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**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**  
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560  
**AGENDA**

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Wednesday, July 24, 2019 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Bill Davis, Karin McCarthy-Lange, Larry Nelson (Secretary), Ruben Rodriguez (Vice-Chairman), John Shaw, Claire Wilson, and One Vacancy

APPROVAL OF AGENDA

APPROVAL OF MINUTES      Approval of Minutes from June 26, 2019 Meeting (Pages 2-7)

PETITIONS

1.            **19 – 25 – Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner) and Pulte Group (Billboard Owner) (Pages 8-36)**  
Request:      Renew the Special Use Permit Granted by Ordinance 2004-43 and Renewed by Ordinance 2017-14 Allowing the Placement of an Outdoor Advertising Sign (Billboard) at the Subject Property  
PIN:            03-01-127-006  
Location:      Southeast Corner of the Intersection of U.S. 34 and Hafenrichter (Farnsworth) in Oswego Township  
Purpose:        Petitioner Wishes to Renew Special Use Permit for Billboard
  
2.            **19 – 26 – Edward Baltz and Robert Baltz on Behalf of Erb Properties, LLC (Owner) and Thomas Zurliene and Tyler Zurliene on Behalf of TZ Landscaping, LLC (Tenant) (Pages 37-82)**  
Request:      Special Use Permit for a Landscaping Business  
PINs:           09-13-400-006  
Location:      276 U.S. Route 52, Seward Township  
Purpose:        Petitioners Want to Operate a Landscaping Business on the Subject Property; Property is Zoned A-1

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

OLD BUSINESS

1.            Update on Petition 18-04-Request from the Kendall County Regional Planning Commission for Amendments to the Land Resource Management Plan for Properties Located Near Route 47 in Lisbon Township
2.            Update on Zoning Ordinance Project

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Petition 19-11    Special Use Permit Amendment for Dickson Valley Ministries  
Petition 19-13    Text Amendment for Research and Development Home Occupations

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT    Next Meeting on Wednesday, August 28, 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  
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building  
Rooms 209 & 210  
111 W. Fox Street, Yorkville, Illinois*

**Unapproved - Meeting Minutes of June 26, 2019 - 7:00 p.m.**

Chairman Ashton called the meeting to order at 7:01 p.m.

**ROLL CALL**

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Larry Nelson, and Ruben Rodriguez

Members Absent: Bill Davis, Karin McCarthy-Lange, John Shaw, and Claire Wilson

Staff Present: Matthew H. Asselmeier, Senior Planner, Jeff Spang, Adam Theis, and JoAnn Bright-Theis

**APPROVAL OF AGENDA**

Member Bledsoe made a motion, seconded by Member Nelson, to approve the agenda. With a voice vote of five (5) ayes, the motion carried unanimously.

**APPROVAL OF MINUTES**

Member Bledsoe made a motion, seconded by Member Casey, to approve the minutes of the May 22, 2019, meeting. With a voice vote of five (5) ayes, the motion carried unanimously.

**PETITIONS**

**19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis**

Mr. Asselmeier summarized the changes since the May meeting.

Fox Township requested the following:

1. No parking on Crimmin Road.
2. A right-of-way dedication of forty-five feet (45') as measured from the centerline of Crimmin Road for the entire length of the subject property.
3. No sound greater than sixty-five (65) dBa as measured from the property line of the complaint.
4. The special use permit should be contingent on a completed traffic study with the Petitioner paying for any necessary construction caused by increased traffic on Crimmin Road.
5. A maximum of thirty (30) events per year with an operating season between April 1<sup>st</sup> and November 1<sup>st</sup>.
6. Saturday only events with a conclusion of no later than 10:00 p.m.
7. The Township believes inadequate parking is planned for the proposal.
8. No selling or serving of alcohol per Fox Township's dry regulations.

The Township also requested that the advisory bodies consider public safety when making their recommendations.

Mr. Asselmeier also reported that the Petitioner had a paid event on their property on June 3<sup>rd</sup>. The Petitioners thought that the special use permit would be in place prior to the event and did not want to cancel or reschedule the event.

The recommendations were amended to reflect most of Fox Township's concerns:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
3. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
4. The subject parcel must maintain a minimum of five (5) acres.
5. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property. (Last sentence added after discussion with Fox Township).
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

**EXEMPTION:** Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

10. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. Barn doors shall close by 7:00 p.m.
11. Events shall be held on Saturdays only and shall conclude by 10:00 p.m. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation.

Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1<sup>st</sup> and reopen April 1<sup>st</sup>. The number of events per year shall be capped at thirty (30). (Changed per Fox Township)

12. A new certificate of occupancy must be issued for the barn.
13. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way. (Added per Fox Township).
14. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road (Added per Fox Township).
15. The special use permit shall be contingent upon the completion of a traffic study by the Kendall County Highway Department. The operator(s) of the banquet facility allowed by this special use permit shall pay for any improvements to Crimmin Road identified in the traffic study caused by the business allowed by this special use permit. (Added per Fox Township).
16. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
18. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Ashton asked about the timeframe for the traffic study. No timeframe was provided. Jeff Spang, Fox Township Supervisor, outlined the nature of the traffic study. The traffic study would examine whether the subject property is a good location for the proposed use based on traffic and the road condition.

Member Nelson asked how the results of the traffic study would impact the proposed special use permit. Supervisor Spang responded the impacts would not be determined until the traffic study was completed.

Discussion occurred regarding the impact of the bridge closure on Crimmin Road.

Several members of the Commission expressed opposition to the traffic study holding up the opening of the business proposed by the special use permit and the requirement that the Petitioners pay for improvements to Crimmin Road because any traffic created by the proposed use would have minimal impact on the safety of Crimmin Road.

Chairman Ashton noted that traffic near the banquet facility on Johnson Road increased more than anticipated. However, the banquet facility on Johnson Road has more events each weekend.

Discussion occurred regarding days of operation. JoAnn Bright-Theis clarified that they (the Petitioners) would be agreeable to limited events to one (1) per weekend and most of these events would occur on Saturdays. Ms. Bright-Theis was agreeable to setting a maximum number of events at thirty (30) per year. Adam Theis stated



that events could also occur on Federal holidays. Supervisor Spang expressed no opposition to capping the number of events at thirty (30) per year and the Fox Township Board favored Saturdays. Several members of the Commission expressed opposition to limiting events to Saturdays only.

Discussion occurred regarding Fox Township's dry regulations. The Petitioners want the ability to serve alcohol at events; the Petitioners would not sell alcohol. Mr. Asselmeier reported that there were seven (7) approved banquet facilities with five (5) of these facilities located in dry townships. Two (2) of these facilities were located in Fox Township. Supervisor Spang explained Fox Township's dry regulations and their plans to enforce Fox Township's dry regulations.

Supervisor Spang asked the Petitioners if the Harvester Vendor Fair was a public event. Mr. Theis responded that the vendors' fee was donated. The property owner was responsible for known uses on their property. The event scheduled for August 24, 2019, will not be a charitable event; the Petitioners hope to have their special use permit in place by that point in time.

Member Nelson made a motion, seconded by Member Casey, to recommend approval of the amended petition with the following changes:

1. Condition 11 be amended that events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1<sup>st</sup> and reopen April 1<sup>st</sup>. The number of events per year shall be capped at thirty (30).
2. Condition 15 be amended to say that a traffic study shall be conducted by the Kendall County Highway Department.

Ayes (5): Ashton, Bledsoe, Casey, Nelson, and Rodriguez  
Nays (0): None  
Absent (4): Davis, McCarthy-Lange, Shaw, and Wilson

The motion passed. This proposal will go to the Zoning Board of Appeals on July 1<sup>st</sup>.

Supervisor Spang thanked the Commission for giving Fox Township one (1) month to research information on this proposal.

#### **CITIZENS TO BE HEARD/ PUBLIC COMMENT**

None

#### **NEW BUSINESS**

None

#### **OLD BUSINESS**

**Update on Petition 18-04 Request from the Kendall County Regional Planning Commission for Amendments to the Land Resource Management Plan for Properties Located Near Route 47 in Lisbon Township-Commission Could Withdraw the Petition, Amend the Petition, or Request that the County Board Chairman Place the Petition on a Future County Board Meeting Agenda**

Chairman Ashton reported that the Petition has been discharged from the Planning, Building and Zoning Committee with a neutral recommendation. The proposal probably will go to the Committee of the Whole in July or August; Mr. Nelson will contact County Board Chairman Gryder and request that the proposal go to the Committee of the Whole in August because Planning, Building and Zoning Chairman Prochaska will not be at the July Committee of the Whole meeting.

### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier reported that Petition 19-08, a map amendment rezoning property east of 8225 Galena Road was approved by the County Board.

Mr. Asselmeier reported that Petition 19-13 pertaining to research and development home occupations was defeated at the County Board, but might be reconsidered.

### **OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier reported that two (2) petitions will be on the July agenda, a request to renew a special use permit for a billboard at the corner of Route 34 and Hafenrichter in Oswego Township and a request for special use permit for a landscaping business with a sign variance at 276 Route 52 in Seward Township.

Mr. Asselmeier reported that the Comprehensive Land Plan and Ordinance Committee will start researching zoning regulations pertaining to recreational marijuana.

Mr. Asselmeier reported that the Teska Associates delivered the Zoning Ordinance with changes. However, the Comprehensive Land Plan and Ordinance Committee requested a redlined version of the proposal.

Member Casey asked if Mr. Asselmeier had any update regarding a request for an investigation of a drainage issue at Highgrove Subdivision. Mr. Asselmeier responded that the request has been sent to Fran Klaas, but no update existed.

Member Casey recommended that the Commission recognize Member Rodriguez for the news article about saving a person's life. The Commission recognized Member Rodriguez for his efforts. Member Rodriguez thanked the Commission for the recognition.

### **ADJOURNMENT**


Member Bledsoe made a motion, seconded by Member Casey, to adjourn. With a voice vote of five (5) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 7:50 p.m.

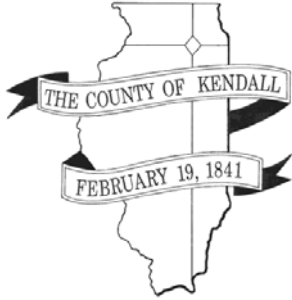
Respectfully submitted by,  
Matthew H. Asselmeier, AICP  
Senior Planner

Enc.

**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
JUNE 26, 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)
Ad B. Jure		
John B. Jure	" "	
Jeff Spang	Millbrook	



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**Petition 19-25**

**Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner)  
and Pulte Group (Billboard Owner)**

**M-2 Special Use – Renewal of a Special Use Permit for an Off-Premise Advertising Sign at the Northeast Corner of Route 34 and Hafenrichter (Farnsworth)**

**INTRODUCTION**

In December 2004, through Ordinance 2004-43, the Kendall County Board approved a special use permit for the placement of an off-premise advertising sign at the subject property. The special use permit was renewed in 2017 through Ordinance 2017-14. Restriction Number 1 of the special use permit and Section 12.06.A.4 require the owner to either remove the sign or to renew the special use permit every two (2) years.

**SITE INFORMATION**

PETITIONER Dave Hamman on Behalf of KEKA Farms, LLC and Pulte Group

ADDRESS No Address Has Been Assigned to the Sign

LOCATION Northeast Corner of Route 34 and Hafenrichter (Farnsworth)



TOWNSHIP Oswego

PARCEL # 03-01-127-006

LOT SIZE 42.93 acres (Sign is on the southwest corner.)

EXITING LAND USE Agricultural

ZONING M-2 Heavy Industry District with a Special Use Permit (Off-Premise Sign)

LRMP	Land Use	County: Suburban Residential (Max 1 DU/Acre) City of Aurora: Commercial
	Roads	Route 34 is maintained by IDOT Hafenrichter/Farnsworth is a Local Road Maintained by Oswego Township
	Trails	Aurora has a trail planned along Hafenrichter.
	Floodplain/ Wetlands	There are no wetlands or floodplain on the property.

REQUESTED ACTION Renewal of the Special Use Permit Awarded by Ordinance 2004-43 Granting a Special Use Permit for an Off-Premise Advertising Sign at the Subject Property

APPLICABLE REGULATIONS Section 12.06.A – Signs – General Standards

Section 12.12 – Signs – Special Use Signs: Commercial off-premise advertising structures may be permitted via a special use only in the M-2 and M-3 Manufacturing Districts.

Section 13.08 – Special Use Procedures

**SURROUNDING LAND USE**

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Industrial	M-2 SU	Low Density Residential (0-5 du/acre) (Aurora)	Aurora, Kane County, DuPage County and M-2 SU
South	Commercial/Residential	Aurora (B-2(S), R-1(S) and R-5(S))	Low Density Residential (0-5 du/acre) and Commercial (Aurora)	Aurora and R-3
East	Agricultural/Residential	Aurora (R-1(S) and R-5(S))	Low Density Residential (0-5 du/acre) and Medium Density Residential (6-10 du/acre) (Aurora)	Aurora, Will County and A-1
West	Residential	Aurora (R-5(S))	Commercial, Light Industrial and Industrial (Aurora)	Aurora, M-1 SU and B-3

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**

Not Required

**NATURAL RESOURCES INVENTORY**

Not Required

**ACTION SUMMARY**

**OSWEGO TOWNSHIP**

Petition information was sent to Oswego Township on June 19, 2019. On June 20, 2019, the Oswego Township Road District expressed no objection to the proposal. Their response is included as Attachment 5.

**CITY OF AURORA**

Petition information was sent to the City of Aurora on June 19, 2019. On June 20, 2019, the City of Aurora expressed no objection to the proposal. Their response is included as Attachment 6.

**OSWEGO FIRE PROTECTION DISTRICT**

Petition information was sent to Oswego Fire Protection District on June 19, 2019.

**ZPAC**

ZPAC reviewed this proposal at their meeting on July 2, 2019. ZPAC unanimously recommended approval of the request. The minutes of this meeting are included as Attachment 7.

**GENERAL INFORMATION**

The sign is twelve feet by sixteen feet (12' X 16') in size. There will be fourteen feet (14') from the ground to the top of the sign. Renderings of the sign and the petitioner's application (including lease, findings of fact, and site plan) are included as Attachment 1.

The petitioner desires to renew the special use permit awarded by Ordinance 2004-43 and renewed by Ordinance 2017-14 with no changes in restrictions. Ordinance 2004-43 is included as Attachment 2 and Ordinance 2017-14 included as Attachment 3.

The restrictions imposed by Ordinance 2017-14 include:

1. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
2. The sign will not be illuminated.
3. The advertising on the sign is restricted to Pulte Group's residential development.
4. The special use permit awarded by Ordinance 2004-43 to the property identified by Parcel ID Number 03-01-127-004 for an off-premise advertising structure is revoked with the adoption of this ordinance.
5. The owners of the off-premise advertising structure allowed by this special use permit shall obtain a building permit for the structure.
6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

9. The appearance of the signs were included as Exhibits A and B in Ordinance 2017-14.

Pursuant to Section 12.06.A.4, real estate and development signs may be located offsite for a period not to exceed two (2) years, provided a special use permit is issued.

A picture of the sign is included as Attachment 4.

#### **BUILDING CODES**

Since the sign is pre-existing, a building permit would not be required.

#### **ACCESS**

Not Applicable

#### **TRAILS**

A trail is planned along Hafenrichter. However, the City of Aurora has not previously requested a right-of-way dedication.

#### **PARKING**

Not Applicable

#### **LIGHTING**

The sign will not be illuminated.

#### **SIGNAGE**

Not Applicable

#### **SCREENING**

Not Applicable

#### **STORMWATER**

No portion of the property is in a flood area and no wetlands exist on the property. No stormwater issues are anticipated by the proposal.

#### **EASEMENTS**

No easements are believed to be impacted by the proposed sign.

