

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

Tuesday, February 13, 2018 – 6:30 p.m.

CALL TO ORDER:

ROLL CALL: Lynn Cullick, Bob Davidson (Chair), Judy Gilmour, Scott Gryder, and Matt Kellogg (Vice Chair)

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes from January 8, 2018 Meeting (Pages 4-10)
Approval of Minutes from January 30, 2018 Special Meeting (Pages 11-20)

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 21-22)

PUBLIC COMMENT:

PETITIONS:

None

NEW BUSINESS:

1. Planning, Building and Zoning Staffing Issues
 - a. Discussion of Planning, Building and Zoning Director Position
 - b. Discussion of Part-Time and/or Intern Position
2. Discussion of Citation Writing Possibility-Committee Could Refer This Matter to the State's Attorney's Office (Pages 23-25)
3. Discussion of Memo from Brian Holdiman to Planning, Building and Zoning Committee Pertaining to Property Maintenance Codes (Page 26)
4. Approval to Publish the Noxious Weed Annual Notice In a Newspaper of General Circulation in Kendall County At a Cost Not To Exceed \$100.00; Related Invoice(s) Will Be Paid from the Planning, Building and Zoning Legal Publications Line Item (010-2-002-6209) (Pages 27-28)
5. Approval of Intergovernmental Agreement with the United City of Yorkville for Building Inspection Services (Pages 29-39)
6. Approval of a Resolution to Release All Claims on a Certificate of Deposit Owned by Vincent Domino at Old Second Bank in the Amount of \$923.19 (Pages 40-44)

OLD BUSINESS:

1. Approval of Amendments to Petition 17-28 Pertaining to Outdoor Target Practice and Shooting Zoning Regulations (Pages 45-52)
2. Approval to Release Minutes of Meetings Lawfully Closed Under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)) (Page 53)
 - a. June 9, 1997
 - b. August 11, 1997

- c. May 8, 2000
 - d. February 13, 2001
 - e. February 7, 2005 B
 - f. April 11, 2005
 - g. May 2, 2005
 - h. May 9, 2005
 - i. October 5, 2006
 - j. February 5, 2007
 - k. April 9, 2007
3. Update on Trailer Parked in Front Yard/Driveway Complaint at 18 Ridgefield Road, Montgomery. Committee Could Refer the Matter to the State's Attorney's Office or Code Hearing Unit
 4. Discussion of Solar Panel Regulations- Committee Could Initiate Text Amendments to the Zoning Ordinance on Both of the Following Items.
 - a. Proposed Regulations of Solar Panels Used for Onsite Consumption of Energy (Pages 54-63)
 - b. Proposed Regulations of Solar Panels Used for Offsite Consumption of Energy (Pages 64-81)
 5. Review of Commercial Wind Farm Regulations (Pages 82-88)
 6. Update on Bridge Issue at 13360 McKanna Road, Minooka (Bridge Owned by Mark Antos)
 - a. Committee Could Grant Mr. Antos' Request to Complete Bridge by May 1, 2018 (Pages 89-95)
 7. Request for Guidance RE: Conditional Use Permits-Committee Could Initiate Text Amendments to the Zoning Ordinance on This Matter. (Pages 96-110)
 8. Review of Proposed Special Use Renewal Procedures-Committee Could Initiate Text Amendments to the Zoning Ordinance on This Matter. (Pages 111-114)

REVIEW VIOLATION REPORT (Pages 115-117)

REVIEW NON-VIOLATION COMPLAINT REPORT (Page 118)

UPDATE FOR HISTORIC PRESERVATION COMMISSION:

1. February 21, 2018 Event (Page 119)

REVIEW PERMIT REPORT: (Page 120-124)

REVIEW REVENUE REPORT: (Page 125)

CORRESPONDENCE:

1. December 28, 2017 Email from Greg Stromberg to Brian Holdiman RE: 45 Cheyenne Court (Page 126)
2. January 9, 2018 Email from Matt Asselmeier to PBZ Committee RE: Follow-up from January PBZ Committee Meeting (Page 127)
3. January 9, 2018 Email from Matt Asselmeier to PBZ Committee RE: Questions from January PBZ Committee Meeting (Page 128)
4. January 18, 2018 Memo from Matt Asselmeier to PBZ Committee RE: 2017 Residential Building Permit Information (Page 129)
5. February 3, 2018 Report to the Kendall County Regional Planning Commission Annual Meeting

(Pages 130-134)

6. Correspondence Related to Schaefer North Phase 3 Bond (Pages 135-146)
7. Memo from Brian Holdiman to Planning, Building and Zoning Committee RE: Building Permit Process (Pages 147-149)
8. January 25, 2018 Letter from Matt Asselmeier to Thomas Schnabel, Jr. RE: Bond for Appraisal of 9092 Ashley Road (Page 150)
9. Correspondence Related to Drinking Water 1 2 3 (Pages 151-153)
10. February 15th Yorkville Downtown Overlay District Meeting (Page 154)

PUBLIC COMMENT:

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

ADJOURNMENT:

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

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.

Meeting Minutes of January 8, 2018 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Bob Davidson at 6:30 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Bob Davidson (Chairman), Judy Gilmour, Scott Gryder, and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner) and Dan Kramer

APPROVAL OF AGENDA

Motion by Member Cullick, seconded by Member Gilmour, to approve the agenda as presented. With a voice vote of five ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Member Gilmour, seconded by Member Gryder, to approve the minutes of the December 11, 2017 meeting. With a voice vote of five ayes, the motion carried.

EXPENDITURE REPORT

The Committee reviewed the claims report. Motion by Member Kellogg, seconded by Member Gilmour, to approve the claims report. With a voice vote of five ayes, the motion carried.

Member Gryder requested a copy of the income sheets showing the breakdown of revenues for an inspection. Member Gryder was concerned that income to pay the plumbing inspector was not available when the County paid the plumbing inspector's invoices.

PUBLIC COMMENT

None

PETITIONS

Petition 18-01-Request from Erich and Amy Kaiser for the Revocation of a Special Use Permit Awarded by Ordinance 2008-09 Allowing the Operation of Landscaping Business at 17609 Galena Road (Parcel Identification Number 01-06-100-006) in Little Rock Township

Mr. Asselmeier summarized the request. The petitioners purchased the property in 2015 and do not have a desire to operate a landscaping business at the property. The property is located on the north side of Galena Road.

Chairman Davidson asked who was the original applicant. Mr. Asselmeier responded Landscape Designs; the Kaisers are the second or third owner removed from Landscape Designs ownership of the property.

Motion by Member Kellogg, seconded by Member Gryder, to recommend approval of the revocation of the special use permit as requested.

Yeas (5): Cullick, Davidson, Gryder, Gilmour, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the County Board on January 16th.

Petition 18-02-Request from Daniel J. Kramer on Behalf of Christie Marie Sheldon for a Conditional Use Permit for Construction of One (1) Single-Family Home on a Parcel Less than Forty (40) Acres in Size at 16395C Griswold Springs Road (Parcel Identification Number 01-29-377-001) in Little Rock Township

Dan Kramer summarized the request. The property is heavily wooded and cannot be farmed. Mr. Kramer said that the appropriate easements were in place to ensure access to Griswold Springs Road. Mr. Kramer noted that the Health Department provided a letter stating that the property was suitable for septic service.

Motion by Member Kellogg, seconded by Member Gilmour, to approve the conditional use permit as requested with the conditions listed in the January 8, 2018 letter.

Yeas (5): Cullick, Davidson, Gryder, Gilmour, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

NEW BUSINESS

Renewal of Mobile Home Conditional Use Permit-10825B Corneils Road

Motion by Member Kellogg, seconded by Member Cullick, to approve the renewal of the conditional use permit for a mobile home at 10825B Corneils Road.

Yeas (5): Cullick, Davidson, Gryder, Gilmour, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Renewal of Mobile Home Conditional Use Permit-13443 Fennel Road

Motion by Member Gilmour, seconded by Member Cullick, to approve the renewal of the conditional use permit for a mobile home at 13443 Fennel Road.

Yeas (5): Cullick, Davidson, Gryder, Gilmour, and Kellogg
Nays (0): None

Abstain (0): None
Absent (0): None

The motion carried.

Renewal of Mobile Home Conditional Use Permit-14281 Anderson Road

Mr. Asselmeier reported that the property owner requested the conditional use permit be revoked. Motion by Member Gryder, seconded by Member Gilmour, to revoke the conditional use permit for a mobile home at 14281 Anderson Road.

Yeas (5): Cullick, Davidson, Gryder, Gilmour, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Update on Future Land Use Map Updates on Property Adjacent to Route 47 in Lisbon Township

Mr. Asselmeier presented the proposed changes to the Future Land Use Map and the reasoning behind the classification of each portion of the parcel. The consensus of the Committee was that the southeast corner of the intersection of Routes 47 and 52 should be classified as Mixed Use Business because the new grain operation at that location is a permitted use in the M-2 District. The consensus of the Committee also was that the commercial area at the intersection of Routes 47 and 52 should be expanded to the west.

Mr. Asselmeier will obtain the name of the creeks in the area.

Discussion of Solar Panel Regulations

Mr. Asselmeier presented the solar panel regulations for Tazewell County and Kankakee County and the proposed solar panel regulations for Will, Boone, and DeKalb Counties. The consensus of the Committee was that Staff should obtain copies of LaSalle County's regulations and the solar panel regulations for local municipalities. Any request for a solar panel farm would go through the special use permitting process with the requirement that renewal be sought within one (1) of approval of the special use permit because a solar panel ordinance could not be approved before the tax incentives expired. The Committee asked how the Comed ROW and electrical sub-stations are taxed. Mr. Asselmeier will provide this information at the next meeting.

The consensus of the Committee was to have Mr. Asselmeier draft a proposal based on the similarities of the solar panel regulations presented at that meeting.

Discussion of Scheduling a Future Planning, Building and Zoning Committee Meeting in Boulder Hill

Chairman Davidson advised the Committee not to hold a meeting in Boulder Hill because the Committee would receive complaints about issues that was beyond the control of the Committee. The consensus was to table having a meeting in Boulder Hill.

Kendall County Regional Planning Commission Annual Meeting-February 3, 2018 at 9:00 a.m.

Mr. Asselmeier informed the Committee regarding the date and time of the Kendall County Regional Planning Commission's Annual Meeting.

OLD BUSINESS

Approval to Initiate Text Amendments to Sections 4.17.H, 7.01.D.53.b.vi, 8.08.B.2.h, 10.01.C.27.b.vi, 11.02.C, 11.02.D, 11.04, 11.04.A, 13.01.C, 13.07.B, 13.07.C and 13.08.C of the Kendall County Zoning Ordinance by Removing the Requirements for the Zoning, Platting and Advisory Committee and the Kendall County Regional Planning Commission to Meet and Issue Recommendations on Proposed Map Amendments, Special Use Permits, Major Amendments to Special Use Permits, and Text Amendments on Matters Not Involving the Powers and Duties of the Zoning, Platting and Advisory Committee or the Kendall County Regional Planning Commission and Related Zoning Text Citation Amendments.

Mr. Asselmeier summarized the proposal. He noted that the Regional Planning Commission and ZPAC were given sixty (60) days to meet on text amendments involving their powers.

Member Gryder expressed concerns that applicants would have to meet with agencies separately. Mr. Asselmeier stated that ZPAC and the Regional Planning Commission would continue to review subdivisions and the number of meetings would decrease.

Motion by Member Kellogg, seconded by Member Gryder, to approve initiating the text amendments as proposed.

Yeas (5): Cullick, Davidson, Gryder, Gilmour, and Kellogg

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried. This matter will go to ZPAC February 6th.

Review of Code Hearing Unit Regulations

Mr. Asselmeier read his memo on the subject and provided proposed changes to the existing Code Hearing Unit regulations. He explained that defendants could still appeal decisions to the court and that staffing costs could increase for the Planning, Building and Zoning Department, State's Attorney's Office, and Sherriff's Department.

The consensus of the Committee was to leave everything the same because of the costs and because violations would not get resolved in a timely manner.

The Committee also reviewed the Inoperable Vehicle Ordinance, the Junk and Debris Ordinance and the Fine Structure. The Committee requested Mr. Asselmeier to check with the State's Attorney's Office regarding the definition of inoperable vehicle. The Committee would like vehicles to be road worthy.

Update on Bridge Issue at 13360 McKanna Road, Minooka (Bridge Owned by Mark Antos)

Mr. Asselmeier stated that the State's Attorney's Office prepared a letter to Mr. Antos and Mr. Antos informed Brian Holdiman that his goal was to have the bridge completed by May 1st.

The consensus of the Committee was to ask the State's Attorney's Office for an "or else process". The Committee did not want to delay the completion of the bridge and questioned whether or not a judge's ruling could expedite Mr. Antos completing the bridge in a timely manner.

Request for Guidance RE: Conditional Use Permits

Mr. Asselmeier read his memo on the subject. He divided each conditional use into permitted or special use based on potential negative impacts to neighborhoods.

Member Kellogg requested a table listing each use.

The Committee will review this information at the next meeting.

Review Violation Report

The Committee reviewed the Violation Report.

Review Non-Violation Report

The Committee reviewed the Non-Violation Report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

February 21, 2018 Event

Mr. Asselmeier reported that as of the afternoon of January 8th, fifteen (15) people have RSVP'd for the event.

Approval of Historic Tax Credit Resolution

Mr. Asselmeier read his memo on the subject. At their meeting on November 20th, the Historic Preservation Commission recommended approval of the proposed resolution. This matter was laid over at the December meeting. The new federal tax bill preserved the Historic Tax Credit program. The consensus of the Committee was that this matter was resolved.

REVIEW PERMIT REPORT

Review Monthly Building Report

The Committee reviewed the permit report.

Review of Fiscal Year 2016-2017 Building Report

The Committee reviewed the Fiscal Year 2016-2017 Building Report.

Questions were raised regarding the location of the wind turbine, the inspections for Commercial B-Zone, and the reason for the change of occupancy at 69 Boulder Hill Pass. Committee members also wanted to know the breakdown of land cash payments between the Forest Preserve District and School Districts. Mr. Asselmeier will provide this information at the next meeting.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report.

CORRESPONDENCE

Correspondence Related to Churchill Club Stormwater Issue

Mr. Asselmeier read the emails on this matter. The Village of Oswego is leading the investigation of this issue and sent a violation letter to the owner. The Village of Oswego did not receive any correspondence from the owner of the horse farm during the month of December.

Email from Michael Denyko to Health Department and Planning, Building and Zoning Department RE: 2600 Light Road

Mr. Asselmeier read the correspondence. The tenant is out of the house and the Planning, Building and Zoning Department is examining options.

PUBLIC COMMENT

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

Motion by Member Gilmour, seconded by Member Gryder, to enter into executive session for the purposes of reviewing minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

Yeas (4): Cullick, Davidson, Gryder, and Gilmour

Nays (1): Kellogg

Abstain (0): None

Absent (0): None

The motion carried. The Committee recessed at 8:04 p.m.

Chairman Davidson called the Committee back to order at 8:18 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Bob Davidson (Chairman), Judy Gilmour, Scott Gryder, and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner)

NEW BUSINESS

Approval of a Determination That That (1) The Need for Confidentiality Still Exists as to All or Part of Those Minutes of Meetings Lawfully Closed Under the Illinois Open Meetings Act and/or (2) The Minutes of Meetings Lawfully Closed Under the Illinois Open Meetings Act or Portions Thereof No Longer Require Confidential Treatment and Are Available for Public Inspection

Member Gilmour requested that this matter be placed on the February agenda with the list of minutes that will be considered for release.

ADJOURNMENT

Member Cullick motioned to adjourn, seconded by Member Gryder. With a voice vote of five ayes, Chairman Davidson adjourned the meeting at 8:21 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, Senior Planner

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 & 210

111 W. Fox Street, Yorkville, Illinois

6:00 p.m.

Meeting Minutes of January 30, 2018 – Unofficial until approved

CALL TO ORDER

The special meeting was called to order by Vice Chairman Matt Kellogg at 6:03 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Bob Davidson (Chairman) (arrived at 6:06 p.m.), Judy Gilmour, Scott Gryder, and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Jerry Lizalek, Brian Schillinger, Bill Ashton, Troy Feez, Bart Singletary, Tom McDonald, Zach Barnnell, Brian Barmer, Colin Peske, and Gary Delaney

APPROVAL OF AGENDA

Motion by Member Gilmour, seconded by Member Gryder, to approve the agenda as presented. With a voice vote of four ayes, the motion carried.

PUBLIC COMMENT

Jerry Lizalek asked the criteria for the proposal. Mr. Asselmeier responded the proposal is derived from the outdoor shooting range regulations of neighboring counties, particularly McHenry County. The National Rifle Association (NRA) guidelines were the basis of the existing regulation. The standards of the National Shooting Sports Foundation (NSSF) were not used as a basis for this proposal. The NSSF guidelines do not require the distances contained in the proposal. If adopted, the restrictions will make it very difficult for new outdoor ranges to open in Kendall County. The City of Chicago attempted to zone out shooting ranges by passing restrictive laws; the courts ruled that the Chicago law was unconstitutional.

Chairman Davidson arrived at this time (6:06 p.m.).

The baffle would be at the height to prevent projectiles from leaving the property.

Brian Schillinger, Yorkville, expressed opposition to the proposed hours and days of operation. His non-profit shooting range is open to the public on Sundays only from 10:00-3:00. Many gun club members, generally speaking, are only available to shoot on Sundays because of work schedules. The current ordinance sets the hours of operation in each special use permit and are determined by the County Board at the time of approval of the special use permit. The existing gun clubs would be exempt from this proposal.

Member Gryder asked if an existing club expanded, would they have to follow the language in this proposal. Mr. Asselmeier responded that, if the expansion necessitated an amendment to the special use permit, then the club would have to follow the proposal.

Bill Ashton, Chairman of the Kendall County Regional Planning Commission, provided a history of how the existing regulations were drafted. The existing ordinance was written using the NRA handbook. None of the existing gun ranges would meet the requirements of the proposal. The Kendall County Regional Planning Commission feels that nothing is wrong with the existing regulations.

Mr. Lizalek said that hours of operation are normally put in ordinance for safety purposes and not noise abatement. People can legally hunt at night. He teaches classes on the side and some of these classes are offered on Sundays (8 hours on Saturday and 8 hours on Sundays). The shooting portion of the class is usually held on Sundays. Discussion occurred regarding hours of operation versus hours of shooting. He also mentioned the requirements in State laws regarding liability issues.

Troy Feez, Grove Road, said that the proposal restricts people from building ranges in the County. He knows people that buy guns and never learn to shoot to them; he considers this a greater safety concern.

PETITION

Petition 17-28 Request by the Kendall County Planning, Building and Zoning Committee for Text Amendments to Sections 7.01.D.32 (Specials Uses in A-1 Agricultural District), 7.01.D.33 (Special Uses in A-1 Agricultural District) and 10.03.B.4 (Special Uses in M-3 Aggregate Materials Extraction, Processing and Site Reclamation District) of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

Discussion occurred regarding the proposal.

Bart Singletary, Shorewood, asked attendees to raise their hands if they supported the ordinance as-is. He felt the proposal was restrictive.

The consensus of the Committee was to keep the exemptions for the Kendall County Forest Preserve and lands owned by the State for State Parks because of State law on the matter.

The consensus of the Committee that a site plan should be submitted at 1"=100' scale and that site design documents be prepared by a licensed engineer or land surveyor.

The existing ordinance had language regarding "appropriate berming." With additional baffling, the berm could be lowered. Tom McDonald, Church Road, discussed industrial bullet traps that capture all bullets. The system prevents the owner from having to remove lead from the berm. The system could be substituted for berms with baffling on top of the bullet traps. Mr. Lizalek said that industrial bullet traps are a durable alternative. "They catch everything." They need "no blue sky" baffling. Berm height could be subject to the inclusion of baffling. A speaker suggested changing the regulation to read berm or bullet trap five foot (5') height minimum, site specific be approved.

The NRA recommends a safety plan, business plan, public relations plan, maintenance plan, noise plan, environmental stewardship plan, and a closure plan. The suggestion was offered

that these plans could be submitted at the time of application and the heights of berms and distances of backstops could be derived from those plans.

Zach Barnnell, Plano, said that most handguns are more powerful than a .22 and that the backstop distances seemed far. He would like the language to be site specific. The backstop could be thirty feet (30') from the firing line. The suggestion was made to check with the local gun ranges to see how far their backstops and laterals were from the firing line.

Mr. Singletary expressed his opposition to the proposed regulations related to downrange safety area. He suggested using the State law as a guide. Member Kellogg requested that downrange safety area needed to be clarified because of neighbors' noise concerns. Discussion occurred regarding using the noise regulations instead of setting specific distance. Mr. Lizalek suggested that noise be measured at the property line of the gun range and that the word "may" be replaced with "shall" in c.4; he likes "no blue sky baffling". The consensus of the Committee was that site plans needed either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.

The consensus of the Committee was to set the minimum parcel size at ten (10) acres, following the recommendation of the NRA. A small number of parcels would meet a forty (40) acre minimum.

The consensus of the Committee was to keep the requirement that the range, including the safety area, must be under the control of the operator of the range, by ownership or lease.

The consensus of the Committee was to incorporate the written narrative requirement into the documents required at application submittal. The Committee requested that the narrative requirement be placed at the beginning of the ordinance.

Discussion occurred regarding requiring a list of firearms allowed. Mr. Barnnell suggested that the list of banned firearms and bullets should be displayed and not the list of allowed firearms. The list should be by caliber. Mr. Lizalek said that some ranges restrict by velocity of the bullet instead of caliber.

Discussion occurred regarding the certified range supervisor be present at all times when firing is taking place. Mr. Barnnell noted that some clubs do not require supervisors to be present for members. The suggestion was made that a distinction be made between profit and non-profit (i.e. private club) ranges. Mr. Schillinger explained the procedures for removing people not acting safely in the gun club he represents. The consensus of the Committee was that at least one (1) certified supervisor must be present at all times when firing is taking place for for-profit outdoor gun ranges. The supervisor shall be certified for the type of shooting being supervised and shall know and enforce all range rules. The range supervisor's duties and responsibilities for all outdoor gun ranges shall be incorporated in the safety plan.

The consensus of the Committee was to keep the proposed language regarding range flags, signs, or red light.

Discussion occurred regarding hours of operation. Sundays were the only days some people can shoot because of work hours. Discussion also occurred regarding restricting shooting to between two (2) hours after sunrise and two (2) hours before sunset. Some places allow shooting at night. Brian Barmer, Yorkville, stated that trees with leaves block the noise in the summer. The noise regulations apply to gun ranges. The consensus of the Committee was to set the hours and days of operation in each special use permit.

The consensus of the Committee was to keep the proposed language regarding a lockable gate.

Mr. Lizalek asked which standard the County would use to evaluate a lead management plan. Three standards exist, the NRA standard, NSSF standard, and the Environmental Protection Agency's (EPA) best lead management practices. He suggested using one (1) of the previously listed standards. Mr. Asselmeier will check with the Health Department on this matter.

Mr. Asselmeier stated that the requirement regarding discharging lead shot into a wetland could be deleted because of the requirement that gun ranges have to follow all applicable Federal, State, and local laws.

Discussion occurred regarding the distance requirement from the firing line to the property lines of adjoining properties. Mr. Lizalek suggested using the noise ordinance to set the distance. Colin Peske discussed the size of property need to meet this requirement. Mr. McDonald noted that standard conversational tone is approximately sixty-five (65) dBA. The consensus of the Committee was to keep the one thousand five hundred foot (1,500') requirement.

Mr. Asselmeier noted that the requirements regarding no alcohol allowed and no projectiles were permitted to leave the site were in the existing ordinance.

Mr. Asselmeier noted that requirement for restroom facilities was redundant due to County health regulations.

The consensus of the Committee was to keep the requirements regarding hearing protection and safety glasses.

Discussion occurred regarding the insurance requirement and how to adjust the amount for inflation. Mr. Lizalek stated that the insurance is Three Million Dollars /One Million Dollars (\$3,000,000/\$1,000,000). The consensus of the Committee was that the insurance be set at a level standard and customary for an outdoor shooting range. The insurance policy must be purchased from an A+ rated insurance company.

The consensus of the Committee was to keep the requirement that gun ranges abide by all Federal, State and local rules. This requirement made the requirements regarding the Health Department regulations, signage requirements, and lighting requirements moot.

Discussion occurred regarding requiring gun ranges to have direct access to a public road; direct access did not mean access via an easement. Mr. Schillinger noted that several existing clubs currently have access via an easement. Gary Delaney said that this proposal was caused

because he and his brother's request to operate a gun range on Church Road and the neighbors' complaints regarding their proposed gun range. The consensus of the Committee was to leave the proposal as-is and if someone needs an easement to access their property, a variance will be required.

The consensus of the Committee for noise regulations was a maximum sixty-five (65) dBA day or night as measured from the residential property line of the complainant.

The consensus of the Committee was to specifically exempt existing ranges from the proposed regulations.

Mr. Lizalek asked about Sunday shooting. Chairman Davidson said that the hours of operation would be set by the special use permit. Mr. Schillinger expressed concerns about neighbors protesting noise and the potential that gun ranges could be closed on Sundays.

The consensus the Committee was for Mr. Asselmeier to prepare a revised amendment and present the revised proposal at the February 13, 2018, meeting.

Chairman Davidson thanked everyone for attending the meeting and their input.

PUBLIC COMMENT

Member Gryder announced that the Illinois Department of Transportation will hold a public meeting at the Joliet Junior College on January 31st from 4:00 -7:00 regarding the I-80 project from Ridge Road to Route 30.

The VAC will be having a party for Olivia Laschober on February 2nd from 1:00-4:00 in the WIC Room.

COMMENTS FROM THE PRESS

None

ADJOURNMENT

Member Gryder motioned to adjourn, seconded by Member Kellogg. With a voice vote of five ayes, Chairman Davidson adjourned the meeting at 8:15 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, Senior Planner

Encs

**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
JANUARY 30, 2018**

NAME	ADDRESS	EMAIL ADDRESS
Jerry Lintel		
BRIAN Schilling		
Bill ASKTON		
Tony Fenn		
Bert Singletary		
ZACH BARNWELL		
Brida BARNER		
Celia Perle		
CARY DECONY		



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Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

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(740 ILCS 130/5)

Sec. 5. Firearm ranges; liability.

(a) As used in this Section, "firearm range" means a rifle, pistol, silhouette, skeet, trap, black powder, or other similar range in this State used for discharging firearms in a sporting event, for practice or instruction in the use of a firearm, or for the testing of a firearm. "Firearm range" also includes licensed shooting preserves and public hunting areas operated or licensed by the Department of Natural Resources.

(b) An owner or operator of a firearm range in existence on January 1, 1994, is immune from any criminal liability arising out of or as a consequence of noise or sound emissions resulting from the normal use of the firearm range. An owner or operator of a firearm range is not subject to any action for public or private nuisance or trespass and no court in this State shall enjoin the use or operation of a firearm range on the basis of noise or sound emissions resulting from the normal use of the firearm range.

(c) An owner or operator of a firearm range placed in operation after January 1, 1994, is immune from any criminal liability and is not subject to any action for public or private nuisance or trespass arising out of or as a consequence of noise or sound emissions resulting from the normal use of the firearm range, if the firearm range conforms to any one of the following requirements:

(1) All areas from which a firearm may be properly discharged are at least 1,000 yards from any occupied permanent dwelling on adjacent property.

(2) All areas from which a firearm may be properly discharged are enclosed by a permanent building or structure that absorbs or contains sound energy escaping from the muzzle of firearms in use.

(3) If the firearm range is situated on land otherwise subject to land use zoning, the firearm range is in compliance with the requirements of the zoning authority.

(4) The firearm range is operated by a governmental entity or is licensed by the Department of Natural Resources.

(5) The firearm range met the requirements of clause (1) of this subsection (c) at the time the range began its operation and subsequently an occupied permanent dwelling on adjacent property was built within 1,000 yards from an area of the range from which a firearm may be properly discharged.

(Source: P.A. 94-387, eff. 7-29-05.)

