

ORDINANCE # 2015- 04

**AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE  
TO BEE KEEPING IN RESIDENTIAL DISTRICTS!**

*WHEREAS*, Kendall County regulates development under authority of its Zoning Ordinance and related ordinances; and

*WHEREAS*, the Kendall County Board amends these ordinances from time to time in the public interest; and

*WHEREAS*, all administrative procedures for amendments have been followed including a public hearing held before the Kendall County Zoning Board of Appeals on December 8, 2014;

*NOW, THEREFORE, BE IT ORDAINED*, the Kendall County Board hereby amends Sections 8.02.B- "R-1 One-family estate residence district- Conditional Uses," Section 8.07.C- "R-2 One-family residence district- Conditional Uses" & 8.08.C- "R-3 One-family residence district- Conditional Uses" of the Kendall County Zoning Ordinance as provided:

Conditional Use in the R-1, R-2 and R-3 Districts

Beekeeping with the following conditions:

- a. Beekeeping and the honey produced from beekeeping shall be for personal use only
- b. Annual permit required with fee of \$50 the first year the permit is issued and \$25 each year after
- c. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
- d. No colony shall be permitted within a front yard setback
- e. All colonies must be setback at least 30' from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5' from the rear or side yard lot line (as long as there is no sidewalk or pathway).
- f. All colonies within 100' of an adjoining home shall require a flyway barrier with a 6' minimum height
- g. All colonies shall require a minimum 4' fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.
- h. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives

notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100' of the adjoining home of objecting property owner.

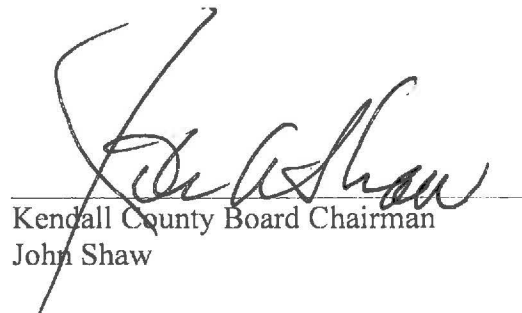
- i. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.
- j. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100' of the residence of the previously objecting property but shall maintain a distance of at least 30' from all property lines at all times unless abutting a right of way in which the colony can be placed with 5' of the property line.
- k. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrator receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.
- l. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.
- m. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.
- n. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.
- o. All approved permits shall comply with the *Bees and Apiaries Act* of Illinois (510 ILCS 20)

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 17<sup>th</sup> day of March, 2015.

Attest:



Kendall County Clerk  
Debbie Gillette



Kendall County Board Chairman  
John Shaw