

KENDALL COUNTY
ZONING AND PLATTING ADVISORY COMMITTEE
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

March 3, 2020 - 9:00 a.m.

CALL TO ORDER

ROLL CALL: **County Board:** Matthew Prochaska, PBZ Committee Chair; **County Highway Department:** Fran Klaas, County Engineer; **Wills Burke Kelsey:** Greg Chismark, Stormwater Consultant; **County Health Department:** Aaron Rybski, Director Environmental Health; **Forest Preserve District:** David Guritz, Director; **SWCD:** Megan Andrews, Resource Conservationist; **Sheriff's Office:** Commander Jason Langston; **GIS:** Meagan Briganti; **PBZ:** Brian Holdiman, Code Official; Matt Asselmeier, Senior Planner

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of the February 4, 2020 ZPAC Meeting Minutes (Pages 3-4)

PETITIONS:

1. **20 – 02 – Greg Dady on Behalf of DTG Investments, LLC (Pages 5-23)**
Request: Text Amendments to the Kendall County Zoning Ordinance Adding Truck Parking Area or Yard to the List of Permitted Uses in the M-1 and M-2 Zoning Districts and Related Citation Corrections
Purpose: Proposal Adds Truck Parking Area or Yard to the List of Permitted Uses in the M-1 and M-2 Zoning Districts

2. **20 – 03 – Greg Dady on Behalf of DTG Investments, LLC (Page 24-48)**
Request: Amendment to the Future Land Use Map in the Land Resource Management Plan by Changing the Classification of the Subject Property from Rural Residential to Mixed Use Business
PIN: 06-09-400-005
Location: 3485 Route 126, Na-Au-Say Township
Purpose: Petitioner Wants Map Change to Be Able to Rezone the Property for Manufacturing Related Purposes and Operate a Truck Parking Area or Yard; Property is Zoned A-1 with a Special Use Permit

3. **20 – 05 – Greg Dady on Behalf of DTG Investments, LLC (Pages 49-86)**
Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural with a Special Use Permit to M-1 Limited Manufacturing District
PIN: 06-09-400-005
Location: 3485 Route 126, Na-Au-Say Township
Purpose: Petitioner Wants Map Amendment to Be Able to Operate a Truck Parking Area or Yard on the Property

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 19-47 Kennel and Veterinary at Northeast Corner of Ridge Road and Bell Road

OLD BUSINESS/ NEW BUSINESS

CORRESPONDENCE

None

PUBLIC COMMENT

ADJOURNMENT- Next meeting on April 7, 2020

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)
February 4, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

Present:

Megan Andrews – Soil and Water Conservation District
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Matthew Prochaska – PBZ Committee Chair
Aaron Rybski – Health Department

Absent:

Greg Chismark – WBK Engineering, LLC
Fran Klaas – Highway Department
David Guritz – Forest Preserve

Audience:

None

AGENDA

Mr. Rybski made a motion, seconded by Ms. Andrews, to approve the agenda as presented. With a voice vote of seven (7) ayes, the motion carried.

MINUTES

Ms. Briganti made a motion, seconded by Commander Langston, to approve the January 7, 2020, meeting minutes. With a voice vote of seven (7) ayes, the motion carried.

PETITIONS

Petition 19-41 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

For the last several months, the Planning, Building and Zoning Committee has been discussing allowing the Planning, Building and Zoning Department to issue citations in an effort to streamline and increase the time for obtaining compliance for violations to the Zoning Ordinance.

In summary, this proposal does the following:

1. Moves the procedure for handling violations of the signage portion of the Ordinance (Section 12) to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the signage portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.
2. Establishes the procedures for issuing citations and other remedies of violations to the Zoning Ordinance.
3. Abolishes the Hearing Officer for Zoning Ordinance violations. All citations will be sent to court for hearings.
4. Clarifies the fines the County may pursue in cases of violations.
5. Sets the fine structure for violations of the site plan review portions of the Zoning Ordinance as the same as other violations of the Zoning Ordinance.
6. Moves the procedure for handling violations of the site plan review portions of the Zoning Ordinance to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the site plan portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.

On October 7, 2019, the Planning, Building and Zoning Committee voted to initiate this text amendment and have the State's Attorney's Office assist in preparing the amendment. On November 12, 2019, the Committee reviewed the changes Staff incorporated based on the State's Attorney's Office's comments and the Committee did not object to the

changes to the proposal. The Committee was asked to review retaining the Hearing Officer. At their meeting on January 13, 2020, the Committee chose not to amend the proposal and remove the Hearing Officer.

The redlined proposal was reviewed by the Committee.

Mr. Holdiman made a motion, seconded by Ms. Briganti, to recommend approval of the proposal.

Ayes (7): Andrews, Asselmeier, Briganti, Holdiman, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (3): Chismark, Guritz, and Klaas

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on February 26, 2020.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

Mr. Asselmeier distributed copies of the Planning, Building and Zoning Department's Annual Report. Mr. Holdiman noted that the County updated to the 2018 ICC Codes.

Mr. Asselmeier informed the Committee that the Kendall County Regional Planning Commission would initiate petitions to update the Zoning Ordinance. A general summary was provided to Committee members.

Mr. Asselmeier provided an update on proposed changes to the Land Resource Management Plan. The Kendall County Planning, Building and Zoning Committee would be reviewing these changes at their February 10th meeting.

CORRESPONDENCE

None

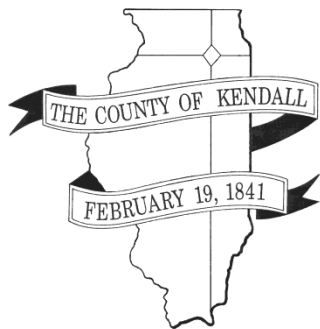
PUBLIC COMMENT

None

ADJOURNMENT

Ms. Andrews made a motion, seconded by Mr. Rybski, to adjourn. With a voice vote of seven (7) ayes, the motion carried. The ZPAC, at 9:17 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County ZPAC

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: 2/20/2020

Subject: Petition 20-02 Request from Greg Dady on Behalf of DTG Investments, LLC to Add Truck Parking Area or Yard to the List of Permitted Uses in the M-1 Zoning District

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a truck parking area or yard at the subject property. The Petitioner would like to rezone the subject property to M-1 Limited Manufacturing District and add truck parking area or yard to list of permitted uses within the M-1 District. The Petitioner's application material is attached.

According to Section 3:00 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

This use is not listed as a permitted or special use in any zoning district.

Pursuant to Section 10:02.B.1 of the Kendall County Zoning Ordinance, any use that is a permitted use in the M-1 Limited Manufacturing District is also a permitted use in the M-2 Heavy Industrial District. A map showing M-1 and M-2 zoned properties is attached.

Staff is agreeable to the requested text amendment provided that the proposed use occurs on roads that were constructed to handle heavy truck traffic.

Accordingly, Staff recommends that the following language be added to Section 10:01.B in the appropriate place alphabetically in the list of permitted uses in the M-1 and M-2 Zoning Districts:

“Truck Parking Area or Yards provided that the use has direct access to a road designated as a major collector or higher in the County Land Resource Management Plan.”

The list of permitted uses in the M-1 District should be renumbered to reflect the addition of this use to the list of permitted uses.

If you have any questions, please let me know.

Thanks,

MHA

Encs: Application Material
M-1 and M-2 Zoning District Map

INGEMUNSON LAW OFFICES, LTD.

DALLAS C. INGEMUNSON
GREGG INGEMUNSON
BOYD INGEMUNSON

759 JOHN ST., SUITE A
YORKVILLE, ILLINOIS 60560-0578

TELEPHONE 630-553-5622
FAX 630-553-7958

February 11, 2020

Matthew H. Asselmeier
111 West Fox Street
Room 203
Yorkville, IL 60560

Re: Dady application

Dear Matt,

Please be advised that I represent Greg Dady regarding his Application for re-zoning to M-1. My client is requesting that the Future Land Use Map be amended to classify the subject property as mixed use business. My client is further requesting a text amendment to the M-1 zoning classification to adding truck parking area or yard to the permitted uses in M-1.

Sincerely,


Gregg Ingemunson



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

APPLICATION

PROJECT NAME _____

FILE # 20-0245

NAME OF APPLICANT Greg Dady		
CURRENT LANDOWNER/NAME(s) DTG Investments, LLC		
SITE INFORMATION ACRES 5	SITE ADDRESS OR LOCATION 3485 State Route 126, Oswego, IL 60543	ASSESSOR'S ID NUMBER (PIN) 0609400005
EXISTING LAND USE	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP Rural Residential
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 checked="" type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
1 PRIMARY CONTACT Greg Dady	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER # (Cell, etc.) [REDACTED]
2 ENGINEER CONTACT	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 [REDACTED]	DATE 10/30/19	

FEE PAID \$ 1655

CHECK # 1136 1117

¹Primary Contact will receive all correspondence from County

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

Matt Asselmeier

From: Laura Tomsa <[REDACTED]>
Sent: Tuesday, January 21, 2020 2:49 PM
To: Matt Asselmeier
Cc: Greg Dady; Gregg Ingemunson; Anthony Brummel
Subject: [External]Re: [External]Re: [External]Re: [External]Emailed Survey for 3485 Route 126 Oswego

Matt,
Yes that is correct.

Laura Tomsa
[REDACTED]

On Jan 21, 2020, at 2:00 PM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Laura:

What are the dimensions of the sign?

Based on everything we have discussed and you submitted, your official request is:

1. A text amendment to the Zoning Ordinance adding Truck Parking Area or Yard to the list of special uses in the A-1 Agricultural District.
2. A special use permit for a Truck Parking Area or Yard at the subject property. The office space, minor truck repair/maintenance, and truck terminal will be accessory uses.

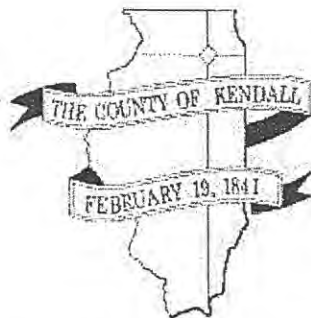
Please verify that the above are correct.

Thanks,

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

From: Laura Tomsa [mailto:[REDACTED]]
Sent: Tuesday, January 21, 2020 1:54 PM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>
Cc: Greg Dady <[REDACTED]>; Gregg Ingemunson <[REDACTED]>;
Anthony Brummel <[REDACTED]>
Subject: [External]Re: [External]Re: [External]Emailed Survey for 3485 Route 126 Oswego

Matt,
Thank you for reviewing this. I know when I came in we went over the zoning ordinance and I



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT Greg Dady		
CURRENT LANDOWNER/NAME(s) DTG Investments, LLC		
SITE INFORMATION		
ACRES 5	SITE ADDRESS OR LOCATION 3485 Route 126, Oswego, IL 60543	ASSESSOR'S ID NUMBER (PIN) 06-09-400-005
EXISTING LAND USE Special Use	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP Rural Residential
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <u>A-1</u>)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT Greg Dady	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER #(Cell, etc.) [REDACTED]
²ENGINEER CONTACT	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	[REDACTED]	DATE <u>2/13/2020</u>

FEE PAID: \$ 500.00

CHECK #: 1150

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.

A-1 uses within the general area of the property in question.

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

A-1

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

The proposed use will be suitable for M-1 Classification

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.

There is no trend of development, largely A-1 uses in the vicinity.

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

It is not consistent with the Land Resource Management Plan, however, Petitioner is requesting a change in the plan to accommodate the M-1 classification.

Description of Use

The property located at 3485 State Route 126, Oswego, IL 60543 will be occupied by United Group Logistics. They operate as a trucking company hauling freight throughout the state and will be using the above named property for office space, minor truck repair/maintenance and a trucking terminal. Office use will be utilized for accounting and dispatch and bays will be used as a terminal for trucks and for minor repairs/maintenance. The business consist of 8 employees and hours of operation are Monday - Friday from 8:00am to 5:00pm.

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.

(PERMANENT INDEX NUMBER 06-09-400-005-0000)

**PREPARED BY:**

Donald J. Manikas, Esq.
Walker Wilcox Matousek LLP
One North Franklin, Suite 3200
Chicago, Illinois 60606

201400017091

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 12/4/2014 2:03 PM
WD: 1354.00 RHSPS FEE: 10.00
PAGES: 4

AFTER RECORDATION**RETURN TO:**

Kristine Larsen, Esq.
22 W. Van Buren Street
Oswego, Illinois 60543

\$ 435.00

SEND SUBSEQUENT TAX**BILLS TO:**

DTG Investments, LLC 3485 Route 126
Post Office Box 7453
Aurora, Illinois 60507

**SPECIAL WARRANTY DEED**

THIS INDENTURE, is made as of this 29th day of October, 2014 between **TRIPLE B SOUTH, LLC**, an Illinois limited liability company, as party of the first part, and **DTG INVESTMENTS, LLC 3485 ROUTE 126**, an Illinois series limited liability company, as party of the second part.

WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and no/100 Dollars in hand paid, by these presents does GRANT, BARGAIN, SELL, REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its successors and assigns, FOREVER, all the following described land, situated in the County of Kendall, and State of Illinois known and legally described on Exhibit A attached hereto, subject to general real estate taxes not yet due and payable; zoning and building laws and ordinances; public and utility easements; covenants, conditions and restrictions of record (including that certain Ordinance Number 2014-29 granting a special use for 3485 Route 126 for a clean-up restoration services business, recorded October 10, 2014 as Document Number 201400014186); party wall rights and agreements, if any; matters shown or disclosed by survey prepared by Jade Surveyors LLC dated September 24, 2014; and existing leases or tenancies.

Address of Property: 3485 Route 126, Kendall County, Oswego, Illinois

Permanent Index Number: 06-09-400-005-0000


Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or in equity, of, in and to the above described premises, with

the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its successors and assigns, that, except as set forth above and expressly excluding all matters not done by the party of the first part, it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, and it will defend same against the lawful claims of all persons claiming by, through or under it, but not otherwise.

IN WITNESS WHEREOF, said party of the first part has caused its name to be signed to these presents, the day and year first written above.

TRIPLE B SOUTH, LLC
an Illinois limited liability company

By: 
William F. Adeluzzi, Managing Member

State of Illinois)
)SS.
County of COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that WILLIAM F. ADELUZZI, as Managing Member of Triple B South, LLC, an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 29th day of October, 2014.

Commission expires November 20, 2016.


Notary Public



PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

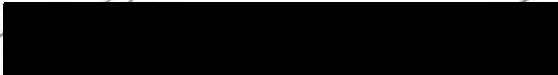
Robert L. Adelizzi, being duly sworn on oath, and further states that:
(please check the appropriate box)

- A. ☒ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or
B. ☐ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acres in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interest therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. This conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME


Signature of Affiant

This 29th day of October, 2014.

Melissa Y March
Signature of Notary Public



KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Greg Dady - DTG Investments, LLC
 Address 3485 Route 126
 City Oswego State IL Zip 60543
2. Nature of Benefit Sought _____
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
Greg Dady -	[REDACTED]	50
Tia Dady -	[REDACTED]	50
6. Name, address, and capacity of person making this disclosure on behalf of the applicant: _____

Greg Dady is the applicant. _____

1. Greg Dady 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 30 day of October, 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: Mandrews

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: DTG Investments, LLC

Contact Person: Greg Dady

Address: 3485 Route 126

City, State, Zip: Oswego, IL 60543

Phone Number: (6) [REDACTED]

Email: [REDACTED]

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

Site Location & Proposed Use

Township Name NA-AU-SAY

Township _____ N, Range _____ E, Section(s) _____

Parcel Index Number(s) 0609400005

Project or Subdivision Name _____

Number of Acres _____

Current Use of Site _____

Proposed Use _____

Proposed Number of Lots _____

Proposed Number of Structures _____

Proposed Water Supply _____

Proposed type of Wastewater Treatment _____

Proposed type of Storm Water Management _____

Type of Request

☐ Change in Zoning from _____ to _____

☐ Variance (Please describe fully on separate page)

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

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

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

☒ Plat of Survey/Site Plan – showing location, legal description and property measurements

☐ Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.

☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies

☐ NRI fee (Please make checks payable to Kendall County SWCD)

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

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

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

Fee for first five acres and under \$ 375.00

_____ Additional Acres at \$18.00 each \$ _____

Total NRI Fee \$ _____

NOTE: Applications are due by the 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.

[REDACTED]
Petitioner or Authorized Agent

10/30/19
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# 2001 Date initially rec'd 1/3/20 Date all rec'd _____ Board Meeting _____

Fee Due \$ _____ Fee Paid \$ _____ Check # _____ Over/Under Payment _____ Refund Due _____



Applicant: DTG Investments, LLC
 Contact: Greg Dady
 Address: [REDACTED]

IDNR Project Number: 2005266
 Date: 01/03/2020
 Alternate Number: 2004942

Project: Rt 126- Truck Parking
 Address: 3485 Rt. 126, Oswego

Description: to obtain a special use permit for existing property

Natural Resource Review Results

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

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

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

Location

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

County: Kendall

Township, Range, Section:

36N, 8E, 9

36N, 8E, 16



IL Department of Natural Resources

Contact

Adam Rawe
 217-785-5500
 Division of Ecosystems & Environment

Government Jurisdiction

Kendall County Planning Building and Zoning
 Matthew Asselmeier
 111 West Fox Street
 Yorkville, Illinois 60560 -1498

Disclaimer

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

IDNR Project Number: 2005266

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 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.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

IDNR Project Number: 2005266



EcoCAT Receipt

Project Code 2005266

APPLICANT

DATE

DTG Investments, LLC
 Greg Dady
 [REDACTED]

1/3/2020

DESCRIPTION

FEE

CONVENIENCE FEE

TOTAL PAID

EcoCAT Consultation

\$ 125.00

\$ 2.81

\$ 127.81

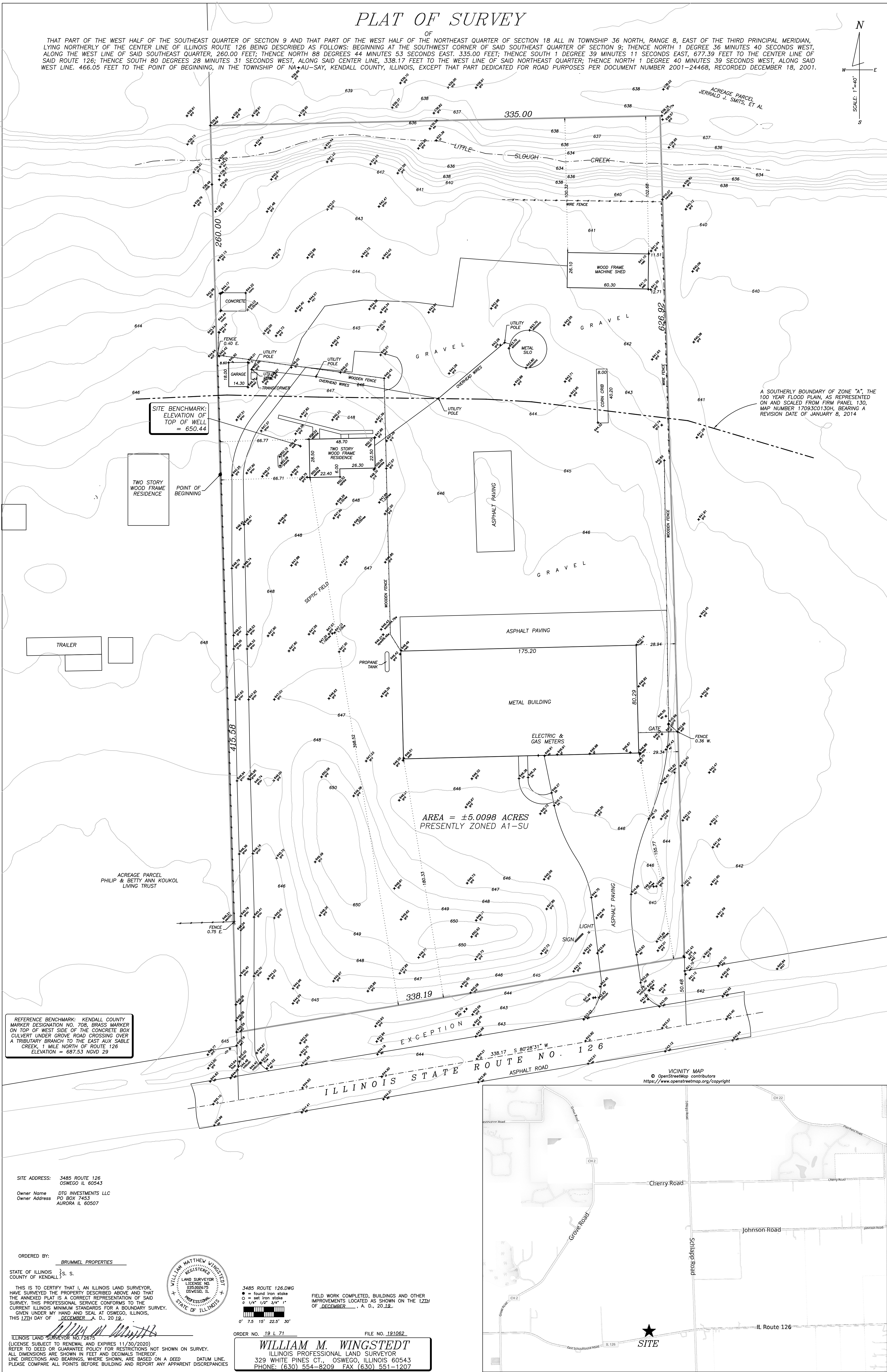
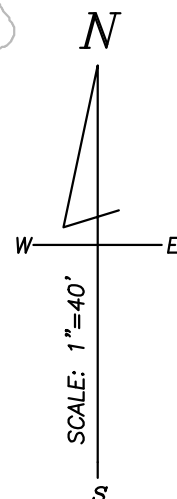
TOTAL PAID

\$ 127.81

Illinois Department of Natural Resources
 One Natural Resources Way
 Springfield, IL 62702
 217-785-5500
dnr.ecocat@illinois.gov

PLAT OF SURVEY

OF
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18 ALL IN TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST, ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA+AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.