#### **FINDINGS OF FACT**

*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 that the sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.***

*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. **True, the proposed special use will not negatively impact adjoining properties.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.***

*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. True, the proposed special use shall conform to the applicable regulations of the district.*

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed special use is consistent with the purposes and objectives of the Land Resource Management Plan.*

#### **RECOMMENDATION**

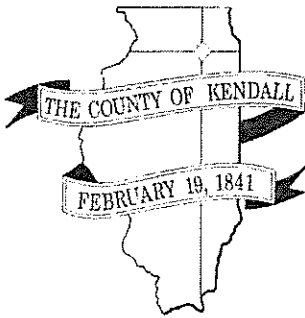
If approved, Staff recommends the following conditions be included in the approving special use ordinance:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Group's residential development.
5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
6. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

#### **ATTACHMENTS**

1. Application (Including Renderings, Site Plan, and Applicant's Findings of Fact)
2. Ordinance 2004-43
3. Ordinance 2017-14
4. Picture of Sign
5. June 20, 2019, Oswego Township Email
6. June 20, 2019, City of Aurora Email
7. July 2, 2019 ZPAC Minutes





**DEPARTMENT OF PLANNING, BUILDING & ZONING**  
 111 West Fox Street • Yorkville, IL • 60560  
 (630) 553-4141 Fax (630) 553-4179

**APPLICATION**

PROJECT NAME \_\_\_\_\_ FILE #: \_\_\_\_\_

<b>NAME OF APPLICANT</b> Heather Lawson		
<b>CURRENT LANDOWNER/NAME(s)</b> Dave Hamman		
<b>SITE INFORMATION</b> ACRES 42.39	<b>SITE ADDRESS OR LOCATION</b> SE corner Hafenrichter and Route 34	<b>ASSESSOR'S ID NUMBER (PIN)</b> PIN 03-01-127-006
<b>EXISTING LAND USE</b>	<b>CURRENT ZONING</b> M2	<b>LAND CLASSIFICATION ON LRMP</b>
<b>REQUESTED ACTION (Check All That Apply):</b>		
<input checked="" type="checkbox"/> SPECIAL USE                      ___ MAP AMENDMENT (Rezone to ___)                      ___ VARIANCE ___ ADMINISTRATIVE VARIANCE                      ___ A-1 CONDITIONAL USE for: _____                      ___ SITE PLAN REVIEW ___ TEXT AMENDMENT                      ___ RPD ( ___ Concept; ___ Preliminary; ___ Final)                      ___ ADMINISTRATIVE APPEAL ___ PRELIMINARY PLAT                      ___ FINAL PLAT                      ___ OTHER PLAT (Vacation, Dedication, etc.) AMENDMENT TO A SPECIAL USE ( ___ Major; ___ Minor)		
<b><sup>1</sup>PRIMARY CONTACT</b> Heather Lawson	<b>PRIMARY CONTACT MAILING ADDRESS</b> [REDACTED]	<b>PRIMARY CONTACT EMAIL</b> [REDACTED]
<b>PRIMARY CONTACT PHONE #</b> [REDACTED]	<b>PRIMARY CONTACT FAX #</b> [REDACTED]	<b>PRIMARY CONTACT OTHER #(Cell, etc.)</b> [REDACTED]
<b><sup>2</sup>ENGINEER CONTACT</b> NA	<b>ENGINEER MAILING ADDRESS</b> NA	<b>ENGINEER EMAIL</b> NA
<b>ENGINEER PHONE #</b> NA	<b>ENGINEER FAX #</b> NA	<b>ENGINEER OTHER # (Cell, etc.)</b> NA
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
<b>SIGNATURE OF APPLICANT</b> [REDACTED]		<b>DATE</b> 5/15/19

FEE PAID:\$ \_\_\_\_\_  
 CHECK #: \_\_\_\_\_

<sup>1</sup>Primary Contact will receive all correspondence from County  
<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants

Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

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

*That the special use will not be substantially injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole.*

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

*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 Hearing Officer.*

*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.*

# BILLBOARD LEASE AGREEMENT

Lessee:

Pulte Home Corporation



Contact: Heather Lawson, Marketing Manager

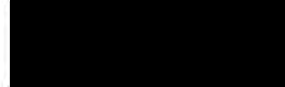
Ph: [Redacted]

Fax: [Redacted]

Lessor:

NGH Farms, LLC

Attn: Dave Hamman



Ph: [Redacted]

Fax 1: [Redacted]

Fax 2: [Redacted]

Sign Location: Northeast Corner of Farnsworth and Ogden avenues, in unincorporated Kendall County, Illinois

Sign Information: 12' X 16' double face sign

### Terms of Contract

1. Sign owner to maintain sign structure.
2. Contract term of 12 months from the date of signed contract. Renewable for additional time as needed and agreed upon by Lessee and Lessor.
3. Advertiser and property owner have a mutual cancellation policy with 30 days written notice.
4. Rent: \$800.00 per month payable monthly for double face sign. Installation and maintenance of faces shall be the sole responsibility of Lessee during the duration of the lease agreement. Agreement is null & void if sign location is deemed illegal.

I HAVE READ AND UNDERSTAND THE LEASE AGREEMENT STATED ABOVE

### AUTHORIZED SIGNATURES

DocuSigned by:  
[Redacted Signature]

Signature of Pulte Home Corporation

5/30/2019

Date

[Redacted Signature]

Signature of Lessor

June 10, 2019  
Date

KEKA Farms, LLC  
Dave Hamman

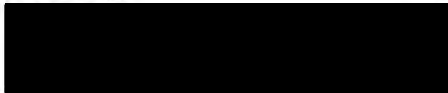


Kendall County Planning, Building & Zoning  
111 West Fox Street  
Yorkville, IL 60560-1498

Planning, Building & Zoning Department:

On behalf of KEKA Farms LLC, I am writing this letter to grant permission/approval to Pulte Homes to renew the special use permit for the sign located on my property at Hafenrichter and Route 34 (PIN 03-01-127-006).

Sincerely,



Dave Hamman

12'x16' Double Sided Informational Billboard.  
NE Corner OF Fransworth & Ogden In Aurora.



Sign is not illuminated. Sign is 12' tall with 2' tall posts = 14' from ground to top of sign. Sign is 16' wide. 3/8" MDO Painted Ronan Dark Blue w/ White, Duranodic Bronze and Digital Vinyl.

12'x16' Double Sided Billboard Re-face.  
3/8" MDO Painted Ronan Dark Blue w/White, Light Grey & Digital.  
Qty 1

Approval Signature \_\_\_\_\_



426 W. Fifth Ave.  
Naperville, IL. 60563

Phone: 630-357-2300  
Fax: 630-357-3977

Signs@SignsNowNaperville.com





Pulte confirms that the sign was relocated in 2017 and is still in the correct position as indicated on this drawing.



ALTA/NSPS LAND TITLE AND TOPOGRAPHIC SURVEY OF

NE COR. OF FARNSWORTH & OGDEN AVE

AURORA, ILLINOIS

PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

NOTES FROM SCHEDULE B

Table with 3 columns: EXCEPTIONS, PLOTTED HEREON, YES/NO. Includes items H through K regarding easements and schedule B items.

ALL OTHER SCHEDULE B ITEMS ARE NON-PLOTTABLE OR NOT A SURVEY MATTER

UTILITY ATLAS NOTES:

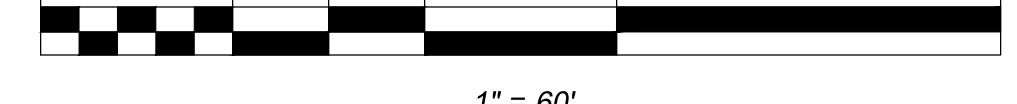
J.U.L.I.E. DESIGN STAGE REQUEST DIG NUMBER X2532125 RECEIVED 09/10/18. CONTACTS PROVIDED BY J.U.L.I.E. & LISTED BELOW WERE CONTACTED BY US VIA FAX, REQUESTING UTILITY ATLAS INFORMATION ON 09/10/18.

AREA TABLE

Table with 3 columns: GROSS, R.O.W., NET. Values: 1,931,560 SQ. FT. (44.3425 ACRES), 77,369 SQ. FT. (1.7761 ACRES), 1,854,191 SQ. FT. (42.5664 ACRES).

Table with 2 columns: CONTACTS, RESPONSE. Lists utility companies like AT&T, Comcast, and their responses.

GRAPHIC SCALE



BASIS OF BEARINGS

THE BASIS OF BEARINGS IS THE STATE PLANE COORDINATE SYSTEM (SPCS) NAD 83 (2011) ZONE 1201 ILLINOIS EAST WITH PROJECT ORIGIN AT LATITUDE 41-43-33.71825 N...

BENCHMARK

SOURCE: CITY OF AURORA BENCHMARKS. STATION DESIGNATION 35E ESTABLISHED BY CITY OF AURORA...

SITE

STATION DESIGNATION SSM #1 ESTABLISHED BY V3 DATE: 09-17-18 ELEVATION: 684.81 (MEASURED) DATUM: NAVD83...

THE ELEVATIONS ABOVE WERE KNOWN TO BE ACCURATE AT THE TIME THEY WERE ESTABLISHED. V3 DOES NOT CERTIFY TO THE ACCURACY THEREOF...

LEGEND

- Legend symbols for various features: CABLE TV, TRAFFIC LIGHT, GAS VALVE, CURB INLET, etc.

ABBREVIATIONS

- Abbreviations for property lines, easements, and other survey features.

SURVEYOR'S CERTIFICATE

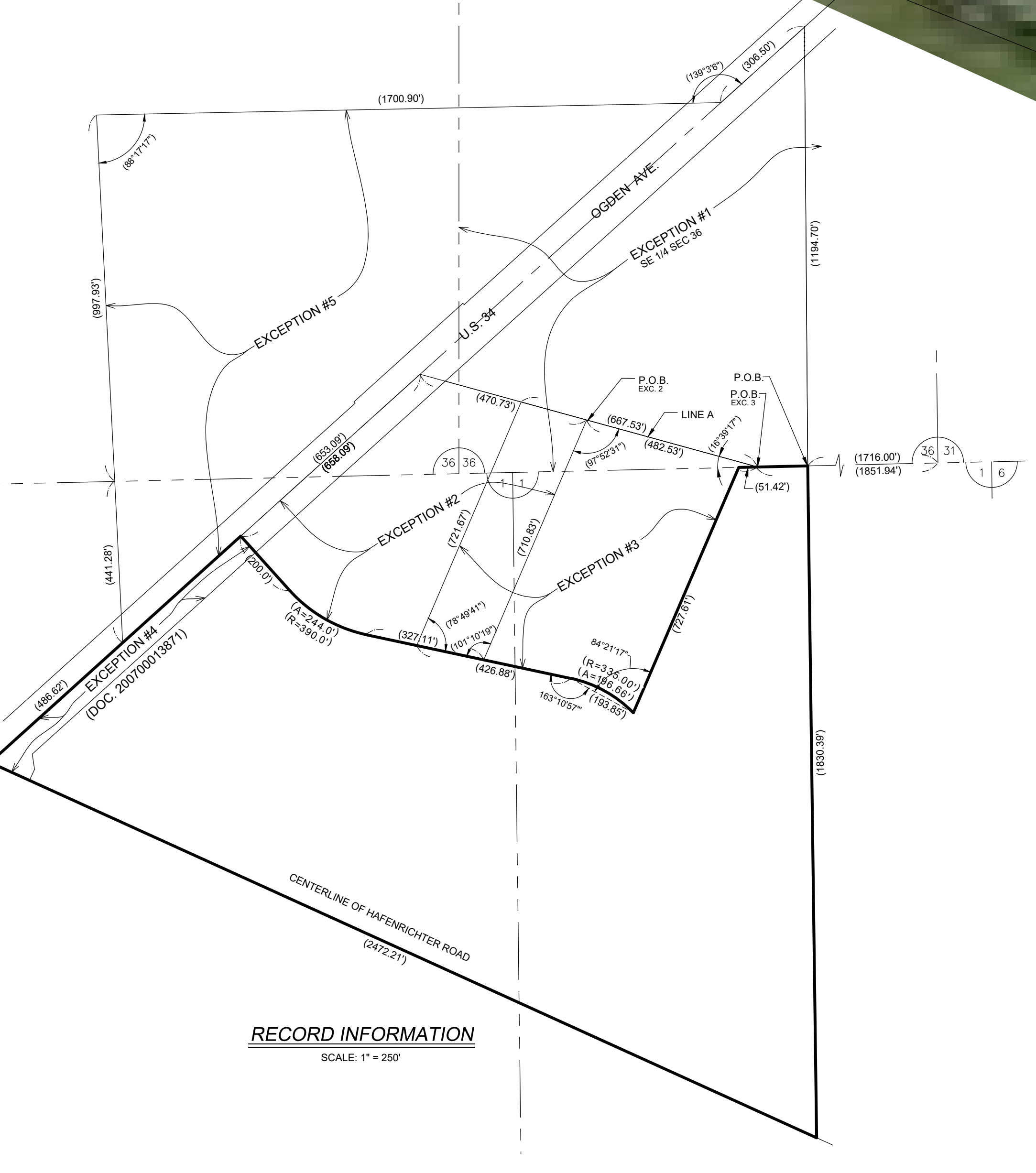
STATE OF ILLINOIS )
COUNTY OF DAUPHINE )
TO: K. HOVANNIAN & C HOMES LLC, KEKA FARMS LLC, FIDELITY NATIONAL TITLE INSURANCE COMPANY.
THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 MINIMUM STANDARDS...



FLOOD HAZARD NOTE: THIS PROPERTY IS IN AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN (ZONE X) AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF KANE COUNTY AND KENDALL COUNTY, ILLINOIS & INCORPORATED AREAS, MAP NO. 17058304H, EFFECTIVE DATE AUGUST 3, 2009 AND MAP NO. AND MAP NO. 1705930057G, EFFECTIVE DATE FEBRUARY 4, 2009.

GENERAL NOTES

- 1. COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY POINTS AND MONUMENTS BEFORE ANY CONSTRUCTION AND IMMEDIATELY REPORT ANY DISCREPANCIES TO SURVEYOR.
2. DO NOT SCALE DIMENSIONS FROM THIS PLAT.
3. THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED UPON THE DESCRIPTION AND INFORMATION FURNISHED BY THE CLIENT...



LEGAL DESCRIPTION

THAT PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36, THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 36, 1716.0 FEET FOR THE POINT OF BEGINNING, THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 36, 1194.70 FEET TO THE CENTER LINE OF U.S. ROUTE NO. 34, THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 398.50 FEET, THENCE WEST ALONG A LINE FORMING AN ANGLE OF 159 DEGREES, 03 MINUTES, 06 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED COUNTERCLOCKWISE THEREFROM, 1700.90 FEET TO A POINT THAT IS 1679.04 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 36, THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 88 DEGREES, 17 MINUTES, 17 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED CLOCKWISE THEREFROM, 867.83 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 36 THAT IS 1727.22 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID SECTION 36, THENCE CONTINUING SOUTHWESTERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 441.28 FEET TO THE CENTER LINE OF SAID U.S. ROUTE NO. 34, THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 486.62 FEET TO THE CENTER LINE OF SAID HAFENRICHTER ROAD, THENCE SOUTHWESTERLY ALONG THE CENTER LINE OF SAID HAFENRICHTER ROAD 2472.21 FEET TO A LINE DRAWN PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1 FROM THE POINT OF BEGINNING, THENCE NORTHERLY ALONG SAID PARALLEL LINE 1830.39 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART FALLING WITHIN THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN FALLING WITHIN THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 36, 1851.94 FEET, THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS WITH SAID SOUTH LINE, MEASURED FROM WEST TO NORTH, 482.33 FEET, THIS LINE HEREINAFTER REFERRED TO AS LINE "A", FOR THE POINT OF BEGINNING, THENCE SOUTHWESTERLY ALONG SAID LINE WHICH FORMS AN ANGLE OF 97 DEGREES 52 MINUTES 31 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE, THEREFROM 740.83 FEET, THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 101 DEGREES 10 MINUTES 19 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 527.11 FEET, THENCE NORTHWESTERLY ALONG A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 300.0 FEET, 244.0 FEET, THENCE NORTHWESTERLY ALONG A LINE WHICH IS TANGENTIAL TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT, 200.0 FEET TO THE CENTER LINE OF U.S. ROUTE NO. 34, THENCE NORTHWESTERLY ALONG SAID CENTER LINE 633.00 FEET TO THE NORTHWESTERLY EXTENSION OF SAID LINE "A", THENCE SOUTHWESTERLY ALONG SAID EXTENDED LINE "A", 470.73 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS AND THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, FALLING WITHIN THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, 1851.94 FEET TO THE POINT OF BEGINNING, THENCE NORTHWESTERLY AT AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE PROLONGATION OF THE LAST DESCRIBED COURSE, 667.53 FEET TO A POINT; THENCE SOUTHWESTERLY AT AN ANGLE OF 97 DEGREES 52 MINUTES 31 SECONDS, MEASURED CLOCKWISE FROM THE CHORD OF THE LAST DESCRIBED COURSE, 721.67 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 78 DEGREES 49 MINUTES 41 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 426.89 FEET TO A POINT OF CURVE, THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT CONCAVE TO THE SOUTHWEST, THE CHORD OF WHICH FORMS AN ANGLE OF 163 DEGREES 10 MINUTES 57 SECONDS, MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE HAVING A RADIUS OF 335.00 FEET, AN ARC DISTANCE OF 196.66 FEET AND A CHORD DISTANCE OF 193.85 FEET TO A POINT; THENCE NORTHEASTERLY AT AN ANGLE OF 84 DEGREES 21 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE CHORD OF THE LAST DESCRIBED COURSE, 727.61 FEET TO THE SOUTH LINE OF AFORESAID SOUTHEAST 1/4, THENCE EASTERLY ALONG THE SOUTH LINE OF THE AFORESAID SOUTHEAST 1/4 514.42 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS AND IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS, AND ALSO EXCEPT THAT PART OF THE LAND CONVEYED TO DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS BY INSTRUMENT RECORDED APRIL 26, 2007 AS DOCUMENT 20070013871, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

AND ALSO EXCEPTING ALL THAT PART LYING NORTHERLY OF THE CENTERLINE OF U.S. 34.

