

**KENDALL COUNTY
ZONING BOARD OF APPEALS
PUBLIC HEARING/MEETING**

111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

April 1, 2019 – 7:00 p.m.

CALL TO ORDER – ZONING BOARD OF APPEALS

ROLL CALL for the Zoning Board of Appeals: Randy Mohr (Chair); Scott Cherry, Karen Clementi, Cliff Fox, Tom LeCuyer, Dick Thompson, and Dick Whitfield

MINUTES: Approval of Minutes from the January 28, 2019 Zoning Board of Appeals Hearing (Pages 3-11)

PETITIONS:

1. **19 – 08 – Daniel, Bruce, and Norma VanDeventer and Deborah Hull on Behalf of the Wilbur C. VanDeventer Trust (Current Owner) and Diane and Craig Zimmerman (Prospective Buyer) (Pages 12-59)**
Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural to R-1 One-Family Residential
PIN: 02-11-300-007
Location: The Northeast Side of the T-Intersection Created by Galena Road and Kennedy Road in Bristol Township
Purpose: Proposal Rezones the Property to R-1 to Allow the Prospective Buyer to Construct One House on the Property
2. **Rehearing on Amended Petition 17-28 – Kendall County Planning, Building and Zoning Committee (Pages 60-66)**
Request: Text Amendments to Sections 7.01.D.32 (Specials Uses in A-1 Agricultural District), 7.01.D.33 (Special Uses in A-1 Agricultural District) and 10.03.B.4 (Special Uses in M-3 Aggregate Materials Extraction, Processing and Site Reclamation District) of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)
Purpose: Amendments to Regulations of Outdoor Target Practice or Shooting Ranges for Non-Profit and For-Profit Shooting Ranges
3. **19 – 01 – Kendall County Planning, Building and Zoning Committee (Pages 67-73)**
Request: Revocation of a Special Use Permit for a Day Nursery School Granted by Ordinance 1972-15
PINs: 02-16-228-012, 02-16-276-020, and 02-16-276-022
Location: 43 West Street, Bristol Township
Purpose: Petitioners Would Like to Revoke the Subject Special Use Permit; Property is Zoned R-3
4. **19 – 03 – Kendall County Planning, Building and Zoning Committee (Pages 74-87)**
Request: Revocation of a Special Use Permit for a Truck Driver Training School Granted by Ordinance 1996-15 and Amended by Ordinance 1999-35
PINs: 04-22-300-006
Location: 14525 Route 71, Yorkville, Fox Township
Purpose: Petitioners Would Like to Revoke the Subject Special Use Permit; Property is Zoned A-1

5. **19 – 07 – Kendall County Planning, Building and Zoning Committee (Pages 88-102)**
 Request: Text Amendment to Section 11.05A of the Kendall County Zoning Ordinance Pertaining to the Parking and Storage of Unoccupied Recreational Vehicles, Trailers and Mobile Homes
 Purpose: Proposal Allows for the Parking of Unoccupied Recreational Vehicles, Trailers and Mobile Homes in the Front and Corner Yard Setbacks in the R-4, R-5, R-6, and R-7 Zoning Districts Provided that No Sidewalk, Trail, or Visibility of Motorists is Blocked; Removes the Requirement that Certain Recreational Vehicles be Registered; Removes the Seventy-Two (72) Hour Parking Provision

6. **19 – 09 – Kendall County Regional Planning Commission (Pages 103-117)**
 Request: Text Amendment to Section 7.01.C of the Kendall County Zoning Ordinance by Adding Kendall County Sheriff's Office Shooting Ranges to the List of Permitted Uses in the A-1 Agricultural District in Oswego Township (Ordinance to Expire December 31, 2024), Related Citation Corrections, and Update to Appendix 9-Table of Uses in the Kendall County Zoning Ordinance to Reflect this Addition
 Purpose: Proposal Makes Kendall County Sheriff's Office Shooting Ranges a Permitted Use on A-1 Zoned Property in Oswego Township; Ordinance Expires December 31, 2024.

NEW BUSINESS/ OLD BUSINESS

1. None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 19-04 Landscaping Business at 6725 Route 71

2. Petition 19-05 Banquet Facility on Schlapp Road

PUBLIC COMMENT

ADJOURN ZONING BOARD OF APPEALS- Next meeting on April 29, 2019

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.

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
January 28, 2019 – 7:00 p.m.

CALL TO ORDER

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

ROLL CALL:

Members Present: Randy Mohr (Chair); Karen Clementi, Cliff Fox, Tom LeCuyer

Members Absent: Dick Whitfield, Dick Thompson, and Scott Cherry

Staff Present: Matthew Asselmeier, AICP, Senior Planner and Ruth Ann Sikes, Office Assistant

Public: Dan Kramer, Rodolfo and Georgina Nunez

MINUTES:

Mr. LeCuyer made a motion, seconded by Mr. Fox, to approve the minutes of the August 27, 2018 meeting. With a voice vote of (4) ayes, the motion was approved.

PETITIONS

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

The Zoning Board of Appeals started their review of Petition 19-04 at 7:03 p.m.

Petition 19-04 – Rodolfo and Georgina Nunez

Request: Special Use Permit for a Landscaping Business

PINs: 02-24-300-017 and 02-24-300-018

Location: 6725 Route 71, (Approximately 0.41 Miles West of Orchard/Minkler Roads on the Northwest Side of Route 71), Oswego Township

Purpose: Petitioners Would Like to Operate a Landscaping Business at the Property; Property is Zoned A-1

Mr. Asselmeier summarized the request.

The subject property is three acres more or less (3 +/-) and its existing land use is Farmstead and the future land use is Rural Residential. Route 71 is a State Highway classified as a Major Arterial Road. Oswego has a trail planned along Route 71. There is a pond on the property to the northwest, but not on the subject property.

The adjacent land uses are all agricultural, residential, or horse related. There are thirty nine (39) homes located with one half (1/2) mile of the property.

The EcoCAT report was submitted and several species were identified to be in the area. IDNR submitted a response stating that the consultation was closed on the condition that best management practices are employed when constructing structures and conducting earthmoving on the property.

The LESA Score was a 52 indicating a low level of protection.

Oswego Township met on January 15, 2019 and stated no objections to the proposal. The Village of Oswego did not request any right-of-way dedication as part of the special use permit. The Village of Oswego did not submit any comments in general regarding this proposal. Neither the Village of Oswego nor IDOT requested an easement or land dedication for right-of-way for a Trail. The Petitioner and Oswego Fire Protection District exchanged correspondence regarding sprinkler requirements.

No landscaping debris would be stored onsite. The Petitioner might place nursery stock onsite. All equipment shall be stored in doors after sunset; the Petitioner indicated that he might keep a company vehicle (a truck) parked outside overnight.

The Petitioner originally planned to remove the containers on the property and construct an approximately two thousand four hundred (2,400) square foot building on the property. The building will have to meet all applicable codes. Shortly before the Kendall County Regional Planning Commission meeting, the Petitioner requested permission to keep the containers on the property and construct the proposed building within one (1) year of the date of the issuance of the special use permits.

The site plan show parking around the existing house. No additional lighting or signage was proposed.

Staff recommends approval of the proposed special use permit subject to the following conditions:

1. The site shall be developed substantially in accordance with the attached site plan.
2. Within sixty (60) days of the approval of this special use, the Petitioner shall supply the Kendall County Health Department with the locations of the existing well and septic systems on the property. This deadline may be extended by mutual agreement between the Petitions and the Kendall County Health Department.
3. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within enclosed structures. The owner of the business allowed by this special use permit may store nursery stock outdoors. All equipment related to the business allowed by this special use permit shall be inside the enclosed structures between sunset and sunrise. The owner of the business allowed by this special use permit may keep one (1) company truck parked outdoors between sunset and sunrise.
4. No landscape waste generated off the property can be burned on this site.
5. A maximum of five (5) employees of the business allowed by this special use permit may report to this site for work. (Raised from 3 at Petitioner's request prior to RPC).
6. Within sixty (60) day of the approval of this special use permit, the Petitioner shall remove the containers currently located on the property. (Petitioner would like this request removed; they would like to keep the containers on the property).
7. No permanent commercial related signage may be displayed at the property.
8. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
9. 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.
10. If one or more of the above conditions id declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Mohr opened the public hearing at 7:10 p.m.

Mr. LeCuyer asked what the containers looked like. Mr. Kramer said they are inside the berm so you don't see them driving by the property.

Chairman Mohr asked if anyone lives in the house. Mr. Kramer said the Petitioners live in the house.

Chairman Mohr asked if the County had any easements right now on Route 71 for a bike path. Mr. Asselmeier responded not to his knowledge. IDOT has quick-take rights and could obtain the property at a later date.

Mr. Kramer stated that he was the attorney representing the Petitioners. He stated that Oswego Township voted unanimously in favor of the proposal. The property was originally part of Maple Lanes and that is who sold the property to the Petitioners. The Petitioners plan on putting up a building; it would be totally cold storage with no office or bathrooms. They would be able to keep their equipment indoors. The Petitioners are requesting to keep the containers and they will move it out of the setback. The container would be used to store small tools. Mr. Nunez is a certified tree specialist so he primarily engages in the tree and shrub business. The Petitioners live in the home fulltime. Right now, they only have themselves and one (1) part-time employee. They hope the business expands.

The parcel is over three (3) acres in size.

Ms. Clementi asked for the resolution of the fire issue. Mr. Kramer responded that the resolution is that the Petitioners will ask for a variance because it is not economically feasible to build a water tower or sprinkle the building without an adequate water supply for fire protection.

Chairman Mohr closed the public hearing at 7:16 p.m.

Ms. Clementi made a motion, seconded by Mr. LeCuyer, to approve the Findings of Fact as presented by Staff.

The votes were as follows:

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

The motion passed unanimously.

Ms. Clementi made a motion, seconded by LeCuyer, to recommend approval of the proposed special use permit with the conditions recommended by Staff.

The votes were as follows:

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

The motion passed unanimously.

This proposal will go the Planning, Building and Zoning Committee on February 11th at 6:30 p.m.

The Zoning Board of Appeals completed their review of Petition 19-04 at 7:17 p.m.

The Zoning Board of Appeals started their review of Petition 19-05 at 7:17 p.m.

Petition 19-05 – Specialty Oswego, LLC (Current Owners) and Stuart and Paul Weihler (Prospective Buyers)

Request: Special Use Permit for a Banquet Facility and Variance to Section 7.01.D.10.a of the Kendall County Zoning Ordinance to Allow a Banquet Facility on a Non-Arterial or A Non-Major Collector Roadway.

PIN: 03-34-100-024 (South 10 Acres)

Location: 5100 Hundred Block of Schlapp Road (Approximately 0.48 Miles South of the Intersection of Plainfield Road and Schlapp road on the East Side of Schlapp Road), Oswego Township

Purpose: Petitioners Would Like to Operate a Banquet Facility at the Property; Property is Zoned A-1

Mr. Asselmeier summarized the request.

The current land use is Agricultural and Farmstead with future land use as Rural Residential.

The road is Schlapp Road which is a Township Road classified as a Minor Collector. There are no trails or Floodplain/Wetlands on the property.

The adjacent land uses are to the north (Agricultural/Farmstead), south (Agricultural), east (Agricultural/Farmstead), and west (Agricultural). The adjacent zoning is A-1.

The A-1 special use immediately to the east of the subject property is a church. One (1) additional A-1 special use is located within one half (1/2) mile of the property to the northwest; this special use permit is for the selling of agricultural products not grown on the premises.

Seven (7) houses, not including the homes in the Douglas Hill Subdivision and Leisure Lea Subdivision, are located within one half (1/2) mile of the existing property lines.

EcoCAT was submitted on December 18, 2018; consultation was terminated.

NRI application was submitted on December 21, 2018. The LESA Score was 212 indicating a medium level of protection.

Oswego Township was emailed information on December 21, 2018. At ZPAC, discussion occurred regarding dedicating a portion of the frontage of the property for Schlapp Road right-of-way. Oswego Township was in favor of this suggestion. At their meeting on January 15, 2019, they expressed support of the right-of-way dedication and expressed no comments in object to either the requested special use permit or variance.

Oswego Fire Protection District was emailed information on December 21, 2018. The Petitioner will seek a variance to the sprinkler requirements and they plan to install a security system.

The Village of Oswego was emailed information on December 21, 2018. The Village of Oswego suggested that the Petitioners may want to annex the property to the Village. The Petitioners favor remaining in the unincorporated area at this time. The Village of Oswego did not express any opposition to the proposal.

ZPAC met on this proposal on January 8, 2019. Discussion occurred regarding a sprinkler variance from the Oswego Fire Protection District. Clarification was provided regarding the terms “weekend” and “weekdays”. Discussion occurred regarding well testing based on the number of events. The Petitioners acknowledged Kendall County Right to Farm Clause. The Petitioners stated that they no longer wanted the special use permit previously granted at the property. The Petitioners acknowledged that they would have to apply for a stormwater management permit. ZPAC unanimously recommended approval of the proposal.

The Kendall County Regional Planning Commission met on this proposal on January 23, 2019. A restriction regarding lights not crossing the property lines was added to the list of conditions and the parking lot lights will not be on when events are not occurring. The parking surface for the handicapped parking spaces and the walking paths would have to be on an ADA acceptable surface. Restrooms will be inside the barn. A small office suite will be inside the barn. No one will be living at the property. Larry Anderson expressed concerns about patrons coming onto his property which is located east of the property. Mr. Anderson was wondering if a fence could be constructed on the subject property to prevent patrons and litter from crossing his property. The Petitioners agreed to discuss fencing and plantings with Mr. Anderson. Mr. Anderson was advised to post “No Trespassing” signs. Tom Gargrave expressed concerns regarding increased traffic on Schlapp Road and Plainfield Road. Mr. Gargrave expressed concerns about noise traveling off the property. Mr. Gargrave also expressed concerns regarding light pollution and water supply in the area. The Kendall County Regional Planning Commission unanimously recommended approval.

The Petitions intend to establish the Heritage Homestead banquet facility and wedding venue as a limited liability company. A special use permit is required to operate a banquet facility at the subject property. There are currently no structures on the property.

This type of use is permitted as a special use on an A-1 property with certain conditions. Those conditions include:

- a. A variance is required because Schlapp Road is not an arterial roadway or major or collector as defined in the Land Resource Management Plan.
- b. The subject parcel must be a minimum of 5 acres.
- c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance (Ord. 99-34)
- d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
- e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
- f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- g. The noise regulations are 65 dba during the day and 55 dba at night with the powered equipment exemption

The hours of operation shall be between 9:00 a.m. and Midnight on weekends and between 9:00 a.m. and 10:00 p.m. on weekdays. The owners of the business allowed by this special use permit shall be allowed an additional one (1) hour after each event for the purpose of cleanup. Setup for events shall

occur during the hours of operation. For the purposes of this special use permit ordinance, the term “weekend” shall mean Fridays, Saturdays, the day prior to any Federal or State holiday, and any Federal or State holiday that falls on a Thursday. The term “weekday” shall mean the other days of the week not included in the definition of “weekend.”

A certificate of occupancy must be issued for all buildings.

The operator(s) of the banquet facility acknowledge and agree to follow Kendall County’s Right to Farm Clause.

The special use permit for the residential unit of a stable employee, previously granted by Ordinance 1999-10 and amended by Ordinance 1999-20 shall be repealed.

The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State and Local laws related to the operation of this type of business. 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. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Mohr opened the public hearing at 7:32 p.m.

Chairman Mohr asked if the Oswego Fire Protections District had been resolved. Mr. Kramer responded that the Oswego Fire Protection District wanted the building sprinkled and they wanted a security system. The Petitioners have no objections to the security system because the owners or caretakers will not be living onsite. Because no municipal water supply is available, the buildings cannot be sprinkled. The Petitioners and Mr. Kramer don’t think the Oswego Fire Protection District has statutory authority to enforce the sprinkler regulations. If the Petitioners don’t get the sprinkler variance, Oswego Fire Protection District would have to seek enforcement.

The nearest house is a half mile (1/2) away from the subject property.

Ms. Clementi asked if the property would be subdivided. Mr. Asselmeier responded that the Petitioners are chopping the southern ten (10) acres off of the existing property. Ms. Clementi asked if the division was pending approval of the petition. Mr. Asselmeier responded that it was his understanding that purchase was pending applicable zoning approval.

