

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 January 9, 2023

CALL TO ORDER

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

ROLL CALL

Committee Members Present: Elizabeth Flowers, Dan Koukol, Ruben Rodriguez, Brooke Shanley, and Seth Wormley

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Boyd Ingemunson, Miguel Angel Fernandez, Jose Martinez, and Glenn Diller, Jr.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Member Flowers made a motion, seconded by Member Rodriguez, to approve the minutes of the November 7, 2022, meeting. With a voice vote of five (5) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report from November 2022 and the end of fiscal year expenditure report.

Member Flowers asked about trends in building. The Committee reviewed the permit reports at this time.

REVIEW PERMIT REPORT

Review November 2022 Permit Report

The Committee reviewed the report.

Review December 2022 Permit Report

The Committee reviewed the report.

Review of End of Year Permit Report

The Committee reviewed the report.

Mr. Asselmeier noted that the number of new homes and total number of permits were relatively the same. The number of solar permits had increased. The number of manufacturing and

commercial permits decreased due partly to the annexation of the Cat property into Montgomery.

The number of new home permits in December tend to be lower than other months.

EXPENDITURE REPORT

The Committee reviewed the end of fiscal year escrow report and the expenditure report from December 2022.

Member Rodriguez asked about the balance in the escrow account for 1038 Harvey Road. Mr. Asselmeier responded that the property owner applied for a stormwater permit and the number on the report is the dollar amount that was in the escrow report as of November 30, 2022. A stormwater permit was never issued for this property.

Member Rodriguez asked what happens to the money. Mr. Asselmeier responded that the funds are used to cover WBK Engineering's cost to review the project. Once a permit is closed or the project is no longer under review. The remaining funds in the escrow account is returned to the applicant. An open stormwater permit is valid until December 31st of the third year following the issuance of a permit.

Member Koukol asked if the trash at the driveway at 1539 Collins could be removed. Mr. Asselmeier will check if the trash could be removed.

PETITIONS

Petition 22-24 Raymond Gonzalez as Beneficiary of Merchants National Bank Under Trust Agreement Dated February 24, 1997 as Trust Number 5191

Mr. Asselmeier summarized the request.

The Petitioner would like to provide housing for a watchman in one (1) of the units on the first 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 southern, mixed use building was constructed in 1960. The subject property has been zoned B-2 since 1976. The existing dwelling units on the second floor are lawfully non-conforming.

The application materials, site plan, a picture of the mixed use building, a picture of the garage, a picture of the western fence, a picture of the eastern fence and, a picture of the existing monument sign was provided.

The property is approximately one point six-three (1.63) acres in size.

The existing land use is improved commercial.

The County's Future Land Use Map calls for the property to be Suburban Residential (Max 1 DU/Acre). The Village of Oswego's Future Land Use Map calls for the property to be Downtown.

Route 34 is an Arterial Road maintained by the Illinois Department of Transportation.

The Village of Oswego has a trail planned along Route 34 in this area.

There are no floodplains or wetlands on the property.

The adjacent land uses are single-family residential, vocational school, parking lot, and vacant.

The adjacent properties are zoned R-3, B-2, and B-3.

Nearby properties are zoned A-1, A-1 SU, R-3, R-3 SU, B-1, B-3 and B-3 SU in the County and R-2, R-3, R-4, and B-2 inside the Village of Oswego.

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

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

The NRI application was submitted on November 16, 2022. The LESA Score was 133 indicating a low level of protection. The NRI was provided.

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

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

The Oswego Fire Protection District was emailed Petition information on November 21, 2022. The Oswego Fire Protection District submitted an email clarifying condition 2 regarding the living situation of the watchman. This email was provided.

