

**KENDALL COUNTY AD HOC ZONING  
ORDINANCE COMMITTEE**

*Kendall County Office Building  
Rooms 209 & 210  
111 W. Fox Street, Yorkville, Illinois  
5:00 p.m.  
Meeting Minutes of August 23, 2017*

**Present:** Larry Nelson (Chairman), Bill Ashton, John Shaw, Jeff Wehrli, Robert Davidson (arrived at 5:13 p.m.) and Scott Gryder (arrived at 5:38 p.m.)

**Others Present:** Matt Asselmeier, Senior Planner

Chairman Larry Nelson called the meeting to order at 5:10 p.m.

1. **APPROVAL OF AGENDA**

Mr. Wehrli made a motion to approve the agenda. Mr. Ashton seconded the motion. With a voice vote of four ayes, the motion carried.

2. **APPROVAL OF MINUTES**

Mr. Shaw made a motion to approve the minutes from the May 24, 2017, meeting. Mr. Wehrli seconded the motion. With a voice vote of four ayes, the motion carried.

3. **HEARING OFFICER/CODE HEARING UNIT**

Staff provided a copy of the ordinance establishing a hearing code unit and proposed amendments to the hearing code officer ordinance. The Committee requested that the definition of property be changed to exclude agricultural land and use from the definition. The word "business" would also be deleted from the definition of "property". The reference to property maintenance would be removed from the definition of "violation". The suggestion was made to change the word "shall" to "may" regarding the Chairman of the County Board appointing a hearing office in Section 3. In Section 5, the Committee requested that the Environmental Health Department be notified regarding proposed changes to the hearing officer ordinance. The reference to property maintenance would be deleted from Section 6. In Section 7, service by mail would be by certified, return receipt instead of first class mail. The Committee wanted a timeframe put in the ordinance allowing people to contact the Planning, Building and Zoning Department prior to turning the case over to the hearing officer. The Committee also wanted the responsibility of contacting the Planning, Building and Zoning Department to be on the responsible person and not the Planning, Building and Zoning Department. The deadline should be ten (10) business days. Under the Hearing Procedures Section, the Committee wanted the audio recording of the meeting to be a

requirement and not discretionary. In the Evidence at Hearing Section, the Committee wanted the language regarding hearsay evidence removed. The Committee wanted to give the County Board the ability to review cases. The applicable sections of the proposal would be amended to include language allowing the County Board to review cases. Discussion occurred regarding the fine structure; the suggestion was made that the fine for Stormwater Ordinance violations be increased from the maximum Seven Hundred Fifty Dollars (\$750). The consensus of the Committee was that Staff would make the applicable changes and bring a revised version of the proposal back to the Ad-Hoc Committee for review.

4. **NOISE ORDINANCE CHANGE RELATED TO CURRENT PROJECTS AND FUTURE PROJECTS**

Staff provided copies of the existing Noise Ordinance and February 8, 2017 memo on the topic. Discussion occurred regarding residential lots and the construction of new uses next to existing uses that produce noise. The suggestion was made to put a copy of the aerial within two (2) miles of the development or noise producing use and residential occupied uses established after the new zoning in the file. Re-builds would be protected. For banquet facilities, the noise measurement should occur at the occupied residential structure. Staff will examine potential ordinance amendments.

There were no additional comments from the public or press.

**Adjournment:**

The next meeting will be September 27, 2017. Mr. Wehrli made a motion to adjourn the meeting. Mr. Ashton seconded the motion. With a voice vote of six ayes, the motion passed unanimously and the meeting adjourned at 6:50 p.m.

Respectfully submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner