

KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE MEETING
111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179
SPECIAL AGENDA

Tuesday, June 18, 2019 – 10:00 a.m.

CALL TO ORDER:

ROLL CALL: Elizabeth Flowers, Judy Gilmour, Matt Kellogg (Vice-Chairman), Matthew Prochaska (Chairman), and One Vacancy

APPROVAL OF AGENDA:

PUBLIC COMMENT:

PETITION:

1. **19 – 24 – Phil Edwards on Behalf of the Philip A. Edwards Trust (Pages 2-10)**
Request: Amendment to the Site Plan of the Special Use Permit for a Landscaping Business Granted by Ordinance 2001-15 to Allow for the Construction of an Addition to an Approved Existing Building
PIN: 03-01-351-008
Location: 997 Harvey Road in Oswego Township
Purpose: Petitioner Wishes to Construct a 39'X60' Addition to an Approved Existing Building; Property is Zoned A-1

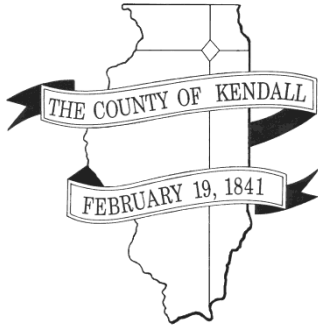
CORRESPONDENCE:

PUBLIC COMMENT:

COMMENTS FROM THE PRESS:

ADJOURNMENT:

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.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

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Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: June 13, 2019
Re: Petition 19-24 Request from Phil Edwards on Behalf of the Philip A. Edwards Trust for a Minor Amendment to a Special Use Permit for a Landscaping Business at 997 Harvey Road (PIN 03-01-351-008) in Oswego Township

On June 7, 2019, Phil Edwards, on behalf of the Philip A. Edwards Trust, submitted an application to construct a thirty-nine foot by sixty foot (39'X60') addition to one of this buildings at 997 Harvey Road. A redacted copy of the Petitioner's building permit application and an aerial of the property are attached to this memo.

In May 2001, the Kendall County Board granted the Petitioner a special use permit for a landscaping business at this property through Ordinance 2001-15. This special use permit was issued prior to the Kendall County Board establishing general rules for amending special use permits. Per condition #4 of Ordinance 2001-15, "any alteration or expansion of the special use, including new building construction, shall require review and approval by the PBZ Committee." Therefore, the only approval required for this amendment is approval by the Planning, Building and Zoning Committee.

If approved, the Petitioner intends to use the addition as a shop building.

If you have any questions regarding this memo, please let me know.

MHA

ENCs: Redacted Application
Aerial
Ordinance 2001-15

**AGRICULTURAL EXEMPT STRUCTURE
ZONING CERTIFICATE & AFFIDAVIT**

RECEIVED
MAY 10 2019
KENDALL COUNTY
PLANNING, BUILDING
& ZONING

An applicant may choose to request an "agricultural exemption" for buildings and structures to be used for agricultural purposes. All buildings and structures, however, must comply with the setback requirements. Each applicant must submit 3 copies of their Plat of Survey or comparable drawing no larger than 11x17", to show the locations of existing and planned structures, the property boundaries, roads, flood plains, waterways and other features which affect the location of the proposed structure prior to beginning construction. The Planning, Building and Zoning Department performs no inspections on an ag-exempt structure and does not issue a Certificate of Occupancy for an ag-exempt structure. We recommend that you check with your lender and insurance carrier to determine whether either or both require a Certificate of Occupancy.

DATE: 6-7-19 PERMIT: _____

OWNER:
Name PIKLEDWARDS Telephone [REDACTED]
Address 997 HARVEY RD
City OSWEGO Zip 60543

SITE: Address/Location 997 HARVEY RD OSWEGO 60543
Tax P.I.N. 03-01-351-008 Zoning AG Number of Acres 14.1
Land Use AG SPECIAL USE A-1-SU
Number of existing buildings on site 4

PROJECT:
Use of proposed building SUB BUILDING ADDITION
Size of proposed building 39x60'
Estimated Cost of Construction 50,000

OTHER RELATED PERMITS:
Well & Septic # _____
Culvert # _____ Site Development# _____ Demolition# _____
Address Assignment \$ _____ Date Paid _____ Ck# _____
Land Cash \$ _____ Date Paid _____ Ck.# _____

AFFIDAVIT:
I, PIKLEDWARDS, being first duly sworn upon oath, deposes and says:

1. That this affiant is the owner of record of the following described or identified real estate, to wit:
Parcel # 03-01-351-008
2. That the proposed structure will be used for agricultural purposes as defined in the Kendall County Zoning Ordinance and Illinois statutes.
3. That the affiant understands and agrees to the terms and conditions of this application.

OFFICIAL SIGNATURE OF OWNER
PAMELA A HERNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 02/01/23

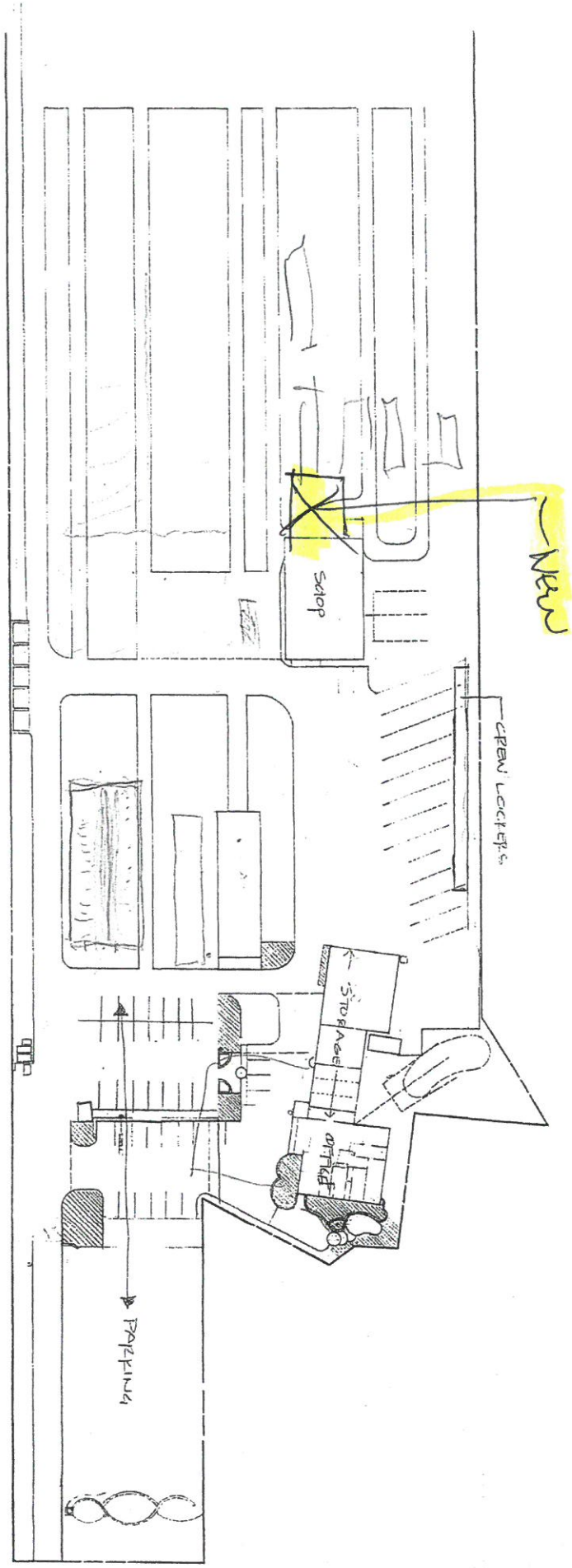
Subscribed and sworn to before me
this 10th day of MAY, 2019

Notary Public

***** **FOR OFFICE USE ONLY** *****
Flood Plain Panel 1709300596 Flood Zone X Elevation Certificate Required NO
Inspected By _____ Approved By _____
Zoning Conditions SU 01-15

Kendall County * Planning, Building & Zoning Department
111 W. Fox Street, Yorkville, IL. 60560 (630) 553-4141

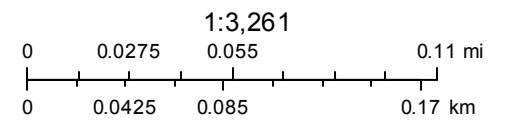
New home permits are valid for one (1) year or the date of expiration of the well and septic permit, whichever is sooner. Non-dwelling permits are valid for one (1) year.





