

**KENDALL COUNTY BOARD AGENDA
REGULAR SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210, Yorkville IL 60560
Tuesday, September 21, 2021 at 9:00 a.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Special Recognition
6. Public Comment
7. Consent Agenda
 - A. Approval of County Board Minutes from August 17, 2021
 - B. Standing Committee Minutes Approval
 - C. Approval of Claims in an amount not to exceed \$2,527,854.90
 - D. Approve Chicago HIDTA Domestic Highway Enforcement Initiative Administrative Assistant Service contract with Kendall County as the Fiduciary Agent effective October 15, 2021 through October 14, 2022, in the amount of \$72,471.00
 - E. Approval of a Request from the Kendall County Historic Preservation Commission to Change the Time of Regular Meetings of the Kendall County Historic Preservation Commission from 6:30 p.m. on the Third Monday of the Month to 6:00 p.m. on the Third Monday of the Month
8. Old Business
9. New Business
 - A. Approval of a Pre-Application Form for HMPG, BRIC21, & FMA21 from IEMA for a Hazard Mitigation Plan Grant
10. Elected Official Reports & Other Department Reports
 - A. Sheriff
 - B. County Clerk and Recorder
 - C. Treasurer
 - D. Clerk of the Court
 - E. State's Attorney
 - F. Coroner
 - G. Health Department
 - H. Supervisor of Assessments
11. Standing Committee Reports
 - A. Finance
 1. Approval of the Kendall County Non-Profit Grant Program Funded by the American Rescue Plan Act with a Maximum Grant of \$25,000 per Non-Profit and a Total not to exceed \$1,000,000
 - B. Planning Building & Zoning
 1. Approval of Petition 21-27 Request from Paul Kovacevich on Behalf of Tri-Star Development, Inc. for a Map Amendment Rezoning the Northeast 7.266 Acres of the Property on the South Side of Route 52 Across from 2735 Route 52 (PIN: 09-15-300-020) in Seward Township from A-1 Agricultural District to R-1 One Family Residential District
 2. Approval of Petition 21-28 Request from Brian and Jennifer Gore for a Map Amendment Rezoning the Eastern 12.671 Acres of the Property on the West Side of Jughandle Road Across from 14776 Jughandle Road (PIN: 09-15-300-021) in Seward Township from A-1 Agricultural District to R-1 One Family Residential District
 - C. Highway
 1. Approval of the 5-Year Surface Transportation Program 2022-2026
 2. Approval of Resolution renaming a portion of Budd Road to Budd Court
 3. Approval of an Intergovernmental Agreement between the County of Kendall and the Village of Plainfield for signalization of intersection of 143rd Street and Ridge Road
12. Special Committee Reports
13. Other Business
14. Chairman's Report

Appointments

John Cornish – KenCom Executive Board – Oswego Fire Protection District Primary Representative
Heather Hadrys – Workforce Development Board – 2 year term – Expires September 2023
Chris Mehochko – Workforce Development Board – 2 year term – Expires September 2023

15. Public Comment

16. Questions from the Press
17. Executive Session
18. Adjournment

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum 24-hours prior to the meeting time.

**KENDALL COUNTY BOARD
ADJOURNED JUNE MEETING
August 17, 2021**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building 111 W Fox St, in the City of Yorkville on Tuesday, August 17, 2021 at 9:00 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Amy Cesich, Brian DeBolt, Elizabeth Flowers, Judy Gilmour, Matt Kellogg, Dan Koukol, Ruben Rodriguez and Robyn Vickers. Members absent: Scott Gengler.

The Clerk reported to the Chairman that a quorum was present to conduct business.

THE AGENDA

Member Cesich moved to approve the agenda. Member Flowers seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

SPECIAL RECOGNITION

National Suicide Prevention Awareness Month

Member Kellogg moved to approve the Proclamation designating September as National Suicide Prevention Awareness Month. Member Flowers seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of IGAM 21-20 is available in the Office of the County Clerk.

CONSENT AGENDA

Member Cesich moved to approve the consent agenda of **A)** county board minutes from July 20, 2021; **B)** standing committee minutes; **C)** claims in an amount not to exceed \$1,422,860.63; **D)** Amendment of a Contract Between the Office of US Trustee and Kendall County for Meeting Room Space in the Kendall County Courthouse; and **E)** Purchase of a 2020 Ford F150 Truck for a Cost of \$37,885.00 by the Sheriff's Office from Morrow Brothers Ford Inc. in Accordance with the State of Illinois Bid. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. Motion carried.

C) COMBINED CLAIMS: ADMIN \$1,240.94; ANML CNTRL WRDN \$323.79; ASSMNT \$264.40; BEHAV HLTH \$811.97; CIR CLK \$6,325.08; CIR CRT JDG \$2,443.62; COMB CRT SVS \$14,854.71; COMM ACTN SVS \$43,864.90; COMM HLTH \$2,444.54; CORONER \$1,217.22; CORR \$22,470.29; CNTY BRD \$108,400.20; CNTY CLK \$413.00; HIGHWAY \$211,994.61; ELECTN \$4,440.44; ENVIRO HLTH; \$719.38; FCLT MGMT \$12,626.80; GIS \$42.43; JURY COMM \$376.79; KENCOM \$1,775,000.00; MERIT \$2,100.00; PBZ SNR \$865.93; PBZ \$579.58; PRSDG JDGE \$2,508.37; PROB SVS \$5,048.97; PRGM SUPP \$548.01; ROE \$8,370.16; SHF \$13,331.96; STATES ATTY \$4,548.80; TECH \$4,859.00; UTIL \$65,965.75; VET \$2,328.00; FP \$9,372.46; SHF \$46,537.59; SHF \$48,524.74; CIVL \$212,501.00

NEW BUSINESS

Census Update

Meagan Briganti from GIS stated that the census data was released on 8/12/2021. Kendall County is ranked 15th out of 102 counties and now has a population of 131,000 with at 14.9% growth rate.

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Baird stated that they will hold a GED graduation ceremony for 5 inmates that have successfully got their GED.

County Clerk

Revenue Report	7/1/21-7/31/21	7/1/20-7/31/20	7/1/19-7/31/19
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Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$1,223.50	\$1,154.50	\$893.50
MARFEE	County Clerk Fees - Marriage License	\$2,310.00	\$2,370.00	\$1,680.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$35.00	\$75.00	
CRTCOP	County Clerk Fees - Certified Copy	\$1,906.00	\$2,222.00	
NOTARY	County Clerk Fees - Notary	\$285.00	\$215.00	
MISINC	County Clerk Fees - Misc	\$34.00	\$42.50	\$2,248.50
	County Clerk Fees - Misc Total	\$5,793.50	\$6,079.00	\$4,822.00
RECFEE	County Clerk Fees - Recording	\$42,133.00	\$39,809.00	\$30,366.00
	Total County Clerk Fees	\$47,926.50	\$45,888.00	\$35,188.00
CTYREV	County Revenue	\$58,817.25	\$37,133.75	\$42,211.00
DCSTOR	Doc Storage	\$24,659.50	\$23,348.50	\$17,781.50
GISMAP	GIS Mapping	\$78,120.00	\$73,980.00	\$30,017.00
GISRCD	GIS Recording	\$5,208.00	\$4,932.00	\$3,753.00
INTRST	Interest	\$32.78	\$25.87	\$21.74
RECMIS	Recorder's Misc	\$443.00	\$11,208.75	\$919.00
RHSP	RHSP/Housing Surcharge	\$22,023.00	\$20,781.00	\$16,083.00
TAXCRT	Tax Certificate Fee	\$520.00	\$640.00	\$360.00
TAXFEE	Tax Sale Fees	\$0.00	\$60.00	\$0.00
PSTFEE	Postage Fees			\$
CK # 19280	To KC Treasurer	\$237,750.03	\$217,997.87	\$146,334.24

Treasurer

Office of Jill Ferko
Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR EIGHT MONTHS ENDED 07/31/2021.

	Annual Budget	2021 YTD Actual	2021 YTD % %	2020 YTD Actual	2020 YTD %
REVENUES*					
Personal Property Repl. Tax	\$390,000	\$454,425	116.52%	\$236,005	60.51%
State Income Tax	\$2,300,000	\$2,173,983	94.52%	\$1,722,263	74.88%
Local Use Tax	\$900,000	\$552,387	61.38%	\$630,378	90.05%
State Sales Tax	\$530,000	\$295,023	55.66%	\$362,874	65.98%
County Clerk Fees	\$325,000	\$354,933	109.21%	\$278,897	85.81%

Co Board 7/20/2021

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Circuit Clerk Fees	\$1,220,000	\$794,227	65.10%	\$686,401	50.84%
Fines & Foreits/St Atty.	\$275,000	\$169,061	61.48%	\$182,461	60.82%
Building and Zoning	\$68,000	\$101,550	149.34%	\$75,595	111.17%
Interest Income	\$100,000	\$13,942	13.94%	\$130,179	65.09%
Health Insurance - Empl. Ded.	\$1,467,439	\$201,334	13.72%	\$805,563	63.60%
1/4 Cent Sales Tax	\$3,075,000	\$1,849,679	60.15%	\$1,993,428	64.20%
County Real Estate Transf Tax	\$450,000	\$386,126	85.81%	\$330,358	77.73%
Federal Inmate Revenue	\$2,044,000	\$1,065,120	52.11%	\$1,508,800	73.82%
Sheriff Fees	\$140,000	\$53,278	38.06%	\$64,885	38.17%
TOTALS	\$13,284,439	\$8,465,067	63.72%	\$9,008,088	68.28%
Public Safety Sales Tax	\$5,250,000	\$3,202,482	61.00%	\$3,433,751	64.50%
Transportation Sales Tax	\$5,250,000	\$3,202,482	61.00%	\$3,433,751	57.23%

Clerk of the Court

Circuit Clerk Matthew Prochaska reviewed the report for July 2021 in the packet. Starting in October they will be implementing wage garnishment for back court fees.

State's Attorney

Assistant State's Attorney Leslie Johnson stated that this week is jury week and they are busy assisting with the American Rescue Plan.

Coroner

Deputy Coroner Levi Gotte reviewed the monthly report for July 2021 and he is a certified death investigator.

Supervisor of Assessments

Supervisor of Assessments Andy Nicoletti stated the township books are in and they are in the process of balancing them. EAV impact – 74.201 Million with the Oswego Downtown TIF 66.763 is the county's.

STANDING COMMITTEE REPORTS

Animal Control

Member Cesich introduced Kelly Prestegaard the new Animal Control Director.

Facilities

Member DeBolt stated that the building is now gone.

Admin

Network Security Specialist Job Description

Member Cesich moved to approve the Network Security Specialist Job Description. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Administrative Services Organizational Chart

Member Cesich moved to approve the Administrative Services Organizational Chart. Member Gilmour seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Finance

Network Security Specialist Position

Member Kellogg moved to approve the Network Security Specialist position to be paid from the American Rescue Plan Act Lost Revenue Fund. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Squad Cars

Member Kellogg moved to approve the Sheriff's Office to order 3 squad cars to be purchased in FY 2022. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Law Justice and Legislation

Mobile and Portable Radios

Member Gilmour moved to approve the purchase of mobile and portable radios and equipment and installation in an amount not to exceed \$59,595.30. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Planning, Building & Zoning

Petition 21-24

Member Gilmour moved to approve Petition 21-24-Request from Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner) and Pulte Home Corporation (Billboard Owner) to Renew a Special Use Permit Granted by Ordinance 2004-43 and Renewed by Ordinance 2019-22 Allowing the Placement of an Outdoor Advertising Sign (Billboard) at the Southeast Corner of the Intersection of U.S. 34 and Hafenrichter (Farnsworth) (PIN: 03-01-127-006) in Oswego Township. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 21-17 is available in the Office of the County Clerk.

Village of Millbrook

Member Cesich moved to approve an Intergovernmental Agreement between the Village of Millbrook and the County of Kendall to Administer the County's Ordinances for Zoning, Building Code, Subdivision Control, Comprehensive Plan and Stormwater Management within the Jurisdiction of the Village of Millbrook for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Millbrook to the County of Kendall. Member Rodriguez seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 21-21 is available in the Office of the County Clerk.

Highway

Low Bid

Member Gryder moved to approve the low bid from Traffic Control Company in the amount of \$100,007 for pavement markings on Plainfield Road. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 21-30 is available in the Office of the County Clerk.

Low Bid

Member Cesich moved to approve the low bid from Truck Centers, Inc. in the amount of \$146,598 for purchase of a single axle dump truck. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Right-of-Way Consulting

Member Koukol moved to approve the agreement for right-of-way consulting services with Mathewson Land Services in the amount of \$127,500 for work on the Collins Road Extension Project. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 21-22 is available in the Office of the County Clerk.

Chairman Gryder stated that there is a petition going around Oswego for a traffic study on Plainfield Road.

SPECIAL COMMITTEE REPORTS

Historic Preservation

Member Flowers stated that they held a meeting at Lyons Farm for the sharing of information.

Chairman’s Report

Member DeBolt moved to approve the appointment amending the expiration date to April 2022. Member Koukol seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Chairman Gryder asked for a voice vote on the amended motion. All members present voting aye. **Motion carried.**

Appointments

Jeff Farren – Bristol Kendall Fire Protection District – 3 year term – Expires April 2022

ADJOURNMENT

Member Flowers moved to adjourn the County Board Meeting until the next scheduled meeting. Member Kellogg seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 2nd day of September, 2021.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

HIGHWAY COMMITTEE MINUTES

DATE: September 14, 2021
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Scott Gryder, Matt Kellogg, Brian DeBolt & Scott Gengler
STAFF PRESENT: Michele Riley and Francis Klaas
ALSO PRESENT: Kevin Berry

The committee meeting convened at 3:30 P.M. with roll call of committee members. Cesich absent. Quorum established.

Motion DeBolt; second Gengler, to approve the agenda as presented. Motion approved unanimously.

Motion Gengler; second Kellogg, to approve the Highway Committee meeting minutes from August 10, 2021. Motion approved unanimously.

Jackie Forbes, Council Director for Kane-Kendall Council of Mayors, made a presentation to the committee regarding the staffing, funding, and processes related to KKKOM. The Council is comprised of about 38 member agencies in the 7-county Chicago area. KKKOM staff represents Kane and Kendall Counties in planning and programming federal funds that flow from Washington to the Chicago Region. Jackie discussed the Regional Plan: ON TO 2050. She also discussed how Kendall County is represented in the several policy and technical committees that are part of CMAP. Both Chairman Gryder and Engineer Klaas thanked Jackie and KKKOM for their outstanding work and excellent service that they provide to Kendall County.

Motion Kellogg; second Gengler to recommend approval of a resolution renaming a portion of Budd Road to Budd Court. Klaas described the need to rename this portion of the road, as part of the reconfiguration at the Eldamain Road – Ill. Rte. 71 reconstruction. Motion approved unanimously.

Motion DeBolt; second Gengler to recommend approval of an intergovernmental agreement between the County of Kendall and the Village of Plainfield for signalization of the intersection of 143rd Street and Ridge Road. Chairman Gryder provided a brief history of this agreement, and the County's desire to have Plainfield reclassify the zoning in the area of the intersection from residential to commercial and/or manufacturing. Language recommending this change has now been included in the IGA. Plainfield has already signed the agreement and is now sending it to the County for approval. Klaas indicated that \$1,000,000 in County funds has been earmarked in 2023 for this project in the County's 5-Year Plan. The improvement itself includes turning lanes and traffic signals on Ridge Road. Gryder pointed out that this is part of the WIKADUKE Trail and would likely need to be improved in the near future anyway. Motion approved unanimously.

Klaas presented a draft copy of the County's 5-Year Surface Transportation Program update for 2022 – 2026. He explained that there have not been many significant changes to the program. Gengler asked about jurisdictional transfers, specifically about Van Emmon Road in Yorkville. Klaas described how county highways are supposed to start and stop at other county highways or state highways; and how Kendall County has been systematically making connections within

municipalities, including Newark, Millington, Plano, and Yorkville. Jurisdictional transfers are then used to identify which agency is responsible for particular sections of roadways. This could potentially happen with Van Emmon Road. Gryder asked about Rock Creek Road and why that had not become a County Highway in the city limits. Klaas discussed the fact that Rock Creek Road was supposed to be a municipal street. An IGA from 2004 stated that Plano would accept a jurisdictional transfer of Rock Creek Road within the corporate limits within 5 years. That never happened.

Kellogg asked about a bridge replacement on Caton Farm Road near Arbeiter Road. Klaas indicated that there are plans prepared for that project; but he was waiting for more information on development plans within the City of Joliet.

Gryder asked about connecting Grove Road to Brisbin Road, and why that is not shown in the 5-Year Plan. Klaas discussed the conflicts with relocating Grove with the old Prairie Parkway alignment. Current plan is to simply connect Grove Road with Brisbin Road by using Sherrill Road as the connector. This is not quite as direct; but there are currently right and left turn lanes in place that accommodate these movements. Additionally, the traffic numbers are currently very low in this area. Klaas suggested that this would be a good project for the long range plan as opposed to the 5-Year Plan. Kellogg indicated that Brisbin Road in Grundy County is in very bad shape. He also suggested that perhaps the connection should be made in Grundy County instead of Kendall County, since Brisbin needs to be reconstructed anyway.

Gryder asked about the status of the WIKADUKE Trail in the Oswego area. This will likely be controlled by development in the Oswego area. Klaas stated that overall traffic on Ridge Road is really starting to increase. Gengler pointed out that Kendall County was the fastest growing county in the State from 2010 to 2020; and the east side of the county was the fastest growing part. So in essence, the east side of Kendall County is the fastest growing area in the State. After additional discussion, committee agreed that putting additional monies in the 5-Year Plan for Ridge Road corridor would be a good idea. With this change, committee approved sending the 5-Year Plan to the County Board for approval.

Committee discussed transfers to the KC-TAP Fund, which currently totals \$50,000 per year. County Board recently approved \$76,000 TAP Grant to KCFPD for multi-use path along Route 71. Kellogg and DeBolt felt that with increasing prices in all commodities, it would be a good time to increase the transfer to \$75,000 per year. Klaas suggested that he could work with the State's Attorney Office to draft up the proposed change and bring back to a future meeting.

Committee reviewed a crash report from IDOT for the Walker Road – Route 47 intersection. There were 12 crashes at said intersection in the 5-year time period from 2016 to 2020. Klaas compared this intersection to a couple of other intersections. During the same time period, there were 45 crashes at the intersection of Route 113 and Route 47, where there are rumble strips. At another location, there were 43 crashes at Grove Road and Route 126. He said that over the 5-year period, approximately 3 million vehicles had entered the Walker Road – Route 47 intersection; and there were only 12 crashes. Although there was a recent, horrific fatal crash at this location, the total number of crashes is relatively low. Gengler pointed out that the intersection is going to be reconstructed soon with the Route 47 reconstruction. The committee discussed possible safety improvements, including transverse rumble strips, flashing lights, and other remedies. The general consensus was to install flashing blinker stop signs at this intersection.

Chairman Gryder thanked everyone for attending the remote meeting at the intersection of Eldamain Road and River Road, near the site of the new Eldamain Bridge. Gryder asked Kevin Berry to describe the progress on the bridge. Berry reported that the new bridge has 8 spans and is nearly 1600' long. Structural steel is scheduled to be delivered beginning October 12th. It will take about 3 months to set all the steel. Concrete bridge deck will be placed later next year. The contractor is ahead of schedule on both the bridge and the roadway. Concrete pavement is being placed now on multiple sections of the roadway. He discussed the planned RR work and closure of Fox Road for up to 90 days. Approximately 40% of the contract has been built already. Gryder reminded the committee that this is only the 8th bridge built across the Fox River in Kendall County, and only the second new location for a bridge built in over 100 years.

DeBolt discussed parking on Ben Street. He suggested that parking should be prohibited near the School Street intersection to improve sight distance. He also suggested that no commercial vehicles, trailers, RV's and the like should be allowed to be parked on Ben Street. Kellogg suggested that this should be a county-wide ordinance prohibiting trailer parking. Klaas suggested that implementing county-wide parking restrictions gets a little tricky; and it might be a good idea to confer with the State's Attorney Office in regard to this matter.

Motion DeBolt; second Gengler, to forward Highway Department bills for the month of September in the amount of \$1,488,892.93 to the Finance Committee for approval. By roll call vote, motion approved unanimously.

Motion Kellogg; second Gengler, to adjourn the meeting at 4:55 P.M. Motion carried unanimously.

Respectfully submitted,



Francis C. Klaas, P.E.
Kendall County Engineer

Action Items

1. Resolution renaming a portion of Budd Road to Budd Court
2. Intergovernmental agreement between the County of Kendall and the Village of Plainfield for signalization of intersection of 143rd Street and Ridge Road
3. Approval of the 5-Year Surface Transportation Program 2022 – 2026

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 and 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of September 13, 2021 – Unofficial until Approved

CALL TO ORDER

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

ROLL CALL

Committee Members Present: Elizabeth Flowers, Scott Gengler (Chairman), Judy Gilmour (Vice-Chairwoman), Dan Koukol (Arrived at 6:31 p.m.), and Robyn Vickers

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Adam Theis, JoAnn Bright-Theis, Boyd Ingemunson, Dan Kramer, Peter Pasteris, Greg Dady, and Bob Baish

APPROVAL OF AGENDA

Member Flowers made a motion, seconded by Member Gilmour, to approve the agenda as presented. With a voice vote of four (4) ayes, the motion carried.

APPROVAL OF MINUTES

Member Koukol arrived at this time (6:31 p.m.).

Member Gilmour made a motion, seconded by Member Vickers, to approve the minutes of the August 9, 2021, meeting. With a voice vote of five (5) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report from August 2021. Member Vickers made a motion, seconded by Member Koukol, to approve the expenditure report. With a voice vote of five (5) ayes, the motion carried.

The Committee reviewed the quarterly expenditure update. Member Vickers made a motion, seconded by Member Flowers, to approve the quarterly expenditure update. With a voice vote of five (5) ayes, the motion carried.

PETITIONS

Petition 21-26 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis

Mr. Asselmeier summarized the request.

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions. The Petitioners would like to change their use of the approximately

nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year.

The application materials and Ordinance 2019-23 were provided.

The property was approximately thirty-eight (38) acres in size.

Crimmin Road was a Major Collector Road and is also classified as a Scenic Route. There were no trails planned in the area.

A riverine wetland was located along the southwest edge of the subject property.

The adjacent land uses were agricultural, religious, and the Millington Forest Preserve.

The adjacent zoning districts were A-1.

The Future Land Use Map called for the area to be Rural Residential, Agricultural, and Forest Preserve.

The nearby zoning districts were A-1, A-1 SU, R-2, and R-3.

The special use permit to the west is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property was provided.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site

Millington Railroad Fen Natural Landmark

Tucker-Millington Fen Natural Preserve

River Redhorse (*Moxostoma carinatum*)

EcoCat related materials were provided, including notice of consultation termination.

The LESA Score was 181 indicating a low level of protection. The NRI report was provided.

The Fox Township Planning Commission reviewed this Petition at their meetings on July 6, 2021, and July 21, 2021. The Fox Township Planning Commission recommended in favor of dividing the space and setting the maximum number of guests for Event Space A at two hundred eighty (280) and sixty (60) for Event Space B. They recommended against deleting the requirement that the barn doors close at 7:00 p.m. They recommended that weekday events conclude by 10:00 p.m. with guests allowed one (1) extra hour to vacate the property; weekend events concluded at 11:00 p.m. with guests allowed one (1) extra hour to vacate the property. They defined weekends as Fridays and Saturdays. They recommended keeping the maximum number of large events at thirty (30) per year and the small event space be available to rent on weekends on an unlimited basis. The above recommendations were approved unanimously of the three (3) Commissioners in attendance on July 21st. The Commission also recommended

that the smaller event space be available to rent on weekdays on an unlimited basis by a vote of two (2) in favor and one (1) in opposition; two (2) Commissioners were absent. The Commissioner that voted no felt that allowing an unlimited number of events at the property would transform the property from a primarily agricultural use to a primarily non-agricultural business use. The minutes of the July 6, 2021, meeting were provided. The summary of the July 21, 2021, meeting was provided.

The Fox Township Board reviewed this proposal at their meeting on July 12, 2021. The Township Board had concerns regarding whether or not the Petitioners were following the current restrictions, the direction of speakers, extending the hours of operation, extending the operating season, noise level, and traffic. The unapproved minutes of this meeting were provided.

Newark Fire Protection District was emailed information on June 24, 2021. No comments were provided.

The Village of Newark was emailed information on June 24, 2021. No comments were provided.

ZPAC reviewed this proposal at their meeting on July 6, 2021. The Health Department noted that the Petitioners were working with them to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. The Health Department requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. The Petitioners did not object to the condition be added to the list of conditions. The Health Department also noted that the well qualified as a non-community well and must follow the rules of that program. Discussion occurred regarding having live music events at the property. Live music events have occurred ancillary to other banquet center events and can occur inside the building. ZPAC recommended approval of the requested amendments by a vote of six (6) in favor and zero (0) in opposition; four (4) members were absent. The minutes of this meeting and an email stating that the Petitioners applied for septic permit was provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 28, 2021. The Petitioners agreed to change the end time of events from Midnight to 11:00 p.m. Guests would still have one (1) hour to leave the property. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's opinion on the proposal. Kurt Buhle stated that he moved to the area for peace and quiet; the banquet facility was not a quiet operation. He stated that the north barn doors were currently not closed, events were occurring during the non-operating time of the year, and events were occurring after 10:00 p.m. John Vogt expressed concerns about noise and increase traffic. Robert Bright invited everyone, including his neighbors, onto the subject the property and that installing the sound system was on the priority list. Members Rodriguez and Wormley visited the subject property. Member Nelson suggested planting additional evergreen type trees in addition to the plantings required by the landscaping plan. The Petitioners were agreeable with this suggestion. Member Wilson suggested installing a fence in addition to the evergreens. The Kendall County Regional Planning Commission recommended approval of the Petition with the requirement that the

Petitioners submit a landscaping plan with evergreen type trees planted and a timeframe for planting the evergreens. The landscaping plan should be submitted prior to the Kendall County Planning, Building and Zoning Committee meeting. The vote was eight (8) in favor and zero (0) in opposition with two (2) members absent. Member Wilson made a motion to add the fencing requirement, but that motion died for lack of second. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 2, 2021. The Petitioners reiterated their reasons for requesting the amendments. Chairman Mohr and Member Clementi expressed concerns that the Petitioners were not following the existing regulations regarding hours of operation and having the barn doors closed. The Petitioners provided an updated landscaping plan and stated that the new trees would be planted by November 30, 2021. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's recommendations. Steve Knutson, as a private resident, felt that the Petitioners have not been following the existing regulations completely and neighbors should be given a right to have at least a few nights of quiet. Kurt Buhle expressed concerns regarding the Petitioners not following existing regulations; he was also concerned about noise, traffic, safety, security, and property values. The Kendall County Zoning Board of Appeals recommended approval of the request by vote of four (4) in favor and zero (0) in opposition with three (3) members absent subject to the following conditions:

1. The building shall be divided as requested by the Petitioners.
2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall at the time of planting and shall be planted by November 30, 2021.
3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.
4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.
5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.
6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.
7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.
8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.

9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.
10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.
11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The minutes of the hearing were provided.

Ordinance 2019-23 placed the following restrictions on the special use permit for a banquet facility at the subject property:

- A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.
- B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
- C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
- D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.
- E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
- F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.
- G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- H. 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.

- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.
- J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).
- K. A new certificate of occupancy must be issued for the barn.
- L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.
- M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.
- N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
- O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.
- P. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
- Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

As noted in the application materials, the Petitioners would like to divide the nearly nineteen thousand seven hundred (19,700) square foot building into Event Space A with nine thousand six hundred (9,600) square feet, Event Space B with two thousand nine hundred (2,900) square feet, and the remaining seven thousand two hundred forty-two (7,242) square feet as non-

project space. The Petitioners would like to utilize Event Space B year-round for smaller events.

In order to accommodate this proposed change in business operations, the Petitioners were requesting the following changes to the special use permit (changes marked in red):

- C. A maximum of two hundred eighty (280) guests **shall be allowed** in attendance **at a banquet center related event may be on the subject property at a given time.** A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.
- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. **For events with music, the north and south barn doors shall close by 7:00 p.m.**
- J. **Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.**

The Petitioners provided a comparison of certain restrictions on banquet centers.

The Petitioners have no plans to change the site plan or parking illumination plan approved as part of Ordinance 2019-23. Also, other than Conditions C, I, J, and the landscaping plan to include more evergreen type trees, the Petitioners do not propose any other changes to the requirements of the special use permit.

Member Gilmour asked if the restrooms had been installed per condition B. Mr. Asselmeier responded, to his knowledge, yes.

Member Koukol asked how long the special use permit has been in existence and how many events they have had on the property. Boyd Ingemunson, Attorney for the Petitioners, provided a history of the special use permit. The special use permit was granted in 2019. The Petitioners felt that certain restrictions in the special use permit were unreasonable compared to other special use permits for similar facilities.

Member Koukol reviewed Mr. Ingemunson's letter of September 7, 2021.

Member Koukol asked about the number of events. Mr. Ingemunson said the Petitioners were limited to thirty (30) events per year.

Member Vickers noted that the events outlined in the letter occurred since the last Planning, Building and Zoning Committee meeting.

An updated Occupancy Permit will be required reflecting the change of use.

The Petitioners were working with Environmental Health regarding the size of the septic system.

The property fronts Crimmin Road.

According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue. The Petitioners submitted a revised landscaping plan showing the planting of twelve (12) additional cedar trees that will be approximately twelve feet (12') in height at the time of planting. The planting of the cedar trees will occur in the fall of 2021.