Mr. Kramer stated that the trees will be setback to allow for overflow parking. No parking on either side of Schlapp Road would be allowed. The tent is for weddings during inclement weather. The tent will not be used for any part of the reception whatsoever. The concrete pads outside the barn would be used for the cocktail area, with the music all being in the barn. If it is perfect weather, the tent will not be used at all. The Petitioners are going to put in new grain bins and those will be for the bride and groom prep room.

Mr. Kramer noted that, when the Kendall County Regional Plan Commission met last week, Mr. Anderson was in attendance. Mr. Anderson does not live on the property but he does have a pond on the property approximately two hundred or three hundred feet (200'-300') from the eastern property line of the subject property. Mr. Anderson was concerned about attractive nuisance law in Illinois and his concerns are unfounded. The Petitioners agreed to plant a thirty-five foot (35') strip of tall wildflowers and prairie grass plantings to discourage anybody from going near the eastern property line of the subject property. The Petitioners also agreed to place "No Trespassing" signs on their side of the property line.

Mr. Kramer also stated that the other person that spoke at the Kendall County Regional Planning Commission, Tom Gargrave, misunderstood the location of the proposed facility. Mr. Gargrave thought that the Petitioners were purchasing the entire parcel. At one point in time, there was the potential for the Village of Oswego bringing water and sewer to the site for a strip mall and homes. Then, in 2006, the economy crashed and those plans did not materialize.

Mr. Kramer explained that, under the Plat Act, an owner can split off five (5) acres or more without going through the subdivision process.

Mr. Kramer discussed strategies for keep noise levels below the legal requirements and that none of the banquet facilities that he was aware of violated the noise restrictions.

Mr. Kramer explained that Plainfield Road is a very busy road and he thought traffic will be equally split on Schlapp Road from both directions.

Mr. Asselmeier stated that it should be noted that Oswego Township is a dry township except for package sales. If the Petitioners ever wanted to do cash bars they would have to annex to the Village. Mr. Kramer noted that the liquor license was a mobile license with the caterer.

Chairman Mohr closed the public hearing at 7:50 p.m.

Ms. Clementi made a motion, seconded by Mr. LeCuyer, to approve the Findings of Fact for the special use permit and the Findings of Fact for the variance as presented by Staff.

The votes were as follows:

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

The motion passed unanimously.

Mr. LeCuyer made a motion, seconded by Mr. Fox, to recommend approval of the proposed special use permit and variance with the conditions proposed by Staff.

The votes were as follows:

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

The motion passed unanimously.

This proposal will go the Planning, Building and Zoning Committee on February 11th at 6:30 p.m.

The Zoning Board of Appeals completed their review of Petition 19-05 at 7:54 p.m.

NEW BUSINESS/OLD BUSINESS

Approval of 2019 Meeting Calendar

Ms. Clementi made a motion to approve the meeting calendar for 2019, seconded by Mr. Fox. With a voice vote of four (4) ayes, the calendar was approved unanimously.

Discussion of February 2, 2019 Kendall County Regional Planning Commission Annual Meeting

The Kendall County Regional Planning Commission Annual Meeting is February 2nd, at 9:00 a.m., in the County Board Room.

REVIEW OF PETITIONS THAT WENT TO THE COUNTY BOARD

Petition 17-28 Outdoor Gun Range Regulations was referred back to Committee.

Chairman Mohr stated that the question he would like the County Board to answer is do we want to encourage gun ranges or do we want to allow them. If we want to encourage them the new ordinances really encourage them. If we allow them are we to liberal.

Petition 18-03 was withdrawn by the Committee.

Petition 18-04 LRMP Update on Lisbon Township was referred back to Committee.

Petition 18-07 was withdrawn at Committee.

Petitions 18-13, 18-15, 18-20, 18-25, and 18-26 were approved by the County Board.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

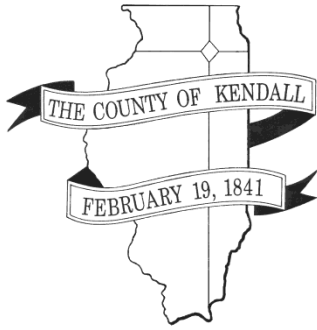
Ms. Clementi made a motion, seconded by Mr. Fox, with a voice vote of all ayes., the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 8:05 p.m.

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

Exhibits

1. Staff Report on Petition 19-04 Dated January 24, 2019.

2. Certificate of Publication and Mailings for Petition 19-04 (Not Included with Report but on file in Planning, Building and Zoning Office).
3. Staff Report on Petition 19-05 Dated January 24, 2019
4. Certificate of Publication and Mailings for Petition 19-05 (Not Included with Report but on file in Planning, Building and Zoning Office).



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-08

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

INTRODUCTION

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

SITE INFORMATION

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

ADDRESS: Between 7977 and 7823 Galena Road

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



TOWNSHIP: Bristol

PARCEL #: 02-11-300-007

LOT SIZE: 15.62 +/- Acres

EXISTING LAND USE: Agricultural

ZONING: A-1 Agricultural District

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

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

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

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

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

PHYSICAL DATA

ENDANGERED SPECIES REPORT

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

NATURAL RESOURCES INVENTORY

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

ACTION SUMMARY

BRISTOL TOWNSHIP

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

VILLAGE OF MONTGOMERY

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

UNITED CITY OF YORKVILLE

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

BRISTOL-KENDALL FIRE PROTECTION DISTRICT

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

ZPAC

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

KCRPC

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

GENERAL INFORMATION

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

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

BUILDING CODES

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

ACCESS

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

ODORS

No new odors are foreseen.

LIGHTING

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

SCREENING

No fencing or buffer is presently planned for the property.

STORMWATER

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

UTILITIES

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

FINDINGS OF FACT

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

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

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

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area supports residential growth. A residential subdivision inside the Village of Montgomery is located within one half (1/2) mile of the subject property. No uses that would negatively impact residential development are located near the subject property.

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

RECOMMENDATION

Staff recommends approval of the proposed map amendment.

ATTACHMENTS

1. Application Materials (Including the Petitioner's Findings of Fact, NRI Application, and EcoCat)
2. Aerial
3. Looking West
4. Looking East
5. Looking Northeast
6. Looking West from Eastern Neighbor
7. Intersection of Kennedy and Galena Roads
8. Topographical Site Plan
9. General Site Plan
10. March 5, 2019 ZPAC Minutes
11. Access Variance Ordinance
12. NRI Report
13. March 27, 2019 Kendall County Regional Planning Commission Minutes



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

APPLICATION

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

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

 FEE PAID: \$ _____
 CHECK #: _____

¹Primary Contact will receive all correspondence from County

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

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

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

Residential / Agricultural

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

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

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

property is suitable

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

~~trend~~ Development trending
to Residential Use

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

~~Consid~~ Consistent with
LRMP

Justification for Re-Zoning

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

02/01/2019

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

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

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

PERMANENT TAX NUMBER: 02-11-300-007

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

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

Agent for:
Fidelity National Title Insurance Company

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

Form No. 10R
AMERICAN LEGAL FORMS, CHICAGO, IL 60601-1000

WARRANTY DEED
Statutory (ILLINOIS) (General)

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

THE GRANTOR (NAME AND ADDRESS)

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

(The Above Space For Recorder's Use Only)

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

(NAMES AND ADDRESS OF GRANTEE(S))

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

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

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

DATED this _____ day of _____ 19 97

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

Wilbur VanDeventer (SEAL)
Jessie VanDeventer (SEAL)

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

IMPRESS SEAL HERE

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

Commission expires _____

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

PAGE 1 SEE REVERSE SIDE ►

Legal Description	
of premises commonly known as <u>8225 Galena Road, Bristol, Illinois 60512</u>	
Official	
<p>This Transaction is exempt from the Real Estate Transfer Tax Act pursuant to 35 ILCS 200/31-45 (a).</p> <p>Dated: <u>7-28-77</u> By: [REDACTED]</p>	
<p>John D. Gutake, Esquire (cjp) ROLEWICK & GUTAKE, P.C. <small>(Name)</small></p> <p>MAIL TO: { 1776 S. Naperville Road, Ste 104A <small>(Address)</small></p> <p>{ Wheaton, IL 60187-8133 <small>(City, State and Zip)</small></p>	<p>SEND SUBSEQUENT TAX BILLS TO:</p> <p>Mr. Wilbur C. VanDeventer <small>(Name)</small></p> <p>[REDACTED] <small>(Address)</small></p> <p>[REDACTED] <small>(City, State and Zip)</small></p>
<p>OR RECORDER'S OFFICE BOX NO. _____</p>	
PAGE 2	

LEGAL DESCRIPTION

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

Plot
more

PERMANENT INDEX NUMBER: 02-11-300-007

KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

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

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

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

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

Subscribed and sworn to before me this 18th day of February, A.D. 2019

(seal)



Notary Public



Kendall County Soil & Water
Conservation District

RECEIVED

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



www.kendallswcd.org

BY: MEA

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

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

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

Site Location & Proposed Use

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

Type of Request

☒ Change in Zoning from A-1 to R-1

☐ Variance (Please describe fully on separate page)

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

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

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

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

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

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

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

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

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



Petitioner or Authorized Agent



2/14/19
Date

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



FOR OFFICE USE ONLY

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





1 of 3 Find | Next



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

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

Natural Resource Review Results

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

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


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

Location

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

County: Kendall

Township, Range, Section:
37N, 7E, 10
37N, 7E, 11



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

Disclaimer

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

Terms of Use

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

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

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

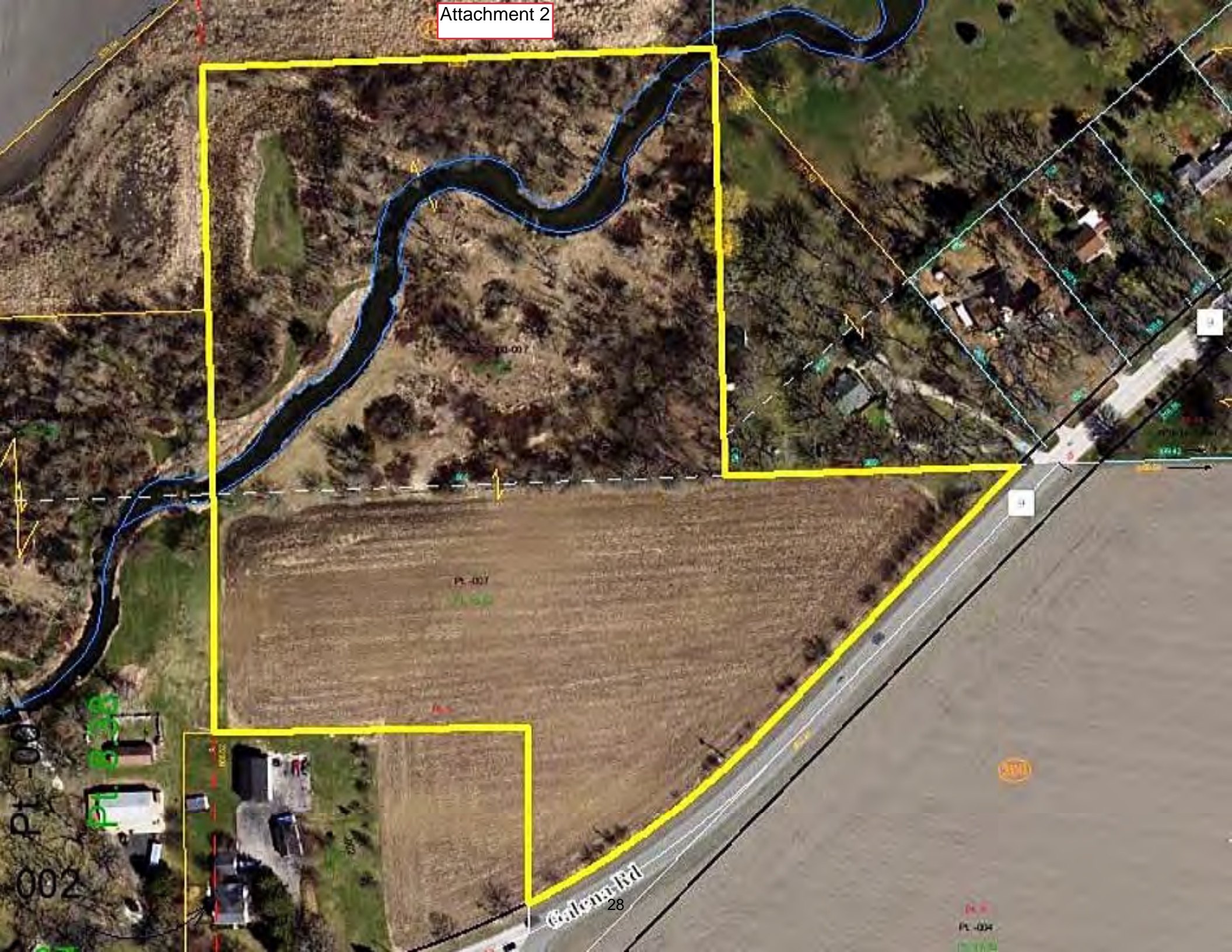
Page 1 of 3

CONSENT FOR RE-ZONING APPLICATION

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



Daniel VanDeventer, Trustee







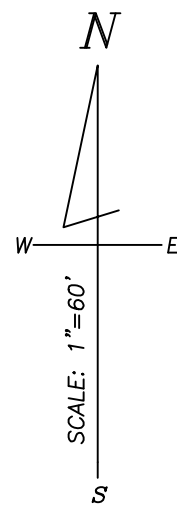






PLAT OF SURVEY

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



KENDALL COUNTY FOREST PRESERVE

CREEK

BLACKBERRY

NET AREA = pp%14.9507 ACRES

NET AREA = ±8.1698 ACRES

*
EXCEPTION
Acreage Parcel

TRACT DESCRIBED IN TRUSTEE'S
DEED DOC. NO. 81-457

WAGNER SUBDIVISION



ORDERED BY: LISA A. COFFEY, ATTY.

STATE OF ILLINOIS
COUNTY OF KENDALL

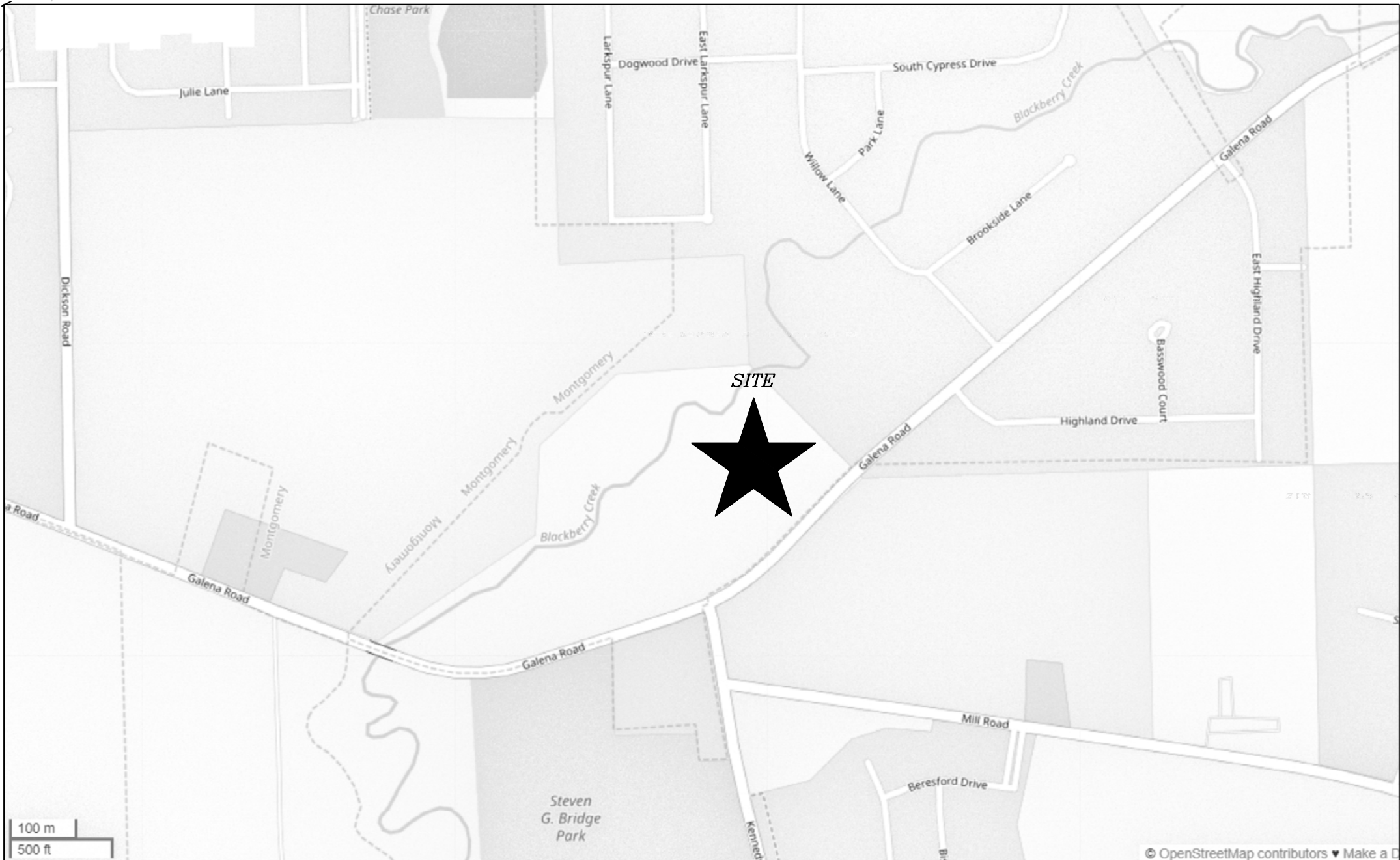
THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR,
HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT
THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID
SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE
CURRENT ILLINOIS MINIMUM STANDARDS OF A BOUNDARY SURVEY.
GIVEN UNDER MY HAND AND SEAL AT OSWEGO,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



ORDER NO. 19 B 36
FILE NO. 19085

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

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



VICINITY MAP

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

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

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

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

Present:

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

Absent:

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

Audience:

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

AGENDA

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

MINUTES

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

PUBLIC COMMENT

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

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

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

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

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

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

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

PETITIONS

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

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

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

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

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

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

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

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

The City of Plano had no objections to the proposal.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EcoCAT Report submitted and consultation was terminated.

