beecher	\$4,200.00 (No Permit)
NICOR Project 08-14-300-005	\$0.00 (Closed 10/11/2023)
13039 McKanna Road	\$3,040.00 (No Permit)
5753 Whitetail Ridge	\$362.50 (Permit 3/18/2024)
Arbeen Landscaping on Stewart Road	\$2,362.50 (Permit (6/3/2024)
Griswold Springs Road Foot Bridges	\$1,612.50 (No Permit)
1520 N. Cannonball	\$392.50 (No Permit)
7789 Route 47	\$6,642.50 (No Permit)
14719 O'Brien Road	\$2,255.00 (No Permit)
2142 Wooley Road	\$2,600.00 (No Permit)
Solar Project East of 2025 Simons	\$2,377.50 (No Permit)
Subat Forest Preserve	\$1,174.00 (No Permit)

The balance in the Fox River Watershed Stormwater Mitigation account was \$389,800.00.

The balance in the Upper Illinois River Watershed Stormwater Mitigation account was \$2,600.00.

The balance in the Henneberry Woods account was \$119,126.49. The funds are to be used for "park improvements."



The balance in the Ravine Woods account was \$9,678.65. The funds are to be used to construct a bike path on the east side of Ravine Court towards Jeremy Lane.

The balance in the Land Cash account was \$460,402.28.

There is a bond on file for the decommissioning of the solar panel project in the 16000 block of Newark Road in the amount of \$230,000.

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

MHA





## Kendall County Agenda Briefing

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**Meeting Type:** Planning, Building and Zoning  
**Meeting Date:** 6/10/2024  
**Subject:** Approval of Petition 24-06, Rezoning 7789 Route 47 from B-3 to M-1  
**Prepared by:** Matthew H. Asselmeier, AICP, CFM  
**Department:** Planning, Building and Zoning

---

### **Action Requested:**

Approval of Petition 24-06, A Request from Jerry Styrzula on Behalf of A&D Properties, LLC for a Map Amendment Rezoning 7789 Route 47, Yorkville (PIN: 05-09-300-015) in Kendall Township from B-3 Highway Business District to M-1 Limited Manufacturing District

### **Previous Board/Committee Review:**

ZPAC-Approval (7-0-3) on April 2, 2024

Kendall County Regional Planning Commission-Approval (8-0-2) on April 24, 2024

Kendall County Zoning Board of Appeals-Approval (5-0-2) on April 29, 2024

### **Fiscal impact:**

N/A

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### **Background and Discussion:**

The Petitioner would like to rezone the property in order to operate a trucking sales business at the property.

### **Staff Recommendation:**

Approval

### **Attachments:**

Memo Dated May 28, 2024





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**Petition 24-06****Jerry Styrzula on Behalf of A&D Properties, LLC  
Map Amendment Rezoning from B-3 to M-1****INTRODUCTION**

A&D Properties, LLC would like a map amendment rezoning approximately sixteen point four more or less (16.4 +/-) acres located on the west side of Route 47 addressed as 7789 Route 47 from B-3 Highway Business District to M-1 Limited Manufacturing District in order to operate a trucking business for the sale and storage of semi-trailers, small trailers, semi-tractors, and similar uses at the subject property.

The application materials are included as Attachment 1. Pictures of the property are included as Attachment 2-5.

The property has been zoned B-3 since 1975. The ordinance rezoning the property to B-3 is included as Attachment 6. The property was previously used as a distributorship for International Harvester.

The plat of survey is included as Attachment 7.

If the map amendment is approved and if the Petitioner wants to make changes to the site, site plan approval will be required. As of the date of this memo, the Petitioner was working on a site plan proposal.

**SITE INFORMATION**

PETITIONERS: Jerry Styrzula on Behalf of A&D Properties, LLC

ADDRESS: 7789 Route 47, Yorkville

LOCATION: West Side of Route 47 Approximately 0.5 Miles North of Ament Road





TOWNSHIP: Kendall

PARCEL #s: 05-09-300-015

LOT SIZE: 16.4 +/- Acres

EXISTING LAND USE: Vacant and Improved Commercial

ZONING: B-3 Highway Business District

LRMP:

Future Land Use	Mixed Use Business Yorkville's Plan calls for the property to be Estate/Conservation Residential
Roads	Route 47 is a State maintained Arterial Road.
Trails	There are no trails planned in this area.
Floodplain/ Wetlands	There are no floodplains or wetlands on the property.

REQUESTED ACTION: Map Amendment Rezoning Property from B-3 Highway Business District to M-1 Limited Manufacturing District

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	Improved Commercial, Agricultural, Single-Family Residential	R-2 and B-3 (Yorkville)	Suburban Neighborhoods and Estate/Conservation Residential (Yorkville)	A-1, A-1 SU, R-1, R-4, and B-3 (County)  R-2, R-3, B-1, and B-3 (Yorkville)
South	Vacant Manufacturing	M-1	Mixed Use Business (County) Agricultural (Yorkville)	A-1 and M-1
East	Agricultural	R-2 and R-3 (Yorkville)	Estate/Conservation Residential (Yorkville)	R-2 and R-3 (Yorkville)
West	Agricultural	A-1	Rural Residential (Max 0.65 DU/Acre (County)  Agricultural (Yorkville)	A-1



The A-1 special use permit to the north is for a landscaping business.

## **PHYSICAL DATA**

### **ENDANGERED SPECIES REPORT**

EcoCAT Report submitted and consultation was terminated (see Attachment 1, Pages 17-18).

### **NATURAL RESOURCES INVENTORY**

The application for NRI was submitted on March 12, 2024 (see Attachment 1, Page 16). The LESA Score was 157 indicating a low level of protection. The NRI Report is included as Attachment 8.

## **ACTION SUMMARY**

### **KENDALL TOWNSHIP**

Petition information was sent to Kendall Township on March 20, 2024. The Kendall Township Planning Commission reviewed the proposal on April 15, 2024, and recommended approval of the proposal. The Kendall Township Board reviewed the proposal on April 16, 2024, and concurred with the Kendall Township Planning Commission. The email from the Township is included as Attachment 9.

### **UNITED CITY OF YORKVILLE**

Petition information was sent to the United City of Yorkville on March 20, 2024. Yorkville reviewed the proposal at their meetings in May and did not have an objection. An email to this effect is included as Attachment 12.

### **BRISTOL-KENDALL FIRE PROTECTION DISTRICT**

Petition information was sent to the Bristol-Kendall Fire Protection District on March 20, 2024.

### **ZPAC**

ZPAC reviewed the proposal at their meeting on April 2, 2024. Discussion occurred regarding the semis already parked at the property and restricting semis on Conservation Drive. Site plan approval will be required and they will need to comply with the M-1 zoning regulations, if the map amendment is approved. ZPAC recommended approval by a vote of seven (7) in favor and (0) in opposition, with three (3) members absent. The minutes of the meeting are included as Attachment 10.

### **KCRPC**

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on April 24, 2024. It was noted that the subject property had been recently reclassified as Mixed Use Business on the Future Land Use Map. Trucks will not be allowed to access the property via Conservation Drive, per agreement between the Petitioner and Kendall Township. The intention was to use the property for a truck and trailer sales business. If the map amendment was approved, the Petitioner would still need site plan approval. The Petitioner intended to install a paved parking lot, applicable lighting, remodel the existing building, and possibly construct a second building. The Petitioner was attempting to relocate the trailers presently onsite. Discussion occurred regarding current activities on the property; a request was made regarding clarifying the current use of the property because drivers were getting picked up and dropped off at the site. Discussion occurred regarding the County's voluntary compliance policy. It was noted that the subject property and Mixed Use Business area was not very large. The Kendall County Regional Planning Commission recommended approval of the map amendment by a vote of eight (8) in favor and (0) in opposition, with two (2) members absent. The minutes of the meeting are included as Attachment 11.

### **ZBA**

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on April 29, 2024. Discussion occurred regarding the trailers on the property and the plans to remove them. The Kendall County Zoning Board of Appeals recommended approval of the proposal by a vote of five (5) in favor and zero (0) in opposition with two (2) members absent. The minutes of the hearing are included as Attachment 13.

## **GENERAL INFORMATION**

The Petitioner would like to rezone the property to operate a trucking business.



## **BUILDING CODES**

There are two (2) existing buildings on the property. The northern building is approximately five thousand, three hundred sixty-six (5,366) square feet in size. The southern building is approximately eleven thousand, three hundred (11,300) square feet in size.

Any future buildings would have to meet applicable building codes.

## **UTILITIES**

The site is serviced by a well and septic. There is electricity and natural gas onsite.

## **ACCESS**

The property fronts Route 47 and has one (1) access point off of Route 47. There is a deceleration lane for south bound traffic off of Route 47. The property also has one (1) access point off of Conservation Drive.

## **PARKING AND INTERNAL TRAFFIC CIRCULATION**

There is existing parking around the southern building; the parking spaces are not marked. If improvements are made to the site, parking spaces would need to be marked.

## **ODORS**

Based on the proposed uses, no new odors are foreseen. The owners of the property would have to follow applicable odor control regulations based on potential other future M-1 allowable uses.

## **LIGHTING**

There are lights on both buildings and a streetlight is lying on the ground at the entrance off of Route 47.

The amount of lighting could expand on the property if they install a larger parking lot or if different uses move onto the property. Lighting would need to be evaluated as part of site plan review.

## **LANDSCAPING AND SCREENING**

There are several mature plants around the perimeter of the property. No changes to the landscaping or property screening are proposed as part of the map amendment.

If improvements are made to the site in the future, landscaping and screening would be required as part of site plan review.

## **SIGNAGE**

Any signage would have to meet applicable regulations and secure permits.

## **NOISE CONTROL**

The owners of the property would have to follow applicable noise control regulations based on future land uses. Noise control measures would need to be evaluated as part of site plan approval.

## **STORMWATER**

The Petitioner submitted an application for a stormwater permit.

## **FINDINGS OF FACT**

The Findings of Fact were as follows:

*Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes, single-family residential, office, and light industrial, including outdoor storage. The property is presently vacant, but was previously used as a site for the sale of agricultural equipment.*

*The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and M-1 in the unincorporated area and R-2, R-3, and B-3 inside the United City of Yorkville.*



*The suitability of the property in question for the uses permitted under the existing zoning classification. The* **Petitioners proposed use of the property, for the operation of a trucking business, is not allowed in the B-3 Zoning District. The site itself could be used for a trucking business, if properly zoned.**

*The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural, storage and warehousing, and other light industrial type uses.*

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan was recently amended to Mixed Use Business. The M-1 Zoning District is consistent with the Mixed Use Business classification.*

#### **RECOMMENDATION**

Staff recommends approval of the proposed map amendment.

The draft ordinance is included as Attachment 14.

#### **ATTACHMENTS**

1. Application Materials
2. Picture of North Building
3. Picture of Entrance from Conservation Drive
4. Picture of North Side of South Building
5. Picture South Building
6. Ordinance 1975-09
7. Plat of Survey
8. NRI Report
9. April 18, 2024, Email from Kendall Township
10. April 2, 2024, ZPAC Meeting Minutes (This Petition Only)
11. April 24, 2024, Kendall County Regional Planning Commission Minutes (This Petition Only)
12. May 15, 2024, Email from the United City of Yorkville
13. April 29, 2024, Kendall County Zoning Board of Appeals Minutes (This Petition Only)
14. Draft Ordinance




**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**APPLICATION**
**PROJECT NAME** A & D Properties, LLC

**FILE #:**

<b>NAME OF APPLICANT (Including First, Middle Initial, and Last Name)</b>		
A & D Properties, LLC		
<b>CURRENT LANDOWNER/NAME(s)</b>		
A & D Properties, LLC		
<b>SITE INFORMATION</b>	<b>SITE ADDRESS OR LOCATION</b>	<b>ASSESSOR'S ID NUMBER (PIN)</b>
ACRES 15.7288	7789 Route 47, Yorkville, IL 60560	05-09-300-015
<b>EXISTING LAND USE</b>	<b>CURRENT ZONING</b>	<b>LAND CLASSIFICATION ON LRMP</b>
Vacant	B-3	B-3
<b>REQUESTED ACTION (Check All That Apply):</b>		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <u>M-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.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE ( <input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
<b>1PRIMARY CONTACT</b> Daniel J. Kramer	<b>PRIMARY CONTACT MAILING ADDRESS</b>	<b>PRIMARY CONTACT EMAIL</b>
<b>PRIMARY CONTACT PHONE #</b>	<b>PRIMARY CONTACT FAX #</b>	<b>PRIMARY CONTACT OTHER # (Cell, etc.)</b>
<b>2ENGINEER CONTACT</b> John Tebrugge	<b>ENGINEER MAILING ADDRESS</b>	<b>ENGINEER EMAIL</b>
<b>ENGINEER PHONE #</b>	<b>ENGINEER FAX #</b>	<b>ENGINEER OTHER # (Cell, etc.)</b>
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. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.		
<b>SIGNATURE OF APPLICANT</b>		<b>DATE</b>
[Redacted Signature]		3/19/24
<b>FEE PAID:\$</b>		
<b>CHECK #:</b>		

<sup>1</sup>Primary Contact will receive all correspondence from County

<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants

 Last Revised:  
10.17.22

 Date Stamp Here If  
Checklist Is Complete



1. The surrounding and neighboring uses of the subject real property are consistent with the proposed use of the Zoning Applicant/Owner. The Predecessor in title used the subject site for years for the sale and Distributorship of International Harvester Implement until they went bankrupt and the local franchise went out of business. Usage of applicant is going to be primarily for that operation of a trucking business for the sale of new semi-trailers, small trailers, and semi-tractors, and related uses which will use the existing building and usage previously undertaken by International Harvester Implement. Since the building has been used over the years for heavy construction equipment repair and storage. Often times sitting vacant until the current Owner purchased the property and he plans to greatly upgrade the facility both inside and outside.
2. The uses in the area are similar and include A-1 Agricultural, B3 Highway, M-1 Manufacturing A-1 Special Use, and the current IDOT Facility that I do not believe has any special zoning but is certainly an M-1 type of use with salt storage, storage of heavy machinery and construction equipment.
3. The property is suitable for the requested uses of the Applicant. The difference is that currently the property has Zoning that does not cover semi-tractors and semi-trailer sales.
4. The trend of development in the area is towards business, commercial, and transportation uses. The proposed use of Applicant is anticipated to generate substantial sales tax revenue and increased real estate tax revenue for all local tax bodies.
5. The project is consistent with the Kendall County Land Resource Management Plan which encourages commercial and manufacturing uses on all weather highways with good transportation access which squarely is on point with Illinois Route 47. The proposed and existing uses conform to the other uses in the area. The Applicant fully intends to comply with all Kendall County Zoning Ordinances and Regulations.



**Petitioners are seeking a change in zoning from A1 Special Use to M-1 for the operation of a trucking business for the sale of new semi-trailers, small trailers, and semi-tractors, and related uses under M-1 Zoning**



**LEGAL DESCRIPTION OF PARCEL 1:**

That Part of the West Half of Section 9, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows:

Commencing at the Southeast Corner of said Section 9; thence Westerly along the Southerly Line of said Section, 2672.0 feet to the tangent center line of Illinois State Route No. 47 extended from the South; thence South along said tangent center line, 869.22 feet; thence South  $89^{\circ}34'04''$  West, 615.0 feet; thence North  $24^{\circ}54'19''$  West, 1015.92 feet for the point of beginning; thence North  $24^{\circ}54'19''$  West, 456.95 feet; thence North  $66^{\circ}41'34''$  East, 1012.15 feet to the Westerly Right of Way Line of said State Route No. 47, being 40.0 feet normally distant Southwesterly from the center line of said Route; thence Southeasterly along said Westerly Right of Way Line, being on a curve to the right having a radius of 5420.43 feet, a distance of 91.87 feet; thence South  $17^{\circ}08'59''$  East along said right of way line, 0.80 feet; thence Southeasterly along said Westerly Right of Way Line, being on a curve to the right having a radius of 5344.41 feet, a distance of 343.71 feet to a line drawn North  $65^{\circ}13'06''$  East from the point of beginning; thence South  $65^{\circ}13'06''$  West, 942.72 feet to the point of beginning, in the Township of Kendall, in Kendall County, Illinois,  
EXCEPT those Parts conveyed to the State of Illinois in the Deeds recorded June 29, 1990 as Document 1990-904189 and October 23, 1990 as Document 1990-906729.

**LEGAL DESCRIPTION OF PARCEL 2:**

Lots 2 and 3 of Walz Subdivision, recorded December 17, 1990 as Document 907919, in the Township of Kendall, Kendall County, Illinois.



Tami pret

**ALTA COMMITMENT FOR TITLE INSURANCE**

Issued By:

**CHICAGO TITLE  
INSURANCE COMPANY**

Commitment Number:

**NOTICE**

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

**COMMITMENT TO ISSUE POLICY**

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Chicago Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

**Chicago Title Insurance Company**

By:



President

Countersigned By:



Authorized Officer or Agent

Attest:



Secretary

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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ALTA Commitment for Title Insurance (08/01/2016)

Page 1

Printed: 09.23.20 @ 11:57 AM





**CHICAGO TITLE INSURANCE COMPANY****COMMITMENT NO.** [REDACTED]**Transaction Identification Data for reference only:**

ORIGINATING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Chicago Title Insurance Company 10 South LaSalle Street, Suite 3100 Chicago, IL 60603 Main Phone: (312)223-4627 Email: <a href="mailto:chicagocommercial@ctt.com">chicagocommercial@ctt.com</a>	Chicago Title and Trust Company 10 South LaSalle Street, Suite 3100 Chicago, IL 60603 Main Phone: (312)223-4627 Main Fax: (312)223-3018

**Order Number:** [REDACTED]**Property Ref.:** 7789 Route 47, Yorkville, IL 60560**SCHEDULE A**

1. Commitment Date: September 11, 2020
2. Policy to be issued:
  - (a) ALTA Owner's Policy 2006  
Proposed Insured: A&D Properties, LLC  
Proposed Policy Amount: \$750,000.00
  - (b) ALTA Loan Policy 2006  
Proposed Insured: Lender with a contractual obligation under a loan agreement with the Proposed Insured for an Owner's Policy  
Proposed Policy Amount: \$520,000.00
3. The estate or interest in the Land described or referred to in this Commitment is:  
Fee Simple
4. The Title is, at the Commitment Date, vested in:  
West Suburban Bank, as Trustee under a Trust Agreement dated October 28, 2002 and known as Trust Number 13250
5. The Land is described as follows:  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**END OF SCHEDULE A**

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ALTA Commitment for Title Insurance (08/01/2016)





## EXHIBIT "A"

### Legal Description

THAT PART OF THE WEST HALF OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9: THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID SECTION, 2672.0 FEET TO THE TANGENT CENTER LINE OF ILLINOIS STATE ROUTE NO. 47 EXTENDED FROM THE SOUTH; THENCE SOUTH ALONG SAID TANGENT CENTER LINE 869.22 FEET; THENCE SOUTH 89° 34' 04" WEST 615.0 FEET; THENCE NORTH 24° 54' 19" WEST 1015.92 FEET FOR THE POINT OF BEGINNING;

THENCE NORTH 24° 54' 19" WEST 456.95 FEET; THENCE NORTH 66° 41' 34" EAST 1012.15 FEET TO THE WESTERLY RIGHT OF WAY LINE, OF SAID STATE ROUTE NO. 47, BEING 40.0 FEET NORMALLY DISTANT SOUTHWESTERLY FROM THE CENTER LINE OF SAID ROUTE; THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE, BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5420.43 FEET, A DISTANCE OF 91.87 FEET; THENCE SOUTH 17° 08' 59" EAST ALONG SAID RIGHT OF WAY LINE 0.80 FEET; THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE, BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5,344.41 FEET A DISTANCE OF 343.71 FEET TO A LINE DRAWN NORTH 65° 13' 06" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 65° 13' 06" WEST 942.72 FEET TO THE POINT OF BEGINNING: IN THE TOWNSHIP OF KENDALL; IN KENDALL COUNTY ILLINOIS.

EXCEPT THOSE PARTS CONVEYED TO THE STATE OF ILLINOIS IN THE DEEDS RECORDED JUNE 29, 1990 AS DOCUMENT 1990-904189 AND OCTOBER 23, 1990 AS DOCUMENT 1990-906729.

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ALTA Commitment for Title Insurance (08/01/2016)





CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

### SCHEDULE B, PART I REQUIREMENTS

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
6. Be advised that the "good funds" of the title insurance act (215 ILCS 155/26) became effective 1-1-2010. This act places limitations upon the settlement agent's ability to accept certain types of deposits into escrow. Please contact your local Chicago Title office regarding the application of this new law to your transaction.
7. Effective June 1, 2009, pursuant to Public Act 95-988, satisfactory evidence of identification must be presented for the notarization of any and all documents notarized by an Illinois notary public. Satisfactory identification documents are documents that are valid at the time of the notarial act; are issued by a state or federal government agency; bear the photographic image of the individual's face; and bear the individual's signature.
8. **The Proposed Policy Amount(s) must be increased to the full value of the estate or interest being insured, and any additional premium must be paid at that time. An Owner's Policy should reflect the purchase price or full value of the Land. A Loan Policy should reflect the loan amount or value of the property as collateral. Proposed Policy Amount(s) will be revised and premiums charged consistent therewith when the final amounts are approved.**

END OF SCHEDULE B, PART I

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

## SCHEDULE B, PART II EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

### General Exceptions

1. **Rights or claims of parties in possession not shown by Public Records.**
  2. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.**
  3. **Easements, or claims of easements, not shown by the Public Records.**
  4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
  5. **Taxes or special assessments which are not shown as existing liens by the Public Records.**
  6. **We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically**
  7. **Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.**
- C 8. **Note for additional information: the County Recorder requires that any documents presented for recording contain the following information:**
- A. The name and address of the party who prepared the document;
  - B. The name and address of the party to whom the document should be mailed after recording;
  - C. All permanent real estate tax index numbers of any property legally described in the document;
  - D. The address of any property legally described in the document;
  - E. All deeds should contain the address of the grantee and should also note the name and address of the party to whom the tax bills should be sent.
  - F. Any deeds conveying unsubdivided land, or, portions of subdivided and, may need to be accompanied by a properly executed "plat act affidavit."

In addition, please note that the certain municipalities located in the County have enacted transfer tax ordinances. To record a conveyance of land located in these municipalities, the requirements of the transfer tax ordinances must be met. A conveyance of property in these cities may need to have the

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ALTA Commitment for Title Insurance (08/01/2016)





CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

**SCHEDULE B, PART II  
EXCEPTIONS  
(continued)**

appropriate transfer tax stamps affixed before it can be recorded.

This exception will not appear on the policy when issued.

**E 9. Taxes for the year 2020.**

Taxes for the year 2020 are not yet due or payable.

Taxes for the year 2019, amounting to \$7,448.66 are marked paid of record.

Permanent Index Number: 05-09-300-015.

(Affects Land and other property)

**F 10. Please be advised that our search did not disclose any open mortgages of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.**

**B 11. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.**

**A 12. The Company should be furnished a statement that there is no property manager employed to manage the Land, or, in the alternative, a final lien waiver from any such property manager.**

**D 13. Due to office closures in place or that might occur, we should be provided with our standard form of indemnity (GAP Indemnity) for defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the Commitment Date but prior to the date of recording of the instruments under which the Proposed Insured acquires the estate or interest or mortgage covered by this commitment. Note: Due to office closures related to covid-19 we may be temporarily unable to record documents in the normal course of business.**

**G 14. The Land described in Schedule A either is unsubdivided property or constitutes part of a subdivided lot. As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative, compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.)**

**H 15. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held.**

**I 16. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.**

Limited Liability Company: A&D Properties, LLC

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ALTA Commitment for Title Insurance (08/01/2016)





CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

**SCHEDULE B, PART II  
EXCEPTIONS**  
(continued)

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

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

- N 17. Easement(s) for the purpose(s) and rights incidental thereto, as granted in a document, granted to Commonwealth Edison and Illinois Bell Telephone Company, recorded on January 9, 1990 as Document No. 1990-90210, affects the Land therein described.
- J 18. Easement(s) for the purpose(s) and rights incidental thereto, as granted in a document, granted to Northern Illinois Gas company, an Illinois corporation doing business as Nicor Gas, for purpose a perpetual, non-exclusive easement and right of way for purpose of laying, maintaining, operating, renewing, replacing, and removing gas mains and any necessary gas facilities appurtenant thereto, in, upon, under, along and across the described property, recorded on June 29, 2004 as Document No. 2004-18007, affects a 15 foot wide strip of land.  
  
(Affects the Land and other property)
- K 19. Terms and provisions of the Subordination of Surace Rights for Public Road Purposes granted by Ameritech to the State of Illinois recorded October 13, 2004 subordinating the interest of a Right of Way recorded December 15, 1950 in Book 107, Page 594 in the recorders office.
- L 20. Note for information (Endorsement Requests):  
  
All endorsement requests should be made prior to closing to allow ample time for the company to examine required Documentation.  
  
Note: before any endorsements can be approved, we should be informed as to the land use and as to what type of structure is on the land.  
  
(This note will be waived for policy)

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

**SCHEDULE B, PART II  
EXCEPTIONS**  
(continued)

M 21. Informational Note:

To schedule any closings in the Chicago Commercial Center, please call (312)223-2707.

**END OF SCHEDULE B, PART II**

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ALTA Commitment for Title Insurance (08/01/2016)

AMERICAN  
LAND TITLE  
ASSOCIATION



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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

**COMMITMENT CONDITIONS****1. DEFINITIONS**

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I-Requirements;
- (f) Schedule B, Part II-Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

**4. COMPANY'S RIGHT TO AMEND**

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

**5. LIMITATIONS OF LIABILITY**

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - (i) comply with the Schedule B, Part I-Requirements;
  - (ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
  - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I-Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

**6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

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ALTA Commitment for Title Insurance (08/01/2016)





**CHICAGO TITLE INSURANCE COMPANY****COMMITMENT NO. (b)(6)**

(continued)

- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
  - (d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
  - (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
  - (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
- 7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**  
The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.
- 8. PRO-FORMA POLICY**  
The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.
- 9. ARBITRATION**  
The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is Two Million And No/100 Dollars (\$2,000,000.00) or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

**END OF CONDITIONS****1031 EXCHANGE SERVICES**

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

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ALTA Commitment for Title Insurance (08/01/2016)



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# KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant A+D  
 Address [REDACTED]  
 City [REDACTED] State [REDACTED] Zip [REDACTED]
2. Nature of Benefit Sought Re-Zoning
3. Nature of Applicant: (Please check one)
  - ☐ Natural Person
  - ☐ Corporation
  - ☐ Land Trust/Trustee
  - ☐ Trust/Trustee
  - ☐ Partnership
  - ☐ Joint Venture
  - ☒ Limited Liability Company
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
X JERRY STYRCZULA	[REDACTED]	50%
KRISTINA STYRCZULA	[REDACTED]	50%
6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
  - X [REDACTED]

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

Subscribed and sworn to before me this 19th day of March, A.D. 2024

(seal)

[REDACTED]  
Notary Public







**Kendall County Soil & Water  
Conservation District**

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



[www.kendallswcd.org](http://www.kendallswcd.org)

## NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

**Petitioner:** A & D Properties, LLC

**Contact Person:** Attorney Daniel J. Kramer

**Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Email:** \_\_\_\_\_

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

### Site Location & Proposed Use

**Township Name** Kendall

**Township** 36 **N, Range** 7 **E, Section(s)** 9

**Parcel Index Number(s)** 05-09-300-015

**Project or Subdivision Name** A & D Properties, LLC

**Number of Acres** 15.7288

**Current Use of Site** Vacant

**Proposed Use** Trucking Business

**Proposed Number of Lots** as is

**Proposed Number of Structures** \_\_\_\_\_

**Proposed Water Supply** Existing Well

**Proposed type of Wastewater Treatment** Existing Septic

**Proposed type of Storm Water Management** See attached Report

### Type of Request

☒ Change in Zoning from A-1 to M-1

☐ Variance (Please describe fully on separate page)

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

**Name of County or Municipality the request is being filed with:** Kendall County Planning, Building, and Zoning

**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

11 Additional Acres at \$18.00 each \$ 198.00

**Total NRI Fee** \$ 573.00

**NOTE:** Applications are due by the 1<sup>st</sup> 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.

[Signature]  
Petitioner or Authorized Agent

3/12/24  
Date

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

### FOR OFFICE USE ONLY

**NRI#** \_\_\_\_\_ **Date initially rec'd** \_\_\_\_\_

**Date all rec'd** \_\_\_\_\_ **Board Meeting** \_\_\_\_\_

**Fee Due \$** \_\_\_\_\_ **Fee Paid \$** \_\_\_\_\_

**Check #** \_\_\_\_\_ **Over/Under Payment** \_\_\_\_\_

**Refund Due** \_\_\_\_\_





**Applicant:** A&D Properties

**Contact:** Jerry Styrzula

**Address:** [REDACTED]

**IDNR Project Number:** 2411116

**Date:** 02/27/2024

**Project:** 7789 IL Route 47 Site Plan

**Address:** 7789 IL Route 47, Yorkville

**Description:** Construct a storage area for truck trailer parking and sales with gravel storage lot and detention pond.

### Natural Resource Review Results

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

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

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

#### Location

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

**County:** Kendall

**Township, Range, Section:**  
36N, 7E, 9



#### **IL Department of Natural Resources**

##### **Contact**

Adam Rawe

217-785-5500

Division of Ecosystems & Environment

#### **Government Jurisdiction**

IL Environmental Protection Agency

Division of Water Pollution Control

PO Box 19276

Springfield, Illinois 62794

#### **Disclaimer**

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



IDNR Project Number: 2411116

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Attachment 2 Picture of North Building





Attachment 3 Picture of Entrance from Conservation Drive





Attachment 4 Picture of North Side of South Building





Attachment 5 Picture of South Building





ORDINANCE  
75-9

## AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED


WHEREAS, Robert Dhuse and Carol Dhuse did petition the Zoning Board of Appeals of Kendall County for a public hearing in the manner required by law and the ordinances of Kendall County, Illinois for a proposed amendment to the Kendall County Zoning Ordinance adopted May 10, 1960; and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 5th day of November, A.D., 1975 on the site described in the petition and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois that the petition be granted and the Zoning maps and ordinance be amended in the manner required by law; and

NOW, THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be and it is hereby rezoned from A1, Agricultural District to B3, Highway Business and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

That part of the West half of Section 9, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of said Section 9; thence Westerly along the Southerly line of said Section 2672.0 feet to the tangent center line of Illinois State Route No. 47 extended from the South; thence south along said tangent center line of said tangent center line extended 869.22 feet; thence South  $89^{\circ}34'04''$  West 615.0 feet; thence North  $24^{\circ}54'19''$  West 1015.92 feet for the point of beginning; thence continuing North  $24^{\circ}54'19''$  West 865.92 feet; thence North  $65^{\circ}13'06''$  East 1045.82 feet to the Westerly first of way line of said State Route No. 47, being 40.0 feet normally distant southwesterly from the center line of said Route; thence Southeasterly along said Westerly right of way line being on a curve to the right having a radius of 5420.43 feet; a distance of 528.25 feet; thence South  $17^{\circ}08'59''$  East along said right of way line 0.80 feet; thence Southeasterly along said Westerly right of way line being on a curve to the right having a radius of 5344.41 feet, a distance of 343.71 feet to a line drawn North  $65^{\circ}13'06''$  East from the point of beginning; thence South  $65^{\circ}13'06''$  West 942.72 feet to the point of beginning; containing 20.000 acres, in the Township of Kendall, Kendall County, Illinois.

Passed this 10th day of November, 1975.

  
Chairman, County Board of  
Kendall County, Illinois

ATTEST:

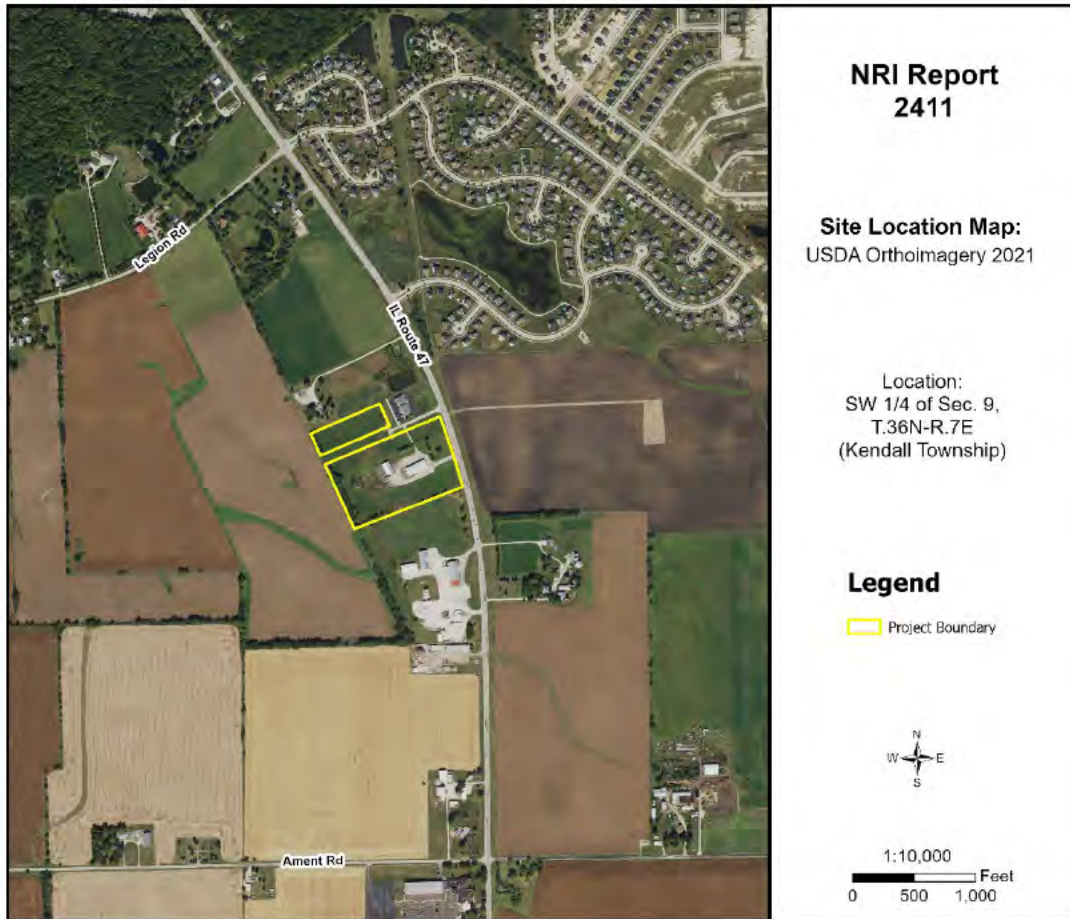
  
County Clerk







# NATURAL RESOURCE INFORMATION (NRI) REPORT: #2411



Apr.  
2024

Petitioner: A&D Properties, LLC  
Contact: Attorney Daniel J. Kramer

Prepared By:



7775A Route 47  
Yorkville, Illinois 60560  
Phone: (630) 553-5821 x3  
[www.kendallswcd.org](http://www.kendallswcd.org)



## KENDALL COUNTY SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCE INFORMATION (NRI) REPORT

Natural Resource Information Report Number	2411
Date District Board Reviews Application	April 2024
Applicant's Name	A&D Properties, LLC
Size of Parcel	(+/-) 15.7 acres
Current Zoning & Use	B-3 Highway Business District; Vacant
Proposed Zoning & Use	M-1 Limited Manufacturing District; Trucking Business
Parcel Index Number(s)	05-09-300-015
Contact Person	Attorney Daniel J. Kramer

Copies of this report or notification of the proposed land-use change was provided to:	Yes	No
The Applicant	X	
The Applicant's Legal Representation	X	
The Local/Township Planning Commission	X	
The Village/City/County Planning and Zoning Department or Appropriate Agency	X	
The Kendall County Soil and Water Conservation District Files	X	

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*



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## ***PURPOSE AND INTENT***

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The purpose of this report is to provide officials of the local governing body and other decision-makers with natural resource information. This information may be useful when undertaking land use decisions concerning variations, amendments or relief of local zoning ordinances, proposed subdivision of vacant or agricultural lands and the subsequent development of these lands. This report is a requirement under Section 22.02a of the Illinois Soil and Water Conservation Districts Act.

The intent of this report is to present the most current natural resource information available in a readily understandable manner. It contains a description of the present site conditions, the present resources, and the potential impacts that the proposed change may have on the site and its resources. The natural resource information was gathered from standardized data, on-site investigations and information furnished by the petitioner. This report must be read in its entirety so that the relationship between the natural resource factors and the proposed land use change can be fully understood.

Due to the limitations of scale encountered with the various resource maps, the property boundaries depicted in the various exhibits in this report provide a generalized representation of the property location and may not precisely reflect the legal description of the PIQ (Parcel in Question).

This report, when used properly, will provide the basis for proper land use change decisions and development while protecting the natural resource base of the county. It should not be used in place of detailed environmental and/or engineering studies that are warranted under most circumstances, but in conjunction with those studies.

The conclusions of this report in no way indicate that a certain land use is not possible, but it should alert the reader to possible problems that may occur if the capabilities of the land are ignored. Any questions on the technical data supplied in this report or if anyone feels that they would like to see more additional specific information to make the report more effective, please contact:

**Kendall County Soil and Water Conservation District**  
**7775A Route 47, Yorkville, IL 60560**  
**Phone: (630) 553-5821 ext. 3**  
**E-mail: [Alyse.Olson@il.nacdnet.net](mailto:Alyse.Olson@il.nacdnet.net)**



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## ***EXECUTIVE SUMMARY***

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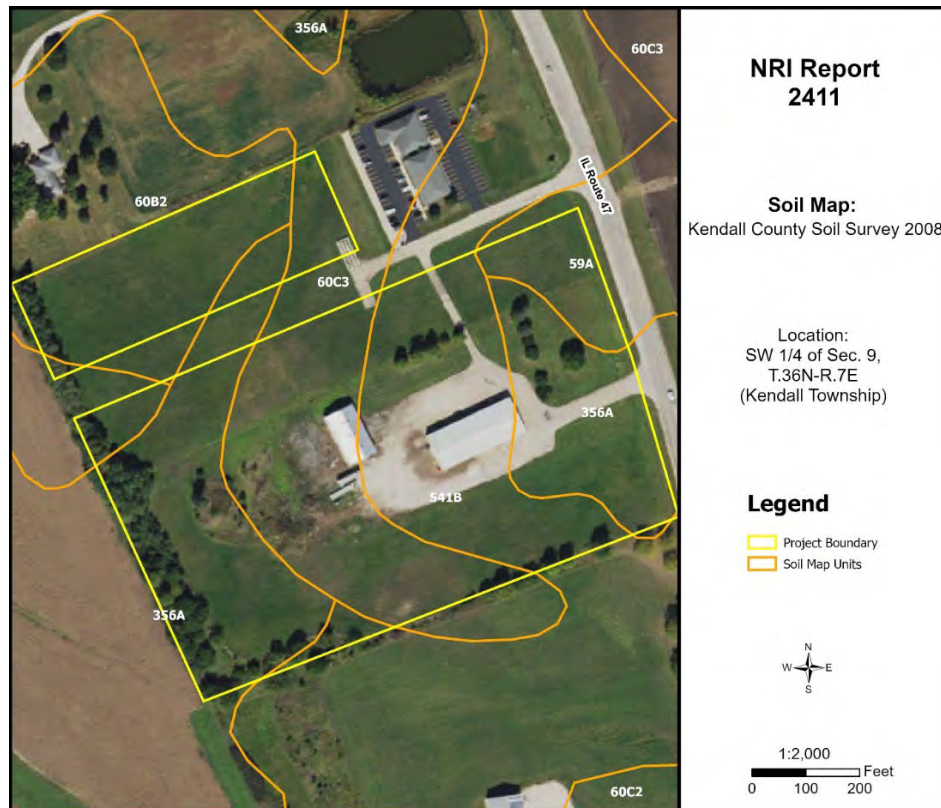
Natural Resource Information Report Number	#2411
Petitioner	A&D Properties, LLC
Contact Person	Attorney Daniel J. Kramer
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	Southwest ¼ of Section 9, Township 36 North, Range 7 East (Kendall Township) of the 3 <sup>rd</sup> Principal Meridian
Project or Subdivision Name	A&D Properties, LLC
Existing Zoning & Land Use	B-3 Highway Business District; Vacant
Proposed Zoning & Land Use	M-1 Limited Manufacturing District; Trucking Business
Proposed Water Source	Existing well
Proposed Type of Sewage Disposal System	Existing septic
Proposed Type of Storm Water Management	Detention pond
Size of Site	(+/-) 15.7 acres
Land Evaluation Site Assessment (LESA) Score	157 (Land Evaluation: 87; Site Assessment: 70)



## **NATURAL RESOURCE CONSIDERATIONS**

### **SOIL INFORMATION**

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this project area contains the soil types shown in Figure 1 and Table 1. Please note this does not replace the need for or results of onsite soil testing. If completed, please refer to onsite soil test results for planning/engineering purposes.



**Figure 1: Soil Map**

**Table 1: Soils Information**

Soil Type	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation	Acres	%
59A	Lisbon silt loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-Hydric with Hydric Inclusions	Prime Farmland	0.7	4.5%
60B2	La Rose silt loam, 2-5% slopes, eroded	Moderately Well Drained	C	Non-Hydric	Prime Farmland	2.1	13.4%
60C3	La Rose clay loam, 5-10% slopes, severely eroded	Moderately Well Drained	C	Non-Hydric	Farmland of Statewide Importance	4.1	26.1%
356A	Elpaso silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland if Drained	5.0	31.8%
541B	Graymont silt loam, 2-5% slopes	Moderately Well Drained	C	Non-Hydric with Hydric Inclusions	Prime Farmland	3.8	24.2%



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

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

**Hydric Soils** – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (356A Elpaso silty clay loam), two are classified as non-hydric soil (60B2 La Rose silt loam & 60C3 La Rose clay loam), and two are classified as non-hydric soil with hydric inclusions likely (59A Lisbon silt loam & 541B Graymont silt loam).

**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 (59A Lisbon silt loam, 60B2 La Rose silt loam & 541B Graymont silt loam), one is designated as prime farmland if drained (356A Elpaso silty clay loam), and one is designated as farmland of statewide importance (60C3 La Rose clay loam).

**Soil Limitations** – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings, small commercial buildings, solar arrays, shallow excavations, lawns/landscaping, local roads and streets, etc. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

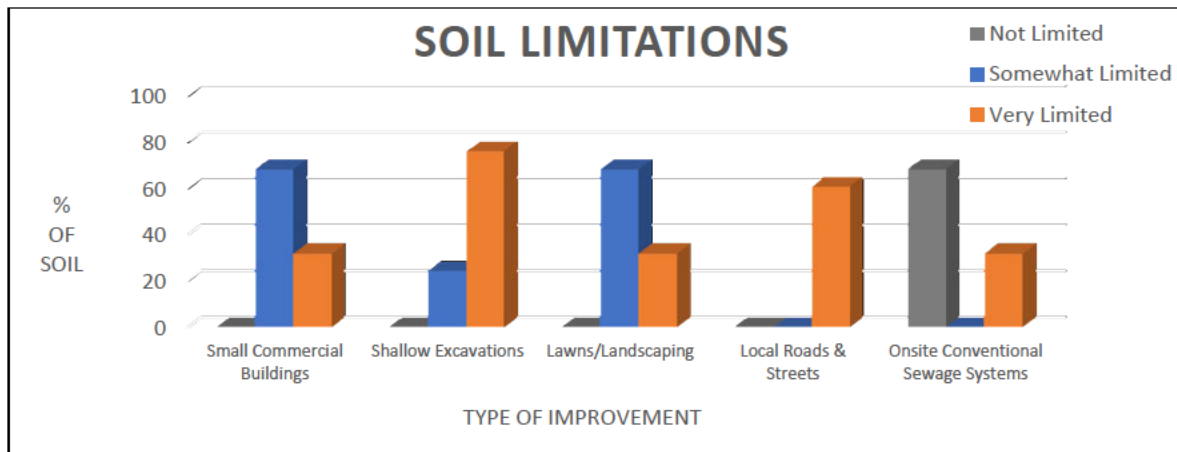
**Septic Systems** – The factors considered for determining suitability are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding



hazards, and slope. Soils are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information, please contact the Kendall County Health Department (811 W. John Street, Yorkville, IL; (630) 553-9100 ext. 8026).

**Table 2:** Soil Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns/Landscaping	Local Roads & Streets	Onsite Conventional Sewage Systems
59A	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Suitable / Not Limited
60B2	Somewhat Limited	Very Limited	Somewhat Limited	Somewhat Limited	Suitable / Not Limited
60C3	Somewhat Limited	Very Limited	Somewhat Limited	Somewhat Limited	Suitable / Not Limited
356A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable / Very Limited
541B	Somewhat Limited	Somewhat Limited	Somewhat Limited	Very Limited	Suitable / Not Limited



**Figure 2:** Soil Limitations

### 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.



- The Land Evaluation score for this site is **87 out of 100**, indicating that the soils are **well suited** for agricultural uses.
- **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 Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
  - The Site Assessment score for this site is **70 out of 200**.

The **LESA Score for this site is 157 out of a possible 300, which indicates a low level of protection** for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

### **WETLANDS**

The U.S. Fish & Wildlife Service's National Wetlands Inventory map does not indicate the presence of wetland(s)/waters on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

### **FLOODPLAIN**

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0125G (effective date February 4, 2009) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the site does not appear to be 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 as suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<https://illinoisurbanmanual.org/>) for appropriate best management practices.

### **STORMWATER POLLUTION**

A National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.



**LAND USE FINDINGS:**

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for A&D Properties, LLC. The petitioner is requesting a change in zoning from B-3 Highway Business District to M-1 Limited Manufacturing District on one, parcel (Parcel Index Number 05-09-300-015) to utilize the site for a trucking business. The parcel is in Section 9 of Kendall Township (T.36N-R.7E) of the 3<sup>rd</sup> Principal Meridian in Kendall County, IL. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that prime farmland soils should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important grain and fiber crops in our community. Of the soils found onsite, 73.9% are designated as prime farmland or prime farmland if drained. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored an 87 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA score for this site is 157 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 75.8% are considered very limited for shallow excavations, 60.5% are considered very limited for local roads/streets and 31.8% are considered very limited for small commercial buildings and lawns/landscaping. The remaining soils are considered somewhat limited for these types of uses. Additionally, 31.8% of the soils are considered unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Upper Illinois River watershed and the Middle Aux Sable Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality, and destroy aquatic ecosystems lower in the watershed.

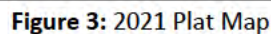
For intense use, it is recommended that a drainage tile survey be completed on the parcel to locate the subsurface drainage tile and should be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

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

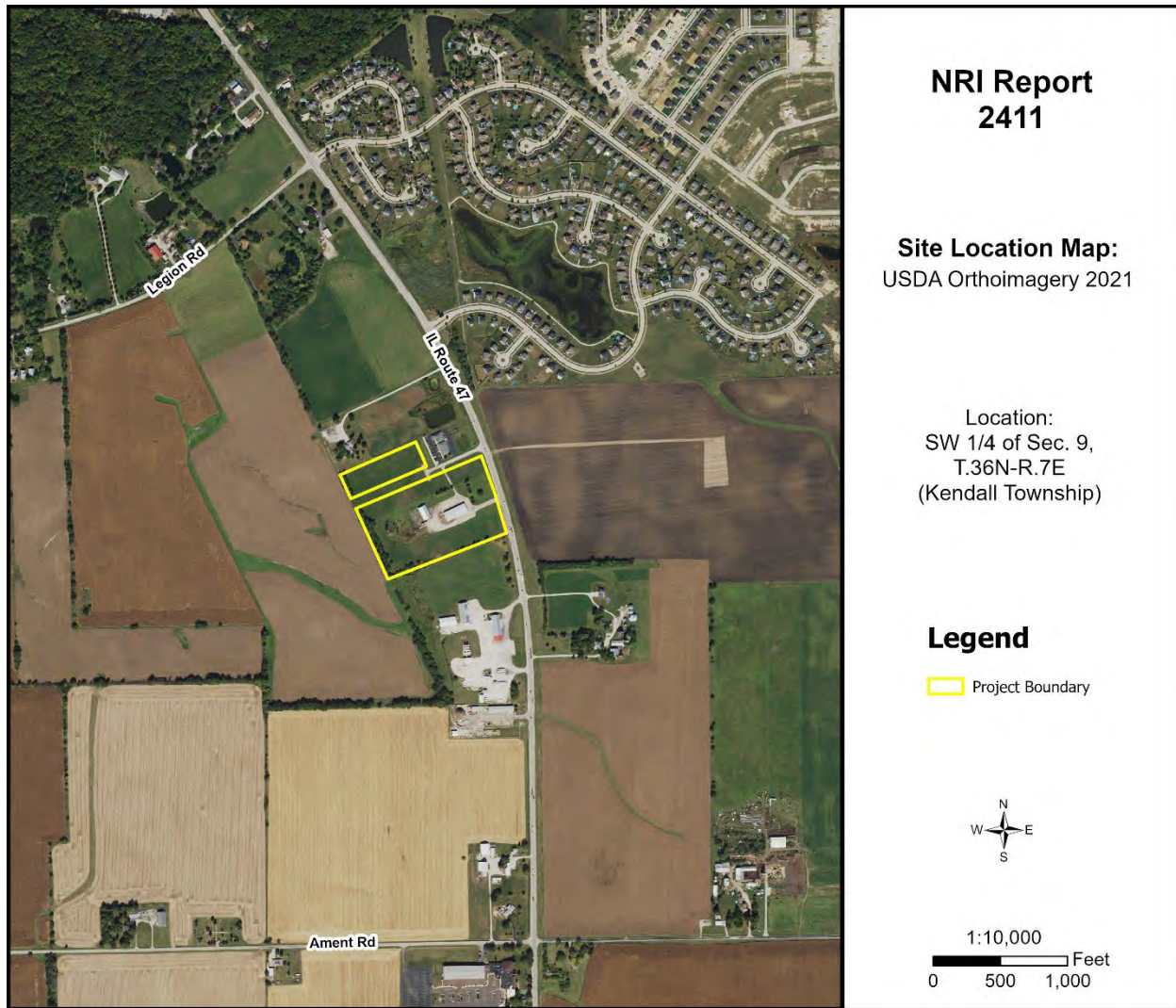
  
SWCD Board Representative4-8-24  
Date



Southwest ¼ of Section 9, Township 36 North, Range 7 East (Kendall Township). This parcel contains approximately 15.7 acres and is located on the west side of Route 47, north of Ament Road, and south of Legion Road. The parcel is within unincorporated Kendall County, IL.







**Figure 4:** 2021 Aerial Map with NRI Project Boundary



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## **ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION**

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Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to “grow” a site to replace a disrupted site.

Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains.

Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

**The Illinois State Historic Preservation Office has not been notified of the proposed land use change by the Kendall County SWCD. There may be historic features in the area. The applicant may need to contact them according to current Illinois law.**



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## ***ECOLOGICALLY SENSITIVE AREAS***

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### **WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?<sup>1</sup>**

Biological diversity, or biodiversity, is the range of life on our planet. A more thorough definition is presented by botanist Peter H. Raven: “At the simplest level, biodiversity is the sum total of all the plants, animals, fungi and microorganisms in the world, or in a particular area; all of their individual variation; and all of the interactions between them. It is the set of living organisms that make up the fabric of the planet Earth and allow it to function as it does, by capturing energy from the sun and using it to drive all of life’s processes; by forming communities of organisms that have, through the several billion years of life’s history on Earth, altered the nature of the atmosphere, the soil and the water of our Planet; and by making possible the sustainability of our planet through their life activities now” (Raven 1994).

It is not known how many species occur on our planet. Presently, about 1.4 million species have been named. It has been estimated that there are perhaps 9 million more that have not been identified. What is known is that they are vanishing at an unprecedented rate. Reliable estimates show extinction occurring at a rate several orders of magnitude above “background” in some ecological systems (Wilson 1992, Hoose 1981).

The reasons for protecting biological diversity are complex, but they fall into four major categories. First, loss of diversity generally weakens entire natural systems. Healthy ecosystems tend to have many natural checks and balances. Every species plays a role in maintaining this system. When simplified by the loss of diversity, the system becomes more susceptible to natural and artificial perturbations. The chances of a system-wide collapse increase. In parts of the midwestern United States, for example, it was only the remnant areas of natural prairies that kept soil intact during the dust bowl years of the 1930s (Roush 1982).

Simplified ecosystems are almost always expensive to maintain. For example, when synthetic chemicals are relied upon to control pests, the target species are not the only ones affected. Their predators are almost always killed or driven away, exasperating the pest problem. In the meantime, people are unintentionally breeding pesticide-resistant pests. A process has begun where people become perpetual guardians of the affected area, which requires the expenditure of financial resources and human ingenuity to keep the system going.

A second reason for protecting biological diversity is that it represents one of our greatest untapped resources. Great benefits can be reaped from a single species. About 20 species provide 90% of the world’s food. Of these 20, just three, wheat, maize, and rice supply over one half of that food. American wheat farmers need new varieties every five to 15 years to compete with pests and diseases. Wild strains of wheat are critical genetic reservoirs for these new varieties.

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over \$3 billion. Organic alkaloids, a class of



chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of “going to the country,” they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

Historically, the lack of attention to biological diversity, and the ecological processes it supports, has resulted in economic hardships for segments of the basin’s human population.

The final reason for protecting biological diversity is that species and natural systems are intrinsically valuable. The above reasons have focused on the benefits of the natural world to humans. All things possess intrinsic value simply because they exist.

#### **BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL**

As part of the Natural Resources Information Report, staff checks office maps to determine if any nature preserves or ecologically sensitive areas are in the general vicinity of the parcel in question. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include, but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

**Office maps indicate that ecologically sensitive area(s) are not located on or near the parcel in question (PIQ).**

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<sup>1</sup>Taken from *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.



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## ***SOILS INFORMATION***

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### **IMPORTANCE OF SOILS INFORMATION**

Soils information comes from the Natural Resources Conservation Service Soil Maps and Descriptions for Kendall County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils slope class.

Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and buildings without basements. It is important to remember that soils do not function independently of each other. The behavior of a soil depends upon the physical properties of adjacent soil types, the presence of artificial drainage, soil compaction, and its position in the local landscape.

The limitation categories (not limited, somewhat limited, or very limited) indicate the potential for difficulty in using that soil unit for the proposed activity and, thus, the degree of need for thorough soil borings and engineering studies. A limitation does not necessarily mean that the proposed activity cannot be done on that soil type. It does mean that the reasons for the limitation need to be thoroughly understood and dealt with to complete the proposed activity successfully. Very limited indicates that the proposed activity will be more difficult and costly to do on that soil type than on a soil type with a somewhat limited or not limited rating.

Soil survey interpretations are predictions of soil behavior for specified land uses and specified management practices. They are based on the soil properties that directly influence the specified use of the soil. Soil survey interpretations allow users of soil surveys to plan reasonable alternatives for the use and management of soils.

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.



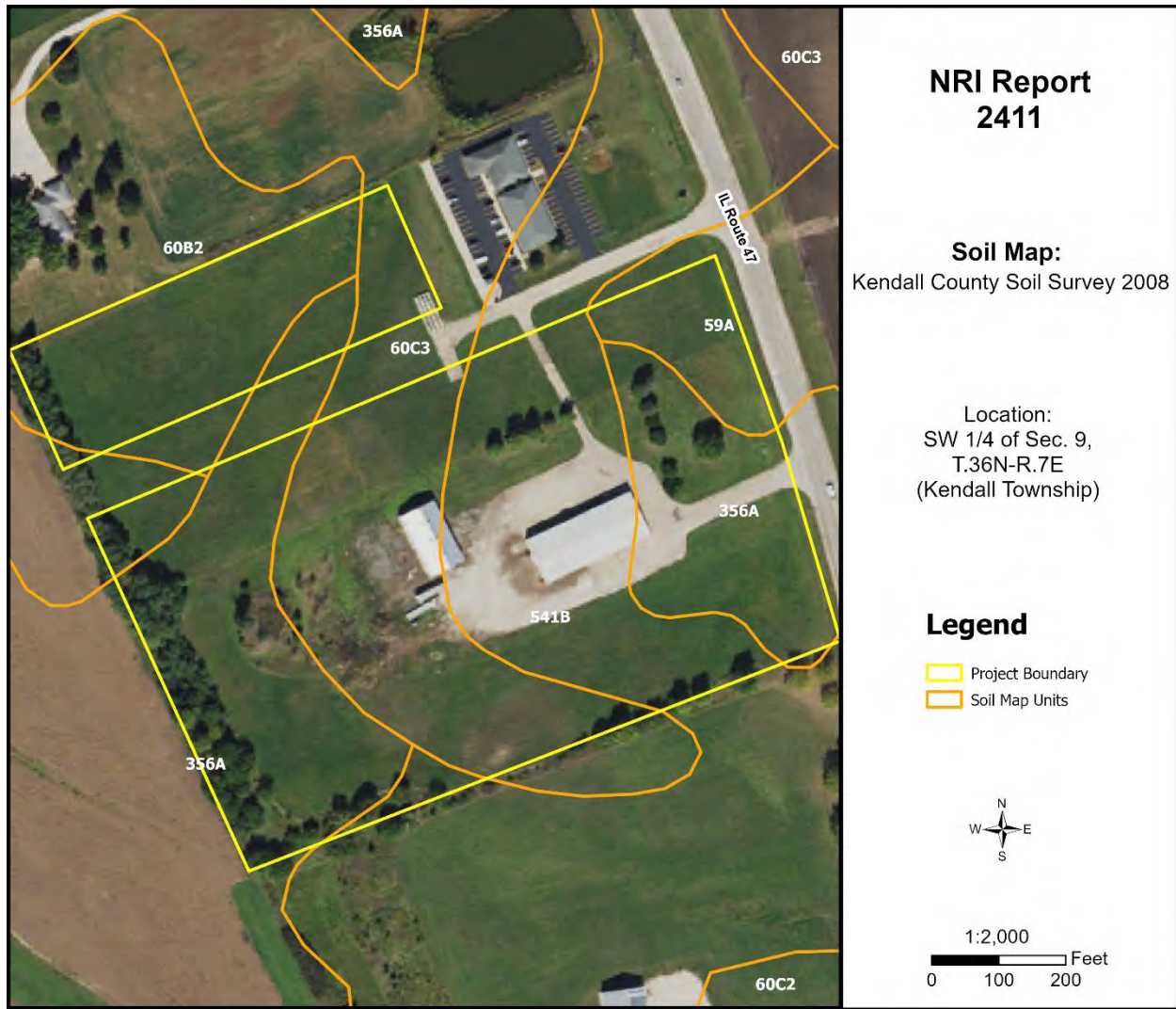


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Soil Type	Soil Name	Acreage	Percent
59A	Lisbon silt loam, 0-2% slopes	0.7	4.5%
60B2	La Rose silt loam, 2-5% slopes, eroded	2.1	13.4%
60C3	La Rose clay loam, 5-10% slopes, severely eroded	4.1	26.1%
356A	Elpaso silty clay loam, 0-2% slopes	5.0	31.8%
541B	Graymont silt loam, 2-5% slopes	3.8	24.2%

Source: National Cooperative Soil Survey – USDA-NRCS



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## ***SOILS INTERPRETATIONS EXPLANATION***

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### **GENERAL – NONAGRICULTURAL**

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features.

Other features may need treatment to overcome soil limitations for a specific purpose. Ratings come from the soil's "natural" 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. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of not limited, somewhat limited, and very limited are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered unsuitable for all types of construction.

### **LIMITATIONS RATINGS**

- **Not Limited:** This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
- **Somewhat Limited:** This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
- **Very Limited:** This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.



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## ***BUILDING LIMITATIONS***

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### **BUILDING ON POORLY SUITED OR UNSUITABLE SOILS**

Building on poorly suited or unsuitable soils can present problems to future property owners such as cracked foundations, wet basements, lowered structural integrity and high maintenance costs associated with these problems. The staff of the Kendall County SWCD strongly urges scrutiny by the plat reviewers when granting parcels with these soils exclusively.

**Small Commercial Buildings** – Ratings are for structures that are less than three stories high and do not have basements. The foundation is assumed to be spread footings of reinforced concrete built on disturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

**Shallow Excavations** – Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches, or other purposes. Ratings are based on soil properties that influence the ease of digging and the resistance to sloughing.

**Lawns and Landscaping** – Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

**Local Roads and Streets** – They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity.

**Onsite Conventional Sewage Disposal** – The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. The table below indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department – Environmental Health at (630) 553-9100 x8026.



**Table 4:** Building Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns & Landscaping	Local Roads & Streets	Onsite Conventional Sewage Systems*	Acres	%
59A	<b>Somewhat Limited:</b> Depth to saturated zone Shrink-swell	<b>Very Limited:</b> Depth to saturated zone Dense layer Dusty Unstable excavation walls Ponding	<b>Somewhat Limited:</b> Depth to saturated zone Dusty	<b>Very Limited:</b> Frost action Low strength Depth to saturated zone Shrink-swell Ponding	<b>Suitable/ Not Limited</b>	0.7	4.5%
60B2	<b>Somewhat Limited:</b> Depth to saturated zone Slope	<b>Very Limited:</b> Depth to saturated zone Dusty Unstable excavation walls	<b>Somewhat Limited:</b> Depth to saturated zone Dusty	<b>Somewhat Limited:</b> Frost action Low strength Depth to saturated zone	<b>Suitable/ Not Limited</b>	2.1	13.4%
60C3	<b>Somewhat Limited:</b> Slope Depth to saturated zone	<b>Very Limited:</b> Depth to saturated zone Dusty Unstable excavation walls	<b>Somewhat Limited:</b> Depth to saturated zone Dusty	<b>Somewhat Limited:</b> Frost action Low strength Depth to saturated zone	<b>Suitable/ Not Limited</b>	4.1	26.1%
356A	<b>Very Limited:</b> Ponding Depth to saturated zone Shrink-swell	<b>Very Limited:</b> Ponding Depth to saturated zone Dusty Unstable excavation walls Too clayey	<b>Very Limited:</b> Ponding Depth to saturated zone Dusty	<b>Very Limited:</b> Ponding Depth to saturated zone Frost action Low strength Shrink-swell	<b>Unsuitable/ Very Limited: Wet</b>	5.0	31.8%
541B	<b>Somewhat Limited:</b> Shrink-swell	<b>Somewhat Limited:</b> Depth to saturated zone Dusty Unstable excavation walls	<b>Somewhat Limited:</b> Dusty	<b>Very Limited:</b> Frost action Low strength Shrink-swell Ponding Depth to saturated zone	<b>Suitable/ Not Limited</b>	3.8	24.2%
<b>% Very Limited</b>	<b>31.8%</b>	<b>75.8%</b>	<b>31.8%</b>	<b>60.5%</b>	<b>31.8%</b>		

\*This column indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Please consult with the Kendall County Health Department to verify the limitations of your site for onsite conventional sewage disposal.



Figure 6A: Map of Building Limitations - Small Commercial Buildings &amp; Lawns / Landscaping





Attachment 8, Page 23  
Figure 6B: Map of Building Limitations - Shallow Excavations

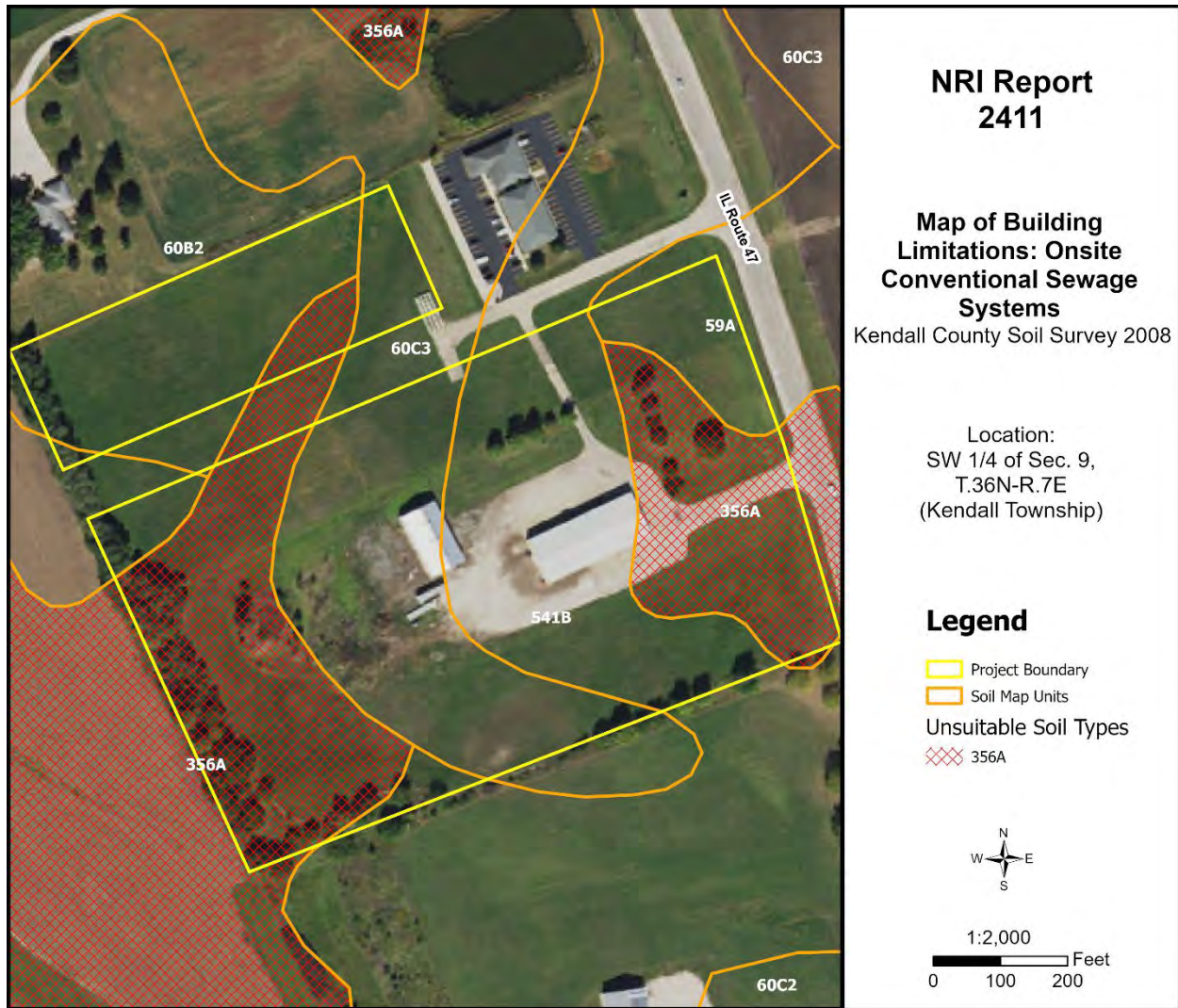




Attachment 8, Page 24  
Figure 6C: Map of Building Limitations - Local Roads / Streets









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## **SOIL WATER FEATURES**

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Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

**HYDROLOGIC SOIL GROUPS (HSGs)** – The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- **Group A:** Soils having 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.
- **Group B:** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained, or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- **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.
- **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, soils that 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.

**Note:** 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 is for undrained areas.

**SURFACE RUNOFF** – Surface runoff refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal). The classes are negligible, very low, low, medium, high, and very high.

**MONTHS** – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

**WATER TABLE** – Water table refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

**PONDING** – Ponding refers to standing water in a closed depression, and the data indicates surface water depth, duration, and frequency of ponding.



- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

**FLOODING** – The 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: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

**Note:** The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

**Table 5:** Water Features

Soil Type	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
59A	C/D	Low	January – May Upper Limit: 1.0'-2.0' Lower Limit: 2.0'-4.0'	January – December Frequency: None	January – December Frequency: None
60B2	C	Medium	February – April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-4.0'	January – December Frequency: None	January – December Frequency: None
60C3	C	Medium	February – April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-4.0'	January – December Frequency: None	January – December Frequency: None
356A	B/D	Negligible	January – May Upper Limit: 0.0'-1.0' Lower Limit: 6.0'	January – May Surface Water Depth: 0.0'-0.5' Duration: Brief (2-7 days) Frequency: Frequent	January – December Frequency: None
541B	C	Low	February – April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-4.3'	January – December Frequency: None	January – December Frequency: None



## ***SOIL EROSION AND SEDIMENT CONTROL***

Erosion is the wearing away of the soil by water, wind, and other forces. Soil erosion threatens the Nation's soil productivity and contributes the most pollutants in our waterways. Water causes about two thirds of erosion on agricultural land. Four properties, mainly, determine a soil's erodibility: texture, slope, structure, and organic matter content.

**Slope** has the most influence on soil erosion potential when the site is under construction. Erosivity and runoff increase as slope grade increases. The runoff then exerts more force on the particles, breaking their bonds more readily and carrying them farther before deposition. The longer water flows along a slope before reaching a major waterway, the greater the potential for erosion.

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing/diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

Erosion control practices are useful controls only if they are properly located, installed, inspected, and maintained. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site.

The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby. Additionally, a National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

**Table 6:** Soil Erosion Potential

<b>Soil Type</b>	<b>Slope</b>	<b>Rating</b>	<b>Acreage</b>	<b>Percent</b>
59A	0-2%	Slight	0.7	4.5%
60B2	2-5%	Moderate	2.1	13.4%
60C3	5-10%	Severe	4.1	26.1%
356A	0-2%	Slight	5.0	31.8%
541B	2-5%	Slight	3.8	24.2%



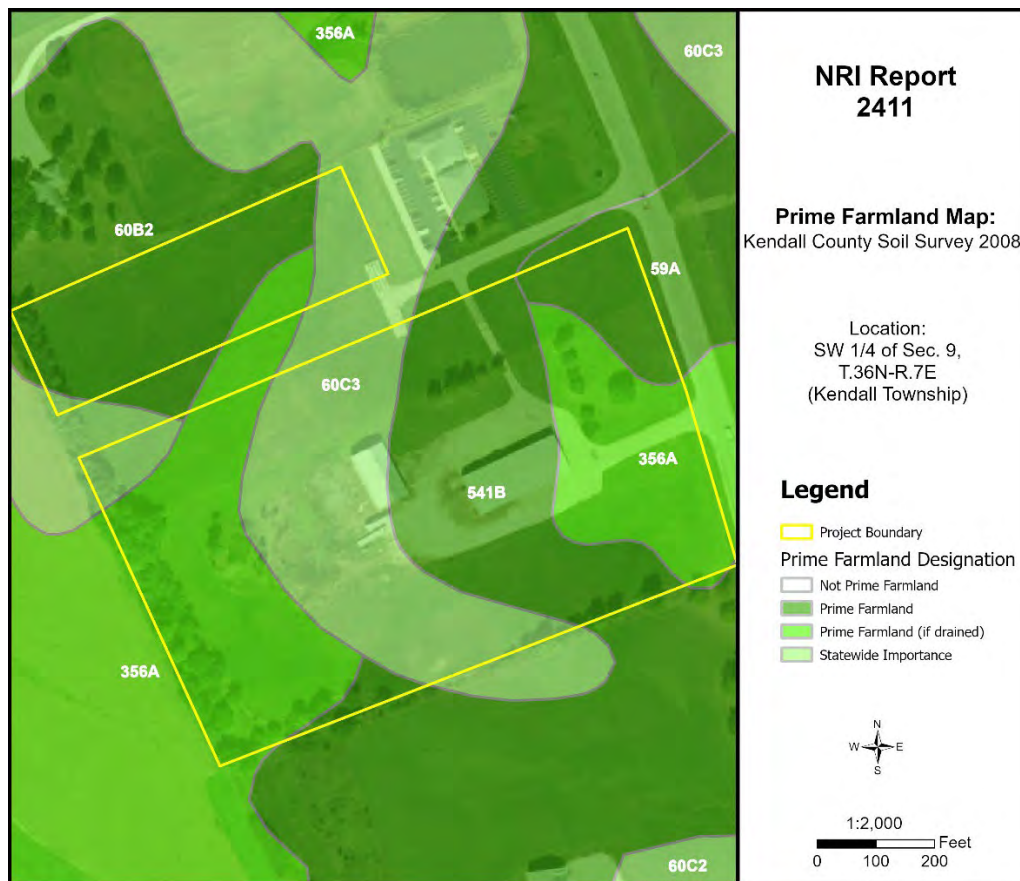
## ***PRIME FARMLAND SOILS***

Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

Section 310 of the NRCS general manual states that urban or built-up land on prime farmland soils is not prime farmland. The percentages of soil map units on the parcel reflect the determination that urban or built-up land on prime farmland soils is not prime farmland.

**Table 7:** Prime Farmland Soils

Soil Type	Prime Designation	Acreage	Percent
59A	Prime Farmland	0.7	4.5%
60B2	Prime Farmland	2.1	13.4%
60C3	Farmland of Statewide Importance	4.1	26.1%
356A	Prime Farmland if Drained	5.0	31.8%
541B	Prime Farmland	3.8	24.2%
<b>% Prime Farmland</b>	<b>73.9%</b>		



**Figure 7:** Map of Prime Farmland Soils



## **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 LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. 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 value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

**Please Note:** A land evaluation (LE) score will be compiled for every project parcel. However, when a parcel is located within municipal planning boundaries, a site assessment (SA) score is not compiled as the scoring factors are not applicable. As a result, only the LE score is available, and a full LESA score is unavailable for the parcel.

**Table 8A:** Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres*	Product (Relative Value x Acres)
59A	2	94	0.7	65.8
60B2	4	79	2.1	165.9
60C3	6	69	4.1	282.9
356A	1	100	5.0	500.0
541B	2	94	3.8	357.2
			<b>15.7</b>	<b>1,371.8</b>
<b>LE Calculation</b>			(Product of relative value / Total Acres) 1,371.8 / 15.7 = 87.4	
<b>LE Score</b>			<b>LE = 87</b>	

\*Acreage listed in this chart provides a generalized representation and may not precisely reflect exact acres of each soil type.



The Land Evaluation score for this site is 87, indicating that this site is designated as land that is well suited for agricultural uses considering the Land Evaluation score is above 80.

**Table 8B:** Site Assessment Computation

<b>A.</b>	<b>Agricultural Land Uses</b>	<b>Points</b>
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	10
	2. Current land use adjacent to site. (30-20-15-10-0)	15
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	5
	4. Size of site. (30-15-10-0)	0
<b>B.</b>	<b>Compatibility / Impact on Uses</b>	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	20
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	7
<b>C.</b>	<b>Existence of Infrastructure</b>	
	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
	<b>Site Assessment Score:</b>	<b>70</b>

**Land Evaluation Value: 87 + Site Assessment Value: 70 = LESA Score: 157**

**Table 9:** LESA Score Summary

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

**The LESA Score for this site is 157 which indicates a low level of protection for the proposed project site.** Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.



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## ***LAND USE PLANS***

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Many counties, municipalities, villages, and townships have developed land-use plans. These plans are intended to reflect the existing and future land-use needs of a given community. Please contact Kendall County Planning, Building & Zoning for information regarding their comprehensive land use plan and map.

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## ***DRAINAGE, RUNOFF, AND FLOOD INFORMATION***

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U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information.

Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the PIQ, possibly impacting surrounding natural resources.

Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

### **WHAT IS A WATERSHED?**

Simply stated, a watershed is the area of land that contributes water to a certain point. The watershed boundary is important because the area of land in the watershed can now be calculated using an irregular shape area calculator such as a dot counter or planimeter.

Using regional storm event information, and site-specific soils and land use information, the peak stormwater flow through the point marked “O” for a specified storm event can be calculated. This value is called a “Q” value (for the given storm event) and is measured in cubic feet per second (CFS).

When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value.

Theoretically, if each development, no matter how large or small, maintains their preconstruction Q value after construction by the installation of stormwater management systems, the streams and wetlands and lakes will not suffer damage from excessive urban stormwater.

For this reason, the Kendall County SWCD recommends that the developer for intense uses, such as a subdivision, calculate the preconstruction Q value for the exit point(s). A stormwater management system



should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

### **IMPORTANCE OF FLOOD INFORMATION**

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and downstream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following maps, when combined with wetland and topographic information, can help developers and future homeowners to “sidestep” potential flooding or ponding problems.

Flood Insurance Rate Maps (FIRMs), produced by the Federal Emergency Management Agency (FEMA), define flood elevation adjacent to tributaries and major bodies of water and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. This is to correctly determine the parcel location and floodplain location. The FIRM map has three (3) zones. Zone A includes the 100-year flood (1% annual chance flood), Zone B or Zone X (shaded) is the 100 to 500-year flood (between limits of the 1% and the 0.2% annual chance flood), and Zone C or Zone X (unshaded) is outside the floodplain (outside the 0.2% annual chance flood).

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic information. This map is different from the FIRM map mainly because it will show isolated or pocketed flooded areas. Kendall County uses both these maps in conjunction with each other for flooded area determinations. The Flood of Record maps show the areas of flood for various years. Both maps stress that the recurrence of flooding is merely statistical. A 100-year flood may occur twice in one year, or twice in one week, for that matter.

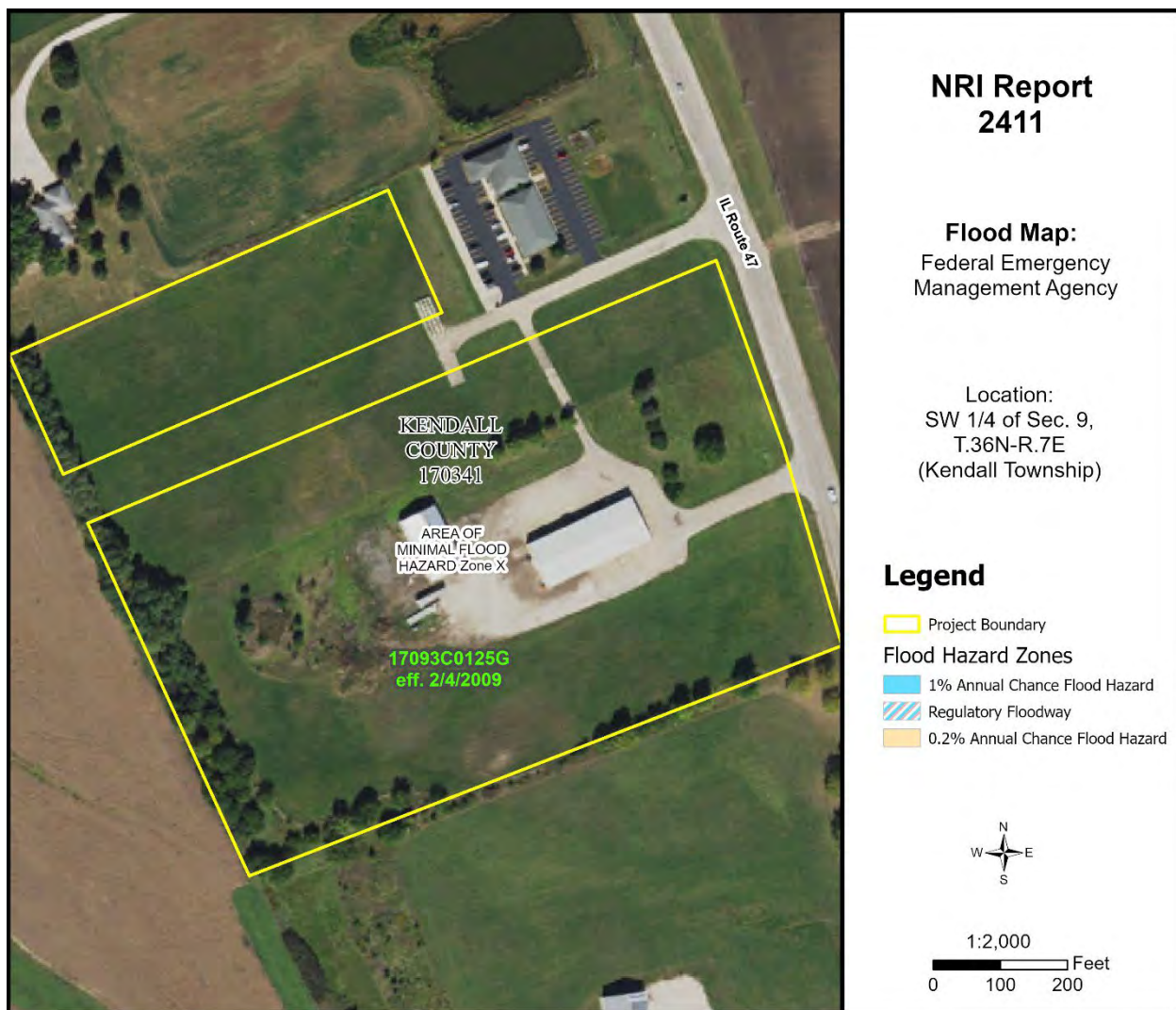
It should be noted that greater floods than those shown on the two maps are possible. The flood boundaries indicated provide a historic record only until the map publication date. Additionally, these flood boundaries are a function of the watershed conditions existing when the maps were produced. Cumulative changes in runoff characteristics caused by urbanization can result in an increase in flood height of future flood episodes.

Floodplains play a vital role in reducing the flood damage potential associated with an urbanizing area and, when left in an undisturbed state, also provide valuable wildlife habitat benefits. If it is the petitioner's intent to conduct floodplain filling or modification activities, the petitioner, and the Unit of Government responsible need to consider the potentially adverse effects this type of action could have on adjacent properties. The change or loss of natural floodplain storage often increases the frequency and severity of flooding on adjacent property.



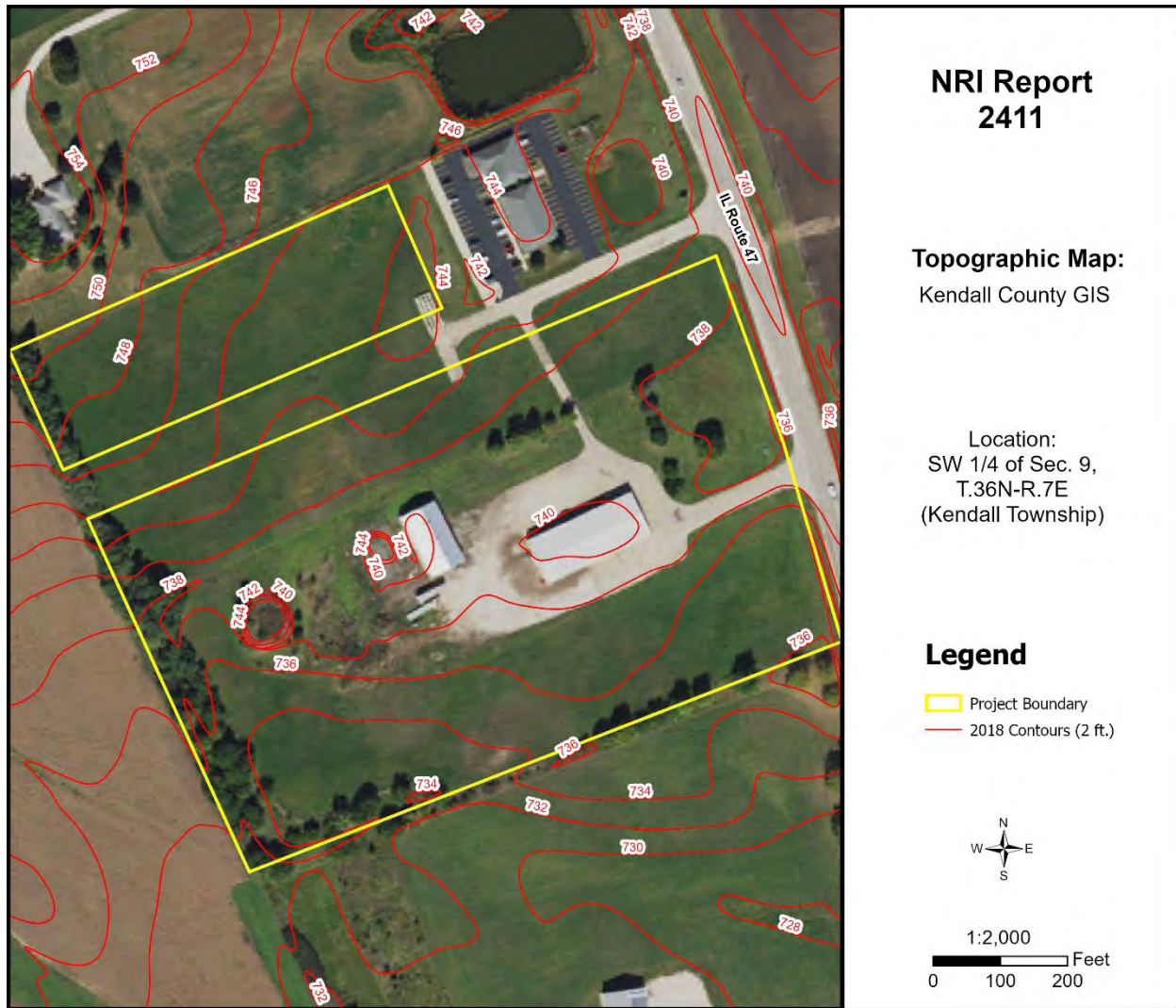
If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDNR-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans. Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainage ways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

**This parcel contains soils with slopes of 0-10% and an elevation of approximately 734'-750' above sea level. The highest point is at the northwest corner, and the lowest point is at the southwest portion of the site. According to the FEMA Flood Map (Figure 8), the parcel does not contain areas of floodplain or floodway. It is mapped as Zone X, an area of minimal flood hazard determined to be outside of the 0.2% annual chance floodplain.**



**Figure 8: Flood Map**



**Figure 9: Topographic Map**



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## ***WATERSHED PLANS***

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### **WATERSHED AND SUB WATERSHED INFORMATION**

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed:

- Preserve open space
- Maintain wetlands as part of development
- Use natural water management
- Prevent soil from leaving a construction site
- Protect subsurface drainage
- Use native vegetation
- Retain natural features
- Mix housing styles and types
- Decrease impervious surfaces
- Reduce area disturbed by mass grading
- Shrink lot size and create more open space
- Maintain historical and cultural resources
- Treat water where it falls
- Preserve views
- Establish and link trails

**This parcel is located within the Upper Illinois River watershed and the Middle Aux Sable Creek sub watershed (HUC 12 – 071200050103). The Middle Aux Sable Creek sub watershed comprises 16,396.78 acres of Kendall County.**



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## WETLAND INFORMATION

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### IMPORTANCE OF WETLAND INFORMATION

Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants and can function as rechargers of our valuable groundwater. They also are essential breeding, rearing, and feeding grounds for many species of wildlife.

These benefits are particularly valuable in urbanizing areas as development activity typically adversely affects water quality, increases the volume of stormwater runoff, and increases the demand for groundwater. In an area where many individual homes rely on shallow groundwater wells for domestic water supplies, activities that threaten potential groundwater recharge areas are contrary to the public good. The conversion of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds can cause additional degradation of water quality in downstream or adjacent areas.

It has been estimated that over 95% of the wetlands that were historically present in Illinois have been destroyed while only recently has the true environmental significance of wetlands been fully recognized. America is losing 100,000 acres of wetland a year and has saved 5 million acres total (since 1934). One acre of wetland can filter 7.3 million gallons of water a year. These are reasons why our wetlands are high quality and important.

This section contains the National Wetlands Inventory, which is the most comprehensive inventory to date. The National Wetlands Inventory is reproduced from an aerial photo at a scale of 1" equals 660 feet. The NRCS developed these maps in cooperation with U.S. EPA (Environmental Protection Agency,) and the U.S. Fish and Wildlife Service, using the National Food Security Act Manual, 3rd Edition. The main purpose of these maps is to determine wetland areas on agricultural fields and areas that may be wetlands but are in a non-agriculture setting.

The National Wetlands Inventory in no way gives an exact delineation of the wetlands, but merely an outline, or the determination that there is a wetland within the outline. For the final, most accurate wetland **determination** of a specific wetland, a wetland **delineation** must be certified by NRCS staff using the National Food Security Act Manual (on agricultural land.) On urban land, a certified wetland delineator must perform the delineation using the ACOE 1987 Manual. *See the glossary section for the definitions of "delineation" and "determination."*



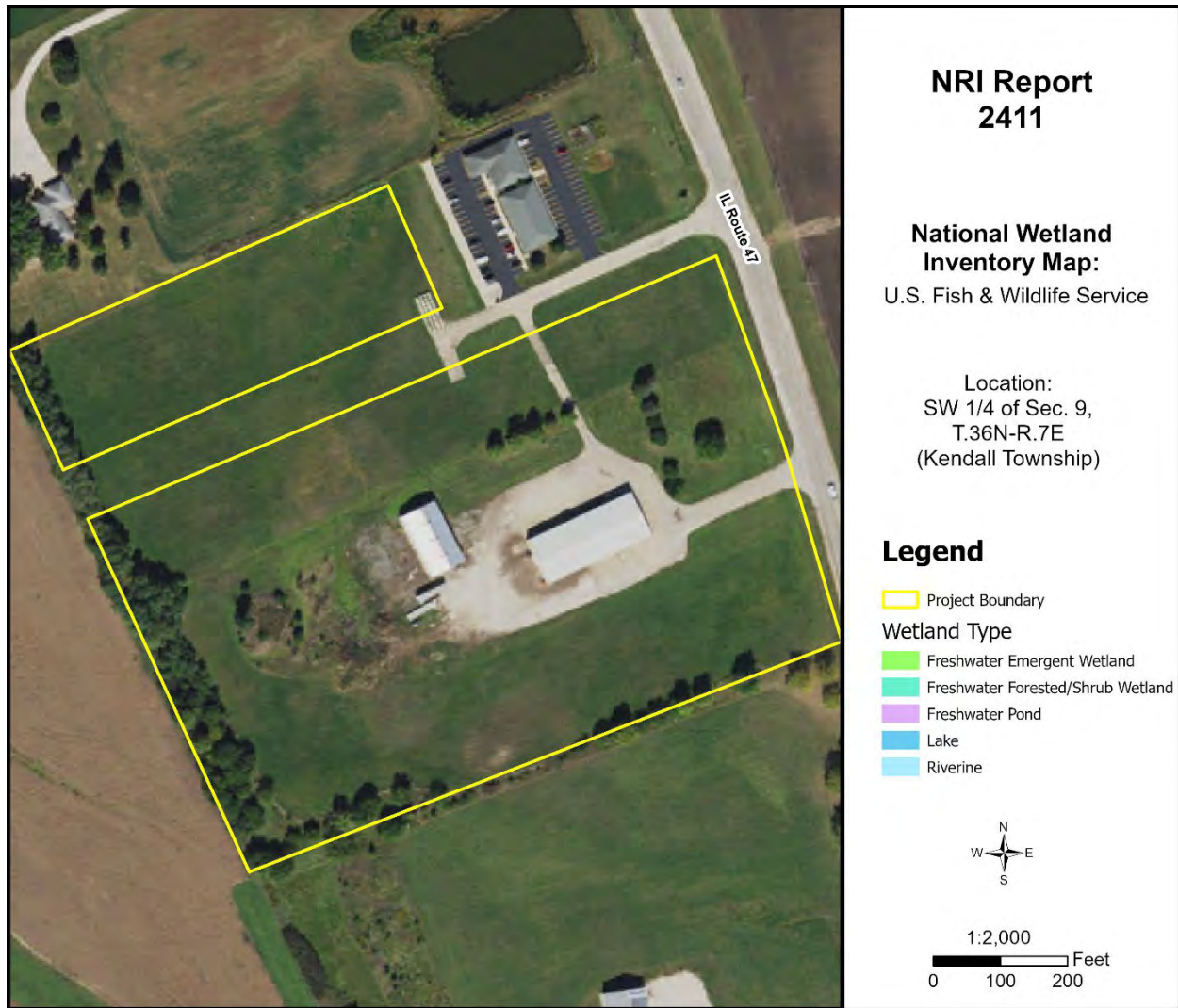


Figure 10: Wetland Map

Office maps indicate that mapped wetlands/waters are not present on the parcel in question (PIQ). To determine the presence of wetlands, 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.



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## **HYDRIC SOILS**

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Soils information gives another indication of flooding potential. The soils map on the following page indicates the soil(s) on the parcel that the Natural Resources Conservation Service indicates as hydric. Hydric soils, by definition, have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. One group of the hydric soils are the organic soils, which formed from dead organic material. Organic soils are unsuitable for building because of not only the high water table but also their subsidence problems.

It is important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic conditions to all the areas that drained through the tile (ranging from less than one acre to many square miles.)

For an intense land use, the Kendall County SWCD recommends the following: a topographical survey with 1 foot contour intervals to accurately define the flood area on the parcel, an intensive soil survey to define most accurately the locations of the hydric soils and inclusions, and a drainage tile survey on the area to locate the tiles that must be preserved to maintain subsurface drainage.

**Table 10:** Hydric Soils

<b>Soil Types</b>	<b>Drainage Class</b>	<b>Hydric Designation</b>	<b>Hydric Inclusions Likely</b>	<b>Hydric Rating %</b>	<b>Acreage</b>	<b>Percent</b>
59A	Somewhat Poorly Drained	Non-Hydric	Yes	1-32%	0.7	4.5%
60B2	Moderately Well Drained	Non-Hydric	No	0%	2.1	13.4%
60C3	Moderately Well Drained	Non-Hydric	No	0%	4.1	26.1%
356A	Poorly Drained	Hydric	N/A	100%	5.0	31.8%
541B	Moderately Well Drained	Non-Hydric	Yes	1-32%	3.8	24.2%







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## **WETLAND AND FLOODPLAIN REGULATIONS**

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PLEASE READ THE FOLLOWING IF YOU ARE PLANNING TO DO ANY WORK NEAR A STREAM (THIS INCLUDES SMALL UNNAMED STREAMS), LAKE, WETLAND OR FLOODWAY.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against floodway encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy or alter the character of these valuable resources and adversely impact the public. Therefore, please contact the proper regulatory authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

### **WHO MUST APPLY?**

Anyone proposing to dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, floodplain or floodway subject to State or Federal regulatory jurisdiction should apply for agency approvals.

### **REGULATORY AGENCIES**

- **Wetland or U.S. Waters:** U.S. Army Corps of Engineers, Chicago District, 231 South LaSalle Street, Suite 1500, Chicago, IL 60604. Phone: (312) 846-5530
- **Floodplains:** Illinois Department of Natural Resources - Office of Water Resources, One Natural Resources Way, Springfield, IL 62702-1270. Phone: (217) 782-6302
- **Water Quality/Erosion Control:** Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276. Phone: (217) 782-3397

### **COORDINATION**

We recommend early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stages. This could reduce time required to process necessary approvals.

**CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a Waters of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River and Harbors Appropriation Act of 1899 or Section 404 of the Clean Water Act are subject to fines ranging up to \$16,000 per day of violation, with a maximum cap of \$187,500 in any single enforcement action, as well as criminal enforcement.**



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## GLOSSARY

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**AGRICULTURAL PROTECTION AREAS (AG AREAS)** - Allowed by P.A. 81-1173. An AG AREA consists of a minimum of 350 acres of farmland, as contiguous and compact as possible. Petitioned by landowners, AG AREAS protect for a period of ten years initially, then reviewed every eight years thereafter. AG AREA establishment exempts landowners from local nuisance ordinances directed at farming operations, and designated land cannot receive special tax assessments on public improvements that do not benefit the land, e.g. water and sewer lines.

**AGRICULTURE** - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

**BEDROCK** - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

**FLOODING** - Indicates frequency, duration, and period during year when floods are likely to occur.

**HIGH WATER TABLE** - A seasonal high water table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

- **Water table, Apparent:** A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Water table, Artesian:** A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Water table, Perched:** A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

**DELINEATION** - For Wetlands: A series of pink or orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

**DETERMINATION** - A polygon drawn on a map using map information that gives an outline of a wetland.

**HYDRIC SOIL** - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987).

**INTENSIVE SOIL MAPPING** - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. mapping for septic suitability.



**LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.)** - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

**MODERN SOIL SURVEY** - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

**PERMEABILITY** - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

**PIQ** - Parcel in question

**POTENTIAL FROST ACTION** - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

**PRIME FARMLAND** - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

**SEASONAL** - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

**SHRINK-SWELL POTENTIAL** - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

**SOIL MAPPING UNIT** - A map unit is a collection of soil areas of miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for taxa and in terms of ranges of taxadjuncts and inclusions.



**SOIL SERIES** - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, and mineralogical and chemical composition.

**SUBSIDENCE** - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

**TOPSOIL** - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

**WATERSHED** - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and ponding areas such as detention structures, natural ponds and wetlands.

**WETLAND** - An area that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient enough to support, and under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.



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## Matt Asselmeier

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**From:** Steve Gengler <sgengler@kendalltwp.com>  
**Sent:** Thursday, April 18, 2024 6:49 AM  
**To:** Matt Asselmeier  
**Subject:** Re: [External]Planning commission

Sorry Matt,

We had a busy day yesterday.

The Township Board did approve the recommendation of the Planning Commission to approve the application from A & D properties.

Thanks again for coming to the meeting.

Steve

Steve Gengler  
Kendall Township Supervisor

Sent from my T-Mobile 5G Device  
[Get Outlook for Android](#)

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**From:** Matt Asselmeier <masselmeier@kendallcountyil.gov>  
**Sent:** Wednesday, April 17, 2024 4:05:48 PM  
**To:** Steve Gengler <sgengler@kendalltwp.com>  
**Subject:** RE: [External]Planning commission

Steve:

Did the Kendall Township Board issue a recommendation regarding the proposed rezoning of 7789 Route 47?

Thanks,

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

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**From:** Steve Gengler <sgengler@kendalltwp.com>  
**Sent:** Wednesday, April 10, 2024 7:22 AM  
**To:** Matt Asselmeier <masselmeier@kendallcountyil.gov>  
**Subject:** [External]Planning commission



**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
April 2, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

Present:

Meagan Briganti – GIS Department  
David Guritz – Forest Preserve  
Brian Holdiman – PBZ Department  
Fran Klaas – Highway Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District  
Seth Wormley – PBZ Committee Chair

Absent:

Matt Asselmeier – PBZ Department  
Greg Chismark – WBK Engineering, LLC  
Aaron Rybski – Health Department

Audience:

Larry Nelson, Dan Kramer (Attended Remotely), Christina Burns, and Nancy Villa

**PETITIONS**

**Petition 24-06 Jerry Styrzcula on Behalf of A&D Properties, LLC**

Chairman Wormley summarized the request.

A&D Properties, LLC would like a map amendment rezoning approximately sixteen point four more or less (16.4 +/-) acres located on the west side of Route 47 addressed as 7789 Route 47 from B-3 Highway Business District to M-1 Limited Manufacturing District in order to operate a trucking business for the sale and storage of semi-trailers, small trailers, semi-tractors, and similar uses at the subject property.

The application materials and pictures of the property were provided.

The property has been zoned B-3 since 1975. The ordinance rezoning the property to B-3 was provided. The property was previously used as a distributorship for International Harvester.

The plat of survey was provided.

If the map amendment is approved and if the Petitioner wants to make changes to the site, site plan approval will be required. To date, the Petitioner was working on a site plan proposal.

The property is addressed as 7789 Route 47, Yorkville.

The property is approximately sixteen (16) acres in size.

The current land use is Vacant and Improved Commercial.

The property is zoned B-3 Highway Business District.

The County's Future Land Use Map calls for this property to be Mixed Use Business. Yorkville Future Land Use Map calls for the property to be Estate/Conservation Residential.

Route 47 is a State maintained Arterial Road.

There are no trails planned in this area.

There are no floodplains or wetlands on the property.

The adjacent land uses are Improved Commercial, Single-Family Residential, Agricultural, and Vacant Manufacturing.

The adjacent properties are zoned A-1 and M-1 in the unincorporated area and R-2 and R-3 inside Yorkville.

The County's Future Land Use Map calls for the area to be Rural Residential and Mixed Use Business. Yorkville's Future Land Use Map calls for the area to be Agricultural, Suburban Neighborhoods, and Estate/Conservation Residential.



The properties within one point five (1.5) miles are zoned A-1, A-1 SU, R-1, R-4, B-3, and M-1 in the County and R-2, R-3, B-1, and B-3 in Yorkville.

The A-1 special use permit to the north is for a landscaping business.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on March 12, 2024.

Petition information was sent to Kendall Township on March 20, 2024.

Petition information was sent to the United City of Yorkville on March 20, 2024.

Petition information was sent to the Bristol-Kendall Fire Protection District on March 20, 2024.

The Petitioner would like to rezone the property to operate a trucking business.

There are two (2) existing buildings on the property. The northern building is approximately five thousand, three hundred sixty-six (5,366) square feet in size. The southern building is approximately eleven thousand, three hundred (11,300) square feet in size.

Any future buildings would have to meet applicable building codes.

The site is serviced by a well and septic. There is electricity and natural gas onsite.

The property fronts Route 47 and has one (1) access point off of Route 47. There is a deceleration lane for south bound traffic off of Route 47. The property also has one (1) access point off of Conservation Drive.

There is existing parking around the southern building; the parking spaces are not marked. If improvements are made to the site, parking spaces would need to be marked.

Based on the proposed uses, no new odors are foreseen. The owners of the property would have to follow applicable odor control regulations based on potential other future M-1 allowable uses.

There are lights on both buildings and a streetlight is lying on the ground at the entrance off of Route 47.

The amount of lighting could expand on the property if they install a larger parking lot or if different uses move onto the property. Lighting would need to be evaluated as part of site plan review.

There are several mature plants around the perimeter of the property. No changes to the landscaping or property screening are proposed as part of the map amendment.

If improvements are made to the site in the future, landscaping and screening would be required as part of site plan review.

Any signage would have to meet applicable regulations and secure permits.

The owners of the property would have to follow applicable noise control regulations based on future land uses. Noise control measures would need to be evaluated as part of site plan approval.

The Petitioner submitted an application for a stormwater permit.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes, single-family residential, office, and light industrial, including outdoor storage. The property is presently vacant, but was previously used as a site for the sale of agricultural equipment.



The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and M-1 in the unincorporated area and R-2, R-3, and B-3 inside the United City of Yorkville.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioners proposed use of the property, for the operation of a trucking business, is not allowed in the B-3 Zoning District. The site itself could be used for a trucking business, if properly zoned.

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

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan was recently amended to Mixed Use Business. The M-1 Zoning District is consistent with the Mixed Use Business classification.

Staff recommends approval of the proposed map amendment.

Dan Kramer, Attorney for the Petitioner, provided a history and description of the business and property.

Chairman Wormley asked about the existing trailers onsite. Mr. Kramer provided a history of the trailers on the property. The Petitioner owns the property.

Mr. Klaas noted Kendall County Township's concerns regarding the use of Conservation Drive by semis.

Mr. Holdiman noted that this proposal is about the rezoning and further discussion would occur during the site plan review process.

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

The votes were follows:

Ayes (7): Briganti, Guritz, Holdiman, Klaas, Langston, Olson, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (3): Asselmeier, Chismark, and Rybski

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on April 24, 2024.

#### **PUBLIC COMMENT**

None

#### **ADJOURNMENT**

Mr. Guritz made a motion, seconded by Commander Langston, to adjourn.

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

The ZPAC, at 9:35 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Director



Attachment 11, Page 1  
**KENDALL COUNTY**  
**REGIONAL PLANNING COMMISSION**

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

**Unapproved - Meeting Minutes of April 24, 2024 - 7:00 p.m.**

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

**ROLL CALL**

Members Present: Bill Ashton, Eric Bernacki, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Claire Wilson, and Seth Wormley

Members Absent: Tom Casey and Bob Stewart

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant

Others Present: Kelly Helland, Steve Graves, and Steve Grebner

**PETITIONS**

**Petitions 24-06 Jerry Styrezula on Behalf of A&D Properties, LLC**

Mr. Asselmeier summarized the request.

A&D Properties, LLC would like a map amendment rezoning approximately sixteen point four more or less (16.4 +/-) acres located on the west side of Route 47 addressed as 7789 Route 47 from B-3 Highway Business District to M-1 Limited Manufacturing District in order to operate a trucking business for the sale and storage of semi-trailers, small trailers, semi-tractors, and similar uses at the subject property.

The application materials and pictures of the property were provided.

The property has been zoned B-3 since 1975. The ordinance rezoning the property to B-3 was provided. The property was previously used as a distributorship for International Harvester.

The plat of survey was provided.

If the map amendment is approved and if the Petitioner wants to make changes to the site, site plan approval will be required. To date, the Petitioner was working on a site plan proposal.

The property is addressed as 7789 Route 47, Yorkville.

The property is approximately sixteen (16) acres in size.

The current land use is Vacant and Improved Commercial.

The property is zoned B-3 Highway Business District.

The County's Future Land Use Map calls for this property to be Mixed Use Business. Yorkville Future Land Use Map calls for the property to be Estate/Conservation Residential.

Route 47 is a State maintained Arterial Road.

There are no trails planned in this area.

There are no floodplains or wetlands on the property.



The adjacent land uses are Improved Commercial, Single-Family Residential, Agricultural, and Vacant Manufacturing.

The adjacent properties are zoned A-1 and M-1 in the unincorporated area and R-2 and R-3 inside Yorkville.

The County's Future Land Use Map calls for the area to be Rural Residential and Mixed Use Business. Yorkville's Future Land Use Map calls for the area to be Agricultural, Suburban Neighborhoods, and Estate/Conservation Residential.

The properties within one point five (1.5) miles are zoned A-1, A-1 SU, R-1, R-4, B-3, and M-1 in the County and R-2, R-3, B-1, and B-3 in Yorkville.

The A-1 special use permit to the north is for a landscaping business.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on March 12, 2024. The LESA Score was 157 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Kendall Township on March 20, 2024. The Kendall Township Planning Commission reviewed the proposal on April 15, 2024, and recommended approval of the proposal. The Kendall Township Board reviewed the proposal on April 16, 2024, and concurred with the Kendall Township Planning Commission. The email from the Township was provided.

Petition information was sent to the United City of Yorkville on March 20, 2024. Yorkville will be reviewing the proposal at their May meetings.

Petition information was sent to the Bristol-Kendall Fire Protection District on March 20, 2024.

ZPAC reviewed the proposal at their meeting on April 2, 2024. Discussion occurred regarding the semis already parked at the property and restricting semis on Conservation Drive. Site plan approval will be required and they will need to comply with the M-1 zoning regulations, if the map amendment is approved. ZPAC recommended approval by a vote of seven (7) in favor and (0) in opposition, with three (3) members absent. The minutes of the meeting were provided.

The Petitioner would like to rezone the property to operate a trucking business.

There are two (2) existing buildings on the property. The northern building is approximately five thousand, three hundred sixty-six (5,366) square feet in size. The southern building is approximately eleven thousand, three hundred (11,300) square feet in size.

Any future buildings would have to meet applicable building codes.

The site is serviced by a well and septic. There is electricity and natural gas onsite.

The property fronts Route 47 and has one (1) access point off of Route 47. There is a deceleration lane for south bound traffic off of Route 47. The property also has one (1) access point off of Conservation Drive.

There is existing parking around the southern building; the parking spaces are not marked. If improvements are made to the site, parking spaces would need to be marked.



Based on the proposed uses, no new odors are foreseen. The owners of the property would have to follow applicable odor control regulations based on potential other future M-1 allowable uses.

There are lights on both buildings and a streetlight is lying on the ground at the entrance off of Route 47.

The amount of lighting could expand on the property if they install a larger parking lot or if different uses move onto the property. Lighting would need to be evaluated as part of site plan review.

There are several mature plants around the perimeter of the property. No changes to the landscaping or property screening are proposed as part of the map amendment.

If improvements are made to the site in the future, landscaping and screening would be required as part of site plan review.

Any signage would have to meet applicable regulations and secure permits.

The owners of the property would have to follow applicable noise control regulations based on future land uses. Noise control measures would need to be evaluated as part of site plan approval.

The Petitioner submitted an application for a stormwater permit.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes, single-family residential, office, and light industrial, including outdoor storage. The property is presently vacant, but was previously used as a site for the sale of agricultural equipment.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and M-1 in the unincorporated area and R-2, R-3, and B-3 inside the United City of Yorkville.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioners proposed use of the property, for the operation of a trucking business, is not allowed in the B-3 Zoning District. The site itself could be used for a trucking business, if properly zoned.

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

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan was recently amended to Mixed Use Business. The M-1 Zoning District is consistent with the Mixed Use Business classification.

Staff recommended approval of the proposed map amendment.

It was noted that the subject property had been recently reclassified as Mixed Use Business on the Future Land Use Map.



Member Wilson asked about the number of lots proposed for rezoning. Kelly Helland, Attorney for the Petitioner, said the lots were contiguous, but Conservation Drive was a dedicated Kendall Township road.

Ms. Helland said that the Petitioner intended to fence both parcels and they were in discussions with the Kendall Township Highway Commissioner regarding obtaining access easements. The Petitioner did not want Conservation Drive vacated. Semis will not be allowed to access the property by Conservation Drive.

Ms. Helland clarified that the proposed use of the property was as a trailer and truck sales business. The Petitioner currently operates in Shorewood. The trailers would be both new and used.

Member Nelson asked if the truck sales would be held in Kendall County. Ms. Helland responded, yes, the sales tax would be paid in Kendall County.

Member Wilson asked why so many trucks were currently parked at the property. Ms. Helland responded that Plano Molding placed them on the property. The Petitioner owns the trucks and is in the process of trying to relocate and/or sell them. There were over sixty (60) trailers/containers at the property.

Member Bernacki asked why the rezoning was necessary. Mr. Asselmeier said truck sales were not allowed in the B-3 District.

Member Wilson asked if the Petitioner wanted to store containers on the property. Ms. Helland responded no.

Map amendments cannot be conditioned.

It was noted the Land Resource Management Plan calls for this property to be M-1 and, if the rezoning was approved, any use allowed in the M-1 could be placed at the property. Discussion occurred regarding the types of uses allowed in the M-1; site plan approval will still be necessary.

Member Wormley asked about the operations presently occurring at the property. He noted that drivers from the trucks were getting picked up and dropped off at the site; the site was not being used purely for storage. He requested clarification by the next meeting.

Steven Graves asked if any citations had been issued for violations. Mr. Asselmeier responded no and explained the County's voluntary compliance policy.

Mr. Graves asked if Lot 2 of the Walz could be rezoned to A-1 and planted in alfalfa in order to reduce taxes. Mr. Asselmeier responded a rezoning was not possible. Mr. Wormely stated the property could be planted in alfalfa. Ms. Helland explained how agricultural taxation worked.

Member Rodriguez asked about future developments at the site. Ms. Helland responded that the Petitioner plans to install a paved parking lot and applicable lighting, remodel the existing building, and a possibly construct a second building.

Steve Grebner, Kendall Township Clerk, stated that the Township was watching the property to make sure the intent of use matched what actually happened at the property. He stated that the Township was concerned about trucks using Conservation Drive. The Township approved the request.

Discussion occurred regarding how much land was south of Conservation Drive.

Discussion occurred regarding the need for trailer parking during the off-season of heavy retail transactions.



It was noted that the property and Mixed Use Business area were not very large.

Member Bernacki made a motion, seconded by Member Nelson, to recommend approval of the map amendment.

The votes were as follows:

Ayes (8): Ashton, Bernacki, Hamman, McCarthy-Lange, Rodriguez, Nelson, Wilson, and Wormley

Nays (0): None

Absent (2): Casey and Stewart

Abstain (0): None

The proposals go to the Kendall County Zoning Board of Appeals on April 29, 2024.

#### **CITIZENS TO BE HEARD/PUBLIC COMMENT**

None

#### **OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier reported that the following items will be on the May agenda, Seward Township is requesting an amendment to the special use for their Township Building because they want to construct an addition, a landscaping business is proposed at 2142 Wooley Road, someone wants to rezone the property next to TZ Landscaping on Route 52 in order have a contractor's office, a solar farm is proposed on Simons Road, and Seward Township is proposing changes to their Future Land Use Map.

#### **ADJOURNMENT**

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

The Kendall County Regional Planning Commission meeting adjourned at 7:58 p.m.

Respectfully submitted by,  
Wanda A. Rolf, Administrative Assistant

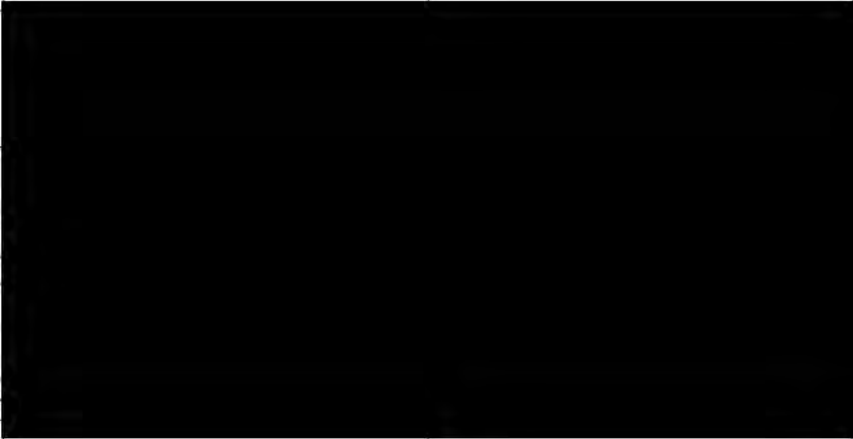
Enc.





