

**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 April 10, 2017**

**CALL TO ORDER**

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

**ROLL CALL**

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

Committee Members Absent: Lynn Cullick and Scott Gryder

Also Present: Jeff Wilkins (County Administrator), Matt Asselmeier (Senior Planner), Kelly Helland (Representing JA Schleining LLC), Michael Roth, Steve Andrews, Dave Broviak, Joe Wick, John Golkosky, and Todd Milliron

**APPROVAL OF AGENDA**

Motion by Member Gilmour, seconded by Member Kellogg, to amend the agenda by moving the Kingmoor Lane Variance Request to before New Business. With a voice vote of three ayes, the motion carried. Motion by Member Gilmour, second by Member Kellogg, to approve the agenda as amended. With a voice vote of three ayes, the motion carried.

**APPROVAL OF MINUTES**

Motion by Member Gilmour, seconded by Member Kellogg, to approve the minutes from the March 13, 2017 meeting. With a voice vote of three ayes, the motion carried.

**EXPENDITURE REPORT**

Committee reviewed the claims report. Motion by Member Kellogg, second by Member Gilmour to recommend approval of claims to the County Board in the amount of \$8,875.33. By roll call vote, motion carried 3-0.

**PUBLIC COMMENT**

None

**OLD BUSINESS**

**Kingmoor Lane Variance Request**

Chairman Davidson called upon the representatives for the petitioner and the Illinois Department of Transportation to explain the proposal. Michael Roth, representing property owner Dan Goodwin, stated that Mr. Goodwin did not want the property divided by the relocated road. Steve Andrews, from the Illinois Department of Transportation, explained the process of selecting the route. Mr. Andrews stated that a twelve (12) month delay would occur if eminent domain was needed to secure an alternative road alignment. Dave Broviak, also from the Illinois Department of Transportation noted that Kingmoor Lane would have had right-in, right-out access if it had not been proposed for relocation. U-turn options will be available at Timber Ridge (approximately 0.25 miles to the northeast) and at Bristol Ridge Road (approximately

0.50 miles to the northeast). The Bristol Ridge Road intersection will have a stoplight. The median in the area will be twenty-two (22) feet wide except at the intersections. The left turn lanes will be twelve (12) feet wide. The Illinois Department of Transportation only places signage where U-turns are not allowed; no signage will be placed at either intersection.

Member Kellogg asked why the pond could not be shifted to the northeast. The response was that the Illinois Department of Transportation wanted to avoid impacting the septic fields and wells of the residents in Timber Ridge Subdivision.

Representatives from the Illinois Department of Transportation estimated that the land acquisition and stoplight would cost approximately \$100,000. Joe Wick, from the Illinois Department of Transportation, estimated that the cost of construction delays would be approximately \$1 Million over the life of the contract.

John Golkosky questioned why the relocated Kingmoor Lane did not connect to the Timber Ridge Subdivision. Mr. Golkosky was advised that the Township Road Commissioner was against the connection. Mr. Golkosky was further advised to start a petition among his neighbors to get Kingmoor Lane connected to the streets in Timber Ridge Subdivision.

Mr. Andrews stated that the Illinois Department of Transportation would be willing to plant bushes and trees to create a buffer between Mr. Golkosky's property and the relocated road even though no money is in the budget for the buffer. County Administrator Wilkins advised Mr. Andrews to have buffering plan at the Zoning Board of Appeals hearing.

The Zoning Board of Appeals hearing is May 1, 2017 at 7:00 p.m.

## **PETITIONS**

**16-22 JA Schleining LLC d/b/a Jets Towing and Services**

**Request:** Zoning Map Amendment

**Location:** 790 Eldamain Road (1/3 Mile South of Galena Road), Bristol Township

Motion for approval of the zoning map amendment was made by Member Kellogg, seconded by Member Gilmour.

Mr. Asselmeier summarized the petition and reviewed the Staff Report. Mr. Asselmeier noted that the petitioner originally requested variances to the fencing requirement, parking in the setback, and paving material, but these requests were withdrawn. The proposal before the Board was a request to rezone the subject property from A-1 to M-1.

Member Gilmour asked if the United City of Yorkville was the only entity to issue a negative recommendation on this proposal. Mr. Asselmeier said that all of the other review boards issued positive recommendations.

Member Kellogg asked about the recapture agreement for the improvements to Eldamain Road. Chairman Davidson responded that the recapture agreements did not include existing homes and the petitioners were not asking for any variances. If the petitioners had asked for variances, a recapture agreement could have been placed as a condition to the variances.

Ayes: Gilmour, Kellogg, and Davidson (3)

Nays: None (0)

Absent: Cullick and Gryder (2)

This proposal moves forward to the County Board with a positive recommendation from the PBZ Committee.

16-14 Robert Delaney

**Request:** Special Use Permit to Operate an Outdoor Shooting Range

**Location:** 16502 Church Road (PINs: 08-25-300-006 and 08-25-300-009), Libson Township

The petitioner requested a layover to the May 8, 2017 meeting.

Motion for a layover was made by Member Kellogg, seconded by Member Gilmour. With a voice vote of three ayes, the motion carried.

**NEW BUSINESS**

Proposed Variance to the Stormwater Control Ordinance for the City of Plano Relating to their Project in Foli Park

No one from the City of Plano was in attendance. Discussion occurred regarding the escrow deposit and charge for recording the variance. If an application is submitted, the Committee of the Whole would hold a public hearing, per the Stormwater Control Ordinance. The consensus of the Planning, Building and Zoning Committee was to wait with additional discussion until a formal application is submitted and not to amend the Stormwater Control Ordinance.

Hearing Code Officer/Hearing Code Unit

Staff presented a memo from PBZ Intern Michael Goers regarding a Hearing Code Officer proposal. Chairman Davidson asked if Kendall County was the only local government in that did not have code citation authority through Building and Zoning. Mr. Goers responded that all of the bigger local municipalities in Kendall County have some form of citation capabilities through their Building Departments or use hearing officers. The Planning, Building and Zoning Department processes approximately ten to twelve (10-12) complaints per month on a complaint driven basis.

The consensus of the Committee was for PBZ Staff to prepare a citation and hearing officer procedure, have the State's Attorney's Office review the proposal, and bring it back to the Committee.

Approval of Starting the Process of Establishing a Six Month Moratorium on the Issuance of Special Use Permits for Outdoor Target Practice and Shooting Ranges (Not Including Private Shooting in Your Own Yard)

Motion by Member Kellogg, seconded by Member Gilmour, to recommend approval of the resolution starting the process of establishing a six month moratorium on the issuance of special use permits for outdoor target practice and shooting ranges and referring the matter to both the Committee of the Whole and the County Board. With a voice vote of three ayes, the motion carried. Member Kellogg originally motioned to refer the matter to the County Board, but amended his motion to include both the Committee of the Whole and County Board.

Authorize Jensen in the Amount of \$3,800 to Remove Brush Piles and Related Work in the Tanglewood Trails Subdivision

Motion by Member Davidson, seconded by Member Kellogg, to table the approval of the bid by Jensen in the amount of \$3,800 to remove brush piles and related work in the Tanglewood Trails Subdivision. With a voice vote of three ayes, the motion carried.

Approval of Building Safety Month Proclamation

Motion by Member Kellogg, seconded by Member Gilmour, to recommend approval of the Building Safety Month Proclamation. With a voice vote of three ayes, the motion carried.

Approval of Purchase of New Truck for Planning, Building and Zoning Department

Motion by Member Kellogg, seconded by Member Gilmour, to recommend approval of the purchase of a 2017 Chevrolet Regular Cab Half Ton 4X4 Truck from the State of Illinois Contract 4018025 in the amount of \$22,669 delivered and an additional \$200 for door decals and to refer the matter to the Finance Committee. With a voice vote of three ayes, the motion carried. It will take approximately ninety (90) days for delivery and the old vehicle will probably be given to the Facilities Department

**OLD BUSINESS**

Approval of Amended Intergovernmental Agreement Between the Village of Millbrook and Kendall County and the Village of Plattville and Kendall County

Staff presented the revised proposed Intergovernmental Agreements between Kendall County and the Village of Millbrook and the Village of Plattville regarding zoning, subdivision, building, and stormwater enforcement services. The State's Attorney's Office reviewed the proposals and offered the changes shown in red.

Motion by Member Gilmour, seconded by Member Kellogg remove the last sentence from #4, "The Village of Millbrook will not be required to directly reimburse the County of Kendall for employees salaries or benefits." With a voice vote of three ayes, the motion carried. Member Kellogg made a motion, second by Member Gilmour, to recommend approval of the revised proposed Intergovernmental Agreement between the Village of Millbrook and Kendall County as amended. With a voice vote of three ayes, the motion carried.

Between 7:57 p.m. and 8:00 p.m. a recess occurred.

Motion by Member Kellogg, seconded by Member Gilmour to recommend approval of the revised proposed Intergovernmental Agreement between the Village of Plattville and Kendall County. With a voice vote of three ayes, the motion carried.

Billboard Update

Staff provided an update on billboards, as requested at the March PBZ Committee meeting. Discussion occurred regarding the seven (7) year amortization regulation in the Zoning Ordinance. Staff was directed to contact the State's Attorney's Office to see if the billboards could be removed using this provision of the Zoning Ordinance.

### 2016 Single-Family Residential Building Permit Activity

Staff provided a table on 2016 single-family building permit activity, as requested at the March PBZ Committee meeting. There were 416 single-family homes, valued at \$85,452,421, constructed throughout Kendall County in 2016.

### UPDATE FOR HISTORIC PRESERVATION COMMISSION

Motion by Member Gilmour, seconded by Member Kellogg, to recommend approval of the Proclamation Declaring May Historic Preservation Month. With a voice vote of three ayes, the motion carried.

The Historic Preservation Commission will have a table PrairieFest on Saturday only this summer.

### REVIEW PERMIT REPORT

The Committee reviewed the permit report.

### REVIEW REVENUE REPORT

Committee reviewed the revenue report. It was noted that year-to-date revenues were down from the same period in 2016.

### CORRESPONDENCE

None

### PUBLIC COMMENT

Todd Milliron, from Yorkville expressed his opposition to the proposed Delaney gun range, his desire to have code enforcement in the Building and Zoning Department on a complaint driven basis, and his request to have committees follow their agendas.

### EXECUTIVE SESSION

None

### ADJOURNMENT

Member Kellogg motioned to adjourn, seconded by Member Gilmour. With a voice vote of three ayes, Chairman Davidson adjourned the meeting at 8:16 p.m.

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