ZPAC reviewed this proposal at their meeting on December 6, 2022. Mr. Rybski noted that the existing septic system was located near the front monument sign. The septic system was designed in 1987 for seven (7) bedrooms. Discussion occurred regarding the definition of Downtown Use in the Village of Oswego's plan. The Petitioner's Attorney said the Petitioner was agreeable to the proposed conditions, but may request clarification on the documents required for annual submittal as outlined in condition 2. ZPAC recommended approval of the proposal with the conditions proposed by Staff by a vote of five (5) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on December 14, 2022. Discussion occurred regarding the special use permits following the land or ceasing when the property was sold. Discussion occurred regarding limiting outdoor storage to certain items. Discussion occurred regarding which unit would be converted to watchman's quarters; this would likely be the easternmost unit. Only one (1) watchman's quarters would be allowed on the first floor. The Kendall County Regional Planning Commission recommended approval of the proposal with the conditions proposed by Staff and the addition of a condition restricting outdoor storage to certain items by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on December 19, 2022. Other than the Petitioner's Attorney, no one else testified at the public hearing. Discussion occurred regarding the proof of verification that the tenant was a watchman for the property. It was noted that the owner would generate less revenue from a residential tenant than from a commercial tenant. A new certificate of occupancy would be required when the unit was converted to residential use and a new certificate of occupancy would be required if the unit was converted back to commercial use. The Kendall County Zoning Board of Appeals recommended approval of the proposal with the conditions proposed by Staff by a vote of four

(4) in favor and zero (0) in opposition with three (3) members absent. The minutes of the hearing were provided.

According to the submitted information, there are four (4) commercial tenants housed on the first floor of the mixed use building. The specific unit where the watchman and their family would live was not identified.

The outside storage would consist of cars, boats, trailers, recreational vehicles, granite, and other materials related to businesses housed on the property. No information was provided regarding the number or amount of items parked or stored outdoors on the premises. The materials would be stored outdoors within the fenced area north of the garage.

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. 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.

The property is served by well and septic.

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

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

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

The property fronts Route 34.

On November 17, 2022, Staff emailed the Illinois Department of Transportation for comments regarding this proposal; this email was provided. The Illinois Department of Transportation submitted an email stating they were not requesting a right-of-way dedication for a trail and noted that an access permit would be required, if the property owner changed or added entrances. This email was provided.

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

No information was provided regarding lights.

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

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.

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

According to the site plan, 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.

No information was provided regarding noise control.

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

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.

The proposed 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. 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.

Staff recommended approval of the special use permits subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan. Except for loading and unloading, outside storage of materials shall be restricted to the fenced area north of the frame garage shown on the submitted site plan.
2. Items stored outdoors are limited to cars, boats, trailers, recreational vehicles, granite, and other materials related to businesses housed on the property. No junk or debris, as defined by the Kendall County Junk and Debris Ordinance, shall be stored outdoors on the property. (**Added at RPC**).
3. 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 employed as a watchman of a business operating on the subject property or are immediate family members of the watchman (**Amended at ZPAC**). Only one (1) watchman and the family of the one (1) watchman may reside on the first floor of southern, mixed use building shown in the submitted picture. (**Clarified at RPC**).
4. The operator(s) of the business allowed by this special use permit shall ensure that the existing fences shown in the submitted pictures 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.
5. 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.
6. 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.
7. 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.
8. The operator(s) of the business allowed by these special use permits acknowledge and agree to follow Kendall County’s Right to Farm Clause.
9. 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.
10. 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.

11. 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.
12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
13. These special use permits shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

The draft ordinance was provided.

Member Koukol provided a history of the property. He noted that the property has been improved greatly in recent years.

Member Koukol asked if the apartment was already in place. Mr. Asselmeier said that he was unsure an occupancy permit had been issued for the apartment.

Member Rodriguez stated his approval of the project.

Member Shanley said that she attended the Regional Planning Commission and expressed here support for the proposal.

Member Koukol asked if the Petitioner was agreeable to the conditions. Boyd Ingemunson, Attorney for Petitioner, responded yes.

Member Koukol made motion, seconded by Member Shanley, to recommend approval of the special use permits.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal goes to the County Board on January 17, 2023, on the consent agenda.

Petitions 22-26 Theodore Vargas

Mr. Asselmeier summarized the request.

On February 21, 2006, the Kendall County Board granted a special use permit for a home occupation of a manufacturer of plaster or cement mantels and similar architectural components with more than two (2) non-resident employees at the subject property. Ordinance 2006-09 was provided.

Condition 10 of the special use permit stated that if the manufacture of plaster or cement mantels and similar architectural components ceased, the special use permit would expire.

On December 13, 2022, the Petitioner submitted a request for voluntary revocation of the special use permit. This was provided.

The Petitioner plans to operate a custom steel fabrication and welding home occupation at the property. The home occupation would employ a maximum of two (2) non-resident employees, which is allowed under the Kendall County Zoning Ordinance without a special use permit. The Petitioner submitted the required home occupation affidavit for the new home occupation.

The draft revocation ordinance was provided.