**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
APRIL 24, 2024**

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)
Laura Nelson		
Kelly Helkord		
Steve Grave		
STEVE GREBNER		



**Matt Asselmeier**

**From:** Krysti Barksdale-Noble <knoble@yorkville.il.us>  
**Sent:** Wednesday, May 15, 2024 5:07 AM  
**To:** Matt Asselmeier  
**Cc:** Sara Mendez; bolson@yorkville.il.us  
**Subject:** [External]Re: Kendall County Petition 24-06

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This request was not opposed at the City Council meeting.

Krysti Barksdale-Noble, AICP  
 Sent from my iPhone

On May 9, 2024, at 4:13 PM, Krysti Barksdale-Noble <knoble@yorkville.il.us> wrote:

Good Afternoon Matt,

The Yorkville City Council will meet to vote on the Map Amendment Rezoning for 7789 Route 47 (1.5-Mile Zoning Request) on **Tuesday, May 14, 2024** at 7 pm.

I have provided links to the packet materials and how to access the meetings remotely via Zoom, if needed. Please pass along to the petitioner and let me know if you have any questions.

Meeting	Date/Time	Location	Links
City Council	<b>Tuesday, May 14, 2024 at 7:00PM</b>	City Hall 651 Prairie Pointe Drive, 3 <sup>rd</sup> FL Yorkville, Illinois	<a href="https://www.yorkville.il.us/ArchiveCenter/ViewFile/Item/568">https://www.yorkville.il.us/ArchiveCenter/ViewFile/Item/568</a> <a href="https://www.yorkville.il.us/ArchiveCenter/ViewFile/Item/568">https://www.yorkville.il.us/ArchiveCenter/ViewFile/Item/568</a>

Best Regards,

***Krysti J. Barksdale-Noble, AICP***

*(she/her)*

Community Development Director  
 United City of Yorkville  
 651 Prairie Pointe Drive  
 Yorkville, Illinois 60560  
 <image001.png>  
 (630) 553-8573  
 <image002.png>  
 (630) 742-7808  
 <image003.png>



**MINUTES – UNOFFICIAL UNTIL APPROVED**  
**KENDALL COUNTY**  
**ZONING BOARD OF APPEALS MEETING**  
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)  
YORKVILLE, IL 60560  
April 29, 2024 – 7:00 p.m.

**CALL TO ORDER**

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:03 p.m.

**ROLL CALL:**

Members Present: Cliff Fox, Tom LeCuyer, Randy Mohr, Jillian Prodehl, and Dick Thompson,

Members Absent: Scott Cherry and Dick Whitfield

Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Administrative Assistant

Others Present: Dan Kramer and Steve Grebner

**MINUTES:**

Member LeCuyer made a motion, seconded by Member Fox, to approve the minutes of the March 4, 2024, hearing/meeting.

With a voice vote of five (5) ayes, the motion carried.

The Zoning Board of Appeals started their review of Petition 24-06 at 7:03 p.m.

<b>Petition</b>	<b>24 – 06 – Jerry Styrzula on Behalf of A&amp;D Properties, LLC</b>
<b>Request:</b>	Map Amendment Rezoning the Subject Property from B-3 Highway Business District to M-1 Limited Manufacturing District
<b>PINs:</b>	05-09-300-015
<b>Location:</b>	7789 Route 47, Yorkville in Kendall Township
<b>Purpose:</b>	Petitioner Wants to Rezone the Property in Order to Operate a Trucking Business

Mr. Asselmeier summarized the request.

A&D Properties, LLC would like a map amendment rezoning approximately sixteen point four more or less (16.4 +/-) acres located on the west side of Route 47 addressed as 7789 Route 47 from B-3 Highway Business District to M-1 Limited Manufacturing District in order to operate a trucking business for the sale and storage of semi-trailers, small trailers, semi-tractors, and similar uses at the subject property.

The application materials and pictures of the property were provided.

The property has been zoned B-3 since 1975. The ordinance rezoning the property to B-3 was provided. The property was previously used as a distributorship for International Harvester.



The plat of survey was provided.

If the map amendment is approved and if the Petitioner wants to make changes to the site, site plan approval will be required. To date, the Petitioner was working on a site plan proposal.

The property is addressed as 7789 Route 47, Yorkville.

The property is approximately sixteen (16) acres in size.

The current land use is Vacant and Improved Commercial.

The property is zoned B-3 Highway Business District.

The County's Future Land Use Map calls for this property to be Mixed Use Business. Yorkville Future Land Use Map calls for the property to be Estate/Conservation Residential.

Route 47 is a State maintained Arterial Road.

There are no trails planned in this area.

There are no floodplains or wetlands on the property.

The adjacent land uses are Improved Commercial, Single-Family Residential, Agricultural, and Vacant Manufacturing.

The adjacent properties are zoned A-1 and M-1 in the unincorporated area and R-2 and R-3 inside Yorkville.

The County's Future Land Use Map calls for the area to be Rural Residential and Mixed Use Business. Yorkville's Future Land Use Map calls for the area to be Agricultural, Suburban Neighborhoods, and Estate/Conservation Residential.

The properties within one point five (1.5) miles are zoned A-1, A-1 SU, R-1, R-4, B-3, and M-1 in the County and R-2, R-3, B-1, and B-3 in Yorkville.

The A-1 special use permit to the north is for a landscaping business.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on March 12, 2024. The LESA Score was 157 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Kendall Township on March 20, 2024. The Kendall Township Planning Commission reviewed the proposal on April 15, 2024, and recommended approval of the proposal. The Kendall Township Board reviewed the proposal on April 16, 2024, and concurred with the Kendall Township Planning Commission. The email from the Township was provided.

Petition information was sent to the United City of Yorkville on March 20, 2024. Yorkville will be reviewing the proposal at their May meetings.



Petition information was sent to the Bristol-Kendall Fire Protection District on March 20, 2024.

ZPAC reviewed the proposal at their meeting on April 2, 2024. Discussion occurred regarding the semis already parked at the property and restricting semis on Conservation Drive. Site plan approval will be required and they will need to comply with the M-1 zoning regulations, if the map amendment is approved. ZPAC recommended approval by a vote of seven (7) in favor and (0) in opposition, with three (3) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on April 24, 2024. It was noted that the subject property had been recently reclassified as Mixed Use Business on the Future Land Use Map. Trucks will not be allowed to access the property via Conservation Drive, per agreement between the Petitioner and Kendall Township. The intention was to use the property for a truck and trailer sales business. If the map amendment was approved, the Petitioner would still need site plan approval. The Petitioner intended to install a paved parking lot, applicable lighting, remodel the existing building, and possibly construct a second building. The Petitioner was attempting to relocate the trailers presently onsite. Discussion occurred regarding current activities on the property; a request was made regarding clarifying the current use of the property because drivers were getting picked up and dropped off at the site. Discussion occurred regarding the County's voluntary compliance policy. It was noted that the subject property and Mixed Use Business area was not very large. The Kendall County Regional Planning Commission recommended approval of the map amendment by a vote of eight (8) in favor and (0) in opposition, with two (2) members absent. The minutes of the meeting were provided.

The Petitioner would like to rezone the property to operate a trucking business.

There are two (2) existing buildings on the property. The northern building is approximately five thousand, three hundred sixty-six (5,366) square feet in size. The southern building is approximately eleven thousand, three hundred (11,300) square feet in size.

Any future buildings would have to meet applicable building codes.

The site is serviced by a well and septic. There is electricity and natural gas onsite.

The property fronts Route 47 and has one (1) access point off of Route 47. There is a deceleration lane for south bound traffic off of Route 47. The property also has one (1) access point off of Conservation Drive.

There is existing parking around the southern building; the parking spaces are not marked. If improvements are made to the site, parking spaces would need to be marked.

Based on the proposed uses, no new odors are foreseen. The owners of the property would have to follow applicable odor control regulations based on potential other future M-1 allowable uses.



There are lights on both buildings and a streetlight is lying on the ground at the entrance off of Route 47.

The amount of lighting could expand on the property if they install a larger parking lot or if different uses move onto the property. Lighting would need to be evaluated as part of site plan review.

There are several mature plants around the perimeter of the property. No changes to the landscaping or property screening are proposed as part of the map amendment.

If improvements are made to the site in the future, landscaping and screening would be required as part of site plan review.

Any signage would have to meet applicable regulations and secure permits.

The owners of the property would have to follow applicable noise control regulations based on future land uses. Noise control measures would need to be evaluated as part of site plan approval.

The Petitioner submitted an application for a stormwater permit.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes, single-family residential, office, and light industrial, including outdoor storage. The property is presently vacant, but was previously used as a site for the sale of agricultural equipment.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and M-1 in the unincorporated area and R-2, R-3, and B-3 inside the United City of Yorkville.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioners proposed use of the property, for the operation of a trucking business, is not allowed in the B-3 Zoning District. The site itself could be used for a trucking business, if properly zoned.

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

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource



Management Plan was recently amended to Mixed Use Business. The M-1 Zoning District is consistent with the Mixed Use Business classification.

Staff recommended approval of the proposed map amendment.

Chairman Mohr asked if there were any questions. There were none.

Chairman Mohr opened the public hearing at 7:12 p.m.

Chairman Mohr swore in Dan Kramer.

Dan Kramer, Attorney for the Petitioner, spoke about the property being vacant for 2 decades. The current ordinance states that farm implements can be sold but not semi-trailers or semi tractors which is why the Petitioner requests to rezone the property to M-1 Zoning. Mr. Kramer stated that the Petitioner does not run a trucking business. He is a licensed dealer.

There have been unknown semi-trailers parked on the Petitioner's lot. Plano Molding has used the property for storing their trailers. The Petitioner is attempting to relocate trailers that are currently onsite. A request was made regarding clarifying the current use of the property because drivers were being picked up and dropped off at the site. Mr. Kramer stated that none of the Petitioner's trailers were licensed to travel on the highway. The Petitioner was arranging to sell the trailers as soon as possible.

The Petitioner plans on having a building to customize semi-trailers and semi-tractors. For example, if someone wants their ICC number printed on the truck or have specialized mud flaps they will be able to have that done. The Petitioner was also considering having the two (2) buildings connected to form one (1) large building.

Mr. Kramer stated that the asphalt that is currently on Conservation Drive was not adequate for large trucks so the petitioner stated he would have a sign that will say no vehicles over ten thousand pounds (10,000 lbs.) on Conservation Drive. The Petitioner's site plan was under review by the County Stormwater Engineer.

Steve Grebner, Kendall County Township Clerk, stated he counted the trailers in the lot and there were sixty (60) trailers. Mr. Grebner asked Mr. Kramer what the time table was for the Petitioner to remove the trailers. Mr. Kramer stated the time table would be approximately thirty (30) days.

Ms. Prodehl asked if the trailers had anything stored in them. Mr. Kramer answered that there was nothing stored in any of the trailers.



Chairman Mohr adjourned the public hearing at 7:31 p.m.

Member LeCuyer made motion, seconded by Member Thompson, to approve Findings of Fact.

The votes were as follows:

Ayes (5): Fox, LeCuyer, Mohr, Prodehl, and Thompson,  
Nays (0): None  
Abstain (0): None  
Absent (2): Cherry and Whitfield

Member LeCuyer made a motion, seconded by Member Fox, to approve the petition to rezone the Property from B-3 Highway Business District to M-1 Limited Manufacturing District.

The votes were as follows:

Ayes (5): Fox, LeCuyer, Mohr, Prodehl, and Thompson,  
Nays (0): None  
Abstain (0): None  
Absent (2): Cherry and Whitfield

The proposal will go to the Planning, Building and Zoning Committee on June 10, 2024.

The Zoning Board of Appeals completed their review of Petition 24-06 at 7:33 p.m.

**NEW BUSINESS/OLD BUSINESS**

**None**

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier reported that Petitions 23-35, 24-01, 24-02, and 24-03 were approved by the County Board. Also the City of Aurora annexed the billboard at the corner Route 30 and Hafenrichter.

Mr. Asselmeier also reported that the Brighter Daze banquet facility on Crimmins Road has asked for annexation into Millington. This was continued to the May meeting.

Mr. Asselmeier reported that the following items will be on the May agenda, Seward Township is requesting an amendment to the special use for their Township Building because they want to construct an addition, a landscaping business is proposed at 2142 Wooley Road, someone wants to rezone the property next to TZ Landscaping on Route 52 in order have a contractor's office, a special request for a commercial solar farm is proposed on Simons Road, and Seward Township is proposing changes to their Future Land Use Map. Seward Township has submitted a request to reclassify almost everything west of Arbeiter and Hare Roads to Agricultural.



Chair Mohr asked Mr. Asselmeier if Seward Township had their local hearings regarding the proposed new future land use map. Mr. Asselmeier stated that Seward Township had their public meeting on April 18, 2024. There were approximately thirty (30) people in attendance.

Member Prodehl made motion, seconded by Member Fox, to place the two (2) Seward Township items at the beginning of the May agenda. With a voice vote of five (5) ayes, the motion carried.

**PUBLIC COMMENTS**

None

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS**

Member LeCuyer made a motion, seconded by Member Prodehl, to adjourn.

With a voice vote of five (5) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 7:43 p.m.

The next regularly scheduled meeting/hearing will be on May 28, 2024.

Respectfully submitted by,  
Wanda A. Rolf  
Administrative Assistant

**Exhibits**

1. Memo on Petition 24-06 Dated April 25, 2024
2. Certificate of Publication and Certified Mail Receipts for Petition 24-06 (Not Included with Report but on file in Planning, Building and Zoning Office)







State of Illinois  
County of Kendall

Zoning Petition  
#24-06

**ORDINANCE NUMBER 2024-\_\_\_\_\_**

**MAP AMENDMENT FOR APPROXIMATELY SIXTEEN POINT FOUR ACRES LOCATED AT  
7789 ROUTE 47 (PIN: 05-09-300-015) IN KENDALL TOWNSHIP**

Rezone from B-3 to M-1

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

WHEREAS, the property which is the subject of this Ordinance has been, since November 10, 1975, and remains currently located within the B-3 Highway Business Zoning District and consists of approximately 16.4 more or less acres located at 7789 Route 47, Yorkville (PIN: 05-09-300-015) in Kendall Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is currently owned by A&D Properties, LLC as represented by Jerry Styruczula and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about March 19, 2024, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from B-3 Highway Business to M-1 Limited Manufacturing District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on April 4, 2024, due and proper notification to the United City of Yorkville on or about April 8, 2024, due and proper notification to Kendall Township on or about April 8, 2024, and due and proper notification to all property owners of record of properties located adjacent to the subject property at least fifteen days prior to the hearing, the Kendall County Zoning Board of Appeals conducted a public hearing on April 29, 2024, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public testified in favor or in opposition of the requested Map Amendment and one person asked questions regarding the requested Map Amendment; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated April 29, 2024, a true and correct copy of which is attached hereto as Exhibit B; and

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

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

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

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached



State of Illinois  
County of Kendall

Zoning Petition  
#24-06

hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.

2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from B-3 Highway Business to M-1 Limited Manufacturing District.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

*IN WITNESS OF*, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 18<sup>th</sup> day of June, 2024.

Attest:

---

Kendall County Clerk  
Debbie Gillette

---

Kendall County Board Chairman  
Matt Kellogg



Exhibit A

LEGAL DESCRIPTION OF PARCEL 1:

That Part of the West Half of Section 9, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows:

Commencing at the Southeast Corner of said Section 9; thence Westerly along the Southerly Line of said Section, 2672.0 feet to the tangent center line of Illinois State Route No. 47 extended from the South; thence South along said tangent center line, 869.22 feet; thence South  $89^{\circ}34'04''$  West, 615.0 feet; thence North  $24^{\circ}54'19''$  West, 1015.92 feet for the point of beginning; thence North  $24^{\circ}54'19''$  West, 456.95 feet; thence North  $66^{\circ}41'34''$  East, 1012.15 feet to the Westerly Right of Way Line of said State Route No. 47, being 40.0 feet normally distant Southwesterly from the center line of said Route; thence Southeasterly along said Westerly Right of Way Line, being on a curve to the right having a radius of 5420.43 feet, a distance of 91.87 feet; thence South  $17^{\circ}08'59''$  East along said right of way line, 0.80 feet; thence Southeasterly along said Westerly Right of Way Line, being on a curve to the right having a radius of 5344.41 feet, a distance of 343.71 feet to a line drawn North  $65^{\circ}13'06''$  East from the point of beginning; thence South  $65^{\circ}13'06''$  West, 942.72 feet to the point of beginning, in the Township of Kendall, in Kendall County, Illinois,  
EXCEPT those Parts conveyed to the State of Illinois in the Deeds recorded June 29, 1990 as Document 1990-904189 and October 23, 1990 as Document 1990-906729.

LEGAL DESCRIPTION OF PARCEL 2:

Lots 2 and 3 of Walz Subdivision, recorded December 17, 1990 as Document 907919, in the Township of Kendall, Kendall County, Illinois.



Exhibit B

The Kendall County Zoning Board of Appeals held a public hearing on the Petition 24-06 on April 29, 2024. On the same date, the Kendall County Zoning Board of Appeals issued the following findings of fact and recommendation by a vote of five (5) in favor and zero (0) in opposition. Members Cherry and Whitfield were absent.

**FINDINGS OF FACT**

*Existing uses of property within the general area of the property in question.* **The surrounding properties are used for agricultural purposes, single-family residential, office, and light industrial, including outdoor storage. The property is presently vacant, but was previously used as a site for the sale of agricultural equipment.**

*The Zoning classification of property within the general area of the property in question.* **The surrounding properties are zoned A-1 and M-1 in the unincorporated area and R-2, R-3, and B-3 inside the United City of Yorkville.**

*The suitability of the property in question for the uses permitted under the existing zoning classification.* **The Petitioners proposed use of the property, for the operation of a trucking business, is not allowed in the B-3 Zoning District. The site itself could be used for a trucking business, if properly zoned.**

*The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.* **The trend of development in the area is a mix of agricultural, storage and warehousing, and other light industrial type uses.**

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.* **The Future Land Use Map in the Land Resource Management Plan was recently amended to Mixed Use Business. The M-1 Zoning District is consistent with the Mixed Use Business classification.**

**RECOMMENDATION**

Approval





## Kendall County Agenda Briefing

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**Meeting Type:** Planning, Building and Zoning

**Meeting Date:** 6/10/2024

**Subject:** Approval of Petition 24-09, Major Amendment to the Site Plan at 14719 O'Brien Road

**Prepared by:** Matthew H. Asselmeier, AICP, CFM

**Department:** Planning, Building and Zoning

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### **Action Requested:**

Approval of Petition 24-09, A Request from Tim O'Brien on Behalf of Seward Township for a Major Amendment to the Special Use Permit for a Governmental Building and Facility Granted by Ordinance 2009-31 by Changing the Site Plan at 14719 O'Brien Road, Minooka (PIN: 09-17-400-005) in Seward Township; Property is Zoned A-1 with a Special Use Permit

### **Previous Board/Committee Review:**

ZPAC-Approval (9-0-1) on May 7, 2024

Kendall County Regional Planning Commission-Approval with Stormwater Infrastructure Added to Site Plan (8-0-2) on May 22, 2024

Kendall County Zoning Board of Appeals-Approval with New Site Plan (7-0) on May 28, 2024

### **Fiscal impact:**

N/A

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### **Background and Discussion:**

The Petitioner would like to construct a second building on the property with related stormwater infrastructure

### **Staff Recommendation:**

Approval with Conditions

### **Attachments:**

Memo Dated June 3, 2024





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**Petition 24-09****Tim O'Brien on Behalf of Seward Township  
Major Amendment to A-1 Special Use – For Governmental  
Building and Facility by Changing the Site Plan****INTRODUCTION**

On August 18, 2009, the County Board approved Ordinance 2009-31, granting a special use permit for a governmental building and facility at 14719 O'Brien Road.

The Petitioner is proposing to amend the site plan approved in Ordinance 2009-31 by a constructing an approximately eight thousand four hundred (8,400) square foot pole-type maintenance/storage building to the west of the existing Seward Township building and installing an asphalt driveway connecting the existing parking lot to the new building. For reference, the existing building is approximately nine thousand six hundred (9,600) square feet in size and is used for maintenance, storage, and offices.

Though not shown on the site plan approved in 2009, Seward Township received a permit and installed a sign on the property in 2010. The sign is shown on the proposed site plan.

The application materials are included as Attachment 1. The proposed site plan is included as Attachment 2. Ordinance 2009-31 is included as Attachment 3.

**SITE INFORMATION**

PETITIONER Tim O'Brien on Behalf of Seward Township

ADDRESS 14719 O'Brien Road, Minooka

LOCATION Approximately 1000 Feet South of Route 52 on the West Side of O'Brien Road



TOWNSHIP Seward



PARCEL # 09-17-400-005

LOT SIZE 5.00 Acres

EXISTING LAND USE Public/Institutional (Seward Township Building)

ZONING A-1 Agricultural District with a Special Use Permit

LRMP	Current Land Use	Public/Institutional
	Future Land Use	Commercial (County)
	Roads	O'Brien Road is a Township Road classified as a Local Road.
	Trails	None
	Floodplain/ Wetlands	None

REQUESTED ACTION Major Amendment to an A-1 Special Use for Governmental Building and Facility

APPLICABLE REGULATIONS Section 7:01.D.24 – A-1 Special Uses – Permits Governmental Buildings and Facilities in the A-1 District as a Special Use

Section 13:08 – Special Use Procedures

#### **SURROUNDING LAND USE**

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Commercial	A-1
South	Agricultural	A-1	Rural Estate Residential (Max 0.45 DU/Acre) and Rural Residential (Max 0.65 DU/Acre)	A-1
East	Agricultural	A-1	Commercial	A-1
West	Agricultural	A-1	Commercial	A-1 and A-1 SU

There is one (1) home located within one half (1/2) mile of the subject property.

The special use to the west is for a banquet facility and related uses.

#### **PHYSICAL DATA**

##### **ENDANGERED SPECIES REPORT**

EcoCat submitted on April 23, 2024, and consultation was terminated (see Attachment 1, Pages 5-7).

##### **NATURAL RESOURCES INVENTORY**

A NRI application was submitted on April 30, 2024 (see Attachment 1, Page 4). The LESA Score was 191 indicating a low level of protection. The NRI Report is included as Attachment 7.



## **ACTION SUMMARY**

### **SEWARD TOWNSHIP**

Seward Township was emailed information on April 30, 2024.

### **LISBON-SEWARD FIRE PROTECTION DISTRICT**

The Lisbon-Seward Fire Protection District was emailed information on April 30, 2024.

### **ZPAC**

ZPAC reviewed the proposal at their meeting on May 7, 2024. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes are included as Attachment 6.

### **RPC**

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on May 22, 2024. It was noted that the Petitioner was working on incorporating stormwater detention into the site plan. Member Wilson felt that Seward Township was not transparent in how they obtained approval from the Township electors for this project; she still supported the major amendment. Discussion also occurred regarding salt storage at the property; salt was already stored indoors. The Kendall County Regional Planning Commission recommended approval of the requested major amendment with conditions proposed by Staff and the addition to stormwater detention infrastructure on the site plan by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting are included as Attachment 8.

### **ZBA**

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on May 28, 2024. The Petitioner introduced a new site plan with stormwater infrastructure shown. No members of the public testified at the public hearing. The Kendall County Zoning Board of Appeals recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition. The minutes of the hearing are included as Attachment 9.

## **BUILDING CODES**

The proposed building will have to obtain applicable building permits.

## **PARKING**

As required in the special use permit from 2009, the subject property has fifteen (15) parking spaces, including one (1) handicapped parking space. Given that the proposed amendment will not increase public visitation at the property, the number of parking spaces should be adequate.

## **STORMWATER**

The Petitioner submitted an application for a stormwater permit.

In 2009, the Petitioner was granted a variance to the stormwater runoff storage facilities by Ordinance 2009-26, included as Attachment 4. An amendment to this variance, the installation of stormwater storage facilities, submittal of a fee-in-lieu payment, or some combination thereof will be required. A letter from WBK Engineering is included as Attachment 5. The Petitioner was considering a variance to the Stormwater Management Ordinance. However, they were working on an alteration to the site plan to include stormwater detention.

## **FINDINGS OF FACT-SPECIAL USE PERMIT AMENDMENT**

The Findings of Fact were as follows:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The expansion will improve the public health, safety, comfort, and general welfare because the new building will allow the township to do its work inside a new facility.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the*  
PBZ Memo – Prepared by Matt Asselmeier – June 3, 2024



*immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The existing use has been in place since 2009. The adjacent land uses are agricultural and the construction of a maintenance building will not injury the use and enjoyment of neighboring land owners.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This is true except for drainage. Drainage concerns can be addressed through a stormwater permit.***

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

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **Seward Township has used the subject property for public/institutional purposes since 2009. Accordingly, allowing the Township expand its facilities is consistent with a goal found on Page 9-20 of the Kendall County Land Resource Management Plan which calls for “mutually supportive, non-adversarial team of municipal, township, . . . county, and other governments working toward the benefit of everyone in Kendall County.”***

## **RECOMMENDATION**

Staff recommends approval of the requested amendments to the existing special use permit for a governmental building and facility, pending resolution of Kendall County Stormwater Ordinance issues subject to the following conditions and restrictions:

1. The site plan attached as Group Exhibit A of Ordinance 2009-31 is hereby amended to include the site plan attached hereto as Exhibit C. (Site plan submitted at the Zoning Board of Appeals hearing).
2. None of the buildings or structures allowed by this major amendment to an existing special use permit shall be considered agricultural structures and must secure applicable permits.
3. The remaining conditions and restrictions contained in Ordinance 2009-31 shall remain valid and effective.
4. The use allowed by this major amendment to an existing special use permit shall follow all applicable federal, state, and local laws.
5. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
7. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

The draft ordinance is included as Attachment 10.

## **ATTACHMENTS**

1. Application Materials
2. Proposed Site Plan
3. Ordinance 2009-31
4. Ordinance 2009-26
5. April 26, 2024, WBK Letter



6. May 7, 2024, ZPAC Meeting Minutes (This Petition Only)
7. NRI Report
8. May 22, 2024, Kendall County Regional Planning Commission Minutes (This Petition Only)
9. May 28, 2024, Kendall County Zoning Board of Appeals Minutes (This Petition Only)
10. Draft Ordinance





# DEPARTMENT OF PLANNING, BUILDING & ZONING

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

## APPLICATION

PROJECT NAME \_\_\_\_\_ FILE # \_\_\_\_\_

NAME OF APPLICANT (Including First, Middle Initial, and Last Name)		
SEWARD TOWNSHIP		
CURRENT LANDOWNER/NAME(s)		
SEWARD TOWNSHIP		
SITE INFORMATION ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
5.4	14719 W. O'BRIEN RD.	
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
	A1	
REQUESTED ACTION (Check All That Apply):		
<input checked="" type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD ( <input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
AMENDMENT TO A SPECIAL USE ( <input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
TIM O'BRIEN		
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER # (Cell, etc.)
ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
BRUCE MILLER		
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. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.		
SIGNATURE OF APPLICANT		DATE 4-22-24

FEE PAID: \$ 1155  
CHECK #: 1357

<sup>1</sup>Primary Contact will receive all correspondence from County

<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants

Date Stamp Here If  
Checklist Is Complete



# Memorandum

---

**To:** Kendall County Administration  
**CC:** File 24-500  
**From:** Bruce Miller, B.P. Miller Consultants, Ltd.  
**Date:** 4/22/2024  
**Re:** Seward Township: Special Use Permit

---

Gentlemen:

The proposed project relates to the construction of an auxiliary maintenance/storage building for vehicles and miscellaneous Township equipment. The existing site is shown on the attached drawing with the current building location, driveways, parking, and salt storage shed.

The proposed building will be 140'x60' (8,400 SF). Additional asphalt paving and driveway area will be provided for access to the new building. There will be no plumbing other than a hose bibb for the wash bay. The building will be a standard pole type structure and will be provided by the responsible low bidder at a later date.





# TRUSTEE'S DEED

200900013010

DEBBIE  
GILLETTE  
KENDALL COUNTY, IL

RECORDED: 6/11/2009 2:34 PM  
TRSD: 262.75 RHSPS FEE: 10.00  
PAGES: 4

THIS INDENTURE, made this  
20<sup>th</sup> day of May, 2009, between  
Douglas Horton and Sun Trust  
Bank, As Successor Co-Trustee  
of the Earl W. Horton  
Declaration of Trust Number  
101, dated May 7, 1990, as  
amended, ("GRANTOR")  
presently of [REDACTED] and  
Seward Township, an Illinois  
governmental unit (Grantee),  
presently of 2851 WILDYRD  
Minooka Illinois. 60447

WITNESSETH, that Grantors, in consideration of TEN AND NO/100<sup>TH</sup> (\$10.00) DOLLARS,  
and other and good valuable considerations in hand paid, does hereby CONVEYS and QUITCLAIMS  
unto Grantee, all interest in the following described real estate, situated in Kendall County, Illinois, to-  
wit:

THE SOUTH 360 FEET OF THE EAST 605 FEET OF THE NORTH HALF OF THE SOUTHEAST QUARTER  
OF SECTION 17, IN TOWNSHIP 35 NORTH, AND IN RANGE 8 EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 5 Acres on O'Brien Road South of Route 52 in Kendall County, Minooka,  
Illinois  
P.I.N. NO.: Part of 09517-400-001

Together with the tenement and appurtenances hereto belonging.

This Trustee's Deed is executed pursuant to and in the exercise of the power and authority  
granted and vested in said Trustee by terms of the Earl W. Horton Declaration of Trust Number  
101, dated May 7, 1990.

IN WITNESS WHEREOF, Grantors have caused their names to be affixed the day and  
year first above written.

COUNTY OF KENDALL  
REAL ESTATE TRANSFER TAX  
\$ 71.25 W

SunTrust Bank and Douglas Horton  
As Successor Co-Trustees for the Earl V.  
Horton Declaration of Trust No. 101 dated  
May 7, 1990

By [REDACTED]  
Douglas Horton, Co-Trustee

SunTrust Bank, as Co-Trustee  
By: [REDACTED]  
Jean C. Mathis, Vice President







**Kendall County Soil & Water  
Conservation District**

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



[www.kendallswcd.org](http://www.kendallswcd.org)

## NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: SEWARD TOWNSHIP Contact Person: TIM O'BRIEN  
 Address: 1479 N O'BRIEN ROAD  
 City, State, Zip: MILWAUKEE, IL 53001  
 Phone Number: [REDACTED]  
 Email: [REDACTED]

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

### Site Location & Proposed Use

Township Name SEWARD Township 35 N, Range 8 E, Section(s) 17  
 Parcel Index Number(s) \_\_\_\_\_  
 Project or Subdivision Name SEWARD TOWNSHIP Number of Acres 54-  
 Current Use of Site OFFICE/MAINTENANCE Proposed Use NEW STORAGE BUILDING  
 Proposed Number of Lots 1 (EXISTING) Proposed Number of Structures 1  
 Proposed Water Supply EXISTING WELL Proposed type of Wastewater Treatment EXISTING SEPTIC  
 Proposed type of Storm Water Management VARIANCE

### Type of Request

- ☐ Change in Zoning from \_\_\_\_\_ to \_\_\_\_\_  
☐ Variance (Please describe fully on separate page)  
☒ Special Use Permit (Please describe fully on separate page)

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

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

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

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

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.

Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under \$ 375.00

\_\_\_\_\_ Additional Acres at \$18.00 each \$ \_\_\_\_\_

**Total NRI Fee** \$ \_\_\_\_\_

**NOTE:** Applications are due by the 1<sup>st</sup> 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

\_\_\_\_\_  
 Date

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

### FOR OFFICE USE ONLY

NRI# \_\_\_\_\_ Date initially rec'd \_\_\_\_\_ Date all rec'd \_\_\_\_\_ Board Meeting \_\_\_\_\_  
 Fee Due \$ \_\_\_\_\_ Fee Paid \$ \_\_\_\_\_ Check # \_\_\_\_\_ Over/Under Payment \_\_\_\_\_ Refund Due \_\_\_\_\_





# EcoCAT Ecological Compliance Assessment Tool

1 of 3

Find | Next



Applicant: Seward Township  
 Contact: Ms. Jean Homerding  
 Address: [REDACTED]

IDNR Project Number: 2413574  
 Date: 04/23/2024

Project: Proposed Auxiliary Maintenance/Storage Building  
 Address: 14719 O'Brien Road, Minooka

*Description:* The proposed building will be 140'x60' (8,400 SF), the existing Site has an office and storage building, a salt storage shed, drive entrances and parking for Township vehicles and for meetings.

## Natural Resource Review Results

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

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





## EcoCAT Ecological Compliance Assessment Tool

1 of 3

Find | Next



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

County: Kendall

Township, Range, Section:

35N, 8E, 16

35N, 8E, 17



**IL Department of Natural Resources**  
**Contact**  
 Bradley Hayes  
 217-785-5500  
 Division of Ecosystems & Environment

**Government Jurisdiction**  
 Seward Township, Kendall County  
 Tim O'Brien  
 14719 O'Brien Road  
 Minooka, Illinois 60447

### 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



## Payment Receipt

From: noreply@ncr.com (noreply@ncr.com)

To: [REDACTED]

Date: Tuesday, April 23, 2024 at 10:32 AM CDT

### Illinois Dept of Natural Resources



Payment Receipt

### Thank You for Your Payment

Please save this Confirmation Number for your personal records.

#### Customer Name

Bruce P Miller

#### Effective Date

4/23/2024 10:32 AM Central Standard Time

#### Confirmation Number

30055806

#### Payment Method

#### Amount



\$127.81

#### Item

#### Payment

EcoCat

\$125.00

**Transaction Fee:**

\$2.81

**Total Amount Paid:**

\$127.81

#### Credit Notes

EcoCAT Project Code: 2413574

#### Payment Details

EcoCat

Bruce P Miller - \$125.00



Attachment 1 Page 8  
Please fill out the following findings to the best of your capabilities. §13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

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

STORAGE BUILDING, NO IMPACT TO PUBLIC

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

SURROUNDING AREA IS FARMLAND. THE PROPOSED BUILDING IS FOR STORAGE & MAINTENANCE FOR SEWARD TWP VEHICLES. THERE WILL BE NO ADVERSE IMPACT OR DETRIMENT TO NEIGHBORING PROPERTIES

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

ALL THESE ITEMS ARE EXISTING & NO OTHER FACILITIES ARE PROPOSED, NEW BUILDING ONLY.

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

THIS BUILDING IS IN ACCORDANCE WITH ALL KENDALL COUNTY RESTRICTIONS.

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

NEW BUILDING IS CONSISTENT WITH CURRENT USE

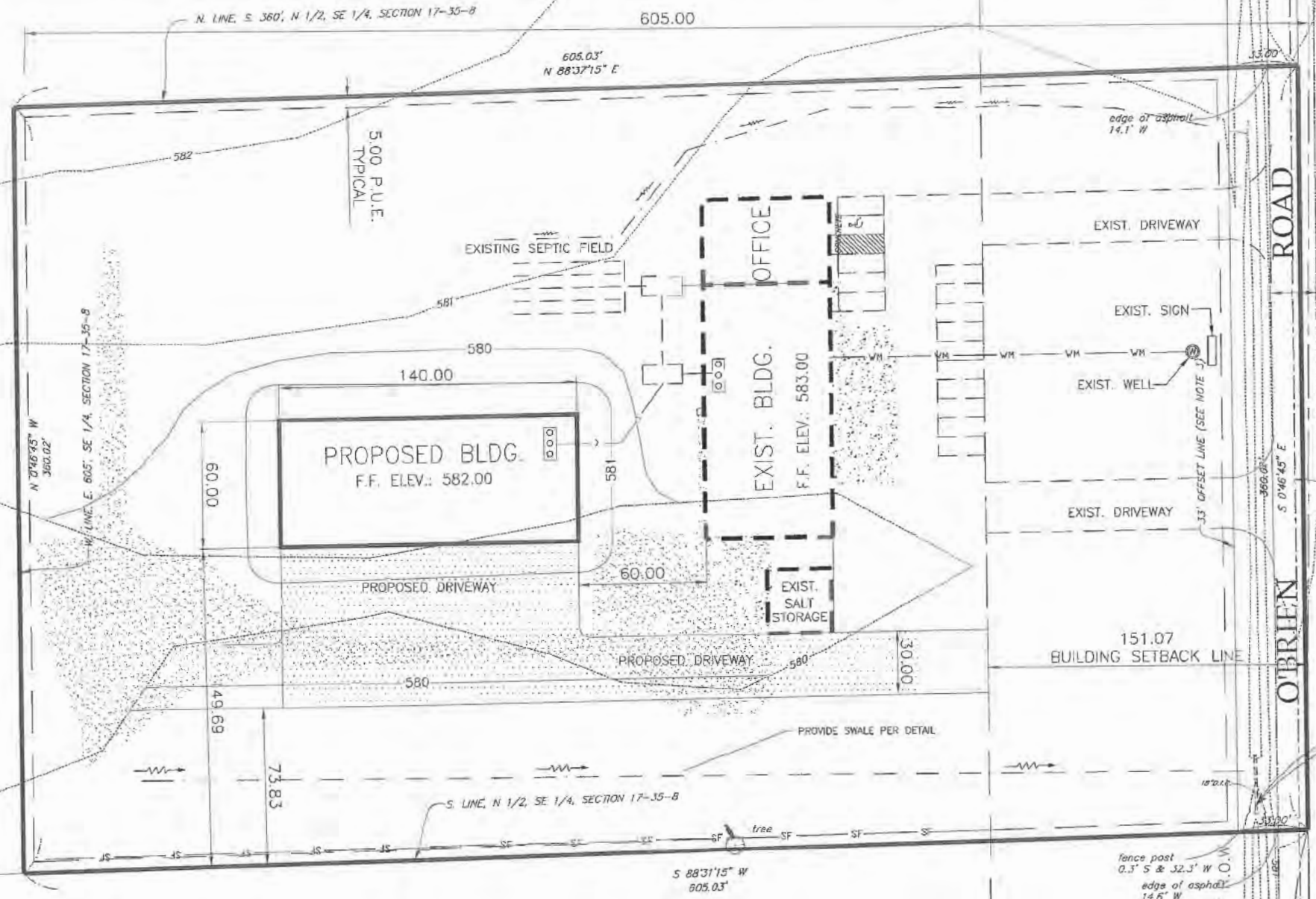


SITE PLAN  
PART OF THE SE CORNER OF SECTION 17, TOWNSHIP 35N, RANGE 8E, THIRD PRIME MERIDIAN  
SEWARD TOWNSHIP  
KENDALL COUNTY, ILLINOIS  
5.000± ACRES  
ZONED A-1

STATE OF ILLINOIS } ss  
COUNTY OF WILL }  
TWIG, Inc., Illinois Professional Design Firm  
No. 184-001251, Hereby Certifies that it has surveyed the property  
described in the above caption and as shown on the annexed plat,  
which is a true and correct representation of said survey.  
SURVEY FIELD WORK COMPLETED APRIL 9, 2024  
GIVEN UNDER MY HAND AND SEAL THIS 23rd DAY OF April, 2024, A.D.



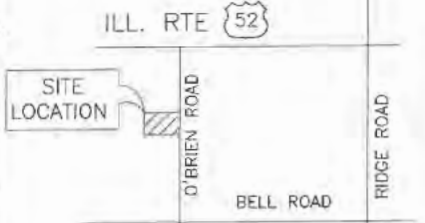
LEGAL DESCRIPTION:  
THE SOUTH 360 FEET OF THE EAST 605 FEET OF THE NORTH HALF OF THE  
SOUTHEAST QUARTER OF SECTION 17, IN TOWNSHIP 35 NORTH, AND IN RANGE  
8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS



**SITE PLAN**  
SCALE: 1"=30'-0"  
GRAPHIC SCALE  
NORTH

BUILDING/LOT RATIO

PARKING/DRIVEWAY:	0.375 AC. (16,340 S.F.)
PROPOSED BUILDING:	0.198 AC. ( 8,400 S.F.)
TOTAL:	0.573± AC. (24,740 S.F.)



LOCATION MAP



EXISTING SIGN



EXISTING BUILDING

SITE BENCHMARK

Topographic and Boundary Survey Provided  
by TWIG, Inc., 129 Capitala Dr., Shorewood, IL 60404  
Dated April, 2024  
BENCHMARK: CUT CROSS IN TOP OF DUCTILE IRON PIPE  
(SOUTH END) AS SHOWN HEREON,  
ELEVATION=590.73 (NGVD 29)

B. P. MILLER CONSULTANTS, LTD. STRUCTURAL & CIVIL ENGINEERING 105 W. HONDAMAN ST. MICHIGAN, IL 60447 815/467-9744 ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-002264 EXP. 4/30/25		SCALE: AS SHOWN DATE: APRIL, 2024
SITE PLAN SEWARD TOWNSHIP STORAGE BUILDING		
SEWARD TOWNSHIP PROPOSED STORAGE BUILDING O'BRIEN ROAD KENDALL COUNTY, ILLINOIS		
SHEET C-1		
FILE NO. 24-500		



State of Illinois  
County of Kendall

Zoning Petition  
09-24

ORDINANCE NUMBER 2009 - 31

GRANTING A SPECIAL USE for  
**GOVERNMENTAL BUILDINGS AND FACILITIES** to  
**SEWARD TOWNSHIP**

WHEREAS, The Township of Seward has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a five (5) acre property located on the west side of O'Brien Road, approximately 970' south of Route 52 (PIN #09-17-400-005), in Seward Township; and

WHEREAS, said petition is to allow the operation governmental buildings and facilities pursuant to Section 7.01.D.14 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is legally described as:

THE SOUTH 360 FEET OF THE EAST 605 FEET OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 17, IN TOWNSHIP 35 NORTH, AND IN RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

WHEREAS, the Kendall County Regional Plan Commission has recommended approval for the following on June 24, 2009:

- A. Omission of lighting for the parking area as required in Section 11.02.F.12 of the Zoning Ordinance
- B. Parking area to be improved with a gravel surface instead of a hard surface however, all handicapped accessible stalls shall be improved with a hard surface as required in Section 11.02.F.2
- C. Amount of proposed parking stalls, 15, for the site to accommodate the proposed operation; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer on July 28, 2009; and

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

WHEREAS, any change or modification to the Special Use that does not modify the original intent, purpose, or need for the Special Use, shall be submitted to and reviewed by the Planning, Building, & Zoning Department. Notice that a change or modification is sought shall be provided by the applicant in the manner provided in 55 ILCS 5/5-12009.5. Upon proper notice, the Planning, Building, & Zoning Department shall forward the request for change or modification to the Planning, Building & Zoning Committee. The Committee may return the matter to ZPAC and/or Plan



State of Illinois  
County of Kendall

Zoning Petition  
09-24

Commission for further consideration and findings or forward the matter to the full County Board to grant, deny, or return the requested change or modification to the Committee for further consideration and findings, and

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit per section § 7.01.D.14 (A-1 Special Uses-Governmental buildings and facilities) to permit the use indicated in the recitals section of this Ordinance and as indicated on the submitted Site Plan included as Group Exhibit "A" attached hereto and incorporated herein.

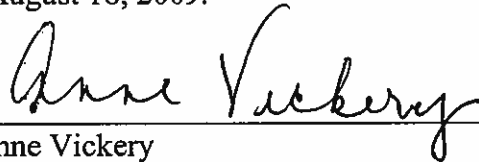
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on August 18, 2009.

Attest:



Debbie Gillette  
Kendall County Clerk



Anne Vickery  
Kendall County Board Chairman



Group A (g1 of 3)

# SITE PLAN

Part of the SE corner of Section 17, Township 35N, Range 8E, Third Prime Meridian  
Seward Township  
Kendall County, Illinois  
5,000± Acres  
Zoned A-1

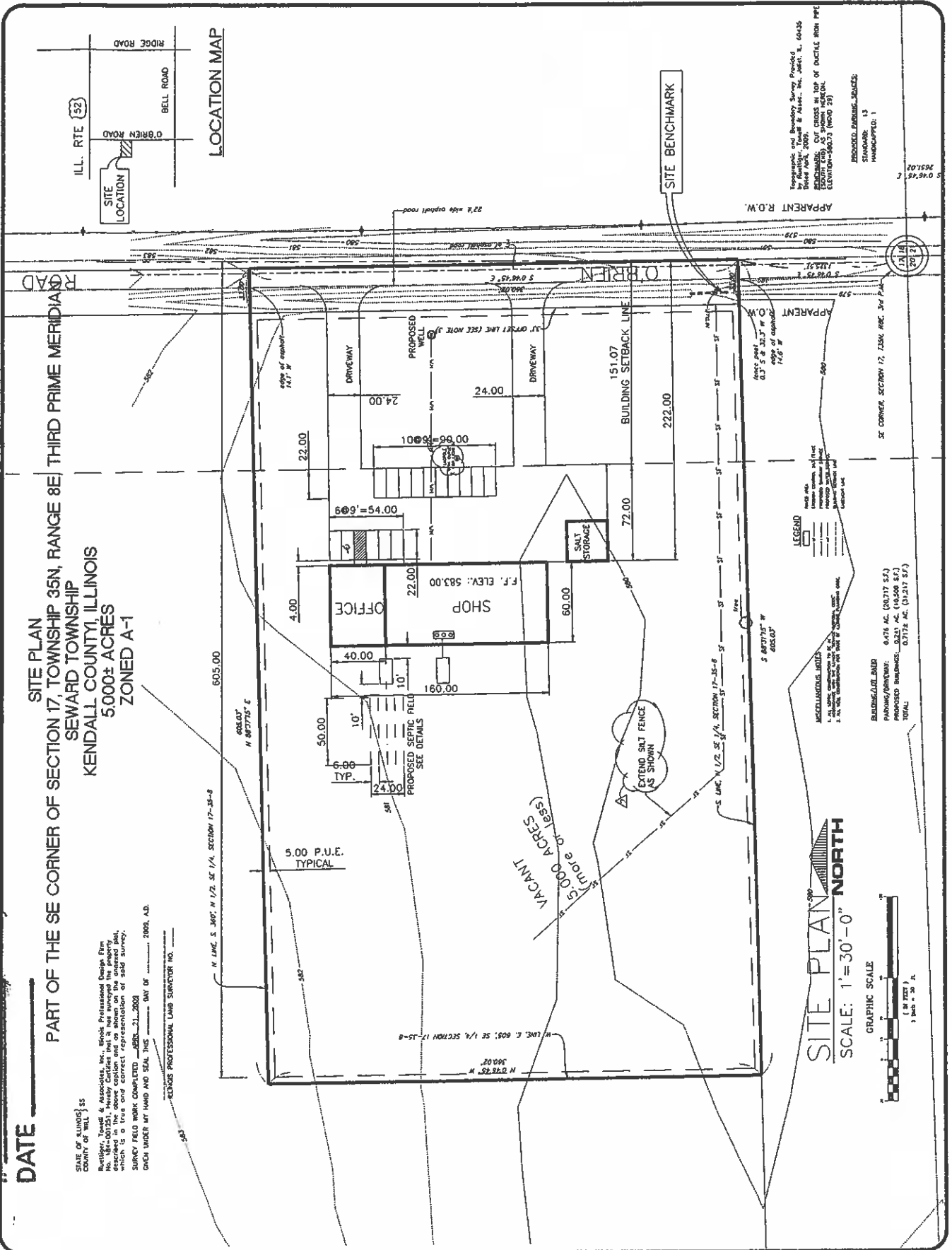
STATE OF ILLINOIS } ss  
COUNTY OF WILL }

Burlinger, Towle & Associates, Inc., Illinois Professional Design Firm  
No. 181-001251, hereby certifies that it has surveyed the property  
described in the above caption and on sheet(s) of the annexed plat,  
which is a true and correct representation of said survey.

SURVEY FIELD WORK COMPLETED 05/21/2008

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009, A.D.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 1111111111





# Group A (Pr 2 of 3)



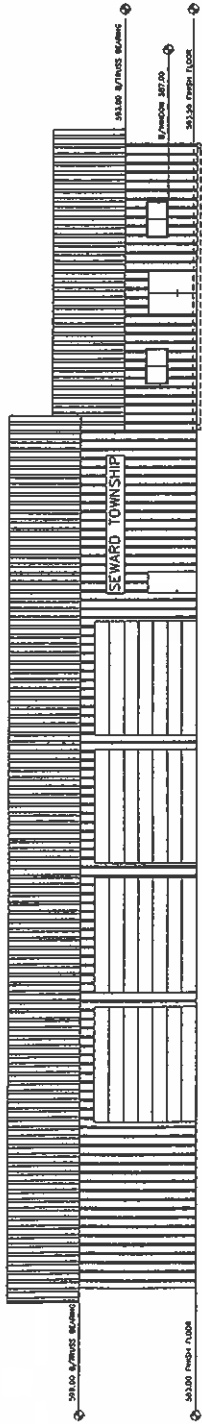


# EXHIBIT

# ~~GLA~~ A (Pg 3 of 3)

DATE: \_\_\_\_\_

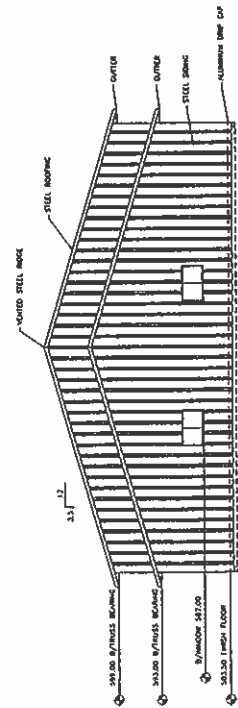
SCALE: AS SHOWN DATE: 12/15/2009 DRAWN BY: J. P. WATTS CHECKED BY: J. P. WATTS PROJECT NO.: 144-00114 PROJECT NAME: SEWARD TOWNSHIP BUILDING		Attachment 3, Page 5 ELEVATIONS SEWARD TOWNSHIP 100 N. WILSON ST. SEWARD, IL 60427 ELEVATIONS SEWARD TOWNSHIP BUILDING 100 N. WILSON ST. SEWARD, IL 60427 ELEVATIONS SEWARD TOWNSHIP BUILDING 100 N. WILSON ST. SEWARD, IL 60427		PROPOSED TOWNSHIP BUILDING 0 BRIEN ROAD KENDALL COUNTY, ILLINOIS SEWARD TOWNSHIP		SHEET A-2	FILE NO. 09-500
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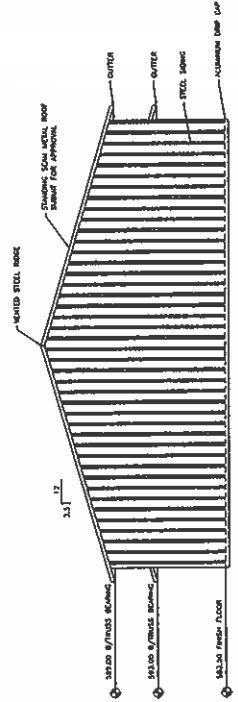
EAST ELEVATION  
SCALE: 1/8"=1'-0"



WEST ELEVATION  
SCALE: 1/8"=1'-0"



NORTH ELEVATION  
SCALE: 1/8"=1'-0"



SOUTH ELEVATION  
SCALE: 1/8"=1'-0"



State of Illinois  
County of Kendall

Zoning Petition 09-32  
Site Development 09-10  
(Seward Township)

**ORDINANCE 2009 - 26**  
Stormwater Management Variance  
**SEWARD TOWNSHIP**

WHEREAS, the Township of Seward has submitted final engineering plans prepared by B.P. Miller Consultants to allow for the construction of a structure and parking area for the Township located on the west side of O'Brien Road, approximately 970' south of Route 52 (PIN #09-17-400-005), legally described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, Seward Township, through their engineers at B.P. Miller Consultants, has petitioned the Planning, Building and Zoning Committee for approval of a variance to Section 301.0.2 of the Kendall County Stormwater Management Ordinance dated September 19, 2002; and

WHEREAS, Section 301.0.2 requires stormwater runoff storage facilities for a property which is being developed, which is not a single-family detached residential development and is a non-residential land use, which totals three acres or more in size and results in 45,000 square feet or more of total development; and

WHEREAS, although the total amount of impervious surface proposed will be less than 32,000 square feet, the total amount of development, including grading, will exceed 45,000 square feet; and

WHEREAS, the topography of the site and the adjacent area is very flat and the relatively small area would be very difficult to provide detention that has a positive outlet and would provide freeboard to the proposed building at the same time; and

WHEREAS, the petitioner is therefore providing stormwater management with a flat swale planted with native plants to provide water quality benefits and to provide some water quantity benefits through increased infiltration of the soil; and

WHEREAS, the Planning, Building and Zoning Committee reviewed the requests at a special PBZ meeting on August 4, 2009; and

WHEREAS, the Committee, after reviewing the request recommended approval subject to final engineering review and approval; and

WHEREAS, the County's Consulting engineer, Wills Burke Kelsey, LTD. has reviewed and recommended approval of the stormwater management variance request for the project; and

WHEREAS, the Zoning Administrator has evaluated the request against the standards for granting a variance to the Kendall County Stormwater Management Ordinance, and has recommended approval of the variation request; and

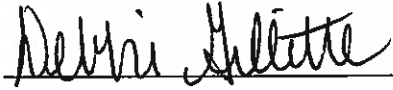
WHEREAS, a drainage ditch lies west and nearby to the property and the discharge to a formal drainage system allows flows to be managed and expected by downstream land owners and said variation should not have a negative effect on adjacent properties; and



**NOW, THEREFORE, BE IT ORDAINED**, the Kendall County Board hereby approves a variation to Section 301.0.2 of the Kendall County Stormwater Ordinance to be developed in accordance with the site plan depicted as "Exhibit B" attached hereto and made a part hereof. Any additional improvements made to the site that will exceed the amount of impervious surface and development as depicted in "Exhibit B" will require the review by PBZ Staff.

**IN WITNESS OF**, this ordinance has been enacted on August 4, 2009.

Attest:



Debbie Gillette  
Kendall County Clerk



Anne Vickery  
Kendall County Board Chairman

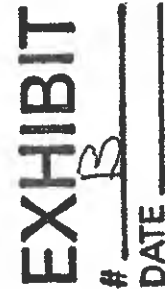


EXHIBIT "A"

Legal Description

THE SOUTH 360 FEET OF THE EAST 605 FEET OF THE NORTH HALF OF THE  
SOUTHEAST QUARTER OF SECTION 17, IN TOWNSHIP 35 NORTH, AND IN RANGE 8  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS









April 26, 2024

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

Subject: Seward Township Maintenance Building- WBK Project 19-102.BV

Dear Mr. Asselmeier:

We have received and reviewed the following information for the subject project:

- Special Use Application prepared by Bruce Miller dated April 22, 2024 and received April 24, 2024.
- Special Use Ordinance No 2009-31.
- Site Plan for Seward township Storage Building prepared by Bruce Miller dated April 2024 and received April 24, 2024.
- Subsurface investigation Report prepared by Midwest Testing Services, Inc. dated August 25, 2009 and received April 24, 2024.

The following comments require resolution prior to plan approval and our recommendation for issuance of a stormwater permit.

#### Stormwater Permit

1. Submit a stormwater application with all applicable and necessary supporting documentation.
2. Provide a project narrative describing existing and proposed conditions, peak flow rates, project outfalls, etc.
3. A prior variance was granted based on the square footage of impervious surface being under the ordinance threshold requiring stormwater storage. This project will create cumulative impervious surface exceeding ordinance thresholds. Provide stormwater storage in compliance with the ordinance. Alternatives include potential for fee-in-lieu and an ordinance variance assuming all standards can be met.
4. Provide a clear accounting of cumulative impervious areas added (including gravel) and all area disturbed from the adoption of the stormwater ordinance (2012).

#### Site Plan

1. Provide an erosion control plan for the project.
2. Provide the swale detail noted on the plans.



3. Clarify grading between the proposed and existing buildings.
4. Provide grading and utility plans for the project.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications. If you have any questions or comments, please contact us at (630) 443-7755.

S

G

WBK Engineering, LLC



**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
May 7, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department  
Meagan Briganti – GIS Department  
David Guritz – Forest Preserve (Arrived at 9:02 a.m.)  
Brian Holdiman – PBZ Department  
Fran Klaas – Highway Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District (Arrived at 9:02 a.m.)  
Aaron Rybski – Health Department  
Seth Wormley – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Tim O'Brien, Pete Fleming, Michael Korst, Jim Filotto, Ryan Solum, Bruce Miller, Alex Schuster, and Gloria Foxman

**PETITIONS**

**Petition 24-09 Tim O'Brien on Behalf of Seward Township**

Mr. Asselmeier summarized the request.