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

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

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

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

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

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

No new odors are foreseen.

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

No fencing or buffer is presently planned for the property.

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

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

The proposal is divided into three (3) parts:

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

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

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

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

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

OLD BUSINESS/NEW BUSINESS

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

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

CORRESPONDENCE

None

ADJOURNMENT

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

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

KENDALL COUNTY
Ordinance No. _____

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

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

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

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

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

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

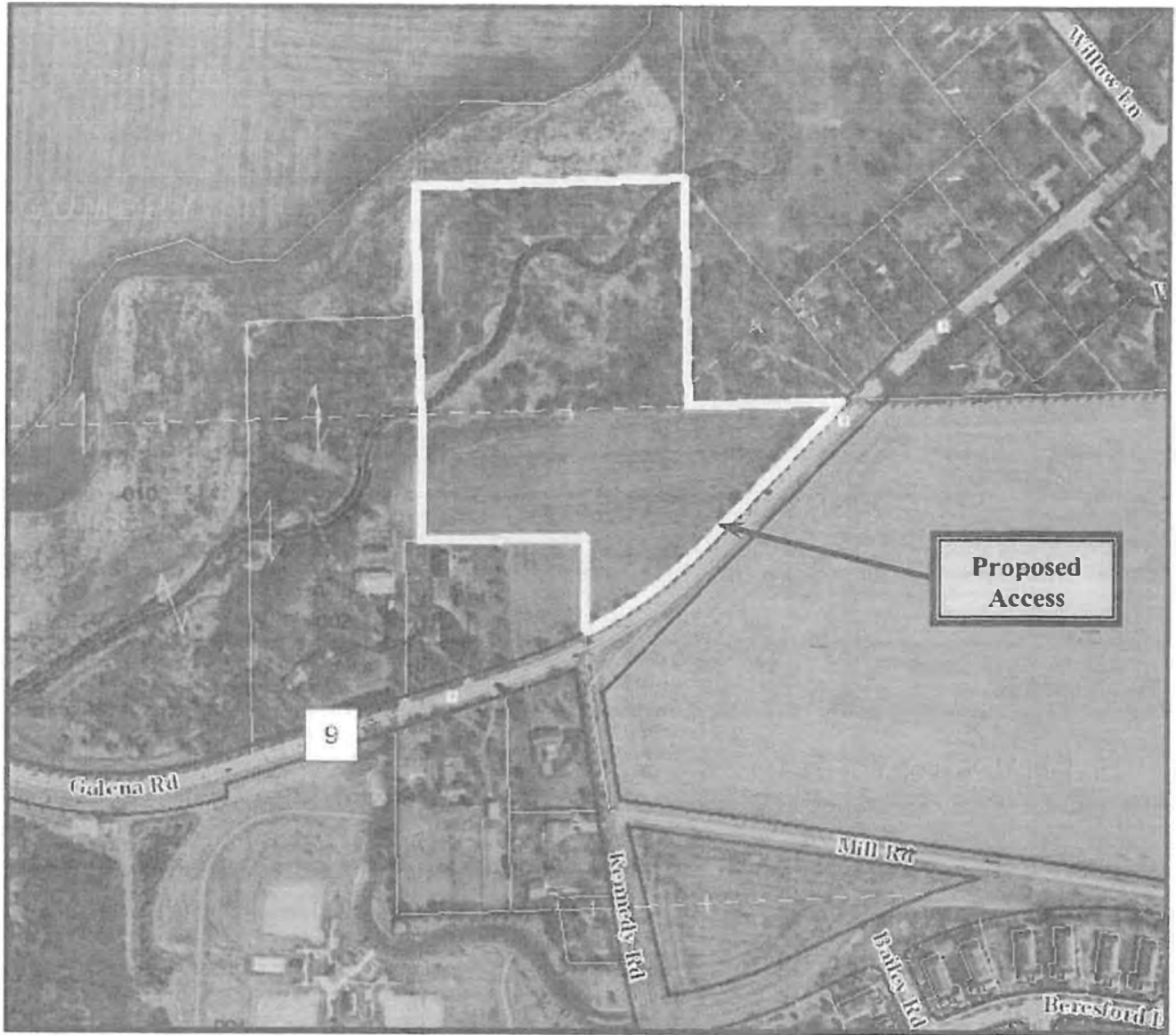
1. The above listed recitals are incorporated herein as if fully set out herein.
2. That a variance is hereby authorized for Diane and Craig Zimmerman, for the installation of a single, full-access driveway on the north side of Galena Road approximately 500 feet east of the intersection of Galena Road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

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

Scott Gryder – Kendall County Board Chairman

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

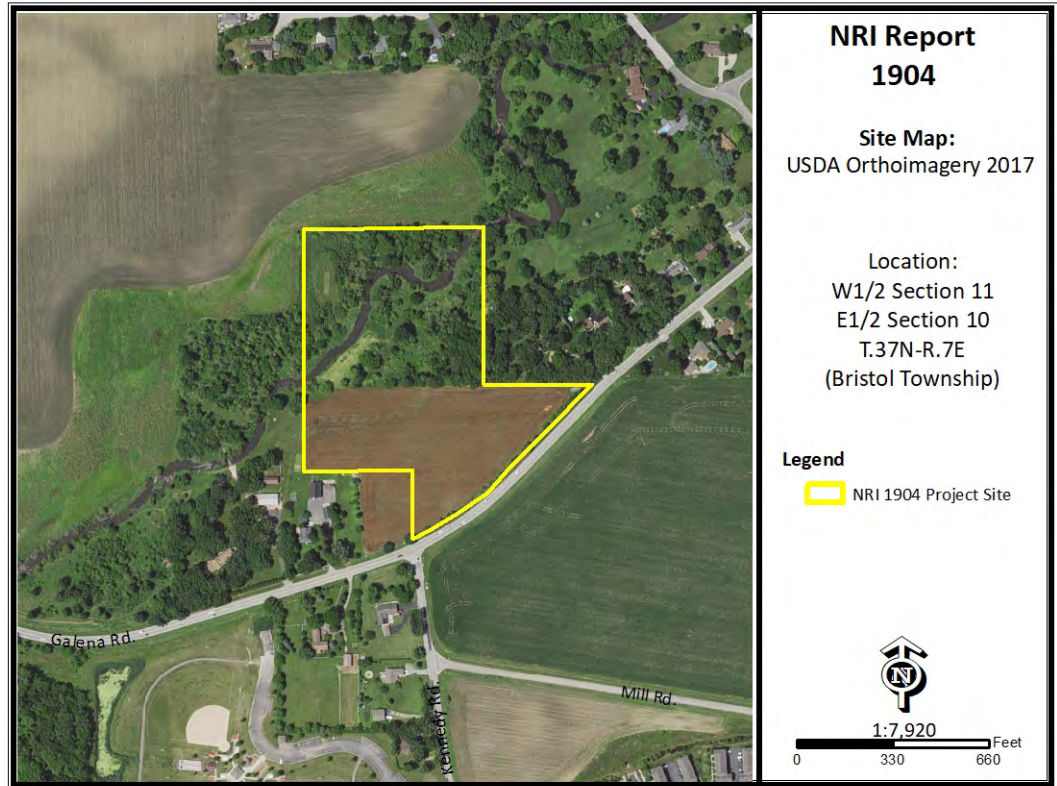
Debbie Gillette – County Clerk



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

March 19, 2019

NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1904



March 2019

Petitioner: Craig & Diane Zimmerman
Contact: Attorney Boyd Ingemunson

Prepared by:



**Kendall County Soil & Water
Conservation District**

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

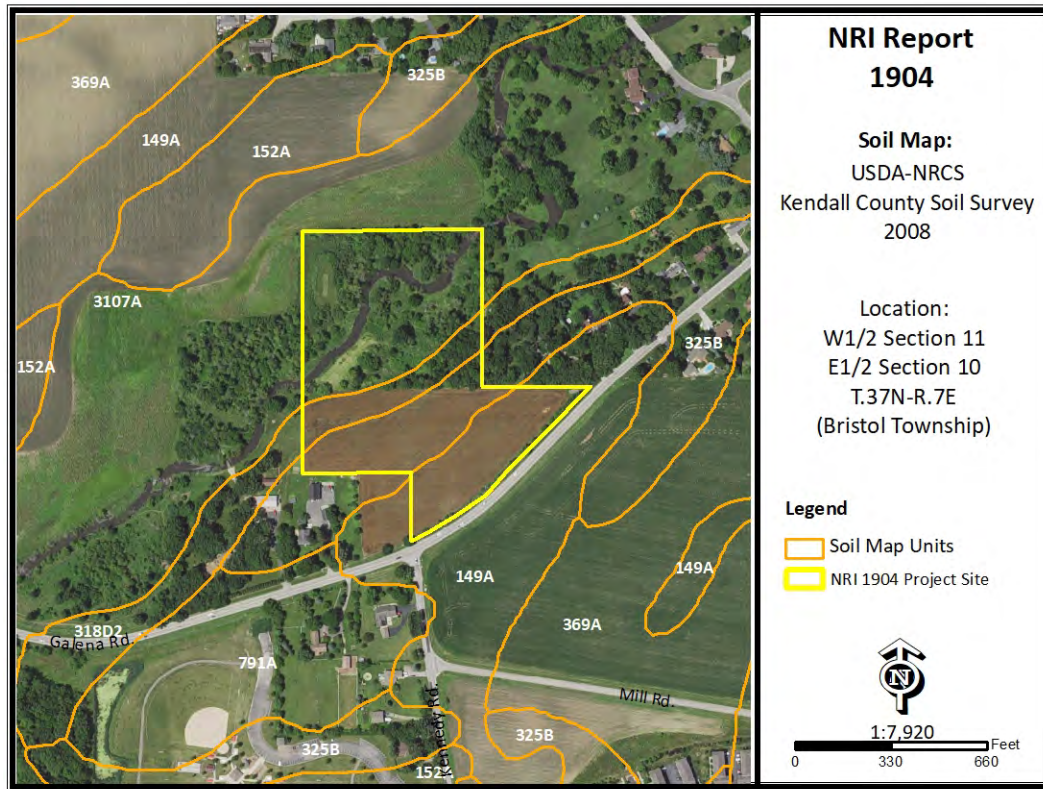
1904

Executive Summary

March 11, 2019

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

Natural Resource Concerns

Soil Map:**SOIL INFORMATION:**

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

Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
149A	Brenton silt loam, 0-2% slopes	Somewhat poorly drained	B/D	Non-hydric Hydric Inclusions Likely	Prime Farmland
318D2	Lorenzo loam, 6-12% slopes, eroded	Well drained	B	Non-hydric	Farmland of Statewide Importance

325B	Dresden silt loam, 2-4% slopes	Well drained	B	Non-hydric	Prime Farmland
3107A	Sawmill silty clay loam, heavy till plain, 0-2% slopes, frequently flooded	Poorly drained	B/D	Hydric	Prime Farmland if drained and either protected from flooding or not frequently flooded during the growing season.

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

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

Hydric Soils: A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, 3107A Sawmill silty clay loam, is classified as a hydric soil. Additionally, 149A Brenton silt loam, is denoted as having the potential for hydric inclusions.

Prime Farmland: Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, three are designated as prime farmland: 149A Brenton silt loam, 325B Dresden silt loam, 3107A Sawmill silty clay loam. One, 318D2 Lorenzo loam, is classified as farmland of statewide importance.

Table 2:

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
149A	Low	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: -- Frequency: None	January - May None
318D2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
325B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
3107A	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: 0.0'-0.5', Brief (2-7 days) Frequency: Frequent	January - May Brief (2-7 days); Frequent

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

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

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

SOIL LIMITATIONS:

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

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

Conventional Septic System Rating Criteria:

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

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

Table 3a: Building Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Lawns & Landscaping	Onsite Conventional Sewage Disposal System
149A	Very Limited: Depth to saturated zone; Shrink-swell	Somewhat Limited: Depth to saturated zone; Shrink-swell	Somewhat Limited: Depth to saturated zone; Dusty	Suitable
318D2	Somewhat Limited: Slope	Somewhat Limited: Slope	Somewhat Limited: Droughty, Slope, Dusty	Unsuitable: Gravel
325B	Not Limited:	Somewhat Limited: Shrink-swell	Somewhat Limited: Dusty	Unsuitable: Gravel
3107A	Very Limited: Ponding, Flooding, Depth to saturated zone, Shrink-swell	Very Limited: Ponding, Flooding, Depth to saturated zone, Shrink-swell	Very Limited: Ponding, Flooding, Depth to saturated zone, Dusty	Unsuitable: Frequently Flooded

Table 3b: Building Limitations

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

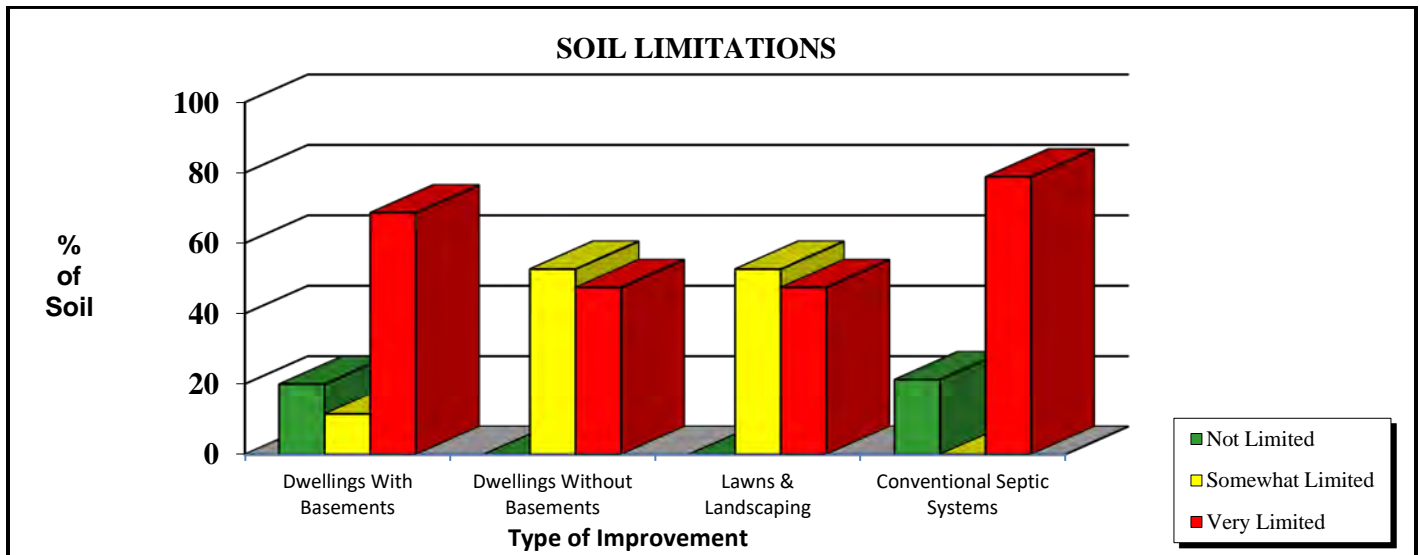
**Building Limitations Maps:**

Figure 2a: Dwellings With Basements

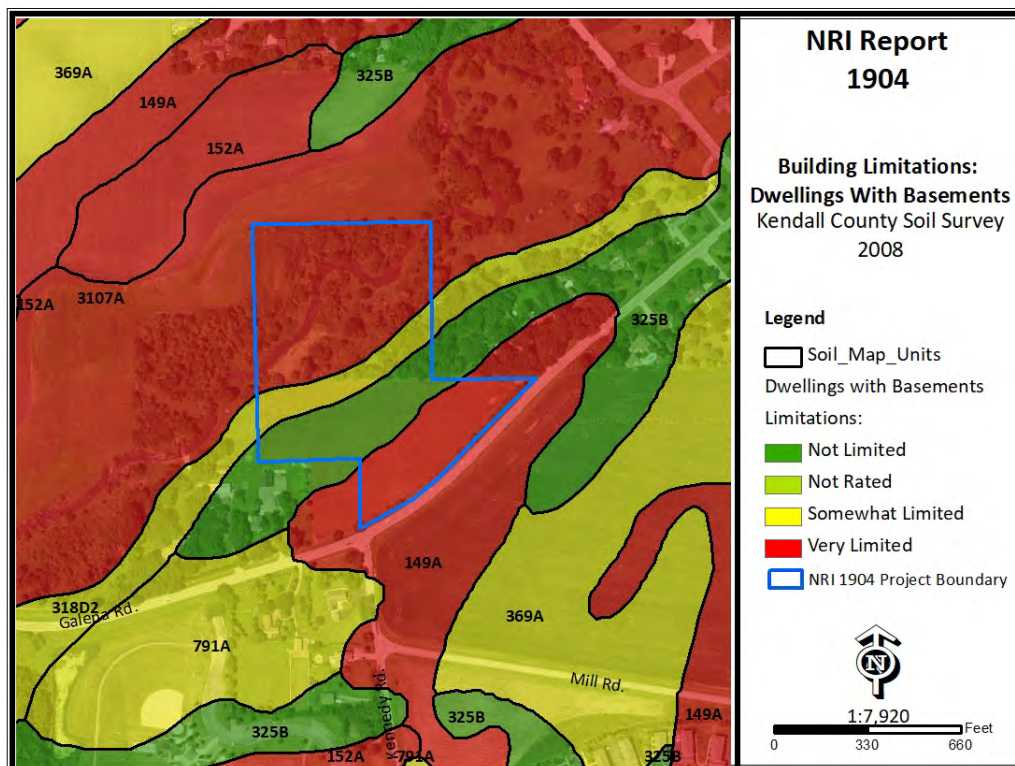


Figure 2b: Dwellings Without Basements

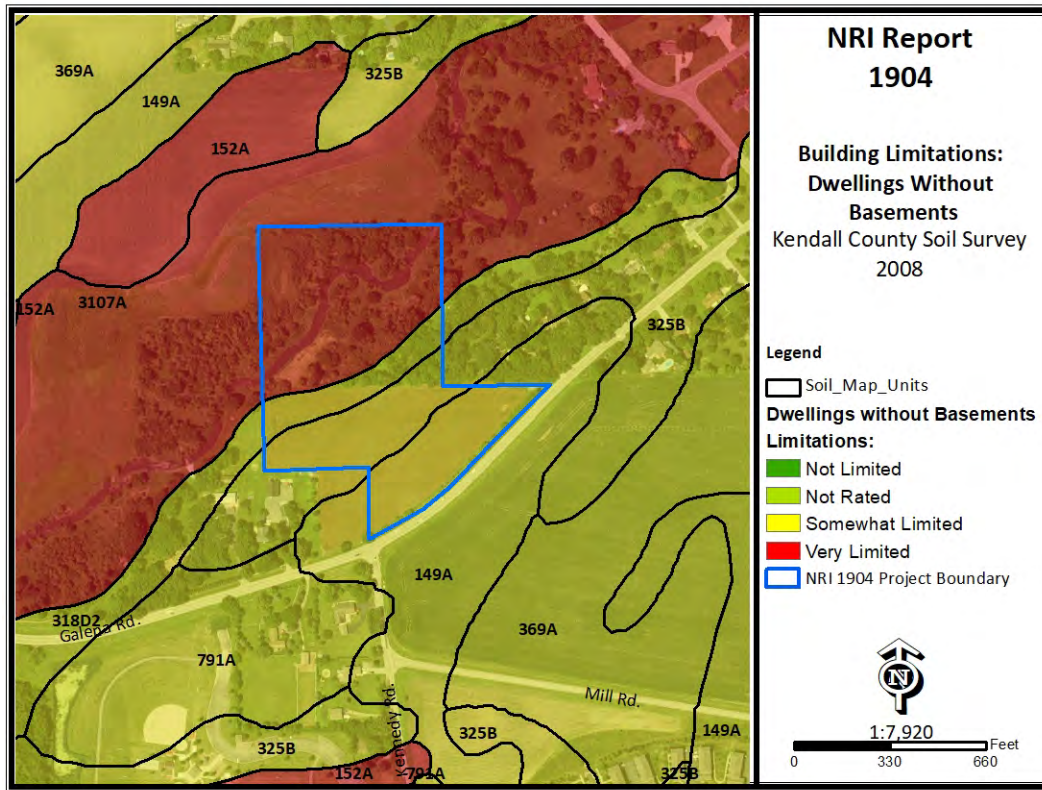


Figure 2c: Lawns & Landscaping

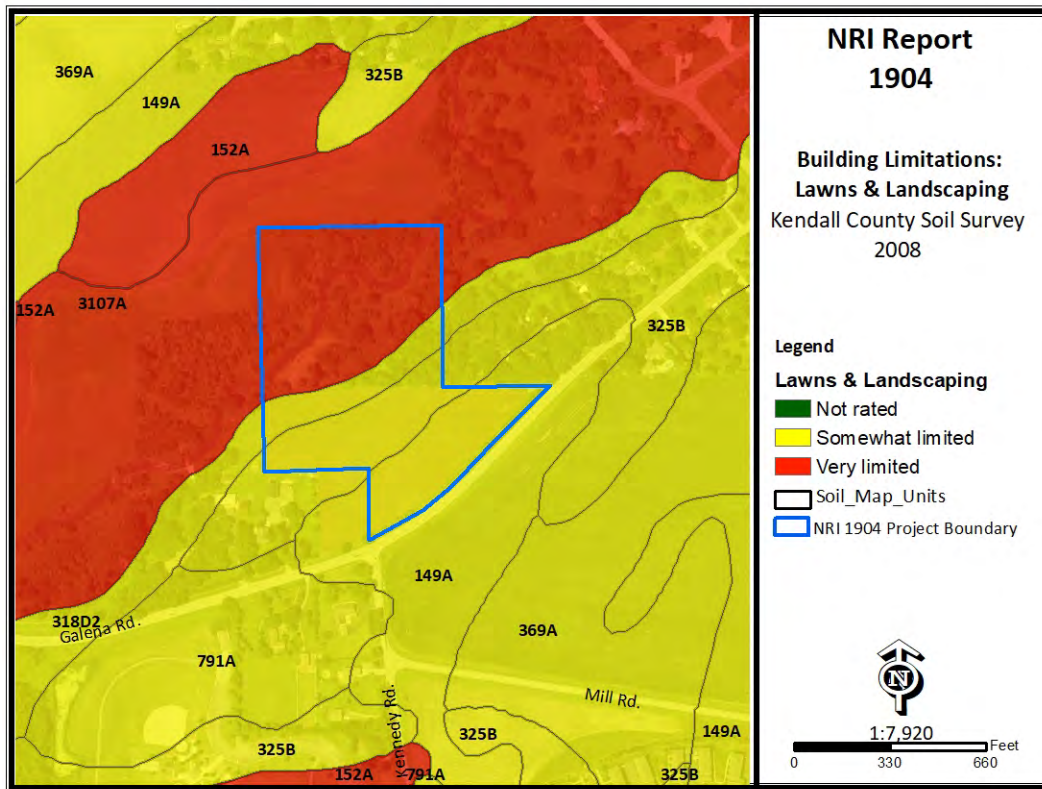


Figure 2d: Shallow Excavations

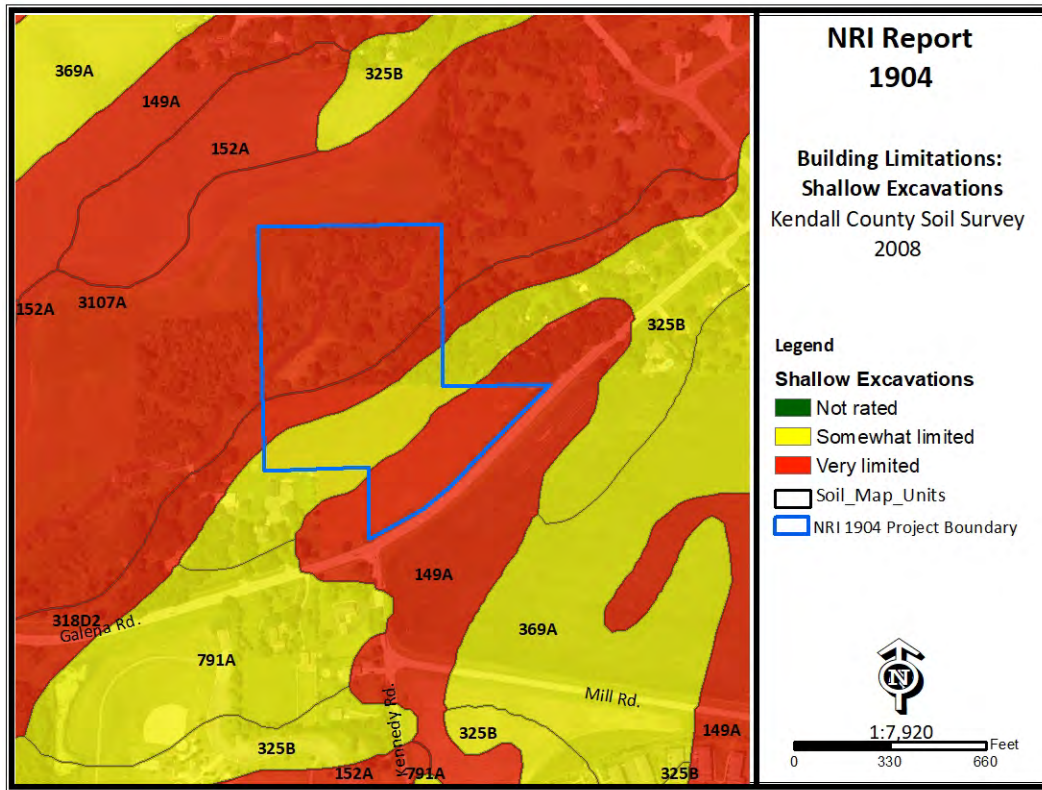
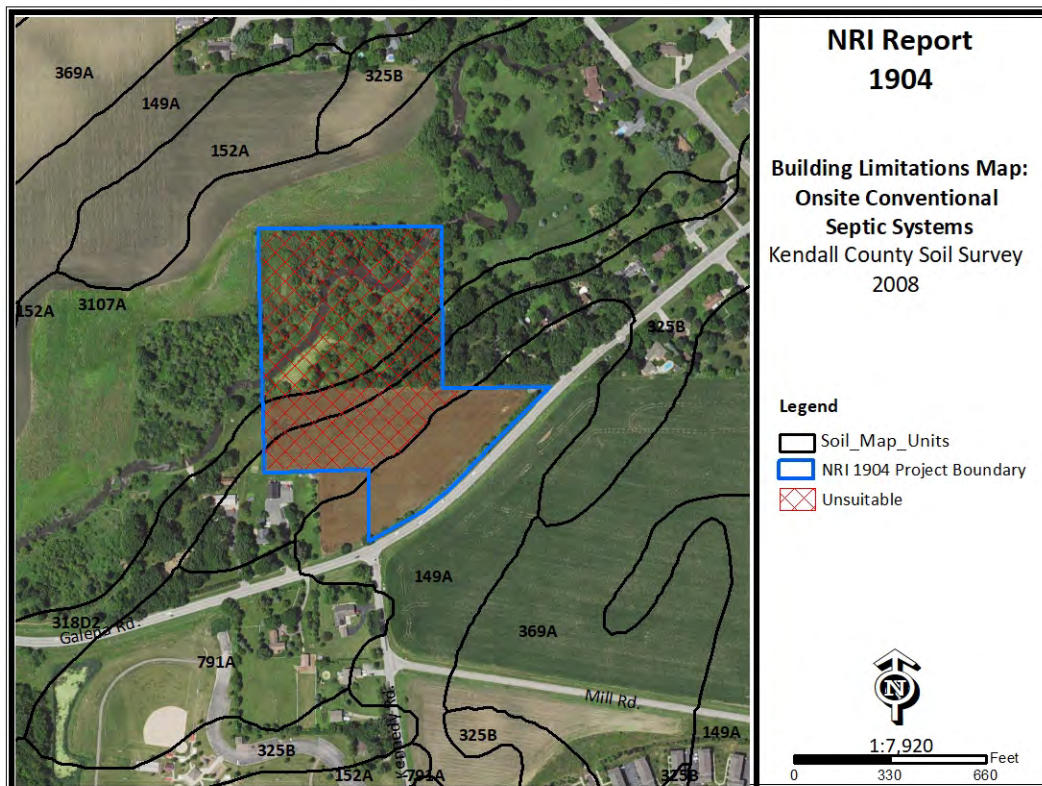


Figure 2e: Onsite Conventional Septic Systems



Kendall County Land Evaluation and Site Assessment (LESA):

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

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

Table 4a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
149A	1	100	3.3	330.0
318D2	6	69	1.8	124.2
325B	4	79	3.1	244.9
3107A	3	87	7.4	643.8
Totals			15.6	1342.9
LE Score		LE= 1342.9/15.6		LE = 86

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

Table 4b: Site Assessment Computation

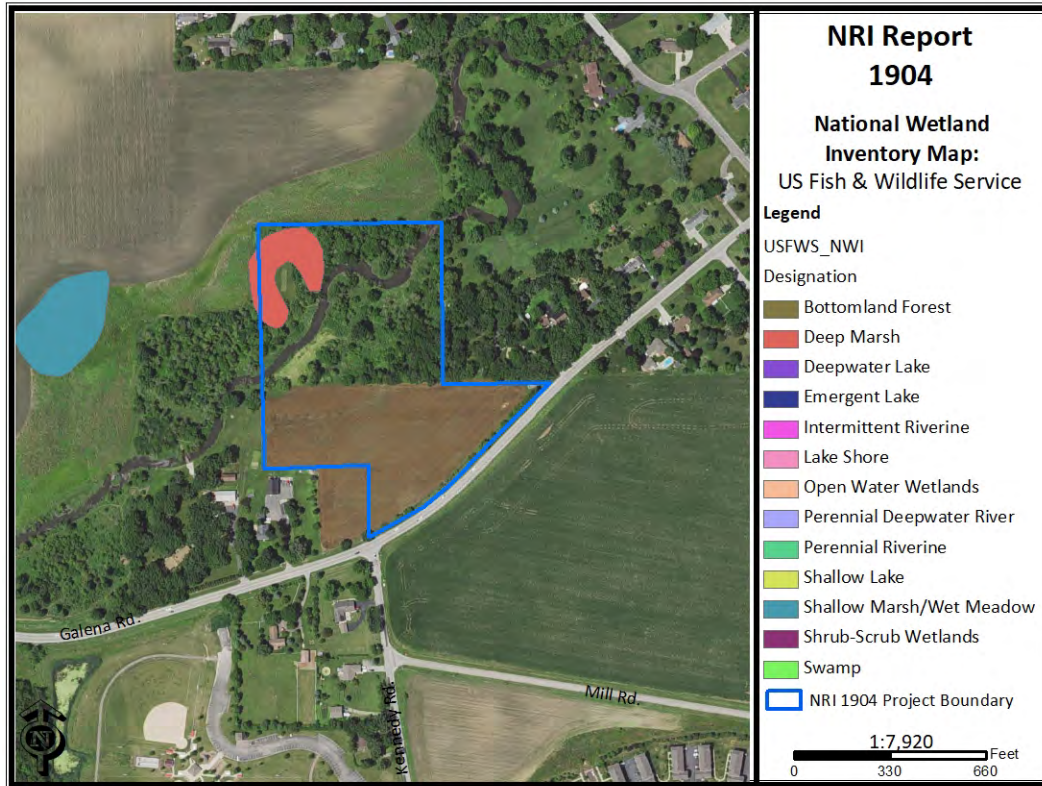
A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	0
	2. Current use adjacent to site. (30-20-15-10-0)	10
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	10
	4. Size of site. (30-15-10-0)	0
B.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

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

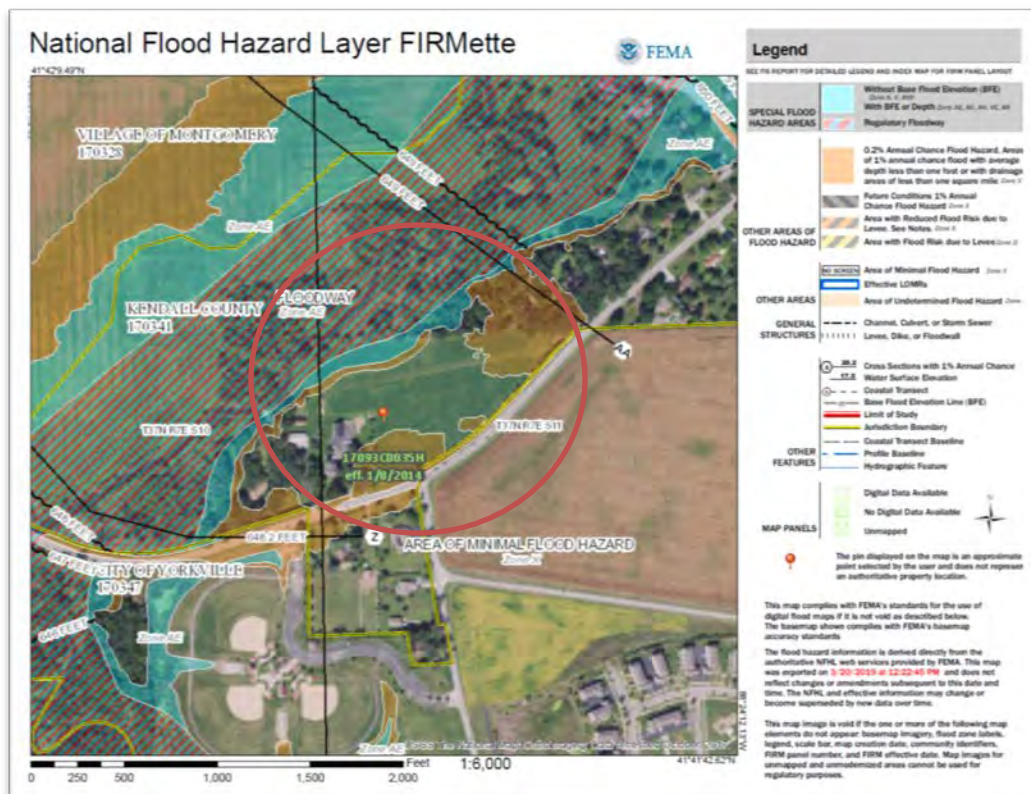
LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 129** which indicates a **low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service's National Wetland Inventory map **does indicate** the potential presence of a wetland on the project site. If a wetland is present and will be impacted by the project, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.



Floodplain: A portion of the parcel is located within the floodplain.



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

LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Craig and Diane Zimmerman at the request of their contact Attorney Boyd Ingemunson for the proposed rezoning from A-1 to R-1 petition project (Zimmerman Rezoning). This parcel is located in the west ½ of Section 11 and the east ½ of Section 10 of Bristol Township (T.37N.-R.7E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored an 86 out of a possible 100 points indicating the soils found on the project site are predominately prime farmland well suited for agricultural production when soils are in an undisturbed state. The LESA Score for this site is 129 which indicates a low level of protection for the proposed project site. Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production and is an important resource to Kendall County; of the four soil types identified onsite, three are designated as prime farmland and one is designated as farmland of statewide importance. A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile; one soil type found onsite, 3107A Sawmill silty clay loam is designated as a hydric soil and one soil type, 149A Brenton silt loam has the potential to have hydric inclusions.

For proposed land uses, soils can have potential limitations. This report indicates that for soils located on the parcel, 80.1% of the soils are very limited for shallow excavations, 78.8% are very limited for onsite conventional septic systems, 68.6% are very limited for dwellings with basement and local roads/streets and 47.4% are very limited for dwellings without basements and lawns/landscaping. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support development with significant limitations. Additionally, since the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

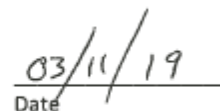
This site is located within the Fox River Watershed and Blackberry Creek subwatershed.

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

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

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


Signature


Date

Attachment 13, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

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

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

ROLL CALL

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

Members Absent: Claire Wilson

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

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

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

PETITIONS

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

The City of Plano had no objections to the proposal.

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

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

ZPAC recommended approval of the petition.

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

Staff recommended approval subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

The motion carried.

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

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

Mr. Asselmeier summarized the request.

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

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

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

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

The motion carried.

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

19-07 Kendall County Planning, Building and Zoning Committee

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

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

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

The motion carried.

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

19-09 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

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

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

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

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

The motion carried.

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

OLD BUSINESS

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

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

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

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

Mr. Asselmeier summarized the request.

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

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

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

No (0): None

Absent (1): Wilson

Abstain (1): Shaw

The motion carried.

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

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

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

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

ADJOURNMENT

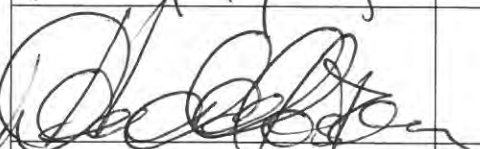
Member Rodriguez made a motion, seconded by Member Nelson, to adjourn. With a voice vote of eight (8) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 9:10 p.m.

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

Encs.

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

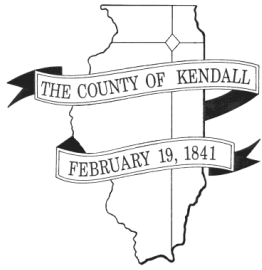
IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Dan Kramer	1102 S. Bridge Yorkville, IL 62380	
CHET SERGO		
Mary Kay Sergio		
		
Mark Bassong		
Don Car		
Celia Bulger		
Dorothy Fliss		

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

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Craig Zimmerman		
Brittany Krause		
BRAD Blocker		



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Zoning Board of Appeals

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: February 15, 2019

Re: Amended Petition 17-28 Proposed Text Amendments to Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

In August 2018, the Kendall County Zoning Board of Appeals held a public hearing on proposed text amendments to outdoor shooting range regulations in the Kendall County Zoning Ordinance. After the public hearing, Na-Au-Say Township filed a formal objection to the proposed text amendment. The proposal went to the County Board and the County Board referred the proposal back to the Planning, Building and Zoning Committee. At their meetings in December, January, and February, the Planning, Building and Zoning Committee worked on changes to the proposal, seeking to address the concerns raised by residents and other interested parties. At their meeting on February 11, 2019, the Planning, Building and Zoning Committee voted to send the proposal back to the Zoning Board of Appeals for a rehearing.

The updated proposal is attached to this memo. Changes from the current regulations and other notes are shown in red.

If you have any questions prior to the meeting on this topic, please let me know.

Thanks,

MHA

ENC: Proposed Text Amendment

Red Are Comments/Existing Regulations
Regular Text is Current Proposal

Amendment to 7.01.D.32 (Special Uses in A-1)

Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting noise and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall exclude outdoor target practice (such exclusion extends to shooting ranges not located on property owned by the Kendall County Forest Preserve District as long its compliant with 70 ILCS 805/5 or the State of Illinois used for State parks), athletic fields with lights, paintball facilities and riding stables; including but not limited to polo clubs, and similar uses. **(This is a special use only in A-1; Proposal adds exemption to Forest Preserves and State Parks).**

Amendment to 7.01.D.33 (Special Uses in A-1) and 10.03.B.4 (Special Uses in M-3)

Outdoor Target Practice or Shooting Ranges (not including private shooting on your own yard and shooting ranges located on property owned by the Kendall County Forest Preserve District as long its compliant with 70 ILCS 805/5 or the State of Illinois used for State parks) with the following conditions **(The term “Range” is added after “Shooting”; exemption to Forest Preserves and State Parks is added).**:

- a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting range shall submit copies of all of the studies and plans suggested in the 2012 NRA Range Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan. A copy of the NRA Range Source Book shall be available for public access in the Kendall County Planning, Building and Zoning Department
 1. The above-referenced plans shall contain information as suggested by the National Rifle Association.
 2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. The narrative shall, at a minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.
 3. The safety plan shall describe the duties and qualifications of the range supervisors.
 4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirements of the National Rifle Association’s standards, the standards of the National Shooting Sports Foundations standards, or the United States Environmental Protection Agency’s best management practices standards.

5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.
 6. Any changes to the above-required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department. **(All of this section is new with the exception of requiring a lead management plan and approval of a water and drainage plan by the Department).**
- b. Range layout requires conformity with National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100'). **(All of this section is new with the exception of the general requirement that range layout conforms to NRA standards).**
 - c. The site plan for the proposed outdoor target practice of shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.
 1. The safety area shall conform to 2012 NRA Range Source Book for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.
 2. For the purposes of this regulation, the term "downrange safety area" shall mean the area away from the launching site towards the target. In case of shooting ranges where targets are not stationary, appropriate baffling shall be provided. **(Current regulations only require berming based on surrounding land use and type(s) of firearms to be used; berming must also meet the standards in NRA Source Book).**
 - d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top for ranges three hundred feet (300') in length, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. For every thirty (30') feet of firing line distance over twenty feet (20'), the berm height shall increase by ten feet (10') in height as an example Berms shall be located as follows:
 1. Shotgun ranges – No berming required.
 2. Ranges for handguns and rifles
 - a. Target placement not to exceed twenty feet (20') from the backstop.
 - b. Lateral not closer than thirty feet (30') from the firing line.

3. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.
4. In addition to berms, appropriate baffling may be installed over the firing line creating a “no blue sky” to prevent projectiles from overshooting the berm.
5. The range shall be located on site where an uninhabited downrange safety area is available. The required length of the safety area shall be as follows:
 - a. Shotgun ranges – one thousand five hundred feet (1500’), provided that shot size is limited to #4 or smaller.
 - b. Ranges for handguns and rifles not more powerful than .22 long rifle – seven thousand feet (7,000’).
 - c. Ranges for rifles more powerful than a .22 long rifle – thirteen thousand five hundred feet (13,500’).
 - d. The downrange safety area requirement for handgun and rifle ranges shall be waived if the firing line is provided with overhead baffling, berming, or a combination thereof, meeting the standards of the 2012 National Rifle Association’s Source Book or appropriate baffling may be installed over the firing line creating a “no blue sky” to prevent projectiles from overshooting the berm.
(All of this section is new; see comments from letter c above).
- e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease. **(All of this section is new)**
- f. The firing line must be at least one thousand feet (1,000’) from existing residential dwellings and property lines of schools, daycares, places of worship, and airstrips. **(Clarifies the measuring point as the firing line; clarifies dwelling as “residential”).**
- g. The outdoor target practice or shooting range must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required. **(This section is the same as the existing regulation; slight alteration in verbiage).**
- h. At least one (1) designated range safety officer must be present at all times. A “range safety officer” means a person who is certified under the National Rifle Association’s Range Safety Officer Program or other equivalent state or nationally-recognized range safety officer certification program as approved by the County Board, for the type of shooting being supervised. The range safety officer shall enforce all range rules. **(Defines the number of range safety officers; specifies the type of certification program; defines the duties of the range safety officer).**

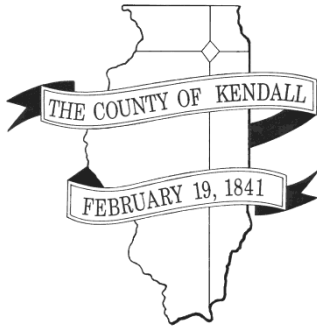
- i. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place. The flagpole shall be at least eighteen feet (18') high and the flag shall be bright red forty inches (40") long and twenty inches (20") inches wide at the pole and six inches (6") wide at the free end. Signs shall be at least ten inches by twelve inches (10"X12") and placed at entrance to any areas where firing is taking place. **(Allows cones to be used when firing is taking place; defines height and dimensions of flagpole and flag; defines dimensions of signs).**
- j. Everyone on the firing line is required to wear hearing protection and safety glasses. **(Unlike g above and the current regulations; this section specifies that hearing protection and safety glasses must be worn on the firing line).**
- k. The range shall provide public bathroom facilities. **(This section is new).**
- l. The range shall require a minimum parcel size of twenty (20) acres. **(Raised from 5 acres).**
- m. Hours and days of operation shall be specified in the special use permit and determined by the County Board. **(This section is the same as existing regulations)**
- n. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signed posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing. **(The existing regulations require access via a lockable gate; language regarding signage and berming substitution are new).**
- o. Must meet the existing setbacks of the zoning district. **(This section is implied in the existing regulations).**
- p. No alcohol, marijuana, or other illicit drugs allowed. **(The prohibition of marijuana and other illicit drugs was added).**
- q. No projectiles shall leave the boundaries of the site. **(This section is the same as the existing regulations).**
- r. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance shall be at a level standard and customary for outdoor target practice or shooting range. An insurance policy

meeting the above requirements must be maintained during the duration of the special use permit and the special use permit holder shall supply a copy of the insurance policy to the Kendall County Planning, Building and Zoning Department annually on or before February 1st of each year. **(This section is new).**

- s. All applicable Federal, State and County rules and regulations shall be adhered to. **(This section is the same as the existing regulations and merges the requirements that the gun range follows Health Department Regulations, signage regulations, lighting regulations, and not allowing discharge of lead shot into wetlands).**
- t. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings). **(This section is the same as existing regulations).**
- u. Notwithstanding the hours of operations set in the special use permit, the range shall abide by the following noise regulations, so as not to exceed allowable residential noise in accordance with the following:
 - 1. Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential use which exceeds sixty (60) dBA when measured at any point within such receiving residential land; provided, however, that point of measurement shall be on the property line of the complainant.
 - 2. Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential use which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land; provided, however, that point of measurement shall be on the property line of the complainant.
 - 3. EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. **(This section is new).**
- v. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance (**insert date**) shall be exempt from this sub-section of the Zoning Ordinance, but they shall the restrictions on their respective special use permits. **(This section is new).**
- w. Outdoor target practice and shooting ranges open to the public established after the date of this ordinance (**insert date**) must comply with the above regulations or secure applicable variance(s). **(This section is new).**

- x. The Zoning Board of Appeals may grant variances to this ordinance where doing so, would not impact the health, safety, or welfare of the residents of Kendall County. In addition, when denying a variance request, the Zoning Board of Appeals shall show why the granting of the variance would harm the health, safety, or welfare of the residents of Kendall County. **(This section is implied in the Zoning Ordinance).**

Any completed application submitted prior to date of adoption of this ordinance shall follow the application procedures, requirements, and restrictions in effect on the date that the completed application was submitted. **(This section is new).**



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-01

Planning, Building and Zoning Committee

43 West Street Bristol

Revocation of Special Use Permit for Day Nursery School

INTRODUCTION AND BACKGROUND

On July 11, 1972, the Kendall County Board granted a special use permit for a Day Nursery School at 43 West Street in Bristol. Restriction 4 of the special use permit stated that the special use permit shall be subject to review every two (2) years. Ordinance 72-15, which granted the special use permit is included as Attachment 1.

Since 1972, the subject property was divided into three (3) parcels. The parcel addressed as 43 West Street has a parcel identification number of 02-16-228-012. This property is owned by Jude and Carrie Vickery; the Vickery's submitted an email stating their support for the revocation of the special use permit. This email is included as Attachment 2.

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

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

An aerial of the property is included as Attachment 3.

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

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

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

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

FINDINGS OF FACT

§ 13.08.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the revocation of special use permits. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

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

RECOMMENDATION

Staff recommends approval of the proposed special use permit revocation.

ATTACHMENTS

1. Ordinance 72-15
2. 12-10-18 Vickery Email
3. Aerial

ORDINANCE

72 - 15

02-16-228-012

02-16-276-020

02-16-276-021

02-16-276-019

AMENDING KENDALL COUNTY ZONING ORDINANCE
AS AMENDED

Whereas, Edwin F. Jago and Diane G. Jago 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

142

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 7th day of July, A.D. 1972 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

Whereas, Board member Ernie Zeiter did move that the findings of the Zoning Board of Appeals be accepted and that the property described in said petition be granted a change in classification from "R-3" to "R-3" "Special Use" and upon second by Howard Shoger roll call was taken as follows:

The following voted Aye:

- Jannette Nesson
- Howard Shoger
- Charles W. Sleezer
- Floyd Sleezer
- Myron Wormley
- Ernest Zeiter
- Robert Cherry
- Robert Hacker
- James Mann

The following voted Naye: None Ellis Jones was absent.

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 "R-3" to "R-3" "Special Use" for Day Nursery School 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:

226

That part of the Northeast quarter of Section 16, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of Lot 2 in Block 1 of Bristol Station: thence West along the North line extended 66 feet to the West line of a road; thence North along said West line 247 feet; thence West at right angles with said road 200 feet for the point of beginning; thence continuing Westerly on same course 150 feet; thence North at right angles to the last described course 123.5 feet; thence Easterly at right angles to the last described course 150 feet; thence Southerly 123.5 feet to the point of beginning, in the Township of Bristol, Kendall County, Illinois,

AND

That part of the Northeast quarter of Section 16, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows:

Commencing at the point of intersection of the center line of West Street with the South line of Hunter Lane as established in Unit No. 1, Heatherfield Subdivision; thence South $7^{\circ} 08' 19''$ West along said center line 150.0 feet; thence North $82^{\circ} 51' 41''$ West 433.0 feet for the point of beginning; thence South $82^{\circ} 51' 41''$ East 433.0 feet to the center line of West Street; thence South $7^{\circ} 08' 19''$ West along said center line 81.0 feet; thence North $82^{\circ} 51' 41''$ West 233.9 feet; thence South $7^{\circ} 08' 19''$ West 78.0 feet; thence North $82^{\circ} 51' 41''$ West 150.0 feet; thence South $7^{\circ} 08' 19''$ West 370.5 feet; thence South $82^{\circ} 51' 41''$ East 222.0 feet; thence South $7^{\circ} 08' 19''$ West 649.24 feet to the Northerly right of way line of the Chicago, Burlington and Quincy Railroad Company; thence South $74^{\circ} 29' 40''$ West along

said Norhterly line 294.72 feet to a point South
7° 08' 19" West from the point of beginning; thence
North 7° 08' 19" East 1292.22 feet to the point of
beginning, in the Township of Bristol, Kendall County,
Illinois.

BE IT FURTHER ORDAINED that the above "Special Use" classification shall
be expressly made subject to the following conditions:

1. That the foregoing "Special Use" shall be subject to further review
of the Zoning Board of Appeals and the County Board upon notice
directed to the owner of the premises herein described and a
proper publication as required by law not less than fifteen days
prior to date of hearing.
2. That all work must be completed as testified before school opens.
3. That an inspection by the County Health and Zoning Officers
be made at the time the facilities are completed.
4. That the "Special Use Permit be subject to review every two years.

Passed: July 11, 1972

Attest: James P. Brady
County Clerk

James C. Mann
Chairman, County Board of
Kendall County, Illinois

Matt Asselmeier

From: Jude Vickery [REDACTED]
Sent: Monday, December 10, 2018 7:16 PM
To: Matt Asselmeier
Subject: Special Use Permit for 02-16-228-012

Mr. Asselmeier,

Carrie and I have received the multiple letters sent to inform us of the proceedings regarding removal of the special use permit granted to the original home owners at 43 West St.

We are writing to you today to let you know that we have no intention of interfering with this process and agree that this special use permit should be revoked.

If our permission is all that is required for you to expedite the process on your end, then consider it granted.

Please proceed with any necessary procedures and finalize the process as efficiently as possible to close the permit.

Kindly,

---Jude Vickery

Aerial



December 12, 2018

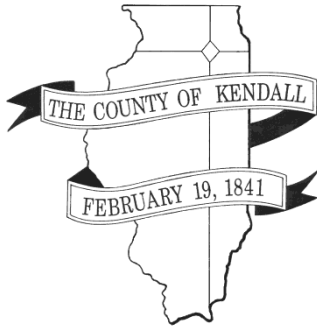
□ Agricultural

▤ Agricultural-Building Permit

▨ Agricultural-Special Use

▧ Agricultural-Special Use-Planned Unit Development

1:3,175
0 0.0275 0.055 0.11 mi
0 0.0425 0.085 0.17 km
Kendall County Illinois GIS



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-03

Planning, Building and Zoning Committee

14525 Route 71, Yorkville

Revocation of Special Use Permit for a Truck Driver Training School

INTRODUCTION AND BACKGROUND

On October 15, 1996, the Kendall County Board granted a special use permit for a truck driver training school at 14525 Route 71, Yorkville. Restriction 12 of the special use permit stated that the special use permit shall be subject to review every two (2) years. Ordinance 96-15, which granted the special use permit, is included as Attachment 1. On November 16, 1999, the Kendall County Board granted an amendment to the special use permit to add a classroom and office building and a sign to the approved site plan. Ordinance 99-35 is included as Attachment 2.

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

An aerial of the property is included as Attachment 3.

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

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

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

FINDINGS OF FACT

§ 13.08.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the revocation of special use permits. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

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

RECOMMENDATION

Staff recommends approval of the proposed special use permit revocation.

ATTACHMENTS

1. Ordinance 96-15
2. Ordinance 99-35
3. Aerial

Revised 10/8/96

04-22-300-006

STATE OF ILLINOIS)
)ss.
COUNTY OF KENDALL)

96-15

SEE 99-35

**AN ORDINANCE GRANTING REZONING OF JOHN BRITT
REAL PROPERTY FROM A-1 COUNTY AGRICULTURAL TO
A-1 SPECIAL USE TO PERMIT A TRUCK DRIVER TRAINING SCHOOL**

WHEREAS, the County Board, Zoning Board of Appeals, Plan Commission and County Zoning and Platting Advisory Committee have held all necessary Public Hearings and considered the application of JOHN BRITT requesting that the County rezone certain real property; For a Truck Driver Training School as an A-1 Special Use Permit and

WHEREAS, publication was duly had in the Kendall county Record, a newspaper of general circulation, and the hearing held as to the request of Petitioner seeking an A-1 Special Use Permit for purposes of allowing a Truck Driver Training School to be operated on the real property described in the attached Exhibit "A"; and

WHEREAS, positive recommendations have been made by each Advisory Body to the Kendall County Board for purposes of allowing a Truck Driver Training School to be operated on the subject real property in compliance with the conditions set out in this Special Use Permit;

NOW THEREFORE, upon Motion duly made, Seconded, and Approved by a majority of those members of the County Board hereby voting do approve a change in zoning from A-1 to A-1 Special Use for the purpose of operating a Truck Driver Training School in order to allow Petitioner and his successors, heirs, and assigns to operate said school on the subject real property described in the attached Exhibit "A", and the Special Use Permit hereby issued shall include the following terms and conditions:

1. That a Site Drawing of James M. Olson & Associates date August 20, 1996 is hereby approved and incorporated herein as part of this Special Use Permit and made a part hereof as Exhibit "B".

2. That said Truck Driving Training School shall comply with the rules and regulations adopted by the Offices of the Illinois Secretary of State for operation of a Truck Driving Training School, not exceeding twenty-four (24) students in any one session, as per the attached Exhibit "C" incorporated herein by reference.

3. That said facility shall maintain only one driveway cut, which shall be in conformance with the Illinois Department of Transportation Permit previously issued to John Britt, which is attached hereto and maintained during the continuation of said Truck Driver Training School incorporated herein as Exhibit "D." That all students car parking shall be immediately to the front of the building being used to operate and store semi-tractors used in the operation of said school. Petitioner shall file with the Kendall County Zoning Officer, a letter from the Illinois Department of Transportation indicating that the existing driveway is satisfactory for the operation of the subject Special Use.

Parking for all semi-trailers shall be located on the gravel area between the Special Use Building and the House located North and adjacent thereto so that said Trailers will be parked at all times when no in use for school purposes being the front line of said residence.

All semi-tractors shall be parked inside the Special Use Building when not in use for School purposes. It is further agreed that a "No Parking" strip notation shall be placed on the Special Use Site Plan showing that "No Parking" shall be permitted in an area 95' perpendicular

to the West Right-of-Way line of Rt. 47 and the West Right-of-Way line of Rt. 71.

4. That said School shall maintain a Certificate of Liability Insurance in a minimum of at least Five Hundred Thousand Dollars (\$500,000), and a copy of said Certificate of Insurance shall be tendered to the Kendall County Zoning Office for retention in its file.

5. That in the event any outdoor signage is desired, the applicant shall comply with the Kendall County Sign Ordinance, limited to signage is permitted in A-1 Agricultural Districts.

6. That the hours of operation of said school shall be limited to 7:00 a.m. through 6:00 p.m. Monday through Friday.

7. That the School shall be limited to a maximum of 24 students at any one session.

8. That Petitioner shall be allowed a maximum of four semi-tractors and four semi-trailers on the subject premises.

9. That classes may be permitted in the premises only if bathroom, septic, and well facilities are installed in conformance with Illinois Public Health Code and Kendall County Ordinances as are subject to permit by the Kendall County Health Department and the Kendall County Zoning Office.

10. Petitioner shall comply with any drainage recommendation made by Morris Engineering, the Kendall County Drainage Engineer.

11. The Special Use Permit issued herein is being issued subject to Petitioner's acknowledgement of the receipt and understanding of the Kendall County Right To Farm Easement Language as to his adjoining neighbors, which shall be typed in full in Special Use Site Plan.

12. That said Special Use Permit shall be subject to review at intervals of 2 years; and

that at such time Illinois Department of Transportation warrants may require a turn lane it will be constructed at Petitioner's expense in conformance with Illinois Department of Transportation regulations.

13. That no expansion of the Special Use shall take place without further review of the County Zoning Staff, and if the County Zoning Staff deems it necessary without further public hearing.

14. That the Special Use Permit is a covenant running with the land, for the limited purposes of a Truck Driver Training School at the subject site.

IN WITNESS WHEREOF, this Ordinance has been enacted this 15 day of OCTOBER 1996.


COUNTY BOARD CHAIRMAN

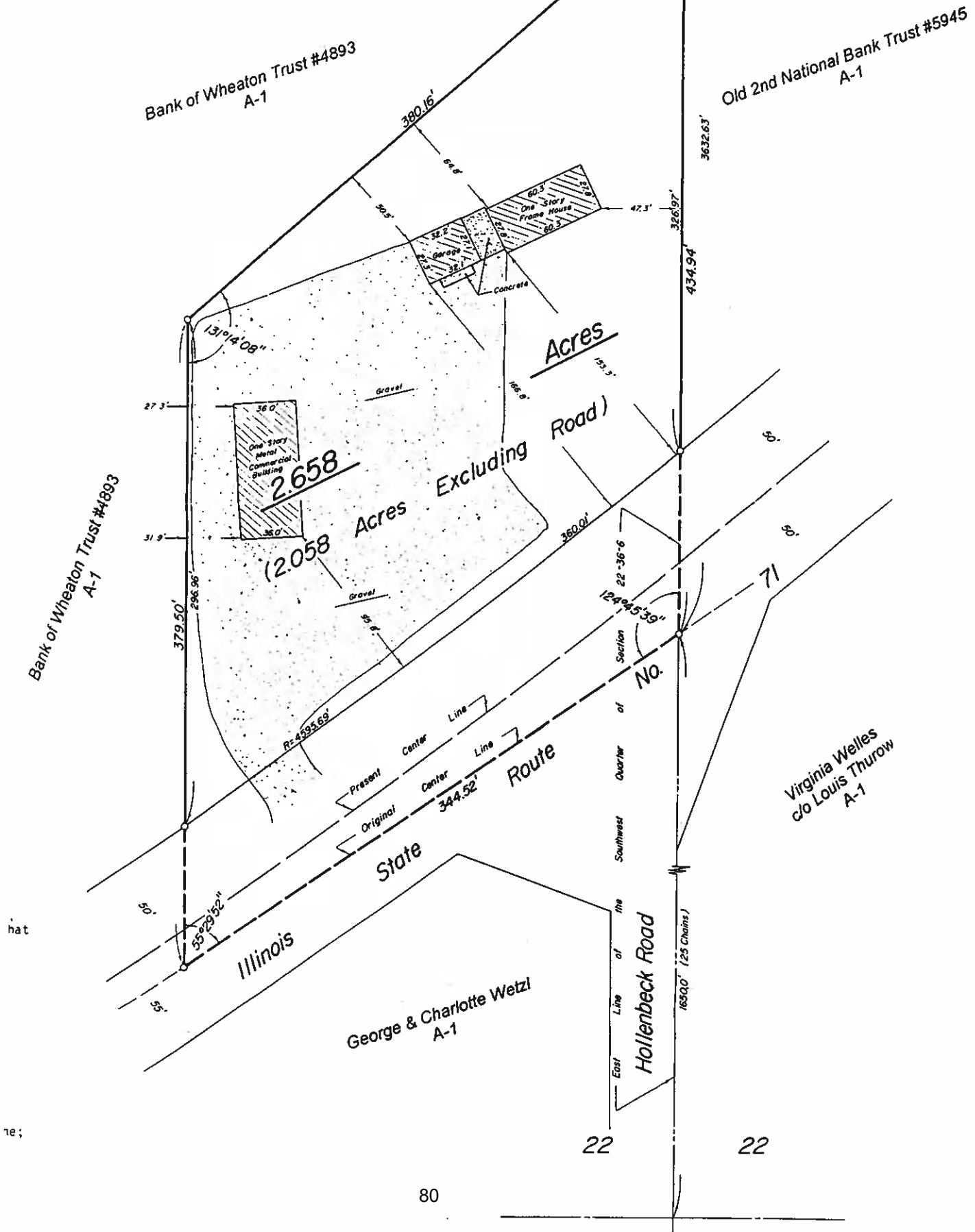

ATTEST:


COUNTY CLERK

LAW OFFICES OF DANIEL J. KRAMER
1107A S. Bridge St.
Yorkville, IL 60560
(630) 553-9500

LEGAL DESCRIPTION

that
part of the Southwest Quarter of Section 22, Township
36 North, Range 6 East of the Third Principal Meridian
described as follows: Commencing at the Southeast
corner of said Southwest Quarter; thence northerly
along the East Line of said Southeast Quarter, 1650.0
feet to the original centerline of the Chicago to Ottawa
Road (now known as Illinois State Route No. 71) for
a point of beginning; thence northerly along said East
Line, 434.94 feet; thence southwesterly along a line
which forms an angle of $48^{\circ}30'21''$ with the last described
course, measured clockwise therefrom, 380.16 feet;
thence southerly along a line which forms an angle
of $131^{\circ}14'08''$ with the last described course, measured
clockwise therefrom, 379.50 feet to said original centerline;
thence northeasterly along said original centerline,
344.52 feet to the point of beginning (being that tract
previously known as the Hollenbeck School Lot) and
containing 2.658 acres in Fox Township, Kendall County,
Illinois



District Serial No. 3-3329-9

I (We) John Britt P.O. Box 194
Yorkville (Name of Applicant) (Mailing Address)
IL 60560
(City) (State), hereinafter termed the Applicant,

request permission and authority to do certain work herein described on the right-of-way of the State highway known
as IL Route 71, Section ---, from Station * to Station ---,
Kendall County. The work is described in detail on the attached sketch and/or as follows:

*Located ± 250' S/O Holland Road

Upon approval this permit authorizes the applicant to locate, construct, operate and maintain at the above mentioned location, a maximum thirty (30) foot in width widened field entrance by means of extending the existing 18 inch diameter culvert twenty (20) foot by approved connecting methods and placing eight (8) inches of aggregate surface as shown on the attached plans which become a part hereof.

The applicant shall notify Tom Schaefar, Field Engineer, Phone: (815) 942-0351 or the District Permit Section, Phone: 815-434-6131 (Ext. 290) twenty-four hours in advance of starting any work covered by this permit.

Aggregate material shall be obtained from a State approved stock pile and shall be:
AGGREGATE SURFACE COURSE TYPE A (CA-6 Gradation).

SPECIAL PROVISIONS CONTINUED ON NEXT PAGE

180

It is understood that the work authorized by this permit shall be completed within _____ after the date this permit is approved, otherwise the permit becomes null and void.

This permit is subject to the conditions and restrictions printed on the reverse side of this sheet.

This permit is hereby accepted and its provisions agreed to this 4/4 day of October
1994.

Witness Marianne Wells
Yorkville Mailing Address
IL State

Signed John Britt Applicant
P.O. Box 194 Mailing Address
Yorkville IL 60560
City State

SIGN AND RETURN TO: District Engineer 700 East Norris Drive, Ottawa, Illinois

Approved this 6th day of Oct 19 94.
Applicant (2) PMT137S
Field Engineer L-3339
Final Inspection 2

DEPARTMENT OF TRANSPORTATION
Ralph Walton
BY: District Engineer

3

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

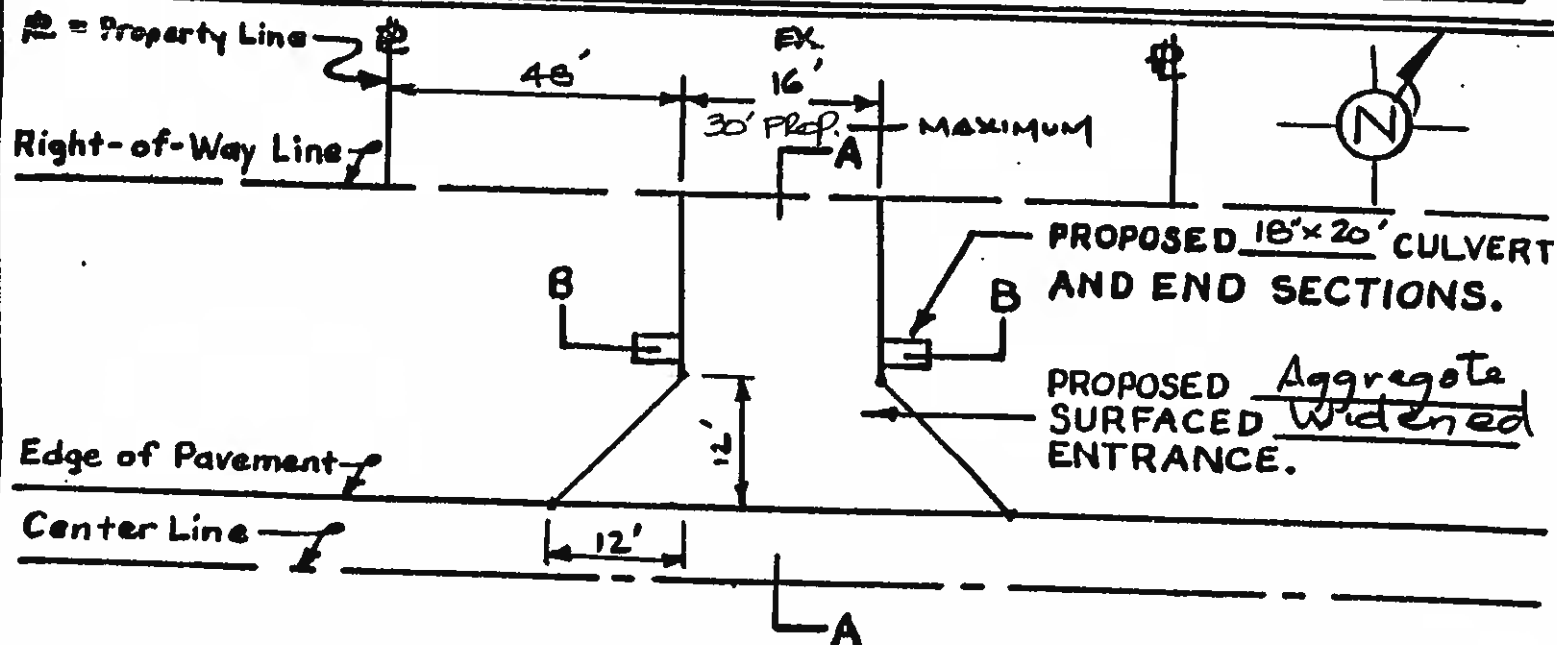
3

DETAILED SKETCH FOR HIGHWAY ACCESS PERMIT

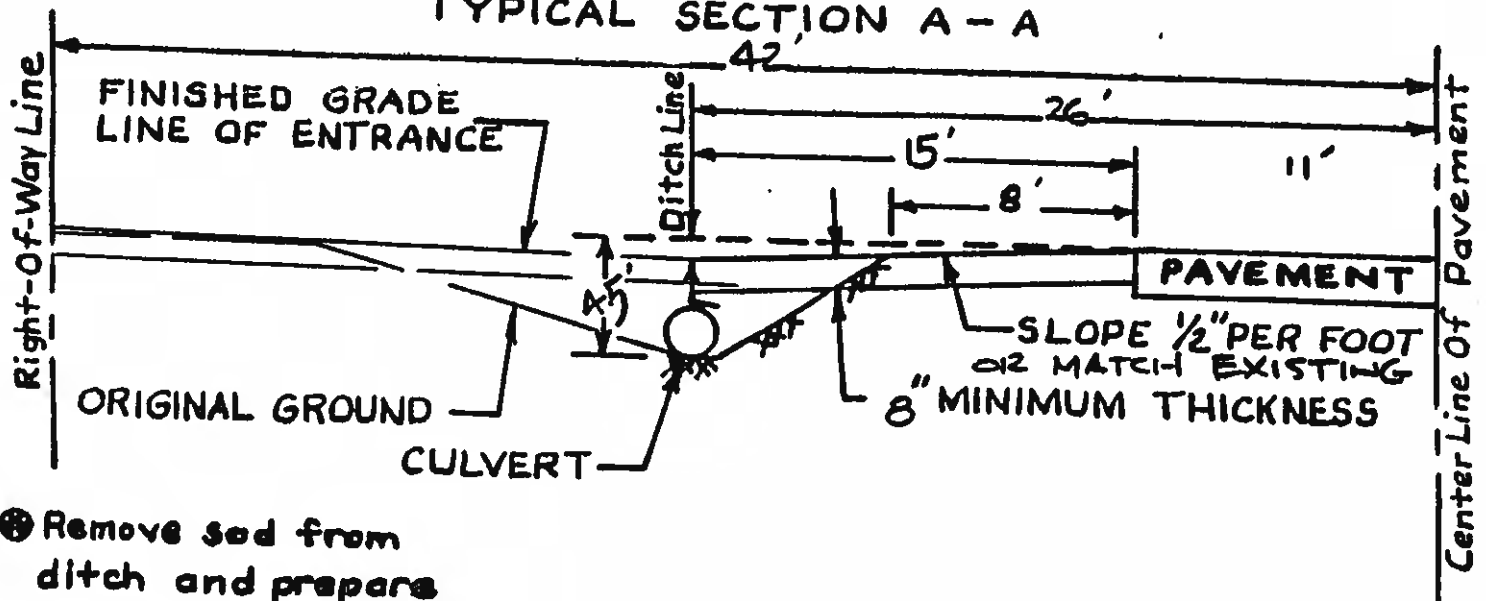
ROUTE (Const.)	ROUTE (Marked)	SECTION	STATION	COUNTY
	ILL. 71	250' s/o Holland back Rd.		Kendall

APPLICANT (Owner) John Britt

ADDRESS P.O. Box 194 Yorkville, IL 60560

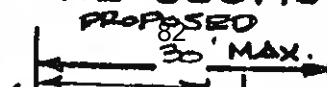


TYPICAL SECTION A - A



⊕ Remove sod from ditch and prepare a smooth bed to support pipe culvert.

TYPICAL SECTION B - B



8" MINIMUM THICKNESS

State of Illinois
County of Kendall

04-22-300-006 ✓
Zoning Petition
#9956

ORDINANCE NUMBER 99- 35

AMENDING SPECIAL USE ORDINANCE #96-15

JOHN C. BRITT

Expanding a Truck Driving School

WHEREAS, John C. Britt, owner and operator of J & B Truck Driving School, was granted a Special Use Permit for a Truck Driving School under Kendall County Ordinance #96-15; and

WHEREAS, said Special Use Permit is for property legally described in attached Exhibit A; and

WHEREAS, Condition #13 of said Ordinance states "That no expansion of the Special Use shall take place without further review of the County Zoning Staff, and if the County Zoning Staff deems it necessary without further public hearing;" and

WHEREAS, the petitioner desires to construct a building for offices and classrooms; and

WHEREAS, said use is in accordance with said Special Use Permit; and

WHEREAS, the Zoning Administrator determined a public hearing was required for the proposed building; and

WHEREAS, current sign requirements make constructing a sign under the provisions of said Special Use Permit impossible; and

WHEREAS, the petitioner desires to construct a sign for the approved special use; and

WHEREAS, the petitioner filed an application to amend Kendall County Ordinance #96-15 to include a classroom office building and a sign to advertise the approved use; 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 Zoning Board of Appeals; and

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby amends Kendall County Ordinance #96-15 to include the following:

1. The site plan of the special use to include a classroom and office building as presented in attached Exhibit B.
2. A sign, not to exceed twelve (12) square feet, for the approved use.


Britt - Petition 9956

Page 2

ADDITIONALLY, the Kendall County Board hereby reaffirms the conditions of Ordinance #96-15, except as modified by this ordinance.


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 November 16, 1999.



John A. Church
Kendall County Board Chairman

Attest:

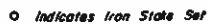


Paul Anderson
Kendall County Clerk

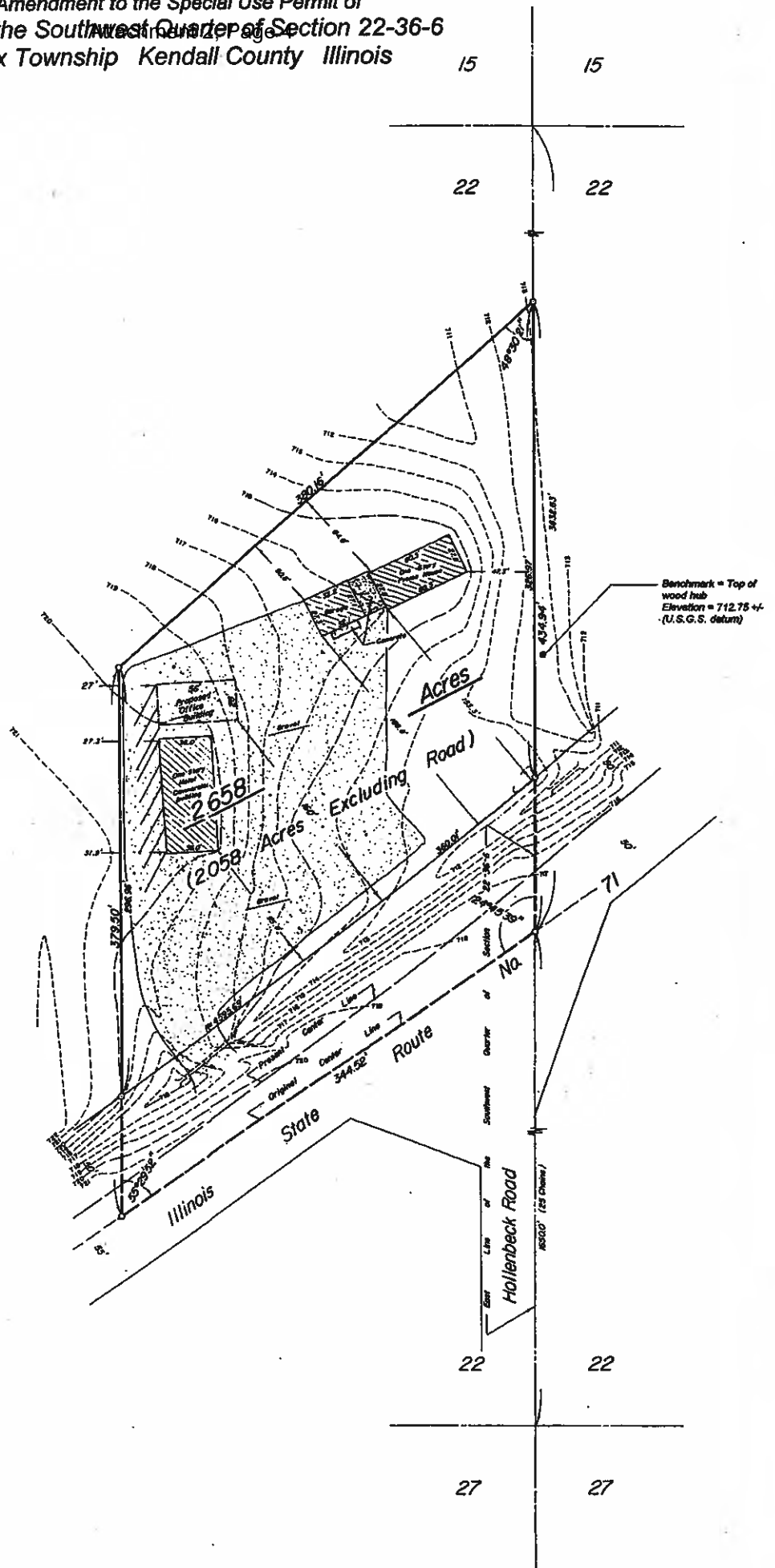
EXHIBIT A: LEGAL DESCRIPTION

That part of the Southwest Quarter of Section 22, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Southeast Corner of said Southwest Quarter; thence northerly along the East Line of said Southeast Quarter, 1,650.0 feet to the original centerline of the Chicago to Ottawa Road (now known as Illinois State Route No. 71) for a point of beginning; thence northerly along said East Line, 434.94 feet; thence southwesterly along a line which forms an angle of $48^{\circ}30'21''$ with the last described course, measured clockwise therefrom, 380.16 feet; thence southerly along a line which forms an angle of $131^{\circ}14'08''$ with the last described course, measured clockwise therefrom, 379.50 feet to said original centerline; thence northeasterly along said original centerline, 344.52 feet to the point of beginning (being that tract previously known as the Hollenback School Lot) and containing 2.658 acres in Fox Township, Kendall County, Illinois

15



The map shows the Mt. Shasta Volcanic Field area. Major roads are labeled 9, 10, 16, 15, 21, and 22. The Mt. Shasta River is shown flowing through the area. A line labeled 'Location' points to a specific area on the map. The map also shows the Mt. Shasta Volcanic Field and the Mt. Shasta River.

