

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

AGENDA

April 5, 2016 - 9:00 a.m.

CALL TO ORDER

ROLL CALL: County Board: Scott Gryder, PBZ Committee Chair; **County Highway Department:** Fran Klaas, County Engineer; **Wills Burke Kelsey:** Greg Chismark, Stormwater Consultant; **County Health Department:** Aaron Rybski, Director Environmental Health; **Forest Preserve District:** David Guritz, Director; **SWCD:** Megan Andrews, Resource Conservationist; **Sheriff's Office:** Commander Mike Peters; **PBZ:** Brian Holdiman, Code Official; John Sterrett, Senior Planner

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of the January 5, 2016 ZPAC meeting minutes.

PETITIONS:

- 1. 16-05 Mathre 1916, LLC**
Request: A-1 Special Use
Location: 13889 Hughes Road, Fox Township
Purpose: Request for approval of an A-1 Special Use to operate a banquet facility and a variance to allow a banquet facility on a non-arterial and non-major collector roadway

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

- 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/ NEW BUSINESS

PUBLIC COMMENT

ADJOURNMENT- Next meeting on May 3, 2016

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

Senior Planner John Sterrett called the meeting to order at 9:00 a.m.

Present:

Scott Gryder – PBZ Committee Chair
Fran Klaas – Highway Department
Brian Holdiman- PBZ Department
Commander Mike Peters – Sheriff's Office
Aaron Rybski – Health Department
David Guritz- Forest Preserve
Megan Andrews – Soil & Water Conservation District
Greg Chismark – WBK Engineering, LLC
John Sterrett – PBZ Department
Jeff Wilkins – County Administrator

Audience: Peter and Mary Bielby; John Frerich, Walter E. Deuchler Associates, Inc.; Lee Melcher, Walter E. Deuchler Associates, Inc.; Tom Muth, Fox Metro Water Reclamation District

AGENDA

Mr. Klaas made a motion, seconded by Mr. Chismark, 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. Rybski, to approve the December 1, 2015 meeting minutes as written. With a voice vote of all ayes the motion carried.

PETITIONS

#16-01 – Peter and Mary Bielby d/b/a Mary's Pooch Pad, Inc.

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a dog kennel at the subject property and use an existing 2,900 square foot structure to keep the dogs contained during night time hours and nap time. The petitioner has provided details regarding the operation of the dog kennel. The kennel operation will include overnight boarding and dog daycare. The number dogs will be limited to no more than twelve (12) at a time. All dogs will be kept in the existing 2,900 square foot structure between the hours of 6:00pm and 7:00am. A play area will be provided for the dogs towards the northwestern portion of the property. No outdoor runs will be provided. All dogs will be required to have a current rabies and distemper, or titer equivalent. A negative fecal every six (6) months and a current bordetella are required as well. All dogs participating in playtime will be required to pass a temperament assessment. The petitioner is in the process of obtaining a Kennel Operator's license through the Illinois Department of Agriculture. The petitioner does not have immediate plans for employees other than those currently residing on the property.

The existing 2,900 square foot facility that is proposed to be used for the kennel facility is currently being used for storage and was originally built for horses. The petitioner intends to remodel this structure prior to using it for the dog kennel. The proposed use of the structure has been determined to be agriculturally exempt from building code requirements. As such, no inspections or permits, other than an Ag Exempt permit, will be required from the Building Department. The existing residential dwelling will remain as a dwelling unit and not be converted to another use.

The petitioner has indicated the need to install a sink for hand washing and possibly a floor drain. Compliance with applicable Health Department codes will be required for renovations and installations for human waste, such as a sink for hand washing. If a floor drain is installed in the structure for animal liquid and wash water, it is recommended the system include a holding tank for waste.

Mr. Gryder made a motion, seconded by Mr. Klaas, to forward the petition onto the Regional Plan Commission. With a voice vote of all ayes, the motion carried. Mr. Sterrett stated that the petition will move onto the January 27th Regional Plan Commission meeting followed by the February 1st Special Use Hearing officer.

