



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

AGENDA

December 6, 2022 - 9:00 a.m.

CALL TO ORDER

ROLL CALL: County Board: To Be Determined, PBZ Committee Chair; **County Highway Department:** Fran Klaas, County Engineer; **WBK Engineering, LLC:** Greg Chismark, Stormwater Consultant; **County Health Department:** Aaron Rybski, Director Environmental Health; **Forest Preserve District:** David Guritz, Director; **SWCD:** Alyse Olson, Resource Conservationist; **Sheriff's Office:** Commander Jason Langston; **GIS:** Meagan Briganti; **PBZ:** Brian Holdiman, Code Official; Matt Asselmeier, Senior Planner

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of October 4, 2022 ZPAC Meeting Minutes (Pages 2-13)

PETITIONS:

1. **Petition 22 – 24 – Raymond Gonzalez as Beneficiary of Merchants National Bank Under Trust Agreement Dated February 24, 1997 as Trust Number 5191 (Pages 14-32)**
Request: Special Use Permit for a Dwelling Unit for a Watchman and Their Immediate Family and a Special Use Permit for Outdoor Storage
PIN: 03-18-403-015
Location: 5375 Route 34 in Oswego Township
Purpose: Petitioner Wishes to Rent a Unit of the Southern Building to a Watchmen and Have Outdoor Storage North of the Buildings Presently Located on the Property; Property is Zoned B-2

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 22-01 Special Use Permit for Landscaping Business at 1038 Harvey Road
2. Petition 22-19 Map Amendment for Property South of 2735 Route 52 in Seward Township
3. Petition 22-20 Major Amendment to Special Use Permit for the Yogi Bear Campground

OLD BUSINESS/ NEW BUSINESS

1. None

CORRESPONDENCE

PUBLIC COMMENT

ADJOURNMENT- Next meeting on January 3, 2023

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

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
October 4, 2022 – Unapproved Meeting Minutes**

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Scott Gengler – PBZ Committee Chair
David Guritz – Forest Preserve (Arrived at 9:02 a.m.)
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:

Meagan Briganti – GIS Department
Greg Chismark – WBK Engineering, LLC
Commander Jason Langston – Sheriff's Department

Audience:

Boyd Ingemunson, Stephanie Olson, and Jackie Kowalski

AGENDA

Mr. Rybski made a motion, seconded by Mr. Klaas, to approve the agenda as presented.

With a voice vote of six (6) ayes, the motion carried.

MINUTES

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the September 13, 2022, meeting minutes.

With a voice vote of six (6) ayes, the motion carried.

PETITIONS

Petition 22–20 Stephanie Olson on Behalf of Sun Jelly Chicago RV LLC

Mr. Asselmeier summarized the request.

Mr. Guritz arrived at this time (9:02 a.m.).

The operators of Yogi Bear's Jellystone Park Camp and Resort would like to make several changes to the layout of their existing facility.

The layout of the property and operations of the campground was governed by two (2) court orders that were incorporated into the annexation agreement with the Village of Millbrook in 2008 which were provided. In June 2022, the court relinquished jurisdiction of the land use and zoning of the property to the Village of Millbrook; the relinquishment document was provided. The County and Village of Millbrook have an intergovernmental agreement by which Millbrook follows the Kendall County Zoning Ordinance and the County administers the Zoning Ordinance within Millbrook.

As described in the provided application materials and visually depicted on the proposed master plan, the proposed changes are follows:

1. Ranger station renovations – Welcome center and camp store renovations to upgrade cosmetics, add another office, relocate the restroom, add, and relocate snack bar appliances. Some exterior cosmetic improvements will also be a part of this renovation.
2. Amphitheater – A new band-shell style outdoor amphitheater will be built for multi-purpose use. The new AV system will enable movie watching during the day as well as at night, and the stage will be home to many skits, contests, and entertainment.

3. Garage – An approximate twenty-five by fifty (25x50) pole garage for storage of equipment and supplies.
4. Pickleball courts – Two (2) pickleball courts will be added for an additional amenity. These will be enclosed by fencing and have lighting as well.
5. Playground – New playground will be installed in addition to the two (2) playsets already on site.
6. Pools – Pool #1 will be demolished for the raising of the Amphitheater. Pool #2 with spa and kiddie pool will be improved/repared for 2023 season and then replaced with a new, larger pool and spa for the 2024 camping season.
7. Bathhouse – With the construction of the new pool for 2024, a new bath house will be built to service the pool and add more restroom facilities.
8. Ranger station patio improvements – With the change of the pool #2 layout will come changes in the patio design. It will extend to encompass a wider area of the amenity core to convey a more pedestrian friendly atmosphere and include a community fire pit.
9. Activity Center renovation – The renovation of the activity center will include cosmetic upgrades, both inside and out. A service window and roll up door will be installed for better guest/staff accessibility. A lean-to addition will also be built for storage purposes.
10. Court Sport Patio improvements – Cleanup of court sport areas in and around the amenity core.
11. Gaga Ball Pits – Will be relocated when amenity core changes take place.
12. Round Court - One (1) current basketball court will be replaced with a new and improved round court, and both courts receiving new poles, backboards, and nets.
13. Jump Pad – Amenity is being relocated to the old movie theater area.
14. Dog Park improvements – A new dog park will be added to the facilities. The dog park will be fenced in and offer seating and refuse receptacles.
15. Refuse collection points – Construction of four (4) refuse dumpster enclosures for guest trash disposal.
16. New septic systems – A projected addition of three (3) new septic systems to support the upgrade of all sites to allow sewer use.
17. Rustic Cabin Renovations – Cosmetic and minor mechanical renovations to the rustic cabins, may also include adding concrete sidewalks and patios with firepits.
18. Electrical Upgrades at Individual Sites – Upgrade all 30-amp service sites to 50-amp service sites.
19. Reconfiguration of sites – They intend to reconfigure sites, losing site numbers, but increasing the size of some sites to accommodate today's larger RV's. The estimated site number change will go from three hundred ninety-four (394) sites to approximately three hundred (300) sites. The reconfiguration will coincide with the electrical upgrades and septic installations.
20. Automatic gate – The installation of automatic gates for the security and safety of the guests. They propose to install 6 gates within the park to allow for controlled access.
21. Site control fencing – Installation of fencing to control access and visibility to maintenance and refuse collection area.

