

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

Monday, May 9, 2016 – 6:30 p.m.

CALL TO ORDER

ROLL CALL: Lynn Cullick, Bob Davidson, Scott Gryder (Chair), Judy Gilmour (Vice-Chair) and Jeff Wehrli

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of minutes from the March 14, 2016 meeting

EXPENDITURE REPORT- Recommend Approval of claims to the Finance Committee in an amount not to exceed \$25,000.

PUBLIC COMMENT

PETITIONS

- | | |
|----------|---|
| 1. | 16-05 Brad and Treva Mathre d/b/a Mathre 1916, LLC |
| Request | A-1 Special Use |
| Location | 13889 Hughes Road, Fox Township |
| Purpose | Special Use to operate a banquet facility |
| Action | Recommend Approval |

NEW BUSINESS

1. Discussion request to amend Section 7 of the Kendall County Zoning Ordinance to permit trucking and towing services companies as special uses in the A-1 Agricultural District
2. Authorize excavation and installation of rip rap in the Tanglewood Subdivision by Jensen Excavation in the amount of \$5,800 from the Tanglewood Escrow Account
3. Re-authorization of PBZ Department Credit Card with a credit limit not to exceed \$1,500

OLD BUSINESS

1. Update on Fox Metro Water Reclamation District's application for floodplain compensatory storage variance

UPDATE FOR HISTORIC PRESERVATION COMMISSION

UPDATE FOR CMAP LAND USE COMMITTEE MEETING

REVIEW PROJECT AND PETITION STATUS REPORT

REVIEW PERMIT REPORT

REVIEW VIOLATION REPORT

REVIEW REVENUE REPORT

CORRESPONDENCE

Surface Transportation Board – Great Lakes Basin Transportation, Inc.

EXECUTIVE SESSION

ADJOURNMENT

**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 March 14, 2016*

CALL TO ORDER

The meeting was called to order by Scott Gryder at 6:32 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Chairman Scott Gryder, Jeff Wehrli, Judy Gilmour, and Bob Davidson

Committee Members Absent: None

Also present: Jeff Wilkins, County Administrator; Brian Holdiman, Code Official; John Sterrett, Senior Planner

APPROVAL OF AGENDA

Mr. Wehrli made a motion, seconded by Mr. Davidson., to approve the agenda as written. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Mr. Davidson made a motion, seconded by Mr. Wehrli, to approve the minutes from February 8, 2016. With a voice vote of all ayes, the motion carried.

EXPENDITURE REPORT

The Committee reviewed the claims listing including the past paid invoices for the work performed at the Tanglewood Trails subdivision. Mr. Wehrli made a motion, seconded by Ms. Cullick, to forward the claims to the Finance Committee in the amount of \$24,817.50. With a voice vote of all ayes, the motion carried.

PUBLIC COMMENT

None

NEW BUSINESS

FY15 PBZ Building Permit Report

Mr. Holdiman went through his goals for FY16 including obtaining one additional ICC certification, fulfilling all continuing education requirements for certification renewals, research and discuss contractor licensing and bonding program with PBZ Committee, implement changes to improve or maintain ISO score, research and discuss county nuisance ordinances and enforcement alternatives with PBZ Committee, and research criteria for becoming a certified floodplain manager. Mr. Holdiman reviewed the building permit report for FY15 as well as previous years dating back to 2007. Mr. Holdiman compared the permits and inspections from FY15 with other previous years.

PBZ Violation Report

Mr. Holdiman went through the open violations with the PBZ Department. Mr. Holdiman will update this report each month. Mr. Holdiman went through the process for a putting a property in violation.

Request from Village of Newark for County Plan Review and Inspection Services

Mr. Holdiman was contacted by the inspector for the Village of Newark about the County possibly doing review and inspection services for the Village on certain commercial projects. This request is different from how current intergovernmental agreements the County has with the Villages of Millbrook and Plattville. Mr. Wilkins explained that Millbrook and Plattville have adopted the County's building codes and all the permitting and fees go through the County. The request from the Village of Newark would not include adopting the County's building nor would it provide the permits or fees to be run through the County. The Committee did not feel comfortable entertaining this request if the Village does not update and adopt the County's codes.

Recommend approval of a one (1) year extension to the recording of the final plat of subdivision for petition 08-18 Camelot Farm Oswego, LLC

Mr. Sterrett stated that a request was received by the developer for a small subdivision that was originally approved in 2008. The County's Subdivision Control Ordinance requires that once a final plat of subdivision is approved by the County Board the plat must be recorded with the County within six months. This final plat has not been recorded but has sought and been granted extensions each year since it was approved, which is acceptable with the ordinance.

Ms. Cullick made a motion, seconded by Mr. Davidson, to forward the request onto the County Board. With a voice vote of all ayes, the motion carried.

OLD BUSINESS

Recommend approval of a resolution approving an Intergovernmental Agreement for reciprocal building inspection services between Kendall County, Illinois, and the United City of Yorkville, Illinois for a term not to exceed (1) one year

Mr. Sterrett explained that the current 3-year intergovernmental agreement between the County and the City for reciprocal building inspection services expires in May of 2016. This agreement will provide for a one year term to continue the current arrangement.

Mr. Wehrli made a motion, seconded by Ms. Gilmour, to forward the resolution onto the County Board. With a voice vote of all ayes, the motion carried.

Dumpsters in Residentially Zoned Districts

Mr. Sterrett reviewed the changes that were resulted from the discussion during the last Committee meeting on dumpster restrictions in residentially zoned districts. This includes prevent permanent dumpsters from being located in any residential zoning district. The Committee recommended making a modification to require a dumpster only need to be accessible off of a hard surface and not necessarily located on a hard surface. The Committee recommended this proposed text amendment to be taken through the amendment process with the next proposed text amendment.

Update on Fox Metro Water Reclamation District

Mr. Wilkins reviewed a letter from Fox Metro Water Reclamation District (FMWRD) to the County listing the estimated cost of construction for stormwater detention. As part of the approved stormwater variance to FMWRD that allowed a waiver of stormwater detention requirements, FMWRD will provide a fee-in-lieu of the detention. This fee is the amount of estimated cost of construction. These costs are currently being reviewed by the County's stormwater engineer. FMWRD is requesting that this fee be paid over a period of three years and provided a proposed payment schedule. Mr. Wilkins explained the payments received would be put into an escrow account for stormwater mitigation purposes. Mr. Wilkins explained that an additional engineering review fee must be deposited to cover the costs associated with the engineering review from the County's stormwater engineer. FMWRD had initially questioned if they could use some of the fee-in-lieu payment to apply toward the engineering review. The Committee was not in favor of allowing this.

Mr. Wilkins also provided an update on the progress of alternative solutions for the floodplain compensatory storage component at FMWRD's property on Orchard Road. FMWRD reviewed seven different options with neighboring property owners on how to provide compensatory storage. One of the options selected by the neighboring property owners would provide 5.22 acre-feet of compensatory storage. This scenario would still need to go through the variance process. The Committee was comfortable with FMWRD making this request for 5.22 acre-feet of compensatory storage.

UPDATE ON HISTORIC PRESERVATION

Mr. Sterrett stated that the Historic Preservation Commission will be meeting on March 16th and there is a candidate to fill one of the vacancies.

UPDATE ON CMAP LAND USE COMMITTEE MEETING

Mr. Wilkins explained that CMAP came to a recent Mayors Managers meeting on March 2nd to review CMAP's On TO 2050 Plan.

PROJECT STATUS REPORT - The Committee reviewed the project status report.

PERMIT REPORT-The Committee reviewed the permit report.

REVENUE REPORT-The committee reviewed the revenue report.

CORRESPONDENCE - None

EXECUTIVE SESSION - None

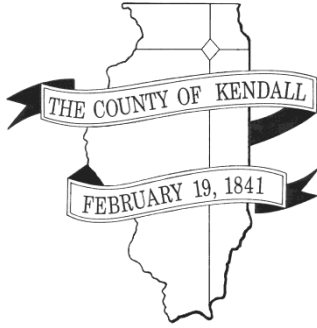
PUBLIC COMMENT

None

ADJOURNMENT

Ms. Gilmour made a motion, seconded by Ms. Cullick, to adjourn the meeting. With a voice vote of all ayes, the motion carried. Chairman Gryder adjourned the meeting at 7:35 p.m.

Respectfully Submitted,
John H. Sterrett
Senior Planner



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 16-05

**Treva and Brad Mathre d/b/a Mathre 1916 LLC
A-1 Special Use with a Variance for a Banquet Facility**

SITE INFORMATION

PETITIONER Treva and Brad Mathre d/b/a Mathre 1916 LLC

ADDRESS 13889 Hughes Road

LOCATION North side of Hughes Rd; ½ mi east of Hollenback Rd; 1 mi west of Helmar Rd



TOWNSHIP Fox

PARCEL # Pt. 04-35-100-002

LOT SIZE 5.0 acres; Overall property is 80 acres

EXITING LAND USE Agricultural/Single Family Residential

ZONING A-1 Agricultural District

LRMP	Land Use	Agricultural
	Roads	Hughes Road is a township road classified as a non-Collector Road
	Trails	None
	Floodplain/ Wetlands	None

REQUESTED ACTION

A-1 Special Use to operate a banquet facility with a variance to operate a banquet facility without direct access to a major collector roadway or an arterial roadway

APPLICABLE REGULATIONS

Section 7.01 D.10 – A-1 Special Uses – Permits Banquet Facilities to be located in the A-1 District with approval of a Special Use provided that the banquet meets certain conditions including direct access to a road designated either as an arterial roadway or major collector road as identified in the Land Resource Management Plan.