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building and speakers on the ceiling will be pointed downward. The Petitioners will also require disc jockeys to plug into the venue's sound system so the Petitioners can control the noise level.

With the combination of distance, plantings and control of the sound system, the Petitioners believed noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

The Findings of Fact were 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. The Kendall County Zoning Board of Appeals did not make a finding of this fact. **Chairman Mohr and Member**

Thompson voted for a positive finding and Members Clementi and Fox voted for a negative finding.

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 proposed use will be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity cannot be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit. Chairman Mohr and Members Clementi and Fox voted for the negative finding and Member Thompson voted for a positive finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress. Finding approved by all members present.

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 Zoning Board of Appeals. The site conforms to the regulations of the A-1 Agricultural Zoning District. Members Clementi, Fox, and Thompson voted for the positive finding and Chairman Mohr voted for a negative finding.

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. True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness." Chairman Mohr and Members Clementi and Fox voted for the positive finding and Member Thompson vote for a negative finding.

Staff recommended approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown on Attachment 1, Page 5.
2. The landscaping plan referenced in Condition 2.A is amended to include the amended landscaping provided at the Zoning Board of Appeals hearing. The twelve (12) cedar trees shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021. (Added at ZBA)
3. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:
 - C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in

- attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.
4. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:
 - I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. **Musicians and disc jockeys shall be required to plug into a sound system provided and controlled by the owners of the business allowed by the special use permit. (Added at ZBA)**
 5. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:
 - J. Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
 6. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
 7. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
 8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The draft ordinance was provided.

Member Flowers left at this time (6:53 p.m.).

Member Koukol asked if the intention of the additional trees was to muffle sound. Mr. Asselmeier responded yes.

Member Gilmour asked if any of the additional trees were planted. Mr. Asselmeier responded that he did not believe any of the additional trees had been planted. The deadline to plant the trees has not passed.

Member Flowers returned at this time (6:54 p.m.).

Member Koukol made a motion, seconded by Member Gilmour, to forward the proposal to the October Committee of the Whole with a positive recommendation.

Member Flowers asked about the septic system. Chairman Gengler said that he has not heard from the Health Department.

Chairman Gengler noted the economic activity generated by wedding venues and the neighbor's concerns.

Member Flowers left at this time (6:57 p.m.).

Chairman Gengler noted that the Petitioners live on the property. The major issues were noise and traffic.

Member Koukol noted that people play music outdoors every weekend near his house. He encouraged neighbors to work together to handle issues.

Member Flowers returned at this time (7:00 p.m.).

Member Gilmour asked if the Petitioners favored closing the barn doors at 7:00 p.m. Mr. Ingemunson noted the health and safety of patrons. Customers wanted the doors open. Neither of the barns face the neighbors across Crimmin Road. There have been no founded noise complaints at the property.

Member Gilmour asked about stopping events at 10:00 p.m. Mr. Ingemunson stated the Petitioners favored stopping events at 11:00 p.m. with patrons given one (1) hour to vacate the premises. He stated that he would discuss the 10:00 p.m. closure with the Petitioners.

Mr. Ingemunson noted pointed the speakers downward and the planting of additional trees as methods to soften noise levels.

Mr. Ingemunson said that he was not aware of the neighbors discussing the matter with the Petitioners.

The proposed ordinance called for events to end by midnight, which was the original proposal.

Member Koukol expressed concerns about closing the facility too early in the evening.

Member Vickers made a motion, seconded by Member Flowers, to amend the original motion to send the proposal to the October Committee of the Whole meeting with a neutral recommendation to give other County Board members the opportunity to weigh-in on the proposal. With a voice vote of five (5) ayes, the motion for the amendment carried.

With a voice vote of five (5) ayes, the original motion as amended carried.

The proposal goes to the Committee of the Whole on October 14, 2021, with a neutral recommendation to allow the other County Board members to weigh-in.

Petition 21-27 Paul Kovacevich on Behalf of Tri-Star Development, Inc.

Mr. Asselmeier summarized the request.

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning approximately seven point two (7.2) acres property from A-1 to R-1 in order to construct one (1) house on the subject property.

At the time of application submittal, the subject property was part of a larger parcel that was approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. The western tract would retain A-1 zoning and the agricultural housing allocation. The eastern tract would be rezoned to R-1. A total of two (2) houses, one (1) on the A-1 zoned portion of the property and one (1) on the R-1 zoned portion of the property, would be constructed on the present forty (40) acre parcel.

The application materials, aerial of the entire property in its configuration at the time of application submittal, aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands were provided.

The property was on the south side of Route 52 across from 2735 Route 52.

The application materials, the aerial of the entire property in its configuration at the time of application submittal, the aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands was provided.

The existing land uses were Agricultural/Wooded.

The Future Land Use Map called for this area to be Rural Residential.

U.S. 52 was a State maintained arterial.

Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.

There was a 100-year floodplain of the Aux Sable Creek on the south and southeast sides of the Tri-Star property. There was also palustrine (freshwater forested shrub) and riverine wetlands on the south and southeast sides of the property.

The adjacent land uses were Agricultural Farmstead/Special Use for Products Not Grown on the Premises, Wooded, Single-Family Residential, and the Baker-Woods Forest Preserve.

The adjacent zoning districts were A-1, A-1 SU, and R-1.

The Land Resource Management Plan called for the area to be Rural Residential and Forest Preserve.

The zonings within one half (1/2) mile were A-1, A-1 CU, A-1 SU, R-1, R-1 PUD, and R-3.

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres. The A-1 special use permit to the west is for a horse training facility with groomsman's quarters.

EcoCAT Report submitted for both properties and noted the presence of the following protected resources in the vicinity: Aux Sable Creek INAI Site and Greater Redhorse (*Moxostoma valenciennesi*). Adverse impacts were considered unlikely and consultation was terminated.

The LESA Score for the Tri-Star property was 189 indicating a low level of protection. The NRI was provided.

The Seward Township Planning Commission reviewed the proposal on August 12, 2021, and recommended approval of the Petition by a vote of three (3) in favor and zero (0) in opposition with two (2) members absent. The minutes of this meeting were provided.

The Village of Shorewood submitted an email on August 20, 2021, stating they had no concerns or comments regarding the proposal. The email was provided.

Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

ZPAC reviewed the proposals at their meeting on August 3, 2021. The comments on both proposals were the same. The Kendall County Soil and Water Conservation District requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. They requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. They also noted that the entire parcel has issues related to having a residential home on the property and also suggested having a wetland delineation. The Kendall County Health Department noted the site would greatly impact the use of traditional septic systems. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed the proposals at their meeting on August 25, 2021. The Kendall County Regional Planning Commission recommended approval of both proposals by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 30, 2021. Zero (0) members of the public testified in favor or in opposition to the request. The Kendall County Zoning Board of Appeals recommended approval by vote of six (6) in favor and zero (0) in opposition with one (1) member absent. The minutes of the hearing were provided.

The Petitioner desired to rezone the subject property in order to build one (1) house on the subject property and build one (1) house on the property that retains the A-1 zoning classification.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Route 52. Staff had no concerns regarding the ability of Route 52 to support the proposed map amendment.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors were foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. A forest preserve is located in the vicinity.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and R-1. The A-1 property to north has a special use permit for sale of products not grown on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where a new single-family home could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

The draft ordinance was provided.

Dan Kramer, Attorney for the Petitioner, explained the history of the property as a site for a potential golf course. He noted the buildable area on the site. He noted the existence of a wetland delineation study.

Member Vickers asked about impact fees. Mr. Kramer noted that land cash fees will be paid.

Chairman Gengler made a motion, seconded by Member Koukol, to recommend approval of the proposal to the County Board.

With a voice vote of five (5) ayes, the motion carried.

The proposal goes to the County Board on September 21, 2021, on the regular agenda.

Petition 21-28 Brian and Jennifer Gore

Mr. Asselmeier summarized the request.

Brian and Jennifer Gore are requesting a map amendment rezoning approximately twelve point six (12.6) more or less acres from A-1 to R-1 in order to construct two (2) houses on the subject property after rezoning.

At the time of application submittal, the subject property was part of a larger parcel that is approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. Tract 3, which was approximately twenty-seven point three (27.3) acres would retain A-1 zoning and the agricultural housing allocation. Tracts 1 and 2 would be rezoned to R-1. Tract 1 was approximately seven (7) acres in size. Tract 2 was approximately five point six (5.6) acres in size. A total of three (3) houses, one (1) on each Tract, would be constructed on the present forty (40) acre parcel with a private forty foot (40') wide road easement connecting Tract 3 to Jughandle Road.

The application materials, the aerial of the entire property in its configuration at the time of application submittal, the aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands was provided.

The property was located on the west side of Jughandle Road across from 14776 Jughandle Road.

The existing land uses were Agricultural/Wooded.

The Future Land Use Map called for this area to be Rural Residential.

Jughandle Road was a Township maintained local road.

Minooka has trails planned along the Aux Sable Creek.

There was a 100-year floodplain of the Aux Sable Creek on the south side of the Gore property. Approximately, 4.8 acres of Tract 1 and 3.0 acres of Tract 2 were outside the 100-year floodplain. There was a riverine on the southeast corner of the property.

The adjacent land uses were Agricultural Farmstead/Special Use for Products Not Grown on the Premises, Wooded, Single-Family Residential, and the Baker-Woods Forest Preserve.

The adjacent zoning districts were A-1, A-1 SU, and R-1.

The Land Resource Management Plan called for the area to be Rural Residential and Forest Preserve.

The zonings within one half (1/2) mile were A-1, A-1 CU, A-1 SU, R-1, R-1 PUD, and R-3.

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres. The A-1 special use permit to the west is for a horse training facility with groomsman's quarters.

EcoCAT Report submitted for both properties and noted the presence of the following protected resources in the vicinity: Aux Sable Creek INAI Site and Greater Redhorse (*Moxostoma valenciennesi*). Adverse impacts were considered unlikely and consultation was terminated.

The LESA Score for the Gore property was 191 indicating a low level of protection. The NRI was provided.

The Seward Township Planning Commission reviewed the proposal on August 12, 2021, and recommended approval of the Petition by a vote of three (3) in favor and zero (0) in opposition with two (2) members absent. The minutes of this meeting were provided.

The Village of Shorewood submitted an email on August 20, 2021, stating they had no concerns or comments regarding the proposal. The email was provided.

Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

ZPAC reviewed the proposals at their meeting on August 3, 2021. The comments on both proposals were the same. The Kendall County Soil and Water Conservation District requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. They requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. They also noted that the entire parcel has issues related to having a residential home on the property and also suggested having a wetland delineation. The Kendall County Health Department noted the site would greatly impact the use of traditional septic systems. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed the proposals at their meeting on August 25, 2021. The Kendall County Regional Planning Commission recommended approval of both proposals by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 30, 2021. Zero (0) members of the public testified in favor or in opposition to the request. The Kendall County Zoning Board of Appeals recommended approval by vote of six (6) in favor and zero (0) in opposition with one (1) member absent. The minutes of the hearing were provided.

The Petitioner desired to rezone the subject property in order to build two (2) houses on the subject property and build one (1) house on the property that retains the A-1 zoning classification.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Jughandle Road.

Any new driveways constructed would be for residential purposes.

No new odors were foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1. There are R-1, R-1 PUD, and R-3 zoned parcels within one half (1/2) mile of the subject property.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where new single-family homes could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

The draft ordinance was provided.

Member Gilmour asked about the location of Aux Sable Creek. Mr. Asselmeier highlighted the location of the Aux Sable Creek.

Chairman Gengler made a motion, seconded by Member Koukol, to recommend approval of the proposal to the County Board.

With a voice vote of five (5) ayes, the motion carried.

The proposal goes to the County Board on September 21, 2021, on the regular agenda.

Mr. Koukol left at this time (7:28 p.m.).

Petition 21-34 James and Denise Maffeo on Behalf of Four Seasons Storage, LLC

Dan Kramer, Attorney of the Petitioner, provided a history of the development and the history of the financing for the project.

Member Koukol returned at this time (7:29 p.m.).

Mr. Kramer said the Petitioners cannot install the fencing or landscaping until the buildings were complete.

Mr. Asselmeier summarized the request.

On September 15, 2020, the Kendall County Board approved Ordinance 2020-14, granting a special use permit for an indoor/outdoor storage business approximately 0.15 miles north of the intersection of Route 52 and County Line Road on the west side of County Line Road in Seward Township.

Condition 4.B of the Ordinance stated that the fencing and landscaping had to be installed within two hundred forty (240) days of the approval of the special use permit ordinance. A copy of Ordinance 2020-14 was provided.

On April 12, 2021, the Kendall County Planning, Building and Zoning Committee approved a minor amendment to Ordinance 2020-14 extending the deadline for installation of the fencing and landscaping to October 31, 2021, and allowing the Kendall County Planning, Building and Zoning Committee to extend the deadline if requested by the property owner. A copy of this minor amendment was provided.

On September 1, 2021, the property owner's attorney submitted a request to extend the deadline to June 1, 2022. A copy of this letter was provided.

Petition information was sent to Seward Township and the Village of Shorewood on September 1, 2021. The Village of Shorewood had no objections to this request.

Staff recommended approval of the requested extension because of the unique situation caused by the COVID pandemic.

The draft amendment was provided.

Member Koukol asked about the adjoining property to the south. Mr. Kramer discussed the forester business to the south. The site was balanced and they were working on the ponds.

Mr. Kramer discussed the availability of retail sites east of the storage unit area.

Member Flowers made a motion, seconded by Member Vickers, to approve the extension deadline to June 1, 2022.

With a voice vote of five (5) ayes, the motion carried.

Petition 21-35 Peter and Laurie Pasteris on Behalf of the Peter J. Pasteris Jr Revocable Declaration of Trust

Mr. Asselmeier summarized the request.

On April 21, 2015, the Kendall County Board approved Ordinance 2015-06, granting a special use permit for a banquet facility at 1998 Johnson Road. Condition 8 of the Ordinance stated that events could run from May 1st through November 15th and the temporary tent can be erect from May 1st through November 15th. A copy of Ordinance 2015-06 was provided.

On April 8, 2019, the Planning, Building and Zoning Committee granted minor amendments to the special use permit allowing the porta-johns to be on the premises the entire season and

allowing the tent to be erected from April 15th to November 15th. A copy of this minor amendment was provided.

On November 9, 2020, the Planning, Building and Zoning Committee granted a minor amendment to the special use permit to allow events to be held starting on April 8th and ending November 30th in 2021 only. The tent could be erected during the same time period. The amendment also allowed the Planning Building and Zoning Committee to renew this option, if requested by the property owner. A copy of this minor amendment was provided.

On September 2, 2021, the Petitioner submitted a formal request to renew the minor amendment granted in November 2020 for the 2022 operating season. A copy of this request was provided.

Petition information was sent to the Kendall County Health Department, Sheriff's Department, Na-Au-Say Township, Village of Plainfield, and Plainfield Fire Protection District on September 1, 2021. As of the date of September 7, 2021, the Sheriff's Department, Village of Plainfield, and Plainfield Fire Protection District expressed no concerns regarding this proposal. The Health Department also had not expressed concerns regarding the proposal.