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217-782-3944 217-782-2050 (TTY)



①



Vendor #	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
BUILDING AND ZONING							
1	191522 SOURCE ONE OFFICE PRODUCTS	531213	OFFICE SUPPLIES	01/03/18	01020026200	OFFICE SUPPLIES	81.84
2	110531 KENDALL CO HIGHWAY DEPT	DECEMBER	DECEMBER FUEL PBZ	01/03/18	01020026217	VEHICLE MAINT/REPAIRS	152.64
3	230933 WBK ENGINEERING, LLC	18108	59 CENTURY DRIVE	01/03/18	01020026363	CONSULTANTS	94.50
Total BUILDING AND ZONING							328.98*
ENGINEERING/CONSULTING ESCROW ACCT							
4	230933 WBK ENGINEERING, LLC	18276	PLANO STORM VARIANCE	01/03/18	59020000058	PLANO PROJECT FOLI PARK	501.93
Total ENGINEERING/CONSULTING ESCROW							501.93*
GRAND TOTAL							830.91**

Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
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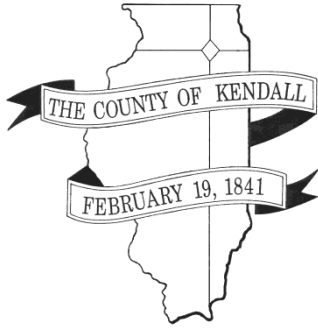
BUILDING AND ZONING

1	191522	SOURCE ONE OFFICE PRODUCTS	700605	OFFICE SUPPLIES	01/16/18	01020026200	OFFICE SUPPLIES	36.75
2	012018	AT & T MOBILITY	287251783045	12282017 CELL PHONE	01/16/18	01020026207	CELLULAR PHONE	36.75*
3	190816	SHAW MEDIA	121710101009	MEETING NOTICES - 12	01/16/18	01020026209	LEGAL PUBLICATIONS	74.62
4	261005	RANDY ERICKSON	DECEMBER 2017	6 PLUMBING INSPECTIO	01/16/18	01020026361	PLUMBING INSPECTIONS	74.62*
							Total BUILDING AND ZONING	1,033.57*

ENGINEERING/CONSULTING ESCROW ACCT

5	230933	WBK ENGINEERING, LLC	18563	FOX METRO EXPANSION	01/16/18	59020000046	FOX METRO WATER REC DIST	663.00
6	040172	DAVID JENSEN CONSTRUCTION	10-4-2017	TANGLEWOOD TRAILS RE	01/16/18	59020000049	TANGLEWOOD TRAILS SETTLEM	663.00*
7	230933	WBK ENGINEERING, LLC	18571	NICOR - MINOOKA	01/16/18	59020000059	NICOR-AUX SABLE CREEK-CO	8,900.00
							Total ENGINEERING/CONSULTING ESCROW	10,841.93*

GRAND TOTAL 11,875.50**



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
 From: Matthew H. Asselmeier, AICP, Senior Planner
 Date: June 5, 2017
 Re: PBZ Ordinance Comparison

At the May 24th, Ad-Hoc Zoning Ordinance Committee meeting, Staff was requested to create a comparison table of the ordinances under the jurisdiction of the Planning, Building and Zoning Department.

The Planning, Building and Zoning Department is responsible for administering the following ordinances; the letter in parentheses corresponds to the references in the following tables:

1. Building Code (B)
2. Historic Preservation Ordinance (H)
3. Inoperable Motor Vehicle Ordinance (IMV)
4. Junk and Other Waste Matter Ordinance (J&WM)
5. Stormwater Management Ordinance (Storm)
6. Subdivision Control Ordinance (Sub)
7. Zoning Ordinance (Z)

Enforcement Procedure

B	H	IMV	J&WM	Storm	Sub	Z
Step 1. Processed in Matter Prescribed for Ordinance Violations	Step 1. PBZ Department Sends 30 Day Notice to Owner of Record by Certified Mail, Return Receipt, and Postage Prepaid Request; 30 Days is Measured from Date of Receipt.	Step 1. 7 Day Notice Given to Owner	Step 1. Notice of Between 2 and 10 Days Given to Owner, Occupant or Both.	Step 1. Provide 30 Day Notice to Enter Property for Inspection	Step 1. Processed in Matter Prescribed for Ordinance Violations	Step 1. File Copy of Complaint with SAO or Code Hearing Unit

Step 2a. Case Turned over to SAO	Step 2. Historic Preservation Commission Files a Petition in the Circuit Court for Kendall County to Remedy the Issue.	Step 2. Sheriff's Office Removes Vehicle and Parts	Step 2. Follow-Up Investigation	Step 2. Maximum 10 Day Notice to Enter Property for Re- inspection		Step 2. Serve Notice of Hearing to Property Owner at Least 20 Days Prior to Hearing
Step 2b. PBZ Sub- Committee Reviews the Matter			Step 3. Complaint of Violation Filed in the Circuit Court of the 16 Judicial Circuit			

Fine

B	H	IMV	J&WM	Storm	Sub	Z
Min \$50 Max \$1,000	Min \$25 Max \$500	Min N/A Max \$200	Min \$10 Max \$500	Min \$25 Max \$750	Min \$50 Max \$500	Min N/A Max \$500
Each Day is a Separate Violation	Each Day is a Separate Offense Unauthorized Demolition- No Building Permit for the Subject Property can be Issued for 5 years. Owner, Tenant, Architect, Planner, Surveyor, Engineer, Realtor, Attorney, Builder, Contractor or Agent Involved with a Violation	Each Day is Separate Violation	Each 24 Hour Period is a Separate Offense	Each Calendar Day is a Separate Violation Stormwater Management Permit May Be Revoked. Stop-Work Order May be Issued. Injunctive Relief	Each Day is Separate Violation	Each Week is a Separate Offense Compliance Bonds and Liens Can be Imposed if Approved by SAO Contempt of Hearing Min \$200 Max \$500 Each Day is Separate Violation Hearing Decision Can Be Appealed to Circuit Court

	could be Guilty of a Separate Offense					Site Plan Offenses-First Offense Min \$100 Max \$1,000
	County May Take Other Action Including Requiring Restoration of a Structure to Pre-Violation Conditions					Site Plan Offenses-After First Offense Min \$500 Max \$1,000
						Each Day is a Separate Offense
						County May File Lien for Site Plan Violations, Revoke all Permits, and Seek Injunctive Relief

Notes

1. The Zoning Board of Appeals cannot hear violations cases; the PBZ Sub-Committee (serving as the Building the Board of Appeals) can hear violations cases.
2. A person violating the Subdivision Control Ordinance cannot have an illegal subdivision recorded in the Recorder of Deeds Office.
3. An inoperable vehicle is also considered junk and other waste matter.
4. In addition to the PBZ Department, any citizen or the Sheriff's Department can file an affidavit of a violation of the Junk and Other Waste Matter on Private Property Ordinance. The citizen or Sheriff's Department may file the complaint in Circuit Court.
5. The Land Cash Ordinance does not have an enforcement provision.
6. The above procedures and fines do not include any procedures and fines that could be imposed on individual special use permits.

Memo

To: PBZ Committee
From: Brian Holdiman (Code Official)
Re: Property Maintenance Codes

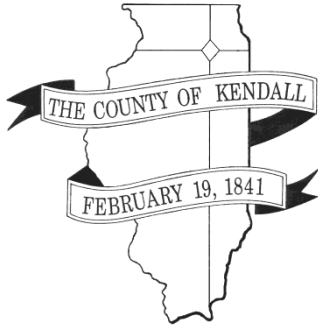
The PBZ Department currently enforces the Kendall County Zoning Ordinance, Inoperable Vehicle Ordinance #8815 and Junk & Debris Ordinance from July 1968. The Kendall County Noise Ordinance is enforced by the Kendall County Sheriff's Department and Burning of Leaves Ordinance #97-12 is enforced by the Health Department.

The International Property Maintenance Code (IPMC) is a model code developed by the International Code Council (same organization that develops our adopted building codes) that regulates the minimum maintenance requirements for existing buildings. The IPMC is a maintenance document intended to establish minimum maintenance standards for equipment, light, ventilation, heating, sanitation and fire safety. Responsibility is fixed upon owners for code compliance.

There are a handful of complaints we have received where the IPMC would be a tool we could use to obtain compliance. Examples would be abandoned homes in disrepair, leaking roofs causing tenant issues and homes without proper heat during winter months.

The majority of the complaints we receive are in regards to inoperable vehicles, junk & debris, tall grass, parking issues and the number of people residing in a single family home.

Reviewing and modifying our existing ordinances would potentially be more beneficial to address complaints. If the committee would like to move in the direction of active code enforcement, then adopting the IPMC would, in my opinion, be more of a priority.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: February 7, 2018
Re: Proposed 2018 Noxious Weed Annual Notice

Kendall County is required by Illinois law to publish a noxious weed notice at least one (1) time per year in a newspaper of general circulation within the County. Kendall County's Noxious Weed Work Plan, adopted in October 2017, called for the publication of the notice within the first quarter of 2018.

Attached please find the notice that the County is required to publish.

If you have any questions, please let me know.

MHA

Enc: Proposed 2018 Kendall County Noxious Weed Notice

**COUNTY OF KENDALL, ILLINOIS
RESOLUTION 2018-__**

**RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
FOR RECIPROCAL BUILDING INSPECTION SERVICES BETWEEN
KENDALL COUNTY, ILLINOIS AND THE UNITED CITY OF YORKVILLE,
ILLINOIS**

WHEREAS, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that units of local government may contract to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance and may use their credit, revenues, and other resources to pay costs related to intergovernmental activities; and

WHEREAS, Kendall County and the United City of Yorkville are units of local government within the meaning of Article VII, Section 1 of the Illinois Constitution of 1970 who are authorized to enter into intergovernmental agreements pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, pursuant to the authority granted by the Illinois Counties Code and Illinois Municipal Code (55 ILCS 5/1-1001, *et seq.* and 65 ILCS 5/1-1-1, *et seq.*), Kendall County and the United City of Yorkville are both authorized to perform inspections of buildings within their respective jurisdictions to promote the health and safety of the public; and

WHEREAS, Kendall County and the United City of Yorkville wish to share their resources and assist each other in the performance of building inspections.

NOW, THEREFORE, BE IT RESOLVED that the Kendall County Board hereby approves the *Intergovernmental Agreement for Reciprocal Building Inspection Services Between Kendall County, Illinois and the United City of Yorkville, Illinois*, which is attached hereto and made a part hereof by reference as Exhibit A; and

BE IT FURTHER RESOLVED that the Kendall County Board Chairman is hereby authorized to execute said intergovernmental agreement on behalf of Kendall County.

Approved and adopted by the County Board of Kendall County, Illinois, this 20th day of February, 2018.

Board Chairman Signature:

Attest:

Scott R. Gryder, Chairman
County Board

Debbie Gillette
County Clerk

**INTERGOVERNMENTAL AGREEMENT FOR RECIPROCAL BUILDING
INSPECTION SERVICES BETWEEN KENDALL COUNTY, ILLINOIS AND THE
UNITED CITY OF YORKVILLE, ILLINOIS - [20162018](#)**

THIS INTERGOVERNMENTAL AGREEMENT (“*the Agreement*”) by and between the County of Kendall, a unit of local government of the State of Illinois (“*Kendall County*”) and the United City of Yorkville, Kendall County, Illinois (the “*City*”) a municipal corporation of the State of Illinois, is as follows:

WITNESSETH:

WHEREAS, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance and may use their credit, revenues, and other resources to pay costs related to intergovernmental activities; and

WHEREAS, the City and Kendall County are units of local government within the meaning of Article VII, Section 1 of the Illinois Constitution of 1970 who are authorized to enter into intergovernmental agreements pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, pursuant to the authority granted by the Illinois Counties Code and Illinois Municipal Code (55 ILCS 5/1-1001, *et seq.* and 65 ILCS 5/1-1-1, *et seq.*), the County and City (collectively referred to as the “*Parties*”) are both authorized to perform inspections of buildings within their respective jurisdictions to promote the health and safety of the public; and

WHEREAS, units of local government may establish agreements with other units of local government within the State of Illinois to enforce building codes pursuant to 20 ILCS 3105/10.09-1(f), which is commonly known as the Capital Development Board Act; and

WHEREAS, the County and City wish to share their resources and assist each other in the performance of inspections on an as needed basis, while not surrendering their own jurisdiction or relinquishing any of their rights.

NOW, THEREFORE, in consideration of the premises and the mutual covenants hereafter set forth, the parties agree as follows:

Section 1. The foregoing preambles are hereby incorporated into this Agreement as if fully restated in this Section 1.

Section 2.

- a. The Parties agree that Kendall County Code Official Brian Holdiman and the United City of Yorkville Building Code Official Pete Ratos shall perform the following services on the other party's behalf when requested: footing inspections; backfill inspections; foundation wall inspections; concrete slab inspections; rough framing inspections; rough electric inspections; underground electric inspections; electric service inspections; insulation inspections; roofing inspections and final inspections. In instances where Holdiman or Ratos inspect and find violations and a code enforcement action is required in court or administrative adjudication, Holdiman or Ratos may be requested to be a witness to verify any violations found during their inspection. If it is requested that either Ratos or Holdiman attend an administrative or court hearing in regard to violations, then they shall be given reasonable notice of no less than fourteen (14) days for such hearing and they shall attend as requested.
- b. The Parties agree that the United City of Yorkville Building Code Official Pete Ratos may, in his discretion, perform plumbing inspections on Kendall County's behalf when requested. In instances where Ratos performs plumbing inspections and finds

violations and a code enforcement action is required in court or administrative adjudication, Ratos may be requested to be a witness to verify any violations found during his inspection. If it is requested that Ratos attend an administrative or court hearing in regard to violations, then he shall be given reasonable notice of no less than fourteen (14) days for such hearing and he shall attend as requested.

Section 3. The Parties agree that the following inspection services shall not be provided under this agreement: plan review; permit approval, and; initial site inspections prior to a permit being issued.

Section 4. Upon request, the Parties agree to coordinate and assist each other in the parties' performance of the inspections set forth in Section 2 of this Agreement only under the following circumstances:

- a. If Kendall County Code Official Holdiman or City Building Code Official Ratos is absent from work due to illness, vacation, on an approved leave of absence, or otherwise unavailable to perform one or more of the above listed inspections within Section 2(a) for their respective jurisdiction; and/or
- b. If Kendall County Code Official Holdiman or City Building Code Official has a conflict of interest in performing one or more of the inspections set forth in Section 2(a) for their respective jurisdiction; and/or
- c. If the Kendall County Plumbing Contractor is absent from work due to illness, vacation, on an approved leave of absence, or otherwise unavailable to perform plumbing inspections for his or her respective jurisdiction; and/or
- d. If the Kendall County Plumbing Contractor has a conflict of interest in performing plumbing inspections for his or her respective jurisdiction.

For purposes of this Agreement, the party requesting assistance shall be referred to as “the home jurisdiction” and the party providing the inspection services assistance as set forth in Section 2 shall be referred to as “the visiting inspector”.

Section 5. In the event the visiting inspector is unable to perform the inspection services set forth in Section 2 of this Agreement, the home jurisdiction shall be responsible for performing its inspection or shall be responsible for retaining and payment of a third party to perform the inspection.

Section 6. When the visiting inspector performs an inspection on behalf of the home jurisdiction, the visiting inspector shall utilize the building codes of the home jurisdiction where the inspection is taking place. As such, when an inspection is within the corporate limits of the City, the Kendall County inspector shall use the building codes that are currently adopted and enforced by the City at the time of the inspection. When an inspection is in an unincorporated portion of Kendall County, where the County has jurisdiction, the City inspector shall utilize the building codes that are currently adopted and enforced by Kendall County at the time of the inspection.

Section 7. When a home jurisdiction requests the visiting inspector’s assistance, the home jurisdiction shall provide a minimum of twenty-four (24) hours notice when there is a foreseeable need for the other party’s inspection services. In the event of an illness or other emergency, the parties agree to provide each other with as much advance notice as possible if a visiting inspector’s services are needed pursuant to Section 4.

Section 8. Inspections must be completed using the proper jurisdiction’s forms. Prior to the commencement of any requested inspection, the home jurisdiction requesting assistance will prepare and provide all necessary inspection reports/forms for use by the visiting inspector

and deliver them to the visiting inspector prior to the inspection taking place. Following an inspection, the original, completed inspection reports/forms shall be returned to the home jurisdiction within twenty-four (24) hours after completion of the inspection. After the visiting inspector has returned the original, completed inspection reports/forms to the home jurisdiction, the visiting inspector shall not be required to retain the records of inspections for the home jurisdiction after performing inspections under this Agreement.

Section 9. Neither the City nor Kendall County shall subcontract the services provided to the other under this agreement to a third-party inspector without the prior written consent of the other party.

Section 10. There will be no compensation paid to, or by, either jurisdiction for the sharing of services under this Agreement.

Section 11. When a visiting inspector performs an inspection under this Agreement for the home jurisdiction, the visiting inspector shall use their own equipment, tools and vehicles, and the home jurisdiction shall not be responsible for reimbursing the visiting inspector for mileage or any other expenses incurred by the visiting inspector.

Section 12. The City and Kendall County shall each defend, with counsel of the other party's own choosing, indemnify and hold harmless the other party, including past, present and future board members, elected officials, insurers, employees, and agents from and against any and all claims, liabilities, obligations, losses, penalties, fines, damages, and expenses and costs relating thereto, including but not limited to attorneys' fees and other legal expenses, which the other party, its past, present and future board members, elected officials, insurers, employees, and/or agents may hereafter sustain, incur or be required to pay relating to or arising in any manner out of the inspections to be performed by the other party under this agreement. As such,

when the City performs an inspection for Kendall County, the City will defend with counsel of Kendall County's own choosing, indemnify and hold harmless Kendall County as set forth above relating to the City's and the City Building Code Official's actions in the performance of their duties under this Agreement. When Kendall County performs an inspection for the City, Kendall County will defend with counsel of the City's own choosing, indemnify and hold harmless the City as set forth above relating to Kendall County's and the County Code Official's actions in the performance of their duties under this Agreement.

Section 13. Nothing in this agreement shall be deemed to change or alter the jurisdiction of either the City or Kendall County in any respect, including, but not limited to their building and zoning regulations, powers and duties.

Section 14. This Agreement and the rights of the parties hereunder may not be assigned (except by operation of law), and the terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto. Nothing in this Agreement, express or implied, is intended to confer upon any party, other than the parties and their respective successors and assigns, any rights, remedies, obligations or liabilities under or by reason of such agreements.

Section 15. This Agreement shall be interpreted and enforced under the laws of the State of Illinois. Any legal proceeding related to enforcement of this Agreement shall be brought in the Circuit Court of Kendall County, Illinois, Twenty-Third Judicial Circuit. In case any provision of this Agreement shall be declared and/or found invalid, illegal or unenforceable by a court of competent jurisdiction, such provision shall, to the extent possible, be modified by the court in such manner as to be valid, legal and enforceable so as to most nearly retain the intent of the parties, and, if such modification is not possible, such provision shall be severed from this

Agreement, and in either case the validity, legality, and enforceability of the remaining provisions of this Agreement shall not in any way be affected or impaired thereby.

Section 16. All notices required or permitted hereunder shall be in writing and may be given by (a) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid and certified with the return receipt requested, (b) delivering the same in person, or (c) telecopying the same with electronic confirmation of receipt:

If to the County: Director
Kendall County Planning, Building & Zoning
111 West Fox Street, Room 203
Yorkville, Illinois 60560
Fax: 630-553-4179

With copy to:
Kendall County State's Attorney
807 John Street
Yorkville, Illinois, 60560
Fax: 630-553-4204

If to the City: Community Development Director
United City of Yorkville Building Safety and Zoning
800 Game Farm Road
Yorkville, Illinois 60560
Fax: 630-553-7264

Or any such other person, counsel or address as any party hereto shall specify pursuant to this Section from time to time.

Section 17. This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.

Section 18. This Agreement represents the entire agreement between the parties and there are no other promises or conditions in any other agreement whether oral or written. Except

as stated herein, this agreement supersedes any other prior written or oral agreements between the parties and may not be further modified except in writing acknowledged by both parties.

Section 19. Nothing contained in this Agreement, nor any act of Kendall County or the City pursuant to this Agreement, shall be deemed or construed by any of the parties hereto or by third persons, to create any relationship of third party beneficiary, principal, agent, limited or general partnership, joint venture, or any association or relationship involving Kendall County and the City. Further, nothing in this agreement should be interpreted to give Kendall County or the City any control over the other's employees or imply a power to direct the employees of the other government body, which neither entity may exercise.

Section 20. When performing inspections under the terms of this Agreement, Kendall County and City intend that any injuries to their respective employee shall be covered and handled exclusively by their jurisdiction's own worker's compensation insurance in place at the time of such injury. It is further agreed that all employee benefits, wage and disability payments, pension and worker's compensation claims, damage to or destruction of equipment, facilities, clothing and related medical expenses of the City or Kendall County and their respective inspectors, which may result from their activities under this Agreement, shall be the responsibility of the jurisdiction which employs the inspector making such a claim.

Section 21. The Parties will obtain and continue in force, during the term of this Agreement, all insurance as set forth below. Each insurance policy shall not be cancelled or changed without thirty (30) days prior written notice, given by the respective insurance carrier(s) to the parties at the addresses set forth in Section 16. Before starting inspections hereunder, the parties shall obtain the following insurance at a minimum: (a) Worker's Compensation and Occupational Disease Disability insurance, in compliance with the laws of the jurisdiction where

the work is being performed; (b) Employer's comprehensive general liability insurance for both personal injury and property damage in the minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate; (c) Comprehensive business automobile liability insurance in the minimum amount of \$1,000,000 combined single limit; and (d) Comprehensive excess liability insurance with a combined minimum single limit of \$1,000,000 for each occurrence and \$5,000,000 aggregate. Certificates of such insurance detailing the coverage therein shall be available to the other party upon execution of this Agreement. Neither party waives its immunities or defenses, whether statutory or common law by reason of the indemnification and insurance provisions contained in this Agreement.

Section 22. This Agreement shall be in full force and effect for a period of one (1) year from the date of the last signature below, however it may be renewed upon agreement of the parties in writing.

Section 23. Either party may terminate this Agreement by providing thirty (30) calendar days' advance written notice to the other party. However, any act of bad faith in the execution of duties under this Agreement shall result in immediate termination of the other party's duties as laid out herein. For the purpose of this agreement, "bad faith" is an intentional dishonest act by not fulfilling legal or contractual obligations, misleading another, entering into an agreement without the intention or means to fulfill it, or violating basic standards of honesty in dealing with others. Also, the parties agree to provide prompt written notice within fifteen (15) calendar days to the other party if Kendall County Code Official Brian Holdiman's or City Building Code Official Pete Ratos' employment ceases for whatever reason. In such event, this Agreement shall immediately terminate upon receipt of said written notice.

Section 24. The parties understand and agree that this Agreement in no way creates a joint employment relationship between the Parties. The Parties understand and agree that they are solely responsible for paying all wages, benefits and any other compensation due and owing to its employees for the performance of visiting inspector services set forth in this Agreement. The parties further understand and agree that the parties are solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and federal law for its employees who perform visiting inspector services as set forth in this Agreement.

Section 25. Kendall County and the City each hereby warrant and represent that their respective signatures set forth below have been, and are on the date of this Agreement, duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Intergovernmental Agreement to be executed by their duly authorized officers on the date below in the United City of Yorkville, Illinois.

County of Kendall, a unit of local government
of the State of Illinois

United City of Yorkville, Kendall County,
Illinois, a municipal corporation

By: _____
Chair, Kendall County Board

By: _____
Mayor

Date: _____

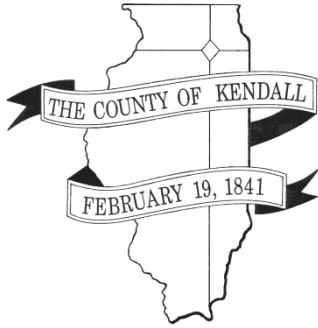
Date: _____

Attest:

Attest:

County Clerk

City Clerk



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Planning, Building & Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: February 7, 2018
Re: Request from Vincent Domino to Release Funds at Old Second Bank

In 1993, Vincent Domino recorded a two (2) lot residential subdivision in the 2200 block of Bell Road in Seward Township. In 1995, Mr. Domino constructed a four (4) bedroom house on one (1) of the lots in this subdivision and paid the applicable fees as required by the Land Cash Ordinance.

In 2007, Mr. Domino, at his own initiative and without requirement from Kendall County, established a certificate of deposit at Old Second Bank in the amount of Nine Hundred Twenty-Three Dollars and Nineteen Cents (\$923.19) to cover Land Cash Ordinance costs for a four (4) bedroom house on the remaining lot. At the time that the certificate of deposit was established, Mr. Domino placed a restriction on the certificate of deposit stating that the certificate of deposit could not be liquidated "without Yorkville's approval." Since the subject property is not inside the United City of Yorkville, the bank has interpreted this statement to mean Kendall County.

In early 2016, Mr. Domino sold both lots in the subdivision and is now requesting permission to liquidate the certificate of deposit. Mr. Domino's request and a letter releasing the County's claims are attached for your consideration.

In the event that the certificate of deposit is liquidated and a future owner desires to construct a house on the remaining lot, the Planning, Building and Zoning Department will assess the appropriate fee as required by the Land Cash Ordinance.

If you have any questions, please let me know.

MHA

ENC: Resolution
Letter Withdrawing Claims
January 23, 2018 Letter from Vincent Domino

KENDALL COUNTY
Resolution No. _____

*Resolution to Release All Claims on a Certificate of Deposit Owned
by Vincent Domino at Old Second Bank in the Amount of \$923.19*

WHEREAS, in 1991, Vincent Domino petitioned the Kendall County Board for a map amendment and two lot residential subdivision in the 2200 block of Bell Road in Seward Township; and

WHEREAS, on September 10, 1991, the Kendall County Board, through Ordinance 91-10, approved Vincent Domino's petition for map amendment; and

WHEREAS, on December 15, 1992, the Kendall County Board approved the final plat of the Rancho Real Subdivision, a two lot residential subdivision located in the 2200 block of Bell Road in Seward Township; and

WHEREAS, on February 19, 1993, the Kendall County Recorder of Deeds Office recorded the final plat of Rancho Real Subdivision; and

WHEREAS, the two lots created by the Rancho Real Subdivision are now identified by Parcel Identification Numbers 09-22-200-033 and 09-22-200-032; and

WHEREAS, on January 23, 1995, Vincent Domino paid Kendall County \$923.19 as required by the Kendall County Land Cash Ordinance for construction of a single-family home on the property identified by Parcel Identification Number 09-22-200-032, now more commonly known as 2259G Bell Road, Minooka;

WHEREAS, on November 6, 2007, Vincent Domino established a certificate of deposit at Old Second Bank in the amount of \$923.19 for the purposes of covering the land cash fee on the property identified by Parcel Identification Number 09-22-200-033 when/if a single-family home was constructed on the property; and

WHEREAS, a requirement was placed on the certificate of deposit owned by Vincent Domino at Old Second Bank requiring the approval of Kendall County for the liquidation of the certificate of deposit; and

WHEREAS, on or about January 1, 2016, Vincent Domino sold both lots in the Rancho Real Subdivision to Kevin Worden and Ellen Oswald; and

WHEREAS, on January 23, 2018, Vincent Domino requested that Kendall County release all claims on the certificate of deposit at Old Second Bank as outlined in the attached Exhibit A; and

WHEREAS, the Kendall County Board is agreeable to Vincent Domino's request; and

THEREFORE, BE IT RESOLVED, that Kendall County Board hereby authorizes and directs the Kendall County Board Chairman to sign and mail the attached letter releasing all claims on a certificate of deposit owned by Vincent Domino at Old Second Bank in the amount of \$923.19.

ADOPTED and APPROVED this 20th Day of February, 2018.

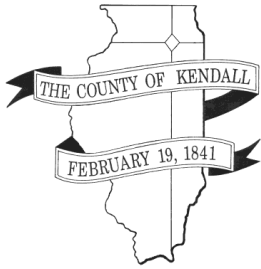
Scott R. Gryder, County Board Chairman

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I, Debbie Gillette, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a Resolution adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the _____ day of _____, A.D. 2018.

Debbie Gillette, County Clerk and Recorder

(Seal)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

February 20, 2018

Stephanie Baumwell
Old Second Bank
26 W. Countryside Parkway
Yorkville, IL 60560

RE: Vincent Domino Certificate of Deposit

Dear Stephanie Baumwell:

According to the records of Kendall County, Vincent Domino paid Kendall County Nine Hundred Twenty-Three Dollars and Nineteen Cents (\$923.19) as required by the Kendall County Land Cash Ordinance for the construction of one (1) house at 2259G Bell Road, Minooka. Mr. Domino, in 1991, subdivided his property on Bell Road into a two (2) lot residential subdivision. If the second lot is ever developed, Kendall County will charge the property the applicable fee as required in the Kendall County Land Cash Ordinance.

Based on the above information, Kendall County has no objections to Mr. Domino's request of Old Second Bank to release his Certificate of Deposit in the amount of Nine Hundred Twenty-Three Dollars and Nineteen Cents (\$923.19) and hereby releases any and all claims Kendall County may have on the subject certificate of deposit.

If you have any questions, please contact Matt Asselmeier, Kendall County Senior Planner at 630-553-4139 or masselmeier@co.kendall.il.us.

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board


1/23/18

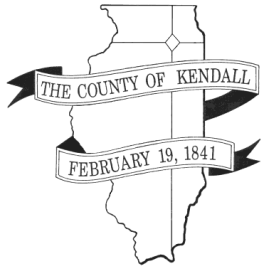
Kendall County Building & Zoning
111 W. Fox St.
Yorkville, IL 60560

Dear Matt:

I AM Requesting that the county Release
My \$923.00 plus interest that I placed in
escrow at Old 2nd Nat. Bank in 1993.
These funds were for the 1 lot in Rancho
Real subdivision that was not built on.
It has been 25 yrs, and that extra lot is
between the Residence and the barn, and
a house on it would block access back
& forth. If you will contact Stephanie
at old 2nd, she will send me a check.
Thank you for checking it out.

Sincerely;
Vince Damino
Vince Damino





DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: February 7, 2018

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

Attached please find the revised Petition 17-28 regarding outdoor target practice and shooting range zoning regulations. The proposal incorporates the suggested changes from the January 30, 2018 meeting.

As noted in a.5, the Kendall County Health Department favors the EPA standards regarding lead abatement.

Regarding berming, the Sheriff Department's range in Lisbon Township has one (1) backstop at six hundred feet (600') and one (1) at one hundred fifty feet (150'). The lateral berms run from the backstops past the firing line and behind the firing line creating a three hundred six (360) degree berm, minus the entrance.

The Newark Sportsman's Club has an estimated ten feet (10') from the shooting line to the berm. Their firing lines range from thirty feet (30') feet to three hundred feet (300') in length.

Silver Springs State Park only allows shotguns. They do not have berming per se. Their range is two hundred ten feet (210') long and one hundred twenty feet (120') wide.

As of the date of this memo, Staff has not heard from any of the other gun ranges.

Regarding the easement question, the State's Attorney's Office stated that restrictions on uses must constitute a valid public purpose. An easement requirement may not necessarily serve a valid public purpose.

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

Thanks,

MHA

ENC: Proposed Text Amendment
Existing Regulations

Updated 2-2-18
Bolded Red is New Language
Bolded Black is Changed Language or Comment

Exhibit A

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

Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting noise and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall exclude outdoor target practice **(such exclusion extends to shooting ranges not located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks)**, athletic fields with lights, paintball facilities and riding stables; including but not limited to polo clubs, and similar uses.

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

Outdoor Target Practice or Shooting **(but not including private shooting in your own yard or shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks)** with the following conditions:

- a. **At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting ranges shall submit copies of all of the studies and plans suggest in the National Rifle Association's Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan.**
 1. **The above referenced plans shall contain information as suggested by the National Rifle Association.**
 2. **Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.**
 3. **The safety plan shall describe the duties and qualifications of range supervisor(s).**
 4. **The safety plan shall require everyone on the firing line to wear hearing protection and safety glasses.**
 5. **In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirement of the National Rifle Association's standards, the National Shooting Sports Foundation's standards, or the United States Environmental**

Protection Agency's best management practices standards. (Health Department Recommends EPA Rules)

- 6. In addition to the above requirements,** the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.
 - 7. Any changes to the above required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.**
- b. **Range layout** ~~R~~requires conformity with **National Rifle Association** standards with regard to layout and dimensions. ~~;~~ ~~provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book.~~ The petitioner shall submit a site capacity with a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100'). A licensed engineer or land surveyor shall prepare the documents.
- e. **The site plan for the proposed outdoor target practice or shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site. Ranges shall be located on a site where an uninhabited downrange safety area is available. The required length of the safety area shall be as follows:**
- ~~Shotgun ranges — one thousand five hundred feet (1500'), provided that shot size is limited to #4 or smaller.~~
 - ~~Ranges for handguns and rifles not more powerful than .22 long rifle — seven thousand feet (7,000').~~
 - ~~Ranges for rifles more or equal power than a .22 long rifle — thirteen thousand five hundred feet (13,500').~~
 - ~~The downrange safety area requirement for handgun, and rifle and archery ranges may be waived by the County Board if the firing line is provided with overhead baffling meeting the standards of the National Rifle Association.~~
- 1. The safety area shall conform to National Rifle Association's standards for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.**
 - 2. For the purposes of this regulation, the term "downrange safety area" shall mean the area away from the launching site towards the target. In cases of shooting ranges where targets are not stationary, appropriate baffling shall be provided.**

- d. **(WAITING ON LOCAL RANGES) Ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. Berms shall be located as follows:**
1. **Shotgun ranges – No berming required.**
 2. **Ranges for handguns and rifles with the same or less power than .22 long rifle**
 - a. **Backstop at least one hundred fifty feet (150') from the firing line.**
 - b. **Lateral not closer than thirty feet (30') from the firing line.**
 3. **Ranges for rifles with more power than a .22 long rifle**
 - a. **Backstop at least three hundred feet (300') from the firing line.**
 - b. **Lateral not closer than thirty feet (30') from the firing line.**
 4. **All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.**
 5. **In addition to berms, appropriate baffling shall be installed over the targets to prevent projectiles from overshooting the berm for hand gun and rifle ranges.**
- e. Requires minimum parcel size of ~~5 forty (40)~~ **ten (10)** acres **for firearms.**
- f. **The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.**
- g. The outdoor target practice or shooting range must have a sign that lists allowed firearm types **or allowed velocities of bullets**, rules of operation; hearing and vision protection required.
- h. **At least one (1) ~~Sstate recognized, nationally recognized or National Rifle Association~~ certified range supervisor must be present at all times when firing is taking place at for-profit outdoor target practice or shooting ranges. The supervisor shall be certified for the type of shooting being supervised and shall know and enforce all range rules.**
- i. **At least one (1) ~~R~~range flag flown, a sign or red light lit at all times that firing is taking place. If a range flag is used, the flagpole shall be at least eighteen feet (18') high and the flag shall be bright red forty inches (40") long and twenty inches (20") inches wide at the pole and six inches (6") wide a the free end.**
- j. Hours and days of operation shall be specified in the special use permit and determined by the County Board. ~~as specified in the Special Use Permit to be determined by the County Board shall be as follows: No range shall open prior to 9:00 am any day of the week. No range shall remain open~~

~~after 5:00-6:00 pm Mondays through Fridays, 3:00-5:00 pm on Saturdays and ranges shall be closed 3:00 pm on Sundays.~~

- k. Access must be controlled by a lockable gate. **The range proper shall be fenced in a manner so to prohibit entrance on the property by members of the public and shall have signed posted at one hundred foot (100') intervals warning members of the public of the danger.**
- l. Must be at least **one thousand five hundred feet (1,500')** from the **firing line** to the ~~existing dwellings and~~ property lines of ~~schools, daycares, places of worship and airstrips~~ adjoining properties. **The required distance is both parallel and perpendicular to the firing line.**
- m. No alcohol allowed.
- n. No projectiles shall leave the boundaries of the site.
- o. **The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance amount shall be at a level standard and customary for an outdoor target practice or shooting range. The insurance policy must be purchased from an A+ rated insurance company. ~~sufficient accident and liability insurance in the amount of Ten Million Dollars (\$10,000,000) for outdoor target practice or shooting ranges~~ An insurance policy meeting the above requirements must be maintained during the duration of the special use permit.**
- p. All applicable Federal, State and **County local** rules and regulations shall be adhered to.
Includes:
 - 1. Not discharging lead shot into wetlands.
 - 2. Providing restroom facilities for employees and patrons.
 - 3. Meeting all of the requirements of the Kendall County Health Department.
 - 4. Signage requirements.
 - 5. Lighting standards contained in Section 11.02.F.12.d (Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance. (Where non-residential sites are adjacent to residential sites (existing or future residential areas as shown on the officially adopted version of the Land Resource Management Plan (LRMP)), the light level at the property line produced by the non-residential lighting shall not exceed 0.2 foot-candles. The lighting shall be designed to avoid casting direct light or glare onto the adjacent residential property. Acceptable means to prevent glare or direct light onto the residential property include pole/luminary-mounted shields and dense vegetation. On abutting nonresidential properties (existing or future nonresidential as shown on the officially adopted

version of on the Land Resource Management Plan (LRMP)), or public streets the maximum illumination at the property line shall be five (5.0) foot-candles. Where residential is across a street, the maximum illumination at the use's boundary shall be two (2.0) foot-candles.

Higher maintained foot-candle levels may be appropriate for certain uses such as illuminated ball fields, auto dealerships, or gas stations. In such instances, information will be reviewed during Site Plan review. The Zoning Administrator may approve higher light levels for specific uses during the review process without the need for a variation. The Zoning Administrator may refer such instances to the Planning, Building, and Zoning Committee of the County Board. Such decisions made by the Zoning Administrator may be appealed to the Planning, Building, and Zoning Committee of the County Board. (Amended 7/19/2011))

- q. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).
- r. **(SAO IS REVIEWING THIS REQUIREMENT) Ranges must have direct access to a public road. For the purposes of this restriction “direct access” shall mean frontage; “direct access” shall not mean access via easement or license across property not owned by the range owner.**
- s. **Noise generated by the business allowed by this special use shall comply with the following:**
 - 1. **~~Day Hours:~~ No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.**
 - 2. **~~Night Hours:~~ No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.**
 - 3. **EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.**
- t. **Outdoor target practice and shooting ranges in existence prior to the date of the adoption of this ordinance (insert date) shall be exempt from this**

sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.

- u. Outdoor target practice and shooting ranges established after the date of the adoption of this ordinance (insert date) must comply with the above regulations or secure applicable variances.**

Kendall County Outdoor Shooting Range Regulations

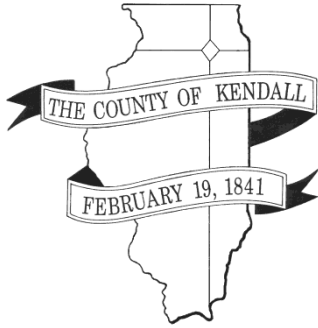
Outdoor Target Practice or Shooting (not including private shooting in your own yard) with the following conditions:

- a. Requires conformity with NRA standards; provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book.
- b. Requires minimum parcel size of 5 acres, depending on the venue.
- c. Must have a sign that lists allowed firearm types, rules of operation; hearing and vision protection required.
- d. State recognized, nationally recognized or NRA Certified range supervisor must be present
- e. Range flag flown, a sign or red light lit at all times that firing is taking place.
- f. Hours and days of operation as specified in the Special Use Permit to be determined by the County Board.
- g. Access must be controlled by a lockable gate.
- h. Hazardous waste plan addressing lead management required.
- i. No discharge of lead shot into wetland.
- j. Must be at least 1,000' from existing dwellings and property lines of schools, daycares, places of worship and airstrips.
- k. No alcohol allowed.
- l. No projectiles shall leave the boundaries of the site.
- m. All applicable Federal, State and County rules and regulations shall be adhered to.
- n. Must meet all requirements of the Kendall County Health Department
- o. Water and drainage plans must be approved by the Kendall County Planning, Building and Zoning Office.
- p. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance.
- q. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance.
- r. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance

PBZ Executive Session Minutes Status-Active (1/9/2018)

Date Last Review

Minutes Date	Jan-18
6/9/1997	Release
8/11/1997	Release
5/8/2000	Release
2/13/2001	Release
2/7/2005 B	Release
4/11/2005	Release
5/2/2005	Release
5/9/2005	Release
10/5/2006	Release
2/5/2007	Release
4/9/2007	Release
12/19/2016	Keep
8/7/2017	Keep
1/8/2018	



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: January 18, 2018
Re: Solar Panel Regulations for Onsite Energy Consumption

At the December Planning, Building and Zoning Committee meeting, Staff was requested to research the zoning regulations for solar panels. For clarity purposes, Staff divided the information into onsite consumption of energy and offsite consumption of energy.

Kendall County already has regulations for solar panels that generate energy for onsite consumption. These regulations are:

4.18 SOLAR PANELS (*Amended 7/19/11*)

- A. Roof Mounted. Solar panels located on the roof of an existing structure shall be permitted in all districts.
- B. Freestanding. Solar panels located on the ground or attached to a framework located on the ground shall be classified as accessory structures. Freestanding solar panels shall be permitted if they comply with all of the following standards (Properties considered agriculturally exempt as defined in State Statute from building permits are further exempt from these standards with the exception of #3 listed below):
 1. The proposed system is no larger than necessary to provide 120 percent of the electrical and/or thermal energy requirements of the structure to which it is accessory as determined by a contractor licensed to install photovoltaic and thermal solar energy systems.
 2. The solar panels and supporting framework shall not exceed 12' in all districts with the exception of the agricultural district as measured from adjoining grade at base to the highest elevation of the equipment.
 3. The solar energy system including any appurtenant equipment is not located within any required setback areas within the respective zoning district.
 4. If the solar panels are visible from off-site, the solar panels are not located within 150 feet of a dwelling located on a lot other than the lot on which the solar energy system is located unless:
 - a. There are appropriate facades, walls, fences or landscaping that screen the solar panels and supporting framework from unobstructed view.
 - b. Reflection angles from collector surfaces are oriented away from neighboring windows.
 - c. The panels are mounted as close as possible to the ground while allowing adequate drainage and preventing vegetation from shading the panels.
 5. The solar panels are located so that they are not readily visible from public viewing areas including parks, roads and trails located to the south of the site.

Staff believes that the above regulations are adequate. However, a provision requiring that the utility provider be notified prior to the panels becoming operational if they are connected to the larger grid might be appropriate.

Yorkville is the only local community that possesses detail solar panel regulations. Plano, Plainfield, Joliet, and Oswego do not have specific regulations. Yorkville's solar panel regulations are attached to this memo.

If any Committee members have any questions, please let me know.

MHA

ENC: Yorkville's Solar Panel Regulations

Chapter 19

ALTERNATIVE ENERGY SYSTEMS

10-19-1: PURPOSE:

10-19-2: PERMITTED AND SPECIAL USES:

10-19-3: DEFINITIONS:

10-19-4: GENERAL REQUIREMENTS:

10-19-7: FREESTANDING SOLAR ENERGY SYSTEMS:

10-19-8: BUILDING MOUNTED SOLAR ENERGY SYSTEMS:

10-19-9: PERMITTING AND FEES:

10-19-1: PURPOSE:

The purpose of this chapter is to regulate alternative energy systems and to promote their effective and efficient use. The regulations are intended to achieve the following:

- A. Provide zoning regulations to guide the installation and operation of renewable energy systems;
- B. Accommodate sustainable energy production from renewable energy sources;
- C. Preserve the aesthetics of the zoning districts in the interest of property values, public health, safety, and general welfare. (Ord. 2014-73, 11-25-2014)

10-19-2: PERMITTED AND SPECIAL USES:

Alternative energy systems which are deemed special uses shall be approved in accordance with section [10-4-9](#) of this title. (Ord. 2014-73, 11-25-2014)

10-19-3: DEFINITIONS:

SOLAR FARMS: More than one freestanding solar energy system on a given site, constructed for the commercial generation of electrical power.

Building Mounted Solar Energy Systems (BSES): A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building mounted systems include, but are not limited to, solar energy systems contained within roofing materials, windows, skylights and awnings.

Freestanding Solar Energy Systems (FSES): Freestanding, ground mounted solar energy system, including appurtenances, which converts solar energy to a usable form of energy to meet all or part of the energy requirements of the on site user.

10-19-4: GENERAL REQUIREMENTS:

- A. **Applicability:** The provisions of this chapter are to establish zoning parameters by which solar and wind energy systems may be installed in the city. Additional renewable energy solutions not mentioned herein may be authorized subject to compliance with the applicable codes and standards of the city.

B. Approval Process: All alternative energy systems shall require a building permit prior to installation. Installation of alternative energy systems may require a special use permit; refer to section [10-6-0](#), table 10.06.07 of this title.

C. Standards For Granting A Special Use:

1. The city council shall determine that the application has met all of the general requirements of this chapter.
2. The proposed energy system shall further the intent of this chapter and provide renewable energy to the property on which it is proposed.
3. The proposed alternative energy system is located in such a manner as to minimize intrusions on adjacent residential uses through siting on the lot, selection of appropriate equipment, and other applicable means.
4. The establishment for the proposed alternative energy system will not prevent the normal and orderly use, development or improvement of the adjacent property for uses permitted in the district.

D. Use: Alternative energy systems shall be an accessory to the principal permitted use of a site.

E. Abandoned Systems: All alternative energy systems inactive or inoperable for twelve (12) continuous months shall be deemed abandoned. If the system is deemed abandoned, the owner is required to repair or remove the system from the property at the owner's expense within ninety (90) days after notice from the city. If the owner does not comply with said notice, the building code official shall enforce this as a violation of the Yorkville zoning ordinance.

F. Signage: No commercial signage or attention getting device is permitted on any alternative energy system. One sign shall be permitted to indicate the emergency contact information of the property owner or operator. Said sign shall not exceed two (2) square feet in size.

G. Utility Service Provider: Evidence that the electric utility service provider that serves the proposed site has been notified of the owner's intent to install an interconnected customer owned electricity generator.

H. Safety: All wind energy systems shall be equipped with manual and/or automatic controls and mechanical brakes to limit rotation of blades to prevent uncontrolled rotation.

I. Lighting: Alternative energy systems shall not be illuminated, except as required by the FAA or those used in commercial applications such as streetlights.

J. Shadow Flicker: Defined as the on and off strobe light effect caused by the shadow of moving turbine blades cast by the sun passing though the rotating turbine. No habitable portion of an existing adjacent structure shall be subject to shadow flicker from a wind turbine. Shadow flicker onto an adjacent roof and/or exterior wall which does not contain any windows, doors, and like openings shall be acceptable. If shadow flicker occurs, the operation of the wind turbine shall cease during those times which cause the shadow flicker.

K. Screening: There shall be no required mechanical screening for alternative energy systems.

L. Design: Wind energy systems and associated tower shall be a nonreflective color. The city council may impose such conditions as are necessary to eliminate, if at all possible, any adverse affects such system may have on surrounding properties.

- M. Compliance: Wind energy systems shall meet or exceed current standards of the international building code and federal aviation administration (FAA) requirements, any other agency of the state or federal government with the authority to regulate wind energy systems, and all city codes.
- N. Building Code/Safety Standards: Any owner or operator of an alternative energy system shall maintain said system in compliance with the standards contained in the current and applicable state or local building codes and any applicable standards for said energy systems that are published by the international building code, as amended from time to time. If, upon inspection, the United City Of Yorkville concludes that an alternative energy system fails to comply with such codes and standards and constitutes a danger to persons or property, the city code official shall require immediate removal of the system at the owner's expense. (Ord. 2014-73, 11-25-2014)

10-19-7: FREESTANDING SOLAR ENERGY SYSTEMS:

- A. Location: Please refer to section [10-6-0](#), table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district.
- B. Setbacks: All parts of any freestanding solar energy system shall be set back eight feet (8') from the interior side and interior rear property lines.
- C. Permitted Yard Locations: Freestanding solar energy systems shall not be located within the required front yard or corner side yard. They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding solar energy system shall be prohibited.
- D. Clearance: Minimum clearance between the lowest point of the system and the surface on which the system is mounted is ten feet (10'). Refer to figure 10-19-7A of this section.

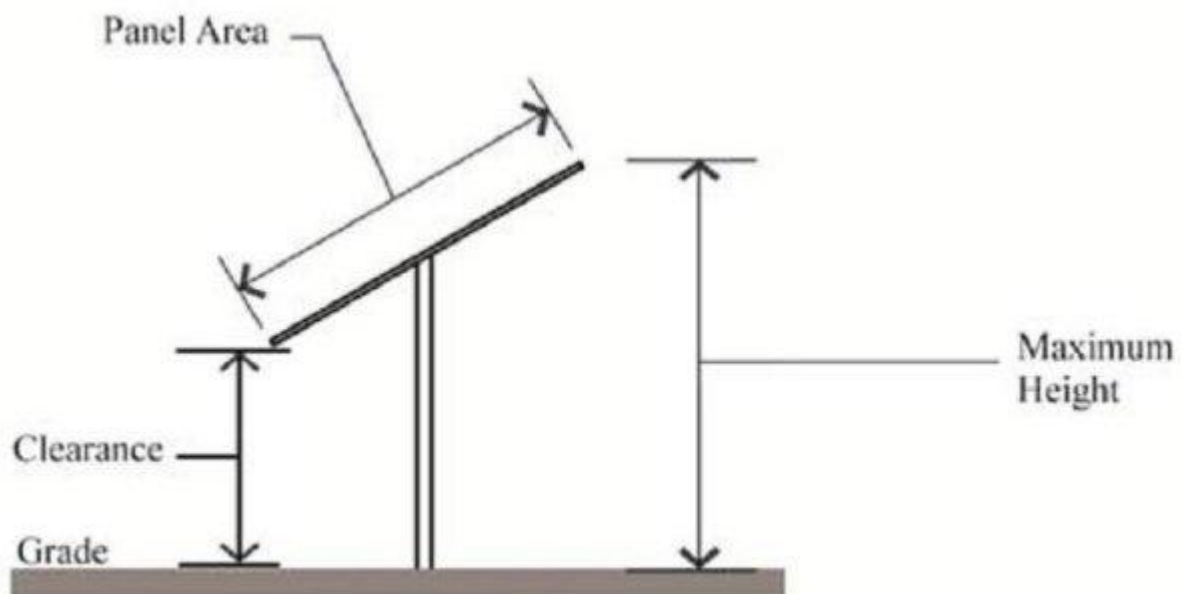


Figure 10-19-7A

Figure 10-19-7A

- E. Solar Glare: Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- F. Maximum Height: Maximum height of freestanding solar energy systems shall be subject to special use conditions. (Ord. 2014-73, 11-25-2014)

10-19-8: BUILDING MOUNTED SOLAR ENERGY SYSTEMS:

A. Location: Please refer to section [10-6-0](#), table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district. Building mounted solar energy systems are allowed on the principal and accessory structures, any roof face and side and rear building facades. The systems are allowed on the front or exterior side building facades if the following conditions are met:

1. Solar access is optimized on the front and exterior side facades.
2. Systems are simultaneously used to shade the structure's doors or windows. See figure 10-19-8C of this section.

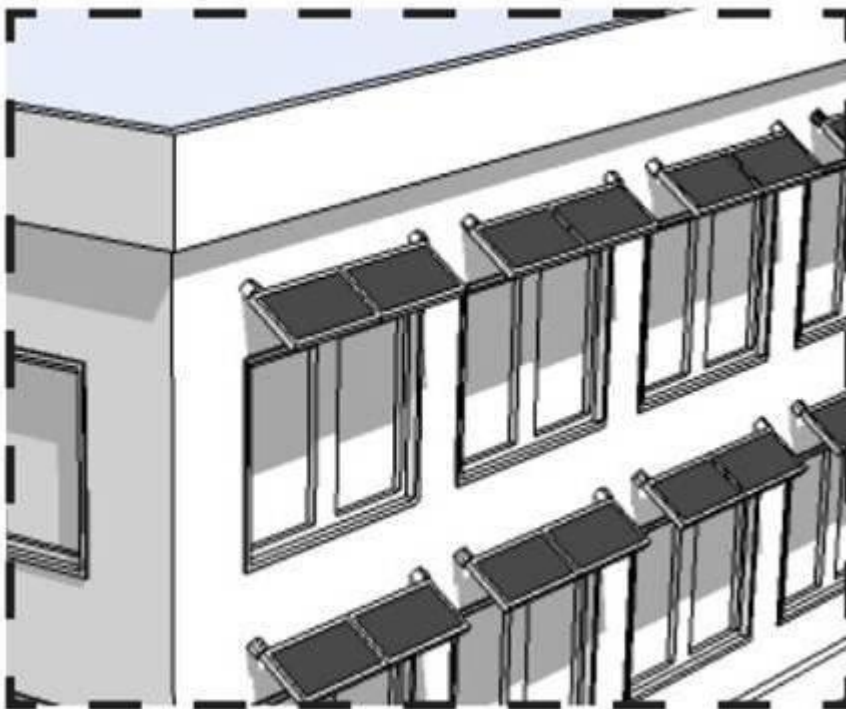


Figure 10-19-8C

Figure 10-19-8C

B. Height: Systems shall not extend beyond three feet (3') parallel to the roof surface of a pitched roof. Nor shall the system extend beyond four feet (4') parallel to the roof surface of a flat roof

unless completely concealed or equal to the height of the parapet wall, whichever is greater. If the system is flush mounted, the system must be less than eight inches (8") from the roof surface. Refer to figure 10-19-8A of this section.

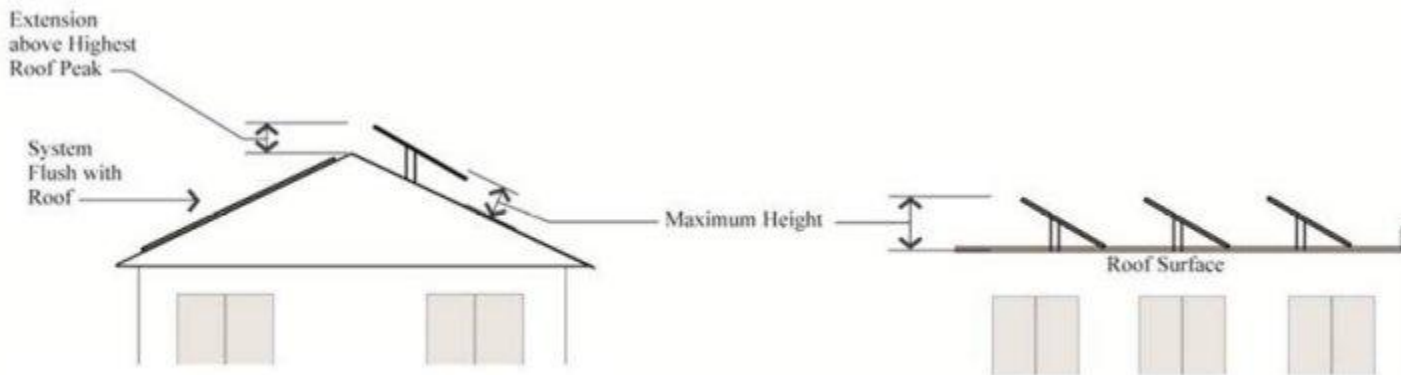


Figure 10-19-8A

Figure 10-19-8A

- C. Quantity: The total square footage may not exceed the total area of the roof surface of the structure to which the system is attached.
- D. Projection: The system may project up to four feet (4') from a building facade or roof edge. The system may project into an interior side or interior rear setback, but shall be no closer than five feet (5') to the interior side or interior rear property line. Refer to figure [10-19-8B](#) of this section.