Section 13.08 – Special Use Procedures

Section 13.04 – Variations

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Agricultural	A-1
South	Agricultural	A-1	Agricultural	A-1
East	Agricultural	A-1	Agricultural	A-1
West	Agricultural/Farmstead	A-1	Agricultural	A-1



PHYSICAL DATA

ENDANGERED SPECIES REPORT

None Received. Staff recommends that this information be received prior to action by the County Board.

NATURAL RESOURCES INVENTORY

No NRI report needed.

ACTION SUMMARY

FOX TOWNSHIP

No comments have been received from Fox Township.

UNITED CITY OF YORKVILLE

No comments have been received from the United City of Yorkville. It is staff's understanding that the City's Plan Commission will review the petition at their May meeting.

ZPAC (4.5.16)

Brian Holdiman stated a change of occupancy permit to ensure basic life safety requirements for the barn structure is required. Per written comments from the Health Department, portable toilets are acceptable. Commander Peters stated that the condition regarding noise cannot be enforced by the Sheriff's Office since the property is zoned as Agricultural and therefore not subject to the County's Noise Ordinance. The Sheriff's Office can assist with the investigation of any noise complaint. Fran Klaas stated that there is little traffic on Hughes Road and that the proposed use will not have an impact on the roadway. The Committee recommended that employees outside of those living on the property should be permitted. The Committee voted unanimously to forward the petition onto the Plan Commission with a favorable recommendation.

KCRPC (4.27.16)

The Commission forwarded the petition onto the Hearing Officer and ZBA with a favorable recommendation and modifying condition #6 below by striking certain language regarding alcohol sales.

ZBA (5.2.16)

The ZBA unanimously approved the variance request and incorporated the following Findings of Fact in their approval:

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **The property is currently located on a roadway not designated as either an arterial roadway or a major collector roadway.***

*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. **The requirement for direct access onto an arterial roadway or a major collector roadway is unique only to A-1 Agricultural properties that are to be used as a banquet facility and not a standard requirement for other A-1 Agricultural district uses.***

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. **The designation as a non-arterial and non-collector roadway is from the Transportation Plan of the County's Land Resource Management Plan***

*That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. **The use of the property, and the traffic generated from such use, will not have a negative impact on the roadway. The County Engineer of the Highway Department has stated that Hughes Road is adequate to handle this type of use.***

*That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. **The propose use will generate a relatively low volume of traffic that will typically occur only one day each week and only during the months between May and November. Restrictions have been placed on the controlling special use ordinance to ensure the volume of traffic from the use remains low and that no additional points of access are being sought.***

Hearing Officer (5.2.16)

The Hearing Officer forwarded the petition on with a favorable recommendation and incorporated the following Findings of Fact in the recommendation:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **True. The petitioner has submitted a business narrative indicating that measures will be taken to ensure that the use of the kennel operation will not have a negative impact on public health, safety, morals, comfort, or general welfare.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The property is a sufficient distance from nearby residences thereby reducing the amount of adverse impacts from the use. No lighting additional lighting will be added in an effort to minimize negative impacts in the surrounding area.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **No new points access roads or points of ingress and egress are being provided as they are not necessary for the requested use. The Health Department is comfortable with the use of portable toilets based on the low intensity of the proposed use. The additional gravel for parking does not require additional drainage or stormwater infrastructure. The structure that is proposed to be used for banquets will require a change of occupancy permit for basic life safety requirements. All ADA parking requirements will be provided.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **The petitioners are seeking a variance with respect to the requirement for direct access onto an arterial roadway or a major collector roadway.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **This special use is consistent with the LRMP indicates this property to maintained as agricultural and the primary use of the property will remain as an agricultural operation and residence.***

GENERAL

The petitioners, Brad and Treva Mathre, d/b/a Mathre 1916, LLC, are requesting an A-1 Special Use to operate a banquet facility at the subject property and use an existing 3,728 square foot barn structure. This type of use is permitted as a special use on an A-1 property with certain conditions. Those conditions include:

- a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
- b. The subject parcel must be a minimum of 5 acres.
- c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
- d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
- e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
- f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- g. The noise regulations are as follows:

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

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five

(55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

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

BUSINESS OPERATION

The petitioners have provided details regarding the operation of the banquet facility. The facility will primarily be used for weddings beginning in May and ending in early November each year. There will be no employees other than the petitioners. The petitioners live on the property and the principal use of the property will remain as a residence. The hours of operation for the day before an event will be from 12:00pm to 11:30pm and from 8:00am to 11:30pm the day of the event. A list of recommended food vendors will be provided to clients. Alcohol will not be served or encouraged. Small amounts of wine or champagne for toasts will be permitted. No cash bar or kegs will be permitted. No alcohol shall be brought on the premises. No sale of any alcohol will occur.

BARN STRUCTURE

The petitioner will utilize an existing 3,728 square foot barn structure for the banquet events. A Change of Occupancy permit will be required for the structure. The purpose of this permit is to evaluate the structure for proper ingress/egress, occupant load, life safety and health. Compliance with 2012 IBC existing structure provisions must be met.



ENVIRONMENTAL HEALTH

With the current business proposal, portable toilets will be permitted for sewage. If the business expands and intensifies, the petitioner will need to put together a plan for a more permanent solution that will lead to a large scale septic system to comply with Health Department requirements. The Health Department encourages the petitioners to work with them early in this process. With respect to water, the well does not qualify as a non-community water source and therefore does not need to be brought into this program. It is strongly recommended by the Health Department that the supply is sampled for nitrates and coliform bacteria. There are no major concerns regarding food since the petitioner will be use outside caterers.



PARKING

The proposed use is considered a place of assembly and is required to provide parking stalls in an amount at least 25% of the maximum capacity of the banquet facility structure. Per the building code, the maximum capacity of the structure is 120 persons and will therefore require thirty (30) parking stalls, two (2) of which must be reserved for ADA access.

The petitioner has indicated on their site plan that thirteen (13) 9'x20' parking stalls will be placed on the east side of the building on an existing concrete surface, two (2) of which will be 16'x20' parking stalls reserved for ADA access. A reserved parking sign for ADA compliance must be present for the stalls reserved for ADA access. Fourteen (14) 9'x20' parking stalls will be placed further west of the building over existing gravel. Additional gravel will be added to this parking area. Four (4) additional stalls will be added in front of the barn with gravel. The petitioner has indicated that the large field to the west of the parking area can be used for overflow parking if needed.

LIGHTING/SIGNAGE

The petitioner has indicated that no new signage associated with the business operation will be installed on the property. Staff recommends that a condition be placed on the controlling special use ordinance reflecting this. No new lighting is proposed on the property. Exterior lighting on the barn structure and the rear of the house currently exists to illuminate the parking areas.

ACCESS

Section 7.01.D.10.a states that a banquet facility shall direct access onto either an arterial road or a major collector road. Since the property does not have direct access onto either an arterial road or a major collector road a variance to this requirement was sought and granted by the County's Zoning Board of Appeals on May 2, 2016. Hughes Road is classified as a local township road. Hughes Road has direct access to State Route 71, which is an arterial roadway. The property is two (2) miles from State Route 71. The property is located 1.5 miles from Walker Road, a major collector road. Hughes Road is accessible from Walker Road through Helmar Road. During the ZPAC meeting, Fran Klaas, the County Highway Engineer, stated that he does not have concerns regarding the amount of traffic that will be generated from the proposed use.



CONCLUSION

The proposed banquet facility use is permitted as special use in the A-1 District with the required conditions outlined above. The proposed use complies with all conditions with the exception of the access onto either an arterial road or a major collector road. The petitioners have sought and were approved a variance from the County's Zoning Board of Appeals to the condition requiring direct access onto either an arterial roadway or a major collector roadway.

RECOMMENDATION

Staff recommends approval of the special use request with the following conditions:

1. The property shall be developed in substantial compliance with the submitted site plan prior to any event occurring
2. A change of occupancy permit shall be secured prior to any event occurring
3. Events shall occur from May thru the second full week of November
4. The maximum number of patrons for each event shall be limited to 120, including any vendors working on the property for an event
5. No new signage associated with the banquet facility shall be permitted
6. All regulations of the Kendall County Liquor Control Ordinance shall be followed
7. Food shall be provided only by licensed caterers
8. A maximum of two employees, not including employees residing on the property
9. Hours of operation for an event shall be between 8:00am and 11:30pm
10. A reserved parking sign for ADA compliance shall be installed for each of the two (2) parking stalls reserved for ADA access.
11. The banquet facility shall conform to the regulations of the Kendall County Health Department
12. Retail sales are permitted provided that the retail sales will be ancillary to the main operation and such sales occur only during an event
13. No additional lighting shall be added unless a photometric and lighting plan has been approved by the PBZ Department
14. Noise regulations are as follows:

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

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

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

ATTACHMENTS

1. Detailed Description of proposed use - prepared by the petitioners
2. ZPAC Meeting Minutes
3. RPC Meeting Minutes
4. ZBA Meeting Minutes
5. Hearing Officer Meeting Minutes
6. Draft Ordinance
7. Proposed Site Plan

MATHRE1916 weddings/events Venue

Treva Mathre
13889 Hughes Road
Newark, IL 60541
815-600-4469

Detailed description of purposed use:

The business plan for Mathre 1916 is to provide an events/wedding venue to clients looking for a rustic setting. The season of operations will begin in May of each year through early November of each year.