Vertical sidebar containing project information: Project No. 18322, Group No. VP03.1, SHEET NO. 1 OF 1, DRAWN BY: M.L.P., PROJECT MANAGER: C.W.B., CHECKED BY: C.W.B., FIELD WORK COMPLETED: 08-15-18, DRAFTING COMPLETED: 10-17-18, PREPARED FOR: K. HOVANNIAN HOMES, 1604 N. WABER BOULEVARD, SUITE 200, WOODRIDGE, IL 60517, PHONE: 630.724.0394 FAX: 630.724.0395, V3.co.com, Engineers: K. HOVANNIAN, Scientists: S. HARRIS, Surveyors: J. BARTOZ.



03-01-127-006

03-01-200-012

03-01-127-004

Zoning Petition #0457

State of Illinois  
County of Kendall

**ORDINANCE NUMBER 2004 - 43**  
**GRANTING SPECIAL USE**  
**SOUTHEAST CORNER OF HAFENRICHTER AND ROUTE 34**

WHEREAS, Centex Homes filed a petition for a Special Use within the M-2 district, for property generally located at the intersection of Hafenrichter and Route 34 in Oswego Township; and

WHEREAS, said petition is to allow an off-premise advertising sign, as provided in Sections 12.11 and 12.12 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is zoned M-2: Manufacturing; and

WHEREAS, said property is legally described as follows:

Part of the north half of Section 1, Township 37 North, Range 8 East of the Third Principal Meridian in Oswego Township Kendall County Illinois

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance;

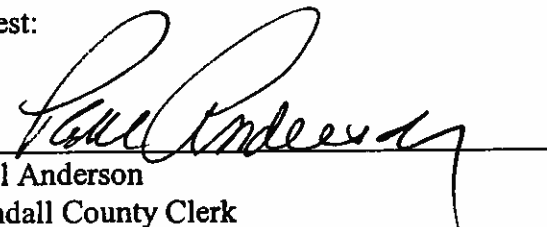
NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a SPECIAL USE PERMIT to permit an off-premise advertising sign on the subject parcel as depicted in Group Exhibits "A" and "B" attached hereto and made a part hereof, subject to the following conditions:

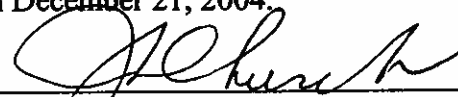
1. The sign will be removed or Centex Homes will apply to renew their special use in three years from the date of this ordinance.
2. The sign will not be illuminated; and
3. The advertising on the sign is restricted to Centex Homes' developments.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on December 21, 2004.

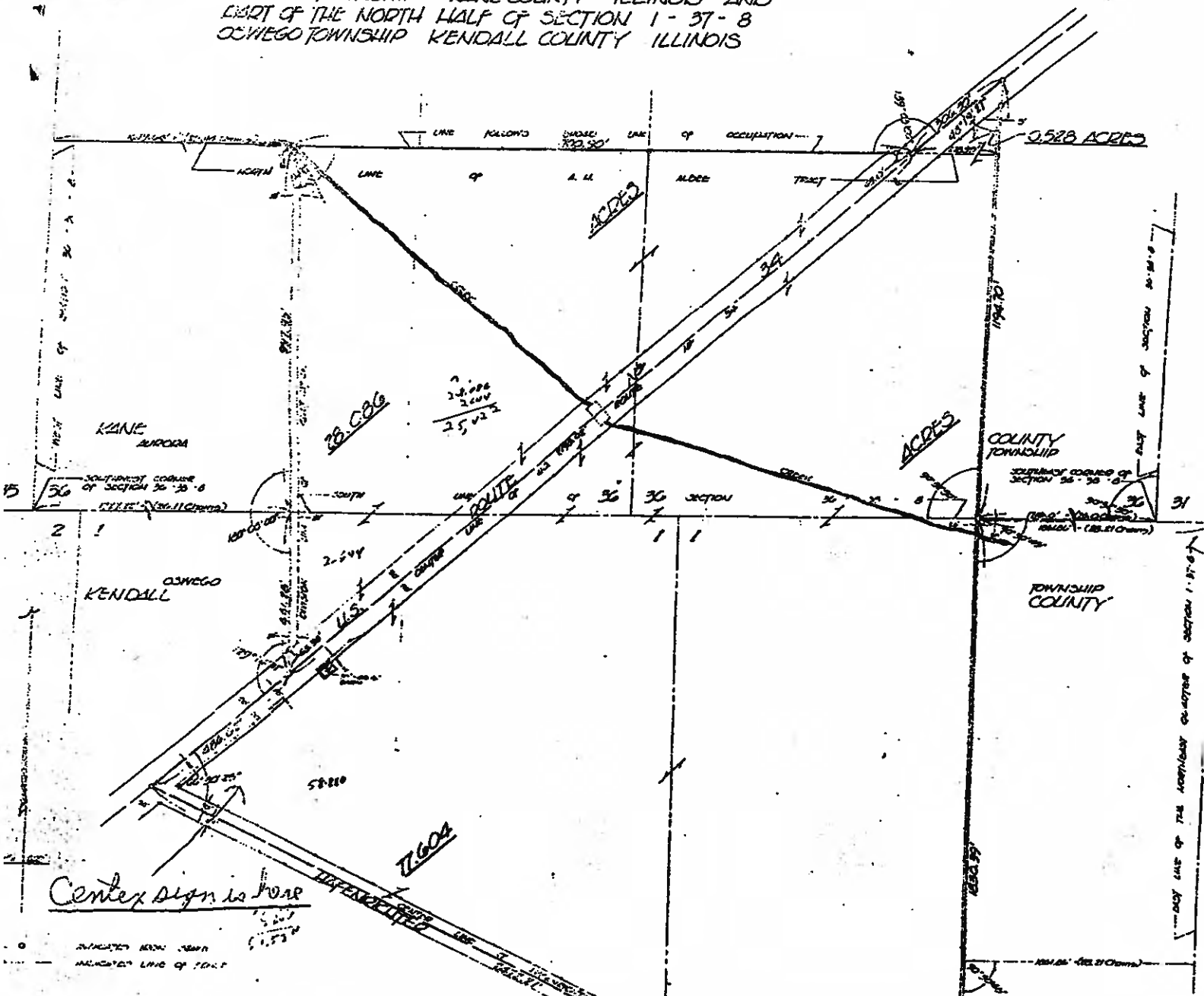
Attest:

  
Paul Anderson  
Kendall County Clerk

  
John A. Church  
Kendall County Board Chairman



PART OF THE SOUTH HALF OF SECTION 36-38-8  
 AURORA TOWNSHIP KANE COUNTY ILLINOIS AND  
 EAST OF THE NORTH HALF OF SECTION 1-37-8  
 OSWEGO TOWNSHIP KENDALL COUNTY ILLINOIS



State of Illinois )  
 County of Kane )

This is to certify that we, Donahue and Thornhill, Illinois Registered Land Surveyors, have surveyed that part of the South Half of Section 36, Township 38 North, Range 8 East of the Third Principal Meridian and part of the North Half of Section 1, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the southeast corner of said Section 36; thence westerly along the south line of said Section 36, 1716.0 feet (26.00 chains) for a point of beginning; thence northerly parallel with the east line of said Section 36, 2796.76 feet to the center line of U.S. Route No. 36; thence southwesterly along said center line 306.50 feet to the north line of a tract of land conveyed to A.M. Alder; thence westerly along said north line forming an angle of 139-03'06" with the last described course (measured counter-clockwise therefrom) 1700.90 feet to a point that is 1670.04 feet (25.44 chains) westerly of the west line of said Section 36; thence southerly along a line forming an angle of 22-17'17" with the last described course (measured clockwise therefrom) 1007.83 feet to a point on the south line of said Section 36 that is 1271.22 feet (26.17 chains) easterly of the southeast corner of said Section 36; thence continuing southerly along the prolongation of the last described course 41.28 feet to the center line of said U.S. Route No. 36; thence southwesterly along said center line 486.62 feet to the center line of Hefner-ichter Road; thence southwesterly along the center line of said Hefner-ichter Road 2472.21 feet to a line drawn parallel with the east line of the Northwest Quarter of said Section 1 from the point of beginning; thence northerly along said parallel line 1830.39 feet to the point of beginning. In Aurora Township, Kane County and Oswego Township, Kendall County, Illinois and containing 105.690 acres, as shown by the plot hereon drawn which is a correct representation of said survey. All distances are shown in feet and decimal parts thereof.

Dated at Geneva, Illinois, April 3, 1973

*John D. Donahue*  
 Illinois Registered Land Surveyor No. 1740

DONAHUE AND THORNHILL  
 GENEVA ILLINOIS

8'

**CENTEX HOMES**

**Crossings at Wolf Creek**

---

Homes from \$170's-\$300's

 Buyer's Welcome

South on Rte. 59 to 119th West

7.5"

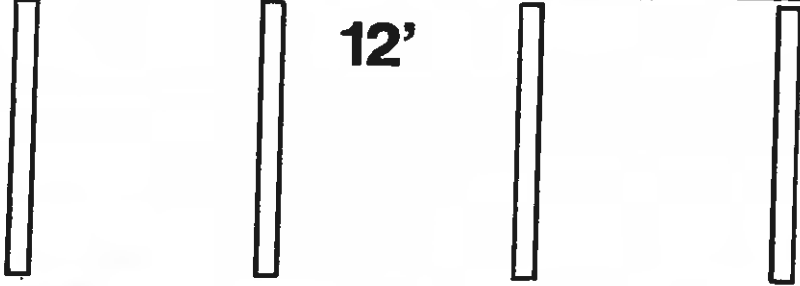
14.5"

19"

7"

12'

48" ABOVE GRADE




8'

**CENTEX HOMES**

**Springbrook at Farmington Lakes**

---

Townhomes from \$150's-\$180's

 Buyer's Welcome

Rte. 34 West to Douglas North

7.5"

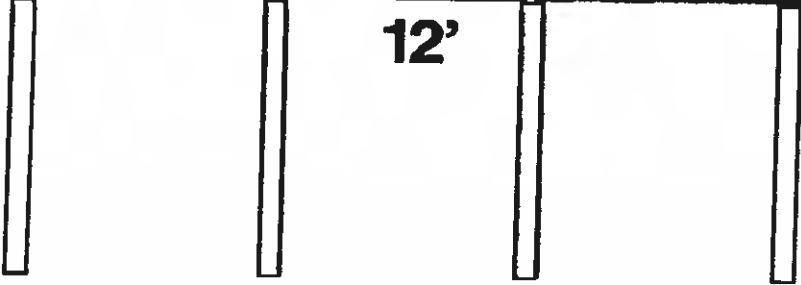
14.5"

19"

7"

12'

48" ABOVE GRADE



State of Illinois  
County of Kendall

Zoning Petition  
#17-19

ORDINANCE NUMBER 2017 - 14

GRANTING A SPECIAL USE PERMIT FOR  
**THE RENEWAL OF A SPECIAL USE PERMIT FOR A COMMERCIAL OFF-  
PREMISE ADVERTISING STRUCTURE (BILLBOARD) ON THE PARCEL  
IDENTIFIED AS 03-01-127-006 AND REVOKING THE SPECIAL USE PERMIT FOR A  
COMMERCIAL OFF-PREMISE ADVERTISING STRUCTURE (BILLBOARD) ON  
THE PARCEL IDENTIFIED AS 03-01-127-004 LOCATED AT THE CORNER OF  
ROUTE 34 AND HAFENRICHTER (FARNSWORTH) IN OSWEGO TOWNSHIP**

WHEREAS, the Kendall County Board granted a special use permit for a commercial off-premise advertising structure at the corner of Route 34 and Hafenrichter (Farnsworth) by Ordinance 2004-43 on December 21, 2004; and

WHEREAS, Ordinance 2004-43 granted a special use permit for the properties identified by Parcel Identification Numbers 03-01-127-006 and 03-01-127-004; and

WHEREAS, Ordinance 2004-43 required that the special use be renewed every three years; and

WHEREAS, the Pulte Group representing Dave Hamman petitioned for the renewal of the special use permit allowed by Ordinance 2004-43; and

WHEREAS, the petitioners propose to retain the sign on the parcel identified by Parcel Identification Number 03-01-127-006 and to revoke the special use permit on the parcel identified by Parcel Identification Number 03-01-127-004; and

WHEREAS, said property is currently zoned M-2 Heavy Industrial District with a special use permit for a commercial off-premise advertising structure; and

WHEREAS, said property is legally described as:

PART OF THE NORTH HALF OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN IN OSWEGO TOWNSHIP KENDALL COUNTY, ILLINOIS

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on August 28, 2017; and

WHEREAS, the Findings of Fact were approved 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 that the sign is placed in a location in compliance with Section 12 of the Kendall County Zoning Ordinance, the special use will not be detrimental to or endanger the public***

State of Illinois  
County of Kendall

Zoning Petition  
#17-19

**health, safety, morals, comfort, or general welfare of the public.**

*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. **True, the proposed special use will not negatively impact adjoining properties.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.***

*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 Hearing Officer. **True, the proposed special use shall conform to the applicable regulations of the district.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed special use is consistent with the purposes and objectives of the Land Resource Management Plan.***

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby grants approval of a special use zoning permit to for the placement of a commercial off-premise advertising structure on the parcel identified by Parcel Identification Number 03-01-127-006 in accordance to the submitted Site Plan included as "Exhibit A and Exhibit B" attached hereto and incorporated herein subject to the following conditions:

1. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
2. The sign will not be illuminated.

