



KENDALL COUNTY
ZONING AND PLATTING ADVISORY COMMITTEE
110 West Madison Street • Court Room • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

September 2, 2025 - 9:00 a.m.

CALL TO ORDER

ROLL CALL: **County Board:** Seth Wormley, PBZ Committee Chair; **County Highway Department:** Fran Klaas, County Engineer; **WBK Engineering, LLC:** Greg Chismark, Stormwater Consultant; **County Health Department:** Aaron Rybski, Director Environmental Health; **Forest Preserve District:** David Guritz, Director; **SWCD:** Alyse Olson, Resource Conservationist; **Sheriff's Office:** Commander Jason Langston; **GIS:** Meagan Briganti; **PBZ:** Brian Holdiman, Code Official; Matt Asselmeier, PBZ Director

APPROVAL OF AGENDA (VV)

APPROVAL OF MINUTES (VV): Approval of Augst 6, 2025, ZPAC Meeting Minutes (Pages 2-12)

PETITIONS (Roll Call Vote):

1. **Petition 25 – 13 – Mikol's Construction on Behalf of Colt T. Neumann (Pages 13-22)**
Request: Plat of Vacation of Two Seven Point Five Feet Drainage and Utility Easements Along the Common Lot Lines of Lots 50 and 51 in Henneberry Woods Subdivision
PINs: 06-05-394-001 and 06-05-394-002
Location: 4771 Cherry Road and 4756 Waa-Kee-Sha Drive, Oswego, in Na-Au-Say Township
Purpose: Petitioner Wants To Vacate the Easements to Construct a House over the Common Lot Line; Property is Zoned RPD-2

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 25-05 Text Amendments Related to the Reduction of Documents for Certain Applications
2. Petition 25-06 Text Amendments Related to Abolishing ZPAC

OLD BUSINESS/ NEW BUSINESS

1. None

CORRESPONDENCE

PUBLIC COMMENT

ADJOURNMENT (VV)

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

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
August 6, 2025 – Unapproved Meeting Minutes

PBZ Chairman Seth Wormley called the meeting to order at 9:02 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Fran Klaas – Highway Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department
Seth Wormley – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department

Audience:

John Tebrugge and Fran Miller

AGENDA

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

With a voice vote of six (6) ayes, the motion carried.

MINUTES

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the July 1, 2025, meeting minutes.

With a voice vote of six (6) ayes, the motion carried.

PETITIONS

Petition 25-08 Jeremy M. and Samantha L. Dippold on Behalf of Best Budget Tree, LLC

Mr. Asselmeier summarized the request.

The Petitioners would like to operate a recreational vehicle and boat storage business at the subject property.

Best Budget Tree, LLC has been in existence for over ten (10) years and has operated at the subject property since 2022; forestry is a permitted in use in the A-1 Agricultural District.

The application materials, including the business plan, the site plan, including the landscaping plan, and the plat of survey were provided.

The property is located at 2241 Route 52.

The property is approximately forty-eight point three plus or minus (48.3 +/-) acres total with approximately six point five plus or minus (6.5 +/-) acres planned for the parking area.

The existing land use is Agricultural and the property is used for a forestry business.

The property is zoned A-1 Agricultural.

The County's plan calls for the property to be Rural Residential (Max 0.65 DU/Acre). The Village of Shorewood's plan call for the property to be Residential and Commercial.

Route 52 is a State maintained Arterial. Arbeiter Road is a Major Collector Road maintained by Seward Township.

Joliet has a trail planned along Route 52, but the property is on the Shorewood side of the boundary agreement between the two (2) municipalities.

There are no floodplains on the property. There is a wetland near the northwest corner of the property.

The adjacent land uses are Agricultural and Single-Family Residential.

The adjacent properties are zoned A-1 and R-3.

The County's plan calls for the area to be Rural Residential. The Village of Shorewood's plan calls for the area to be Residential, Commercial, and Institutional. The City of Joliet's plan calls for the area to be Residential.

Properties within one half (1/2) of a mile of the property are zoned A-1, A-1 SU, R-1, and R-3.

The A-1 special use permit to the west is for the sale of agricultural products not grown on the premises.

There are nine (9) homes adjoining the subject property.

EcoCAT Report was submitted on June 16, 2025, and indicated the following protected resources:

Aux Sable Creek INAI Site
Greater Redhorse (*Moxostoma valenciennesi*)

Further consultation will occur, per the application materials.

The application for NRI was submitted as part of the application from 2022. The LESA Score was 210 indicating a medium level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on July 25, 2025. The Seward Township Planning Commission met on August 5, 2025, and unanimously recommended denial of the proposal. The reasons for the denial were as follows: the property was never intended to allow for such uses and goes against the forestry use on the property, the access was always supposed to be only from Route 52 and not Arbeiter Road, there will be significant property value decreases to the homes along Arbeiter Road, there are major concerns with the aesthetics of adding this use to the property, drainage concerns, and there is no advantage to the Township or County for allowing this use on the property (i.e. no additional tax revenue).

Petition information was sent to the Village of Shorewood on July 25, 2025. No comments were received.

Petition information was sent to the Minooka Fire Protection District on July 25, 2025. The Minooka Fire Protection District submitted a letter on August 5, 2025, requesting a Knox gate lock for the gate and that the parking lot conforms to the load of a fire truck and the Petitioner needs to provide a truck turn around analysis plan.

