

MINUTES
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
February 27, 2023 – 7:00 p.m.

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:02 p.m.

ROLL CALL:

Members Present: Cliff Fox, Tom LeCuyer, Randy Mohr, Jillian Prodehl, Dick Thompson, and Dick Whitfield

Members Absent: Scott Cherry

Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner

Others Present: None

MINUTES:

Member LeCuyer made a motion, seconded by Member Thompson, to approve the minutes of the January 30, 2023, hearing/meeting.

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

PETITIONS

None

NEW BUSINESS/OLD BUSINESS

Anti-Harassment Training

Members reviewed the training.

Discussion occurred regarding the new Inspector General.

Discussion occurred regarding the February 28, 2023, wind farm meeting at the library in Newark.

Planning and Zoning 101 Training

Mr. Asselmeier provided a training covering planning and zoning topics.

Discussion occurred regarding letters from neighbors not in attendance; these are considered hearsay evidence.

Several Members requested printed copies of the presentation.

Discussion occurred regarding the impact of Staff's recommendation. Mr. Asselmeier explained that he gives recommendations, but petitioners have a right to a hearing before the Zoning Board.

Discussion occurred regarding neighbors giving testimony without supporting data.

Discussion occurred regarding information provided at the Regional Planning Commission.

Discussion occurred regarding the County Board not taking the recommendation of the Zoning Board of Appeals.

Follow-Up on Kendall County Regional Planning Commission Annual Meeting

Discussion occurred regarding regulations of chickens in residentially zoned areas.

Mr. Asselmeier said approximately thirty (30) people attended the meeting.

Twenty-Seven (27) Petitions filed in 2022; fifty-one (51) Petitions Filed in 2021; thirty-two (32) Petitions Filed in 2020; forty-six (46) Petitions Filed in 2019; thirty-three (33) Petitions Filed in 2018; thirty-three (33) Petitions Filed in 2017.

Thirty-Six (36) New Housing Starts in 2022; thirty-two (32) New Housing Starts in 2021; thirty-four (34) New Housing Starts in 2020; twenty (20) New Housing Starts in 2019.

Three Hundred Eighty-Two (382) Total Permits in 2022; three hundred fifty-four (354) Total Permits in 2021; three hundred twenty-six (326) Total Permits in 2020; two hundred fifty-seven (257) Total Permits in 2019.

Total Deposits (Building Fees, Zoning Fees, Land Cash Fees, and Off-Site Roadway) for the FY2022 was Two Hundred Sixty-Four Thousand, Four Hundred Eighty-Seven Dollars (\$264,487), Down from Two Hundred Ninety-Three Thousand, Nine Hundred Forty-One Dollars (\$293,941) in FY2021.

Revenue in October was Forty-Eight Thousand Eight Hundred Fifty-Seven Dollars (\$48,857); This Was the Highest Monthly Revenues Since the Mid-2000s.

County Board Denied a Special Use Permit for the First Time in Several Years.

Lien Levied Against 1038 Harvey Road in the Amount of Thirty-Two Thousand Eight Hundred (\$32,800) for Zoning, Building, and Junk and Debris Violations.

Hired a Part-Time Code Enforcement Officer, Matthew Yackley.

New Contracted Plumbing Inspector, Anthony Mayer of Mayer Plumbing, LLC Hired Following the Passing of Long Time Plumbing Inspector Randy Erickson.

County Board Approved Reclassification of Parcels to Mixed Use Business on the West Side of Eldmain Road at Fox Road.

Text Amendments Approved Establishing Definitions of Landscaping Businesses and Excavating Businesses.

Text Amendments Approved for Lighting Requirements of Towers.

Planning, Building and Zoning Committee Reaffirmed the Department's Voluntary Compliance Policy in Cases of Ordinance Violations and Established Procedures for After-The-Fact Applications.

Planning, Building and Zoning Committee Approved a Policy Requiring Applicants to the Department to be Debt Free or Current on Debt to the County Prior to Departmental Approvals, Including Requiring Middle Initials on all Applications.

Evaluated a Proposal with Teska Associates, Inc. to Update the County's Land Resource Management Plan; Proposal Not Included in Budget for FY22-23.

Reviewed with WBK Engineering the County's Existing Stormwater Management Ordinance Against the New State Model Floodplain Ordinance.

Continued Doing Annual NPDES Surveys to the Townships.

Noxious Weed Related Documents and Notices Drafted and Approved by the County Board.

Planning, Building and Zoning Committee Held a Special Committee Meeting in Boulder Hill.

Kendall County Historic Preservation Commission Held Special Meetings at Little White School Museum, Fern Dell, Edith Farnsworth House, and Yorkville Masonic Temple.

Started Working with Wiss, Janney, Elstner Associates, Inc. on Historic Structure Survey in Unincorporated Kendall and Bristol Townships Funded by a Certified Local Government Grant.

Continued Historic Preservation Commission Awards.

Senior Planner Assisted with the Codification Process.

Senior Planner Elected President of Illinois Association of County Zoning Officials.

Code Official Renewed Three (3) ICC Certificates Until April 2024.

Code Official Provided an Education Booth at the Kendall County Fair.

Code Official Provided Input on Hiring of Part-Time Code Enforcement Officer and Plumbing Inspector.

Code Official Performed a Higher Volume of Plan Reviews, Inspections, and Investigations Compared to the Previous Year.

Department Increased Cooperation with Oswego Township on Code Enforcement Matters.

Items for 2023 included the following:

Continue to Assist with the Codification Process.

Continue to Implement the Citation Policies for the Various Ordinances.

Continue to Explore Opportunities to Start the Process of Updating the Land Resource Management Plan in its Entirety.

Work with the Administration Department on Obtaining an Intern for the Department.

Develop a More Comprehensive List of Available Residential Lots.

Review the Calculations in the Kendall County Land Cash Ordinance.

Organize a Training for the Regional Planning Commission, Zoning Board of Appeals, and Planning, Building and Zoning Committee.

Continue to Meet with Townships Regarding Their Role in the Development Approval Process.

Work with WBK Engineering to Review the County's Stormwater Regulations and Recommend Appropriate Changes Based on Changes in Federal and State Stormwater Regulations (i.e. State Model Floodplain Ordinance).

Continue to Monitor Changes to Zoning Related Regulations at the State Level.

Continue to Work with GIS to Ensure Correct Zoning Information for Each Parcel.

Continue to Work with GIS to Connect Parcels to the Applicable Special Use and Map Amendment Ordinances.

Continue to Work to Ensure Special Use Permits that Require Renewals and Reviews Are Examined in a Timely Manner.

Ensure that Noxious Weed and NPDES Permit Documents Are Submitted to the State in a Timely Manner.

Complete the Historic Structure Survey in Unincorporated Kendall and Bristol Townships.

Work with the Illinois Historic Preservation Agency and Historic Preservation Commission on Certified Local Government Projects (i.e. Historic Structure Surveys in Other Townships).

Increase the Visibility and Activities of the Historic Preservation Commission Through Collaboration with Other Historic Preservation Organizations and Events.

Senior Planner Will Represent the Department on the Hazard Mitigation Plan Update.

Work with Kendall County EMA to Pursue Disaster Related Grants and Other Funding.

Continue Working with the Northwest Water Planning Alliance.

Participate with Implementation of CMAP's 'On To 2050 Plan' for the Chicago Region.

Continue Reviewing and Addressing Potential Changes to the Zoning Ordinance and Departmental Operations for Increased Efficiency.

There were eight (8) new special use permit applications; one (1) was denied; one (1) was withdrawn, one (1) was on hold; one (1) was in Millbrook.

There were three (3) major amendments to existing special use permits.

There were zero (0) minor amendments to existing special use permits.

There were four (4) special use permit revocations.

There were zero (0) special use permit renewals.

There were two (2) variances not part of special use permits.

There were two (2) administrative variances.

There zero (0) stormwater ordinance variances.

There was one (1) conditional use permit.

There were zero (0) temporary use permits.

There was one (1) site plan review.