Mathre 1916 will maintain a strict "Family Friendly Facility." This is primarily our home, and we expect persons renting the barn for any occasion to respect the property as such. Our intensions are to have a few events or wedding receptions throughout the open season. Basically, we are providing a barn structure including tables, chairs, and linens. Myself, Treva Mathre will be on site for each event providing "Day Of" floor plans, timelines, and to make sure everything goes as planned by and for the client. There are no other employees. Hours of operation would be the day before the event from 12:00 noon until 11:30 p.m., and on the day of the event 8:00 a.m. until 11:30 p.m. Other than that, a list of recommended vendors will be provided to each client.

Alcohol is not served or encouraged at Mathre 1916. Small amounts of wine or champagne for toasts will be permitted. Beyond these parameters, details must be provided by the client and agreed to by Mathre 1916. No cash bar or kegs will be permitted; no alcohol shall be brought on the premises or consumed except that which has been provided by the event organizer/licensed caterer. No minors may be served alcohol, and no alcohol may be consumed outdoors by any guest in any event at any time.

This year - 2016 is one of trial and error. If the scheduled events/receptions prove to be profitable, manageable, and not an overwhelming endeavor, the future business plan is to grow accordingly while keeping the homestead intact. This is a family farm that has been in our family for over 100 years. We have no intentions of changing that. This business is to supplement our income as farmers.

Mathre 1916 weddings/events Venue
Treva Mathre

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
April 5, 2016 – Meeting Minutes**

Senior Planner John Sterrett called the meeting to order at 9:01 a.m.

Present:

Scott Gryder – PBZ Committee Chair
Fran Klaas – Highway Department
David Guritz- Forest Preserve
Brian Holdiman- PBZ Department
Commander Mike Peters – Sheriff's Office
John Sterrett – PBZ Department

Absent:

Aaron Rybski – Health Department
Megan Andrews – Soil & Water Conservation District
Greg Chismark – WBK Engineering, LLC

Audience: Treva Mathre, Mathre 1916 LLC

AGENDA

Mr. Gryder made a motion, seconded by Mr. Gurtiz, to approve the agenda as written. With a voice vote of all ayes the motion carried.

MINUTES

Mr. Gryder made a motion, seconded by Mr. Klaas, to approve the January 5, 2016 meeting minutes as written. With a voice vote of all ayes the motion carried.

PETITIONS

#16-05 – Brad and Treva Mathre d/b/a Mathre 1916 LLC.

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a banquet facility on a 5 acre property at 13889 Hughes Road in Fox Township. The petitioners reside on the property. An existing 3,728 square foot barn structure will be used for banquets, primarily wedding receptions. A change of occupancy permit will be required for the barn structure. Thirty parking stalls will be provided to accommodate 25% of the maximum capacity of the structure. Mr. Sterrett explained that a banquet facility is required to have direct access onto an arterial roadway or a major collector roadway. Hughes Road is neither and therefore a variance is required to seek relief from this requirement. Staff is recommending approval of the special use request with the following conditions:

1. The property shall be developed in substantial compliance with the submitted site plan prior to any event occurring
2. Parking stalls reserved for ADA access shall be paved with a hard surface
3. A change of occupancy permit shall be secured prior to any event occurring
4. Events shall occur from May thru the second full week of November
5. The maximum number of patrons for each event shall be limited to 120, including any vendors working on the property for an event
6. No new signage associated with the banquet facility shall be permitted
7. No alcohol sales and no cash bar shall be permitted and all regulations of the Kendall County Liquor Control Ordinance shall be followed
8. Food shall be provided only by licensed caterers
9. Employees shall be limited to individuals residing on the property
10. Hours of operation for an event shall be between 8:00am and 11:30pm
11. A reserved parking sign for ADA compliance shall be installed for each of the two (2) parking stalls reserved for ADA access.
12. The banquet facility shall conform to the regulations of the Kendall County Health Department
13. Retail sales are permitted provided that the retail sales will be ancillary to the main operation and such sales occur only during an event

14. No additional lighting shall be added unless a photometric and lighting plan has been approved by the PBZ Department
15. Noise regulations are as follows:

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

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

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

Mr. Holdiman explained that a change of occupancy permit will be required. Commander Peters stated that the County's Noise Ordinance would not apply to this property because it is zoned A-1. Commander Peters explained that the Sheriff's Office could assist with the investigation into noise violations but enforcement action cannot be taken from the Sheriff's Office. Mr. Guritz pointed out possible noise issues that occur with banquet facilities. The Committee discussed the difference between conditions on a special use regulating noise versus the County's established Noise Ordinance.

Ms. Mathre stated that there will be no retail sale of alcoholic beverages and that wedding parties will be required to obtain a licensed caterer. Ms. Mathre also expressed a desire to have two employees to help with events. Mr. Holdiman shared comments from the Health Department including that portable toilets will be acceptable in the first year of operation based on the low intensity of the proposed use. If the use intensifies then the need for a remodel permit to add bathrooms of the building will need to be reviewed. Mr. Klaas stated that Hughes Road has very little traffic and that the traffic generated from the proposed use will not have an impact on the roadway.

Mr. Klaas made a motion, seconded by Mr. Gurtiz, to forward the petition onto the April 27th Regional Plan Commission. With a voice vote of all ayes, the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Sterrett reviewed the petitions that were approved by the County Board including:
15-17 – Kevin Calder – A-1 Special Use – Landscape Operation – 9923 Walker Road, Kendall Township
16-01 – Peter and Mary Bielby – A-1 Special Use – Kennel Operation – 8573 Fox River Drive, Fox Township
16-02 – Fox Metro Water Reclamation District – Stormwater Management Ordinance Variance – Fee-in-Lieu of Stormwater Detention – 682 Route 31, Oswego Township

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

Mr. Gryder made a motion, seconded by Mr. Guritz, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:22am, adjourned.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois*

Unofficial Meeting Minutes of April 27, 2016

Chairman Bill Ashton called the meeting to order at 7:00 pm.

ROLL CALL

Members Present: Bill Ashton, John Shaw, Vern Poppen, Claire Wilson, Budd Wormley, Larry Nelson, Tom Casey, Roger Bledsoe, Angela Zubko

Staff present: John Sterrett, Senior Planner

Members Absent: Claire Wilson

In the Audience: Brad Mathre

APPROVAL OF AGENDA

Mr. Nelson made a motion, seconded by Ms. Zubko, to approve the agenda as written. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Ms. Zubko made a motion, seconded by Mr. Wormley, to approve the January 27, 2016 regular meeting minutes with a minor correction regarding a date and the February 6, 2016 annual meeting minutes. With a voice vote of all ayes, the motion carried.

PETITIONS

16-05 Brad and Treva Mathre d/b/a Mathre 1916 LLC

Request: Special Use to allow a banquet facility in an A-1 Zoning District

Location: 13889 Hughes Road in Fox Township

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a dog kennel. Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a banquet facility on a 5 acre property at 13889 Hughes Road in Fox Township. The petitioners reside on the property. An existing 3,728 square foot barn structure will be used for banquets, primarily wedding receptions. A change of occupancy permit will be required for the barn structure. Thirty parking stalls will be provided to accommodate 25% of the maximum capacity of the structure. Mr. Sterrett explained that a banquet facility is required to have direct access onto an arterial roadway or a major collector roadway. Hughes Road is neither and therefore a variance is required from the County's Zoning Board of Appeals to seek relief from this requirement. Staff is recommending approval of the special use request with the following conditions:

1. The property shall be developed in substantial compliance with the submitted site plan prior to any event occurring
2. Parking stalls reserved for ADA access shall be paved with a hard surface

3. A change of occupancy permit shall be secured prior to any event occurring
4. Events shall occur from May thru the second full week of November
5. The maximum number of patrons for each event shall be limited to 120, including any vendors working on the property for an event
6. No new signage associated with the banquet facility shall be permitted
7. No alcohol sales and no cash bar shall be permitted and all regulations of the Kendall County Liquor Control Ordinance shall be followed
8. Food shall be provided only by licensed caterers
9. Employees shall be limited to individuals residing on the property
10. Hours of operation for an event shall be between 8:00am and 11:30pm
11. A reserved parking sign for ADA compliance shall be installed for each of the two (2) parking stalls reserved for ADA access.
12. The banquet facility shall conform to the regulations of the Kendall County Health Department
13. Retail sales are permitted provided that the retail sales will be ancillary to the main operation and such sales occur only during an event
14. No additional lighting shall be added unless a photometric and lighting plan has been approved by the PBZ Department
15. Noise regulations are as follows:

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

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

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

Brad Mathre stated that he is working with IDNR on receiving the EcoCAT results. Mr. Sterrett stated that the City of Yorkville will discuss the petition at their May Plan Commission meeting.

