



KENDALL COUNTY
HISTORIC PRESERVATION COMMISSION
111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

April 15, 2019 – 6:30 p.m.

CALL TO ORDER

ROLL CALL: Elizabeth Flowers, Kristine Heiman (Chairman), Sarah Herbig, Melissa Maye, and Jeff Wehrli (Vice-Chairman)

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes of March 18, 2019 Meeting (Pages 2-8)

CHAIRMAN’S REPORT:

PUBLIC COMMENT:

NEW BUSINESS:

1. Approval of an Invoice from Leo’s Trophies, Gifts and Engraving in an Amount Not to Exceed \$148.00 for a Plaque for the Historic Preservation Award Winner (Pages 9-11)
2. Review and Recommendation on Article III Designation of Landmarks and Historic Districts Section of the Historic Preservation Ordinance (Pages 12-20)

OLD BUSINESS:

1. Discussion of Social Media Campaign
2. Discussion of Oswego Historic Stone House Tour

CORRESPONDENCE:

PUBLIC COMMENT:

ADJOURNMENT: Next Meeting-May 20, 2019

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.

KENDALL COUNTY
Historic Preservation Commission
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
March 18, 2019-Unofficial Until Approved

CALL TO ORDER

Chairwoman Kristine Heiman called the meeting to order at 6:40 p.m.

ROLL CALL

Present: Elizabeth Flowers, Kristine Heiman, and Jeff Wehrli

Absent: Sarah Herbik and Melissa Maye

Also present: Matt Asselmeier, Senior Planner, and Ruth Ann Sikes, Part-Time Office Assistant (Zoning)

In the Audience: John Brodemus

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Member Flowers made a motion, seconded by Member Wehrli, to approve the minutes from the November 19, 2018, meeting, the December 18, 2018, gathering, and the February 13, 2019 gathering. With a voice vote of three (3) ayes, the motion carried unanimously.

CHAIRMAN'S REPORT

Chairman Heiman read an email from Thomas Milschewski who attended the meeting at LaSalle Manor, See attachment.

PUBLIC COMMENT

None

NEW BUSINESS

Discussion of Renting Booth Space at 2019 PrairieFest

The Commission reviewed the flyer and discussed if it was worth attending again because of the number of people that stopped by the tent last year.

Member Wehrli asked about other events to get the Commission's name publicized

Member Flowers said that perhaps we could partner with someone else to get our name out there.

Mr. John Brodemus, Oswego, mentioned that Oswego Historic Commission is having a house tour in June. He had no objection to the Commission putting a table in his driveway for that event.

Approval of a Proclamation Declaring May Historic Preservation Month

Member Wehrli made a motion, seconded by Member Flowers, to approve and send the Proclamation to the Board. With a voice vote of three (3) ayes, the motion passed unanimously.

OLD BUSINESS

Discussion of February 13, 2019, Meeting with Other Historic Preservation Organizations-Approval of Invoices in the Amount of \$48.75 for Food and Beverage at Event; Related Invoices Paid from Historic Preservation Commission Line Item (010-2-002-6383)

Member Wehrli mentioned that it seemed like everyone enjoyed the event.

Chairwoman Heiman said it was great to hear from the other groups that came to the event and it was just a beautiful place, and she was happy with the attendance.

It was discussed about having the same event at another venue next year.

Member Wehrli made a motion, seconded by Member Flowers, to approve invoices. With a voice vote of three (3) ayes, the motion carried unanimously.

Review of a Letter of Support for the Save the Historic Kendall County Jail

Chairwoman Heiman reviewed the letter. Member Flowers made a motion, seconded by Member Wehrli, to approve the letter. With a voice vote of three (3) ayes, the motion passed unanimously.

Review and Recommendation on Article II-The Historic Preservation Commission Section of the Historic Preservation Ordinance

Commissioners reviewed the article.

The consensus of the Commission was to move to Article III of the Historic Preservation Ordinance.