The subject property is zoned A-1. If the special use permit is revoked, the property will retain its A-1 zoning classification.

Staff recommended approval of the proposed special use permit revocation.

Member Koukol asked if the house had been divided off of the business portion of the property. Mr. Asselmeier responded yes. Member Koukol asked why the division occurred. Mr. Asselmeier speculated that the reason the division occurred was to obtain an address for the business building. The Petitioner owns both the house and business building.

Member Shanley made motion, seconded by Member Rodriguez, to recommend approval of the requested revocation.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal goes to the County Board on January 17, 2023, on the consent agenda.

NEW BUSINESS

Request for Guidance Regarding a Stormwater Management Ordinance Violation at 8150 Schlapp Road (PIN; 06-15-100-007)

Mr. Asselmeier summarized the issue.

In December 2022, the Department received a complaint of piles of material at least three feet (3') in height deposited without a permit at 8150 Schlapp Road. Complaint information was provided.

Upon review, a portion of the fill may be in the floodplain.

The property owner was given until January 7, 2023, to apply for a stormwater management permit or remove the fill.

On December 28, 2022, the property owner contacted the Department and requested additional time to remove the material. Due to the time of the year, the property owner likely will require several months to remove the materials.

Staff requests guidance as to how to proceed.

Glenn Diller, Jr., Property Owner, asked why the permit was required. Mr. Asselmeier explained the permit requirements in the Stormwater Management Ordinance.

Member Koukol asked if the piles were going to be temporary. Mr. Diller responded that the piles would be permanent and would be used for a private gun range.

Member Flowers asked about the timeline for removal. Mr. Asselmeier explained the current policy; Mr. Diller could not remove the piles within thirty (30) days even if he wanted to because of the time of the year. Mr. Diller did not want to remove the piles.

Mr. Diller asked about permit costs. Mr. Asselmeier responded that the permit application was One Thousand Two Hundred Fifty Dollars (\$1,250) plus the costs to prepare application submittal documents.

Member Rodriguez requested clarification on the location of the berm in relation to Schlapp Road. The berm is located on the south side of the property; Schlapp Road was to the west.

Mr. Diller said that he talked to the Kendall County Sheriff's Department regarding having a gun range. Private gun ranges are allowed, but gun ranges used as businesses required a special use permit.

Member Flowers asked about the timeline for applying for a stormwater permit. Mr. Asselmeier said that Mr. Diller could apply quickly, but Mr. Diller might not find a surveying company that can complete the plans within thirty (30) days.

Chairman Wormley suggested extending the deadline for dirt removal to March 31st with the expectation that the stormwater management permit be submitted within the next thirty (30) days. If Mr. Diller was making progress on the permit, an extension could be granted.

Member Koukol made motion, seconded by Member Flowers, to allow Mr. Diller to apply for the stormwater permit within thirty (30) days with the intent that the permit be issued by March 31, 2023, and to have a follow-up on the project at the April Planning, Building and Zoning Committee meeting. With a voice vote of five (5) ayes, the motion carried.

Approval of Annual Renewal of Mobile Home Permit at 13443 Fennel Road

Mr. Asselmeier said this mobile home was for taking care of a family member needing medical care. No complaints have been filed with either the Planning, Building and Zoning Department or Health Department regarding this property.

Member Koukol made a motion, seconded by Member Rodriguez, to approve the renewal.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Selection of Committee Vice-Chair

Chairman Wormley stated that Ruben Rodriguez would be the Vice-Chair of the Committee.

Approval to Reschedule the February 2023 Planning, Building and Zoning Committee Meeting

The February meeting conflicts with Lincoln's Birthday.

Member Rodriguez made a motion, seconded by Member Flowers, to reschedule the meeting to February 9, 2023, at 6:30 p.m. With a voice vote of five (5) ayes, the motion carried.

Review of 2023 Application Calendar

The Committee reviewed the application calendar.

Kendall County Regional Planning Commission Annual Meeting-February 4, 2023, at 9:00 a.m.

Mr. Asselmeier reported the Kendall County Regional Planning Commission Annual Meeting would be February 4th in the County Boardroom.

Kendall County Historic Preservation Commission Annual Meeting-February 15, 2023, at 6:00 p.m., at the Oswego Brewing Company at 61 Main Street, Oswego

Member Flowers reported the Kendall County Historic Preservation Commission Annual Meeting would be February 15th at the Oswego Brewing Company in Oswego. She discussed the Commission's wish to meet at various historic locations throughout the County. Mr. Asselmeier noted that a portion of downtown Oswego was added to the National Register of Historic Places and the meeting location was located inside the new historic district.