Ms. Zubko made a motion, seconded by Mr. Shaw, to forward the petition onto the Special Use Hearing Officer with a favorable recommendation and incorporate staff's recommended conditions and amend condition #7 to read as "All regulations of the Kendall County Liquor Control Ordinance shall be complied with" Chairman Ashton asked for a roll call. Ms. Zubko – Aye; Mr. Shaw – Aye; Mr. Ashton – Aye; Mr. Bledsoe – Aye; Mr. Casey – Aye; Mr. Nelson – Aye; Mr. Poppen – Aye; Mr. Wormley – Aye. With a vote of 8-0, the motion carried. Mr. Sterrett stated that the petition will be heard by the Special Use Hearing Officer and the Zoning Board of Appeals on Monday, May 2, 2016 at 7:00pm in the County Board Room.

The property frontage along Plainfield Road is approximately 1,400ft. This provides more than substantial supply of light and air to adjacent properties. Increased legibility allows the driver proper reaction time thus avoiding congestion or endangering public safety.

Chairman Mohr called for a vote. Mr. Sterrett called the roll: Mr. Whitfield – Yes, Mr. Cherry – Yes, Ms. McKay – Yes, Mr. Thompson – Yes, Mr. Mohr – Yes, Ms. Clementi – Yes, Mr. LeCuyer – Yes. The motion carried 7-0.

16-05 Brad and Treva Mathre d/b/a Mathre 1916 LLC

Request: Variance to the allow a banquet facility to be located on a non-arterial and non-collector road
Location: 13889 Hughes Road, Fox Township
Purpose To allow a banquet facility to be located on a non-arterial and non- collector road in conjunction with an A-1 Special Use Request.

Mr. Sterrett stated that this request is associated with a special use request for a proposed banquet facility at 13889 Hughes Road. Banquet facilities are permitted as special uses in the A-1 Agricultural District with a requirement that they be located on either an arterial roadway or a major collector roadway. Hughes Road is neither. As such, the petitioners are seeking a variance to this requirement as part of their special use request. Mr. Sterrett stated that the proposed use will generate a relatively low volume of traffic and that the County Engineer from the Highway Department has stated that he does not believe Hughes Road will be impacted by this traffic. Mr. Sterrett pointed out that the nearest direct connection from Hughes Road to an arterial roadway is Route 71 approximately 2 miles away and an indirect connection to Walker Road, a major collector roadway, approximately 1.5 miles away.

Ms. Clementi made a motion to approve the variance and incorporate the findings of fact. Mr. Thompson seconded. The findings of fact are as follows:

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **The property is currently located on a roadway not designated as either an arterial roadway or a major collector roadway.***

*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. **The requirement for direct access onto an arterial roadway or a major collector roadway is unique only to A-1 Agricultural properties that are to be used as a banquet facility and not a standard requirement for other A-1 Agricultural district uses.***

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. **The designation as a non-arterial and non-collector roadway is from the Transportation Plan of the County's Land Resource Management Plan***

*That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. **The use of the property, and the traffic generated from such use, will not have a negative***

impact on the roadway. The County Engineer of the Highway Department has stated that Hughes Road is adequate to handle this type of use.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The propose use will generate a relatively low volume of traffic that will typically occur only one day each week and only during the months between May and November. Restrictions have been placed on the controlling special use ordinance to ensure the volume of traffic from the use remains low and that no additional points of access are being sought.

Chairman Mohr called for a vote. Mr. Sterrett called the roll: Ms. Clementi – Yes, Mr. Thompson – Yes, Mr. Whitfield – Yes, Mr. Cherry – Yes, Ms. McKay – Yes, Mr. Mohr – Yes, , Mr. LeCuyer – Yes. The motion carried 7-0.

REVIEW PETITIONS THAT WENT TO COUNTY BOARD

Petition 15-15 – Mary and Peter Bielby – Variance from the required setback distance of a proposed dog kennel structure. Special Use request for a dog kennel approved by the County Board on February 16, 2016.

NEW BUSINESS/OLD BUSINESS

Mr. Sterrett stated that there will be a hearing on Tuesday, May 31st.

PUBLIC COMMENT - None

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Ms. Cherry made a motion to adjourn the Zoning Board of Appeals meeting, Ms. McKay seconded the motion. Chairman Randy Mohr adjourned the Zoning Board of Appeals meeting at 7:20 p.m.

Respectfully Submitted,

John H. Sterrett
Senior Planner

KENDALL COUNTY
SPECIAL USE HEARING OFFICER
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
May 2, 2016 – 7:00 p.m.
Unofficial until Approved

CALL TO ORDER- SPECIAL USE HEARING

At 7:21 p.m., Special Use Hearing Officer Walter Werderich called the Special Use Hearing to order.

ROLL CALL

Member present: Walter Werderich, Special Use Hearing Officer

Staff Present: John Sterrett, Senior Planner

In the audience: Brad Mathre, Mathre 1916 LLC

MINUTES

Mr. Werderich approved the February 1, 2016 Special Use Hearing Officer Meeting minutes as written.

Mr. Werderich introduced himself and explained how the meeting will be conducted and swore in all members of the audience that wished to speak about the special uses.

PETITIONS

16-05 Brad and Treva Mathre d/b/a Mathre 1916 LLC

Request: Special Use to allow a banquet facility in an A-1 Zoning District

Location: 13889 Hughes Road in Fox Township

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a dog kennel Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a banquet facility on a 5 acre property at 13889 Hughes Road in Fox Township. The petitioners reside on the property. An existing 3,728 square foot barn structure will be used for banquets, primarily wedding receptions. A change of occupancy permit will be required for the barn structure. Thirty parking stalls will be provided to accommodate 25% of the maximum capacity of the structure. Mr. Sterrett explained that a banquet facility is required to have direct access onto an arterial roadway or a major collector roadway. Hughes Road is neither and therefore a variance was required and subsequently approved by the County's Zoning Board of Appeals to seek relief from this requirement. Staff is recommending approval of the special use request with the following conditions:

1. The property shall be developed in substantial compliance with the submitted site plan prior to any event occurring
2. Parking stalls reserved for ADA access shall be paved with a hard surface
3. A change of occupancy permit shall be secured prior to any event occurring
4. Events shall occur from May thru the second full week of November
5. The maximum number of patrons for each event shall be limited to 120, including any vendors working on the property for an event
6. No new signage associated with the banquet facility shall be permitted
7. All regulations of the Kendall County Liquor Control Ordinance shall be followed
8. Food shall be provided only by licensed caterers
9. Employees shall be limited to individuals residing on the property
10. Hours of operation for an event shall be between 8:00am and 11:30pm
11. A reserved parking sign for ADA compliance shall be installed for each of the two (2) parking stalls reserved

for ADA access.

12. The banquet facility shall conform to the regulations of the Kendall County Health Department
13. Retail sales are permitted provided that the retail sales will be ancillary to the main operation and such sales occur only during an event
14. No additional lighting shall be added unless a photometric and lighting plan has been approved by the PBZ Department
15. Noise regulations are as follows:

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

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

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

Staff recommends that an approval require that the results from the IDNR EcoCAT be submitted prior to action by the County Board.

Mr. Werderich opened the public hearing for audience members' comments.

There were no comments.

Mr. Werderich closed the public hearing for comments.

Mr. Werderich reviewed the following Findings of Fact for the special use:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. True. The petitioner has submitted a business narrative indicating that measures will be taken to ensure that the use of the banquet facility will not have a negative impact on public health, safety, morals, comfort, or general welfare.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The property is a sufficient distance from nearby residences thereby reducing the amount of adverse impacts from the use. No lighting additional lighting will be added in an effort to minimize negative impacts in the surrounding area.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. No new points access roads or points of ingress and egress are being provided as they are not necessary for the requested use. The Health Department is comfortable with the use of portable toilets based on the low intensity of the proposed use. The additional gravel for parking does not require

additional drainage or stormwater infrastructure. The structure that is proposed to be used for banquets will require a change of occupancy permit for basic life safety requirements. All ADA parking requirements will be provided.

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **The petitioners are seeking a variance with respect to the requirement for direct access onto an arterial roadway or a major collector roadway.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **This special use is consistent with the LRMP indicates this property to maintained as agricultural and the primary use of the property will remain as an agricultural operation and residence.***

Mr. Werderich made a favorable recommendation with the above findings of fact and included the staff's recommendations.

The petition will be moved onto the Planning, Building, and Zoning Meeting Committee Monday, May 9, 2016 at 6:30pm.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

15-17 Kevin Calder– Passed by County Board on February 16, 2016

16-01 Peter and Mary Bielby – Passed by County Board on February 16, 2016

NEW BUSINESS/OLD BUSINESS

Mr. Sterrett stated that there will be a special use hearing on May 31st.

ADJOURNMENT- Mr. Werderich adjourned the Special Use Hearing Officer meeting at 7:36 p.m.