OLD BUSINESS

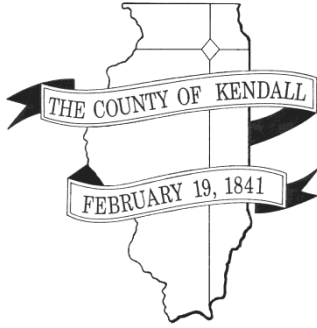
Fox Metro Water Reclamation District Site Plan Review – Continued from August ZPAC

Mr. Sterrett explained that the site plan review for Fox Metro Water Reclamation District's (FMWRD) south treatment plant expansion was continued from the August ZPAC meeting until stormwater management items had been addressed. FMWRD has been working with WBK Engineering on rectifying issues related stormwater detention and fill within the floodplain. FMWRD has submitted two requests for a variance to the County's Stormwater Management Ordinance. The first variance is for approval of a fee-in-lieu of stormwater detention and depressional storage. The second variance is to allow off-site floodplain compensatory storage. Mr. Chismark explained the two variance requests and that the applications are complete to take to the County's Stormwater Management Oversight Committee for a public hearing and then ultimately onto the County Board for action. Mr. Chismark explained that FMWRD is proposing to provide off-site floodplain compensatory storage at property owned by the FMWRD near Orchard Road off of the Fox River. The FMWRD property on Route 31 has several site constraints given the size and location near the Fox River. The variance requests are also being sought to reduce the amount of impact the development has on the existing wetlands and other natural features on the property. John Frerich of Walter Deuchler Associates, engineer for FMWRD, explained that there are eleven acres of wetlands that exist on the Route 31 Fox Metro property. Of that amount, eight acres will remain unharmed and three acres will be mitigated through the U.S. Army Corps of Engineers by purchase of wetland credits through the DeKalb County Forest Preserve as part of FMWRD permit with the Army Corps. Ms. stressed the importance of soil erosion and sediment control measures that should be in place prior to construction. Mr. Frerich explained that this is a three year project. Mr. Chismark stated he will still need to see some additional plans including the plans for the off-site compensatory storage but stated he is comfortable with the request to be heard by the Oversight Committee for a public hearing and finds the site plan acceptable.

Mr. Chismark made a motion, seconded by Scott Gryder, to approve the site plan contingent on the approval of the requested variances. With a voice vote of all ayes, the motion carried.

Adjournment

Mr. Gryder made a motion, seconded by Ms. Andrews, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:36am, adjourned.



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 – 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. 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. Required prior to RPC

NATURAL RESOURCES INVENTORY

No NRI report needed.

ACTION SUMMARY

FOX TOWNSHIP

No comments have been received from Fox Township.

UNITED CITY OF YORKVILLE

The City's Plan Commission will review the petition at their May meeting.

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 fourteen (14) 9'x20' parking stalls will be placed on the east side of the building on an existing concrete surface. 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. Two (2) 16'x20' parking stalls will be reserved for ADA access. These stalls shall be constructed with a hard surface. A reserved parking sign for ADA compliance shall be installed for each of the two (2) parking stalls reserved for ADA access. 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.

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. A variance to this requirement will be required from the County's Zoning Board of Appeals since the property does not have direct access onto either an arterial road or a major collector road. 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.



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 will be seeking 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

If approved, staff recommends the following conditions, as well as any recommended conditions from the ZPAC, be placed on the special use:

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. 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.

This petition is scheduled for the April 27th Regional Plan Commission and the May 2nd Hearing Officer/Zoning Board of Appeals

ATTACHMENTS

1. Detailed Description of proposed use - prepared by the petitioners
2. 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.