Follow-Up on Review of Historical Documents

Member Wehrli stated it was very interesting to look at all the original books from the first couple months that Kendall County existed.

Chairwoman Heiman said it was interesting to see how people paid for things (i.e., cows and horses).

Mr. Brodemus of Oswego made a suggestion of having the documents put on microfilm to preserve them.

Review of Historic Preservation Awards

Mr. Asselmeier presented a nomination for Chapel on the Green in Yorkville.

The award would be under the Commercial Category. The award presentation would be at the County Board Meeting on the third Tuesday of May at which time they would receive a Certificate and a sign would be placed in the yard.

It was discussed by the Commission to put a plaque up also. Mr. Asselmeier will research the type of plaque and the cost.

The consensus of the Commission was to grant the award to Chapel on the Green.

Discussion of Social Media Campaign

The Committee decided to keep this on the Agenda for our meeting next month.

CORRESPONDENCE

None

PUBLIC COMMENT

Mr. Asselmeier noted that the next meeting was April 15, 2019.

John Brodemus stated that the Commission should keep working and increase advertising.

ADJOURNMENT

Member Wehrli made a motion, seconded by Member Flowers, to adjourn. With a voice vote of three (3) ayes, the motion carried. The Historic Preservation Commission adjourned at 7:17 p.m.

Respectfully Submitted,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Enc.

Good Afternoon Kendall County Residents and Officials,

My name is Thomas Milschewski and I have been a resident of Heustis Street in Yorkville for 21 years. My mother, Jacquelyn Milschewski, currently serves as Ward II Alderman and previously served the community as City Clerk for 10 years. While we have been involved in many efforts promoting historic preservation in Kendall County, my most recent interest has been in the old Kendall County Jail and Sheriff's residence.

Several years ago, I started a project called "Yorkville Then and Now," which has gained popularity through Facebook and Instagram sites engaging people of all generations into conversation about photos which I post of our community and its residents in days gone by. My efforts, along with the amazing responses from people across the country, have caught the interest of the Kendall County Record, the Kendall Chronicle, Glancer Magazine, as well as WGN and ABC News. This project has revived interest in Yorkville's past in a fresh way, connecting many generations through the generous contributions of hundreds of photos, and the sharing of countless memories and personal stories, previously undocumented, which have brought new life to the phrase "Then and Now."

I am dedicated to further expanding the concept of "Yorkville Then and Now" by compiling this treasured information into book form and am also interested in starting a Yorkville historical committee. In the same vein, I have been an enthusiastic participant in activities which support the preservation of the old Jail, and am also hoping to qualify my historic home at 401 Heustis Street to National Landmark Status. My passion for preserving history began nearly ten years ago with interest in my own home's past, and I have spent countless hours in online research, pouring over history books, and speaking to longtime residents and descendants of many of Yorkville's early settlers and families. It is my hope that this renewed interest in historic preservation will motivate other members of the community to join the efforts to keep our local history alive.

Recently I created a list of landmark/historic structures which the City of Yorkville has lost since 1990, most being a result of the rapid population growth and development along Routes 47 and 34. Included on this list are more than twenty-five downtown buildings, homes, farms, and other businesses along these roads. Thirteen of these buildings have disappeared in the last six years alone. Three of the six original homes located around Courthouse Square, which includes the Muellner building, previously located at the southwest corner of W. Van Emmon and Bridge Streets, built in 1887 are now gone. Having slipped away, one by one, I believe many residents would be shocked to see a comprehensive listing of these lost structures. Unfortunately, Yorkville is not alone in demolishing historical structures for the sake of progress. Other county communities such as Oswego have sacrificed landmark buildings for similar reasons.

Currently, the probability of demolition for the old County Jail and Sheriff's Residence (111 W. Madison St.), as well as the old Larson's Funeral Home (107 W. Madison St.), both adjacent to the Historic Courthouse, is strong. This will further detract from, and diminish the original design of Courthouse Square, leaving the residence located at 108 W. Ridge Street as the last surviving structure. This house serves as a storage facility, and is overflowing with the original, irreplaceable county records, yet there has already been discussion of razing this building to further expand county office space. Where will these documents go?

It has been proven in other communities that the irreversible consequences of these actions are detrimental to communities- historic structures give towns like Yorkville a unique sense of character and remind us of the strong heritage that is still present with lifelong residents today, some of them actual descendants of original settlers. Future generations will miss the opportunity to enjoy these reminder of the early years and early residents of the community that they call "home." If the old jail is torn down, it is unlikely that a new structure will be built in its place which will enhance our downtown. The chances are slim that new development in that area would fit into the aesthetics of the Courthouse square or match the character of the surrounding neighborhood.

While I have invested myself in the efforts to save the old Jail, I have come to realize that some City officials who have not lived here all of their lives just do not share my passion to preserve the history that has helped to shaped this community and its government and standards. Not only in Yorkville, but throughout the county, farm homesteads, outbuildings, and cherished historic landmarks are being replaced with tract housing, strip malls, and other types of modern development. As a young adult, I now realize that growing up in this town of 5,000-6,000 residents with all of the old buildings and history around me was a unique experience that shaped me and contributed to my own sense of identity. I have learned that expecting others to appreciate the meaningful nature of these things, and also expecting that they would care for these aging structures with intention and a vision for the future is never a sure thing.

My passion for learning more about ways to ensure historic preservation led me to learn about organizations such as Landmarks Illinois, and I have also become more familiar with the ways that local government acts to save or destroy such structures as the old Jail. In 2003, when the Jail was owned by the County, it was included on Landmarks Illinois Most Endangered Historic Places in Illinois along with the now internationally visited place, the Farnsworth House in Plano, IL. It not only brought public attention to the fight to save it, but also validated the idea that this was a building deserving of restoration.

An option which could contribute positively to the restoration of the old Jail would be TIF assistance from the City of Yorkville, as well as establishing the eligibility of the old Jail to be included on the National Register of Historic Places, which resulted in the opportunity to use the 20% Federal Historic Preservation Tax Credit as part of a redevelopment project.

In 2008, the Illinois EPA determined on the regulation of lead-based paint removal from the building. Pursuant of 35 Ill Adm. Code Section 721.104(b) (1), the Kendall County Jail and Sheriff's Residence from the structure is exempt from regulations as a hazardous waste under the Resource Conservation and Recovery Act (RCRA). However, this does not mean that all waste generated during the removal of lead-based paint must be containerized so as not to allow exposure of waste removal/hauling personnel to the lead-based paint. This proves that this historic structure has not reached its final days and that with the right efforts and individuals involved, this project can succeed.

While there has been conversation about the possibility of moving the building to Lyon Farm, this would not only be unacceptable to preservationists, taxpayers, and people supporting its preservation in its original location. As well, it would require the agreement of the KCHS to accept the building, and would then require funds to prepare a new site and move the structure.

Granting a preservation easement to Landmarks Illinois and selling the building would resolve the questions of what to do with the building. The building would then be protected against demolition,

improper rehabilitation, removal, etc. and would satisfy preservationists, voters, and legislators who support saving the building. It would insure that an inappropriate structure would not be erected in the historic Court House environment.

To say the least, we now find ourselves at a moment in history where our choices will directly impact the community for years to come. We can dedicate ourselves to protecting and strengthening the “roots” of this 186 year old town, or disregarding that which has come before us, which will surely dishearten the many people who truly care for the preservation of these unique, incomparable structures.

I believe that, when responsible people realize something is wrong, they must be compelled to fix and rectify it. Perhaps if more residents share this conviction, we wouldn't have lost so many historic and meaningful structures already.

My mom always says, “If you start something, see it through and finish it.” For me, the history of this community has become my passion- driving me, pushing me, sharpening my character and integrity, and consuming hours and hours of time and effort that I wouldn't dedicate to anything else. I believe that it's our job now, as residents, to reestablish that sense of tradition and dignity that comes alive with historic preservation. I am committed, as I hope each of you are, to finding the necessary solutions to these pressing issues of preserving and protecting the few remaining buildings of historical significance right here in Yorkville, and especially, the old Jail and Sheriff's Residence.

Thank you for the opportunity to share my thoughts with you. I look forward to your feedback soon.

Best Wishes,

Thomas Milschewski

[REDACTED]

[REDACTED]

Yorkville Then and Now

Yorkvillehistory1836@gmail.com

**KENDALL COUNTY
HISTORIC PRESERVATION COMMISSION
MARCH 18, 2019**

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)
John J Rodemus	[REDACTED]	[REDACTED]

Matt Asselmeier

From: Leo's Trophies, Gifts & Engraving <invoicing@messaging.squareup.com>
Sent: Tuesday, April 2, 2019 8:20 AM
To: Matt Asselmeier
Subject: New Invoice: #1124 from Leo's Trophies, Gifts & Engraving



New Invoice

\$148.00 due on May 2, 2019

[Pay Invoice](#)

SIGN QUOTE

Invoice #1124
April 2, 2019

Customer

Kendall County Planning, Building & Zoning
masselmeier@co.kendall.il.us

Thank you!
We appreciate your business.

Exempt	\$120.00
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Note: CAP68SM-BK
Sign holder w/stem

Exempt	\$10.00
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Note: Outdoor plate

Engraving **\$18.00**

Subtotal **\$148.00**

Total Due **\$148.00**

Leo's Trophies, Gifts & Engraving

36 E Railroad St

SANDWICH, IL 60548-4068 United States

leostrophies@gmail.com

815-786-7380

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*2019 KENDALL COUNTY HISTORIC
PRESERVATION COMMISSION AWARD*

**CHAPEL ON
THE GREEN**

PRESERVATION OF A COMMERCIAL STRUCTURE



*In Appreciation of Your Efforts to
Preserve the History of Kendall County, Illinois*

Presented on May 21, 2019 by
THE KENDALL COUNTY BOARD

ARTICLE III

DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS

1. INVESTIGATION & RESEARCH

The Preservation Commission shall undertake an ongoing investigation and research effort in the County to identify areas, sites, structures, and objects that have historic, cultural, community, architectural or aesthetic importance, interest, or value. As part of the investigation, the Commission shall review and evaluate any prior surveys and studies by any unit of government, private organization or individual and compile appropriate descriptions, facts, and photographs.

The Commission shall make an effort to systematically identify potential landmarks and districts and adopt procedures to nominate them individually or in groups based upon the following criteria:

- a) The potential landmarks or districts in one township or distinct geographical area of the County;
- b) The potential landmarks associated with a particular person, event, or historical period;
- c) The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman; or of a particular building material.
- d) Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the County;

2. PRESERVATION PLAN

A) The Historic Preservation Commission shall, through the aforesaid surveys and research, so as to become thoroughly familiarized with buildings, structures, objects, sites, districts, areas and lands within the County which may be eligible for designation as historic landmarks or districts, prepare a "Historic Landmark and District Preservation Plan."

B) The Preservation Plan shall be presented to the Kendall County Planning, Building & Zoning Department for consideration and recommendation to the County Board for possible inclusion in the Kendall County Land Resource Management Plan as amended. From time to time, the Commission shall review the Plan and insert in the Historic Preservation Commission minutes a report of such review and take appropriate action on any amendments to the Plan deemed necessary.

3. NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS

A.) Landmarks

The Preservation Commission or any person may propose landmarks for designation by the County Board by filing a nomination for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building &

Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for landmarks or historic districts shall include or be accompanied by the following information:

- a) The name and address of the applicant and owner of record.
- b) The legal description and Common Street address of the property.
- c) A written statement describing the structure, building, or site and setting forth reasons in support of the proposed designation, including a list of significant exterior architectural features that should be protected.
- d) **If the applicant is not the current owner of record, w**ritten documentation and evidence establishing that the applicant **notified is** the current owner of record of the nominated property and whether the owner of record consents or objects to the proposed landmark designation. Such documentation or evidence of record ownership shall include a recent title policy in the name of the applicant or other evidence of record ownership acceptable to the Historic Preservation Commission.
- e) An overall site plan and photographs of the landmark. The plan shall also include a front, side, and rear elevation drawing.
- f) Such other relevant information as requested by the Historic Preservation Commission.
- g) The County Board reserves the right to set appropriate fees for administering this ordinance.

B.) Historic Districts

The Preservation Commission or any person may propose historic districts for designation by the County Board by filing a nomination for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for historic districts shall include or be accompanied by the following information:

- a) The names and addresses of applicants.
- b) The names and addresses of all of the owners of record of buildings, structures, or sites in the area nominated for designation.

- c) A vicinity map delineating the boundaries of the area nominated for designation.
- d) A written statement describing the area and structures, buildings, or sites located in the area nominated for designation as an historic district and setting forth the reasons in support of the proposed designation, including a list and photographs of significant exterior architectural features of all structures, buildings, or sites in the district that should be protected.
- e) **If the applicant is not the current owner of record, w**~~W~~ritten documentation and evidence establishing that applicants **notified are** the current owners of record of property in the area nominated for designation and that such owner comprise the owners of record of at least fifty-one percent (51%) of all sites contained in the nominated area. Such documentation or evidence of record ownership shall include recent title policies in the names of the applicants or other evidence of record ownership acceptable to the Historic Preservation Commission.
- f) The name, address, and telephone number of one of the applicants who shall be the designated contact person and liaison for the purposes of the application. The name, address, and telephone number of an additional applicant to serve as an alternative contact person shall also be provided.
- g) Such other relevant information as requested by the Historic Preservation Commission.
- h) The County Board reserves the right to set appropriate fees for administering this ordinance.

Sec. 5-30014. Nomination of landmarks and preservation districts. The preservation commission or any person may propose landmarks of preservation districts for designation by the county board by filing a nomination with the preservation commission and it shall contain all information required by the ordinance establishing a county preservation commission. The preservation commission shall schedule a hearing on the nomination within 60 days of its receipt. Notice of the public hearing shall be published at least 15 days in advance thereof in a newspaper of general circulation in the county. Individual notice including a copy of the nomination form shall be given by mail to all owners of record of property nominated as a landmark. Every effort shall be made to give notice to owners of record of property within a preservation district and to owners of property adjacent and immediately surrounding a landmark or preservation district affected by the process for the application for, and review of, a certificate of appropriateness. The newspaper and any individual or general notice shall state the date, time, place, and purpose of the public hearing. (Source: P.A. 86-962.)

4. CRITERIA FOR DESIGNATION

A.) Landmarks

The Commission may recommend to the County Board the designation of landmarks when a thorough investigation results in a determination that the property, structure, improvement or area

so recommended meets one (1) or more of the following criteria:

- A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;
- B) Its location is a site of a significant local, County, State, or National event;
- C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;
- D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
- E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;
- F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
- G) It embodies design elements that make it structurally or architecturally innovative;
- H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;
- I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;
- J) It is suitable for preservation or restoration;
- K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.
- L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.
- M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

B.) Historic Districts

The Commission may recommend to the County Board the designation of Historic Districts. Historic Districts shall only be recommended for designation when a thorough investigation results in a determination that the properties, structure, improvement or area so recommended meets one (1) or more of the following criteria:

- A) It has character, interest, or value which is part of the development, heritage, or cultural

characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

J) It is suitable for preservation or restoration;

K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

5. INITIAL REPORT & RECOMMENDATION OF PRESERVATION COMMISSION

The Preservation Commission shall, within thirty (30) calendar days from receipt of a completed application for designation, cause to be written an initial recommendation and report stating whether the nominated landmark, historic district does or does not meet the criteria for designation as provided for in Article III, Section 4 herein. The report shall contain the following information:

A) An explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;

B) A description of the integrity or lack of integrity of the nominated landmark or historic

district;

C) A map showing the location of the nominated landmark or the boundaries of the nominated historic district.

