

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 April 10, 2023 – Approved

CALL TO ORDER

The meeting was called to order by Chairman Wormley at 6:31 p.m.

ROLL CALL

Committee Members Present: Dan Koukol (Left at 6:56 p.m.), Ruben Rodriguez (arrived at 6:32 p.m.), Brooke Shanley, and Seth Wormley

Committee Members Absent: Elizabeth Flowers

Also Present: Matt Asselmeier (Senior Planner)

APPROVAL OF AGENDA

Member Koukol made a motion, seconded by Member Shanley, to approve the agenda as presented. With a voice vote of three (3) ayes, the motion carried.

APPROVAL OF MINUTES

Member Shanley made a motion, seconded by Member Koukol, to approve the minutes of the March 13, 2023, meeting. With a voice vote of three (3) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report from March 2023.

PETITIONS

None

NEW BUSINESS

Discussion of Updating the Kendall County Land Resource Management Plan In Its Entirety

Mr. Asselmeier summarized the issue.

Member Rodriguez arrived at this time (6:32 p.m.).

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

A large portion of the data in the Land Resource Management Plan is now outdated and, as part of the budget research process, in 2022, Staff contacted Teska Associates to obtain a cost estimate to update the Land Resource Management Plan. Teska Associates' price quote and

scope of work from 2022 were provided. As noted in this information, the project would occur over a three (3) year period and involve at least one (1) meeting in each township.

Prior to the preparation of the budget for FY2022-2023, the Comprehensive Land Plan and Ordinance Committee, ZPAC, Kendall County Regional Planning Commission, and Kendall County Zoning Board of Appeals reviewed the proposal and recommended that the project be included in the FY2022-2023 budget. The Committees also all recommended starting with the eastern three (3) townships. Ultimately, however, this project was not included in the budget for the present fiscal year.

With the pending adoption of three (3) agricultural areas in Lisbon Township and with the preparation of the budget for FY2023-2024 approaching in the upcoming months, Staff requests guidance from the Committee regarding whether or not the County should pursue an update at this time or simply review the future land uses around the proposed agricultural areas.

Staff contacted Teska Associates for updated price figures. To date, that information has not been provided.

Member Koukol asked about the status of the proposed agricultural areas. Mr. Asselmeier described the activities that have occurred thus far with the proposed agricultural areas as required by State law.

Member Koukol asked if the properties near the proposed agricultural areas could be changed to Mixed Use Business on the Future Land Map. Mr. Asselmeier responded that it still would be possible to change properties to Mixed Use Business. However, an investor or potential business would have to take the existence of the agricultural areas into account, when deciding to invest in the area. The agricultural areas could impact the payback period of expenditures related to the installation of infrastructure which may impact the viability of a project.

Mr. Asselmeier explained the process of removing and dissolving agricultural areas.

Member Koukol and Chairman Wormley expressed reservations about the agricultural areas program and limiting opportunities for land.

The consensus of the Committee was to wait with updating the Land Resource Management Plan in its entirety.

OLD BUSINESS

Special Use Permit Enforcement Update

Mr. Asselmeier reported the following:

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: Hearing to involuntarily revoke the special use permit is scheduled for May 1, 2023.
2. 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 May or June 2023.

3. 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: Property owner finally contacted the County on April 6, 2023, Petitioner is working with the Kendall County Highway Department on the necessary paperwork.

4. Ordinance 2014-04-Special Use Permit for a Compost Facility at 1270 E. Beecher Road
Issue: Condition 8 requires property owner to reapply for special use permit prior July 1, 2023, or the special use permit shall be revoked on December 1, 2023.

How Department Became Aware of Violation: Not presently a violation.

Current Status: Property owner sent a letter on April 3, 2023, requesting guidance as to their plans for the property.

Discussion of Stormwater Management Ordinance Violation at 8150 Schlapp Road (PIN: 06-15-100-007)

Mr. Asselmeier summarized the issue and provided emails from two (2) surveying companies. The property owners had not entered into a contract with either surveyor. Mr. Asselmeier left a voicemail for the property owner on April 10, 2023.

Without objection, the citation will be issued.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report. Mr. Asselmeier reported that the case against 2511 Wildy Road had been continued to May 15, 2023, by the court in order to give the property owner additional time to work with FEMA.

REVIEW PRE-VIOLATION REPORT

The Committee reviewed the report.

Member Koukol asked for an update 1539 Collins Road. Mr. Asselmeier will request an update from Scott Koeppel.

Member Koukol left at this time 6:56 p.m.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Recommendation for a Proclamation Declaring May Historic Preservation Month in Kendall County

Mr. Asselmeier provided a proposed proclamation. The Historic Preservation Commission previously recommended approval of the proclamation.

Member Shanley made a motion, seconded by Member Rodriguez, to recommend approval of the proclamation.

The votes were as follows:

Yeas (3): Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (2): Flowers and Koukol

The motion carried.

The proposal goes to the County Board on May 2, 2023.

The historic preservation awards will be presented at the May 16, 2023, County Board Meeting.

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report. Mr. Asselmeier noted that the correction to the February figures.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

Member Shanley made a motion, seconded by Member Rodriguez, to enter into executive session for the purposes of reviewing minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

The votes were as follows:

Yeas (3): Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (2): Flowers and Koukol

The motion carried.

The Committee recessed at 7:01 p.m.

Chairman Wormley called the Committee back to order at 7:05 p.m.

ROLL CALL

Committee Members Present: Ruben Rodriguez, Brooke Shanley, and Seth Wormley

Committee Members Absent: Elizabeth Flowers and Dan Koukol

Also Present: Matt Asselmeier (Senior Planner)

NEW BUSINESS

Approval to Release Executive Session Minutes of April 10, 2023

Member Shanley made a motion, seconded by Member Rodriguez, to recommend approval of the release of the Executive Session Minutes of April 10, 2023.

With a voice vote of three (3) ayes, the motion carried.

The proposal goes to the County Board on April 18, 2023, on the consent agenda.

ADJOURNMENT

Member Rodriguez made a motion, seconded by Member Shanley, to adjourn. With a voice vote of three (3) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 7:06 p.m.

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

Enc.

Matt Asselmeier

From: Eric Pokorny <eric@toddsurvey.com>
Sent: Friday, April 7, 2023 11:38 AM
To: Matt Asselmeier
Cc: Christina Wojcik
Subject: RE: [External]8150 S Schlapp Road

Hi Matt,

I have received no responses from Glenn. I did mention it might be more economical for him to contact Phil Young since Phil previously did his boundary survey.

Perhaps he is following up with Phil.

Thanks and have a Blessed Easter,

Eric

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Wednesday, April 5, 2023 8:20 AM
To: Eric Pokorny <eric@toddsurvey.com>
Subject: RE: [External]8150 S Schlapp Road

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

From: Eric Pokorny <eric@toddsurvey.com>
Sent: Wednesday, April 5, 2023 8:19 AM
To: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Subject: RE: [External]8150 S Schlapp Road

Sorry Matt, no I haven't. With the weather I have been in the field trying to keep us on schedule. My request for a clone appears to have been denied-again!

In office today, will reach out to Glenn.

E

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Wednesday, April 5, 2023 8:12 AM
To: Eric Pokorny <eric@toddsurvey.com>
Cc: Scott Koeppel <skoeppel@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>
Subject: RE: [External]8150 S Schlapp Road

Eric:

Were you able to contact Mr. Diller?

Matt Asselmeier

From: PHIL YOUNG <philyoung@comcast.net>
Sent: Friday, April 7, 2023 4:19 PM
To: Matt Asselmeier
Subject: [External]Re: 8150 Schlapp Road Question

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Matt,

Glenn Diller stopped at our office a few weeks ago to discuss building a berm along the south and east lines of his property for a shooting range. I printed a FIRMette of his location showing that the southwest corner of the property was in flood hazard Zone A without a printed BFE elevation. I told him that a new bridge/box culvert was built recently near his southwest corner and that Kendall Co Hwy Dept may have a flood study which established the BFE. Also, since he was moving a massive amount of dirt, an engineer may be required for his project.

He left and I have not heard from him.

Phil Young
PHILLIP D. YOUNG AND ASSOCIATES, INC.
1107 South Bridge Street, Suite B
Yorkville, Illinois 60560
(630)553-1580 Office
(630)553-1685 Fax

On 04/07/2023 11:41 AM Matt Asselmeier <masselmeier@kendallcountyil.gov> wrote:

Phil:

Have you had any correspondence with the owner of this property for survey work?

Thanks,

Matthew H. Asselmeier, AICP, CFM

Senior Planner

Kendall County Planning, Building & Zoning

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Executive Session Minutes of April 10, 2023

CALL TO ORDER

The executive session was called to order by Chairman Seth Wormley at 7:02 p.m.

ROLL CALL

Committee Members Present: Ruben Rodriguez (Vice-Chairman), Brooke Shanley, and Seth Wormley (Chairman)

Committee Members Absent: Elizabeth Flowers and Dan Koukol

Also Present: Matt Asselmeier (Senior Planner)

The purpose of this executive session was to review minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

The Committee reviewed the minutes from the following meetings:

December 19, 2016

August 7, 2017

November 7, 2022

The consensus of the Committee was to release the minutes of April 10, 2023. The other minutes shall remain confidential for personnel reasons and litigation reasons.

Motion by Member Shanley, seconded by Member Rodriguez, to adjourn executive session.

The votes were as follows:

Yeas (3): Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (2): Flowers and Koukol

Chairman Wormley adjourned the executive session at 7:05 p.m.

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