22. Reconfigured parking area – The addition of parking spaces when designing the Ranger Station patio improvements in the amenity core.
23. Demolition of vacant residence and garage – Removal of vacant residence and garage for safety reasons and to allow and better maintenance access.
24. Demolition of Pool #1 and old comfort station to allow for the construction of the outdoor amphitheater.
25. Directional signage – Placement of directional and site marking signage.
26. Bridge – Install a bridge over the creek for pedestrian/cart access.
27. Small comfort station/playground – Addition of small comfort station and playground on far side of the creek for close guest access.
28. Installation of internet tower for better internet service. The tower is eighty feet (80') in height.
29. Add storm water detention site for new work.

As noted in the phasing plan contained in the master plan, improvements in the amenity core area and southwest of the amenity core area will occur in Phase I. Improvements in the area west of the amenity area will occur in Phase II. Improvements around the Internet Tower will occur in Phase III. No information was provided regarding the start or completion of the individual Phases.

In addition to the above changes, the Petitioners were requesting a variance to the requirement that the entire periphery of the park, with the exception of access roads be fenced. As noted on the landscaping plan contained in the master plan, the Petitioners do not want to place a fence along the front (west) side of the property.

The application materials, annexation agreement, court order relinquishing jurisdiction, proposed master plan, plat of the property, topographic survey and stormwater exhibit were provided.

The property is located at 8574 Millbrook Road inside the Village of Millbrook.

The property is approximately sixty-two (62) acres in size.

The existing use is wooded and a campground.

The property is zoned A-1 with a court ordered special use permit.

The adjacent land uses are agricultural, farmstead, and wooded.

The adjacent properties are zoned A-1 and A-1 BP in the County and A-1 inside the Village of Millbrook.

The County's Land Resource Management Plan calls for the area to be Rural Estate Resident, Countryside Residential, and Open Space. The Village of Millbrook's Plan calls for the area to Commercial, Low Density Residential, and Open Space.

The properties within one half (1/2) mile are zoned A-1, A-1 SU, A-1 BP, and R-1 in the County. The A-1 SU to the east of the subject property is for a landscaping business. The Hollenback Sugarbush Forest Preserve is located near the subject property. Within one half (1/2) of a mile of this property, properties inside the Village of Millbrook are zoned A-1, R-3, B-2, B-3, and M-1.

EcoCat submitted and consultation was terminated.

The LESA Score was 150 indicating a low level of protection. The NRI was provided.

Fox Township was emailed information on September 23, 2022.

As required by Section 7:01.D.46 of the Kendall County Zoning Ordinance, the Petitioner submitted an email to the Little Rock-Fox Fire Protection District on August 23, 2022, which was provided. Additional information was emailed on September 23, 2022.

The Village of Millbrook was emailed information on September 23, 2022. It was Staff's understanding that the Village Board reviewed information related to the Petition prior to application submittal.

Per Section 7:01.D.46 of the Kendall County Zoning Ordinance, recreational camps and recreational parks can be special uses on A-1 zone property subject to the following conditions:

- a. All applications for a permit to operate a recreational vehicle park or campground shall contain the following:
 1. Name, address and telephone number of applicant.
 2. Percentage of interest of the applicant and/or owners in the proposed campground.
 3. Name and address of all persons holding an interest or having an interest in the proposed campground.
 4. Location, address and legal description of the entire proposed campground.
 5. Existing zoning of subject property and all adjacent properties.
 6. Complete engineering plans and specifications of the proposed campground showing:
 - i. The area and dimensions of the entire tract of land;
 - ii. The number, location and size of all lots intended for use by recreational vehicles or tents;
 - iii. The number, location and size of all unimproved, partially improved and fully improved lots;
 - iv. The location, right-of-way and surfaced roadway width and surfacing materials of roadways and walkways;
 - v. The location of proposed interior vehicular and pedestrian circulation patterns;
 - vi. The location of service buildings, sanitary stations and any other existing or proposed structures;
 - vii. The location of water and sewer lines;
 - viii. Plans and specifications of all buildings constructed or to be constructed within the campground;
 - ix. Plans and specifications of the water supply, refuse and sewage disposal facilities, pet exercise and sanitation areas;
 - x. The location and details of lighting and electrical systems;
 - xi. The location of fire hydrants, if provided;
 - xii. Location of all drainage easements to comply with County drainage plans.
 - xiii. Quantity and point or area of departure of storm water runoff prior to and subsequent to construction of the proposed RV park.
 - xiv. Erosion control and landscaping plans;
 - xv. Kendall County Soil and Water Conservation District soils report;
 - xvi. The calendar months of the year during which the applicant will operate the proposed campground.
- b. Where a campground development is proposed for construction in a series of stages, a master plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.
- c. Every application for the construction, operation, maintenance and occupancy for a campground shall be accompanied with plans and specifications, fully setting out the trailer spaces, the position of each RV, motor vehicle parking spaces, the driveway giving access thereto and a plan of landscaping. Before any permit is issued for a campground and the use thereof, the plans and specifications shall first be approved by the PBZ Department and the Kendall County Health Department, taking into account all the provisions as set out herein, as well as such special conditions as may be imposed by the Kendall County Board or its specified subcommittee, and provided further that said plans and specifications are in accordance with State regulations governing campgrounds.
- d. After completing the necessary zoning requirements and when upon review of the application, the PBZ Department has determined that the proposed plan meets all requirements of this Ordinance, a permit shall be issued.
- e. The minimum parcel size must be twenty (20) acres.

- f. The park or campground must be screened from nearby agricultural and other land uses by a vegetative buffer other than multiflora rose or Honeysuckle. The width of the buffer should vary in proportion to the maximum campground or park population up to a maximum of three hundred feet (300').
- g. The periphery of the park or campground, except at designated access roads, must be completely enclosed and maintained by a fence which will not permit people or farm animals to pass through it;
- h. The park or campground must maintain litter control and refuse collection so as to prevent litter or refuse from blowing onto or otherwise being deposited on nearby lands.
- i. Traffic from the park or campground must not seriously impair the movement of or cause hazard to agricultural and vehicular traffic.
- j. All lands classified as floodplains shall remain in permanent open space.
- k. No more than twenty percent (20%) of any forest shall be cleared or developed and the remaining eighty percent (80%) shall be retained in permanent open space or a tree study with a tree mitigation plan approved by the PBZ Committee may be submitted. General maintenance shall be exempt from the requirements of this section and this provision does not apply to the clearing of invasive species. Invasive species shall be defined by the Illinois Department of Natural Resources.
- l. All ponds, wetlands, and watercourses shall be left in permanent open space and no dredging, filling, or diversion of water shall be permitted.
- m. Storm water runoff shall be limited to the rate which would occur under natural conditions.
- n. All ponds, wetlands, and watercourses are to be protected from erosion and sedimentation in accordance with the Kendall County Stormwater Management Ordinance.
- o. Areas with slopes greater than fifteen percent (15%) are to be retained in permanent open space.
- p. Scenic views from public highways or adjoining lands must be maintained.
- q. The park or campground should provide separate circulation systems for vehicles and pedestrians.
- r. Access to the park must be safe and convenient.
- s. To insure adequate open space and protection of resource areas, lots within the park or campground should be clustered.
- t. Internal roads, except one main collector road, should be one way and no wider than eighteen feet (18').
- u. Collector roads should be no wider than twenty-four feet (24').
- v. Recreation facilities within the park should be in proportion to the maximum park population.
- w. Recreational space within the park should be in proportion to the maximum park population and may include up to sixty percent (60%) of the park or campground.
- x. Water supply and waste disposal facilities shall be designed, constructed and maintained in accordance with Health Department regulations.
- y. The storage, collection and disposal of refuse shall be performed as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions.
- z. No parking is permitted on interior roads.
- aa. All outdoor cooking facilities shall be located, constructed, and maintained to minimize fire hazard and smoke nuisance.