June 13, 2019

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



Kendal County Illinois GIS

03-01-351-005
03-02-400-006

ORDINANCE NUMBER 2001- 15

SPECIAL USE ORDINANCE
997 HARVEY ROAD

WHEREAS, Phil Edwards filed a petition for a Special Use within the A-1 District, for property located at 997 Harvey Road in Oswego Township; and

WHEREAS, the petitioner wishes to operate a Landscaping Business, with one illuminated sign; and

WHEREAS, said petition may be permitted via a Special Use as provided in Section 7.01 D. 26. of the Kendall County Zoning Ordinance; and

WHEREAS, said property is zoned A-1 Agricultural District; and

WHEREAS, said property to be covered by Special Use ordinance is legally described in Exhibit "A"; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed, including notice for public hearing, preparation of the findings of fact; 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 zoning for a Landscaping Business with the following conditions:


1. The use of the property shall be a Special Use for a nursery, greenhouse, and landscaping business, and only those uses carried out on-site currently and in the past, as well as normally permitted A-1 uses, may be allowed, with the exception that one illuminated sign shall be allowed; and
2. This revised Special Use will only cover those parcels currently owned and used by Twin Oaks Landscaping, and legally described in Exhibit "A"; and
3. The portion of the original special use area which is not currently owned and used by Twin Oaks Landscaping is hereby rescinded; and
4. Any alteration or expansion of the special use, including new building construction, shall require review and approval by the PBZ Committee; and
5. The special use shall subject to site plan, attached as Exhibit "B".

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

State of Illinois
County of Kendall


Zoning Petition
#0108

IN WITNESS OF, this ordinance has been enacted on May 15, 2001.



John A. Church
Kendall County Board Chairman

Attest:



Paul Anderson
Kendall County Clerk

EXHIBIT "A"

That part of the Southwest Quarter of Section 1 and part of the Southeast Quarter of Section 2, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of said Southwest Quarter; thence easterly along the South line of said Southwest Quarter 718.60 feet; thence northerly along a line which forms an angle of $89^{\circ}52'00''$ with said south line, measured from east to north, 334.00 feet for a point of beginning; thence easterly, parallel with said south line, 271.52 feet to an iron stake monumenting an angle point in the south line of lands owned by the Lincoln Highway Cemetery Company; thence northeasterly along a line which forms an angle of $157^{\circ}20'00''$ with the last described course, measured clockwise therefrom, 60.60 feet; thence southerly along a line which forms an angle of $60^{\circ}00'00''$ with the last described course, measured counter-clockwise therefrom, 87.58 feet; thence easterly at right angles to the last described course, 90.0 feet to an angle point in the westerly line of a tract of land conveyed to James D. and Betty A. Meyers by a warranty deed dated February 7, 1974 and recorded February 27, 1974 as Document No. 74-778; thence southerly along a west line of said tract, which forms an angle of $102^{\circ}45'00''$ with the last described course, measured counter-clockwise therefrom, 28.28 feet to the southwest corner of said tract; thence southeasterly along a line which forms an angle of $167^{\circ}37'55''$ with the last described course, measured clockwise therefrom, 20.00 feet to the westernmost northwest corner of a tract of land conveyed to James B. and Nancy L. Ingraham by a Trustee's Deed recorded May 12, 1987 as Document 872808; thence southwesterly along a west line of said tract which forms an angle of $217^{\circ}47'05''$ with the last described course, measured clockwise therefrom, 94.50 feet to the southwest corner thereof; thence easterly, parallel with the south line of said Southwest Quarter, being along a line which forms an angle of $70^{\circ}00'00''$ with the last described course, measured clockwise therefrom, 240.00 feet to the center line of Harvey Road; thence southerly along said center line, which forms an angle of $89^{\circ}57'51''$ with the last described course, measured counter-clockwise therefrom, 123.0 feet to the south line of said Southwest Quarter; thence westerly along said south line, which forms an angle of $90^{\circ}02'09''$ with the last described course, measured counter-clockwise therefrom, 1,341.29 feet to the southwest corner of said Southwest Quarter; thence westerly along the south line of said Southeast Quarter, which forms an angle of $179^{\circ}54'11''$ with the last described course, measured clockwise therefrom, 575.00 feet; thence northerly, parallel with the east line of said Southeast Quarter, being along a line which forms an angle of $89^{\circ}41'49''$ with the last described course, measured counter-clockwise therefrom, 334.0 feet; thence easterly, along a line which forms an angle of $90^{\circ}14'58''$ with the last described course, measured counter-clockwise therefrom a distance of 1,293.18 feet to the point of beginning in Oswego Township, Kendall County, Illinois.

