

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Boulder Hill Elementary School Cafeteria
163 Boulder Hill Pass, Montgomery, Illinois
6:30 p.m.
Meeting Minutes of September 14, 2022

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, and Robyn Vickers

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Brian Holdiman (Code Official), Undersheriff Bobby Richardson, Deputy Dan Briars, Aaron Rybski (Environmental Health), Pat Stacy, Martha Bein, Barb Olesen, Virginia Lake, Timmy Wright, Jim Woods, Clayton Atwood, Paula DeLong, Rob DeLong, Anna Nelson, Jim Williams, Lori Cosby, Lee Toutant, Sr., Kelly Bivins, John Scott, Dianne Scott, Jim Ort, Patti Ort, Zach Bachmann, Mark Craig, Karen Craig, Terry Anderson, Pat Stiles, Donna Stanley, Bruce Stanley, Dan Toutant, Mike Millen, Larry Hagemeyer, Diane Selmar, Jeremy Swanson, Wayne Pocius, Scott Pugsley, Jackie, Donna Sawicki, Joe West, and Claude Ainsworth

Chairman Gengler thanked everyone for attending.

APPROVAL OF AGENDA

Member Koukol made a motion, seconded by Member Flowers, to approve the agenda as presented. With a voice vote of five (5) ayes, the motion carried.

NEW BUSINESS

Introduction and Overview of the Meeting

Chairman Gengler thanked everyone for attending the meeting. He introduced Undersheriff Bobby Richardson. Chairman Gengler praised the Sheriff's Department.

Jim Williams asked about calling the Sheriff's Department about inoperable vehicles parked in the street and vehicles with expired tags parked in the street. Undersheriff Richardson introduced Deputy Dan Briars. The Sheriff's Department should be called regarding parking on the sidewalks or cars without proper registration. The Sheriff's Department previously distributed window stickers; those met with resistance from some residents. Mr. Williams complained that a Sheriff's Deputy told him to allow an inoperable car to remain in the area as a courtesy. He was also told that, unless a Deputy witnessed someone driving a vehicle with expired tags, a ticket could not be issued. Undersheriff Richardson noted that some registrations were valid; thefts of vehicle stickers were numerous.

A resident name Jackie on Fieldpoint Road asked about loose dogs. Undersheriff Richardson said to contact the Sheriff's Department for stray or loose dogs. The Sheriff's Department worked with Animal Control on many of these matters. Discussion occurred about dogs behind invisible fences. Citations can be issued if the animals were not properly vaccinated.

A resident on Sonora complained about vehicles speeding on Sonora; some vehicles even drive

on yards. She was concerned about kids playing in the area. She suggested shooting out the tires of speeders; Undersheriff Richardson expressed his opposition to that idea. Undersheriff Richardson explained how the Sheriff's Department responds to speeders. Deputy Briars encouraged attendees to make traffic reports on the Sheriff's Department website.

A resident asked if someone could be arrested for driving with a handicapped placard hanging from the mirror. Undersheriff Richardson said items that obstruct a driver's view were against the law.

Introduction of Planning, Building and Zoning Department Staff

Chairman Gengler introduced Brian Holdiman, Matt Asselmeier, the members of the Committee, and Aaron Rybski. He also introduced officials from Oswego Township.

Overview of Zoning Ordinance, Noise Ordinance, Junk and Debris and Inoperable Vehicle Ordinance

Mr. Asselmeier provided information on the Kendall County's home occupation rules, short-term rental rules, recreational vehicle parking rules, and fence rules.

Mr. Asselmeier explained certain aspects of the Zoning Ordinance. He also explained the Noise Ordinance, Junk and Debris Ordinance, and Inoperable Vehicle Ordinance.

Chairman Gengler praised Mr. Asselmeier and Mr. Holdiman for their work.

Comments and Questions of Residents

Chairman Gengler read a question regarding vehicles parked in the street without license plates. The response was the Sheriff's Department.