In addition, in the case of a nominated landmark found to meet the criteria for designation, the report shall include:

A) A description of the significant exterior architectural features of the nominated landmark that should be protected;

In the case of a nominated historic district found to meet the criteria for designation the report shall include:

A) A list of addresses and Permanent Index Numbers showing which properties are contributing and which are non-contributing;

B) A description of the types of significant exterior architectural features of the structures within the nominated district that should be protected;

In the case of a nominated landmark or historic district the recommendation and report shall be available to the public in the office of the County Planning, Building & Zoning Department.

6. NOTIFICATION OF NOMINATION

The Preservation Commission shall, within thirty (30) days from completion of the initial report and recommendation as described above in Article III, Section 5, cause to be scheduled a public hearing on the nomination. Notice of the date, time, place and purpose of the public hearing shall be sent by certified mail to the owner(s) of record and to the nominators at least fifteen (15) days prior to the date of the hearing. Such notice shall also be published in a newspaper having general circulation in the area surrounding the nominated property or district at least fifteen (15) days prior to the date of the hearing. All notices shall state the street, address and Permanent Index Number or legal description of a nominated landmark or the boundaries of a nominated historic district.

7. HEARING

A public hearing shall be scheduled, and notification made thereof, pursuant to Article III, Section 6, above. Oral or written testimony shall be taken at the public hearing concerning the nomination. The Preservation Commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, or scenic significance of a proposed landmark or of any property within a proposed historic district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The hearing shall be closed upon completion of testimony.

Sec. 5-30015. Conduct of public hearing. Oral or written testimony shall be taken at the public hearing from any person concerning the nomination. The preservation commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, architectural, or scenic significance of a proposed landmark or of any property within a proposed preservation district. The owner of any proposed landmark or of any property within a proposed preservation district shall be allowed reasonable opportunity to present

evidence regarding historic, archaeological, architectural or scenic significance and shall be afforded the right of representation by counsel and reasonable opportunity to cross examine expert witnesses. The hearing shall be closed upon completion of testimony.
(Source: P.A. 86-962.)

8. RECOMMENDATION OF PRESERVATION COMMISSION

Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district and also include if the property owner(s) objects to the designation. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

In the case of the property owner's (owners') objection to a landmark designation or historic district, the nomination would require the affirmative vote of a super majority of the full County Board.

Sec. 5-30016. Recommendation of preservation commission. Within 60 days following close of the public hearing, the preservation commission shall make its determination upon the evidence whether the proposed landmark or preservation district does or does not meet the criteria for designation. A recommendation to the county board that the proposed landmark or preservation district does or does not meet the criteria for designation and should or should not be designated shall be passed by resolution of the preservation commission, and such a recommendation shall be accompanied by a report stating the findings of the preservation commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or preservation district.
(Source: P.A. 86-962.)

9. DESIGNATION

The County Board, upon a recommendation from the Preservation Commission that the proposed landmark or historic district should be designated, shall review the report and recommendations of the Preservation Commission.

For individual landmarks or historic district applications, the County Board, after reviewing the report and recommendation, shall, within sixty (60) days from receipt of the recommendation of the Preservation Commission, take one of the following steps:

- A) Designate the landmark or historic district by ordinance; or
(In the case of the property owner(s) objection to a landmark designation or historic district, the nomination would require the affirmative vote of a super majority of the full County Board.)
- B) Refer the report and recommendation back to the Preservation Commission with

suggestions for revisions, stating its reason for such action.

