

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 December 10, 2018

CALL TO ORDER

The meeting was called to order by Chairman Prochaska at 6:32 p.m.

ROLL CALL

Committee Members Present: Judy Gilmour, Matt Kellogg (Vice Chairman), Matthew Prochaska (Chairman) and John Purcell

Committee Members Absent: Elizabeth Flowers

Also Present: Matt Asselmeier (Senior Planner); Ruth Ann Sikes (Part Time Administrative Assistant); Brian Bormwell; Todd Vandermyde; and Mark Perle.

APPROVAL OF AGENDA

Motion made by Member Gilmour seconded by Member Kellogg to strike #6 under New Business and move Old Business to before Petitions. With a voice vote of four (4) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Motion by Member Gilmour, seconded by Member Kellogg, to approve the minutes of the November 13, 2018, meeting. With a voice vote of four (4) ayes, the motion carried unanimously.

EXPENDITURE REPORT

The Committee reviewed the expenditure report.

The Committee reviewed the fiscal year 2017 – 2018 end of year report.

The Committee reviewed the fiscal year 2017 – 2018 end of year escrow report.

Member Purcell asked if the land cash was that given in lieu of land to the forest preserve. Mr. Asselmeier responded yes.

Member Purcell requested a breakdown of the Land Cash Fund between schools and the Forest Preserve. Mr. Asselmeier will provide the information.

Member Purcell requested that the Abandon Vehicle Regulation and IGA with Yorkville to do inspections be placed on future agenda. Chairman Prochaska agreed to the request to add this as an item at the next meeting.

PUBLIC COMMENT

Todd Vandermyde stated he was reading with interest discussion about the proposed ordinance dealing with the fire arm ranges. Last month at a board meeting, one of the Board Members introduced David Lombardo as a NRA representative. David Lombardo has no affiliation with the NRA other than being a certified instructor. He questioned the Committee regarding the budget for outside litigation. The City of Chicago has paid \$2.5Million in attorney fees. He loves our Kendall County. He loves the fact that he can go out and goose hunt behind his house with the farmer's permission. But, if the County decided that they want to up hold the prohibition, he would start a concealed carry class and would take the County to court, if cited.

Mark Perle stated the proposal put forth by the residents was presented to the Committee last year. They are not trying to keep gun ranges from coming into Kendall County. He finds it offensive every time one of the gun people come up here and say "you don't want to get sued".

OLD BUSINESS

Discussion of Amended Petition 17.28 Pertaining to Test 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 Material 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)

Mr. Asselmeier provided background information on the proposal.

Member Purcell asked was there a proposal to ban outdoor shooting ranges. Mr. Asselmeier said no. Member Kellogg stated a moratorium was suggested, but not taken to the County Board.

Chairman Prochaska noted the proposal will only be for new ranges going forward and not existing ranges.

Mr. Asselmeier provided background on the evolution of the proposal.

Member Purcell asked if there was anything the County can do to restrict the operations of existing ranges. Mr. Asselmeier said that the County could not impose additional zoning restrictions as long as ranges were operating within the law.

Discussion occurred regarding the distance requirement and noise levels. It was noted that there was nothing the County could do to fully satisfy the concerns of Na-Au Say Township.

Chairman Prochaska requested that the proposal made by the citizens and suggestions by Committee members and gun ranges be put in the January packet.

Member Purcell made a motion, seconded by Member Kellogg, to postpone discussion on this item to the January meeting. With a voice vote of four (4) ayes, the motion carried unanimously.

PETITIONS

Amended Petition 18-04 -Request from the Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request. He presented updated maps to reflect the changes from the Village of Lisbon's map.

Members Gilmour and Purcell did not want to expand mining in Lisbon Township.

Member Kellogg and Chairman Prochaska wanted to expand mining. Chairman Prochaska had concerns regarding mining all the way up to Route 47.

Chairman Prochaska suggested the following regarding the next steps for the proposal: (1) hold off a month (2) send to RPC or (3) send to County Board

There is no rush to take action.

Member Purcell made a motion, seconded by Member Kellogg, to postpone the matter until the January meeting. With a voice vote of four (4) ayes, the motion carried unanimously.

NEW BUSINESS

Discussion of Approval of 2019 Committee Meeting Calendar; Committee May Add Additional Monthly Meetings to Calendar

Mr. Asselmeier presented the meeting dates as follows for 2019:

January 7, 2019, February 11, 2019, March 11, 2019, April 8, 2019, May 13, 2019, June 10, 2019, July 8, 2019, August 12, 2019, September 9, 2019, October 7, 2019, and November 12, 2019.

The Committee discussed additional morning meetings.

Motion by Chairman Prochaska, seconded by Member Gilmour, to forward the current meeting schedule to the County Board for approval and then come up with a second meeting schedule.

Yeas (4): Gilmour, Kellogg, Prochaska, and Purcell
Nays (0): None
Abstain (0): None
Absent (1): Flowers

The motion carried unanimously.

Member Purcell left the meeting at this time (8:01 p.m.)

Member Kellogg made a motion, seconded by Member Gilmour, to combine New Business items #2, #3, and #4 as one motion. The motion carried unanimously.

Approval to Initiate the Revocation of a Special Use Permit for a Truck Driving School at 14525 Route 71 Granted by Ordinances 1999-35 and 1996-15 as a Cost Not to Exceed \$1,200 (Note: Cost is Combined Cost Revoking Special Use Permits at 14525 Route 71, 14005 Joliet Road, and 43 West Street)

Mr. Asselmeier read his memo on the subject.

Approval to Initiate the Revocation of a Special Use Permit for a Dog Kennel at 14005 Joliet Road Granted by Ordinance 1988-01 at a Cost Not to exceed \$1,200 (Note: Cost is Combined Cost Revoked Special Use Permits at 14525 Route 71, 1005 Joliet Road and 43 West Street)

Mr. Asselmeier read his memo on the subject

Approval to Initiate the Revocation of a Special Use Permit for a Day Nursery School at 43 West Street, Bristol Granted by Ordinance 1972-15 at a Cost Not to Exceed \$1,200 (Note: Cost is Combined Cost Revoking Special Use Permits at 14525 Route 71, 14005 Joliet Road, and 43 West Street)

Mr. Asselmeier read his memo on the subject.

Motion by Member Kellogg, seconded by Member Gilmour to initiate the revocations of the special use permits as proposed.

Yeas (3): Gilmour, Kellogg, and Prochaska

Nays (0): None

Abstain (0): None

Absent (2): Flowers and Purcell

The motion carried.

Request for Guidance Regarding a Special Use Permit for Swimming Lessons Granted by Ordinance 1982-02 at 15331 Burr Oak Road (PINs: 01-33-400-010 and 1-33-400-009)

Mr. Asselmeier summarized the situation.

The Janick Trust would like the special use permit revoked and Michael Isadore would like the special retained on his portion of the property.

Motion by Member Kellogg, seconded by Member Gilmour, to revoke the special use permit on the Janick Trust's property and retain the special use permit on the Isadore property. With a voice of three (3) ayes, the motion passed unanimously.

Discussion of Section 11.05A of the Kendall County Zoning Ordinance Pertaining to the Parking and Storage of Unoccupied Recreational Vehicles, Trailers and Mobile Homes

Mr. Asselmeier summarized the situation. The consensus of the Committee was to have Staff prepare a proposal and bring the proposal to the committee. Discussion occurred regarding citation authority.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report.

Member Kellogg requested information regarding violation 18-101. Mr. Asselmeier will provide this information

REVIEW NON-VIOLATION REPORT

The Committee reviewed the non-violation report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission is planning a meeting with other historic preservation groups for February 13, 2019, at La Salle Manor. The Commission is also working on criteria and categories for historic preservation awards.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report.

CORRESPONDENCE

Village of Oswego Unified Development Ordinance Project

Mr. Asselmeier read the correspondence.

Village of Minooka Comprehensive Plan Update Project

Mr. Asselmeier read the correspondence.

Chairman Prochaska requested that the Committee be updated when the public comment period for both proposals.

PUBLIC COMMENT

Mark Perle stated that, beyond the NRA being a private organization, their rules are only available by paying the NRA.

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Motion by Member Gilmour, seconded by Member Kellogg, to adjourn. With a voice vote of three (3) ayes, the motion carried unanimously. Chairman Prochaska adjourned the meeting at 8:26 p.m.

Minutes prepared by Ruth Ann Sikes, Part Time Administrative Assistant (Zoning)

Encs.

**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
DECEMBER 10, 2018**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Brian Bernwell		
TODD NIMMERICK		
Mark Perle		

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December 10, 2018

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

RE: Burr Oak Road Special Use (Michael Isadore)

Dear Matt:

I know it is a bit tardy, but Michael Isadore finally got back to me and indicated he would like to extend and continue the Special Use on his property on Burr Oak Road.

I know the matter is on your Agenda this evening and I do plan on attending to make the request.

However, a very close personal friend passed away and we need to attend the Wake this evening. I didn't want to miss the meeting, but if in fact the line is really long I may not be able to attend and would like you to relay to the Committee my request to extend this Special Use. Should you have any questions, let me know?

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK:rg