Chairman Gengler read a question related to backyard trash. Mr. Rybski explained the Health Department's response to those situations; he explained that enforcement in backyards can be difficult. Mr. Asselmeier explained that, generally speaking, the Planning, Building and Zoning can only go where the mailman goes and it can be difficult to observe violations. Mr. Asselmeier also said that people have privacy rights in the backyards.

Chairman Gengler read a question asking if judgements had occurred for violations in Boulder Hill. Mr. Holdiman responded yes and he explained the fine structure. Mr. Asselmeier explained that fines were the main deterrent for people doing activities in violation of the County's building and zoning regulations.

Chairman Gengler read a question regarding parking on lawns. Mr. Holdiman explained the parking regulations. He also discussed the grandfathering of certain parking areas. Claude Ainsworth asked how grandfathering was determined. Mr. Holdiman said that the Department uses the County's GIS aerials.

Diane Selmar asked about fences and other improvements that were installed by previous property owners illegally; would the current property owner be cited? Mr. Holdiman said the Department is complaint based and the Department does not do point of sale occupancy inspections. Mr. Asselmeier said the Department does not do inspection on change of occupancy and the Department does not patrol. Voluntary compliance was the Department's objective.

Lori Cosby asked if there were any regulations regarding the placement of fences in relation to

water. Mr. Holdiman responded no except in cases of floodplains or wetlands.

Scott Pugsley asked if regulations could be changed. Mr. Asselmeier said some laws could be changed locally, like short-term rental regulations. Other regulations were set by State law. Chariman Gengler said the County was exploring changing the noise regulations.

Chairman Gengler read a question regarding adding gravel to extend driveway width. Mr. Holdiman said gravel would not be a permissible surface for driveway expansion. Driveway expansions require permits. Mr. Holdiman explain the enforcement procedure if someone attempted to expand their driveway with gravel.

Jim Williams requested clarification regarding the definition of inoperable vehicles and asked for an update on a property with several vehicles. Mr. Holdiman said that he was working on the property in question and something should happen in the next few months. Inoperable vehicles have to be able to be driven under its own power. Vehicles with flat tires would be inoperable.

Chairman Gengler asked if someone can burn pallets in a backyard. Mr. Rybski said no. He explained the County's burning regulations. He advised people to contact the Health Department during business hours and the local fire protection district during non-business hours.

Chairman Gengler read a question regarding an apartment with non-family members living together and running a landscaping business from the premises. Mr. Holdiman explained that detached garages cannot be used as residential quarters. Mr. Asselmeier also explained the definition of family and the rules for converting garages into living quarters. Mr. Asselmeier explained the rules for home occupations.

Discussion occurred regarding how noise measurements were gathered.

Mr. Pugsley asked about regulations related to garbage cans left on the street. Mr. Holdiman responded that if the items were on private property, the County would investigate under the Junk and Debris Ordinance. Items on the public right-of-way were investigated by Oswego Township.

Chairman Gengler reported that Matthew Yackley started September 12, 2022, as the new part-time inspector. He will work a maximum ten (10) hours per week. Mr. Yackley is an Oswego Firefighter.

Joe West asked if an ordinance could be passed inspecting rental units annually. Discussion occurred regarding crime-free housing and a lack of a property maintenance code. Member Vickers reported that Springfield had no appetite to change the laws related to crime-free housing.

Larry Hagemeyer asked about changing the RV parking regulations. Mr. Asselmeier reported that the changes to RV parking regulations proposed in 2019 was not adopted. Discussion occurred regarding the registration of RVs; the registration stays with the owner. The owner can get a new RV.

Issues with a trailer parked in the street should be addressed to Oswego Township.

A resident asked about the installation of cameras and speedbumps to control speeders.

Discussion occurred regarding the placement of stop signs.

A resident asked about sidewalk maintenance. Oswego Township was responsible for the maintenance of sidewalks.

Donna Sawicki asked a question on behalf of Judy Bush regarding a property with numerous cars. Mr. Holdiman said the County has an open investigation on the property.

A resident asked about mailbox regulations. The response was the U.S. Postal Service regulates mailboxes. Discussion occurred about decorative boulders in yards.

Ordinance Enforcement Procedures

Chairman Gengler said that enforcement procedures were already addressed.

Mr. Holdiman and Mr. Rybski encouraged people to contact them with questions or report properties.

PUBLIC COMMENT

Chairman Gengler thanked everyone for attending. He also thanked District 308 for allowing the County to use the facility. He also thanked Oswego Township, the Sheriff's Department, the members of the Committee for attending, Mr. Rybski, Mr. Holdiman, and Mr. Asselmeier.

Chairman Gengler encouraged attendees to contact the Department; he noted that the Department operated on a complaint-based system.

ADJOURNMENT

Member Vickers made a motion, seconded by Member Flowers, to adjourn. With a voice vote of five (5) ayes, the motion carried.

Chairman Gengler adjourned the meeting at 7:43 p.m.

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

Enc.

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IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Stacy</i>		
<i>Martha Benz</i>		
<i>Barb Olesen</i>		
<i>VIRGINIA LAKE</i>		
<i>Timmy Wright</i>		
<i>Jim Woods</i>		
<i>Clayton Atwood</i>		
<i>Paul DeLong</i>		
<i>R. DeLong</i>		

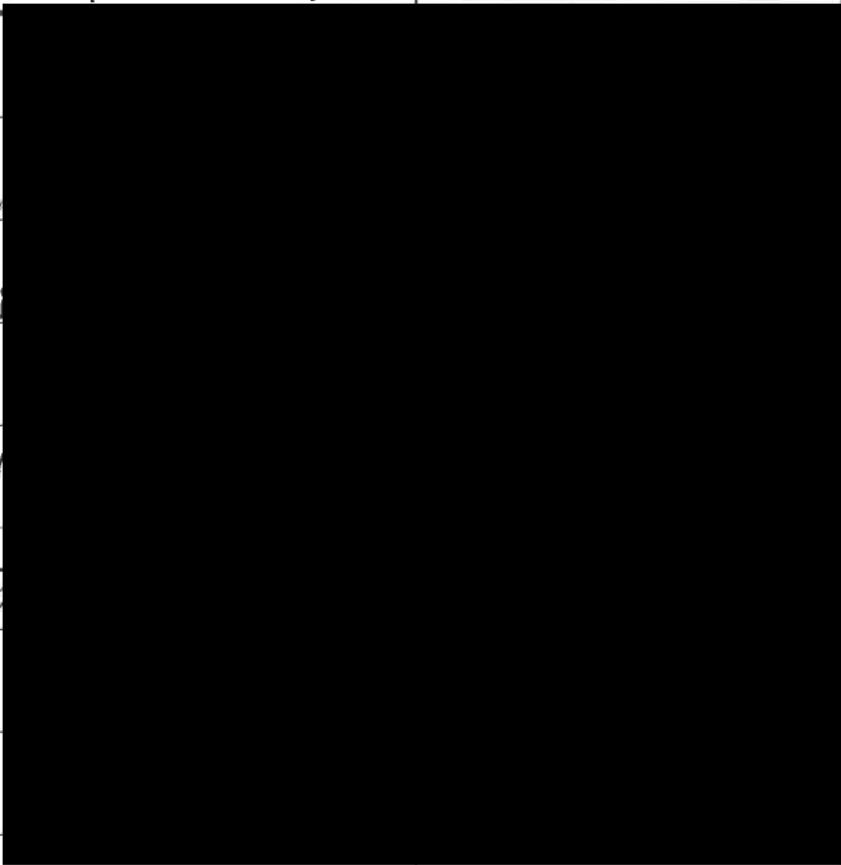
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NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
ANNA NELSON		
Jim Williams		
Lori Cosby		
Lee V. Jordan Sr		
Kelly Bivins		
John + Dianne Scott		
Jim + Patti Orr		
Zach Bachmann		
Mark + Karen Creel		
TERRY ANDERSON		

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NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Pat Stiles		
Donna + Bruce Star		
Dan Toutant		
MIKE MILLEN		
Larry Hagemeyer		
Danie SELME		
Jeremy Swanson		
Wayne Poo 10's		