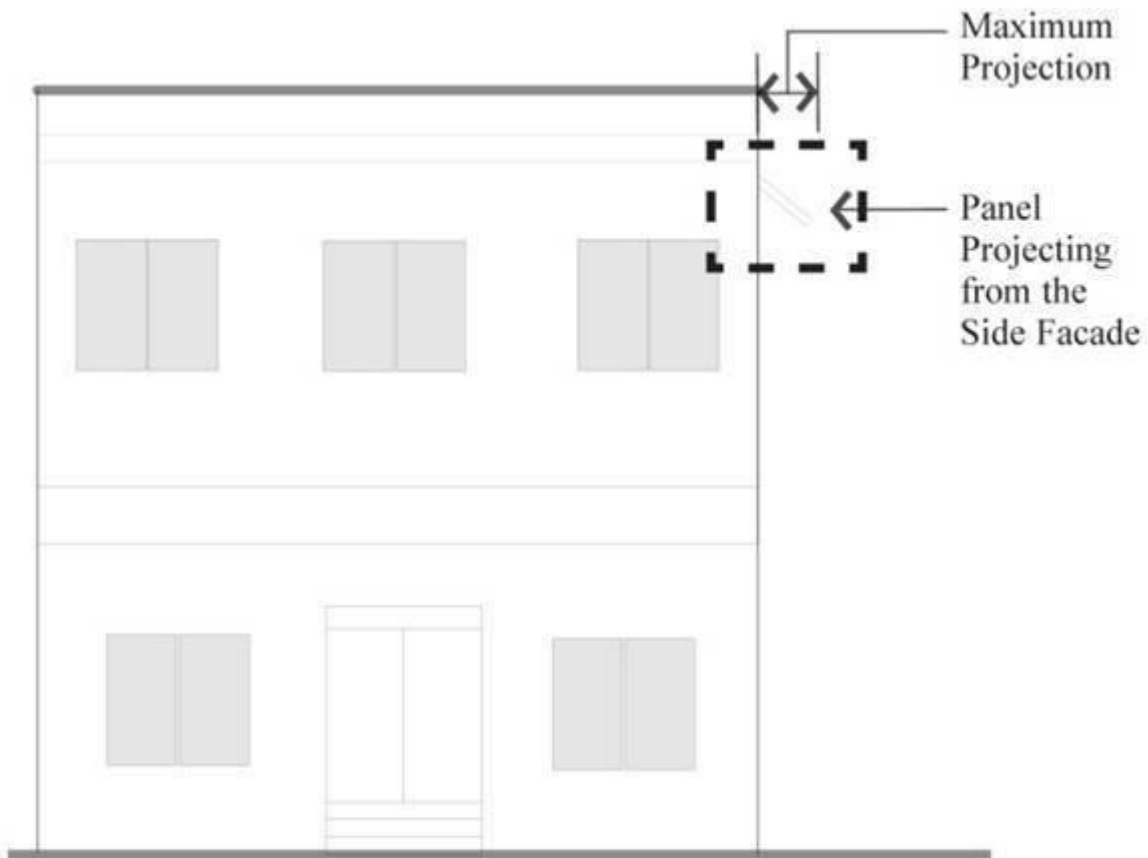


Figure 10-19-8B

Figure [10-19-8B](#)

(Ord. 2014-73, 11-25-2014)

10-19-9: PERMITTING AND FEES:

A. Permitting:

1. The installation of any alternative energy system requires a building permit from the United City Of Yorkville.
2. In order to receive a permit, alternative energy systems must be approved by an alternative energy certification program.
3. Prior to permit issuance, the owner shall sign an acknowledgment that said owner will be responsible for any and all enforcement costs and remediation costs resulting from any violations of this chapter. These costs include, but are not limited to, removal of system, property restoration necessary upon removal of the system, city legal expenses and hearing costs associated with violations of this chapter.
4. A permit is valid for two (2) years following issuance or renewal. At the end of the two (2) year period, the alternative energy system must be inspected by the city code official. Following inspection, the code official will:

- a. Renew the permit if found to be in compliance with this chapter; or
- b. Order any actions necessary for the alternative energy system to be in compliance with this chapter;
or
- c. Determine the system abandoned per section [10-19-4](#) of this chapter.

B. Engineering:

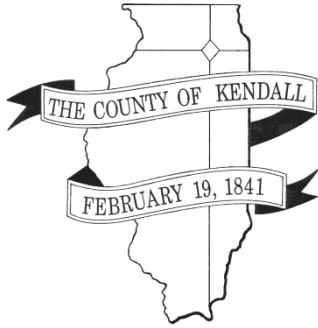
1. Manufacturer's engineering specifications of the tower, turbine and foundation, detailed drawing of electrical components and installation details, and expected noise level production.
2. For turbines greater than twenty (20) kilowatts of nameplate capacity, an Illinois licensed structural engineer's seal shall be required.
3. All FWES facilities shall be designed to withstand a minimum wind velocity of one hundred (100) miles per hour, with an impact pressure of forty (40) pounds per square foot.
4. Each FWES shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (UL), National Renewable Energy Laboratories (NREL), Det Norske Veritas (DNV), Germanischer Lloyd Wind Energie (GL), or an equivalent third party.
5. Turbines greater than one hundred feet (100') total height or greater than five thousand (5,000) pounds structural weight shall require a soil analysis at base of the tower and a stamped drawing by an Illinois licensed structural engineer. Structural weight shall be defined as the tower, wind turbine generator, and any other component(s) otherwise supported by the base foundation.
6. Proof of homeowner, farm or business insurance, as appropriate, shall be submitted.

C. Fees:

1. If applicable, alternative energy systems will be subject to the fee schedule for special use applications as defined by section [1-7-9](#) of this code. Said fee will be payable per alternative energy system at the time of the application submittal by the petitioner.
2. In addition, alternative energy systems will be subject to a one hundred fifty dollar (\$150.00) building permit fee. The permit fee will be payable at the time of the application submittal by the petitioner. (Ord. 2014-73, 11-25-2014)

	Zoning Districts															
	A g	Open Space		Residential					Business				Manufacturing			
	A- 1	O S- 1	O S- 2	E-1	R - 1	R - 2	R- 2 D	R - 3	R - 4	O	B - 1	B - 2	B - 3	B - 4	M-1	M-2
Solar farm	S	S	S	-	-	-	-	-	-	S	-	-	-	-	-	-
Building mounted solar energy systems (BSES)	S	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P

P = Permitted use	S = Special use	- = Not permitted use
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DEPARTMENT OF PLANNING, BUILDING & ZONING

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MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: January 18, 2018
Re: Solar Panel Regulations for Offsite Energy Consumption

At the December Planning, Building and Zoning Committee meeting, Staff was requested to research the zoning regulations for solar panels. For clarity purposes, Staff divided the information into onsite consumption of energy and offsite consumption of energy.

The Kendall County Planning, Building and Zoning Department has received several requests for the County's regulations for larger solar panel operations (i.e. solar energy used at an offsite location). Currently, this use is considered a public or private utility and is a special use in the A-1, all Residential, B-1, B-2, B-3 and B-6 zoning districts. This use is a permitted use in M-1 and M-2. No restrictions are listed in the Zoning Ordinance for this type of use.

Several other counties in Illinois received similar requests. Staff prepared the attached table comparing the existing or proposed zoning regulations for large solar panel operations for Boone, DeKalb, Grundy, Kankakee, Tazewell, and Will Counties. LaSalle County allows large solar panel operations as a special use, but does not have specific regulations.

If any Committee members have any questions, please let me know.

MHA

ENC: Comparison Table

County Solar Panel Regulations

Boone (B)
 DeKalb (D)
 Grundy (G)
 Kankakee (K)
 Tazewell (T)
 Will (W)

Note: LaSalle County Allows Solar Panels as Special Use, But Has No Stated Restrictions.

	B	D	G	K	T	W
Differentiate Between Community and Utility Systems	Yes	No, but Does Differentiate in Size at 5 Acres	No	No	No, but Does Differentiate in Size at 5 Acres	Concentrated Solar Not Allowed
Districts Where Permitted Use	None	None	None	None	None	None
Districts Where Special Use	A-1, A-2, RE, R-1, RC, RC-2, RTN, B-1, B-2, I-1, and I-2	Less than 5 Acres In All Districts 5 Acres or Greater A-1 Only	All Agricultural and Industrial Districts	A-1	Less than 5 Acres In All Districts 5 Acres or Greater A-1, Conservation and Industrial Districts	A-1, I-1, I-2, and I-3
Fountain	Must be Certified by a Qualified Engineer	Must be Certified by a Qualified Engineer	Not Mentioned	Must be Certified by Qualified Engineer	Panels Must Be Installed by Qualified Installer	Not Mentioned

	B	D	G	K	T	W
Glare	No Glare on Adjacent Properties or ROWs	No Glare on Adjacent Properties or Airports within 500 Feet of Airport or Approach Zone	No Glare on Adjacent Residential Property	Not Mentioned	No Glare on Adjacent Properties or Airports within 500 Feet of Airport or Approach Zone	Minimize Glare to Adjacent Property No Glare on ROWs or Impacting Air Traffic or Create a Safety Hazard
Lighting	Photometric Plan Required, Security Lights Max 30 Feet in Height, Lighting Elements Shielded from Adjacent Property, Foot Candle at Property Line Max 0.5	Security Lighting Only and Lighting Required by FAA and FCC	Cannot Cross Property Lines	Cannot Cross Property Lines	Not Mentioned	No Artificial Lighting Unless Required by FAA or Other Governmental Entity
Drainage Tile	Must Be Repaired and Restored-Boone County SWD Chooses Inspector and Applicant Pays for Inspection	Not Mentioned	Must Be Repaired and Bond or Letter of Credit Required, But Specific Amount Not Provided	Not Mentioned	Not Mentioned	Must Be Maintained and Repaired
Electrical Lines	Inspected Prior to Burial	Must Be Buried (Also Communication Lines)	Must Be Buried (Also Communication Lines or Wireless)	Must Be Buried (Also Communication Lines)	Not Mentioned	All Utilities Must Be Buried Unless Waived by SU Permit
Minimum Lot Size	Not Specified	Not Specified	Not Specified	5 Acres	Not Specified	Not Specified

	B	D	G	K	T	W
Height	Systems, Equipment and Structures Shall Not Exceed 30 Feet in Height at Maximum Tilt (Lines and Utility Poles are Exempt)	Systems, Equipment and Structures Shall Not Exceed 20 Feet in Height at Maximum Tilt (Lines and Utility Poles are Exempt)	Systems, Equipment and Structures Shall Not Exceed 20 Feet in Height at Maximum Tilt	Systems, Equipment and Structures Shall Not Exceed 30 Feet in Height (Lines and Utility Poles are Exempt)	Systems, Equipment and Structures Shall Not Exceed 20 Feet in Height at Maximum Tilt (Cannot Exceed 30 Inches Above Grade in the Front Yard)	Systems, Equipment and Structures Shall Not Exceed 25 Feet in Height at Maximum Tilt
Setbacks-Front	75 Feet from ROW (Fences Excluded)	Not Mentioned	150 Feet	100 Feet (Fences Excluded)	Cannot Encroach on Setbacks at Minimum Tilt	Follow Setback Regulations of District
Setbacks-Adjoining Property	40 Feet from Property Lines (Excluding Fences)	50 Feet from Property Lines	150 Feet	50 Feet from Property Lines (Excluding Fences)	Cannot Encroach on Setbacks and Minimum Tilt 50 Feet from Property Lines	25 Feet from Property Lines
Setbacks-Residential	150 Feet from Properties with Residences (Neighbor Can Waive this Requirement and Record Waiver)	500 from Neighboring Residence (Neighbor Can Waive up to 300 Feet)	Not Mentioned	100 Feet (As Measured From Property Line to Property Line)	Cannot Encroach on Setbacks and Minimum Tilt 500 Feet from Neighboring Residence	Not Mentioned
Setbacks Internal	None	Not Mentioned	Not Mentioned	Not Mentioned	Not Mentioned	Not Mentioned

	B	D	G	K	T	W
Landscaping	Follow Zoning Ordinance (Must Submit Landscaping Plan, Name Type(s) of Evergreen Planted and Location, Must Submit Soil Evaluation, Incorporate Native Plantings)	When Visible for Adjoining Residential Use or Residential Zoned Property, Use View Obstructing Vegetation, a Wall, Semi-Opaque Fence or Berm Designed to Obscure Views to a Height of 6 Feet (For Mechanical Equipment the Screening Shall be the Height of the Equipment Plus 6 Inches	Landscaping Plan Required Use Native Plantings Use as Screening, But No Specifics Shall be Inspected Monthly by County	Landscaping Plan Must be Submitted	Do Not Block View or Shading of Properties to the North	Must be Screened from All Roads and Dwelling Units within 1000 Feet (Screening May Be in Setbacks)

	B	D	G	K	T	W
Fencing	Not Mentioned	Maximum 8 Feet in Height with Warning Sign	Maximum 8 Feet in Height with Warning Sign	Minimum 8 Feet in Height (Must Have Knox Box and Keys)	Maximum 8 Feet in Height with Warning Sign	<p>Privacy Fence May Be Substituted for Buffer if 6 Feet Tall. At Least 1 Evergreen Must is Required Per 30 Linear Feet of Fence or Wall,</p> <p>Perimeter Fencing is Required with a Minimum of 7 Feet in Height; Barbed Wire and Razor Wire Prohibited Unless Waived</p>

	B	D	G	K	T	W
Buffers	<p>25 Foot Wide Buffer of Compact Evergreen Hedges or Other Type of Evergreen Foliage (Shall Be Located Along Road Frontage and Perimeter of Any Single-Family Dwelling) Minimum 3 Feet Tall; Hedge Must be 6 Feet Tall Within 5 Years; Replace Dead Growth and Maintain in Good Condition. Topographical Features and Existing Woodlands May Be Incorporated in Buffer</p>	<p>Minimize View of System to Surrounding Properties</p> <p>Top Soils Cannot Be Removed</p>	<p>Not Mentioned in Specifics</p>	<p>30 Foot Wide Buffer of Compact Evergreen Hedges or Other Type of Evergreen Foliage Minimum 3 Feet Tall; Hedge Must be 8 Feet Tall Within 3 Years; Replace Dead Growth and Maintain in Good Condition. Earth Berms, Topographical Features and Existing Woodlands May Be Incorporated in Buffer</p>	<p>Not Mentioned</p>	<p>A Landscaped Area at Least 10 Feet in Width with at Least 1 Shrub Per 5 Linear Feet Plus 1 Evergreen Tree per 25 Linear Feet of the Perimeter Area Evergreens Must Be at Least 5 Feet Tall at Time of Planting, Top Soils Cannot be Removed Without Permission of the County Board, Perennial Vegetation Must Be Maintained</p>

	B	D	G	K	T	W
Noise	No Detectible Noise by the Human Ear at 500 Feet. Noise Does Not Include Routine Maintenance, Repair, or Construction (Construction is Limited to Monday-Saturday 7-7; Sundays and Holidays 9-6)	Not Mentioned	Not Mentioned	50 dBA When Located Adjacent to Residence or Residential Zoning District	Not Mentioned	Not Mentioned
Signage	Warning Sign at Entrance Which Includes Facility's 911 Address and 24 Hour Emergency Contact Phone Number	Not Mentioned	High Voltage Signs Posted at Each Entrance and Base of All Pad Mounted Transformers Emergency Contact Information Near Tower, Operations Building and Maintenance Building	Warning Sign at Entrance Which Includes Facility's 911 Address and 24 Hour Emergency Contact Phone Number	Manufacturer's Specs Must be Displayed	Not Mentioned

	B	D	G	K	T	W
Site Plan Requirements	<p>Existing Property Lines Extending Five Hundred Feet from the Exterior Boundary, Including the Names of Adjacent Property Owners and Current Use of Those Properties</p> <p>Exiting Public and Private Roads, Show Width and Easements</p> <p>Location and Size of Existing and Abandoned Wells and Sewage Treatment Systems</p> <p>Existing Buildings and Impervious Surfaces</p> <p>Contour Map Showing Topography at 2 Foot Intervals, May Include Topography of Neighboring Properties</p> <p>Existing Vegetation and Type of Vegetation</p>	Not Mentioned Directly	<p>25 Copies of Required Submittals</p> <p>Evidence of Control of Site Must Be Provided</p> <p>Plan Must Include Number and Capacity of Arrays, Placement, Fencing and Landscaping, and Total Height of Arrays</p> <p>Topography Information at 5 Foot Intervals</p> <p>Fire Protection Plan, Revegetation Plan, Drainage and Erosion Plan</p>	<p>50 Copies of Required Submittals</p> <p>Same as Boone Except No Utility Information</p> <p>Also Must Submit Manufacturer's Specs, Itemized Cost of Construction and Connection Method</p>	Same as Boone Except No Utility Information	<p>Must Provide Proof that Owner/Operator Has the Financial Ability to Construct the Solar Farm</p> <p>Must Provide Notice of Development Letter to Will County Board Representatives</p> <p>Site Plan Must Show Same Property Line, Property Ownership and Floodplain Locations as Boone</p> <p>Must Include Number Location and Spacing of Solar Panels</p> <p>Include Product Cut Sheets</p> <p>Traffic Control Information</p> <p>Operation and Maintenance Plan</p>

<p>Site Plan Requirements Continued</p>	<p>Waterways, Watercourses, Lakes, and Wetlands</p> <p>Wetland Boundaries</p> <p>FEMA FIRM Map and 100 Year Flood Elevation</p> <p>Floodway, Flood Fringe, and General Flood Plain District Boundary</p> <p>Mapped Soils</p> <p>Surface Water Drainage Patterns</p> <p>Location of Subsurface Drainage Tiles</p> <p>Location of All Utilities</p>		<p>Emergency Plan Provided to Local Fire Department</p>			<p>Emergency Services Plan</p> <p>Redact Copy of Lease</p>
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	B	D	G	K	T	W
Site Plan Conditions	<ol style="list-style-type: none"> 1. Location, Number and Spacing of Solar Panels 2. Location of Access Roads and Access Points 3. Planned Location of Underground or Overhead Electric Lines Connecting the Solar Farm to a Building, Substation, or Other Electric Load. 4. New Electrical Equipment Other Than Existing Building or Substation 5. Certified Drawings of Elevation of the Premises Accurately Depicting the System 6. Weed Control Plan Approved by Boone County Conservation District, No Soil Sterilant Shall Be Permitted to be Used Onsite 	Must Submit Maintenance Report	Included with Site Plan Requirements	<p>Same as Boone 1-6</p> <p>\$500 Per Week Weed Violation</p>	<p>Same as Boone 1-6</p> <p>\$500 Per Week Weed Violation</p>	Included with Site Plan Requirements

	B	D	G	K	T	W
Road District Approval	Not Mentioned	Not Mentioned	Required and Panels Must Be 150 Feet From Public or Private Roads Bonds or Letter of Credit Required for Maintenance, Amount Not Provided	Required	Required	Required
Utility Approval	Not Mentioned	Not Mentioned	Not Mentioned	Required, Copy of the Agreement Must be Submitted as Part of Application	Required	Required

	B	D	G	K	T	W
Decommissioning Plan	<p>Required as Part of Application</p> <p>Must Occur if Panels Not Used in 12 Consecutive Months, Operating Company or Land Owners has 6 Months to Complete Plan</p> <p>County Board May Grant Extensions</p> <p>Plan Must Include Removal of Structures, Equipment, Fencing, Hazardous or Special Materials, Roads, Foundations, and Restoration of Soil and Vegetation</p> <p>Bond in the Amount of 150% of the Engineer's Estimate for Decommission Costs Must Be Submitted Prior to Issuance of Occupancy Permit</p>	<p>Required as Part of Application</p> <p>If Not Used for 90 Consecutive Days</p> <p>6 Months to Complete Removal</p> <p>Remove All Structures and Foundations and Restore Vegetation</p> <p>Bond or Letter of Credit May Be Required (Dollar Amount Not Listed)</p>	<p>Required as Part of Application</p> <p>If Not Used for 9 Months</p> <p>9 Months to Remove</p> <p>Must Remove All Structures and Pads to a Depth of 4 Feet Below Ground Surface</p> <p>Bond or Letter of Credit Required, Amount Determined by Engineer or Contractor, Must Pay 50% Before Construction Starts and Balance is Due Within 5 Years of the Start of Construction</p>	<p>Required as Part of Application</p> <p>Same as Boone Financial Security of \$1000 Per Acre in the Form of Irrevocable Letter of Credit or Escrow in lieu Boone Bond</p>	<p>If Not Used for 6 Months, Must be Removed in 30 Days (Violation)</p> <p>Required as Part of Application</p> <p>Must Occur if Panels Not Used for 12 Months, Have 6 Months to Remove Panels and Foundations to a Depth of 4 Feet Below Ground Surface.</p> <p>Hazardous Materials Must be Disposed Per Applicable Laws</p> <p>Surety Bond or Escrow Must Be Provided to Cover Cost of Removal at Time of Application</p>	<p>Required as Part of Application</p> <p>Removal within 180 Days</p> <p>Considered Abandoned if Not Producing Electricity for 1 Year</p> <p>Remove all Structures, Foundations, Barriers, and Transmission Lines</p> <p>Re-Vegetated as Necessary</p> <p>Hazardous Materials Must be Disposed Per Applicable Laws</p> <p>Owners Must Provide Cost Estimates at Time of Special Use Permit Application</p>

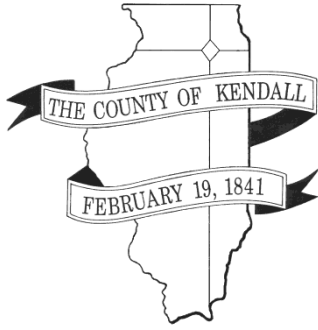
Decommission Plan Continued	<p>Updated Decommissioning Plans Must Be Submitted Every 3 Years, Plans Must Be Signed by Party Responsible for Decommissioning and/or Land Owner</p> <p>County May Request Additional Information</p> <p>Construction Must Commence within 2 Years of Approval by the County Board, Board May Grant Extension If Requested Prior to 60 Days of 2nd Anniversary of the Issuance of the Special Use Permit</p> <p>Must Comply with State Laws as They Relate to Decommissioning</p>		Revegetation Plan		<p>County May Collect Escrow or Bond and Enter Property if Decommissioning Not Completed in 6 Months</p> <p>County May Also Place a Lien on Property to Cover Costs</p>	
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	B	D	G	K	T	W
Fees	Reimburse County for Costs Greater than \$500 and Pay All Invoices within 10 Days	Building Permit Fees 0-10 KW \$150 11-50 KW \$300 51-100 KW \$600 101-500 KW \$1200 501-1000 KW \$2750 1001-2000 KW \$6000 Over 2000 KW \$200 for Each Additional 0-100 KW Fees Double if Construction Commences before Obtaining Building Permit	Not Mentioned	Filing Fee of \$5,000 Plus Reimburse County for Costs Greater than \$5,000 and Pay All Invoices with 10 Days	Building Permit Fees 0-4 KW \$75 5-10 KW \$150 11-50 KW \$300 51-100 KW \$500 101-500 KW \$1000 501-1000 KW \$3000 1001-2000 KW \$5000	Not Mentioned

	B	D	G	K	T	W
Insurance	<p>Owner or Operator Shall Maintain Current Liability Policy Covering Bodily Injury and Property Damage at \$2 Million Per Occurrence and \$20 Million in Aggregate</p> <p>Must Have Policy for Duration of Special Use Permit and Submit Copy of Renewals to the Building Department</p> <p>County is Named as Additional Insured</p>	<p>Owner or Operator Shall Maintain Current Liability Policy Covering Bodily Injury and Property Damage at \$3 Million Per Occurrence and \$5 Million in Aggregate, Must Have Policy for Duration of Special Use Permit, Such Insurance May Be Provided Pursuant to a Plan of Self-Insurance by a Party with a Net Worth of \$20 Million Dollars or More,</p> <p>County is Named as Additional Insured</p>	<p>Owner or Operator Shall Maintain Current Liability Policy Covering Bodily Injury and Property Damage at \$2 Million Per Occurrence and \$5 Million in Aggregate with a Deductible of No More Than \$5,000</p>	Not Mentioned	<p>Owner or Operator Shall Maintain Current Liability Policy Covering Bodily Injury and Property Damage at \$2 Million Per Occurrence and \$5 Million in Aggregate with a Deductible of No More Than \$5,000,</p> <p>Must Have Policy for Duration of Special Use Permit,</p> <p>County is Named as Additional Insured</p>	Required, No Specifics

	B	D	G	K	T	W
Outdoor Storage	Not Mentioned	Not Mentioned	Ordinance Hints that Outdoor Storage is Allowed, But Does Not Provide Any Perimeters	Only Equipment and Materials Related to the Operation and Maintenance of the Solar Farm (Must be paved with a Bituminous Surface and either Fenced or Screened from Adjoining Properties and Uses)	Not Mentioned	Not Allowed
UL (Underwriters Laboratories, Inc) Listing	Not Mentioned	Not Mentioned	Not Mentioned, But Equipment Must Meet Industry Standards	Required and Must Have Anti-Reflective Coating	Required for Components	Required for Electrical Systems Components
Indemnification of County	Yes	Yes	Non Mentioned	Not Mentioned	Not Mentioned	Not Mentioned
Public Nuisance Statement	Yes	Not Mentioned	Not Mentioned	Cost Statement	Must Be Maintained in Good Order	Must Be Maintained in Good Order
Severability Statement	Yes	Not Mentioned	Not Mentioned	Not Mentioned	Not Mentioned	Not Mentioned
High Water Mark	Not Mention	Not Mentioned	150 Feet	Not Mentioned	Not Mentioned	Not Mentioned
Adjoining Property Value Evaluation	Not Mention	Not Mentioned	Yes	Not Mentioned	Not Mentioned	Not Mentioned

	B	D	G	K	T	W
Follow Federal, State, and Local Laws	Yes	Yes	Yes-Annual Inspection	Yes	Yes-County Will Do Annual Inspection	Not Mentioned



DEPARTMENT OF PLANNING, BUILDING & ZONING

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MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: February 7, 2018
Re: Wind Farm Regulations

At a previous Planning, Building and Zoning Committee meeting, Member Kellogg requested a copy of Kendall County's commercial wind farm regulations.

The existing regulations are attached for your review.

If you have any questions, please let me know.