REFERENCE BENCHMARK: KENDALL COUNTY MARKER DESIGNATION NO. 708, BRASS MARKER ON TOP OF WEST SIDE OF THE CONCRETE BOX CULVERT UNDER GROVE ROAD CROSSING OVER A TRIBUTARY BRANCH TO THE EAST AUX SABLE CREEK, 1 MILE NORTH OF ROUTE 126 ELEVATION = 687.53 NGVD 29

SITE ADDRESS: 3485 ROUTE 126
OSWEGO IL 60543
Owner Name DTG INVESTMENTS LLC
Owner Address PO BOX 7453
AURORA IL 60507

ORDERED BY: BRUMMEL PROPERTIES

STATE OF ILLINOIS S. S.

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL AT OSWEGO, ILLINOIS, THIS 12TH DAY OF DECEMBER, A. D., 2019.



3485 ROUTE 126.DWG
● = found iron stake
○ = set iron stake
0 1/4" 1/2" 3/4" 1"

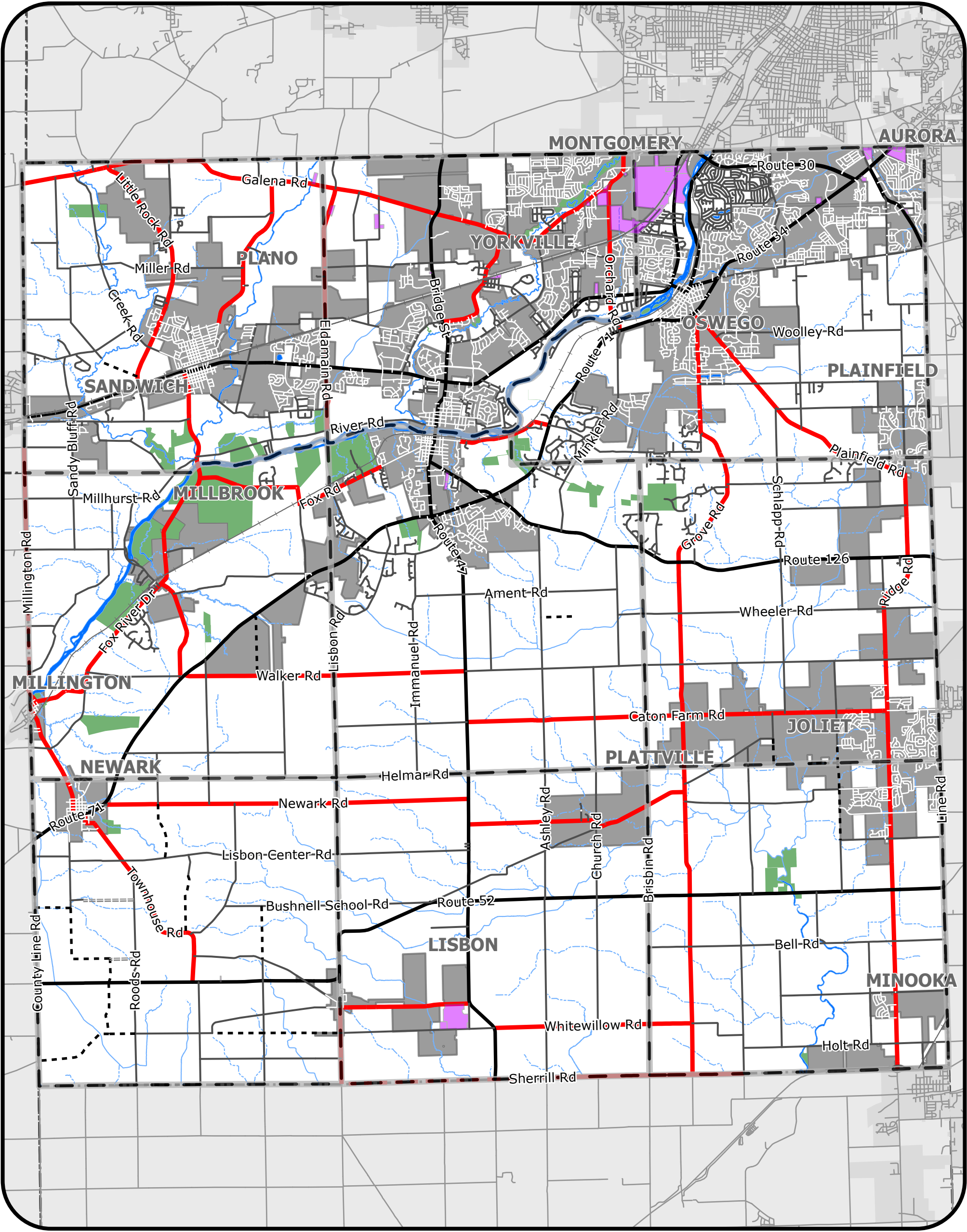
FIELD WORK COMPLETED, BUILDINGS AND OTHER IMPROVEMENTS LOCATED AS SHOWN ON THE 12TH OF DECEMBER, A. D., 2019.

ORDER NO. 19 L 71 FILE NO. 191062
WILLIAM M. WINGSTEDT
ILLINOIS PROFESSIONAL LAND SURVEYOR
329 WHITE PINES CT., OSWEGO, ILLINOIS 60543
PHONE: (630) 554-8209 FAX (630) 551-1207

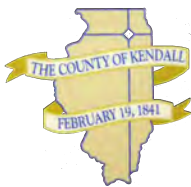
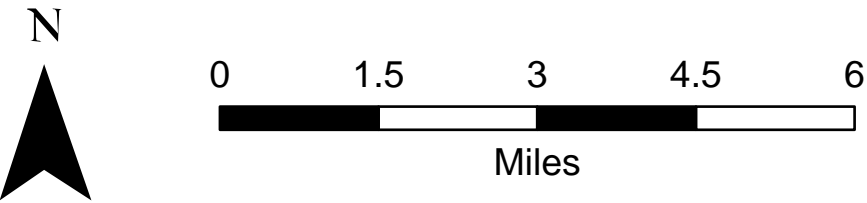
VICINITY MAP
© OpenStreetMap contributors
<https://www.openstreetmap.org/copyright>



M1 and M2 Zoning in Kendall County, IL

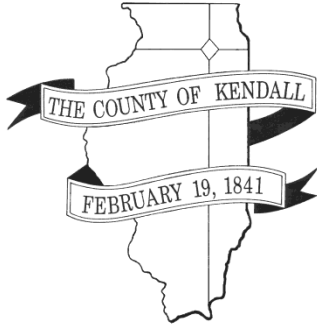


M1 AND M2 ZONED PROPERTIES



Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

Created: 2/20/2020



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 20-03**Greg Dady on Behalf of DTG Investments, LLC
Amendment to Future Land Use Map in Land Resource
Management Plan
Rural Residential to Mixed Use Business****INTRODUCTION**

DTG Investments, LLC would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately five point six more or less (5.6 +/-) acres located at 3485 Route 126. If approved, the Petitioner would like to rezone the property to M-1 Limited Manufacturing District and operate a truck parking area or yard at the property. The Petitioner has submitted applications adding truck parking areas and yards to list of permitted use in the M-1 and a map amendment rezoning the property to M-1.

The application materials are included as Attachment 1. The aerial of the property is included as Attachment 2. The aerial with the future land uses is included as Attachment 3. The aerial with the flood zone is included as Attachment 4.

SITE INFORMATION

PETITIONERS: Greg Dady on Behalf of DTG Investments, LLC

ADDRESS: 3485 Route 126, Oswego

LOCATION: North Side of Route 126 Approximately 0.45 Miles West of Schlapp Road



TOWNSHIP: Na-Au-Say

PARCEL #: 06-09-400-005

LOT SIZE: 5.6 +/- Acres

EXISTING LAND USE: Former Cleanup and Restoration Business

ZONING: A-1 Agricultural District with a Special Use

LRMP:	Future Land Use	Rural Residential (0.65 DU/Acre)
	Roads	Route 126 is a State maintained arterial.
	Trails	There is a trail planned along Route 126.
	Floodplain/Wetlands	There is a floodplain on the north end of the property (Zone A-no base flood elevation determined).

REQUESTED ACTION: Amendment to the Future Land Use Map Reclassifying the Property from Rural Residential to Mixed Use Business

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Rural Residential	A-1
South	Agricultural	A-1	Public/Institutional and Rural Residential	A-1
East	Agricultural	A-1	Rural Residential	A-1, A-1 SU, and R-1
West	Farm Equipment Sales and Service Business	A-1 SU	Rural Residential	A-1 and A-1 SU

Pictures of the property are included as Attachments 5-8.

The A-1 SU to the east is for a farm market, garden shop, winery, corn maze, and fall festival.

Oswego School District 308 owns the property southwest of the subject property.

Ten (10) existing houses are within one half (1/2) mile of the subject property.

ACTION SUMMARY

NA-AU-SAY TOWNSHIP

Petition information was sent to Na-Au-Say Township on February 20, 2020.

VILLAGE OF OSWEGO

Petition information was sent to the Village of Oswego on February 20, 2020. The property is inside

Oswego's planning boundary.

VILLAGE OF PLAINFIELD

Petition information was sent to the Village of Plainfield on February 20, 2020. The property is within one point five (1.5) miles of Plainfield.

OSWEGO FIRE PROTECTION DISTRICT

The Oswego Fire Protection District was sent information on February 20, 2020.

OTHER PLANS

VILLAGE OF OSWEGO

The Village of Oswego's Future Land Use Map calls for this property to be Agricultural.

ANALYSIS

Since the early 2000s, the subject property has housed a landscaping business and a cleanup and restoration business. Because of the configuration of the building, very few uses allowed as either permitted or special uses in the A-1 Agricultural District could be placed at the subject property.

The Petitioner does not wish to seek special use permits and text amendments every time a tenant moves. The Petitioner requested guidance from the Planning, Building and Zoning Committee on how to proceed. At their meeting on February 10, 2020, the consensus of the Planning, Building and Zoning Committee was to rezone the subject property; a change to the Future Land Use Map would also be required.

RECOMMENDATION

Staff understands the Petitioner's concerns regarding having to seek special use permits each time a tenant moves. Staff suggests that, if this amendment is approved, further study occurs regarding future land uses along the Route 126 corridor.

ATTACHMENTS

1. Application Materials
2. Aerial
3. Future Land Use Aerial
4. Flood Zone Aerial
5. Existing Building
6. East Side Driveway
7. Looking South

INGEMUNSON LAW OFFICES, LTD.

DALLAS C. INGEMUNSON
GREGG INGEMUNSON
BOYD INGEMUNSON

759 JOHN ST., SUITE A
YORKVILLE, ILLINOIS 60560-0578

TELEPHONE 630-553-5622
FAX 630-553-7958

February 11, 2020

Matthew H. Asselmeier
111 West Fox Street
Room 203
Yorkville, IL 60560

Re: Dady application

Dear Matt,

Please be advised that I represent Greg Dady regarding his Application for re-zoning to M-1. My client is requesting that the Future Land Use Map be amended to classify the subject property as mixed use business. My client is further requesting a text amendment to the M-1 zoning classification to adding truck parking area or yard to the permitted uses in M-1.

Sincerely,


Gregg Ingemunson



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

APPLICATION

PROJECT NAME _____

FILE # 20-0245

NAME OF APPLICANT Greg Dady		
CURRENT LANDOWNER/NAME(s) DTG Investments, LLC		
SITE INFORMATION ACRES 5	SITE ADDRESS OR LOCATION 3485 State Route 126, Oswego, IL 60543	ASSESSOR'S ID NUMBER (PIN) 0609400005
EXISTING LAND USE	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP Rural Residential
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 checked="" type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
1 PRIMARY CONTACT Greg Dady	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER # (Cell, etc.) [REDACTED]
2 ENGINEER CONTACT	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 [REDACTED]	DATE 10/30/19	

FEE PAID \$ 1655

CHECK # 1136 1117

¹Primary Contact will receive all correspondence from County

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

Matt Asselmeier

From: Laura Tomsa <[REDACTED]>
Sent: Tuesday, January 21, 2020 2:49 PM
To: Matt Asselmeier
Cc: Greg Dady; Gregg Ingemunson; Anthony Brummel
Subject: [External]Re: [External]Re: [External]Re: [External]Emailed Survey for 3485 Route 126 Oswego

Matt,
Yes that is correct.

Laura Tomsa
[REDACTED]

On Jan 21, 2020, at 2:00 PM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Laura:

What are the dimensions of the sign?

Based on everything we have discussed and you submitted, your official request is:

1. A text amendment to the Zoning Ordinance adding Truck Parking Area or Yard to the list of special uses in the A-1 Agricultural District.
2. A special use permit for a Truck Parking Area or Yard at the subject property. The office space, minor truck repair/maintenance, and truck terminal will be accessory uses.

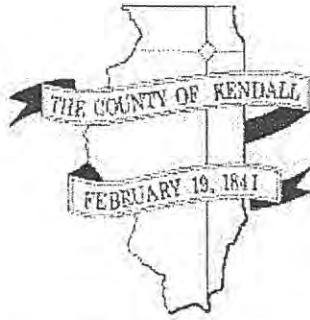
Please verify that the above are correct.

Thanks,

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

From: Laura Tomsa [mailto:[REDACTED]]
Sent: Tuesday, January 21, 2020 1:54 PM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>
Cc: Greg Dady <[REDACTED]>; Gregg Ingemunson <[REDACTED]>;
Anthony Brummel <[REDACTED]>
Subject: [External]Re: [External]Re: [External]Emailed Survey for 3485 Route 126 Oswego

Matt,
Thank you for reviewing this. I know when I came in we went over the zoning ordinance and I



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT Greg Dady		
CURRENT LANDOWNER/NAME(s) DTG Investments, LLC		
SITE INFORMATION		
ACRES 5	SITE ADDRESS OR LOCATION 3485 Route 126, Oswego, IL 60543	ASSESSOR'S ID NUMBER (PIN) 06-09-400-005
EXISTING LAND USE Special Use	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP Rural Residential
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <u>M-1</u>)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT Greg Dady	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER #(Cell, etc.) [REDACTED]
²ENGINEER CONTACT	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	[REDACTED]	DATE <u>2/13/2020</u>

FEE PAID: \$ 500.00
CHECK #: 1150

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.

A-1 uses within the general area of the property in question.

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

A-1

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

The proposed use will be suitable for M-1 Classification

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.

There is no trend of development, largely A-1 uses in the vicinity.

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

It is not consistent with the Land Resource Management Plan, however, Petitioner is requesting a change in the plan to accommodate the M-1 classification.

Description of Use

The property located at 3485 State Route 126, Oswego, IL 60543 will be occupied by United Group Logistics. They operate as a trucking company hauling freight throughout the state and will be using the above named property for office space, minor truck repair/maintenance and a trucking terminal. Office use will be utilized for accounting and dispatch and bays will be used as a terminal for trucks and for minor repairs/maintenance. The business consist of 8 employees and hours of operation are Monday - Friday from 8:00am to 5:00pm.

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.

(PERMANENT INDEX NUMBER 06-09-400-005-0000)

**PREPARED BY:**

Donald J. Manikas, Esq.
Walker Wilcox Matousek LLP
One North Franklin, Suite 3200
Chicago, Illinois 60606

201400017091

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 12/4/2014 2:03 PM
WD: 1354.00 RHSPS FEE: 10.00
PAGES: 4

AFTER RECORDATION**RETURN TO:**

Kristine Larsen, Esq.
22 W. Van Buren Street
Oswego, Illinois 60543

\$ 435.00 (RH)

SEND SUBSEQUENT TAX**BILLS TO:**

DTG Investments, LLC 3485 Route 126
Post Office Box 7453
Aurora, Illinois 60507

**SPECIAL WARRANTY DEED**

THIS INDENTURE, is made as of this 29th day of October, 2014 between **TRIPLE B SOUTH, LLC**, an Illinois limited liability company, as party of the first part, and **DTG INVESTMENTS, LLC 3485 ROUTE 126**, an Illinois series limited liability company, as party of the second part.

WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and no/100 Dollars in hand paid, by these presents does GRANT, BARGAIN, SELL, REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its successors and assigns, FOREVER, all the following described land, situated in the County of Kendall, and State of Illinois known and legally described on Exhibit A attached hereto, subject to general real estate taxes not yet due and payable; zoning and building laws and ordinances; public and utility easements; covenants, conditions and restrictions of record (including that certain Ordinance Number 2014-29 granting a special use for 3485 Route 126 for a clean-up restoration services business, recorded October 10, 2014 as Document Number 201400014186); party wall rights and agreements, if any; matters shown or disclosed by survey prepared by Jade Surveyors LLC dated September 24, 2014; and existing leases or tenancies.

Address of Property: 3485 Route 126, Kendall County, Oswego, Illinois

Permanent Index Number: 06-09-400-005-0000


Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or in equity, of, in and to the above described premises, with

the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its successors and assigns, that, except as set forth above and expressly excluding all matters not done by the party of the first part, it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, and it will defend same against the lawful claims of all persons claiming by, through or under it, but not otherwise.

IN WITNESS WHEREOF, said party of the first part has caused its name to be signed to these presents, the day and year first written above.

TRIPLE B SOUTH, LLC
an Illinois limited liability company

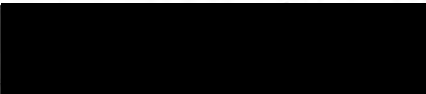
By: 
William F. Adeluzzi, Managing Member

State of Illinois)
)SS.
County of COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that WILLIAM F. ADELUZZI, as Managing Member of Triple B South, LLC, an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 29th day of October, 2014.

Commission expires November 20, 2016


Notary Public



PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
) SS
 COUNTY OF KENDALL)


Robert L. Adelizzi, being duly sworn on oath, and further states that:
 (please check the appropriate box)

- A. ☒ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or
 B. ☐ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acres in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interest therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. This conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME


 Signature of Affiant

This 29th day of October, 2014.

Melissa Y March
 Signature of Notary Public



KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Greg Dady - DTG Investments, LLC
 Address 3485 Route 126
 City Oswego State IL Zip 60543
2. Nature of Benefit Sought _____
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
Greg Dady -	[REDACTED]	50
Tia Dady -	[REDACTED]	50
6. Name, address, and capacity of person making this disclosure on behalf of the applicant: _____

Greg Dady is the applicant. _____

1. Greg Dady 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 30 day of October, 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: Mandrews

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: DTG Investments, LLC

Contact Person: Greg Dady

Address: 3485 Route 126

City, State, Zip: Oswego, IL 60543

Phone Number: (6) [REDACTED]

Email: [REDACTED]

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

Site Location & Proposed Use

Township Name NA-AU-SAY

Township _____ N, Range _____ E, Section(s) _____

Parcel Index Number(s) 0609400005

Project or Subdivision Name _____

Number of Acres _____

Current Use of Site _____

Proposed Use _____

Proposed Number of Lots _____

Proposed Number of Structures _____

Proposed Water Supply _____

Proposed type of Wastewater Treatment _____

Proposed type of Storm Water Management _____

Type of Request

☐ Change in Zoning from _____ to _____

☐ Variance (Please describe fully on separate page)

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

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

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

☒ Plat of Survey/Site Plan – showing location, legal description and property measurements

☐ Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.

☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies

☐ NRI fee (Please make checks payable to Kendall County SWCD)

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

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

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

Fee for first five acres and under \$ 375.00

_____ Additional Acres at \$18.00 each \$ _____

Total NRI Fee \$ _____

NOTE: Applications are due by the 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.

[REDACTED]
Petitioner or Authorized Agent

10/30/19
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# 2001 Date initially rec'd 1/3/20 Date all rec'd _____ Board Meeting _____

Fee Due \$ _____ Fee Paid \$ _____ Check # _____ Over/Under Payment _____ Refund Due _____



Applicant: DTG Investments, LLC
 Contact: Greg Dady
 Address: [REDACTED]

IDNR Project Number: 2005266
 Date: 01/03/2020
 Alternate Number: 2004942

Project: Rt 126- Truck Parking
 Address: 3485 Rt. 126, Oswego

Description: to obtain a special use permit for existing property

Natural Resource Review Results

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

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

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

Location

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

County: Kendall

Township, Range, Section:

36N, 8E, 9

36N, 8E, 16



IL Department of Natural Resources

Contact

Adam Rawe
 217-785-5500
 Division of Ecosystems & Environment

Government Jurisdiction

Kendall County Planning Building and Zoning
 Matthew Asselmeier
 111 West Fox Street
 Yorkville, Illinois 60560 -1498

Disclaimer

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

IDNR Project Number: 2005266

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 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.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

IDNR Project Number: 2005266



EcoCAT Receipt

Project Code 2005266

APPLICANT

DATE

DTG Investments, LLC
Greg Dady
[REDACTED]

1/3/2020

DESCRIPTION

FEE

CONVENIENCE FEE

TOTAL PAID

EcoCAT Consultation

\$ 125.00

\$ 2.81

\$ 127.81

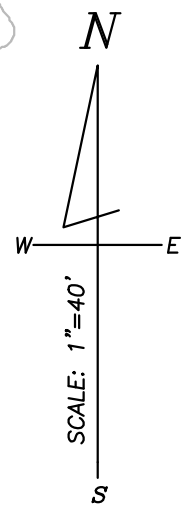
TOTAL PAID

\$ 127.81

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

PLAT OF SURVEY

OF
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18 ALL IN TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST, ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA+AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.



SITE ADDRESS: 3485 ROUTE 126
OSWEGO IL 60543

Owner Name DTG INVESTMENTS LLC
Owner Address PO BOX 7453
AURORA IL 60507

ORDERED BY: BRUMMEL PROPERTIES

STATE OF ILLINOIS } S. S.
COUNTY OF KENDALL }

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL AT OSWEGO, ILLINOIS, THIS 12TH DAY OF DECEMBER, A. D., 2019.

