



Kendall County Agenda Briefing

Meeting Type: Planning, Building and Zoning
Meeting Date: 7/8/2024
Subject: Approval of Petition 24-12, Conditional Use Permit for a Roofing Contractor with No Outdoor Storage at the Property between 276 and 514 Route 52
Prepared by: Matthew H. Asselmeier, AICP, CFM
Department: Planning, Building and Zoning

Action Requested:

Approval of Petition 24-12, a Request from James W. Filotto on Behalf of Oakland Avenue Storage, LLC for a Conditional Use Permit to Operate a Construction/Contractor's Business at the Property Between 276 and 514 Route 52 (PIN: 09-13-400-011) in Seward Township

Previous Board/Committee Review:

N/A

Fiscal impact:

N/A

Background and Discussion:

The Petitioner would like to rezone the property to operate a contractor's office or shop (roofing contractor) where no fabrication is done on the premises and where all storage of materials and equipment is within a building. (See Petition 24-11 for the Rezoning Request)

Staff Recommendation:

Approval Subject to the Following Conditions:

1. This conditional use permit shall not become effective unless or until the subject property is rezoned to the B-3 Highway Business District.
2. No fabrication of materials occurs on the premises.
3. Except for the purposes of loading and unloading, all materials and equipment is stored within a building.
4. The property owner and owner of the use allowed by this conditional use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use and development of the site, including, but not limited to, obtaining site plan approval as required by the Kendall County Zoning Ordinance.

5. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the conditional use permit.
6. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
7. This conditional use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same use conducted on the property.

Attachments:

Draft Conditional Use Permit



PLANNING, BUILDING & ZONING DEPARTMENT

111 WEST FOX STREET - ROOM 203 YORKVILLE, ILLINOIS 60560-1498

630/553-4141 • FAX 630/553-4179

www.kendallcountyil.gov

July 9, 2024

James W. Filotto (Sent by Email to Michael Korst)
Oakland Avenue Storage, LLC



RE: *B-3 Conditional Use-Contractor's Office or Shop (Roofing Contractor) Where No Fabrication is Done on the Premises and Where All Storage of Materials and Equipment is Within a Building (PIN # 09-13-400-011)*

Petition #24-12

Dear James W. Filotto:

This letter serves as a copy of the approved B-3 Conditional Use for a Contractor's Office or Shop (Roof Contractor) where no fabrication done on the premises and where all storage of materials and equipment is within a building for the property located between 276 and 514 Route 52, on the south side of Route 52, Minooka, identified by parcel identification number 09-13-400-011 in Seward Township. The B-3 Conditional Use applies specifically to the property described in attached Exhibit A.

At their meeting on July 8, 2024, the Kendall County Planning, Building and Zoning Committee approved the issuance of the conditional use permit subject to the following conditions:

1. This conditional use permit shall not become effective unless or until the subject property is rezoned to the B-3 Highway Business District.
2. No fabrication of materials occurs on the premises.
3. Except for the purposes of loading and unloading, all materials and equipment is stored within a building.
4. The property owner and owner of the use allowed by this conditional use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use and development of the site, including, but not limited to, obtaining site plan approval as required by the Kendall County Zoning Ordinance.
5. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the conditional use permit.
6. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
7. This conditional use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same use conducted on the property.

This conditional use is valid indefinitely and will run with the land. At the time of application for the building permit and Health Department permits, the applicant will be required to supply a copy of this letter with the applications.

Should you have any questions or concerns about this matter, please feel free to contact me at (630) 553-4139.

Sincerely,

Seth Wormley
PBZ Chairman

Matthew H. Asselmeier, AICP, CFM
Director of Planning, Building and Zoning/ Zoning Administrator

CC: Brian Holdiman, Code Inspector
Aaron Rybski, Director of Environmental Health

ENC: Exhibit A Legal Description

Exhibit A

THE WEST HALF OF THE NORTH 806.65 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

PIN; 09-13-400-011