Review of Departmental Policies

Voluntary Compliance/Code Enforcement Policy

Debt-Free Applicant Policy

Stormwater Investigation Cost Policy

The Committee reviewed the policies and decided no changes were required.

OLD BUSINESS

Special Use Enforcement Update

Request for Guidance Regarding a Special Use Permit for a Specialty Gift Store Granted by Ordinance 2009-25 at 7275 Route 34 (PIN: 02-14-452-005) in Bristol Township; Committee Could Initiate Revocation of the Special Use Permit

Mr. Asselmeier provided the update.

1. Ordinance 2009-25-Special Use Permit for a Specialty Gift Store at 7275 Route 34
Issue: Condition 1 requires an annual inspection. During site visits in 2021 and 2022 the business appeared to have ceased. Efforts to contact the property owner to see if they would like to retain the special use permit have been unsuccessful.
How Department Became Aware of Potential Violation: Annual Inspection
Current Status: No response after several months of attempts. Staff requests guidance as to how to proceed.

Mr. Asselmeier suggested posting the hearing sign to obtain a response.

Mr. Asselmeier explained the procedure of involuntary revocation of special use permits.

The property was sold in November 2021.

Member Shanley made a motion, seconded by Member Flowers, to initiate revocation of the special use permit.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

2. Ordinance 2006-09-Special Use Permit for Additional Non-Family Employees in a Home Occupation at 14816 Galena Road (Business Address) and 14870 Galena Road (Home Address)
Issue: Condition 10 requires the business to be a manufacturer of plaster or cement mantels and similar architectural components.
How Department Became Aware of Potential Violation: Annual Site Visit
Current Status: Resolved
3. Ordinance 1987-25-Special Use Permit for a Church Camp at 1626 Route 31 (Camp Quarryledge)
Issue: Various conditions require the use to be connected to a church camp use, including the name "Camp Quarryledge".
How Department Became Aware of Potential Violation: Contacts from Potential Buyers of the Property
Current Status: Property is pending annexation to the Village of Oswego as a health camp/education center; annexation likely will be complete in February or March 2023.
4. Ordinance 2022-09-Special Use Permit for a Kennel at 3601 Plainfield Road
Issue: Installation of Berm and Landscaping by October 31, 2022.
How Department Became Aware of Potential Violation: Previous Deadline Extension Requests
Current Status: Berms and landscaping installed. They need to schedule a final occupancy inspection and resolve outstanding issues with the Oswego Fire Protection District.
5. Ordinance 2005-37-Special Use Permit for a Landscaping Business at 5681 Whitewillow Rd
Issue: Condition 6 requires a right-of-way dedication
How Department Became Aware of Violation: Property owner submitted a special use permit for a craft fair.
Current Status: As of January 3, 2023, the County Highway Engineer is working with an engineer and property owner to complete the necessary documents for the dedication.

Discussion occurred regarding the ownership and operation at the property. The business appears closed for the season.

6. Ordinance 2012-26-Special Use Permit for YPAC
Issue: Condition 6 requires paved parking lot by 2014 with 28 parking spaces
How Department Became Aware of Violation: YPAC approached County for financial assistance in 2018.
Current Status: In compliance and case closed as of December 7, 2022.

7. Ordinance 2014-21-Special Use Permit for Peaceful Pathways Montessori School at 8250 Route 71
Issue: Condition 2 requires the gravel driveway to be paved with asphalt no later than May 15, 2017
How Department Became Aware of Violation: The Parcel ID number for the property was updated in 2021 and Staff discovered the condition.
Current Status: The property owner has until April 30, 2023, to pave the driveway. The property owner is also paving a portion of the parking area. The final inspection will occur after the paving of the parking area is complete.

8. Ordinance 2020-01-Special Use Permit for a Kennel and Veterinary at the Northeast Corner of Ridge and Bell Roads
Issue: Condition 2.A requires adherence to the site plan and lighting plan. The property owner has installed one (1) additional light on the northwest corner of the property and the fence for the play area seems further south than shown on the site plan.
How Department Became Aware of Violation: Complaint filed by a driver on Ridge Road.
Current Status: Property owner submitted an application for major amendment and variance to the special use permit. This request will be reviewed by the advisory boards in January 2023.