Per Section 36-282 (54) of the Kendall County Code, storage facilities can be special uses on A-1 zoned property subject to the following conditions:

1. The business shall be located on, and have direct access to, a State, County or collector highway as identified in the County's Land Resource Management Plan, having an all-weather surface, designed to accommodate loads of at least eighty thousand (80,000) pounds.
2. Unless specifically permitted under a special use permit, all storage shall be in enclosed buildings.

If the County Board approves outdoor storage, the above conditions have been met.

According to the business plan, the Petitioners propose to operate an outdoor storage business at the subject property. The outdoor storage would be limited to recreational vehicles and boats.

According to the site plan, a total of three hundred twenty-six (326) parking stalls are proposed. One hundred sixty-three (163) parking stalls are proposed in Phase I and one hundred sixty-three parking (163) stalls are proposed in Phase II. All of the parking stalls would be twelve feet by thirty-five feet (12'X35'). The parking lot would cover approximately six point five (6.5) acres of the site and would be asphalt grindings. Parking stalls would be numbered with signs at the front of each stall.

According to the business plan, hours of operation would be daily from 7:00 a.m. until 4:30 p.m.

Other than the Petitioners, the business would not have any employees. Rentals would be arranged online and the parking area would be controlled by gated access with tenants assigned a passcode.

If approved, the Petitioners plan to start operations in the fall of 2025.

Per the site plan, there are two existing buildings on the site, one (1) approximately eleven thousand, five hundred twenty (11,520) square foot building and one (1) approximately thirteen thousand, seven hundred fifty (13,750) square foot building. Both of these buildings are related to the existing forestry operations and no new buildings are planned related to the proposed outdoor storage business.

There are utilities onsite serving the forestry business. No utilities are planned to serve the outdoor storage business area.

One (1) eight foot by twelve foot (8' X 12') dumpster enclosure was shown on the site plan east of the parking area. No information was provided regarding the type of fence used for the dumpster enclosure.

The property drains to the south and northwest.

There is one (1) wetland located near the northwest corner of the property.

The site plan shows an existing pond on the property and three (3) four inch (4") field tile lines. There is also a gravel area for the forestry business. These items are located south and west from the proposed storage area.

The Petitioners submitted a stormwater permit application.

Per the site plan, the Petitioners plan to install one (1) twenty-four foot (24') wide gravel driveway from Arbeiter Road. Arbeiter Road has a ten (10) ton weight limit. The outdoor storage area will not have any access to Route 52

On July 25, 2025, Seward Township submitted an email requesting a thirty-three foot (33') deep right-of-way dedication along Arbeiter Road. This email was provided.

According to site plan, the Petitioners plan to install two (2) sixty foot wide (60') driving aisles with parking stalls on both sides of the aisles.

Three (3) pipeline easements exist on the property, but these easements are not in the vicinity of the proposed outdoor storage area.

No lighting is proposed in the outdoor parking and storage area.

According to the site plan, one (1) non-illuminated sign is proposed east of the gravel driveway in the landscaped area. No information was provided regarding sign dimensions or height. Per the Kendall County Code, the total maximum allowable signage is thirty-two (32) square feet of gross surface area.

According to the business plan and site plan, an eight foot (8') tall black chainlink fence is proposed around the north, east, and south sides of the storage area. On the east and north sides, the fence will be five feet (5') off of the property line. The site plan also shows a security access gate.

According to the business plan and the site plan, two (2) rows of evergreens spaced at forty foot (40') centers exist along most of the perimeter of the property.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the seventh (7th) special use permit for storage of recreational vehicles and boats in unincorporated Kendall County. Five (5) of the six (6) existing special use permits allow some form of outdoor storage.

The proposed findings of fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Provided the site is developed in accordance with the submitted site plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. Conditions may be placed in the special use permit ordinance to address hours of operation and control measures for leaks.

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

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. If a stormwater management permit is issued based on the submitted materials, drainage should not be an issue. If Seward Township approves the access from Arbeiter Road, ingress and egress should not be an issue.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. If the County Board approves the outdoor storage request, this is true. No variances are required.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 9-21 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents".

Staff recommended approval of the special use permit for outdoor storage of recreational vehicles and boats only subject to the following conditions and restrictions; to date, the Petitioners had not agreed to these conditions:

1. The site shall be developed substantially in accordance with the attached site plan.
2. Items stored outdoors at the subject property related to this special use permit are limited to boats and recreational vehicles. No junk or debris, as defined by the Kendall County Code, shall be stored outdoors on the property.
3. Other than the perimeter trees, fencing, and no junk and debris requirements, the conditions contained in this special use permit shall not extend to the forestry operations conducted on the subject property.
4. Within ninety (90) days of approval of this special use permit, the owners of the subject property shall dedicate a strip of land along the perimeter of Arbeiter Road thirty-three feet (33') in depth as measured from the center Arbeiter Road to Seward Township. The Kendall County Planning, Building and Zoning Department may grant an extension to this deadline.
5. The hours of operation for the business allowed by this special use permit shall be daily from 7:00 a.m. until 4:30 p.m.
6. Other than the owners of the business allowed by this special use permit, the business allowed by this special use permit shall have zero (0) employees.
7. None of the vehicles or items parked or stored on premises shall be considered agricultural equipment as they relate to the businesses allowed by the special use permit.
8. All of the vehicles or items stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. The owners of the business allowed by this special use permit shall diligently monitor the property for leaks from vehicles and items stored on the premises and shall promptly clean up the site if leaks occur.

10. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of the 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.

11. The owners of the business allowed by the special use permit shall secure applicable permits for the parking area and sign near the entrance of Arbeiter Road. All of the parking stalls shall have signage identifying their stall number and directional signage may be installed throughout the site. Permits shall not be required for the parking stall signage and any directional signage installed on the property. None of the signs shall be illuminated.
12. The operator(s) of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
13. The operator(s) of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of the business allowed by the special use permit.
14. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permits.
15. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
16. This special use permit shall be treated as covenants running with the land and is binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Mr. Rybski asked if any additional employees would report to the site. Mr. Asselmeier responded the proposed special use permit does not allow for additional employees besides the Petitioners themselves.

Mr. Klaas asked if the special use permit was required to store items outside. Mr. Asselmeier responded that, without the special use permit, the Petitioners could not store other people's boats or recreational vehicles outside for profit.

Mr. Klaas noted that the Petitioners were not proposing to use Route 52. He also noted that Arbeiter Road had a ninety (90) day weight posting.

Mr. Asselmeier questioned the hours of operation, which were the Petitioners' idea. John Tebrugge did not dispute the hours of operation.

Mr. Rybski made a motion, seconded by Ms. Briganti, to forward the proposal to the Kendall County Regional Planning Commission.

The votes were follows:

Ayes (5): Asselmeier, Briganti, Olson, Rybski, and Wormley
Nays (0): None
Present (1): Klaas
Absent (4): Chismark, Guritz, Holdiman, and Langston

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on August 27, 2025.

Petitions 25-09 Irma Loya Quezada and 25-10

Mr. Asselmeier summarized the requests.

The Petitioner is requesting a map amendment rezoning approximately three point two (3.2) acres of the northwest corner of 14874 Brisbin Road, Minooka from A-1 Agricultural District to R-1 One Family Residential District in order to construct one (1) house. The Petitioner is also requesting a map amendment rezoning approximately three point two (3.2) acres of the southwest corner of 14918 Brisbin Road, Minooka from A-1 Agricultural District to R-1 One Family Residential District in order to construct one (1) house.

The Petitioner plans to use Plat Act exemptions to divide the larger parcel.

The agricultural building permits for the parcels were used in 2003 and 2004. The only way houses can be constructed on the subject parcels is by obtaining the requested map amendment.

The southwest corner of 14874 Brisbin Road and the northwest corner of 14918 Brisbin Road were rezoned to R-1 in 2022 by Ordinance 2022-15.

The application materials, plat of survey, and Ordinance 2022-15 were provided.

The property is approximately ten point three-seven more or less (10.37 +/-) acres total with approximately three point two plus or minus (3.2 +/-) acres proposed for rezoning.

The existing land use is Agricultural and Single-Family Residential.

The future land use is Rural Estate Residential (Max 0.45 Du/Acre).

Brisbin Road is a Township maintained Major Collector.

There are no trails planned for the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural, Farmstead, and Single-Family Residential.

The adjacent properties are zoned A-1 and A-1 SU.

The County's plan calls for the area to be Agricultural and Rural Estate Residential. The Village of Plattville's plan calls for the area to be Low Density Residential.

The properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-1.

The A-1 special use to the west is for the sale of agricultural products, art, pottery, and home décor not produced on the premises (Hogan's Market).

EcoCat submitted on July 22, 2025, and consultation was terminated.

NRI application submitted as part of the rezoning request in 2022. The LESA Score was 199 indicating a low level of protection. The NRI Summary Report was provided.

Seward Township was emailed information on July 24, 2025. The Seward Township Planning Commission met on August 5, 2025, and recommended denial of the proposal by a vote of three (3) against the proposal and one (1) in favor of the proposal. The reasons for denial were as follows: The same family rezoned their original ten (10) acres three (3) years ago to allow for two (2) residential homes and now they are re-zoning once again on the two (2) remaining properties. Row after row of houses rezoned to residential along rural roads was not the intention of the residential plan put in place by the county in the Comprehensive Plan and Seward Township approved a new Comprehensive Plan that shows the area as Agricultural and not Residential.

The Village of Plattville was emailed information on July 24, 2025. No comments were received.

The Lisbon-Seward Fire Protection District was emailed information on July 24, 2025. No comments were received.

The Petitioner desires to rezone the subject property in order to build one (1) house.

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

No public or private utilities are onsite.

The property fronts Brisbin Road. Staff has no concerns regarding the ability of Brisbin Road to support the proposed map amendment.

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

No new odors are foreseen.

Any new lighting would be for residential use only.

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

Any signage would be residential in nature.

No noise is anticipated.

Any new homes would have to be constructed per the Kendall County Code.

The proposed findings of fact are as follows:

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

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned R-1, A-1, or A-1 SU for the sale of agricultural products, art, pottery, and home décor not produced on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently mostly zoned A-1 with the southwest corner zoned R-1. The agricultural housing allocations for the subject property have already been used and no new single-family homes can be constructed on the subject property without a map amendment and division of the property.