- bb. All accessory uses should be limited to park residents.
- cc. There shall be no indication of retail accessory uses visible from any public road or street.
- dd. Lots in the park or campground must be at least one thousand five hundred (1500) square feet and clearly marked on the ground with landmarks on the lot corners and lot signage approved by the local fire protection district.
- ee. Trailers and accessory structures must be separated from one another by at least ten feet (10') in all directions.
- ff. Traffic generated by the maximum park or campground population must not exceed capacities of the local traffic network or cause public funds to be used for traffic safety or control improvements.
- gg. Demands for public water or sanitary waste disposal must not overburden current facilities.
- hh. No recreational vehicle tent, or location within a recreational vehicle park or campground shall be used as a permanent place of abode. If the address of the recreational vehicle park or campground is listed as a person's address on any government issued document, including, but not limited to, any government roll or registry (such as a voter roll or registry), or any application or enrollment information for a public, private, or parochial educational institution, the recreational vehicle park or campground shall be considered that person's permanent place of abode, regardless of the length of that person's occupancy. This provision shall not apply to campground caretakers.
- ii. Inspections
 - a. The PBZ Department and the Health Department are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance, but in no case shall such inspection take place less than once per year.
 - b. The PBZ Department and the Health Department shall have the power to enter at reasonable times and upon reasonable notice upon any private property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.
 - c. The owner of the recreational vehicle park or campground, or his agent or employee, shall be required to maintain a register containing a record of all campers, picnickers, and visitors registered in the park or campground. The PBZ Department, Health Department, law enforcement agency with jurisdiction, and the local fire protection district shall have the power to inspect the register upon request. The register shall be updated daily at minimum.
 - d. It shall be the duty of the park management to give the PBZ Department and the Health Department free access to all lots and other areas at reasonable times and upon reasonable notice for the purpose of inspection.
 - e. It shall be the duty of every camper or picnicker in the park to give the owner thereof or his agent or employee access to any part of such recreational vehicle park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance and to facilitate inspections.
- jj. All standards of the Health Department shall be met.
- kk. Must seek approval from the fire and police departments at the time of application submittal for the special use permit.
- ll. Adequate directional signage must be throughout the property, including street signs. All trails shall be marked at their beginnings and ends.
- mm. A map of the recreational vehicle park or campground shall be supplied to KenCom. At minimum, the map shall show the location and names or numbers of all lots and trails in the recreational vehicle park or campground and the location and names of all streets and trails. Changes to the map or any identification information on the map shall be reported to KenCom within thirty (30) days of the change.

If the Village Board approves the variance related to fences, the other conditions have been met or could be included as conditions in the special use permit.

Per the information provided in the business overview, the camp has been at the subject property for approximately thirty (30) years. They are open for rentals from April 15th to October 31st yearly. They have three hundred ninety-four (394) sites. They offer space for personal recreational vehicles, trailers, tents, and onsite cabins. They offer standard water and electricity for tents and recreational vehicles and premium full hook-ups for recreational vehicles, deluxe cabin rentals, and rustic cabin rentals. Amenities include a swimming pool, jump pad, playgrounds, basketball court, recreational center, camp store, and other outdoor activities. During the operating season, the maximum number of employees is thirty-six (36) and during the non-operating season, the maximum number of full-time employees is three (3).

The master plan calls for the construction of several new buildings and renovations to other facilities. Applicable building permits will be required as these structures are constructed and renovated.

Per the master plan, new construction will match existing design. All structures will be one (1) story. The bathhouses will have masonry exterior walls, wood truss hip roofs, asphalt shingles, and wood privacy fences at the openings. The garage, amphitheater, and other buildings will be wood frame structures with wood truss gable roofs, asphalt shingles, either vinyl or composite wood siding.

As noted previously, the Internet tower will be eighty feet (80') in height.

The structures shown for demolition would also require permits.

The subject property is served by well and septic. Information about the water system was provided in master plan. Information about the septic systems was also provided in the master plan.

The Petitioner has submitted a topographic survey and stormwater exhibit and a stormwater management permit application. As of the date of this meeting, these items are under review.

As shown on the master plan, the property has one (1) access point off of Millbrook Road. There are five (5) gates on the roads near the entrance of the property.

Per the master plan, there are thirteen (13) named streets within the property and several minor roads.

There are twenty-eight (28) parking spaces, including two (2) handicapped accessible spaces.

No information was provided regarding lights.

Several directional signs are presently located on the property. None of the existing signs are illuminated. One (1) identification sign is located on the west side of Millbrook Road across from the subject property; this sign was allowed per court order.

Per the master plan four (4) new direction signs are proposed for the property. Some of these signs might be illuminated.

Each camp site would also have its own sign.

Signs would be metal, vinyl, and painted wood.

Pictures and descriptions of signs can be found in the master plan.

The master plan shows five (5) gates near the entrance to the property. The landscaping portion of the master plan shows a weld wire mesh fence across the northern, eastern, and southern perimeter of the property. Numerous trees and scrub plantings also are located along the northern, eastern, and southern perimeter of the property.

The master plan also calls for a chain link fence around the dog park, pool deck, and owner's residence.

The landscaping portion of the master plan notes the number of existing trees on the property. No tree clearing outside of the amenity core area is planned except for maintenance purposes and the removal of invasive species. Native shrubs are planned in the landscaping beds. More specific landscaping plans will be submitted as the project progresses.

No information was provided regarding noise control.

No information was provided regarding odor control.

The master plan calls for four (4) refuse dumpster enclosures. Per the master plan, each refuse locations will include two (2) dumpsters surrounded by a wood privacy fence on three (3) sides. The fences would be six feet (6') in height. The dumpsters would be on asphalt pads. The enclosures would be approximately fourteen feet (14') wide and slightly over six feet (6') in depth. Three (3) of the four (4) dumpster enclosures are planned in Phase I of the project.

As of the date of this meeting, there are four (4) active recreational camp and recreational park special use permits in unincorporated Kendall County. The above figure does not include the subject property. The property where Camp Quarryledge was previously located is pending annexation into the Village of Oswego.

The proposed Findings of Fact for the special use permit 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 operation of the property as a recreational vehicle park and campground has occurred since the early 1980s. Restrictions, such as requiring the site to be developed in accordance to the submitted site plan, may be placed in the special use permit to ensure the public health, safety, moral, comfort, and general welfare are protected.

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. No evidence exists showing that the use of the property has substantially injured the use to other properties or caused the diminishment of property values. The proposed site plan addressing buffering, screening, fencing, and open space preservation. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to season of operation and noise within the ordinance granting the special use permit.

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 master plan addresses utilities, access roads, and other necessary facilities. A stormwater management permit will be required to implement some of the projects shown on the master plan.

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. Provided a variance is issued for the fence regulations along the west side of the property, this is true.

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 Village of Millbrook's Comprehensive Plan identifies this property as a campground and as open space. Further, the Village Comprehensive Plan states on page 13, "Locate open space amenities such as parks and recreation activities along the Fox River and the Hollenback Creek corridor."

The proposed Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. Millbrook Road creates a natural barrier which makes the requirement unnecessary. The property has been used as a campground since the mid-1980s and no such regulation was required when the campground was originally established.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Only four (4) other campgrounds presently operate in unincorporated Kendall County on A-1 zoned property. None of the other campgrounds have this requirement. It is unknown if future campgrounds will require a similar variance in the future.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The fencing requirement came into existence after the campground originally opened.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. As the campground has operated at the subject property since the 1980s and no evidence has been presented that the current use harmed the public welfare or other properties, the lack of fencing along Millbrook Road in the future will not be detrimental to the public or neighborhood.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The requested variance will not impair light reaching other properties, cause congestion on any public street, or diminish or impair property values.

Pending comments from ZPAC Members, Little Rock-Fox Fire Protection District, and the Village of Millbrook, Staff recommended approval of the special use permit. As of the date of this meeting, the Petitioner has not agreed to these conditions and restrictions:

1. All previously approved development plans for subject property are repealed.
2. The site shall be developed substantially in accordance with the master plan.
3. One (1) identification sign with a maximum thirteen feet (13') in width and twelve feet (12') feet in height may be placed on the property presently identified by parcel identification number 04-16-400-001 and located on the west side of Millbrook Road. This sign may not be illuminated.
4. Additional signage may be installed on the subject property as outlined and described in the master plan. This signage may be illuminated. Adequate directional signage must be throughout the property, including street signs. All trails shall be marked at their beginnings and ends.
5. A variance to Section 7:01.D.46.g is granted to not require fencing along the west side of the property as shown in the master plan.
6. The operating season shall be between April 15th and October 31st yearly. No campers may be on the property during the non-operating season. The Millbrook Village Board may extend the operating season upon request of the property owner and after notification to the Kendall County Planning, Building and Zoning Department regarding the extension.
7. None of the structures or signs placed on the subject property shall be considered agricultural structures and shall secure proper permits for construction, demolition, or renovation.
8. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
9. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
10. The minimum parcel size must be twenty (20) acres.
11. The park or campground must be screened from nearby agricultural and other land uses by a vegetative buffer other than multiflora rose or Honeysuckle. The width of the buffer should vary in proportion to the maximum campground or park population up to a maximum of three hundred feet (300').
12. The park or campground must maintain litter control and refuse collection so as to prevent litter or refuse from blowing onto or otherwise being deposited on nearby lands.
13. The storage, collection and disposal of refuse shall be performed as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions.
14. Traffic from the park or campground must not seriously impair the movement of or cause hazard to agricultural and vehicular traffic.
15. Traffic generated by the maximum park or campground population must not exceed capacities of the local traffic network or cause public funds to be used for traffic safety or control improvements.
16. All lands classified as floodplains shall remain in permanent open space.
17. Areas with slopes greater than fifteen percent (15%) are to be retained in permanent open space.
18. No more than twenty percent (20%) of any forest shall be cleared or developed and the remaining eighty percent

(80%) shall be retained in permanent open space or a tree study with a tree mitigation plan approved by the PBZ Committee may be submitted. General maintenance shall be exempt from the requirements of this section and this provision does not apply to the clearing of invasive species. Invasive species shall be defined by the Illinois Department of Natural Resources.

19. All ponds, wetlands, and watercourses shall be left in permanent open space and no dredging, filling, or diversion of water shall be permitted.
20. Stormwater runoff shall be limited to the rate which would occur under natural conditions and shall be governed by the stormwater management permit.
21. The park or campground should provide separate circulation systems for vehicles and pedestrians.
22. Internal roads, except one (1) main collector road, should be one way and no wider than eighteen feet (18').
23. Collector roads should be no wider than twenty-four feet (24').
24. No parking is permitted on interior roads.
25. Recreational space within the park should be in proportion to the maximum park population and may include up to sixty percent (60%) of the park or campground.
26. All outdoor cooking facilities shall be located, constructed, and maintained to minimize fire hazard and smoke nuisance.
27. All accessory uses should be limited to park residents.
28. There shall be no indication of retail accessory uses visible from any public road or street.
29. Lots in the park or campground must be at least one thousand five hundred (1500) square feet and clearly marked on the ground with landmarks on the lot corners and lot signage approved by the local fire protection district.
30. Trailers and accessory structures must be separated from one another by at least ten feet (10') in all directions.
31. No recreational vehicle tent, or location within a recreational vehicle park or campground shall be used as a permanent place of abode. If the address of the recreational vehicle park or campground is listed as a person's address on any government issued document, including, but not limited to, any government roll or registry (such as a voter roll or registry), or any application or enrollment information for a public, private, or parochial educational institution, the recreational vehicle park or campground shall be considered that person's permanent place of abode, regardless of the length of that person's occupancy. This provision shall not apply to campground caretakers.
32. The maximum number of campground caretakers during the operational season shall be thirty-six (36) and the maximum number of campground caretakers during the non-operational season shall be three (3). The above numbers do not include sub-contractors. Sub-contractors shall not be considered campground caretakers for the purposes of this special use permit. Mr. Asselmeier noted the Petitioners would like this condition removed.
33. Inspections
 - a. The Planning, Building and Zoning Department and the Health Department are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance, but in no case shall such inspection take place less than once per year.
 - b. The Planning, Building and Zoning Department and the Health Department shall have the power to enter at reasonable times and upon reasonable notice upon any private property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.
 - c. The owner of the recreational vehicle park or campground, or his agent or employee, shall be required to maintain a register containing a record of all campers, picnickers, and visitors registered in the park or campground. The Planning, Building and Zoning Department, Health Department, law enforcement agency with jurisdiction, and the local fire protection district shall have the power to inspect the register upon request. The register shall be updated daily at minimum.
 - d. It shall be the duty of the park management to give the Planning, Building and Zoning Department and the Health Department free access to all lots and other areas at reasonable times and upon reasonable notice for the purpose of inspection.
 - e. It shall be the duty of every camper or picnicker in the park to give the owner thereof or his agent or employee access to any part of such recreational vehicle park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this special use permit and to facilitate inspections.

34. A map of the recreational vehicle park or campground shall be supplied to KenCom. At minimum, the map shall show the location and names or numbers of all lots and trails in the recreational vehicle park or campground and the location and names of all streets and trails. Changes to the map or any identification information on the map shall be reported to KenCom within thirty (30) days of the change.
35. 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.
36. The property owner and operators of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
37. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
38. Failure to comply with one or more of the above conditions could result in the amendment or revocation of the special use permit.
39. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
40. This special use permit and variance shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Discussion occurred regarding striking the condition pertaining to the maximum number of employees. Discussion occurred regarding a distinction between number of employees and caretakers. Jackie Kowalski, Mayor of Millbrook, was agreeable to removing the condition. Boyd Ingemunson and Stephanie Olson agreed to set the maximum number of caretakers at two (2). The families of the caretakers could reside on the property as their permanent place of abode.

Mr. Guritz noted the beauty of the area of the County where the campground was located. He offered to assist the Petitioner on future landscaping plans of the property.

Mr. Rybski discussed the State Code related to septic systems and the use of the word "employee." The Petitioner was working with the Illinois Department of Public Health. Mr. Rybski discussed the Illinois Department of Public Health's role in licensing campgrounds. Some of the existing septic systems will be used and some of the systems will be new. The Petitioner was advised to reach out to the Kendall County Health Department and State regarding the concession areas at the property.

Mr. Klaas ask if any neighbors or anyone associated with the Village of Millbrook has expressed any objections or concerns regarding this proposal. Mayor Kowalski responded that the Village did not have any objections.

Mr. Klaas noted the windrow of trees along the perimeter of the property.

Chairman Gengler asked about the number of sites. The number of sites would be reduced to about three (300).

Mr. Asselmeier advised the Petitioner to let the Village of Millbrook know in advance if they needed to expand their season of operation. Also, he suggested removing the reference to the Planning, Building and Zoning Committee in condition 18 and replacing it with the Village of Millbrook's Village Board.

Mr. Guritz made a motion, seconded by Mr. Klaas, to recommend approval of the proposal with amendments to delete the present wording in condition 32 and replace it with setting a maximum of two (2) campground caretakers and their families may reside on the premises as their permanent place of abode and to replacing the Planning, Building and Zoning Committee with the Millbrook Village Board in condition 18.

Mr. Rybski discussed the licensing requirements of the Illinois Department of Public Health. Mr. Asselmeier responded that the Petitioner has to comply with all applicable State laws.

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on October 26, 2022.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 22-14 and 22-16 were approved by the County Board.

OLD BUSINESS/NEW BUSINESS

Recommendation of Fiscal Year 2022-2023 Meeting Calendar

The consensus of the Committee was to approve the meeting calendar with an amendment to change the July meeting date to July 5th.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Mr. Klaas, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:39 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 22-24

**Raymond Gonzalez as Beneficiary of Merchants National Bank
Under Trust Agreement Dated February 24, 1997 as Trust Number 5191
Special Use Permit for Dwelling Unit for Watchman and
Special Use Permit Outdoor Storage**

INTRODUCTION

The Petitioner would like to provide housing for a watchman on the second floor of the southern, mixed use building on the subject property.

Also, the Petitioner would also like to store boats, recreational vehicles, and granite outdoors at the subject property north of the garage building.

The subject property has been zoned B-2 since 1976.

The application materials are included as Attachment 1. The site plan is included as Attachment 2. A picture of the mixed use building is included as Attachment 3. A picture of the garage is included as Attachment 4. A picture of the western fence is included as Attachment 5. A picture of the eastern fence is included as Attachment 6. A picture of the existing monument sign is included as Attachment 7.

SITE INFORMATION

PETITIONER: Raymond Gonzalez as Beneficiary of Merchants National Bank Under Trust Agreement Dated February 24, 1997 as Trust Number 5191

ADDRESS: 5375 Route 34, Oswego

LOCATION: Approximately 0.1 Miles East of the Intersection of Cherry Drive and Route 34 on the North Side of Route 34



TOWNSHIP: Oswego

PARCEL #: 03-18-403-015

LOT SIZE: 1.63 Acres

EXISTING LAND USE: Improved Commercial

ZONING: B-2 General Business District

LRMP:	Future Land Use	Suburban Residential (Max 1 DU/Acre) (County) Downtown (Village of Oswego)
	Roads	Route 34 is an Arterial Road Maintained by the Illinois Department of Transportation.
	Trails	Oswego has a Trail Planned Along Route 34 in this Area.
	Floodplain/Wetlands	None

REQUESTED ACTION: Special Use Permits for a Dwelling Unit for a Watchman and Their Immediate Family and Outdoor Storage

APPLICABLE REGULATIONS: Section 13:08 – Special Use Procedures

Section 9:02.C.9 (B-2 Special Uses) – Dwelling Units for Watchmen and Families Including a Caretaker

Section 9.02.C.20 (B-2 Special Uses) – Outdoor Storage Provided Such Storage is Screened from Adjacent and Surrounding Properties

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within 1/2 Mile
North	Single-Family Residential	R-3	Suburban Residential (Max 1 DU/Acre) (County) Residential (Oswego)	R-3 (County) R-2, R-4, and B-2 (Oswego)
South	Single-Family Residential and Vocational School	R-3 and B-3	Suburban Residential (County) Downtown (Oswego)	R-3, B-3, and B-3 SU (County-North of the Fox River) B-2 (Oswego)
East	Vacant	B-2	Suburban Residential (County) Downtown (Oswego)	R-3 and R-3 SU (County)
West	Parking Lot	B-2	Suburban Residential (County) Downtown (Oswego)	A-1, A-1 SU, B-1, and B-3 (County) R-2 and R-3 (Oswego)

The R-3 special use to the east is for a church sign. The B-3 special use to south is for outside storage. The A-1 special use to west is for a riding stable, including an apartment.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report not required because the property was not zoned A-1.

NATURAL RESOURCES INVENTORY

The NRI application was submitted on November 16, 2022, see Attachment 1, Page 5.

ACTION SUMMARY

OSWEGO TOWNSHIP

Oswego Township was emailed Petition information on November 21, 2022.

VILLAGE OF OSWEGO

The Village of Oswego was emailed Petition information on November 21, 2022.

OSWEGO FIRE PROTECTION DISTRICT

The Oswego Fire Protection District was emailed Petition information on November 21, 2022.

BUSINESS OPERATION

According to the submitted information, there are four (4) commercial tenants housed on the first floor of the mixed use building (see Attachment 3). The watchman and their family would live on the second floor of the structure and serve as a caretaker for the property.

The outside storage would consist of boats, recreational vehicles, and granite. No information was provided regarding the number of boats and recreational vehicles that would be parked on the premises. No information was provided regarding the amount of granite that would be stored outdoors. The materials would be stored outdoors within the fenced area north of the garage (see Attachments 5 and 6).

BUILDING AND BUILDING CODES

One (1) two (2) story approximately three thousand eight hundred (3,800) square foot masonry and frame mixed use building is located on the property; this building was constructed in 1960 (see Attachment 3). One (1) approximately three thousand seven hundred fifty (3,750) square foot detached garage is located on the property north of the mixed use building (see Attachment 4).

ENVIRONMENTAL HEALTH

The property is served by well and septic.

PARKING AND INTERNAL TRAFFIC CIRCULATION

The driving area perpendicular and south of the garage is asphalt paved.

The site plan (Attachment 2) shows twenty-three (23) parking spaces around the mixed use building. One (1) parking space is marked onsite as a handicapped accessible parking space.

The storage area within the fence north of the garage is gravel.

ROAD ACCESS

The property fronts Route 34.

On November 17, 2022, Staff emailed the Illinois Department of Transportation for comments regarding this proposal; this email is included as Attachment 8.

STORMWATER

According to the submitted materials, no additional impervious surface is planned.

LIGHTING

No information was provided regarding lights.

SIGNAGE

One (1) existing monument sign was shown on the site plan (Attachment 2). A picture of the sign was included as Attachment 7. The sign is approximately nine feet (9') in width and seven feet (7') in height with a small shake roof. No plans exist to illuminate the sign. Each tenant in the mixed use building has one (1) sign attached to the building (see Attachment 3). No information was provided regarding whether the storage business would have a sign or the placement of the sign.

SECURITY

No information was provided regarding security of the outdoor storage area. There is one (1) eight foot (8') tall cedar privacy fence around the outdoor storage area (see Attachments 5 and 6).

LANDSCAPING AND SCREENING

In addition to the cedar privacy fence, there is one (1) white vinyl fence located east of the mixed use building (see Attachments 3 and 6).

According to the site plan (Attachment 2), there are two (2) landscape planters located at the southern end of the property. One (1) of these planters is located in the middle of the access from Route 34 and the other planter is located around the monument sign.

NOISE CONTROL

No information was provided regarding noise control.

REFUSE PLAN

The site plan (Attachment 2) shows one (1) dumpster located east of the garage. The dumpster area is six foot by eight foot (6'X8'). The dumpster is visible in the picture of the eastern fence (Attachment 6).

RELATION TO OTHER SPECIAL USES

If approved, this would be the second (2nd) active special use permit for a dwelling unit for a watchman on non A-1 zoned property in unincorporated Kendall County.

If approved, this would be the third (3rd) active special use permit for a storage facility on non A-1 zoned property in unincorporated Kendall County.

FINDINGS OF FACT

§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **Provided the site is developed in accordance with the submitted site plan, including the maintenance of the existing vinyl and cedar fences, and the business allowed by the special use permit follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances, the special use permit will not be detrimental to the public health, safety, morals, comfort, or general welfare.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted. The same is true with allowing a watchman and their immediate family to reside on the premises.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The proposed uses will be low utility users. Adequate utilities***

exist for the site. Adequate access exists for the site. Because no additional impervious surfaces are planned, drainage should not be an issue.

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. This is true, provided the screening created by the vinyl and cedar fences are maintained.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This is true for both proposed uses. The operation of an outdoor storage facility and allowing a dwelling unit for a watchman is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.” Allowing a dwelling unit for a watchman at the property should help ensure that the building continues to be maintained in a manner that attracts and retains quality tenants.

RECOMMENDATION

Before issuing a recommendation, Staff would like comments from ZPAC members, the Illinois Department of Transportation, the Village of Oswego, and the Oswego Fire Protection District. If the special use permits are allowed, Staff suggests the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan (Attachment 2). Except for loading and unloading, outside storage of materials shall be restricted to the fenced area north of the frame garage shown on the attached site plan.
2. The owner of the property shall submit information to the Kendall County Planning, Building and Zoning Department annually confirming that the tenants of the apartment are either employed as a watchman of a business operating on the subject property or are immediate family members of the watchman.
3. The operator(s) of the business allowed by this special use permit shall ensure that the existing fences shown in the attached pictures (Attachments 5 and 6) are maintained in good order to provide screening of the outdoor storage area from adjacent and surrounding properties. The operator(s) of the business allowed by this special use permit may alter the materials used to create the fences, but shall not decrease the screening created by the fences that existed at the time of the issuance of the special use permit.
4. None of the vehicles or items parked or stored on premises shall be considered agricultural equipment as they relate to the businesses allowed by these special use permits.
5. All of the vehicles or items stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
6. The owners of the business allowed by these special use permits shall diligently monitor the property for leaks from vehicles and items stored on the premises and shall promptly clean up the site if leaks occur.
7. The operator(s) of the business allowed by these special use permits acknowledge and agree to follow Kendall County's Right to Farm Clause.
8. The operator(s) of the business allowed by these special use permits shall follow all applicable Federal, State, and Local laws related to the operation of this type of business, including but not limited to the sign regulations contained in the Kendall County Zoning Ordinance.
9. The property owner shall follow all applicable Federal, State, and Local laws related to renting the property to a watchman and the family of the watchman.
10. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permits.

11. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

12. These special use permits shall be treated as covenants running with the land and is binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

ATTACHMENTS

1. Application Materials
2. Site Plan
3. Mixed Use Building Picture
4. Garage Picture
5. Western Fence Picture
6. Eastern Fence Picture
7. Monument Sign
8. November 17, 2022 Email to the Illinois Department of Transportation



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME Ray Gonzalez Special Uses FILE #: _____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name) Ray Gonzalez		
CURRENT LANDOWNER/NAME(s) Merchants National Bank under Trust Agreement dated February 24, 1997 as Trust Number 5191		
SITE INFORMATION ACRES 1.63	SITE ADDRESS OR LOCATION 5375 Route 34	ASSESSOR'S ID NUMBER (PIN) 03-18-403-015
EXISTING LAND USE Commercial	CURRENT ZONING B2	LAND CLASSIFICATION ON LRMP Commercial
REQUESTED ACTION (Check All That Apply):		
<input checked="" type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to _____) <input type="checkbox"/> VARIANCE <input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for: _____ <input type="checkbox"/> SITE PLAN REVIEW <input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> PRELIMINARY PLAT <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.) <input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
PRIMARY CONTACT Boyd Ingemunson	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER #(Cell, etc.) [REDACTED]
ENGINEER CONTACT n/a	ENGINEER MAILING ADDRESS n/a	ENGINEER EMAIL n/a
ENGINEER PHONE # n/a	ENGINEER FAX # n/a	ENGINEER OTHER # (Cell, etc.) n/a
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.		
SIGNATURE OF APPLICANT [REDACTED]		DATE 11/15/2022

FEE PAID: \$ 11/17/22
 CHECK #: _____

¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Date Stamp Here If Checklist Is Complete

PROPOSED SPECIAL USES

Applicant is seeking issuance of two special use permits on the 1.63 acre parcel he currently owns located at 5375 Route 34, Oswego, IL. There are two existing buildings on the parcel and a large parking area in the rear of the lot.

1. Special Use permit for a dwelling unit for a night watchman and family in the existing commercial unit.
2. Special Use permit for outdoor storage in the vacant rear portion of parcel.

597

TRUSTEE'S DEED

9702341 03/12/1997 01:04P 1 of 3
Paul Anderson, Kendall County, IL Recorder

THIS INDENTURE, made this
27th day of February
A.D. 1997, between THE OLD
SECOND NATIONAL BANK OF AU-
RORA, a national banking corpo-
ration having its place of business
in the City of Aurora, Kane County,
Illinois, not individually but as
Trustee under Trust Agreement
dated

and known as Trust No. 2985, grantor, and Merchants National Bank under
Trust Agreement dated February 24, 1997 as Trust Number 5191

of Aurora, IL, grantee.

WITNESS, That the grantor, in consideration of the sum of Ten Dollars (\$10.00) and
other good and valuable considerations, receipt which is acknowledged, and in pursuance
of the power and authority vested in the Grantor as said Trustee, does CONVEY and
QUIT CLAIM unto the Grantee, the following described real estate, situated in the County
of Kendall and State of Illinois, to wit:

Lot 3 of Silver Wheel Subdivision in Township of Oswego
Kendall County, Illinois.

Exempt under provisions of
Paragraph 6, Section 4.

Dated: Seller

Common Address: 5375 Route 34, Oswego, IL

Parcel Number: 03-18-403-015

WITNESS, the grantor, as Trustee, has caused this Trustee's Deed to be signed by its
Trust Officer and attested by its
the day and year above written.

ATTEST: THE OLD SECOND NATIONAL BANK OF AURORA
not individually
Trust Officer

This instrument prepared by:
Attorney Darrell L. Jordan

Future Tax Bills to:
Mr. and Mrs. Raymond Gonzalez

After recordation return to: Attorney Darrell L. Jordan

Grantees address:

5375 Route 34
Oswego, IL 60543

CHARGE C.T.I.C. DUPLICATION \$700.00

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Raymond Gonzalez
Address [REDACTED]
City Sugar Grove State IL Zip 60554

2. Nature of Benefit Sought Special Use Permit

3. Nature of Applicant: (Please check one)
 Natural Person (a)
 Corporation (b)
 Land Trust/Trustee (c)
 Trust/Trustee (d)
 Partnership (e)
 Joint Venture (f)

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
Raymond Gonzalez	[REDACTED]	100%

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

Boyd Ingemanson [REDACTED]

VERIFICATION
I, Boyd Ingemanson, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 15 day of Nov, A.D. 2022

(seal)

Notary Public



7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Raymond Gonzalez Contact Person: Boyd Ingemunson
 Address: [Redacted] [Redacted]
 City, State, Zip: [Redacted]
 Phone Number: [Redacted]
 Email: [Redacted]

Please select: How would you like to receive a copy of the NRI Report? Email Mail

Site Location & Proposed Use

Township Name OSwego Township 37 N, Range 8 E, Section(s) 18
 Parcel Index Number(s) 03-18-43-015
 Project or Subdivision Name Gonzalez Special Use Number of Acres 1.63
 Current Use of Site Commerical Proposed Use Commercial
 Proposed Number of Lots 1 Proposed Number of Structures 2 (already existing)
 Proposed Water Supply well (existing) Proposed type of Wastewater Treatment septic (existing)
 Proposed type of Storm Water Management n/a

Type of Request

- Change in Zoning from _____ to _____
 - Variance (Please describe fully on separate page)
 - Special Use Permit (Please describe fully on separate page)
- Name of County or Municipality the request is being filed with: Kendall County

In addition to this completed application form, please including the following to ensure proper processing:

- Plat of Survey/Site Plan – showing location, legal description and property measurements
- Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
- If available: topography map, field tile map, copy of soil boring and/or wetland studies
- NRI fee (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	\$ <u>375.00</u>
_____ Additional Acres at \$18.00 each	\$ _____
Total NRI Fee	\$ <u>375.00</u>

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after _____

 Petitioner or Authorized Agent

11/15/2022
 Date

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

FOR OFFICE USE ONLY

NRI# 2218 Date initially rec'd 11/16/22 Date all rec'd 11/16/22 Board Meeting Dec. 12 2022
 Fee Due \$ _____ Fee Paid \$ 375.00 Check # [Redacted] Over/Under Payment _____ Refund Due _____

Please fill out the following findings of fact to the best of your capabilities. §13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare. the special use will not endanger the public health, safety, morals, or general welfare

That the special use will not be substantially injurious to the use and enjoyment of other properties 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 special use will not be injurious to surrounding properties; property on the east and west of the subject parcel are vacant lots; property to the north has sufficient buffering by fence and existng landscaping

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.

all utilities and points of ingress and egress are existing and adequate for proposed special use

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 special use conforms to all applicable regulations

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. special use is consistent with LRMP

Vicinity Map
Not to Scale



Subject Property

PLAT OF SURVEY & TOPOGRAPHIC EXHIBIT

LOT 3 OF SILVER WHEEL SUBDIVISION, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 5375 ROUTE 34, OSWEGO, ILLINOIS.

BENCHMARKS:

SOURCE BENCHMARK:
Village of Oswego Geodetic Control Network - Station # 0001 - Oswego Orchard.
Elevation= 608.92 (NAVD 88)

SITE BENCHMARK (SITE TBM)
Cross cut in top of curb adjacent to the Easterly property Line. (Location as noted)
Elevation= 632.89 (NAVD 88)

SURVEYOR'S NOTE:

THE LOCATIONS OF THE UNDERGROUND UTILITIES AS DEPICTED HEREON ARE BASED UPON MARKINGS BY TRI-COUNTY LOCATORS

- GAS — = gas line
- ST — = storm line
- SAN — = septic/sanitary line
- TEL — = tele-communications line
- OHW — = overhead wires
- W — = water line

SURVEYOR'S NOTE:

THE LOCATIONS OF THE UNDERGROUND UTILITIES AS DEPICTED HEREON ARE BASED UPON MARKINGS BY TRI-COUNTY LOCATORS

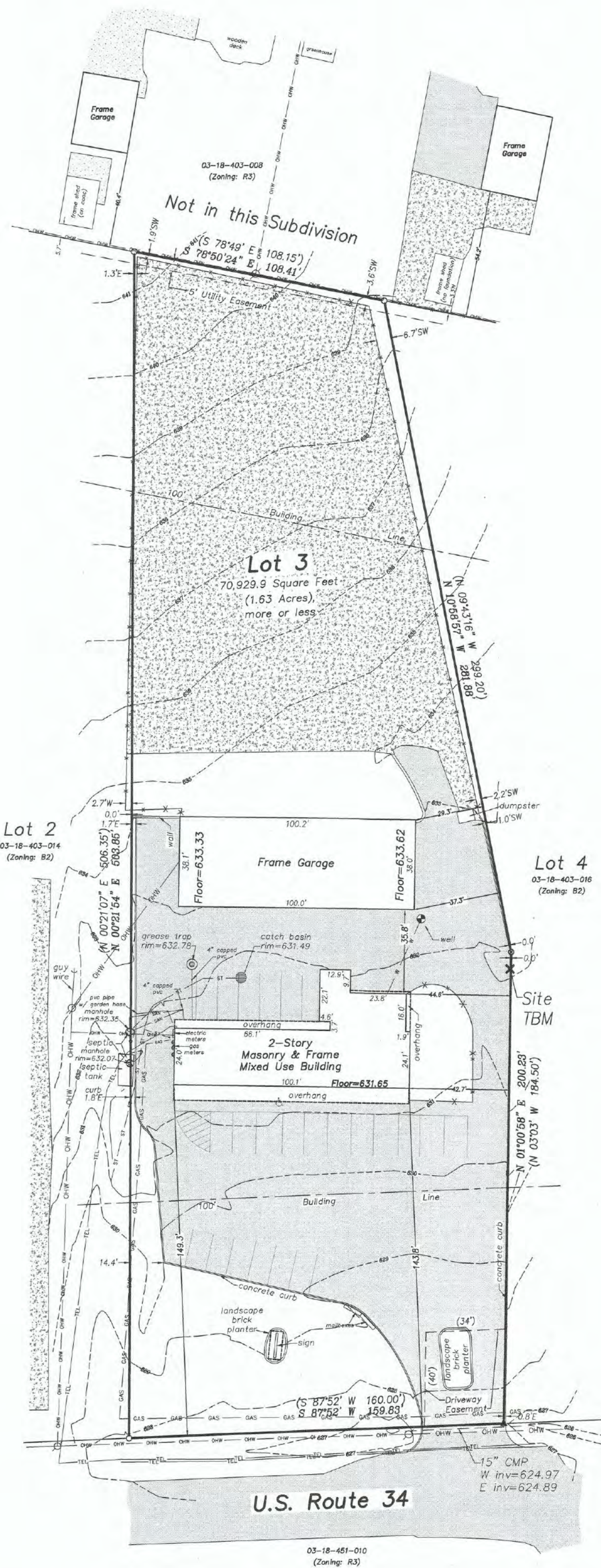
Kendall County Zoning Designations:

- B2 = General Business
- R3 = One Family Residential - 45,000 Sq Ft

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

WE, CORNERSTONE SURVEYING, P.C., AN ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYOR CORPORATION NO. 184.006522, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

DATED AT YORKVILLE, ILLINOIS ON NOVEMBER 16, 2022.



Scale: 1" = 40'

- = Found 3/4" Dia. Iron Pipe
- ⊗ = Found 1/2" Dia. Iron Pipe
- ▲ = Found PK Nail
- N = North E = East
- S = South W = West
- (XX.XX)' = Record Distance
- XX.XX' = Measured Distance
- Fence = —x—x—x—
- = Concrete
- = Asphalt
- = Gravel
- = Utility Pole

Michel C. Ensalaco, P.L.S. 2768, Exp. 11/30/2024
Eric C. Pokorny, P.L.S. 3818, Exp. 11/30/2024

TODD SURVEYING

Professional Land Surveying Services
"Cornerstone Surveying PC"
759 John Street, Suite D
Yorkville, IL 60560
Phone: 630-892-1309 Fax: 630-892-5544

Survey is only valid if original seal is shown in red.

Client: Ingemunson Law Offices, Ltd.	
Book # 2169 Drawn By: JG.JH/Plat # 312	
Reference: 2016-0509 FB2169	
Field Work Completed: 10/27/2022	
Rev. Date	Rev. Description
11/16/22	added topography
Project Number:	
2022-1141	

Attachment 3 Mixed Use Building



11/17/2022 13:40



11/17/2022 13:43



11/17/2022 13:43



11/17/2022 13:46



11/17/2022 13:40

Attachment 8

From: [Matt Asselmeier](#)
To: [Short, Michael A](#); [Rod Zinner \(rzenner@oswegoil.org\)](mailto:rzenner@oswegoil.org)
Cc: [Scott Koeppel](#); [Scott Gengler](#); [Fran Klaas](#)
Subject: 5375 Route 34, Oswego
Date: Thursday, November 17, 2022 8:56:00 AM

Mike and Rod:

Kendall County is likely to receive a request for special use permits for a watchman's quarters and outdoor storage at this property.

Does IDOT or the Village of Oswego want a ROW dedication for a trail as a condition of the special use permit?

Does either entity have any concerns with the proposed uses occurring at the subject property?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179