Respectfully Submitted,
John H. Sterrett
Senior Planner

ORDINANCE NUMBER 2016 - ____

**GRANTING SPECIAL USE WITH A VARIANCE FOR THE PROPERTY AT
13889 HUGHES ROAD IN FOX TOWNSHIP**

WHEREAS, Bradley and Treva Mathre, d/b/a Mathre 1916, LLC, have filed a petition for a Special Use with a variance within the A-1 Agricultural Zoning District for a 5.0 acre property located on the north side of Hughes Road, 0.5 mile east of Hollenback Road, commonly known as 13889 Hughes Road (PIN# 04-35-100-002), in Fox Township; and

WHEREAS, said property is legally described as:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS BEING DESCRIBED BY COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 43 MINUTES 50 SECONDS EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 221.0 FEET; THENCE NORTH PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 156.5 FEET; THENCE EAST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 79.75 FEET, THENCE NORTH PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 24 FEET; THENCE EAST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 156 FEET; THENCE SOUTH PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 180.50 FEET TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 43 MINUTES 50 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 163.11 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 10 SECONDS WEST PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 414.80 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 50 SECONDS WEST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 627.70 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE SOUTH 01 DEGREES 21 MINUTES 07 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 414.87 FEET TO THE POINT OF BEGINNING ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

WHEREAS, said property is currently zoned A-1 Agricultural; and

WHEREAS, said petition is to obtain an A-1 Special Use Permit to operate a banquet facility; and

WHEREAS, section 7.01 D.10 stipulates that a banquet facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan; and

WHEREAS, the proposed banquet facility is not located on a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan; and

WHEREAS, the petitioner has sought relief from this requirement by applying for a variance to the required roadway designation; and

WHEREAS, all variance procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Zoning Board of Appeals on May 2,

2016; and

WHEREAS, the findings of fact were approved as follows:

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **The property is currently located on a roadway not designated as either an arterial roadway or a major collector roadway.***

*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. **The requirement for direct access onto an arterial roadway or a major collector roadway is unique only to A-1 Agricultural properties that are to be used as a banquet facility and not a standard requirement for other A-1 Agricultural district uses.***

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. **The designation as a non-arterial and non-collector roadway is from the Transportation Plan of the County's Land Resource Management Plan***

*That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. **The use of the property, and the traffic generated from such use, will not have a negative impact on the roadway. The County Engineer of the Highway Department has stated that Hughes Road is adequate to handle this type of use.***

*That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. **The propose use will generate a relatively low volume of traffic that will typically occur only one day each week and only during the months between May and November. Restrictions have been placed on the controlling special use ordinance to ensure the volume of traffic from the use remains low and that no additional points of access are being sought.***

WHEREAS, the proposed banquet facility meets all other requirements set forth in section 7.01 D.10; and

WHEREAS, all special use procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on May 2, 2016; and

WHEREAS, the findings of fact were approved as follows:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **True. The petitioner has submitted a business narrative indicating that measures will be taken to ensure that the use of the kennel operation will not have a negative impact on public health, safety, morals, comfort, or general welfare.***

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of

*the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The property is a sufficient distance from nearby residences thereby reducing the amount of adverse impacts from the use. No lighting additional lighting will be added in an effort to minimize negative impacts in the surrounding area.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **No new points access roads or points of ingress and egress are being provided as they are not necessary for the requested use. The Health Department is comfortable with the use of portable toilets based on the low intensity of the proposed use. The additional gravel for parking does not require additional drainage or stormwater infrastructure. The structure that is proposed to be used for banquets will require a change of occupancy permit for basic life safety requirements. All ADA parking requirements will be provided.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **The petitioners are seeking a variance with respect to the requirement for direct access onto an arterial roadway or a major collector roadway.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **This special use is consistent with the LRMP indicates this property to maintained as agricultural and the primary use of the property will remain as an agricultural operation and residence.***

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use permit with a variance to operate a banquet facility and to allow said banquet facility to be located on a non-arterial and non-major collector roadway in accordance to the submitted Zoning Sketch included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. The property shall be developed in substantial compliance with the submitted site plan prior to any event occurring
2. A change of occupancy permit shall be secured prior to any event occurring
3. Events shall occur from May thru the second full week of November
4. The maximum number of patrons for each event shall be limited to 120, including any vendors working on the property for an event
5. No new signage associated with the banquet facility shall be permitted
6. All regulations of the Kendall County Liquor Control Ordinance shall be followed
7. Food shall be provided only by licensed caterers
8. A maximum of two employees, not including employees residing on the property
9. Hours of operation for an event shall be between 8:00am and 11:30pm
10. A reserved parking sign for ADA compliance shall be installed for each of the two (2) parking stalls reserved for ADA access.

11. The banquet facility shall conform to the regulations of the Kendall County Health Department
12. Retail sales are permitted provided that the retail sales will be ancillary to the main operation and such sales occur only during an event
13. No additional lighting shall be added unless a photometric and lighting plan has been approved by the PBZ Department
14. Noise regulations are as follows:

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

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

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

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 17th day of May, 2016.

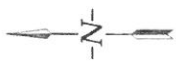
Attest:

John A. Shaw
Kendall County Board Chairman

Debbie Gillette
Kendall County Clerk

EXHIBIT "A"

ZONING SKETCH



Scale: 1" = 50'

LEGAL DESCRIPTION
 THAT PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS BEING DESCRIBED BY COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 43 MINUTES 50 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 221.0 FEET; THENCE NORTH PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 156.5 FEET; THENCE EAST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 24 FEET; THENCE EAST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 156 FEET; THENCE SOUTH PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 180.50 FEET TO SAID SOUTH LINE; THENCE SOUTH ALONG SAID SOUTH LINE, A DISTANCE OF 163.31 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 10 SECONDS WEST PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 414.80 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 50 SECONDS WEST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 627.70 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE SOUTH 01 DEGREES 21 MINUTES 50 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 14.14 FEET TO THE POINT OF BEGINNING ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF KENDALL) SS

THIS IS TO CERTIFY TO THE CLIENT, HOWARD AND TERMA MATTHE, THAT RONALD D. BAUER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN AGGREGATE COUNTY AND STATE, HAVE COMPLETED A BOUNDARY SURVEY OF THE PROPERTY DESCRIBED IN THE FOREGOING. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ILLINOIS SURVEYING ACT AND THE ILLINOIS SURVEYING BOARD REGULATIONS. THE SURVEYING INSTRUMENTS USED WERE OF THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY AND THAT THE ZONING SKETCH HEREON DOES NOT REPRESENT THE FACTS FOUND AT THE TIME OF THE SURVEY. I ALSO HEREBY CERTIFY THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ILLINOIS SURVEYING ACT AND THE ILLINOIS SURVEYING BOARD REGULATIONS. THIS SURVEY DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.



GIVEN UNDER MY HAND AND SEAL AT PLANO, ILLINOIS THIS 15th DAY OF MARCH, 2016 A.D.

ILLINOIS PROFESSIONAL LAND SURVEYOR REGISTRATION EXPIRES 12/31/2016

REGISTRATION NO. 2235

RONALD D. BAUER

PROFESSIONAL LAND SURVEYOR

STATE OF ILLINOIS

THIS SKETCH IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.

THIS SKETCH IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.

THIS SKETCH IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.

THIS SKETCH IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.

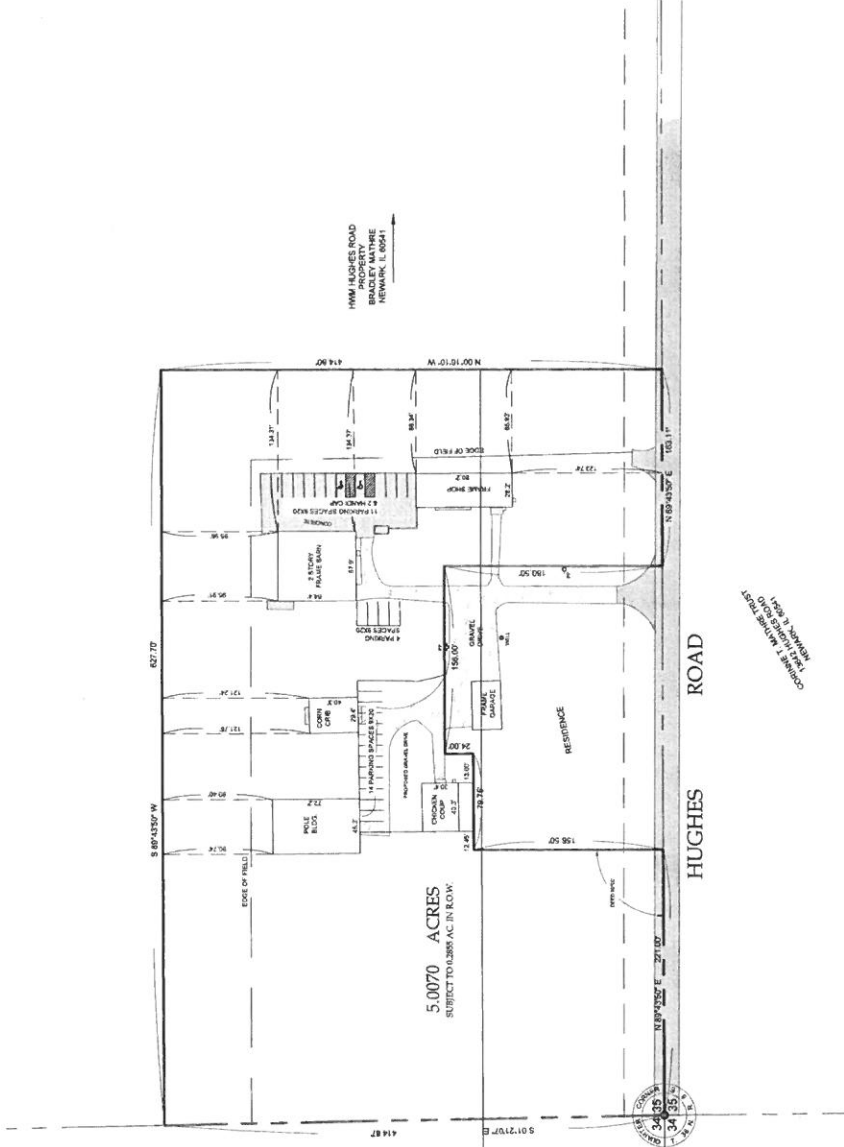
THIS SKETCH IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.