ILLINOIS LAND SURVEYOR NO. 72675
(LICENSE SUBJECT TO RENEWAL AND EXPIRES 11/30/2020)
REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
LINE DIRECTIONS AND BEARINGS, WHERE SHOWN, ARE BASED ON A DEED DATUM LINE.
PLEASE COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES

3485 ROUTE 126.DWG
● = found iron stake
○ = set iron stake
0 1/4" 1/2" 3/4" 1"

FIELD WORK COMPLETED, BUILDINGS AND OTHER IMPROVEMENTS LOCATED AS SHOWN ON THE 12TH OF DECEMBER, A. D., 2019.

ORDER NO. 19 L 71 FILE NO. 191062

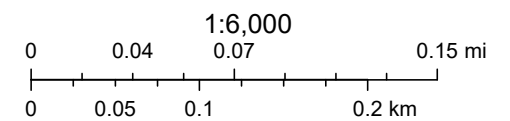
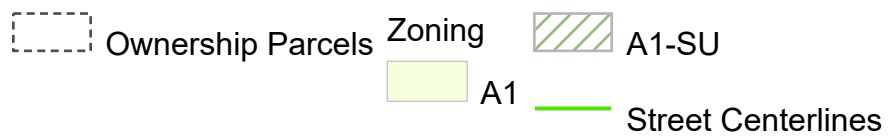
WILLIAM M. WINGSTEDT
ILLINOIS PROFESSIONAL LAND SURVEYOR
329 WHITE PINES CT., OSWEGO, ILLINOIS 60543
PHONE: (630) 554-8209 FAX (630) 551-1207

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

Cherry Road
Johnson Road
Schiapp Road
Grove Road
IL Route 126
SITE

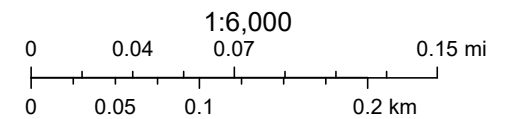


January 30, 2020









January 30, 2020



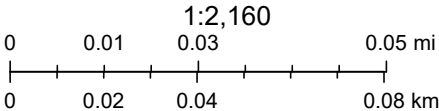
Attachment 4-Flood Zone Map



January 30, 2020

-  Kendall County FEMA FIRM Panels
-  Ownership Parcels
-  Street Centerlines
-  1% Annual Chance Flood Hazard

USA Flood Hazard Areas



These layers do not represent a survey. No accuracy is assumed for the data delineated herein, either expressed or implied by Kendall County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, contracts, and



01/27/2020 10:00

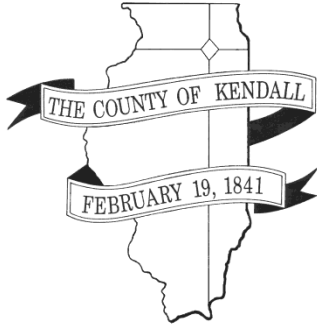


PRIVATE PROPERTY
NO
TRESPASSING
FIRE PASSING

01/27/2020 10:02



01/27/2020 10:00



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 20-05**Greg Dady on Behalf of DTG Investments, LLC
Map Amendment Rezoning Property from A-1 to M-1****INTRODUCTION**

Greg Dady, on behalf of DTG Investments, LLC would like to operate a truck parking area or yard at the subject property. The site plan is included as Attachment 1, Page 16.

The property owner has a separate petition (Petition 20-03) to change the Future Land Use Map's classification of this property in the Land Resource Management Plan from Agricultural to Mixed Use Business. A separate petition (Petition 20-02) has been filed to add truck parking area or yard to the list of permitted uses in the M-1 District.

The Petitioner met with the Kendall County Planning, Building and Zoning Committee in February 2020 and they advised him to pursue this course of action instead of applying for a special use permit in the A-1 District.

The application materials are included as Attachment 1. The aerial of the property is included as Attachment 2. The aerial with the future land uses is included as Attachment 3. The aerial with the flood zone is included as Attachment 4.

SITE INFORMATION

PETITIONERS: Greg Dady on Behalf of DTG Investments, LLC

ADDRESS: 3485 Route 126, Oswego

LOCATION: North Side of Route 126 Approximately 0.45 Miles West of Schlapp Road



TOWNSHIP: Na-Au-Say

PARCEL #: 06-09-400-005

LOT SIZE: 5.6 +/- Acres

EXISTING LAND USE: Former Cleanup and Restoration Business

ZONING: A-1 Agricultural District with a Special Use Permit

LRMP:	Future Land Use	Rural Residential (0.65 DU/Acre)
	Roads	Route 126 is a State maintained arterial.
	Trails	There is a trail planned along Route 126
	Floodplain/ Wetlands	There is a floodplain on the north end of the property (Zone A-no base flood elevation determined).

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 Agricultural to M-1 Limited Manufacturing District

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Rural Residential	A-1
South	Agricultural	A-1	Public/Institutional and Rural Residential	A-1
East	Agricultural	A-1	Rural Residential	A-1, A-1 SU, and R-1
West	Farm Equipment Sales and Service Business	A-1 SU	Rural Residential	A-1 and A-1 SU

Pictures of the property are included as Attachments 5-8.

The A-1 SU to the east is for a farm market, garden shop, winery, corn maze, and fall festival.

Oswego School District 308 owns the property southwest of the subject property.

Ten (10) existing houses are within one half (1/2) mile of the subject property.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated, see Attachment 1, Pages 13-15.

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on January 3, 2020, see Attachment 1, Pages 12.

ACTION SUMMARY

NA-AU-SAY TOWNSHIP

Petition information was sent to Na-Au-Say Township on February 20, 2020.

VILLAGE OF OSWEGO

Petition information was sent to the Village of Oswego on February 20, 2020. The property is inside Oswego's planning boundary.

VILLAGE OF PLAINFIELD

Petition information was sent to the Village of Plainfield on February 20, 2020. The property is within one point five (1.5) miles of Plainfield.

OSWEGO FIRE PROTECTION DISTRICT

The Oswego Fire Protection District was sent information on February 20, 2020.

GENERAL INFORMATION

Per State law, map amendments cannot be conditioned. However, Section 13.10 of the Kendall County Zoning Ordinance requires that commercial site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to operate a truck parking area or yard business.

As noted on Attachment 1, Page 6, United Group Logistics plans to operate a trucking company hauling freight throughout the state and will be using the subject property for office space, minor truck repair/maintenance, and a truck terminal. Office use will be used for accounting and dispatch and the bays will be used as a terminal for trucks and for minor repairs and maintenance. The business consists of eight (8) employees and hours of operation will be Monday through Friday from 8:00 a.m. until 5:00 p.m. United Group Logistics is leasing the property from the Petitioner.

The subject property has been used as a landscaping business and repair and restoration business. The order and special use permit that allowed these businesses are included as Attachments 8 and 9 respectively.

BUILDING CODES

Any new structures would require applicable building permits.

ACCESS

The property will access Route 126. The Illinois Department of Transportation requested additional information about the proposed use, see Attachment 10.

ODORS

No new odors are foreseen by the proposed use. Additional uses allowed in the M-1 District could produce odors.

LIGHTING

No additional lighting beyond the existing lighting is planned at this time. If any new freestanding lights were installed, review by ZPAC would be required.

SCREENING

Existing trees and a berm are located on the property. The property owner would be required to follow the use and screening requirements contained in Section 10 of the Zoning Ordinance, if they made any changes.

STORMWATER

Depending on the nature of new construction, which is not planned as part of this amendment, stormwater management permits could be required.

UTILITIES

Electricity is onsite. The property is served by a well and septic system.

RECOMMENDATION

Before issuing a recommendation, Staff would like comments from Na-Au-Say Township, the Village of Oswego, the Village of Plainfield, and ZPAC members. Staff has concerns about some businesses permitted in the M-1 District locating at this property given the rural nature of the area and availability of public utilities.

ATTACHMENTS

1. Application Materials (Including Petitioner's Findings of Fact, NRI Application, EcoCat, and Site Plan)
2. Aerial
3. Future Land Use Aerial
4. Flood Zone Aerial
5. Existing Building
6. East Side Driveway
7. Looking South
8. May 8, 2001 Order
9. Ordinance 2014-29
10. January 29, 2020 IDOT Email

INGEMUNSON LAW OFFICES, LTD.

DALLAS C. INGEMUNSON
GREGG INGEMUNSON
BOYD INGEMUNSON

759 JOHN ST., SUITE A
YORKVILLE, ILLINOIS 60560-0578

TELEPHONE 630-553-5622
FAX 630-553-7958

February 11, 2020

Matthew H. Asselmeier
111 West Fox Street
Room 203
Yorkville, IL 60560

Re: Dady application

Dear Matt,

Please be advised that I represent Greg Dady regarding his Application for re-zoning to M-1. My client is requesting that the Future Land Use Map be amended to classify the subject property as mixed use business. My client is further requesting a text amendment to the M-1 zoning classification to adding truck parking area or yard to the permitted uses in M-1.

Sincerely,


Gregg Ingemunson



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

APPLICATION

PROJECT NAME _____

FILE # 20-0245

NAME OF APPLICANT Greg Dady		
CURRENT LANDOWNER/NAME(s) DTG Investments, LLC		
SITE INFORMATION ACRES 5	SITE ADDRESS OR LOCATION 3485 State Route 126, Oswego, IL 60543	ASSESSOR'S ID NUMBER (PIN) 0609400005
EXISTING LAND USE	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP Rural Residential
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 checked="" type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
1 PRIMARY CONTACT Greg Dady	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER # (Cell, etc.) [REDACTED]
2 ENGINEER CONTACT	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 [REDACTED]	DATE 10/30/19	

FEE PAID \$ 1655

CHECK # 1136 1117

¹Primary Contact will receive all correspondence from County

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

Matt Asselmeier

From: Laura Tomsa <[REDACTED]>
Sent: Tuesday, January 21, 2020 2:49 PM
To: Matt Asselmeier
Cc: Greg Dady; Gregg Ingemunson; Anthony Brummel
Subject: [External]Re: [External]Re: [External]Re: [External]Emailed Survey for 3485 Route 126 Oswego

Matt,
Yes that is correct.

Laura Tomsa
[REDACTED]

On Jan 21, 2020, at 2:00 PM, Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Laura:

What are the dimensions of the sign?

Based on everything we have discussed and you submitted, your official request is:

1. A text amendment to the Zoning Ordinance adding Truck Parking Area or Yard to the list of special uses in the A-1 Agricultural District.
2. A special use permit for a Truck Parking Area or Yard at the subject property. The office space, minor truck repair/maintenance, and truck terminal will be accessory uses.

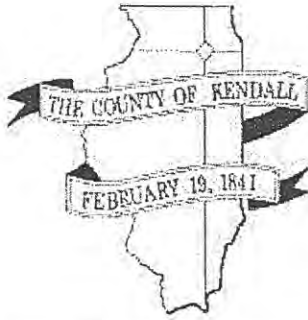
Please verify that the above are correct.

Thanks,

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

From: Laura Tomsa [mailto:[REDACTED]]
Sent: Tuesday, January 21, 2020 1:54 PM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>
Cc: Greg Dady <[REDACTED]>; Gregg Ingemunson <[REDACTED]>;
Anthony Brummel <[REDACTED]>
Subject: [External]Re: [External]Re: [External]Emailed Survey for 3485 Route 126 Oswego

Matt,
Thank you for reviewing this. I know when I came in we went over the zoning ordinance and I



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT Greg Dady		
CURRENT LANDOWNER/NAME(s) DTG Investments, LLC		
SITE INFORMATION		
ACRES 5	SITE ADDRESS OR LOCATION 3485 Route 126, Oswego, IL 60543	ASSESSOR'S ID NUMBER (PIN) 06-09-400-005
EXISTING LAND USE Special Use	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP Rural Residential
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <u>M-1</u>)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT Greg Dady	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER #(Cell, etc.) [REDACTED]
²ENGINEER CONTACT	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	[REDACTED]	DATE <u>2/13/2020</u>

FEE PAID: \$ 500.00
CHECK #: 1150

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.

A-1 uses within the general area of the property in question.

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

A-1

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

The proposed use will be suitable for M-1 Classification

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.

There is no trend of development, largely A-1 uses in the vicinity.

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

It is not consistent with the Land Resource Management Plan, however, Petitioner is requesting a change in the plan to accommodate the M-1 classification.

Description of Use

The property located at 3485 State Route 126, Oswego, IL 60543 will be occupied by United Group Logistics. They operate as a trucking company hauling freight throughout the state and will be using the above named property for office space, minor truck repair/maintenance and a trucking terminal. Office use will be utilized for accounting and dispatch and bays will be used as a terminal for trucks and for minor repairs/maintenance. The business consist of 8 employees and hours of operation are Monday - Friday from 8:00am to 5:00pm.

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.

(PERMANENT INDEX NUMBER 06-09-400-005-0000)

**PREPARED BY:**

Donald J. Manikas, Esq.
Walker Wilcox Matousek LLP
One North Franklin, Suite 3200
Chicago, Illinois 60606

201400017091

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 12/4/2014 2:03 PM
WD: 1354.00 RHSPS FEE: 10.00
PAGES: 4

AFTER RECORDATION**RETURN TO:**

Kristine Larsen, Esq.
22 W. Van Buren Street
Oswego, Illinois 60543

\$ 435.00 (RH)

SEND SUBSEQUENT TAX**BILLS TO:**

DTG Investments, LLC 3485 Route 126
Post Office Box 7453
Aurora, Illinois 60507

**SPECIAL WARRANTY DEED**

THIS INDENTURE, is made as of this 29th day of October, 2014 between **TRIPLE B SOUTH, LLC**, an Illinois limited liability company, as party of the first part, and **DTG INVESTMENTS, LLC 3485 ROUTE 126**, an Illinois series limited liability company, as party of the second part.

WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and no/100 Dollars in hand paid, by these presents does GRANT, BARGAIN, SELL, REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its successors and assigns, FOREVER, all the following described land, situated in the County of Kendall, and State of Illinois known and legally described on Exhibit A attached hereto, subject to general real estate taxes not yet due and payable; zoning and building laws and ordinances; public and utility easements; covenants, conditions and restrictions of record (including that certain Ordinance Number 2014-29 granting a special use for 3485 Route 126 for a clean-up restoration services business, recorded October 10, 2014 as Document Number 201400014186); party wall rights and agreements, if any; matters shown or disclosed by survey prepared by Jade Surveyors LLC dated September 24, 2014; and existing leases or tenancies.

Address of Property: 3485 Route 126, Kendall County, Oswego, Illinois

Permanent Index Number: 06-09-400-005-0000


Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or in equity, of, in and to the above described premises, with

the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its successors and assigns, that, except as set forth above and expressly excluding all matters not done by the party of the first part, it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, and it will defend same against the lawful claims of all persons claiming by, through or under it, but not otherwise.

IN WITNESS WHEREOF, said party of the first part has caused its name to be signed to these presents, the day and year first written above.

TRIPLE B SOUTH, LLC
an Illinois limited liability company

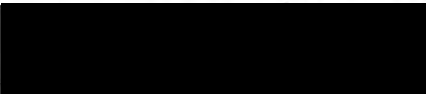
By: 
William F. Adeluzzi, Managing Member

State of Illinois)
)SS.
County of COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that WILLIAM F. ADELUZZI, as Managing Member of Triple B South, LLC, an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 29th day of October, 2014.

Commission expires November 20, 2016.


Notary Public



PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

Robert L. Adelizzi

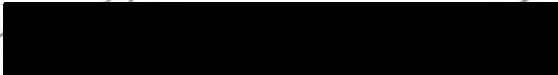
, being duly sworn on oath, and further states that:
(please check the appropriate box)

- A. ☒ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or
B. ☐ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acres in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interest therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. This conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME


Signature of Affiant

This 29th day of October, 2014.


Melissa Y March
Signature of Notary Public



KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Greg Dady - DTG Investments, LLC
 Address 3485 Route 126
 City Oswego State IL Zip 60543
2. Nature of Benefit Sought _____
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
Greg Dady -	[REDACTED]	50
Tia Dady -	[REDACTED]	50
6. Name, address, and capacity of person making this disclosure on behalf of the applicant: _____

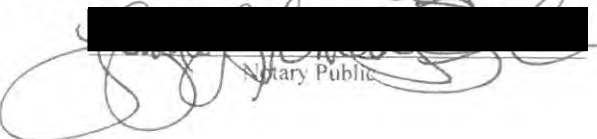
Greg Dady is the applicant. 

1. Greg Dady 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 30 day of October, 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: Mandrews

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: DTG Investments, LLC

Contact Person: Greg Dady

Address: 3485 Route 126

City, State, Zip: Oswego, IL 60543

Phone Number: (6) [REDACTED]

Email: [REDACTED]

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

Site Location & Proposed Use

Township Name NA-AU-SAY

Township _____ N, Range _____ E, Section(s) _____

Parcel Index Number(s) 0609400005

Project or Subdivision Name _____

Number of Acres _____

Current Use of Site _____

Proposed Use _____

Proposed Number of Lots _____

Proposed Number of Structures _____

Proposed Water Supply _____

Proposed type of Wastewater Treatment _____

Proposed type of Storm Water Management _____

Type of Request

☐ Change in Zoning from _____ to _____

☐ Variance (Please describe fully on separate page)

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

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

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

☒ Plat of Survey/Site Plan – showing location, legal description and property measurements

☐ Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.

☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies

☐ NRI fee (Please make checks payable to Kendall County SWCD)

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

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

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

Fee for first five acres and under \$ 375.00

_____ Additional Acres at \$18.00 each \$ _____

Total NRI Fee \$ _____

NOTE: Applications are due by the 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.

[REDACTED]
Petitioner or Authorized Agent

10/30/19
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# 2001 Date initially rec'd 1/3/20 Date all rec'd _____ Board Meeting _____

Fee Due \$ _____ Fee Paid \$ _____ Check # _____ Over/Under Payment _____ Refund Due _____



Applicant: DTG Investments, LLC
 Contact: Greg Dady
 Address: [REDACTED]

IDNR Project Number: 2005266
 Date: 01/03/2020
 Alternate Number: 2004942

Project: Rt 126- Truck Parking
 Address: 3485 Rt. 126, Oswego

Description: to obtain a special use permit for existing property

Natural Resource Review Results

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

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

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

Location

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

County: Kendall

Township, Range, Section:

36N, 8E, 9

36N, 8E, 16



IL Department of Natural Resources

Contact

Adam Rawe
 217-785-5500
 Division of Ecosystems & Environment

Government Jurisdiction

Kendall County Planning Building and Zoning
 Matthew Asselmeier
 111 West Fox Street
 Yorkville, Illinois 60560 -1498

Disclaimer

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

IDNR Project Number: 2005266

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 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.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

IDNR Project Number: 2005266



EcoCAT Receipt

Project Code 2005266

APPLICANT

DATE

DTG Investments, LLC
 Greg Dady
 [REDACTED]