The draft amendment was provided.

Peter Pasteris explained that they were requesting the extension because Newark High School wanted to hold their prom at the property.

Member Koukol noted the successful communication between the Petitioner and their neighbors.

Member Koukol made a motion, seconded by Member Gilmour, to approve the proposal.

Chairman Gengler asked about the number of events. Mr. Pasteris responded around forty (40).

Mr. Pasteris mentioned they were considering having a permanent structure.

With a voice vote of five (5) ayes, the motion carried.

NEW BUSINESS

Approval to Change the October 2021 Kendall County Planning, Building and Zoning Committee Meeting Date and Time

Mr. Asselmeier summarized the request.

The normal October meeting would be October 11th which is a holiday.

After discussing moving the meeting to October 7th and earlier in the day on October 12th, the consensus of the Committee was to have the meeting on October 12th at 6:30 p.m.

Request from Greg Dady on Behalf of DTG Investments, LLC to Allow an Excavation Business at 3485 Route 126 (PIN: 06-09-400-005) in Na-Au-Say Township

Mr. Asselmeier summarized the request.

The Planning, Building and Zoning Department received a request for an excavation business at 3485 Route 126. The letter explaining proposed operations was provided.

An excavation business was previously located at the subject property. The business was allowed at this location by court order; a copy of the court order was provided. The previous use at the property expired when the owners at the time of the court order sold the property.

Excavation businesses are not presently allowed on A-1 zoned property. They are allowed as part of construction services and shops as conditional uses in the B-2 and B-3 Districts and are permitted uses in the M-1 and M-2 Districts. In the B-2 and B-3 Districts, all equipment and materials must be stored indoors.

If the Committee is in favor of this use at the subject property, then the property owner would need to apply for a text amendment adding construction services and shops to the list of special uses in the A-1 District and would need to apply for a special use permit for this use at the subject property.

Greg Dady explained the reasons for the request. The potential use would be a long-term lease with an option to purchase the property. The use would have minimal traffic.

Mr. Asselmeier noted that Mr. Dady would still need to go through the text amendment and special use process.

Mr. Asselmeier explained that excavation businesses were not included on the list of permitted and special uses on A-1 zoned land.

Mr. Dady said it was difficult to find the fit for the property.

Member Koukol asked about mailings at the property and at Caterpillar. Discussion about addressing occurred.

Member Koukol asked about the text amendment process. Mr. Asselmeier explained the text amendment and special use processes.

Member Koukol asked about the base for concrete. Mr. Asselmeier said that the Petitioner has not submitted a site plan. Outside storage would have to be addressed by the special use permit and, depending on height of piles, could need a stormwater management permit.

Mr. Dady said the property would be used for offices and storage.

Member Koukol noted the floodplain on the property and the need for bins for storage.

Bob Baish explained his business operations and the items stored on the property. Some items will be stored outside. He has twenty-five (25) employees. He invited everyone to his existing property. Everything would be moved to the property on Route 126.

Chairman Gengler discussed the traffic volume and speed on Route 126. Mr. Baish did not think traffic would be impacted.

Mr. Baish ultimately wanted to purchase the property.

Member Gilmour expressed concerns about adding this type of business to allowable uses in the A-1 District. She requested that Mr. Dady focus on uses allowed in the A-1 District. Mr. Dady discussed potential uses including cannabis growing operations.

Member Koukol noted the number of trucking companies operating in the unincorporated area illegally.

It was noted that Oswego School District probably would not build at the subject property in the near future.

Member Vickers expressed concerns regarding traffic volumes on Route 126.

Mr. Dady said they could submit the site plan and other application materials by the September 21, 2021, timeline. If they submitted by September 21st, the earliest the County Board could vote on the proposal is the middle of December.

The business has been in existence for thirty-five (35) years. They have had five (5) different locations.

Chairman Gengler made a motion, seconded by Member Flowers, for a positive recommendation to move forward with the text amendment and special use processes.

The votes were as follows:

Yeas (2): Gengler and Vickers
 Nays (2): Flowers and Gilmour
 Abstain (1): Koukol
 Absent (0): None

The property owner may submit petitions for a text amendment and special use permit with the knowledge of the above votes.

Member Koukol encouraged Mr. Dady to find businesses that could be placed on the property by a permitted or special use.

Member Koukol provided a history of the previous excavating business located on the property.

Discussion Leaf Burning Regulations (Ordinance 97-12); Committee Could Initiate Changes to this Ordinance

Mr. Asselmeier summarized the issue.

In 1997, the Kendall County Board adopted Ordinance 1997-12 which outlawed leaf burning on properties zoned R-6 and R-7 in townships with a population in excess of fifteen thousand (15,000) people based upon the last official census. A copy of Ordinance 1997-12 was provided.

As of the 2020 Census, only Oswego and Bristol Townships met the population criteria. Both townships met the population criteria after the 2010 Census. These two (2) townships were also the only townships that had properties zoned R-6 or R-7. As such, these are only the only townships where this regulation is enforced. A map showing the R-6 and R-7 zoned areas was provided. The township populations map was also provided.

Staff was wondering if the Committee wanted to review this regulation based on the 2020 Census figures.

The consensus of the Committee was to leave the regulation unchanged because there was no one calling to request changes.

Member Flowers left at this time (8:36 p.m.)

Discussion of Amendments to the Kendall County Zoning Ordinance Pertaining to the Garden Act; Committee Could Initiate Text Amendments to the Kendall County Zoning Ordinance Related to the Garden Act

Mr. Asselmeier summarized the issue.

Earlier in 2021, the Illinois General Assembly passed and the Governor signed Public Act 102-0180 (formerly House Bill 0633) also known as the Garden Act.

The Garden Act allows people to plant vegetable gardens as the primary use on residential pieces of property. Further, no county in Illinois can prevent people from using residential property for the purpose of vegetable gardens. The Garden Act becomes effective January 1, 2022. A copy of Public Act 102-0180 was provided.

Presently, farming is a permitted use on A-1, RPD-1, RPD-2, and RPD-3 zoned property in unincorporated Kendall County. Below please find a proposal amending various sections of the Kendall County Zoning Ordinance to allow vegetable gardening on R-1, R-2, R-3, R-4, R-5, R-6, and R-7 zoned property:

8:02.A Permitted Uses in the R-1

5. Lands and buildings used for horticulture or farm purposes **including vegetable gardens as defined by the Garden Act.**

8:06.A Permitted Uses in the R-2

1. Any permitted use in the R-1 One-Family Estate Residence District, Section 8:02.A except:

a. Lands and buildings used for horticultural or farm purposes, **not including vegetable gardens as defined by the Garden Act,**

8:07.A Permitted Uses in the R-3

1. Any permitted use in the R-1 One-Family Estate Residence District, Section 8:02.A except:

a. Lands and buildings used for horticultural or farm purposes, **not including vegetable gardens as defined by the Garden Act,**

8:08.A Permitted Uses in the R-4, R-5, R-6, and R-7 Districts

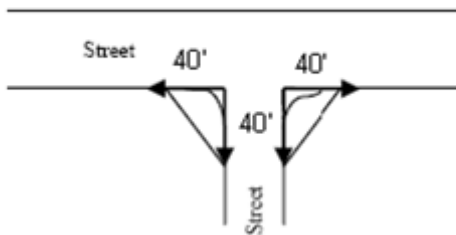
6. Vegetable Gardens as defined by the Garden Act

Amendment to Appendix 9, Table of Uses to reflect the addition of Vegetable Gardens as a Permitted Use in all Residential Zoning Districts.

If this amendment is adopted as proposed, roadside stands would remain permitted uses on A-1, R-1, RPD-1, RPD-2, and RPD-3 Districts only.

Also, per Section 4:05.B of the Kendall County Zoning Ordinance, gardens may encroach up to all property lines. **Section 11:02.F.11** should be clarified as follows regarding sight triangles:

11. Landscape sight triangle. No landscaping including berms **and vegetable gardens as defined by the Garden Act** shall be planted within a forty foot (40') sight triangle measured at the intersection of two public streets.



The consensus of the Committee was to allow roadside stands that sold produce grown on the premises on any residential zoned district ten feet (10') from the right-of-way. The Committee also favored keeping the sight triangles. The Committee was agreeable to initiate the text amendment.

The proposal goes to ZPAC on October 5, 2021.

Discussion of Amendments to the Kendall County Zoning Ordinance Pertaining to the Agricultural Experiences Act: Committee Could Initiate Text Amendments to the Kendall County Zoning Ordinance Related to the Agricultural Experiences Act

Mr. Asselmeier summarized the issue.

Earlier in 2021, the Illinois General Assembly passed and the Governor signed Public Act 102-0492 (formerly House Bill 3650) also known as the Agricultural Experiences Act. A copy of Public Act 102-0492 was provided.

The Agricultural Experiences Act defines an agricultural experience, as “. . . any agricultural-related activity, as a secondary use in conjunction with agricultural production, on a farm which activity is open to the public with the intended purpose of promoting or educating the public about agriculture, agricultural practices, agricultural activities, or agricultural products.” Crucially, the Act forbids a county from requiring conditional use permits, special use permits, or variances for this type of use.

The definition of agricultural experience in State law is similar to the County's definition of seasonal festivals. Seasonal festivals, as defined in the Zoning Ordinance, are defined as follows:

“A temporary event held during a specified time of the year which is designed to enhance the sales of seasonal crops and related products produced in conjunction with existing agricultural businesses such as orchards, vineyards, nurseries and similar agricultural operations. Related activities may include, but are not limited to, corn mazes, wagon rides, pony rides, farm animal petting zoos, and pumpkin patches. Activities including amusement park rides, live music concerts, truck and tractor pull competitions are specifically prohibited from Seasonal Festivals.”

Seasonal festivals are conditional uses in the A-1 District Agricultural and are permitted uses in the B-4 Commercial Recreation District. The conditions for seasonal festivals are as follows:

- a) Adequate parking on site shall be provided in such a way that no on-street parking is necessary.
- b) Event areas, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 150 feet of a residential district, or residential structure located off the subject zoning lot unless written consent from the effected residents is provided to the Planning, Building and Zoning Office.
- c) The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services.
- d) No alcohol shall be sold on the premises.
- e) Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services.
- f) All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.
- g) Noise levels generated from non-agricultural sources shall not exceed 60 dBA as measured at the nearest occupied residential structure on an adjoining property.
- h) The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Office.
- i) No event activity shall start earlier than 9:00 a.m. any day of the week, and shall end no later than 10:00 p.m., Monday thru Wednesday and no later than 11:30 p.m. Thursday thru Sunday.
- j) Events shall be permitted once a year unless otherwise approved by the PBZ Committee.
- k) Seasonal Festivals shall be permitted up to, but not exceed, ninety (90) consecutive days in length in one calendar year.
- l) Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted during the duration of the Seasonal Festival subject to the review and approval of the Zoning Administrator.
- m) All signage shall comply with Section 12:00 of the Zoning Ordinance.
- n) All proposed lighting shall be non-obtrusive onto adjoining properties and should not exceed 0.2 foot candles at any property line.
- o) Any Seasonal Festival which cannot meet these standards may still be permitted if approved as a Special Use. An applicant seeking an approval of the conditional use shall submit an application to be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the request to the PBZ Committee of the County Board for recommendation prior to taking action. In addition, the petitioner may appeal the decision of the Zoning Administrator in the review of a Conditional Use for a Seasonal Festival to the PBZ Committee. In such instances the PBZ Committee shall be the final authority.

Presently, three (3) special uses are impacted by the Agricultural Experiences Act. The special use permits for Woody's Orchard (Ordinances 2016-21 and 2021-07), Heap's Giant Pumpkins (Ordinance 2015-11), and Keller Farms (Ordinance 2009-18) contain provisions related to Seasonal Festivals. Staff would like to point out that several of these properties have special use permits beyond agricultural experiences (i.e. Woody's Orchard and Heap's Giant Pumpkins have special use permits for banquet facilities).

Staff requested guidance as to how to proceed with text amendments to the Zoning Ordinance regarding the Agricultural Experiences Act. If the Committee wished Staff to create a text amendment, the following items need to be addressed:

1. The Agricultural Experiences Act says that the agricultural experience must be a "secondary use". Does the Committee want Staff to draft an amendment that allows Seasonal Festivals as a secondary use on land to be a permitted use in the A-1 District while retaining Seasonal Festivals as a primary use on land as conditional use in the A-1? Should a similar distinction be made for Seasonal Festivals in the B-4 District?
2. The Agricultural Experiences Act is very explicit that variances cannot be granted. In cases where Seasonal Festivals are secondary uses and have to be allowed as permitted uses, does the Committee want any restrictions placed on the use?

Member Koukol made a motion, seconded by Member Vickers, to initiate the text amendment to make seasonal festivals permitted uses in the A-1 and B-4 Districts without any restrictions.

With a voice vote of four (4) ayes, the motion carried.

Member Koukol requested that memos regarding this proposal note that the County had little choice regarding this proposal because of the new State law.

The proposal goes to ZPAC on October 5, 2021.

Discussion of Updating the Land Resource Management Plan

Mr. Asselmeier summarized the issue.

Aside from some updates to the transportation plan, policy statements, and requests for changes to the Future Land Use Map for individual parcels, Kendall County has not completed a comprehensive update to the Land Resource Management Plan since 2005. Between 1998 and 2005, Kendall County updated the sections for each township, including doing population forecasts through the 2020 Census.

A large portion of the data in the Land Resource Management Plan was outdated and, as part of the budget research process, Staff contacted Teska Associates to obtain a cost estimate to update the Land Resource Management Plan. Teska Associates' price quote and scope of work was provided. As noted in this information, the project would occur over a three (3) year period and involve at least one (1) meeting in each township.

Staff requested guidance from the Committee regarding whether or not the County should pursue an update at this time.

Member Gilmour asked if the updated was required. Mr. Asselmeier responded that the data was outdated and population projection have run their course.

Member Koukol noted that many properties facing development pressures will be annexed into municipalities.

Mr. Asselmeier explained the connection between the Land Resource Management Plan and the Zoning Ordinance.

The consensus of the Committee was to have Staff update the population figures and review the Future Land Use Map as necessary.

Discussion occurred regarding land uses along Route 47 in the southern portion of the County.

Member Gilmour made a motion, seconded by Member Chairman Gengler, to table the proposal.

With a voice vote of four (4) ayes, the motion carried.

Mr. Asselmeier will check with other counties to see if another cost estimate existed for doing Land Resource Management Plan.

Discussion of the Two (2) Year Renewal Requirement for Real Estate and Development Off Premise Advertising Signs (Billboards); Committee Could Initiate Text Amendments to the Zoning Ordinance Changing This Requirement

Mr. Asselmeier summarized the issue.

Chairman Gryder requested that the Planning, Building and Zoning Committee explore changing the regulations requiring two (2) year renewals for real estate and development billboards.