On August 18, 2009, the County Board approved Ordinance 2009-31, granting a special use permit for a governmental building and facility at 14719 O'Brien Road.

The Petitioner is proposing to amend the site plan approved in Ordinance 2009-31 by a constructing an approximately eight thousand four hundred (8,400) square foot pole-type maintenance/storage building to the west of the existing Seward Township building and installing an asphalt driveway connecting the existing parking lot to the new building. For reference, the existing building is approximately nine thousand six hundred (9,600) square feet in size and is used for maintenance, storage, and offices.

Though not shown on the site plan approved in 2009, Seward Township received a permit and installed a sign on the property in 2010. The sign is shown on the proposed site plan.

No other changes to the site were proposed.

The application materials, proposed site plan, and Ordinance 2009-31 were provided.

The property was approximately five (5) acres in size.

The existing land use was Public/Institutional.

The future land use was Commercial.

O'Brien Road was a Township Road classified as a Local Road.

There were no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent properties were used as Agricultural.

The adjacent properties were zoned A-1.

The Land Resource Management Plan calls for the area to be Commercial, Rural Estate Residential, and Rural Residential.



Properties within one half (1/2) of a mile were zoned A-1 and A-1 SU.

There is one (1) home located within one half (1/2) mile of the subject property.

The special use to the west is for a banquet facility and related uses.

EcoCat submitted on April 23, 2024.

A NRI application was submitted on April 30, 2024.

Seward Township was emailed information on April 30, 2024.

The Lisbon-Seward Fire Protection District was emailed information on April 30, 2024.

The proposed building will have to obtain applicable building permits.

As required in the special use permit from 2009, the subject property has fifteen (15) parking spaces, including one (1) handicapped parking space. Given that the proposed amendment will not increase public visitation at the property, the number of parking spaces should be adequate.

The Petitioner submitted an application for a stormwater permit.

In 2009, the Petitioner was granted a variance to the stormwater runoff storage facilities by Ordinance 2009-26, which was provided. An amendment to this variance, the installation of stormwater storage facilities, submittal of a fee-in-lieu payment, or some combination thereof will be required. A letter from WBK Engineering was provided.

The proposed Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The expansion will improve the public health, safety, comfort, and general welfare because the new building will allow the township to do its work inside a new facility.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The existing use has been in place since 2009. The adjacent land uses are agricultural and the construction of a maintenance building will not injury the use and enjoyment of neighboring land owners.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true except for drainage. Drainage concerns can be addressed through a stormwater permit.

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

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Seward Township has used the subject property for public/institutional purposes since 2009. Accordingly, allowing the Township expand its facilities is consistent with a goal found on Page 9-20 of the Kendall County Land Resource Management Plan which calls for "mutually supportive, non-adversarial team of municipal, township, . . . county, and other governments working toward the benefit of everyone in Kendall County."

Staff recommended approval of the requested amendments to the existing special use permit for a governmental building and facility, pending resolution of Kendall County Stormwater Ordinance issues subject to the following conditions and restrictions:



1. The site plan attached as Group Exhibit A of Ordinance 2009-31 is hereby amended to include the submitted site plan.
2. None of buildings or structures allowed by this major amendment to an existing special use permit shall be considered agricultural structures and must secure applicable permits.
3. The remaining conditions and restrictions contained in Ordinance 2009-31 shall remain valid and effective.
4. The use allowed by this major amendment to an existing special use permit shall follow all applicable federal, state, and local laws.
5. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
7. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

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

The votes were follows:

Ayes (9): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 22, 2024.

**PUBLIC COMMENT**

None

**ADJOURNMENT**

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

With a voice vote of nine (9) ayes, the motion carried.

The ZPAC, at 9:54 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Director

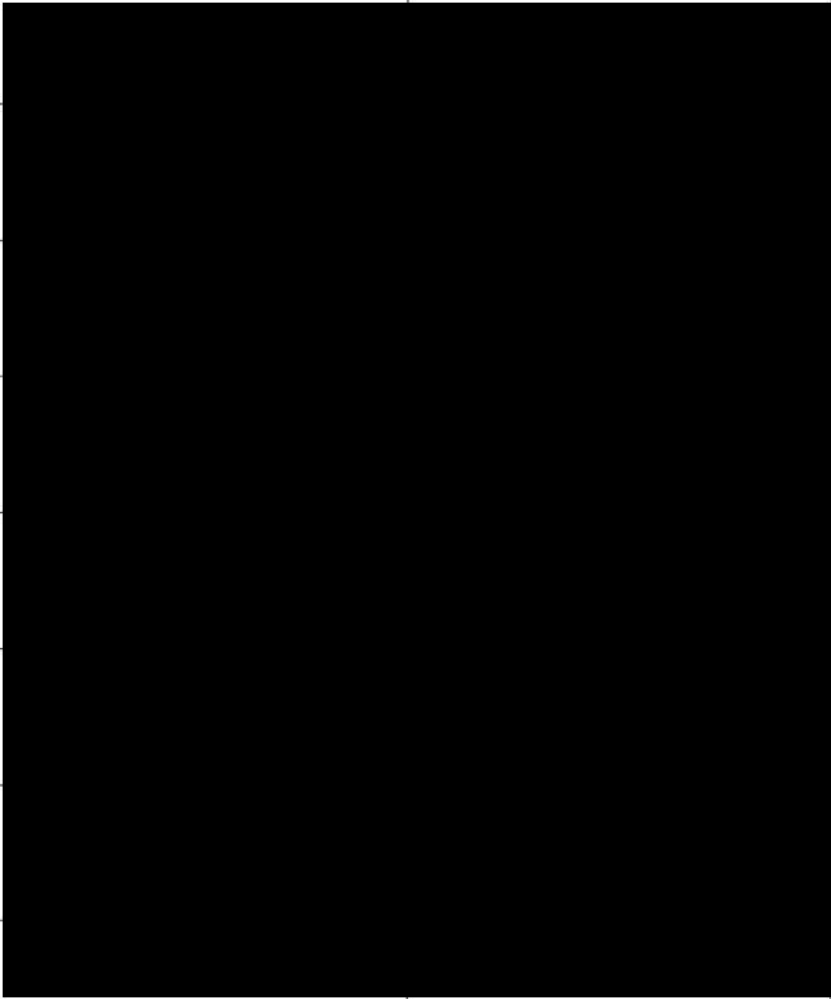
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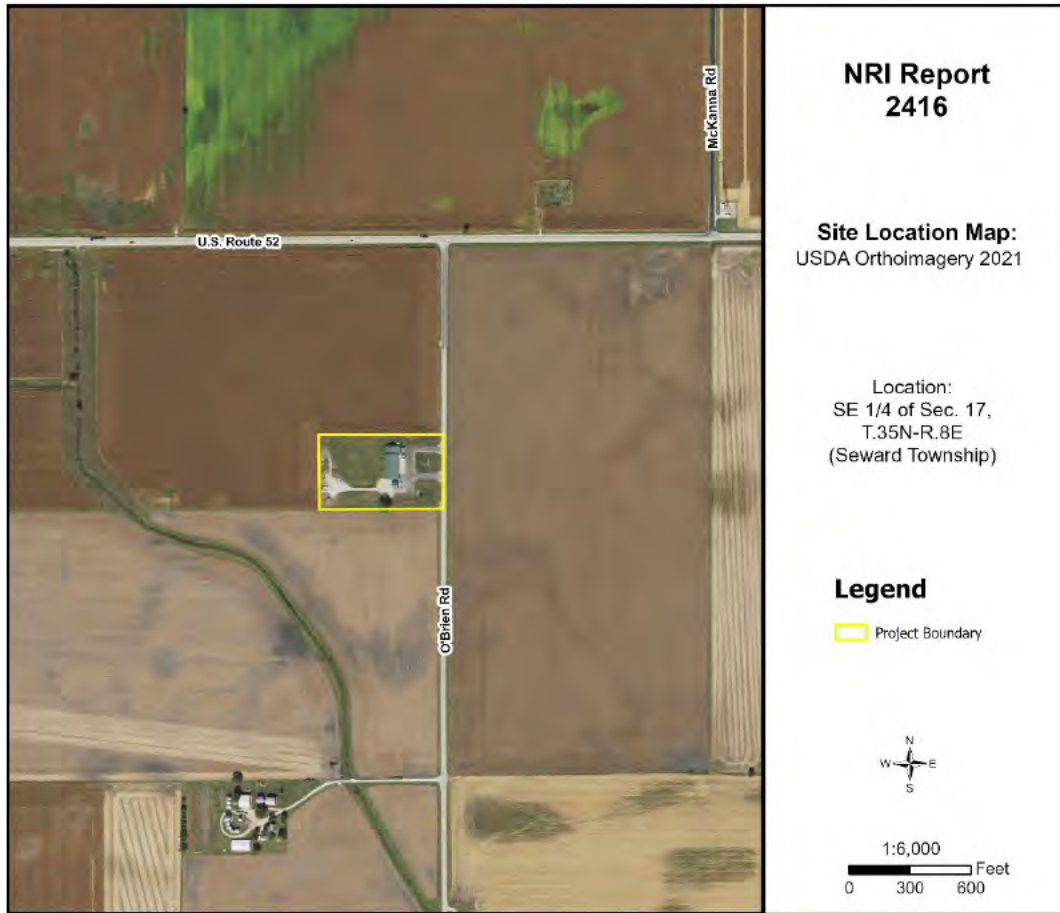
**KENDALL COUNTY  
ZONING & PLATTING ADVISORY COMMITTEE  
MAY 7, 2024**

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)
Tim O'Brien		
Pete Fleming		
Michael Korst		
Jim Filotto		
Ryan Solum		
BRUCE MILLER		
Alex Schuster		



# NATURAL RESOURCES INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: #2416



May  
2024

Petitioner: Seward Township  
Contact: Tim O'Brien

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](http://www.kendallswcd.org)



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## ***EXECUTIVE SUMMARY***

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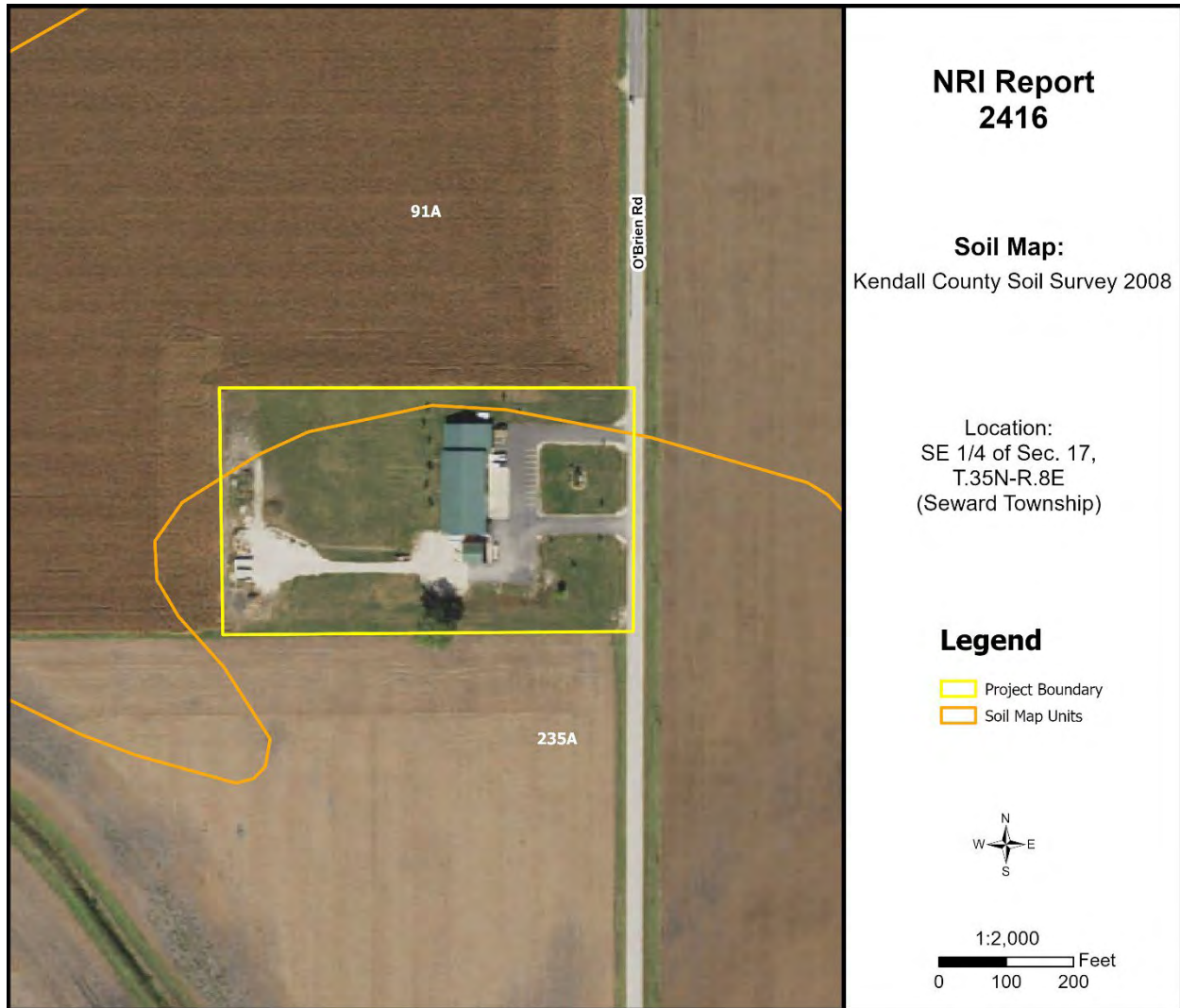
Natural Resources Information Report Number	#2416
Petitioner	Seward Township
Contact Person	Tim O'Brien
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	Southeast ¼ of Section 17, Township 36 North, Range 8 East (Seward Township) of the 3 <sup>rd</sup> Principal Meridian
Project or Subdivision Name	Seward Township Highway Department Storage Building
Existing Zoning & Land Use	A-1 Agricultural District with a Special Use Permit; Seward Township Office/Maintenance Building
Proposed Zoning & Land Use	Major Amendment to the A-1 Special Use; Addition of a new storage building
Proposed Water Source	Existing well
Proposed Type of Sewage Disposal System	Existing septic
Proposed Type of Storm Water Management	Undetermined at this time – current options include an amendment to existing variance, installation of stormwater storage facilities, submittal of a fee-in-lieu payment, or combination of these will be required.
Size of Site	(+/-) 5.00 acres
Land Evaluation Site Assessment Score	191 (Land Evaluation: 86; Site Assessment: 105)



## **NATURAL RESOURCE CONSIDERATIONS**

### **SOIL INFORMATION**

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this project area contains the soil types shown in Figure 1 and Table 1. Please note this does not replace the need for or results of onsite soil testing. If completed, please refer to onsite soil test results for planning/engineering purposes.



**Figure 1: Soil Map**

**Table 1: Soils Information**

Soil Type	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation	Acres	% Area
91A	Swygert silty clay loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-Hydric w/ Hydric Inclusions	Prime Farmland	0.7	14.3%
235A	Bryce silty clay, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland if Drained	4.3	85.7%



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

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

**Hydric Soils** – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (235A Bryce silty clay), and one is classified as non-hydric soil with hydric inclusions likely (91A Swygert silty clay loam).

**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, one is designated as prime farmland (91A Swygert silty clay loam), and one is designated as prime farmland if drained (235A Bryce silty clay).

**Soil Water Features** – Table 2, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

**Table 2:** Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
91A	C/D	Medium	January - May Upper Limit: 1.0'-2.0' Lower Limit: 2.9'-4.8'	January – December Frequency: None	January – December Frequency: None
235A	C/D	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: 6.0'	January – May Surface Water Depth: 0.0'-0.5' Duration: Brief (2 to 7 days) Frequency: Frequent	January – December Frequency: None



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

**Months** – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

**Water Table** – Water table refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

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

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

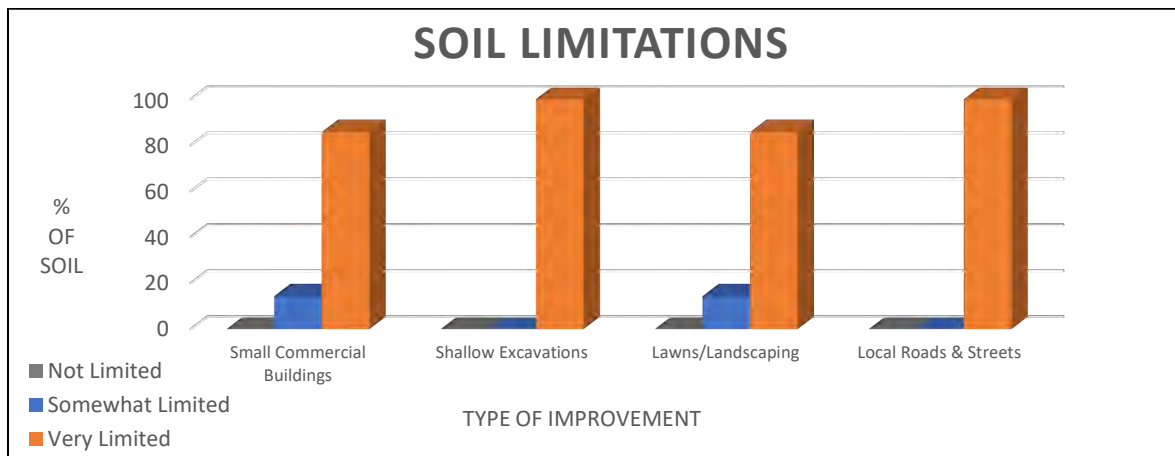


## SOIL LIMITATIONS

According to the USDA-NRCS, soil properties influence the development of 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.

Limitations are listed below for small commercial buildings, shallow excavations, lawns/landscaping, and local roads & streets. Please note this information is based on soils in an undisturbed state as compiled in the USDA-NRCS 2008 Soil Survey of Kendall County, IL. This does not replace the need for site specific soil testing or results of onsite soil testing.



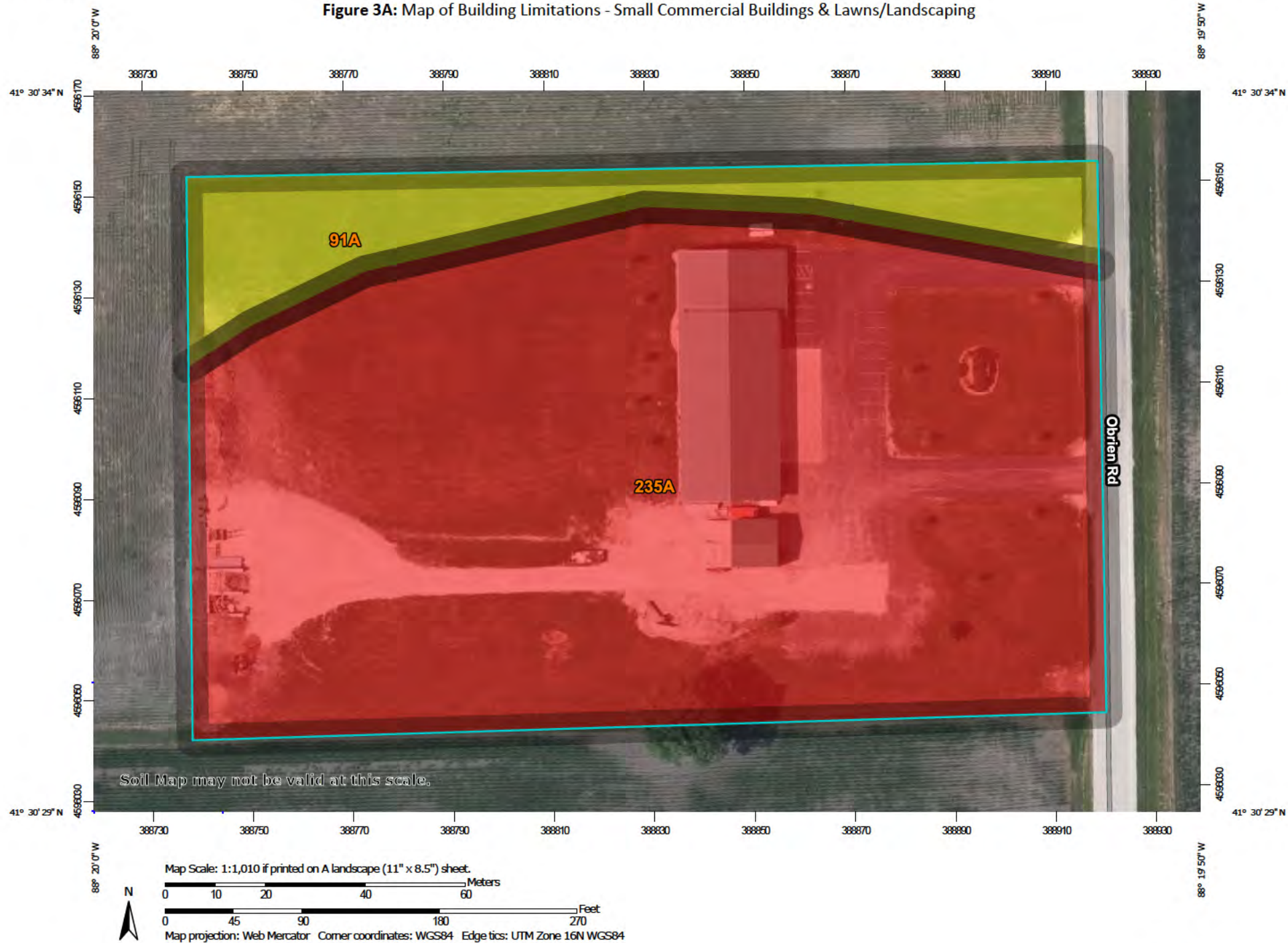
**Figure 2: Soil Limitations**



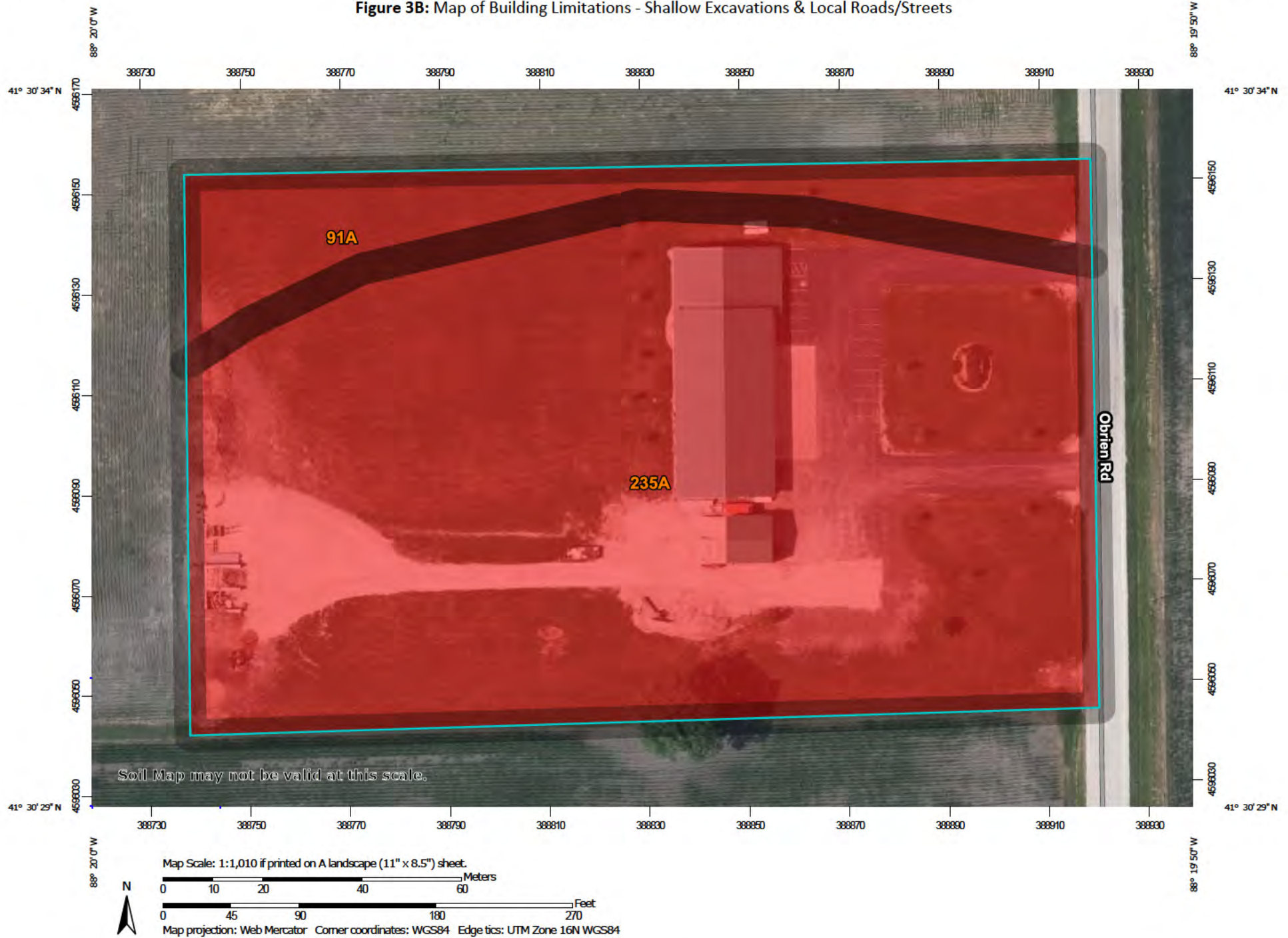
**Table 3:** Building Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns & Landscaping	Local Roads & Streets	Acres	%
91A	<b>Somewhat Limited:</b> Depth to saturated zone Shrink-swell	<b>Very Limited:</b> Depth to saturated zone Too clayey Dusty Unstable excavation walls Ponding	<b>Somewhat Limited:</b> Depth to saturated zone Dusty	<b>Very Limited:</b> Low strength Shrink-swell Depth to saturated zone Frost action Ponding	0.7	14.3%
235A	<b>Very Limited:</b> Ponding Depth to saturated zone Shrink-swell	<b>Very Limited:</b> Ponding Depth to saturated zone Too clayey Unstable excavation walls Dusty	<b>Very Limited:</b> Ponding Depth to saturated zone Too clayey Dusty Droughty	<b>Very Limited:</b> Ponding Depth to saturated zone Shrink-swell Frost action Low strength	4.3	85.7%
<b>% Very Limited</b>	<b>85.7%</b>	<b>100%</b>	<b>85.7%</b>	<b>100%</b>		



**Figure 3A: Map of Building Limitations - Small Commercial Buildings & Lawns/Landscaping**



**Figure 3B:** Map of Building Limitations - Shallow Excavations & Local Roads/Streets



### 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 value accounts for 1/3 of the total score and 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 Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. 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)
91A	4	79	0.7	55.3
235A	3	87	4.3	374.1
<b>Totals</b>			<b>5.0</b>	<b>429.4</b>
<b>LE Calculation</b>			(Product of relative value / Total Acres) 429.4 / 5.0 = 85.9	
<b>LE Score</b>			<b>LE = 86</b>	

\*Acreage listed in this chart provides a generalized representation and may not precisely reflect exact acres of each soil type.

The Land Evaluation score for this site is 86, indicating that this site is currently designated as land that is well suited for agricultural uses considering the Land Evaluation score is above 80.



**Table 4B: Site Assessment Computation**

<b>A.</b>	<b>Agricultural Land Uses</b>	<b>Points</b>
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	30
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	0
<b>B.</b>	<b>Compatibility / Impact on Uses</b>	
	1. Distance from city or village limits. (20-10-0)	20
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
<b>C.</b>	<b>Existence of Infrastructure</b>	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	8
	<b>Site Assessment Score:</b>	<b>105</b>

**Land Evaluation Value: 86 + Site Assessment Value: 105 = LESA Score: 191**

The table below shows the level of protection for the proposed project site based on the LESA Score.

**Table 5: LESA Score Summary**

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

**The LESA Score for this site is 191, which indicates a low level of protection for the proposed project site.** Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

This site was reviewed by the Kendall County SWCD in 2009 when the Seward Township office/maintenance building was proposed. At that time, the site had a LESA Score of 210, which indicated a medium level of protection. The current LESA score went down as result of the site not being in agricultural production in any of the last 5 years (Site Assessment factor A.3).



## WATERSHEDS & SUBWATERSHEDS

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed: Preserve open space; maintain wetlands as part of development; use natural water management; prevent soil from leaving a construction site; protect subsurface drainage; use native vegetation; retain natural features; mix housing styles and types; decrease impervious surfaces; reduce area disturbed by mass grading; shrink lot size and create more open space; maintain historical and cultural resources; treat water where it falls; preserve views; and establish and link trails.

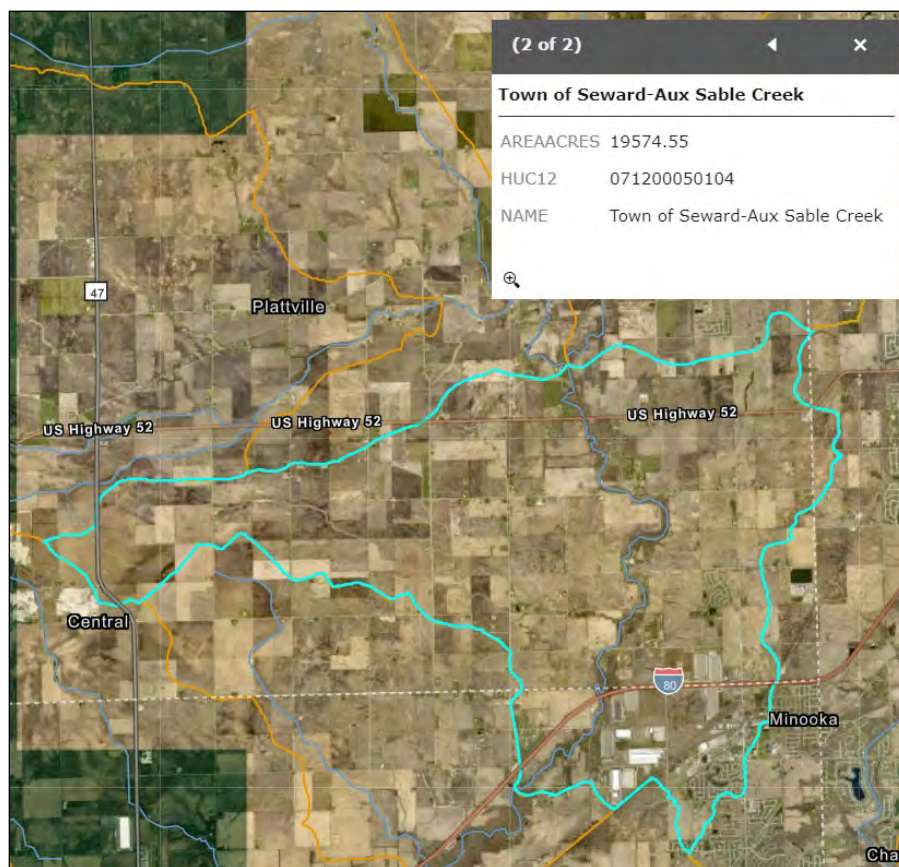


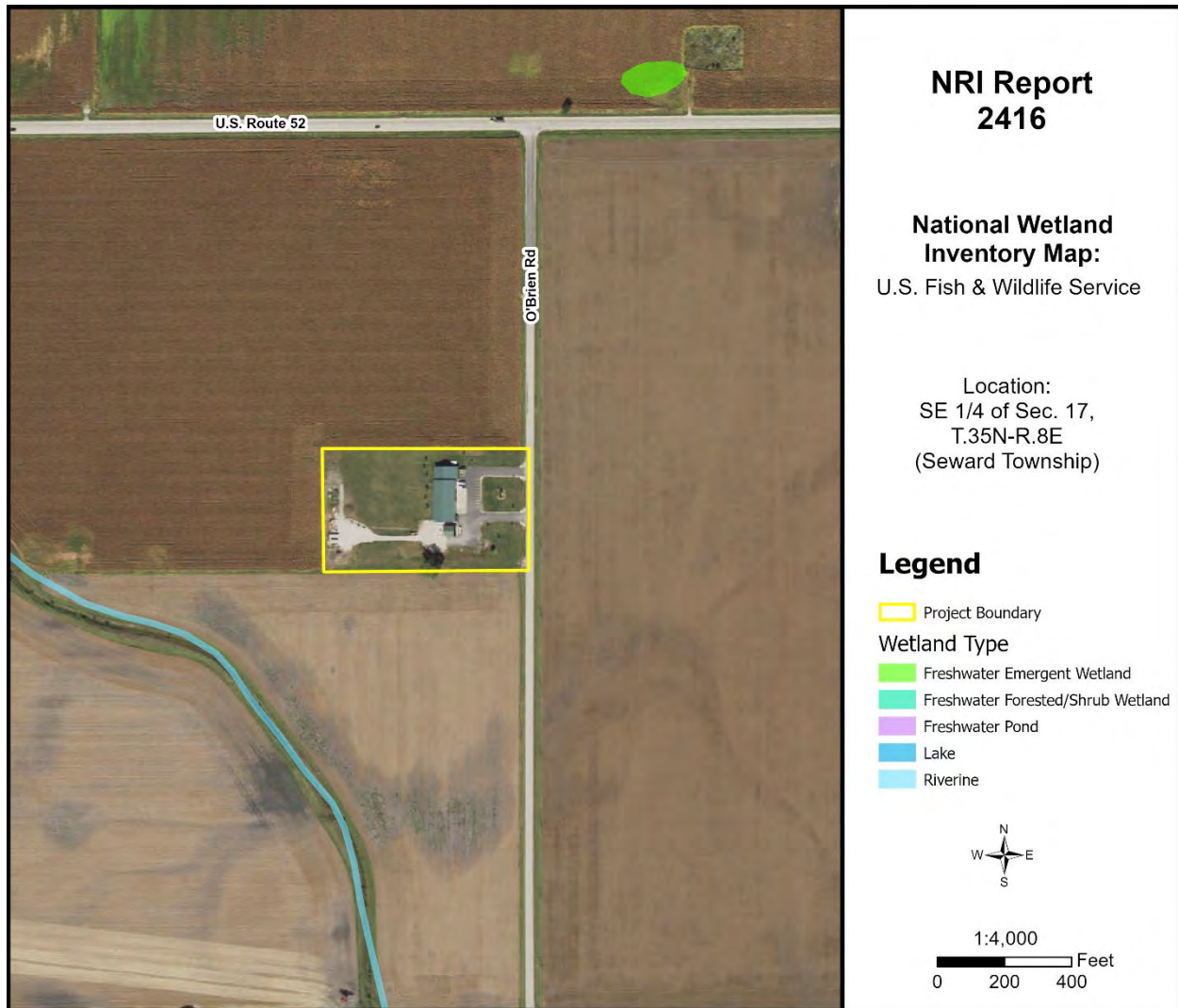
Figure 4: Sub Watershed Map

This site is located within the Upper Illinois River watershed and the Town of Seward – Aux Sable Creek sub watershed (HUC 12 – 071200050104). The Town of Seward – Aux Sable Creek sub watershed comprises 19,574.55 acres.



## WETLANDS

The U.S. Fish & Wildlife Service's National Wetland Inventory map indicates that mapped wetlands/waters are not present on the proposed project site. A riverine waterway is mapped to the southwest and a freshwater emergent wetland is mapped to the northeast of the site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

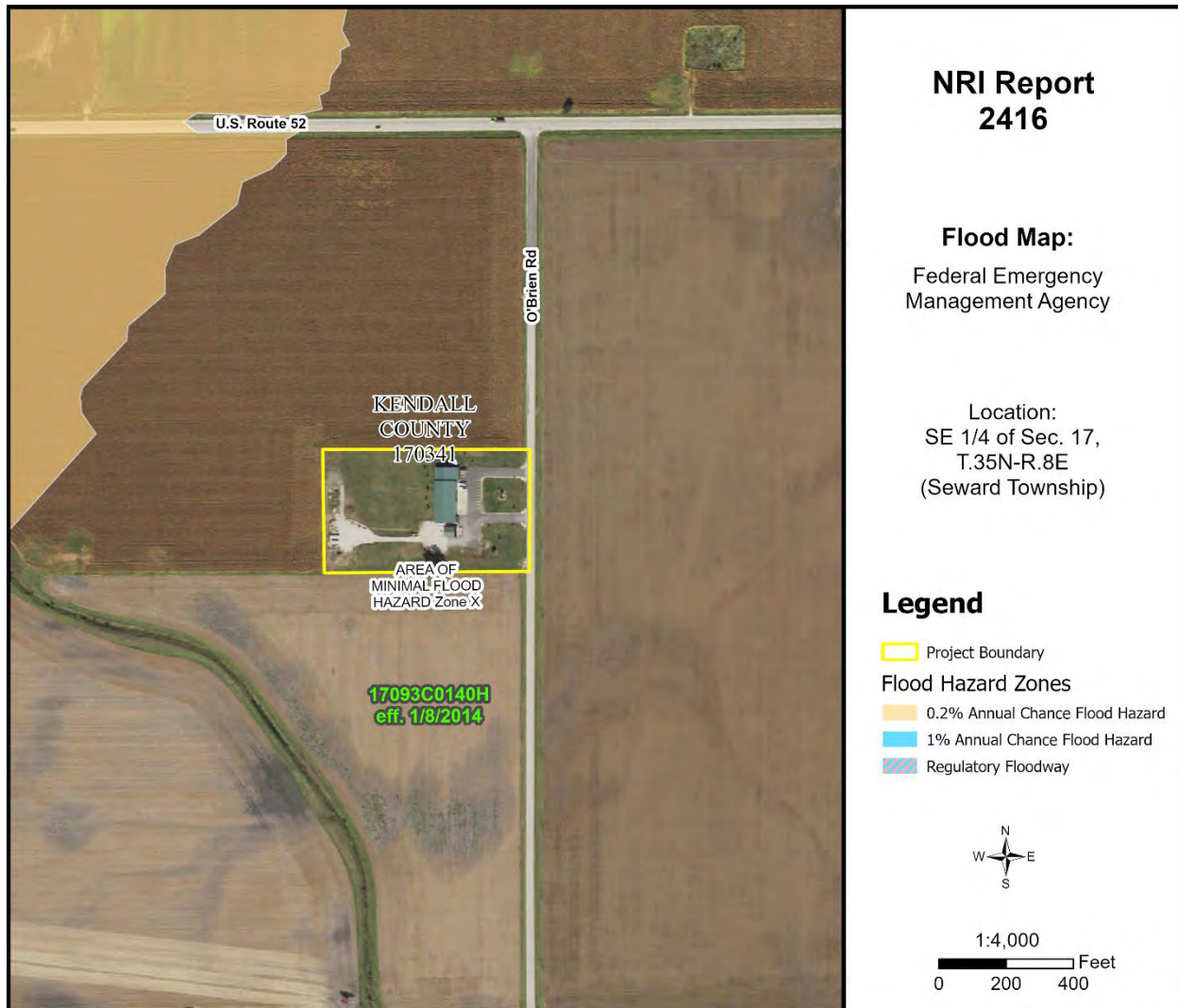


**Figure 5: Wetland Map**



## FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0140H (effective date 1/8/2014) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel does not contain areas of floodplain or floodway. It is mapped as Zone X, an area of minimal flood hazard determined to be outside of the 0.2% annual chance flood.

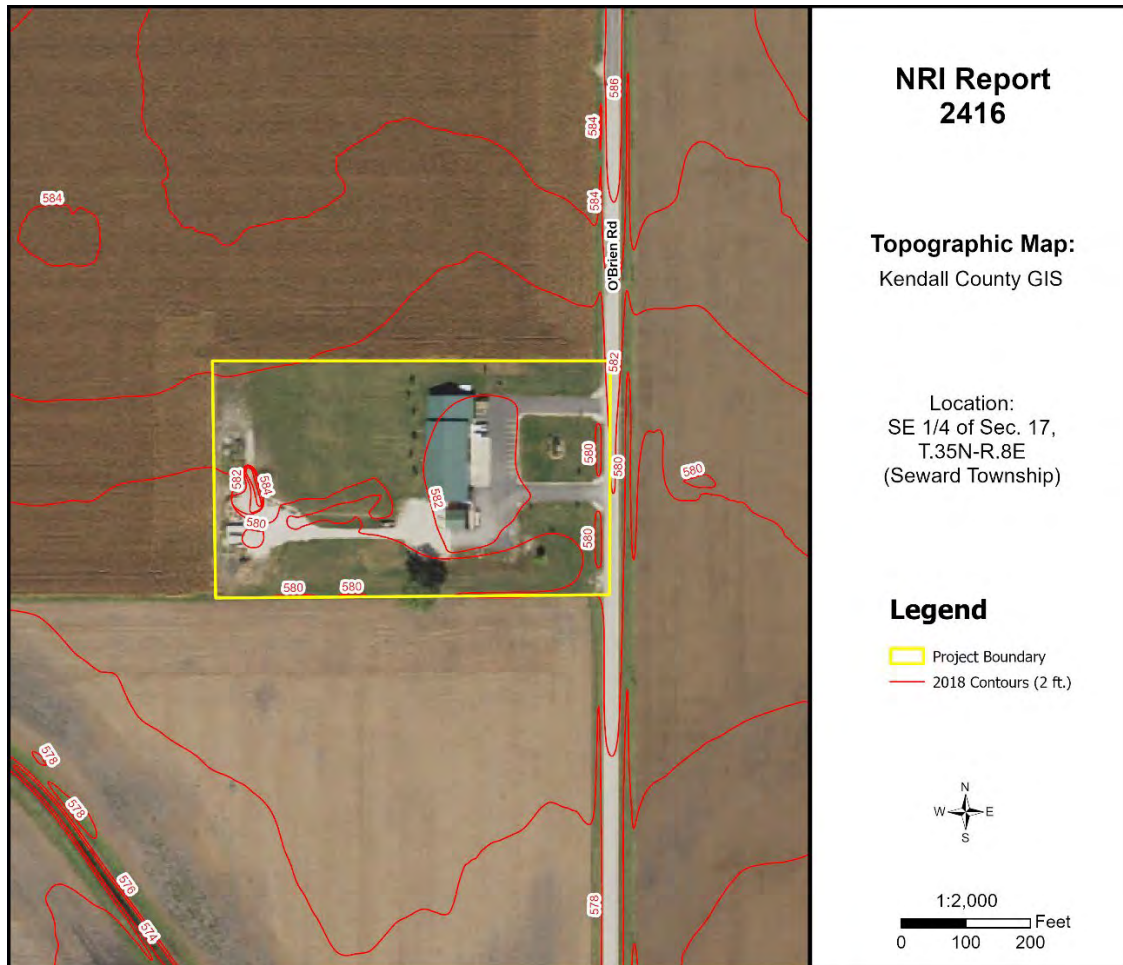


**Figure 6: Flood Map**



## TOPOGRAPHY

The parcel contains soils with slopes of 0-2% and is at an elevation of approximately 580'-584' above sea level. The highest point is at the western end and the lowest points are at the southern and eastern ends of the parcel.



**Figure 7: Topographic Map**

## SEDIMENT AND EROSION CONTROL

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

## STORMWATER POLLUTION

A National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.



### LAND USE FINDINGS

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for petitioner Seward Township. The petitioner is requesting a major amendment to an A-1 Agricultural Special Use Permit from Kendall County for the addition of a storage building on the parcel (Parcel Index Number 09-17-400-005). The site is in Section 17 of Seward Township (T.35N – R.8E), Kendall County in the 3<sup>rd</sup> Principal Meridian. This site was previously reviewed by the Kendall County SWCD in 2009 when the Seward Township office/maintenance building was proposed (NRI Report 0908). Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important crops in our community. This site is a governmental facility building that hasn't been farmed in several years, however, the soils onsite are designated as prime farmland or prime farmland if drained. A land evaluation (LE), 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 that the soils are well suited for agricultural uses. The total LESA score for this site is 191 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Soils found on the project site are rated for specific uses and can have potential limitations. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note the limitation that may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are classified as very limited for supporting shallow excavations and local roads & streets and 85.7% are classified as very limited for supporting small commercial buildings and lawns/landscaping. The remaining soils are considered somewhat limited for these uses. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Upper Illinois River watershed and the Town of Seward – Aux Sable Creek sub watershed. If development occurs on this site, please ensure that a soil erosion and sediment control plan be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use it is recommended that a drainage tile survey be completed on the parcel to locate subsurface drainage tile. That survey should be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

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

  
SWCD Board Representative

5/24/2024  
Date



Attachment 8, Page 1  
**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**

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

**Unapproved - Meeting Minutes of May 22, 2024 - 7:00 p.m.**

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

**ROLL CALL**

**Members Present:** Bill Ashton, Eric Bernacki, Tom Casey, Dave Hamman (Arrived at 7:08 p.m.), Larry Nelson, Ruben Rodriguez, Claire Wilson, and Seth Wormley (Arrived at 7:40 p.m.)

**Members Absent:** Karin McCarthy-Lange and Bob Stewart

**Staff Present:** Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant

**Others Present:** Tim O'Brien, Dave Koehler, Joan Soltwisch, Marcia Rousonelo, Ray Jackinowski, Kyle Barry, Erin Bowen, Katherine Carlson, Tom Huddleston, Paul Yearsley, Joy Lieser, Greg Henderson, Carrie Kennedy, Andrew Daylor, Kristine Henderson, Michael Korst, Bruce Miller, and Gloria Foxman

**PETITIONS**

**Petition 24-09 Tim O'Brien on Behalf of Seward Township**

Mr. Asselmeier summarized the request.

On August 18, 2009, the County Board approved Ordinance 2009-31, granting a special use permit for a governmental building and facility at 14719 O'Brien Road.

The Petitioner is proposing to amend the site plan approved in Ordinance 2009-31 by a constructing an approximately eight thousand four hundred (8,400) square foot pole-type maintenance/storage building to the west of the existing Seward Township building and installing an asphalt driveway connecting the existing parking lot to the new building. For reference, the existing building is approximately nine thousand six hundred (9,600) square feet in size and is used for maintenance, storage, and offices.

Though not shown on the site plan approved in 2009, Seward Township received a permit and installed a sign on the property in 2010. The sign is shown on the proposed site plan.

No other changes to the site were proposed.

The application materials, proposed site plan, and Ordinance 2009-31 were provided.

The property was approximately five (5) acres in size.

The existing land use was Public/Institutional.

The future land use was Commercial.

O'Brien Road was a Township Road classified as a Local Road.

There were no trails planned in the area.

There are no floodplains or wetlands on the property.



The adjacent properties were used as Agricultural.

The adjacent properties were zoned A-1.

The Land Resource Management Plan calls for the area to be Commercial, Rural Estate Residential, and Rural Residential.

Properties within one half (1/2) of a mile were zoned A-1 and A-1 SU.

There is one (1) home located within one half (1/2) mile of the subject property.

The special use to the west is for a banquet facility and related uses.

EcoCat submitted on April 23, 2024, and consultation was terminated.

A NRI application was submitted on April 30, 2024. The LESA Score was 191 indicating a low level of protection.

Seward Township was emailed information on April 30, 2024.

The Lisbon-Seward Fire Protection District was emailed information on April 30, 2024. No comments received.

ZPAC reviewed the proposal at their meeting on May 7, 2024. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

Member Wormley arrived at this time (7:40 p.m.).

The proposed building will have to obtain applicable building permits.

As required in the special use permit from 2009, the subject property has fifteen (15) parking spaces, including one (1) handicapped parking space. Given that the proposed amendment will not increase public visitation at the property, the number of parking spaces should be adequate.

The Petitioner submitted an application for a stormwater permit.

In 2009, the Petitioner was granted a variance to the stormwater runoff storage facilities by Ordinance 2009-26, which was provided. An amendment to this variance, the installation of stormwater storage facilities, submittal of a fee-in-lieu payment, or some combination thereof will be required. A letter from WBK Engineering was provided. The Petitioner was considering a variance to the Stormwater Management Ordinance, but they were looking to add a stormwater detention, which was not shown on the site plan.

The proposed Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The expansion will improve the public health, safety, comfort, and general welfare because the new building will allow the township to do its work inside a new facility.



That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The existing use has been in place since 2009. The adjacent land uses are agricultural and the construction of a maintenance building will not injury the use and enjoyment of neighboring land owners.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true except for drainage. Drainage concerns can be addressed through a stormwater permit.

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

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Seward Township has used the subject property for public/institutional purposes since 2009. Accordingly, allowing the Township expand its facilities is consistent with a goal found on Page 9-20 of the Kendall County Land Resource Management Plan which calls for “mutually supportive, non-adversarial team of municipal, township, . . . county, and other governments working toward the benefit of everyone in Kendall County.”

Staff recommended approval of the requested amendments to the existing special use permit for a governmental building and facility, pending resolution of Kendall County Stormwater Ordinance issues subject to the following conditions and restrictions:

1. The site plan attached as Group Exhibit A of Ordinance 2009-31 is hereby amended to include the submitted site plan.
2. None of buildings or structures allowed by this major amendment to an existing special use permit shall be considered agricultural structures and must secure applicable permits.
3. The remaining conditions and restrictions contained in Ordinance 2009-31 shall remain valid and effective.
4. The use allowed by this major amendment to an existing special use permit shall follow all applicable federal, state, and local laws.
5. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
7. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.



Member Wilson requested that her earlier comments apply to this Petition (Member Wilson stated that, as a representative of Seward Township, she felt Seward Township proposed the change to the site plan in awful manner with unclear notice and little information provided prior to the meeting. She had no objection to expanding the building.)

Member Nelson asked if large quantities of salt would be stored inside the building. Bruce Miller, Engineer for Seward Township, said salt storage was already available at the property. Salt would not be stored in the building.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the major amendment to an existing special use permit with an amendment to include a site detention area on the site plan.

The votes were as follows:

Ayes (8): Ashton, Bernacki, Casey, Hamman, Nelson, Rodriguez, Wilson, and Wormley

Nays (0): None

Absent (2): McCarthy-Lange and Stewart

Abstain (0): None

The proposal goes to the Kendall County Zoning Board of Appeals on May 28, 2024.

#### **CITIZENS TO BE HEARD/PUBLIC COMMENT**

None

#### **OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier reported that Petition 24-10 and 24-11 will be on the agenda for the June meeting.

#### **ADJOURNMENT**

Member Wilson made a motion, seconded by Member Nelson, to adjourn. With a voice vote of seven (7) ayes, the motion carried.

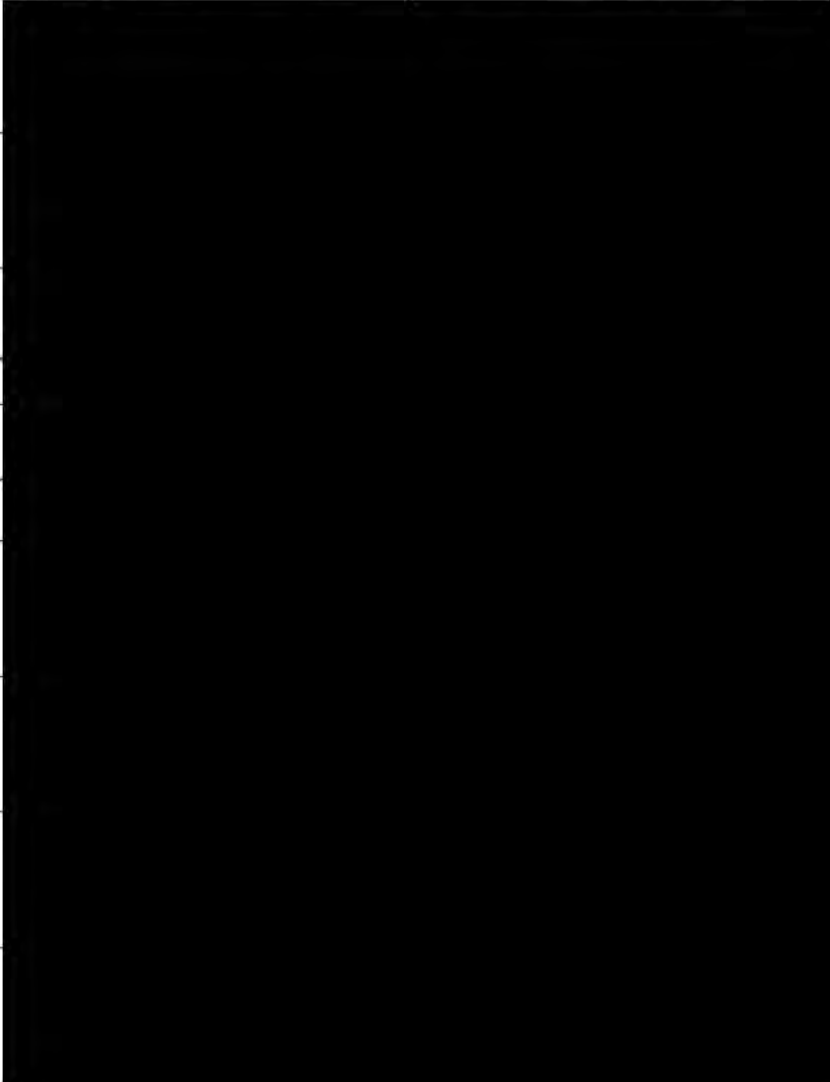
The Kendall County Regional Planning Commission meeting adjourned at 9:59 p.m.

Respectfully submitted by,  
Wanda A. Rolf, Administrative Assistant



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
MAY 22, 2024**

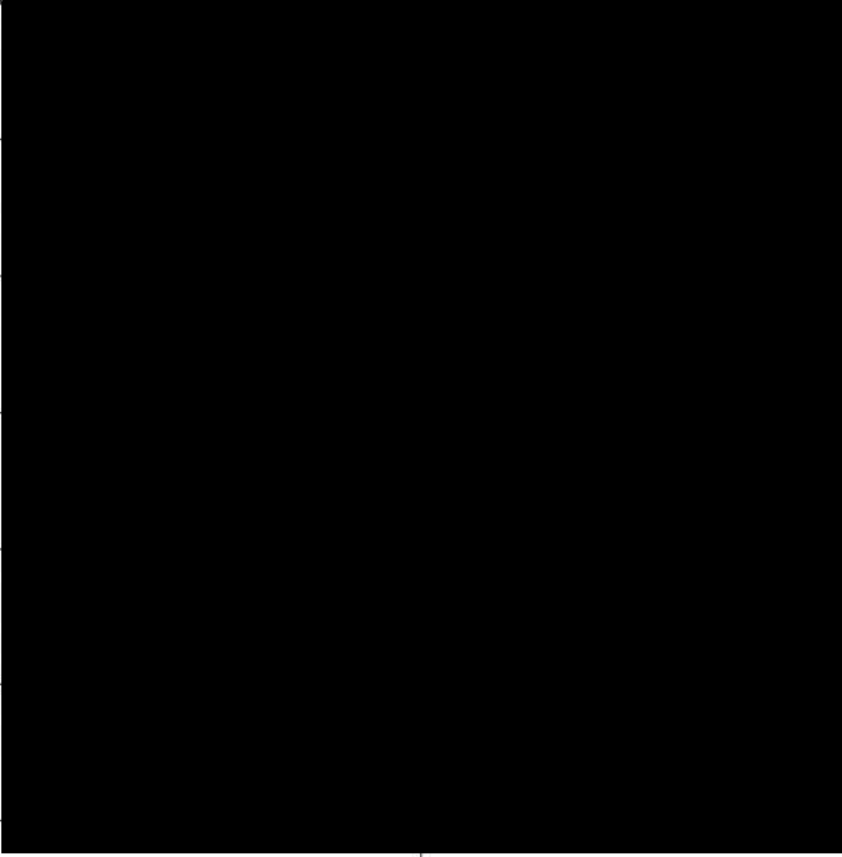
IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Tim O'Brien		
DAVE Koehler		
BRUCE MILLER		
Joan Seltman		
marcia Rousonelo		
Ray 514 RT 52 Schoenewald		
Kyle Barry		
Gloria Foxman		



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
MAY 22, 2024**

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)
Erin Bowen		
Katherine Carlson		
TOM HUDDLESTON		
Paul Yearley		
DAVE Koehler		
Jay Lieser		



**MINUTES – UNOFFICIAL UNTIL APPROVED**  
**KENDALL COUNTY**  
**ZONING BOARD OF APPEALS MEETING**  
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)  
YORKVILLE, IL 60560  
May 28, 2024 – 7:00 p.m.

**CALL TO ORDER**

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

**ROLL CALL:**

Members Present: Scott Cherry (Arrived at 7:02 p.m.) Cliff Fox, Tom LeCuyer, Randy Mohr, Jillian Prodehl, and Dick Thompson, and Dick Whitfield

Members Absent: None

Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Office Assistant

Others Present: Tim O'Brien, Joan Soltwisch, Ron Miller, Pete Fleming, Bruce Miller, Rao Addepalli, and Gloria Foxman

**MINUTES:**

Member LeCuyer made a motion, seconded by Member Fox, to approve the minutes of the April 29, 2024, hearing/meeting.

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

Mr. Asselmeier reported that the Brighter Daze Banquet Facility on Crimmin Road has been annexed into Millington.

Scott Cherry arrived at 7:02 p.m.

Chairman Mohr swore in Tim O'Brien, Joan Soltwisch, Ron Miller, Pete Fleming, Bruce Miller, Rao Addepalli, and Gloria Foxman.

The Zoning Board of Appeals started their review of Petition 24-09 at 7:05 p.m.

<b>Petition</b>	<b>24 – 09 – Tim O'Brien on Behalf of Seward Township</b>
<b>Request:</b>	Major Amendment to the Special Use Permit for a Governmental Building and Facility Granted by Ordinance 2009-31 by Changing the Site Plan
<b>PIN:</b>	09-17-400-005
<b>Location:</b>	14719 O'Brien Road, Minooka in Seward Township
<b>Purpose:</b>	Petitioner Wants to Construct a Building Addition and Related Infrastructure; Property is Zoned A-1 with a Special Use Permit

Mr. Asselmeier summarized the request.



On August 18, 2009, the County Board approved Ordinance 2009-31, granting a special use permit for a governmental building and facility at 14719 O'Brien Road.

The Petitioner is proposing to amend the site plan approved in Ordinance 2009-31 by a constructing an approximately eight thousand four hundred (8,400) square foot pole-type maintenance/storage building to the west of the existing Seward Township building and installing an asphalt driveway connecting the existing parking lot to the new building. For reference, the existing building is approximately nine thousand six hundred (9,600) square feet in size and is used for maintenance, storage, and offices.

Though not shown on the site plan approved in 2009, Seward Township received a permit and installed a sign on the property in 2010. The sign is shown on the proposed site plan.

No other changes to the site were proposed.

The application materials, proposed site plan, and Ordinance 2009-31 were provided.

The property was approximately five (5) acres in size.

The existing land use was Public/Institutional.

The future land use was Commercial.

O'Brien Road was a Township Road classified as a Local Road.

There were no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent properties were used as Agricultural.

The adjacent properties were zoned A-1.

The Land Resource Management Plan calls for the area to be Commercial, Rural Estate Residential, and Rural Residential.

Properties within one half (1/2) of a mile were zoned A-1 and A-1 SU.

There is one (1) home located within one half (1/2) mile of the subject property.

The special use to the west is for a banquet facility and related uses.

EcoCat submitted on April 23, 2024, and consultation was terminated.



A NRI application was submitted on April 30, 2024. The LESA Score was 191 indicating a low level of protection.

Seward Township was emailed information on April 30, 2024.

The Lisbon-Seward Fire Protection District was emailed information on April 30, 2024. No comments received. No comments were received.

ZPAC reviewed the proposal at their meeting on May 7, 2024. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on May 22, 2024. It was noted that the Petitioner was working on incorporating stormwater detention into the site plan. Member Wilson felt that Seward Township was not transparent in how they obtained approval from the Township electors for this project; she still supported the major amendment. Discussion also occurred regarding salt storage at the property; salt was already stored indoors. The Kendall County Regional Planning Commission recommended approval of the requested major amendment with conditions proposed by Staff and the addition to stormwater detention infrastructure on the site plan by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

The proposed building will have to obtain applicable building permits.

As required in the special use permit from 2009, the subject property has fifteen (15) parking spaces, including one (1) handicapped parking space. Given that the proposed amendment will not increase public visitation at the property, the number of parking spaces should be adequate.

The Petitioner submitted an application for a stormwater permit.

In 2009, the Petitioner was granted a variance to the stormwater runoff storage facilities by Ordinance 2009-26, which was provided. An amendment to this variance, the installation of stormwater storage facilities, submittal of a fee-in-lieu payment, or some combination thereof will be required. A letter from WBK Engineering was provided. The Petitioner was considering a variance to the Stormwater Management Ordinance, but they were looking to add a stormwater detention, which was not shown on the site plan.

In 2009, the Petitioner was granted a variance to the stormwater runoff storage facilities by Ordinance 2009-26, which was provided. An amendment to this variance, the installation of stormwater storage facilities, submittal of a fee-in-lieu payment, or some combination thereof will be required. A letter from WBK Engineering was provided. The Petitioner was considering a variance to the Stormwater



Management Ordinance. However, they were working on an alteration to the site plan to include stormwater detention.

The proposed Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The expansion will improve the public health, safety, comfort, and general welfare because the new building will allow the township to do its work inside a new facility.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The existing use has been in place since 2009. The adjacent land uses are agricultural and the construction of a maintenance building will not injury the use and enjoyment of neighboring land owners.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true except for drainage. Drainage concerns can be addressed through a stormwater permit.

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

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Seward Township has used the subject property for public/institutional purposes since 2009. Accordingly, allowing the Township expand its facilities is consistent with a goal found on Page 9-20 of the Kendall County Land Resource Management Plan which calls for “mutually supportive, non-adversarial team of municipal, township, . . . county, and other governments working toward the benefit of everyone in Kendall County.”

Staff recommended approval of the requested amendments to the existing special use permit for a governmental building and facility, pending resolution of Kendall County Stormwater Ordinance issues subject to the following conditions and restrictions:

1. The site plan attached as Group Exhibit A of Ordinance 2009-31 is hereby amended to include the submitted site plan. **Stormwater detention related information may be added to the site**



**plan without the need to obtain an amendment to the site plan. (Added at RPC).**

2. None of the buildings or structures allowed by this major amendment to an existing special use permit shall be considered agricultural structures and must secure applicable permits.
3. The remaining conditions and restrictions contained in Ordinance 2009-31 shall remain valid and effective.
4. The use allowed by this major amendment to an existing special use permit shall follow all applicable federal, state, and local laws.
5. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property

Chairman Mohr opened the public hearing at 7:11 p.m.

No one testified regarding the Petition.

Chairman Mohr adjourned the public hearing at 7:12 p.m.

Member LeCuyer made a motion, seconded by Member Cherry, to approve the Findings of Fact.

The votes were as follows:

Ayes (7): Cherry, Fox, LeCuyer, Mohr, Prodehl, Thompson, and Whitfield  
Nays (0): None  
Abstain (0): None  
Absent (0): None

The motion carried.

Member Whitfield made a motion, seconded by Member Fox, to recommend approval of the major amendment to an existing special use with the conditions proposed by Staff with the revised site plan submitted by Seward Township on May 28, 2024.

The votes were as follows:

Ayes (7): Cherry, Fox, LeCuyer, Mohr, Prodehl, Thompson, and Whitfield  
Nays (0): None  
Abstain (0): None  
Absent (0): None



The motion carried.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on June 10, 2024.

The Zoning Board of Appeals completed their review of Petition 24-09 at 7:14 p.m.

**PUBLIC COMMENTS**

Gloria Foxman, on behalf of Petition 24-13 James C. Marshall on Behalf of TurningPointEnergy, LLC Through TPE IL KE240 (Tenant) and Frank J. Santoro (Owner), asked if they could continue the hearing one (1) additional month to July 29, 2024, instead of July 1, 2024. Member LeCuyer made a motion, seconded by Member Whitfield, to rescind the previous motion to continue Petition 24-13 to July 1, 2024. With a voice vote of seven (7) ayes, the motion carried. Member LeCuyer made a motion, seconded by Member Whitfield, to continue the hearing on Petition 24-13 to July 29, 2024. With a voice vote of seven (7) ayes, the motion carried.

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS**

Member Whitfield made a motion, seconded by Member LeCuyer, to adjourn.

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

The Zoning Board of Appeals meeting adjourned at 7:55 p.m.

The next regularly scheduled meeting/hearing will be on July 1, 2024.

Respectfully submitted by,  
Wanda A. Rolf  
Administrative Assistant

**Exhibits**

1. Memo on Petition 24-09 Dated May 23, 2024
2. Certificate of Publication and Certified Mail Receipts for Petition 24-06 (Not Included with Report but on file in Planning, Building and Zoning Office)
3. Amended Site Plan for Petition 24-09





# KENDALL COUNTY ZONING BOARD OF APPEALS

## MAY 28, 2024

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
Jim O'Brien		
RAO ADDEPALI		
Ron Miller		
Pete Fleming		
BRUCE MILLER		
Joan Settinie		
Gloria Foxmen		



State of Illinois  
County of Kendall

Zoning Petition  
#24-09

**ORDINANCE NUMBER 2024-\_\_\_\_\_**

**MAJOR AMENDMENT TO A SPECIAL USE PERMIT FOR A GOVERNMENTAL BUILDING  
AND FACILITY GRANTED BY ORDINANCE 2009-31 BY CHANGING THE SITE PLAN AT  
14719 O'BRIEN ROAD, MINOOKA (PIN: 09-17-400-005) IN SEWARD TOWNSHIP**

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve amendments to existing special use permits and provides the procedure through which amendments to existing special use permits are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 5 more or less acres located at 14719 O'Brien Road, Minooka (PIN: 09-17-400-005) in Seward Township. The legal description for the area proposed for major amendment to an existing special use permit is set forth in Exhibit A attached hereto and incorporated by reference and shall hereinafter be referred to as "the subject property"; and

WHEREAS, on or about August 18, 2009, the subject property was granted a special use permit for a governmental building and facility by the County Board through Ordinance 2009-31; and

WHEREAS, the subject property is currently owned by Seward Township as represented by Tim O'Brien and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about April 23, 2024, Petitioner's representative filed a petition for a major amendment to an existing special use permit by amending the site plan; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on May 2, 2024, and due and proper notification to Seward Township on or about April 26, 2024, and due and proper notification to all property owners of record of properties located within seven hundred fifty feet of the subject property on or about April 26, 2024, the Kendall County Zoning Board of Appeals conducted a public hearing on May 28, 2024, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested major amendment to an existing special use permit and zero members of the public testified in favor or in opposition or asked question of the requested major amendment to an existing special use permit; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the major amendment to an existing special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated May 28, 2024, a true and correct copy of which is attached hereto as Exhibit B; and

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

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of



State of Illinois  
County of Kendall

Zoning Petition  
#24-09

Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

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

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a major amendment to an existing special use permit at the subject property subject to the following conditions and restrictions:
  - A. The site plan attached as Group Exhibit A of Ordinance 2009-31 is hereby amended to include the site plan attached hereto as Exhibit C.
  - B. None of the buildings or structures allowed by this major amendment to an existing special use permit shall be considered agricultural structures and must secure applicable permits.
  - C. The remaining conditions and restrictions contained in Ordinance 2009-31 shall remain valid and effective.
  - D. The use allowed by this major amendment to an existing special use permit shall follow all applicable federal, state, and local laws.
  - E. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
  - F. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
3. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs and assigns as to the same special use conducted on the property.
4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 18<sup>th</sup> day of June, 2024.

Attest:

---

Kendall County Clerk  
Debbie Gillette

---

Kendall County Board Chairman  
Matt Kellogg



Exhibit A

Legal Description

THE SOUTH 360 FEET OF THE EAST 605 FEET OF THE NORTH HALF OF THE SOUTHEAST QUARTER  
OF SECTION 17, IN TOWNSHIP 35 NORTH, AND IN RANGE 8 EAST OF THE THIRD PRINCIPAL  
MERIDIAN IN KENDALL COUNTY, ILLINOIS

PIN: 09-17-400-005



Exhibit B

The Kendall County Zoning Board of Appeals held a public hearing on the Petition 24-09 on May 28, 2024. On the same date, the Kendall County Zoning Board of Appeals issued the following findings of fact and recommendation by a vote of seven (7) in favor and zero (0) in opposition.

**FINDINGS OF FACT**

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The expansion will improve the public health, safety, comfort, and general welfare because the new building will allow the township to do its work inside a new facility.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The existing use has been in place since 2009. The adjacent land uses are agricultural and the construction of a maintenance building will not injury the use and enjoyment of neighboring land owners.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This is true except for drainage. Drainage concerns can be addressed through a stormwater permit.***

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

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **Seward Township has used the subject property for public/institutional purposes since 2009. Accordingly, allowing the Township expand its facilities is consistent with a goal found on Page 9-20 of the Kendall County Land Resource Management Plan which calls for “mutually supportive, non-adversarial team of municipal, township, . . . county, and other governments working toward the benefit of everyone in Kendall County.”***

**RECOMMENDATION**

Approval subject to the following conditions and restrictions:

1. The site plan attached as Group Exhibit A of Ordinance 2009-31 is hereby amended to include the site plan submitted on May 28, 2024.
2. None of the buildings or structures allowed by this major amendment to an existing special use permit shall be considered agricultural structures and must secure applicable permits.
3. The remaining conditions and restrictions contained in Ordinance 2009-31 shall remain valid and effective.
4. The use allowed by this major amendment to an existing special use permit shall follow all applicable federal, state, and local laws.
5. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.



6. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
7. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.



STATE OF ILLINOIS } ss  
COUNTY OF WILL }

TWig, Inc., Illinois Professional Design Firm  
No. 184-001251, Hereby Certifies that it has surveyed the property  
described in the above caption and as shown on the annexed plat,  
which is a true and correct representation of said survey.

SURVEY FIELD WORK COMPLETED APRIL 9, 2024  
GIVEN UNDER MY HAND AND SEAL THIS 23rd DAY OF April, 2024, A.D.

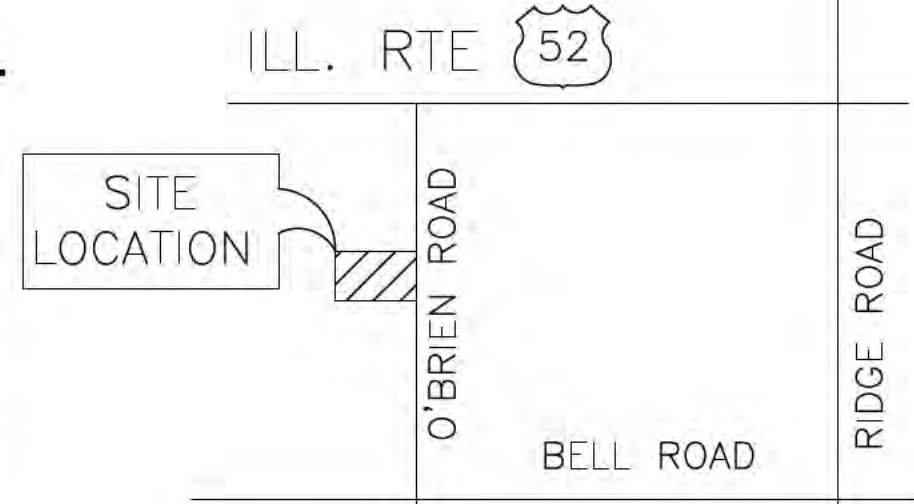
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3524



SITE PLAN  
PART OF THE SE CORNER OF SECTION 17, TOWNSHIP 35N, RANGE 8E, THIRD PRIME MERIDIAN  
SEWARD TOWNSHIP  
KENDALL COUNTY, ILLINOIS  
5.000± ACRES  
ZONED A-1

LEGAL DESCRIPTION:

THE SOUTH 360 FEET OF THE EAST 605 FEET OF THE NORTH HALF OF THE  
SOUTHEAST QUARTER OF SECTION 17, IN TOWNSHIP 35 NORTH, AND IN RANGE  
8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS



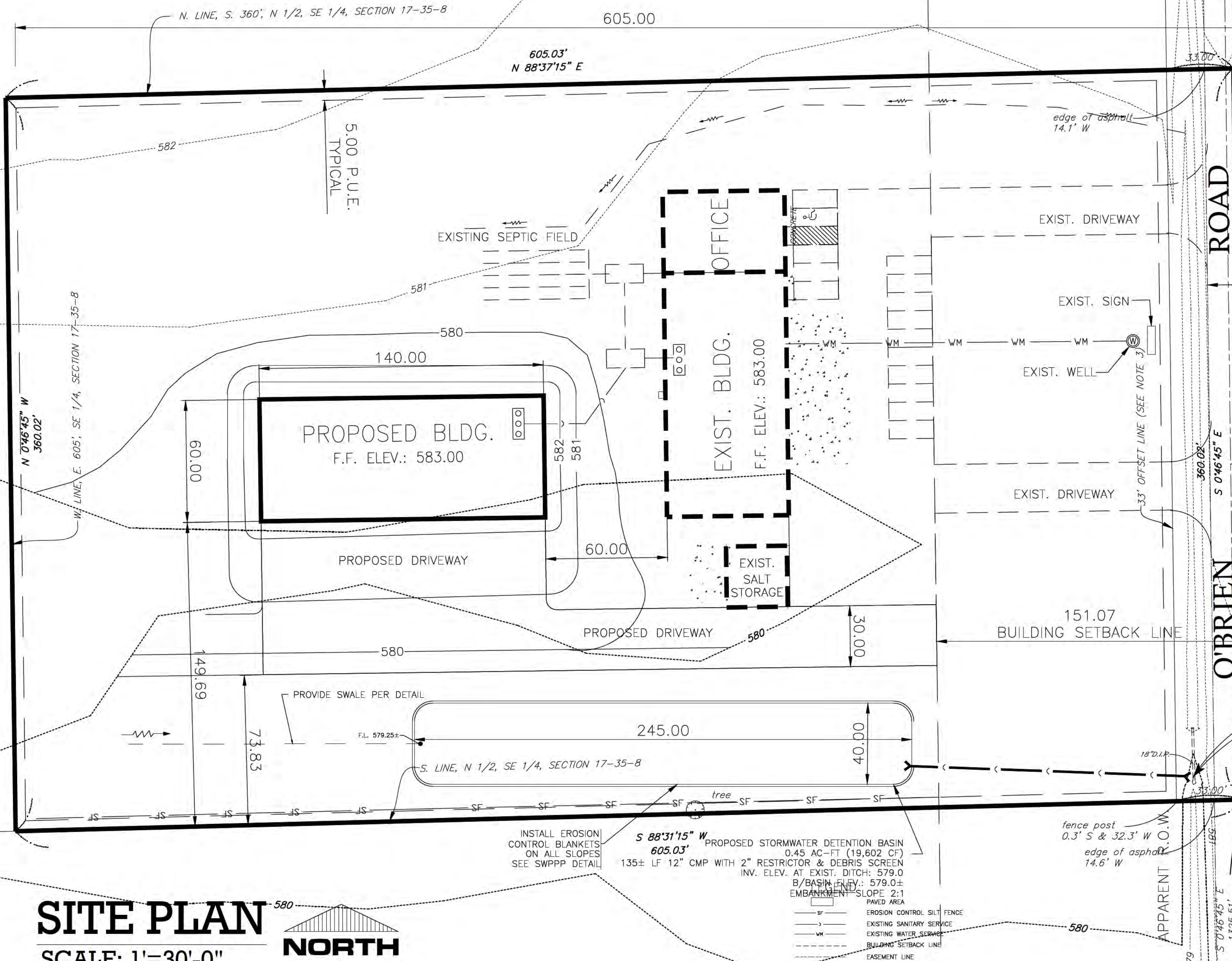
LOCATION MAP



EXISTING SIGN

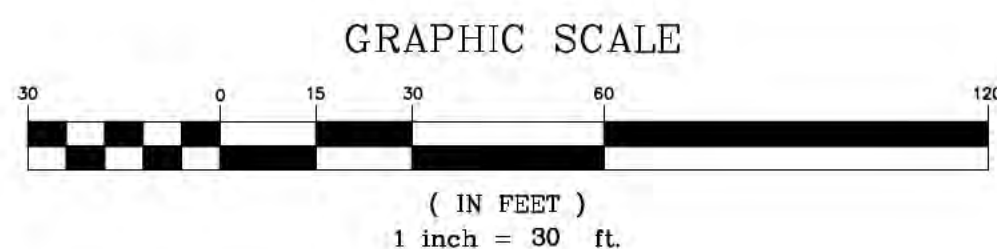


EXISTING BUILDING



SITE PLAN

SCALE: 1'=30'-0"



BUILDING/LOT RATIO

PARKING/DRIVEWAY: 0.375 AC. (16,340 S.F.)  
PROPOSED BUILDING: 0.198 AC. ( 8,400 S.F.)  
TOTAL: 0.573± AC. (24,740 S.F.)

Topographic and Boundary Survey Provided  
by TWIG, Inc., 129 Capista Dr., Shorewood, IL. 60404  
Dated April, 2024

BENCHMARK: CUT CROSS IN TOP OF DUCTILE IRON PIPE  
(SOUTH END) AS SHOWN HEREON.  
ELEVATION=580.73 (NGVD 29)

NO.	REVISION/DATE
1	Add Definition Basin 05/28/24

B. P. MILLER CONSULTANTS, LTD.  
STRUCTURAL & CIVIL ENGINEERING  
105 W. MONDAMIN ST.  
MINOOKA, IL. 60447  
815/467-9744  
ILLINOIS PROFESSIONAL DESIGN FIRM  
LICENSE NO.: 164-002264 EXP. 4/30/25

SITE PLAN  
SEWARD TOWNSHIP  
STORAGE BUILDING

SEWARD TOWNSHIP  
PROPOSED STORAGE BUILDING  
O'BRIEN ROAD  
KENDALL COUNTY, ILLINOIS

SHEET

C-1

FILE NO.  
24-500





## Kendall County Agenda Briefing

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**Meeting Type:** Planning, Building and Zoning  
**Meeting Date:** 6/10/2024  
**Subject:** Approval of Petition 24-14, New Future Land Use Map for Seward Township  
**Prepared by:** Matthew H. Asselmeier, AICP, CFM  
**Department:** Planning, Building and Zoning

---

### **Action Requested:**

Approval of Petition 24-14, A Request from Tim O'Brien on Behalf of Seward Township for an Amendment to the Future Land Use Map Contained in the Land Resource Management Plan by Adopting a New Future Land Use Map for Seward Township and Related Text Changes

### **Previous Board/Committee Review:**

ZPAC-Approval (9-0-1) on May 7, 2024

Kendall County Regional Planning Commission-Approval with Seward Township Meeting Minutes added to the Record (6-1-3) on May 22, 2024

Kendall County Zoning Board of Appeals-Forward to the County Board (7-0) on May 28, 2024

### **Fiscal impact:**

N/A

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### **Background and Discussion:**

The Petitioner would like to update the Future Land Use Map for Seward Township

### **Staff Recommendation:**

Approval

### **Attachments:**

Memo Dated June 3, 2024





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## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

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**To:** Kendall County Planning, Building and Zoning Committee

**From:** Matthew H. Asselmeier, AICP, CFM, Planning Director

**Date:** 6/3/2024

**Subject:** New Proposed Future Land Use Map for Seward Township

In an effort to preserve the agricultural character of the Township and protect the Aux Sable Creek Watershed, Seward Township has proposed the attached new Future Land Use Map. The existing Future Land Use Map is also attached.

The proposed changes are as follows:

1. All of the land west Arbeiter and Hare Roads will be reclassified to Agricultural. The Commercial area at the intersection of Route 52 and Grove Road will be retained and the Commercial area at the intersection of Arbeiter Road and Route 52 will also be retained.
2. The Seward Township Building on O'Brien Road, the church on Van Dyke Road, and lands owned by the Kendall County Forest Preserve District and Conservation Foundation west of Arbeiter and Hare Roads will be classified as Public/Institutional.
3. The residentially planned areas east of Arbeiter and Hare Roads will be reclassified to Rural Estate Residential.
4. The floodplain of the Aux Sable Creek was added to the map.
5. Text contained in the Land Resource Management Plan in conflict the above changes will be amended.

The Seward Township Planning Commission approved this proposal at their meeting on February 5, 2024. The Seward Township Board approved this proposal at their meeting on March 12, 2024. Seward Township held a community forum on the proposal on April 18, 2024. The Kendall County Comprehensive Land Plan and Ordinance Committee also reviewed the proposal at their meetings in February and April 2024.

A composite future land use map of the County and the municipalities' comprehensive plans is attached.

This proposal was sent to Plattville, Minooka, Shorewood, and Joliet on April 30, 2024. This proposal was sent to the Bristol-Kendall, Lisbon-Seward, Minooka, Troy, and Joliet Fire Departments on April 30<sup>th</sup>.

ZPAC reviewed this proposal at their meeting on May 7, 2024. Mr. Guritz said that he attended the forum in Seward Township and felt that the meeting was well attended and attendees seemed in favor of the proposal. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting are attached.

The Kendall County Regional Planning Commission held a public hearing on this proposal on May 22, 2024. Other than the Petitioner, no other person testified in favor or in objection to the proposal. One (1) person asked what a comprehensive plan was and another person requested clarification regarding the land use classifications along Route 52 between County Line and Ridge Roads. Seward Township explained



the public's involvement in the proposal, to date. Discussion occurred regarding the removal of the Commercial area near the intersection of Route 52, O'Brien, and McKanna Roads and the retention of the Commercial area at the intersection of Grove Road and Route 52; the area was retained for traffic and trail reasons. Discussion occurred regarding the impact of property owners to ask for map amendments, if the proposal was approved. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of six (6) in favor, one (1) in opposition, and three (3) absent. The minutes of the hearing are attached.

The Kendall County Zoning Board of Appeals reviewed this proposal at their meeting on May 28, 2024. Discussion occurred regarding residential development in unincorporated Seward Township; the Chairman of the Seward Township Planning Commission felt that large lot subdivisions were unlikely to occur. Information was provided on previous public meetings Seward Township held on the proposal. Discussion occurred regarding the procedure that would occur if someone wanted to rezone their property, but lacked forty (40) acres. The Kendall County Zoning Board of Appeals voted to forward the proposal to the County Board by a vote of seven (7) in favor and zero (0) in opposition. The minutes of the meeting are attached.

The draft resolution is attached.

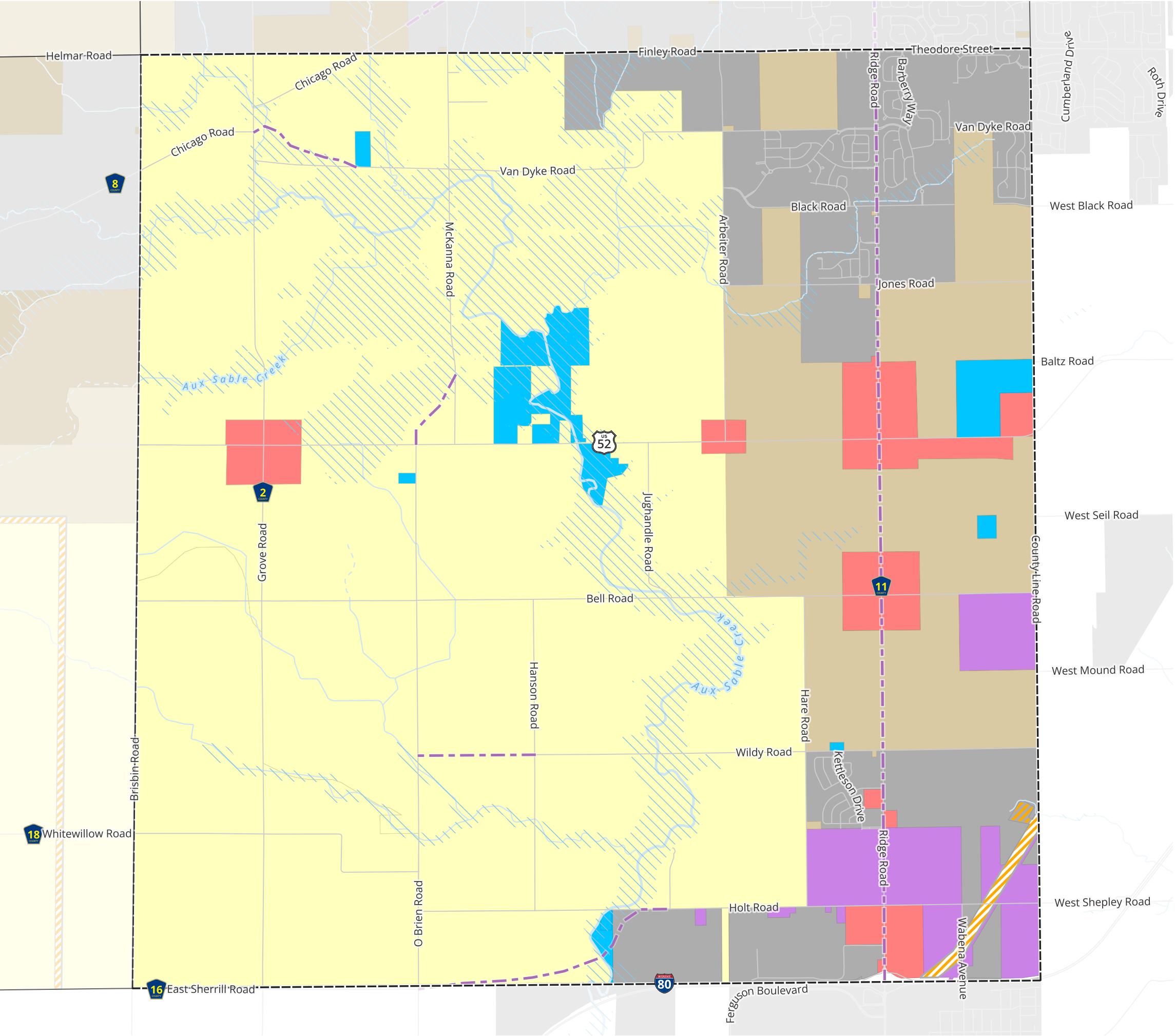
If you have any questions regarding this memo, please let me know.

Thanks,

MHA

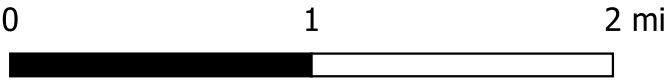
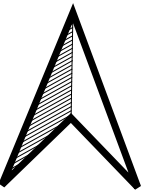
Encs.: Proposed Future Land Use Map  
Existing Future Land Use  
Composite Future Land Use Map  
May 7, 2024, ZPAC Meeting Minutes (This Petition Only)  
May 22, 2024, Kendall County Regional Planning Commission Hearing Minutes (This Petition Only)  
May 28, 2024, Kendall County Zoning Board of Appeals Meeting Minutes (This Petition Only)  
Draft Resolution





# Seward Township

## Future Land Use Drafts / Proposals



- Proposed Roadway Improvements
- Floodplain
- LRMP Management Areas
  - Urbanized Communities
  - Suburban Residential
  - Rural Residential
  - Rural Estate Residential
  - Countryside Residential
  - Hamlet
  - Rural Community
  - Commercial
  - Public / Institutional
  - Open Space
  - Natural Resource Area
  - Agriculture
  - Mining
  - Potential Mining District
  - Mixed Use Business
  - Transportation Corridors
  - Utility Right of Way
  - Agricultural Conservation Area



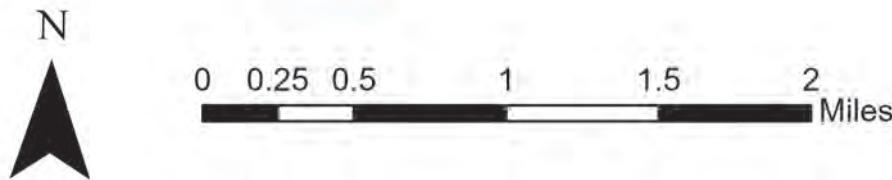
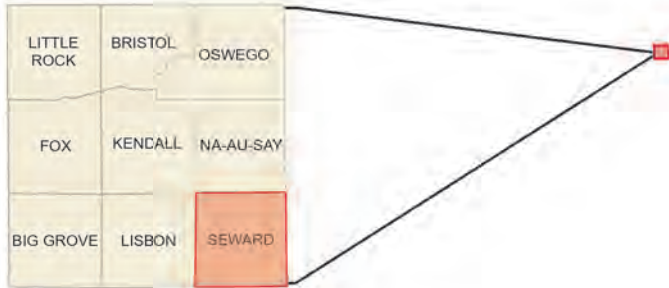
# FUTURE LANDUSE SEWARD TOWNSHIP 2023

## Legend

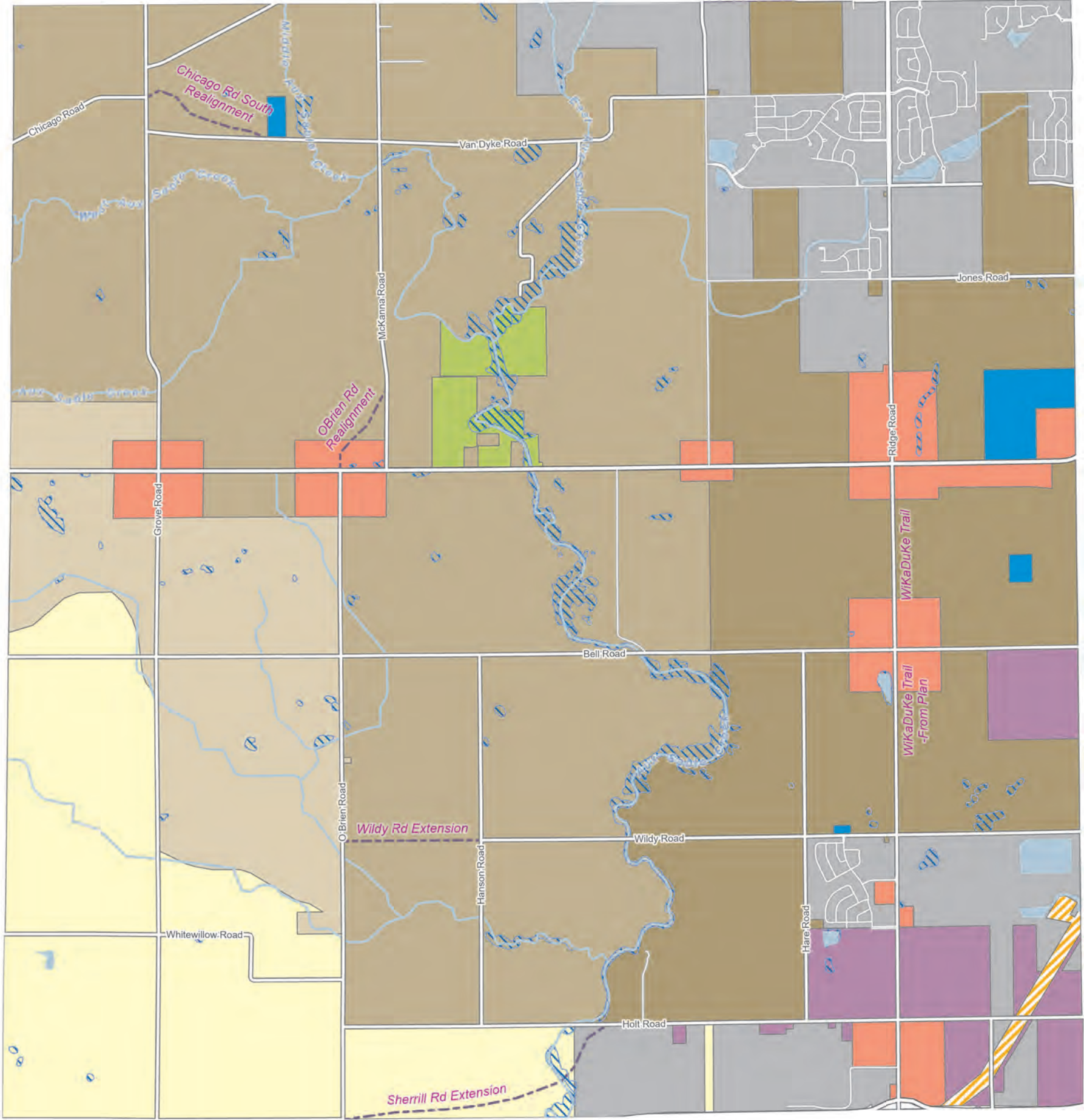
- Wetlands Floodplains Proposed Roadway Improvements

## Land Resource Management Plan Management Areas

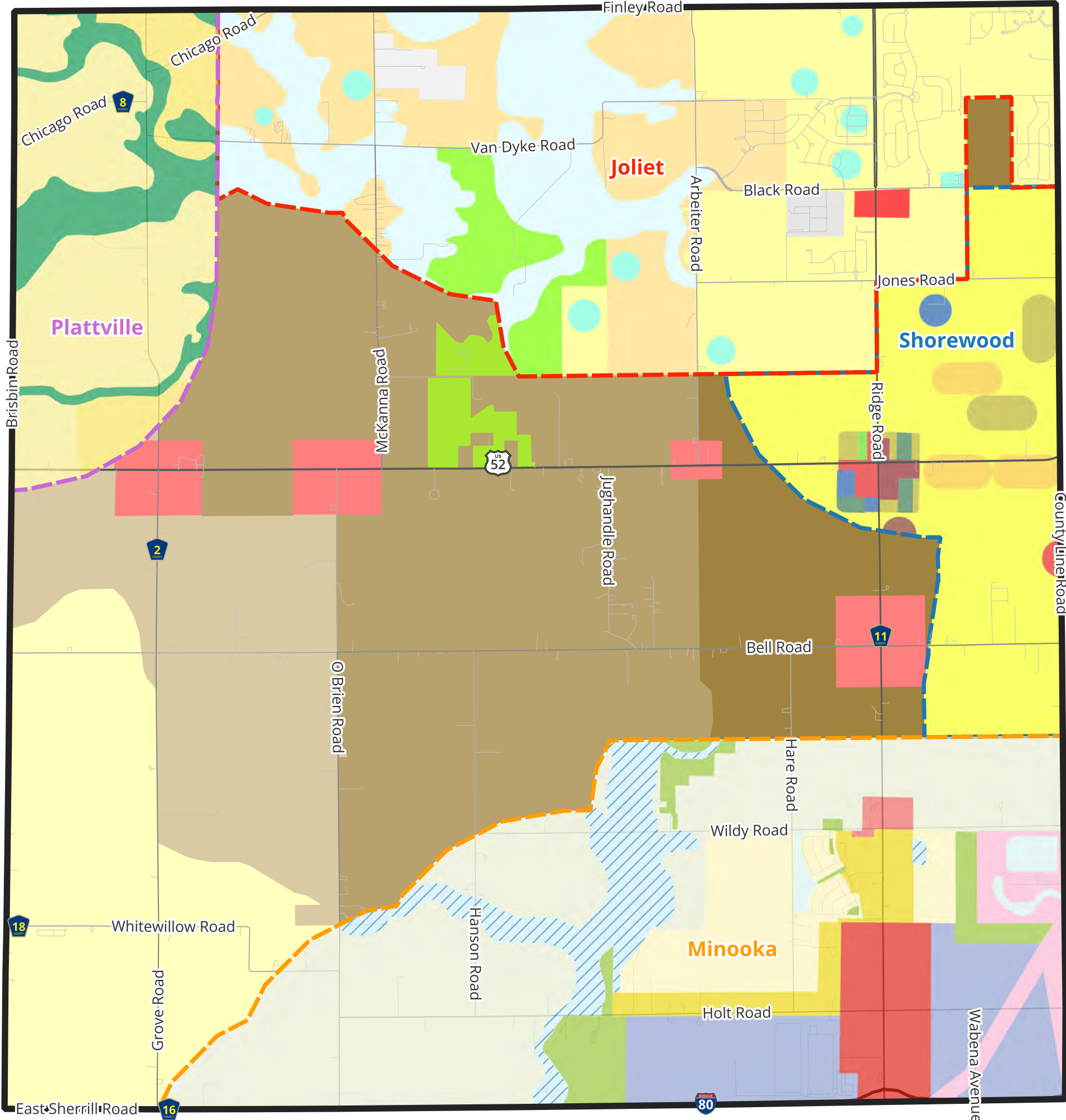
- |                       |                                 |                        |
|-----------------------|---------------------------------|------------------------|
| Utility Right of Way  | Rural Residential               | Mixed Use Business     |
| Urbanized Communities | Rural Estate Residential        | Public / Institutional |
| Suburban Residential  | Commercial                      | Open Space             |
|                       | Agricultural Conservation Areas | Agriculture            |



Kendall County  
Planning, Building & Zoning Department  
111 Fox Street  
Yorkville, Illinois 60560







# Seward Township Future Land Use Plan

Seward Township Boundary

## Kendall County

- Suburban Residential
- Rural Residential
- Rural Estate Residential
- Commercial
- Open Space
- Agriculture

## City of Joliet

- Residential - Various Density Conditions
- Residential - Aux Sable Design Corridor
- Local Commercial
- Community Commercial
- Municipal / Institutional
- Utilities
- Parks
- Flood Plain
- Planning Area

## Village of Plattville

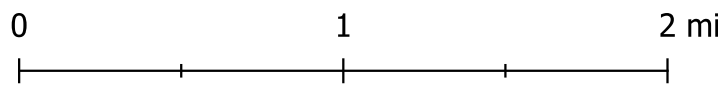
- Low Density Residential
- Medium Density Residential
- Parks & Open Space
- Planning Area

## Village of Minooka

- Single Family - Detached
- Single Family - Attached
- Agriculture
- Industrial
- Utilities
- Commerical Corridor
- Community Commercial
- Flood Area
- Parks
- Water Bodies
- Planning Area

## Village of Shorewood

- Single Unit - Detached
- Single Unit - Attached
- Multi-Unit
- Corridor Commercial
- Community Commercial
- Institution
- Mixed Use
- Conservation
- Recreation
- Planning Area





**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)**  
**May 7, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department  
Meagan Briganti – GIS Department  
David Guritz – Forest Preserve (Arrived at 9:02 a.m.)  
Brian Holdiman – PBZ Department  
Fran Klaas – Highway Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District (Arrived at 9:02 a.m.)  
Aaron Rybski – Health Department  
Seth Wormley – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Tim O'Brien, Pete Fleming, Michael Korst, Jim Filotto, Ryan Solum, Bruce Miller, Alex Schuster, and Gloria Foxman

**PETITIONS**

**Petition 24-14 Tim O'Brien on Behalf of Seward Township**

Mr. Asselmeier summarized the request.

In an effort to preserve the agricultural character of the Township and protect the Aux Sable Creek Watershed, Seward Township has proposed the attached new Future Land Use Map. The existing Future Land Use Map is also attached.

The proposed changes were as follows:

1. All of the land west Arbeiter and Hare Roads will be reclassified to Agricultural. The Commercial area at the intersection of Route 52 and Grove Road will be retained and the Commercial area at the intersection of Arbeiter Road and Route 52 will also be retained.
2. The Seward Township Building on O'Brien Road, the church on Van Dyke Road, and lands owned by the Kendall County Forest Preserve District and Conservation Foundation west of Arbeiter and Hare Roads will be classified as Public/Institutional.
3. The residentially planned areas east of Arbeiter and Hare Roads will be reclassified to Rural Estate Residential.
4. The floodplain of the Aux Sable Creek was added to the map.
5. Text contained in the Land Resource Management Plan in conflict the above changes will be amended.

The Seward Township Planning Commission approved this proposal at their meeting on February 5, 2024. The Seward Township Board approved this proposal at their meeting on March 12, 2024. Seward Township held a community forum on the proposal on April 18, 2024. The Kendall County Comprehensive Land Plan and Ordinance Committee also reviewed the proposal at their meetings in February and April 2024.

A composite future land use map of the County and the municipalities' comprehensive plans is attached.

This proposal was sent to Plattville, Minooka, Shorewood, and Joliet on April 30, 2024. This proposal was sent to the Bristol-Kendall, Lisbon-Seward, Minooka, Troy, and Joliet Fire Departments on April 30<sup>th</sup>.



Mr. Asselmeier noted that he would add a disclaimer to text of the Seward Township portion of the Land Resource Management Plan noting that if conflicts arise between the text and the Future Land Use Map, the Future Land Use Map would take precedence.

Mr. Guritz stated that he attended the public meeting in Seward Township and felt that it was well attended and most people in attendance were in favor of the proposal. The addition of the floodplain gives the map a different perspective.

Mr. Guritz made a motion, seconded by Mr. Rybski, to recommend approval of the request.

The votes were follows:

Ayes (9): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 22, 2024.

#### **PUBLIC COMMENT**

None

#### **ADJOURNMENT**

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

With a voice vote of nine (9) ayes, the motion carried.

The ZPAC, at 9:54 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Director

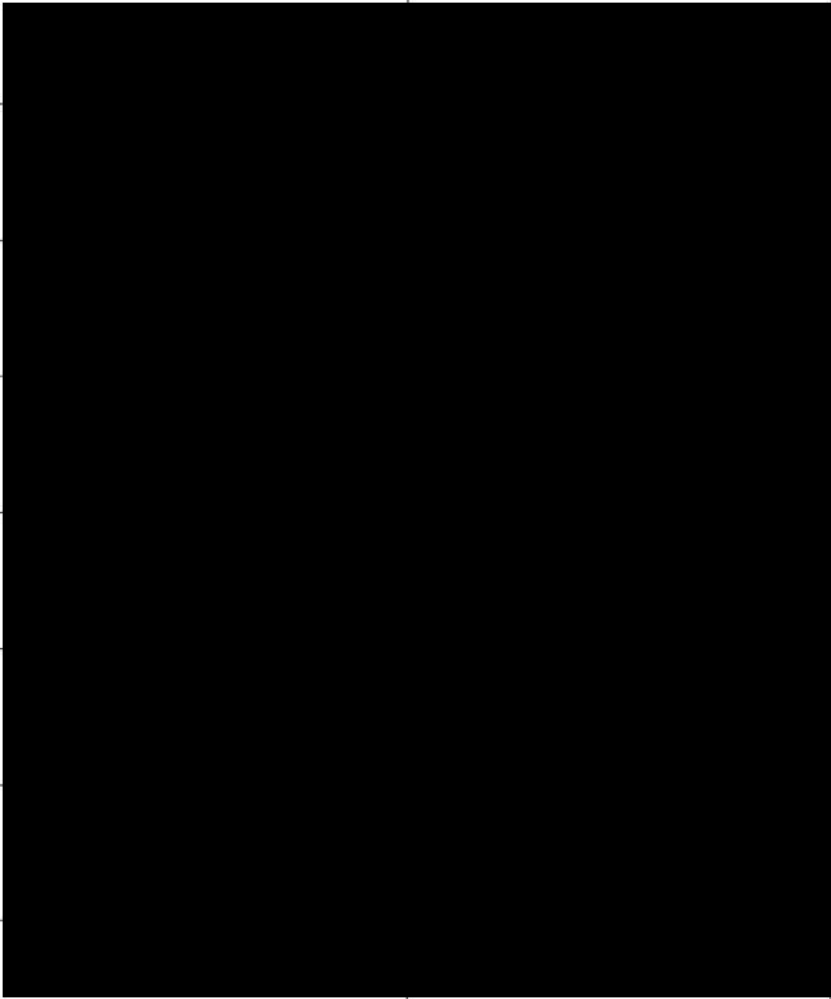
Enc.



11

**KENDALL COUNTY  
ZONING & PLATTING ADVISORY COMMITTEE  
MAY 7, 2024**

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)
Jim O'Brien		
Pete Fleming		
Michael Korr		
Jim Filotto		
Ryan Solum		
BRUCE MILLER		
Alex Schuster		



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**

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

**Unapproved - Meeting Minutes of May 22, 2024 - 7:00 p.m.**

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

**ROLL CALL**

**Members Present:** Bill Ashton, Eric Bernacki, Tom Casey, Dave Hamman (Arrived at 7:08 p.m.), Larry Nelson, Ruben Rodriguez, Claire Wilson, and Seth Wormley (Arrived at 7:40 p.m.)

**Members Absent:** Karin McCarthy-Lange and Bob Stewart

**Staff Present:** Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant

**Others Present:** Tim O'Brien, Dave Koehler, Joan Soltwisch, Marcia Rousonelo, Ray Jackinowski, Kyle Barry, Erin Bowen, Katherine Carlson, Tom Huddleston, Paul Yearsley, Joy Lieser, Greg Henderson, Carrie Kennedy, Andrew Daylor, Kristine Henderson, Michael Korst, Bruce Miller, and Gloria Foxman

The Kendall County Regional started their review of Petition 24-14 at 7:02 p.m.

**PUBLIC HEARING**

**Petition 24-14 Tim O'Brien on Behalf of Seward Township**

Mr. Asselmeier summarized the request.

In an effort to preserve the agricultural character of the Township and protect the Aux Sable Creek Watershed, Seward Township has proposed a new Future Land Use Map, which was provided. The existing Future Land Use Map was provided.

The proposed changes were as follows:

1. All of the land west Arbeiter and Hare Roads will be reclassified to Agricultural. The Commercial area at the intersection of Route 52 and Grove Road will be retained and the Commercial area at the intersection of Arbeiter Road and Route 52 will also be retained.
2. The Seward Township Building on O'Brien Road, the church on Van Dyke Road, and lands owned by the Kendall County Forest Preserve District and Conservation Foundation west of Arbeiter and Hare Roads will be classified as Public/Institutional.
3. The residentially planned areas east of Arbeiter and Hare Roads will be reclassified to Rural Estate Residential.
4. The floodplain of the Aux Sable Creek was added to the map.
5. Text contained in the Land Resource Management Plan in conflict the above changes will be amended. Mr. Asselmeier said a disclaimer would added to the text of Seward Township portion of the Land Resource Management to note that the map would take precedent over the text, in the event of conflict.



The Seward Township Planning Commission approved this proposal at their meeting on February 5, 2024. The Seward Township Board approved this proposal at their meeting on March 12, 2024. Seward Township held a community forum on the proposal on April 18, 2024. The Kendall County Comprehensive Land Plan and Ordinance Committee also reviewed the proposal at their meetings in February and April 2024.

A composite future land use map of the County and the municipalities' comprehensive plans were provided.

This proposal was sent to Plattville, Minooka, Shorewood, and Joliet on April 30, 2024. This proposal was sent to the Bristol-Kendall, Lisbon-Seward, Minooka, Troy, and Joliet Fire Departments on April 30<sup>th</sup>. No comments were received.

ZPAC reviewed this proposal at their meeting on May 7, 2024. Mr. Guritz said that he attended the forum in Seward Township and felt that the meeting was well attended and attendees seemed in favor of the proposal. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

Member Nelson asked if any notice would be given regarding the date when the map would become effective. Mr. Asselmeier responded that no specific notice would be given. The map would automatically become effective upon approval by the County Board.

Member Wilson stated that, as a representative of Seward Township, she felt Seward Township proposed the change to the site plan in awful manner with unclear notice and little information provided prior to the meeting. She had no objection to expanding the building. Chairman Ashton said that matter will be discussed later in the meeting.

Member Hamman arrived at this time (7:08 p.m.).

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

Joan Soltwisch, Seward Township Planning Commission, said that twenty-two (22) people completed the evaluation form and sixteen (16) people attended the Seward Township public meeting. She said the Seward Township Supervisor and two (2) Seward Township Trustees attendees. She said that David Guritz from the Kendall County Forest Preserve, Dan Lobbes from the Conservation Foundation, Mike Hoffman from Teska Associates, Dan Duffy and Ryan Anderson from the Village of Minooka, and Natalie Engel from the Village of Shorewood. Five (5) maps were explored. The following maps were presented the Aux Sable Creek Watershed Map, the Zoning Map, the Hydric Soil Map, and the proposed Future Land Use Map. All comments were positive. The parties agreed to continue to work together on future development. The minutes of the Seward Township meetings were submitted for the record.

Marcia Rousonelo asked what the Comprehensive Plan was. Chairman Ashton responded that it was land use plan for the Township for forward looking development.

Member Nelson noted that, if the plan is adopted, that people wanting the build in the agricultural designated areas, the County would not entertain rezoning requests in those areas. The Land Resource Management Plan would need to be changed and the rezoning request would have to be submitted, if someone wanted to rezone their property in that area.



Member Bernacki asked about the impact of switching residential lands to the agricultural classification. Mr. Asselmeier presented the current Future Land Use Map for Seward Township. The impacted properties would not be able to rezone their properties unless the Land Resource Management Plan was amended. Presently, a property could ask to rezone those properties, if the map allowed.

Member Bernacki asked if it be easier for landscaping businesses to open if a property was zoned agricultural. Mr. Asselmeier said that businesses allowed in the agricultural district would have to secure applicable permits. If a property needed to be rezoned to A-1 to open a business, that process could occur, if the map was approved.

Ray Jackinowski asked about the locations of County Line Road and Route 52 on the map. He was shown those locations.

Discussion occurred regarding the impact of Chatham annexations.

Ray Jackinowski asked about rezoning for a storage facility along Route 52 near County Line Road. Mr. Asselmeier said that area was already shown as commercial on the Future Land Use Map.

Member Bernacki asked why the commercial area was removed from the O'Brien-McKanna-Route 52 interchange. Ms. Soltwisch said that the change was made to protect the Aux Sable watershed. It was unknown if the landowner(s) knew about the proposed reclassification. No timetable was known regarding the road realignment of O'Brien and McKanna Roads. The water engineering study for the realignment area was conducted by the USDA. Further studies will occur when the road alignment is examined. Discussion occurred regarding flooding in the area.

Member Wilson asked why the commercial remained at the Grove Road intersection. Ms. Soltwisch said it remained in the plan because of traffic and trail considerations.

Member Nelson made motion, seconded by Member Hamman to close the public hearing.

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

Chairman Ashton closed the public hearing at 7:31 p.m.

Member Nelson made a motion, seconded by Member Bernacki, to recommend approval of the proposal provided that all the maps and minutes of the various Seward Township meetings be included in the record.

Member Bernacki asked why Seward Township shaded the floodplain areas instead of having different coloring distinctions like Joliet's map had. The reason for the shading was to reduce clutter on the map and make it easier to read.

The vision of Seward Township has changed over the years.

Member Casey asked how much land was required to build a house on Suburban Residential and Rural Residential land. Mr. Asselmeier said that R-1 required approximately two point nine-nine (2.99) acres unless



it is part of a planned development. Member Casey asked how much land was required to build a house on Agricultural Land. Mr. Asselmeier said that A-1 required forty (40) acres.

The votes were as follows:

Ayes (6): Ashton, Bernacki, Casey, Hamman, Nelson, and Rodriguez

Nays (1): Wilson

Absent (3): McCarthy-Lange, Stewart, and Wormley

Abstain (0): None

The proposal goes to the Kendall County Zoning Board of Appeals on May 28, 2024.

The Kendall County Regional Planning Commission concluded their review of Petition 24-14 at 7:37 p.m.

#### **CITIZENS TO BE HEARD/PUBLIC COMMENT**

None

#### **OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier reported that Petition 24-10 and 24-11 will be on the agenda for the June meeting.

#### **ADJOURNMENT**

Member Wilson made a motion, seconded by Member Nelson, to adjourn. With a voice vote of seven (7) ayes, the motion carried.

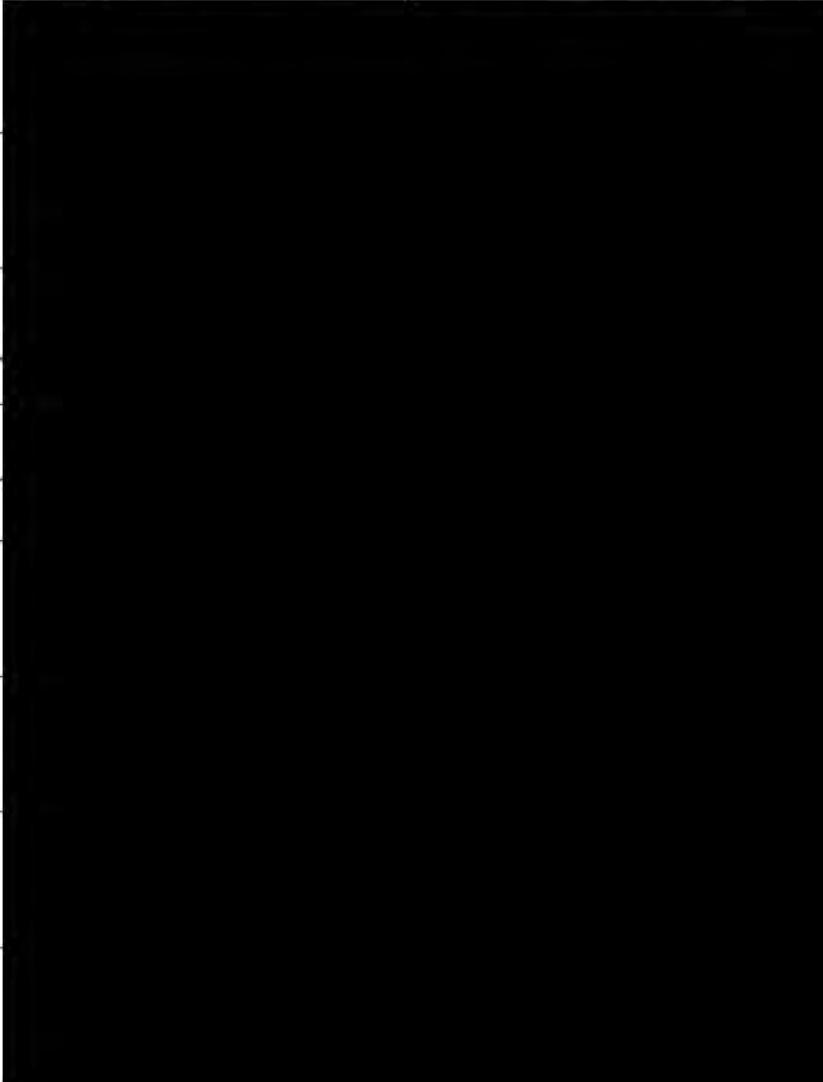
The Kendall County Regional Planning Commission meeting adjourned at 9:59 p.m.