1/3/2020

DESCRIPTION

FEE

CONVENIENCE FEE

TOTAL PAID

EcoCAT Consultation

\$ 125.00

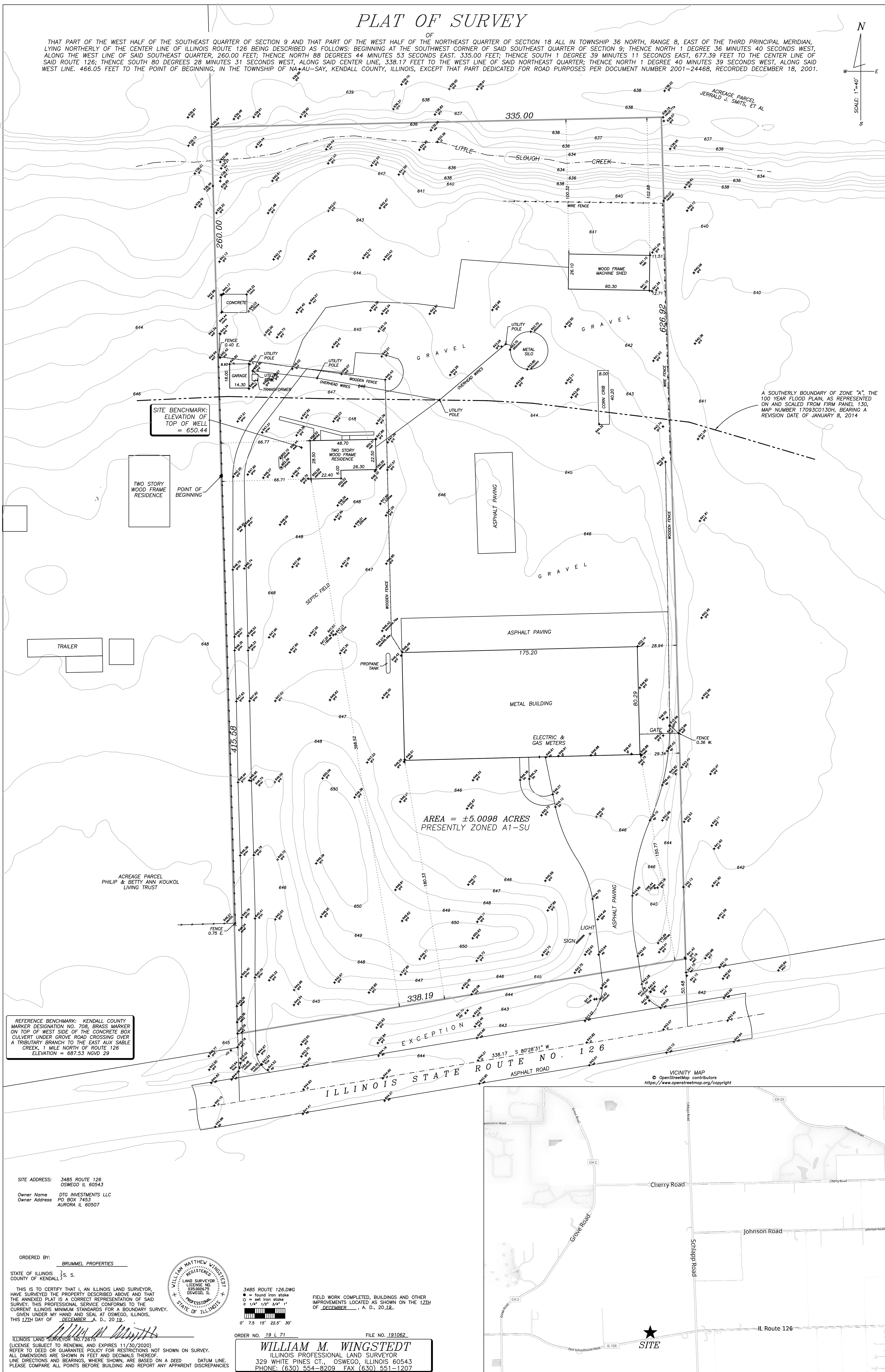
\$ 2.81

\$ 127.81

TOTAL PAID

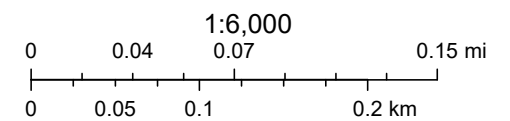
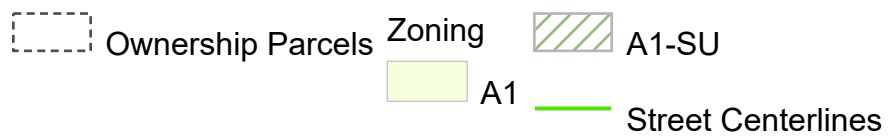
\$ 127.81

Illinois Department of Natural Resources
 One Natural Resources Way
 Springfield, IL 62702
 217-785-5500
dnr.ecocat@illinois.gov



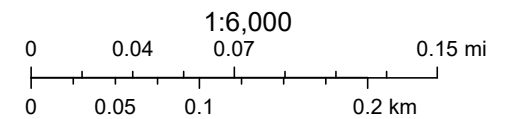


January 30, 2020





January 30, 2020



Attachment 4-Flood Zone Map



January 30, 2020

- Kendall County FEMA FIRM Panels

Ownership Parcels

USA Flood Hazard Areas

1% Annual Chance Flood Hazard

Street Centerlines
-
- These layers do not represent a survey. No accuracy is assumed for the data delineated herein, either expressed or implied by Kendall County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, contracts, and
- Kendall County Web GIS



01/27/2020 10:00



01/27/2020 10:02



01/27/2020 10:00

MAY 08 2001

SHIRLEY R. LEE
Circuit Clerk Kendall Co.

SHIRLEY R. LEE
Circuit Clerk Kendall Co.

Circuit Clerk Kendall Co.

[illegible]

IN THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT
: KENDALL COUNTY, ILLINOIS

COUNTY OF KENDALL, a Body Politic,
Plaintiff,
vs.
STEVEN FREEMAN and JEAN FREEMAN,
Defendants.

)
)
)
)
) GEN. NO. 99-OV-18
)
)
)

AGREED ORDER

This cause comes before the Court for hearing on the Complaint filed herein by the County alleging violations of the Kendall County Zoning Ordinance and the Kendall County Soil and Erosion Control Ordinance as such Ordinances apply to the real estate owned by the Defendants, STEVEN FREEMAN and JEAN FREEMAN.

The real estate which is the subject matter of these proceedings and is the subject of this Order is described on Exhibit "A" attached hereto and made a part hereof and consists of the tract of land containing 2.4396 acres of land and presently improved with a metal building, silo and corn crib.

The Court is advised that a building permit was issued for the construction of an Equipment Storage Building on the real estate on September 3, 1997, and that subsequent thereto the building was constructed by the Defendants and was thereafter used continuously for the storage of trucks and earthmoving equipment used by the Defendants in their excavating business.

The Court is further advised that the County and the Defendants have agreed to the terms of this Order settling between the parties all matters in controversy in this proceeding.

which permits the continued use of the building by the Defendants, subject, however, to the terms and restrictions contained in this Order.

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. The real estate described herein shall remain classified A-1, Agricultural, under the Kendall County Zoning Ordinance. Defendants shall withdraw their pending Petition for Special Use filed on October 13, 2000.
2. Defendants shall be permitted to continue to use the real estate and the improvements situated thereon for the storage of the trucks and equipment used in their excavating business, or for other uses normally permitted in the A-1 Zoning District, subject, however, to the following restrictions:
 - a. All trucks and earthmoving equipment used in the Defendants' excavating business shall be stored inside the metal equipment storage building.
 - b. Nothing other than agricultural products may be stored on the 2.4396 acre parcel of real estate outside of the metal equipment storage building, the silo, and the corn crib, depicted on Exhibit "A".
 - c. No additional building or buildings shall be constructed on the real estate, nor shall the size of the metal equipment storage building be increased.
 - d. In the event that the metal equipment storage building sustains damages, due to fire or other causes, in excess of 50% of its value, then the building may only be rebuilt and restored if the structure meets all required building set back requirements for principal buildings (100 feet from the dedicated road right of way) in the A-1 Zoning District and the building, when rebuilt, shall not be greater than 10,000 square feet in size.
 - e. The maximum quantity of fuel which may be stored on-site shall be 2,000 gallons, and all fuel shall be stored in compliance with the rules and regulations of the Office of the Illinois State Fire Marshall.
 - f. No portion of the adjoining acreage owned by the Defendants and depicted on Exhibit "A", containing the frame residence and barn, shall be used for storage of any equipment used by the Defendants in their excavating business. The use of said adjoining parcel shall be limited to uses permitted in the A-1 Zoning District.

- g. The metal equipment storage building shall be maintained in accordance with the building code and building use codes and shall be subject to periodic inspection by the Kendall County Planning, Building & Zoning Department. Said building shall not be used for office purposes.
 - h. Defendants shall blacktop that portion of the gravel driveway on the South side of the metal equipment storage building prior to May 1, 2002.
 - i. Defendants shall comply with the County Stormwater Control Ordinances and shall make such site improvements as are required by the County in order to comply therewith.
 - j. Defendants shall apply for a site development permit, including all required fees and submittal of required engineering plans, for the berms constructed on site, no later than 60 days from the date of entry of this Order.
 - k. Defendants shall request a reinspection of the completed structure to ensure it meets all building code requirements. All applicable inspection fees, including the difference between a 14,000 square foot and a 9,000 square foot structure, shall be paid to the County within 60 days from the date of entry of this Order.
 - l. Defendants shall dedicate to the State of Illinois, or to the County of Kendall, as directed by the County, a 50 feet of Right of Way for roadway purposes along the South line of the entire 5.398 acres described on Exhibit "A" to accommodate future expansion of Illinois Route 126.
 - m. All dirt and material piles shall be removed from the property no later than 30 days from the date of entry of this Order.
- 3. The use of the land for storage of trucks and equipment and for an excavating business shall only continue as long as the Defendants own and personally use the property. Once the property is sold, leased or transferred, the use as described must cease.
 - 4. Defendants shall pay a fine and Court Costs of \$2,500.00, within 14 days from the date of entry of this Order.
 - 5. The Kendall County Planning, Building & Zoning Department is authorized to monitor the use of the premises to insure compliance with the terms of this Order.

6. This Court shall retain jurisdiction of the subject matter hereof and the parties hereto for the purpose of enforcing the terms and provisions hereof.

Approved: County of Kendall

By: [REDACTED]

[REDACTED] Simon Freeman

[REDACTED] Jean Freeman

Entered as an Agreed Order this 8th day of May, 2001

[REDACTED]
Judge

H:\SBuening\FREEMAN.AGREEDORD3.doc

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 LYING NORTHERLY OF THE CENTERLINE OF ILLINOIS ROUTE #126 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335 FEET; THENCE SOUTH 01 DEGREE 39 MINUTES 11 SECONDS EAST 148.39 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREE 39 MINUTES 11 SECONDS EAST, 529.00 FEET TO SAID CENTER LINE OF ROAD; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTERLINE, 211.04 FEET; THENCE NORTH 01 DEGREE 39 MINUTES 11 SECONDS WEST, 392.85 FEET; THENCE NORTH 88 DEGREES 40 MINUTES 35 SECONDS EAST, 60.0 FEET; THENCE NORTH 01 DEGREE 39 MINUTES 11 SECONDS WEST, 200.0 FEET; THENCE SOUTH 78 DEGREES 36 MINUTES 35 SECONDS EAST, 153.0 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS.

Exhibit "A" - Page 1 of 2

State of Illinois
County of Kendall

Zoning Petition
#14-23

ORDINANCE NUMBER 2014 - 29

GRANTING A SPECIAL USE FOR
3485 ROUTE 126
FOR A CLEAN-UP RESTORATION SERVICE/ BUSINESS

WHEREAS, DTG Investments LLC, has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 5.93 acre property located on the north side of Route 126, 0.45 miles west of Schlapp Road, commonly known as 3485 Route 126 (PIN#06-09-400-005), in NaAuSay Township, and;

WHEREAS, said petition is to allow the operation of a clean-up restoration service/business; and

WHEREAS, petition #14-22 was approved on September 16, 2014 as Ordinance 2014-27 as the text amendment to allow such a use as a special use in the A-1 Agricultural district; and

WHEREAS, said property is currently zoned A-1 Agricultural with an existing Special Use for the operation of a landscape business; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 2007-10 on March 20, 2007; and

WHEREAS, said property is legally described as:

THAT PART OF THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 9 AND PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 16 ALL IN TOWNSHIP 36N, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTERLINE OF ILLINOIS ROUTE NO. 126 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST ¼ OF SECTION 9; THENCE NORTH 01 DEGREES, 36 MINUTES, 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST ¼, 260 FEET; THENCE NORTH 88 DEGREES, 44 MINUTES, 53 SECONDS EAST, 335 FEET; THENCE SOUTH 01 DEGREES, 39 MINUTES, 11 SECONDS EAST, 677.39 FEET TO THE CENTERLINE OF SAID ROAD; THENCE SOUTH 80 DEGREES, 28 MINUTES, 31 SECONDS, WEST ALONG SAID CENTERLINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST ¼; THENCE NORTH 01 DEGREES, 40 MINUTES, 39 SECONDS WEST ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NAAUSAY, KENDALL COUNTY, ILLINOIS.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on September 3, 2014 & on September 29, 2014; and

WHEREAS, the findings of fact were approved as follows (on both dates):

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The property was previously used for a landscaping business and this new use will be less noticeable as everything takes place inside the buildings including storage of the vehicles.