The present requirement is found in Section 12:06.A.4 (Signage Regulations – General Standards) and states the following:

“All signs shall be located on the premises for which they are advertising except where indicated otherwise under Sections 12:04 and 12:12 of this Ordinance. Real estate and development signs may be located off site for a period not to exceed two (2) years, provided that a special use is granted pursuant to Section 12:12 of this Ordinance.”

The two (2) year renewal requirement was added to the Zoning Ordinance per Ordinance 2000-39, which the County Board adopted in October 2000. A copy of this Ordinance was provided.

Unfortunately, the minutes and related documents associated with Ordinance 2000-39 do not provide any guidance as to why the deadline was imposed. However, the intent of the Ordinance was to restrict the placement of billboards. Ordinance 2000-39 restricted billboards to the M-2 and M-3 Districts and by special use permit only and established an amortization period which was later repealed. A map showing where billboards may be placed by special use permit was provided.

The renewal requirement applied only to real estate and development off premise signs and did not apply to any other billboards. Staff was aware of six (6) billboards in the unincorporated area and one (1) additional real estate and development sign. The real estate and development sign is located at Route 34 and Hafenrichter. A map showing the location of the existing billboards was provided.

The consensus of the Committee was to leave the regulations unchanged because of the small number of signs and the belief that the one (1) sign requiring renewal would be annexed before its next renewal date.

Approval of a Request from WBK Engineering to Increase the Escrow Deposit Fee for Stormwater Management Permits from \$1,200 or 2% of the Estimated Cost of the Proposed Improvements Whichever is Greater to \$2,000 or 2% of the Estimated Cost of the Proposed Improvements Whichever is Greater

Mr. Asselmeier summarized the issue.

In preparing for the budget for the next fiscal year, the County contacted WBK Engineering and asked if any fees were likely to increase. WBK Engineering advised the County that some fees would increase and suggested that the County raise the escrow deposit fee for stormwater management permit applications from One Thousand Two Hundred Dollars (\$1,200) or two percent (2%) of the estimated cost of the proposed improvement whichever is greater to Two Thousand Dollars (\$2,000) or two percent (2%) of the estimated cost of the proposed improvement whichever is greater. A copy of WBK Engineer's email was provided.

As far as Staff can tell, the escrow deposit fee has been One Thousand Two Hundred Dollars (\$1,200) or two percent (2%) of the estimated cost of the proposed improvement whichever is greater since at least April 2009. The escrow deposit fee was mentioned in the County's original contract with WBK Engineering in April 2009. Prior to WBK Engineering's first contract in 2009, the escrow deposit fee was less than the present fee.

When the funds in an escrow account were depleted, WBK Engineering pursued escrow replenishments. Unspent funds are returned to the applicant when the permit or investigation is closed. Of the twenty-six (26) open escrow accounts, eight (8) received escrow replenishments. It was very likely that at least one (1) additional project will require an escrow replenishment in the future.

Staff requested guidance as to how to proceed.

The consensus of the Committee was to explore charging the two (2%) costs and leave the deposit unchanged. WBK will continue to pursue replenishments.

OLD BUSINESS

Review of Agenda for October 21, 2021 Kendall County Planning, Building and Zoning Committee Meeting in Boulder Hill

The Committee reviewed the draft agenda and press release.

Member Koukol stated the history of the excavation use at 3485 Route 126. Materials and equipment were to be kept inside the building. He discussed the floodplain on the property. He discussed the special uses on the property.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the non-violation report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Approval of a Request from the Kendall County Historic Preservation Commission to Change the Time of Regular Meetings of the Kendall County Historic Preservation Commission from 6:30 p.m. on the Third Monday of the Month to 6:00 p.m. on the Third Monday of the Month

Chairman Gengler made a motion, seconded by Member Vickers, to recommend approval of the proposal to the County Board.

With a voice vote of four ayes, the motion carried.

The proposal goes to the County Board on September 21, 2021, on the consent agenda.

Discussion of Historic Structure Survey in Kendall and Bristol Townships

Mr. Asselmeier summarized the issue.

After becoming a Certified Local Government, the Kendall County Historic Preservation Commission spent several meetings discussing their next projects. The Commission favored doing historic structure surveys in preparation for doing a preservation plan for the County. The Commission researched firms that conduct structure surveys and met with a representative of Wiss, Janney, Elstner Associates, Inc. (WJE) to discuss the process. WJE previously did structure surveys for unincorporated Will and Kankakee Counties. The Commission requested WJE prepare a proposal to do a structure survey in Bristol and Kendall Townships. The surveys would be for the unincorporated area only and would not include Helmar.

As noted in the proposal, the cost to survey Kendall Township would be Thirty Thousand Dollars (\$30,000). The cost to survey Bristol Township would be Fifteen Thousand Dollars (\$15,000). The cost to survey both townships simultaneously would be Forty-Two Thousand Five Hundred Dollars (\$42,500). The estimate included an assumption that some volunteer labor by Commissioners and other parties interested in historic preservation would be provided.

At their meeting on August 16, 2021, the Commission unanimously recommended surveying both townships as their first choice, surveying Kendall Township only as their second choice, and surveying Bristol Township only as their third choice.

The County would apply for a Certified Local Government grant to cover a portion of the project's cost. Historically, these grants covered seventy percent (70%) of the project's costs. The County would be responsible for covering the remaining thirty percent (30%). Staff and volunteer time and can be used to cover a portion of the costs.

If the County Board approved funding this project in some form, the Commission's intention was to survey the remaining townships in upcoming years.

Member Koukol noted the enthusiasm of the historic preservation organizations to undertake this project.

Discussion occurred regarding the number of historic structures in the unincorporated area.

The consensus of the Committee was to approve the project on the condition that grant funding be secured.

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Member Koukol made a motion, seconded by Member Vickers, to adjourn. With a voice vote of four (4) ayes, the motion carried.

Chairman Gengler adjourned the meeting at 9:43 p.m.

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

Enc.



Kendall County Agenda Briefing

Committee: Historic Preservation Commission and Planning, Building and Zoning

Meeting Date: August 16, 2021 (HPC) September 13, 2021 (PBZ)

Amount: N/A

Budget: N/A

Issue: Request from the Kendall County Historic Preservation Commission to Change the Time of Regular Meetings of the Kendall County Historic Preservation Commission from 6:30 p.m. on the Third Monday of the Month to 6:00 p.m. on the Third Monday of the Month

Background and Discussion:

Historic Preservation Commissioner Eric Bernacki was recently elected to the Na-Au-Say Township Board of Trustees.

The Na-Au-Say Township Board of Trustees meets the third Monday of the month at 7:00 p.m.

The Historic Preservation Commission would like to move the Commission's start time from 6:30 p.m. to 6:00 p.m. to allow Commissioner Bernacki to attend both meetings.

Committee Action:

HPC-Approval (5-0) PBZ-Approval (4-0-1)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: September 14, 2021

Pre-Application Form for HMGP, BRIC21 & FMA21

HMGP Pre-Application (Hazard Mitigation Grant Program)

BRIC Pre-Application (Building Resilient Infrastructure Communities)

FMA Pre-Application* (Flood Mitigation Assistance)

Instructions:

1. Entire pre-application form must be completed in order to be considered for federal funding.
2. If you have any questions during the pre-application phase, please contact Sam Al-Basha, the Illinois State Hazard Mitigation Officer at Sam.m.Al-Basha@illinois.gov or (217) 785-9942.
3. The deadline to submit your pre-application form to the Illinois Emergency Management Agency (IEMA) is **September 30, 2021 at 5:00 pm CST**. Forms submitted after this time will not be accepted.
4. Submit complete pre-application to ema.mitigation@illinois.gov attention Sam Al-Basha.

Sam Al-Basha, State Hazard Mitigation Officer
 Illinois Emergency Management Agency
 1035 Outer Park
 Springfield, IL 62704-4462

5. Submission of this form does not guarantee federal funding. All pre-applications will be evaluated by IEMA to determine the most appropriate use of funding.

State funding priorities are for communities implementing activities:

- 1) for the adoption of latest editions of building codes
- 2) to make communities more resilient to climate change.
- 3) in “Economically Disadvantaged Rural Communities” mitigating the risk to public infrastructure.

Economically Disadvantaged Rural Community	
Does your community meet the below criteria for Economically Disadvantaged Rural Community ?	
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
1) A community of 3000 or fewer individuals that is economically disadvantage?	
2) Residents of your community have an average per capita annual income not exceeding 80 percent of the national per capita income based on best available data. **	
Is your Community an Economically Disadvantaged Rural Community ? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
**Best Source of Data:	

***FMA Grant Program is for Communities that participate in the National Flood Insurance Program (NFIP) and for structures that have an up-to-date “Flood Insurance” through NFIP.**

Hazard Mitigation Planning Requirement (HMP)		
Did your Jurisdiction participate in the development of the HMP?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Did your Jurisdiction pass a resolution adopting HMP?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Is the mitigation activity /project listed as a proposed mitigation action measure in the HMP?		
<input type="checkbox"/> No, it is not listed in the HMP as an action measure to mitigate hazard risk? <input type="checkbox"/> Yes, it is on Page #_____. Please enter page number of the HMP where the project is listed. <input checked="" type="checkbox"/> Not Applicable (Please explain). The proposed mitigation activity/project is an update of the Plan itself and was not listed as a specific mitigation project since it is required per FEMA regulation 44 CFR §201.6(d)(3)		

Section 1: Background Information

Applicant
Name of Applicant: Kendall County

Point of Contact	
First Name: Roger	Last Name: Bonuchi
Title: Kendall County EMA Director	
Email: rbonuchi@co.kendall.il.us	Phone #: 630-553-4500

Agency/Organization		
Address: 1102 Cornell Lane		
City: Yorkville	Zip: 60560	County: Kendall
Phone: 630-553-4500	Fax:	
DUNS #: 36-177-9440	FEIN #: 36-6006598	
Congressional District: 11/14	House District: 50/75/84/97	Senate District: 25/38/42/49
Has your agency previously received FEMA HMGP, PDM or FMA funds? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
If yes, please provide relevant Sub Award#: unknown grant #		

Section 2: Project Specific Information

Community
Does your community participate in the NFIP? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is your Community located Special Flood Hazard Area (SFHA)? countywide

Has your community been suspended from the NFIP?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Latitude and longitude of the community: 41.5833634/-88.4334044		
Population: 128,990		

Project
Identify the type of proposed mitigation activity (check all that apply):
<input type="checkbox"/> Building Code <input type="checkbox"/> Climate Change <input type="checkbox"/> Infrastructure for an “Economically Disadvantage Rural Communities” <input checked="" type="checkbox"/> Hazard Mitigation Plan <input type="checkbox"/> Acquisition/demolition <input type="checkbox"/> Acquisition/relocation <input type="checkbox"/> Building elevation <input type="checkbox"/> Building retrofit <input type="checkbox"/> Small levee/floodwall/berm to protect critical facility or single structure <input type="checkbox"/> Stormwater or small drainage project that reduces localized flooding <input type="checkbox"/> Tornado/wind/storm safe room <input type="checkbox"/> Other (please describe)

Description of the Risk to be Mitigated:
The existing Local Hazard Mitigation Plan is expired and requires updating per FEMA regulation 44 CFR §201.6(d)(3). Currently the County and participating jurisdictions are not eligible for mitigation project grant funding which is which creates a financial barrier to the implementation of the mitigation actions identified in the Plan.

Project latitude and longitude (if multiple locations, include property details in attachments)	
Latitude: 41.5833634	Longitude: -88.4334044
Projected population impacted by proposed project: 128,990	

Description of the Project to Mitigate the Risk:
The Local Hazard Mitigation Plan (LHMP) will be updated to comply with 44 CFR §201.6(d)(3) which states that within 5 years of approval, the LHMP must be reviewed and revised to reflect changes in development, progress in location mitigation efforts and changes in priorities in order to remain eligible for mitigation project grant funding which is vital to the implementation of the identified mitigation actions.

Project Scope of Work (please include additional documentation if needed)	
An experienced consultant will be hired to systematically evaluate and update the existing plan. A hazard mitigation committee will be reassembled and will include County and municipal officials as well as any local government entities who wish to participate. The mitigation strategy developed for the original Plan will be reviewed and updated. For mitigation actions that have been completed, the risk/vulnerability assessment will be re-evaluated to determine the relative degree of reduction achieved in impacts on property and people. Population changes, land use developments, and natural hazard events will also be evaluated to determine specific adjustments that might be made to upgrade this Plan. Natural hazard events occurring since the original Plan was completed will be examined to determine adjustments that may be needed. In addition to the natural hazards, part of this Plan update will include select man-made hazards. The previous plan will be reviewed and discussed at Committee meetings to identify any adjustments that are needed to strengthen the Plan with a special focus on: (1) What can be done to help municipalities implement mitigation actions, and (2) Are there any economic development or land-use changes that need to be considered?	
Property type (if applicable):	
<input type="checkbox"/> Residential building	<input type="checkbox"/> School/hospital/place of worship
<input type="checkbox"/> Public building	<input type="checkbox"/> Business/commercial building
<input type="checkbox"/> Residential vacant lot	<input type="checkbox"/> Critical infrastructure
<input type="checkbox"/> Other (please describe):	

Estimated Total Project Cost: \$49,700
Narrative to support total estimated cost (please include or attach a detailed budget):
<p>Task 1-Application Development (Pre-Grant Award): A procurement process which includes the issuance of a Request For Proposals and use of scoring criteria will be followed to select a consultant. The consultant hired by the County to update the LHMP will assist the County in preparing the grant application. The Consultant will coordinate with the County to obtain the necessary information to prepare the grant application and complete a draft of the grant application for review and approval by the County. Cost for this Task: \$2,315</p> <p>Task 2-Committee Formation: The consultant and the County will re-organize the Hazard Mitigation Planning Committee which will consist of County and municipal staff, the general public, and representatives from agriculture, business, schools, healthcare, insurance, and other segments of the population. This committee will meet at least five times to update the Plan. Cost for this Task: \$3,000</p> <p>Task 3-Public Involvement & Goal Setting: <u>Public Involvement:</u> Early and ongoing public involvement activities will be conducted by the consultant to provide multiple opportunities for the public to provide input. In addition to conducting the Committee meetings as meetings open to the public, other methods (such as social media, county website, municipal displays and kiosks) will be used to encourage input. <u>Goal Setting:</u> After reviewing existing plans, ordinances, and completing the risk assessment, the Committee will re-evaluate the goals and objectives outlined in the original Plan. The Committee will work to update the mitigation Plan. Cost for this Task: \$10,175</p> <p>Task 4-Coordination: The consultant will work with the County and participating jurisdictions to identify existing plans, ordinances, and activities currently being implemented that impact or might potentially impact hazard mitigation.</p>