Respectfully submitted by,  
Wanda A. Rolf, Administrative Assistant



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
MAY 22, 2024**

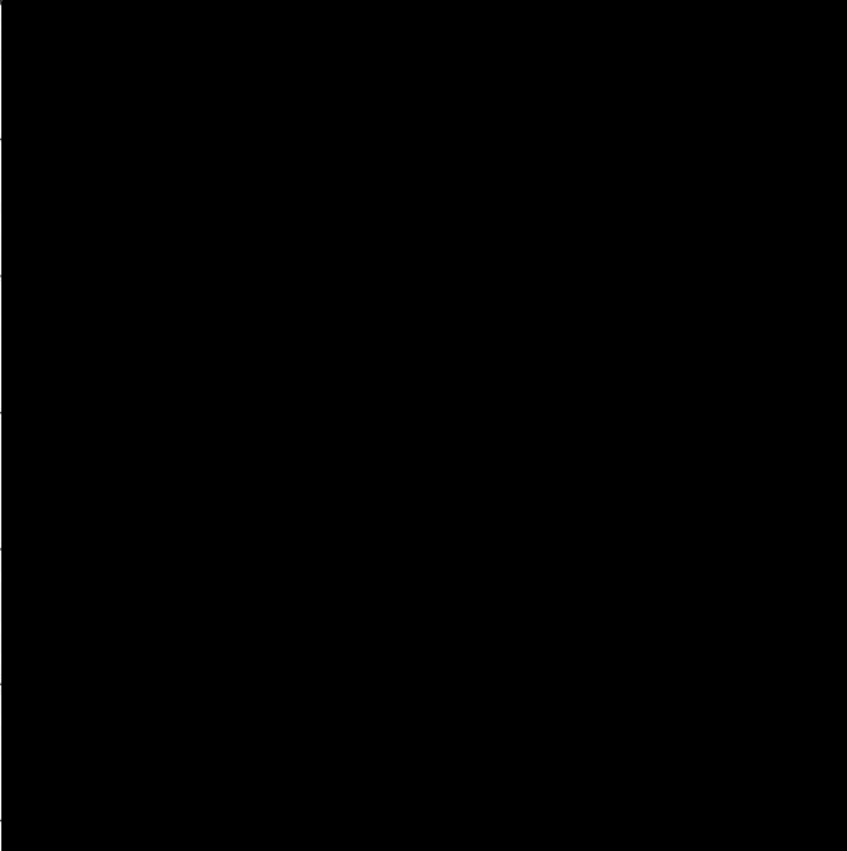
IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Tim O'Brien		
DAVE Koehler		
BRUCE MILLER		
Joan Seltman		
marcia Rousonelo		
Ray 514 RT 52 Jackson		
Kyle Barry		
Gloria Foxman		



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
MAY 22, 2024**

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)
Erin Bowen		
Katherine Carlson		
TOM HUDDLESTON		
Paul Yearley		
DAVE Koehler		
Jay Lieser		



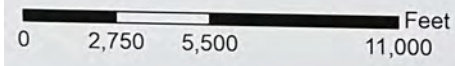
# Seward Township Hydric Soils & Wetlands/Waterways



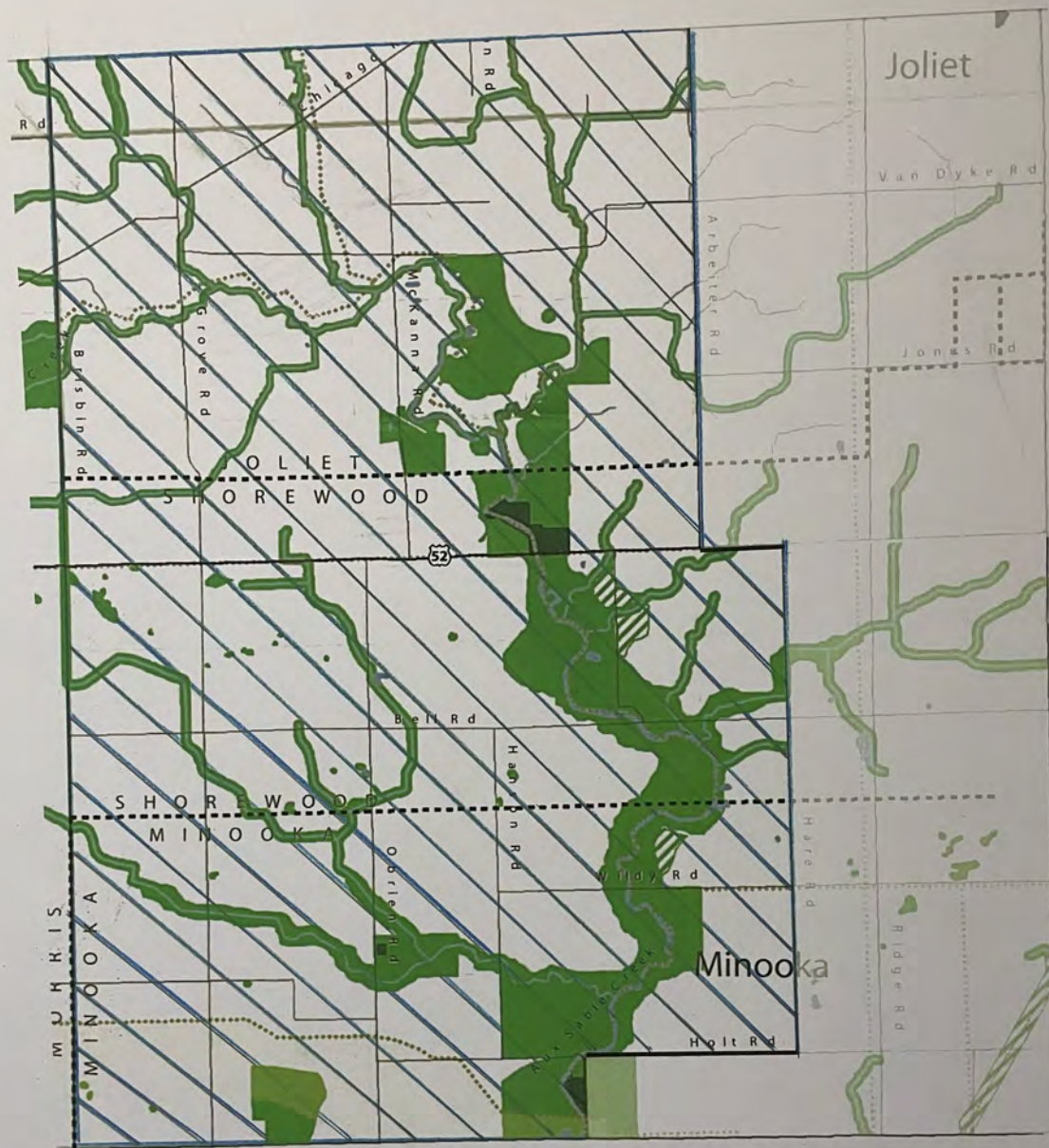
Source: USDA NRCS Ortho Imagery

## Legend

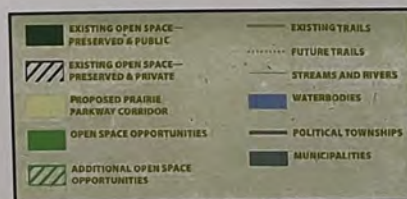
- NWI Wetlands Upper IL Watershed
- NWI Wetlands Des Plaines Watershed
- Section Lines
- Hydric Soil







Excerpted from "The Natural Treasures of Kendall County"





# **SEWARD TOWNSHIP LAND RESOURCE PLANNING COMMITTEE; MONTHLY MEETING FEBRUARY 05, 2024**

**Call to Order:** Time 6:32 P.M.

**Location:** Seward Township Building  
1479 O'Brien Road  
Minooka, Illinois, 60447

**Pledge of Allegiance** was lead by Mr. Fleming

**Roll Call:** Called by Ms. Soltwisch

Present at meeting: Peter Fleming, Jessica Nelson, Joan Soltwisch

Absent at the meeting: Ron Miller, excused.

Guests: Debrae Chow, Mike Cook, Garrett Cook

**Approval of the January 16th Minutes:** Ms. Nelson moved, Ms. Soltwisch seconded.  
**Motion Carried.**

**Public Comment:**

**New Business:**

1. Presentation by Cook Engineering Group on re-zoning property along the East side of Ridge Road, North of Bell Road, adjacent to the Rusty Ridge Vet Clinic, from A-1 to B-3. Ms. Chow and Mr. Cook discussed that they wanted to be re-zoned by Kendall County, and thought that the properties plan would be an asset to the township. Ms. Nelson moved to approve the plan, as presented. Ms. Soltwisch seconded. **Motion Carried.** Mr. Cook and Ms. Chow asked that our committee recommend an approval of their plan to the Seward Township Board.

2. Our committee was made aware that several solar farm sitings were in progress in Seward Township. We were told that these farms would not be zoned through the Kendall County Zoning Board. The companies involved were originally asked to come to our resource Planning Committee with their plans. Instead they will be approved, for siting, by the municipalities of Joliet. Minooka and Shorewood. Ms. Soltwisch noted that at the Kendall County Planning, Building & Zoning Annual meeting, on February 3<sup>rd</sup>. 2024, the Mayor of Shorewood spoke and stated that their zoning board denied the siting of the solar farm on Seil Road. The board thought that the plan did not fit their land use, for Best Management.

3. Ms. Soltwisch, and Mr. Fleming will attend the next Kendall County Regional Planning Commission, to discuss our Seward Township zoning map change. We have been asked to meet with them on February 28<sup>th</sup>, 5:00 P.M. Our Seward Township supervisor, Tim O'Brien will be asked to attend with us.

We will also announce, to the Regional Planning Commission, that our township will host a Panel Discussion, to cover topics of land preservation, along the Aux Sable Creek, and open space map zoning changes. We will ask representatives from Shorewood and Minooka, as well as representatives



from the Kendall Forest Preserve, Teska and Associates, and The Conservation Foundation. The panel will take place at the Seward Township. There will be no cost to the township.

Mr. Fleming called for a motion to approve our amended Seward Township zoning map. Ms. Nelson moved and Ms. Soltwisch seconded. **Motion carried.**

**Old Business:** There is no old business at this time.

**Other Business/Announcements:** There was no further business or announcements at this time.

The next monthly meeting of the Seward Township Land Resource Planning Committee will be Monday, March 11, 2024, at 6:30 P.M.

**Adjournment:** Mr. Fleming called for an adjournment of the meeting Ms. Nelson moved and Ms. Soltwisch seconded. **Motion carried.** Meeting adjourned at 7:21 P.M.

Minutes submitted by Joan Kathryn Soltwisch



# **SEWARD TOWNSHIP LAND RESOURCE PLANNING COMMITTEE; MONTHLY MEETING MARCH 25, 2024**

**Call to Order:** Time 6:32 P.M.

**Location:** Seward Township Building  
14719 O'Brien Road  
Minooka, Illinois, 60447

**Pledge of Allegiance** was lead by Mr. Fleming

**Roll Call:** Called by Ms. Soltwisch

Present at meeting: Peter Fleming, Jessica Nelson, Joan Soltwisch Ron Miller

**Approval of the February 5th 2024 Minutes:** Ms. Nelson moved, Ron Miller seconded.  
**Motion Carried.**

**Public Comment:** There was no public comment at this time.

## **New Business:**

Ms. Soltwisch, and Mr. Fleming, and Seward Township Supervisor, Tim O'Brien, attended the Kendall County Regional Plan Commission, February 28<sup>th</sup> 2024. We were asked to go back to the Township to discuss our Zoning Map change, and bring back an evaluation so that the County could get a feel for resident support, of our Proposed Map.

Our township will host a Panel Discussion, and invite the residents of Seward to engage in conversation over topics of land preservation, along the Aux Sable Creek, and open space map zoning changes, with representatives from Shorewood and Minooka, as well as representatives from the Kendall Forest Preserve, Teska and Associates, and The Conservation Foundation. The panel will take place at the Seward Township, on April 18<sup>th</sup>, at 5:00 P.M., at the Seward Township Hall, 14719 O'Brien Road, Minooka IL. There will not be a cost to the township. Ms. Soltwisch will make arrangements to post the meeting in the Kendall County Record. We will ask Mr. Scott Cryder, Road Commissioner to furnish water. Mr. Fleming will bring a vegetable tray and Ms. Nelson decaf coffee. Ms. Soltwisch will bring a fruit and vegetable tray. Ms. Miller will also bring cookies and vegetable trays. Mr. Fleming will bring copies of the current zoning map, as well as updated proposed map. We will make 30 handouts with evaluation choices.

**Old Business:** There is no old business at this time.

**Other Business/Announcements:** There was no further business or announcements at this time.

The next monthly meeting of the Seward Township Land Resource Planning Committee will be Monday, May 14, 2024, at 6:30 P.M.



**Adjournment:** Mr. Fleming called for an adjournment of the meeting Ms. Nelson moved and Mr. Miller seconded. **Motion carried.** Meeting adjourned at 7:21 P.M.

Minutes submitted by Joan Kathryn Soltwisch



SEWARD TOWNSHIP PLANING COMMITTEE MEETING PROGRAM EVALUATION APRIL 18TH 2024

1. Did your knowledge of our township map proposed change increase, as a result of this program.  
(Y/N) 22 persons replied yes to this questions, out of 22 attending.

Did your knowledge level increase as to the relationship with the township and Kendall County's role in zoning change, as a result of this discussion?

(Y/N) 3 persons said no to this question, 19 out of twenty two attending said yes.

If so what was your knowledge, before, on a scale from 1 to 5? How about after? Knowledge level before? 1 2 3 4 5 Knowledge level after 1 2 3 4 5

2,7,3,5 persons answered respectively to knowledge level before. 0,1,2,6,6, persons answered respectively to knowledge after the meeting. The result was that overall knowledge increased.

2. Annexation agreements were discussed. Was that discussion helpful for you?

All but three answered a firm yes, to this question. One said, not applicable, one said not really.

3. The need to keep open space and farm ground protection go hand in hand, in our area. Do you feel that this is important? Was this discussion helpful?

(Y/N) All present said yes, to this answer.

4. The Aux Sable Watershed is a protected class A stream. There is a "Protect Kendall Now" map depicting the buffer of protection. Do you feel that this is important? (Y/N) All said yes to this question.

5. Would you like to stay informed on the planing of our area?

All voted a positive **YES**, to stay informed on the planing of our area.

Twenty two people signed the e-mail and contact sheet. There were a few more in attendance, as the family questioning dividing property, for their grown children did not all sign, just the parents, Irma and Loya Quezada.

The guests present that were from Seward Township totaled 16 persons. One person was, the Seward Township Supervisor, and two were Seward Township Trustees. \* They were all in favor.

The guests present that were asked to weigh in on behalf of the map change totaled five. They were David Guritz, Kendall Forest Preserve. Dan Lobbes, The Conservation Foundation. Mike Hoffman, senior urban planner, Teska and Assoc. Dan Duffy, Manager, The Village of Minooka, Ryan Anderson, Public Works, The Village of Minooka. Natalie Engel, Community Development, The Village Of Shorewood.

A total of five maps were explored. One showing a vision of changing zoning areas slated for residential back to agriculture, with discussion of the one and 40 rule. One map showed the Aux Sable Watershed with buffered areas, commonly called, The Protect Kendall Now map. One map showed the current map showing currently zoned areas, and one map showed the hydric soils, in degrees in Seward Township, most notably in the tributaries, and close to the Aux Sable Creek.

It was a very informative meeting. The five professionals that engaged with the residents of Seward Township all thought positively that the map change reflected their comprehensive plans, with good urban planning and that vision would be productive in saving farm ground, a good fit for future development, forest preserves, and good planning for working forward together. It was generally agreed to continue this dialog and work together, in the future.

Sincerely, Peter Fleming, Jessica Nelson, Ron Miller, Joan Soltwisch, Seward Township Planing Board.

\* One trustee was absent from Seward Township Board, as she was stuck in a two hour traffic jam on I 80, but had planned to attend. One trustee was absent due to farming in Central Illinois.



# **SEWARD TOWNSHIP LAND RESOURCE PLANNING COMMITTEE; MONTHLY MEETING MAY 14, 2024**

**Call to Order:** Time 6:45 P.M.

**Location:** Seward Township Building  
14719 O'Brien Road  
Minooka, Illinois, 60447

**Pledge of Allegiance** was lead by Mr. Fleming

**Roll Call:** Called by Ms. Soltwisch  
Present at meeting: Peter Fleming, Joan Soltwisch, Ron Miller

Absent approved: Jessica Nelson

**Approval of the March 25, 2024 Minutes:** Mr. Miller moved, Ms. Soltwisch seconded.  
**Motion Carried.**

**Public Comment:** There was no public comment at this time.

## **New Business:**

1. Proposed Commercial Roofing Business to be located on Route 52 (East of Ridge Road, and West of County Line Road.) Plans were sent to members to review. Project had been approved, by the Kendall County Zoning, Planning Board of Appeals. Mr. Fleming called for a motion to approve the project, upon recommended light design and landscape ordinance plan submission. Mr. Miller moved and Ms. Soltwisch seconded. **Motion carried**

## **Old Business:**

1. The Panel discussion held April 18<sup>th</sup> to consider comments and make recommendations regarding the amendments, to the future land use map and in the Kendall County Land Resource Management Plan, by adopting a new Future Land Use Map was a success. The evaluations from the special meeting were positive. The guests that were present, from Seward Township totaled 16 persons. One person was the Seward Township Supervisor and two trustees were present. Guests present, that were asked to comment on behalf of the proposed map update were, David Guritz, Kendall County Forest Preserve, Dan Lobbes, The Conservation Foundation, Mike Hoffman, Senior Planner, Teska and Associates, Dan Duffy, Manager, Village of Minooka, Ryan Anderson, Village of Minooka Public Works, and Natalie Engel, Community Development, the Village of Shorewood. All were in favor of the changes, and thought that the proposed map change was a good fit for future best management and future land use. It fit well with the areas comprehensive planes. It was generally agreed to continue this dialog and work together, in the future.

2. Public notice was sent to Seward Township, from the Kendall County Regional Plan Commission to hold hearing on May 22<sup>nd</sup>, 2024, at 7:00 P.M., to consider comments and make recommendations regarding Petition # 24-14, a request from Seward Township for Amendments to the Future Land Use Map and related text changes from the Seward Township Land Resource Management Plan. The Kendall County zoning Board of Appeals will hold their meeting on May 28, 2024 at 7:00 P.M. to



consider the same Amendments that our Seward Township requests. Both meetings will be held at the Kendall County Office Building, Rooms 209 and 210, at 111 Fox Street, Yorkville, IL.

**Other Business/Announcements:** There was no further business or announcements at this time.

The next monthly meeting of the Seward Township Land Resource Planning Committee will be Monday, June 3, 2024, at 6:30 P.M.

**Adjournment:** Mr. Fleming called for an adjournment of the meeting Mr. Miller moved and Ms. Soltwisch seconded. **Motion carried.** Meeting adjourned at 7:05 P.M.

Minutes submitted by Joan Kathryn Soltwisch



**MINUTES – UNOFFICIAL UNTIL APPROVED**  
**KENDALL COUNTY**  
**ZONING BOARD OF APPEALS MEETING**  
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)  
YORKVILLE, IL 60560  
May 28, 2024 – 7:00 p.m.

**CALL TO ORDER**

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

**ROLL CALL:**

Members Present: Scott Cherry (Arrived at 7:02 p.m.) Cliff Fox, Tom LeCuyer, Randy Mohr, Jillian Prodehl, and Dick Thompson, and Dick Whitfield

Members Absent: None

Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Office Assistant

Others Present: Tim O'Brien, Joan Soltwisch, Ron Miller, Pete Fleming, Bruce Miller, Rao Addepalli, and Gloria Foxman

**PETITIONS:**

The Zoning Board of Appeals started their review of Petition 24-14 at 7:14 p.m.

**Petition            24 – 14 – Tim O'Brien on Behalf of Seward Township**

**Request:**            Amendment to the Future Land Use Map Contained in the Land Resource Management Plan by Adopting a New Future Land Use Map for Seward Township and Related Text Changes

**Location:**           Seward Township

**Purpose:**            Petitioner Wants to Adopt a New Future Land Use Map for Seward Township

Mr. Asselmeier summarized the request.

In an effort to preserve the agricultural character of the Township and protect the Aux Sable Creek Watershed, Seward Township has proposed a new Future Land Use Map. The existing Future Land Use Map was also provided.

The proposed changes were as follows:

1. All of the land west Arbeiter and Hare Roads will be reclassified to Agricultural. The Commercial area at the intersection of Route 52 and Grove Road will be retained and the Commercial area at the intersection of Arbeiter Road and Route 52 will also be retained.
2. The Seward Township Building on O'Brien Road, the church on Van Dyke Road, and lands owned by the Kendall County Forest Preserve District and Conservation Foundation west of Arbeiter and Hare Roads will be classified as Public/Institutional.



3. The residentially planned areas east of Arbeiter and Hare Roads will be reclassified to Rural Estate Residential.
4. The floodplain of the Aux Sable Creek was added to the map.
5. Text contained in the Land Resource Management Plan in conflict the above changes will be amended.

The Seward Township Planning Commission approved this proposal at their meeting on February 5, 2024. The Seward Township Board approved this proposal at their meeting on March 12, 2024. Seward Township held a community forum on the proposal on April 18, 2024. The Kendall County Comprehensive Land Plan and Ordinance Committee also reviewed the proposal at their meetings in February and April 2024.

A composite future land use map of the County and the municipalities' comprehensive plans was provided.

This proposal was sent to Plattville, Minooka, Shorewood, and Joliet on April 30, 2024. This proposal was sent to the Bristol-Kendall, Lisbon-Seward, Minooka, Troy, and Joliet Fire Departments on April 30<sup>th</sup>. To date, no comments have been received.

ZPAC reviewed this proposal at their meeting on May 7, 2024. Mr. Guritz said that he attended the forum in Seward Township and felt that the meeting was well attended and attendees seemed in favor of the proposal. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission held a public hearing on this proposal on May 22, 2024. Other than the Petitioner, no other person testified in favor or in objection to the proposal. One (1) person asked what a comprehensive plan was and another person requested clarification regarding the land use classifications along Route 52 between County Line and Ridge Roads. Seward Township explained the public's involvement in the proposal, to date. Discussion occurred regarding the removal of the Commercial area near the intersection of Route 52, O'Brien, and McKanna Roads and the retention of the Commercial area at the intersection of Grove Road and Route 52; the area was retained for traffic and trail reasons. Discussion occurred regarding the impact of property owners to ask for map amendments, if the proposal was approved. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of six (6) in favor, one (1) in opposition, and three (3) absent. The minutes of the hearing were provided.

Pete Fleming, Chairman of The Seward Township Planning Commission, stated that the Township has been working on this map for years. It has been a long but good process.



Chairman Mohr asked Mr. Fleming if he saw the 1994 Seward Township Plan. Mr. Fleming said he did not see the 1994 plan. Chairman Mohr stated that the 1994 plan was very similar to the current proposed plan. The 1994 plan allowed municipalities to expand without pushback. Landowners would have to annex into Joliet, Plainfield, or Minooka in order to develop their properties. Mr. Fleming stated that county style subdivisions with large lots were not being establishing due to costs. Chairman Mohr agreed and asked Mr. Asselmeier how many building permits were issued in Seward Township in the last three (3) years. Mr. Asselmeier stated that in 2023 there were three (3) homes built and in 2022 four (4) homes built in Seward Township. Member Prodehl asked if those homes were following the rule of (1) house per forty (40) acres. Mr. Asselmeier replied there was some rezoning on Brisbin Road and O' Brien Road.

Member Cherry asked Mr. Fleming if there was any pushback from residents regarding the proposal. Mr. Fleming stated there was none. The Township had meetings, open forums, and public hearings to make the residents aware of the proposal.

Joan Soltwisch noted the many people from the nearby municipalities that attended meetings regarding this proposal. She felt this proposal was a good fit for the Township. They want to preserve farmland.

Mr. Fleming spoke about the floodplains and lands owned by the Conservation Foundation. Chairman Mohr asked if there was a way to set apart the floodplains so that no one builds on it. Mr. Asselmeier stated that there are rules in place for building in a floodplain. The homes would have to be elevated or prove they were not in a floodplain.

Member Prodehl asked, if once this map was approved and a request comes in to the County to rezone, how will it be addressed. Mr. Asselmeier stated that if the request was inconsistent with the plan, Staff would recommend denial of the request.

Member Prodehl made a motion, seconded by Member LeCuyer, to forward the proposal to the Planning, Building and Zoning Committee.

The votes were as follows:

Ayes (7):	Cherry, Fox, LeCuyer, Mohr, Prodehl, Thompson, and Whitfield
Nays (0):	None
Abstain (0):	None
Absent (0):	None

The proposal will go to the Planning, Building and Zoning Committee on June 10, 2024.

The Zoning Board of Appeals completed their review of Petition 24-14 at 7:45 p.m.



### **PUBLIC COMMENTS**

Gloria Foxman, on behalf of Petition 24-13 James C. Marshall on Behalf of TurningPointEnergy, LLC Through TPE IL KE240 (Tenant) and Frank J. Santoro (Owner), asked if they could continue the hearing one (1) additional month to July 29, 2024, instead of July 1, 2024. Member LeCuyer made a motion, seconded by Member Whitfield, to rescind the previous motion to continue Petition 24-13 to July 1, 2024. With a voice vote of seven (7) ayes, the motion carried. Member LeCuyer made a motion, seconded by Member Whitfield, to continue the hearing on Petition 24-13 to July 29, 2024. With a voice vote of seven (7) ayes, the motion carried.

### **ADJOURNMENT OF THE ZONING BOARD OF APPEALS**

Member Whitfield made a motion, seconded by Member LeCuyer, to adjourn.

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

The Zoning Board of Appeals meeting adjourned at 7:55 p.m.

The next regularly scheduled meeting/hearing will be on July 1, 2024.

Respectfully submitted by,  
Wanda A. Rolf  
Administrative Assistant

### **Exhibits**

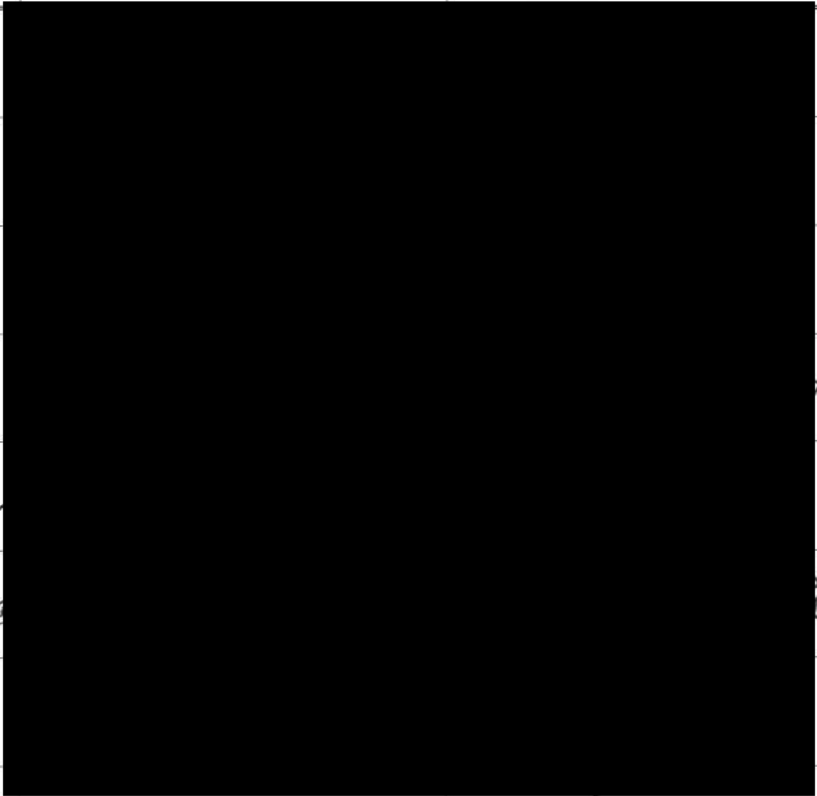
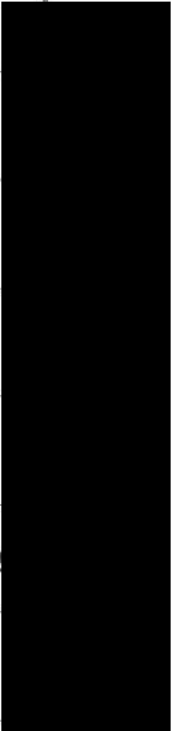
1. Memo on Petition 24-14 Dated May 23, 2024



KENDALL COUNTY  
ZONING BOARD OF APPEALS

MAY 28, 2024

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
Jim O'Brien		
RAO ADDEPALI		
Ron Miller		
Pete Fleming		
BRUCE MILLER		
Joan Seltman		
Gloria Foxman		



**RESOLUTION NUMBER 2024-\_\_\_\_\_**

**A RESOLUTION ADOPTING AN AMENDMENT TO THE KENDALL COUNTY LAND  
RESOURCE MANAGEMENT PLAN TO UPDATE THE FUTURE LAND USE PLAN BY  
UPDATING THE SEWARD TOWNSHIP FUTURE LAND USE MAP AND RELATED TEXT  
AMENDMENTS TO THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN**

WHEREAS, 50 ILCS 805/1, et seq. allows Counties to create and adopt Land Resource Management Plans; and

WHEREAS, 55 ILCS 5/5-14001 through 5-14008 specifies how a County may adopt and amend Official Plans; and

WHEREAS, Kendall County adopted a Land Resource Management Plan in March 1994; and

WHEREAS, the Kendall County Board has amended the Land Resource Management Plan on several occasions since its adoption in March 1994; and

WHEREAS, the Kendall County Land Resource Management Plan has adopted official Future Land Use Maps for each township and for the County as a whole; and

WHEREAS, on April 23, 2024, Seward Township, as represented by Tim O'Brien, hereinafter be referred to as "Petitioner", submitted an application repealing and replacing the Future Land Use Map for Seward Township and related text changes to the Land Resource Management Plan; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on May 2, 2024, the Kendall County Regional Planning Commission conducted a public hearing on May 22, 2024, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested amendments and zero members of the public testified in favor of the request, zero members of the public testified in opposition to the request, one member of the public asked a general question regarding the request, and one member of the public made general comments regarding the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Regional Planning Commission has recommended approval of the proposed amendment; and

WHEREAS, the Kendall County Zoning Board of Appeals met on May 28, 2024, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended forwarding the proposed amendments to the County Board; and

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

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and



State of Illinois  
County of Kendall

LRMP  
Petition #24-14

Zoning Committee, the recommendation of the Kendall County Zoning Board of Appeals, the record of the public hearing conducted by the Kendall County Regional Planning Commission, the recommendation of the Kendall County Regional Planning Commission, and has determined that said proposed amendment to the Kendall County Land Resource Management Plan is necessary and in the best interests of Kendall County; and

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

1. The Recommendations of the Kendall County Regional Planning Commission and Kendall County Zoning Board of Appeals attached hereto as Exhibits A and B respectively are hereby accepted.
2. The Kendall County Board hereby grants approval of Petitioner's petition for an amendment to the Future Land Use Map contained in the Kendall County Land Resource Management Plan by repealing and replacing the Future Land Use Map of Seward Township with the Map attached hereto as Exhibit C.
3. Any text or maps contained in the Kendall County Land Resource Management Plan in conflict with this resolution, including but not limited to the future land use table contained on page 9-30 and the list of revisions contained in Section 1 of the Land Resource Management Plan, are hereby amended to match the Map attached hereto as Exhibit C.

IN WITNESS OF, this resolution has been enacted by a majority vote of the Kendall County Board and is effective this 18<sup>th</sup> day of June, 2024.

Attest:

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Kendall County Clerk  
Debbie Gillette

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Kendall County Board Chairman  
Matt Kellogg



#### Exhibit A

The Kendall County Regional Planning Commission held a public hearing on the Petition 24-14 on May 22, 2024. On the same date, the Commission issued the following recommendation by a vote of six (6) in favor and one (1) in opposition. Commissioners Mc-Carthy-Lange, Stewart, and Wormley were absent.

#### **RECOMMENDATION**

Approval with the addition of Seward Township's maps and minutes included in the record.



## Exhibit B

The Kendall County Zoning Board of Appeals held a public meeting on the Petition 24-14 on May 28, 2024. On the same date, the Kendall County Zoning Board of Appeals issued the following recommendation by a vote of seven (7) in favor and zero (0) in opposition.

### **RECOMMENDATION**

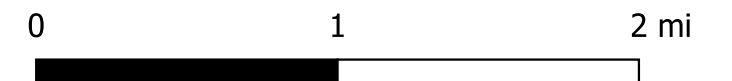
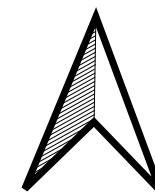
Forward the proposal to the County Board.



# Exhibit C

## Seward Township

### Future Land Use Drafts / Proposals



— Proposed Roadway Improvements

— Floodplain

LRMP Management Areas

Urbanized Communities

Suburban Residential

Rural Residential

Rural Estate Residential

Countryside Residential

Hamlet

Rural Community

Commercial

Public / Institutional

Open Space

Natural Resource Area

Agriculture

Mining

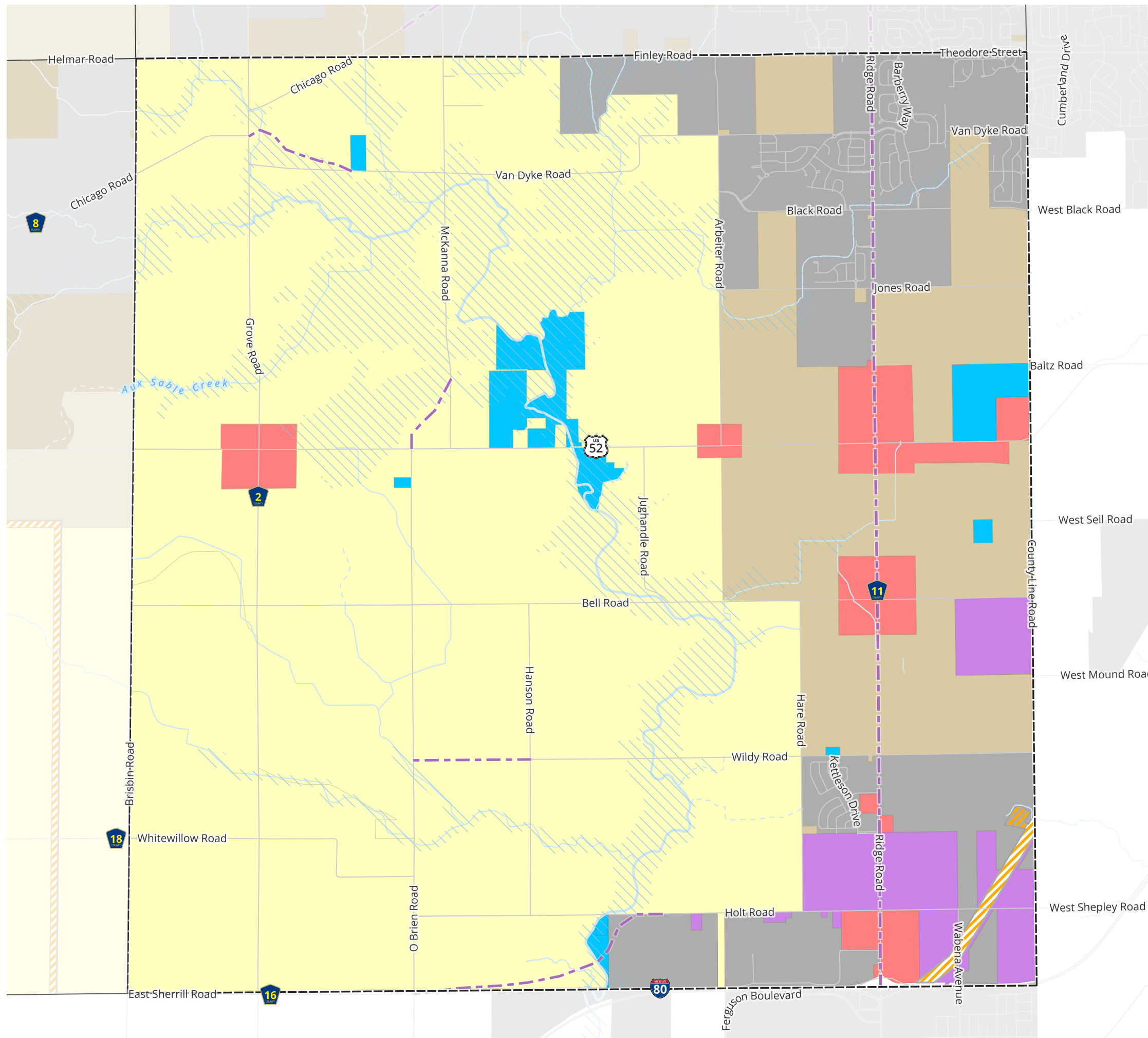
Potential Mining District

Mixed Use Business

Transportation Corridors

Utility Right of Way

Agricultural Conservation Area







## Kendall County Agenda Briefing

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**Meeting Type:** Planning, Building and Zoning  
**Meeting Date:** 6/10/2024  
**Subject:** Pipeline Depth Regulations  
**Prepared by:** Matthew H. Asselmeier, AICP, CFM  
**Department:** Planning, Building and Zoning

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### **Action Requested:**

Approval to Initiate Text Amendments to the Kendall County Zoning Ordinance Pertaining to Pipeline Depth

### **Previous Board/Committee Review:**

N/A

### **Fiscal impact:**

N/A

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### **Background and Discussion:**

TC Energy's ANR Pipeline is purposing a pipeline project in Kendall County; to date, they have not submitted an official application.

Concerns have been raised regarding the proposed pipeline depth and the existing pipeline depth requirements currently in the Kendall County Zoning Ordinance; TC Energy has indicated that they intend to follow Kendall County's regulations. The current regulations are as follows in Section 6:07 of the Kendall County Zoning Ordinance; these regulations are the standard regulations found in Agricultural Impact Mitigation Agreements:

#### **A. Pipeline Depth**

1. Except for above ground piping facilities, such as mainline block valves, tap valves, meter stations, etc., the pipeline will be buried with:
  - a. A minimum of five (5) feet of top cover where it crosses cropland.
  - b. A minimum of five (5) feet of top cover where it crosses pastureland or other agricultural land comprised of soils that are classified by the USDA as being prime soils.
  - c. A minimum of three (3) feet of top cover where it crosses pastureland and other agricultural land not comprised of prime soils.



- d. A minimum of three (3) feet of top cover where it crosses wooded/brushy land or other sensitive areas.
- e. Substantially the same top cover as an existing parallel pipeline, but not less than three (3) feet, where the route parallels an existing pipeline within a 100-foot perpendicular offset.
- 2. Notwithstanding the foregoing, in those areas where rock is in its natural formation and/or a continuous stratum of gravel exceeding 200 feet in length are encountered, the minimum cover will be 30 inches.

**Staff Recommendation:**

No Recommendation

**Attachments:**

N/A





## Kendall County Agenda Briefing

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**Meeting Type:** Planning, Building and Zoning  
**Meeting Date:** 6/10/2024  
**Subject:** Annual NPDES Survey to Townships  
**Prepared by:** Matthew H. Asselmeier, AICP, CFM  
**Department:** Planning, Building and Zoning

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**Action Requested:**

Review of Annual NPDES Survey

**Previous Board/Committee Review:**

N/A

**Fiscal impact:**

N/A

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**Background and Discussion:**

Every year at the end of June or beginning of July, Kendall County sends an NPDES survey to the townships.

WBK reviewed the survey and suggested adding two (2) questions regarding quality of surface water and two (2) questions regarding training/good housekeeping to the survey.

The revised survey incorporating WBK's suggestions is attached.

**Staff Recommendation:**

Approval

**Attachments:**

Draft Survey





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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June 28, 2024

Dear Township Clerks:

As part of Kendall County's NPDES Permit, the County is required to send an annual evaluation survey to each township. Please complete the attached survey for your township and submit it to Matt Asselmeier at 111 W. Fox Street, Yorkville, IL 60560 or [masselmeier@kendallcountyil.gov](mailto:masselmeier@kendallcountyil.gov). Please complete the survey by **July 29, 2024**.

If you have any questions, please contact me at [masselmeier@kendallcountyil.gov](mailto:masselmeier@kendallcountyil.gov) or 630-553-4139.

Sincerely,

**THE COUNTY OF KENDALL**

Matthew H. Asselmeier, AICP, CFM  
Director

Enc: Survey



NPDES Annual Evaluation Survey Questions  
Kendall County

**Public Education and Outreach**

1. What topics are you interested in learning more about that the County could provide information on for the public? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
  - A. How to properly store and dispose of common household products such as fuel, oil, paint, etc. \_\_\_\_\_
  - B. How to incorporate green infrastructure such as rain gardens, rain barrels, or permeable pavement onto my property to improve rainwater runoff. \_\_\_\_\_
  - C. How to compost to reduce the amount of waste my household generates. \_\_\_\_\_
2. Do you utilize the stormwater information listed on the County's website at <https://www.kendallcountyil.gov/departments/planning-building-zoning/npdes?>
  - A. Yes
  - B. No
3. Do you find the stormwater information listed on the County's website helpful?
  - A. Yes
  - B. No
  - C. Do not utilize information on County Website
4. Do you feel the quality of surface water (rivers, streams, lakes, ponds, etc.) is important to the people that live in your Township? **(NEW QUESTION)**
  - A. Yes
  - B. No
5. Do you feel protecting the quality of surface water (rivers, streams, lakes, ponds, etc.) is an important element of your agency's work and responsibility? **(NEW QUESTION)**
  - A. Yes
  - B. No

**Public Participation/Involvement**

1. Do you think the County offers enough volunteer opportunities for members of the community?
  - A. Yes
  - B. No
  - C. Not familiar with County volunteer opportunities



2. Do you utilize the volunteer opportunities information listed on the County's website at <https://www.kendallcountyil.gov/departments/administration-services/volunteer-opportunities>?
  - A. Yes
  - B. No
3. Do you find the volunteer opportunities information listed on the County's website helpful?
  - A. Yes
  - B. No
  - C. Not familiar with County volunteer opportunities
4. What volunteer opportunities would you be interested in in participating in in the future? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
  - A. River clean-up
  - B. Electronic recycling
  - C. Household waste (fuel, oil, paint, etc.) recycling

#### **Illicit Discharge Detection & Elimination**

1. If an illicit discharge is identified by a Township staff member or reported to the Township office, do you work with the County to get it removed?
  - A. Yes
  - B. No
  - C. Have not identified illicit discharge.
2. Do you feel the County is doing a sufficient job in identifying, tracking, and removing illicit discharges and non-stormwater discharges that are significant polluters within the County?
  - A. Yes
  - B. No
  - C. There have not been illicit discharges identified within my Township.
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.
  - D. None of the above.
  - E. Other:

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### **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
  - 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?

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### **Pollution Prevention/Good Housekeeping**

1. Do you have a clear understanding of “Good Housekeeping” under the NPDES regulation?
  - A. Yes
  - B. No
2. Do you feel you have adequate resources for training of your staff members to keep them informed on stormwater pollution prevention practices?
  - A. Yes
  - B. NoIf No, what resources would you like to have available?

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3. Was the County sponsored presentation/training that was offered in 2024 on good housekeeping useful? **(NEW QUESTION)**
  - A. Yes
  - B. No
  - C. Did Not Attend the Training
4. Is there value in repeating good housekeeping training? **(NEW QUESTION)**
  - A. Yes
  - B. No



5. Do you feel the County is taking necessary measures to mitigate flooding throughout the County?

A. Yes

B. No

General comments or questions regarding Stormwater Management and/or NPDES requirements:

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Township:\_\_\_\_\_

Name of Person Completing Survey (Optional):\_\_\_\_\_





## Kendall County Agenda Briefing

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**Meeting Type:** Planning, Building and Zoning  
**Meeting Date:** 6/10/2024  
**Subject:** Intergovernmental Agreement with Plattville  
**Prepared by:** Matthew H. Asselmeier, AICP, CFM  
**Department:** Planning, Building and Zoning

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### **Action Requested:**

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, 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

### **Previous Board/Committee Review:**

N/A

### **Fiscal impact:**

N/A

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### **Background and Discussion:**

The intergovernmental agreement between Kendall County and the Village of Plattville expires in June.

Since July 1, 2023, sixteen (16) inspections occurred in Plattville.

Other than the dates, no changes to the agreement are proposed.

The Village of Plattville approved the Agreement at their meeting on May 20, 2024.

If you have any questions, please let me know.

### **Staff Recommendation:**

Approval

### **Attachments:**

Proposed Agreement



**INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF  
PLATTVILLE AND THE COUNTY OF KENDALL**

THIS AGREEMENT, made this day \_\_\_\_ of June, 2024 by and between the VILLAGE OF PLATTVILLE, a body corporate and politic, and the COUNTY OF KENDALL, a body corporate and politic; WITNESSETH:

WHEREAS, the Village of Plattville was incorporated by act of the voters on March 21<sup>st</sup>, 2006; and

WHEREAS, Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*) permits units of local government to obtain or share services and to jointly contract, combine or transfer any power, privilege, function or authority among themselves; and

WHEREAS, the Village of Plattville and County of Kendall are units of local government within the meaning of Article VII, Section 1 of the Illinois Constitution of 1970 who are authorized to enter into intergovernmental agreements pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, and

WHEREAS, the Local Land Resource Management Planning Act (50 ILCS 805/6) provides that a municipality and a County may enter into intergovernmental agreements for joint or compatible planning, local land resource management administration and zoning ordinance enforcement; and

WHEREAS; the Village of Plattville adopted a Comprehensive Plan on July 27, 2009, and

WHEREAS, all the property located within the described boundaries of the Village of Plattville have been heretofore subject to the building and zoning codes of the County of Kendall, and to the Countywide Stormwater Management Ordinances; and

WHEREAS, the parties desire to continue that relationship.

NOW, THEREFORE, it is hereby agreed as follows:

- 1) The above recitals are incorporated by reference as if fully set forth herein.
- 2) That the Village of Plattville has by ordinance duly adopted the Zoning Ordinance of the County of Kendall, the Building Code of the County of Kendall, the Subdivision Control Ordinance of the County of Kendall, and the Countywide Stormwater Management Ordinances as its own and further agrees that any subsequent text amendments to said ordinances and plans, as may be adopted by Kendall County from time to time, shall be adopted and incorporated by the Village of Plattville as its own.



3) That for the consideration of \$1 the receipt and sufficiency of which is hereby acknowledged, the County of Kendall agrees to continue administering the County Ordinances for the Village of Plattville as described in Paragraph (2) above and in accordance with the procedures attached hereto as Exhibit A and incorporated herein by reference all of which have been duly adopted by the Village of Plattville, and apply them to all properties located within the municipal boundaries of the Village of Plattville.

4) In addition to the consideration addressed in Paragraph 3 above, the Village of Plattville shall be responsible for all costs associated with the enforcement of the Zoning Ordinance of the County of Kendall, the Subdivision Control Ordinance of the County of Kendall, and the Countywide Stormwater Ordinance for cases within the boundaries of the Village of Plattville. At the written request of the Village of Plattville, Kendall County shall provide an estimated cost for investigating individual alleged violations. Upon approval of the cost estimate by the Village of Plattville, Kendall County will conduct the necessary investigation and bill the Village of Plattville accordingly. The Village of Plattville shall reimburse the County of Kendall for any actual costs incurred acting on behalf of the Village of Plattville as provided herein.

5) The Village of Plattville shall defend with counsel of the County's own choosing, indemnify and hold harmless the County of Kendall, its past, present, and future board members, elected officials, insurers, employees and agents from and against any and all claims, liabilities, obligations, losses, penalties, fines, damages, expenses, and costs relating thereto, including, but not limited to, attorney's fees and other legal expenses, which the County, its board members, elected officials, insurers, employees and/or agents may sustain, incur or be required to pay arising in any manner out of the County's performance or alleged failure to perform its obligations pursuant to the Agreement.

6) That the Village of Plattville shall secure, pay for, and maintain throughout the period during which services are provided under this Agreement, auto liability and general liability insurance with minimum limits of coverage equal to or greater than those limits maintained by the Village on the date of the execution of this agreement attached hereto as Ex. B and incorporated herein by reference. The Village's auto liability and general liability coverage shall be primary coverage in circumstances of alleged or proved errors or negligence by the County or the County's employees. The Village's coverage shall name the County of Kendall as an additional insured, with its members, representatives, officers, agents and employees. A certificate of insurance evidencing the required coverage and the appropriate additional insurer's endorsement shall be furnished to the County upon execution of this Agreement. Such insurance shall be modifiable or cancelable only upon written notice by registered mail, mailed to the County at least ninety (90) days in advance of such modification or cancellation. The Village shall furnish a copy of its insurance policies for examination by the County at any time upon demand of the County.

7) That this Agreement shall be for a term of one (1) year, commencing on the date of execution hereof, subject to annual renewal by the parties at least 30 days before the anniversary date each year, said renewal to be in writing.



8) This Agreement may be terminated by either party upon 30 days written notice to the other party.

9) This Agreement represents the entire Agreement between the parties and there are no other promises or conditions in any other Agreement whether oral or written. This Agreement supersedes any prior written or oral agreements between the parties and may not be modified except in writing acknowledged by both parties.

10) This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.

11) The County of Kendall and the Village of Plattville each hereby warrant and represent that their respective signatures set forth below have been and are on the date of this Agreement duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

12) This Agreement shall be construed in accordance with the law and Constitution of the State of Illinois and if any provision is invalid for any reason such invalidations shall not render invalid other provisions which can be given effect without the invalid provision. Any legal proceeding related to enforcement of this Agreement shall be brought in the Circuit Court of Kendall County, Illinois, Twenty-Third Judicial Circuit.

13) This Agreement and the rights of the parties hereunder may not be assigned (except by operation of law), and the terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto. Nothing in this Agreement, express or implied, is intended to confer upon any party, other than the parties and their respective successors and assigns, any rights, remedies, obligations or liabilities under or by reason of such agreements.

14) Nothing contained in this Agreement, nor any act of Kendall County or the Village pursuant to this Agreement, shall be deemed or construed by any of the parties hereto or by third persons, to create any relationship of third party beneficiary, principal, agent, limited or general partnership, joint venture, or any association or relationship involving Kendall County and the Village. Further, nothing in this agreement should be interpreted to give Kendall County or the Village any control over the other's employees or imply a power to direct the employees of the other government body, which neither entity may exercise.

15) Any notice from either party to the other party hereto shall be in writing and shall be deemed served if mailed by prepaid certified mail addressed as follows:

Kendall County Administrator  
111 West Fox Street  
Yorkville, Illinois 60560



Village of Plattville  
P.O. Box 1173  
Yorkville, Illinois 60560

16) Nothing in this agreement shall be deemed to change or alter the jurisdiction of either the Village or Kendall County in any respect beyond the matters agreed upon in this agreement, including, but not limited to their powers and duties.

VILLAGE OF PLATTVILLE

COUNTY OF KENDALL

BY: \_\_\_\_\_  
Village President

BY: \_\_\_\_\_  
Chairman of Kendall County Board

ATTEST: \_\_\_\_\_  
Village Clerk

ATTEST: \_\_\_\_\_  
Kendall County Clerk



## **Exhibit A**

### **Procedure for Processing Zoning & Subdivision Cases For The Village Of Plattville Under County/Municipal Intergovernmental Agreement**

Under the terms of the intergovernmental Agreements executed between the Village of Plattville and Kendall County, the County PBZ staff as well as the Kendall County ZPAC, Concept Review Committee, Regional Planning Commission, and Zoning Board of Appeals, will serve as the municipal staff and the municipal recommending bodies in providing the Village Board with recommendations on applications for zoning map amendments, Special Uses, subdivision plat approvals and zoning variance requests involving properties within the corporate boundaries or proposed for annexation into the corporate boundaries of the municipality. In each instance, the Village Board of the municipality shall be responsible for acting on the recommendations supplied and adopting any related ordinances approving such requests. The following outline shall be followed when filing and processing such applications:

1. Pre-Application Meeting:

Prior to the submission of any applications, the petitioner shall schedule a joint “pre-application” meeting with County staff and representatives of the affected municipality to review the proposed request and provide preliminary feedback as well as guidance regarding the steps involved in the processing of the application.

2. Filing of an Application:

- a.) Using the applicable application forms and handouts provided by the County, the petitioner will submit the requisite number of copies of application and supporting documents and plans along with all required fees to the Kendall County Planning Building and Zoning Department (PBZ).
- b.) Simultaneous to that filing, the applicant shall forward an original copy of the application forms along with a copy of all related plans and supporting documents to the Village Clerk of the affected municipality for creation of the Village’s Official file on the matter.

3. Review and Processing of Zoning Map Amendments and Special Uses:

- a.) Zoning Map Amendments and Special Uses, shall first be forwarded to the Zoning and Platting Advisory Committee (ZPAC) for review and recommendation. In addition to the regular attendees of the County’s ZPAC Committee, representatives from



## **Exhibit A**

the affected municipality will be invited to participate as sitting members of the committee.

- b.) The PBZ staff will prepare a preliminary staff report and schedule the matter for review at the next available ZPAC meeting.
- c.) The County will prepare and post the required agendas and will forward a copy of the agenda and staff report to the affected Village Clerk for filing of the report and posting of the agenda in an approved municipal location.
- d.) After review by ZPAC, their recommendation shall be forwarded to the next available meeting of the Kendall County Regional Plan Commission (KCRPC) for conduct of a public meeting, review and recommendation.
- e.) All notices required per the Kendall County Zoning Ordinance and Plan Commission By-Laws shall be mailed and published prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.
- f.) The County shall forward copies of the agenda, staff report and minutes of the ZPAC meeting to KCRPC as well as the Clerk of the affected municipality along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application for inclusion the Official Village file.
- g.) The County shall post copies of the agenda as required per County policies.
- h.) The Village Clerk shall also be responsible for posting of the agenda in an approved municipal location.
- i.) Following review and recommendation by the Regional Plan Commission, petitions involving a zoning map amendment shall be forwarded to the next available meeting of the Kendall County Zoning Board of Appeals (ZBA) for the conduct of the formal Public Hearing on the zoning matter as well as a review of the findings of fact and development of a recommendation to be submitted to the Village Board for their consideration and action.
- j.) All notices required per State Statute, the County Zoning Ordinance and ZBA By-Laws shall be mailed and published prior



## **Exhibit A**

to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.

- k.) The County shall be responsible for posting of the hearing sign on the affected property at least 15 days prior to the hearing.
- l.) The County shall forward copies of the agenda, staff report and copy of the minutes of the KCRPC meeting to the ZBA as well as to the Clerk of affected municipality for filing along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.
- m.) The County shall post copies of the ZBA agenda as required per County policies. The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.
- n.) If the application involves a request for a Special Use, the petition shall be forwarded to the next available meeting of the Kendall County Zoning Board of Appeals (ZBA) for the conduct of the formal Public Hearing on the Special Use as well as a review of the findings of fact and development of a recommendation to be submitted to the Village Board for their consideration and action.
- o.) All required notices required per State Statute and the County Zoning Ordinance shall be mailed and posted prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.
- p.) The County shall be responsible for posting of the hearing sign on the affected property at least 15 days prior to the hearing.
- q.) The County shall forward copies of the agenda, staff report and minutes of the KCRPC meeting to the ZBA as well as the Clerk of affected municipality for filing along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.
- r.) The County shall post copies of the agenda as required per County policies.
- s.) The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.