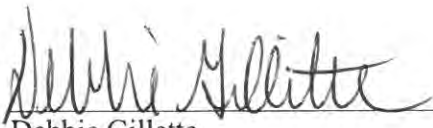
State of Illinois  
County of Kendall

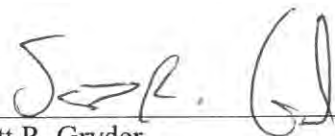
Zoning Petition  
#17-19

3. The advertising on the sign is restricted to Pulte Group's residential development.
4. The special use permit awarded by Ordinance 2004-43 to the property identified by Parcel ID Number 03-01-127-004 for an off-premise advertising structure is revoked with the adoption of this ordinance.
5. The owners of the off-premise advertising structure allowed by this special use permit shall obtain a building permit for the structure.
6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

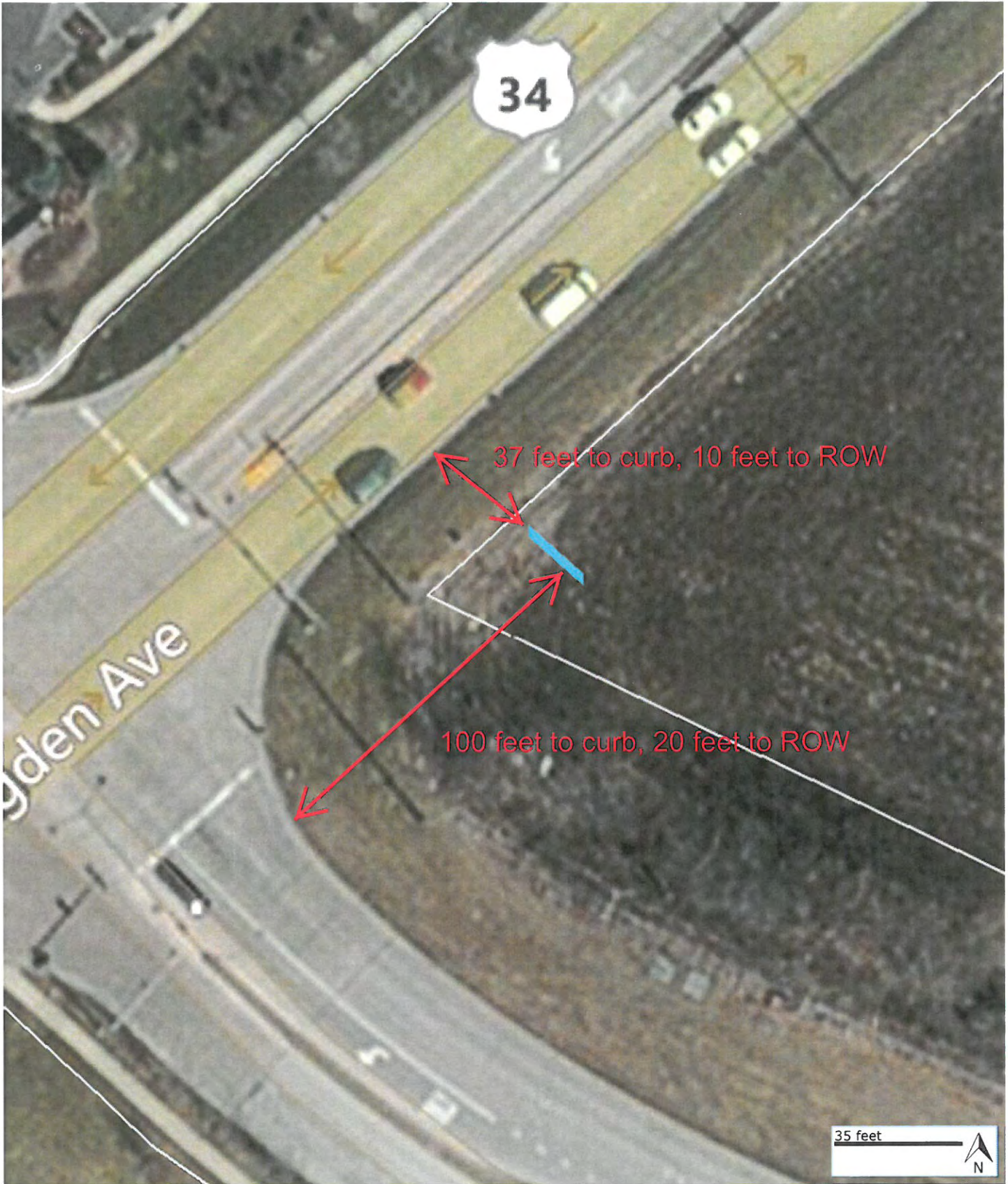
IN WITNESS OF, this ordinance has been enacted on September 19, 2017.

Attest:

  
\_\_\_\_\_  
Debbie Gillette  
Kendall County Clerk

  
\_\_\_\_\_  
Scott R. Gryder  
Kendall County Board Chairman







12'x16' Double Sided Informational Billboard.  
NE Corner OF Fransworth & Ogden In Aurora.

192 SQ. FT.



12"x192" Single Sided Model Now Open Patch.  
3/8" MDO Painted Ronan Dark Blue w/White Vinyl Copy.  
Qty: 2

Sign is not illuminated. Sign is 12' tall with 2' tall posts= 14' from ground to top of sign. Sign is 16' wide. 3/8" MDO Painted Ronan Dark Blue w/ White. Duranodic Bronze and Digital Vinyl. MDO Mounted to 2 White Wooden 10" x 10" columns.

Approval Signature

signsnow215@gmail.com

Phone: 630-357-2300  
Fax: 630-357-3977

426 W. Fifth Ave.  
Naperville, IL. 60563

**signsnow**







**Matt Asselmeier**

---

**From:** Bob Rogerson <brogerson@oswegotownship.org>  
**Sent:** Thursday, June 20, 2019 9:07 AM  
**To:** Matt Asselmeier  
**Subject:** [External]RE: Kendall County Zoning Petition 19-25

Matt, the Oswego Township Road District would not have an objection to this.

Thank you,

**Bob Rogerson**

*Highway Commissioner  
Oswego Township Road District  
1150 Rt. 25  
Oswego, IL 60543  
Phone: (630) 264-4587  
Fax: (630) 264-6695*

This message may contain confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version. Oswego Township Road District 1150 Rt. 25 Oswegotownship.org

**From:** Matt Asselmeier <masselmeier@co.kendall.il.us>  
**Sent:** Wednesday, June 19, 2019 4:10 PM  
**To:** wmccambridge@aurora-il.org; Brian LeClerc <bleclercq@oswegotownship.com>; Ken Holmstrom <kholmstrom@oswegotownship.com>; Bob Rogerson <brogerson@oswegotownship.org>; Mike Veseling <mveseling@oswegofire.com>; Alec Keenum <akeenum@oswegofire.com>; Sieben, Ed <ESieben@aurora-il.org>  
**Subject:** Kendall County Zoning Petition 19-25

To All:

Kendall County received a request to renew the special use permit for an outdoor advertising structure at the southeast corner of U.S. 34 and Hafenrichter (Farnsworth).

Petition information is attached to this email.

The Kendall County ZPAC will be meeting on Tuesday, July 2<sup>nd</sup>, at 9:00 a.m., in the County Board Room, 111 W. Fox Street in Yorkville to discuss this petition.

Assuming nothing unforeseen arises, this petition will be reviewed by the Kendall County Regional Planning Commission on July 24<sup>th</sup> and the Kendall County Zoning Board of Appeals will hold a public hearing on July 29<sup>th</sup>. Both of these meetings are at 7:00 p.m.

If you would like to submit comments on this proposal, please send those comments to me.

**Matt Asselmeier**

---

**From:** Sieben, Ed <ESieben@aurora-il.org>  
**Sent:** Thursday, June 20, 2019 8:57 AM  
**To:** Matt Asselmeier; McCambridge, Wendy; Brian LeClercq; Ken Holmstrom; Bob Rogerson; Mike Veseling; Alec Keenum  
**Cc:** Vacek, Tracey  
**Subject:** [External]RE: Kendall County Zoning Petition 19-25

Matt, Aurora would not have an objection to this. While we are working with the owner and developer on annexation, it has been a slow process. Pulte will at least for the time being be using this sign to advertise a new Aurora residential development to the east off Hafenrichter Road. Thanks for the opportunity to comment.

**Edward T. Sieben**  
Director/Zoning Administrator  
Zoning & Planning Division  
77 S. Broadway, 2nd Flr.  
(630) 256-3080

**From:** Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]  
**Sent:** Wednesday, June 19, 2019 4:10 PM  
**To:** McCambridge, Wendy <WMcCambridge@aurora-il.org>; Brian LeClercq <bleclercq@oswegotownship.com>; Ken Holmstrom <kholmstrom@oswegotownship.com>; Bob Rogerson <brogerson@oswegotownship.org>; Mike Veseling <mveseling@oswegofire.com>; Alec Keenum <akeenum@oswegofire.com>; Sieben, Ed <ESieben@aurora-il.org>  
**Subject:** Kendall County Zoning Petition 19-25

To All:

Kendall County received a request to renew the special use permit for an outdoor advertising structure at the southeast corner of U.S. 34 and Hafenrichter (Farnsworth).

Petition information is attached to this email.

The Kendall County ZPAC will be meeting on Tuesday, July 2<sup>nd</sup>, at 9:00 a.m., in the County Board Room, 111 W. Fox Street in Yorkville to discuss this petition.

Assuming nothing unforeseen arises, this petition will be reviewed by the Kendall County Regional Planning Commission on July 24<sup>th</sup> and the Kendall County Zoning Board of Appeals will hold a public hearing on July 29<sup>th</sup>. Both of these meetings are at 7:00 p.m.

If you would like to submit comments on this proposal, please send those comments to me.

If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP  
Senior Planner  
Kendall County Planning, Building & Zoning  
111 West Fox Street  
Yorkville, IL 60560-1498

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
July 2, 2019 – Unapproved Meeting Minutes**

PBZ Committee Chairman Matthew Prochaska called the meeting to order at 9:01 a.m.

Present:

Megan Andrews – Soil and Water Conservation District  
Matt Asselmeier – PBZ Department  
Meagan Briganti – GIS  
David Guritz – Forest Preserve  
Commander Jason Langston – Sheriff's Department  
Aaron Rybski – Health Department  
Matthew Prochaska – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC  
Brian Holdiman – PBZ Department  
Fran Klaas – Highway Department

Audience:

Mr. Zurliene and Lorien Schoenstedt

**AGENDA**

Mr. Rybski made a motion, seconded by Ms. Andrews, to approve the agenda as presented. With a voice vote of all ayes, the motion carried unanimously.

**MINUTES**

Ms. Andrews made a motion, seconded by Mr. Guritz, to approve the April 2, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

**PETITIONS**

**Petition 19-25 Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner) and Pulte Group (Billboard Owner)**

Mr. Asselmeier summarized the request.

In December 2004, through Ordinance 2004-43, the Kendall County Board approved a special use permit for the placement of an off-premise advertising sign at the subject property. The special use permit was renewed in 2017 through Ordinance 2017-14. Restriction Number 1 of the special use permit and Section 12.06.A.4 require the owner to either remove the sign or to renew the special use permit every two (2) years.

The property is located at the southeast corner of Route 34 and Hafenrichter (Farnsworth) in Oswego Township.

The property is approximately forty-three (43) acres in size.

The property is zoned M-2 with a special use permit for a billboard.

The County's Land Resource Management Plan calls for the property to be residential and the City of Aurora's Comprehensive Plan calls for the property to be commercial.

Route 34 is a State maintained highway and Hafenrichter is a local road maintained by Oswego Township. The City of Aurora has a trail planned along Hafenrichter.

There are no floodplains or wetlands in the area.

The adjacent land uses are industrial, commercial, residential, and agricultural. The zoning in the area is a mix of residential, commercial, and industrial. The future land uses in the area are also residential, commercial, and industrial.

The endangered species report was not required.

The NRI was not required.

Petition information was sent to Oswego Township on June 19, 2019, and the Oswego Township Highway Department had not objections.

Petition information was sent to the City of Aurora on June 19, 2019, and they had no objections.

Petition information was sent to Oswego Fire Protection District on June 19, 2019.

The sign is twelve feet by sixteen feet (12' X 16') in size. There will be fourteen feet (14') from the ground to the top of the sign.

The petitioner desires to renew the special use permit awarded by Ordinance 2004-43 and renewed by Ordinance 2017-14 with no changes in restrictions.

The restrictions imposed by Ordinance 2017-14 include:

1. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
2. The sign will not be illuminated.
3. The advertising on the sign is restricted to Pulte Group's residential development.
4. The special use permit awarded by Ordinance 2004-43 to the property identified by Parcel ID Number 03-01-127-004 for an off-premise advertising structure is revoked with the adoption of this ordinance.
5. The owners of the off-premise advertising structure allowed by this special use permit shall obtain a building permit for the structure.
6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
9. The appearance of the signs were included as Exhibits A and B in Ordinance 2017-14.

Pursuant to Section 12.06.A.4, real estate and development signs may be located offsite for a period not to exceed two (2) years, provided a special use permit is issued.

Since the sign is pre-existing, a building permit would not be required.

Access from an adjacent road is not applicable.

A trail is planned along Hafenrichter. However, the City of Aurora has not previously requested a right-of-way dedication.

Parking regulations are not applicable.

The sign will not be illuminated.

Screening regulations are not applicable.

No portion of the property is in a flood area and no wetlands exist on the property. No stormwater issues are anticipated by the proposal.

No easements are believed to be impacted by the proposed sign.

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 that the sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.

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. True, the proposed special use will not negatively impact adjoining properties.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.

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. True, the proposed special use shall conform to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed special use is consistent with the purposes and objectives of the Land Resource Management Plan.

If approved, Staff recommends the following conditions be included in the approving special use ordinance:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Group's residential development.
5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
6. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Mr. Guritz made a motion, seconded by Ms. Andrews, to recommend approval of renewing the special use permit as requested subject to the conditions proposed by Staff.

Ayes (7): Andrews, Asselmeier, Briganti, Guritz, Langston, Rybski, and Prochaska  
Nays (0): None  
Present (0): None  
Absent (3): Chismark, Holdiman, and Klaas

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on July 24, 2019.

**Petition 19-26 Edward Baltz and Robert Baltz on Behalf of Erb Properties, LLC (Owner) and Thomas Zurliene and Tyler Zurliene on Behalf of TZ Landscaping (Tenant)**

Mr. Asselmeier summarized the request.

Edward and Robert Baltz, on behalf of Erb Properties, LLC, and Thomas and Tyler Zurliene, on behalf of TZ Landscaping, LLC are requesting an A-1 Special Use to operate a landscaping business, Outdoorscapes, Inc., at the subject property located at 276 Route 52 in Seward Township.

In January 2019, a complaint was filed with the Planning, Building and Zoning Department that a landscaping business was operating at the subject property without a special use permit. The Petitioners desire to lawfully operate a landscaping business at the subject property.

TZ Landscaping, LLC wants to purchase the property from the current owners. The landscaping business currently does not have access to the house on the property.

The property is approximately twenty-two (22) acres in size and the landscaping business operates on approximately eleven (11) of those acres.

The property is zoned A-1 and is used as an agricultural/farmstead. The future land use of the property is commercial.

Route 52 is a State maintained highway. The City of Joliet has a trail planned along Route 52.

No floodplains or wetlands are present.

The adjacent land uses and zoning classifications are agricultural, with residential uses planned in the future.

A new Minooka School District High School was planned at the northeast corner of Route 52 and Line Road.

The A-1 SU to the east is for fertilizer sales and storage and the A-1 SU to the west is probably for an airstrip.

The EcoCAT Report was submitted and consultation was terminated.

The Natural Resource Inventory application was submitted on June 17, 2019.

Petition information was sent to Seward Township on June 24, 2019.

Petition information was sent to the Village of Shorewood on June 24, 2019. On July 2, 2019, the Village of Shorewood submitted objections to the proposal. They requested an eight foot (8') tall privacy fence to fully screen the materials stored outdoors, properly maintain the existing structures and cleanup debris, and ensure adequate stormwater management of existing and impervious surfaces. The Village opposed any variances to the sign ordinance.

Petition information was sent to the City of Joliet on June 24, 2019. They declined to submit comments per their boundary agreement with the Village of Shorewood.

Petition information was sent to the Minooka Fire Protection District on June 24, 2019.

According to the information provided to the County, TZ Landscaping, LLC will use the existing barns and garage on the subject property. They will store landscaping materials, including mulch, rock, and gravel on the property outside on the property. The company's trucks will be stored on the property after business hours inside one (1) of the two (2) buildings.

TZ Landscaping, LLC currently has two (2) owners and eight (8) full-time employees. These employees work part-time during the winter season. The number of employees could expand to fifteen (15) in the next five (5) years if the business grows as anticipated. No office personnel or sales employees shall report to the property for work related to the proposed use.

The hours of operation are 6:00 a.m. until 8:00 p.m., Monday through Saturday between April and November. The business is on-call twenty-four (24) hours per day every day between December and March.

TZ Landscaping, LLC has been in business for seven (7) years with customers in Shorewood, Minooka, Channahon, Joliet, and Plainfield.

Since the buildings are going to be used for storage and not repair of vehicles or office operations, no change in occupancy is required.

TZ Landscaping, LLC does not use the house that is currently on the property. There are no other sources of water on the property and no bathroom facilities outside of the house. Employees would have to go offsite for bathroom facilities. No customers are planned to come onto the property.

The property fronts Route 52.

The City of Joliet's plans call for a trail along Route 52.

The site plan shows parking east of the existing house. This parking area will need to be moved at further south to comply with the one hundred fifty foot (150') setback requirement in the A-1 Zoning District. The parking area will be gravel. No customers will come to the property.

Currently, one (1) pole light and one (1) exterior barn light are located on the property. No additional lighting was proposed.

According to the site plan, two (2) signs are proposed. Per Section 12.08.A of the Kendall County Zoning Ordinance, only one (1) non-illuminated sign is allowed on the property. The sign can be a maximum of thirty-two (32) square feet. If the Petitioners desire more than one (1) sign, a variance will be required.

No berming or fencing is planned. Because the Petitioner plans to store materials outdoors, discussion will be needed regarding berming.

The property drains to the southwest of the proposed business operations.

Mr. Asselmeier asked why a sign variance was necessary. Mr. Zurliene responded the variance was needed to increase visibility of the business. Mr. Zurliene clarified that they did not want two (2) signs and will use a double-faced sign. He verbally withdrew the sign variance request.

Mr. Guritz questioned the parking location in relation to the road. Mr. Zurliene stated that parking lot will be relocated to meet regulations, with a fence and berming.

Mr. Asselmeier asked about the location of berming. Mr. Zurliene said berming will be placed along the front to block visibility from Route 52. Mr. Zurliene said they would construct a two to three foot (2'-3') berm with a fence on top of the berm, if a fence is required.

Mr. Asselmeier asked about runoff control and advised Mr. Zurliene to careful consider which restrictions he approves.

Mr. Rybski asked about new parking areas. Mr. Zurliene said the parking area will be moved to comply with the Zoning Ordinance.

Mr. Rybski asked if the location of the septic system was known. Mr. Rybski advised Mr. Zurliene to located the septic system. Mr. Rybski advised that the water well be protected.

Mr. Rybski advised that landscaping material cannot be hauled onto the site and burned.

Ms. Andrews said that the Kendall County Soil and Water Conservation District is working on the NRI Report.

The consensus of the Committee was to forward the proposal to the Kendall County Regional Planning Commission provided that the septic field is located, the sign variance request is withdrawn, and the berm height and fencing is determined.

Ayes (7): Andrews, Asselmeier, Briganti, Guritz, Langston, Rybski, and Prochaska  
Nays (0): None  
Present (0): None  
Absent (3): Chismark, Holdiman, and Klaas

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on July 24, 2019.

#### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier reported that Petition 17-28, pertaining to the Kendall County gun range zoning regulations, was approved by the County Board and provided a summary of the regulations.

Mr. Asselmeier reported that Petition 19-07, pertaining to the parking and storage of mobile homes, trailers, and RVs, was withdrawn by the Planning, Building and Zoning Committee.

Mr. Asselmeier reported that Petition 19-08, pertaining to a rezoning on property east of 8225 Galena Road, was approved.

Mr. Asselmeier reported that Petition 19-13, pertaining to research and development home occupations, was rejected at the County Board, but could be considered again in the future.

**OLD BUSINESS/NEW BUSINESS**

Mr. Asselmeier reported that someone wants to build a house at the corner of Sheridan Road and Route 71 and a change to the Land Resource Management Plan and a rezoning are required in order to permit the construction of a house at that location.

Mr. Asselmeier reported that he is reviewing the changes to the Zoning Ordinance identified by Teska Associates.

Mr. Asselmeier reported that the Department is waiting on guidance from the County Board regarding recreational marijuana zoning regulations.

**CORRESPONDENCE**

None

**PUBLIC COMMENT**

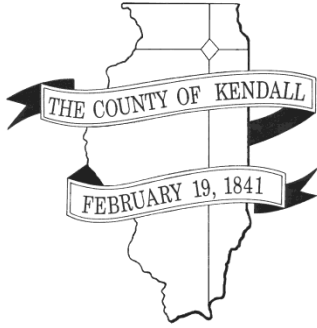
None

**ADJOURNMENT**

Mr. Guritz made a motion, seconded by Mr. Langston to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:25 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**Petition 19-26**

**Edward and Robert Baltz on Behalf of Erb Properties, LLC  
(Owner) and Thomas and Tyler Zurliene on Behalf of TZ  
Landscaping, LLC (Tenant)**

**A-1 Special Use – Landscape Operation**

**INTRODUCTION**

Edward and Robert Baltz, on behalf of Erb Properties, LLC, and Thomas and Tyler Zurliene, on behalf of TZ Landscaping, LLC are requesting an A-1 Special Use to operate a landscaping business, Outdoorscapes, Inc., at the subject property.

In January 2019, a complaint was filed with the Planning, Building and Zoning Department that a landscaping business was operating at the subject property without a special use permit. The Petitioners desire to lawfully operate a landscaping business at the subject property.

TZ Landscaping, LLC wants to purchase the property from the current owners. The landscaping business currently does not have access to the house on the property.

Application material is included as Attachment 1 and an aerial of the property is included as Attachment 2.

**SITE INFORMATION**

**PETITIONER** Edward and Robert Baltz, on behalf of Erb Properties, LLC (Owner) and Thomas and Tyler Zurliene, on behalf of TZ Landscaping, LLC (Tenant)

**ADDRESS** 276 Route 52

**LOCATION** Approximately 0.25 Miles West of Line Road on the South Side of Route 52



**TOWNSHIP** Seward

**PARCEL #** 09-13-400-006

**LOT SIZE** 21.6 +/- acres (Total); Landscaping Business 10.8 +/- acres

EXISTING LAND USE Farmstead/Agricultural

ZONING A-1 Agricultural District

LRMP	Existing Land Use	Farmstead/Agricultural
	Future Land Use	Commercial
	Roads	Route 52 is a State Highway classified as a Major Arterial Road.
	Trails	Joliet has a trail planned along Route 52.
	Floodplain/Wetlands	No floodplains or wetlands are present.

REQUESTED ACTION A-1 Special Use to operate a landscaping business

APPLICABLE REGULATIONS Section 7.01 D.28 – A-1 Special Uses – Permits Landscape Businesses with the following stipulations:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.
2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use. (Amended 7/17/2007)
3. No landscape waste generated off the property can be burned on this site

Section 13.08 – Special Use Procedures

**SURROUNDING LAND USE**

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Farmstead/Agricultural/Residential	A-1	Suburban Residential (1.00 DU/Acre) and Public Institutional	A-1
South	Agricultural	A-1	Suburban Residential	A-1

East	Agricultural	A-1	Suburban Residential	A-1 and A-1 SU (Kendall County) A-1 (Will County)
West	Agricultural/Residential	A-1	Suburban Residential and Commercial	A-1, A-1 SU, and B-2

Pictures of the property are included as Attachments 3-11.

A new Minooka School District High School was planned at the northeast corner of Route 52 and Line Road.

The A-1 SU to the east is for fertilizer sales and storage and the A-1 SU to the west is probably for an airstrip.

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**

The EcoCAT Report was submitted and consultation was terminated (See Attachment 1, Pages 15-18).

**NATURAL RESOURCES INVENTORY**

Application submitted on June 17, 2019 (See Attachment 1, Page 14).

**ACTION SUMMARY**

**SEWARD TOWNSHIP**

Petition information was sent to Seward Township on June 24, 2019.

**VILLAGE OF SHOREWOOD**

Petition information was sent to the Village of Shorewood on June 24, 2019. On July 2, 2019, the Village of Shorewood submitted objections to the proposal. They requested an eight foot (8') tall privacy fence to fully screen the materials stored outdoors, properly maintain the existing structures and cleanup debris, and ensure adequate stormwater management of existing and impervious surfaces. The Village opposed any variances to the Sign Ordinance. The Village's email is included as Attachment 12.

**CITY OF JOLIET**

Petition information was sent to the City of Joliet on June 24, 2019. On June 24, 2019, the City of Joliet submitted an email saying they would not comment on this Petition and would honor their boundary agreement with the Village of Shorewood. The City's email is included as Attachment 13.

**MINOOKA FIRE PROTECTION DISTRICT**

Petition information was sent to the Minooka Fire Protection District on June 24, 2019.

**ZPAC**

ZPAC reviewed this proposal at their meeting on July 2, 2019. Greater specificity was needed regarding the location and size of berms and other screening. Concerns were expressed regarding stormwater runoff control. The Kendall County Health Department requested that the septic field be located. The Petitioners withdrew their request for a sign variance; they intend to install a two (2) sided sign. The consensus of ZPAC members was to forward the proposal to the Kendall County Regional Planning Commission. The minutes of this meeting are included as Attachment 14.

**BUSINESS OPERATION**

According to the information provided to the County in Attachment 1, Page 2, TZ Landscaping, LLC will use the existing barns and garage on the subject property. They will store landscaping materials, including mulch, rock, and gravel on the property outside on the property. The company's trucks will be stored on the property after business hours inside one (1) of the two (2) buildings.

TZ Landscaping, LLC currently has two (2) owners and eight (8) full-time employees. These employees work part-time during the winter season. The number of employees could expand to fifteen (15) in the next five (5) years if the business grows as anticipated. No office personnel or sales employees shall report to the property for work related to the proposed use.

The hours of operation are 6:00 a.m. until 8:00 p.m., Monday through Saturday between April and November. The business is on-call twenty-four (24) hours per day every day between December and March.

TZ Landscaping, LLC has been in business for seven (7) years with customers in Shorewood, Minooka, Channahon, Joliet, and Plainfield.

#### **BUILDING CODES**

Since the buildings are going to be used for storage and not repair of vehicles or office operations, no change in occupancy is required.

#### **PUBLIC HEALTH**

TZ Landscaping, LLC does not use the house that is currently on the property. There are no other sources of water on the property and no bathroom facilities outside of the house. Employees would have to go offsite for bathroom facilities. No customers are planned to come onto the property.

#### **ACCESS**

The property fronts Route 52.

#### **TRAILS**

The City of Joliet's plans call for a trail along Route 52.

#### **PARKING**

The site plan shows parking east of the existing house. This parking area will need to be moved further south to comply with the one hundred fifty foot (150') setback requirement in the A-1 Zoning District. The parking area will be gravel. No customers will come to the property.

#### **LIGHTING**

Currently, one (1) pole light and one (1) exterior barn light are located on the property. No additional lighting was proposed.

#### **SIGNAGE**

According to the site plan, two (2) signs are proposed. Per Section 12.08.A of the Kendall County Zoning Ordinance, only one (1) non-illuminated sign is allowed on the property. The sign can be a maximum of thirty-two (32) square feet. At ZPAC, the Petitioners agreed to have only one (1) sign, which will be double-sided.

#### **SCREENING**

No berming or fencing was proposed.

#### **STORMWATER**

The property drains to the southwest of the proposed business operations.

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

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **Provided that landscaping materials are properly stored and that appropriate screening is installed, the proposed use will not be detrimental to or endanger 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. **The subject property is shown as commercial on the future land use map. Provided that landscaping materials are properly stored and that appropriate screening is installed, the proposed use should not adversely impact adjacent uses.**

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Route 52 is a State maintained highway that can handle loads of at least seventy-three thousand two hundred eighty pounds (73,280 lbs). The location of the septic field is unknown and no restroom facilities exist on the property. A restriction is required to ensure that landscaping debris does not create drainage problems.*

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **Provided no sign variance is necessary, the proposed business and site plan conform to all other applicable regulations of the A-1 Zoning District.***

*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. **The LRMP encourages agriculture and agribusiness (Page 3-3). The proposed use is consistent with the purpose and objectives of the LRMP.***

#### **RECOMMENDATION**

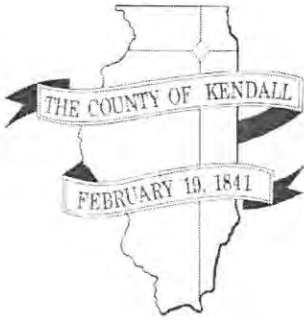
Staff recommends approval of the requested special use permit subject to the following conditions:

1. The site shall be developed substantially in accordance with the attached site plan with changes as outlined in the following conditions.
2. One (1) business related sign shall be allowed on the subject property in one (1) of the locations shown on the site plan. The sign will not be illuminated.
3. The parking area shown on the site plan shall be relocated to comply with the Kendall County Zoning Ordinance.
4. A berm three feet (3') in height as measured from the top of the berm to the base of the berm shall be erected along the northern portion of the property used for the special use allowed by this ordinance, except for the area used as ingress/egress. The berm shall be installed within sixty (60) days of the approval of this special use permit ordinance. (Area in white on site plan).
5. Within sixty (60) days of the approval of this special use permit, the owner and/or operator of the use allowed by this special use permit ordinance shall plant arborvitaes at least six feet (6') in height at the time of planting along the east, west, and south sides of the area used for the landscaping business to block the visibility of the operations from adjoining properties. The arborvitaes shall be planted in sufficient numbers to create a complete buffer within five (5) years of the approval of this special use permit. Damaged or dead arborvitaes shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. (Area in white on site plan).
6. Any materials associated with the landscaping business stored outdoors must be stored with blocks on three sides of the materials. (See Attachment 8).
7. Equipment and vehicles related to the business may be stored outdoors.
8. Within sixty (60) days of the approval of this special use permit, the Petitioners shall supply the Kendall County Health Department with the locations of the existing well and septic systems on the property. This deadline may be extended by mutual agreement between the Petitioners and the Kendall County Health Department.

9. No landscape waste generated off the property can be burned on this site.
10. A maximum of fifteen (15) employees of the business allowed by this special use permit may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
11. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
12. The hours of operation of the business allowed this special use permit shall be Monday through Saturday from 6:00 a.m. until 8:00 p.m. between the months of April and November. The business allowed by this special use permit may operate at any time between the months of December and March.
13. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
14. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
15. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

#### **ATTACHMENTS**

1. Application (Including Site Plan and Petitioner's Findings of Fact)
2. Aerial
3. Looking Southwest from 52
4. Looking South from 52
5. Employee Parking
6. Storage Area North
7. Storage Area North Close Up
8. Storage Area Middle
9. Storage Area South
10. Southeast Barn
11. Looking East
12. 7-2-19 Village of Shorewood Email
13. 6-24-19 City of Joliet Email
14. 7-2-19 ZPAC Minutes



**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**APPLICATION**

PROJECT NAME SUP - TZ Landscaping, LLC

FILE # 19-26

<b>NAME OF APPLICANT</b>		
TZ Landscaping, LLC		
<b>CURRENT LANDOWNER/NAME(s)</b>		
Ed Baltz		
<b>SITE INFORMATION</b>		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
10.8	276 Rt. 52, Minooka, Illinois 60447	09-13-400-0006
<b>EXISTING LAND USE</b>		
agricultural	A-1	commercial
<b>REQUESTED ACTION (Check All That Apply):</b>		
<input checked="" type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD ( <input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
AMENDMENT TO A SPECIAL USE ( <input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
<b><sup>1</sup>PRIMARY CONTACT</b>	<b>PRIMARY CONTACT MAILING ADDRESS</b>	<b>PRIMARY CONTACT EMAIL</b>
Thomas Zurliene	[REDACTED]	tzlandscaping@gmail.com
<b>PRIMARY CONTACT PHONE #</b>	<b>PRIMARY CONTACT FAX #</b>	<b>PRIMARY CONTACT OTHER #(Cell, etc.)</b>
[REDACTED]	[REDACTED]	Lschoenstedt@rcclawfirm.com
<b><sup>2</sup>ENGINEER CONTACT</b>	<b>ENGINEER MAILING ADDRESS</b>	<b>ENGINEER EMAIL</b>
<b>ENGINEER PHONE #</b>	<b>ENGINEER FAX #</b>	<b>ENGINEER OTHER # (Cell, etc.)</b>
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
<b>SIGNATURE OF APPLICANT</b>	[REDACTED]	<b>DATE</b>
		4/23/19

FEE PAID: \$ 1155  
 CHECK #: 1753

<sup>1</sup>Primary Contact will receive all correspondence from County

<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants

RECEIVED

JUN 20 2019

KENDALL COUNTY  
 PLANNING, BUILDING & ZONING



PROPOSAL FOR BUSINESS PLAN  
TZ LANDSCAPING, LLC  
276 RT. 52  
MINOOKA, ILLINOIS

**HOURS OF OPERATION:**

April-November  
Monday – Saturday  
6:00 AM – 8:00 PM

December-March  
On call 24 hours a day 7 days a week  
dependent on weather.

**NUMBER OF EMPLOYEES:** 2 owners and 8 full time employees during summer during peak season who work part-time during winter season.

**DESCRIPTION OF BUSINESS:** TZ Landscaping, LC is a privately owned landscaping company. The owners are Thomas Zurliene and Tyler Zurliene. They have been in business for 7 years serving Shorewood, Minooka, Channahon, Joliet, and Plainfield with their landscaping needs. We service lawns, install mulch and rock, clean up landscaping, install walkways, patios, retaining walls, plant trees and shrubs, install sod, and install drainage pipes in yards.

**BUSINESS PLAN:** Continue to use the 2 existing barns and garage on the premises. The area will be used for storing landscaping material such as mulch, rock, and gravel. The trucks will also be stores on the premises after hours of operation. The number of employees may increase to 12 - 15 in the next five years depending on community need for our services.



**TZ Landscaping, LLC**

**Legal Description for 276 Rt. 52, Minooka, IL 60447**

THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THE SOUTH 544 00 FEET OF THE WEST 480 FEET THEREOF, IN KENDALL COUNTY, ILLINOIS



TRUSTEE'S DEED

201100019108

DEBBIE  
GILLETTE  
KENDALL COUNTY, IL

RECORDED: 11/17/2011 1:04 PM  
TRSD: 52.00 RHSPS FEE: 10.00  
PAGES: 7

**THIS INDENTURE** Made this 23rd day of September, 2011 between **FIRST MIDWEST BANK**, Joliet, Illinois, as Trustee or successor Trustee under the provision of a deed or deeds in trust, duly recorded and delivered to said Bank in pursuance of a trust agreement dated the 29<sup>th</sup> day of December, 1988, and known as Trust Number 5220, party of the first part and **ERB PROPERTIES, LLC**, of 26124 Seil Road, Shorewood, IL 60404, party of the second part.

**WITNESSETH**, that said party of the first part, in consideration of the sum of TEN and no/100, (\$10.00) Dollars and other good and valuable considerations in hand paid, does hereby convey and quit claim unto said party of the second part, all interest in the following described real estate, situated in Kendall County, Illinois, to-wit:

**Legal Description attached hereto and made a part hereof**

together with the tenement and appurtenances thereunto belonging.

**TO HAVE AND TO HOLD** the same unto said party of the second part and to the proper use, benefit and behoof of said party of the second part forever.

Subject to: Liens, encumbrances, easements, covenants, conditions and restrictions of record, if any; general real estate taxes for the year 2011 and subsequent; and

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of every trust deed or mortgage (if any there be) of record in said county given to secure the payment of money and remaining unreleased at the date of the delivery hereof.

**IN WITNESS WHEREOF**, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Trust Officer and attested by its Trust Officer, the day and year first above written.

**FIRST MIDWEST BANK**, as Trustee as aforesaid,

By: \_\_\_\_\_

Trust Officer

Attest: \_\_\_\_\_

Trust Officer

Exempt under provisions of Paragraph 2  
Section S1-45, Property Tax Code.

10/29/11  
Date [Redacted]  
Buyer, Seller or Representative [Redacted]

STATE OF ILLINOIS,  
Ss:  
COUNTY OF KANKAKEE \_\_\_\_\_

I, the undersigned, a Notary Public in and for said County, in the State aforementioned DO  
HEREBY CERTIFY that Rosa Arias Angeles, Trust Officer of FIRST MIDWEST BANK, Joliet,  
Illinois and Robert Lee, the attesting Trust Officer thereof, personally known  
to me to be the same persons whose names are subscribed to the foregoing instrument as such Trust  
Officer and the attesting Trust Officer respectively, appeared before me this day in person and  
acknowledged that they signed and delivered the said instrument as their own free and voluntary act,  
and as the free and voluntary act of said Bank, for the uses and purposes therein set forth; and the  
said attesting Trust Officer did also then and there acknowledge that she as custodian of the  
corporate seal of said Bank did affix the said corporate seal of said Bank to said instrument as her  
own free and voluntary act, and as the free and voluntary act of said Bank for the uses and purposes  
therein set forth.

GIVEN under my hand and seal this 28<sup>th</sup> day of October, A.D. 2011.



[Redacted]  
Notary Public.

THIS INSTRUMENT WAS PREPARED BY  
Peggy Regas  
First Midwest Bank, Trust Division  
2801 W. Jefferson St.  
Joliet, IL 60435

PROPERTY ADDRESS  
See Attached

AFTER RECORDING  
MAIL THIS INSTRUMENT TO  
Andrew C. Dystrup  
822 Infantry Drive  
Joliet, IL 60435

PERMANENT INDEX NUMBER  
See Attached

MAIL TAX BILL TO  
ERB Properties, LLC  
26124 Seil Road  
Shorewood, IL 60404

Buyer, Seller or Representative \_\_\_\_\_ Date \_\_\_\_\_

Exempt under provisions of Paragraph \_\_\_\_\_  
Section S1-45, Property Tax Code.

**FIRST MIDWEST TRUST 5220  
PROPERTIES**

**KENDALL COUNTY**

**PARCEL 1:**

AN UNDIVIDED 92.5% INTEREST IN THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 35 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN TOWNSHIP OF SEWARD, KENDALL COUNTY, ILLINOIS.

Commonly known As: 1562 Jones Road, Minooka, IL

PIN No.: 09-11-300-001-0000

**PARCEL 2:**

THE NORTHWEST FRACTIONAL ONE-QUARTER OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN THE TOWN OF SEWARD, KENDALL COUNTY, ILLINOIS

PIN No.: 09-19-100-001

**PARCEL 3:**

THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN: EXCEPTING THEREFROM THE SOUTH 544.00 FEET OF THE WEST 480 FEET THEREOF, IN KENDALL COUNTY, ILLINOIS.

PIN NO.: 09-14-100-006

**PARCEL 4**

THE NORTH 806.65 FEET OF THE WEST 1296.00 FEET OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE SOUTH 80.67 FEET THEREOF, IN KENDALL COUNTY, ILLINOIS.

PIN NO.: 09-13-400-006

COMMONLY KNOWN AS: 276 US HIGHWAY 52, SHOREWOOD, IL

LEGAL DESCRIPTION

PARCEL 5:

THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, KENDALL COUNTY, ILLINOIS, EXCEPT THE FOLLOWING DESCRIBED TRACTS:

EXCEPTION TRACT A:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH ALONG THE EAST LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 1477.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH ALONG THE SAID EAST LINE FOR A DISTANCE OF 150 FEET; THENCE DUE WEST FOR A DISTANCE OF 235 FEET; THENCE DUE SOUTH FOR A DISTANCE OF 150 FEET; THENCE DUE EAST FOR A DISTANCE OF 235 FEET TO THE POINT OF BEGINNING, ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF SEWARD, COUNTY OF KENDALL AND STATE OF ILLINOIS.

EXCEPTION TRACT B:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH ALONG THE EAST LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 1277.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH ALONG SAID EAST LINE FOR A DISTANCE OF 200 FEET; THENCE DUE WEST FOR A DISTANCE OF 235 FEET; THENCE DUE SOUTH FOR A DISTANCE OF 200 FEET; THENCE DUE EAST FOR A DISTANCE OF 235 FEET TO THE POINT OF BEGINNING, ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF SEWARD, COUNTY OF KENDALL AND STATE OF ILLINOIS.

PARCEL II:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 7, LYING SOUTH OF THE INDIAN BOUNDARY LINE, AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 17, LYING NORTH OF THE INDIAN BOUNDARY LINE ALL LYING WEST OF GROVE ROAD, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

PIN NO.: 09-18-200-004

A 92.5% UNDIVIDED INTEREST IN THE FOLLOWING PARCELS:

LEGAL DESCRIPTION OF PARCEL 6

That part of the West Half of the Southwest Fractional Quarter of Section 18, Township 35 North, Range 8 East of the Third Principal Meridian described as follows:  
Commencing at the Northwest Corner of said Southwest Fraction Quarter; thence Southerly, along the West Line of said Southwest Fractional Quarter, 444.50 feet for the point of beginning; thence Southerly, along said West Line, 551.94 feet; thence Easterly, parallel with the North Line of said Southwest Fractional Quarter, 821.68 feet to the East Line of the West Half of said Southwest Fractional Quarter; thence Northerly, along said East Line, 551.96 feet to a line drawn Easterly from the point of beginning which is parallel with said North Line; thence Westerly, parallel with said North Line, 823.82 feet to the point of beginning in Seward Township, Kendall County, Illinois, and containing 10.4247 acres.

LEGAL DESCRIPTION OF PARCEL 7

That part of the West Half of the Southwest Fractional Quarter of Section 18, Township 35 North, Range 8 East of the Third Principal Meridian described as follows:  
Commencing at the Northwest Corner of said Southwest Fraction Quarter; thence Southerly, along the West Line of said Southwest Fractional Quarter, 996.44 feet for the point of beginning; thence Southerly, along said West Line, 551.93 feet; thence Easterly, parallel with the North Line of said Southwest Fractional Quarter, 819.55 feet to the East Line of the West Half of said Southwest Fractional Quarter; thence Northerly, along said East Line, 551.95 feet to a line drawn Easterly from the point of beginning which is parallel with said North Line; thence Westerly, parallel with said North Line, 821.68 feet to the point of beginning in Seward Township, Kendall County, Illinois, and containing 10.3974 acres.

LEGAL DESCRIPTION OF PARCEL 8

That part of the West Half of the Southwest Fractional Quarter of Section 18, Township 35 North, Range 8 East of the Third Principal Meridian described as follows:  
Commencing at the Northwest Corner of said Southwest Fraction Quarter; thence Southerly, along the West Line of said Southwest Fractional Quarter, 1548.37 feet for the point of beginning; thence Southerly, along said West Line, 551.93 feet; thence Easterly, parallel with the North Line of said Southwest Fractional Quarter, 817.41 feet to the East Line of the West Half of said Southwest Fractional Quarter; thence Northerly, along said East Line, 551.95 feet to a line drawn Easterly from the point of beginning which is parallel with said North Line; thence Westerly, parallel with said North Line, 819.55 feet to the point of beginning in Seward Township, Kendall County, Illinois, and containing 10.3704 acres.



LEGAL DESCRIPTION OF PARCEL 9:

That part of the West Half of the Southwest Fractional Quarter of Section 18, Township 35 North, Range 8 East of the Third Principal Meridian described as follows:  
Commencing at the Northwest Corner of said Southwest Fraction Quarter; thence Southerly, along the West Line of said Southwest Fractional Quarter, 2100.30 feet for the point of beginning; thence Southerly, along said West Line, 551.93 feet to the Southwest Corner of said Southwest Fractional Quarter; thence Easterly, along the South Line of said Southwest Fractional Quarter, 815.23 feet to the Southeast Corner of the West Half of said Southwest Fractional Quarter; thence Northerly, along the East Line of the West Half of said Southwest Fractional Quarter, 558.79 feet to a line drawn Easterly from the point of beginning which is parallel with the North Line of said Southwest Fractional Quarter; thence Westerly, parallel with said North Line, 817.41 feet to the point of beginning in Seward Township, Kendall County, Illinois, and containing 10.4074 acres.

Commonly Known As: 41.99 Acres of Vacant Farmland US Rt. 52  
Minooka, IL

PIN No.: Part of 09-18-300-001

Unofficial



**Debbie Gillette**  
**Kendall County Clerk & Recorder**

**PLAT ACT AFFIDAVIT OF METES AND BOUNDS**

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF KENDALL )

Andrew C. Dystrup of 822 Infantry Drive, Joliet, IL \_\_\_\_\_, being duly sworn on oath, And further states that: (please check the appropriate box)

A.  That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or  
B.  That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFLIANT further states that \_\_\_ he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 10<sup>th</sup> day of Nov, 20 11

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Signature of Affiant





CORTINA, MUELLER & FROBISH, P.C.

ATTORNEYS AT LAW

124 W. Washington Street

Morris, IL 60450

Frank J. Cortina, Jr.  
Joseph A. Mueller  
Eric P. Frobish  
Matthew J. Mueller  
Jacob C. Lawson

Telephone: (815) 942-0635  
Fax: (815) 942-0647  
Real Est. Fax: (815) 941-9827  
staff@cortinamueller.com

June 19, 2019

To Whom It May Concern:

Please be advised that I represent ERB Properties, LLC in the sale of their property located in Kendall County more specifically described under PIN No. 09-13-400-006. This letter shall serve as further consent to TZ Landscaping, Inc. and Tom and Tyler Zurliene to apply to Kendall County for a Special Use Permit for the operation of their landscaping business. If you need any additional information, please do not hesitate to contact the undersigned.

Thank you.



JC Lawson  
Attorney for ERB Properties, LLC

JCL:nb

KENDALL COUNTY  
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant ERB Properties  
Address 26124 Seil Rd. Shorewood, IL 60404  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

2. Nature of Benefit Sought Special Use Permit

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

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

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

NAME	ADDRESS	INTEREST
<u>EDWARD J. BALTZ</u>	[REDACTED]	<u>50%</u>
<u>ROBERT D. BALTZ</u>	[REDACTED]	<u>50%</u>

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

J.C. Lawson, 124 W. Washington St. Moline, IL - Attorney

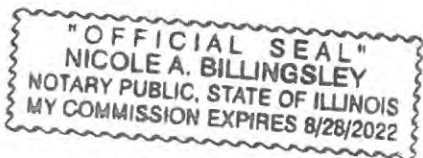
VERIFICATION

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

Subscribed and sworn to before me this 19 day of June, A.D. 2019

(seal)

[REDACTED]  
Notary Public



KENDALL COUNTY  
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant TZ Landscaping, LLC  
Address 276 Rt. 52  
City Minooka State IL Zip 60447

2. Nature of Benefit Sought Special Use Permit

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

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

Limited Liability Company

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

NAME	ADDRESS	INTEREST
Thomas Zurliene	[REDACTED]	50%
Tyler Zurliene	[REDACTED]	50%

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

Thomas Zurliene, 25619 Roan Ln., Shorewood, IL 60404 - Co-Owner of TZ Landscaping, LLC

VERIFICATION

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

Subscribed and sworn to before me this 23 day of April, A.D. 2019

(seal)



[REDACTED]  
Notary Public



Kendall County Soil & Water Conservation District

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

www.kendallswcd.org

**NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION**

**Petitioner:** TZ Landscaping, LLC **Contact Person:** Thomas Zurliene  
 Address: 276 Rt. 52  
 City, State, Zip: Minooka, IL 60447  
 Phone Number: ( )   
 Email: tzlandscaping@gmail.com tzlandscaping@gmail.com

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

**Site Location & Proposed Use**

Township Name Seward Township 35 N, Range 8 E, Section(s) 13  
 Parcel Index Number(s) 09-13-400-006  
 Project or Subdivision Name \_\_\_\_\_ Number of Acres 10.8  
 Current Use of Site Farm - AG 1 Proposed Use landscaping business  
 Proposed Number of Lots 1 Proposed Number of Structures \_\_\_\_\_  
 Proposed Water Supply Well Proposed type of Wastewater Treatment \_\_\_\_\_  
 Proposed type of Storm Water Management \_\_\_\_\_

**Type of Request**

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

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

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

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

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

Fee for first five acres and under	\$ 375.00
10 Additional Acres at \$18.00 each	\$ 180.00
<b>Total NRI Fee</b>	<b>\$ 555.00</b>

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

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

\_\_\_\_\_  
 Petitioner or Authorized Agent 6/17/19  
Date

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

**FOR OFFICE USE ONLY**

NRI# \_\_\_\_\_ Date initially rec'd \_\_\_\_\_ Date all rec'd \_\_\_\_\_ Board Meeting \_\_\_\_\_  
 Fee Due \$ \_\_\_\_\_ Fee Paid \$ \_\_\_\_\_ Check # \_\_\_\_\_ Over/Under Payment \_\_\_\_\_ Refund Due \_\_\_\_\_



1 of 3



**Applicant:** TZ Landscaping, LLC  
**Contact:** Tom Zurliene  
**Address:** 276 Rt. 52  
 Minooka, IL 60447

**IDNR Project Number:** 1911969  
**Date:** 06/17/2019

**Project:** TZ Landscaping  
**Address:** 276 Rt. 52, Minooka

*Description:* Special Use Permit to use the 2 existing barns and garage on the premises. The area will be used for storing landscaping material.

**Natural Resource Review Results**

**Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)**

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

**Consultation is terminated.** This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

**Location**

The applicant is responsible for the accuracy of the location submitted for the project.

*County:* Kendall

*Township, Range, Section:*  
 35N, 8E, 13



**IL Department of Natural Resources Contact**  
 Kyle Burkwald  
 217-785-5500  
 Division of Ecosystems & Environment

**Government Jurisdiction**  
 Kendall County  
 Matthew Asselmeier  
 111 West Fox Street  
 Yorkville, Illinois 60560 -1498

**Disclaimer**

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

**Terms of Use**

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural

## Attachment 1, Page 16

Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

Page 1 of 3





2 of 3 Find | Next

IDNR Project Number: 1911969



2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

#### Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

#### Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.