<p>Cost for this Task: \$1,000</p> <p>Task 5-Risk Assessment, GIS Services & Vulnerability Analysis: <i>Risk Assessment & Vulnerability Analysis:</i> Experienced environmental risk assessment professionals employed by the consultant will assist in identifying and updating the hazard event profiles, inventorying vulnerable assets and estimating potential dollar losses for the risk assessment and vulnerability analysis. <i>GIS Services:</i> The County’s GIS department will work with the consultant to verify building counts in the floodplains and create GIS compatible maps to show locations and pathways of tornadoes, floodplains, dam locations, etc. Cost for this Task: \$9,750</p> <p>Task 6-Mitigation Strategy & Actions: Specific mitigation actions for each participating jurisdiction will be identified, screened, and organized. The status of existing mitigation actions will be evaluated, and a comprehensive range of jurisdiction-specific mitigation actions will be identified. Each identified action will be analyzed and prioritized based on the updated mitigation actions prioritization methodology approved by the Committee. The Mitigation Strategy will also describe the responsible organization(s), estimated costs and benefits for each mitigation project and activity. Cost for this Task: \$10,500</p> <p>Task 7-Draft Plan Update: Portions of the draft plan will be presented at each Committee meeting that describe the previous tasks – public involvement/planning process, risk assessment, goals, and mitigation strategy. Responsibility for how the plan will be updated, (preferably annually if not more frequently) will be described in the Plan Maintenance section. The draft plan will be publicized through the news media. The Mitigation Planning Committee and the public will review and comment on the draft plan. Cost for this Task: \$7,750</p> <p>Task 8-Finalize Plan Update & Adoption: Comments from IEMA, FEMA, the Mitigation Planning Committee, and the public will be used to revise the Plan as needed to secure an Approval Pending Adoption (APA) Letter from FEMA. Once the APA Letter is secured, the County and all the participating jurisdictions will have the opportunity to pass resolutions adopting the Plan update. Copies of each resolution will be attached to the final adopted version of the Plan update and provided electronically to each participant. Cost for this Task: \$3,250</p> <p>Travel & Direct Expenses: Consultant travel to and from the committee meeting and printing costs (meeting packets for committee meetings, forms, portions of the plan for review including vulnerability analysis and mitigation strategy). Cost for this Item: \$1,960</p>
<p>Source of matching funds: In-Kind Contributions from County & Participating Jurisdictions</p>
<p>Amount of matching funds (25%):16,567</p>

Additional Considerations:		
1. Do you foresee any historical preservation issues that would affect this project?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
a. Will the project affect undisturbed land?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. Will the project affect any archaeologically sensitive areas?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c. Will the project affect any historically sensitive areas?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d. Is the project near any known historic structures?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

e. Are there any buildings 50 years or older within the project?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If Yes in any of the above, please explain:		
2. Do you foresee any environmental issues that would affect this project?		
a. Will the project affect any waterways or water bodies	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. Will the project affect potential wetland areas?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c. Will the project affect and vegetated areas?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d. Will the project involve removal of hazardous/toxic materials?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
e. Will the project areas of habitat for threatened or endangered species?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
f. Is the project near a wilderness area or wildlife refuge?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
g. Will the project affect other sensitive areas?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
i. Groundwater aquifers	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
ii. Wild or scenic rivers	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
iii. Prime or important farmland	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
h. Are you aware of any underground storage tanks in the project area?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If Yes in any of the above, please explain:		
3. Are there any concentrations of low income or minority populations in or near your project area?		
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
4. Please attach any maps and/or photos that better describe the project area, past damages, proposed project timeline, or other supporting information.		
Attached is the following supporting documentation:		
a) County Highway Map		
b) Work Schedule		

Section 3: Sub-Recipient Management Costs		
Do you want to request Sub-recipient management cost?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If Yes, Provide the following information:		
1) Scope of Work for the requested management cost.		
a. Describe how and where this management cost will be implemented.		
b. What Staff and resources will be used to implement this management cost		
2) Provide Work Schedule		
a. Description of tasks		
b. Duration		
c. Work to be completed		
3) Management Cost Estimate		

a. Salaries
b. Other Costs

Section 4: Technical Assistance
Does your Jurisdiction need assistance in completing a Sub Application?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Signature of approving official:		
/ /		
Printed Name	Signed Name	Date

Kendall County Clerk				
Revenue Report		8/1/21-8/31/21	8/1/20-8/31/20	8/1/19-8/31/19
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$1,355.50	\$1,185.50	\$ 920.00
MARFEE	County Clerk Fees - Marriage License	\$2,520.00	\$2,520.00	\$ 2,250.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$ -
ASSUME	County Clerk Fees - Assumed Name	\$20.00	\$75.00	
CRTCOP	County Clerk Fees - Certified Copy	\$2,224.00	\$2,108.00	
NOTARY	County Clerk Fees - Notary	\$305.00	\$205.00	
MISINC	County Clerk Fees - Misc	\$34.00	\$35.00	\$ 1,960.00
	County Clerk Fees - Misc Total	\$6,458.50	\$6,128.50	\$5,130.00
RECREE	County Clerk Fees - Recording	\$45,829.00	\$40,845.00	\$ 31,545.00
	Total County Clerk Fees	\$52,287.50	\$46,973.50	\$36,675.00
CTYREV	County Revenue	\$80,549.25	\$44,290.75	\$ 48,171.00
DCSTOR	Doc Storage	\$26,987.50	\$23,964.50	\$ 18,476.00
GISMAP	GIS Mapping	\$85,440.00	\$75,930.00	\$ 31,208.00
GISRCD	GIS Recording	\$5,696.00	\$5,062.00	\$ 3,904.00
INTRST	Interest	\$58.05	\$23.68	\$ 17.71
RECMIS	Recorder's Misc	\$11,105.00	\$833.00	\$ 6,731.50
RHSP	RHSP/Housing Surcharge	\$24,399.00	\$21,339.00	\$ 16,560.00
TAXCRT	Tax Certificate Fee	\$440.00	\$560.00	\$ 960.00
TAXFEE	Tax Sale Fees	\$20.00	\$35.00	\$ -
PSTFEE	Postage Fees			\$ -
CK # 19294	To KC Treasurer	\$286,982.30	\$219,011.43	\$162,703.21
Death Certificate Surcharge sent from Clerk's office \$1308.00 ck # 19292				
Dom Viol Fund sent from Clerk's office \$420.00 ck 19293				

Office of Jill Ferko

Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR NINE MONTHS ENDED 08/30/2021.

<u>REVENUES*</u>	Annual <u>Budget</u>	2021 YTD <u>Actual</u>	2021 YTD% <u>%</u>	2020 YTD <u>Actual</u>	2020 YTD <u>%</u>
Personal Property Repl. Tax	\$390,000	\$467,877	119.97%	\$336,587	86.30%
State Income Tax	\$2,300,000	\$2,360,483	102.63%	\$2,062,263	89.66%
Local Use Tax	\$900,000	\$622,111	69.12%	\$723,736	103.39%
State Sales Tax	\$530,000	\$370,210	69.85%	\$401,362	72.97%
County Clerk Fees	\$325,000	\$402,859	123.96%	\$324,785	99.93%
Circuit Clerk Fees	\$1,220,000	\$880,194	72.15%	\$783,523	58.04%
Fines & Foreits/St Atty.	\$275,000	\$187,267	68.10%	\$205,121	68.37%
Building and Zoning	\$68,000	\$109,601	161.18%	\$82,926	121.95%
Interest Income	\$100,000	\$16,349	16.35%	\$133,846	66.92%
Health Insurance - Empl. Ded.	\$1,467,439	\$215,631	14.69%	\$902,004	71.21%
1/4 Cent Sales Tax	\$3,075,000	\$2,223,812	72.32%	\$2,261,478	72.83%
County Real Estate Transf Tax	\$450,000	\$444,943	98.88%	\$367,492	86.47%
Federal Inmate Revenue	\$2,044,000	\$1,218,160	59.60%	\$1,697,280	83.04%
Sheriff Fees	\$140,000	\$62,177	44.41%	\$67,996	40.00%
TOTALS	\$13,284,439	\$9,581,674	72.13%	\$10,350,398	78.45%
Public Safety Sales Tax	\$5,250,000	\$3,857,112	73.47%	\$3,893,464	73.13%
Transportation Sales Tax	\$5,250,000	\$3,857,112	73.47%	\$3,893,464	64.89%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 9 months the revenue and expense should at 75.00%

****PLEASE NOTE, THE AMOUNTS BEING REPORTED NOW REFLECT ALL ACCRUALS NOTED IN THE AUDIT. THEREFORE COMPARING PRIOR YEAR REVENUES TO LAST YEAR REVENUES IS NOT A GOOD COMPARISON**

EXPENDITURES

All General Fund Offices/Categories

	\$31,020,242	\$21,293,204	68.64%	\$20,477,243	69.27%
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KENDALL COUNTY CORONER
— JACQUIE PURCELL —

August, FY 2021 Monthly Report

Description	**	August 2021	Fiscal Year-to-Date	August 2020
Total Deaths		32	291	29/299
Natural Deaths		28	271	26/275
Accidental Deaths		3	14	1/13
Suicidal Deaths		0	5	0/8
Homicidal Deaths		0	0	0/1
Undetermined Death		0	0	0/1
Pending Death		1	1	2/2
Scenes Responded To		4	45	4
Bodies Transported		4	32	3
Autopsies		2	12	2/20
External Examinations		2	30	2
Toxicology		2	18	2/28
Cremation Authorizations		20	187	17/190

**

(A):

1. 08/02/2021 – Yorkville – 13yo, Male, Blunt Force Injuries due to Motor Vehicle Collision
2. 08/20/201 – Yorkville – 43yo, Male, Thermal Injuries sustained in Motor Vehicle Collision
3. 08/27/2021 – Yorkville – 77yo, Male, Subdural Hematoma due to a Fall

(P):

1. 08/17/2021 – Plano – 33yo, Male, Possible Overdose

PERSONNEL/OFFICE ACTIVITY:

1. On August 2-5, 2021, Coroner Purcell attended the annual ICMEA training in Collinsville.
2. On August 16, 2021, Cherie McCarron joined the office as an Administrative Assistant.
3. On August 30, 2021, Levi Gotte provided new recruit orientation/training for KCSO.
4. There were a total of 11.0 community service hours served at the Kendall County Coroner's Office during the month of August.

CARORUM AD CURAM



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: September 13, 2021

Amount: N/A

Budget: N/A

Issue: Petition 21-27 Request from Paul Kovacevich on Behalf of Tri-Star Development, Inc. for a Map Amendment Rezoning the Northeast 7.266 Acres of the Property on the South Side of Route 52 Across from 2735 Route 52 (PIN: 09-15-300-020) in Seward Township from A-1 Agricultural District to R-1 One Family Residential District

Background and Discussion:

At the time of application submittal, the subject property is part of a larger parcel that is approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment is approved, the Petitioner plans to divide the property using a Plat Act exemption. The western tract would retain A-1 zoning and the agricultural housing allocation. The eastern tract would be rezoned to R-1. A total of two (2) houses, one (1) on the A-1 zoned portion of the property and one (1) on the R-1 zoned portion of the property, would be constructed on the present forty (40) acre parcel.

The record for the Petition can be found here,
<https://www.co.kendall.il.us/home/showpublisheddocument/20709/637655718593070000>

The draft ordinance and maps of the property are attached.

Committee Action:

ZPAC-Approval (7-0-3), RPC-Approval (6-0-4), ZBA-Approval (6-0-1), Seward Township Planning Commission-Approval, Village of Shorewood-No Concerns, Minooka Fire Protection Dist-No Comments, PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: September 14, 2021

Kendall County Web GIS



June 30, 2021

-  Kendall County Address Points
-  Kendall County Forest Preserves
-  Ownership Parcel

1:7,200
0 0.04 0.09 0.18 mi
0 0.05 0.1 0.2 km

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View GIS Disclaimer at <https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/>.

53
Proposed R1 Zoning

Eastern part of
09-15-300-020



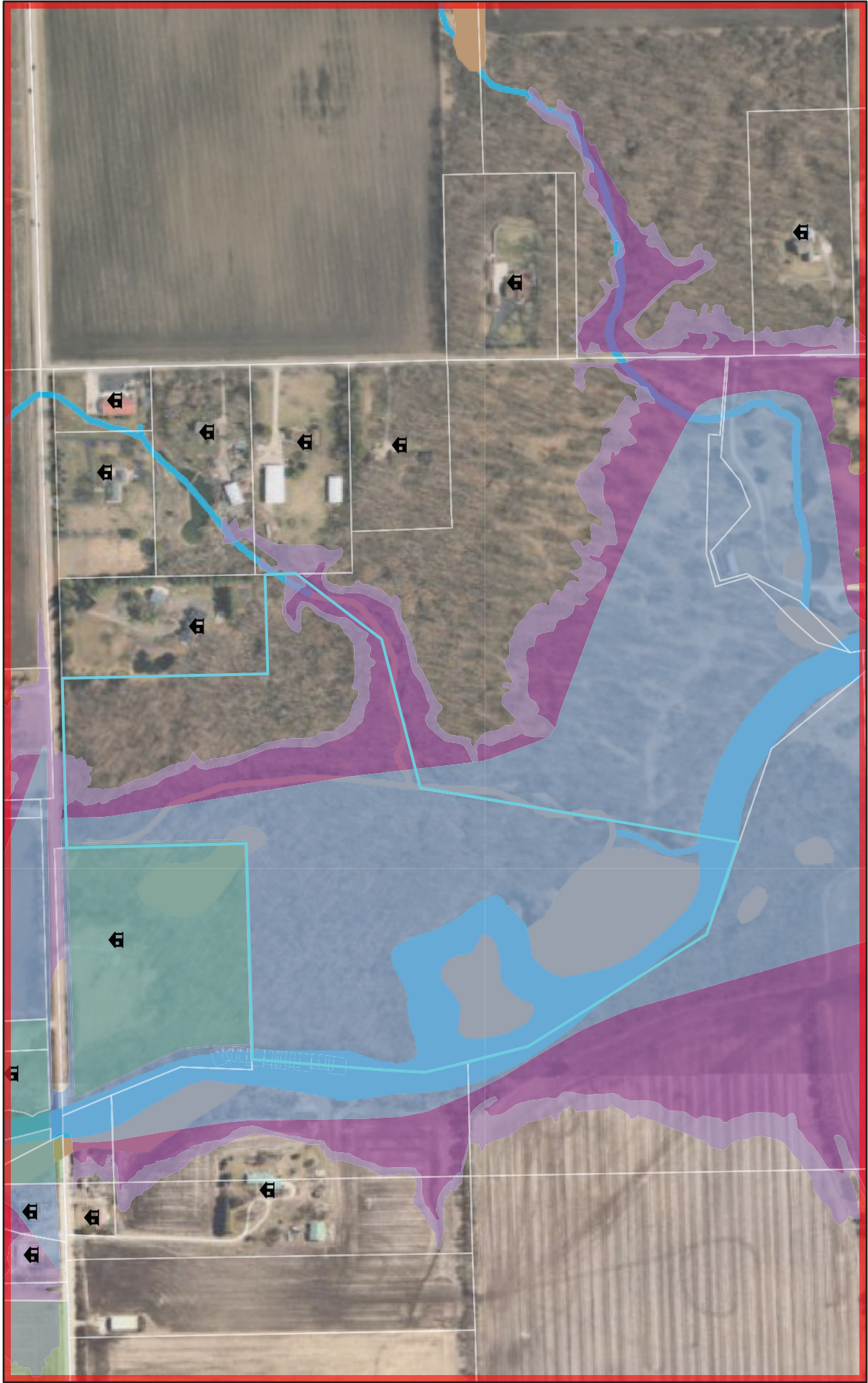
Legend

▭ Parcels



Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

Kendall County Web GIS



June 30, 2021

- Kendall County Address Points
- Kendall County Forest Preserves
- 0.2% Annual Chance Flood Hazard
- USA Wetlands
 - Marine
 - Estuarine
 - Palustrine
- USA Flood Hazard Areas
- Regulatory Floodway
- 1% Annual Chance Flood Hazard
- Ownership Parcel

View GIS Disclaimer at <https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/>.
 Kendall County Web GIS

ORDINANCE NUMBER 2021-_____**MAP AMENDMENT FOR APPROXIMATELY SEVEN POINT TWO SIX ACRES OF LAND
LOCATED ACROSS FROM 2735 ROUTE 52 (ON THE SOUTH SIDE OF ROUTE 52)
(NORTHEAST PORTION OF PIN: 09-15-300-020) IN SEWARD TOWNSHIP**

Rezone from A-1 to R-1

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 7.26 acres located on the south side of Route 52 across the street from 2735 Route 52 (Northeast Portion of PIN: 09-15-300-020), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is currently owned by Tri-Star Development, Inc. as represented by Paul Kovacevich hereinafter shall be referred to as “Petitioner”; and

WHEREAS, on or about June 30, 2021, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on August 12, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on August 30, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public testified in favor or in opposition or expressed concerns regarding the requested Map Amendment; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 30, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested Map Amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

State of Illinois
County of Kendall

Zoning Petition
#21-27

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of September, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

TRI-STAR DEVELOPMENT, INC.

EAST TRACT
PROPOSED R-1 ZONING

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE NORTH 88 DEGREES 21 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 1091.99 FEET; THENCE SOUTH 01 DEGREES 38 MINUTES 24 SECONDS EAST 40.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, SAID POINT BEING THE NORTHEAST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 201000000304; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 330.00 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID LANDS CONVEYED BY DOCUMENT NUMBER 201000000304, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 208.70 FEET TO THE NORTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 200900002662; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST PARALLEL WITH THE EAST LINE OF THE AFORESAID SOUTHWEST QUARTER, 672.16 FEET TO THE SOUTHWEST CORNER OF SAID DOCUMENT NUMBER 200900002662; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST PARALLEL WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, A DISTANCE OF 324.16 FEET TO A POINT ON THE WEST LINE OF LANGELAND'S SUBDIVISION, SAID POINT BEING THE SOUTHEAST CORNER OF SAID DOCUMENT NUMBER 200900002662; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST ALONG SAID WEST LINE, 100.00 FEET; THENCE SOUTH 37 DEGREES 15 MINUTES 59 SECONDS WEST 350.00 FEET; THENCE SOUTH 75 DEGREES 26 MINUTES 06 SECONDS WEST 316.30 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID LANDS CONVEYED BY DOCUMENT NUMBER 201000000304; THENCE NORTH 01 DEGREES 38 MINUTES 24 SECONDS WEST ALONG SAID PARALLEL LINE, 1115.20 FEET TO THE POINT OF BEGINNING, IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 7.266 acres more or less.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 30, 2021, by a vote of six (6) in favor and zero (0) in opposition. Member Fox was absent.

FINDINGS OF FACT

§13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications.

Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. A forest preserve is located in the vicinity.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1 and R-1. The A-1 property to north has a special use permit for sale of products not grown on the premises.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where a new single-family home could be built.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. **The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.**

RECOMMENDATION

Approval



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: September 13, 2021

Amount: N/A

Budget: N/A

Issue: Petition 21-28 Request from Brian and Jennifer Gore for a Map Amendment Rezoning the Eastern 12.671 Acres of the Property on the West Side of Jughandle Road Across from 14776 Jughandle Road (PIN: 09-15-300-021) in Seward Township from A-1 Agricultural District to R-1 One Family Residential District

Background and Discussion:

At the time of application submittal, the subject property is part of a larger parcel that is approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment is approved, the Petitioner plans to divide the property using a Plat Act exemption. Tract 3, which is approximately twenty-seven point three (27.3) acres would retain A-1 zoning and the agricultural housing allocation. Tracts 1 and 2 would be rezoned to R-1. Tract 1 is approximately seven (7) acres in size. Tract 2 is approximately five point six (5.6) acres in size. A total of three (3) houses, one (1) on each Tract, would be constructed on the present forty (40) acre parcel with a private forty foot (40') wide road easement connecting Tract 3 to Jughandle Road.

The record for the Petition can be found here,
<https://www.co.kendall.il.us/home/showpublisheddocument/20711/637655718926700000>

The draft ordinance and aerials of the site are attached.

Committee Action:

ZPAC-Approval (7-0-3), RPC-Approval (6-0-4), ZBA-Approval (6-0-1), Seward Township Planning Commission-Approval, Village of Shorewood-No Concerns, Minooka Fire Protection Dist-No Comments, PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: September 14, 2021

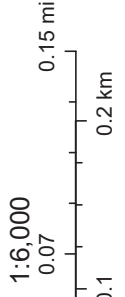
Kendall County Web GIS



June 30, 2021

🏠 Kendall County Address Points

Parcels
Ownership Parcel



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Brian & Jennifer Göre

Eastern part of
09-15-300-021



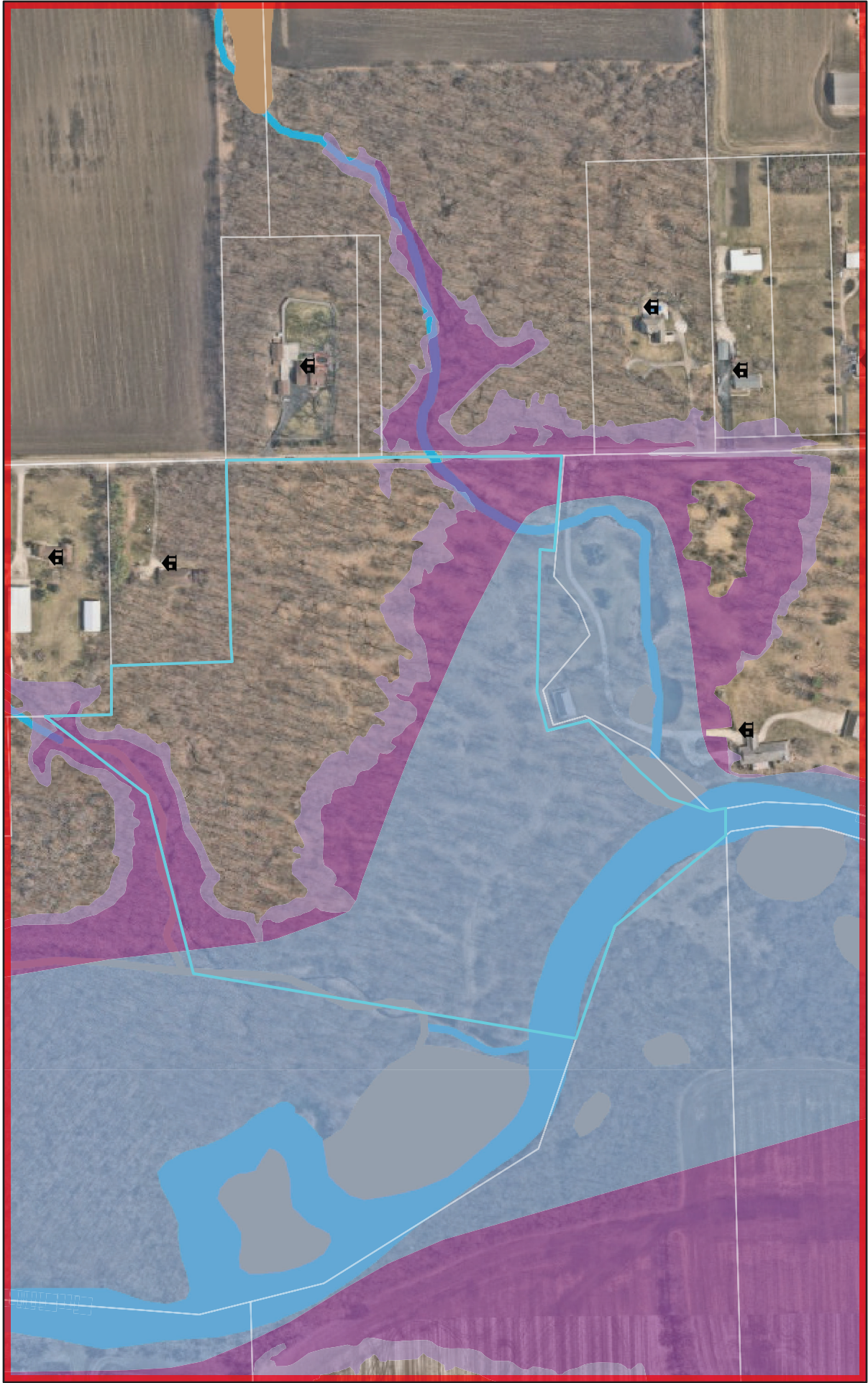
Legend

Parcels



Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

Kendall County Web GIS



June 30, 2021

- Kendall County Address Points
- USA Flood Hazard Areas
 - 1% Annual Chance Flood Hazard
 - 0.2% Annual Chance Flood Hazard
- Regulatory Floodway
- USA Wetlands
 - Marine
 - Palustrine
 - Riverine
- Ownership Parcel

1:6,000
 0 0.04 0.07 0.1 0.15 mi
 0 0.05 0.1 0.2 km

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 View GIS Disclaimer at <https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/>.

ORDINANCE NUMBER 2021-_____

**MAP AMENDMENT FOR APPROXIMATELY TWELVE POINT SIX ACRES OF LAND
LOCATED ACROSS FROM 14776 JUGHANDLE ROAD (ON THE WEST SIDE OF
JUGHANDLE ROAD) (EASTERN PORTION OF PIN: 09-15-300-021) IN
SEWARD TOWNSHIP**
Rezone from A-1 to R-1

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 12.671 acres located on the west side of Jughandle Road across the street from 14776 Jughandle Road (Eastern Portion of PIN: 09-15-300-021), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is currently owned by Brian and Jennifer Gore hereinafter shall be referred to as “Petitioner”; and

WHEREAS, on or about June 30, 2021, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on August 5, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on August 30, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public testified in favor or in opposition or expressed concerns regarding the requested Map Amendment; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 30, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested Map Amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

State of Illinois
County of Kendall

Zoning Petition
#21-28

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner’s petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of September, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

BRIAN & JENNIFER GORE**TRACT 1:**

THE EAST 350.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF LANDS CONVEYED BY QUIT CLAIM DEED, RECORDED AS DOCUMENT NUMBER 201500000055, SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 7.023 acre more or less.

TRACT 2

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 426.00 FEET TO THE NORTHEAST CORNER OF LANDS CONVEYED BY QUIT CLAIM DEED, RECORDED AS DOCUMENT NUMBER 201500000055, SAID CORNER BEING THE POINT OF BEGINNING (TRACT 2); THENCE CONTINUING NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG SAID EAST LINE, 901.42 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE SOUTH 88 DEGREES 21 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 550.01 FEET TO A POINT ON THE WEST LINE OF THE EAST 550.00 FEET OF NORTHEAST QUARTER OF AFORESAID SOUTHWEST QUARTER, SAID POINT BEING THE SOUTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 199607024; THENCE SOUTH 11 DEGREES 56 MINUTES 54 SECONDS WEST 862.92 FEET TO THE NORTHWESTERLY CORNER OF AFORESAID QUIT CLAIM DEED; THENCE NORTH 74 DEGREES 08 MINUTES 06 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID QUIT CLAIM DEED, A DISTANCE OF 112.00 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 08 SECONDS EAST ALONG SAID NORTHERLY LINE, 386.00 FEET; THENCE SOUTH 04 DEGREES 21 MINUTES 06 SECONDS WEST ALONG SAID NORTHERLY LINE, 36.00 FEET; THENCE SOUTH 85 DEGREES 38 MINUTES 54 SECONDS EAST ALONG SAID NORTHERLY LINE, 260.00 FEET TO THE POINT OF BEGINNING (TRACT 2); EXCEPTING THEREFROM THE EAST 350.00 FEET THEREOF, SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 5.648 acre more or less.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 30, 2021, by a vote of six (6) in favor and zero (0) in opposition. Member Fox was absent.

FINDINGS OF FACT

*Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.***

*The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1. There are R-1, R-1 PUD, and R-3 zoned parcels within one half (1/2) mile of the subject property.***

*The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where new single-family homes could be built.***

*The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. **The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.***

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.***

RECOMMENDATION

Approval



KENDALL COUNTY HIGHWAY DEPARTMENT
5-YEAR SURFACE TRANSPORTATION PROGRAM
2022 - 2026

Multiyear Program
Page 1

Revised 9/21/21

	ROAD	DESCRIPTION	LIMITS	TOTAL ESTIMATE	FUNDING	YEAR	STATUS
1	Ridge Road	Construction	Intersection Improvement at Rte. 52	\$1,500,000	State / MFT	2022	50% IDOT Funding
2	Ridge Road	Construction	Theodore Street to Caton Farm Road	\$2,500,000	Trans. Sales Tax	2022	
3	Ridge Road	Construction	Traffic Signal at Holt Road Intersection	\$300,000	County /Minooka/Seward	2022	50% / 25% / 25%
4	Fox Road	Construction	Fox Lawn to Ill. Rte. 47	\$600,000	Motor Fuel Tax	2022	IGA w/ Yorkville
5	Lisbon Road	Construction	Drainage-Sidewalk improvements in Lisbon	\$400,000	Trans. Sales Tax	2022	IGA w/ Lisbon
6	Plattville Road	Construction	Drainage Improvements near Pletcher Dr.	\$300,000	Trans. Sales Tax	2022	
7	Orchard Road	Construction	Gates Creek Watershed Improvement	\$300,000	Trans. Sales Tax	2022	IGA w/ Oswego
8	O'Brien Road	Construction	Concrete Box Culvert north of Bell Rd	\$100,000	Co. Bridge / Seward	2022	Joint Bridge Project
9	County Highways	HMA Resurfacing	Fox River Dr - Newark to Millington & Other	\$1,000,000	Motor Fuel Tax	2022	Spring Letting
10	County Highways	Pavement Preservation	Various Locations	\$200,000	Trans. Sales Tax	2022	
11	Various	KC-TAP	Transportation Alternatives Program	\$75,000	Trans. Sales Tax	2022	
12	Galena Road	Land Acquisition	Intersection Improvement at Kennedy	\$75,000	Trans. Sales Tax	2022	
13	Orchard Road	Phase II Engineering	Intersection Improvement at U.S. Route 30	\$100,000	Trans. Sales Tax	2022	Multi-Agency IGA
14	Fox River Drive	PE & Land Acquisition	Johnson Street Reconstruction	\$150,000	Trans. Sales Tax	2022	
15	Orchard Road	PE & Land Acquisition	Collins Road Extension	\$750,000	Trans. Sales Tax	2022	
16	Caton Farm Road	PE & Land Acquisition	Caton Farm Road over Aux Sable Creek	\$100,000	Co. Bridge	2022	
17	Ridge Road	Preliminary Engineering	Bridge over Aux Sable Tributary	\$100,000	Co. Bridge	2022	
18	Plainfield Road	Preliminary Engineering	Grove Rd to Collins Rd - Traffic Analysis	\$50,000	Trans. Sales Tax	2022	
19	Galena Road	Preliminary Engineering	Intersection Improvement at Cannonball	\$100,000	Trans. Sales Tax	2022	
20	Newark Road	Preliminary Engineering	Drainage improvements at Lisbon Rd	\$50,000	Trans. Sales Tax	2022	
21	Orchard Road	Construction	Collins Road Extension	\$12,500,000	Fed / State / Local	2023	\$2.5 / \$5.0 / \$5.0
22	Orchard Road	Constructon	Intersection Improvement at U.S. Route 30	\$250,000	Trans. Sales Tax	2023	
23	Galena Road	Construction	Intersection Improvement at Kennedy	\$1,500,000	Trans. Sales Tax	2023	
24	Fox River Drive	Construction	Johnson Street Reconstruction	\$1,500,000	Motor Fuel Tax	2023	
25	Caton Farm Road	Bridge Replacement	Caton Farm Road over Aux Sable Creek	\$1,000,000	TST / Co. Bridge	2023	
26	Ridge Road	Intersection Improvement	At Johnson Road (143rd Street)	\$1,000,000	TST and/or MFT	2023	IGA w/ Plainfield