C) Reject the nomination application.

Upon return of the report and recommendation to the Commission, the Commission shall review and prepare new findings within forty-five (45) days of the County Board's original decision. The County Board shall designate or not designate the landmark at the next regularly scheduled County Board meeting.

Sec. 5-30017. Designation by ordinance; publication of map. The county board, upon a recommendation from the preservation commission that the proposed landmark or preservation district should be designated, shall review the report and recommendations of the preservation commission. The county board may schedule a public hearing concerning the proposed designation and shall provide notice of any public hearing in the same manner as provided in Section 5-30014 and conduct the public hearing in the same manner as provided in Section 5-30015. The county board after reviewing the report and recommendation shall within 90 days from receipt of the recommendation of the preservation commission take one of the following steps: (1) designate the landmark or preservation district by ordinance; (2) refer the report and recommendation back to the preservation commission with suggestions for revisions and a further report and recommendation stating its reason for such action. Notice of the action of the county board including a copy of the ordinance designating the landmark or preservation district shall be sent by regular mail to each owner of record of a landmark or property within a preservation district and to owners of adjacent and immediately surrounding property affected by the process for the application for, and review of, a certificate of appropriateness. A map showing the location of all designated landmarks and preservation districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the office of the preservation commission and at the same location and in the same manner as any county zoning map. (Source: P.A. 86-962.)

10. RESUBMISSION OF APPLICATION

Resubmission of any application for landmark or historic district designation may be made no sooner than ninety (90) days after County Board action on the nomination. Not more than one re-submission may be made within a twelve (12) month period.

11. NOTICE OF DESIGNATION

Notice of the action of the County Board, including a copy of the ordinance designating the landmark, historic district shall be sent by regular mail to all owners of record, including but not limited to each owner of record of a landmark or property within a historic district. Further, as soon as is reasonably possible, the County Board Chair shall cause to be notified the Kendall County Planning, Building & Zoning Department, the Recorder of Deeds, the County Clerk, and the Kendall County Collector by forwarding to each a copy of the designation ordinance. The Recorder of Deeds shall ensure that the designation be recorded on all directly affected parcels.

12. PUBLICATION OF MAP

A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the same location and in the same manner as

any County zoning map.

13. APPEALS

Adoption of an ordinance designating a landmark or historic district by the Kendall County Board shall be a final action reviewable under Section 3-101 of the Illinois Administrative Review Law.

14. INTERIM CODE

No building, zoning, site development, access, utility or other permit shall be issued by the Planning, Building & Zoning Department, the Highway Department or other County department without a Certificate of Appropriateness being issued in accordance with Article IV Section 2 for alteration, construction, demolition, or removal of a nominated landmark or the alteration of any physical feature of a property or structure within a nominated historic district from the date the nomination form is received by the County office until the final disposition of the nomination by the County Board unless such alteration, removal, or demolition is necessary for public health, welfare, or safety.

15. MARKING BY ATTACHMENT OF A PLAQUE

Each designated landmark or historic district may be marked by an appropriate plaque carrying a brief description and account of the historic significance of the property. The plaque shall be provided by the County at the expense of the property owner.

16. AMENDMENT & RESCISSION OF DESIGNATION

The County Board, upon recommendation of the Preservation Commission, may amend or rescind designation by the same procedure and according to the same standards and considerations set forth for designation. No amendment or rescission shall be made to a designation of a landmark or historic district based solely on a change in owner's consent.

17. TRANSFER OF JURISDICTIONAL CONTROL

Should a designated landmark or historic district be incorporated into a municipality with a preservation ordinance, that municipality's preservation ordinance shall govern. If a municipality annexes a designated landmark or historic district and does not have a preservation ordinance, the County's preservation ordinance will continue to govern.