State of Illinois
County of Kendall

Zoning Petition
#14-23

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

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Nothing is being modified on this site and access already exists.***

*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 Hearing Officer. **Assuming the text amendment passes to allow this type of use in the A-1 district it will conform to all applicable regulations.***

*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. **The special use is consistent with the LRMP.***

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to operate a clean-up restoration service/business in accordance to the submitted Site Plan included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. Must meet all the conditions of the text amendment:

- a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
- b. All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.
- c. All operations are to take place inside an enclosed structure.
- d. A waste management plan must be submitted and an exhibit to the approving ordinance. (Exhibit B)
- e. A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings. (Exhibit C)
- f. No materials that are brought in can be burned on this site.
- g. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).
- h. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.

State of Illinois
County of Kendall

Zoning Petition
#14-23

2. No outdoor storage except employee's cars.
3. No activity including parking or storage is permitted in the floodplain.
4. If any future expansion is proposed a major amendment to the special use will need to be filed.

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 by the Kendall County Board this 7th day of October, 2014.

Attest:



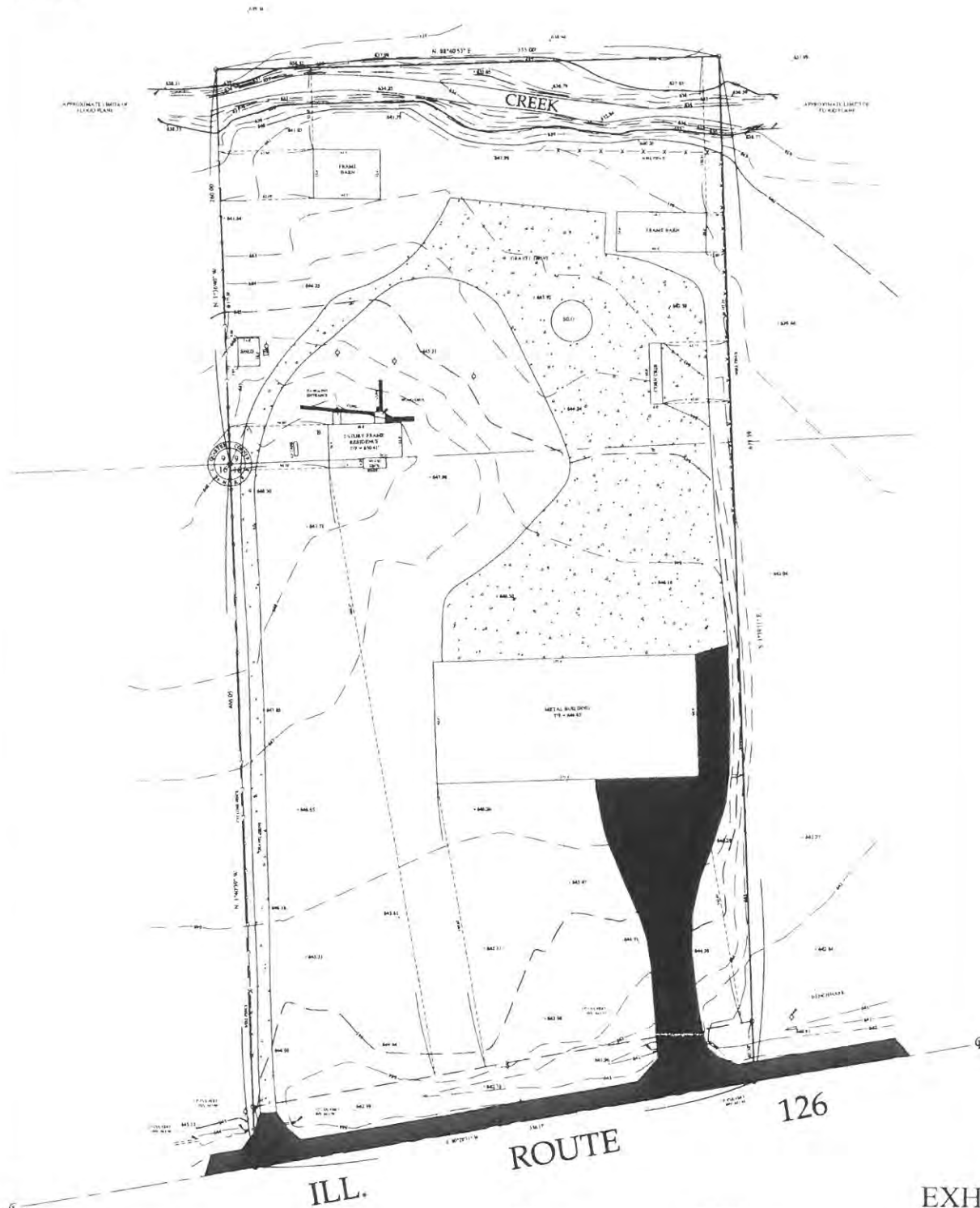
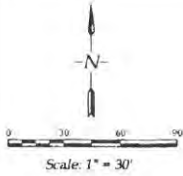
Debbie Gillette
Kendall County Clerk



John Shaw
Kendall County Board Chairman

PLAT OF TOPOGRAPHY

OF
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 LYING NORTHEASTLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 ALL IN TOWNSHIP 16 NORTH RANGER 8 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 16 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 200.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 11 SECONDS EAST, 133.96 FEET; THENCE SOUTH 1 DEGREE 16 MINUTES 11 SECONDS EAST, 679.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 10 DEGREES 25 MINUTES 11 SECONDS WEST ALONG SAID CENTER LINE, 138.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 41 MINUTES 19 SECONDS WEST, ALONG SAID WEST LINE, 455.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF N. A. U. S. KENDALL COUNTY, ILLINOIS



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF KENDALL

THIS IS TO CERTIFY TO SEVEY AND JEAN FREEMAN, THAT I, RONALD D. BAUER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN AFORESAID COUNTY AND STATE, HAVE COMPLETED A PLAT OF TOPOGRAPHY ON THE GROUND OF THE PROPERTY DESCRIBED TO THE CURRENT APPLICABLE ILLINOIS PROFESSIONAL LAND SURVEYOR ASSOCIATION STANDARDS AND THAT THE PLAT HEREON DRAWN REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. EASEMENTS AND/OR EUTRAPIES SHOWN ARE EITHER THOSE DESIGNATED IN THE RECORDED SUBDIVISION PLAT OR THOSE PROVIDED TO US BY OTHER DOCUMENTATION

GIVEN UNDER MY HAND AND SEAL AT PLANO, ILLINOIS THIS 12th DAY OF FEBRUARY, 2007

Ronald D. Bauer
ILLINOIS PROFESSIONAL LAND SURVEYOR #2132
REGISTRATION EXPIRES 11-10-2008

REFUSE TO A CURRENT TITLE INSURANCE POLICY FOR EASEMENTS NOT PROVIDED. THIS DRAWING IS THE PROPERTY OF R. D. & ASSOCIATES LAND SURVEYORS, INC. AND SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN SET-OUT WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF R. D. & ASSOCIATES LAND SURVEYORS, INC.



LEGEND:
CONTOUR LINES
POWER POLE
TELEPHONE BOX
TRANSFORMER
WELL
SPOT ELEVATION
EDGE OF PAVEMENT

BENCHMARK
BX SPIKE IN POWER POLE AT
SOUTHEAST CORNER OF OUR
PROPERTY
ELEV = 643.14

BRIDGE DECK
TOP OF BRIDGE DECK OVER CREEK
2150 TO EAST ELEV = 622.94
ACCORDING TO PHOTO
PLANS FLOOD LEVEL AT ELEV 621
BASED ON 100-YEAR FLOOD SECTION
ELEVATION 626.74

**R B & ASSOCIATES
LAND SURVEYORS, INC.**
4 West Main Street
Plano, Illinois 60545

(630) 562-7482
DESIGN FIRM NO. 184-004475
DWG# 20067-13281-001 C (TOPO)

EXHIBIT B

Waste Management Plan

1) All debris from operating a business, including any debris that is brought back from a job site, will be disposed of by a commercial garbage company that will remove it on an as needed basis. The garbage will be stored in a dumpster until it is removed.

EXHIBIT C

Material Management Plan

2) If there are any household items brought back to the facility, they will be stored inside. If any chemicals are used, they will be used inside of the building and they will also be stored inside.

Matt Asselmeier

From: Broviak, David E <David.Broviak@illinois.gov>
Sent: Thursday, January 30, 2020 1:57 PM
To: Matt Asselmeier; Fran Klaas
Cc: Scott Koeppel; Magolan, Thomas J
Subject: RE: [External]RE: 3485 Route 126
Attachments: ROW Dedication 3485 IL 126.pdf; SWD 3485 IL 126.pdf

Matt,

My apologies, I understand that upon further investigation by our land acquisition staff, we believe the ROW may have been dedicated to the County. Please see the attached.

Please let me know if the County agrees with this determination.

Thanks,
Dave

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Wednesday, January 29, 2020 2:35 PM
To: Broviak, David E <David.Broviak@illinois.gov>; Klaas, Francis <fklaas@co.kendall.il.us>
Cc: Scott Koeppel <skoeppel@co.kendall.il.us>; Magolan, Thomas J <Thomas.Magolan@illinois.gov>
Subject: RE: [External]RE: 3485 Route 126

Dave and Fran:

Does either IDOT or the Kendall County Highway Department want the ROW dedication called for in the Order?

Thanks,

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

From: Broviak, David E [<mailto:David.Broviak@illinois.gov>]
Sent: Wednesday, January 29, 2020 12:52 PM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>
Cc: Fran Klaas <FKlaas@co.kendall.il.us>; Scott Koeppel <skoeppel@co.kendall.il.us>; Magolan, Thomas J <Thomas.Magolan@illinois.gov>
Subject: [External]RE: 3485 Route 126

Matt,

IDOT has no concerns regarding the type of use at this location except for ensuring the entrance meets our requirements for the proposed vehicle use. The *Description of Use* you provided is vague concerning the truck size and

volume of traffic. We recommend the owner of the property submit a feasibility request to our permit section to determine if a permit would be required to improve the entrance for the proposed use.

We have no records of a ROW dedication as called for in 2.L in the Order attached to your email.

If you have any additional questions please contact me at your convenience.

Thanks,
Dave Broviak P.E.
District 3 Studies & Plans Engineer
Illinois Department of Transportation
700 East Norris Drive
Ottawa, IL 61350

Ph 815-434-8423

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Monday, January 27, 2020 4:32 PM
To: Broviak, David E <David.Broviak@illinois.gov>
Cc: Klaas, Francis <fklaas@co.kendall.il.us>; Scott Koeppel <skoeppel@co.kendall.il.us>
Subject: [External] 3485 Route 126

Dave:

The owner of 3485 Route 126 (PIN 06-09-400-005) has leased the building to a trucking business. The description of the business is attached.

This use is presently not allowed at that location per the Kendall County Zoning Ordinance. The owner would like to become compliant with the Kendall County Zoning Ordinance and is evaluating his options to obtain compliance.

Does IDOT have any concerns regarding this type of use locating at that property?

Also, this property was party to an agreed order in 2001. Do you know if the ROW dedication called for 2.L of the attached order occurred?

Thanks,

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

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