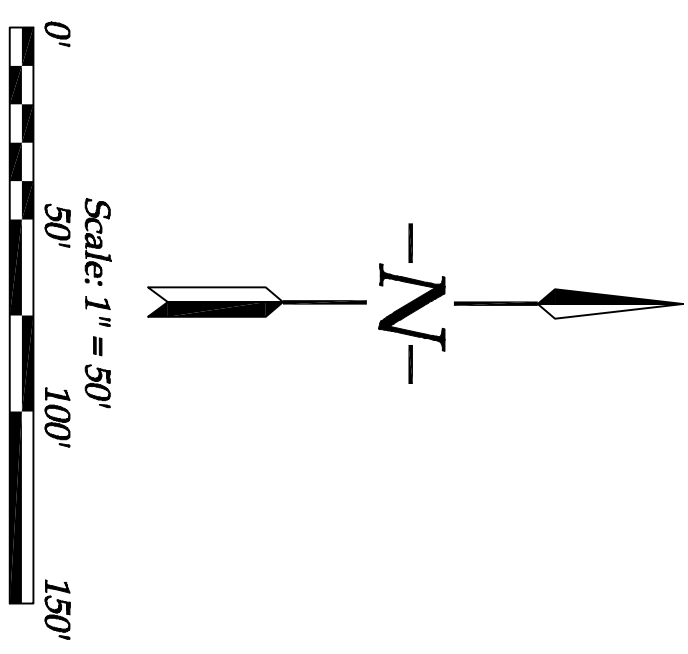
Mathre 1916 will maintain a strict "Family Friendly Facility." This is primarily our home, and we expect persons renting the barn for any occasion to respect the property as such. Our intensions are to have a few events or wedding receptions throughout the open season. Basically, we are providing a barn 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.

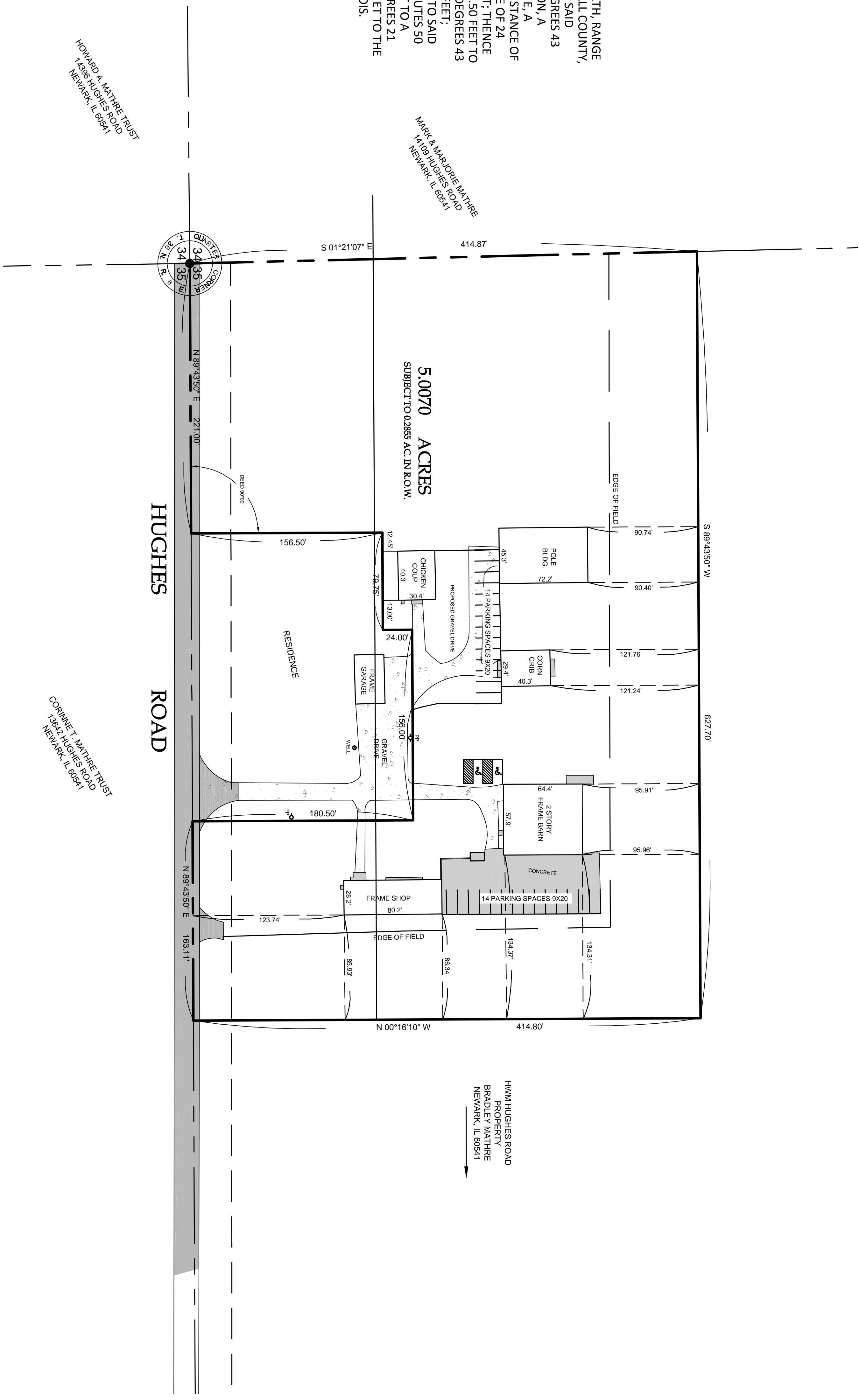
This year - 2016 is one of trial and error. If the scheduled events/receptions prove to be profitable, manageable, and not an overwhelming endeavor, the future business plan is to grow accordingly while keeping the homestead intact. This is a family farm that has been in our family for over 100 years.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