MHA

ENC: Wind Farm Regulations

Kendall County Wind Farm Regulations

WIND FARM, COMMERCIAL A single wind driven machine or a collection of wind driven machines or turbines that convert-wind energy into electrical power for the primary purpose of sale, resale or offsite use. *(Amended 6/20/2006)*

WIND ENERGY SYSTEM, SMALL A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kW and which is intended to primarily reduce on-site consumption of utility power. If all applicable regulations are met a small wind energy system may contain more than one wind energy conversion system. *(Amended 2/16/2010)*

A-1 Special Use, M-1 Special Use, M-2 Special Use

Wind Farms, Commercial, subject to the following:

a. Location Guidelines - The following guidelines shall be considered in evaluating the appropriateness of proposed locations for Wind Farms and the proposed project components. The purpose of these guidelines is to assist decision-makers in uniformly analyzing the site-specific impacts of each proposed project and thereby arrive at consistent and balanced decisions.

i. Natural and Biological Resources - Wind Farms should not be located in areas that have a large potential for biological conflicts. Wind Farms should not be located in large impact areas such as wilderness study areas, areas of critical environmental concern, county and state parks, historic trails, and special management areas. Wind Farms should not significantly impact important wildlife habitat.

ii Visual Impacts - Wind Farms should avoid those visual corridors that are designated by the County as essential view sheds or scenic areas. Essential view sheds or scenic areas are those areas designated in the County's LRMP or in other locations determined by the County Board after analyzing the applicant's wind farm visual simulations and considering public hearing comments. A Wind Farm project should maintain visual unity among clusters of turbines. To promote visual uniformity, the rotors, nacelles and towers of all turbines in an array should appear similar. To avoid visual clutter, intra-project power lines having a voltage of 34,500 volts or less, should be buried unless the applicant can sufficiently demonstrate that burying the lines will violate other guidelines/standards, violate applicable law, render the project economically infeasible or be hidden from public view. To avoid cluttering the skyline, transformers and other electric equipment should be hidden from view or otherwise constructed in harmony with the surrounding landscape.

iii Soil Erosion & Water Quality - Wind Farms should avoid erosion. Disturbance and construction on erodible slopes should be minimized. The number of improved roads and construction staging areas should be kept to a minimum. The grading width of roads should be minimized. One-lane roadways with turn-outs are recommended. The number and size of staging areas and crane pad sites should be minimized.

iv Historical, Cultural & Archeological Resources - Wind Farms should avoid sites with known sensitive historical, cultural or archeological resources.

v Public Safety – Wind Farms shall be developed in a manner that utilizes sound engineering practices and considers public safety in regard to the potential hazards to adjacent properties, public roadways, communities, aviation, etc. that may be created.

b. Performance Standards - The following standards are to be achieved by each Wind Farm project without exception. Because they are standards, they are considered to be requirements of any Wind Farm project. The final decision on whether or not a particular standard is achieved by a Wind Farm project shall be made by the County Board after considering the recommendations of all advisory bodies.

i Noise Management - The noise level caused by the operation of the project, measured at five (5) feet above ground level at the property line coincident with or outside the project boundary, shall not exceed 65 decibels (A-weighted) and shall not exceed 50 decibels (A-weighted) if it is determined that a pure tone noise is generated by the project. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

ii Wind Farm Design: Wind Farms that are not designed in “accordance with proven good engineering practices” or not purchased from a national manufacturer with a proven track record shall be prohibited. Wind Farms designed with the following characteristics shall be deemed in “accordance with proven good engineering practices”:

1. at least 3 blades.
2. upwind rotor.
3. no furling, where “furling” means that the wind turbine is designed to limit its power output in high winds by changing the rotor’s plane of rotation to a plane that is not perpendicular to the prevailing wind direction.
4. tapered and twisted blades.
5. a well-designed braking system.

iii Visual Impacts - To provide visual order to a Wind Farm project, all individual turbines shall have the same number of rotor blades and all rotor blades shall spin in the same direction (i.e., clockwise or counter-clockwise) in relation to the wind. To promote visual uniformity, all turbines at a similar ground elevation shall have the same height from blade tip to the ground. Except during construction, re-construction or removal, outdoor storage is not permitted within the project boundary except at locations that are screened from view. To avoid cluttering the skyline, inverters and pendant power cables shall be located inside the wind turbine tower, nacelle or structure. No telecommunications dishes, antennas, cellular telephone repeaters or other similar devices shall be attached to wind turbine towers. Aircraft obstruction markings of the turbines by use of alternating red and white bands shall be prohibited. No Billboards, logos and advertising signs of any kind shall be located on the turbines.

iv Soil Erosion & Water Quality - Construction and maintenance shall be done in strict accordance with the erosion and sediment control plan submitted with the Building Permit so as to minimize soil erosion and damage to existing vegetation. If vegetation is damaged during construction, in areas not occupied by the Wind Farms and related facilities and roads, it shall be restored after construction is complete.

Disturbed areas shall be reseeded to the land owner's or manager's requirements. Dust control on the project site is required.

v Setback - Individual wind turbines shall be set back from all property lines coincident with or outside of the project boundary a distance equal to 1.1 times the turbine hub height. Individual wind turbines shall be set back from all public roads a distance equal to at least 1.1 times the turbine hub height. *(Amended 2/16/2010)*

vi. Lighting - Individual wind turbine heights and markings shall comply with Federal Aviation Administration (FAA) regulations. Approval from the FAA stating that the turbines will not pose a hazard to aviation must be obtained prior to final recommendation by the Kendall County Regional Plan Commission. If lighting of turbines, or other structures, is required, "daytime white-nighttime red" shall be the only type of lighting allowed unless prohibited by law. All required lighting effects shall be in synchronization with each turbine located on the same or contiguous zoning lot and under the same ownership of a single wind energy system organization. All turbines and towers shall be a shade of white in color. *(Amended 2/16/2010)*

c. Roads - All routes on either County or Township roads that will be used for the construction and maintenance purposes shall be identified on the site plan. All routes for either ingress or egress need to be shown. The routing shall be subject to the approval of the Kendall County Highway Engineer in coordination with the Township Road Commissioner(s). The developer shall provide and complete a pre-construction baseline survey to determine existing road conditions for assessing potential future damage due to development related traffic. The developer shall provide a road repair plan to improve any and all damage, installation or replacement of roads that might be required by the developer. The developer shall provide a letter of credit or a surety bond in amount and form approved by the highway official(s).

d. Fees - All applications for a Commercial Wind Farm shall be accompanied by a fee for a Commercial Wind Farm Special use in accordance with fee structure as established by the County Board and as amended from time to time. The County Board may, at its discretion, retain the services of attorneys and professional consultants to assist the Board and County staff in the amendment and zoning process. The application fee shall serve as an initial deposit from which any costs and expenses incurred by the county as a result of the application for amendment and the hearing process set forth herein shall be deducted. Such costs shall include, but not be limited to, the fees and costs of: County employees or staff review time, attorney's fees, expert witnesses, scientific testing, records or other investigations, data searches, notices, court reporters, transcription costs, consultants, the hearing officer, and other expenses incurred by the County in reviewing the application, the public hearing, and decision, or any issues raised at any time during any hearings up to and including the County Board decision. If the actual costs incurred by the County in conducting its review and recommendation of the requested map amendment exceed the amount of the application fee deposit, the applicant shall be billed and shall be required to pay any and all additional costs incurred by the County in the completion of their review and recommendation of the special use. Costs in excess of the application fee deposit are required to be paid in full by the applicant prior to scheduling the matter for action by the County Board.

e. Removal of Defective Wind Energy Systems: Any wind energy system found to be unsafe by an authorized county official shall be repaired by the owner to meet federal, state and local safety standards or removed within sixty (60) days. If any wind energy system is not operated for a continuous period of 12 months, the county will notify the landowner by registered mail and provide 45 days for a response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the county deems the timetable for corrective action as unreasonable, they must notify the operator and such operator shall remove the turbine within 120 days of receipt of notice from the county.

f. Decommissioning Plan: A Commercial Wind Farm shall submit a decommissioning plan to ensure it is properly decommissioned upon the end of the project life or facility abandonment. Facility abandonment shall include the ceasing of operations for a period of not less than one (1) year. Decommissioning shall include: removal of all structures (including transmission equipment and fencing) and debris to a depth of four (4) feet, restoration of the soil, and restoration of vegetation within six (6) months of the end of the project life or facility abandonment. At the time of decommissioning, an Alta Survey shall be submitted to the County. The decommissioning plan shall state how the facility will be decommissioned, a professional engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources shall be deposited. The decommissioning plan shall also include an agreement between the applicant and the County which states:

i. The financial resources for decommissioning which shall be in the form of a surety bond, or shall be deposited in an escrow account with an escrow agent acceptable to the County.

ii. If the Applicant chooses an escrow agreement:

1. A written escrow agreement will be prepared, establishing upon what conditions the funds will be disbursed; and
2. The County shall have access to the escrow account funds for the express purpose of completing decommissioning if decommissioning is not completed by the applicant within sixty (60) days of the end of the project life or facility abandonment.

iii. The County is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

iv. The County is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the County's right to seek reimbursement from applicant or applicant's successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by the applicant or applicant's successor, or in which they have an interest, for the amount of excess, and to take all steps allowed to enforce said lien.

Financial provisions shall not be so onerous as to make Commercial Wind Farm projects unfeasible.

4.17 SMALL WIND ENERGY SYSTEMS (*Amended 2/16/10*)

Conditional Use in A-1, R-1, RPD-1, RPD-2, RPD 3, R-2, B-1, B-2, B-3, B-4, B-6, M-1, M-2 and M-3

A. Total Height: There is no limitation on tower height, except as imposed by setback, clear one and FAA regulations.

B. Set-back: The wind energy system shall be set back a distance equal to one hundred ten (110) percent of the hub height from all adjacent property lines. Additionally, no portion of the small wind energy system, including guy wire anchors, may extend closer than ten (10) feet to the property line.

C. Clear Zone: The wind energy system shall maintain a circular clear zone that has a radius which is equivalent to one hundred and ten (110) percent of the hub height. This clear zone shall be maintained free of any occupied structures on adjoining properties, tanks containing combustible/ flammable liquids, and above ground utility/electrical lines.

D. Noise: Wind energy systems shall not exceed 60 dBA, as measured at the closest property line. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

E. Tower Security: Any climbing apparatus must be located at least 12 feet above the ground, and the tower must be designed to prevent climbing within the first 12 feet.

F. Lighting: Wind energy systems shall not be artificially lighted with accent lighting. For the protection of the flight patterns of aircraft and the protection of heliports, airports and landing strips, wind energy systems must be lighted in accordance to the regulations and guidelines of the Federal Aviation Administration (FAA) regulations or appropriate authorities.

G. Signs/Advertising: No tower should have any sign, writing, or picture that may be construed as advertising.

H. Visual Effects and Safety. All reasonable visual and safety concerns of adjacent property owners must be resolved before Construction/Use Permit will be issued. When an applicant intends to submit a Construction/Use Permit Application to the Planning, Building and Zoning Department, he/she must also submit a copy of the completed conditional use application form to each adjacent neighbor at least 15 days prior to the issuance of a conditional use permit. If there are negative comments from neighbors, staff will attempt to resolve these negative neighbor comments with the applicant. If staff is unsuccessful in resolving concerns of the neighbors with the applicant, staff will schedule and provide notice of a public hearing before the Kendall County Planning Commission to review and make a determination on the pending application and unresolved issues. At this public hearing the Kendall County Planning Commission will take testimony from staff, the neighbors and the applicant, and then will make a determination, based on the evidence presented, to approve, conditionally approve or deny the application.

Any decision by staff or the Planning Commission may be appealed to the County Board.

I. Multiple wind energy systems: Multiple wind energy systems are allowed on a single parcel as long as the owner/operator complies with all non-commercial wind farm regulations contained in these regulations. Units shall be installed in compliance with minimum setback and clear zone requirements, as defined by these regulations. The

minimum distance between wind energy systems shall be equivalent to one hundred ten (110) percent of the hub height.

J. Approved Wind Turbines: At the time of application, the applicant must present a certification from the manufacturer that the system's turbine and other components equal or exceed the standards of one of the following national certification programs such as the: California Energy Commission, National Electrical Code (NEC), American National Standards Institute (ANSI), Underwriters Laboratories (UL), or any other small wind certification program recognized by the American Wind Energy Association.

K. Onsite Electrical Use: On the Construction/Use Permit Application, the applicant must certify that the proposed system will be used primarily to reduce onsite consumption of electricity.

M. Compliance with the National Electrical Code: Construction/Use Permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.

N. Removal of Defective or Abandoned Wind Energy Systems: Any wind energy system found to be unsafe by an authorized county official shall be repaired by the owner to meet federal, state and local safety standards or removed within six months. If any wind energy system is not operated for a continuous period of 12 months, the county will notify the landowner by registered mail and provide 45 days for a response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the county deems the timetable for corrective action as unreasonable, they must notify the landowner and such landowner shall remove the turbine within 120 days of receipt of notice from the county.

Eric C. Weis
State's Attorney



Office of the
State's Attorney
Kendall County, Illinois

Kendall County Courthouse
807 W. John St.
Yorkville, IL 60560

(630) 553-4157
Fax (630) 553-4204

VIA U.S. MAIL

December 15, 2017

Mark Antos
13360 McKanna Road
Minooka, Illinois 60447

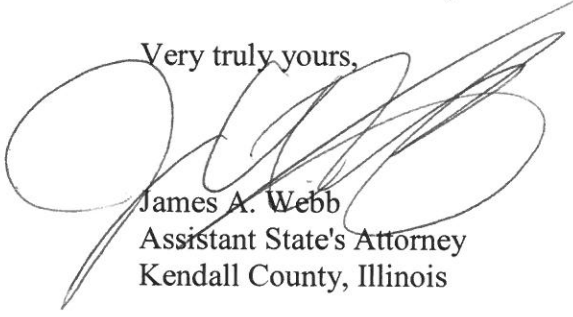
RE: Notice of Violation – 13360 McKanna Road, Minooka, Illinois 60447

Dear Mr. Antos:

As you know, the Kendall County Planning, Building and Zoning Department ("PBZ") has on numerous occasions notified you about violations existing on the above-referenced property. You have failed to comply with the requirements of the Kendall County's Floodplain Ordinance and the Illinois Rivers, Lakes, and Streams Act in that your culvert crossing of Aux Sable Creek has increased flood heights and threatens public health and safety. At the present time, this violation continues to exist on your property despite repeated requests from the PBZ and the State of Illinois for the crossing's removal.

Because you have not corrected this violation, PBZ requested the Kendall County State's Attorney's Office prosecute you for this violation. Before commencing legal proceedings, we are giving you thirty (30) days from the date of this letter to correct the violation. PBZ will conduct a site visit after thirty (30) days to confirm compliance. If the culvert crossing has not been removed, we will begin legal proceedings against you. Should you have any question in this matter, please contact Brian Holdiman, Code Compliance Officer, PBZ at (630) 553-4141.

Very truly yours,



James A. Webb
Assistant State's Attorney
Kendall County, Illinois

cc: Brian Holdiman, PBZ

Memo

To: PBZ Committee
From: Brian Holdiman (Code Official) *BH*
Re: Antos Property

The Kendall County State's Attorney's Office at the request of the County Planning, Building & Zoning Committee sent a Notice of Violation to Mark Antos for an existing culvert crossing on December 21, 2017. Mr. Antos contacted me as the letter directed him to do, should he have any questions. I met with him on December 29, 2017 and took the attached photos. It does not appear the culverts are holding back the flow of water. The bridge deck has been prepped to place concrete as soon as the weather is appropriate. Mr. Antos advised me as soon as the deck is poured, he will move forward with completing his access and then remove the existing culvert crossing. If he removes the culvert crossing at this time, he will not have access to his property or home.

Depending on the weather this spring, he indicated May 1, 2018 as a goal for completion. He also indicated he explained this to the committee at the October 10, 2017 committee meeting and he thought this was acceptable. He advised that if you want him to attend another committee meeting, please contact him.

Please let me know if you have any questions.

Existing Culvert Crossing
looking East, only
access to home

12/29/2017 09:04

- South side of culvert
crossing

12/29/2017 09:03

-North side of Culvert crossing

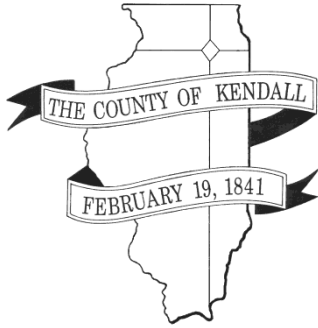
12/29/2017 09:03

- East Side of Creek
Bridge pier and deck

12/29/2017 09:03

- West Side of Creek
- Bridge Piers and Deck

12/29/2017 09:03



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: February 6, 2018
Re: Conditional Uses

At the January PBZ Committee meeting, the Committee requested Staff to draft a table showing conditional uses reclassified as either permitted or special uses. The requested table is attached.

Upon further consideration, Staff reclassified places of worship as a proposed special use in the RPD District. This change occurred because places of worship are special uses in every other zoning classification. In addition, Staff changed seasonal events to proposed special uses because of potential negative impacts (particularly noise) that could occur with seasonal festivals.

If you have any questions, please let me know.

MHA

ENC: Conditional Use Table

	A-1	R-1	RPD-1; 2 & 3	R-2	R-3	R-4, R-5 & R-6	R-7	B-1	B-2	B-3	B-4	B-6	M-1	M-2	M-3	Conditions
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Table of Permitted and Special Uses

APPENDIX A-9

- P Permitted Use
- C Conditional Use
- S Special Use
- T Temporary Use
- Blank Not Permitted

	A-1	R-1	RPD-1; 2 & 3	R-2	R-3	R-4, R-5 & R-6	R-7	B-1	B-2	B-3	B-4	B-6	M-1	M-2	M-3	Conditions
Accessory Agricultural Services (includes blacksmith, sale of farm supplies by farmers as agents, or similar accessory use to a farm residence)	CS															See Ordinance
Agricultural Labor Housing or living quarters for groomsmen or employee watchman	CP															See Ordinance
Athletic fields	S	S	CS	S	S	S	S				S		S	S		See Ordinance
Bee Keeping		CP		CP	CP											See Ordinance
Contractor or Construction Services									CS	CS			P	P		See Ordinance
Contractors' Office and Shops									CP	CP			P	P		See Ordinance
Dry Cleaning and Pressing Establishments								CP	CP	P						See Ordinance
Elderly Cottage Housing (ECHO)	CP															See Ordinance
Electrical Appliances Stores and Repairs								CP	P	P						See Ordinance
Feed Yards	CP															See Ordinance
Guest house w/kitchen facilities	CP															See Ordinance

	A-1	R-1	RPD-1; 2 & 3	R-2	R-3	R-4, R-5 & R-6	R-7	B-1	B-2	B-3	B-4	B-6	M-1	M-2	M-3	Conditions
Home based retail and/or wholesale food operation	CP	CP	CP	CP	CP	CP	CP									See Ordinance
Laboratories (medical, dental, research, experimental, and testing)									CS	P		P	P	P		See Ordinance
Laundries, Automatic Self-Service Types								CP	CP	P						See Ordinance
Livestock Sales and Purchasing (does not include stockyard or slaughter house)	CS															See Ordinance
Model Homes		CP	CP	CP	CP											
Outdoor Display									CP	CP						
Places of Worship	S	S	E/S	S	S	S	S	S	S	S	S	S	S	S	S	See Ordinance
Processing or Assembly									CP	CP			P	P		See Ordinance
Public 911 Safety Towers	CP															See Ordinance
Riding Stables including polo clubs, rodeo clubs and similar uses	S/CS		S								S		S	S		See Ordinance
Schools (elementary, junior high and high school)	S	S	CP	S	S	S	S									See Ordinance
Seasonal Festivals	CP										P					See Ordinance
Self Service Storage Facilities									CS	CS		S	S	S		See Ordinance
Single-Family Dwelling (130,00 square foot minimum and evidence that it is incompatible with agricultural uses)	CP															See Ordinance
Small Wind Energy Systems	CP	CP	CP	CP				CP	CP	CP	CP	CP	CP	CP	CP	See Ordinance
Truck and Tractor Amusement Competition Events	CS										P					See Ordinance

Conditional Uses

A-1

- a. **Special Use**-Accessory agricultural services such as a Black smith; Sale of farm supplies by farmers as agents, where grain elevators or similar commercial facilities are not maintained on the farm premises; or similar accessory use to a farm residence provided:
- i. The applicant shall send notice to all owners of property within five hundred (500) feet of the subject site by certified mail within five (5) days of filing the applications of the intent and location of the service. If any owner receiving notice as described above shall, within ten (10) days after the date of the notice, file a written objection with the Zoning Administrator thereto, the question of whether such application shall be granted shall be referred to the Zoning Board of Appeals which shall consider the matter at its next regular or special meeting. A report summarizing the findings of fact and a recommendation of the Zoning Board of Appeals shall be forwarded to the County Board for a determination.
 - ii. Such use shall be operated and storage maintained entirely within an enclosed building or screened on all sides by a solid fence not less than six (6) feet in height.
 - iii. Such use shall not utilize more that twenty-five (25%) percent of the lot area or two (2) acres, whichever is less.
 - iv. On-site employees shall consist of immediate family members, and not more that three (3) other persons.
 - v. Said business shall be owned by the owner of the residence.
 - vi. Such businesses shall provide a parking area to accommodate at least two (2) cars in addition to one parking space for each on-site employee. Such off-street parking area shall be appropriately landscaped so that it does not detract from the residential character of the property or its surroundings.
 - vii. No more than one business shall be permitted on a site.
 - viii. Such businesses shall produce no offensive noise, vibration, smoke, electrical interference, dust, odors, or heat on or off the premises of such use.
- b. **Permitted Use**-Agricultural Labor Housing or living quarters for a groomsman or an employee-watchman, provided that the following conditions and restrictions are met:
- i. Shall be used in connection with an agricultural purpose as defined in State Statute 55ILCS 5/5-12001 as here after amended.
 - ii. Shall meet all requirements of the Kendall County Health Department.
 - iii. Shall be used for agricultural labor housing or living quarters for a groomsman, an employee watchman and immediate family.
 - iv. Shall meet all required setbacks and minimum lot size.
- c. **Permitted Use**-Elderly Cottage Housing Opportunities (ECHO Housing), provided:
- i One manufactured home is permitted on a separate ground area of not less than five acres in an A-1 District. Current health codes must be met.
 - ii. The following purpose is served:
 - To permit adult offspring to provide small temporary residences for their aging parents who are in need of support while maintaining independence.
 - To permit families to provide security and support for non-elderly relatives with serious health problems or physical disabilities.

- To reduce the degree to which frail elderly homeowners have to choose between increasing isolation in their own homes and institutionalization in nursing homes.
- To develop housing types in single-family neighborhoods that are appropriate for households at a variety of stages in the life cycle.
- To permit E.C.H.O. housing in a manner that protects the property values and single-family character of neighborhoods by ensuring that the units are compatible with the neighborhood and are easily removed.

iii A conditional use permit must meet the following requirements for Temporary E.C.H.O.:

- There can only be one (1) E.C.H.O. housing unit located on each parcel.
- The E.C.H.O. housing unit must comply with all setbacks within the respective zoning districts.
- The E.C.H.O. housing unit must not exceed one thousand-two hundred (1,200) square feet of living space with not more than two (2) bedrooms.
- The E.C.H.O. housing unit must be compatible with the surrounding area.
- The E.C.H.O. housing unit must be an attached or detached pre-manufactured home with a removable foundation or a mobile home.
- Each E.C.H.O. housing unit may have one (1) parking space.
- The owner of the principal residence and at least one occupant of the E.C.H.O. unit must be related by blood, marriage or adoption.
- The owner(s) of the principal residence and lot must live in one of the dwelling units on the lot. No more than two occupants shall reside in an E.C.H.O. unit.
- In order to be eligible for E.C.H.O. housing, at least one of the occupants of the E.C.H.O. unit must be over sixty-two (62), or unable to live independently because of mental or physical disabilities. All disabled occupants must submit a letter from a physician verifying the disability and stating the projected duration of the disability.
- The principal owner of the property must annually submit an affidavit to the Zoning Administrator, verifying that the unit is still occupied by the eligible resident(s). Once the unit is no longer occupied by the eligible resident(s), the principal owner has six (6) months to remove the unit from the property. If the unit is not removed within six (6) months, the Kendall County Zoning Department may remove the structure. The principal owner of the property will be held financially liable for the cost. If the principal owner has not cleared debts within thirty (30) days of notification, a lien may be placed against the property.

d. **Permitted Use**-Feed yards provided that the lot is not located nearer than one thousand (1,000) feet from a Residence District.

e. **Permitted Use**-Guest house with kitchen facilities provided it meets the following conditions:

- i. The parcel must be 3.0 acres or greater in size and must be able to demonstrate the ability to provide adequate water and sanitary wastewater treatment facilities to service both the principle residence and guest house in accordance with all applicable Health Department regulations and guidelines in effect at the time of application.
- ii. The guest house shall comply with the building setbacks of the Agricultural district and shall be a minimum of 20 feet from the principle structure.
- iii. All guest houses shall not exceed the height of the main dwelling.

- iv. Adequate off-street parking shall be available for the guest house.
- v. **Covenant or Deed Restrictions:** As a condition of securing a Building Permit for construction of a guest house being added to an existing parcel containing a single-family home, the property owner shall record against the deed to the subject property, a covenant or deed restriction which shall prohibit the rental, lease or sale of the guest house separately from the rental, lease or sale of the main dwelling unit. Proof that such a covenant or deed restriction has been recorded shall be provided to the Kendall County Planning, Building and Zoning Department prior to the issuance of the Building Permit for the guest house.
- vi. The materials, colors, and architectural style of the guest house shall be similar to the principal residence.
- vii. The livable floor area of the guest house shall not exceed 50% (fifty percent) of the livable floor area of the principal residence.
- viii. Construction of all guest houses shall meet applicable building codes.

f. **Permitted Use-**Home-based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.

g. **Special Use-**Livestock sales and purchasing, but not a stockyard or a slaughter house. Such uses may not be located nearer than one thousand (1,000) feet from a Residence District.

h. **Permitted Use-**Public 911 safety towers provided:

- i. The height cannot exceed 200' if it is located within 1.5 miles from the corporate limits of any municipality with a population of 25,000 or more. If it is further than 1.5 of a municipality with a population of 25,000 or more, it can be 350'.
- iii. No building or tower that is part of a public 911 safety tower should encroach onto any recorded easement prohibiting the encroachment unless the grantees of the easement have given their approval.
- iv. Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting should be shielded so that no glare extends substantially beyond the boundaries or a facility.
- v. No public 911 safety tower should encroach onto an existing septic field.
- vi. Except as provided in this section, no yard or setback regulation shall apply to or be required for a public 911 safety tower.
- vii. No minimum lot area, width, or depth shall be required for a public 911 safety tower and unless the tower is to be manned on a regular, daily basis, no off-street parking spaces shall be required for a public 911 safety tower. If the tower is to be manned on a regular, daily basis, one off-street parking space shall be provided for each employee regularly at the site. No loading facilities are required.
- viii. No portion of a tower's supporting structure or equipment housing shall be less than 15 feet from the front lot line or less than 10 feet from any other lot line.
- ix. Fencing should be installed around a public 911 safety tower. The height and materials of the fencing should be in accordance with any county fence regulations of general applicability.

i. **Special Use-**Riding Stables including, but not limited to: polo clubs, rodeo clubs and similar uses, provided:

- i. The lot is not located nearer than five hundred (500) feet from an existing dwelling other than the owners residence or a Residential District.
- ii. All such facilities shall meet all State Animal Management Statutes.
- iii. Not more than twenty-four (24) horses can be housed in said stable or on the premises at any one time.
- iv. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).
- v. Except for security lighting at low wattage, there shall be no outside lighting of the riding arena. All lighting shall be directed away from surrounding properties to prevent glare or the migration of light onto adjoining or surrounding properties.
- vi. Submission of a manure management plan for review and approval by the Kendall County Health Department.
- vii. Hours of operation for the indoor arenas shall be restricted to 6:00 am – 10:00 pm daily. Outdoor use of the property for riding horses shall be permitted from dawn to dusk daily.
- viii. Off-street parking and loading at a ratio of not less than one parking space per stall. Additional parking may be required as determined by the Zoning Administrator for employees and any related accessory or special uses (i.e. storage of horse trailers used in conjunction with the stable operation, blacksmith shop, on-site stable manager, tack shop, etc.)
- ix. Provision of handicapped accessible bathroom facilities for customers and employees.
- x. Compliance with basic life safety requirements for building ingress and egress.
(Amended 6/20/2006)

j. ~~Special Use Permitted Use~~ Seasonal Festivals provided that the following conditions and restrictions are met: (Amended 5/18/2010)

- i. Adequate parking on site shall be provided in such a way that no on-street parking is necessary
- ii. Event areas, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 150 feet of a residential district, or residential structure located off the subject zoning lot unless written consent from the effected residents is provided to the Planning, Building and Zoning Office
- iii. The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services
- iv. No alcohol shall be sold on the premises
- v. Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services
- vi. All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.
- vii. Noise levels generated from non-agricultural sources shall not exceed 60 dBA as measured at the nearest occupied residential structure on an adjoining property
- viii. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Office.
- ix. No event activity shall start earlier than 9:00 A.M. any day of the week, and shall end no later than 10:00pm, Monday thru Wednesday and no later than 11:30pm Thursday thru Sunday

- x. Events shall be permitted once a year unless otherwise approved by the PBZ Committee
- xi. Seasonal Festivals shall be permitted up to, but not exceed, ninety (90) consecutive days in length in one calendar year
- xii. Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted during the duration of the Seasonal Festival subject to the review and approval of the Zoning Administrator.
- xiii. All signage shall comply with Section 12.00 of the Zoning Ordinance
- xiv. All proposed lighting shall be non-obtrusive onto adjoining properties and should not exceed 0.2 foot-candles at any property line
- xv. Any Seasonal Festival which cannot meet these standards may still be permitted if approved as a Special Use. An applicant seeking an approval of the conditional use shall submit an application to be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the request to the Planning, Building and Zoning Committee of the County Board for recommendation prior to taking action. In addition, the petitioner may appeal the decision of the Zoning Administrator in the review of a Conditional Use for a Seasonal Festival to the PBZ Committee. In such instances the PBZ Committee shall be the final authority in deciding upon such requests.

k. Permitted Use-Single Family Dwellings may be authorized under the following conditions:

- i. Each such dwelling shall be located on a zoning lot that meets the standards of single-family residential lots, one hundred and thirty thousand (130,000) sq. ft. minimum.
- ii. Septic suitability is approved by the Health Department.
- iii. It is the intent to limit such usage, and if, in the judgment of the County Board, contiguous parcels requesting approval hereunder represent an unwarranted expansion of this usage, then denial is warranted.
- iv. That application shall be made on forms provided by the Zoning Administrator and shall include specific written and graphic statements and illustrations establishing evidence that the site meets the standards as follows:

That the site for the proposed use must be incompatible with agricultural use that may be evidenced by establishment of one or more of the following criteria:

- 1) Existing woodland coverage of a substantial portion of the site containing trees in excess of 6" in diameter measured at breast height;
- 2) Soils which have a land evaluation ranking from the Kendall County Soil & Water Conservation District of seventy-five (75) or less;
- 3) Excessive slopes;
- 4) Other physical features which serve as barriers to farm operations such as streams, rock outcroppings and property configuration in relationship to wetlands, flood-prone areas or buildings.

- v. That such application shall be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the application to the Planning, Building and Zoning Committee of the County Board for recommendation prior to taking action.

It is the policy that allowance of dwellings under this section shall not change the general character of agricultural use in the surrounding area.

l. Permitted Use-Small Wind Energy Systems subject to the conditions of Section 4.17

m. **Special Use-Truck and Tractor Amusement Competition Events**, provided that the following conditions and restrictions are met: *(Amended 5/18/2010)*

- i. Event tracks, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 500 feet of a residential district, or residential structure located off the subject property unless written consent from the effected residents is provided to the Planning, Building and Zoning Office.
- ii. The operator shall provide adequate parking on the site, such that no on-street parking will be required.
- iii. The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services.
- iv. No alcohol shall be sold on the premises without a Kendall County liquor license.
- v. All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.
- vi. Events shall not exceed six (6) consecutive days in duration.
- vii. Events shall not exceed two (2) times per calendar year on any particular property.
- viii. Noise levels shall not exceed 90 dB as measured at the nearest property line, not including any residences located on the subject property.
- ix. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Office.
- x. Any event activities shall start no earlier than 9:00 A.M., and shall end no later than 9:00 P.M., any day of the week.
- xi. Any truck and tractor amusement competition event which cannot meet these standards may still be permitted via a special use.

R-1 and R-2

1. **Permitted Use-Beekeeping** with the following conditions:

- i. Beekeeping and the honey produced from beekeeping shall be for personal use only
- ii. Annual permit required with fee of \$50 the first year the permit is issued and \$25 each year after
- iii. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
- iv. No colony shall be permitted within a front yard setback
- v. All colonies must be setback at least 30' from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5' from the rear or side yard lot line (as long as there is no sidewalk or pathway).
- vi. All colonies within 100' of an adjoining home shall require a flyway barrier with a 6' minimum height
- vii. All colonies shall require a minimum 4' fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.
- viii. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100' of the adjoining home of objecting property owner.
- ix. During the application submittal there must be documentation from the Homeowners

Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.

x. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100' of the residence of the previously objecting property but shall maintain a distance of at least 30' from all property lines at all times unless abutting a right of way in which the colony can be placed with 5' of the property line.

xi. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrator receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.

xii. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.

xiii. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.

xiv. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.

xv. All approved permits shall comply with the *Bees and Apiaries Act* of Illinois (510 ILCS 20)

2. **Permitted Use**-Home-based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.

3. **Permitted Use**-Model homes, with the following restrictions:

(i) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the Planning, Building and Zoning Department.

(ii) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.

(iii) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.

(iv) All signs must conform to the standards set forth in Section 12.00 of this ordinance.

4. **Permitted Use**-Small Wind Energy Systems subject to the conditions of Section 4.17 RPD-1, 2 and 3

Permitted Uses Except Churches Which Are Special Use Conditional Uses. In residential planned developments containing over fifty (50) dwelling units, the following uses shall be allowed, provided that the general conditions and use-specific conditions are met.

1. General Conditions.

a. Conditional uses shall not occupy more than fifteen percent of the buildable acreage of the development.

b. Conditional uses, shall front arterial or major collector level streets, as defined in the County Transportation Plan. Model homes shall be excluded from this provision.

2. Specific Conditions

- a. Home based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.
- b. Model homes, with the following restrictions:
 - (i) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the Planning, Building and Zoning Department.
 - (ii) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.
 - (iii) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.
 - (iv) All signs must conform to the standards set forth in Section 12.00 of this ordinance.
- c. **Places of Worship subject to the following:**
 - (i) The maximum lot coverage of structures may not exceed 35%; total impervious surfaces may not exceed 70% of the lot area.**
 - (ii) Buildings shall maintain a minimum setback of eighty (80) feet from the center of the road and 30' from all other property lines**
 - (iii) The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.**
 - v) Off-street parking, lighting and loading facilities shall be provided as required or permitted in Section 11.00.**
 - vi. Other related uses, such as schools, child day care services, kindergartens shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.**
- d. Schools: Elementary, junior high, and high school, including playgrounds, garages for school buses, and athletic fields auxiliary thereto, subject to the following:
 - (i) The minimum lot area shall be one (1) acre.
 - (ii) The minimum lot width requirement shall be one hundred and twenty (120) feet.
 - (iii) A front setback of eighty (80) feet from the center of the road shall be required.
 - (iv) Side and rear yards of no less than twenty-five (25) feet shall be provided. Where any outdoor activity area, swimming pool, ball field or court adjoins a residential land uses, such yards shall be buffered with landscaping across 50% of the lot width.
 - (v) Off-street parking and loading facilities shall be provided as required or permitted in section 11.00.
 - (vi) Hours of operation shall be limited to the following:
 - (1) Outdoor group activities shall not be allowed after 10 PM.
 - (2) The facility may not be used as a regular overnight domicile or shelter. This provision does not limit the school from being used for overnight retreats or events for school members and guests.
 - (3) Lighted outdoor recreation facilities, parking lots and lighting shall be designed to avoid excessive light and glare impacts on adjacent properties. Restrictions on light pole height and types, deflectors and other such measures may be required as necessary to prevent overspill and excessive intensity of light.

R-3

1. **Permitted Use-Beekeeping** with the following conditions:

- i. Beekeeping and the honey produced from beekeeping shall be for personal use only
- ii. Annual permit required with fee of \$50 the first year the permit is issued and \$25 each year after
- iii. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
- iv. No colony shall be permitted within a front yard setback
- v. All colonies must be setback at least 30' from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5' from the rear or side yard lot line (as long as there is no sidewalk or pathway).
- vi. All colonies within 100' of an adjoining home shall require a flyway barrier with a 6' minimum height
- vii. All colonies shall require a minimum 4' fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.
- viii. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100' of the adjoining home of objecting property owner.
- ix. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.
- x. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100' of the residence of the previously objecting property but shall maintain a distance of at least 30' from all property lines at all times unless abutting a right of way in which the colony can be placed with 5' of the property line.
- xi. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrator receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.
- xii. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.
- xiii. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.
- xiv. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.

xv. All approved permits shall comply with the *Bees and Apiaries Act* of Illinois (510 ILCS 20)

2. **Permitted Use**-Home-based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.

3. **Permitted Use**-Model homes, with the following restrictions:

(i) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the Planning, Building and Zoning Department.

(ii) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.

(iii) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.

(iv) All signs must conform to the standards set forth in Section 12.00 of this ordinance.

R-4, R-5, R-6 and R-7

1. **Permitted Use**-Home-based retail and/or wholesale food operation providing it meets all applicable county, state and federal public health requirements.

B-1

1. **Permitted Use**-Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.

2. **Permitted Use**-Electrical Appliance Stores and Repair with a size limit of 10,000 square feet.

3. **Permitted Use**-Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.

4. **Permitted Use**-Small Wind Energy Systems subject to the conditions of Section 4.18

B-2 and B-3

1. **Special Use**-Contractor or construction Services such as: building, cement, electrical, refrigeration, masonry, building, plumbing, roofing, air-conditioning, heating and ventilating.

2. **Permitted Use**-Contractors' offices and shops, where no fabrication is done on the premises and where all storage of material and equipment is within a building.

3. **Permitted Use**-Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.

4. **Permitted Use**-Enclosed self-service storage facility, provided that:
 - a. Each self-service storage facility shall be governed by the provisions of the Illinois Self-Service Storage Facility Act, 770 ILCS 95/1 et seq.
 - b. A fence and landscaping shall be provided which completely encloses the facility and screens it from view of residential structures and residentially zoned property

5. **Special Use**-Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place

6. **Permitted Use**-Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.

8. **Permitted Use**-Outdoor Display may be permitted subject to the following:
 - a. **TEMPORARY SEASONAL DISPLAYS**
 - (i) Seasonal displays not exceeding 60 days per calendar year may be conducted on the same zoning lot as the principal business.
 - (ii) A site plan must be submitted by the applicant and approved by the Zoning Administrator showing the location of the seasonal display, the items to be displayed and the duration of the display.
 - (iii) Seasonal display areas shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.
All signage for seasonal display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.
 - b. **PERMANENT OUTDOOR DISPLAYS**
 - (i) Shall only be permitted on the same zoning lot as the principal business, and shall only display merchandise which is sold at the subject premises. Items which are not sold on the premises or which are general outdoor storage are not permitted.
 - (ii) Shall not exceed 10% of the subject area or 1,000 square feet in area, whichever is smaller.
 - (iii) Shall be subject to site plan review and approval by the Zoning Administrator.
 - (iv) Shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.
 - (v) Displays shall not be higher than 15 feet in height.
 - (vi) All signage for outdoor display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.
 - (vii) A zoning certificate and fee are required for approval of an outdoor display area.
 - (viii) Any outdoor display area shall be subject to review by the Planning, Building and Zoning Committee and may be rescinded if deemed necessary.
 - (ix) Any outdoor display area which does not meet these requirements may be permitted as a special use.

9. **Permitted Use**-Processing or assembly, provided that space occupied in a building does not exceed six thousand square feet of total floor space and basement space, not including stairwells or elevator shafts; and provided such processing or assembly can be conducted without noise, vibration, odor, dust or any other conditions which might be disturbing to occupants of adjacent buildings. When manufacturing operations of the same or similar products demand space exceeding six thousand square feet, they shall then be located in the M-1 Manufacturing District.

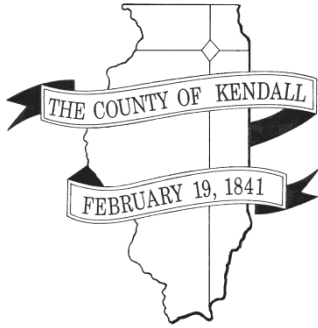
10. **Permitted Use**-Small Wind Energy Systems subject to the conditions of Section 4.18

B-4 and B-6

1. **Permitted Use**-Small Wind Energy Systems subject to the conditions of Section 4.18

M-1, M-2 and M-3

1. **Permitted Use**-Small Wind Energy Systems subject to the conditions of Section 4.18



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

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MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: February 6, 2018
Re: Proposed Special Use Renewal Amendments

At the December 2017 PBZ Committee meeting, the Committee requested Staff to draft proposed text amendments to the Zoning Ordinance clarifying the renewal process for special use permits. The proposed text amendments are attached.

If you have any questions, please let me know.

MHA

ENC: Proposed Text Amendments Regarding Renewal of Special Use Permits

Renewal of Special Use Permits Procedures

13.08.R. Special Use Renewal Procedures

1. All special use permits requiring renewal shall automatically be renewed for the same duration as listed in the special use permit currently in effect unless the owner of the special use permit or the Kendall County Board requests one or more amendments to the special use permit or if the owner or previous owner(s) of the special use permit violated the provisions and conditions of the special use permit during the most recent effective period of the special use permit.
2. If the owner of the special use permit or the Kendall County Board requests one or more amendments to the special use permit, then the amendments shall be processed under the applicable provisions of the Kendall County Zoning Ordinance for minor and major amendments to a special use permit, depending on the nature of the requested amendment(s).
 - a. If the owner of the special use permit requests one or more amendments, the owner of the special use permit shall be responsible for paying all applicable fees related to the securing of the requested amendment(s).
 - b. If the Kendall County Board requests one or more amendments to the special use permit at the time of renewal, the Kendall County Board shall be responsible for paying all applicable fees related to the securing of the requested amendment(s).
 - c. The most recent special use permit shall remain effective until the expiration date listed in the special use permit or the date in which the Zoning Administrator, in cases of minor amendments, or the Kendall County Board, in cases of major amendments, issues a decision on the application, whichever is later.
 - d. The Zoning Administrator, in cases of minor amendments, and the Kendall County Board, in cases of major amendments, may impose reasonable restrictions and conditions on any new or existing restriction or condition on an amended special use permit.
 - e. If the Zoning Administrator, in cases of minor amendments, or the Kendall County Board, in cases of major amendments, denies an amendment application, the most current version of the special use permit shall remain in effect as outlined in Section 13.08.R.1 above.
 - f. At least one (1) year shall lapse between the date of denial and the application for the same or similar amendment(s) to a special use permit at the same property.
3. If the owner or previous owner(s) of the special use permit is found guilty of violating the terms and conditions of the special use permit through an administrative adjudication process or by a court of competent jurisdiction during the most recent effective period of the special use permit, the owner of the special use permit shall apply for renewal of the special use permit under the same process as applications for new special use permits.
 - a. If the owner of a special use permit applies for renewal under this sub-Section, the existing special use permit shall remain effective until the expiration date listed in the

existing special use permit or until the Kendall County Board issues a decision on the renewal application, whichever is later.

- b. If the owner of a special use permit requiring renewal under this sub-Section of the Zoning Ordinance does not submit an application for renewal, then the special use permit shall be automatically revoked at its expiration date.
 - c. If the Kendall County Board denies a request for a required renewal of a special use permit, the existing special use permit shall be deemed expired and revoked on the expiration date listed in the existing special use permit. Nothing in the provision shall be construed as a regulation restricting the Kendall County Board from initiating revocation procedures as outlined in Section 13.08.F. of the Kendall County Zoning Ordinance.
 - d. If a special use permit is revoked under the provisions of b or c listed above, the Zoning Administrator shall cause the Official Zoning Map of Kendall County to be amended to reflect the revocation.
 - e. At least one (1) year shall lapse between the date of revocation and the application for a new special use permit for the same or similar use at the same property.
4. This sub-Section shall apply to any special use permit issued after **INSERT DATE** requiring renewal. Any special use permit issued prior to this date that requires renewal may follow the provisions of this sub-Section if the owner(s) of the special use permit sign a notarized affidavit agreeing to the provisions of this sub-Section.

Zoning	Ord #	Previous Ord	Address	Special Use Description	Check Frequency
B3-SU	15-02	13-22365	71 Boulder Hill Pass	Special Use Description River's Edge Fellowship Only	Annually
A1-SU	15-16	97-06	3485 Route 126	DK Truck and Tractor Only	Annually
B3-SU	15-15		Boulder Hill Pass	Strong Tower of Refuge Ministry Only	Annually
B3-SU	12-10		71 Boulder Hill Pass	Yarn Foundation, Inc.	Annually
R3-SU	09-25		7275 Route 34	Retail Gift Shop	Annually
A1-SU	09-24	13-22349	1072 Tyler Road	Ag Housing	Annually
A1-SU	09-38	13-22355	6139 Cotton Farm Road	Implement Sales and Service Motor Repair	Annually
A1-SU	05-28	2005	Bell Road in Minooka	Athletic Park	Review as Necessary
A1-SU	05-52	2005	12624 McKanna Road	Airstrip	Annually (Wilson's Must Maintain Pilot's License)
M2-SU	04-43		Billboard at Hahenrichter and 34	Billboard	Review Every Three Years
A1-SU	02-26		3428 Roth Road	Occupancy Letter for Groomsman	Annually
A1-SU	02-16		3478 Route 52	Occupancy Letter for Groomsman	Annually (Property Must be Owned by Only Ingenuity, LLC or Northern Tradition Farms)
A1-SU	00-30		14270 Fernell Road	Auto Truck and Tractor Repair	Annually (Property Must be Owned by David and Lori Chelsen)
A1-SU	98-31		14313 Route 52	Watchman's Quarters	Annually
A1-SU	99-35	96-15	14525 Route 71	Truck Driving School	Every Two Years (Due in 2018)
A1-SU	88-01		14005 Joliet Road	Dog Kennel	Review Every Five Years (Due in 2018)
A1-SU	87-25		1626 Route 31	Church Camp	Annually (Must Maintain Similar Mission as LDS Camp)
A1-SU	82-02		15331 Burr Oak Road	Swimming Classes	Annually
A1-SU	77-05		10017 Lisbon Road	Implement Repair and Service	Inspect Annually
R3-SU	72-15		43 West Street Bristol	Day Nursery School	Review in 2018
A1-SU	72-08		Corner of Beecher and E. Beecher	Gravel Mining	Annually
	72-08		02-07-200-013		
	72-08		02-06-400-005		
	72-08		02-06-400-006 (Green Buffer)		
	72-08		02-07-200-015		
	72-08		02-07-200-008 (Comply with Road District Commissioner)		
	72-08		02-08-100-007 (Green Buffer and Comply with Road District Commissioner)		
	72-08		02-08-100-005 (Comply with Road District Commissioner)		
	72-08		02-08-300-015 (Comply with Road District Commissioner)		
	72-08		02-08-300-014 (Comply with Road District Commissioner)		
	72-08		02-08-300-008 (Green Buffer)		
	72-08		02-08-300-012 (Green Buffer)		
	72-08		02-08-300-011 (Green Buffer)		

2018 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Closed	SAO
V18-001	Bilek/Derevianko	01-34-300-008	14824 Millhurst Rd		Storage Containers	12/12/2017		
V18-002	Romero/Rios	03-05-229-002	20 Ferrnwood	Boulder Hill	Pool w/o fencing & Junk and Debris	12/12/2017		
V18-003	Stradal	03-04-380-008	32 Saugatuck Rd	Boulder Hill	Junk & Debris on Trailer	12/19/2017		
V18-004	Hutchings	03-04-380-002	20 Saugatuck Rd	Boulder Hill	Inoperable Vehicle	12/19/2017	1/2/2018	
V18-005	Hornbaker	03-04-377-018	31 Saugatuck Rd	Boulder Hill	Prohibited Parking	12/19/2017	1/15/2018	
V18-006	Gonzalez	03-09-152-019	14 Ridgelfield	Boulder Hill	Inoperable Vehicle	1/25/2018		

2017 VIOLATIONS

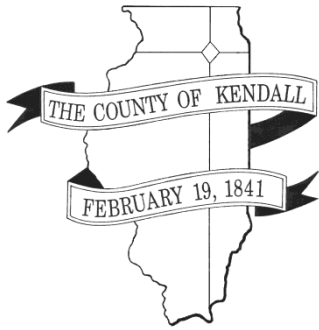
Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Closed	SAO
V17-002	Randy Fowler	01-28-252-001	1203 W. South Street	Caquelin's Sub	Abandoned Structures	12/7/2016	1/18/2018	
V17-003	March & Lisa Schulz	03-04-278-041	146 Heathgate Rd	Boulder Hill	Inoperable Vehicle	1/25/2017	2/7/2017	
V17-004	Meyers/Presnell	03-04-255-010	119 Heathgate Rd	Boulder Hill	Inoperable Vehicle	12/7/2016	11/18/2017	
V17-005	Stevenson	02-13-429-004	15 Clark Avenue	Owner's	Occupied Rec. Vehicle	12/19/2016	1/4/2017	
V17-006	Ramiro Guzman	09-04-300-002	Mckenna Rd		Fill in Floodplain Violation	1/10/2017	8/17/2017	
V17-007	Maria Ramirez	03-07-276-002	15 Shell Court	Marina Terrace	Inop Vehicles & Parking on Grass	1/17/2017	8/17/2017	
V17-008	Steven Odermatt	03-04-255-012	123 Heathgate Rd	Boulder Hill	Inoperable Vehicle	1/25/2017	2/6/2017	
V17-009	George Olmstead	06-02-201-002	27 Oswego Plains Dr	Oswego Plains Sub	Remodeling w/o Permit	1/31/2017	4/18/2017	
V17-010	Fed Home Ln Morgt	01-03-353-010	35 Earl Street	Stanfield	Junk & Debris/ Inop Vehicle	2/7/2017	3/21/2017	
V17-012	Gomez Salvador	09-27-200-004	2511 Wildy Rd		Bus w/o Prop Zoning/Stormwater Permit/Sign Ord Violation/ Poss. Zoning Ordinance Violation	3/1/2017	8/17/2017	
V17-013	Leroy Richmond	02-10-227-004	61 W. Larkspur	Willowbrook	Unsecured structure	3/1/2017	3/21/2017	
V17-014	Two Star Enterpr, LLC	02-06-400-006			Stormwater Violation	3/13/2017	8/17/2017	
V17-016	Aguirre, Marciana	03-12-203-001	12 Council Ave		Remodeling w/o Permit	3/10/2017	8/17/2017	
V17-017	Daugherty, Richard	03-27-401-001	4520 Douglas Rd	Ring Neck	Inoperable Vehicle/Illegal sign	3/13/2017	5/7/2017	
V17-018	Wargo, Craig & Susan	03-04-477-038	80 Springdale Ln	Boulder Hill	Junk & Debris	3/14/2017	3/30/2017	
V17-019	Fitzgerald, Richard	03-08-326-008	75 Century Dr	Wormley Estates	Inoperable Vehicle - Motor Home	3/20/2017	4/12/2017	
V17-020	Ballines, Noe	03-08-227-008	54 Codorus Rd	Boulder Hill	Junk & Debris	3/24/2017	4/12/2017	
V17-021	Coyne	09-24-100-001	15200 Ridge Road	Clark's	Operating Bus. w/o Proper Zoning	3/20/2017	4/10/2017	
V17-022	Mortano	03-15-251-002	2450 Wolf Road		Operating Bus. w/o Proper Zoning	3/31/2017	8/29/2017	
V17-023	Lasalle Mart Bank	02-19-400-006	11443 Route 34		Junk & Debris/Unsecured Structures	3/20/2017		
V17-024	Jimenez	03-08-280-006	12 Cebold Drive	Boulder Hill	Non-Permitted Animals	4/10/2017	5/12/2017	
V17-025	Murray	03-31-427-001	38 Eagle View Lane	Reservation Heights	Remodeling w/o Permit	4/27/2017	5/2/2017	
V17-027	Kelley, Craig & Renee	09-22-400-003	2100 Bell Road		Junk & Debris/Inoperable Vehicles	4/11/2017	8/17/2017	
V17-028	Pugsley, Mary	03-04-380-001	106 Circle Drive East	Boulder Hill	Trailer parked in front area	5/11/2017	5/23/2017	
V17-029	Matile, Dennis	03-09-152-006	230 Boulder Hill Pass	Boulder Hill	Trailer parked in front area	5/11/2017	6/6/2017	
V17-030	Daum, Andrew	05-02-201-005	6111 Audrey Ave	Rose Hill	Inoperable Vehicle/Junk & Debris	5/15/2017	6/6/2017	
V17-031	Garcia, Luis	03-04-478-005	51 Springdale Rd	Boulder Hill	Repair Bus./ Vehicles not permitted	5/31/2017	6/20/2017	
V17-032	SL Enterprises	03-04-430-008	164 Tealwood Rd	Boulder Hill	RV Parked in Front yard	6/1/2017	6/21/2017	
V17-034	Berger, Richard	04-08-200-015	7428 Oakbrook Rd		2 homes on R-1 zoned lot	6/1/2017	8/29/2017	
V17-035	Pepple	03-04-431-004	57 Sonora Dr	Boulder Hill	Bus Operating in R6 Residential District	6/9/2017	8/17/2017	
V17-037	Temes	02-35-382-008	5812 Danielle Lane	Fields Of Farm Colony	RV Parked in Front yard	6/8/2017	8/17/2017	
V17-038	Memming	03-32-328-005	8 Crestview Drive	Crestview Woods	RV Parked in Front yard	6/9/2017	8/17/2017	
V17-039	Ramon Ramirez	03-08-277-031	33 Fieldpoint Rd	Boulder Hill	Garage/Shed built w/o Permit	6/20/2017	8/4/2017	
V17-040	McDonald	08-14-200-003	14207 Church Rd		Poss. Op. Indoor Shooting Range	6/23/2017	7/17/2017	
V17-041	Hernandez	03-05-476-012	10 Clay Street	Boulder Hill	Prohibited Parking on non-apprvd surface	7/12/2017	8/4/2017	
V17-042	Hrvatn, Arthur	01-19-476-006		Hrvatn	Violation of Stormwater Management	7/12/2017	8/10/2017	
V17-043	First American Bank	05-18-226-002	8115 E. Highpoint Rd	Tueck-Oak Grove	Op. Trucking Bus in a Res Zoned parcel	7/27/2017		
V17-044	Davis, Carlos & Tracy	09-23-400-006	15875 Ridge Road		Dumping Dirt/Stormwater Violation	8/7/2017	11/13/2017	
V17-045	Greenstade	03-09-152-021	18 Ridgfield Rd	Boulder Hill	Prohibited Parking of Trailer in Front area	8/9/2017	1/18/2018	
V17-046	Scull, Enoch	01-16-427-001		Meierbrook	Ill. Parking - Limit 2 Rec Veh/or Trailers	8/14/2017	8/29/2017	
V17-047	Friel, Steven	03-08-253-012	20 Ashlawn	Boulder Hill	Accessory Building w/o Permit	8/14/2017	8/29/2017	
V17-048	Evans, Eun	03-05-428-015	10 Hampton Rd	Boulder Hill	Junk&Debris & Illegal Parking of Commercial Vehicles	8/9/2017	8/29/2017	
V17-049	Shockerland Co.	02-28-252-027	9316 Route 34		Illegal Banners, Inoperable Vehicles, Junk & Debris	8/14/2017	12/7/2017	
V17-050	Beery	01-35-284-001	13040 River Road	Mimnetonka Springs	Accessory Building w/o Permit	8/17/2017	9/26/2017	
V17-051	Villaseenor, Emmanuel	03-08-230-003	34 Old Post Road	Boulder Hill	Inoperable Vehicle	9/8/2017	10/18/2017	
V17-052	Schantz	03-04-454-017	67 Saugatuck Rd	Boulder Hill	Prohibited Parking of Commercial Vehicle	9/11/2017	11/14/2017	
V17-053	Paxton	03-04-455-001	56 Saugatuck Rd	Boulder Hill	Trailer parked in front area	9/18/2017	10/10/2017	
V17-054	Schilinski	03-04-355-004	8 Saugatuck Rd	Boulder Hill	VOID			
V17-055	Nataly Perez	03-35-376-005	1481 Plainfield Rd		Running Landscaping Business in R2-zoning & Farm Animals n	9/27/2017		
V17-056	Moran	03-04-476-019	93 Longbeach Rd	Boulder Hill	Inoperable Vehicle	10/11/2017		
V17-057	Larsen	03-08-276-002	6 Old Post Rd	Boulder Hill	Prohibited Parking	10/18/2017	11/14/2017	

2017 VIOLATIONS

V17-058	Hernandez	05-16-300-005	9850 Ament Rd		Structure Built without Permit	10/24/2017		
V17-059	Christensen	04-16-204-007	8255 Fox River Rd	Millbrook	Remodeling without a Permit	10/30/2017	11/14/2017	
V17-060	Walper	04-16-126-001	8025 Whitfield Rd	Millbrook	Possible occupied Mobile Home	10/30/2017	11/13/2017	
V17-061	Hernandez	03-12-203-011	29 Gastville Rd	Gastville Acreage	Running a Landscaping business in R-3 Zoning District	10/30/2017	11/13/2017	
V17-062	Bemisier	05-09-152-001	33 Bonnie Lane	Williams	Fence placed in township right of way	11/13/2017	11/27/2017	
V17-063	Amstadt	02-35-380-001	7796 Madeline Dr	Fields Of Farm Colony	Prohibited Parking Rec Vehicle	11/17/2017	12/15/2017	
V17-064	Alvarez	02-35-431-010	5748 Audrey Ave	Fields Of Farm Colony	Inoperable Vehicle	11/17/2017	12/17/2017	
V17-065	Blesterfeld	05-06-127-001	42 W. Fox Glen Drive	Fox Glen	Shed being built without Permit	11/21/2017	11/30/2017	
V17-066	Merchants Ntl Bank	03-18-403-015	5375 Route 34		Occupying B-2 commercial building as living space	11/27/2017	12/11/2017	
V17-067	Karen Coonley	03-04-428-001	162 Heathgate Rd	Boulder Hill	Shed being built without Permit- "Stop Work order"	11/29/2017	12/14/2017	
V17-068	Johnson	05-02-101-002	324 Austin	Fields of Farm Colony	Illegal Trailer Parking in Front Yard	11/28/2017	12/17/2017	
V17-069	Commonwealth Edison	03-07-251-001	Commerce Drive		Illegal Dumping / Junk & Debris	11/30/2017	1/16/2018	
V17-070	Melrose Holdings 1 LLC	03-07-177-004	Commerce Drive		Illegal Dumping / Junk & Debris	11/30/2017	1/18/2018	
V17-071	Stephens	04-16-251-009	7 Sherman St.	Village of Millbrook	Shipping container used as storage R-3 Zoned Prop. Violation	11/30/2017	1/23/2018	
V17-072	Alcala	03-04-355-001	190 Boulder Hill Pass	Boulder Hill	Inoperable Vehicles	11/20/2017		

NON VIOLATION COMPLAINTS

Date	Name	Address	Subdivision	PIN #	Description	Date Inspected
12/7/2017	Machado	31 Whitney Way	Boulder Hill	03-04-329-012	Inoperable Vehicles and parked illegally	12/12/2017
12/28/2017	Beyer	140 Circle Drive East	Boulder Hill	03-09-108-007	Junk & Debris/Boat in front yard	



**KENDALL COUNTY
HISTORIC PRESERVATION COMMISSION
HISTORIC PRESERVATION ORGANIZATION MEETING**
110 W. Madison St • Historic Courthouse
• East Wing Conference Room • Yorkville, IL • 60560
AGENDA

February 21, 2018 – 7:00 p.m.