1038 Harvey Road Items

Approval to Issue New, Additional Citations at the Property

Approval to Request that the State's Attorney's Office Pursue the Collection of the Lien for Planning, Building and Zoning Related Penalties Issued Against the Property

Mr. Asselmeier provided a history of the property, pictures of the property, and the lien against the property.

Member Koukol asked if the business was closed. Mr. Asselmeier noted that 1038 Harvey Road was listed on the business' website and on the Illinois Secretary of State's website.

Member Koukol asked if the property had discussed annexing to the Village of Oswego. Miguel Angel Fernandez, Attorney for the Property Owner, said the owner had ceased operations. The property was the owner's personal residence and he had not taken any action on annexing to the Village of Oswego. Jose Martinez, Property Owner, said that he parks his work trucks at the property to power the vehicles.

Chairman Wormley expressed his concerns about the lack of following the Zoning Ordinance at the property. He asked where the new site was located. He asked why the salt pile was located on the property under the tarp.

Member Rodriguez urged Mr. Martinez to have another address for his business. He felt that the Mr. Martinez had no respect for the process. Mr. Martinez said that he was looking for a location for his trucks.

Member Shanley asked when and where the business moved. Mr. Martinez said the business was moved in November 2022 and that the business moved to Aurora. Member Shanley asked if steps existed to correcting the address. Chairman Wormley said a timeline could be discussed, but he discussed the existing lien and violations on the property. He noted the lack of follow-through on previous requests.

Chairman Wormley asked what the property owner would like the County to do at this time.

Member Rodriguez felt Mr. Martinez has not been truthful with the Committee.

Discussion occurred regarding the result of future investigations and the placement of future fines or liens on the property.

Mr. Fernandez stated that his client did not have the funds to annex to the Village of Oswego.

Member Rodriguez made motion, seconded by Member Flowers, to issue new citations and ask the State's Attorney's Office to pursue the collection of the existing lien.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

REVIEW VIOLATION REPORT

Review of Violation Report for December 2022

The Committee reviewed the violation report.

Review of FY 21-22 Inspection Report

The Committee reviewed the report.

Mr. Asselmeier provided a history of how citations were issued.

REVIEW PRE-VIOLATION REPORT

Review of Non-Violation Report for December 2022

The Committee reviewed the report.

The Committee discussed cases of chickens and the potential for a text amendment to allow chickens on parcels less than one (1) acre in size. All chicken investigations have been postponed until after the February Kendall County Regional Planning Commission Annual Meeting.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

None

REVIEW REVENUE REPORT

Review of November 2022 Revenue Report

The Committee reviewed the report.

Review of 2011-2022 Revenue Report

The Committee reviewed the report.

Review of December 2022 Revenue Report

The Committee reviewed the report.

Mr. Asselmeier provided a history of updating the Land Cash Ordinance.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT



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

Chairman Wormley adjourned the meeting at 8:22 p.m.

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

**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
JANUARY 9, 2023**

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)
Miguel Angel Fernandez		
Boyd Ingemuns		
		

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Intro

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- 📍 1038 Harvey Rd , Oswego, IL, United States, Illinois
- ☎️ (630) 731-7067
- ✉️ Naturalworldlandscaping@gmail.com
- 🌐 naturalworldlandscaping.net
- 🕒 Open now
- 💰 Price Range · \$
- ★ Rating · 4.1 (17 Reviews)

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Natural world landscaping
April 7, 2021 · 🌐

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1038 Harvey Rd

Thursday • Jan 5, 2023 • 8:10 AM

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📷 1/5 8:10 AM



1038 Harvey Rd

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1038 Harvey Rd

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1038 Harvey Rd

Thursday • Jan 5, 2023 • 8:13 AM

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FY 2022

Detailed Inspection Report

Site Visit	210
Footing	91
Backfill	24
Wall	30
Slab	52
Electric Service	19
Frame/Wire	101
Insulation	32
Final	210
Redtag	0
Hearing Signs	29
Meetings in Field	121
Violation Investigations	368
Yorkville Backup for County	65
Zoning Issues	33
NPDES	0

Total Field Visits and Inspections **1390**

Total Permits Reviewed and Issued **367** **15 Voided**

Contracted Plumbing Inspections **92**

Inspections - County Back up for Yorkville per IGA **10**