THIS SKETCH IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.

THIS SKETCH IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.

THIS SKETCH IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.

THIS SKETCH IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A RECORD TITLE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND ALL ADJACENT AND OR STRADDLE BOUNDARIES. THE SURVEYOR HAS CONDUCTED RESEARCH AND ALL NECESSARY DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES HAS BEEN MADE TO OBTAIN OR SHOWN DATA CONCERNING THE EXISTENCE OF PUBLIC UTILITIES OR OTHER ENCUMBRANCES. THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.



rbac
RB & ASSOCIATES CONSULTING, INC
 DESIGN FIRM # 184-004475
 4 W MAIN STREET
 PLANO, IL 60545
 (630) 952-7652
 www.rb-associates.net
 DWS # 2016-14835-095 C (1)

LAW OFFICES
OF

Daniel J. Kramer

DANIEL J. KRAMER

1107A SOUTH BRIDGE STREET
YORKVILLE, ILLINOIS 60560
(630) 553-9500
Fax: (630) 553-5764

KELLY A. HELLAND
D.J. KRAMER

April 5, 2106

John Sterrett
Kendall County Planning, Building & Zoning
111 W. Fox Rd.
Yorkville, IL 60560

Re: 790 Eldamain Rd., Plano, IL 60545
PIN #02-06-300-009 and #02-06-300-010

Dear Mr. Sterrett:

Please be advised that as a result of a notice of violation and request to apply for an A-1 Special Use Permit to operate a trucking and towing service company at the property commonly known as 790 Eldamain Rd., Plano, Kendall County, Illinois from the prior zoning officer my client became aware that the A-1 Zoning District does not contain a provision to allow a trucking company to operate as a special use. It has come to my client's attention that several active farm operations throughout Kendall County utilize and operate hauling businesses when not engaged in active farming. Some of these operations do have upwards to 10 semitrailers running at any one time. Furthermore, there are several trucking businesses located throughout Kendall County in areas that are primarily utilized for active row crop farming and adjacent to major collectors or State highways. My clients would hereby request that the Kendall County Planning, Building & Zoning Committee along with the Building & Zoning Staff enact a text amendment to allow for a small trucking business to operate as a special use in the A-1 Zoning District.

The site currently has 1 single family home and 2 metal buildings and 1 framed barn. My client is in the process of improving the steel building and may build an additional building on the southern portion of the site in the future. The steel building does have concrete floors and is my client's intent that the steel building will be utilized for indoor storage and a repair facility.

Jets Towing currently has 1 employee and up to 5 drivers at any time. In the future they hope they can employ or utilize as independent contractors 10-15 drivers. Generally a driver will pick up a trailer, complete a delivery, and drop the trailer back off. My client anticipates storing a maximum of 20 trailers on-site and 3 tow trucks along with 1 wrecker. Jets Towing does offer a mobile mechanic service in addition to the towing service. As part of the towing service my client generally takes the tow truck from the subject site, picks up the distressed vehicle, and parks it back at the particular shipper or client's property. My client does not anticipate storing towed vehicles on-site for more than a 24 hour period.

John Sterrett
Kendall County Planning, Building & Zoning
Yorkville, IL 60560
April 5, 2016
Page 2

My client is desirous of utilizing the existing gravel area for parking and storing of the truck trailers.

My client utilizes the existing home as an office.

In the event that the Kendall County Planning, Building & Zoning Committee, Building & Zoning Staff, and the Kendall County Board would enact a text amendment allowing for a trucking company to operate as a special use in the agricultural zoning classification the Petitioner would seek approval of an A-1 Special Use. In addition to the trucking company my client is desirous of potentially keeping their horses and other small livestock at the property. In order to do so they would need to keep their agricultural zoning classification.

My client would hereby request the ability to present the request for a text amendment at the April 2016 Planning, Building & Zoning Committee. I have enclosed a rough Site Plan for the discussion.

Should you have any questions or if you wish to further discuss this matter, please feel free to contact my office.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kelly A. Helland', with a long, sweeping horizontal stroke extending to the right.

Kelly A. Helland
Attorney at Law

KAH/lgc

John Sterrett

From: John Sterrett
Sent: Monday, May 02, 2016 8:18 AM
To: John Sterrett
Subject: RE: Tanglewood

From: Fran Klaas
Sent: Friday, April 29, 2016 11:46 AM
To: Jeff Wilkins <JWilkins@co.kendall.il.us>
Subject: Tanglewood

Kendall Township got a quote to do some more excavating and placing rip rap in the area where S & K had reshaped the berm on the west side of the main detention basin. This will shape some areas of an existing swale and erosion that has occurred over the years. The rip rap placement should help to prevent future erosion. When all that work is done, we'll probably have another quote to place seed, fertilizer and erosion control blanket on this entire area.

Because this quote is for such a small amount of money (\$5,800), Doug did not get multiple quotes. It's not required to bid anyway, so this should be fine. I would recommend that we move forward with this as soon as possible. Can you get it through County Board? Thanks.

*Francis C. Klaas, P.E.
Kendall County Engineer
6780 Route 47
Yorkville, IL 60560
630.553.7616*



8751 E. Highpoint Rd.
 Yorkville, Illinois 60650
 630-254-8319
 Fax: 630-553-2954
 mmjensen08@gmail.com

ATTN: Doug Westphal
 Email: doug.kendalltwp@sbcglobal.net
 Phone:

Date: April 28, 2016

<i>We hereby submit specifications and estimate for:</i>		Tanglewood Subdivision, Yorkville, IL	
Price includes the following:			
Shape and regrade existing waterway in two directions			
Installation of rip rap (approx. 180' long by 8' wide and 12" deep with fabric)		\$	5,800.00
Total from sheet 2 if used:		\$	-
Total from all sheets:		\$	5,800.00

We hereby propose to furnish labor complete in accordance with the above specifications, for the sum of: \$ 5,800.00

Payments as follows: Upon completion of each section of work or every 30 days

Exclusions: Permit acquisition, handling or hauling of contaminated soils, soils remediation, frost breaking, engineering/lay-out, shoring of excavations, demolition/excavation/export of unforeseen obstructions located below grade. Winter service charges. Dewatering beyond the capabilities of a 2" pump.

All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above this estimate. All agreements contingent upon strikes, accident or delays beyond our control. Prevailing Wage rates are excluded. If it is determined that government or municipal funds are an inclusive part of this project and/or agreements herein and project requires labor at prevailing wage rates then a change order extra will be immediately forthcoming. Jensen Excavating LLC is not responsible for utilities that are not marked by Julie and any costs for locating or repair of unmarked utilities is the responsibility of the owner. This proposal is subject to acceptance within 30 days and it is void thereafter at the option of the undersigned.

Authorized Signature 

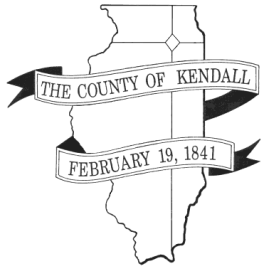
ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date _____ Signature _____
 Print _____

TANGLEWOOD TRAILS ESCROW

	Budget	Actual
Sources:	85,000	85,000
Uses:		
Lighting Repair - Thorne Electric	2,644	2,644
Brush Removal- S&K excavating	19,200	22,000
Tree Removal- Homer Tree Service	7,000	7,000
Rip-rap Installation - Jensen Excavating	5,800	
Uses Total:	34,644	31,644
Balance	50,356	53,356



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: John H. Sterrett, Senior Planner
Date: May 9, 2016
Re: Project & Petition Status Report

Petitions

Active

Petition 16-03

Dumpsters in Residential Zoning Districts

Proposed text amendment to Zoning Ordinance to place restrictions on dumpsters in residentially zoned properties.

Status: *Discussed at ZPAC Committee 5.3.16. Scheduled for May 25th Plan Commission and May 31st ZBA.*

Petition 16-04

Fox Metro Water Reclamation District

682 Route 31 – Oswego Township

Variance to Floodplain Compensatory Storage requirements to allow off-site storage at Orchard Road site at a volume less than 1:1 ratio.

Status: *Under Review*

Petition 16-05

Brad and Treva Mathre

13889 Hughes Road – Fox Township

A-1 Special Use request to operate a banquet facility with a variance to allow the banquet facility to be located on a non-arterial and non-collector roadway

Status: *PBZ Committee 5.9.16*

Petition 16-09

Joe Gomoll

10151 Lisbon Road – Fox Township

A-1 Special Use request to operate a roadside farm stand with a retail sales area greater than 600 square feet and selling producing produced on and off-site with ancillary items.

Status: *Discussed at ZPAC Committee 5.3.16. Scheduled for May 25th Plan Commission and May 31st Hearing Officer.*

Petition 16-10

Whitetail Ridge Golf Club LLC

9111 Ashley Road – Kendall Township

A-1 Special Use request to operate a banquet

Status: *Discussed at ZPAC Committee 5.3.16. Scheduled for May 25th Plan Commission and May 31st Hearing Officer.*

Petition 16-11
Sports Zone
100 U.S. Route 30 – Oswego Township
Minor Amendment to Special Use to increase the size of the approved dome structure by less than 10%.
Status: *Under Review*

Petition 16-12
Julie Gengler
15531 O'Brien Road – Seward Township
Variance to Front Yard Setback to allow a structure to be located 90' from the centerline of Bell Road.
Status: *ZBA 5.31.16*

Completed

Petition 16-06
Harvest New Beginnings Church
5315 Douglas Road – Oswego Township
Variance request to allow a free-standing ground mounted non-flashing illuminated sign to be sixty-three (63) square feet exceeding the total allow square footage of thirty-two (32) square feet.
Status: *Approved by ZBA 5.2.16 with the condition that the existing thirty (30) square foot free-standing ground mounted non-flashing illuminated be removed.*

Petition 16-07
Laura Hubbard
7626 Ashley Road – Kendall Township
A-1 Conditional Use for a seasonal festival on June 25, 2016
Status: *Approved Administratively 4.8.16*

Petition 16-08
Amy Krentz
16545 Galena Road – Little Rock Township
R-3 Conditional Use for beekeeping
Status: *Approved Administratively 4.14.16*

OTHER

Tanglewood Trails Public Improvements

Jeff Wilkins attended the April Tanglewood Trails HOA meeting to provide an update on the public improvements, the private drainage area and the requirement for private sidewalks to be installed.

Light Road Industrial Park

John Sterrett is working with the Oswego Township Road Commissioner and the current property owners to complete the remaining items in the subdivision including installing street lights.

Agreements/Resolutions/Ordinances

Completed

Intergovernmental Agreement between the United City of Yorkville and County of Kendall for Building Inspection Services

Status: *Approved by County Board 3.15.16*

FOIA Requests – 8 Freedom of Information request was received and responded to in the month of February. 19 FOIA requests have been received and responded to in 2016.

Stormwater Management

20 Active Permits

2 submitted for review in April

Mobile Home Permits

5 Active – All renewal payments and applications have been received.

**Permit Summary by Category
Kendall County**

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
Garage	2	\$60,000	\$200	\$0
Accessory Buildings	3	\$36,300	\$520	\$0
Additions	2	\$40,000	\$355	\$0
Remodeling	2	\$82,696	\$670	\$0
Barns/Farm Buildings	5	\$2,243,375	\$0	\$0
Swimming Pools	5	\$158,100	\$1,000	\$0
Decks	1	\$3,000	\$200	\$0
Demolitions	2	\$0	\$200	\$0
Driveway	1	\$1,000	\$200	\$0
Patio	2	\$6,000	\$100	\$0
Generator	1	\$5,000	\$110	\$0
	26	\$2,635,471	\$3,555	\$0

Permit Approval Date Report Kendall County

Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/5/2016	012016042 01 House	0508352006 BCB DEVELOPMENT IV LLC	7912 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	O'Malley Builders
4/12/2016	022016054 02 Garage	0317103005 WESTPHAL MERL N REV LIVING TRUST	2116 ROUTE 31 OSWEGO, IL 60543-		
4/27/2016	032016063 03 Accessory Buildings	0223154009 NARDONE KRISTINE & JOHN	15 OAKLAWN AVE YORKVILLE, IL 60560-		NARDONE KRISTINE & JOHN
4/28/2016	032016067 03 Accessory Buildings	0811226003 BD OF TR OF TWP OF LISBON	7095 Chicago Road , -		BD OF TR OF TWP OF LISBON
4/5/2016	032016047 03 Accessory Buildings	0811226003 BD OF TR OF TWP OF LISBON	, -		
4/15/2016	042016056 04 Additions	0224227002 HALLMAN LYNN	15 RIVERVIEW CT OSWEGO, IL 60543-		
4/14/2016	042016039 04 Additions	0213354001 JONES, JEFFREY R & CHEWAKIN, MARC A	163 RIVERWOOD DR OSWEGO, IL 60543-	RIVER WOOD FARMS	KENDALL CARPENTRY INC
4/21/2016	052016061 05 Remodeling	0332329002 KEAN THOMAS A & JANET A	8 MORGAN CREEK CT OSWEGO, IL 60543-		
4/7/2016	052016048 05 Remodeling	0226452005 OAK CREEK SUB HOMEOWNERS ASSOC	27 OAK CREEK DR YORKVILLE, IL 60560-		
4/14/2016	082016057 08 Barns/Farm Buildings	0530100011 BRUMMEL GERALD	, -		
4/13/2016	082016055 08 Barns/Farm Buildings	0811300007 MANNING JOHN D & NICHOLE	7990 CHICAGO RD MINOOKA, IL 60447-		

Permit Approval Date Report Kendall County

Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/7/2016	082016049 08 Barns/Farm Buildings	0804100002 FS GRAIN LLC % GENERAL MANAGER			
4/5/2016	082016046 08 Barns/Farm Buildings	0914200002 KOVACEVICH BROTHERS LLC	1301 ROUTE 52 MINOOKA, IL 60447-		
4/5/2016	122016045 12 Swimming Pools	0416376005 HOLMSTROM DARRELL	8715 WILCOX CT NEWARK, IL 60541-		
4/1/2016	122016043 12 Swimming Pools	0116426008 SCHANZ KRISTIN E	2541 LITTLE ROCK RD PLANO, IL 60545-		
4/28/2016	122016068 12 Swimming Pools	0502128008 NESS JEFFREY S & DEBRA L	6200 SAVANNA CT YORKVILLE, IL 60560-		Swim Shack Inc
4/27/2016	122016065 12 Swimming Pools	0508353009 PETRUSA LAWRENCE & CAMILA & COLLINS ALBERT J JR	7947 WILSON CT YORKVILLE, IL 60560-		
4/15/2016	122016058 12 Swimming Pools	0602400002 KESLAR MICHAEL W & MARIA VILLALOBOS	1375 JOHNSON RD OSWEGO, IL 60543-		
4/21/2016	132016062 13 Decks	0235431006 DELANEY JAMES & JENNIFER	5682 AUDREY AVE YORKVILLE, IL 60560-		
4/18/2016	142016060 14 Demolitions	0313400014 CAMPBELL VICKY	65 RANCE RD OSWEGO, IL 60543-		
4/18/2016	142016059 14 Demolitions	0416502001 ILLINOIS RAILWAY INC	, -		
4/8/2016	182016050 18 Driveway	0308276013 GARCIA JOEL	2 OLD POST RD MONTGOMERY, IL 60538-		

Permit Approval Date Report Kendall County

Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/15/2016	182016033 18 Driveway	0304327011 GONZALEZ JORGE E & ROSA	37 SURREY RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	
4/13/2016	202016053 20 Patio	0305229002 ROMERO RODRIGO & ALICIA RIOS	20 FERNWOOD RD MONTGOMERY, IL 60538-		
4/8/2016	202016051 20 Patio	0223202011 AGUILAR JOSE RICARDO	10 W LYNCLIFF DR OSWEGO, IL 60543-		
4/27/2016	232016066 23 Generator	0235280004 ADAMOVICH MICHAEL R & ALGRIM RACHEL	201 FOXTAIL LN YORKVILLE, IL 60560-		Lee Legler Construction & Electric

Permit Summary by Category by Month Kendall County

Permit Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
House	4	1	1	2	0	0	0	0	0	0	0	0	0
Garage	3	0	0	1	2	0	0	0	0	0	0	0	0
Accessory Buildings	5	0	0	2	3	0	0	0	0	0	0	0	0
Additions	9	3	1	3	2	0	0	0	0	0	0	0	0
Remodeling	4	0	1	1	2	0	0	0	0	0	0	0	0
Barns/Farm Buildings	11	1	2	3	5	0	0	0	0	0	0	0	0
Signs	1	0	0	1	0	0	0	0	0	0	0	0	0
Swimming Pools	6	0	0	1	5	0	0	0	0	0	0	0	0
Decks	4	0	0	2	1	1	0	0	0	0	0	0	0
Demolitions	3	0	0	1	2	0	0	0	0	0	0	0	0
Electrical Upgrades	1	1	0	0	0	0	0	0	0	0	0	0	0
Change in Occupancy	1	0	1	0	0	0	0	0	0	0	0	0	0
Driveway	5	1	0	3	1	0	0	0	0	0	0	0	0
Fire Restoration	1	0	1	0	0	0	0	0	0	0	0	0	0
Patio	2	0	0	0	2	0	0	0	0	0	0	0	0
Generator	2	0	1	0	1	0	0	0	0	0	0	0	0
	62	7	8	20	26	1	0	0	0	0	0	0	0

VIOLATION	ADDRESS	DESCRIPTION	STATUS
15-009	790 Eldamain Rd	Illegal Business	Submitted proposal to be discussed at 5/9/16 PBZ
15-022	18 Cannonball Trl	Prohibited Parking	Working with SAO
15-027	7842 Route 71	Stormwater Issue	Storm Water Permit Issued - Pending completion
15-048	6 Somerset Rd	Inoperable Vehicle(s)	No Response from owner - Need to contact SAO
15-049	7961 Chicago Rd	Fence in ROW	Extension till 5/30/16

VIOLATION	ADDRESS	DESCRIPTION	STATUS
16-005	8751 C Highpoint Rd	Illegal Business	Hold
16-006	11209 River Rd	Illegal Business	Senior Planner working with owner
16-007	45 Timbercreek Dr	No Permit / Prohibited Parking	working with SAO
16-009	103 Willow Springs Ln	Junk & Debris	Possible Foreclosure - Pending Contact with Bank
16-012	54 Sonora	Illegal Business	Working with SAO for Evidence
16-014	15 Old Post	Prohibited Parking	2nd Letter
16-017	5375 Rt 34	Illegal Business	2nd Letter

PLANNING BUILDING & ZONING RECEIPTS 2016							
DATE	BUILDING FEES	ZONING APPLICATION	OFFSITE LAND-CASH	DEPOSIT ROADWAY	DEPOSIT TOTAL	MONTHLY TOTALS 2015	TOTAL DEPOSIT FISCAL 2015
December	\$1,966.58	\$1,550.00	\$0.00	\$0.00	\$3,516.58	\$10,457.86	\$10,457.86
January	\$1,975.00	\$50.00	\$4,856.78	\$1,000.00	\$7,881.78	\$1,276.72	\$11,734.58
February	\$1,138.80	\$0.00	\$4,969.27	\$0.00	\$6,108.07	\$4,862.64	\$16,597.22
March	\$6,810.96	\$1,255.00	\$7,298.03	\$2,000.00	\$17,363.99	\$3,711.92	\$20,309.14
April	\$6,264.28	\$2,835.00	\$4,856.78	\$0.00	\$13,956.06	\$16,770.64	\$37,079.78
May						\$4,210.80	\$41,290.58
June						\$10,354.00	\$51,644.58
July						\$18,998.34	\$70,642.92
August						\$24,455.94	\$95,098.86
September						\$24,947.04	\$120,045.90
October						\$13,154.80	\$133,200.70
November						\$14,138.44	\$147,339.14
TOTAL	\$18,155.62	\$5,690.00	\$21,980.86	\$3,000.00	\$48,826.48		



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

March 18, 2016

John Sterrett
Kendall County Planning, Building, and Zoning Department
111 West Fox Street
Yorkville, IL 60560

RE: Docket No. FD 35952, Great Lakes Basin Transportation, Inc (GLBT)—Authority to Construct and Operate a Rail Line in Indiana, Illinois, and Wisconsin: Notice of Intent to Prepare an Environmental Impact Statement, Draft Scope of Study, Notice of Scoping Meetings, and Request for Comments on Draft Scope

Dear John Sterrett:

Great Lakes Basin Transportation, Inc. (GLBT) plans to file either a petition for exemption pursuant to 49 U.S.C. § 10502, or an application pursuant to 49 U.S. C. § 10901, seeking authority from the Surface Transportation Board (Board) to construct and operate an approximately 278-mile rail line. According to GLBT, the proposed rail line would extend generally from near La Porte, Indiana through Illinois to near Milton, Wisconsin and would connect with existing Class I railroads.

The construction and operation of the proposed GLBT rail line has the potential to result in significant environmental impacts; therefore, the Board's Office of Environmental Analysis (OEA) has determined that the preparation of an Environmental Impact Statement (EIS) is appropriate pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. § 4321 et seq.).

Today, OEA issued a Notice of Intent (NOI) to prepare an EIS for the project, Draft Scope of Study, Notice of Scoping Meetings, and Request for Comments on the Draft Scope, which can be viewed on a Board-sponsored project website at www.GreatLakesBasinRailEIS.com by clicking on "Notice of Intent" under "Related Links and Documents." This project website includes a map of the project area including GLBT's proposed alignment.

Following the scoping period, OEA will review the scoping comments and then finalize the Scope of Study including the list of alternatives for the proposed rail line to be carried forward for detailed study in the EIS. ICF International, OEA's third-party contractor, will be assisting OEA throughout its EIS process and may contact you directly regarding scoping, data required for the EIS, etc.

We invite you to participate in this EIS scoping process and would appreciate your written comments on the Draft Scope of Study and potential alternatives to GLBT's proposed alignment by the close of the scoping comment period on **May 16, 2016**.

Scoping comments may also be submitted electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link on the home page and then selecting "Environmental Comments." Log-in accounts are not needed to file environmental comments electronically, and comments may be typed into the text box provided or attached as a file. If you have difficulties with the e-filing process, please call 202-245-0350.

Please send your written comments to Dave Navecky, OEA's Project Manager for the EIS, at:

Mr. Dave Navecky
Surface Transportation Board
Docket No. FD 35952
395 E Street SW
Washington, DC 20423-0001

Please sign up to be added to the project's email distribution list to receive future communications in the most timely matter. To sign up, please go to the project website at www.GreatLakesBasinRailEIS.com, click on "Project Mailing List" and complete and submit the form.

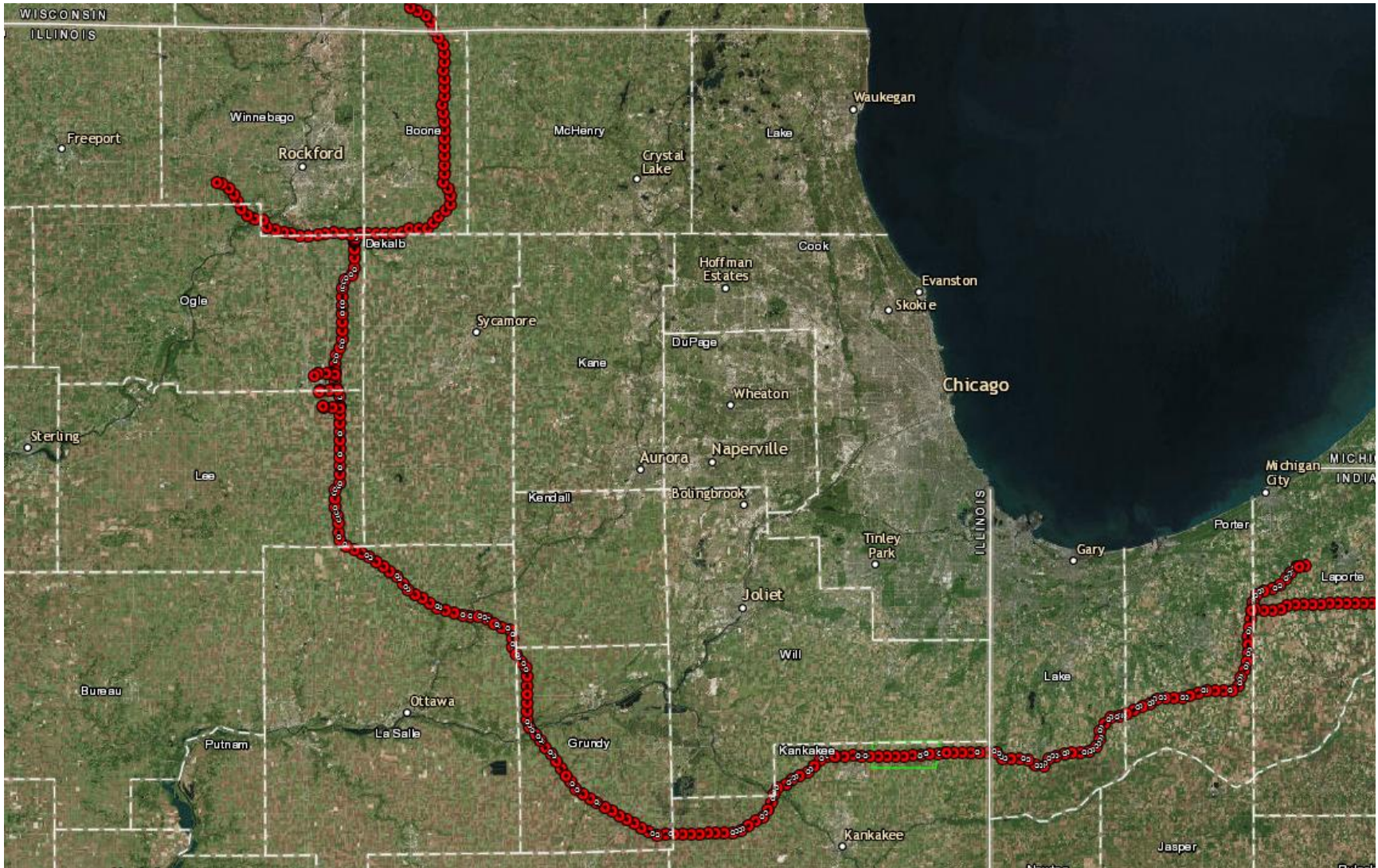
If you have any questions, please feel free to contact Dave Navecky by phone at 202-245-0294 or by email at David.Navecky@stb.dot.gov. We look forward to your participation in the Board's environmental review process.

Sincerely,



Victoria Rutson
Director
Office of Environmental Analysis

Great Lakes Basin Transportation Route



Great Lakes Basin Transportation, Inc.

Proposed Rail Line