- I. Call to Order**
- II. KCHPC Roll Call and Introductions**
Kristine Heiman (Chairwoman), Jeff Wehrli (Vice-Chairman), Elizabeth Flowers (County Board Liaison), Melissa Maye, One KCHPC Vacancy and Non-KCHPC Attendees
- III. Welcoming Remarks**
Kristine Heiman, Kendall County Historic Preservation Commission Chairwoman
- IV. Presentation by the Village of Plainfield on Their Historic Preservation Efforts**
Michael Bortel and Jonathan Proulx, AICP
- V. Update on Federal and State Historic Incentives**
Lisa DiChiera
- VI. Round Table Discussion**
*What Activities Have Your Organizations Been Doing?
Successes?
Challenges?
Strategies for Encouraging Historic Property Owners to Have Open Houses?
Opportunities for Collaboration?*
- VII. Discussion of Future Meeting(s)**
- VIII. Other Business**
- IX. Public Comment**
- X. Adjournment**

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.

**Permit Summary by Category by Month
Kendall County**

Permit Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
House	1	1	0	0	0	0	0	0	0	0	0	0	0
Additions	1	1	0	0	0	0	0	0	0	0	0	0	0
Remodeling	1	1	0	0	0	0	0	0	0	0	0	0	0
Commercial - M Zone	2	2	0	0	0	0	0	0	0	0	0	0	0
Barns/Farm Buildings	3	3	0	0	0	0	0	0	0	0	0	0	0
Demolitions	1	1	0	0	0	0	0	0	0	0	0	0	0
Towers (Comm.)	2	2	0	0	0	0	0	0	0	0	0	0	0
Fire Restoration	1	1	0	0	0	0	0	0	0	0	0	0	0
	12	12	0	0	0	0	0	0	0	0	0	0	0

**Permit Summary by Category
Kendall County**

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	1	\$300,000	\$5,176	\$3,276
Additions	1	\$70,000	\$0	\$0
Remodeling	1	\$25,000	\$548	\$0
Commercial - M Zone	2	\$2,200,000	\$0	\$0
Barns/Farm Buildings	3	\$62,000	\$0	\$0
Demolitions	1	\$0	\$0	\$0
Towers (Comm.)	2	\$141,500	\$2,100	\$0
Fire Restoration	1	\$950,000	\$1,343	\$0
	12	\$3,748,500	\$9,167	\$3,276

Permit Approval Date Report
Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
12/8/2017	012017241	01 House	0135477010	NELSON WILLIAM D & MARCIA Z	5900 F RED GATE LN YORKVILLE, IL 60560-	THE BLUFFS AT SILVER SPINGS	Ed Saloga Design Build
1/16/2018	012018017	01 House	0236106006	BAUGHMAN ROBERT & VICKI	233 FOXTAIL LANE YORKVILLE, IL. 60560	FARM COLONY UNIT 2 PHAE 3 BMF Remodeling LLC	
12/14/2017	032018009	03 Accessory Buildings	0304428001	COONLEY KAREN	162 HEATHGATE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	SELF
12/12/2017	032017239	03 Accessory Buildings	0327401011	BRUMMEL MARTIN K & JULIE A	14 ROYCE DR OSWEGO, IL 60543-	RING-NECK SUB UNIT 2	SELF
1/30/2018	042018029	04 Additions	0908300002	GRAHAM PAUL W & JANET K	13870 GROVE RD MINOOKA, IL 60447-		
1/24/2018	052018024	05 Remodeling	0305454031	RY PROPERTY MANAGEMENT CORPORATION	9 CREVE CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	SAME
12/7/2017	082018004	08 Barns/Farm Buildings	0920400009	HANSEN SABRINA M	4250 BELL ROAD MINOOKA, IL 60447		
1/24/2018	082018023	08 Barns/Farm Buildings	0921100008	JIMENEZ, LINDA	3579 BELL RD MINOOKA, IL 60447-		
1/16/2018	082018019	08 Barns/Farm Buildings	0517300010	STUCK GEORGE M & JILL S	8945 IMMANUEL RD. YORKVILLE, IL. 60560		
1/16/2018	082018018	08 Barns/Farm Buildings	0734100009	CARLSON JASON D & ERICA	14908 WHITEWILLOW RD NEWARK, IL 60541-		
12/27/2017	082018016	08 Barns/Farm Buildings	0425100001	BOND ROBERT R & SHARON A	12944 WALKER RD YORKVILLE, IL 60560-		

Permit Approval Date Report
Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
1/16/2018	012018017	01 House	0236106006	BAUGHMAN ROBERT & VICKI	233 FOXTAIL LANE YORKVILLE, IL. 60560	FARM COLONY UNIT 2 PHAE 3 BMF Remodeling LLC	
1/30/2018	042018029	04 Additions	0908300002	GRAHAM PAUL W & JANET K	13870 GROVE RD MINOOKA, IL 60447-		
1/24/2018	052018024	05 Remodeling	0305454031	RY PROPERTY MANAGEMENT CORPORATION	9 CREVE CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	SAME
1/24/2018	082018023	08 Barns/Farm Buildings	0921100008	JIMENEZ, LINDA	3579 BELL RD MINOOKA, IL 60447-		
1/16/2018	082018019	08 Barns/Farm Buildings	0517300010	STUCK GEORGE M & JILL S	8945 IMMANUEL RD. YORKVILLE, IL. 60560		
1/16/2018	082018018	08 Barns/Farm Buildings	0734100009	CARLSON JASON D & ERICA	14908 WHITEWILLOW RD NEWARK, IL 60541-		
1/22/2018	142018021	14 Demolitions	0515100002	COOPER LARRY R LTD PARTNERSHIP	8641 AMENT RD YORKVILLE, IL 60560-		
1/30/2018	162018028	16 Towers (Comm.)	0311100001	COMMONWEALTH EDISON	1726 ROUTE 34 OSWEGO, IL 60543-		
1/22/2018	162018020	16 Towers (Comm.)	0201200005	BOLAND, EILEEN (AGENT FOR VERIZON)	6136 GALENA RD BRISTOL, IL 60512-		WINDY CITY TOWER TECHS, LLC.
1/22/2018	192018022	19 Fire Restoration	0307279001	LIGHT ROAD LLC	1800 LIGHT RD OSWEGO, IL 60543-		Synergy Construction Group

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
1/16/2018	012018017	01 House	0236106006	BAUGHMAN ROBERT & VICKI	233 FOXTAIL LANE YORKVILLE, IL. 60560	FARM COLONY UNIT 2 PHAE 3 BMF Remodeling LLC	
1/30/2018	042018029	04 Additions	0908300002	GRAHAM PAUL W & JANET K	13870 GROVE RD MINOOKA, IL 60447-		
1/24/2018	052018024	05 Remodeling	0305454031	RY PROPERTY MANAGEMENT CORPORATION	9 CREVE CT MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	SAME
1/24/2018	082018023	08 Barns/Farm Buildings	0921100008	JIMENEZ, LINDA	3579 BELL RD MINOOKA, IL 60447-		
1/16/2018	082018019	08 Barns/Farm Buildings	0517300010	STUCK GEORGE M & JILL S	8945 IMMANUEL RD. YORKVILLE, IL. 60560		
1/16/2018	082018018	08 Barns/Farm Buildings	0734100009	CARLSON JASON D & ERICA	14908 WHITEWILLOW RD NEWARK, IL 60541-		
1/22/2018	142018021	14 Demolitions	0515100002	COOPER LARRY R LTD PARTNERSHIP	8641 AMENT RD YORKVILLE, IL 60560-		
1/30/2018	162018028	16 Towers (Comm.)	0311100001	COMMONWEALTH EDISON	1726 ROUTE 34 OSWEGO, IL 60543-		
1/22/2018	162018020	16 Towers (Comm.)	0201200005	BOLAND, EILEEN (AGENT FOR VERIZON)	6136 GALENA RD BRISTOL, IL 60512-		WINDY CITY TOWER TECHS, LLC.
1/22/2018	192018022	19 Fire Restoration	0307279001	LIGHT ROAD LLC	1800 LIGHT RD OSWEGO, IL 60543-		Synergy Construction Group

PLANNING BUILDING & ZONING RECEIPTS 2018

DATE	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	MONTHLY FY 18	TOTAL FY18	MONTHLY FY 17	TOTAL FY17
December	\$2,288.40				\$2,288.40	\$2,288.40	\$3,044.28	\$3,044.28
January	\$5,753.00	\$50.00	\$6,717.13		\$12,520.13	\$14,808.53	\$3,791.34	\$6,835.62
February							\$10,989.52	\$17,825.14
March							\$8,130.89	\$25,956.03
April							\$7,598.93	\$33,554.96
May							\$16,086.31	\$49,641.27
June							\$14,174.98	\$63,816.25
July							\$21,087.73	\$84,903.98
August							\$25,401.68	\$110,305.66
September							\$36,883.57	\$147,189.23
October							\$18,678.40	\$165,867.63
November							\$14,088.97	\$179,956.60
TOTAL	\$8,041.40	\$50.00	\$6,717.13	\$0.00	\$14,808.53		\$179,956.60	

Brian Holdiman

From: Greg Stromberg [REDACTED]
Sent: Thursday, December 28, 2017 10:04 AM
To: Brian Holdiman
Subject: 45 cheyenne court. Oswego.

To: Brian holdiman- inspector

Kendall county building and zoning
board.

All others concerned

My name is greg stromberg. I live at 45 cheyenne court in oswego. Over the past many years our home has been under an extreme construction project. We have experienced several extreme setbacks in this time. The 2 worst being the economy recession and a crooked business partner whom almost cost us our home completely. In starting our business anew in 2012. It has been a slow up and down road back. With that being said. We have continually tried to keep up with neatness and push forward with what we have had to work with. As of late things with work are great. Brian holdiman has been nothing short of exceptional in his help and understanding with all of this. I know i have needed to try to establish a timeline of where we are at to try to ease some tension over this. Believe me tension at home has been very hard. My wife and i have been thru hell but do not quit. I feel i can now give you a better outlook for this. Our major construction has been basically done for a while. Our exterior is tyveked paper as of now. I am working internally on staircases and sorting out electric and such. When weather breaks we are set to install our soffits,fascia, and gutters. Siding and new tyvek also will be done. Also pouring our new front porch. Completing exterior is our priority as our neighbors have mostly been great. During winter i am working inside and will keep in touch with brian in regards to electrical work. I hope this will shed light on this for you. Had we have known what was in store for us. Our plan would have changed obviously. We will get thru and done. I thank you all for your patience and understanding. Please contact me if you need any further information from me.

Thank you much

Sincerely,

Greg stromberg

Matt Asselmeier

From: Matt Asselmeier
Sent: Tuesday, January 09, 2018 9:39 AM
To: Judy Gilmour; Lynn Cullick; Matt Kellogg; Robert Davidson; Scott Koeppel; Scott R. Gryder
Subject: Follow-Up from PBZ Committee Meeting

Members of the Planning, Building and Zoning Committee:

Here is the follow-up to the questions from last night's PBZ Committee meeting.

1. We will try to generate a report for the February meeting showing the disbursement of income when an applicant applies for a permit. This should show how much money we receive for plumbing inspections.
2. The names of the creeks on the map from north to south are Lisbon Creek (at the corner of 47 and 52), West Aux Sable Creek, and Valley Run (in the mining area).
3. Brian is on vacation this week; he was sent an email requesting information on the wind turbine, commercial B-zone, and change of occupancy at 69 Boulder Hill Pass.
4. The questions regarding road worthiness of motor vehicles and an "or else" option related to Mark Antos' bridge were sent to Scott Koeppel with a request to forward these questions to the SAO.
5. Regarding the Land Cash Ordinance, a two bedroom house pays approximately 80% of the land cash to the Forest Preserve District, a three bedroom and five bedroom house pays approximately 61% of the land cash to the Forest Preserve District, and a four bedroom house pays approximately 55% of the land cash to the Forest Preserve District.

If you have any questions, please let me know.

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: Andy Nicoletti
Sent: Tuesday, January 09, 2018 8:13 AM
To: Matt Asselmeier
Subject: RE: Comed Taxation Question

Hi Matt,

If the Com Ed parcels are farmed then they are assessed as farmland. Anything else is treated as commercial property. The poles are not assessed as they were not treated as equipment and not as real estate prior to 1978.

Andy Nicoletti, CIAO/M

Matt Asselmeier

From: Matt Asselmeier
Sent: Tuesday, January 09, 2018 11:40 AM
To: Judy Gilmour; Lynn Cullick; Matt Kellogg; Robert Davidson; Scott Koeppel; Scott R. Gryder
Subject: FW: Questions from PBZ Committee Meeting

Members of the PBZ Committee:

Below please find Brian's responses to your questions from last evening's meeting.

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: Pam Herber
Sent: Tuesday, January 09, 2018 11:23 AM
To: Brian Holdiman
Cc: Matt Asselmeier
Subject: RE: Questions from PBZ Committee Meeting

Hi Matt,
See Below in Red for answers to your questions.

Pam

----- Forwarded message -----

From: "Matt Asselmeier" <masselmeier@co.kendall.il.us>
Date: Tue, Jan 9, 2018 at 9:21 AM -0600
Subject: Questions from PBZ Committee Meeting
To: "Brian Holdiman" <BHoldiman@co.kendall.il.us>
Cc: "Scott Koeppel" <skoeppele@co.kendall.il.us>

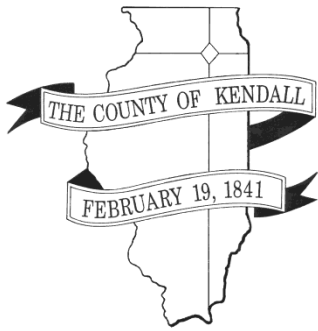
Brian:

At last night's PBZ Committee meeting, the Committee had the following building related questions:

1. Where was the wind turbine installed that was listed in the building permit report? 7426 Schlapp Road Oswego
2. What were the Commercial B-Zone listed in the building report?
Stor-Mor 1317 Route 31
3. What caused the change of occupancy at 69 Boulder Hill Pass?
A new tenant moved in and opened a dog grooming business

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: 01/19/2018

Subject: 2017 Residential Building Permit Information

Staff contacted the municipalities located within Kendall County to obtain their single-family and multi-family building permit information for 2017. A table with this information is attached to this memorandum. For those municipalities located in more than one county, only the Kendall County information is provided.

Enc: Municipal Single-Family Residential Construction Information 2017

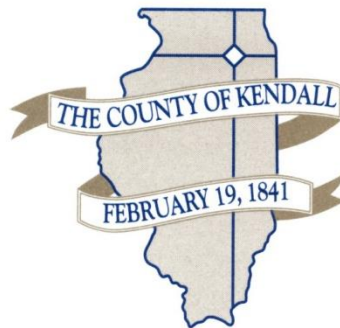
Municipal Residential Construction Information 2017

Municipality	2017 New Construction (Single Family)	2017 New Construction (Multi-Family)	2016 New Construction (Single Family)
Aurora	48 (\$17,038,514)	0 (\$0)	15 (\$5,553,832)
Joliet	107 (\$21,567,314)	0 (\$0)	147 (\$28,614,153)
Lisbon	0 (\$0)	0 (\$0)	0 (\$0)
Millbrook	0 (\$0)	0 (\$0)	0 (\$0)
Millington	0 (\$0)	0 (\$0)	0 (\$0)
Minooka	0 (\$0)	0 (\$0)	0 (\$0)
Montgomery	2 (\$369,000)	0 (\$0)	4 (\$639,000)
Newark	0 (\$0)	0 (\$0)	0 (\$0)
Oswego	27 (\$7,660,105)	4 Two-Family (\$400,000) 10 Attached Single-Family/Senior housing (\$722,006)	52 (\$11,408,882)
Plainfield	38 (\$9,446,797)	4 Townhomes (\$540,000)	24 (\$7,062,886)
Plano	4 (\$900,000)	0 (\$0)	2 (\$180,000)
Plattville	1 (\$260,000)	0 (\$0)	0 (\$0)
Sandwich	2 (\$550,000)	0 (\$0)	1 (\$265,000)
Yorkville	154 Detached (\$28,262,861) 12 Attached (\$660,000)	1 Apt Bldg: 51 Units (\$9,607,940) 1 Ass. Living Fac: 73 Units (\$7,500,000)	152 (\$25,831,440)
Unincorporated	31 (\$12,786,924)	0 (\$0)	19 (\$5,897,228)
Total	426 (\$99,501,515)	20 (\$18,769,946)	416 (\$85,452,421)

Kendall County Regional Plan Commission

2018 Annual Workshop Meeting

February 3, 2018



**Prepared by
Planning, Building, and Zoning Department**

2017 Summary

News and Noteworthy Items

- New Senior Planner Started in January 2017
- 33 Petitions Filed in 2017; 24 Petitions in 2016
- Renewed Intergovernmental Agreement between the County and Village of Millbrook with Updated Insurance Requirements
- Ordinance Adopted Reducing the Number of Members of the Historic Preservation Commission from 7 to 5
- Ordinances Adopted Reducing the Number of Votes from 5 to 4 Required for the Zoning Board of Appeals to Approve Items and Overturn the Decision of the Zoning Administrator; Brought the Zoning Ordinance into Compliance with State Law on These Matters
- Contacted Special Use Permit Holders Regarding Renewals
- Worked with GIS to Better Differentiate Unincorporated and Incorporated Parcels on the GIS System
- Worked with GIS to Add Ordinance Numbers to the GIS Map
- Worked with IT to Create a Petitions Page on the County Website
- Worked with State's Attorney's Office to Update Department's Template Ordinances
- Noxious Weed Related Documents Drafted and Approved by the County Board
- Conducted Research Related to Updating the Future Land Use Map for Properties Located on Route 47 in Lisbon Township
- Department Purchased New Truck; Transferred Existing Truck to Facilities Department

Items for 2018

- Continue to Work with GIS to Ensure Correct Zoning Information for Each Parcel; Work Towards Formally Updating the Official Zoning Map
- Continue to Work with GIS to Connect Parcels to the Applicable Special Use and Map Amendment Ordinances
- Continue to Work on Reviewing and Update the Future Land Use Map for Properties Located on Route 47 South of Yorkville
- Continue to Research Strategies and Products to Mitigate Noise Involving Special Use Permits in the Unincorporated Areas
- Draft Ordinance Clarifying the Renewal Process for Special Use Permits
- Draft Ordinance Addressing Solar Farms in the Unincorporated Areas
- Ensure that Noxious Weed and NPDES Permit Documents Are Submitted to the State in a Timely Manner
- Increase the Visibility and Activities of the Historic Preservation Commission Through Collaboration with Other Historic Preservation Organizations and Events
- Review and If Necessary Update Job Descriptions for Department Staff
- Department's Intern Will Be Graduating in May
- Continue Working with the Northwest Water Planning Alliance
- Participate with Planning of CMAP's 'On To 2050 Plan' for the Chicago Region

- Continue Reviewing and Addressing Potential Changes to the Zoning Ordinance and Departmental Operations for Increased Efficiency

Zoning Petitions

**New Special Use Permits – 1 Approved (Additional 2 Applications were Withdrawn)
(2016: 8 Petitions)**

Major Special Use Amendments – 2 (2016: 0)

Minor Special Use Amendments – 0 (2016: 1)

Special Use Permit Revocations – 6 (1 Revocation Occurred in 2 Petitions) (2016: 0)

Variances – 5 (2016: 3)

Administrative Variances – 3 (2016: 2)

Stormwater Ordinance Variances – 1 (2016: 1)

Conditional Use Permits – 4 (2016: 3)

Site Plan Review – 0 (2016: 0)

Plat of Vacation – 0 (2016: 1)

Amendments

**Text Amendments – 7 (Includes Proposed Outdoor Shooting Range Amendment)
(2016: 1)**

Land Use Plan Amendments – 0 (2016: 1)

Map Amendments – 1 (2016: 3 Includes Preliminary and Final Plat for High Grove)

Historic Preservation

Landmarks – 0 (2016: 0)

Text Amendment to Ordinance – 1 (2016: 0)

TOTAL PETITIONS – 33 (2016: 24)

Meetings

ZPAC – 8 (2016: 6)

RPC – 10 (Including Annual Meeting) (2016: 9)

SUHO – 4 (2016: 6)

ZBA – 8 (Additional 1 Meeting Lacked a Quorum) (2016: 4)
HPC – 11 (2016: 3)
Stormwater Management Oversight Committee – 1 (2016: 1)
Ad-Hoc Zoning and Comprehensive Land Plan and Ordinance Committee – 5 (2016: 1)
PBZ – 12 (2016: 11)

Of the 30 ordinances approved by the County Board in 2017, 17 were Planning, Building and Zoning related.

Construction Activity

Single-Family Dwelling Units – 31 approved in 2017

New Homes by Township

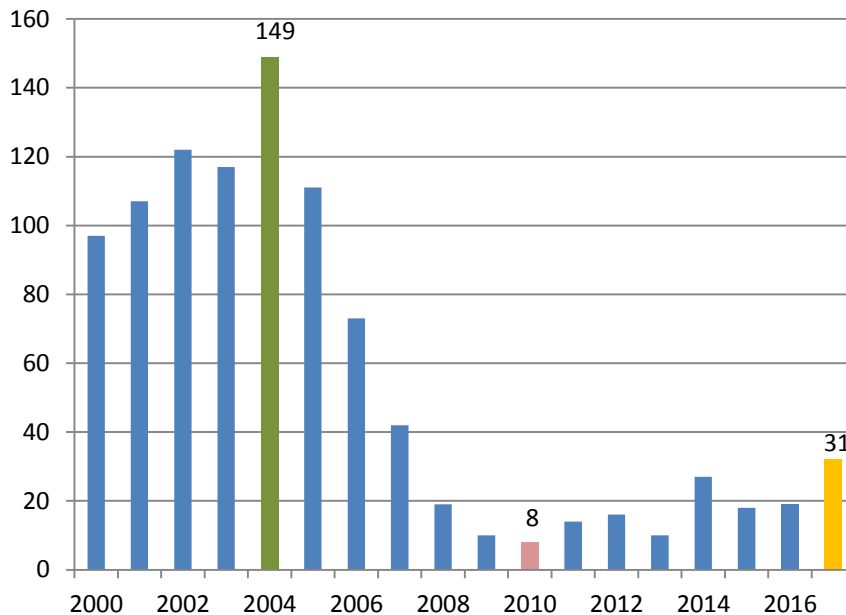
Kendall Township – 6	Bristol Township – 0	Na-Au-Say Township – 8
Fox Township – 9	Little Rock Township – 1	Oswego Township – 3
Lisbon Township – 1	Seward Township – 3	

New Homes by Subdivision (Approximate Number of Vacant/Total Lots)

Whitetail Ridge – 7 (217/244) Fields of Farm Colony/ Farm Colony – 1 (22/159) and 1 (3/38)
 Estates of Millbrook – 3 (81/175) The Bluffs at Silver Springs – 1 (0/6) Tanglewood Trails – 1 (32/38)
 Henneberry Woods – 2 (75/352) The Woodlands – 1 (0/8) and
 Other (Not in Subdivision): 14 (N/A)

Single Family Construction Comparison: 2000 – 2017

Single Family Homes 2000-2017



Available Lots in RPD Subdivisions (Total Platted Lots)

- Deere Crossing – 15 (18)
- Whitetail Ridge – 217 (244)
- Brighton Oaks – 11 (20)
- Equestrian Estates – 9 (16)
- Grove Estates – 46 (50)
- Henneberry Woods – 75 (352)
- Rosehill – 10 (57)
- *Schaefer Glen – 6 (6)
- Tanglewood Trails – 32 (38)
- *Highpoint Meadows – 23 (23)

Total Platted RPD Lots – 824 Total Available RPD Lots – 444 Total Developed RPD Lots - 380

**Open Subdivisions*

Available Lots in other Subdivisions (Total Platted Lots)

- Estates of Millbrook – 81 (175)
- Shadow Creek – 19 (29)
- *Matlock – 12 (12)
- Fields of Farm Colony – 22 (159)

Total Platted Lots – 375 Total Available Lots – 134 Total Developed Lots - 241

**Open Subdivisions*

Fiscal Year 2017 Detailed Inspection Report

Site Visit	302 (2016: 141)
Footing	68 (2016: 63)
Backfill	22 (2016: 12)
Wall	15 (2016: 6)
Slab	37 (2016: 34)
Electric Service	7 (2016: 10)
Frame/Wire	77 (2016: 57)
Insulation	27 (2016: 19)
Final	134 (2016: 128)
Red Tag	2 (2016: 1)
Hearing Signs	4 (2016: 25)
Meetings in Field	93 (2016: 124)
Violation Investigations	85 (2016: 90)
NPDES	0 (2016: 0)
Yorkville Back for County	11
Zoning Issues	4

Total Field Visits and Investigations: 911 (2016: 723)
 Total Permit Reviewed and Issued: 228; 14 Void (2016: 247)
 Contracted Plumbing Inspections: 99 (2016: 89)
 Inspections for Yorkville per IGA: 23 (2016: 4)

2017 Goals of Code Official

1. Obtain One Additional ICC Certification
2. Fulfill All Continuing Education Requirements for Certification Renewals
3. Implement Changes to Improve or Maintain ISO Score
4. Research and Discuss County Nuisance Ordinances and Enforcement Alternatives with PBZ Committee
5. Review 2015 and 2018 Code Series

Matt Asselmeier

From: Fran Klaas
Sent: Friday, January 12, 2018 2:50 PM
To: Matt Asselmeier
Cc: [REDACTED]; Scott Koepfel
Subject: RE: Inland Development - Schaefer Woods North Unit 3
Attachments: Schaefer North III Bond.pdf; Schaefer North.pdf

Matt,

Attached is a copy of the bond from Schaefer North, Unit 3, in the amount of \$275,990.10. The bond was based on the approved Engineer's Estimate of Cost provided by Engineering Enterprises, Inc., and does not include work on the 430' missing piece of Mitchell Drive. I can't find anything in the file about how Kendall & Inland negotiated the omission of the 430' part; but my recollection was that Inland made a plea to Kendall County to build the 430' extension upon further platting and development of land to the north, because the extension was so expensive, and Inland didn't have many lots to distribute that cost.

When the land to the north was annexed and platted by Lakewood, there was apparently an agreement between parties that Inland would design the 430' extension and get necessary permits, and then Lakewood would construct it. Evidence of this arrangement can be found in the second attachment I provided. Obviously, that never happened, as Lakewood went bankrupt, and the extension was never built.

It appears that in 2005 and 2006, Inland, Kendall County and Strand (the County's consultant), reviewed the original bonds for Schaefer North, released those bonds, set up a 1-year maintenance bond (at 10% of original bond), and then finally released the maintenance bond when all was considered completed and accepted. This never included the missing 430', as that was ultimately going to be built by Lakewood. Again, see the 2nd attachment.

Obviously, I have more records in my file; but these are the pertinent ones to the questions that were asked by John McGinnis. Let me know if you would like to discuss.

John; you are always welcome to come to my office to view any and all files that I have. I'll even buy you a cup of coffee!

Fran

From: Matt Asselmeier
Sent: Friday, January 12, 2018 12:43 PM
To: Fran Klaas
Cc: Scott Koepfel
Subject: FW: Inland Development - Schaefer Woods North Unit 3

Fran:

I received the following email from John McGinnis. According to my files, there was a bond of \$254,554.50 for road improvements, but I do not know if we are still holding this bond. Would you have this information?

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: J McGinnis [REDACTED]
Sent: Friday, January 12, 2018 11:58 AM
To: Matt Asselmeier
Subject: Inland Development - Schaefer Woods North Unit 3

Matt: I am John McGinnis from Plano, IL and I am try to find out if Kendall County required Inland Development to post a subdivision bond for their Schaefer Woods North Unit 3 (Michell Drive Road and Andrew Street) subdivision in order for their final plat to be recorded? I believe that this subdivision was built in the early 2000's. Please let me know if I need to fill out a "Freedom of Information" for Kendall County.
Thanks

John P. McGinnis
[REDACTED]

Plano, IL 60545
[REDACTED]

ANOTHER SURETY BOND ARRANGED THROUGH



SCHEER'S

INCORPORATED
1023 W. 55TH ST., COUNTRYSIDE, IL 60525 708-352-6282

SUBDIVISION BOND

Bond No.: **BE1840210**

Principal Amount: **\$275,990.10**

KNOW ALL MEN BY THESE PRESENTS, that we **North Schaefer Woods, LLC, 2901 Butterfield Road, Oak Brook, IL 60523** as Principal, and **Gulf Insurance Company, 3055 Lebanon Road, Suite 3-1100, Nashville, TN 37214** a Missouri Corporation, as Surety, are held and firmly bound unto **Kendall County, 111 West Fox Street, Room 204, Yorkville, IL 60560-1498**, as Obligee, in the penal sum of **Two Hundred Seventy Five Thousand Nine Hundred Ninety and 10/100 (Dollars) (\$275,990.10)**, lawful money of the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, **North Schaefer Woods, LLC** has agreed to construct in **Schaefer Woods North – Unit 3** Subdivision, in **Yorkville, IL** the following improvements:

excavation, erosion control, drainage, paving, street lights


NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described, and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void, otherwise to remain in full force and effect, and the Surety, upon receipt of a resolution of the Obligee indicating that the improvements have not been installed or completed, will complete the improvements or pay to the Obligee such amount up to the Principal amount of this bond which will allow the Obligee to complete the improvements.

Upon approval by the Obligee, this instrument may be proportionately reduced as the public improvements are completed.

Signed, sealed and dated, this 29th day of June, 2001


NORTH SCHAEFER WOODS, LLC

Principal

By: 
ITS managing member

GULF INSURANCE COMPANY

Surety

By: 
Bonnie Kruse Attorney-in-Fact



1170 South Houbolt Road
Joliet, IL 60431
Phone: 815-744-4200
Fax: 815-744-4215

Office Locations

Madison, WI
Joliet, IL
Louisville, KY
Lexington, KY
Mobile, AL
Columbus, IN
Lancaster, OH
Indianapolis, IN
Milwaukee, WI

www.strand.com

November 8, 2006

Mr. Jerry Dudgeon, AICP - Director
Kendall County Planning, Building and Zoning
111 West Fox Street
Yorkville, IL 60560

Re: Schaefer Woods North Subdivision

Dear Jerry,

On October 28, 2006, we visited the above-referenced subdivision to verify completion of the outstanding punchlist items. We found the punchlist items have been completed and the subdivision now conforms to the approved Final Engineering Plans. Based on this, we recommend the County consider releasing the remaining Letter of Credit for the Schaefer Woods North Subdivision and consider final closeout of the subdivision.

If you have any questions or require additional information, please call.

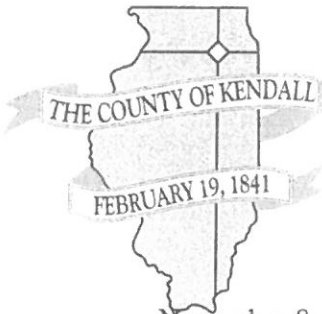
Sincerely,

STRAND ASSOCIATES, INC.

Justin D. Miller, E.I.T.

Michael R. Waldron, P.E.

c: Fran Klass – Kendall County Highway Department
Ken Jernberg – Inland Real Estate Development Corporation



PLANNING, BUILDING & ZONING DEPARTMENT

111 WEST FOX STREET - ROOM 316 YORKVILLE, ILLINOIS 60560-1498

630/553-4141 • FAX 630/553-4179

November 8, 2006

Ms. Mary Beth Peterson
Scheer's, Inc.
1023 W 55th Street
Countryside, IL 60525

COPY

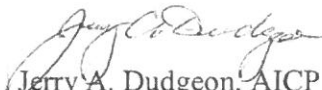
RE: Schaefer Woods North Units – Maintenance Bond (Bond #5019724)

Dear Ms. Peterson:

I have received verification that our consulting engineers at Strand Associates, Inc., the Kendall County Engineer and the Township Highway Commissioner have determined that the public improvements within Schaefer Woods North Units 1, 2 & 3 have been satisfactorily completed and have survived the one year maintenance period. Accordingly I have been advised by Andy Meyers of the Kendall County Highway Department that the Maintenance Bond posted last year, can now be closed out. Enclosed please find the above referenced Maintenance Bond for your disposal.

Should you have any questions about the information contained in this letter, please call our office at (630) 553-4141.

Sincerely,


Jerry A. Dudgeon, AICP
Director

C: Melissa Barnhart, Kendall County State's Attorney
Fran Klaas, Kendall County Engineer
Mike Waldron, Strand Associates, Inc.
Thomas Murst, Little Rock Township Highway Commissioner
Ken Jernberg, Inland Real Estate Development Corporation
Schaefer Woods North Unit 2 & 3 Bond Files

Enclosure Bond #5019724

Fran Klaas

From: Jerry Dudgeon
Sent: Tuesday, October 10, 2006 4:50 PM
To: Fran Klaas; Andy Myers; Mike Waldron
Cc: Melissa Barnhart
Subject: Schaeffer Woods North and Mitchell Drive Extension

I spoke to John McGuinness over at the City of Plano this afternoon. John informed me that under the agreement between Lakewood and Inland, Inland is to get the engineering plans prepared and approved for the extension of Mitchell Drive and Lakewood will be responsible for constructing it. Engineering Enterprises, Inc. (Dave Burroughs is the project engineer) had prepared a plan which IDNR did not approve over the manner in which the drainage way through the area was proposed to be graded. They requested revisions and also wanted some entity to be assigned the maintenance responsibility for the drainage way once the project was completed (preferably a governmental body). Apparently there was some reluctance on the part of the City and the Township to take over the maintenance responsibility which may have something to do with hwy Inland hasn't done anything further with the plan revisions.

John indicated that the city is already maintaining part of a drainage way in that are already. He indicated that there is a streets and sanitation meeting tomorrow and he would bring the maintenance issue up again to see if the city would be willing to take it on. Whether this will help in breaking up the log jam, who knows. I also suggested that a meeting be set up to try and get this issue moving again. I will keep you posted on anything additional I hear.

Jerry A. Dudgeon, AICP
Director
Kendall County PBZ
111 W. Fox Street
Room 316
Yorkville, IL 60560 - Phone: (630) 553-4138

Fran Klaas

From: Jerry Dudgeon
Sent: Tuesday, September 12, 2006 2:52 PM
To: Mike Waldron; Fran Klaas
Cc: 'PBZ@comcast.net'
Subject: Mitchell Drive Extension Issues

Mike and Fran:

I contacted Tom Karpus at the City of Plano to get his insights as to what is happening with this issue and have copied him on this e-mail. Tom supplied the following summary of where this matter stands. Tom, if I have misstated anything in my attempt to summarize the situation, please feel free to correct me and copy Fran and Mike Waldron.

Apparently Inland was required to do the design work for the roadway. Lakewood was going to construct it. There is an issue with the manner in which the natural drainage course that crosses the proposed roadway would be graded under the plan Inland supplied. IDNR apparently reviewed it and did not approve the design. Consequently Lakewood wants Inland to address the issue. In addition, there is an issue over who would take over the long term maintenance of the drainage way through that area. So far no one has stepped up to the plate to revise the plan or take on the maintenance. Consequently the issue is still unresolved.

Apparently John McGuinness the Public Works Director for Plano has attempted to meet with the various parties to try and work out a solution to the problem but little progress has been made. The Fire Department is also interested in getting this road segment built as it affects their ability to access these areas from their new fire station. Although I haven't researched the issue yet, I plan to review the PUD agreement (if any is on file) to see what if anything it says regarding the completion of that roadway. I'm hoping we can provide some assistance to Plano in getting this resolved. I won't know until I complete my research of the case file if I can legally hold up release of their LOCs over the Mitchell Drive issue if all the other improvements are complete and acceptable. I'll look into it and let you know. In the interim, please feel free to call or e-mail with any questions corrections or suggestions.

Jerry A. Dudgeon, AICP
Director
Kendall County PBZ
111 W. Fox Street
Room 316
Yorkville, IL 60560 - Phone: (630) 553-4138



March 9, 2006

PLANNING, BUILDING & ZONING DEPARTMENT

111 WEST FOX STREET – ROOM 316 YORKVILLE, ILLINOIS 60560-1498

630/553-4141 • FAX 630/553-4179

Mr. Thomas E. Murst, Highway Commissioner
Little Rock Township
611 W. Main Street
Plano, IL 60545

RE: Schaeffer Woods North & South – Inspection of Completed Subdivision Improvements

Dear Tom:

For some time now, Inland Real Estate and Development has been attempting to obtain the necessary approvals and acceptance of the public improvements within the various Units that comprise the unincorporated portions of the Schaeffer Woods Development. They are trying to close out their public improvement bonds and establish the required maintenance bonds.

With Respect to Schaeffer Woods North Units 1, 2 & 3, they have supplied a one year maintenance bond and recently submitted a proposed seeding plan to address the condition of Lots 1 & 2 within Unit 1 which is presently overgrown with weeds. They have also supplied both hard copies and electronic version of the As-built Drawings for the related improvements. They are requesting a release of the original bonds posted to secure satisfactory completion of those subdivision improvements. To date we have not received any correspondence from the Township indicating you have inspected the improvements and determined they have been completed to your satisfaction.

With respect to Schaeffer Woods South, only Units 2 & 3 are affected. Inland has requested the release of the remaining bond amounts and has posted a one year maintenance bond with our office. A review of the file indicates that as of 2001, the street light improvements and completion of the native plantings within the detention basin were the main items remaining to be done. We have received approval on the basin improvements from our consulting engineers at Strand Associates. Again, there is no documentation in our file indicating the Township has inspected the remainder of the improvements and determined they are complete. Per conversations with Strand, they have been unsuccessful in their attempts to obtain a response from your office. Therefore I am request sending this letter to secure your comments.

Please advise us at your earliest convenience whether these improvements have been completed to the Township's satisfaction so we can proceed with close out of the original subdivision bonds and acceptance of the maintenance bonds. Please coordinate with our consulting engineer Mike Waldron at Strand Associates and the County Highway Department regarding any concerns you may have. Strand may be reached at (815) 744-4200.

Thomas E. Murst
March 9, 2006
RE: Schaeffer Woods North & South – Inspection of Completed Improvements

Page 2 of 2

Should you have any questions concerning this matter, please contact our office at (630) 553-4138.

Sincerely,



Jerry A. Dudgeon, AICP
Director

C: Schaeffer Woods North & South Files
Ken Jernberg, Inland Real Estate Development
Fran Klaas, County Engineer
Mike Waldron, Strand Associates

Fran Klaas

From: Jerry Dudgeon
Sent: Tuesday, October 25, 2005 11:00 AM
To: 'Jernberg, Ken'
Cc: 'Mike Waldron'; Fran Klaas
Subject: RE: Schaefer Woods North, Units 2 & 3

Ken:

Based on Strand's 9/29/05 letter and the fact that we now have the record drawings for Units 2 & 3, it appears the next step would be to establish the required one year maintenance bond as recommended by Strand in the amount of \$69,968.89 (\$42,698.88 for Unit 2 and \$27,599.01 for Unit 3). Once that is posted we can proceed to close out Bonds BE0949531 & BE184210. In October of next year, a follow up inspection should be scheduled and completed with Strand and The Little Rock Township Highway Commissioner to verify that everything has passed the one year maintenance period so we can close this out.

-----Original Message-----

From: Jernberg, Ken [mailto:████████████████████]
Sent: Thursday, October 20, 2005 3:31 PM
To: Jerry Dudgeon
Subject: RE: Schaefer Woods North, Units 2 & 3

Jerry,

I received copies of the transmittals from EEI that the record drawings were sent to the four agencies that you requested. What is the next step in the process?

Ken

-----Original Message-----

From: Jerry Dudgeon [mailto:JDudgeon@co.kendall.il.us]
Sent: Thursday, October 06, 2005 11:27 AM
To: Jernberg, Ken
Subject: RE: Schaefer Woods North, Units 2 & 3

Thanks Ken!

-----Original Message-----

From: Jernberg, Ken [mailto:████████████████████]
Sent: Thursday, October 06, 2005 11:25 AM
To: Jerry Dudgeon
Cc: Mike Waldron; Fran Klaas
Subject: RE: Schaefer Woods North, Units 2 & 3

Jerry,

I have asked Dave Burroughs to send the four parties involved a hard copy and a .pdf format of the record drawings. I did not find any landscape plan in our file. I asked Dave Burroughs to look into this also.

Ken

-----Original Message-----

From: Jerry Dudgeon [mailto:JDudgeon@co.kendall.il.us]
Sent: Thursday, October 06, 2005 11:01 AM
To: Jernberg, Ken
Cc: Mike Waldron; Fran Klaas
Subject: RE: Schaefer Woods North, Units 2 & 3

Ken:

Sorry for the delay in responding to this. I am in the process of forwarding your request to the township and everyone else and am working on getting their responses. In the meantime, could you contact your engineers and make certain they can supply us with copies of the As-Builts? If the Township and Strand are agreeable to your request, we will need to have the drawings in hand prior to releasing the permits. I believe we have been requesting four sets of the As-built drawings. One goes to Strand for their files, one goes to the Township, one goes to County Highway and one is retained with our subdivision files.

As soon as I have a response I will follow up with you.

PS

Do you know if there was an approved landscape plan for the units in Schaeffer Woods North? I am trying to track down a copy. The City of Plano has some questions regarding the landscaping around the Detention Basin in the North half of Schaefer woods so they can see how it relates to the Lakewood property. If you know of one let me know. In the meantime I will continue searching my files.

-----Original Message-----

From: Jernberg, Ken [redacted]
Sent: Monday, October 03, 2005 11:40 AM
To: Jerry Dudgeon
Subject: Schaefer Woods North, Units 2 & 3

Jerry,

We received a copy of the letter from Strand recommending the release of the two subdivision bonds, replacing them with one maintenance bond. This project was completed in 2001 and the subdivision bonds were reduced to their current amounts in February and March of 2002 respectively. There were only minor erosion control and storm sewer items remaining for the last two years. We are requesting that you consider the maintenance period complete and release our subdivision bonds for these two units. Thank you for your attention to this matter.

Ken Jernberg
Assistant Vice President
Inland Real Estate Development Corp.

[redacted]
Phone: [redacted]

Fax: [redacted]

e: [redacted]



1170 South Houbolt Road
Joliet, IL 60431
Phone: 815-744-4200
Fax: 815-744-4215

Office Locations

Madison, WI
Joliet, IL
Louisville, KY
Lexington, KY
Mobile, AL
Columbus, IN
Lancaster, OH
Indianapolis, IN
Milwaukee, WI

www.strand.com

September 29, 2005

Mr. Jerry Dudgeon, AICP - Director
Kendall County Planning, Building and Zoning
111 West Fox Street
Yorkville, IL 60560

Re: Schaefer Woods North, Units 2 & 3
Letter of Credit

Dear Jerry,

We have reviewed the request from Inland Real Estate Development Corporation for the release of the subdivision bonds BE0949531 and BE 1840210 and we found that all of our comments from the June 29, 2005 letter have been corrected. We recommend that the County consider release of the subdivision bonds and that the developer establish a one-year maintenance bond in the amount of 10 percent of the letter of credit or \$69,968.89.

If you have any questions or require additional information, please call.

Sincerely,

STRAND ASSOCIATES, INC.

Justin D. Miller, E.I.T.

Michael R. Waldron, P.E.

c: Ken Jernberg – Inland Real Estate Development
Fran Klaas – Kendall Co. Highway Department

Memo

To: PBZ Committee
From: Brian Holdiman (Code Official)
Re: Building Permit Process

Building Permit Process

- Determine required submittals have been received.
- Confirm ownership, PIN#, address and contact info – Date stamp received.
- Permit # assigned and application information is entered into Dev Net Permit Tracking System.
- Health Department Site Evaluation form emailed to Health Department.
- Flood Plain Panel is determined.
- Perform Zoning Certificate review.
 - Check setbacks, area & bulk requirements.
- Review Plat of Survey or Site Plan and stamp approved.
- Perform Site Visit, if required.
- Review construction drawings for compliance with applicable codes.
- Allocate permit fees based upon fee schedule, land cash ordinance and offsite roadway requirements. All fees are collected prior to issuing the Building Permit.
(Building Permit Fee Schedule attached)
- Prepare permit packet for pick up in office and contact owner or contractor. Fees collected are accepted in check form or cash.
- Issue receipt when permit is picked up and fees are received.
- Fees collected are deposited at the Treasurer’s Office under the following line items:

0101-002-1205	BUILDING FEES/PERMITS
0101-002-1215	RECORDING FEES
0101-002-1220	ZONING FEES
0101-002-1225	SPECIAL USE HEARING OFFICER
1801-000-1320	OFF-SITE ROADWAY-HIGHWAY
0101-000-1170	MISCELLANEOUS REVENUE
YNB 250	LAND CASH

- Permit Folder is placed on file. Owner or contractor is responsible for calling in to schedule required inspections.
- Inspections are scheduled and performed.
- When project is complete, a Certificate of Occupancy or Certificate of Completion is issued and file is closed.

SECTION 10 – FEES

The following fee schedule shall be applicable to the Kendall County Building Code.

Please Note: a \$50.00 Zoning Certificate is required on ALL building permits.

1. Single Family Residential Construction	\$1,800.00
2. Accessory Structures –	
≤ 120 square feet	\$50.00 Zoning Certificate
121-599 square feet	\$150.00 – Plumbing \$150.00/Insp
≥ 600 square feet (residential)	\$50.00/inspection – Plumbing \$150.00/Insp + .08/sq.ft. for plan review
≥ 600 square feet (commercial)	\$75.00/inspection – Plumbing \$150.00/Insp + .08/sq.ft. for plan review
3. Signs –	
Non-illuminated	\$100.00 + 1.00 per square foot
Illuminated	\$150.00 + 1.00 per square foot
Temporary	\$50.00 Zoning Certificate
4. Deck	\$150.00
5. Swimming Pool	\$150.00
6. Demolition	\$100.00
7. Communication Tower	\$1,000.00
8. Moving or raising a structure	\$100.00
9. Service Upgrades	\$100.00
10. Driveway	\$150.00
11. Patios – New & Enlarging (R-5, R-6, R-7 Only)	\$50.00 Zoning Certificate
12. Re-inspection Fee –	
Residential	\$50.00
Commercial	\$75.00
Plumbing	\$150.00
13. Residential/Agricultural	.08/sq.ft. for plan review +
Addition	\$50.00/inspection
Remodeling	\$50.00/inspection
Plumbing	\$150.00/inspection

Electrical	\$50.00/inspection
Miscellaneous	\$50.00/inspection
14. Permits other than Residential /Agricultural	.08/sq.ft. for plan review
Addition	\$75.00/inspection
Remodeling	\$75.00/inspection
Plumbing	\$150.00/inspection
Electrical	\$75.00/inspection
Miscellaneous	\$75.00/inspection
15. Change of Occupancy	\$150.00
16. Certificate of Occupancy	\$150.00
17. Zoning Certificate – REQUIRED ON ALL PERMITS	\$50.00

Notes to the Fee Schedule

The permit fees for an attached garage, deck, or a driveway and similar appurtenances constructed in conjunction with the construction of the house are included in the permit fee for the house.

The permit fee for a driveway constructed in conjunction with the construction of a garage is included in the permit fee for the garage.

Zoning Certificate Required

A zoning certificate shall be approved before a building permit may be issued and requires the payment of a separate fee.

Address Required

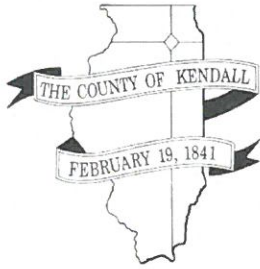
The fee for assigning an address to a property shall be \$50.00.

Time of Payment

All permit fees shall be due and payable prior to the beginning of construction. All re-inspection fees shall be due and payable prior to each inspection.

Additional Review Fees

In addition to the fees set forth in this Ordinance, all applicants seeking the approval of a building permit shall reimburse Kendall County for all reasonable costs incurred as a result of the review of the application by a legal, engineering or other special consultant. The applicant shall provide a deposit to cover the estimated consulting and review fees. Payment of the additional review fees shall be made prior to the issuance of the certificate of occupancy, EXCEPT, when the payment is fully and completely secured by a deposit, the actual payment may occur after the issuance of the certificate of occupancy.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

January 25, 2018

Thomas Schnabel, Jr.
9092 Ashley Road
Yorkville, IL 60560

RE: Bond for Appraisal of 9092 Ashley Road

Dear Thomas Schnabel, Jr:

When the Kendall County Board approved Ordinance 2016-11, granting a special use permit to operate a banquet facility at 9111 Ashley Road, they included the following restriction:

“18. The petitioner shall submit to the County within sixty (60) days of the approval of this special use ordinance a bond of \$3,000 to ensure the completion of an appraisal of the property located at 9092 Ashley Road. If the property owner at 9092 Ashley Road does not request and complete an appraisal of the property at 9092 Ashley Road within one (1) year of the approval of this special use ordinance, the bond shall be released to the petitioner. If the property located at 9092 Ashley Road is sold within fifteen (15) years of the approval of this special use ordinance at a price less than what is stated in the aforementioned appraisal, the petitioner, and its successors, heirs, and assigns of the property, will financially compensate the property owners of 9092 Ashley Road the difference between the sale price and the appraisal.”

The petitioner established a bond on February 28, 2017.

Pursuant to the above restriction, please inform the Kendall County Planning, Building and Zoning Department at 630-553-4139 or masselmeier@co.kendall.il.us if you requested or will request an appraisal of your property. If the Kendall County Planning, Building and Zoning Department does not receive a response from you by the close of business on February 28, 2018, the petitioners and the financial institution holding the bond shall be informed that the bond shall be released pursuant to the requirements of Ordinance 2016-11.

If you have any questions, please contact me at 630-553-4139 or masselmeier@co.kendall.il.us.

Sincerely,

Matthew H. Asselmeier, AICP
Senior Planner

CC: Dan Kramer

Matt Asselmeier

From: Matt Asselmeier
Sent: Monday, January 29, 2018 8:33 AM
To: Judy Gilmour; Lynn Cullick; Matt Kellogg; Robert Davidson; Scott Koeppel; Scott R. Gryder
Subject: FW: Come celebrate with us & learn more about Drinking Water 1-2-3

Members of the Planning, Building and Zoning Committee:

Below please find an invitation from the Metropolitan Planning Council regarding their new Drinking Water 1 2 3 website and book. There is a copy of the Drinking Water 1 2 3 book in the PBZ Department.

If you have any questions, please let me know.

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: Peter Wallers [mailto: [REDACTED]]
Sent: Sunday, January 28, 2018 11:12 AM
To: Peter Wallers
Cc: Peter Wallers
Subject: FW: Come celebrate with us & learn more about Drinking Water 1-2-3
Importance: High

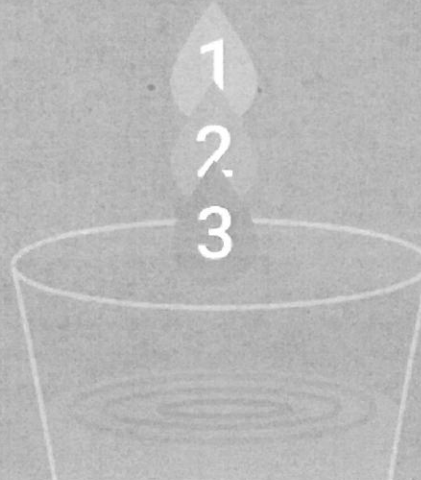
Ladies and Gentlemen
See the invite below from MPC for the roll out of Drinking Water 1 2 3.

Peter G. Wallers, P.E., CFM
NWPA Technical Advisory Committee Chair
(630) 466-6721
[REDACTED]
www.nwpa.us



Drinking Water 1-2-3

A guide for local officials and community leaders.



You're invited to a special celebration

Thursday, Feb. 1, 2018
6 p.m. to 8 p.m.

This is an invite-only event.

Advance registration required.

Registration code: water123

Empire Burgers + Brew
48 W. Chicago Ave.
Naperville, IL 60540

RSVP today!

As a local leader, we want to invite you to join us and our partners at the launch of a new, free tool we've developed to assist you.

Drinking Water 1-2-3 is the fourth in a series of guides developed by the Metropolitan Planning Council (MPC) and our partners to assist elected officials and municipal staff in making important decisions on community planning and policy.

Safe drinking water for your community is critical. Our latest guide assists you—our leaders—in understanding key aspects and challenges related to water management today, outlines what the best practices are, and provides guidance questions for discussing these topics with water managers and operators, public works officials, engineers, planners, finance directors, developers, residents, and business owners.

The evening will feature a preview of the guide, along with plenty of networking, craft brews and small bites for you to enjoy. Come connect with other local leaders and discover how this tool can assist you in ensuring safe and reliable drinking water for your community now and into the future.

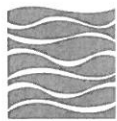
To learn more about our region's drinking water needs and explore the guide, visit metroplanning.org/drinkingwater123.

Important: This is an invitation-only event. You must RSVP to attend.
Use the following registration code: water123

RSVP today!

Valet is available at Empire Burgers + Brew for \$7. Free parking is available at Central Parking Garage, 75 E. Chicago, and at Hotel Indigo on Water Street.

This event is sponsored by



GREELEY AND HANSEN



The *Drinking Water 1-2-3* guide is made possible by many generous sponsors.

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DOWNTOWN OVERLAY DISTRICT PUBLIC MEETING #1

WHEN & WHERE:

Thursday, February 15th @ 5:30pm

Yorkville High School

797 Game Farm Road, Yorkville, IL 60560

Please join us to hear about the new Downtown Overlay District project and provide input on the future of your downtown in an interactive meeting with keypad polling! What we have in store:

- **Project Overview + Goals**
- **Keypad Polling**
 - Street Character
 - Building Character & Scale
- **Q & A Session**

Stay Up-To-Date!

downtownyorkville.com

[#DowntownYorkville](https://twitter.com/DowntownYorkville)

Presentation and discussion lead by

FARR ASSOCIATES



United City of
Yorkville ILLINOIS