There was one (1) plat of vacation.

There were zero (0) preliminary and final plats.

There were three (3) text amendment initiations with one (1) of those on hold.

There was one (1) land use plan amendment.

There was one (1) map amendment.

There were zero (0) stormwater ordinance related amendments.

There were zero (0) new historic landmarks or districts designated.

There were zero (0) amendments to the text of the historic preservation ordinance.

There was a total of twenty-seven (27) petitions in 2022 compared with fifty-one (51) in 2021.

There were ten (10) ZPAC meetings.

There were ten (10) Regional Planning Commission meetings.

There were ten (10) Zoning Board of Appeals hearings/meetings.

There were nine (9) Historic Preservation Commission meetings.

There was one (1) Stormwater Management Oversight Committee meeting.

There five (5) Comprehensive Land Plan and Ordinance Committee meetings.

There were fourteen (14) Planning, Building and Zoning Committee meetings.

Of the thirty-two (32) ordinances approved by the County Board in 2022, eighteen (18) were Planning, Building and Zoning related. Of the thirty-five (35) ordinances approved by the County Board in 2021, nineteen (19) were Planning, Building and Zoning related.

The Department investigated zero (0) noxious weed violations in 2022 compared to zero (0) noxious weed violation investigation in 2021, 2020, and 2019.

There were thirty-six (36) single-family home permits issued in 2022. Ten (10) were in Kendall Township, one (1) in Bristol Township, nine (9) in Na-Au-Say Township, three (3) in Fox Township, four (4) in Little Rock Township, four (4) in Oswego Township, zero (0) in Lisbon Township, four (4) in Seward Township, and one (1) in Big Grove Township.

The breakdown of new homes, available homes, and total lots in subdivisions where new homes were permitted in 2022 was provided.

The average of new single-family home permits since 2000 was fifty (50).

The average of new single-family home permits since 2010 was twenty-two (22).

The available lots in residential planned developments was provided.
The number of site visits was two hundred ten (210).

The number of footing inspections was ninety-one (91).

The number of backfill inspections was twenty-four (24).

The number of wall inspections was thirty (30).

The number of slab inspections was fifty-two (52).

The number electric service inspections was nineteen (19).

The number of frame/wire inspections was one hundred one (101).

The number of insulation inspections was thirty-two (32).

The number of final inspections was two hundred ten (210).

The number of red tags was zero (0).

The number of hearings signs was twenty-nine (29).

The number of meetings in the field was one hundred twenty-one (121).

The number of violation investigations was three hundred sixty-eight (368).

The number of NPDES investigations was zero (0).

The number of inspections for Yorkville back for the County was sixty-five (65).

The number of zoning issue related inspections was thirty-three (33).

The total number of field visit and investigations was one thousand three hundred ninety (1,390).

The total number of permits reviewed and issued was three hundred sixty-seven (367) with fifteen (15) voided.

The number of contracted plumbing inspections was ninety-two (92).

The number of inspections for Yorkville per the IGA was ten (10).

The 2023 goals for the Code Official were as follows:

Investigate technology with GIS for permit tracking system.

Investigate the feasibility of implementing a license and bonding program for contractors.

Provide a public educational training.

Attend an ICC seminar on 2021 Residential Codes.

Investigate the feasibility of implementing roofing permits. Discussion occurred regarding roofing permits.

Discussion occurred regarding the increase in violation investigations.

Discussion occurred about grandfathered businesses and uses.

REVIEW OF PETITIONS THAT WENT TO THE COUNTY BOARD

Mr. Asselmeier reported that Petition 22-27 was approved by the County Board.

PUBLIC COMMENTS

Mr. Asselmeier reported there were seven (7) proposed text amendments to the Zoning Ordinance and Subdivision Control Ordinance for the March meeting.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Thompson made a motion, seconded by Member Whitfield, to adjourn.

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

The Zoning Board of Appeals meeting adjourned at 9:02 p.m.

The next regularly scheduled hearing/meeting will be on March 27, 2023.

Respectfully submitted by,

Matthew H. Asselmeier, AICP, CFM

Senior Planner