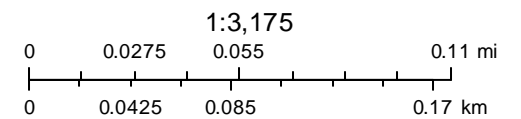


Aerial

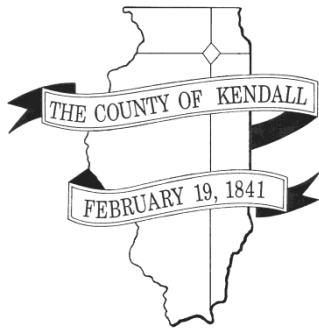


February 4, 2019

— Arrow 100	— FromTo 400	— Tip 100
— Arrow 400	— Hook 100	— Tip 400
— FromTo 100	— Hook 400	Road Names



Kendall County Illinois GIS



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Zoning Board of Appeals
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: March 28, 2019
Re: Petition 19-07- Request from the Kendall County Planning, Building and Zoning Committee for Text Amendment to Section 11.05A of the Kendall County Zoning Ordinance Pertaining to the Parking of Trailers

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

The proposal is divided into three (3) parts:

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

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

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

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

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

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

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

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

Thanks,

MHA

ENC: Redlined Version of Section 11.05A of the Kendall County Zoning Ordinance
March 5, 2019 ZPAC Meeting Minutes
March 27, 2019 Kendall County Regional Planning Commission Meeting Minutes

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

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

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

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

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

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

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

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

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

~~**Exception: An owner of a recreational vehicle located on property in the R-4, R-5, R-6 or R-7 Residential District which cannot comply with the front yard setback provisions of Section 4.08.A.1.b.ii above as of June 20, 2006 and that has registered said vehicle with the Kendall County Planning Building and Zoning Department, may be permitted to store such vehicle within the front yard setback provided said encroachment does not obstruct the required sight distance triangle, in the case of a corner lot, or create an obstruction so as to compromise the safety of pedestrians or other vehicles operating within the road right-of-way (R.O.W.) Said exemption shall apply to the original recreational vehicle registered and any replacement of said recreational vehicle. This exception shall be non-transferable to any subsequent owner(s) or occupants of the property and shall terminate upon either the sale of the property or change in occupancy of the dwelling unit should the owners chose to maintain it as a rental property. Owners shall be required to register their properties with the Planning, Building and Zoning Department on a form approved by the Department prior to December 29, 2006. In addition, the owner shall supply a copy of the plat of survey**~~

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

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

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

(Amended 7/18/2006)

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

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

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

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

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

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

Present:

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

Absent:

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

Audience:

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

AGENDA

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

MINUTES

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

PUBLIC COMMENT

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

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

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

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

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

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

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

PETITIONS

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

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

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

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

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

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

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

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

The City of Plano had no objections to the proposal.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EcoCAT Report submitted and consultation was terminated.

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

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

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

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

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

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

No new odors are foreseen.

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

No fencing or buffer is presently planned for the property.

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

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

The proposal is divided into three (3) parts:

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

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

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

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

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

OLD BUSINESS/NEW BUSINESS

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

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

CORRESPONDENCE

None

ADJOURNMENT

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

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

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

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

ROLL CALL

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

Members Absent: Claire Wilson

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

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

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

PETITIONS

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

The City of Plano had no objections to the proposal.

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

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

ZPAC recommended approval of the petition.

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

Staff recommended approval subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

The motion carried.

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

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

Mr. Asselmeier summarized the request.

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

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

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

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

The motion carried.

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

19-07 Kendall County Planning, Building and Zoning Committee

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

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

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

The motion carried.

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

19-09 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

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

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

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

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

The motion carried.

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

OLD BUSINESS

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

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

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

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

Mr. Asselmeier summarized the request.

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

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

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

No (0): None

Absent (1): Wilson

Abstain (1): Shaw

The motion carried.

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

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

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

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

ADJOURNMENT


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

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

Encs.

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

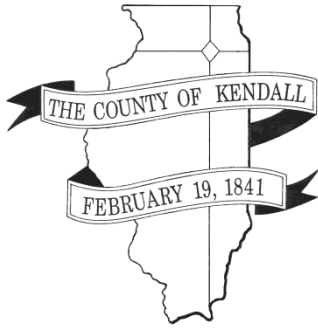
IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<div data-bbox="207 779 516 898">Dan Kramer</div>	<div data-bbox="618 751 1084 898">1102 S. Bridge Yorkville, IL 62380</div>	
<div data-bbox="207 905 532 972">CHET SERGO</div>		
<div data-bbox="196 1077 581 1171">Mary Kay Sergio</div>		
<div data-bbox="164 1161 667 1318"></div>		
<div data-bbox="191 1367 500 1465">Mark Bassong</div>		
<div data-bbox="272 1455 532 1528">Van Cate</div>		
<div data-bbox="183 1581 557 1780">Celia Bulger</div>		
<div data-bbox="191 1770 548 1885">Dorothy Fliss</div>		

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

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE
MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR
ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Craig Zimmerman		
Brittany Krause		
BRAD Blocker		



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Zoning Board of Appeals
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: March 28, 2019
Re: Proposed Text Amendment Adding Kendall County Sheriff's Office Shooting Ranges to the List of Permitted Uses in the A-1 Agricultural Zoning District in Oswego Township

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

Presently, Kendall County Sheriff's Office shooting ranges are special uses in the A-1, B-2, B-3, B-4, B-6, M-1, M-2, and M-3 Zoning Districts. The County Board may impose restrictions on Kendall County Sheriff's Office shooting ranges. If this proposal is approved, Kendall County Sheriff's Office shooting ranges would remain special uses on A-1 zoned properties in all of the townships except Oswego Township.

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

The A-1 zoning map is attached to this memo. A map of all of the County-owned properties currently zoned A-1 is also attached.

This proposal was mailed to the townships on March 4, 2019. To date, no township has provided written comments.

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

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on March 27, 2019. Na-Au-Say Township Supervisor Brad Blocker expressed his concerns that gun ranges are not an agricultural use and should be a special use. Commissioners provided a history of the proposal and the reasons why the proposal was drafted in its current format. The Kendall County Regional Planning Commission unanimously recommended approval. The minutes of the Kendall County Regional Planning Commission are attached.

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

Thanks,

MHA

ENC: A-1 Zoning Map
County-Owned Properties Zoned A-1
March 5, 2019 ZPAC Meeting Minutes
March 28, 2019 Kendall County Regional Planning Commission Meeting Minutes

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

KENDALL COUNTY

- 2019 -

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

Legend

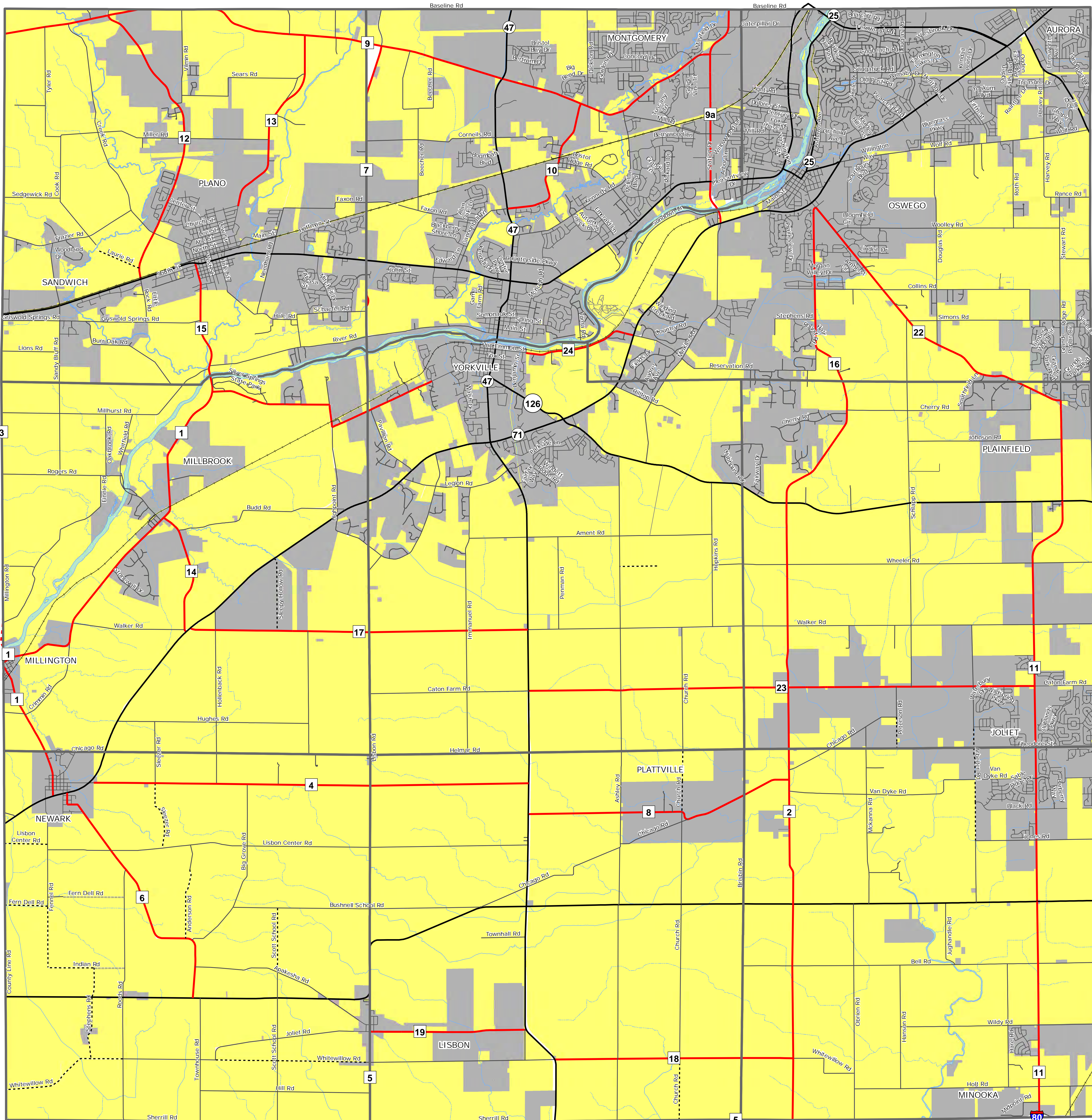
- ADJACENT COUNTY
- COUNTY
- INTERSTATE
- STATE
- FEDERAL
- BITUMINOUS
- GRAVEL
- DIRT
- LOCAL
- RAILROAD
- POLITICAL TOWNSHIPS
- COUNTY FOREST PRESERVE
- STATE PARK
- CORPORATE BOUNDARIES
- A1, A1-BP, A1-SU, A1-SU-PUD
- All Other Zoning/Municipalities

0 0.5 1 2 3
Miles



Kendall County GIS

111 West Fox Street - Room 308
Yorkville, Illinois 60560-1498
630.553.4212



County Owned Properties Zoned A1

KENDALL COUNTY

- 2019 -

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

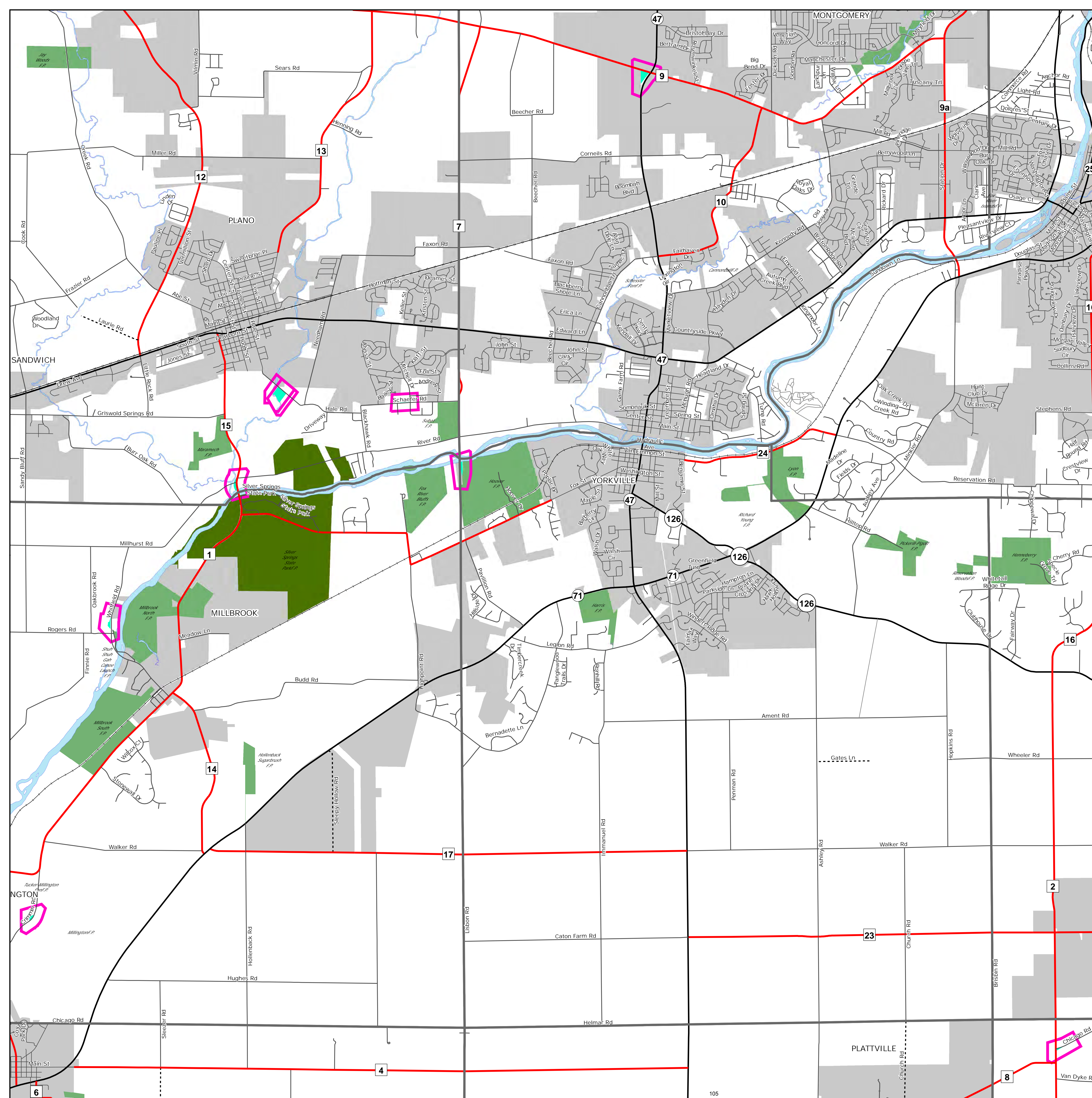
Legend

- ADJACENT COUNTY
- COUNTY
- INTERSTATE
- STATE
- FEDERAL
- BITUMINOUS
- GRAVEL
- DIRT
- LOCAL
- RAILROAD
- POLITICAL TOWNSHIPS
- COUNTY FOREST PRESERVE
- STATE PARK
- CORPORATE BOUNDARIES
- County Owned Properties - Zoned A1



Kendall County GIS

111 West Fox Street - Room 308
Yorkville, Illinois 60560-1498
630.553.4212



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

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

Present:

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

Absent:

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

Audience:

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

AGENDA

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

MINUTES

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

PUBLIC COMMENT

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

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

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

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

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

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

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

PETITIONS

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

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

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

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

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

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

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

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

The City of Plano had no objections to the proposal.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EcoCAT Report submitted and consultation was terminated.

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

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

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

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

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

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

No new odors are foreseen.

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

No fencing or buffer is presently planned for the property.

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

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

The proposal is divided into three (3) parts:

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

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

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

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

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

OLD BUSINESS/NEW BUSINESS

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

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

CORRESPONDENCE

None

ADJOURNMENT

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

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

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

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

ROLL CALL

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

Members Absent: Claire Wilson

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

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

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

PETITIONS

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

The City of Plano had no objections to the proposal.

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

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

ZPAC recommended approval of the petition.

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

Staff recommended approval subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

The motion carried.

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

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

Mr. Asselmeier summarized the request.

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

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

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

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

The motion carried.

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

19-07 Kendall County Planning, Building and Zoning Committee

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

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

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

The motion carried.

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

19-09 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

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

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

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

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

The motion carried.

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

OLD BUSINESS

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

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

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

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

Mr. Asselmeier summarized the request.

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

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

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

No (0): None

Absent (1): Wilson

Abstain (1): Shaw

The motion carried.

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

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

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

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

ADJOURNMENT


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

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

Encs.

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

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<div data-bbox="207 787 516 892">Dan Kramer</div>	<div data-bbox="617 745 1079 892">1102 S. Bridge Yorkville, IL 62380</div>	
<div data-bbox="203 903 527 976">CHET SERGO</div>		
<div data-bbox="191 1081 576 1165">Mary Kay Sergio</div>		
<div data-bbox="162 1165 665 1312"></div>		
<div data-bbox="191 1365 495 1459">Mark Bassong</div>		
<div data-bbox="267 1459 527 1522">Van Cate</div>		
<div data-bbox="186 1585 560 1774">Celia Bulger</div>		
<div data-bbox="186 1774 544 1879">Dorothy Fliss</div>		

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

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Craig Zimmerman		
Brittany Krause		
BRAD Blocker		