

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
December 16, 2024 – 7:00 p.m.

CALL TO ORDER

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

ROLL CALL:

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

Members Absent: None

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

Others Present: Michael Faulkner and Miranda Marshall-Faulkner

PETITIONS:

The Zoning Board of Appeals started their review of Petition 24-33 and opened the public hearing at 7:07 p.m.

Petition 24 – 33 – Kendall County Zoning Administrator

Request: Text Amendments to the Kendall County Code by Adding Parks to the Appropriate Place Alphabetically in the List of Permitted Uses in the R-4, R-5, R-6, and R-7 Zoning Districts and Related Text Changes

Purpose: Petitioner Would Like to Add Parks to the List of Permitted Uses in the R-4, R-5, R-6, and R-7 Zoning Districts

Mr. Asselmeier summarized the request.

Parks are presently special uses in the A-1, M-1 and M-2 Districts and they are permitted uses in the R-1, R-2, R-3, and RPD Districts.

The Oswegoland Park District operates Winrock Park at 21 Winrock Road, SuzanJohn Park at 29 Hampton Road, and Augusta Lake Park at 116 Augusta Road. Winrock Park is zoned R-7 and the other two (2) parks are zoned R-6.

The above parks are presently legally non-conforming which could create regulatory issues if the Oswegoland Park District decided to make changes to the parks; Staff is not aware of any proposed changes at this time.

Staff proposes to add parks to the list of permitted uses in the R-4, R-5, R-6, and R-7 Districts by amending Section 36-535 adding parks in the appropriate place alphabetically to the list of permitted uses in these districts and related text changes.

No property can be rezoned to the R-4, R-5, R-6, or R-7 zoning districts.

Information was sent to the Townships and Park Districts on October 25, 2024. No comments received.

ZPAC reviewed the proposal at their meeting on November 5, 2024, and voted to recommend approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on December 11, 2024, and recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

Member Fox asked, if any of the parks would like to make major improvements or changes, would they have to be up to code. Mr. Asselmeier responded that one (1) of the parks previously proposed to do a building addition. Without this amendment, the addition might not conform to the zoning regulations. This proposal will ensure that all work would be done in compliance with the zoning regulations.

Member Fox made a motion, seconded by Member Cherry, to recommend approval of the proposed text amendments.

The votes were as follows:

Ayes (7): Cherry, Fox, LeCuyer, Mohr, Prodehl, Thompson, and Whitfield

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The townships will be notified of the results of the public hearing.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on January 13, 2025, at 6:30 p.m. at the Historic Courthouse.

The Zoning Board of Appeals completed their review of Petition 24-33 and adjourned the public hearing at 7:10 p.m.

PUBLIC COMMENTS

Mr. Asselmeier reported that the next application deadline was December 24, 2024. The only petitions, to date, for the January hearing are the solar project on Simons Road and the solar project on Ament ZBA Meeting Minutes 12.16.24

Road and the two (2) petitions continued at tonight's meeting.

Michael Faulkner, a property owner in the A-1 district, wanted to speak about Petition 24-35, the parking regulations in the front yard setbacks.

Mr. Asselmeier spoke regarding the issue with the setbacks. It was noted that at their meeting on October 23, 2024, the Kendall County Regional Planning Commission decided to initiate a text amendment to the Kendall County Code allowing parking in the A-1 Zoning District in the interior seventy-five feet (75') from the centerline for properties where the right-of-way was not dedicated and the interior fifty feet (50') from the right-of-way line where a right-of-way existed.

Mr. Faulkner asked why he could not park within the first twenty-five feet (25') of the road if he is a owns property zoned A-1. Mr. Asselmeier stated that Mr. Faulkner is not allowed to count that parking spot as his principal, required parking spot.

Miranda Marshall-Faulkner discussed the situation at 1539 Collins Road regarding the demolition of the house and their concerns about setbacks at the property.

The reasoning behind this proposal was because there was a landscaping business that wanted to have their required parking spaces in the front yard setback and that is against regulation.

Chairman Mohr asked Mr. and Mrs. Faulkner to attend the January 27, 2025, meeting, at 7:00 p.m., at the Historic Courthouse.

Starting in January, the meetings will be in the Historic Courthouse.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

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

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

The Zoning Board of Appeals meeting adjourned at 7:33 p.m.

The next regularly scheduled meeting/hearing will be on Monday, January 27, 2025, in the Historic Courthouse.

Respectfully submitted by,
Wanda A Rolf
Planning, Building and Zoning Part-Time Administrative Assistant

Exhibits

1. Memo on Petition 24-33 Dated December 12, 2024

2. Certificate of Publication for Petition 24-33 (Not Included with Report but on file in Planning, Building and Zoning Office)



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 Regional Zoning Board of Appeals
From: Matthew H. Asselmeier, AICP, CFM, Director
Date: December 13, 2024
Re: Proposed Text Amendment Related to Parks in the R-4, R-5, R-6, and R-7 Districts
(Petition 24-33)

Parks are presently special uses in the A-1, M-1 and M-2 Districts and they are permitted uses in the R-1, R-2, R-3, and RPD Districts.

The Oswegoland Park District operates Winrock Park at 21 Winrock Road, SuzanJohn Park at 29 Hampton Road, and Augusta Lake Park at 116 Augusta Road. Winrock Park is zoned R-7 and the other two (2) parks are zoned R-6.

The above parks are presently legally non-conforming which could create regulatory issues if the Oswegoland Park District decided to make changes to the parks; Staff is not aware of any proposed changes at this time.

Staff proposes to add parks to the list of permitted uses in the R-4, R-5, R-6, and R-7 Districts by amending Section 36-535 adding parks in the appropriate place alphabetically to the list of permitted uses in these districts and related text changes.

No property can be rezoned to the R-4, R-5, R-6, or R-7 zoning districts.

Information was sent to the Townships and Park Districts on October 25, 2024.

ZPAC reviewed the proposal at their meeting on November 5, 2024, and voted to recommend approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting are provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on December 11, 2024, and recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting are provided.

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

MHA

Encs.: November 5, 2024, ZPAC Meeting Minutes (This Petition Only)
December 11, 2024, RPC Meeting Minutes (This Petition Only)

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
November 5, 2024 – Unapproved Meeting Minutes

PBZ Chairman Seth Wormley called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department
Lauren Belville – Health Department
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Seth Wormley – PBZ Committee Chair

Absent:

Meagan Briganti – GIS Department
Greg Chismark – WBK Engineering, LLC
Fran Klaas – Highway Department

Audience:

James Kerrigan, Nicholas Bellone, and Nicholas Standiford

PETITIONS

Petition 24-33 Kendall County Zoning Administrator

Mr. Asselmeier summarized the request.

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No property can be rezoned to the R-4, R-5, R-6, or R-7 zoning districts.

Information was sent to the Townships and Park Districts on October 25, 2024. No comments received.

Mr. Guritz made a motion, seconded by Commander Langston, to recommend approval of the proposal to the Kendall County Regional Planning Commission.

The votes were follows:

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

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on December 11, 2024.

PUBLIC COMMENT

None

ADJOURNMENT

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

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

The ZPAC, at 9:31 a.m., adjourned.

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

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unapproved - Meeting Minutes of December 11, 2024 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Eric Bernacki, Tom Casey, Dave Hamman, Keith Landovitz, Karin McCarthy-Lange, Ruben Rodriguez, Bob Stewart, and Claire Wilson

Members Absent: Seth Wormley

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

Others Present: Tom Ryan, Juan Hernandez, and Tom Ryan

PETITIONS

Petition 24-33 Kendall County Zoning Administrator

Mr. Asselmeier summarized the request.

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Member Stewart made a motion, seconded by Member McCarthy-Lange, to recommend approval of the text amendment.

The votes were as follows:

Ayes (9): Ashton, Bernacki, Casey, Hamman, Landovitz, McCarthy-Lange, Rodriguez, Stewart and Wilson

Nays (0): None
Absent (1): Wormley
Abstain (0): None

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on December 16, 2024.

CITIZENS TO BE HEARD/PUBLIC COMMENT

None

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported that the application deadline for the January meeting is December 24, 2024. Petitions 24-30 and 24-35 will be on the agenda.

Member Landovitz appreciated the Staff for updating the ordinance as necessary. Mr. Asselmeier said that the Staff was proposing text amendments reducing the number of plats submitted for certain applications.

Member Wilson suggested only including a summary instead of complete NRI Reports.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Hamman, to adjourn. With a voice vote of nine (9) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:05 p.m.

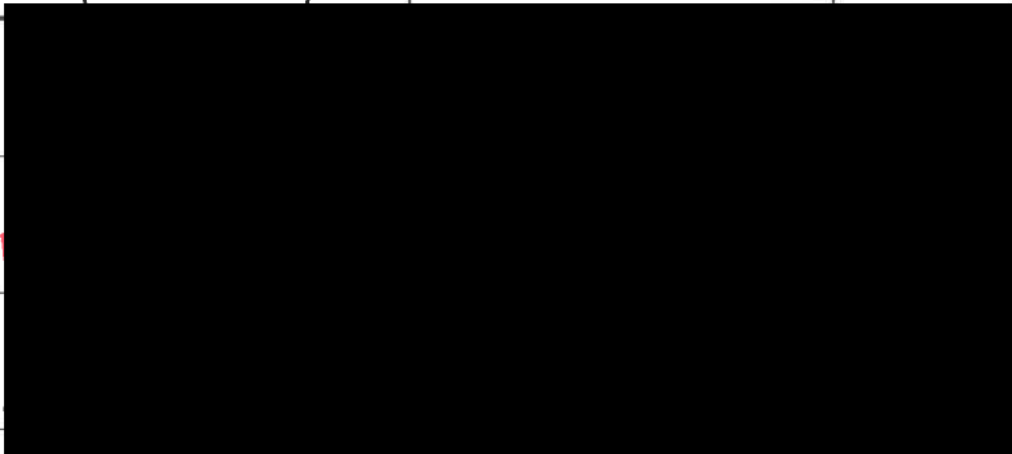
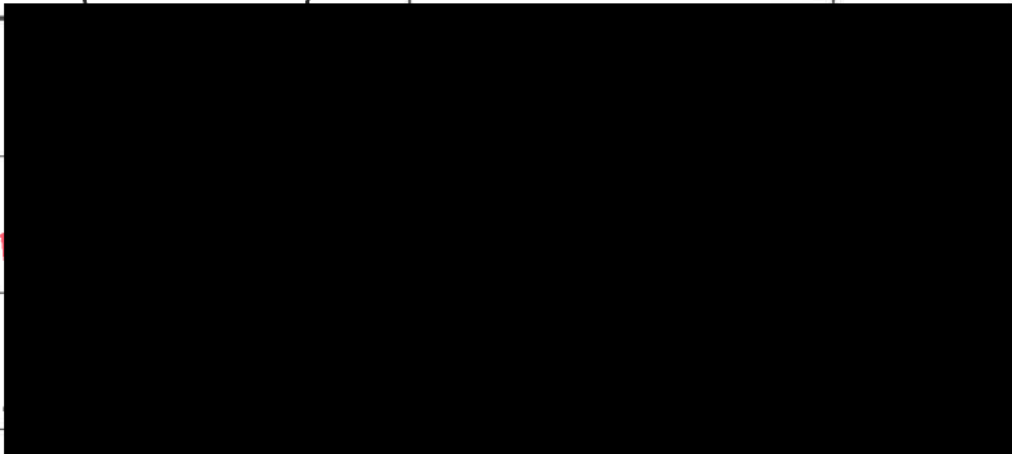
Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM, Director

Enc.

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**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
DECEMBER 11, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Tom Ryan		
Juan Hernandez		
Steve Gengler		