3 of 3 End | Next

IDNR Project Number: 1911969



**EcoCAT Receipt** **Project Code** 1911969

<b>APPLICANT</b>	<b>DATE</b>
------------------	-------------

TZ Landscaping, LLC Frank Cservenyak	6/17/2019
---	-----------

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
-------------	-----	-----------------	------------

EcoCAT Consultation	\$ 125.00	\$ 2.94	\$ 127.94
---------------------	-----------	---------	-----------

<input type="checkbox"/>	<b>TOTAL PAID</b>	<b>\$ 127.94</b>
--------------------------	-------------------	------------------

Illinois Department of Natural Resources  
 One Natural Resources Way  
 Springfield, IL 62702  
 217-785-5500  
[dnr.ecocat@illinois.gov](mailto:dnr.ecocat@illinois.gov)

Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

*That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare.* The storage of landscaping material in the existing barns and garage on the premises will not be detrimental to public health, safety, morals, comfort, or general welfare. Further, trucks are stored on the premises after business hours which will also not cause disruption.

*That the special use will not be substantially injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole.*

The special use will have no negative affect on the use and enjoyment of other properties or diminish or impair property values. The use is an existing use and the business has operated on the property for 7 years. The proposed use will comply with all code requirements and does not adversely impact adjacent uses or properties.

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

All utilities are adequate and access roads and points of ingress and egress are not impaired. All drainage is provided for. Emergency vehicles have access to and from the property.

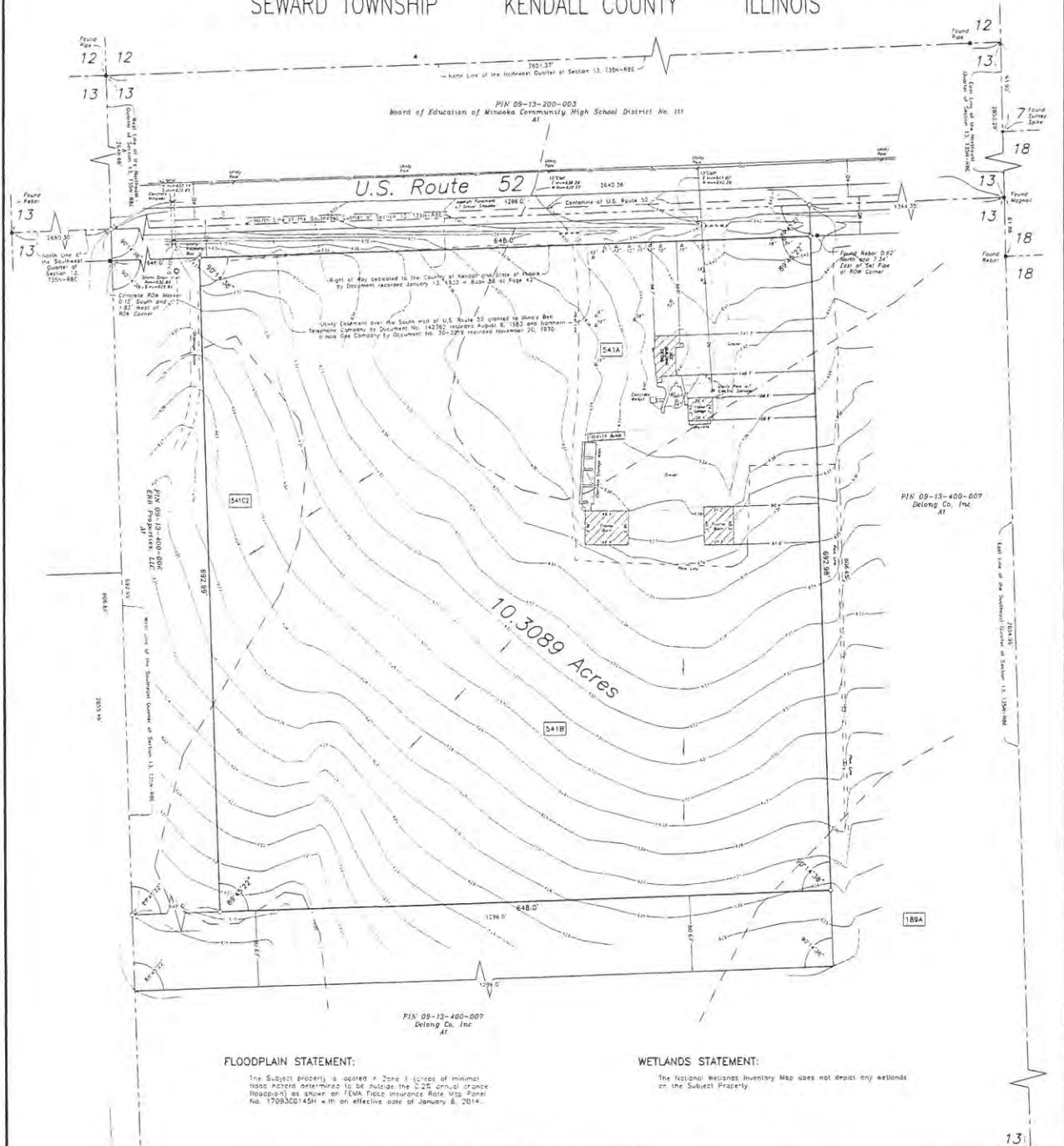
*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals* The special use conforms to the application regulations of the district. The property is zoned

A-1 and the applicant requests to use the barn and storage for landscaping material and to allow trucks on the premises.

*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.*

The special use is in line with the purpose and objectives. Applicants will comply with all requirements and policies adopted by the County or other applicable municipal plans.

# ZONING PLAT OF PART OF THE SOUTHEAST QUARTER OF SECTION 13, T35N-R8E, 3rd PM SEWARD TOWNSHIP KENDALL COUNTY ILLINOIS



**FLOODPLAIN STATEMENT:**  
The Subject property is located in Zone X (Areas of minimal flood hazard determined to be outside the 1% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map, Panel No. 1709300145H with an effective date of January 8, 2014.

**WETLANDS STATEMENT:**  
The National Wetlands Inventory Map does not depict any wetlands on the Subject Property.

**DEVELOPER:**  
T.J. Landscaping, LLC  
Thomas and Tyler Zurbene  
1001 Layne Court  
Shorewood, Illinois 60448

**PROPERTY LOCATION:**  
PIN: 09-13-400-006  
278 US Highway 52  
Minooka, Illinois 60447

**AREA TO BE REZONED:**  
10.3089 Acres

**PRESENT ZONING:**  
A-1

**PROPOSED ZONING:**  
A-1, SU



- SCALE 1"=50'**
- Indicates Iron Stake Found
  - Indicates Iron Stake Set
  - Indicates Concrete Right of Way Monument
  - Indicates Line of Fence
  - Indicates Overhead Utilities
  - Indicates Soil's Boundary
  - Indicates Tree Location and Diameter
  - Indicates Spot Elevation
  - Indicates Contour Elevation
  - Indicates Direction of Flow

**LEGAL DESCRIPTION OF TRACT TO BE REZONED:**  
The East half of the North 80.665 feet of the West 1296.0 feet of the Southeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian, EXCEPT the South 80.67 feet thereof, in Kendall County, Illinois.

**SOILS (From Web Soil Survey)**

188A	Marion Soil Loam, 0%-2% slopes
S41A	Graymont Silt Loam, 0%-2% slopes
S41B	Graymont Silt Loam, 2%-5% slopes
S41C	Graymont Silt Loam, 5%-10% slopes, eroded



PIN: 09-13-400-006

June 13, 2019

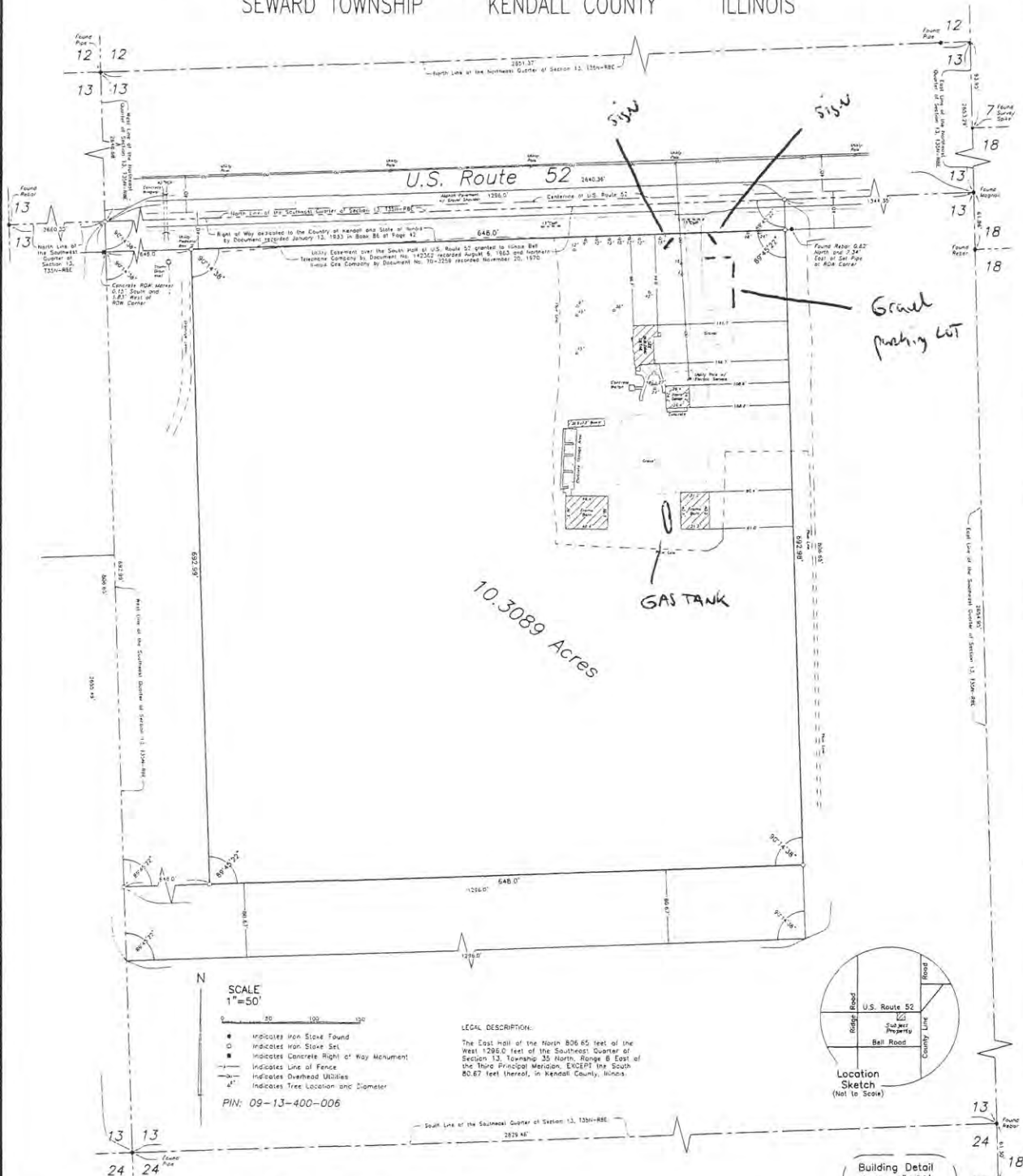
JOB NO.	19100
JOB NAME	ERB PROPERTIES
DWG FILE	19100S
REVISION DATE	

**Phillip D. Young and Associates, Inc.**  
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street  
Yorkville, Illinois 60560  
Telephone (630)553-1580

# Attachment 1, Page 21

## ALTA/ACSM LAND TITLE SURVEY PART OF THE SOUTHEAST QUARTER OF SECTION 13, T35N-R8E, 3rd PM SEWARD TOWNSHIP KENDALL COUNTY ILLINOIS



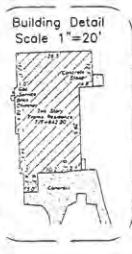
SCALE  
1"=50'

0 50 100 150

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Concrete Right of Way Monument
- Indicates Line of fence
- Indicates Overhead Utilities
- ⊙ Indicates Tree Location and Diameter

PIN: 09-13-400-006

LEGAL DESCRIPTION:  
The East half of the North 80.65 feet of the West 1296.0 feet of the Southeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian, EXCEPT the South 80.67 feet thereof, in Kendall County, Illinois.



State of Illinois ) SS  
County of Kendall )  
To: ERB Properties, LLC  
Thomas and Tyler Zurlene  
Chicago Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standards Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 7(a), 8, 9, and 11 of Table A thereof. The field work was completed on May 22, 2019.

Dated June 13, 2019 at Yorkville, Illinois

Phillip D. Young  
Illinois Professional Land Surveyor No. 2676 (Expires 11/30/20)

- SURVEYOR'S NOTES:
- Regarding Item 2 of Table A: The Subject Property is commonly known as 276 US Highway 52, Minooka, Illinois 60447.
  - Regarding Item 3 of Table A: The Subject Property is located within Zone B (Areas of minimal flood hazard determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map No. 17093C0145B with an effective date of January 8, 2014.
  - Regarding Item 4 of Table A: The area of the Subject Property is 445.055 sq./ft. (= 10.3086 acres).
  - Regarding Item 6(a) of Table A: The Subject Property has Kendall County Zoning A-1 (Agricultural District). No Zoning Report or Letter was furnished to the Surveyor.
  - Regarding Item 9 of Table A: There are no striped parking spaces on the Subject Property.
  - Regarding Item 11 of Table A: Underground utilities shown are based on surface improvements. The Surveyor will not be held responsible for the location of underground utilities.
  - The assessments shown are those shown on the recorded plat of subdivision and/or Chicago Title Insurance Company Commitment No. A43257-1900390 with an effective date of May 2016 and a printing date of May 29, 2019 transmitted from the Client to the Surveyor.
  - Stensora Oil Company, Pipeline established in a Document recorded January 6, 1947 in Book 102 at Page 403, lay approximately 1300 feet Southwest of the Subject Property.

JOB NO.	15100
JOB NAME	ERB PROPERTIES
DWG FILE	15100A
REVISION DATE	

Phillip D. Young and Associates, Inc.  
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street  
Yorkville, Illinois 60560  
Telephone (630)553-1580





THOUSANDS OF ACRES SOLD

**Barrett & Brummel**  
Farmland & Commercial Real Estate

MARK J. BRUMMEL  
Broker

Mobile: (312) 470-2200  
Office/Fax: (312) 943-9999  
Website: [barrettbrummel.com](http://barrettbrummel.com)  
Email: [mjbrummel@barrett.com](mailto:mjbrummel@barrett.com)

map center: 41° 30' 45.06, -88° 15' 38.1

0ft 210ft 420ft

**13-35N-8E**  
**Kendall County**  
**Illinois**



4/14/2019

Maps Provided By:

**surety**  
CUSTOMIZED ONLINE MAPPING

© AgriData, Inc. 2019 [www.AgrIDataInc.com](http://www.AgrIDataInc.com)

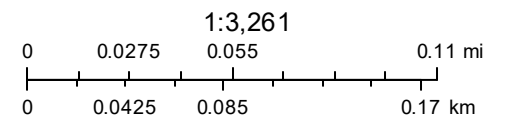
Field borders provided by Farm Service Agency as of 5/21/2008. Soils data provided by University of Illinois at Champaign-Urbana.