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

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

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

Mr. Klaas discussed the conflict between the County's Plan and Seward Township's Plan.

ZPAC Meeting Minutes 08.06.25

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

The votes were follows:

Ayes (6): Asselmeier, Briganti, Klaas, Olson, Rybski, and Wormley

Nays (0): None

Abstain (0): None

Absent (4): Chismark, Guritz, Holdiman and Langston

The motion passed.

The proposals go to the Kendall County Regional Planning Commission on August 27, 2025.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Chairman Wormley stated that no Petitions went to the County Board.

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

Fran Miller, Seward Township Trustee, note the Township's vote on the proposals. She asked if the motions to forward indicated approval or denial of the projects. Chairman Wormley noted the motions were to forward the proposal and not issue a recommendation. Ms. Miller asked about the Township's opinion on the Petitions. Mr. Asselmeier responded that for special use permits, the Township only gives a recommendation. For map amendments, the Township can file a legal objection which triggers a supermajority vote at the County Board, if the Township follows the procedure outlined in State law. Mr. Asselmeier explained the timeline for notification of neighbors for zoning actions.

ADJOURNMENT

Mr. Klaas made a motion, seconded by Mr. Rybski, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The ZPAC, at 9:27 a.m., adjourned.

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

Encs.

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**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
AUGUST 6, 2025**

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)
FRAN MILLER		
JOHN TEBRUGGE		

Matt Asselmeier

From: Peter Fleming <[REDACTED]>
Sent: Wednesday, August 6, 2025 7:28 AM
To: Matt Asselmeier
Cc: Fran Fehrenbach; Joan Soltwisch; Jessica Vickery; Tim O'Brien; Sharleen Smith
Subject: [External]Report from Seward Twp Planning Commission

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

Matt,

The Seward Twp. Planning Commission met last night on Aug 5th at 6pm. The commission heard a proposal from the Quezada Family for re-zoning their property on Brisbin Rd. The Seward Twp Planning Commission voted 3-1 against the re-zoning. Some of the reasons for the vote against the project include:

- The same family rezoned their original 10 acres 3 years ago to allow for two residential homes and now they are re-zoning once again on the two remaining properties. Row after row of houses re-zoned to Residential along our rural roads was not the intention of the residential plan put in place by the county in the Comprehensive Plan.
- Our Township approved a new Comprehensive Plan that shows that area as agriculture and not residential.

The Seward Twp Planning Commission also heard a proposal by the representatives from Budget Tree Service on Rt. 52 for the proposal of adding up to 364 spaces of RV & Boat Storage at their landscape supply and tree service business. This proposal was unanimously voted down by our Twp Planning Commission for the following reasons.

- The property was never intended to allow for such uses and goes against the Forestry Use on the property.
- The access was always supposed to be only from Rt. 52 but now shown as Arbeiter Rd.
- There will be significant property value decreases to the homes along Arbeiter Rd. with this new use added to the property adjacent to them.
- There are major concerns with the aesthetics of adding this use to the property.
- The affect on the neighboring properties as far as drainage is a concern.
- There is no advantage to the Twp or County that we see by allowing this use on the property including no additional tax revenue.

Thank you,
Pete Fleming - Seward Twp Planning Commission



MINOOKA FIRE PROTECTION DISTRICT

"A Culture of Excellent Service"

P.O. Box 736
7901 E. Minooka Road
Minooka, Illinois 60447

Ph: 815-467-5637
Fx: 815-467-5453
www.minookafire.com

August 5, 2025

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
807 West John Street
Yorkville, IL 60560-9249

Re: Petition 25-08
PIN: 09-15-200-003

Dear Mr. Asselmeier,

A review Petition 25-08 has been completed and the Fire District has the following stipulations:

1. A Knox gate lock is required at the gate for access in case of emergency (see attachment).
2. The parking lot will have to conform to the load of our fire truck and needs to provide a fire truck turn-analysis plan for review (see attachment).

No guarantee is rendered as to the completeness of the zoning change application review, and the responsibility for full compliance with both state and locally adopted codes, standards and regulations rests with the owner or his authorized agent or subcontractor. Subsequent discovery of errors or omissions shall not be construed as authority to violate, cancel or set aside any provision of any applicable codes.

Thank you for the opportunity to review and comment on your application. Should you have any questions or concerns, please feel free to contact me at 815-467-5637 ext. 113.

Respectfully,

Matt Feinberg, Fire Inspector
Minooka Fire Protection District



DEPARTMENT OF PLANNING, BUILDING & ZONING

807 West John Street

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 25-13

**Mikol's Construction on Behalf of Colt T. Neumann
Plat of Vacation of a Drainage and Utility Easement
in Henneberry Woods Subdivision**

INTRODUCTION

A fifteen foot (15') drainage and utility easement presently exists between Lots 50 and 51 in Henneberry Woods Subdivision. The Petitioner owns the subject lots and would like to construct a home in the center of the combined lots.

SITE INFORMATION

PETITIONER Mikol's Construction on Behalf of Colt T. Neumann

ADDRESS 4771 Cherry Road and 4756 Waa-Kee-Sha Drive, Oswego (Lots 50 and 51 of Henneberry Woods)

LOCATION The Northeast Corner of the Intersection of Cherry Road and Waa-Kee-Sha Drive



TOWNSHIP Na-Au-Say Township

PARCEL #s 06-05-394-001 and 06-05-394-002

LOT SIZE 1.43 +/- Acres

EXISTING LAND USE Residential/Vacant

ZONING RPD-2

LRMP	Current Land Use	Vacant One-Family Residential
	Future Land Use	Rural Residential (Max 0.65 Du/Acre)
	Roads	Waa-Kee-Sha Drive and Cherry Road are Township Roads classified as Local Roads
	Trails	None
	Floodplain/Wetlands	None

REQUESTED ACTION Vacate a Fifteen Foot (15') Drainage and Utility Easement Between Lots 50 and 51

APPLICABLE REGULATIONS Section 30-78

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Single-Family Residential	RPD-2	Rural Residential (Max 0.65 DU/Acre)	N/A
South	Single-Family Residential	RPD-2	Rural Residential	N/A
East	Single-Family Residential	RPD-2	Rural Residential	N/A
West	Single-Family Residential	RPD-2	Rural Residential	N/A

ACTION SUMMARY

NA-AU-SAY TOWNSHIP

Na-Au-Say Township was emailed information on July 31, 2025. On August 4, 2025, Na-Au-Say Township Supervisor Eric Bernacki and Na-Au-Say Township Road Commissioner David Wheeler recommended the frontage of the combined lots being on Waa-Kee-Sha Drive. This email is included as Attachment 4. The Petitioner was agreeable to this request.

VILLAGE OF OSWEGO

The Village of Oswego was emailed information on August 11, 2025.

OSWEGO FIRE PROTECTION DISTRICT

The Oswego Fire Protection District was emailed information on August 11, 2025.

GENERAL

The application materials are included as Attachment 1. The plat of vacation is included as Attachment 2.

All of the utilities signed the plat approving the vacation.

On July 29, 2025, a representative from the Henneberry Woods Homeowners' Association submitted a letter stating the HOA approved the combination of lots, contingent upon approval by the Architectural Review Committee. This letter is included as Attachment 3.

On July 31, 2025, WBK Engineering submitted an email expressing no opposition to the request.

RECOMMENDATION

Staff recommends approval of the requested plat of vacation provided that Lots 50 and 51 remain under the same ownership and that front yard access comes from Waa-Kee-Sha Drive.

ATTACHMENTS

1. Application Materials
2. Plat of Vacation
3. July 29, 2025, Letter from Homeowners' Association
4. August 4, 2025, Email from Na-Au-Say Township Supervisor Eric Bernacki
5. July 31, 2025, Email from Greg Chismark



DEPARTMENT OF PLANNING, BUILDING & ZONING

807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME PLAT OF ABROGATION FILE #: 25-13

NAME OF APPLICANT (Including First, Middle Initial, and Last Name)		
<u>MIKOL'S CONSTRUCTION</u>		
CURRENT LANDOWNER/NAME(S)		
<u>COLT NEUMANN</u>		
SITE INFORMATION	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
ACRES	<u>4771 CHERRY RD</u>	
<u>LOT 50 = 0.72</u>	<u>4756 WAAGGESHA</u>	
<u>LOT 51 = 0.706</u>		
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (____ Concept; ____ Preliminary; ____ Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input checked="" type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (____ Major; ____ Minor)		
1 PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
<u>(RANDY MELLER)</u>		
<u>MIKOL'S CONSTRUCTION</u>		
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
2 ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
<u>TONY RYNEARSON</u>		
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER #(Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.		
SIGNATURE OF APPLICANT		DATE <u>7/22/25</u>

FEE PAID:\$ _____
CHECK #: _____

¹Primary Contact will receive all correspondence from County

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

Authorization Agreement

I, Colt T. Neumann, hereby authorize Mikols Construction to act as my agent for the purpose of obtaining all necessary approvals and permits required for construction on Lots 50 and 51 in Hennenbury Woods. This authorization is effective from July 30, 2025, until the issuance of an occupancy permit for the constructed. Mikols Construction is authorized to submit applications, attend hearings, and take other necessary actions on my behalf to secure said approvals and permits.

This authorization may be revoked by me in writing with 10 days notice to Mikols Construction, unless otherwise prohibited by applicable law or agreement.

Signed:

A large black rectangular redaction box covering the signature area.

Colt T. Neumann

Date: 7/30/25

Accepted by:

Date:

KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant COLT T. NGUMANN
 Address [REDACTED]
 City OSAGE [REDACTED] State [REDACTED] Zip [REDACTED]
2. Nature of Benefit Sought VACATE BASEMENT
3. Nature of Applicant: (Please check one)
☐ Natural Person (a)
☒ Corporation (b)
☐ Land Trust/Trustee(c)
☐ Trust/Trustee (d)
☐ Partnership (e)
☐ Joint Venture (f)
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
RANDY MUEHL	[REDACTED]	OWNER
MIKALS CONSTRUCTION, INC		
6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
RANDY MUEHL [REDACTED]; GC

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

Subscribed and sworn to before me this 21ST day of JULY, A.D. 2025

(seal)



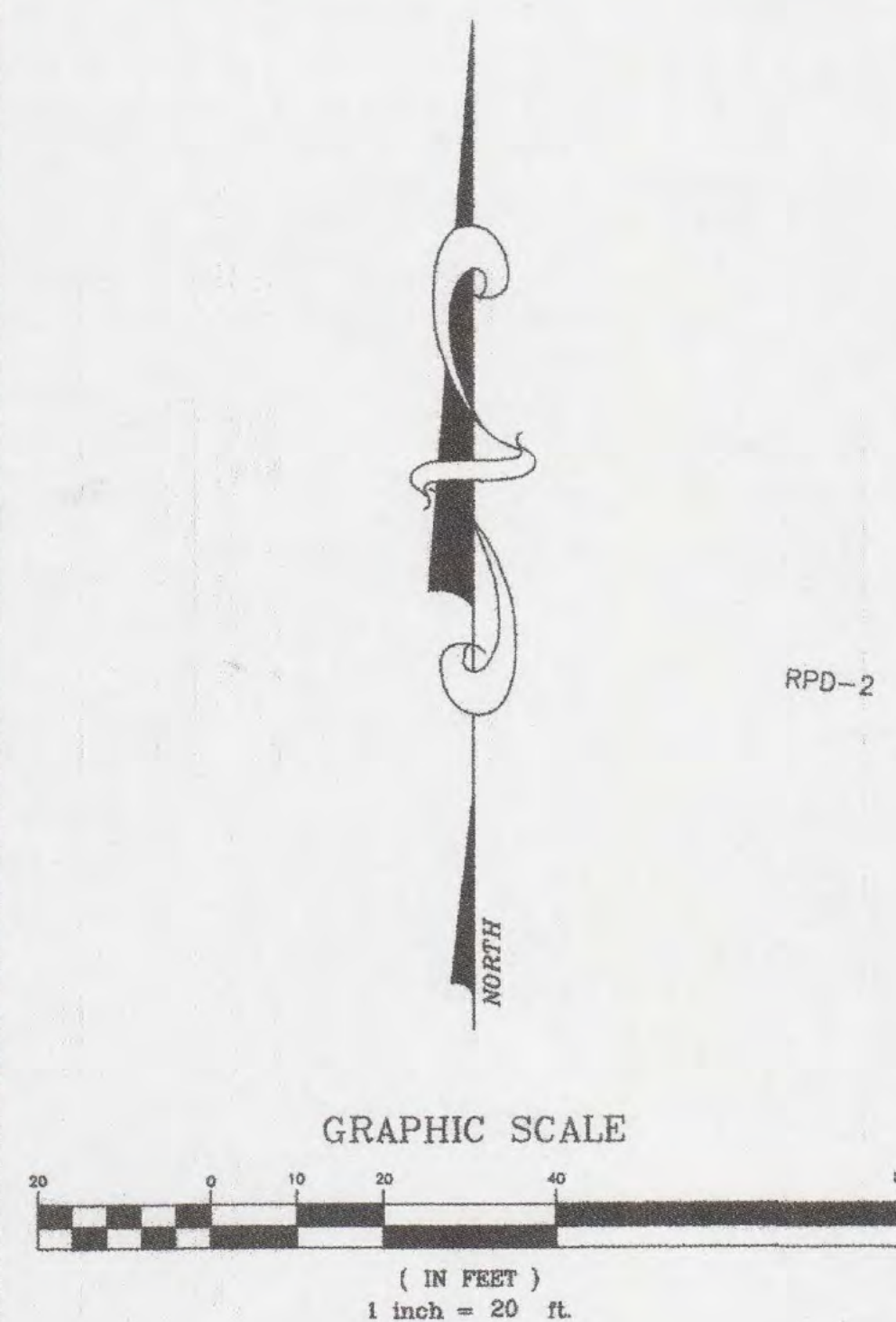
Notary Public

PLAT OF ABROGATION

FOR PUBLIC UTILITY EASEMENT

THE SOUTH 7.5 FEET OF LOT 51 AND THE NORTH 7.5 FEET OF LOT 50 IN HENNEBERRY WOODS - UNIT (EXCEPT THE EAST 10 FEET)
2, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Pin's: 4771 Cherry Road
06-05-394-001
4756 Waa-Kee-Sha Drive
06-05-394-002



COMMONWEALTH EDISON (EXCELON)

STATE OF ILLINOIS)
COUNTY OF Kendall

THIS IS TO ACKNOWLEDGE THAT COMMONWEALTH EDISON (EXCELON CORPORATION) ACCEPTS THE ABROGATION OF EASEMENT RIGHTS OVER THE LAND SHOWN HEREON.

DATED THIS 8th DAY OF July, 2025

[Signature]
AUTHORIZED REPRESENTATIVE

AT & T COMMUNICATIONS

STATE OF ILLINOIS)
COUNTY OF Kendall

THIS IS TO ACKNOWLEDGE THAT AT & T COMMUNICATIONS ACCEPTS THE ABROGATION OF EASEMENT RIGHTS OVER THE LAND SHOWN HEREON.