KENDALL COUNTY HIGHWAY DEPARTMENT
5-YEAR SURFACE TRANSPORTATION PROGRAM
2022 - 2026

Multiyear Program
Page 2

Revised 9/21/21

	ROAD	DESCRIPTION	LIMITS	TOTAL ESTIMATE	FUNDING	YEAR	STATUS
27	Newark Road	Construction	Drainage improvements at Lisbon Rd	\$500,000	Trans. Sales Tax	2023	
28	County Highways	HMA Resurfacing	Various Locations TBD	\$2,000,000	Motor Fuel Tax	2023	May include Collins Rd
29	County Highways	Pavement Preservation	Various Locations	\$200,000	Trans. Sales Tax	2023	
30	Various	KC-TAP	Transportation Alternatives Program	\$75,000	Trans. Sales Tax	2023	
31	Ridge Road	PE & Land Acquisition	Bridge over Aux Sable Tributary	\$100,000	Co. Bridge	2023	
32	Crimmins Road	Preliminary Engineering	Fox River Dr (N) to Fox River Dr (S)	\$100,000	Trans. Sales Tax	2023	
33	Plainfield Road	PE & Land Acquisition	Grove Rd to Collins Rd - Traffic Control	\$150,000	Trans. Sales Tax	2023	
34	Fox Road	Preliminary Engineering	Intersection Improvement at Eldamain Rd.	\$100,000	Trans. Sales Tax	2023	
35	Galena Road	PE & Land Acquisition	Intersection Improvement at Cannonball	\$150,000	Trans. Sales Tax	2023	
36	Grove Road	Preliminary Engineering	Intersection Improvement at Ill. Rte. 126	\$50,000	Trans. Sales Tax	2023	
37	Plainfield Road	Construction	Grove Rd to Collins Rd - Traffic Control	\$1,000,000	Trans. Sales Tax	2024	
38	Galena Road	Construction	Intersection Improvement at Cannonball	\$1,500,000	Trans. Sales Tax	2024	
39	Ridge Road	Bridge Replacement	Bridge over Aux Sable Tributary	\$2,000,000	TST / Co. Bridge	2024	
40	Grove Road	New Traffic Signal	Intersection Improvement at Ill. Rte. 126	\$300,000	Trans. Sales Tax	2024	
41	County Highways	HMA Resurfacing	Various Locations TBD	\$2,500,000	Motor Fuel Tax	2024	
42	County Highways	Pavement Preservation	Various Locations	\$200,000	Trans. Sales Tax	2024	
43	Various	KC-TAP	Transportation Alternatives Program	\$75,000	Trans. Sales Tax	2024	
44	Crimmins Road	PE & Land Acquisition	Fox River Dr (N) to Fox River Dr (S)	\$100,000	Trans. Sales Tax	2024	
45	Fox Road	Preliminary Engineering	Intersection Improvement at Eldamain Rd.	\$100,000	Trans. Sales Tax	2024	
46	Walker Road	Preliminary Engineering	Realignment east of Fox River Drive	\$100,000	Trans. Sales Tax	2024	
47	Grove Road	Preliminary Engineering	Intersection Improvement at Route 52	\$100,000	Trans. Sales Tax	2024	
48	Township Bridge	Preliminary Engineering	Township Bridge Program	\$50,000	State / Co. / Twp.	2024	80 / 10 / 10
49	Crimmins Road	Construction	Fox River Dr (N) to Fox River Dr (S)	\$3,500,000	Trans. Sales Tax	2025	
50	Township Bridge	Bridge Replacement	Township Bridge Program - Location TBD	\$300,000	State / Co. / Twp.	2025	80 / 10 / 10
51	County Highways	HMA Resurfacing	Various Locations TBD	\$2,500,000	Motor Fuel Tax	2025	



KENDALL COUNTY HIGHWAY DEPARTMENT
5-YEAR SURFACE TRANSPORTATION PROGRAM
2022 - 2026

Multiyear Program
Page 3

Revised 9/21/21

	ROAD	DESCRIPTION	LIMITS	TOTAL ESTIMATE	FUNDING	YEAR	STATUS
52	County Highways	Pavement Preservation	Various Locations	\$100,000	Trans. Sales Tax	2025	
53	Various	KC-TAP	Transportation Alternatives Program	\$75,000	Trans. Sales Tax	2025	
54	Walker Road	PE & Land Acquisition	Realignment east of Fox River Drive	\$250,000	Trans. Sales Tax	2025	
	Grove Road	PE & Land Acquisition	Intersection Improvement at Route 52	\$100,000	Trans. Sales Tax	2025	
55	Ridge Road	Preliminary Engineering	4-Lane Section Holt Rd to Route 52	\$1,000,000	Trans. Sales Tax	2025	
56	Fox Road	Construction	Intersection Improvement at Eldamain Rd.	\$2,000,000	Trans. Sales Tax	2026	
57	Walker Road	Construction	Realignment east of Fox River Drive	\$2,000,000	Trans. Sales Tax	2026	
	Grove Road	Construction	Intersection Improvement at Route 52	\$1,500,000	IDOT / MFT	2026	Agreement w/ IDOT
58	County Highways	HMA Resurfacing	Various Locations TBD	\$2,000,000	Motor Fuel Tax	2026	
59	County Highways	Pavement Preservation	Various Locations	\$200,000	Trans. Sales Tax	2026	
60	Various	KC-TAP	Transportation Alternatives Program	\$75,000	Trans. Sales Tax	2026	
61	Ridge Road	PE & Land Acquisition	4-Lane Section Holt Rd to Route 52	\$1,000,000	Trans. Sales Tax	2026	

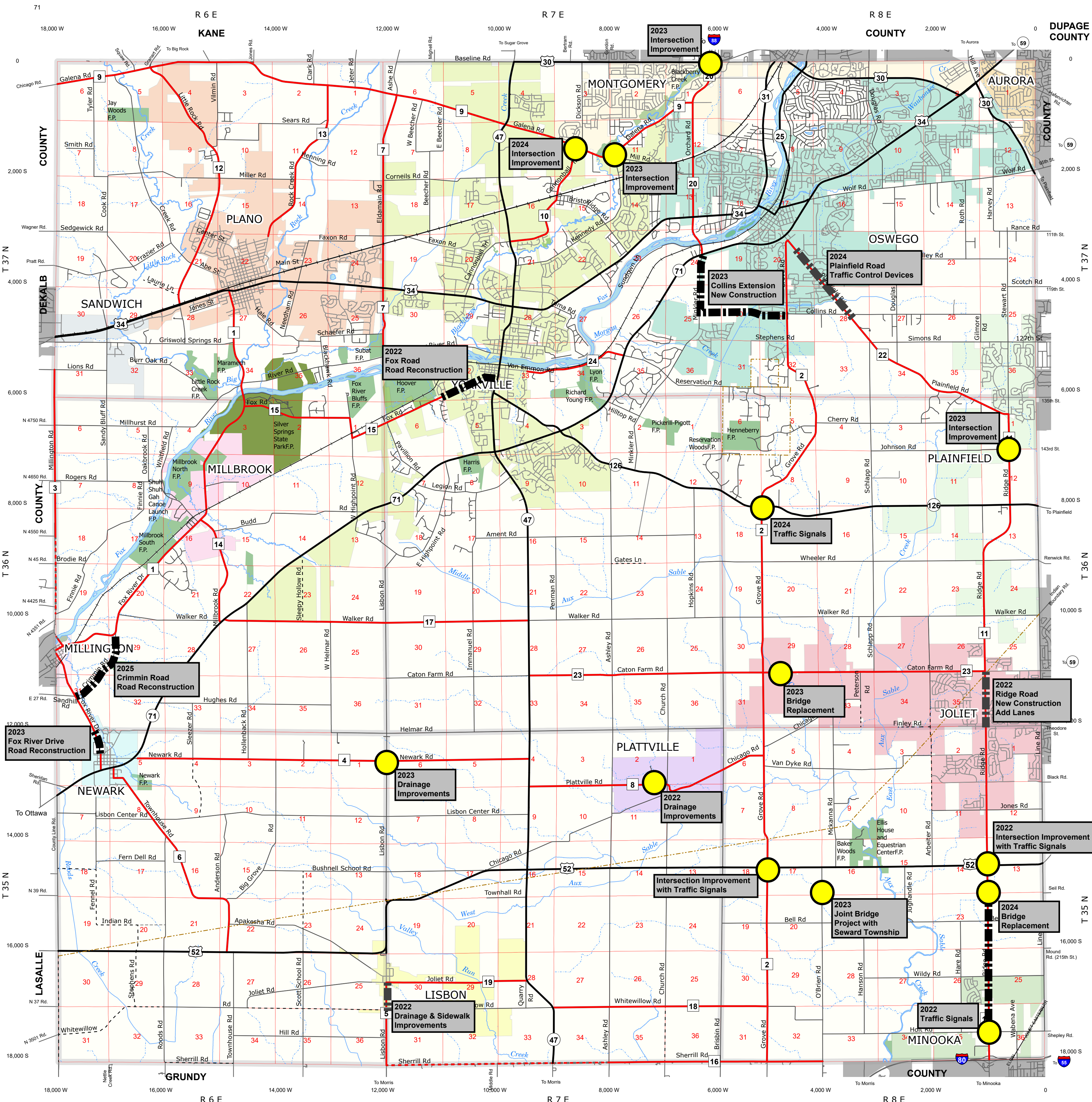
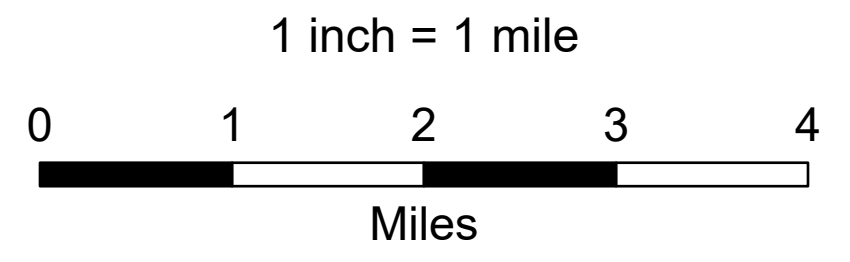
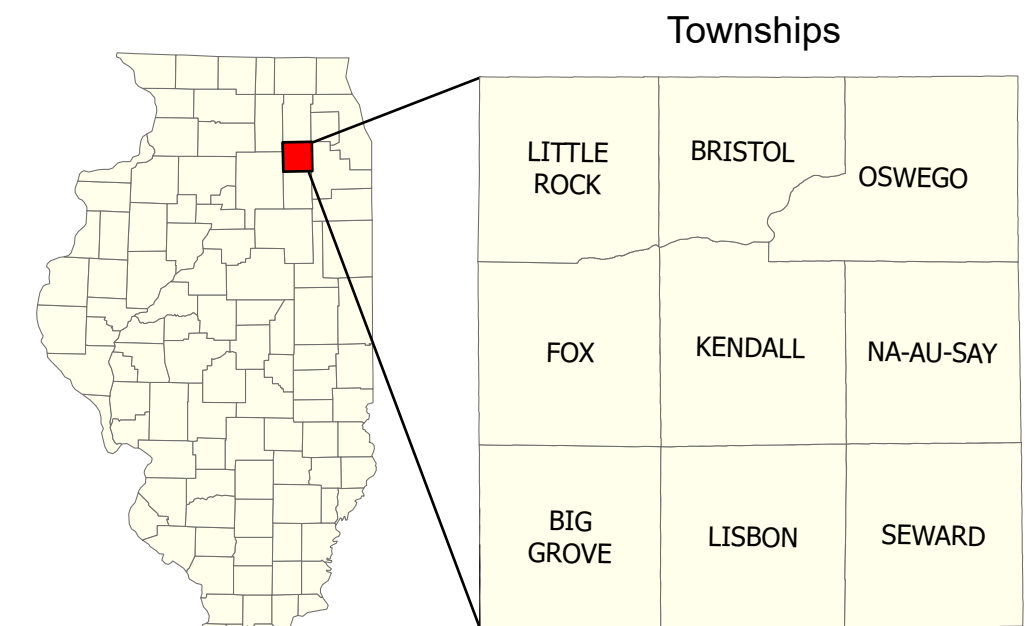
5-Year Total: \$54,550,000

Estimated Grants & Funds by Others: \$9,760,000

Total Estimated County Funds: \$44,790,000

HIGHWAY MAP KENDALL COUNTY

2022 - 2026 Proposed Improvements



- Adjacent County
- County
- Interstate
- State & Federal
- Bituminous
- Gravel
- Dirt
- Local
- PLSS Sections
- Political Townships
- State Park
- County Forest Preserve
- Aurora
- Joliet
- Lisbon
- Millbrook
- Millington
- Minooka
- Montgomery
- Newark
- Oswego
- Plainfield
- Plano
- Plattville
- Sandwich
- Yorkville

Published by:
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County Engineer
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6780 Route 47
Yorkville, IL 60560
Phone (630) 553-7616
FAX (630) 553-9583



Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

NOTE: The Rural Roads Identification System employs a numbering system based on a grid-mile coordinate system. The mileage is measured from the northeast corner of County. Each grid section west and south of that corner receives a 1000 number added consecutively across the County. Intermediate intersections would be proportionate parts of 1000.