Mathre 1916 weddings/events Venue
Treva Mathre

ZONING SKETCH



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 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.



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) SS
 COUNTY OF KENDALL)

THIS IS TO CERTIFY TO THE CLIENT, HOWARD AND TREVA MATTHE, THAT I, RONALD D. BAUER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN A FORESAID COUNTY AND STATE, HAVE COMPLETED A BOUNDARY SURVEY ON THE GROUND OF THE PROPERTY HERON DESCRIBED. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY AND THAT THE ZONING SKETCH HEREON DRAWN REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. I ALSO CERTIFY THAT THERE WERE NO ADJACENT PROPERTY IRONS SET WITH THIS SURVEY DUE TO SAME OWNER OWNER THE PROPERTY ADJOINING SAID PARCEL. THIS SURVEY DOES NOT CONSTITUTE A RECORD TITLE SEARCH AND ALL EASEMENTS AND OR SETBACKS SHOWN ARE EITHER THOSE DESIGNATED ON THE SURVEY OR THOSE DISCOVERED BY ME AS A RESULT OF MY REASONABLE DUE DILIGENCE. NO ADJACENT PROPERTY HAS BEEN IDENTIFIED TO SHOW A RECORD TITLE OR A RECORD TITLE THAT COULD AFFECT THE PROPERTY WATER RUNOFF EITHER ON TO OR OFF FROM THE SITE. THE FINAL FIELD WORK 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 #2352
 REGISTRATION EXPIRES 11-30-2016

REFER TO A CURRENT TITLE INSURANCE POLICY FOR EASEMENTS NOT PROVIDED. THIS DRAWING IS THE PROPERTY OF RB & ASSOCIATES CONSULTING, INC. AND SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN SET FORTH WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF RB & ASSOCIATES CONSULTING, INC. THIS DRAWING IS NOT CONSIDERED TO BE ORIGINAL UNLESS THE SURVEYOR'S SEAL IS AN IMPRESSED SEAL OR DISPLAYED IN RED INK.

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