DATED THIS 16th DAY OF June, 2025

[Signature]
AUTHORIZED REPRESENTATIVE

NICOR GAS

STATE OF ILLINOIS)
COUNTY OF Kendall

THIS IS TO ACKNOWLEDGE THAT NICOR GAS ACCEPTS THE ABROGATION OF EASEMENT RIGHTS OVER THE LAND SHOWN HEREON.

DATED THIS 5th DAY OF June, 2025

[Signature]
AUTHORIZED REPRESENTATIVE

AMERITECH ILLINOIS A.K.A. ILLINOIS BELL TELEPHONE

STATE OF ILLINOIS)
COUNTY OF Kendall

THIS IS TO ACKNOWLEDGE THAT AMERITECH A.K.A. ILLINOIS BELL TELEPHONE ACCEPTS THE ABROGATION OF EASEMENT RIGHTS OVER THE LAND SHOWN HEREON.

DATED THIS 16th DAY OF June, 2025

[Signature]
AUTHORIZED REPRESENTATIVE



KENDALL COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF Kendall

I, _____, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

DATED THIS _____ DAY OF _____, A.D. 20____

COUNTY CLERK

KENDALL COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF Kendall

THIS INSTRUMENT _____, WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS,

ON THE _____ DAY OF _____, A.D. 20____

AT _____ O'CLOCK _____ M

KENDALL COUNTY RECORDER

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF Kendall

THIS IS TO CERTIFY THAT Colt Neumann IS THE OWNER OF THE PROPERTY DESCRIBED ABOVE AND AS SUCH OWNER, HAS CAUSED THE SAME TO BE PLATTED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH AND AS ALLOWED AND PROVIDED BY STATUTES, AND SAID OWNER, DOES HEREBY ACKNOWLEDGE AND ADMIT THE SAME UNDER THE STYLE AND TITLE AFORESAID.

DATED AT Naperville, ILLINOIS, THIS 4 DAY OF June, 2025

BY: [Signature]
(Owner)

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DuPage

I, MERRICK MILLER, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY

IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT

COLT NEUMANN
(Print Name)

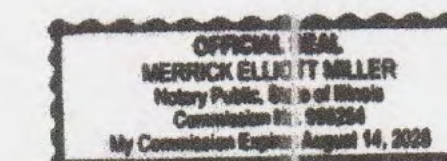
WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FORGOING INSTRUMENT RESPECTFULLY, APPEARED BEFORE ME THIS DAY IN PERSON AND JOINTLY AND SEVERALLY ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID OWNER FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS 4th DAY OF JUNE, A.D. 2025

[Signature]
NOTARY PUBLIC SIGNATURE
MERRICK ELLIOTT MILLER
(Print Name)

MY COMMISSION EXPIRES ON AUGUST 14, A.D. 2028



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF Kendall

THIS IS TO CERTIFY I, WILLIAM M. WINGSTEDT, HAVE PREPARED FROM PUBLIC RECORD, FOR THE PURPOSE OF ABROGATION, THE PROPERTY DESCRIBED AS FOLLOWS:

THE SOUTH 7.5 FEET OF LOT 51 AND THE NORTH 7.5 FEET OF LOT 50 IN HENNEBERRY WOODS-UNIT2 BEING A SUBDIVISION OF PART OF SECTION 5, TOWNSHIP36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF NA-AU-SAY, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 10TH, 2006 AS DOCUMENT 2006-000904 IN KENDALL COUNTY, ILLINOIS.

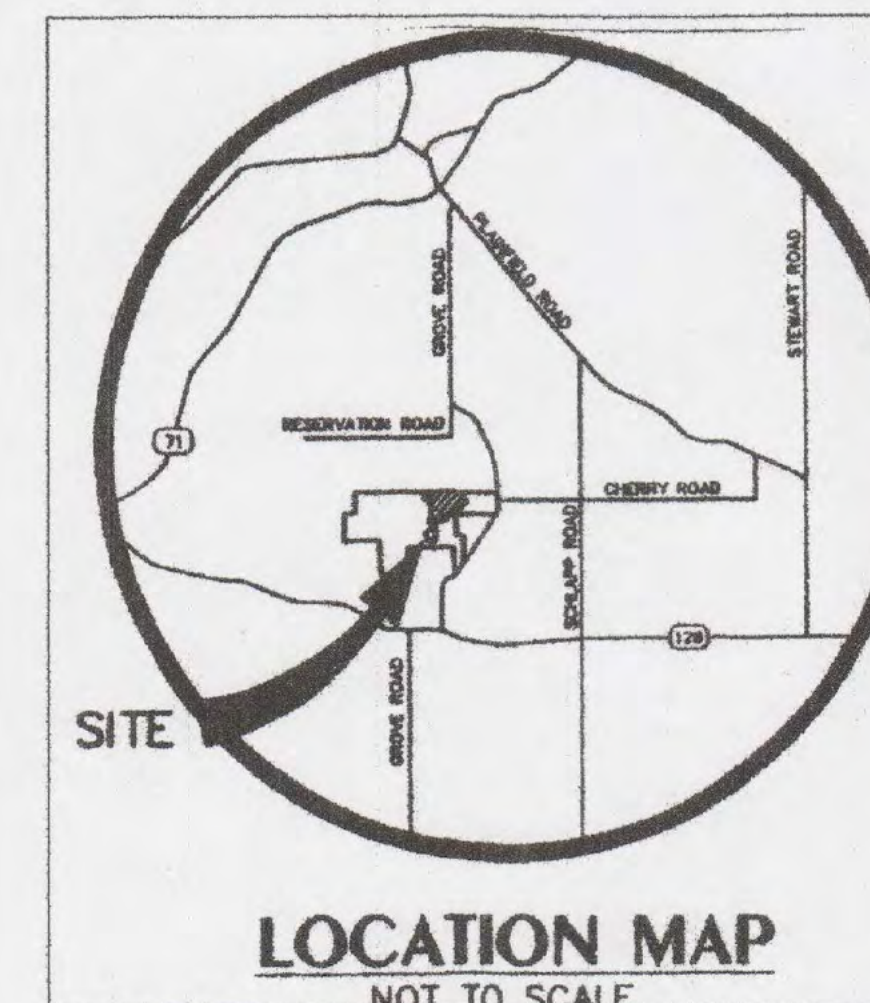
AS SHOWN BY THE ANNEXED PLAT WHICH IS A CORRECT AND TRUE REPRESENTATION OF SAID VACATION.

GIVEN UNDER MY HAND AND SEAL AT OSWEGO, ILLINOIS,

THIS 16th DAY OF July, A.D. 2025

[Signature]
WILLIAM M. WINGSTEDT ILLINOIS PROFESSIONAL LAND SURVEYOR NO. _____
EXP. 11-30-26

Date of Preparation - 04-22-25



Owner:
Colt & Reena Neumann

Surveyor:
William M. Wingstedt



To: Colt Neumann

From: Henneberry Woods Homeowners Association

Date: July 29, 2025

On behalf of Henneberry Woods, this letter serves to confirm that Henneberry Woods Homeowners Association approves the proposed combination of Lots 51 and 52 by Colt Neumann. This approval is **contingent upon** the **Architectural Review Committee's** formal approval of the submitted design plans for the combined lot as described in Article VII of Henneberry Woods Declaration of Subdivision Covenants (the Covenants). Please ensure that all design documents are submitted in accordance with the HOA's architectural guidelines for timely review and consideration.

Regards,

A black rectangular redaction box covering the signature of David Burdo.

David Burdo

President, Henneberry Woods HOA

Matt Asselmeier

From: Eric Bernacki <naausaysupervisor@gmail.com>
Sent: Monday, August 4, 2025 1:44 PM
To: PBZ Intern; Matt Asselmeier; Gary Hostert
Subject: Re: [External]Re: Na-Au-Say Township Plat of Abrogation

Good Afternoon-

We could not find a better copy of the final plat for the subdivision, but based on what I see on the links below, these lots both appear to have the frontage on Waa-Kee-Sha.

I discussed this with our Road Commissioner David Wheeler and we have no issue with the lots being combined and would recommend the frontage being on Waa-kee-Sha.

<https://www.kendallcountyil.gov/home/showpublisheddocument/9060/637214422956300000>

<https://www.kendallcountyil.gov/home/showpublisheddocument/9574/637214461287370000>

On Thu, Jul 31, 2025 at 2:10 PM PBZ Intern <pbzintern@kendallcountyil.gov> wrote:

Yes, that is correct.

From: Eric Bernacki <naausaysupervisor@gmail.com>
Sent: Thursday, July 31, 2025 2:09 PM
To: PBZ Intern <pbzintern@kendallcountyil.gov>
Subject: [External]Re: Na-Au-Say Township Plat of Abrogation

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

Good Afternoon-

I just wanted to clarify the request, is the petitioner looking to combine those two parcels for a new build and you're asking if the frontage should be on Cherry or Waa-Kee-Sha?

On Thu, Jul 31, 2025 at 1:54 PM PBZ Intern <pbzintern@kendallcountyil.gov> wrote:

Dear Eric Bernacki,

Matt Asselmeier

From: Greg Chismark <gchismark@bodwegroup.com>
Sent: Thursday, July 31, 2025 4:27 PM
To: Matt Asselmeier
Cc: PBZ Intern
Subject: RE: [External]RE: Plat of Abrogation

Agreed. I just wanted to double check storm sewer. There is an inlet in the rear yard but the sewer runs east and not down this sideyard.

All good. Do you need anything other than this message from me?

Greg

Greg Chismark, PE
Mobile 847-344-5619 | gchismark@bodwegroup.com
From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Thursday, July 31, 2025 4:15 PM
To: Greg Chismark <gchismark@bodwegroup.com>
Cc: PBZ Intern <pbzintern@kendallcountyil.gov>
Subject: RE: [External]RE: Plat of Abrogation

Greg:

I am going to assume the utilities had no issues because they signed the plat.

Attached are the engineering plans.

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
807 West John Street
Yorkville, IL 60560-9249
PH: 630-553-4139
Fax: 630-553-4179

From: Greg Chismark <gchismark@bodwegroup.com>
Sent: Thursday, July 31, 2025 4:08 PM
To: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Cc: PBZ Intern <pbzintern@kendallcountyil.gov>
Subject: [External]RE: Plat of Abrogation

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Matt,

There is probably nothing in the easement...however, if you have the engineering plans for Henneberry it would be worthwhile to verify. Maybe the County GIS system could also do that.