## **Exhibit A**

- t.) Following review and recommendation by the ZBA, PBZ staff will forward to the appropriate Village Board a report summarizing all of the recommendations and actions taken by each of the review and recommending bodies along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.
- u.) Along with the report, PBZ staff will prepare a draft ordinance approving the requested map amendment or Special Use for action by the Village Board. The summary report and draft ordinance in addition to a copy of the minutes of the ZBA meeting shall be forwarded to the appropriate Village Clerk for filing and scheduling of the matter for action by the Village Board at the next available Board meeting.
- v.) In the event a related annexation hearing is required, the Clerk shall coordinate with the applicant to insure proper notice has been supplied and shall be responsible for the preparation and posting of Board's Agenda.
- w.) Following action by the Village Board, the Village Clerk shall submit certified copies of any ordinances adopted by the Board in approving the request, to the County Clerk for recording.
- x.) The Village Clerk shall also submit a copy of the ordinance(s) to the PBZ office for inclusion in the related case file.

### **4. Review and Processing of Preliminary and Final Subdivision Plats:**

- a.) Preliminary and/or Final Plats, shall first be forwarded to the Zoning and Platting Advisory Committee (ZPAC) for review and recommendation. In addition to the regular attendees of the County's ZPAC Committee, representatives from the affected municipality will be invited to participate as sitting members of the committee.
- b.) The PBZ staff will prepare a preliminary staff report and schedule the matter for review at the next available ZPAC meeting.
- c.) The County will prepare and post the required agendas and will forward a copy of the agenda and staff report to the ZPAC members and the affected Village Clerk for filing of the report and posting of the agenda in an approved municipal location.



## **Exhibit A**

- d.) After review by ZPAC, their recommendation shall be forwarded to the next available meeting of the Kendall County Regional Plan Commission (KCRPC) for conduct of a public meeting, review and recommendation.
- e.) All required notices required per the Kendall County Zoning Ordinance and Plan Commission By-Laws shall be mailed and published prior to the meeting by the petitioner.
- f.) The County shall forward copies of the agenda, staff report and a copy of the minutes of the ZPAC meeting to the KCRPC as well as the Clerk of affected municipality along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application for inclusion the Official Village file.
- g.) The County shall post copies of the agenda as required per County policies.
- h.) The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.
- i.) Following review and recommendation by the KCRPC, PBZ staff will prepare a report to the appropriate Village Board summarizing all of the recommendations and actions taken by each of the review and recommending bodies.
- j.) In addition to the summary the report, PBZ staff will prepare a draft ordinance approving the requested Preliminary and/or Final Plat for action by the Village Board. The summary report and draft ordinance shall NOT be forwarded to the appropriate Village Clerk for scheduling of the matter for action by the Village Board until such time as formal approval of the related preliminary and/or final engineering plans and or other supporting documents or agreements has been granted.
- k.) Once these approvals are received, PBZ staff will forward the summary report and draft ordinance in addition to a copy of the minutes of the KCRPC meeting to the appropriate Village Clerk along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.



## **Exhibit A**

- l.) The Village Clerk shall then schedule the matter for action by the Village Board and prepare the related agendas for posting.
- m.) Following action by the Village Board, the Village Clerk shall submit certified copies of any ordinances adopted by the Board in approving the request, to the County Clerk for recording.
- n.) The Village Clerk shall also submit a copy of the ordinance(s) to the PBZ office for inclusion in the related case file.

### **5. Review and Processing of Zoning Variance:**

- a.) Zoning Variances shall be forwarded to the next available meeting of the Kendall County Zoning Board of Appeals (ZBA) for the conduct of the formal Public Hearing on the matter as well as a review of the findings of fact and development of a recommendation to be submitted to the Village Board for their consideration and action.
- b.) All notices required per State Statute, the County Zoning Ordinance and ZBA By-Laws shall be mailed and published prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.
- c.) The County shall be responsible for posting of the hearing sign on the affected property at least 15 days prior to the hearing.
- d.) The County shall prepare and forward copies of the agenda and staff report to the ZBA as well as the Clerk of affected municipality for filing along with copies of any related plans, documents or supporting information submitted to the county by the petitioner in support of the application.
- e.) The County shall post copies of the agenda as required per County policies.
- f.) The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.
- g.) Following review and recommendation by the ZBA, the PBZ staff will forward a report summarizing the findings and recommendations made by ZBA along with copies of any related plans, documents or supporting information submitted to the



## **Exhibit A**

county by the petitioner in support of the application. Along with the report, PBZ staff will prepare a draft ordinance approving the variance for action by the Village Board.

- h.) The summary report, draft ordinance and minutes of the ZBA meeting shall be forwarded to the appropriate Village Clerk for filing and scheduling of the matter for action by the Village Board at the next available Board meeting.
- i.) The Village Clerk shall be responsible for the preparation and posting of Board's Agenda.
- j.) Following action by the Village Board, the Village Clerk shall submit certified copies of any ordinances adopted by the Board in approving the request, to the County Clerk for recording.
- k.) The Village Clerk shall also submit a copy of the ordinance(s) to the PBZ office for inclusion in the related case file.





Exhibit B

**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YYYY)  
12/12/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Illinois Municipal League Risk Management Association c/o Cannon Cochran Management Services, Inc. Towne Centre Building 2 East Main Street Danville, IL 61832	<b>CONTACT NAME:</b> Julia Reynolds	
	<b>PHONE (A/C, No, Ext):</b> (217) 444-1199	<b>FAX (A/C, No):</b> (217) 477-6799
<b>INSURED</b> VILLAGE OF PLATTVILLE ATTN: JUNE MCCORD PO BOX 1173 YORKVILLE IL 60560-1173	<b>E-MAIL ADDRESS:</b> jreynolds@ccmsi.com	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> Illinois Municipal League Risk Management Association	
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
<b>INSURER E:</b>		
<b>INSURER F:</b>		
<b>NAIC #</b>		

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID AIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY E (MM/DD YY)	POLICY P (MM/DD YY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			[REDACTED]	1/1/2024	1/1/2025	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						AMOUNT TO RENTED PREMISES (Ea occurrence) \$
							MED EXP (Any one person) \$
							PERSONAL & ADV INJURY \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$
	OTHER:						\$
A	<b>AUTOMOBILE LIABILITY</b>			[REDACTED]	1/1/2024	1/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
							\$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB			[REDACTED]	1/1/2024	1/1/2025	EACH OCCURRENCE \$ 7,000,000
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$
	DED RETENTION \$						\$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>			[REDACTED]	1/1/2024	1/1/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y / N	N / A				E.L. EACH ACCIDENT \$ 3,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 3,000,000
							E.L. DISEASE - POLICY LIMIT \$ 3,000,000
A	PROP / IM / APD			[REDACTED]	1/1/2024	1/1/2025	per occurrence 250,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**PROOF OF COVERAGE****CERTIFICATE HOLDER**

VILLAGE OF PLATTVILLE

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED RE

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ACORD 25 (2016/03)

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CertID: [REDACTED]





## Kendall County Agenda Briefing

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**Meeting Type:** Planning, Building and Zoning  
**Meeting Date:** 6/10/2024  
**Subject:** Approval of Plumbing Inspection Contract  
**Prepared by:** Matthew H. Asselmeier, AICP, CFM  
**Department:** Planning, Building and Zoning

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### **Action Requested:**

Approval of a Contract for Plumbing Inspection Services Between Kendall County and Mayer Construction, LLC, D.B.A. Mayer Plumbing, LLC

### **Previous Board/Committee Review:**

N/A

### **Fiscal impact:**

No Change from Current Budget-Plumbing Inspections are \$150 Per Inspection/Re-Inspection

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### **Background and Discussion:**

The contract between Kendall County and Mayer Construction, LLC, D.B.A. Mayer Plumbing, LLC for plumbing inspections expires near the end of June.

The County is proposing to renew the contract for a period of one (1) with the option of subsequent one (1) year renewals instead of an initial two (2) year period.

Other than the change listed in the previous paragraph, which can be found in term #30 in the contract, the rest of the contract remains unchanged.

### **Staff Recommendation:**

Approval

### **Attachments:**

Proposed Contract



**PLUMBING INSPECTIONS AGREEMENT BETWEEN KENDALL COUNTY, ILLINOIS  
AND MAYER CONSTRUCTION L.L.C., D.B.A. MAYER PLUMBING LLC**

THIS Agreement is entered into the day and year set forth below between *KENDALL COUNTY, ILLINOIS* (hereinafter "Kendall County") and MAYER CONSTRUCTION L.L.C. d.b.a MAYER PLUMBING LLC, with its principal offices at 39 E Pleasantview Dr., Oswego, IL 60543 (hereinafter referred to as "Inspector"). In consideration of the mutual covenants hereinafter set forth, and other good and valuable consideration, the parties hereto agree as follows:

1. Scope of Services: Inspector will provide Kendall County with necessary inspection services to ensure the adherence to minimum regulations governing the design, installation and construction of plumbing systems to protect the public health against the hazards of inadequate, defective or unsanitary plumbing installations. In doing so, Inspector shall perform inspections of properties in conformance with the, Kendall County Building Code and Illinois State Plumbing Code (77 Ill. Adm. Code 890), as may be amended from time to time. Such inspections shall include, but not be limited to, rough plumbing inspections, under floor plumbing inspections, final plumbing inspections before occupancy, and necessary re-inspections along with any other inspections that are requested by Kendall County to ensure compliance with, and enforcement of, the Kendall County Building Code and Illinois State Plumbing Code.

Inspector shall not subcontract the services provided under this agreement to a third-party inspector or plumber without the prior written consent of Kendall County. It is also understood and agreed that Anthony Mayer shall be the only plumber authorized to perform inspections on behalf of MAYER CONSTRUCTION L.L.C. d.b.a MAYER PLUMBING LLC pursuant to this contract, and that Inspector shall not employ another plumber or plumbing inspector to fulfill the duties prescribed herein. Anthony Mayer shall maintain an Illinois Plumber's license in good standing at all times in which this Agreement is in effect and shall upon demand provide a copy to Kendall County at no additional cost.

2. Inspections must be completed using the proper Kendall County reports/forms. Prior to the commencement of any requested inspection, Kendall County will prepare and provide all necessary inspection reports/forms for use by the inspector. Following an inspection, the original, completed inspection reports/forms shall be returned to the Kendall County Planning, Building & Zoning Department within twenty-four (24) hours after completion of the inspection.
3. Fees & Reimbursements for the above described work shall be a \$150.00 flat fee per inspection or re-inspection performed, regardless of size, type or time necessary to complete inspection. Inspector shall issue monthly invoices to Kendall County for his services, unless no inspections were performed in a given month.
4. Payment shall be made in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 *et seq.*).



5. Kendall County shall provide notice at least one (1) business day prior to when there is a foreseeable need for an inspection to take place. However, should an emergency inspection be necessary as determined by a Kendall County Code Official, Inspector agrees to provide such service upon notification.
6. Inspector's availability is to be 7:00 AM – 5:00 PM, Monday – Friday, except on County Holidays. Inspector must also be available in the case of emergency as determined by the Kendall County Code Official.
7. Inspector must make himself available to testify in any court proceedings within Kendall County in respect to plumbing inspections and enforcement of the Kendall County Building Code and Illinois State Plumbing Code.
8. Inspector must provide a current telephone number at all times to the Kendall County Administration office, and be available at that number to communicate with Planning, Building & Zoning Department staff.
9. Should inspector not be available to perform inspections at any time, Inspector is to provide the County with notice of his unavailability at least forty-eight (48) hours in advance.
10. Inspector shall maintain an Illinois Plumber's license in good standing at all times in which this Agreement is in effect and shall upon demand provide a copy to Kendall County at no additional cost. As of the time of signing this Agreement, Inspector is certifying that its plumbing license is current and in good standing.
11. Inspector shall not perform inspections for work previously performed by or on behalf of Inspector, Anthony Mayer, or any current apprentice of Inspector or Anthony Mayer ("Inspection Conflict"). Should Inspector be called upon to perform an inspection that would result in an Inspection Conflict, Inspector shall promptly notify Kendall County of such Inspection Conflict and Kendall County shall make alternative arrangements for the performance of the inspection. Inspector shall not be entitled to any fee or reimbursement for its inability to perform an inspection due to an Inspection Conflict.
12. Inspections performed under this Agreement shall be completed using Inspector's own equipment, tools and vehicles, and Kendall County shall not be responsible for reimbursing the Inspector for mileage or any other expenses incurred.
13. Inspector is an Independent Inspector and is not an employee of, partner of, agent of, or in a joint venture with Kendall County. Inspector understands and agrees that Inspector is solely responsible for paying all wages, benefits and any other compensation due and owing to Inspector's officers, employees, and agents for the performance of services set forth in the Agreement. Inspector further understands and agrees that Inspector is solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and federal law for Inspector's officers, employees and/or agents who perform services as set forth in the



Agreement. Inspector also acknowledges its obligation to obtain appropriate insurance coverage for the benefit of Inspector, Inspector's officers, employees and agents and agrees that Kendall County is not responsible for providing any insurance coverage for the benefit of Inspector, Inspector's officers, employees and agents. Inspector hereby indemnifies and agrees to waive any right to recover alleged damages, penalties, interest, fees (including attorneys' fees), and/or costs from Kendall County, and their past, present and future board members, officials, employees, insurers, and agents for any alleged injuries that Inspector, its officers, employees and/or agents may sustain while performing services under the Agreement. Inspector shall exercise general and overall control of its officers and employees.

14. This Agreement shall be construed in accordance with the law and Constitution of the State of Illinois and if any provision is invalid for any reason such invalidations shall not render invalid other provisions which can be given effect without the invalid provision. The parties agree that the venue for any legal proceedings between them shall be the Circuit Court of Kendall County, Illinois, Twenty-Third Judicial Circuit, State of Illinois.
15. Inspector agrees to indemnify and hold harmless, and defend with counsel of Kendall County's own choosing, Kendall County, including their past, present, and future board members, elected officials, insurers, employees, and agents from and against claims, liabilities, obligations, losses, penalties, fines, damages, and expenses and costs relating thereto, including but not limited to reasonable attorneys' fees and other legal expenses, which Kendall County, their board members, elected officials, insurers, employees, and/or agents may sustain, incur or be required to pay arising out of Inspector's performance or failure to adequately perform its obligations pursuant to this Agreement.

Nothing contained herein shall be construed as prohibiting Kendall County, its past, present, and future board members, elected officials, directors, officers, agents and employees, from defending through the selection and use of their own agents, attorneys and experts, any claims, suits, demands, proceedings and actions brought against them. Pursuant to Illinois law, 55 ILCS 5/3-9005, any attorney representing the County, under this paragraph, shall be approved by the Kendall County State's Attorney and shall be appointed a Special Assistant State's Attorney. Kendall County's participation in its defense shall not remove Inspector's duty to indemnify, defend, and hold Kendall County harmless, as set forth above.

Kendall County does not waive its defenses or immunities under the Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/1 *et seq.*) by reason of indemnification or insurance. Indemnification shall survive the termination of this contract.

16. Inspector will obtain and continue in force, during the term of this Agreement, all insurance as set forth below. Each insurance policy shall not be cancelled or changed



without thirty (30) days prior written notice, given by the Inspector to Kendall County at the address set forth below for receipt of notice. Before starting work hereunder, Inspector shall deposit with Kendall County certificates evidencing the insurance it is to provide hereunder:

Coverage shall be at least as broad as:

1. Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$2,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: ISO Form Number CA 00 01 covering any auto (Code 1), or if Inspector has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than \$1,000,000 per accident for bodily injury and property damage.
3. Workers' Compensation: as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.

If the Inspector maintains broader coverage and/or higher limits than the minimums shown above, Kendall County requires and shall be entitled to the broader coverage and/or the higher limits maintained by the Inspector. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to Kendall County.

### **Other Insurance Provisions**

The insurance policies are to contain, or be endorsed to contain, the following provisions:

#### **Additional Insured Status**

Kendall County, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Inspector including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Inspector's insurance (at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of both CG 20 10, CG 20 26, CG 20 33, or CG 20 38; and CG 20 37 if a later edition is used).

#### **Primary Coverage**

For any claims related to this contract, the Inspector's insurance coverage shall be primary coverage at least as broad as ISO CG 20 01 04 13 as respects Kendall County, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by Kendall County, its officers, officials, employees, or



volunteers shall be excess of the Inspector's insurance and shall not contribute with it.

#### Notice of Cancellation

Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to Kendall County.

#### Waiver of Subrogation

Inspector hereby grants to Kendall County a waiver of any right to subrogation which any insurer of said Inspector may acquire against Kendall County by virtue of the payment of any loss under such insurance. Inspector agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not Kendall County has received a waiver of subrogation endorsement from the insurer.

#### Self-Insured Retentions

Self-insured retentions must be declared to and approved by Kendall County. Kendall County may require the Inspector to purchase coverage with a lower retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or Kendall County.

#### Acceptability of Insurers

Insurance is to be placed with insurers authorized to conduct business in the state with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to Kendall County.

#### Verification of Coverage

Inspector shall furnish Kendall County with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements to Kendall County before work begins. However, failure to obtain the required documents prior to the work beginning shall not waive the Inspector's obligation to provide them. Kendall County reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

#### Special Risks or Circumstances

Kendall County reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Kendall County shall be named as Additional Insured on a Primary and Non-Contributory basis with respect to the general liability, business auto liability and excess liability insurance, as well as a waiver of subrogation with respect to the general liability and workers' compensation in favor of Kendall County. Also, Kendall County shall be designated as the certificate holder.



17. Neither party will be responsible to the other for damage, loss, injury, or interruption of work if the damage, loss, injury, or interruption of work is caused solely by conditions that are beyond the reasonable control of the parties, and without the intentional misconduct or negligence, of that party (hereinafter referred to as a "force majeure event"). To the extent not within the control of either party, such force majeure events may include: acts of God, acts of any governmental authorities, fire, explosions or other casualties, vandalism, riots or war, and unavailability of parts, materials, or supplies. A party claiming a force majeure event ("the claiming party") shall promptly notify the other party in writing, describing the nature and estimated duration of the claiming party's inability to perform due to the force majeure event. The cause of such inability to perform will be remedied by the claiming party with all reasonable dispatch.
18. Upon the occurrence of any material default or breach of Agreement by either party, the injured party (i.e., the non-breaching and/or non-defaulting party) may, at its option, upon notice to the other in writing, declare this Agreement to be in default, and at any time thereafter, so long as the other party shall not have remedied or caused to be remedied all outstanding defaults and/or breaches within a reasonable period of time as determined by Kendall County, the injured party may elect, in accordance with law and any other Agreement between the parties to: (a) Proceed by appropriate court action at law or in equity to enforce performance by the defaulting party of its obligations under this Agreement and/or to recover damages for breach thereof; and/or (b) By notice in writing to the defaulting party, cancel or terminate this Agreement. In any action with respect to this Agreement, the parties are free to pursue any legal remedies at law or in equity. If Kendall County is required to take legal action to enforce performance of any of the terms, provisions, covenants and conditions of this Agreement, and by reason thereof, Kendall County is required to use the services of an attorney, then Kendall County shall be entitled to reasonable attorneys' fees, court costs, and expenses incurred by Kendall County pertaining thereto and in enforcement of any remedy, including costs and fees relating to any appeal.
19. Inspector agrees to comply with any and all applicable federal, state or local laws and regulatory requirements and to secure such licenses as may be required for its employees to conduct business in the state, municipality, county, or location. Such obligation includes, but is not limited to, environmental laws, civil rights laws, prevailing wage and labor laws.
20. Inspector certifies that Inspector, its parent companies, subsidiaries, and affiliates are not barred from entering into this Agreement as a result of a violation of either 720 ILCS 5/33E-3 or 5/33E-4 (bid rigging or bid rotating) or as a result of a violation of 820 ILCS 130/1 *et seq.* (the Illinois Prevailing Wage Act).
21. Inspector, its officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations.



22. Nothing contained in this Agreement, nor any act of Kendall County or Inspector pursuant to this Agreement, shall be deemed or construed by any of the parties hereto or by third persons, to create any relationship of third party beneficiary, principal, agent, limited or general partnership, joint venture, or any association or relationship involving Kendall County and the Inspector.
23. When performing inspections under the terms of this Agreement, the Inspector intends that any injuries to its respective employees shall be covered and handled exclusively by Inspector's own worker's compensation insurance in place at the time of such injury. It is further agreed that all employee benefits, wage and disability payments, pension and worker's compensation claims, damage to or destruction of equipment, facilities, clothing and related medical expenses of the inspector, which may result from its activities under this Agreement, shall be the responsibility of inspector.
24. This Agreement represents the entire understanding between the parties hereto, and any modification or amendment hereof must be made in writing, and executed by both parties hereto. Furthermore, this Agreement supersedes any prior written or oral agreements between the parties, and there are no other promises or conditions in any other agreement whether oral or written.
25. Neither party shall assign, sublet, sell, or transfer its interest in this Agreement without the prior written consent of the other.
26. Any notice required or permitted to be given pursuant to this Agreement shall be duly given if sent by fax, certified mail, or courier service and received, in the case of notice to Kendall County, Kendall County Planning Building & Zoning Department, Attention: Code Enforcement Official, 111 West Fox Road, Room 203, Yorkville, Illinois, 60560, fax: (630) 553-4179 with copy sent to: County Administrator, 111 West Fox Road, Room 316, Yorkville, Illinois, 60560 and to Kendall County State's Attorney, 807 John Street, Yorkville, Illinois, 60560, fax (630) 553-4204. And, in the case of Inspector, to: Anthony Mayer, d.b.a. Mayer Plumbing LLC, 4 Hickory Lane Oswego, IL 60543.
27. This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.
28. Kendall County and Inspector each hereby warrant and represent that their respective signatures set forth below have been and are on the date of this Agreement duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.
29. In the event Kendall County is in default under the Agreement because funds are not appropriated for a fiscal period subsequent to the one in which the Agreement was entered into which are sufficient to satisfy all or part of the County's obligations



under this Agreement during said fiscal period, the County agrees to provide prompt written notice of said occurrence to Inspector. In the event of a default due to non-appropriation of funds, Kendall County has the right to terminate the Agreement upon providing thirty (30) days written notice to Inspector. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

30. This Agreement shall be in full force and effect for a period of one (1) year from the date of the last signature below, however it may be renewed for subsequent one (1) year terms upon written agreement signed by both parties.

31. This Agreement may be terminated by Kendall County upon written notice delivered to Inspector at least thirty (30) calendar days prior to the effective date of termination. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

**IN WITNESS WHEREOF**, the parties hereto caused this Agreement to be executed as set forth below.

**MAYER CONSRUCTION L.L.C. D.B.A.    KENDALL COUNTY, ILLINOIS**  
**MAYER PLUMBING LLC**

BY: \_\_\_\_\_

NAME: ANTHONY MAYER

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

NAME: MATT KELLOGG

TITLE: KENDALL COUNTY BOARD  
CHAIRMAN

DATE: \_\_\_\_\_



# 2024 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V24-001	Gonzalez	03-09-152-019	14 Ridgely Rd.	Boulder Hill	RV/Trailer parked in F/Y setback	11/6/2023	12/10/2023			1/4/2024
V24-002	Galvan	03-05-430-019	42 S Bereman Rd.	Boulder Hill	Trailer parked in F/Y setback	12/6/2023	1/11/2024			2/22/2024
V24-003	Sanches	03-08-279-007	110 Circle Drive W	Boulder Hill	Trailer parked in F/Y setback	11/6/2023	1/11/2024			Court
V24-004	Nickels	05-04-178-006	53 Crooked Creek Dr	Crooked Creek	Junk & Debris	11/15/2023	4/2/2024		COURT 5/7/2024	Court
V24-005	Maxson	03-04-378-018	81 Pueblo Rd.	Boulder Hill	Trailer parked in F/Y setback	11/6/2023	1/11/2024		HOLD SAO	2/23/2024
V24-006	Silva	03-04-152-013	22 Greenbriar rd.	Boulder Hill	Trailer parked in F/Y setback	11/6/2023	1/11/2024		Court 5/7/2024	Court
V24-007	Rosier - Ref to V23-015...	02-35-151-017	7821 Route 71		Stormwater Violation	11/6/2023	4/2/2024		Court 5/1/2024	Court 6/5/24
V24-008	Schuster	03-22-400-001	2142 Woolley Rd.		Landscape Business	1/4/2024	4/24/2024	MA	HOLD SAO	5/24/2024
V24-009	Oak Plaza Properties LLC	02-17-226-004	2215 B Route 47		Junk & Debris	11/7/2023	4/1/2024	MA	HOLD SAO	5/24/2024
V24-010	Leifheit	01-29-351-010	16789 Griswold Springs Rd	Billy R Williams	Stormwater Violation	7/31/2023	2/28/2024	MA	6/25/2024	Court
V24-011	Bohr	01-29-351-011	16751 Griswold Springs Rd	Billy R Williams	Stormwater Violation	7/31/2023	2/28/2024	MA	6/25/2024	Court
V24-012	Ortega	01-29-351-008	16859 Griswold Springs Rd.	Billy R Williams	Stormwater Violation	7/31/2023	2/28/2024	MA	6/25/2024	Court
V24-013	Widloe	01-29-351-009	16815 Griswold Springs Rd.	Billy R Williams	Stormwater Violation	7/31/2023	2/28/2024	MA	6/25/2024	Court
V24-014	Hurtado	03-04-277-023	2 Atton Dr.	Boulder Hill	Trailer parked in F/Y setback	2/6/2024	4/12/2024		HOLD SAO	Closed



# 2023 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V23-001	MUND/STADLER	02-34-176-004	34 RIVERSIDE ST	FOX RIVER GARDENS	Work in Floodplain w/o permit	5/15/2023	MA Stormwater			7/3/2023
V23-002	HARDEKOPF	03-04-253-010	44 INGLESHERE RD	BOULDER HILL	INOPERABLE VEHICLE	10/14/2022	12/1/2023		\$2400 Jdgmnt	10/24/2023
V23-003	VANDERBERG	03-04-176-006	90 FERNWOOD RD	BOULDER HILL	PROHIBITED PARKING-TRAILER	3/23/2023				8/6/2023
V23-004	BUTZ	03-04-305-023	16 WYNDHAM DR	BOULDER HILL	MULTIPLE VIOLATIONS	9/8/2022			COURT 5/7/2024	Court
V23-005	RUIZ	03-03-352-001	132 SAUGATUCK RD	BOULDER HILL	PROH. PKG. COMMERCIAL VEHICLE	12/27/2022	\$500 fine ttp 4/3/24		10/18/2023	10/24/2023
V23-006	RAMIREZ	03-04-282-007	13 SONORA DR	BOULDER HILL	INOPERABLE VEHICLE	6/6/2023	Removed			1/3/2024
V23-007	OROS	03-05-432-012	28 SENECA DR	BOULDER HILL	JUNK & DEBRIS	5/10/2023			COURT 5/7/2024	Court
V23-008	CRUZ/KOKOSIOLIS	03-04-307-005	17 WYNDHAM DR	BOULDER HILL	INOPERABLE VEHICLE	6/15/2023				10/12/2023
V23-009	DILLER, JR. LIV TR	06-15-100-007	8150 S SCHLAPP RD		STORMWATER VIOLATION	12/8/2023	3/21/2024		8/9/2023	Re-opened 2/28/24
V23-010	RIVERA/ROSIER	02-35-151-017	7821 ROUTE 71		MULTIPLE VIOLATIONS	8/21/2023	MA		Court 5/1/2024	Court 5/1/2024
V23-011	SANCHEZ	03-12-203-011	29 GASTVILLE ST	GASTVILLE ACRES	LANDSCAPE/PALLET BUSINESS	1/23/2023				

10/5/24  
10/17/24



## 2022 VIOLATIONS

[illegible]



## 2024 PRE VIOLATION REPORT

Date Opened	Parcel #	Address	Subdivision	Description of Complaint	Inspection Date	Comments	F/U/P	Closed
1/4/2024	03-22-400-001	2142 Woolley Rd Oswego		Landscape Business	1/11/2024	30 Day Warning Notice Reg-Cert	2/23/2024	V24-008
1/8/2024	09-19-200-009	17660 Sedgewick Rd. Plano		Occupied Acc Bldg & Addition-No permit	1/18/2024	No Visible Violations-Emailed complainant		1/18/2024
1/17/2024	03-04-451-051	13 Pomeroy Rd. Montgomery	Boulder Hill	Junk & Debris / Inoperable Vehicle	1/18/2024	BLH-spoke with owner-30 Day Reg-Cert 3/75	4/25/2024	4/25/2024
1/18/2024	03-04-327-009	33 Surrey Rd. Montgomery	Boulder Hill	Prohibited Trailer in required F/Yard setback	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	2/26/2024
1/18/2024	03-05-430-020	44 S Bereman Rd. Montgomery	Boulder Hill	3 Trailers - Exceeds # allowed	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	2/26/2024
1/18/2024	03-04-305-021	12 Wyndham Dr. Montgomery	Boulder Hill	Prohibited Trailer in required F/Yard setback	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	2/25/2024
1/18/2024	03-05-253-012	43 N Bereman Rd. Montgomery	Boulder Hill	Inoperable Vehicle	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	1/22/2024
1/18/2024	03-05-276-008	32 N Bereman Rd. Montgomery	Boulder Hill	Prohibited Trailer in required F/Yard setback	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	2/23/2024
1/18/2024	03-05-430-014	32 Seneca Dr. Montgomery	Boulder Hill	Prohibited Trailer in required F/Yard setback	1/11/2024	30 Day Warning Notice Reg-Cert	4/1/2024	4/1/2024
1/23/2024		2015 Route 34 Oswego		Possible living quarters in storage unit	1/29/2024	Monitor - Follow up 30 Days	4/1/2024	3/21/2024
1/24/2024	03-08-326-001	1626 Route 31 Oswego	Prospect Villa	Confirming compliance with Sp Use	1/25/2024	Compliant	4/7/2024	4/7/2024
1/25/2024	03-24-400-008	63 Scotch Rd Plainfield		Illegal landscaping business	1/29/2024	Not a violation - Nursery		1/29/2024
1/29/2024	09-09-300-009	13916 McKanna Rd. Minooka		Semi Truck business	1/29/2024	Follow up 30 Days	4/1/2024	3/8/2024
1/30/2024	03-18-451-002	5462 Route 34 Oswego	Riverview Heights	Unit C - Possible living quarters	2/16/2024	30 Day Warning Notice Reg-Cert	6/1/2024	Closed
2/6/2024	04-16-253-005	8304 Fox River Dr. Millbrook		Vehicles parked on non approved surface	2/9/2024	30 Day Warning Notice Reg & Cert	3/11/2024	3/11/2024
2/6/2024	03-04-277-023	2 Afton Dr. Montgomery	Boulder Hill	Trailer parked in side yard setback	2/23/2024	30 Day Warning Notice Reg-Cert	3/26/2024	V24-014
2/13/2024	03-05-453-003	5 Codorus Rd. Montgomery	Boulder Hill	Vehicle Sales Business	2/16/2024	30 Day Warning Notice Reg-Cert	3/16/2024	3/21/2024
2/16/2024	02-35-380-015	7694 Madeline Dr. Yorkville	FOFC	Accessory Building - Gazebo No permit	2/16/2024	30 Day Warning Notice Reg-Cert	4/13/2024	5/28/2024
2/21/2024	03-05-429-011	24 Greenfield Rd. Montgomery	Boulder Hill	Rooster		Monitoring per BLH	3/16/2024	Closed
2/22/2024	03-04-328-015	24 Whitney Way Montgomery	Boulder Hill	Parking in grass	2/23/2024	30 Day Warning Notice Reg-Cert	3/23/2024	3/21/2024
2/23/2024	03-04-155-044	6 Pembroke Rd. Montgomery	Boulder Hill	Trailer parked in front yard setback	2/23/2024	30 Day Warning Notice Reg-Cert - V	4/1/2024	4/25/2024
2/23/2024	03-04-303-029	40 Marnel Rd. Montgomery	Boulder Hill	Parking in grass	2/23/2024	30 Day Warning Notice Reg-Cert	3/23/2024	3/12/2024
2/23/2024	02-14-428-006	29 Charles St. Oswego	Lynwood	Parking in grass	2/23/2024	30 Day--Applied for permit on 3/25/2024	4/25/2024	4/26/2024
2/23/2024	03-04-354-013	93 Circle Dr. E Montgomery	Boulder Hill	Driveway expansion - No permit	2/23/2024	30 Day Warning Notice Reg-Cert	4/19/2024	4/23/2024
2/26/2024	01-10-301-003	1700 Little Rock Rd. Plano	Snyder	Addition to South Side of Main post bldg - No permit		Monitoring per BLH		
2/27/2024	09-15-300-001	14757 Jughandle Rd. Minooka		Conversion of Ag Bldg to single family home		15 Day Notice for onsite meeting	3/15/2024	4/30/2024
2/28/2024	08-02-451-006	11 Pletcher Dr. Yorkville	Pletchers	Fire - Unsafe structure	2/27/2024	Demo Permit to be submitted per email		3/4/2024
3/1/2024	01-10-301-003	1700 Little Rock Rd. Plano		Addition to Storage unit - No Permit	4/1/2024			
4/11/2024	03-08-303-005	109 Dolores St. Oswego	Shore Heights	Rooster crowing all day - chickens & coup				Closed



Warning#	Status	Description of Complaint	PIN#	Subdivision	Closed	Date of Notice	Citation	Address
1858	closed	Junk and Debris	05-03-200-032		no_evidence			
1859	closed	Roosters kept in violation of zoning ordinance	03-05-429-011	Boulder Hill	remedied	4/15/2024		YORKVILLE 8015 Hilltop Rd
1860	30day	Com Ed Line worker vehicle in driveway	05-18-152-001	COTSWOOD03		4/15/2024		YORKVILLE 52 COTSWOOD DRIVE
1861	closed	Operating Business without permit	03-04-379-005	BOULDER10	no_evidence			Montgomery 47 HUBBARD WAY
1862	closed	Operating Business without permit	03-04-378-031	BOULDER10	no_evidence			Montgomery 66 HUBBARD WAY
1863	closed	Operating Business without permit	03-04-453-033	BOULDER22	no_evidence	4/15/2024		Montgomery 84 SHEFFIELD ROAD
1864	closed	Possible Illegal Business (landscaping), Illegal building, Illegal driveway	09-18-300-016		no_evidence			
1865	closed	Commercial Vehicle Storage	09-09-300-002		no_evidence			
1866	30day	Running a business on residential zoned property without registering the business with the County and running a b	03-05-176-003	KEIERLEBER MARINA		4/15/2024		MINOOKA 13825 McKenna Road
1867	monitoring	Roosters in residential district	03-07-228-005					Oswego 2378 DOUGLAS ROAD
1868	30day	Inoperable vehicle under tarp	05-18-152-002	COTSWOOD03		4/23/2024		Oswego 14 MARLIN DRIVE
1869	closed	Semi Parked In Driveway	03-05-280-005	BOULDER03	no_evidence			Montgomery 49 BRIARCLIFF ROAD
1870	closed	Vehicle on lawn	02-24-103-001	RIVERWOOD	no_evidence			Oswego 21 RIVERWOOD COURT
1871	closed	Parking on non-approved surface	02-31-202-002	FOX WOOD	remedied	4/15/2024		Plano 11428 RIVER ROAD
1872	closed	Illegal business in AG	05-03-200-032	FIELDS OF FARMO	exempt			Yorkville 8015 HILLTOP ROAD
1873	closed	Parking on non-approved surface (parking in lawn)	03-04-378-034	BOULDER18	remedied			Montgomery 72 HUBBARD WAY
1874	closed	Debris in the yard	03-05-276-025	BOULDER13	remedied	4/15/2024		Montgomery 20 BREEMAN ROAD NORTH
1875	monitoring	Junk & Debris	06-13-300-007					
1876	30day	Inoperable vehicles	06-13-300-007	BOULDER07	no_evidence	4/15/2024		Plainfield 547 WHEELER ROAD
1877	30day	Operating Mechanic Business	03-05-452-077	BOULDER03	remedied	4/15/2024		Montgomery 547 WHEELER ROAD
1878	closed	Operating business out of home	03-04-153-010	BOULDER18				Plainfield 547 WHEELER ROAD
1879	closed	Parked on non approved surface	09-35-200-005	Summerfield	remedied	4/15/2024		Montgomery 9 HILLCREST COURT
1880	30day	Junk & Debris	03-04-378-018	BOULDER18				Montgomery 25 GREENBRIAR ROAD
1881	30day	Trailer parked in required front or side yard setback.	03-04-377-037	BOULDER18	remedied	4/15/2024		Montgomery 17045 Ridge Road
1882	closed	Trailer parked in required front or side yard setback.	03-04-329-016	BOULDER10				Oswego 81 PUEBLO ROAD
1883	30day	Junk and Debris	03-04-329-016	BOULDER10		4/19/2024		Montgomery 39 WHITNEY WAY
1884	30day	Parking on Non Approved Surface	03-08-303-005	SHORE		4/15/2024		Oswego 39 WHITNEY WAY
1885	closed	Inoperable Vehicle	02-14-401-002	LYNWOOD05		4/15/2024		Oswego 109 DOLORES STREET
1886	30day	Keeping of roosters	02-14-401-002	LYNWOOD05		4/15/2024		Oswego 115 WEST RICKARD DRIVE
1887	30day	Junk and Debris	03-12-476-001	FOX RIVER		5/15/2024		Oswego 139 WOLF ROAD
1888	30day	Inoperable Vehicle	03-12-476-001	FOX RIVER				Oswego 139 WOLF ROAD
1890	30day	Inoperable Vehicle	03-12-476-001	FOX RIVER				Oswego 139 WOLF ROAD
1891	monitoring	Operating Illegal Business	02-34-128-005	FOX RIVER				Oswego 139 WOLF ROAD
1892	30day	Operating Airbnb without permitting	02-34-128-005	FOX RIVER				Oswego 139 WOLF ROAD
1893	closed	Noxious weeds	08-04-100-017	GASTVILLE	remedied	4/19/2024		Yorkville 114 RIVERSIDE DRIVE
1894	30day	Junk & Debris	03-12-204-005	GASTVILLE		4/19/2024		AURORA 26 GASTVILLE STREET
1895	30day	Illegal Tree Removal Business	03-12-204-005	GASTVILLE		4/19/2024		AURORA 26 GASTVILLE STREET
1896	closed	Inoperable Vehicle	03-04-453-033	BOULDER22	remedied	4/16/2024		MONTGOMERY 84 SHEFFIELD ROAD
1897	30day	Parking on non approved surface	03-04-307-001	BOULDER08		4/19/2024		MONTGOMERY 62 CIRCLE DRIVE EAST
1898	closed	Parked on non-approved surface	03-04-306-003	BOULDER05	remedied	4/19/2024		MONTGOMERY 55 CIRCLE DRIVE EAST
1899	30day	Inoperable Vehicle	03-04-307-001	BOULDER08		4/19/2024		MONTGOMERY 62 CIRCLE DRIVE EAST
1900	closed	Parking on non-approved surface	03-04-307-001	BOULDER08	no_evidence			MONTGOMERY 62 CIRCLE DRIVE EAST
1901	closed	Trailer parked in setback	03-04-153-003	BOULDER12	remedied	5/15/2024		MONTGOMERY 22 GREENBRIAR ROAD
1903	30day	Parking on non-approved surface	03-04-153-003	BOULDER12	remedied	4/19/2024		MONTGOMERY 39 GREENBRIAR ROAD
1904	closed	Parking on non-approved surface	03-04-151-003	BOULDER12	remedied	4/19/2024		MONTGOMERY 48 FERNWOOD ROAD
1905	30day	Junk & Debris	03-04-152-004	BOULDER12	remedied	4/19/2024		MONTGOMERY 5 FERNWOOD ROAD
1906	closed	Inoperable Vehicle	03-05-427-005	BOULDER03	remedied	4/19/2024		MONTGOMERY 5 GREENBRIAR ROAD
1907	closed	RV parked in required setback	03-04-305-022	BOULDER10	exempt	4/19/2024		MONTGOMERY 14 WINDHAM DRIVE
1908	closed	Junk & Debris	03-04-305-023	BOULDER10	other	4/19/2024		MONTGOMERY 16 WINDHAM DRIVE
1909	30day	Trailer parked in required setback	03-04-307-011	BOULDER10	remedied	4/19/2024		MONTGOMERY 29 WINDHAM DRIVE
1910	closed	Trailer Parked in Required setback	03-04-327-009	BOULDER10	remedied	4/19/2024		MONTGOMERY 33 SURREY ROAD
1911	closed	Trailer parked in required setback	03-04-305-032	BOULDER10	remedied	4/19/2024		MONTGOMERY 30 SURREY ROAD



1913	30day	RV parked in required setback	03-04-327-015	BOULDER10	remedied	5/15/2024	MONTGOMERY	24 CHATHAM PLACE
1914	closed	Parking on non-approved surface	03-04-306-023	BOULDER05	remedied	4/19/2024	MONTGOMERY	36 HAMPTON ROAD
1915	closed	Parking on non-approved surface	03-04-354-004	BOULDER07	no_evidence		MONTGOMERY	64 HAMPTON ROAD
1916	closed	Trailer parked in required setback	03-04-354-005	BOULDER07	remedied	4/19/2024	MONTGOMERY	66 HAMPTON ROAD
1917	closed	Trailer parked in required setback	03-04-354-007	BOULDER07	remedied	4/19/2024	MONTGOMERY	70 HAMPTON ROAD
1918	30day	Inoperable Vehicle	03-04-352-005	BOULDER05	remedied	4/19/2024	MONTGOMERY	27 DURANGO ROAD
1919	30day	Parking on non-approved surface	03-05-432-007	BOULDER04	remedied	4/19/2024	MONTGOMERY	13 DURANGO ROAD
1920	closed	Parking on non-approved surface	03-05-430-035	BOULDER04	remedied	4/19/2024	MONTGOMERY	17 SENECA DRIVE
1921	closed	Commercial Vehicle Parking	03-05-430-016	BOULDER04	no_evidence		MONTGOMERY	27 SENECA DRIVE
1922	closed	Truck in backyard	03-05-429-006	BOULDER06	no_evidence		MONTGOMERY	14 GREENFIELD ROAD
1923	30day	Inoperable Vehicle	03-05-429-015	BOULDER07	remedied	4/19/2024	MONTGOMERY	32 GREENFIELD ROAD
1924	closed	Parking on non-approved surface	03-05-429-014	BOULDER07	remedied	4/19/2024	MONTGOMERY	30 GREENFIELD ROAD
1925	closed	Inoperable Vehicle	03-05-454-017	BOULDER07	remedied	5/15/2024	MONTGOMERY	15 CURTIS COURT
1926	closed	Trailer parked in required setback	03-05-454-016	BOULDER07	no_evidence		MONTGOMERY	13 CURTIS COURT
1927	closed	Parking on non-approved surface	03-09-102-009	BOULDER20	remedied	4/19/2024	MONTGOMERY	204 BOULDER HILL PASS
1928	closed	Trailer parked in required setback	03-04-327-003	BOULDER10	remedied	4/22/2024	MONTGOMERY	22 CHATHAM PLACE
1929	closed	Semi parked in driveway	03-04-476-016	BOULDER22	no_evidence	4/22/2024	MONTGOMERY	81 SHEPHERD ROAD
1930	open	Inoperable Vehicle	03-12-202-002					1030 Route 30
1931	closed	Parked on non-approved surface	03-05-401-006		no_evidence		MONTGOMERY	40 Sagittuckrd
1932	monitoring	Operating Business from Home	01-09-428-005				PLANO	31 COFTMAN LANE
1933	30day	Accessory structure no permit	03-04-479-017	BOULDER23		5/24/2024	MONTGOMERY	73 EASTFIELD ROAD
1934	closed	Running business from home - contractor	03-04-479-012	BOULDER23	no_evidence		MONTGOMERY	73 EASTFIELD ROAD
1935	30day	Junk & Debris	02-10-100-010			5/16/2024	BRISTOL	8625 GALENA ROAD
1936	30day	Parking on non-approved surface	03-07-427-013	SHORE		5/16/2024	OSWEGO	136 LAURIE LANE
1937	30day	Trailer in setback	03-07-402-012	SHORE02		5/24/2024	OSWEGO	103 KRISTINE STREET
1938	30day	Commercial Vehicle in Driveway	03-07-430-009	SHORE		5/16/2024	OSWEGO	149 DOLONES STREET
1939	monitoring	Junk and Debris	03-27-401-002	RING			OSWEGO	4550 DOUGLAS ROAD
1940	delete	Roosters	03-04-376-024	BOULDER10		5/16/2024	MONTGOMERY	19 SAUGATUCK ROAD
1941	30day	Campier in the setback	02-35-380-005	IELDS OF FARM02		5/15/2024	YORKVILLE	5727 FIELDS DRIVE
1942	closed	Parked on non-approved surface	03-05-429-014	BOULDER07	remedied	5/15/2024	MONTGOMERY	30 GREENFIELD ROAD
1943	30day	Operating business in violation of zoning ordinance	05-10-200-010			5/15/2024	YORKVILLE	8222 ROUTE 126
1944	30day	Inoperable Vehicle	03-05-429-015	BOULDER07		5/16/2024	MONTGOMERY	32 GREENFIELD ROAD
1945	closed	Unapproved event without special use permit	09-33-300-003		remedied	5/15/2024	MINOOKA	3526 HOLT ROAD
1946	closed	Junk and Debris	03-05-276-020	BOULDER R15	no_evidence		MONTGOMERY	31 ALDON ROAD
1947	30day	Roosters in residential neighborhood	03-04-376-024	BOULDER10	no_evidence	5/16/2024	MONTGOMERY	19 SAUGATUCK ROAD
1948	closed	RV in setback	02-35-380-001	IELDS OF FARM0	no_evidence		YORKVILLE	7796 MADELINE DRIVE
1949	closed	Asphalt Company	09-15-200-011		no_evidence			
1950	monitoring	Containers on property - storage	03-16-400-010	BOULDER10	no_evidence		MINOOKA	3400 ROUTE 52
1951	closed	Pigs on premises	03-04-327-020	BOULDER10	no_evidence		MONTGOMERY	34 CHATHAM PLACE
1952	closed	Parking on non approved surface	03-08-202-026	BOULDER22	remied	5/24/2024	MONTGOMERY	80 SHEPHERD ROAD
1953	30day	Campier parked within setback	02-29-426-008	BOULDER14	no_evidence	5/24/2024	MONTGOMERY	11 GULFORD ROAD
1954	closed	Private Room for Rent	02-23-202-008				YORKVILLE	218 GEORGEANNA STREET
1955	open	Junk??	03-04-478-017	BOULDER24		5/30/2024	MONTGOMERY	7396 ROUTE 34
1956	30day	Driveway - No Permit	09-32-300-011				MINOOKA	42 EASTFIELD ROAD
1957	monitoring	Home occupancy compliant?	03-24-400-002	null			OSWEGO	17840 GROVE ROAD
1958	open	Piling grindings on east side of Steward Road					OSWEGO	3700 STEWART ROAD



PRE VIOLATION REPORT  
2023

3/30/2023	03-04-354-004	64 Hampton Rd. Montgomery	Boulder Hill	Multiple Violations	4/20/2023	30 Day Warning Notice Reg. & Cert	6/8/2023	6/20/2023
3/30/2023	03-09-152-019	14 Ridgely Rd. Montgomery	Boulder Hill	Inoperable Vehicle	4/20/2023	15 day Warning Notice Reg. & Cert	7/21/2023	7/24/2023
3/30/2023	03-08-228-008	13 Brighton Way. Montgomery	Boulder Hill	Inoperable Vehicle	4/5/2023	Removed		4/12/2023
3/30/2023	03-08-227-043	3 Brighton Way. Montgomery	Boulder Hill	Boat / Trailer parked in grass	4/5/2023	Tires on Pavers	6/5/2023	4/28/2023
3/30/2023	03-04-307-001	62 Circle Drive E. Montgomery	Boulder Hill	Parking in grass/vehicle under tarp	4/5 & 5/2/2023	Not enough evidence		5/9/2023
3/30/2023	03-04-456-001	3 Wrenbury Rd. Montgomery	Boulder Hill	Inoperable Vehicle	4/5/2023	Duplicate	6/5/2023	4/12/2023
3/30/2023	03-04-178-009	21 Ingleshire Rd. Montgomery	Boulder Hill	Trailer in front yard setback	4/14/2023		6/8/2023	6/8/2023
3/30/2023	03-09-153-004	40 Fieldpoint Rd. Montgomery	Boulder Hill	Trailer in front yard setback	4/5/2023	30 Day Warning Notice Reg. & Cert	5/19/2023	5/1/2023
3/30/2023	03-04-479-006	51 Eastfield Rd. Montgomery	Boulder Hill	Junk & Debris	4/14 & 4/23/23	30 Day Warning Notice Reg. & Cert	6/8/2023	6/29/2023
4/3/2023	03-04-306-005	59 Circle Drive East Montgomery	Boulder Hill	Semi tractor Trailer	3/22 & 4/14/23	Removed		4/20/2023
4/3/2023	03-03-351-005	71 Sonora Dr. Montgomery	Boulder Hill	Construction business, Junk & Debris, Prob Trailer	3/23 & 4/14/2023	30 Day Warning Notice Reg. & Cert	6/8/2023	8/8/2023
4/3/2023	03-04-378-003	49 Pueblo Rd. Montgomery	Boulder Hill	Trailer parking, Addition - no permit	4/3/2023	30 Day Warning Notice Reg. & Cert	5/6/2023	8/15/2023
4/3/2023	03-04-428-006	172 Heathgate Rd. Montgomery	Boulder Hill	Trailer	4/14/2023	removed		4/20/2023
4/5/2023	03-17-103-008	116 Heathgate Rd. Montgomery	Boulder Hill	Commercial Vehicle	4/14/5/2/23	Removed		5/4/2023
4/6/2023	01-25-456-001	2162 Route 31 Oswego	Schafer Woods	Construction - No permit	4/14/2023	No Violation found		5/4/2023
4/11/2023	05-18-400-011	12331 Mitchell Dr. Plano		Multiple Violations	4/14/2023			4/25/2023
4/12/2023	03-05-279-021	8756 E Highpoint Rd. Yorkville	Boulder Hill	Semi Parking / storage & Stormwater	4/14/2023	No business - repairing parking lot		4/29/2023
4/14/2023	05-21-300-006	42 Briarcliff Rd. Montgomery	Boulder Hill	Driveway - no Permit	4/14/2023	30 Day Warning Notice Reg. & Cert	6/5/2023	6/17/2023
4/19/2023	01-08-200-008	9513 Walker Rd. Yorkville		Parking in ROW/Parking on adjoining property	4/20/2023	Grandfathered situation	5/17/2023	9/11/2023
4/19/2023	01-23-100-002	1426 Creek Rd. Plano		Pond constructed w/o permit & possible floodplain		Applied for Stormwater Permit - MA	5/17/2023	5/26/2023
4/24/2023	04-01-401-001	2970 C Rock Creek Rd. Plano	Fox Station	Train car in Floodplain	5/2/2023	MA	5/17/2023	5/24/2023
4/25/2023	02-24-177-004	21 Fox Ct.		Inoperable Vehicle(10) & Junk & Debris	5/2/2023	30 Day Warning Notice Reg. & Cert	6/9/2023	6/28/2023
4/27/2023	08-28-200-005	6642 Sundown Ln Yorkville		Multiple Violations	5/25/2023	F/U 9/14/2023 & 9/26/2023		9/29/2023
5/1/2023	03-16-176-006	16296 Route 47 Newark		Inoperable vehicles and Boats	5/2/2023	30 Day Warning Notice Reg. & Cert	6/9/2023	11/30/2023
5/1/2023	01-36-100-009	Lot 3 Wolf Rd. Oswego	Fox Bend Estates	Junk & Debris	5/2/2023	30 Day Warning Notice Reg. & Cert	6/9/2023	9/14/2023
5/5/2023	03-08-253-022	Lot 1	Minnetonka Springs	Illegal business & Junk & Debris	5/2/2023	Letter requesting inspection	6/2/2023	6/7/2023
5/5/2023	03-05-427-003	15 Cabold Dr. Montgomery	Boulder Hill	Grass Parking				6/2/2023
5/5/2023	09-09-100-002	9 Greenbriar Rd. Montgomery	Boulder Hill	Inoperable Vehicle	5/11/2023	30 Day Warning Notice Reg. & Cert	6/26/2023	6/26/2023
5/5/2023	09-09-100-002	13039 McKanna Rd. Minnooka		Trucking Business	9/12/2023	10 Day Final Notice to Comply	9/30/2023	10/4/2023
5/9/2023	02-34-157-006	13039 McKanna Rd. Minnooka	Owners	Closed Business Prev				MA
5/9/2023	03-04-330-006	Lot 8		Abandoned RV	5/11/2023	30 Day Warning Notice Reg. & Cert	8/3/2023	8/14/2023
5/10/2023	03-08-277-021	39 Seneca Dr. Montgomery	Boulder Hill	Multiple Violations	5/11/2023	Removed		5/23/2023
5/12/2023	03-05-432-012	11 Fieldpoint Rd. Montgomery	Boulder Hill	Shed - No Permit	5/5/2023	30 Day Warning Notice Reg. & Cert	6/9/2023	6/9/2023
5/12/2023	09-29-400-008	28 Seneca Dr. Montgomery	Boulder Hill	Junk & Debris	5/11/2023	30 Day Warning Notice Reg. & Cert	6/26/2023	V23-007
5/15/2023	03-08-106-018	16901 Ohlsen Rd. Minnooka		Pond w/o permit	5/25/2023	Applied for Stormwater Permit - MA		6/8/2023
5/16/2023	02-26-200-025	37 Boat Ln Oswego	Marina Village	Trailer in Front Yard setback				6/2/2023
5/24/2023	03-13-400-005	7265 Route 71 Yorkville		Pond, Structure & Driveway - No permit		Reg Onsite meeting/Appt for Acc Bldg. pending	6/26/2023	6/28/2023
5/24/2023	01-18-200-004	Behind 131 W Richard Dr. Oswego		Tall Grass - area behind Grand Reserve		Sent to City of Yorkville		5/17/2023
5/25/2023	09-22-200-003	227 Rance Rd. Oswego		Banquet Center		Referred to Sheriff's Office	Investigating	6/7/2023
5/25/2023	03-04-303-014	17080 Miller Rd. Plano	Aux Sable Oaks	Possible Event Center	6/28/2023	Not enough evidence	5/25/2023	6/30/2023
6/6/2023	03-04-282-007	15070 Jughandle Rd Minnooka		Junk & Debris		No evidence		6/29/2023
6/13/2023	07-17-300-003	10 Marnel Rd. Montgomery	Boulder Hill	Multiple Violations	6/8/2023	30 Day Warning Notice Reg. & Cert	7/20/2023	V23-006
6/13/2023	06-02-177-007	13 Sonora Dr. Montgomery	County Clerks	Unpermitted structures	6/26/2023	30 Day Warning Notice Reg. & Cert	7/26/2023	7/25/2023
6/15/2023	09-24-400-027	1551 Cherry Rd. Oswego		Illegal Sign	9/19/2023	In compliance with Home Occ standards	10/2/2023	9/19/2023
6/15/2023	03-04-307-005	15625 County Line Rd. Minnooka	Boulder Hill	Inoperable Vehicle	6/15/2023	30 Day Warning Notice Reg. & Cert	7/23/2023	V23-008
6/20/2023	03-08-227-006	17 Wynnham Dr. Montgomery	Boulder Hill	Building without permit	6/20/2023	Permit Not required		6/20/2023
6/26/2023	02-35-380-013	76 Circle Drive E. Montgomery	Boulder Hill	RV/Trailer in front yard setback	6/26/2023	30 Day Warning Notice Reg. & Cert	8/7/2023	8/7/2023
6/26/2023	03-08-176-010	58 Codorus Rd. Montgomery	FOFC	Pool - no Permit		Notified HHD regarding pool location		6/29/2023
6/26/2023	03-25-200-026	7622 Madeline Dr. Yorkville	Marina Village	Illegal Sign	6/22/2023	30 Day Warning Notice Reg. & Cert	9/12/2023	6/28/2023
6/26/2023	03-07-252-012	4287 Eldamain Rd. Plano	Shore Heights	Illegal Home Occupation	6/26/2023	No Violation - 2 trailers on street		6/29/2023

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PRE VIOLATION REPORT  
2023

9/26/2023	03-15-165-003	2373 Douglas Rd, Oswego	Kellerber Acres	Possible business	9/20/2023	No evidence of violation	9/29/2023
9/26/2023	03-12-203-009	17 Gastville St Aurora	Gastville Acres	Rooster, multiple chickens & ducks		No evidence of violation	10/30/2023
9/26/2023	03-04-151-016	74 Fernwood Rd, Montgomery	Boulder Hill	Chickens & Roosters	9/26/2023	Referred to KCHD-not a PBZ violation	9/29/2023
9/26/2023		9155 Kennedy Rd.		Excessive Farm Animals	9/26/2023	Sent to Yorkville	9/29/2023
9/26/2023	05-26-200-006	10141 Church Rd, Yorkville	Babbitt	Junk & Debris, Inoperable Vehicles	9/26/2023	30 Day Warning Notice Reg & Cert	9/27/2023
9/27/2023	02-16-426-006	2560 Cannonball Trail, Bristol	Babbitt	Construction without permit	10/2/2023	Not enough evidence	10/2/2023
9/29/2023	03-04-378-031	66 Hubbard Way, Montgomery	Boulder Hill	Building w/o permit / Multiple units	10/3/2023	Removed	10/30/2023
10/2/2023	03-04-453-033	84 Sheffield Rd, Montgomery	Boulder Hill	Imp Vehicle/Parking in Grass	10/3/2023	Not enough evidence	10/30/2023
10/3/2023	03-01-351-009	991 Harvey Rd, Oswego		Change in occupancy w/o permit	10/5/2023	Not enough evidence	10/30/2023
10/4/2023	02-28-252-006	1101 McHugh Rd, Yorkville		Junk & Debris	10/5 & 10/11/23	30 Day Warning Notice Reg & Cert	11/13/2023
10/4/2023	06-03-251-002	2017 Devonshire Ct, Oswego	Southfield Estates	Occupied Camping Trailer	10/5/2023	Occupied RV in R-1 zoning	11/10/2023
10/10/2023	09-09-100-002	13039 McKenna Rd, Minooka		Stormwater-fill- diesel tank location		MA	10/16/2023
10/13/2023	03-05-426-011	22 Circle Dr E, Montgomery	Boulder Hill	Pool - no Permit & too close to property line	10/25/2023	Pool existing	10/25/2023
10/25/2023	03-04-478-031	72 Eastfield Rd, Montgomery	Boulder Hill	Trailer parked in E/Yard setback	10/27/2023	30 Day Warning Notice Reg & Cert	12/15/2023
10/25/2023	08-04-100-017	NW corner Rt 47 & Newark Rd.	Upton Township	Noxious Weeds	10/27/2023	Re-opened 8/28 file - Reg. Letter sent MA	4/15/2023
11/6/2023	03-04-378-018	81 Pueblo Rd, Montgomery	Boulder Hill	Trailer/RV parked in req front yard setback	11/10/2023	30 Day Warning notice sent Reg & Cert	1/4/2024
11/6/2023	03-09-152-006	230 Boulder Hill Pass, Montgomery	Boulder Hill	Trailer/RV parked in req front yard setback	11/10/2023	Trailer not present	11/13/2023
11/6/2023	03-09-152-019	14 Ridgefield Rd, Montgomery	Boulder Hill	Trailer/RV parked in req front yard setback	11/10/2023	Violation found - photos taken	V24-001
11/6/2023	03-08-279-007	110 Circle Drive W, Montgomery	Boulder Hill	Trailer/RV parked in req front yard setback	11/10/2023	30 Day Warning notice sent Reg & Cert	1/1/2024
11/6/2023	03-08-278-010	102 Circle Drive W, Montgomery	Boulder Hill	Trailer/RV parked in req front yard setback	11/10/2023	Trailer Removed	11/13/2023
11/6/2023	03-04-152-013	22 Greenbrier Rd, Montgomery	Boulder Hill	Trailer/RV parked in req front yard setback			V24-006
11/6/2023	02-35-151-017	7821 Route 71, Yorkville		Fill in excess of 1 acre without permit			
11/7/2023	02-17-226-004	2215 B Rt 47		Junk & Debris	11/10/2023	30 Day Warning Notice Reg - MA	6/5/24-COURT
11/8/2023	02-15-302-001	2 South St, Bristol		Illegal Towing /Mechanic Business in R-3 zoning	11/10/2023	30 Day Warning Notice Reg & Cert	12/22/2023
11/14/2023	03-04-378-022	48 Hubbard Way, Montgomery	Boulder Hill	Fire Investigation	11/12/2023	Letter requesting onsite meeting sent	2/27/2024
11/14/2023	03-09-154-014	128 Circle Drive W, Montgomery	Boulder Hill	Addition without permit	11/21/2023	Meeting 11/30 - 8:30am/Applied for permit 1.4.24	12/12/2023
11/15/2023	05-04-178-006	53 Crooked Creek Dr, Yorkville	Crooked Creek	Illegal Business / Junk & Debris	11/21/2023	30 Day Warning Notice Reg & Cert	1/22/2024
11/18/2023	06-05-153-005	79 Timberlake Trail E, Oswego	Arrowhead Hills	Fire Investigation 11/18 - Pole Barn		30 Day Warning Notice Reg & Cert	12/22/2023
11/21/2023	05-02-200-008	6410 Miniker Rd, Yorkville		Dirt piles high along road	12/1/2023	Demo Completed	12/12/2023
11/27/2023	03-34-201-001	5020 Douglas Rd, Oswego	Douglas Hills	# of chickens on property and No coop in cold temps	12/1/2023	2 coops - not able to determine #	12/12/2023
12/6/2023	09-09-100-020	13237 McKenna Rd, Minooka		Added 3 car garage - no permit	12/8/2023	Not enough evidence	1/22/2024
12/6/2023	03-05-430-019	42 S Bereman Rd, Montgomery	Boulder Hill	Trailer parked in F/Yard setback	12/8/2023	30 Day Warning Notice Reg & Cert	1/11/2024
12/7/2023	06-02-177-007	1551 Cherry Rd, Oswego		Addition - No Permit	12/8/2023	BLH met with owner	1/24/2024
12/12/2023	05-04-300-032	9630 Route 71, Yorkville	Oswego Plains/County Clerks	Horse in R-3 zoning & illegal building		Horse not observed-bldg has permit/Permit n/a	12/13/23 & 1/22/24
12/13/2023	06-01-100-008	902 E Plainfield Rd, Oswego	Candon Acres	Roofing Business	1/4/2024	Roofing / Construction business in R3 zoning	1/29/2024
12/22/2023	03-04-152-012	24 Greenbrier Rd, Montgomery	Boulder Hill	Semi Parking	1/4/2024	No Evidence	1/4/2024
12/22/2023	03-05-280-005	49 Briarcliff Rd, Montgomery	Boulder Hill	Semi Parking	1/4/2024	No Evidence	1/4/2024
12/22/2023	03-04-307-018	20 Longbeach Rd, Montgomery	Boulder Hill	Semi Parking	1/4/2024	No Evidence	1/4/2024
12/22/2023	03-04-302-002	49 Circle Drive E, Montgomery	Boulder Hill	Junk & Debris	1/4/2024	No Junk & Debris	1/4/2024



## Historic Preservation Organization Meeting

The Kendall County Historic Preservation Commission would like to invite you to a meeting on **July 15, 2024, at 6:00 p.m.**, at the Pickerill Estate House in the Pickerill-Pigot Forest Preserve at 6350A Minkler Road, Yorkville. The purpose of this meeting is to explore collaborative opportunities between historic preservation groups in Kendall County and to receive updates on the activities of local historic preservation groups.

The speakers will be Kendall County Coroner Jacquie Purcell discussing her Department's response to the discovery of a body at the former Bristol Burying Ground and what people should do if they discover a cemetery on their farm ground and Jeff Wehrli discussing the history of Pickerill Property.

Please RSVP to Matt Asselmeier at [masselmeier@kendallcountyiil.gov](mailto:masselmeier@kendallcountyiil.gov) or 630-553-4139 by **July 8, 2024**. Any questions or requests for additional information should also be sent to Mr. Asselmeier.



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# Permit Summary by Category Kendall County

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	3	\$4,150,000	\$14,027	\$6,327
Accessory Buildings	9	\$1,435,200	\$1,204	\$0
Additions	2	\$12,500	\$0	\$0
Remodeling	2	\$247,579	\$720	\$0
Barns/Farm Buildings	2	\$672,000	\$0	\$0
Swimming Pools	5	\$108,331	\$1,000	\$0
Decks	5	\$88,160	\$600	\$0
Demolitions	3	\$24,500	\$300	\$0
Electrical Upgrades	1	\$0	\$0	\$0
Driveway	1	\$5,000	\$0	\$0
Patio	2	\$7,500	\$100	\$0
Generator	2	\$22,403	\$220	\$0
Solar	10	\$284,211	\$2,600	\$0
	47	\$7,057,384	\$20,771	\$6,327

May 2023 - 6 Houses  
49 Total Permits

YTD 2023 - 151 Houses  
158 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	14	3	1	5	2	3	0	0	0	0	0	0	0
Garage	3	0	0	2	1	0	0	0	0	0	0	0	0
Accessory Buildings	33	2	4	6	12	9	0	0	0	0	0	0	0
Additions	6	0	0	1	3	2	0	0	0	0	0	0	0
Remodeling	12	3	1	3	3	2	0	0	0	0	0	0	0
Commercial - B Zone	1	0	1	0	0	0	0	0	0	0	0	0	0
Barns/Farm Buildings	7	0	3	1	1	2	0	0	0	0	0	0	0
Signs	1	0	0	0	1	0	0	0	0	0	0	0	0
Swimming Pools	12	0	0	4	3	5	0	0	0	0	0	0	0
Decks	8	0	0	2	1	5	0	0	0	0	0	0	0
Demolitions	5	0	1	1	0	3	0	0	0	0	0	0	0
Electrical Upgrades	4	1	0	1	1	1	0	0	0	0	0	0	0
Change in Occupancy	2	0	0	2	0	0	0	0	0	0	0	0	0
Driveway	6	0	0	2	3	1	0	0	0	0	0	0	0
Fire Restoration	1	1	0	0	0	0	0	0	0	0	0	0	0
Patio	4	0	0	0	2	2	0	0	0	0	0	0	0
Generator	4	1	0	1	0	2	0	0	0	0	0	0	0
Solar	29	2	2	4	11	10	0	0	0	0	0	0	0
	152	13	13	35	44	47	0	0	0	0	0	0	0



Permit Approval Date Report  
Kendall County

Permit		Parcel Number	Property Address	Subdivision	Contractor Name
Issue Date	ID Permit Category	Owner Name			
4/12/2024	012024094 01 House	04-21-125-032 BRATLAND JAY S & MICHELLE J	9204 CHATHAM PL NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	REVOLUTION BUILDERS CONSTRUCTION, LLC
5/30/2024	012024174 01 House	06-07-375-002 OLIVER GEORGE S & HEIDI R	7723 BENTGRASS CIR YORKVILLE, IL 60560-	WHITETAIL RIDGE	CHARLES JAMES CUSTOM HOMES
3/18/2024	012024059 01 House	04-21-125-018 AVERY JOHN R & LAUREN J	15681 COBB CT NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 1	IMPERIAL CONSTRUCTION - SUBDIVISION
2/21/2024	012024041 01 House	04-16-351-008 SPENCER JOHN & WENDY	8982 WILCOX CT MILLBROOK, IL 60536-	ESTATES OF MILLBROOK UNIT 1	
4/12/2024	012024058 01 House	02-30-300-009 BECK RYAN & SHANNON	4518 EL DAMAIN RD PLANO, IL. 60545		
1/11/2024	012024022 01 House	05-18-228-003 DOLIN JULIE A	8019 WILSON COURT YORKVILLE, IL. 60560	TANGLEWOOD TRAILS	CL DESIGN BUILD INC
3/18/2024	012024060 01 House	06-07-374-008 REVOLUTION INVESTMENTS, LLC	5946 CHAMPIONSHIP CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	REVOLUTION CUSTOM HOMES
4/1/2024	012024068 01 House	05-12-276-008 DIAZ JOSEPH & PATRICIA	7605 CLUBHOUSE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	DWELL HOMES, INC.
3/27/2024	012024077 01 House	05-12-278-002 CALDWELL JODI J & BRAD A	6112 LEGACY CIR YORKVILLE, IL 60560-	WHITETAIL RIDGE	KINGS COURT BUILDERS INC.
1/23/2024	012024023 01 House	04-21-252-002 YENTER KELLI & CHRIS	15536 PROSPECT HILL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	MCCUE BUILDERS INC.
4/15/2024	012024095 01 House	09-18-300-019 QUEZADA IRMA LOYA	14918 BRISBIN RD MINOOKA, IL 60447-		



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4/25/2024	012024031	01 House	09-16-400-010 AGUILAR MIGUEL & IDOLINA	3400 ROUTE 52 MINOOKA, IL 60447-		
4/9/2024	022024089	02 Garage	02-34-202-014 MAUCHERЕК PETER & KAREN GRIDLEY	148 RIVERSIDE DR YORKVILLE, IL 60560-	FOX RIVER WOODLANDS	COACH HOUSE GARAGES
3/25/2024	022024073	02 Garage	08-18-300-009 MILLER JORDAN & KATE	14534 LISBON RD NEWARK, IL 60541-		
4/8/2024	022024082	02 Garage	04-16-176-011 TECKENBROCK LEANN M	23 HARRIS AVE MILLBROOK, IL 60536-	MILLBROOK (ORIG TOWN) PT VACATED	EVERLAST PORTABLE BUILDINGS
4/8/2024	032024080	03 Accessory Buildings	02-35-380-015 ANDERSON LAUREN S	7694 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
2/2/2024	032024027	03 Accessory Buildings	05-18-228-003 DOLIN JULIE A	8019 WILSON COURT YORKVILLE, IL 60560	TANGLEWOOD TRAILS	
4/22/2024	032024108	03 Accessory Buildings	02-03-300-025 BERNHARDT RANDAL J & RAMONA L	927 B DICKSON RD BRISTOL, IL 60512-		BOB LEE CONSTRUCTION
4/9/2024	032024086	03 Accessory Buildings	04-16-101-011 ZARCONE CHRISTOPHER S & HARDGARDNET	45 SHAGBARK LN MILLBROOK, IL 60536-	FOXHURST UNIT 6	
2/13/2024	032024036	03 Accessory Buildings	02-35-103-013 HATHAWAY BRADFORD L & HARDGARDNET	7807 VAN EMMON RD YORKVILLE, IL 60560-	WENDLING SUB	
4/8/2024	032024081	03 Accessory Buildings	02-35-380-015 ANDERSON LAUREN S	7694 MADELINE DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
5/21/2024	032024160	03 Accessory Buildings	06-14-200-009 BAMBIC ROBERT	8435 B OLD RIDGE RD PLAINFIELD, IL 60586-		ALL PRO CONCRETE INC.



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5/22/2024	032024167	05-18-250-006	11369 BRIGHTON OAKS DR YORKVILLE, IL 60560-	BRIGHTON OAKS ESTATES	ARROYO LAWN CARE & SNOW
3/20/2024	032024069	03-08-277-020	9 FIELDPOINT RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	
5/20/2024	032024158	02-22-102-014	17 LILLIAN LN YORKVILLE, IL 60560-	BRISTOL LAKE SUB	MORTON BUILDINGS
1/2/2024	032024021	02-15-353-002	90 LILLIAN LN YORKVILLE, IL 60560-	BRISTOL LAKE SUB	
4/18/2024	032024102	05-34-200-003	11143 ASHLEY RD YORKVILLE, IL 60560-		
2/21/2024	032024037	09-32-200-010	4187 WHITEWILLOW RD MINOOKA, IL 60447-		
1/11/2024	032024029	02-20-401-001	3651 CANNONBALL TRL YORKVILLE, IL 60560-		METRONET INFRASTRUCTURE CONSTRUCTION
4/19/2024	032024106	02-11-101-005	83 E LARKSPUR LN BRISTOL, IL 60512-	WILLOWBROOK UNIT 3	BOB LEE CONSTRUCTION
4/8/2024	032024098	07-24-200-003	15285 ROUTE 52 NEWARK, IL 60541-		
3/20/2024	032024067	05-35-200-013	11103 CHURCH RD YORKVILLE, IL 60560-		BOB LEE CONSTRUCTION
4/19/2024	032024107	05-08-351-005	10957 BRANDENBURG WAY YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	



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5/13/2024	032024134	03-18-376-007 RAMIREZ SALVADOR C & ANGELA	6 W PLEASANTVIEW DR OSWEGO, IL 60543-	RIVERVIEW HEIGHTS	RMT PROPERTIES LLC
4/22/2024	032024109	02-24-103-001 ARROYO OSVALDO E & JOSE E	21 RIVERWOOD CT OSWEGO, IL 60543-	RIVER WOOD FARMS	BOB LEE CONSTRUCTION
4/9/2024	032024092	05-18-300-006 PETERS DANIEL C & SUZANNE M	8751 B E HIGHPOINT RD YORKVILLE, IL 60560-	HIGHPOINT HILLS	
5/1/2024	032024129	03-04-153-007 MCKENTY VICKI & BEYNE APRIL	31 GREENBRIAR RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	
5/13/2024	032024139	01-34-300-008 BILEK JEFFREY S	14824 MILLHURST RD PLANO, IL 60545-		
4/9/2024	032024090	09-22-200-004 HAASE DOUGLAS	15100 JUGHANDLE RD MINOOKA, IL 60447-	AUX SABLE OAKS UNIT 1	HOMEOWNER
3/6/2024	032024053	02-21-200-015 DENARDO WARREN C & JACLYNN M	9025 KENNEDY RD YORKVILLE, IL 60560-		BOB LEE CONSTRUCTION
4/29/2024	032024123	03-07-231-002 RAJU RAJIV LUKE & RAJU SHANTA & RAJU MADY	37 W ANCHOR RD OSWEGO, MARINA TERRACE IL 60543-		
2/20/2024	032024039	09-04-100-013 SALINAS RAFAEL & MARIA M	12452 MCKANNA RD MINOOKA, IL 60447-		
5/20/2024	032024159	02-36-106-002 RAND JOSEPH & SHERI J	292 TALLGRASS LN YORKVILLE, IL 60560-	FARM COLONY UNIT 2 PHAE 3	
3/25/2024	032024070	02-30-400-010 MURILLO OMAR & ELIZABETH EULALIA	11287 RIVER ROAD PLANO, IL. 60545	GLEN NELSON SUB	



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2/16/2024	032024038	03-18-401-009 SMITH MARTY E & CONSTANCE M	66 OSAGE CT OSWEGO, IL 60543-	HIGHLAND SUB	
5/29/2024	032024169	05-07-403-009 TATER TOT TRUST	71 TIMBERCREEK DR YORKVILLE, IL 60560-	TIMBER CREEK SUB	
4/16/2024	032024091	06-15-100-008 ODONOVAN-MAYA SUSAN	2884 ROUTE 126 PLAINFIELD, IL 60544-		
5/1/2024	042024132	09-31-200-004 ANGULA JAVIER & KARINA	5360 WHITEWILLOW RD MINOOKA, IL 60447-		
4/26/2024	042024122	02-29-130-019 SCHLAPP GARY D & BEVERLY	1022 INDEPENDENCE BLVD YORKVILLE, IL 60560-		
4/24/2024	042024114	02-27-380-002 BAILEY JASON A	61 RIVERSIDE DR YORKVILLE, IL 60560-	FOX RIVER GARDENS	
4/22/2024	042024111	09-32-100-004 ASCENCIO VICTOR H & DIAZ MAYRA K	4552 WHITEWILLOW RD MINOOKA, IL 60447-		
5/1/2024	052024120	03-05-353-011 FOX METRO WATER REC DIST	682 A ROUTE 31 OSWEGO, IL 60543-		TBD
5/13/2024	052024135	06-05-153-001 SMITH MARK & KATHY	25 E TIMBERLAKE TRL OSWEGO, IL 60543-	ARROWHEAD HILLS UNIT 2	BRADFORD AND KENT
4/25/2024	052024116	03-25-200-004 BROSSMAN LARRY & PATRICIA	338 SCOTCH RD OSWEGO, IL 60543-		
4/17/2024	052024104	02-13-354-004 MUSSEER BRETT R & AUBREY B	145 RIVERWOOD DR OSWEGO, IL 60543-	RIVER WOOD FARMS	MWK CONSTRUCTION INC.



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3/28/2024	052024083	09-04-300-018	12478 MCKANNA RD MINOOKA, IL 60447-	Acculevel	
	05 Remodeling	BURNS JOSHUA MICHAEL & LINDSEY ANNIE			
4/16/2024	052024066	01-35-477-008	5900 D RED GATE LN YORKVILLE, IL 60560-	THE BLUFF AT SILVER SPRINGS	WATCHMEN MAINTENANCE & SERVICES
	05 Remodeling	EDELMAN DAVID R & JILL A			
3/7/2024	052024057	02-14-277-002	10 ANNA MARIA LN OSWEGO, IL 60543-	LYNWOOD EXTENSION 4	Luis Camarena - Contact
	05 Remodeling	URBON TANYA L			
5/14/2024	052024149	03-07-429-012	138 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	CLEAN EDGE CONSTRUCTION
	05 Remodeling	FERGUSON TIMOTHY J & ANGELA N			
2/28/2024	052024046	03-31-302-002	9 SETTLERS LN OSWEGO, IL 60543-	HATTNER SUB	
	05 Remodeling	HER TAO & PANG			
2/1/2024	052024035	03-32-131-002	5380 OLD RESERVE RD OSWEGO, IL 60543-	OLD RESERVE HILLS UNIT 1	TRANQUILITY BUILDERS INC.
	05 Remodeling	MAGO MICHAEL J			
1/29/2024	052024033	03-06-200-006	5132 BASELINE RD OSWEGO, IL 60543-		
	05 Remodeling	MONTERO, ANGELICA & ORTIZ, MIGUEL A			
1/29/2024	052024032	02-29-426-009	216 GEORGEANNA ST YORKVILLE, IL 60560-	COUNTRYSIDE SUB UNIT 3	HOGAN DESIGN & CONSTRUCTION
	05 Remodeling	HANSON WILLIAM J & LORI ANNE			
3/1/2024	072024042	05-28-400-002	10744 ROUTE 47 YORKVILLE, IL 60560-		
	07 Commercial - B Zone	ALWAYS FAITHFUL PROPERTIES 10744 ROUTE 47 LLC			
4/9/2024	082024088	08-15-200-007	14151 ASHLEY RD MINOOKA, IL 60447-		
	08 Barns/Farm Buildings	JANKE RICHARD & DELORES			
5/21/2024	082024161	07-09-100-010	12961 SLEEZER RD NEWARK, IL 60541-		
	08 Barns/Farm Buildings	BENDER FAMILY LTD PARTNERSHIP			



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3/20/2024	082024072	04-31-300-005	2999 N 4201st RD SHERIDAN, IL. 60551		
	08 Barns/Farm Buildings	DUNCAN JOHN P & NANCY M			
2/28/2024	082024048	05-02-300-010	6611 MINKLER RD YORKVILLE, IL. 60560		
	08 Barns/Farm Buildings	REES GINGER			
2/26/2024	082024047	07-17-400-002	14515 ROODS RD NEWARK, IL 60541-		
	08 Barns/Farm Buildings	FRANK SANTORO			
2/21/2024	082024045	08-14-300-008	ASHLEY RD. MINOOKA, IL. 60447		
	08 Barns/Farm Buildings	JOHNSON JANINE RAE			
5/28/2024	082024170	02-20-276-009	3350 A CANNONBALL TRL YORKVILLE, IL 60560-		
	08 Barns/Farm Buildings	SHANKS BRADLEY W & LYNDAC			
5/1/2024	092024093	05-09-152-006	3 BONNIE LN YORKVILLE, IL 60560-		
	09 Signs	BRUCKI SHIRLEY ANN			
4/26/2024	122024121	01-25-461-002	12156 MITCHELL DR PLANO, IL 60545-	SCHAEFER WOODS SOUTH UNIT 1	10X POOLS
	12 Swimming Pools	BERRIOS LAURIE ANN & WILLIAM			
4/24/2024	122024117	05-07-253-003	11300 ROUTE 71 YORKVILLE, IL 60560-		
	12 Swimming Pools	BECKET CHARLES & SUSAN B			
4/22/2024	122024096	02-28-452-004	610 MCHUGH RD YORKVILLE, IL 60560-	HIGHLAND TERRACE SUB	
	12 Swimming Pools	SHUE CHRISTOPHER DAVID & SKOWRON MADRYN			
4/3/2024	122024076	02-27-151-011	4447 TUMA RD YORKVILLE, IL 60560-	BATSONS SUB	JG SWIMMING POOLS INC.
	12 Swimming Pools	BARTO MICHELLE ANN SPECIAL NEEDS TRUST CTEDBINC			
3/22/2024	122024064	09-23-300-026	15801 HARE RD MINOOKA, IL 60447-		DESROCHES BACKYARD POOLS
	12 Swimming Pools	RESENDIZ PHILIP AND JENNIFER			



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3/19/2024	122024062	12 Swimming Pools	02-35-410-005	FORTIER FAMILY REV TRUST	7692 COLE CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY PARADISE POOLS, INC. UNIT 3	
3/6/2024	122024056	12 Swimming Pools	01-35-100-009	KEOUGH JOHN & MARGARET	13524 B HALE RD PLANO, IL 60545-		SIGNATURE POOLS & SPAS INC.
3/7/2024	122023357	12 Swimming Pools	01-29-452-007	HANSON KIMBERLY	16267 GRISWOLD SPRINGS RD PLANO, IL 60545-		
5/31/2024	122024173	12 Swimming Pools	06-02-300-015	PLEVA ERIC & KRISTIN M	1690 CHERRY RD OSWEGO, IL 60543-		
5/24/2024	122024168	12 Swimming Pools	08-02-476-008	ADKINS MARCHAN	12832 MACKENZIE RD YORKVILLE, IL 60560-	MURDO T MACKENZIE SUB	KAYAK POOLS
5/22/2024	122024163	12 Swimming Pools	06-02-300-012	GUERRERO JUAN JR & GUERRERO JUAN	1912 CHERRY RD OSWEGO, IL 60543-		HOMEOWNER
5/14/2024	122024141	12 Swimming Pools	03-09-151-017	DENNIS NICHOLAS B & SHANNON L	225 BOULDER HILL PASS MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	
5/13/2024	122024137	12 Swimming Pools	03-07-229-004	ALLEN DEBRA & RUTLEDGE RICHARD	13 MARLIN DR OSWEGO, IL 60543-		
5/22/2024	132024162	13 Decks	04-12-300-005	SANDULA KRISTEN	12903 BUDD RD YORKVILLE, IL 60560-		UPPERDECK DESIGNS & CONSTRUCTION
5/14/2024	132024143	13 Decks	05-18-322-006	FOX RICHARD A & TIFFANY R	2066 BERNADETTE LN YORKVILLE, IL 60560-	HAWTHORN VILLAGE	
5/13/2024	132024136	13 Decks	01-36-200-011	BALDER DOUGLAS J & KIMBERLI	12150 RIVER RD PLANO, IL 60545-	RIVER GLEN SUB	WEST SUBURBAN DECKS, LLC



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5/1/2024	132024128	13 Decks	03-04-376-009 GARZA TROY	4 BIRCHWOOD CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	
4/8/2024	132024084	13 Decks	02-15-101-003 VELAZQUEZ ROBERT	1996 CANNONBALL TRL BRISTOL, IL 60512-		
3/22/2024	132024065	13 Decks	02-13-428-002 BOON CHRISTOPHER	6149 ROUTE 34 OSWEGO, IL 60543-		WARNER'S DECKING
3/8/2024	132023356	13 Decks	01-29-452-007 HANSON KIMBERLY	16267 GRISWOLD SPRINGS RD PLANO, IL 60545-		
5/20/2024	142024156	14 Demolitions	04-16-276-001 SUN JELLY CHICAGO RV LLC	8510 MILLBROOK RD NEWARK, IL 60541-		LARSON HOMES INC.
4/25/2024	142024055	14 Demolitions	08-02-452-007 CLASSIC INVESTMENTS LLC	12 PLETCHER DR YORKVILLE, IL 60560-	PLETCHERS	OTTERBACH DEMOLITION
2/26/2024	142024043	14 Demolitions	04-31-300-011 GARY AND SHERRY UNDERHILL	FOX RIVER DRIVE NEWARK, IL. 60541		
5/13/2024	152024138	15 Electrical Upgrades	01-34-300-008 BILEK JEFFREY S	14824 MILLHURST RD PLANO, IL 60545-		
4/17/2024	152024103	15 Electrical Upgrades	02-32-100-019 YOUTH CAMP ASSOC DIST 12 & 13 PNA	10701 RIVER RD PLANO, IL 60545-		QUALITY INTEGRATED SOLUTIONS
3/27/2024	152024078	15 Electrical Upgrades	03-08-228-016 BASTIDA LAUREN E	15 CAYMAN DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 20	RENE AGUILERA
1/10/2024	152024028	15 Electrical Upgrades	03-04-478-006 MOLINA TRACIA & FLORES JASHIA	53 SPRINGDALE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	JACOB B LAZANO



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3/18/2024	172024051	17 Change in Occupancy	02-15-176-001	BRISTOL PARK PROPERTIES LLC	43 OAK ST BRISTOL, IL 60512-		Tenant: All City Plumbing
3/18/2024	172024050	17 Change in Occupancy	02-15-176-001	BRISTOL PARK PROPERTIES LLC	43 OAK ST BRISTOL, IL 60512-		Tenant: Lawn Squad of Aurora
5/13/2024	182024125	18 Driveway	03-07-231-002	RAJU RAJIV LUKE & RAJU SHANTA & RAJU MADHU	37 W ANCHOR RD OSWEGO, MARINA TERRACE IL 60543-		
4/24/2024	182024115	18 Driveway	03-04-354-013	SANCHEZ OSCAR HERNANDEZ & RODRIGUEZ MARIA A	93 CIRCLE DR EAST MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	
4/25/2024	182024113	18 Driveway	03-08-326-005	PIERCE SYLVANUS H II & JOY R	35 CENTURY DR OSWEGO, IL 60543-	WORMLEYS CENTURY ESTATES	CEMENTRIX CONCRETE
3/27/2024	182024079	18 Driveway	02-14-428-006	SPAARGAREN RODGERS BRENT	29 CHARLES ST OSWEGO, IL 60543-	LYNWOOD EXTENSION 6	
3/6/2024	182024052	18 Driveway	09-18-300-019	QUEZADA IRMA LOYA	14918 BRISBIN RD MINOOKA, IL 60447-		
1/10/2024	192024024	19 Fire Restoration	03-04-378-022	PEREZ MISAEL	48 HUBBARD WAY MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	
5/22/2024	202024164	20 Patio	03-04-478-032	PEREZ HERNANDEZ MARIA DEL REFUGIO	75 SPRINGDALE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	
5/14/2024	202024140	20 Patio	03-08-277-004	ESQUIVEL FRANCISCO B JR & ALVAREZ MARIA E	8 SOMERSET RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 25	
5/1/2024	202024130	20 Patio	03-06-277-034	CUEVAS ALVARO & ESTHER	21 WOODCLIFF DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 13	JL CONCRETE CONSTRUCTION LLC



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4/29/2024	202024124	20 Patio	03-07-231-002	RAJU RAJIV LUKE & RAJU SHANTA & RAJU MADHU	37 W ANCHOR RD OSWEGO, IL 60543-	37 W ANCHOR RD OSWEGO, MARINA TERRACE	
5/22/2024	232024166	23 Generator	04-21-126-002	GUNTY CRAIG J JR & DARCY A	9000 N STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 2	TOWN & COUNTRY SERVICES
5/14/2024	232024147	23 Generator	05-18-201-009	KLAUDA TIMOTHY & MARCIE	75 LONG GROVE RD YORKVILLE, IL 60560-	MAPLE GROVE	LEE LEGLER CONST & ELECTRIC
3/19/2024	232024063	23 Generator	02-33-201-001	SMITH DONALD S II & CLARK EMILY R	505 E SPRING ST YORKVILLE, IL 60560-	DECKERS SUB	LEE LEGLER CONSTRUCTION & ELECTRICAL
1/10/2024	232024025	23 Generator	01-20-352-008	CRAWFORD WILLIAM J & VICKI L	168 WOODLAND DR PLANO, IL 60545-	SUGAR BROOK ESTATES UNIT 3	BAKER ELECTRIC & GENERATORS
3/4/2024	242024049	24 Solar	05-08-301-001	WOODWARD JOHN	7595 E HIGHPOINT RD YORKVILLE, IL 60560-		PERMIT COORDINATOR - ZENA GRAY
2/26/2024	242024044	24 Solar	01-14-126-002	BLACKWELL TONYA & GAGE	2050 ROCK CREEK RD PLANO, IL 60545-	ROCK CREEK ESTATES UNIT 1	SUNRUN INSTALLATION SERVICES INC.
1/30/2024	242024034	24 Solar	05-17-121-005	PISANO MARCOS	85 ETHEL CT YORKVILLE, IL 60560-	RONHILL ESTATES	VANTAGE HOME SOLAR LLC
5/21/2024	242024172	24 Solar	03-08-226-005	ALFARO DANIELLE J & JOSE	32 GUILFORD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 14	BRIGHT PLANET SOLAR
5/28/2024	242024171	24 Solar	02-23-101-001	MAGANA ANATOLIO & MARTHA	92 PARKWAY DR YORKVILLE, IL 60560-	RIVER RIDGE UNIT 2	BRIGHT PLANET SOLAR
5/16/2024	242024153	24 Solar	01-26-300-005	SANDOVAL JONHATAN J SAAVEDRA & RUIZ	13871 HALE RD PLANO, IL 60545-		BRIGHT PLANET SOLAR



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5/16/2024	242024152	24 Solar	03-05-255-020	TORRES JESUS M & CARLOTA	15 N BEREMAN RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 2	BRIGHT PLANET SOLAR
5/16/2024	242024151	24 Solar	03-07-430-001	MILLEN RYAN D	165 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 2	GREEN GRIDS
1/10/2024	242024026	24 Solar	02-23-228-004	GROB MATTHEW M & FU LAURA	45 E LYNCLIFF DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 1	BRIGHT PLANET SOLAR
1/2/2024	242024020	24 Solar	07-29-300-003	FARIAS MICHAEL DAVID & JENNIFER LYNN	16627 STEPHENS RD NEWARK, IL 60541-		LGCY INSTALLATION SERVICES., LLC
3/19/2024	242024061	24 Solar	06-13-126-003	CURLESS WILLIAM B & VICTORIA M	16 VIKING BLVD PLAINFIELD, IL 60586-	EVERGREEN GROVE UNIT 1	SUNRUN INSTALLATION SERVICES, LLC
2/7/2024	242024001	24 Solar	03-08-277-024	LAMBERTY MATTHEW	17 FIELDPOINT RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	FREEDOM FOREVER IL, LLC
4/17/2024	242024100	24 Solar	01-16-427-004	BURROUGHS ERIC B & BROOKE N	41 N LINDEN DR PLANO, IL 60545-	MEYERBROOK UNIT 1	BRIGHT PLANET SOLAR
4/17/2024	242024099	24 Solar	03-07-276-005	HUNT JEFFREY H & DAWN M	9 SHELL CT OSWEGO, IL 60543-	MARINA TERRACE	SUNPOWER CORPORATION
4/12/2024	242024097	24 Solar	03-04-476-027	LOPEZ JUAN M & YESINIA	66 PADDOCK ST MONTGOMERY, IL 60538-	BOULDER HILL UNIT 22	BRIGHT PLANET SOLAR
3/29/2024	242024085	24 Solar	03-08-227-032	BRAVO LORENZO H	15 OLD POST RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	BRIGHT PLANET SOLAR
5/14/2024	242024150	24 Solar	03-07-429-022	DOLPH RADAVICH ALYSSA & GALARZA MARCELO	118 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	SUNRUN INSTALLATION SERVICES, LLC



Permit Approval Date Report  
Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
5/14/2024	242024148	24 Solar	02-16-476-001	STOLPESTAD NORMAN H & JILL E	2776 CANNONBALL TRL BRISTOL, IL 60512-		LGCY INSTALLATION SERVICES, LLC.
5/14/2024	242024146	24 Solar	03-05-278-017	CINNAMON PAUL C SR & MARGARET F	19 KNOLLWOOD DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	BRIGHT PLANET SOLAR
5/14/2024	242024145	24 Solar	03-05-453-020	RYAN PATRICK J & PAULINE D	9 SCARSDALE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	SUNRISE SOLAR
5/14/2024	242024144	24 Solar	06-13-101-011	RUFFATTO MIKE & ERYN	782 ROUTE 126 PLAINFIELD, IL 60544-		AG TECHNOLOGIES INC.
5/1/2024	242024127	24 Solar	03-04-253-007	AVITIA JUAN & AVITIA LUIS ENRIQUE	149 FERNWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	SUNRUN INSTALLATION SERVICES
4/30/2024	242024126	24 Solar	07-05-400-003	HARAZIN NANCY	16300 NEWARK RD. NEWARK, IL. 60541		PEPPER ENERGY % DEREK HUMMEL
4/25/2024	242024119	24 Solar	05-02-201-003	PAVLIONIS RITAS JON	6069 AUDREY AVE YORKVILLE, IL 60560-	ROSEHILL	SUNRUN INSTALLATION SERVICES LLC
4/25/2024	242024118	24 Solar	03-04-179-017	RETERER EDWARD G & JOAN	29 PEMBROOKE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	PAOLA PEREZ/BRIGHT PLANET SOLAR
4/25/2024	242024112	24 Solar	03-02-227-009	U STOR IT #2 (OSWEGO) LLC	184 ROUTE 30 AURORA, IL 60503-		OPAL ENERGY GROUP LLC
4/9/2024	242024087	24 Solar	06-14-200-002	VIDMAR JOHN E & WILHELMINE	1226 ROUTE 126 PLAINFIELD, IL 60586-		BRIGHT PLANET SOLAR
4/22/2024	242024110	24 Solar	06-14-200-016	EICHELBERGER EDWARD & NANCY S	8405 OLD RIDGE RD PLAINFIELD, IL 60586-		LEGACY SOLAR LLC



Permit Approval Date Report  
Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
4/19/2024	242024105	24 Solar	09-07-200-027	PARKS THEODORE	13315 A GROVE RD MINOOKA, IL 60447-	HIGHGROVE	LEGACY SOLAR LLC
3/27/2024	242024075	24 Solar	03-04-251-003	GUERRERO ALVARO	120 FERNWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 33	BRIGHT PLANET SOLAR
3/25/2024	242024074	24 Solar	04-13-201-003	BROWN DARREL J & LISA	8262 W HIGHPOINT RD YORKVILLE, IL 60560-	HIGHPOINT VIEW	



# PLANNING BUILDING & ZONING RECEIPTS 2024

DATE	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	MONTHLY FY 2024	TOTAL FY 2024	MONTHLY FY 23	TOTAL FY 23
December	\$5,266.96		\$3,163.48	\$1,000.00	\$10,759.44	\$10,759.44	\$16,054.06	\$16,054.06
January	\$4,575.44	\$1,329.00	\$0.00	\$0.00	\$6,128.44	\$16,887.88	\$8,592.98	\$24,647.04
February	\$8,660.00	\$212.50	\$3,577.05	\$0.00	\$12,449.55	\$29,337.43	\$3,080.00	\$27,727.04
March	\$9,538.48	\$848.00	\$4,155.98	\$1,000.00	\$15,542.46	\$44,879.89	\$12,669.20	\$40,396.24
April	\$16,582.32	\$124.00	\$17,703.84	\$2,000.00	\$36,410.16	\$81,290.05	\$33,177.45	\$73,573.69
May	\$8,919.68	\$4,147.50	\$0.00	\$0.00	\$13,067.18	\$94,357.23	\$25,324.74	\$98,898.43
June							\$10,040.93	\$108,939.36
July							\$33,287.13	\$142,226.49
August							\$24,052.37	\$166,278.86
September							\$19,970.02	\$186,248.88
October							\$14,908.42	\$201,157.30
November							\$9,846.20	\$211,003.50
YR END TOTAL								



May 14, 2024

Director of Planning and Zoning Matt Asselmeier  
Kendall County, Department of Planning, Building and Zoning  
111 West Fox Street  
Yorkville, IL 60560

Dear Director of Planning and Zoning Asselmeier,

On March 28, 2024, TC Energy's ANR Pipeline Company ("ANR") filed a request with the Federal Energy Regulatory Commission ("FERC") for approval to initiate an environmental review under the National Environmental Policy Act pre-filing process for its proposed Heartland Project ("AHP" or "Project") as further described herein. On May 2, 2024, FERC approved the pre-file request. ANR is a "natural gas company" as defined under the Natural Gas Act, engaged primarily in the business of transporting natural gas and operating underground storage fields in interstate commerce under authorizations granted by and subject to the jurisdiction of the FERC.

A letter was mailed to all affected landowners within the proposed Project footprint that included the docket number and information about how they can follow the FERC process. A copy of the letter is attached. We invite you to follow the Project through the FERC process by searching for docket number PF24-3-000 in the agency's eLibrary located online at [http://elibrary.ferc.gov/idmws/docket\\_search.asp](http://elibrary.ferc.gov/idmws/docket_search.asp).

#### **Project Description**

TC Energy's ANR system has been the backbone of the midwestern energy system for decades. It helps meet the natural gas needs for millions of residents and businesses and provides the fuel needed to keep the lights on 24/7. The Project is designed to expand ANR's system to provide up to 473,000 dekatherms per day of incremental firm transportation capacity on ANR's system. The additional capacity will accommodate expanding peak demand driven by the evolving utility reliability regulations and seasonal power generation shifts within the Midwest. The added capacity will also help support economic development-driven customer demand growth in the Midwest.

The Project will modify and expand portions of the ANR system with additional pipeline, compression, and additional facilities to meet this demand in Illinois, Wisconsin, and Michigan. The Project will require authorization from the Federal Energy Regulatory Commission ("FERC") and has an assumed in-service date of November 1, 2027. A list of Project components include:

#### **Pipeline**

- PL 1 – Wisconsin Loop Line 3-301 – Installation of approximately 48.3 miles of 36-inch diameter pipeline loop next to ANR's existing Line 301 in Kendall, Kane, and McHenry counties, Illinois.
- PL 2 – Southwest Loop Line 2-100 – Installation of approximately 11.3 miles of 42-inch diameter pipeline loop next to ANR's existing Line 100 in Kendall County, Illinois.
- PL 3 – ANR Line 301 – Replacement of approximately 1.4 miles of existing 18-inch and 22-inch diameter Line 301 with a 30-inch diameter pipeline in Waukesha County, Wisconsin.
- PL 4 – Two River Lateral Loop 2-380 – Installation of approximately 8.1 miles of 12-inch diameter pipeline loop next to ANR's existing Line 380 in Sheboygan County, Wisconsin.

#### **New compressor stations**

- Pulaski Compressor Station – Construction of a new compressor station in Brown County, Wisconsin. The compressor station will include one 15,900 horsepower ("HP") unit.
- Laraway Compressor Station – Construction of a new compressor station in Will County, Illinois. The compressor station will include two 2,750 HP units for a total of 5,500 HP.



- Westfield Compressor Station – Construction of a new compressor station in Bureau County, Illinois. The compressor station will include one 3,750 HP unit.

#### **Modifications to existing compressor stations**

- Installation of one new 19,500 HP unit at the existing Sandwich Compressor Station in Kendall County, Illinois.

#### **Meter stations**

- Construction of new meter stations:
  - Laraway Meter Station – Will County, Illinois
  - Westfield Meter Station – Bureau County, Illinois
- Expansion of existing meter stations:
  - Fortune Lake – Iron County, Michigan
  - Rochester – Racine County, Wisconsin
  - Sheboygan Falls – Sheboygan County, Wisconsin
  - Menasha – Winnebago County, Wisconsin

#### **Anticipated Timeline**

All dates below are based on ANR's current understanding and subject to change. The following milestones are based on the current anticipated timeline for the Project:

- Anticipated FERC filing – December 2024
- Anticipated FERC approval – Q1 2026
- Construction expected to begin – Q1 to Q3 2026
- Project in-service – November 2027

#### **Community Outreach and Contact Information**

Throughout the life cycle of our assets, we engage early and often with stakeholders and listen to their needs so we can create project plans with better outcomes for everyone involved. We are also committed to sharing accurate information, seeking public input, and responding to stakeholder interests in a prompt and consistent manner. Over the coming months, we will continue this outreach with Project open houses and direct engagements and conversations with landowners and the community.

Attached you will find additional information including a Project fact sheet and communications sent to landowners that will be impacted by the Project. Project open house(s) will be held on Wednesday, June 12th from 4:00 PM to 6:30 PM at the Yorkville Public Library, 902 Game Farm Road, Yorkville, IL 60560 and on Thursday, June 13th from 4:00 PM to 7:00 PM at the Resource Bank Building, 135 W. Oak Knoll Drive, Hampshire, IL 60140.

Our team is available to answer any questions or concerns that you might have about ANR, AHP, or the FERC process. If you would like to discuss the Project further, please contact me via email at [aaron\\_thompson@tcenergy.com](mailto:aaron_thompson@tcenergy.com) or phone at 606.465.2824.

Sincerely,



Aaron Thompson  
Manager, State Government and Community Relations



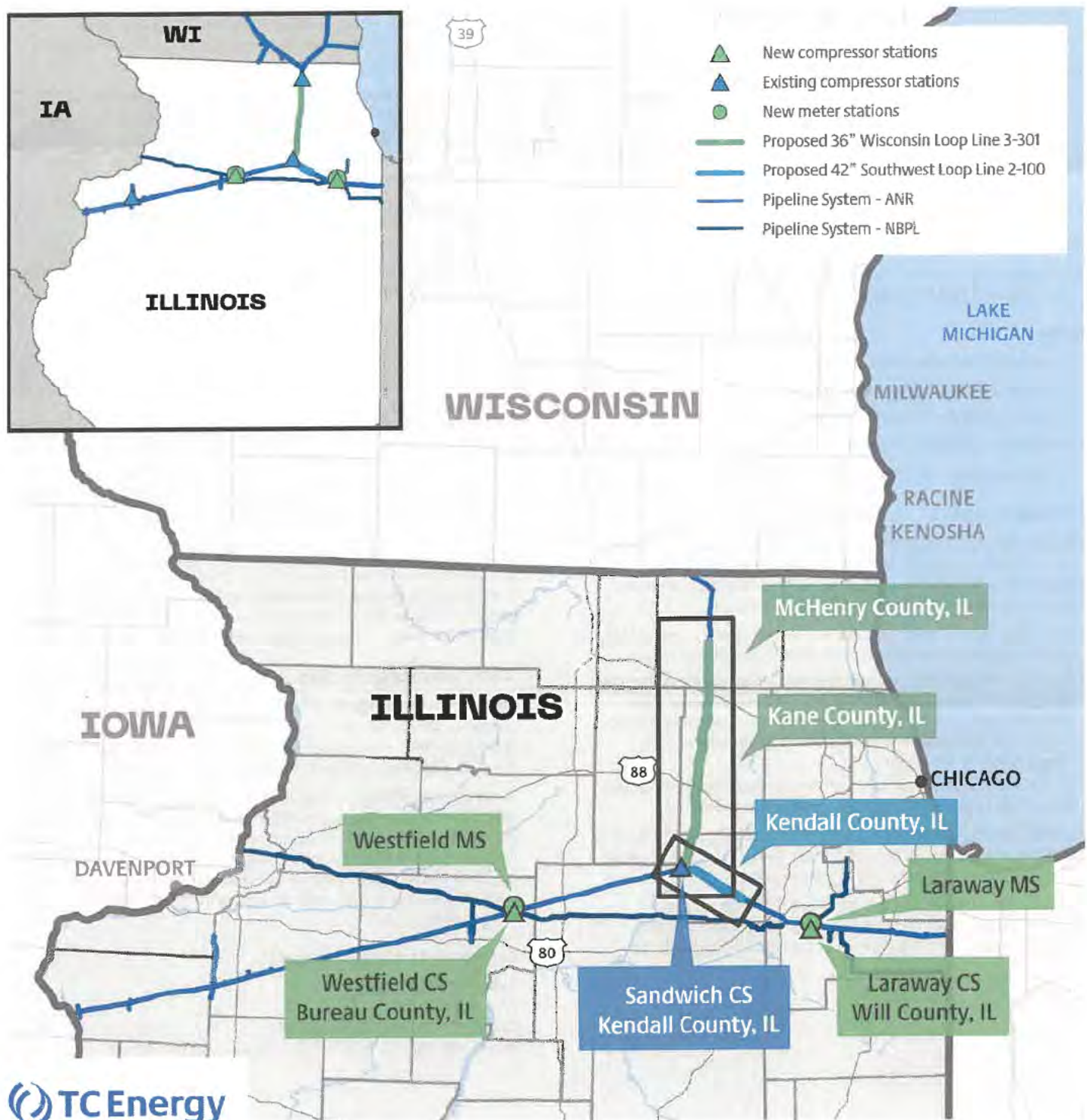
# ANR HEARTLAND PROJECT | ILLINOIS

## Overview

TC Energy's ANR Pipeline Company has been the backbone of the midwestern energy system for decades. We help meet the natural gas needs for millions of residents and businesses and provide the fuel needed to keep the lights on 24/7.

In response to evolving utility reliability regulations and economic development-driven customer demand growth in the Midwest, we are proposing new pipeline in addition to replacing existing pipeline on ANR's system in Wisconsin and Illinois in a project named the ANR Heartland Project (AHP).

When complete, the AHP will increase capacity by 473,000 Dth/d on the ANR system to multiple existing points of delivery (POD).





## Project scope

The ANR Heartland Project will require approximately 70 miles of new and replacement pipeline, modifications to existing compressor stations, installation of new compressor stations and expansion of meter stations across Wisconsin, Illinois, and Michigan.

Specifically, within Illinois, the project encompasses Bureau, Kane, Kendall, McHenry, and Will counties as follows:

### Pipeline

- Wisconsin Loop Line 3-301 – Installation of approximately 48.3 miles of 36-inch diameter pipeline loop next to ANR's existing Line 301 in Kendall, Kane, and McHenry counties, Illinois.
- Southwest Loop Line 2-100 – Installation of approximately 11.3 miles of 42-inch diameter pipeline loop next to ANR's existing Line 100 in Kendall County, Illinois.

### New compressor stations

- Laraway Compressor Station – Construction of a new compressor station in Will County, Illinois. The compressor station will include two 2,750 HP units for a total of 5,500 HP.
- Westfield Compressor Station – Construction of a new compressor station in Bureau County, Illinois. The compressor station will include one 3,750 HP unit.

### Modifications to existing compressor station

- Installation of one new 19,500 HP unit at the existing Sandwich Compressor Station in Kendall County, Illinois.

### Meter stations

- Construction of new meter stations:
  - Lawarway Meter Station – Will County, Illinois
  - Westfield Meter Station – Bureau County, Illinois
- Expansion of existing meter station:
  - Fortune Lake – Iron County, Michigan

## Project benefits

**Environmentally Responsible with Reliability** – ANR Heartland is committed to avoiding energy outages that other parts of the country have experienced during recent weather events to increase supply to the growing Midwestern market.

- Will strengthen energy security and enhance safety, reliability, and sustainable operations of the ANR system in the region.
- Existing ANR pipelines provide safe and reliable transportation service to markets around Wisconsin, Illinois and across the Midwest. Expanding the system to meet existing and growing natural gas demand creates significant positive economic impacts across the region.
- Additionally, modifications to existing compressor stations will also result in increased reliability across the region.

**Climate Friendly** – The Project customer(s) will use AHP's capacity to aid in the planned retirement of coal-fired electric generation and transition to their renewable energy portfolios.

**Capacity Expansion** – ANR will be able to provide up to an incremental 473,000 Dth/d of natural gas capacity to enable adequate supply for growing energy demand in the Midwest.

## Economic benefits

The proposed Project will deliver well-designed and constructed infrastructure that provides short-term and long-term economic benefits and strengthens the economy on a local, state and national level.

**Annual revenue to support local services** — With tax payments provided to all levels of government, this project will help support schools, hospitals, emergency services and other local programs vital to communities. In Illinois, we have paid nearly \$3.4 million in property taxes since 2016.

**Employment opportunities** — Construction requires the services of equipment operators, welders, mechanics, truck drivers, laborers, as well as creates demand for local goods and services.

**Business opportunities** — Pipeline construction will create demand for local goods and services, including food and accommodation, hardware, industrial parts, automotive parts and servicing, fuel and more.

- We award contracts to qualified pipeline construction contractors and unions and work with them to provide local employment opportunities.
- Vendors interested in working with us can visit [TCEnergy.com](https://www.tcenergy.com) to register as an interested local service provider.

## Project timelines and regulatory process

We will be working closely with FERC and various other federal and state agencies to acquire appropriate permits and perform an extensive environmental review prior to construction.

### Antipated Project Schedule (subject to change)

March 28, 2024	Anticipated FERC pre-filing
December 20, 2024	Anticipated FERC filing
Q1 2026	Anticipated FERC approval
Q3 2026	Construction expected to begin
November 2027	Anticipated Project in-service

At TC Energy, our priority is to be a good neighbor. We recognize the importance of relationships with stakeholders and are committed to engaging them early in the project development process to understand their concerns and what matters to them throughout the duration of the project.

## Company information

*TC Energy is an energy infrastructure company that for more than 70 years – and in this area, over 100 years – operated pipelines, storage facilities and power-generation plants that support life in the U.S., Canada and Mexico safely, reliably and quietly.*

*We're a team of 7,000+ energy problem solvers working to move, generate and store the energy North America relies on. Today, we're taking action to make that energy more sustainable and more secure – while innovating and modernizing to reduce emissions from our business. Along the way, we invest in communities and partner with our neighbors, customers and governments to build the energy system of the future.*

**For more information, contact:**

### External Relations

Aaron Thompson

[aaron\\_thompson@tcenergy.com](mailto:aaron_thompson@tcenergy.com)

Heartland Project website: [TCEnergy.com/Heartland](https://www.TCEnergy.com/Heartland)



VIA FIRST CLASS MAIL

May 14, 2024

Landowner Name  
Landowner Address  
Landowner City, State & Zip

Re: ANR Pipeline Company  
Heartland Project  
Landowner Notification Letter

Dear Landowner

ANR Pipeline Company ("ANR"), a subsidiary of TC Energy and an interstate natural gas transmission company, is writing to keep you informed and aware of our pipeline operations and proposed projects. As you may recall, ANR approached you about conducting investigative surveys on property you own in the Summer/Fall of 2023. This letter is a follow-up, after reviewing data and other market factors in relation to those initial survey activities. You are receiving this letter if you either own property which may be impacted as part of the below-mentioned project or are in close-proximity thereto.

We wish to inform you that on March 28, 2024, ANR filed a request with the Federal Energy Regulatory Commission ("FERC") for approval to initiate the pre-file process for the proposed Heartland Project ("AHP" or "Project"). The Project was assigned Docket No. PF24-3-000. On May 2, 2024, FERC approved the pre-file request.

### **Project Description**

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The Project will modify and expand portions of the ANR system with additional pipeline, compression, and additional facilities to meet this demand in Illinois, Wisconsin, and Michigan. The Project will require authorization from the Federal Energy Regulatory Commission ("FERC") and has an assumed in-service date of November 1, 2027. A detailed description of the Project facilities is provided below:

### **Pipeline**

- PL1-Wisconsin Loop Line 3-301 – Installation of approximately 48.3 miles of 36-inch diameter pipeline loop next to ANR's existing Line 301 in Kendall, Kane, and McHenry counties, Illinois.
- PL2-Southwest Loop Line 2-100 – Installation of approximately 11.3 miles of 42-inch diameter pipeline loop next to ANR's existing Line 100 in Kendall County, Illinois.
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  - Sheboygan Falls – Sheboygan County, Wisconsin
  - Menasha – Winnebago County, Wisconsin

#### **Anticipated Timeline**

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- Anticipated FERC filing – December 2024
- Anticipated FERC approval – Q1 2026
- Construction expected to begin – Q1 to Q3 2026
- Project in-service – November 2027

We look forward to discussing further details with you in person. Local representatives will be reaching out to discuss Project specifics and how your property may be impacted. You may also contact our Field Land Manager, located in Crystal Lake, IL, at any time:

**Josh Trepl (319) 427-6982**  
[josttrepl@ohiovalleyacquisition.com](mailto:josttrepl@ohiovalleyacquisition.com)

#### **How to Participate**

We have an informational website that includes a virtual open house section detailing the proposed Project at [TCEnergy.com/Heartland](https://TCEnergy.com/Heartland), which will be available throughout the FERC application process. You are invited to visit the website and learn more about the proposed Project and TC Energy's efforts as they relate to Environmental Sustainability, Construction and Contracting, Working with Landowners, and other components of the Project. In addition to the virtual open house, ANR will be hosting an in-person open house at a location near you. An invitation for your specific area is included with this letter.

Yours Very Truly,  
 Josh Trepl  
 TC Energy

For more information on AHP, scan this QR code to visit our Project Website.