June 20, 2019

- |              |              |              |
|--------------|--------------|--------------|
| — Arrow 100  | — FromTo 400 | — Tip 100    |
| — Arrow 400  | — Hook 100   | — Tip 400    |
| — FromTo 100 | — Hook 400   | — Road Names |





































Attachment 11 Looking East





**Chrissie\_Kelley**

---

**From:** Chrissie\_Kelley  
**Sent:** Tuesday, July 2, 2019 8:31 AM  
**To:** Matt Asselmeier  
**Subject:** RE: Kendall County Zoning Petition 19-26

**Importance:** High

Matt,

In response to the submitted request for a Special Use to operate a Landscape Business at 276 Route 52, I offer the following:

1. While the Village's Future Land Use Plan calls for Commercial uses on the subject property, this use is industrial in nature as it is essentially a storage yard. They do not have employees onsite and they do not even have access to the house for restroom facilities. This use would be considered Business Park use in our Future Land Use Plan. As such, we are opposed to granting the Special Use as it is inconsistent with our Comprehensive Plan.
2. Per Kendall County's regulations, the operation of a business should be within an enclosed building. If this Special Use is granted with the ability to store materials outside, the Village would recommend installation of an 8-foot tall privacy fence to screen the storage of all materials stored outside.
3. The existing property lacks proper maintenance. For example, there is a large hole in the roof of the eastern barn and other dilapidation of the structures can be seen in the photographs. In fact, as a way to compensate for the lack of maintenance, the business has put at least one cargo container onsite. Additionally, there is a brush pile and other piles of debris throughout the property. The application states that this property has been occupied by the business for seven years but it appears that the property has been allowed to fall into disrepair. If this Special Use is granted, we would recommend that these property maintenance issues be addressed as a condition of approval.
4. It appears that there has been impervious area added since the business began operating at this location. If the Special Use were granted, the Village recommends evaluating the amount of impervious that has been added already plus the addition of compacted gravel for the parking lot to determine if detention or BMPs would be needed.
5. A double-sided sign could serve the purpose of creating exposure for the business from both directions on Route 52. The Village would oppose granting a variance for two signs, as no hardship has been presented.

In summary, the Village opposes granting the Special Use for a landscape storage yard at the subject property. However, if the County were to approve the Special Use, the Village recommends the following conditions: 1) install an 8-foot tall privacy fence to fully screen the materials being stored outside; 2) properly maintain the existing structures and clean up the debris on the property; and 3) ensure adequate stormwater management of existing and proposed impervious area. With regard to the sign variance, the Village opposes erecting two signs when a double-sided sign can serve the same purpose.

Please let me know if I can offer any clarifications.

Regards,

Kelley Chrissie, AICP  
*Economic Development Director*



Village of Shorewood

**Matt Asselmeier**

---

**From:** Schwarz, Michael <mschwarz@jolietcity.org>  
**Sent:** Monday, June 24, 2019 4:02 PM  
**To:** Matt Asselmeier  
**Cc:** Jackson, Kendall B; Torri, James N; Bernhard, Jayne; Miller, Helen; dlambert@vil.shorewood.il.us; kchrisse@vil.shorewood.il.us  
**Subject:** [External]RE: Kendall County Zoning Petition 19-26  
**Attachments:** Joliet-Shorewood Boundary Agreement Map.pdf; Ord. No. 16866.pdf

Matt,

Thank you for providing the attached notice of the proposed Kendall County Zoning Petition 19-26: Edward and Robert Baltz, on behalf of Erb Properties, LLC, and Thomas and Tyler Zurliene, on behalf of TZ Landscaping, LLC requesting an A-1 Special Use to operate a landscaping business, Outdoorscapes, Inc., at the subject property.

Although the subject property is located with 1.5-miles of the City of Joliet, the subject property is located outside of the City's extraterritorial planning area pursuant to the Joliet-Shorewood boundary agreement. The subject property is located on the Shorewood side of mutual planning boundary in this area, which extends from east to west along the a line located one-half mile north of and generally parallel to US Route 52 between County Line Road and Brisbin Road (IGA and map attached). Although the Joliet-Shorewood Boundary Agreement expired in 2014, City staff will honor the previous planning boundary line until a new boundary agreement is established. We do encourage Kendall County to carefully consider any potential impacts that the use may have on the watersheds in this area.

Please feel free to contact me if you have any questions or require additional information.

Sincerely,  
Mike

Michael J. Schwarz, AICP  
Planning Director  
City of Joliet, Planning Division  
150 W. Jefferson St.  
Joliet, IL 60432  
Phone: (815) 724-4041  
Email: [mschwarz@jolietcity.org](mailto:mschwarz@jolietcity.org)

**From:** Matt Asselmeier [mailto:[masselmeier@co.kendall.il.us](mailto:masselmeier@co.kendall.il.us)]  
**Sent:** Monday, June 24, 2019 3:13 PM  
**To:** Anne Vickery <[home4728@gmail.com](mailto:home4728@gmail.com)>; Jean Homerding (Seward Township) <[home1519@yahoo.com](mailto:home1519@yahoo.com)>; Jessica Nelsen (Seward Township Plan Commission) <[Jessicanelsen73@yahoo.com](mailto:Jessicanelsen73@yahoo.com)>; scasey1948@sbcglobal.net (Seward Planning Commission) <[scasey1948@sbcglobal.net](mailto:scasey1948@sbcglobal.net)>; Sharleen Smith (Seward Township Clerk) <[sharleensmith7@gmail.com](mailto:sharleensmith7@gmail.com)>; Al Yancey <[yanceya@minookafire.com](mailto:yanceya@minookafire.com)>; Schwarz, Michael <[mschwarz@jolietcity.org](mailto:mschwarz@jolietcity.org)>; City Clerk <[cityclerk@jolietcity.org](mailto:cityclerk@jolietcity.org)>; dlambert@vil.shorewood.il.us; kchrisse@vil.shorewood.il.us  
**Subject:** Kendall County Zoning Petition 19-26

To All:

Kendall County received a request for a special use permit for a landscaping business at 276 Route 52 in Seward Township.



**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
July 2, 2019 – Unapproved Meeting Minutes**

PBZ Committee Chairman Matthew Prochaska called the meeting to order at 9:01 a.m.

Present:

Megan Andrews – Soil and Water Conservation District  
Matt Asselmeier – PBZ Department  
Meagan Briganti – GIS  
David Guritz – Forest Preserve  
Commander Jason Langston – Sheriff's Department  
Aaron Rybski – Health Department  
Matthew Prochaska – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC  
Brian Holdiman – PBZ Department  
Fran Klaas – Highway Department

Audience:

Mr. Zurliene and Lorien Schoenstedt

**AGENDA**

Mr. Rybski made a motion, seconded by Ms. Andrews, to approve the agenda as presented. With a voice vote of all ayes, the motion carried unanimously.

**MINUTES**

Ms. Andrews made a motion, seconded by Mr. Guritz, to approve the April 2, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

**PETITIONS**

**Petition 19-25 Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner) and Pulte Group (Billboard Owner)**

Mr. Asselmeier summarized the request.

In December 2004, through Ordinance 2004-43, the Kendall County Board approved a special use permit for the placement of an off-premise advertising sign at the subject property. The special use permit was renewed in 2017 through Ordinance 2017-14. Restriction Number 1 of the special use permit and Section 12.06.A.4 require the owner to either remove the sign or to renew the special use permit every two (2) years.

The property is located at the southeast corner of Route 34 and Hafenrichter (Farnsworth) in Oswego Township.

The property is approximately forty-three (43) acres in size.

The property is zoned M-2 with a special use permit for a billboard.

The County's Land Resource Management Plan calls for the property to be residential and the City of Aurora's Comprehensive Plan calls for the property to be commercial.

Route 34 is a State maintained highway and Hafenrichter is a local road maintained by Oswego Township. The City of Aurora has a trail planned along Hafenrichter.

There are no floodplains or wetlands in the area.

The adjacent land uses are industrial, commercial, residential, and agricultural. The zoning in the area is a mix of residential, commercial, and industrial. The future land uses in the area are also residential, commercial, and industrial.

The endangered species report was not required.

The NRI was not required.

Petition information was sent to Oswego Township on June 19, 2019, and the Oswego Township Highway Department had not objections.

Petition information was sent to the City of Aurora on June 19, 2019, and they had no objections.

Petition information was sent to Oswego Fire Protection District on June 19, 2019.

The sign is twelve feet by sixteen feet (12' X 16') in size. There will be fourteen feet (14') from the ground to the top of the sign.

The petitioner desires to renew the special use permit awarded by Ordinance 2004-43 and renewed by Ordinance 2017-14 with no changes in restrictions.

The restrictions imposed by Ordinance 2017-14 include:

1. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
2. The sign will not be illuminated.
3. The advertising on the sign is restricted to Pulte Group's residential development.
4. The special use permit awarded by Ordinance 2004-43 to the property identified by Parcel ID Number 03-01-127-004 for an off-premise advertising structure is revoked with the adoption of this ordinance.
5. The owners of the off-premise advertising structure allowed by this special use permit shall obtain a building permit for the structure.
6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
9. The appearance of the signs were included as Exhibits A and B in Ordinance 2017-14.

Pursuant to Section 12.06.A.4, real estate and development signs may be located offsite for a period not to exceed two (2) years, provided a special use permit is issued.

Since the sign is pre-existing, a building permit would not be required.

Access from an adjacent road is not applicable.

A trail is planned along Hafenrichter. However, the City of Aurora has not previously requested a right-of-way dedication.

Parking regulations are not applicable.

The sign will not be illuminated.

Screening regulations are not applicable.

No portion of the property is in a flood area and no wetlands exist on the property. No stormwater issues are anticipated by the proposal.

No easements are believed to be impacted by the proposed sign.

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 that the sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.

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. True, the proposed special use will not negatively impact adjoining properties.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.

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. True, the proposed special use shall conform to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed special use is consistent with the purposes and objectives of the Land Resource Management Plan.

If approved, Staff recommends the following conditions be included in the approving special use ordinance:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.
2. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.
3. The sign will not be illuminated.
4. The advertising on the sign is restricted to Pulte Group's residential development.
5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.
6. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Mr. Guritz made a motion, seconded by Ms. Andrews, to recommend approval of renewing the special use permit as requested subject to the conditions proposed by Staff.

Ayes (7): Andrews, Asselmeier, Briganti, Guritz, Langston, Rybski, and Prochaska  
Nays (0): None  
Present (0): None  
Absent (3): Chismark, Holdiman, and Klaas

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on July 24, 2019.

**Petition 19-26 Edward Baltz and Robert Baltz on Behalf of Erb Properties, LLC (Owner) and Thomas Zurliene and Tyler Zurliene on Behalf of TZ Landscaping (Tenant)**

Mr. Asselmeier summarized the request.

Edward and Robert Baltz, on behalf of Erb Properties, LLC, and Thomas and Tyler Zurliene, on behalf of TZ Landscaping, LLC are requesting an A-1 Special Use to operate a landscaping business, Outdoorscapes, Inc., at the subject property located at 276 Route 52 in Seward Township.

In January 2019, a complaint was filed with the Planning, Building and Zoning Department that a landscaping business was operating at the subject property without a special use permit. The Petitioners desire to lawfully operate a landscaping business at the subject property.

TZ Landscaping, LLC wants to purchase the property from the current owners. The landscaping business currently does not have access to the house on the property.

The property is approximately twenty-two (22) acres in size and the landscaping business operates on approximately eleven (11) of those acres.

The property is zoned A-1 and is used as an agricultural/farmstead. The future land use of the property is commercial.

Route 52 is a State maintained highway. The City of Joliet has a trail planned along Route 52.

No floodplains or wetlands are present.

The adjacent land uses and zoning classifications are agricultural, with residential uses planned in the future.

A new Minooka School District High School was planned at the northeast corner of Route 52 and Line Road.

The A-1 SU to the east is for fertilizer sales and storage and the A-1 SU to the west is probably for an airstrip.

The EcoCAT Report was submitted and consultation was terminated.

The Natural Resource Inventory application was submitted on June 17, 2019.

Petition information was sent to Seward Township on June 24, 2019.

Petition information was sent to the Village of Shorewood on June 24, 2019. On July 2, 2019, the Village of Shorewood submitted objections to the proposal. They requested an eight foot (8') tall privacy fence to fully screen the materials stored outdoors, properly maintain the existing structures and cleanup debris, and ensure adequate stormwater management of existing and impervious surfaces. The Village opposed any variances to the sign ordinance.

Petition information was sent to the City of Joliet on June 24, 2019. They declined to submit comments per their boundary agreement with the Village of Shorewood.

Petition information was sent to the Minooka Fire Protection District on June 24, 2019.

According to the information provided to the County, TZ Landscaping, LLC will use the existing barns and garage on the subject property. They will store landscaping materials, including mulch, rock, and gravel on the property outside on the property. The company's trucks will be stored on the property after business hours inside one (1) of the two (2) buildings.

TZ Landscaping, LLC currently has two (2) owners and eight (8) full-time employees. These employees work part-time during the winter season. The number of employees could expand to fifteen (15) in the next five (5) years if the business grows as anticipated. No office personnel or sales employees shall report to the property for work related to the proposed use.

The hours of operation are 6:00 a.m. until 8:00 p.m., Monday through Saturday between April and November. The business is on-call twenty-four (24) hours per day every day between December and March.

TZ Landscaping, LLC has been in business for seven (7) years with customers in Shorewood, Minooka, Channahon, Joliet, and Plainfield.

Since the buildings are going to be used for storage and not repair of vehicles or office operations, no change in occupancy is required.

TZ Landscaping, LLC does not use the house that is currently on the property. There are no other sources of water on the property and no bathroom facilities outside of the house. Employees would have to go offsite for bathroom facilities. No customers are planned to come onto the property.

The property fronts Route 52.

The City of Joliet's plans call for a trail along Route 52.

The site plan shows parking east of the existing house. This parking area will need to be moved at further south to comply with the one hundred fifty foot (150') setback requirement in the A-1 Zoning District. The parking area will be gravel. No customers will come to the property.

Currently, one (1) pole light and one (1) exterior barn light are located on the property. No additional lighting was proposed.

According to the site plan, two (2) signs are proposed. Per Section 12.08.A of the Kendall County Zoning Ordinance, only one (1) non-illuminated sign is allowed on the property. The sign can be a maximum of thirty-two (32) square feet. If the Petitioners desire more than one (1) sign, a variance will be required.

No berming or fencing is planned. Because the Petitioner plans to store materials outdoors, discussion will be needed regarding berming.

The property drains to the southwest of the proposed business operations.

Mr. Asselmeier asked why a sign variance was necessary. Mr. Zurliene responded the variance was needed to increase visibility of the business. Mr. Zurliene clarified that they did not want two (2) signs and will use a double-faced sign. He verbally withdrew the sign variance request.

Mr. Guritz questioned the parking location in relation to the road. Mr. Zurliene stated that parking lot will be relocated to meet regulations, with a fence and berming.

Mr. Asselmeier asked about the location of berming. Mr. Zurliene said berming will be placed along the front to block visibility from Route 52. Mr. Zurliene said they would construct a two to three foot (2'-3') berm with a fence on top of the berm, if a fence is required.

Mr. Asselmeier asked about runoff control and advised Mr. Zurliene to careful consider which restrictions he approves.

Mr. Rybski asked about new parking areas. Mr. Zurliene said the parking area will be moved to comply with the Zoning Ordinance.

Mr. Rybski asked if the location of the septic system was known. Mr. Rybski advised Mr. Zurliene to located the septic system. Mr. Rybski advised that the water well be protected.

Mr. Rybski advised that landscaping material cannot be hauled onto the site and burned.

Ms. Andrews said that the Kendall County Soil and Water Conservation District is working on the NRI Report.

The consensus of the Committee was to forward the proposal to the Kendall County Regional Planning Commission provided that the septic field is located, the sign variance request is withdrawn, and the berm height and fencing is determined.

Ayes (7): Andrews, Asselmeier, Briganti, Guritz, Langston, Rybski, and Prochaska  
Nays (0): None  
Present (0): None  
Absent (3): Chismark, Holdiman, and Klaas

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on July 24, 2019.

#### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier reported that Petition 17-28, pertaining to the Kendall County gun range zoning regulations, was approved by the County Board and provided a summary of the regulations.

Mr. Asselmeier reported that Petition 19-07, pertaining to the parking and storage of mobile homes, trailers, and RVs, was withdrawn by the Planning, Building and Zoning Committee.

Mr. Asselmeier reported that Petition 19-08, pertaining to a rezoning on property east of 8225 Galena Road, was approved.

Mr. Asselmeier reported that Petition 19-13, pertaining to research and development home occupations, was rejected at the County Board, but could be considered again in the future.

**OLD BUSINESS/NEW BUSINESS**

Mr. Asselmeier reported that someone wants to build a house at the corner of Sheridan Road and Route 71 and a change to the Land Resource Management Plan and a rezoning are required in order to permit the construction of a house at that location.

Mr. Asselmeier reported that he is reviewing the changes to the Zoning Ordinance identified by Teska Associates.

Mr. Asselmeier reported that the Department is waiting on guidance from the County Board regarding recreational marijuana zoning regulations.

**CORRESPONDENCE**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Mr. Guritz made a motion, seconded by Mr. Langston to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:25 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner