CALL TO ORDER:

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

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes from June 24, 2019 Special Meeting (Pages 3-18)

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 19-20)

PUBLIC COMMENT:

PETITIONS:
1. 19 – 11 – Mark Caldwell on Behalf of Dickson Valley Ministries (Pages 21-131)
   Requests: Major Amendment to a Special Use Permit Granted by Ordinance 2014-05 Permitting a Youth Camp and Retreat Center at Subject Property by Amending the Approved Site Plan
   PINs: 04-17-100-002, 04-17-300-002, and 04-17-300-007
   Location: 8250 Finnie Road, Fox Township
   Purpose: Petitioner Desire to Amend the Approved Site Plan; Property is Zoned A-1

2. 19 – 12 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis (Pages 132-252)
   Request: Request for a Special Use Permit for a Banquet Center
   PIN: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008
   Location: 10978 Crimmin Road (Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road), Fox Township
   Purpose: Petitioners Wish to Operate a Banquet Center at the Subject Property. Property is Zoned A-1.

NEW BUSINESS:
1. Discussion of Bed and Breakfast and AirBnB Related Zoning Regulations (Pages 253-262)

OLD BUSINESS:
1. Update on 45 Cheyenne Court (Pages 263-264)
2. Zoning Ordinance Project Update
3. Update on Contract with Randy Erickson D.B.A Erickson Construction Plumbing Inspection Services (Page 265)

REVIEW VIOLATION REPORT (Pages 266-272):
1. Approval to Forward to the Kendall County State’s Attorney’s Office a Violation of Section 11.05.A.1.b.ii of the Kendall County Zoning Ordinance (Prohibited Parking of a Trailer in the Front Yard Setback) at 54 Marnel Road (Pages 273-279)

2. Approval to Forward to the Kendall County State’s Attorney’s Office a Violation of Section 11.05.A.1.b.ii of the Kendall County Zoning Ordinance (Prohibited Parking of a Trailer in the Front Yard Setback) at 10 Ashlawn Avenue (Pages 280-288)

REVIEW NON-VIOLATION COMPLAINT REPORT (Page 289):

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

REVIEW PERMIT REPORT (Pages 290-305):

REVIEW REVENUE REPORT (Page 306):

CORRESPONDENCE:

PUBLIC COMMENT:

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

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.
CALL TO ORDER
The meeting was called to order by Chairman Prochaska at 8:00 a.m. Chairman Prochaska led the attendees in the Pledge of Allegiance.

ROLL CALL
Committee Members Present: Scott Gengler, Judy Gilmour, Matt Kellogg (Vice-Chairman), and Matthew Prochaska (Chairman)
Committee Members Absent: Elizabeth Flowers
Also Present: Matt Asselmeier (Senior Planner), Brian Holdiman (Code Compliance Officer), Scott Koeppel (County Administrator), June McCord, and Suzanne Casey

APPROVAL OF AGENDA
Member Gilmour made a motion, seconded by Member Kellogg, to approve the agenda with amendments by moving the Plattville item ahead of New Business and moving the Highgrove stormwater issue to the first item of New Business. With a voice vote of four (4) ayes, the motion carried unanimously.

APPROVAL OF MINUTES
Member Gilmour made a motion, seconded by Member Gengler, to approve the minutes of the June 10 and June 18, 2019, meetings. With a voice vote of four (4) ayes, the motion carried unanimously.

PUBLIC COMMENT:
None

PETITIONS:
None

OLD BUSINESS
Recommendation on Request from the Village of Plattville to Amend Section 2 of the Proposed Intergovernmental Agreement by Deleting the Reference to the Kendall County Comprehensive Plan and Clarification of Costs as Stated in Section 4 of the Proposal
Plattville Village President June McCord requested that the reference that Plattville adopt the County’s Comprehensive Plan be removed from Section 2 of the proposed Intergovernmental Agreement. Plattville previously adopted a Comprehensive Plan and is considering amending their Plan. If the amendment to the Intergovernmental Agreement is approved, the Kendall County Regional Planning Commission, Kendall County Zoning Board of Appeals, and Kendall County Planning, Building and Zoning Department would follow the Village of Plattville’s Comprehensive Plan when making recommendations regarding land uses inside Plattville. Village President McCord was agreeable to the fee requirement listed in Section 4 of the proposed Intergovernmental Agreement.
Member Gilmour made a motion, seconded by Member Gengler, to recommend approval of an amendment to the Intergovernmental Agreement by removing the requirement that the Village of Plattville adopt Kendall County’s Comprehensive Plan.

The votes were as follows:
Yeas (4):  Gengler, Gilmour, Kellogg, and Prochaska
Nays (0):    None
Abstain (0):  None
Absent (1):  Flowers

The motion carried. This matter goes to the Kendall County Board on July 2, 2019.

**NEW BUSINESS**
*Request for WBK to Conduct a Stormwater Investigation at Highgrove Subdivision at a Cost Not to Exceed $1,200*

Suzanne Casey provided information and pictures of flooding in the area.

Member Kellogg asked who would be responsible for solving the problem if a violation existed. Mr. Asselmeier responded that the County would pursue legal action against the property owners per the violation process in the Stormwater Management Ordinance.

Mr. Holdiman explained the site plan review process.

Ms. Casey requested information on how to correct the stormwater problem.

Discussion occurred regarding terraces on the property.

The consensus of the Committee was to request that the Kendall County Highway Department shoot the grades of the lots and road. Also, to ask Fran Klaas if the grade of the ditch at the front of the lots are adequate.

*Request from Jennifer Wirth for a Refund in the Amount of $260.48 for an Unused Building Permit at 977 Route 31, Oswego*

Ms. Wirth is requesting a refund in the amount of Two Hundred Sixty Dollars and Forty-Eight Cents ($260.48). She wanted to construct a pole building on her property and her supplier cannot fulfill the order.

Member Gilmour made a motion, seconded by Member Gengler, to refund the money as requested.

The votes were as follows:
Yeas (4):  Gengler, Gilmour, Kellogg, and Prochaska
Nays (0):    None
Abstain (0):  None
Absent (1):  Flowers

The motion carried. This matter goes to the Kendall County Board on July 2, 2019.
Review of Annual NPDES Survey
Mr. Asselmeier read his memo on the subject.

According to Kendall County’s NPDES Permit, the County is supposed to survey townships annually on stormwater related topics.

WBK provided the list of questions.

Staff is not proposing any changes to the survey.

Staff was wondering if the Committee had any suggested questions they would like included on the survey.

Surveys will be mailed and emailed to the townships.

The consensus of the Committee was that no changes should be made to the survey.

Recommendation on Junk and Debris Citation Letter
Mr. Koeppel distributed the letter. The letter is basically the same as the letter for violations to the Inoperable Vehicle Ordinance with adjustments made to reflect the requirements of the Junk and Debris Ordinance.

The Committee waived attorney-client privilege on this matter.

Mr. Asselmeier read the definition of junk and debris from the Junk and Debris Ordinance.

Member Gengler made a motion, seconded by Member Gilmour, to forward the letter to the County Board.

The votes were as follows:
Yeas (4): Gengler, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (1): Flowers

The motion carried. This matter goes to the Kendall County Board on July 2, 2019.

Discussion of Planning, Building, and Zoning Department Related Ordinance Enforcement
Mr. Asselmeier read his memo on the subject.

In 2018, the Planning, Building and Zoning Committee directed the Department to work with the State’s Attorney’s Office on updating various Planning, Building and Zoning related ordinances to allow the Department to issue citations instead of having the County Board file civil suit against alleged violators. In 2018 and 2019, the County Board amended the Inoperable Vehicle Ordinance and Junk and Debris Ordinance to allow the Planning, Building and Zoning Department to issue citations without receiving a complaint.

The next ordinance that could be amended to allow issuance of citations is the Zoning Ordinance. The Zoning Ordinance regulates uses on property, heights of structures, the placement of fences, and parking locations, among many other regulations.
As an example of change in process, if the Department had citation authority, the fence at 790 Eldamain Road would have been sent to court in 2018 instead of continual review by various County committees.

In addition, the citation writing procedure within the Department is new and may take time to refine in cases of inoperable vehicles and junk and debris cases. Also, with a limited number of employees, the Department is learning how to appropriately allocate time for employees to handle additional enforcement cases.

Staff is requesting time to gather data on the enforcement of the recently updated Inoperable Vehicle and Junk and Debris Ordinances before moving forward with the zoning ordinance.

Accordingly, Staff requests direction as to how to proceed with ordinance enforcement.

Mr. Koeppel explained the old and new process for handling complaints.

The consensus of the Committee was to take time to see how enforcement of the Junk and Debris and Inoperable Vehicle Ordinance goes. The consensus of the Committee was also to have the Department research the cost for hiring either a part-time or full-time code enforcement officer.

Discussion of Intergovernmental Agreement with Oswego Township for Ordinance Enforcement
Mr. Asselmeier read his memo on the subject.

The majority of Planning, Building and Zoning ordinance violation complaints occur in Oswego Township, the most populous township in Kendall County.

Since 2018, Oswego Township has amended their parking regulations in cases of certain snowfalls and enhanced their tall grass and weed regulations. In order to enforce these regulations, Oswego Townships has hired one (1) part-time inspector.

When Oswego Township’s inspector is in the field, he observes violations of various Kendall County Planning, Building and Zoning related ordinances. When Brian Holdiman is in the field in Oswego Township, he observes violations of Oswego Township’s regulations.

Staff was wondering if the Department should pursue an intergovernmental agreement with Oswego Township on ordinance enforcement matters. As a starting point, Oswego Township would assist in the enforcement of Kendall County’s Junk and Debris Ordinance and Inoperable Vehicle Ordinance and Kendall County would assist Oswego Township with Tall Grass and Weed Violations. At this point, increased citation capabilities are new for both Oswego Township and the Kendall County Planning, Building and Zoning Department. Any intergovernmental agreement would not be executed until 2020 at the earliest.

The preference of the Committee was for the County to hire an additional employee instead of an Intergovernmental Agreement because the County would have greater control over a County employee instead of an employee of another governmental entity. The consensus of the Committee was to hold off of an Intergovernmental Agreement at this time.

OLD BUSINESS
Request from Randy Erickson D.B.A. Erickson Construction that the Insurance Requirements for the Proposed Plumbing Inspection Contract Remain Unchanged
Mr. Asselmeier read his memo on the subject.
Kendall County’s contract with Randy Erickson, D.B.A Erickson Construction expires in December 2019.

At the April 30th meeting, the Planning, Building and Zoning Committee approved changing the insurance language at the request of the County’s insurance consultant. Mr. Erickson, through his insurance provider, requested that the insurance language remain unchanged. Mr. Erickson informed Brian Holdiman that, if the insurance change is approved, he (Mr. Erickson) would need to change his rate.

The consensus of the Committee was to have the Department ask Mr. Erickson what his fee would be if the new insurance requirements were implemented. The Department will be evaluating all building permit related fees in the summer and fall of 2019.

Review of Mobile Home, RV, and Trailer Parking Regulations
Member Kellogg left at this time (9:02 a.m.).

Mr. Asselmeier read his memo on the subject.

At the May Kendall County Planning, Building and Zoning Committee meeting, the Committee requested Staff to investigate the Village of Montgomery’s regulations pertaining to the parking of RVs in residential zoning districts.

For simplicity purposes, Staff prepared a table comparing the regulations of the Village of Montgomery, the Village of Oswego and Kendall County on this topic. For Kendall County’s regulations, only the regulations for the R-4, R-5, R-6, and R-7 zoning districts are shown.

These regulations are in the Zoning Ordinance and a citation could not be written for violating this ordinance at this time.

The consensus of the Committee was to review the information provided and to discuss possible amendments to the Zoning Ordinance at a future meeting.

Zoning Ordinance Project Update
Mr. Asselmeier reported that Mr. Hoffman plans to provide the updated Ordinance today (June 24, 2019).

REVIEW OF THE VIOLATION REPORT
Member Kellogg returned at this time (9:10 a.m.).

The Committee reviewed the violation report.

Update on Zoning Violation at 790 Eldmain Road
Mr. Asselmeier reported that this case was closed.

Update on Violation of Stormwater Ordinance at 84 Woodland Drive
Mr. Asselmeier reported that this case was closed.

Approval to Forward to the Kendall County State’s Attorney Office a Violation of Section 11.05.A.1.b.ii of the Kendall County Zoning Ordinance (Prohibited Parking of a Trailer in the Front Yard Setback) at 44 Circle Drive West
Mr. Holdiman provided information on the case.
Member Kellogg made a motion, seconded by Member Gilmour, to forward this violation to the Kendall County State’s Attorney’s Office.

The votes were as follows:
Yeas (4): Gengler, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (1): Flowers

The motion carried. This matter will be sent to the Kendall County State’s Attorney’s Office.

REVIEW NON-VIOLATION COMPLAINT REPORT
The Committee reviewed the non-violation report.

UPDATE FROM HISTORIC PRESERVATION COMMISSION
Mr. Asselmeier reported that the Commission completed their review of the Historic Preservation Ordinance and has sent the proposal to the Illinois Historic Preservation Agency for review with the plan that the Ordinance meet the requirements for Certified Local Government status.

REVIEW PERMIT REPORT
The Committee reviewed the permit report.

REVIEW REVENUE REPORT
The Committee reviewed the revenue report.

CORRESPONDENCE
Mr. Asselmeier read a press release regarding a public input workshop for the Fox River Water Trail at the Hampton Inn in Yorkville on June 24, 2019, at 4:00 p.m.

PUBLIC COMMENT
None

COMMENTS FROM THE PRESS
None

EXECUTIVE SESSION
None

ADJOURNMENT
Member Kellogg made a motion, seconded by Member Gengler, to adjourn. With a voice vote of four (4) ayes, the motion carried unanimously. Chairman Prochaska adjourned the meeting at 9:20 a.m.

Minutes prepared by Matthew H. Asselmeier, AICP, Senior Planner

Encs.
IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

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View of the properties from Grove Park looking East—note park lagoon in foreground.

Sharkey property in middle, Parks in distance.

Park Road heading East—Casey property on left,
Note the shallow swale on road edge.

Sharkey Home from the East-ditch between Sharkey/Parks property.

Looking North from Grove Park Road-drive to parks outbuilding.
Casey property to North.
Parks Property-note gentle swale at road edge-yet yard muddy all the time and water traveling north to the Casey property

Grove Road main ditch where the Grove Park Road joins it-shallow swale meets ditch
Looking South from the Casey property to the Parks property - this is the water flow route in rain event.

Water travel north through the Casey backyard creating a flood for the Month of May and mud at this time.

Road Entrance to the Casey outbuildings - this is following a rain event.
Casey's have just installed a French drain on the block building to curtail flooding in the building.

Water standing in Casey's backyard after last week's rain-in May this was completely flooded.
Pond at the back of the Casey property at the overflow pipe in May (has not been that high in 20 years)

The land behind the Casey pond (-park district woods and land) behind Casey's pond - has never been like this - flooded (this photo taken in May, 2019)
Casey gardens have been flooded all spring—this photo taken last week following the one night rain is the best it has been in 6 weeks or more.

This is the land north of the Casey home—AuxSable Creek—and although flooding has occurred here in the past, it is significantly worse due to the water coming from the South.
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

ORDINANCE VIOLATION CITATION
CASE NO. INSERT CASE NO.
County of Kendall vs. INSERT OWNER NAME

INSERT DATE

To: OWNER NAME
OWNER ADDRESS
OWNER C/S/Z

RE: P.I.N. # INSERT PIN
Property Location: SITE ADDRESS, CITY/STATE/ZIP

Please be aware that an inspection of the above described property on INSERT INSPECTION DATE AND TIME by the Code Enforcement Officer from the Kendall County Planning, Building & Zoning Department ("Department") revealed a violation of Kendall County Ordinance 2019-12, Junk and Debris. Upon inspection, the following described junk and debris were found on the exterior of the subject property, which constitutes a nuisance under Ordinance 2019-12:

INSERT DESCRIPTION OF JUNK AND DEBRIS

Pursuant to Section 5 of Ordinance 2019-12, please take corrective actions to address this violation by removing the junk and debris from the exterior of the subject property in accordance with State and local law. Abatement of this violation shall occur by no later than INSERT ABATEMENT DATE (10 DAYS AFTER CITATION DATE), at which time your property will be re-inspected by the Department for compliance.

You may avoid a court appearance if, within ten (10) days of the service of this Citation, you remove the junk and debris from the exterior of the subject property. If said corrective actions have not been completed by INSERT DATE you will be required to APPEAR IN COURT on INSERT HEARING DATE (MONDAY-THURSDAY), at 8:30 a.m. in the Kendall County Courthouse, 807 W. John Street, Yorkville, Illinois 60560. You may demand a jury trial by filing a jury demand and paying a jury demand fee when entering your appearance, plea, answer to the charge, or other responsive pleading. A default judgment in the amount of $200.00 for each day the violation continues after the abatement date of INSERT DATE may be entered in the event you fail to appear in court or answer the charge made on the date set for your court appearance or any date to which the case is continued. Each day the violation continues after the abatement date shall be a separate offense and shall incur a fine of up to $200.00 per day.

For questions regarding this Citation, please contact Brian Holdiman, Code Enforcement Officer, at 630-553-4141. Your cooperation is greatly appreciated.
Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

Brian Holdiman
Code Enforcement Officer

I, Brian Holdiman, swear under oath that I served this Citation on [INSERT NAME OF DEFENDANT] as follows:

Personally on [INSERT NAME OF DEFENDANT]
Male/ Female  Approx. Age: __________  Hair Color: __________
Height: _______  Weight: _______
On this date: __________ at this time: __________
Address: ______________

Signature
Fox River Water Trail Organizers Seek Public Input

Geneva, Illinois  The Core Development Team (CDT) of the Fabulous Fox! River Water Trail will be hosting several workshops in June sharing the results of their efforts with volunteers who have paddled the river collecting data. The CDT will display maps of the trail identifying the access sites and amenities, and information about journeys on segments of the river. The CDT will also be seeking input from paddlers and others familiar with the river to review the information collected and share additional information that would help paddlers enjoy safe and pleasant experiences. The CDT will then do a gap analysis and provide recommendations to public landowners including county and municipal governments.

Three Illinois workshops have been scheduled with plans to hold a fourth one in an additional community along the river. Currently scheduled workshops:

   **Monday, June 17** – Geneva at Kane County Government Center, 719 S. Batavia Ave.

   **Monday, June 24** – Yorkville at Hampton Inn, 310 E. Countryside Parkway

   **Friday, June 28** – McHenry at City of McHenry Rec Center, 333 S. Green St.

The Fabulous Fox! River Water Trail has been in development for several years with organizers from two states working with the National Park Service, SE Wisconsin Regional Planning Commission and the Fox River Ecosystem Partnership

Volunteer paddlers assisted to collect data on access sites, journey segments, hazards, dams and portages, amenities at access sites, and more. The Core Development Team is ready to share the results of those efforts and look for input from stakeholders to share their knowledge of the river to help fill in gaps and other information before applying for inclusion in the National Water Trail System.

Please join us at the workshop closest to you to learn and share.

For more information, visit our developing website at [https://fabulousfoxwatertrail.org/](https://fabulousfoxwatertrail.org/) or Karen Miller at millerkaren@co.kane.il.us (630)232-3418.
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**Rentall Consulting LLC**

**Rentall Consulting LLC**
INTRODUCTION
Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed revised site plan (See Attachment 2A). The Petitioner desires the amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

SITE INFORMATION
PETITIONER:  Mark Caldwell on Behalf of Dickson Valley Ministries

ADDRESS: 8250 Finnie Road, Newark

LOCATION: North and South Sides of Finnie Road Approximately 0.8 Miles South of the Intersection of Finnie and Rogers Roads

TOWNSHIP: Fox

PARCEL #s: 04-17-100-002, 04-17-300-002, and 04-17-300-007

LOT SIZE: 160 +/- Acres

EXISTING LAND USE: Youth Camp

ZONING: A-1 with a Special Use Permit for Youth Camp and Retreat Center
LRMP:

<table>
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<th>Future Land Use</th>
<th>04-17-100-002: Agricultural</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>04-17-300-002: Open Space</td>
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<tr>
<td></td>
<td>04-17-300-007: Country Res. (Max. Density 0.33 du/acre)</td>
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</tbody>
</table>

Roads: Finnie Road is considered a scenic route.

Trails: None

Floodplain/Wetlands: There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

REQUESTED ACTION: Approval of a major amendment to an existing special use permit by repealing and replacing the approved site plan.

APPLICABLE REGULATIONS:

§7.01.C (A-1 Agricultural Special Uses)
§13.08.O (Special Uses and Planned Developments; Major Amendments)

SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>Land Resource Management Plan</th>
<th>Zoning within ½ Mile</th>
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<tr>
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<td>Millbrook Hunting Club</td>
<td>A-1</td>
<td>Agricultural</td>
<td>A-1</td>
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<tr>
<td>South</td>
<td>Agricultural, Fox River, Forest Preserve</td>
<td>A-1</td>
<td>Rural Estate Residential and Forest Preserve</td>
<td>A-1</td>
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<td>East</td>
<td>Single-Family Residential and Fox River</td>
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<td>Countryside Residential and Forest Preserve</td>
<td>R-1 and Forest Preserve</td>
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<tr>
<td>West</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Countryside Residential and Agricultural</td>
<td>A-1</td>
</tr>
</tbody>
</table>

An aerial of the property is included as Attachment 3.

PHYSICAL DATA

ENDANGERED SPECIES REPORT
The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

- Dixon Valley Sedge Meadow INAI Site
- Fox River INAI Site
- Dickson Sedge Meadow Natural Heritage Landmark
- River Redhorse (Moxostoma carinatum)

Negative impacts to the above are considered unlikely and consultation was terminated. EcoCat related materials are included as Attachment 1, Pages 20-23.

NATURAL RESOURCES INVENTORY
The Petitioner submitted an application for NRI. The related documents are included as Attachment 1, Page 19. The LESA Score was 173 indicating a low level of protection. The NRI Report is included as Attachment 20.

ACTION SUMMARY
FOX TOWNSHIP
Fox Township submitted comments on April 16, 2019. The Township requested the following:
1. Any encroachment onto the Finnie Road right-of-way closer than one hundred and twenty-six feet (126’) be required to obtain a traditional variance. (The original site plan submitted by the Petitioner had a three foot (3’) encroachment.)

2. Any permits required for storm water management must be procured prior to the issuance of any building permit.

3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Township’s comments are included as Attachment 19.

The Petitioner agreed with Fox Township’s requests.

VILLAGE OF MILLBROOK
Petition information was sent to the Village of Millbrook on March 26, 2019. To date, no comments have received

SANDWICH FIRE PROTECTION DISTRICT
Petition information was sent to the Sandwich Fire Protection District on March 26, 2019. To date, no comments have been received

ZPAC
ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the projected number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars ($4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal. The minutes of this meeting are included as Attachment 18.

KCRPC
The Kendall Regional Planning Commission initially reviewed this proposal at their meeting on April 24, 2019. Commissioners expressed concerns that the proposed site plan was too detailed and the Petitioner could be limiting their options if slight changes were required based on future development needs. Commissioners also expressed concerns regarding the Finnie Road right-of-way dedication requirement and the requirement that the Petitioner obtain Fox Township approval to cross Finnie Road. The Petitioner requested a layover of the request until a new site plan can be submitted. The minutes of the April 24, 2019 meeting are included as Attachment 21. At their meeting on May 22, 2019, the Commission seemed satisfied with the revised site plan with less detailed information and clarification that the Petitioner did not need Fox Township’s approval for at-grade crossings. The Commission unanimously recommended approval of the proposal. The minutes of the meeting are included as Attachment 22.

ZBA
The Kendall County Zoning Board of Appeals started a public hearing on this request on April 29, 2019. The matter was continued until the Petitioner submitted a revised site plan. The minutes of the April 29th meeting pertaining to this request are included as Attachment 23. The Kendall County Zoning Board of Appeals resumed the public hearing on July 1, 2019. Fox Township offered to work with the Petitioner for an improved at-grade crossing of Finnie Road, including lights. Clarification was provided regarding timeframe to complete the project; the development will occur as funding allows over at least the next decade. The Board issued a positive recommendation of the request with the conditions proposed by Staff with a 5-0 vote; two (2) members of the Board were absent. The minutes of this hearing/meeting are included as Attachment 24.
RELATION TO EXISTING SPECIAL USE PERMIT
The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

The existing zoning regulations on the property were established by Ordinance 2014-05 which is included as Attachment 4. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV’s.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to clarify.

GENERAL INFORMATION
The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows. This proposal is intended to add more clarity to the site plan submitted in 2014.

Dickson Valley Ministries has been operating a year-round youth camp and retreat center in Kendall County, Fox Township, for nearly 40 years.

In 1988, Dickson Valley served two thousand three hundred (2,300) people per year and, by 2014, had grown over three hundred percent (300%) to where it served seven thousand one hundred (7,100) people that year with retreats, summer resident camps, and day camps.

The current number of staff living onsite includes five (5) full-time long-term families. Also, two-three (2-3) full-time, short-term staff, and twenty-five (25) seasonal summer live onsite. Future ministry growth will increase staff to one (1) additional full-time long-term family, an additional twenty-five to thirty (25-30) full time short-term staff, and an additional forty (40) seasonal summer staff.

The original proposed site plan is included as Attachment 2. The revised site plan is included as Attachment 2A. Based on the revised site plan, the proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) “overnight campers.” This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.
5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new. A picture of Development B is included as Attachment 6.

6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin. A picture of Development C is included as Attachment 7.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.

8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.

9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.

11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.

12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.

13. Addition 1, Director’s Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126’) offset from the road. A picture of Addition 1 is included as Attachment 11.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west. A picture of Addition 2 is included as Attachment 12.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.

16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing. A picture of Addition 5 is included as Attachment 15.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing. A picture of Addition 7 is included as Attachment 17.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.
BUILDING CODES
Any new buildings would have to meet applicable building codes.

ACCESS
The Petitioner owns property on both sides of Finnie Road.

LIGHTING
As noted on the proposed site plan, lighting will be intentionally left low.

SCREENING
The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

STORMWATER
Stormwater permits will be required in certain cases as the proposal is implemented.

UTILITIES
The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

FINDINGS OF FACT
§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant a special use permit. Staff’s proposed findings are in bold:

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. The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental 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 proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided: Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

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 proposed special use permit amendment conforms to the applicable regulations of the A-1 Agricultural 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. This statement is true.

RECOMMENDATION
Staff recommends approval of the proposed major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications
stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. (Revised Site Plan-Attachment 2A)

3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road. (Added per Fox Township)

4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township’s concerns about stormwater regulations.)

5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.

6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

The draft ordinance is included as Attachment 25.

ATTACHMENTS
1. Application Materials (Including EcoCat, and NRI Application)
2. Original Site Plan
2A. Revised Site Plan
3. Aerial
4. Ordinance 2014-05
5. Development A
6. Development B
7. Development C
8. Development D
9. Development E
10. Development G
11. Addition 1
12. Addition 2
13. Addition 3
14. Addition 4
15. Addition 5
16. Addition 6
17. Addition 7
18. April 2, 2019 ZPAC Minutes
19. April 16, 2019 Fox Township Comments
20. NRI Report
21. April 24, 2019 KCRPC Minutes
22. May 22, 2019 KCRPC Minutes
23. April 29, 2019 ZBA Minutes (Information for This Petition Only)
24. July 1, 2019 ZBA Minutes (Information for This Petition Only)
25. Draft Ordinance
## DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560  
(630) 553-4141  
Fax (630) 553-4179

### APPLICATION

**NAME OF APPLICANT**
Dickson Valley Ministries

**CURRENT LANDOWNER/NAMES(s)**
Dickson Valley Ministries

### SITE INFORMATION

<table>
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<tr>
<th>ACRES</th>
<th>SITE ADDRESS OR LOCATION</th>
<th>ASSESSOR’S ID NUMBER (PIN)</th>
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<td>160</td>
<td>8250 Finnie Rd Newark 60541</td>
<td>04-17-300-002, 04-17-100-002, 04-17-300-007</td>
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</table>

**EXISTING LAND USE**  
Youth Camp  
**CURRENT ZONING**  
A1-SU  
**LAND CLASSIFICATION ON LRMP**  
Private Recreation

**REQUESTED ACTION**  
(Check All That Apply):

- [X] AMENDMENT TO A SPECIAL USE (Major: _____ Minor: _____)
- [ ] 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.)

**PRIMARY CONTACT**  
Mark Caldwell  
8250 Finnie Rd Newark 60541  
mark@dicksonvalley.com

**PRIMARY CONTACT PHONE #**  
630-553-6233  
630-553-6240

**PRIMARY CONTACT FAX #**  
630-542-0590

**ENGINEER CONTACT**  

**ENGINEER PHONE #**  

**ENGINEER FAX #**  

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.

**SIGNATURE OF APPLICANT**  

**DATE**  
3/17/19

FEE PAID: $375.50

CHECK #: 15411

RECEIVED
MAR 19 2019

KENDALL COUNTY PLANNING, BUILDING & ZONING

---

1. Primary Contact will receive all correspondence from County
2. Engineering Contact will receive all correspondence from the County’s Engineering Consultants

Last Revised: 1.8.13  
Major Amendment to a Special Use
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TAX: 577.50

All claims and returned goods MUST be accompanied by this bill.

Received By: [Signature]

Thank You
Corporation Quit Claim Deed

THIS INDENTURE WITNESSETH, That the Grantee

ACORN YOKEFELLOW CENTER, INC.

not-for-profit

a corporation duly organized and existing under and by virtue

of the laws of the State of Illinois

duly authorized to transact business in the State where the

following described real estate is located, for and in consider-

ation of One Dollar and other good and valuable consider-

ations, the receipt of which is hereby acknowledged, and

pursuant to authority given by the Board of Directors of said

corporation, CONVEYS AND QUIES CLAIMS to DICKSON VALLEY CORPORATION, an Illinois

not-for-profit corporation

whose address is 2012 N. Summit Street, Wheaton, Illinois 60187

the following described real estate to-wit:

That part of the East half of the Northwest quarter of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Beginning at the Northeast corner of said Northwest quarter; thence West along the North line of said Northwest quarter 1319 feet to the Northeast corner of the East half of said Northwest quarter; thence South along the West line of the East half of said Northwest quarter 1136.78 feet to the center line of a road running Northeasterly and Southwesterly through said Northwest quarter; thence Northeasterly along said center line to the East line of said Northwest quarter; thence North along said East line 778 feet to the point of beginning, in the Township of Fox, Kendall County, Illinois; ALSO that

part of the Northeast quarter of Section 17, Township 36 North, Range 6 East of the

Third Principal Meridian, described as follows: Beginning at the northwest corner

do the State of Illinois; hence South along the West line of said Northeast quarter

11.70 chains to the center line of a road; thence Northeasterly along said center

(Continue legal description on reverse side)

situatd in the County of Kendall

IN WITNESS WHEREOF, said Grantee has caused its corporate seal to be hereeto affixed, and has

caused its name to be signed to these presents by its

President, and

Secretary, this 5th day of March 1982

ACORN YOKEFELLOW CENTER, INC.

by Virgil Sancken

President.

(Notary Public)

STATE OF ILLINOIS

Kane

COUNTY

I, the undersigned, a Notary Public, in and for said County, in the

State aforesaid, DO HEREBY CERTIFY THAT

Sancken

personaly known to me to be the

President

of said Corporation, and personally known to me to

Secretary of said corporation, and personally known to me to

be the

corresponding officer whose names are subscribed to the

instrument, appeared before me this day in person and

personally acknowledged the same, and cause the instrument to be

notarized and signed, in the presence of the person or persons

above mentioned, and that the signatures hereto are genuine

Secretary of said corporation, as their free and voluntary act, and as the free and voluntary act of said corporation, for the purposes

therein set forth.

Given under my hand and Notary Seal this 5th day of March 1982.

Notary Public

Fred H. Dickson, Goldsmith, Theilin, Schirler & Dickson, P. O. Box 40

Aurora, IL 60507

P.O. Box 40

Aurora, IL 60507

This instrument was prepared by: Fred H. Dickson, Goldsmith, Theilin, Schirler & Dickson, P.O. Box 40

Whereas address is: 164 E. Downer Place, Aurora, IL 60507

ex. 

end EXPIRED

RENEWAL DATE 7-24-82

FRED H. DICKSON

GOLDSMITH, THEILIN, SCHIRLER & DICKSON, P. O. BOX 40

AURORA, ILLINOIS 60507

30
LEGAL DESCRIPTION (Continued)

to the North line of said Northeast quarter; thence West along said North line 12.63 chains to the point of beginning, in the Township of Fox, Kendall County, Illinois.

SUBJECT TO: the terms of the Charitable Trust imposed upon the foregoing land by ALICE H. DICKSON, a/k/a ALICE I. DICKSON, and the Testamentary Trust of HOMER C. DICKSON, which provides as follows:

That the property shall be maintained and used "...for the purpose of maintaining a Christian retreat center, and in the event that said property is no longer used as a Christian retreat center or for Christian purposes, then this property shall be conveyed to such church or other religious organization as may be able to use the said property for Christian purposes and for no other purposes, to be determined by my sons, FRED H. DICKSON of Aurora, Illinois, and ELMER G. DICKSON of Chico, California, or the survivor of them, and in the event that neither survives, then by the Board of Trustees of the Yorkville Congregational Church, Yorkville, Illinois.

The above referred to grant is made for the purpose and with the intent that said acreage and any improvements thereon shall always be used as a gift to the Lord, and anyone receiving this property, by virtue of this grant and conveyance impressed with this trust, is entrusted with carrying out this purpose. Further, it is the purpose of this grant, and with trust and faith in the people of the Acorn Yokefellow Center, Inc. and the Yokefellow Movement and principles, that it will be countless generations everlasting spiritual good."
AFFIDAVIT

(FILE WITH JEAN P. BRADY, RECORDER OF DEEDS OF KENDALL COUNTY)

STATE OF ILLINOIS  
COUNTY OF Kane  

Virgil Smicken  being, duly sworn on oath,  

states that he resides at  
Rt. 94, Box 282, Kankakee, IL 60901  

That the attached deed represents:

1. A distinct separate parcel on record prior to July 17, 1959.
2. A distinct separate parcel qualifying for a Kendall County building permit prior to August 30, 1971.
3. The division or subdivision of land is into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access.
4. The division is of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access.
5. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
6. The conveyance is of parcels of land or interests therein for use as right-of-way for railroads or other public utility facilities which does not involve any new streets or easements of access.
7. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
8. The conveyance is of land for highway or other public purpose 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.
9. The conveyance is made to correct description in prior conveyances.
10. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.
11. The sale is of a single lot of less than 5 acres from a larger tract evidenced by a survey made by a registered surveyor which single lot is the first sale from said larger tract as determined by the dimensions and configuration thereof on October 1, 1973 and which sale does not violate any local requirements applicable to the subdivision of land.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

AFFIDANT 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.

X  

Virgil Smicken

SUBSCRIBED and SWORN to before me

[Signature]

this 15 day of October, 1980.

[Seal]

Filed  in  Division

[Seal]

[Signature]  

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32
THE GRANTOR, Christian Camping and Conference Association International, not for profit corporation created and existing under and by virtue of the laws of the State of California and only authorized to transact business in the State of Illinois, for and in consideration of $10.00 DOLLARS, in hand paid, and pursuant to authority given by the Board of Trustees of said corporation CONVEY and WARRANT to Dickson Valley Corporation a corporation organized and existing under and by virtue of the laws of the State of Illinois having its principal office in the City of Wheaton County of DuPage and State of Illinois Kendall and State of Illinois, and the following described Real Estate situated in the County of

See legal description attached

Subject to the following restriction:

If at any time after the date of the deed the grantee, or any party claiming by, through or under grantee, ceases to use the Real Estate for the purpose of bringing Christ to the young people and adults of Fox Valley and other communities, title to the Real Estate and all improvements thereto shall revert, without compensation, to grantor or its successors and assigns.

In Witness Whereof, said Grantor has caused its corporate seal to be hereon affixed, and has caused its name to be signed by its President, and attested by its Secretary. This day of _______ 1973

Christian Camping and Conference Assoc. International

President

Secretary

State of Illinois County of Cook

Know all men by these presents that we, George W. Williams, Jr., Secretary of the Christian Camping and Conference Association International, personally known to me to be the President of the corporation, and Samuel E. Johnson, Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, have subscribed and delivered the same; therefore, the undersigned, a Notary Public in and for the State of Illinois do, under the penalties prescribed by law, solemnly swear that the above instrument was signed and delivered by the said corporation, and that the names and positions written above the signatures are true and correct, and that the object of the corporation is to bring Christ to the young people and adults of Fox Valley and other communities, and that the premises herein set forth are for the uses and purposes therein set forth.

Commission expires _______ 1973

[Signature]

Address of property: 17K429 Fincher Road

Newark, IL 60563

Harper College

Harper College

[Signature]

[Signature]
That part of the West half of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the Southwest quarter of Section 18, Township and Range aforesaid; thence South 1° 07' 54" East along the West line of said Section 18, 380.17 feet; thence South 76° 20' 58" East 4010.24 feet; thence South 66° 02' 58" East 33.6 feet to the center line of Finnie Road; thence South 66° 02' 58" East 1377.07 feet for the point of beginning; thence North 38° 58' 51" East 2280.95 feet; thence North 71° 00' 24" West 331.99 feet to the Southwest corner of the Southeast quarter of the Northwest quarter of said Section 17; thence North 1° 14' 05" West along the West line of said quarter quarter section 1269.52 feet to the center line of Finnie Road; thence North 63° 32' 29" East along said center line 51.94 feet; thence North 73° 54' 02" East along said center line 765.94 feet; thence North 57° 52' 02" East along said center line 495.76 feet; thence North 46° 37' 32" East along said center line 158.96 feet to the East line of the Northwest quarter of said Section 17; thence South 1° 36' East along said East line 1864.39 feet to the Southeast corner of the Northwest quarter of said Section 17; thence South 1° 12' 58" East along the East line of the Southwest quarter of said Section 17, 513.64 feet to the Westerly bank of the Fox River; thence South 36° 20' 02" West along said Westerly bank 227.11 feet; thence South 34° 34' 02" West along said Westerly bank 224.11 feet; thence South 40° 48' 02" West along said Westerly bank 346.69 feet; thence South 35° 57' 02" West along said Westerly bank 257.65 feet; thence South 47° 35' 02" West along said Westerly bank 201.11 feet; thence South 46° 16' 02" West along said Westerly bank 256.45 feet; thence South 44° 58' 02" West along said Westerly bank 415.78 feet; thence South 39° 20' 02" West along said Westerly bank 424.92 feet to a point on a line drawn South 66° 02' 58" West from the point of beginning; thence North 66° 02' 58" West 1001.65 feet to the point of beginning; in the Township of Fox, Kendall County, Illinois.
WARRANTY DEED

MAIL TO:
Attorney John S. Talley
12525 Helmar Road West
Newark, IL 60541

SEND SUBSEQUENT TAX BILLS TO:
Dickson Valley Corporation
8250 Finney Road
Newark, IL 60541

DEED PREPARED BY:
Attorney John S. Talley
12525 Helmar Road West
Newark, IL 60541

THE GRANTOR, Dickson Valley Farm, LLC, for and in consideration of Ten and 00/100 Dollars and other good and valuable consideration in hand paid

CONVEYS AND WARRANTS TO: Dickson Valley Corporation, Newark, Illinois all interest in the following described Real Estate situated in the County of Kendall in the State of Illinois, to wit:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 90 DEGREES 00 MINUTES EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1320.0 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER FOR THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES WEST ALONG SAID NORTH LINE, 346.63 FEET; THENCE SOUTH 44 DEGREES 10 MINUTES 58 SECONDS WEST, 455.16 FEET; THENCE SOUTH 60 DEGREES 38 MINUTES 12 SECONDS WEST, 98.54 FEET; THENCE SOUTH 48 DEGREES 46 MINUTES 57 SECONDS EAST, 659.61 FEET; THENCE NORTH 38 DEGREES 58 MINUTES 47 SECONDS EAST, 776.48 FEET TO A LINE BEARING SOUTH 48 DEGREES 46 MINUTES 57 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST ALONG SAID LINE, 312.24 FEET TO THE POINT OF BEGINNING BEING ALL LOCATED IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

Subject to general real estate taxes for the year 2009 and subsequent years, covenants, conditions, restrictions and easements of record; rights of way for drainage ditches, drain tiles, feeders, laterals and underground pipes, if any, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Underlying PIN: 04-17-300-001

Property Address: 10 acres along Finney Road
DATED this October 27, 2009.

DICKSON VALLEY FARM, LLC

By: 
Jane A. Strobeck

Its: Member-Manager

By: Charles L. Strobeck Family Trust

Its: Member-Manager

By: 
Jane A. Strobeck, Co-Trustee

State of Illinois  
County of DuPage

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Jane A. Strobeck known to me to be the same persons whose names are subscribed to the foregoing instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

GIVEN under my hand and Notarial Seal, this October 27, 2009

Notary Public

OFFICIAL SEAL
LAURA L. HOIS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 05/21/2011
PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS
COUNTY OF KENDALL

Mark A. Caldwell, being duly sworn on oath, states that affiant resides at 8250 Finney Road, Newark, IL 60541-9573

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. [ XX ] 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 sale or exchange of an entire tract of land not being a part of a larger tract of land
2. A distinct, separate parcel qualifying for a Kendall County building permit prior to August 10, 1971.
3. 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;
4. 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;
5. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
6. 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;
7. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
8. 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;
9. Conveyances made to correct descriptions in prior conveyances;
10. The sale or exchange of parcels or tracts of land following the division into no 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;
11. 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;
12. This conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT 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.

[Redacted]
Signature of Affiant

SUBSCRIBED AND SWORN TO BEFORE ME

This 27 day of October 2009

[Redacted]
Signature of Notary Public

OFFICIAL SEAL
LAURA L HOU
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 02/07/11

37
FORM NFP 110.30R (rev Dec 2003)
ARTICLES OF AMENDMENT
RESTATE ARTICLES
OF INCORPORATION
General Not For Profit Corporation Act

Jesse White, Secretary of State
Department of Business Services
Springfield, IL 62756
Telephone (217) 782-1632
www.cyberdriveillinois.com

Remit payment in the form of a check or money order payable to the Secretary of State

File # 34979057
Filing Fee: $100.00
Approved

Submit in duplicate
Type or Print clearly in black ink
Do not write above this line

1. Corporate name (Note 1): Dickson Valley Corporation

2. Manner of adoption of amendment:
   The following amendment to the Articles of Incorporation was adopted on February 20, 2010 in the manner indicated below (Check one only):
   
   By affirmative vote of a majority of the directors in office, at a meeting of the board of directors, in accordance with Section 110.15. (Note 2)

   By written consent, signed by all the directors in office, in compliance with Sections 110.15 and 108.45 (Note 3)

   By members of a meeting of members entitled to vote by the affirmative vote of the members having not less than the minimum number of votes necessary to adopt such amendment, as provided by this Act, the articles of incorporation or the bylaws, in accordance with Section 110.20. (Note 4)

   By written consent signed by members entitled to vote having not less than the minimum number of votes necessary to adopt such amendment, as provided by this Act, the articles of incorporation, or the bylaws, in compliance with Sections 107.10 and 110.20. (Note 5)

3(a). List all provisions of the restated articles of incorporation that amend the existing articles of incorporation. (Attach additional pages if extra space is needed.)

By resolution of the Board of Directors on February 20, 2010, it was resolved that the original Articles of Incorporation of Dickson Valley Corporation dated February 18, 1988 and amended January 23, 1989 be replaced with the attached Exhibit A

3(b). Text of the Restated Articles of Incorporation (Note 6)
(Attach additional pages if extra space is needed.)

See attached Exhibit A
WHEREAS: Dickson Valley Corporation was incorporated February 18th, 1988 together with amendments adopted by the Board on January 1st, 1989 and filed with the Illinois Secretary of State on January 23rd, 1989; and

WHEREAS: The Corporation's purpose was to manage the property known as Dickson Valley Camp and Retreat Center under an agreement with Metro Chicago Youth For Christ to operate the camp on a day-by-day basis; and

WHEREAS: After Metro Chicago Youth For Christ terminated a long-term lease, the Board of Directors of Dickson Valley Corporation continued to develop and manage the property and provide ministry to hundreds of churches each year through its own staff and multifaceted programs; and

WHEREAS: The Board of Directors desired to update the Articles as amended to better reflect the ever-growing and strengthening ministry that is taking place with churches and other organizations and to better represent to the public our desire to see youth and adults come to a strong and personal relationship with Jesus Christ; and

WHEREAS: The Board wanted to include in the Articles statements that form and explain the biblical beliefs held by its members and staff.

NOW THEREFORE, BE IT RESOLVED: That the Articles of Incorporation be amended and restated as attached in Exhibit A.

AND FURTHER RESOLVED: That such Amended and Restated Articles of Incorporation are to be duly filed with the Illinois Secretary of State and placed in the Records of the Corporation.

Dated: February 20, 2010
Location: Dickson Valley Camp and Retreat Center
EXHIBIT A
RESTATED ARTICLES OF INCORPORATION
OF
DICKSON VALLEY MINISTRIES

The following Restated Articles of Incorporation replace in their entirety the Articles of Incorporation of the Illinois Not for Profit Corporation originally named Dickson Valley Corporation dated February 18th 1988 together with amendments adopted by the Board on January 1st, 1989 and filed with the Illinois Secretary of State on January 23rd 1989.

ARTICLE 1. The name of the Corporation is:
Dickson Valley Ministries

ARTICLE 2. Name and Address of Registered Agent and Registered Office in Illinois:
Registered agent:  John Sessions Talley
Registered Office:  [redacted]

ARTICLE 3. The Board of Directors shall be 10 in number, their Names and Addresses being as follows:
George H. Williams, Jr.
Bill Seitz
Howard Duncan
Todd Walker
Vic Graham
Ed Brouch
Dr. Linda Duncan
Ward Kreigbaum
Jennifer King Soderquist
Jack Vandiver

ARTICLE 4. The purposes for which the Corporation is organized are:
Dickson Valley Ministries is the successor in name to Dickson Valley Corporation. Dickson Valley Corporation was, and its successor is, organized exclusively for charitable, educational and religious purposes within the meaning of section 501(c)(3) of the U.S. Internal Revenue Code of 1986. More specifically the Corporation seeks to bring individuals to a strong and personal relationship with Jesus Christ and His Word, through unique programs, services and partnerships that joyfully support and encourage the ongoing work of Christ in and through His Church.

Furthermore: This corporation is not a Condominium Association under the Condominium Property Act. This corporation is not a Cooperative Housing Corporation
4. The undersigned corporation has caused these articles to be signed by a duly authorized officer, who affirms, under penalties of perjury, that the facts stated herein are true. (All signatures must be in BLACK INK.)

Dated ___________________________ 2010

[Signature]

(Duly Authorized Officer's Signature)

Dickson Valley Ministries
(Exact Name of Corporation)

5. If there are no duly authorized officers, then the persons designated under Section 101.10(b)(2) must sign below and print name and title.

The undersigned affirms, under penalties of perjury, that the facts stated herein are true.

Dated ___________________________ (Month, Day & Year)

Signature

Print Name and Title

NOTES

Note 1: State the true and exact corporate name as it appears on the records of the Secretary of State, BEFORE any amendment herein reported.

Note 2: Directors may adopt amendments without member approval only when the corporation has no members, or no members entitled to vote pursuant to §110.15.

Note 3: Director approval may be (1) by vote at a director's meeting (either annual or special) or (2) by consent, in writing, without a meeting.

Note 4: All amendments not adopted under Sec. 110.15 require (1) that the board of directors adopt a resolution setting forth the proposed amendment and (2) that the members approve the amendment.

Member approval may be (1) by vote at a members meeting (either annual or special) or (2) by consent, in writing, without a meeting.

To be adopted, the amendment must receive the affirmative vote or consent of the holders of at least 2/3 of the outstanding members entitled to vote on the amendment, (but if class voting applies, then also at least a 2/3 vote within each class is required).

The articles of incorporation may supersede the 2/3 vote requirement by specifying any smaller or larger vote requirement not less than a majority of the outstanding votes of such members entitled to vote and not less than a majority within each class voting applies. (Sec. 110.20)

Note 5: When member approval is by written consent, all members must be given notice of the proposed amendment at least 5 days before the consent is signed. If the amendment is adopted, members who have not signed the consent must be promptly notified of the passage of the amendment. (Sec. 107.10 & 110.20)

Note 6: The text of the restated articles of incorporation must set forth the following:

(i) the date of incorporation, the name under which the corporation was incorporated, subsequent names, if any, that the corporation adopted pursuant to amendment of its articles of incorporation, and the effective date of any such amendments;

(ii) the address of the registered office and the name of the registered agent on the date of filing the restated articles of incorporation.

If the registered agent and/or registered office have changed, it will be necessary to accompany this document with form NFP 105 10.
To: Kendall County Planning, Building & Zoning Committee
Yorkville, Illinois 60560

Petitioner: Dickson Valley Ministries, DBA Dickson Valley Camp & Retreat Center
8250 Finnie Rd. Newark, IL 60541-9573 630-553-6233

Dickson Valley Ministries would like to request the adoption of a new long-range site plan. Since the last version of the site plan, which was approved in 2014, there has been a request to have a more detailed plan on record. The purpose and ministry of Dickson Valley has not changed since its inception, and the maximum capacity and overall scale of the camp has not increased since 2014.

This new site plan is an attempt to be more detailed in location of needs, and has included a few additional structures that where not considered in the previous version. The facility needs for certain programs is an always evolving consideration so this plan has tried to include even ideas which may not be needed as we attempt to use our current facility in the wisest possible ways.

Dickson Valley Camp & Retreat Center has served churches, ministries and public and private schools for almost 40 years. In 1988 the number of groups using Dickson Valley was 75 with about 2,000 people in attendance. In 2018 we were excited to serve around 140 groups and had almost 400 kids attend one of our 10 weeks of summer camp. Just over 7,000 people attended various programs at the camp during all months of the year. We continually give thanks for all the blessings God has provided and, as with any business, know that our location is one of those key provisions we are blessed with. Our setting in Kendall County, along the Fox River, has been key to our growth which has far outpace most other Christian camps our size. It was a generous gift from Homer and Alice Dickson of Yorkville that made this ministry possible and the ongoing relationships with the family that have helped it grow.
OVERVIEW OF OPERATION:
Dickson Valley Camp & Retreat Center is a twelve month, 365 day a year ministry. We partner with churches, ministries and public and private schools to help them run youth retreats, summer camps, outdoor education and other programs that can benefit from being in a remote natural setting. Our own Dickson Valley run day and resident camps have grown over the past few years and have provided great new relationships with kids and families in Kendall County. All individuals who attend Dickson Valley are a part of a programmed event and we are always making sure that each program supports our ministry purpose. More details of the ministries are available at www.dicksonvalley.com

HISTORY OF OWNERSHIP:
In 1983 the original Special Use Zoning was setup with Christian Camping International, US Division. That not-for-profit corporation worked with Metro Chicago Youth For Christ to develop the early stages of the camp and start it on its ministry growth.
In 1988 those organizations transferred ownership to the newly formed not-for-profit Dickson Valley Corporation formed from members of both previous organizations.
In 2011 an update to Dickson Valley Corporations founding documents included the name change to Dickson Valley Ministries with the DBA of Dickson Valley Camp & Retreat Center

DEVELOPMENT PLANNING DESIGN CRITERIA:
The board and staff of Dickson Valley have sought many professionals in the Christian camping field for input. We have used various methods to determine the maximum capacity of our property both physically and mainly programmatically. The natural setting is one of our primary assets; we desire to care for, and protect it.
- Locations for future development has been defined into “Development Zones” with no significant development planned for outside these areas.
- Youth ministry needs are continually changing, and long-term planning is at best just setting the framework for what will be needed. This site plan incorporates all possible ideas that can be dreamed of; all projects may not need to be completed.
- Final locations, sizes, and designs will be approved at the time of permitting seeking the appropriate approvals from the Illinois Department of Public Health, the Sandwich Fire Protection District, and the Kendall County Planning Building and Zoning Department.
- The design of all new buildings and structures is to fit into the natural setting, limiting the impact and the need for any extra landscaping.
- Lighting around camp is intentionally left low to reduce the impact on observing the night features. Most additional light is provided by individuals and eliminates intrusion on any neighbors.
SCOPE OF NEW LONG RANGE PLANS:
- Dickson Valley Camp & Retreat Center is not changing its stated purpose or programs but is submitting a more detailed site plan in an attempt to document future needs more completely.
- This site plan represents a long-range plan, no less than 10 years, and will be driven by available funds from donors who give financially to the ministry. Dickson Valley does not enter into long term debt to develop its property.
- The ministry desires to retain conditions stated in the previous special use major amendment, Ordinance #2014-05 dated 3/31/2014
  1. The property can be utilized all year long.
  2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
  3. The number of over-night campers shall be limited to no more than 350 at any one time.
  4. No more than 8 hook-ups for RV’s.
  5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.
- One note of clarification on the conditional statement that total capacity is 350 “over-night campers.” This number is inclusive of as many as 100 day-only campers during the summer.
- Additionally, the live-on-site staff needed in supporting the ministry is composed of:
  - as many as 6 full time, long-term families (currently 5),
  - as many as 24 single short-term(12-month program) staff,
  - and 64 seasonal(summer) staff
DICKSON VALLEY CAMP OVERALL LEGAL DESCRIPTION

THAT PART OF THE SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18 OF AFORESAID TOWNSHIP AND RANGE; THENCE SOUTH 1 DEGREE 07 MINUTES 54 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST ALONG THE SOUTHERNLY LINE OF THE PREMISES CONVEYED TO HARLEY B. HOBBS BY DEED DATED JANUARY 25, 1958 AND RECORDED JANUARY 29, 1958 IN DEED RECORD 118, PAGE 143 AS DOCUMENT #120930 A DISTANCE OF 3973.65 FEET FOR A POINT OF BEND IN SAID LINE; THENCE SOUTH 06 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 33.60 FEET TO A POINT IN THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 SECONDS EAST, A DISTANCE OF 455.16 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 THAT IS LOCATED 346.63 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 17; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 346.63 FEET TO SAID SOUTHEAST CORNER; THENCE NORTH 01 DEGREES 32 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1269.25 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING NORTH 01 DEGREE 32 MINUTES 37 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 1374.32 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 89 DEGREES 51 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1317.98 FEET TO A FOUND STONE MONUMENT; THENCE NORTH 89 DEGREES 38 MINUTES 22 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 840.82 FEET TO THE POINT OF INTERSECTION WITH THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 42 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 3.05 FEET TO THE POINT OF BEND IN SAID FINNIE ROAD AS PLATTED IN THE SUBDIVISION OF WEST MILLBROOK PHASE 2 RECORDED AS DOCUMENT NUMBER 883172 IN PLAT CABINET 3 OF PLATS AT SLOT 410B; THENCE SOUTH 46 DEGREES 26 MINUTES 12 SECONDS WEST, A DISTANCE OF 1130.89 FEET TO THE NORTHWEST CORNER OF SAID WEST MILLBROOK PHASE 2, SAID POINT BEING LOCATED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 34 MINUTES 26 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1862.29 FEET TO THE CENTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 AND THE WEST LINE OF SAID WEST MILLBROOK PHASE 2, A DISTANCE OF 514.33 FEET TO THE NORTHERLY BANK OF THE FOX RIVER; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY BANK OF THE FOX RIVER, A DISTANCE OF 2346.73 FEET MORE OR LESS TO A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 1001.65 FEET TO THE POINT OF BEGINNING ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.
NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Dickson Valley Ministries
Address: 8250 Finnie Rd
City, State, Zip: Newark, IL 60541
Phone Number: (630) 553-6233
Email: 

Contact Person: Mark Caldwell
Address: 8250 Finnie Rd
City, State, Zip: Newark, IL 60541
Email: mark@dicksonvalley.com

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

Site Location & Proposed Use
Township Name Fox Township 36N, Range 6E E, Section(s) 17
Parcel Index Number(s) 04-17-100-002, 04-17-300-002, 04-17-300-007
Project or Subdivision Name 
Number of Acres 160
Current Use of Site Year-Round Youth Camp
Proposed Use Same, no changes
Proposed Number of Lots 
Proposed Number of Structures 20+
Proposed Water Supply Well
Proposed type of Wastewater Treatment Covered septic field
Proposed type of Storm Water Management Natural

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 County

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
Additional Acres at $18.00 each $75.00
Total NRI Fee $450.00

NOTE: Applications are due by the 1st 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 

Date 3/18/19

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# 1905 Date initially rec’d 3/14/19 Date all rec’d April 8, 2019
Fee Due $75.00 Fee Paid $75.00 Check # 42-49 Over/Under Payment Refund Due
Applicant: Dickson Valley Ministries
Contact: Mark Caldwell
Address: 8250 Finnie Rd.
          Newark, IL 60541
Project: 2019 Long Range Plan
Address: 8250 Finnie Rd, Newark

Description: Updated site plan to include development of day and resident camp activities and facilities.

Natural Resource Review Results
Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Dixon Valley Sedge Meadow INAI Site
Fox River INAI Site
Dickson Sedge Meadow Natural Heritage Landmark
River Redhorse (Moxostoma carinatum)

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

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

County: Kendall
Township, Range, Section:
36N, 6E, 8
36N, 6E, 17

IL Department of Natural Resources
Contact
Justin Dillard
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County Dept. of Planning, Building & Zoning
Matt Asselmeier
111 West Fox Street
Yorkville, Illinois 60560-9999

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.
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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.
### EcoCAT Receipt

**Project Code:** 1908785

### Applicant

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<thead>
<tr>
<th>Dickson Valley Ministries</th>
<th>3/14/2019</th>
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<tbody>
<tr>
<td>Mark Caldwell</td>
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<tr>
<td>8250 Finnie Rd</td>
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<tr>
<td>Newark, IL 60541</td>
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<tr>
<th>DESCRIPTION</th>
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<td>$125.00</td>
<td>$2.94</td>
<td>$127.94</td>
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</table>

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**TOTAL PAID:** $127.94

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Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702  
217-785-5500  
dnr.ecocat@illinois.gov
March 18, 2019

Mark Caldwell  
Dickson Valley Ministries  
8250 Finnie Rd.  
Newark, IL 60541 9573

RE: 2019 Long Range Plan  
Project Number(s): 1908785  
County: Kendall

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 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.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, 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, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR’s authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Justin Dillard  
Division of Ecosystems and Environment  
217-785-5500
Please fill out the following findings 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.*

Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization.

*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.*

Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quite often benefiting neighbors with the use of the land and resources.

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

Of the 160 acres of mostly wooded land, only about 25% has been developed, leaving a lot of great natural resources. The township road has been updated and has always proved adequate for our traffic and still is a seldom traveled road.

*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.*

Dickson Valley has had 30+ years in the county with no problems in following regulations.

*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.*

Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.
DESIGN CRITERIA
- The least and last of Dickson Valley have sought many professionals in the Christian camping field for input. We have used various methods to determine the maximum capacity of our property both physically and mentally programmatically. The natural setting is one of our primary assets, we desire to use it, and protect it.
- Locations for future development have been identified into the "Development Zones" with no significant development planned for outside these areas.
- Youth ministry needs are continually changing, and long-term planning is at least just setting the groundwork for what will be needed. This site plan incorporates all possible ideas that can be dreamed of.
- Final locations, sizes, and designs will be approved at the time of permitting seeking the appropriate approval from the Illinois Department of Public Health, the Sandwich Fire Protection District, and the Kendall County Planning Building and Zoning Department.
- The design of all new buildings and structures is to fit into the natural setting, limiting the impact and the need for any extra landscaping.
- Upgrading camp is intentionally left low to reduce the impact on observing the night features. Most additional light is provided by individuals and eliminates intrusion on any neighbors.

DEVELOPMENT ZONE C; ACTIVITY AREA
- Ice rink complex
- Zip lines
- New shop not to exceed 8,000 sq.ft.
- Gatehouse for a controlled entrance
- Chapel in the Woods, seating up to 350
- Welcome pavilions for day camp
- Ice rink pavilion
- Mini golf course
- New shop, just outside the zone

DEVELOPMENT ZONE D; ENTRANCE PARKING
- Welcome pavilions for day camp
- Chapel in the woods, seeking up to 350
- Campers check-in area
- Volunteer RV hook-ups
- Consideration of freestanding office structure

DEVELOPMENT ZONE E; ENTRANCE DRIVE
- Open air Camper Pavilion #2, capacity 50, up to 2,000 sq.ft.
- Open air Camper Pavilion #1, capacity 50, up to 2,000 sq.ft.
- Various freestanding decks for small groups or activities
- Up to 50,000 sq.ft. of combined septic field serving all new restrooms
- Option for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West

DEVELOPMENT ZONE F; MAINTENANCE AREA
- Development planned for outside these areas.
- New shop, just outside the zone
- Upgrades of kitchen equipment as needed
- Lower level of addition could include offices or meeting space
- Upgrade kitchen equipment as needed

DEVELOPMENT ZONE G; ACORN LODGE SITE
- Capacity for meetings and activities up to 250 campers year-round,
- Upgrade kitchen equipment as needed
- Lower level of addition could include offices or meeting space
- Upgrade kitchen equipment as needed

DEVELOPMENT ZONE H; NORTH ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West

DEVELOPMENT ZONE I; ACTIVITY AREAS
- Day camp specific activities
- Day camp specific activities
- Day camp specific activities
- Day camp specific activities
- Day camp specific activities
- Day camp specific activities

DEVELOPMENT ZONE J; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms

DEVELOPMENT ZONE K; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms

DEVELOPMENT ZONE L; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms

DEVELOPMENT ZONE M; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms

DEVELOPMENT ZONE N; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West
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DEVELOPMENT ZONE O; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
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DEVELOPMENT ZONE P; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West
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- Additional of two separate "leaders" rooms with restrooms

DEVELOPMENT ZONE Q; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
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DEVELOPMENT ZONE R; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
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DEVELOPMENT ZONE S; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
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DEVELOPMENT ZONE T; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
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DEVELOPMENT ZONE U; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
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DEVELOPMENT ZONE V; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
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DEVELOPMENT ZONE W; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms

DEVELOPMENT ZONE X; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
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DEVELOPMENT ZONE Y; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
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DEVELOPMENT ZONE Z; ACTIVITY AREAS
- Options for an addition for dining space to the North or West
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- Additional of two separate "leaders" rooms with restrooms
- Options for an addition for dining space to the North or West
- Additional of meeting space to accommodate 80-100
- Additional of two separate "leaders" rooms with restrooms
This updated site plan has been produced to add more clarity to the site plan that was submitted in 2014.

This plan has all existing structures (in black), plus the additional projects (in red) needed to grow to an anticipated capacity of only 21%, or 1,500 people, above the 2014 usage of 7,100 people per year.

Only a few of these projects where not included in the 2014 overall plan, noted as [New] in this description.

**CURRENT MINISTRY STATUS**

- Dickson Valley Ministries has been operating a year-round youth camp and retreat center in Kendall County, Fox Township, for nearly 40 years.
- In 1988 Dickson Valley served 2,100 people per year and by 2014 had grown over 300% to where it served 7,100 people that year with retreats, summer resident camps and day camps.
- The current number of staff living on-site includes 9 full-time long-term families. Also 2-3 full-time short-term staff, and 25 seasonal summer staff.

**SCOPE OF FUTURE DEVELOPMENT**

- Dickson Valley Camp & Retreat Center is not changing its stated purpose or programs but is submitting a more detailed site plan in an attempt to document future needs for more clarity.
- This site plan represents a long-range plan of no more than 10 years, and will be driven by available funds from donors who give financially to the ministry. Dickson Valley does not enter into long-term debt to develop its property.
- Future ministry growth will increase staff to 1 additional full-time long-term family, an additional 20-30 full-time short-term staff, and an additional 40 seasonal summer staff.
- The ministry desires to relax conditions stated in the previous special use major amendment, Ordinance #2014-05 dated 3/31/14, and #2015-06 dated in the ordnance alternate site plan.

**DEVELOPMENT ZONE A; DAY CAMP AREA**

- Multipurpose Field House
- Various freestanding decks for small groups or activities
- All-weather sports field
- Day camp specific activities
- Water activities similar to splash pad, or wading fountain
- Combined sports field serving all new recreational areas

**DEVELOPMENT ZONE H; NORTH ACTIVITY AREAS**

- Experiential activities similar to climbing tower(s), zip lines, course activities, high ropes course
- A pedestrian walkway over/surrounding Finnie Road

**RETRIEVAL DEVELOPMENT ZONE**

- Water filtration building or addition to existing well and well house
d- Water treatment and storage for camp
- Addition to main shop, staff shop, and offices

**DEVELOPMENT ZONE G; ACORN LODGE SITE**

- Separate activities and facilities
- Separate program meeting building

**DEVELOPMENT ZONE D; ENTRANCE PARKING**

- New entrance for day camp
- Chapel in the Woods
- Bike racks
- Unencumbered RV hook-up
- Provide new office building site

**DEVELOPMENT ZONE E; ENTRANCE DRIVE**

- [New] Gazebo for a controlled entrance
- Multi-purpose staff lodge, garage, retreat, lodge, just outside the zone
- Upgrade driveway and entrance
- Keep lit sign, upgrade landscaping

**DEVELOPMENT ZONE F; MAINTENANCE AREA**

- New shop
- Removal or remodel of existing shop

**DEVELOPMENT ZONE B; RESIDENT CAMP AREA**

- Combined septic field serving all new restrooms
- Various freestanding decks for small groups or activities
- Multipurpose Field-house

**DEVELOPMENT ZONE C; ACTIVITY AREA**

- New outdoor high ropes course
- 18-hole golf course
- Picnic area
- New freestanding decks for small groups
- Year-round camper cabin

**DEVELOPMENT ZONE I; ADDITIONS, ACORN LODGE**

- Remodel of the current lodge for updated plumbing and additional housing
- Addition to north and south of building
- The current structure is 126' off the road

**DEVELOPMENT ZONE J; ADDITIONS, CAMP LODGE**

- Addition of meeting space
- Addition of at least two "teacher" rooms with restrooms
- Remodel and add on to program office for camp store

**DEVELOPMENT ZONE K; ADDITIONS, SILVER FOX LODGE**

- Addition for new restroom
- Addition for large conference
- Addition for added housing

**DEVELOPMENT ZONE L; ADDITIONS, SPORTS CENTER**

- Exterior development of high ropes course or similar
- Addition to north end of building
- Additions and remodels noted for each building below:

**ADDITIONS, DIRECTOR’S LODGE**

- Addition to north and south of building
- The current structure is 126' off the road

**ADDITIONS, CHURCHES LODGE**

- Addition for dining space increase to the North or West

**ADDITIONS, DICKSON LODGE**

- Addition of meeting space
- Addition of at least two "teacher" rooms with restrooms
- Remodel and add on to program office for camp store

**ADDITIONS, OULLION CHALET**

- Remodeling improve housing spaces

**ADDITIONS, SILVER FOX LODGE**

- Addition for new restroom
- Addition for large conference
- Addition for added housing

**ADDITIONS, SPORTS CENTER**

- Exterior development of high ropes course or similar
- Additions noted for each swimming pool

**ADDITIONS, ACORN LODGE**

- Remodel of the current lodge for updated plumbing and additional housing

**OWNER/DEVELOPER**

Dickson Valley Ministries
8250 Finnie Rd
Newark, IL 60541
309-593-6233
C/O Mark Caldwell, Executive Director
mark@dicksonvalley.com

**rbac**

RB & ASSOCIATES CONSULTING, INC.

1135 S. 6TH ST.

CHICAGO, IL 60607

312.812.8510
312.812.8535

www.rbacinc.com
State of Illinois  
County of Kendall  

Zoning Petition  
#14-02  

ORDINANCE # 2014 - 05  

GRANTING A MAJOR AMENDMENT TO A SPECIAL USE FOR  
DICKSON VALLEY MINISTRIES AT 8250 FINNIE ROAD  

Mailed to and Prepared by:  
Angela Zubko  
111 West Fox Street Rm. 203  
Yorkville, IL 60543  

Subscribed and sworn to before me  
This 31st day of March, 2014  

Angela Zubko  
Kendall County Planning & Zoning Manager  

Notary Public  

Official Seal  
SUSAN K SMITH  
Notary Public - State of Illinois  
My Commission Expires: 02/21/16  

55
ORDINANCE NUMBER 2014-65

GRANTING A MAJOR AMENDMENT TO A SPECIAL USE FOR
DICKSON VALLEY MINISTRIES AT 8250 FINNIE ROAD

WHEREAS, Dickson Valley Ministries dba of Dickson Valley Camp and Retreat Center has filed a petition for a major amendment to their Special Use within the A-1 Agricultural Zoning District for a 161 acre property located on the north & south side of Finnie Road, 0.8 miles south of Finnie & Rogers Road, commonly known as 8250 Finnie Road, (PIN# 04-17-100-002, 04-17-300-002 & 04-17-300-007), in Fox Township; and

WHEREAS, said property is currently zoned A-1 Agricultural with an existing Special Use for operation for a camp and retreat center; and

WHEREAS, said petition is to amend their existing special use permit to continue operation of their camp and retreat center and add 51.74 acres and modify their site plan; and

WHEREAS, during the 1974 Countywide rezoning the County Board of Kendall County, Illinois rezoned this property to A-1SU for non-profit camping uses; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a special use for a Christian Youth Camp for 108 acres as Ordinance 1983-17 on December 13, 1983; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request to amend the site plan to include a dining and meeting hall north of the original site plan and expand the bath house and chapel as Ordinance 2000-17A & 2000-24 on June 20, 2000; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a lighted sign at the camp entrance with conditions as Ordinance 2002-12 on May 21, 2002; and

WHEREAS, said property is legally described as:

PARCEL 1:
ILLINOIS; ALSO THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHEAST QUARTER 11.70 CHAINS (772.2 FEET) TO THE CENTER LINE OF A ROAD; THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE WEST ALONG SAID NORTH LINE 12.63 CHAINS (833.58 FEET) TO THE POINT OF BEGINNING, CONTAINING 42.59 ACRES MORE OR LESS, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE WEST HALF OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH 01 DEGREES 07 SECONDS 54 MINUTES EAST ALONG THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST, A DISTANCE OF 4010.24 FEET; THENCE SOUTH 66 DEGREES 02 MINUTES 58 MINUTES EAST, A DISTANCE OF 33.6 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 66 DEGREES 02 MINUTES 58 MINUTES EAST, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 MINUTES EAST, A DISTANCE OF 455.16 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 90 DEGREES EAST, A DISTANCE OF 345.63 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, THENCE NORTH 01 DEGREES 14 MINUTES 05 SECONDS WEST ALONG THE WEST LINE OF SAID QUARTER/QUARTER SECTION A DISTANCE OF 1269.52 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE NORTH 63 DEGREES 32 MINUTES 29 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 51.54 FEET; THENCE NORTH 73 DEGREES 54 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 785.94 FEET; THENCE NORTH 57 DEGREES 52 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 459.76 FEET; THENCE NORTH 46 DEGREES 37 MINUTES 32 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 158.96 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, THENCE SOUTH 01 DEGREES 16 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1864.30 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 513.64 FEET TO THE WESTERLY BANK OF THE FOX RIVER; THENCE SOUTH 36 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 227.1 FEET; THENCE SOUTH 34 DEGREES 34 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 224.1 FEET; THENCE SOUTH 40 DEGREES 48 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 343.69 FEET; THENCE SOUTH 35 DEGREES 57 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 257.65 FEET; THENCE SOUTH 47 DEGREES 35 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 201.1 FEET; THENCE SOUTH 46 DEGREES 16 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 415.78 FEET; THENCE SOUTH 39 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 424.92 FEET TO A POINT ON A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST 1001.65 FEET TO THE POINT OF BEGINNING CONTAINING 118.00 ACRES.
State of Illinois
County of Kendall

ALL IN THE TOWNSHIP OF FOX, 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 March 3, 2014; 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. Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization.

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. Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quite often benefiting neighbors with the use of the land and resources.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Of the 160 acres of mostly wooded land, only about 25% has been developed, leaving a lot of great natural resources. The township road has been updated and has always proved adequate for our traffic and still is a seldom traveled road.

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. Dickson Valley has had 30+ years in the county with no problems in following regulations.

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. Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.

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 of the property owner as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall
State of Illinois
County of Kendall

County Ordinances #02-12, #00-24, #00-17A & #83-17 in their entirety and grants approval of a
major amendment to their existing special use zoning permit to continue operation of their camp
and retreat center at 8250 Finnie Road in accordance to the submitted Site Plan included as
“Exhibit A” attached hereto and incorporated herein subject to the following conditions:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use
   shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV’s.
5. The sign shall be in conformance with the standards of sign illumination as set forth in
   the Kendall County Zoning Ordinance and can be externally lit.

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 March 19th, 2014.

Attest:

Debbie Gillette
Kendall County Clerk

John Shaw
Kendall County Board Chairman
EXISTING STRUCTURES:
1. Acorn Lodge
2. Director's Lodge
3. Whitaker Lodge
4. Maintenance 1
5. Maintenance 2
6. Chrousler Dining Hall
7. Ouldun Chalet
8. Silver Fox Lodge
9. Dixson Dorm
10. Picnic Pavilion
11. 2 Camper Cabins
12. Sportex Center

DEVELOPMENT PLANS:
A. Remote Rustic Camp (no structures)
B. Remote Camp Parking
C. 2 Year-Round Lodges
D. Chapel Pavilion
E. New Road
F. Day Camp Parking
G. 4 Camper Cabins
H. Day Camp Restrooms & Pavilion
* Also Various Remodels and Small Additions to Upgrade Existing Structures

EXHIBIT A

Dickson Valley Ministries
Site & Development Plan 2014

Dickson Valley Camp & Retreat Center
8250 Fimie Rd. Newark, IL 60541
630-659-6233 www.dicksonvalley.com
PBZ Committee Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

Present:
Megan Andrews – Soil and Water Conservation District (Arrived at 9:03 a.m.)
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
David Guritz – Forest Preserve (Arrived at 9:05 a.m.)
Deputy Commander Mitchell Hattan – Sheriff’s Department
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Aaron Rybski – Health Department
Matthew Prochaska – PBZ Committee Chair

Absent:
Greg Chismark – WBK Engineering, LLC

Audience:
Mark Caldwell, Adam Theis, and JoAnn Bright-Theis

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

MINUTES
Mr. Hattan made a motion, seconded by Mr. Klaas, to approve the March 5, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

PETITIONS
Petition 19-11 Mark Caldwell on Behalf of Dickson Valley Ministries – Major Amendment to a Special Use Permit by Repealing and Replacing Their Approved Site Plan at 8250 Finnie Road in Fox Township

Mr. Asselmeier summarized the request.

The subject property is approximately one hundred sixty (160) acres in size and has a special use permit for a youth camp and retreat center. The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

Ms. Andrews arrived at this time (9:03 a.m.).

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.

2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.

3. The number of over-night campers shall be limited to no more than 350 at any one time.

4. No more than 8 hook-ups for RV’s.

5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.
The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows.

Mr. Guritz arrived at this time (9:05 a.m.)

The proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.

5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total house of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.). A picture of Development B is included as Attachment 6.

6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.) A picture of Development C is included as Attachment 7.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.

8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.

9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.

11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.

12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.
13. Addition 1, Director's Lodge, shall consist of a fourteen foot by eighteen foot (14' x 18') dining room addition. The current structure is one hundred twenty-six feet (126') offset from the road and the addition may encroach no more than an additional three feet (3'). A picture of Addition 1 is included as Attachment 11.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed. A picture of Addition 2 is included as Attachment 12.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.

16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate "leaders" rooms with restrooms. A picture of Addition 5 is included as Attachment 15.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and additions to lodge for possible staff housing and extra space. A picture of Addition 7 is included as Attachment 17.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.

Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural Heritage Landmark, and River Redhorse (Moxostoma carinatum). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI.

Petition information was sent to Fox Township on March 26, 2019.

Petition information was sent to the Village of Millbrook on March 26, 2019.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019.

Any new buildings would have to meet applicable building codes.

As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required as the proposal is implemented and will be reviewed on a project-by-project basis.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.
Before issuing a recommendation, Staff would like consultation with ZPAC members, the Fox Township Highway Commissioner, and the Sandwich Fire Protection District regarding any concerns to the public health and safety they may possess.

Mr. Rybski asked if more employees will be added onsite. Mr. Caldwell stated the number of people onsite will not change from what was proposed in 2014. The projected increase in people onsite is forty percent (40%).

Mr. Caldwell stated that they (Dickson Valley Ministries) wanted to show everything on the site plan. The mission of the organization has not changed.

Mr. Klaas asked if any complaints had been filed regarding this property with Building and Zoning. Mr. Holdiman responded not to his knowledge.

Discussion occurred regarding a right-of-way dedication for Finnie Road. Mr. Caldwell requested clarification on how a dedication occurred. Mr. Klaas explained the process. Mr. Caldwell will take the request to his board at the end of April to discuss the dedication. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred.

If the plan was developed fully, the investment would be Four Point Five Million Dollars ($4.5 Million).

Mr. Guritz discussed the EcoCat Report. Mr. Caldwell stated that the development will not occur near the protected areas.

Mr. Klaas made a motion, seconded by Mr. Rybski, to forward the major amendment to the Kendall County Regional Planning Commission with the following conditions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the proposed Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
4. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
5. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
6. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (0): None
Absent (1): Chismark

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

Petition 19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis – Special Use Permit for a Banquet Center at 10978 Crimmin Road in Fox Township

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.
No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26’) tall at its peak and ten feet (10’) tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers 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 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

If approved, the Petitioners hope to start operations as quickly as possible.

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (Moxostoma carinatum). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019.

Fox Township was emailed information on March 27, 2019.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.
The property fronts Crimmin Road.

According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700’). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown on the proposed site plan, the site contains approximately one hundred sixty-six trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

Before issuing a recommendation, Staff would like the following issues addressed/clarified:

1. Input from the Kendall County Sheriff’s Department and the Newark Fire Protection District regarding any concerns regarding having a facility at this location.
2. Input from the Kendall County Health Department regarding the septic and well facilities.
3. Input from WBK regarding the need for a stormwater management permit.
4. Acknowledgement from the Petitioners that they are aware and will follow Kendall County’s Right to Farm Clause.
5. Acknowledgement from the Petitioners that they agree to follow all applicable Federal, State, and Local laws governing this type business and the implications for not following such laws.

Mr. Rybski asked about food preparation. All events will be catered.

Mr. Rybski asked about the number of events. Mr. Theis responded that they anticipate ten-twenty (10-20) events with fifty percent (50%) growth after that time. Mr. Rybski explained the well testing requirements. A site survey will be completed to define the location of the existing septic system.

Deputy Commander Hattan asked about traffic control. Mr. Theis explained the internal traffic control system. The Petitioner will contract with a company to direct traffic on and off Finnie Road.

No new structures will be constructed onsite. New lighting will be installed onsite as shown on the site plan.

Mr. Guritz will forward the Forest Preserve regulations related to equestrian use to the Petitioner. Horses will not be involved with proposed business. The equestrian business will continue at the property as a separate business.

Outside company will supply alcohol; no alcohol will be sold onsite.

Ms. Andrews requested clarification on the acreage of the property. Mr. Theis will provide clarification on the size of the property.

Noise will be controlled by existing landscaping and trees; music will initiate indoors and face east inside the venue. Business will close at 10:00 p.m.

Mr. Klaas discussed the planned the realignment of Crimmin Road.
Mr. Klaas made a motion, seconded by Mr. Holdiman, to forward the special use permit request to the Kendall County Regional Planning Commission with the following conditions proposed by Staff.

Ayes (8): Andrews, Asselmeier, Briganti, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (1): Guritz
Absent (1): Chismark

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

**Petition 19-13 Kendall County Planning, Building and Zoning Committee – Text Amendment to Sections 4.06 and 4.07 of the Kendall County Zoning Ordinance by Allowing Research and Development Related Home Occupations to be Conducted Outside of a Dwelling or Permitted Accessory Structure and Adding the Phrase “Unless Otherwise Permitted by Law” to the End of Section 4.06.f and Section 4.07.g**

Mr. Asselmeier summarized the request.

At their meeting February 27, 2019, the Comprehensive Land Plan and Ordinance Committee requested that Staff prepare a proposed text amendment to the Kendall County Zoning Ordinance allowing research and development related home occupations to be conducted outside the dwelling or accessory structure and to address noise, dust, fumes, and odor issues.

For reference, “Home Occupation” related terms are defined as follows:

**HOME OCCUPATION** Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

**HOME OCCUPATION - AGRICULTURAL.** A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation". (Amended 04/18/2000)

**HOME OCCUPATION- RESIDENTIAL** A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

Home Occupations are permitted uses in the A-1 District and all Residential Districts. Home Occupations are special uses in the RPD Districts.

At their meeting on March 27, 2019, the Kendall County Regional Planning Commission voted to initiate the text amendment.

Mr. Rybski asked about home occupations that could be impacted by this proposal. Mr. Asselmeier suggested that individuals wanted to construct firearms and test those firearms outdoors would be impacted. Mr. Asselmeier also suggested a business creating telescopes could be impacted.

Mr. Asselmeier read the definition of research and development from the Zoning Ordinance.

County regulations cannot supersede federal or state regulations.

Mr. Rybski made a motion, seconded by Ms. Andrews, to forward the text amendment to the Kendall County Regional Planning Commission.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (0): None
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.
REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Hattan made a motion, seconded by Mr. Rybski to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:47 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner
KENDALL COUNTY
ZONING & PLATING ADVISORY COMMITTEE
APRIL 2, 2019

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS (OPTIONAL)</th>
<th>EMAIL ADDRESS (OPTIONAL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark Caldwell</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John D. Smith</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Fox</td>
<td>110 E arousal</td>
<td><a href="mailto:admin@newarr.ill.us">admin@newarr.ill.us</a></td>
</tr>
<tr>
<td></td>
<td>Newarr, IL 60541</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Matt Asselmeier

From: Fox Township <foxtownshipsupervisor@gmail.com>
Sent: Tuesday, April 16, 2019 3:59 PM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Petition 19-11 (Dickson Valley Ministries)

Matt,

Please accept this email as comment on Petition 19-11. Fox Township Board of Trustees, acting as the Planning Commission for Fox Township, discussed this petition at our April Board meeting on April 8th, 2019. Here is a summary of our position:

1) Conceptually, the Board approves of the major amendment to the Special Use Permit at this location with the following stipulations.

   a. The current property set back line is 126', which is already less than the mandated set back of 150'. Therefore, Fox Township Board does not grant relief from the current set back. Relief may be granted if the petitioner applies for variance through the standard variance process, including noticing adjoining property owners of any variance request prior to construction involving said variance.

   b. Currently, the amendment states that storm water management "permits may be required as the proposal is implemented". It is the position of the Fox Township Board that any permits required for storm water management must be procured prior to the issuance of any building permit, ensuring proper storm water management is designed into any portion of the amendment developed.

   c. Lastly, under item 12 on page 4 of the amendment, a possible pedestrian walkway over Finnie Road was proposed. Fox Township Board and Fox Township Highway Department reserve the right to approve or disapprove any design presented for an overhead walkway on Finnie Road.

If you need any other information or have any questions, I am available at any time to assist you in this issue. Thank you for giving us a platform for our input.

Jeff Spang, Supervisor
Fox Township

On Tue, Mar 26, 2019 at 8:31 AM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

ZPAC Members:

The Kendall County ZPAC will meet on Tuesday, April 2, at 9:00 a.m., at 111 W. Fox Street in Yorkville, to discuss a request by Dickson Valley Ministries to amend their special use permit by repealing and replacing their existing site plan.
Matt Asselmeier

From: Andrews, Megan - NRCS-CD, Yorkville, IL <Megan.Andrews@il.nacdnet.net>
Sent: Monday, April 22, 2019 2:37 PM
To: Matt Asselmeier
Subject: [External] Dickson Valley Ministries NRI Report
Attachments: NRI_1401_ExecutiveSummary_Report.pdf

Matt,

After reviewing the Natural Resources Application for the Dickson Valley Ministries Special Use Petition, I wanted to provide a copy of the previously completed NRI Executive Summary Report. A review of the site, site conditions based on office resources along with the soils indicate that the information contained within the report is still accurate and current. The soils information utilized to develop the LESA score remains the same as it was in 2014 as the report was completed after the last update to the Kendall County Soil Survey by USDA. As such, I wanted to provide a copy of the previously completed report as a reference for this petition; the LESA score remains the same to date:

- Land Evaluation: 70
- Site Assessment: 103
- Full LESA Score: 173

If you have any questions or would like more information on any of the report items, please let me know.

Thanks,
Megan

Megan Andrews
Resource Conservationist

Kendall County Soil & Water Conservation District
7775A Route 47
Yorkville, IL 60560
Office: (630)553-5821 x3
www.kendallswcd.org

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NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1401

March 2014
Petitioner: Dickson Valley Ministries
Contact: Mark Caldwell

Prepared by:

Kendall County Soil & Water Conservation District
7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org
Executive Summary
March 10, 2014

Petitioner: Dickson Valley Ministries DBA Dickson Valley Camp & Retreat Center
Contact Person: Mark Caldwell
County or Municipality the petition is filed with: Kendall County
Location of Parcel: W1/2 Section 17, T.36N.-R.6E. (Fox Township) of the 3rd Principal Meridian in Kendall County, IL
Project or Subdivision Name: Dickson Valley Ministries – Site & Development Plan
Existing Zoning & Land Use: A-1 Special Use, Camp & Retreat Center (Lodges, Dining Hall, Cabins, Activity Fields, Restroom Facilities, Pavilion, Trails, Access Roads), Wooded, Grasped
Proposed Zoning & Land Use: Update to A-1 Special Use; Expansion of facilities to include: Cabins, Lodges, Lighted sign, additions to existing buildings onsite, Pavilion, Restroom Facilities, New access road, rustic campsite, storage areas, reforestation of floodplain areas.
Proposed Water Source: Private Well
Proposed Type of Sewage Disposal System: Private, individual septic
Proposed Type of Storm Water Management: Natural
Size of Site: 160.59
Land Evaluation Site Assessment Score: 173

Natural Resource Concerns

Soil Map:

SOIL INFORMATION:
Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2007 Kendall County Soil Survey, this parcel contains the following soil types:
Table 1:

<table>
<thead>
<tr>
<th>Map</th>
<th>Soil Name</th>
<th>Hydrologic Group</th>
<th>Hydric Designation</th>
<th>Farmland Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Camden silt loam, 5-10% slopes, eroded</td>
<td>B</td>
<td>Non-hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>193B</td>
<td>Mayville silt loam, 2-5% slopes</td>
<td>C</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>193C2</td>
<td>Mayville silt loam, 5-10% slopes, eroded</td>
<td>C</td>
<td>Non-hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>199A</td>
<td>Piano silt loam, 0-2% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>210A</td>
<td>Lena muck, 0-2% slopes</td>
<td>A/D</td>
<td>Hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>224F2</td>
<td>Strawn silt loam, 18-35% slopes, eroded</td>
<td>C</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>318C2</td>
<td>Lorenzo silt loam, 4-6% slopes, eroded</td>
<td>B</td>
<td>Non-hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>318D2</td>
<td>Lorenzo loam, 6-12% slopes, eroded</td>
<td>B</td>
<td>Non-hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>327B</td>
<td>Fox silt loam, 2-4% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>667A</td>
<td>Kaneville silt loam, 0-2% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>667B</td>
<td>Kaneville silt loam, 2-5% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>680B</td>
<td>Campton silt loam, 2-5% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>791B</td>
<td>Rush silt loam, 2-4% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>820E</td>
<td>Hennepin-Casco complex, 12-30% slopes</td>
<td>Hennepin: B Casco: B</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>865</td>
<td>Pits, gravel</td>
<td>N/A</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>969F2</td>
<td>Casco-Rodman complex, 12-20% slopes, eroded</td>
<td>Casco: B Rodman: A</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>969F</td>
<td>Casco-Rodman complex, 20-30% slopes</td>
<td>Casco: B Rodman: A</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>3082A</td>
<td>Millington silt loam, 0-2% slopes, frequently flooded</td>
<td>B/D</td>
<td>Hydric</td>
<td>Prime Farmland (if drained and either protected from flooding or not frequently flooded during the growing season)</td>
</tr>
<tr>
<td>3107A</td>
<td>Sawmill silty clay loam, 0-2% slopes, frequently flooded</td>
<td>B/D</td>
<td>Hydric</td>
<td>Prime Farmland (if drained and either protected from flooding or not frequently flooded during the growing season)</td>
</tr>
</tbody>
</table>

**Hydrologic Soil Groups**: Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- **Hydrologic group A**: Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Hydrologic group B**: Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Hydrologic group C**: Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Hydrologic group D**: Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.
**Hydric Soils:** A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, three are classified as a hydric soil.

**Prime Farmland:** Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Several of the soils found onsite are designated as prime or farmland of statewide importance.

Table 2:

<table>
<thead>
<tr>
<th>Map Unit</th>
<th>Surface Runoff</th>
<th>Ponding</th>
<th>Flooding</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Medium</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>193B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>193C2</td>
<td>Medium</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>199A</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>210A</td>
<td>Negligible</td>
<td>Brief, Frequent</td>
<td>None</td>
</tr>
<tr>
<td>224F2</td>
<td>Very High</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>318C2</td>
<td>Medium</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>318D2</td>
<td>Medium</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>327B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>667A</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>667B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>680B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>791B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>820E</td>
<td>Hennepin: Very High Casco: High</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>865</td>
<td>N/A</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>969E2</td>
<td>Casco: Medium Rodman: Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>969F</td>
<td>Casco: High Rodman: Medium</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>3082A</td>
<td>Negligible</td>
<td>January-May: Brief, Frequent June-December: None</td>
<td>January-December: Brief, Frequent</td>
</tr>
<tr>
<td>3107A</td>
<td>Negligible</td>
<td>January-May: Brief, Frequent June-December: None</td>
<td>January-December: Brief, Frequent</td>
</tr>
</tbody>
</table>

**Surface Runoff:** Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover. Indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal).

**Ponding:** Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

**Flooding:** Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration expressed as brief is 2 to 7 days and a frequent frequency means that it is likely to occur often under normal weather conditions.

**SOILS LIMITATIONS:** Limitations for camp areas, small commercial building and conventional sewage disposal systems. Please note this information is based on information compiled as part of the USDA-NRCS 2007 Soil Survey of Kendall County, IL and does not replace site specific soil testing.
<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Small Commercial Building</th>
<th>Camp Areas</th>
<th>Conventional Sewage Disposal System</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Somewhat Limited: Slope, Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>193B</td>
<td>Somewhat Limited: Shrink-swell, Depth to saturated zone</td>
<td>Somewhat Limited: Slow water movement, Depth to saturated zone</td>
<td>Not Limited</td>
</tr>
<tr>
<td>193C2</td>
<td>Somewhat Limited: Slope, Shrink-swell</td>
<td>Somewhat Limited: Slow water movement</td>
<td>Not Limited</td>
</tr>
<tr>
<td>199A</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>210A</td>
<td>Very Limited: Subsidence, Depth to saturated zone, Organic matter content</td>
<td>Not Rated</td>
<td>Limited Reason: Wet, organic</td>
</tr>
<tr>
<td>224F2</td>
<td>Very Limited: Slope, depth to saturated zone</td>
<td>Very Limited: Slope, Slow water movement, Depth to saturated zone</td>
<td>Not Limited</td>
</tr>
<tr>
<td>318C2</td>
<td>Somewhat Limited: Slope</td>
<td>Not Limited</td>
<td>Limited Reason: Gravel</td>
</tr>
<tr>
<td>318D2</td>
<td>Very Limited: Slope</td>
<td>Somewhat Limited: Slope</td>
<td>Limited Reason: Gravel</td>
</tr>
<tr>
<td>327B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Limited Reason: Gravel</td>
</tr>
<tr>
<td>667A</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>667B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>680B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>791B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>865</td>
<td>Not Rated</td>
<td>Not Rated</td>
<td>Limited: Reason: Gravel</td>
</tr>
<tr>
<td>3082A</td>
<td>Very Limited: Flooding, Depth to saturated zone</td>
<td>Very Limited: Depth to saturated zone, Flooding</td>
<td>Limited: Reason: Frequently flooded</td>
</tr>
<tr>
<td>3107A</td>
<td>Very Limited: Flooding, Depth to saturated zone, Shrink-swell</td>
<td>Very Limited: Depth to saturated zone, Flooding</td>
<td>Limited: Reason: Frequently flooded</td>
</tr>
</tbody>
</table>

**Septic Systems:** The factors considered for determining suitability are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. Soils are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department (811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026).
Kendall County Land Evaluation and Site Assessment (LESA):
Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to
determine the suitability of a land use change and/or a zoning request as it relates to agricultural
land. The LESA system was developed by the United States Department of Agriculture-Natural
Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as
physical characteristics of the land, compatibility of surrounding land-uses, and urban growth
factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst
  suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other
groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The
Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the
  quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The
Kendall County LESA Committee is responsible for this portion of the LESA system.

**Table 4a: Land Evaluation Computation**

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Value Group</th>
<th>Relative Value</th>
<th>Acres</th>
<th>Product (Relative Value x Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>5</td>
<td>82</td>
<td>6.7</td>
<td>549.4</td>
</tr>
<tr>
<td>193B</td>
<td>4</td>
<td>79</td>
<td>5.9</td>
<td>466.1</td>
</tr>
<tr>
<td>193C2</td>
<td>5</td>
<td>82</td>
<td>3.2</td>
<td>262.4</td>
</tr>
<tr>
<td>199A</td>
<td>1</td>
<td>100</td>
<td>0.7</td>
<td>70.0</td>
</tr>
<tr>
<td>210A</td>
<td>5</td>
<td>82</td>
<td>15.5</td>
<td>1271.0</td>
</tr>
<tr>
<td>224F2</td>
<td>7</td>
<td>47</td>
<td>4.3</td>
<td>202.1</td>
</tr>
<tr>
<td>318C2</td>
<td>6</td>
<td>69</td>
<td>7.5</td>
<td>517.5</td>
</tr>
<tr>
<td>318D2</td>
<td>6</td>
<td>69</td>
<td>15.8</td>
<td>1248.2</td>
</tr>
<tr>
<td>327B</td>
<td>4</td>
<td>79</td>
<td>2.4</td>
<td>208.8</td>
</tr>
<tr>
<td>667A</td>
<td>3</td>
<td>87</td>
<td>3.3</td>
<td>287.1</td>
</tr>
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<td>87</td>
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<td>15.8</td>
</tr>
<tr>
<td>791B</td>
<td>4</td>
<td>79</td>
<td>0.2</td>
<td>15.8</td>
</tr>
<tr>
<td>820E</td>
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<td>7</td>
<td>47</td>
<td>13.1</td>
<td>615.7</td>
</tr>
<tr>
<td>969F</td>
<td>7</td>
<td>47</td>
<td>12.9</td>
<td>606.3</td>
</tr>
<tr>
<td>3082A</td>
<td>4</td>
<td>79</td>
<td>51.3</td>
<td>4052.7</td>
</tr>
<tr>
<td>3107A</td>
<td>3</td>
<td>87</td>
<td>2.4</td>
<td>208.8</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td></td>
<td></td>
<td><strong>161.0</strong></td>
<td><strong>11281.0</strong></td>
</tr>
<tr>
<td><strong>LE Score</strong></td>
<td>LE= 11281/161</td>
<td>LE=70</td>
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</tbody>
</table>
The Land Evaluation score for this site is 70, indicating that this site is not well suited for agricultural uses.

Table 4b: Site Assessment Computation

<table>
<thead>
<tr>
<th>A. Agricultural Land Uses</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)</td>
<td>20</td>
</tr>
<tr>
<td>2. Current land use adjacent to site. (30-20-15-10-0)</td>
<td>20</td>
</tr>
<tr>
<td>3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)</td>
<td>0</td>
</tr>
<tr>
<td>4. Size of site. (30-15-10-0)</td>
<td>30</td>
</tr>
</tbody>
</table>

B. Compatibility / Impact on Uses

| 1. Distance from city or village limits. (20-10-0) | 0 |
| 2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0) | 0 |
| 3. Compatibility of agricultural and non-agricultural uses. (15-7-0) | 0 |

C. Existence of Infrastructure

| 1. Availability of public sewage system. (10-8-6-0) | 10 |
| 2. Availability of public water system. (10-8-6-0) | 10 |
| 3. Transportation systems. (15-7-0) | 7 |
| 4. Distance from fire protection service. (10-8-6-2-0) | 6 |

Site Assessment Score: 103

Land Evaluation Value: 70 + Site Assessment Value: 103 = LESA Score: 173

The LESA Score for this site is 173 which indicates a low level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service’s National Wetland Inventory map does indicate the presence of a wetland. If a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

Floodplain: The parcel is located within the floodplain.

Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the Illinois Urban Manual (http://aiswcd.org/IUM/) for appropriate best management practices.
Project Site Map: c/o Dickson Valley Ministries
LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Dickson Valley Ministries for the proposed expansion of their Camp & Retreat Center. This parcel is located in the W3/4 of Section 17 in Fox Township (T.36N.- R.6E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored a 70 out of a possible 100 points indicating the soils are not well suited for agricultural uses.

In addition, soils can have potential limitations for development. This report indicates that for soils located on the parcel: 81.4% of the soils are limited for conventional sewage disposal systems; 70.8% are very limited for small commercial building and 56.5% are very limited for camp areas. This information is based on the soil in an undisturbed state. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support these types of development. Please note that the original soil profile has been altered due to past development and in some areas where previous building/development has occurred. As a result, this site contains disturbed soils and the material found on site may not correspond to the soil type indicated within these areas within the Soil Survey of Kendall County. Additionally, since the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Fox River Watershed.

This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use it is recommended that the drainage tile survey completed on the parcel to locate the subsurface drainage tile be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Complied Statutes, Ch. 70, Par 405/22.02a).
Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL
Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Larry Nelson, Ruben Rodriguez, Benjamin Schroeder, and Claire Wilson
Members Absent: John Shaw
Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)
In the Audience: Mark Caldwell, Todd Milliron, Ron Mund, and Chris Paluch

APPROVAL OF AGENDA
Member Wilson made a motion, seconded by Member Bledsoe to approve the agenda as amended with Petition 19-12 removed because neighboring property owners were not notified properly. With a voice vote of eight (8) ayes, the motion carried unanimously.

APPROVAL OF MINUTES
Member Nelson made a motion, seconded by Member Casey, to approve the minutes of the March 27, 2019, meeting. With a voice vote of eight (8) ayes, the motion carried unanimously.

PETITIONS
19-11 Mark Caldwell on Behalf of Dickson Valley Ministries
Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed site plan. The Petitioner desires the amendment in order to have a long-range plan for their facilities.

The subject property is approximately one hundred sixty (160) acres in size and has a special use permit for a youth camp and retreat center. The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.

Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural Habitat Area, and Dixon Valley Sedge Meadow Natural Habitat Area.
Heritage Landmark, and River Redhorse (Moxostoma carinatum). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI. The LESA Score was 173 indicating a low level of protection.

Petition information was sent to Fox Township on March 26, 2019. Fox Township submitted comments on April 16, 2019. The Township requested the following:

1. Any encroachment onto the Finnie Road right-of-way close than one hundred and twenty-six feet (126’) be required to obtain a traditional variance.
2. Any permits required for storm water management must be procured prior to the issuance of any building permit.
3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Petitioner agreed with Fox Township’s requests. The Petitioner submitted a revised site plan deleting the three (3’) foot encroachment in Addition 1.

Petition information was sent to the Village of Millbrook on March 26, 2019. No comments were received.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019. No comments were received.

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the project number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars ($4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal.

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV’s.

5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.

The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows.
The proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) “overnight campers.” This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area.

5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total housing of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.).

6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.).

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.

8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.

9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.

11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.
12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.

13. Addition 1, Director’s Lodge, shall consist of a fourteen foot by eighteen foot (14’ x 18’) dining room addition. The current structure is one hundred twenty-six feet (126’) offset from the road. The site plan shall be amended to delete the additional three foot (3’) encroachment.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store.

16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate “leaders” rooms with restrooms.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Any new buildings would have to meet applicable building codes.

As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required as the proposal is implemented and will be reviewed on a project-by-project basis.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

The proposed Findings of Fact were:

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. The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.

KCRPC Meeting Minutes 4.24.19
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 proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

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 proposed special use permit amendment conforms to the applicable regulations of the A-1 Agricultural 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. This statement is true.

Staff recommends approval of the proposed major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. In the event that a revised site plan is not submitted, the additional three foot (3') encroachment mentioned in Addition 1 shall be removed from the approved Site Plan. (Added per Fox Township).

3. When requested by either Fox Township or the Kendall County Highway Department, the Petitioner shall dedicate thirty-five feet (35') of right-of-way as measured from the centerline of Finnie Road for Finnie Road right-of-way. The sign shown on the attached Site Plan may remain at its current locations if the right-of-way dedication occurs.

4. Any crossings over, on, or below the Finnie Road right-of-way shall be approved by Fox Township (Added per Fox Township)

5. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township’s concerns about stormwater regulations.)

6. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the
special use permit.

7. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

8. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

Member Wilson asked about housing for the additional employees and about adding more RV hookups. Mark Caldwell, Executive Director, answered that housing is already onsite and they have no desire to add more hookups.

Member Schroeder asked where is everyone placed at night. Mr. Caldwell answered there are new cabins and additions to the lodges. Member Schroeder asked if the buildings were sprinkled. Mr. Caldwell said no, but they have an alarm system that goes directly to KenCom and it takes the Sandwich Fire Department about ten (10) minutes to get to the site.

Member Rodriguez asked how long the campers stay at the property. Mr. Caldwell answered it was random, with churches from two (2) to six (6) nights. Resident camps are six (6) nights long and then the day camps come at 9:00 a.m. and leave at 4:00 p.m.

Member Wilson questioned the specific changes to the site plan. Mr. Caldwell said they don’t want to have to deal with a zoning issue every time they want to add a building, so they want to amend the site plan now with everything that could possibly happen. Discussion occurred about the level of detail of the site plan.

Mr. Caldwell expressed concerns about the right of way dedication. Member Wilson expressed concerns about needing Fox Townships approval to cross the street.

Member Wilson made a motion, seconded by Member Nelson, that, per the Petitioner’s request, this proposal be laid over until a revised site plan is submitted.

Ayes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Wilson
Nays (0): None
Absent (1): Shaw

The motion carried. This proposal will go to the Kendall County Zoning Board of Appeals on April 29th with a request to continue the hearing. The proposal will return to Kendall County Regional Planning Commission after a revised site plan is submitted.

**19-13 Kendall County Regional Planning Commission**

Mr. Asselmeier summarized the request.

At their meeting February 27, 2019, the Comprehensive Land Plan and Ordinance Committee requested that Staff prepare a proposed text amendment to the Kendall County Zoning Ordinance allowing research and development related home occupations to be conducted outside the dwelling or accessory structure and to address noise, dust, fumes, and odor issues.

For reference, “Home Occupation” related terms are defined as follows:
HOME OCCUPATION Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

HOME OCCUPATION - AGRICULTURAL. A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation".

HOME OCCUPATION - RESIDENTIAL A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

Home Occupations are permitted uses in the A-1 District and all Residential Districts. Home Occupations are special uses in the RPD Districts.

At their meeting on March 27, 2019, the Kendall County Regional Planning Commission voted to initiate the text amendment.

According to the Kendall County Zoning Ordinance, research and development is defined as follows:

RESEARCH AND DEVELOPMENT: A building or group of buildings in which are located facilities for scientific research, experimental study, investigation, testing and experimentation, but not primarily facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

At their meeting on April 2, 2019, ZPAC unanimously voted to forward the proposal to the Kendall County Regional Planning Commission.

On April 2, 2019, a copy of this proposal was mailed to each township. On April 11, 2019, Fox Township submitted comments against the proposal. Fox Township felt the wording research and development was vague and open ended. It seemed to allow for many uses. Mr. Asselmeier stated that the definition of research and development was sent to Fox Township after they submitted comments and the Township has not responded.

Discussion occurred regarding the reasons why this proposal was created. Somebody applied for a gun manufacturer license and they wanted to test their gun outside on their property. Under the strict letter of the law, someone cannot do a research and development related business outdoors.

Todd Milliron, Yorkville, was at the Fox Township meeting and there was concern about the proposal being too broad and vague. Fox Township was concerned that research and development was occurring in an area it shouldn’t occur.

Member Wilson wanted to know if this wording would allow someone to test other products in their yard for effectiveness. Member Nelson said outdoor testing is illegal currently, but this proposal would allow people to test products outdoors.

Ronald Mund questioned if he could do research and development in his house and go to a neighbor’s house for testing. Chairman Ashton said no; someone cannot be outside the building and conduct testing.

Member Nelson made a motion, seconded by Member Davis, to move this proposal on to the Zoning Board of Appeals for a hearing.
Ayes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Wilson  
Nays (0): None  
Absent (1): Shaw  

The motion passed. This proposal will go to the Zoning Board of Appeals on April 29th.

OLD BUSINESS
None

CITIZENS TO BE HEARD/ PUBLIC COMMENT
Ronald Munz expressed concerns about Petition 19-11. The first concern was traffic. The other concern was aesthetics.

NEW BUSINESS
Consideration and Action to Amend or Withdraw Petition 19-09 Regarding a Request from Kendall County Regional Planning Commission Pertaining to a Text Amendment Making Sheriff’s Office Shooting Ranges a Permitted Use in Oswego township.
Member Nelson made a motion, seconded by Member Casey, to withdraw Petition 19-09.

Member Nelson said that the States Attorney of Kendall County took the matter under advisement and rendered a decision that the site that was subject of initiating the text amendment was exempt from zoning because of federal pre-emptions.

Chris Paluch stated that the site on Route 71 was deemed to be a temporary site when it was opened in 1992. He favored opening the range in Lisbon Township.

Chairman Ashton gave an explanation of the proposal. The current Sheriff is working to get the range in Lisbon Township open in the near future.

Todd Milliron stated that the Route 71 Kendall County Sheriff’s Department gun range was not zoned correctly and is not a permitted gun range. He believed the Sheriff’s department is no different than anybody else and they needed to go through the normal permitting process. The Kendall County Sheriff’s office wants two (2) gun ranges, one on Route 71 and one (1) in Lisbon Township. He would like to see the Kendall County Board make a decision and pass judgment on the Route 71 site. He did not believe the State’s Attorney’s opinion had been tested. He advocated that the County Board should vote no on this petition.

Ayes (7): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, and Schroeder  
Nays (1): Wilson  
Absent (1): Shaw  

The motion carried. The proposal is withdrawn.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
None

OTHER BUSINESS/ANNOUNCEMENTS
The next meeting will be May 22nd with Petitions 19-11 and 19-12 probably on the agenda.
ADJOURNMENT
Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of eight (8) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:45 p.m.

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

Enc.
IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

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<tr>
<th>NAME</th>
<th>ADDRESS (OPTIONAL)</th>
<th>EMAIL ADDRESS (OPTIONAL)</th>
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<tbody>
<tr>
<td>Mark Caldwell</td>
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<td>Todd Milliron</td>
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<td>Chris Paluch</td>
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Chairman Ashton called the meeting to order at 7:00 p.m.

**ROLL CALL**

**Members Present:** Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Karin McCarthy-Lange, Larry Nelson, and Claire Wilson  
**Members Absent:** Ruben Rodriguez and John Shaw  
**Staff Present:** Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)  
**In the Audience:** Mark Caldwell, Adam Theis, JoAnn Theis, Steve Graves, Jeff Spang, Kurt Buhle, Jeanette Buhle, and Matthew Prochaska

Chairman Ashton welcomed Karin McCarthy-Lange to the Commission representing Oswego Township.

**APPROVAL OF AGENDA**

Member Bledsoe made a motion, seconded by Member Nelson to approve the agenda. With a voice vote of seven (7) ayes, the motion carried unanimously.

**APPROVAL OF MINUTES**

Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the April 24, 2019, meeting. With a voice vote of seven (7) ayes, the motion carried unanimously.

Ruth Ann Sikes, Part Time Office Assistant (Zoning) asked all audience members that were going to speak to please sign in and speak directly into the microphone so that everything could be recorded.

**PETITIONS**

**19-11 Mark Caldwell on Behalf of Dickson Valley Ministries**

Mr. Asselmeier provided updated information on Petition 19-11.

At the April 24, 2019, meeting of the Kendall County Regional Planning Commission, the Commission requested less detail on the Petitioner’s site plan.

Mr. Asselmeier stated that the Petitioner desires this major amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

The proposed changes are follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) “overnight campers.” This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.

5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.

6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.

8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.

9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.

11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/ across Finnie Road are planned for this area.

12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.

13. Addition 1, Director’s Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126’) offset from the road.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store.

16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Also at the April meeting, the Commission was concerned about Fox Township’s requests of the Petitioner. Fox Township clarified that they do not want a right-of-way dedication at this time, but they would like to be informed if a structure is constructed above or below Finnie Road.

The proposed conditions on the special use permit are as follows:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.

3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.

4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.

5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.

6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

Member Nelson asked Mr. Caldwell if the new version was better. Mr. Caldwell replied they were comfortable with the changes and they would deal with any permitting issues when the new additions were constructed.

Member Nelson made a motion, seconded by Member Wilson, to recommend approval of the amended petition with the condition proposed by Staff.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

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

19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N.A and JoAnn Bright-Theis
Mr. Asselmeier summarized the request.
JoAnn Bright-Theis would like to establish the Brighter Daze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (Moxostoma carinatum). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019. The LESA Score was 181 indicating a low level of protection.

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. “Venue Ahead” signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned the realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.
The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26’) tall at its peak and ten feet (10’) tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers 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 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

If approved, the Petitioners hope to start operations as quickly as possible.

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road. According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700’). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.
As shown on the proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processionals and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

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

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. The hours of operation shall be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. 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 1st and reopen April 1st.

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. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.

15. 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.

16. 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.

17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Wilson asked where the closest houses are located in relation to the property. Mr. Asselmeier said there is one (1) directly across from the property and six (6) within a half (1/2) mile of the property. The operators of the facility live on site.

Member McCarthy-Lange asked if the neighbors had been notified. Mr. Asselmeier replied yes per State law.

Member Wilson asked where the lights would be located. Adam Theis replied they would be along the existing curb line just west of the parking lot. Mr. Theis said they have thirty-four (34) parking spots on site and seventy-five (75) additional spots on a remote lot and the parking plan meets the requirements of the Zoning Ordinance.

When asked about septic system for permanent toilets, Mr. Theis replied they would be doing a study within the next six (6) months to determine the actually design and location recommendations.

Mr. Theis said they do plan on having events on Sunday with the hours being the same as Saturday hours, with thirty (30) events a year. After discussion on the subject, the Petitioners agreed to have Sunday hours the same as Monday through Thursday hours, closing the facility at 10:00 p.m.

Jeff Spang, speaking as a resident of Fox Township, had the following questions, where do staff and vendors park and how would the Petitioners handle events with no air conditioning in the months of June, July and August. Mr. Spang stated that events are currently held on the property and these events are not private, but public events. Mr. Theis responded that vendors and staff park on the remote lot. There is no air conditioning,
but they will have fans and the temperature is cooler inside the building. They have had no public events and would like to know the dates that Mr. Spang was referencing.

Steven Graves and Kurt Buhle both voiced concerns about the added traffic getting to and from the venue because it is very dangerous stretch of road.

Jeff Spang, speaking as Fox Township Supervisor, reported that Fox Township has an investigation in process and would like for the Commission to lay this proposal over so they can complete their investigation. Member Nelson asked if the continuation of this would impact votes on the issue. Mr. Spang said the investigation could impact votes.

Member Wilson asked if Crimmin Road was a major collector road and Mr. Asselmeier replied yes according to the Land Resource Management Plan. Discussion occurred regarding how Crimmin Road was classified as a major collector road.

Jeanette Buhle expressed concerns about directional signage outside of venue especially at night.

The consensus of the Commission and without any objections from Commissioners, the Petitioner or anyone else in attendance, this proposal was laid over until the June meeting of the Kendall County Regional Planning Commission.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

NEW BUSINESS
None

OLD BUSINESS

Petition 18-04 Request from the Kendall County Regional Planning Commission
Matthew Prochaska, Planning, Building, and Zoning Committee Chairman, said that the Committee has refused to forward the proposal to the County Board. He is exploring a discharge petition.

Member Nelson made a motion, seconded by Member Davis, to lay this issue over for one (1) month.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange, Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

This proposal will be laid over until the June meeting of the Kendall County Regional Planning Commission.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
Mr. Asselmeier reported that Petition 17-28 pertaining to Kendall County gun range zoning regulations was approved by the County Board. A summary of the ordinance was provided to Commissioners.

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

Mr. Asselmeier reported that Petition 19-08 did not go to the County Board. The prospective buyer and sellers are still negotiating the terms of the contract.
OTHER BUSINESS/ANNOUNCEMENTS
Mr. Asselmeier announced that Ben Schroeder’s resignation was accepted by the County Board Chairman.

Mr. Asselmeier said he spoke to Mike Hoffman today and Mr. Hoffman plans to have the text amendment changes done by the end of the week or Tuesday, May 28th, at the latest. The contract with the County expires June 29th for this project.

Mr. Prochaska said the County Board does have some candidates from Big Grove Township under consideration and hopes to fill the seat within the next couple months.

ADJOURNMENT
Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of seven (7) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:15 p.m.

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

Enc.
IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

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MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
April 29, 2019 – 7:00 p.m.

CALL TO ORDER
Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

ROLL CALL:
Members Present: Randy Mohr (Chair), Karen Clementi, Cliff Fox, Tom LeCuyer, and Dick Thompson
Members Absent: Scott Cherry and Dick Whitfield
Staff Present: Matthew Asselmeier, AICP, Senior Planner, Ruth Ann Sikes, Part Time Office Assistant, (Zoning), and Mark Caldwell

PETITIONS
The Zoning Board of Appeals started their review of Petition 19-11 at 7:05 p.m.

Petition 19-11 – Mark Caldwell on Behalf of Dickson Valley Ministries
Request: Major Amendment to a Special Use Permit Granted by Ordinance 2014-05
Permitting a Youth Camp and Retreat Center at Subject Property by
Amending the Approved Site Plan

PINs: 04-17-100-002, 04-17-300-002, and 04-17-300-007
Location: 8250 Finnie Road, Fox Township
Purpose: Petitioner Desire to Amend the Approved Site Plan; Property is Zoned A-1

Mr. Asselmeier stated the following:

On the April 29, 2019, Kendall County Zoning Board of Appeals agenda, there is a petition requesting a major amendment to a special use permit for Dickson Valley Ministries at 8250 Finnie Road.

At their meeting on April 24, 2019, several members of the Kendall County Regional Planning Commission expressed concerns that the proposed site plan was too specific and the Petitioner might be locking themselves into a site plan that could require amendments in the future because of specificity. Commissioners also expressed concerns about a possible right-of-way dedication for Finnie Road. The Petitioner requested that the proposal be laid over until a revised site plan is prepared.

Because the Petitioner properly notified neighbors and correctly published notice in the newspaper, the Petitioner is requested that the hearing be started and then continued until a revised site plan is submitted. If the hearing is continued, the Petitioner would not need to republish notice or resend notice to neighbors.

Chairman Mohr opened the public hearing at 7:06 p.m.

Member Clementi made a motion, second by Member LeCuyer, to continue the public hearing until a revised site plan is submitted.
The votes were as follows:

Ayes (5): Mohr, Clementi, Fox, LeCuyer, and Thompson
Nays (0): None
Absent (2): Cherry and Whitfield

The motion passed.

The hearing will be continued until a revised site plan is submitted.

The Zoning Board of Appeals completed their review of Petition 19-11 at 7:07 p.m.

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS**

Member Fox made a motion, seconded by Member Thompson, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 7:30 p.m.

The next meeting will be on May 28, 2019.

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

Exhibits
MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
July 1, 2019 – 7:00 p.m.

CALL TO ORDER
Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

ROLL CALL:
Members Present:  Randy Mohr (Chair), Scott Cherry, Karen Clementi, Cliff Fox, and Dick Thompson
Members Absent:  Tom LeCuyer and Dick Whitfield
Staff Present: Matthew Asselmeier, AICP, Senior Planner, Mark Caldwell, Jeff Spang, John Vogt, JoAnn Bright-Theis, Adam Theis, Bob Bright, Nicola Bright, and Kurt Buhle

MINUTES:
Member Clementi made a motion, seconded by Member Fox to approve the minutes of the April 29, 2019 meeting. With a voice vote of five (5) ayes, the motion was approved.

PETITIONS
The Zoning Board of Appeals started their review of Petition 19-11 at 7:03 p.m.
Chairman Mohr swore in all members of the public that wished to speak on the Petitions.

Petition 19-11 – Mark Caldwell on Behalf of Dickson Valley Ministries
Request:    Major Amendment to a Special Use Permit Granted by Ordinance 2014-05
            Permitting a Youth Camp and Retreat Center at Subject Property by
            Amending the Approved Site Plan
PINS: 04-17-100-002, 04-17-300-002, and 04-17-300-007
Location: 8250 Finnie Road, Fox Township
Purpose: Petitioner Desire to Amend the Approved Site Plan; Property is Zoned A-1

Mr. Asselmeier summarized the request.

Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed site plan. The Petitioner desires this major amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

The subject property is approximately one hundred sixty (160) acres in size and has a special use permit for a youth camp and retreat center. The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.
Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural Heritage Landmark, and River Redhorse (Moxostoma carinatum). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI. The LESA Score was 173 indicating a low level of protection.

Petition information was sent to Fox Township on March 26, 2019. Fox Township submitted comments on April 16, 2019. The Township requested the following:

1. Any encroachment onto the Finnie Road right-of-way close than one hundred and twenty-six feet (126') be required to obtain a traditional variance.
2. Any permits required for storm water management must be procured prior to the issuance of any building permit.
3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Petitioner agreed with Fox Township’s requests. The Petitioner submitted a revised site plan deleting the three (3') foot encroachment in Addition 1.

Petition information was sent to the Village of Millbrook on March 26, 2019. No comments were received.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019. No comments were received.

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV’s.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.
Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the projected number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars ($4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal.

At the April 24, 2019, meeting of the Kendall County Regional Planning Commission, the Commission requested less detail on the Petitioner’s site plan. At the May 22, 2019, meeting, the Petitioner submitted a site plan with several changes.

The proposed changes are follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) “overnight campers.” This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.

5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.

6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.

8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.

9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.

11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.

12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.

13. Addition 1, Director’s Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126’) offset from the road.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store.

16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Also at the April meeting, the Commission was concerned about Fox Township’s requests of the Petitioner. Fox Township clarified that they do not want a right-of-way dedication at this time, but they would like to be informed if a structure is constructed above or below Finnie Road.

The Kendall County Regional Planning Commission recommended approval of the Petition with conditions with seven (7) members in favor and two (2) members absent.

Any new buildings would have to meet applicable building codes.

The Petitioner owns property on both sides of Finnie Road.
As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required in certain cases as the proposal is implemented.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

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. The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental 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 proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

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 proposed special use permit amendment conforms to the applicable regulations of the A-1 Agricultural 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. This statement is true.

Staff recommends approval of the proposed major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. (Revised Site Plan-Attachment 2A)
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road. (Added per Fox Township)

4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township's concerns about stormwater regulations.)

5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.

6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

Mark Caldwell, on behalf of Dickson Valley Ministries, stated that the main point is that the Petitioner is not changing the scope and scale of their mission, but this proposal adds more detail to their site plan. All development will occur as funds allow. The current need is to accommodate day campers.

Member Clementi asked about the ideal timeframe for full building out. Mr. Caldwell said this proposal will take at least ten (10) years. This process provided the Petitioner the opportunity to evaluate their use of the land.

Chairman Mohr asked about the crossing of Finnie Road. Mr. Caldwell said that Petitioner owns and uses land on both sides of Finnie Road. If a donor came along, an overpass could be something to explore. At this time, an at-grade crossing is fine. Fox Township placed hiker signs along Finnie Road.

Chairman Mohr asked about access for the Sandwich Fire Protection District and first responders. Mr. Caldwell responded that the Petitioner has provided tours to the Sandwich Fire Protection District. Moderate size vehicles can get through to the site. The State Health Department regulates them as well.

Chairman Mohr re-opened the public hearing at 7:23 p.m.

Jeff Spang asked Mr. Asselmeier about the crossing. Mr. Asselmeier responded that overpasses or underpasses require the approval of Fox Township, but at-grade crossings do not require Fox Township’s approval. Mr. Spang suggested a crosswalk with lights. Chairman Mohr advised that an improved at-grade crossing with lights could be installed if the Township and Petitioner desired, but the Petitioner would not need Fox Township’s approval for at-grade crossings.

Chairman Mohr adjourned the public hearing at 7:26 p.m.
Member Thompson made a motion, seconded by Member Fox, to approve the findings of fact as proposed by Staff.

The votes were as follows:
Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson
Nays (0): None
Absent (2): LeCuyer and Whitfield

The motion passed.

Member Clementi made a motion, seconded by Member Cherry, to recommend approval of the major amendment of a special use permit with the conditions proposed by Staff.

The votes were as follows:
Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson
Nays (0): None
Absent (2): LeCuyer and Whitfield

The motion passed. This matter will go to the Kendall County Planning, Building and Zoning Committee on July 8, 2019.

The Zoning Board of Appeals completed their review of Petition 19-11 at 7:27 p.m.

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS**
Member Clementi made a motion, seconded by Chairman Mohr, to adjourn. With a voice vote of five (5) ayes, the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 8:56 p.m.

The next hearing/meeting will be on July 29, 2019.

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

Exhibits
1. Staff Report on Petition 19-11 Dated June 24, 2019
KENDALL COUNTY
ZONING BOARD OF APPEALS
JULY 1, 2019

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>SIGNATURE</th>
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</thead>
<tbody>
<tr>
<td>Jeff Spang</td>
<td>M. 1163000c</td>
<td></td>
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<tr>
<td>John Vogt</td>
<td></td>
<td></td>
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<tr>
<td>John Bright</td>
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<td>Nicole Bright</td>
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<tr>
<td>Mark Cuthill</td>
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125
ORDINANCE NUMBER 2019-_______

GRANTING A MAJOR AMENDMENT TO A SPECIAL USE PERMIT GRANTED BY ORDINANCE 2014-05 ON PROPERTY ZONED A-1 AGRICULTURAL FOR A YOUTH CAMP AND RETREAT CENTER BY REPEALING AND REPLACING THE SITE PLAN AT 8250 FINNIE ROAD (PINs: 04-17-100-002, 04-17-300-002, AND 04-17-300-007) IN FOX TOWNSHIP

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to make major amendments to existing special use permits and place conditions on special use permits and provides the procedure through which special use permits are amended; and

WHEREAS, Section 7.01.D. of the Kendall County Zoning Ordinance permits the operation of youth camps and retreat centers as a special use permit with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 160.0 acres located at 8250 Finnie Road (PINs: 04-17-100-002, 04-17-300-002, AND 04-17-300-007) in Fox Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, the subject property is currently owned by Dickson Valley Ministries and is represented by its Executive Director Mark Caldwell and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on March 19, 2014, the Kendall County Board approved Ordinance 2014-05 granting a special use permit for the operation of a youth camp and retreat center on the subject property with conditions; and

WHEREAS, Ordinance 2014-05 required that the subject property be developed in accordance to a site plan which was attached to Ordinance 2014-05 as Exhibit A; and

WHEREAS, on or about March 19, 2019, Petitioner filed a petition for a major amendment to the special use permit granted by Ordinance 2014-05 by repealing and replacing the approved site plan; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on April 4, 2019, the Kendall County Zoning Board of Appeals conducted a public hearing on April 29, 2019, at 7:00 p.m. and July 1, 2019, in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s attorney presented evidence, testimony, and exhibits in support of the requested major amendment to an existing special use permit and zero members of the public testified in favor or in opposition and one member of the public commented on the proposal; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the major amendment to an existing special use permit as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 1, 2019, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval/denial of the requested major amendment to an existing special use permit with conditions; and
WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this major amendment to a special 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 special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.

2. The Kendall County Board hereby grants approval of Petitioner’s petition for a major amendment to an existing special use permit allowing the operation of a youth camp and retreat center on the subject property subject to the following conditions:

   A. The conditions and restrictions set forth in Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached hereto as Exhibit C.

   B. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the Site Plan attached hereto as Exhibit C. The site shall be developed substantially in conformance with Exhibit C.

   C. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.

   D. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.

   E. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.

   F. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of July, 2019.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder
DICKSON VALLEY CAMP OVERALL LEGAL DESCRIPTION

THAT PART OF THE SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18 OF AFORESAID TOWNSHIP AND RANGE; THENCE SOUTH 1 DEGREE 07 MINUTES 54 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST ALONG THE SOUTHERLY LINE OF THE PREMISES CONVEYED TO HARLEY B. HOBS BY DEED DATED JANUARY 25, 1958 AND RECORDED JANUARY 29, 1958 IN DEED RECORD 118, PAGE 143 AS DOCUMENT #120930 A DISTANCE OF 3973.05 FEET FOR A POINT OF BEND IN SAID LINE; THENCE SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 33.60 FEET TO A POINT IN THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 SECONDS EAST, A DISTANCE OF 455.16 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 THAT IS LOCATED 346.63 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 17; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 346.63 FEET TO SAID SOUTHEAST CORNER; THENCE NORTH 01 DEGREES 32 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1269.25 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING NORTH 01 DEGREE 32 MINUTES 37 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 1374.32 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 89 DEGREES 51 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1317.98 FEET TO A FOUND STONE MONUMENT; THENCE NORTH 89 DEGREES 38 MINUTES 22 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 840.82 FEET TO THE POINT OF INTERSECTION WITH THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 42 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 3.05 FEET TO THE POINT OF BEND IN SAID FINNIE ROAD AS PLATTED IN THE SUBDIVISION OF WEST MILLBROOK PHASE 2 RECORDED AS DOCUMENT NUMBER 883172 IN PLAT CABINET 3 OF PLATS AT SLOT 410B; THENCE SOUTH 46 DEGREES 26 MINUTES 12 SECONDS WEST, A DISTANCE OF 1130.89 FEET TO THE NORTHWEST CORNER OF SAID WEST MILLBROOK PHASE 2, SAID POINT BEING LOCATED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 34 MINUTES 26 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1862.29 FEET TO THE CENTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 AND THE WEST LINE OF SAID WEST MILLBROOK PHASE 2, A DISTANCE OF 514.33 FEET TO THE NORTHERLY BANK OF THE FOX RIVER; THENCE SOUTHWESTERLY ALONG THE NORTHERLY BANK OF THE FOX RIVER, A DISTANCE OF 2346.73 FEET MORE OR LESS TO A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 1001.65 FEET TO THE POINT OF BEGINNING ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.
Exhibit B

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. The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental 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 proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

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 proposed special use permit amendment conforms to the applicable regulations of the A-1 Agricultural 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. This statement is true.

Recommendation

The Kendall County Zoning Board of Appeals recommends approval of the requested major amendment to an existing special use permit with the conditions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. (Revised Site Plan-Attachment 2A)
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

The Kendall County Zoning Board of Appeals issues this recommendation by a vote of five (5) in favor, zero (0) opposed, and two (2) absent.

July 1, 2019
This updated site plan has been produced to add more clarity to the site plan that was submitted in 2014. This plan has all existing structures (in black), plus the additional projects (in red) needed to grow to an anticipated capacity of only 21% or 1,500 people above the 2014 usage of 7,100 people per year.

Only a few of these projects where not included in the 2014 overall plan, noted as [New] in this description.

CURRENT MINISTRY STATUS:
Dickson Valley Ministries has been operating a year-round youth camp and retreat center in Kendall County, Fox township, for nearly 40 years. In 1988 Dickson Valley served 2,500 people per year and by 2014 had grown over 300% to where it served 7,100 people that year with retreats, summer resident camps and day camps.

- The current number of staff: living on site includes 8 full-time long-term families. Also 2-3 full-time short-term staff, and 18-20 seasonal summer staff.

SCOPE OF FUTURE DEVELOPMENT:
Dickson Valley Camp & Retreat Center is not changing its stated purpose or programs but is submitting a more detailed site plan in an attempt to document future needs for more clarity.

- This site plan represents a long-range plan of no less than 10 years, and will be driven by available funds from donors who give financially to the ministry. Dickson Valley does not enter into long-term debt to develop its property.
- Future ministry growth will increase staff to 1 additional full-time long-term family, an additional 25-30 full time short-term staff, and an additional 45 seasonal summer staff.
- The ministry desires to set conditions stated in the previous special use major amendment, Ordinance 2014-03 dated 3/31/2014, and the current special use amendment dated 3/31/2014.
- The property can be divided at any time.
- At the discretion of the DP&Z Board, the permit can be amended for any reason a new special use shall be applied for if the property is to be used for profit.
- The number of overnight campers shall be limited to no more than 150 at any one time.
- No more than 6 hook-ups for RVs.
- 4. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

DESIGN CRITERIA:
The board and staff of Dickson Valley have sought many professionals in the Christian camping field for input. We have used various methods to determine the maximum capacity of our property(21% above current usage) both physically and programmatically. The natural setting is one of our primary assets; we desire to keep, and protect it.

- Locations for future development have been defined into “Development Zones” without significant development planned for outside these areas.
- Youth ministry needs are continually changing, and long-term planning is at best just setting the stage for a future development. This site plan incorporates all current/before needs, all projects may not need to be completed.
- Final locations, staff, and design will be approved at the time of permitting seeking the appropriate approval from the Illinois Department of Public Health, Kendall County Public Health Department, the Sandwich Fire Protection District, and the Kendall County Planning Building and Zoning Department.
- The design of all new buildings and structures is to be fitted into the natural setting, limiting the impact and the need for any extra landscaping.
- Lighting around camp is intentionally low to reduce the impact on observing night features. Most additional light is provided by individuals and internes/staff on any nights.

NEW DEVELOPMENT:

DEVELOPMENT ZONE A: DAY CAMP AREA
- Multipurpose Field House
- Various teaching/decide for small groups or activities
- All level 2 open short camping cabin
- Day camp specific activities
- Water activity similar to spike pad, or wading fountain
- Combined septic field serving all new restrooms

DEVELOPMENT ZONE B: RESIDENT CAMP AREA
- [New] 5 year-round camper cabins

DEVELOPMENT ZONE C: ACTIVITY AREA
- [New] 5 year-round camper cabins
- [New] Golf course
- [New] zip line station
- [New] line station for small groups
- [New] year-round camper cabin

DEVELOPMENT ZONE D: ENTRANCE PARKING
- Welcome pavilion for day camp
- Chapel in the Woods
- Welcome signage
- Guest House
- Volunteer RV hook-up
- Provide new office building site

DEVELOPMENT ZONE E: ENTRANCE DRIVE
- [New] Gatehouse for a controlled entrance
- [New] DIY staff lodge, garage, near Whitaker Lodge, just outside the zone
- Upgrade driveway and entrance
- Keep lighted sign, upgrade landscaping

DEVELOPMENT ZONE F: MAINTENANCE AREA
- New shop
- Removal or removal of existing shop

DEVELOPMENT ZONE G: ACORN LODGE SITE
- Separate activities portion
- Separate program/meeting building

DEVELOPMENT ZONE H: NORTH ACTIVITY AREAS
- Primitive non-public campsites, no permanent structures, parking area off of Fox Rd
- Experiential activities similar to but not limited to, climbing tower(s), zip lines, team activities, high rope courses
- A pedestrian walkway over/under/above Finnie Rd

RETREAT DEVELOPMENT ZONE
- Water filtration building or addition to existing well and well house
- Utilization of small parts of Sctie Road, crack shop, hostel
- Exterior lighting to be used for new structures

#1 ADDITIONS, DIRECTOR’S LODGE
- Addition to north end of building
- The current structure is 126’ off the road

#2 ADDITIONS, CHROUSER LODGE
- Addition for dining space increase to the North or West

#3 ADDITIONS, DICKSON LODGE
- Addition of meeting space
- Addition of at least two “leaders” rooms with restrooms
- Remodel and add on to program office for camp store

#4 ADDITIONS, OULUND CHALET
- Remodeling improve housing spaces
- Remodeling of restrooms

#5 ADDITIONS, SILVER FOX LODGE
- Addition for new restrooms
- Additional for added housing

#6 ADDITIONS, SPORTS CENTER
- New addition for aquatic activities
- Remodel to restrooms
- Exterior development of high rope course or similar

#7 ADDITIONS, ACORN LODGE
- Removal of the current lodge for updated plumbing and additional housing

04-17-103-002 "Acorn" property, north of Finnie Rd
04-17-300-025 Main Camp Property
04-17-Z00-114 Sports field day camp addition (124 acres)
Total: 136 acres

OWNER/DEVELOPER:
Dickson Valley Ministries
8250 Finnie Rd
Nawab, IL 60551
630-553-6233
C/O Mark Caldwell, Executive Director
mark@dicksonvalley.com
INTRODUCTION
JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

SITE INFORMATION

PETITIONER  Robert Bright on Behalf of the Madison Trust and Castle Bank NA and JoAnn Bright Theis
ADDRESS  10978 Crimmin Road, Newark
LOCATION  Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road

TOWNSHIP  Fox
PARCEL #s  04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008
LOT SIZE  38.34 +/- Acres
EXISTING LAND USE  Agricultural/Farmstead
**ZONING**  
A-1 Agricultural District

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<th>Future Land Use</th>
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<td>Roads</td>
<td>Crimmin Road is a Major Collector Road and is also classified as a Scenic Route.</td>
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<td>Trails</td>
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<td>Floodplain/Wetlands</td>
<td>A riverine wetland is located along the southwest edge of the subject property.</td>
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**REQUESTED ACTION**  
A-1 Special Use to Operate a Banquet Facility

**APPLICABLE REGULATIONS**  
§7.01 D.10 – A-1 Special Uses – Permits Banquet Facilities to be Located in the A-1 District with Approval of a Special Use Provided that the Facility Meets Certain Criteria

§ 13.08 – Special Use Procedures

**SURROUNDING LAND USE**

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<th>Adjacent Zoning</th>
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<td>A-1</td>
<td>Rural Residential (Max 0.60 DU/Acre)</td>
<td>A-1, A-1 SU, R-2, and R-3</td>
</tr>
</tbody>
</table>

The special use permit is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property is included as Attachment 7.

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**
The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

- Millington Fen INAI Site
- Fox River INAI Site
- Millington Railroad Fen Natural Landmark
- Tucker-Millington Fen Natural Preserve
- River Redhorse (Moxostoma carinatum)

Negative impacts to the above are considered unlikely and consultation was terminated. EcoCat
NATURAL RESOURCES INVENTORY
NRI application submitted on March 14, 2019 (see Attachment 1, Page 25). The LESA Score was 181 indicating a low level of protection. The NRI report is included as Attachment 17.

ACTION SUMMARY
FOX TOWNSHIP
Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. The comments are included as Attachment 18. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. “Venue Ahead” signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

On June 14, 2019, Fox Township submitted updated comments which are included as Attachment 20. In particular, Fox Township requested:

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 1st and November 1st.
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.

NEWARK FIRE PROTECTION DISTRICT
Newark Fire Protection District was emailed information on March 27, 2019. To date, no comments have been received.

VILLAGE OF NEWARK
The Village of Newark was emailed information on March 27, 2019. To date, no comments have been received.
ZPAC
ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present. The minutes of the meeting are included as Attachment 16.

KCRPC
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on May 22, 2019. At this meeting, the Petitioners agreed to layover until the June meeting to allow Fox Township to complete their research on this request. The minutes of this meeting are included as Attachment 19. The Kendall County Regional Planning Commission reviewed the concerns expressed by Fox Township at their meeting on June 26, 2019. Commissioners felt that having the special use permit contingent on a traffic study and requiring the Petitioners to pay for improvements to Crimmin Road was unnecessary. Commissioners also agreed to allow events to be held on weekends instead of limiting events to Saturdays only. Discussion occurred regarding Fox Township’s dry regulations and the consensus of the Commission was that Fox Township’s dry regulations were not a zoning matter. Commissioners recommended approval of the special use permit with the removal of the requirement of the contingency of the traffic study and allowing events to occur on other days of the weekend including Saturdays, but only one (1) event could occur each weekend. The vote was five (5) in favor and four (4) absent. The minutes of this meeting are included as Attachment 21.

ZBA
The Kendall County Zoning Board of Appeals held a public hearing on this proposal on July 1, 2019. John Vogt express concerns about noise and safety on Crimmin Road. Kurt Buhle expressed concerns about security, enforcement of the regulations, property values, noise, traffic safety, and the potential that this proposal could open the door to other non-agricultural uses in the area. Jeff Spang, Fox Township Supervisor, expressed concerns about alcohol regulations, the use of the property for non-banquet related events, and traffic safety. By a vote of four (4) in favor and one (1) opposed, the Board issued a positive recommendation for the proposal subject to the conditions proposed by Staff with the following changes:

1. The last sentence of condition 10 was changed to read, “For events with music, all barn doors shall close by 7:00 p.m.”

2. Condition 15, regarding the traffic study, should be deleted.

3. Condition 17 was changed to read, “The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to, Fox Township’s laws, related to the operation of this type of business.”

The minutes of this meeting are included as Attachment 22.

GENERAL
The Petitioners intend to establish the BrighterDaze Farm and Events banquet facility run by JoAnn Bright-Theis at the subject property. A special use permit is required to operate a banquet facility at the subject property. Pictures of the property are included as Attachments 8-15.

This type of use is permitted as a special use on an A-1 property with certain conditions. Those conditions include:

a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.

b. The subject parcel must be a minimum of 5 acres.

c. 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)

d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of
Section 11 of the zoning ordinance.

e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.

f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

g. 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.

The subject property and proposed business meets the above requirements.

BUSINESS OPERATION
The business plan for the proposed operations is included as Attachment 1, Pages 2-4. The site plan is included as Attachment 2. The building elevations are included as Attachment 3. The landscaping plan is included as Attachment 4. The parking illumination plan is included as Attachment 5. The interior plan is included as Attachment 6.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is a converted arena with a concrete floor. The barn is approximately twenty-six feet (26’) tall at its peak and ten feet (10’) tall at the ends.

An existing pond is located east of the horse barn.

The original proposed hours of operation were Sunday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The Petitioners agreed to change the hours of operation to Fridays, Saturdays, Sundays, Mondays, and Federal and State Holidays occurring on Thursdays and Tuesdays. Tours of the facility for prospective customers 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 1st and reopen April 1st. The number of events would be capped at one (1) per weekend and thirty (30) for the operating season.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

If approved, the Petitioners hope to start operations as quickly as possible.

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.
BUILDING CODES
An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

ENVIRONMENTAL HEALTH
Portable bathrooms will be used for events. The Petitioners will be conducting a soil study to determine the appropriate location for a septic field.

ROAD ACCESS
The property fronts Crimmin Road. Fox Township expressed concerns regarding Crimmin Road which could be addressed through appropriate restrictions.

PARKING AND INTERNAL TRAFFIC CIRCULATION
According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700’). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

LIGHTING
Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

SIGNAGE
One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

LANDSCAPING
As shown on the proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

NOISE CONTROL
All music and noise shall originate inside the venue except for processionals and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

PREVIOUS EVENTS
According to information provided to the County, the Petitioners did not charge for events held previously on the property prior to June 1, 2019. On June 3, 2019, the Petitioners contacted the County and stated that they had an event on June 1, 2019, and charged a rental fee for this event. The Petitioners believed that the special use permit would be approved prior to the June 1st date and did not want to cancel the event.

FINDINGS OF FACT
§ 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. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties. The Kendall County Sheriff’s Department has not submitted comments expressing concerns for public health and safety, based on the
information provided by the Petitioners. Member Clementi disagreed with this finding.

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 proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, and buffering within the ordinance granting the special use permit. Chairman Mohr and Member Clementi disagreed with this finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner’s site plan addresses utilities, drainage, and points of ingress and egress.

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 site conforms to the regulations of the A-1 Agricultural 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. True, the proposed use in consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective “Encourage Agriculture and Agribusiness.”

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

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. For events with music, barn doors shall close by 7:00 p.m. (Changed by ZBA).

11. 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 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). (Changed per Fox Township and KCRPC Meeting).

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. A traffic study shall be conducted by the Kendall County Highway Department. (Deleted by ZBA).

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, including, but not limited to, Fox Township’s laws, related to the operation of this type of business. (Changed at ZBA).

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.

The draft ordinance is included as Attachment 23.

ATTACHMENTS
1. Application Materials (Including Business Plan)
2. Site Plan
3. Building Elevation
4. Landscaping Plan
5. Parking Illumination Plan
6. Interior Plan
7. Aerial
8. Entrance Looking South
9. Entrance Looking East
10. Entrance Looking North
11. Entrance Looking West
12. Exit Looking South
13. Exit Looking East
14. Exit Looking North
15. Exit Looking West
16. April 2, 2019 ZPAC Minutes
17. NRI Report
18. April 16, 2019 Fox Township Comments
19. May 22, 2019 KCRPC Minutes
20. June 14, Fox Township Comments
21. June 26, 2019 KCRPC Minutes
22. July 1, 2019 ZBA Minutes (This Petition’s Portion Only)
23. Draft Ordinance
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME BrighterDaze Farm & Events FILE #: 19-12

NAME OF APPLICANT
JoAnn Bright-Theis

CURRENT LANDOWNER/NAME(s)
Robert Bright

SITE INFORMATION
ACRES .18
SITE ADDRESS OR LOCATION 10978 Crimmin Rd., Newark IL 60541
ASSESSOR’S ID NUMBER (PIN) 04-31-200-13

EXISTING LAND USE AGR
CURRENT ZONING AG
LAND CLASSIFICATION ON LRMP A1

REQUESTED ACTION (Check All That Apply):

X SPECIAL USE

MAP AMENDMENT (Rezone to ___)

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: ___)

PRINCIPAL CONTACT

Adam R Theis 10978 Crimmin Rd., Newark IL 60541

PRIMARY CONTACT MAILING ADDRESS

PRIMARY CONTACT PHONE # 630-530-3700

PRIMARY CONTACT FAX # 630-530-3700

PRIMARY CONTACT EMAIL

ENGINEER CONTACT

Ray Toth 196 E South St, Elmhurst, IL 60126

ENGINEER MAILING ADDRESS

ENGINEER PHONE # 630-530-3700

ENGINEER FAX # 630-530-3700

ENGINEER OTHER #(Cell, etc.)

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.

SIGNATURE OF APPLICANT

DATE

FEE PAID:

CHECK #: 006 632

1 Primary Contact will receive all correspondence from County

2 Engineering Contact will receive all correspondence from the County's Engineering Consultants

RECEIVED
MAR 26 2019

Last Revised: 11.24.14
Special Use

141
Mission Statement

BrighterDaze Farm is committed to offering an exclusive and memorable experience for our customer’s event. BrighterDaze is the ideal setting for anyone looking for a beautiful, private and spacious venue. We provide an 8,000 square foot barn that can accommodate intimate weddings of 40 people or grand guest lists of up to 280 people. We understand that everyone has a different idea of perfect; that's why we allow our customers the opportunity to customize the finest details of their event.

Business Plan

Hours of Operation:

Monday – Thursday: 9:00 AM – 10:00 PM

Friday – Saturday: 9:00 AM – 12:00 PM

Holiday Schedule: Open on the Eve and Day of all Federal Holidays

Closed for the Winter: Reopen April 1st

Wedding/Event Tours scheduled by appointment by appointment only outside hours of operation

Event Setup begins at 9:00 AM CST the day of event

Customers are to “vacate” the property 1 hour after conclusion of event

# of Employees: 1

Event Setup & Cleanup Plans: BDF to utilize local sub-contracting services for all applicable trades to include but not limited to: Table(s), chair(s), linens, decorations (flowers, center-pieces, etc), food, beverage(s), bathrooms and cleanup services.

NO CASH BARS allowed

Bathrooms: Luxury Trailer Bathrooms will be utilized for events and is included in pricing.

BrighterDaze Farm to provide permanent facilities by 2021

Max Occupancy: 280 people

10978 Crimmins Rd • Newark, IL 60541 • (630) 774-0042 • joannbright91@gmail.com
Venue Information: 60’ x 120’ (7,200 sq ft) Converted Arena w/ Concrete Flooring

Noise Control: All music/noise to originate from within venue at all times with the exception of processional(s)/recessional(s).

Sound not to exceed 65 dB (7:00 AM – 10:00 PM)

Sound not to exceed 55 dB (10:00 PM – 7:00 AM)

Music will “face” East (away) from Crimmin Rd with all doors remaining “closed” after 7pm.

BrighterDaze Farm has mature trees located on the property to facilitate dampening the sound.

Distance from Venue to Crimmin Rd = 700’

Setback from Crimmin Rd to neighbors residence = 200’

Parking Plan: One-Way Traffic Pattern to be utilized during business hours

34 Regular Parking Spaces + 4 Handicapped Spaces (Venue)

75 Regular Parking Spaces (Remote Parking)

Lighting to be “off” 1 hour after conclusion of event

Sale of Ancillary Items

BDF reserves the right to sell ancillary items such as sweaters, shirts, cups/glasses, etc.

Main Entrance/Exit Sign(s) Specifications (Locations as shown on Traffic Plan)

<table>
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<th>Notice Sign</th>
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<tr>
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<tr>
<td>H-5755</td>
<td>36 x 12&quot;</td>
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SCHEDULE A

ORDER NO.

Property Ref.: Vacant land, Newark, IL 60541

1. Effective Date: September 20, 2017
2. Policy or Policies to be issued:
   a. ALTA Owner's Policy 2006
      Proposed Insured: Madison Trust Company, Custodian FBO Robert A. Bright M1507085
      Policy Amount: $250,000.00
   b. ALTA Loan Policy 2006
      Proposed Insured: First National Bank, its successors and/or assigns as their respective interests may appear
      Policy Amount: $390,000.00

3. The estate or interest in the land described or referred to in this Commitment is:
   Fee Simple

4. Title to the estate or interest in the land is at the Effective Date vested in:
   First National Bank of Omaha, DeKalb Illinois, (formerly known as Castle Bank, a division of First National Bank of
   Omaha) as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Nuber 2526, as to
   parcels 1 and 2
   Madison Trust Company, Custodian FBO Robert A. Bright M1507085 as to parcel 3
5. The land referred to in this Commitment is described as follows:

**PARCEL 1:**


COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET FOR A POINT OF BEGINNING; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 828.98 FEET; THENCE NORTH-WESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 508.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 1058.74 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH IS TANGENT TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT, 299.42 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A CURVE TO THE LEFT WITH A RADIUS OF 730.0 FEET, AN ARC DISTANCE OF 8.76 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 29; THENCE SOUTHERLY, ALONG SAID WEST LINE, 22.82 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 53 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1065.40 FEET; THENCE SOUTH SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 16 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 889.54 FEET TO A POINT ON A SOUTHERLY LINE OF A TRACT CONVEYED TO ROBERT A. BRIGHT, AS TRUSTEE OF THE ROBERT A. BRIGHT DECLARATION OF TRUST BY TRUSTEE'S DEED RECORDED AS DOCUMENT #801248 ON FEBRUARY 4, 1998; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY LINE WHICH FORMS AN ANGLE OF 89 DEGREES 59 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 197.00 FEET TO A SOUTHERLY CORNER OF SAID BRIGHT TRACT; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 95 DEGREES 37 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 359.61 FEET TO A POINT ON A LINE DRAWN EASTERLY, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 32, FROM THE POINT OF BEGINNING AND WHICH IS 607.20 FEET FROM THE POINT OF BEGINNING; THENCE WESTERLY, ALONG SAID PARALLEL LINE WHICH FORMS AN ANGLE OF 107 DEGREES 48 MINUTES 12 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 607.20 FEET TO THE POINT OF BEGINNING;


COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 233.54 FEET...
SCHEDULE A
(continued)

FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY, ALONG SAID EAST LINE, 178.96 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO THE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31, WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST
SCHEDULE A
(continued)

DESCRIPTED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD, THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 33.0 FEET TO THE POINT OF BEGINNING; ALL IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.00 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31 WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF
SCHEDULE A
(continued)

33.0 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 96.90 FEET; THENCE CONTINUING ALONG SAID CENTERLINE AND THE LAST DESCRIBED COURSE BEING A CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 279.87 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 16 MINUTES 45 SECONDS WITH THE CHORD OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 336.0 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 64.05 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 273.94 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 33.58 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 239.11 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 57.63 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 361.78 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHEASTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING.
SCHEDULE A
(continued)

IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

END OF SCHEDULE A
SCHEDULE B

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

General Exceptions

1. Rights or claims of parties in possession not shown by Public Records.

2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.

3. Easements, or claims of easements, not shown by the Public Records.

4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

5. Taxes or special assessments which are not shown as existing liens by the Public Records.

6. We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically.

7. Note for Information: The coverage afforded by this commitment and any policy issued pursuant hereto shall not commence prior to the date on which all charges properly billed by the company have been fully paid.

A 8. Taxes for the years 2017.

B 8. Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-29-300-007-0000 (1 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)
SCHEDULE B
(continued)

   Taxes for the years 2017 are not yet due or payable.
   Permanent Tax No.: 04-29-300-010-0000 (2 of 12)
   Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
   (affects part of parcel 1)

   Taxes for the years 2017 are not yet due or payable.
   Permanent Tax No.: 04-29-300-012-0000 (3 of 12)
   Note: Taxes for the year 2016 amounting to $2,033.16 are paid of record.
   (affects part of parcel 1)

E  11. Taxes for the years 100.
   Taxes for the years 2017 are not yet due or payable.
   Permanent Tax No.: 04-30-400-007-0000 (4 of 12)
   Note: Taxes for the year 2016 amounting to $89.30 are paid of record.
   (affects part of parcel 1)

F  12. Taxes for the years 2017.
   Taxes for the years 2017 are not yet due or payable.
   Permanent Tax No.: 04-30-400-011-0000 (5 of 12)
   Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
   (affects part of parcel 1)

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-32-100-006-0000 (6 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)


Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-32-100-008-0000 (7 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)

I 15. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-30-400-012-0000 (8 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects parts of parcels 2 and 3)


Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-30-400-013-0000 (9 of 12)

Note: Taxes for the year 2016 amounting to $5952.78 are paid of record.

(affects parts of parcels 2 and part of parcel 3)
K 17. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-30-400-014-0000 (10 of 12)
Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 2)

L 18. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-31-200-013-0000 (11 of 12)
Note: Taxes for the year 2016 amounting to $18,20 are paid of record.
(affects part of parcel 3)

Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-31-200-014-0000 (12 of 12)
Note: Taxes for the year 2016 amounting to $6,973.78 are paid of record.
(affects parcel of parcel 2)

made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement
dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure
an indebtedness in the amount of $900,000.00.
Modification of Mortgage recorded April 25, 2013 as Document No. 201300008721.
(affects parcels 1 and 2)

O 21. Assignment of Rents recorded January 12, 2012 as Document No. 201200000711 made by Castle Bank,
a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006
and known as Trust Number 2526 to First National Bank of Omaha.
(affects parcels 1 and 2)
P 22. Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. 20120000712 made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of $500,000.00.

(affects parcel 2)

Q 23. Assignment of Rents recorded January 12, 2012 as Document No. 20120000713 made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.

(affects parcel 2)

AE 24. If work has been performed on the Land within the last six months which may subject the Land to liens under the mechanics lien laws, the Company should be furnished satisfactory evidence that those who have performed such work have been fully paid and have waived their rights to a lien. If evidence is not provided or is unsatisfactory, this commitment/policy will be subject to the following exception:

Any lien, or right to a lien, for services, labor or material, heretofore or hereafter furnished, imposed by law, and not shown by the Public Records.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

AB 25. Information should be furnished establishing whether any written agreement has been entered into by and between any party and a broker for the purposes of buying, selling, leasing or otherwise conveying any interest in the Land described herein. If such an agreement has been entered into, satisfactory evidence should be furnished establishing that the compensation agreed upon in such agreement has been paid and the broker's lien, or right to a lien, for such amount has been extinguished. In the event said evidence is not furnished, our policy(ies), when issued, will be subject to the following exception:

Any lien, or right to a lien, imposed by law under the provisions of the Commercial Real Estate Broker Lien Act for compensation agreed upon by a broker and the broker's client or customer under the terms of a written agreement entered into for the purposes of buying, selling, leasing, or otherwise conveying any interest in the Land described in Schedule A.

AC 26. The Company should be furnished a statement that there is no property manager employed to manage the Land, or, in the alternative, a final lien waiver from any such property manager.
SCHEDULE B
(continued)

AF 27. The Company should be furnished the following:

a) A Certification of Trust executed by the trustee in accordance with 760 ILCS 5/8.5,
together with excerpts of the trust agreement and amendments thereto relating to the designation
of trustees and the power of the trustee to act in the current transaction, or

b) In the alternative, the trustee, in his or her sole discretion, may deliver to the
Company a full copy of the trust agreement together with all amendments thereto.

The Company reserves the right to add additional items or make further requirements after review
of the requested documentation.

S 28. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held.

T 29. The Land described in Schedule A either is unsubdivided property or constitutes part of a subdivided lot.
As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative,
compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.)

AD 30. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by,
through or under the lessees.

U 31. Rights of the public, the state of Illinois and the municipality in and to that part of the land, if any, taken or
used for road purposes. Affects part of the land lying in Crimmin Road in survey dated Jan 5, 1998 by
James M. Olson, surveyor no. 2253.

V 32. Rights of way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.

W 33. Rights of owners of land bordering on the streams in respect to the water and use of the surface of said
body of water.

X 34. Easement granted June 9, 1964 and recorded July 21, 1964 as document 145640 by Crimmins, et al to
Illinois Power Company, its successors and assigns, the right and easement for public utilities purposes
as described therein, together with the right of ingress and egress thereto for said purposes. Said
easement was assigned to Northern Illinois Gas Company, its successors and
assigns, by instrument recorded March 3, 1966 as document 151253.

Y 35. Encroachment of the fence located mainly on the land onto the property North and adjoining by
approximately 3.2 feet and along the West line measuring 255.45 feet by approximately 1.3 feet in section
30, land onto the property Southerly and adjoining by approximately 16.4 feet and the property
Southerly and adjoining by Approximately 19.4 feet in section 31 and onto the property South and adjoining
by approximate 8.5 feet and onto the property East and adjoining by approximate 7.5 feet in section 28;
ono property North and adjoining by approximate 20.5 feet in section 29; as shown on plat of survey
SCHEDULE B
(continued)

Z 36. Easement in favor of Nicor Gas, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the provisions relating thereto contained in the grant recorded/filed as document no. 20000044172.
(see instrument for affects)

AA 37. Terms and provisions of a Kendall County Health Department Well Variance recorded October 19, 2004 as Document No. 20040029156.
(For further particulars, see record.)

AG 38. All endorsement requests should be made prior to closing to allow ample time for the company to examine required documentation.
(This note will be waived for policy).

AH 39. Note for additional information: the "Kendall" county recorder requires that any documents presented for recording contain the following information:

A. The name and address of the party who prepared the document;
B. The name and address of the party to whom the document should be mailed after recording;
C. All permanent real estate tax index numbers of any property legally described in the document;
D. The address of any property legally described in the document;
E. All deeds should contain the address of the grantee and should also note the name and address of the party to whom the tax bills should be sent.
F. Any deeds conveying unsubdivided land, or, portions of subdivided land, may need to be accompanied by a properly executed "plat act affidavit."

Al 40. For residential property only:

A provision for inflation coverage will be added to the owner's policy. This enhancement can automatically increase the amount of the owner's policy. For additional information, please contact your local underwriter.

END OF SCHEDULE B
Title Insurance Agent:

Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560
Phone: (630)553-9500
Fax: (630)553-5764

Authorized Signatory
CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.

2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest in or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.

3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.

4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at [http://www.alta.org](http://www.alta.org).

END OF CONDITIONS

1031 EXCHANGE SERVICES

If your transaction involves a tax deferred exchange, we offer this service through our 1031 division, IPX1031. As the nation’s largest 1031 company, IPX1031 offers guidance and expertise. Security for Exchange funds includes segregated bank accounts and a 100 million dollar Fidelity Bond. Fidelity National Title Group also provides a 50 million dollar Performance Guarantee for each Exchange. For additional information, or to set-up an Exchange, please call Scott Nathanson at (312)223-2178 or Anna Barsky at (312)223-2169.
KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM


Address: 401 East 8th Street Suite 200P

City: Sioux Falls  State: SD  Zip: 57103

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:
   Self-Directed IRA

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:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>INTEREST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Bright</td>
<td>10978 Crimmin Rd Newark IL 60541</td>
<td>100%</td>
</tr>
</tbody>
</table>

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

   Shaine Timmins, 401 East 8th Street, Suite 200P, Sioux Falls, SD 57103, Authorized Signer for Madison Trust Company

   VERIFICATION

   I, ___ Shaine Timmins ___ , 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 March, 2019, A.D.

   (seal)

   Notary Public

   CHAYA TOVA SLATER
   NOTARY PUBLIC-STATE OF NEW YORK
   No. 01SL6348908
   Qualified In Rockland County
   My Commission Expires 10-03-2020

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CORPORATE RESOLUTION

This resolution remains in effect until you receive notice that it has been revoked or receive a new form.

I. Organization Information

b. Organization Type: Trust Company serving as IRA Custodian
c. Corporate Headquarters: 401 E. 8th Street, Suite 200P, Sioux Falls, SD 57103
d. Telephone Number: 800-721-4900

II. This resolution is an authorization to act on behalf of Madison Trust Company's accounts.

III. Authorized Signatories:

The Individuals who sign below are authorized to:

a. Sign any documents related to assets held by Madison Trust Company's accounts.
b. Invest and redeem the assets held by Madison Trust Company's accounts.
c. Obtain account information and give instructions for the purchase, sale, exchange, transfer or assets or securities held by Madison Trust Company's accounts.
d. Establish access to Madison Trust Company's accounts online or through any other electronic or telephonic system.
e. Engage in any other action regarding the assets held by Madison Trust Company's accounts.

The number of signatures required on a document is one (1).

Name of authorized signatories:
E. Brian Finkelstein, Chairman Dated: 02/20/2018
Mervyn Klein, CEO Dated: 02/20/2018
Daniel Gleich, President Dated: 02/20/2018
Additional Persons who can conduct transactions:

The individuals listed below are authorized to sign Transfer Authorizations, Re-registration Confirmations, Assignment of Notes, and any documents related to assets on behalf of Madison Trust Company's accounts.

Charles Knopf  
Alexa Holzberg  
Aidy Markowitz  
Tova Slater  
Maggie Borchardt  
Amanda Pillitteri  
Anne McBride  
Brittany Bordeaux  
Elizabeth Frasciello  
Jim Riswold  
Nick Talarico  
Xiomara Rodriguez  
Seth Bergida  
Shaine Timmins  
Liam Stewart  
Ian Robertson  
Zachary Croan

The individuals listed below are authorized to sign IRA LLC Operating Agreements on behalf of Madison Trust Company's accounts.

Charles Knopf  
Alexa Holzberg  
Aidy Markowitz  
Tova Slater  
Maggie Borchardt  
Amanda Pillitteri  
Shaine Timmins  
Ian Robertson  
Elizabeth Frasciello  
Joel Galkin  
Mark Weissman  
Kathleen Christman  
Laurah Boswell  
Anne McBride  
Liam Stewart  
Brittany Bordeaux  
Zachary Croan
Certification and Indemnification:

The undersigned signatories of Madison Trust Company hereby certify that:

- Each of the authorized signatories listed below is authorized by resolution of the board of directors to act on behalf of the organization in connection with any of the Madison Trust Company accounts.

- Madison Trust Company agrees to indemnify and hold harmless any investment company, its officers, employees and agents from and against all losses, claims and expenses (including attorney's fees) incurred by the investment company for relying in good faith upon the information provided in this resolution and for action on instructions believed by the investment company to have originated from any authorized signatory or additional authorized person listed above.

- This resolution remains in full force and effect until revoked by an authorized signatory of Madison Trust Company. Any revocation will not affect any liability resulting from transactions initiated before the investment company has had a reasonable amount of time to act upon the revocation.

The undersigned are authorized to certify this information on behalf of Madison Trust Company and confirm that these provisions conform to the charter or other organizing document of Madison Trust Company.

**Authorized Signatories:**

E. Brian Finkelstein, Chairman  
Dated: 02/20/2018

Mervyn Klein, CEO  
Dated: 02/20/2018

Daniel Gleich, President  
Dated: 02/20/2018
KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant: Bright & Entheising Events
   Address: 10978 Crimmin Rd
   City: Newark, IL 60541
   State: IL
   Zip: 60541

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:

   Event Venue

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:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>INTEREST</th>
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</thead>
<tbody>
<tr>
<td>JoAnn Bright-Theis</td>
<td>10978 Crimmins Rd Newark, IL 60541</td>
<td>25%</td>
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<tr>
<td>Adan Theis</td>
<td>10978 Crimmins Rd Newark, IL 60541</td>
<td>25%</td>
</tr>
<tr>
<td>Nicola Bright</td>
<td>10978 Crimmins Rd Newark, IL 60541</td>
<td>25%</td>
</tr>
<tr>
<td>Robert Bright</td>
<td>10978 Crimmins Rd Newark, IL 60541</td>
<td>25%</td>
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6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
   JoAnn Bright-Theis 10978 Crimmins Rd Newark, IL 60541

VERIFICATION

I, ______________ , 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 ______ day of ____________________, A.D. ________

(seal)

Notary Public
NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Robert Bright  
Contact Person: JoAnn Bright-Theis
Address: 10978 Crimmin Rd  
10978 Crimmin Rd
City, State, Zip: Newark, IL 60541 
Newark, IL 60541
Phone Number: ( )  
( )
Email: Please select: How would you like to receive a copy of the NRI Report?  Email  Mail

Site Location & Proposed Use
Township Name: Fox Township
Parcel Index Number(s): 04-31-200-013
Project or Subdivision Name: N/A
Current Use of Site: A1
Proposed Use: General Public
Proposed Number of Lots: n/a
Proposed Number of Structures: n/a
Proposed Water Supply: Well (On-Site)
Proposed type of Storm Water Management: n/a

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 County

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
Additional Acres at $18.00 each $_________
Total NRI Fee $_________

NOTE: Applications are due by the 1st 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 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# 1407 Date initially rec’d 3/14/19 Date all rec’d 3/14/19 Board Meeting April 2019
Fee Due $Check # Over/Under Payment $ Refund Due $
Applicant: Robert Bright
Contact: JoAnn Bright-Theis
Address: 10978 Crimmin Rd
Newark, IL 60541
Project: BrighterDaze Farm & Events
Address: 10978 Crimmins Rd, Newark

Description: Repurpose existing 120' x 62' arena for weddings and events

**Natural Resource Review Results**

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

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

- Fox River INAI Site
- Millington Fen INAI Site
- Millington Railroad Fen Natural Heritage Landmark
- Tucker-Millington Fen Nature Preserve
- River Redhorse (*Moxostoma carinatum*)

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

**Location**

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

- County: Kendall
- Township, Range, Section:
  - 36N, 6E, 29
  - 36N, 6E, 30
  - 36N, 6E, 31
  - 36N, 6E, 32

**IL Department of Natural Resources Contact**

Justin Dillard
217-785-5500
Division of Ecosystems & Environment

**Government Jurisdiction**

Kendall County Zoning Commission
Matt Asselmeier
111 W Fox St
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 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.

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.
IDNR Project Number: 1908293

EcoCAT Receipt

Project Code 1908293

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TOTAL PAID $127.94

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov
March 04, 2019

JoAnn Bright-Theis
Robert Bright
10978 Crimmin Rd
Newark, IL 60541

RE: BrighterDaze Farm & Events
   Project Number(s): 1908293
   County: Kendall

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 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.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, 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, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR’s authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Justin Dillard
Division of Ecosystems and Environment
217-785-5500
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. BrighterDaze Farm & Events have hosted a cursory review with the Code Official for Kendall County Planning, Building & Zoning (Brian Holdiman), an architect (Sparks Architects) and structural engineer (Hinsdale Engineering) whom have raised no issues with public endangerment.

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.

BrighterDaze Farm & Events will abide by the results of the Special Use Permit effort. We feel strongly the venue will not impair property values due to the natural "buffers" afforded to the farm (mature trees, berms and spacious property). Customers will frequent local businesses such as hotels, restaurants, etc resulting in a stronger local economy.

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

BrighterDaze Farm & Events utilizes a "one way" traffic pattern to quickly and safely flow patrons in and out of the property with minimum impact to local traffic. All facilities have been permitted and/or inspected by Kendall County within the past 15 years.

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. BrighterDaze Farm & Events will abide by the results of the Special Use Permit effort.

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.

BrighterDaze Farm & Events abides by all codes/regulations of the Land Resource Management Plan and other adopted County, Municipal plans and policies.
### NOTES:

1. The calculated results of this lighting simulation represent a prediction of system performance and are not guaranteed.
2. Actual measured results may vary from the anticipated performance and are subject to means and conditions which are beyond the control of DB Lighting Consultation.
3. Illumination values shown (in foot-candles) are horizontal at grade level based on Mounting Height marked MH=??
4. Calculation points are on an 8’ x 8’ spacing

### Calculation Values

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The lighting calculations/tables, drawings, or responsibility for any errors in the background images or other information provided to DBLC is to be used in these calculations. Actual or measured results may vary due to manufacturers’ tolerances, component malfunctions, obstructions, varying surface reflectance and other field conditions.

The owner assumes all responsibility for compliance with federal, state and/or local codes and regulations.
### Luminaire Schedule

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**NOTES:**

- **Calculation Summary**
  - Brighter Daze Workplan: Illuminance: Fc = 43.00, Max = 122.1, Min = 1.9, Avg/Min = 22.03, Max/Min = 84.28
  - Corridor Floor: Illuminance: Fc = 7.72, Max = 13.1, Min = 2.1, Avg/Min = 3.68, Max/Min = 6.24
  - Exterior Perimeter: Illuminance: Fc = 3.81, Max = 36.0, Min = 0.0, Avg/Min = 1.35, Max/Min = 26.0
  - Stall Floor: Illuminance: Fc = 28.14, Max = 35.0, Min = 23.2, Avg/Min = 1.21, Max/Min = 1.51
  - **Prepared For:** BW Design
  - **Date:** 10/1/2018
  - **Drawn By:** Shaun Fillion, LC
  - **CASE #204297**
  - **PROJECT #103124**
  - **Prepared For:** BW Design
  - **Date:** 10/1/2018
  - **Drawn By:** Shaun Fillion, LC
  - **CASE #204297**
  - **Prepared For:** BW Design
  - **Date:** 10/1/2018
  - **Drawn By:** Shaun Fillion, LC
  - **CASE #204297**

- **NOTES:**
  - **Newark, IL**
  - **Lighting Layout**
  - **Version B**
  - **Job Name:** Brighter Daze Farm
ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
April 2, 2019 – Unapproved Meeting Minutes

PBZ Committee Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

Present:
Megan Andrews – Soil and Water Conservation District (Arrived at 9:03 a.m.)
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
David Guritz – Forest Preserve (Arrived at 9:05 a.m.)
Deputy Commander Mitchell Hattan – Sheriff’s Department
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Aaron Rybski – Health Department
Matthew Prochaska – PBZ Committee Chair

Absent:
Greg Chismark – WBK Engineering, LLC

Audience:
Mark Caldwell, Adam Theis, and JoAnn Bright-Theis

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

MINUTES
Mr. Hattan made a motion, seconded by Mr. Klaas, to approve the March 5, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

PETITIONS
Petition 19-11 Mark Caldwell on Behalf of Dickson Valley Ministries – Major Amendment to a Special Use Permit by Repealing and Replacing Their Approved Site Plan at 8250 Finnie Road in Fox Township

Mr. Asselmeier summarized the request.

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV’s.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.
The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows.

Mr. Guritz arrived at this time (9:05 a.m.)

The proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.

5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total house of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.). A picture of Development B is included as Attachment 6.

6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.) A picture of Development C is included as Attachment 7.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.

8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.

9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.

11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.

12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.
13. Addition 1, Director’s Lodge, shall consist of a fourteen foot by eighteen foot (14’ x 18’) dining room addition. The current structure is one hundred twenty-six feet (126’) offset from the road and the addition may encroach no more than an additional three feet (3’). A picture of Addition 1 is included as Attachment 11.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed. A picture of Addition 2 is included as Attachment 12.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.

16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate “leaders” rooms with restrooms. A picture of Addition 5 is included as Attachment 15.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space. A picture of Addition 7 is included as Attachment 17.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.

Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural Heritage Landmark, and River Redhorse (Moxostoma carinatum). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI.

Petition information was sent to Fox Township on March 26, 2019.

Petition information was sent to the Village of Millbrook on March 26, 2019.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019.

Any new buildings would have to meet applicable building codes.

As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required as the proposal is implemented and will be reviewed on a project-by-project basis.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.
Before issuing a recommendation, Staff would like consultation with ZPAC members, the Fox Township Highway Commissioner, and the Sandwich Fire Protection District regarding any concerns to the public health and safety they may possess.

Mr. Rybski asked if more employees will be added onsite. Mr. Caldwell stated the number of people onsite will not change from what was proposed in 2014. The projected increase in people onsite is forty percent (40%).

Mr. Caldwell stated that they (Dickson Valley Ministries) wanted to show everything on the site plan. The mission of the organization has not changed.

Mr. Klaas asked if any complaints had been filed regarding this property with Building and Zoning. Mr. Holdiman responded not to his knowledge.

Discussion occurred regarding a right-of-way dedication for Finnie Road. Mr. Caldwell requested clarification on how a dedication occurred. Mr. Klaas explained the process. Mr. Caldwell will take the request to his board at the end of April to discuss the dedication. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred.

If the plan was developed fully, the investment would be Four Point Five Million Dollars ($4.5 Million).

Mr. Guritz discussed the EcoCat Report. Mr. Caldwell stated that the development will not occur near the protected areas.

Mr. Klaas made a motion, seconded by Mr. Rybski, to forward the major amendment to the Kendall County Regional Planning Commission with the following conditions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the proposed Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.

3. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.

4. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.

5. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

6. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska

Nays (0): None

Present (0): None

Absent (1): Chismark

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

**Petition 19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis – Special Use Permit for a Banquet Center at 10978 Crimmin Road in Fox Township**

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.
No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26’) tall at its peak and ten feet (10’) tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers 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 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

If approved, the Petitioners hope to start operations as quickly as possible.

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (Moxostoma carinatum). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019.

Fox Township was emailed information on March 27, 2019.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.
The property fronts Crimmin Road.

According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown on the proposed site plan, the site contains approximately one hundred sixty-six trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processionals and recessionals at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

Before issuing a recommendation, Staff would like the following issues addressed/clarified:

1. Input from the Kendall County Sheriff's Department and the Newark Fire Protection District regarding any concerns regarding having a facility at this location.
2. Input from the Kendall County Health Department regarding the septic and well facilities.
3. Input from WBK regarding the need for a stormwater management permit.
4. Acknowledgement from the Petitioners that they are aware and will follow Kendall County's Right to Farm Clause.
5. Acknowledgement from the Petitioners that they agree to follow all applicable Federal, State, and Local laws governing this type business and the implications for not following such laws.

Mr. Rybski asked about food preparation. All events will be catered.

Mr. Rybski asked about the number of events. Mr. Theis responded that they anticipate ten-twenty (10-20) events with fifty percent (50%) growth after that time. Mr. Rybski explained the well testing requirements. A site survey will be completed to define the location of the existing septic system.

Deputy Commander Hattan asked about traffic control. Mr. Theis explained the internal traffic control system. The Petitioner will contract with a company to direct traffic on and off Finnie Road.

No new structures will be constructed onsite. New lighting will be installed onsite as shown on the site plan.

Mr. Guritz will forward the Forest Preserve regulations related to equestrian use to the Petitioner. Horses will not be involved with proposed business. The equestrian business will continue at the property as a separate business.

Outside company will supply alcohol; no alcohol will be sold onsite.

Ms. Andrews requested clarification on the acreage of the property. Mr. Theis will provide clarification on the size of the property.

Noise will be controlled by existing landscaping and trees; music will initiate indoors and face east inside the venue. Business will close at 10:00 p.m.

Mr. Klaas discussed the planned the realignment of Crimmin Road.
Mr. Klaas made a motion, seconded by Mr. Holdiman, to forward the special use permit request to the Kendall County Regional Planning Commission with the following conditions proposed by Staff.

Ayes (8): Andrews, Asselmeier, Briganti, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (1): Guritz
Absent (1): Chismark

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

**Petition 19-13 Kendall County Planning, Building and Zoning Committee – Text Amendment to Sections 4.06 and 4.07 of the Kendall County Zoning Ordinance by Allowing Research and Development Related Home Occupations to be Conducted Outside of a Dwelling or Permitted Accessory Structure and Adding the Phrase “Unless Otherwise Permitted by Law” to the End of Section 4.06.f and Section 4.07.g**

Mr. Asselmeier summarized the request.

At their meeting February 27, 2019, the Comprehensive Land Plan and Ordinance Committee requested that Staff prepare a proposed text amendment to the Kendall County Zoning Ordinance allowing research and development related home occupations to be conducted outside the dwelling or accessory structure and to address noise, dust, fumes, and odor issues.

For reference, “Home Occupation” related terms are defined as follows:

**HOME OCCUPATION** Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

**HOME OCCUPATION - AGRICULTURAL.** A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be “home occupation”. (Amended 04/18/2000)

**HOME OCCUPATION- RESIDENTIAL** A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be a “home occupation”.

Home Occupations are permitted uses in the A-1 District and all Residential Districts. Home Occupations are special uses in the RPD Districts.

At their meeting on March 27, 2019, the Kendall County Regional Planning Commission voted to initiate the text amendment.

Mr. Rybski asked about home occupations that could be impacted by this proposal. Mr. Asselmeier suggested that individuals wanted to construct firearms and test those firearms outdoors would be impacted. Mr. Asselmeier also suggested a business creating telescopes could be impacted.

Mr. Asselmeier read the definition of research and development from the Zoning Ordinance.

County regulations cannot supersede federal or state regulations.

Mr. Rybski made a motion, seconded by Ms. Andrews, to forward the text amendment to the Kendall County Regional Planning Commission.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (0): None
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.
REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Hattan made a motion, seconded by Mr. Rybski to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:47 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner
KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
APRIL 2, 2019

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

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NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1906

April 2019
Petitioner: Robert Bright
Contact: JoAnn Bright-Theis

Prepared by:

Kendall County Soil & Water Conservation District
7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org
Petitioner: Robert Bright
Contact Person: JoAnn Bright-Theis
County or Municipality the petition is filled with: Kendall County
Location of Parcel: SW¼ Section 29, SE ¼ Section 30, NE ¼ Section 31 & NW ¼ Section 32 T.36N.-R.6E. (Fox Township), 3rd Principal Meridian in Kendall Co., IL
Project or Subdivision Name: Not Provided
Existing Zoning & Land Use: A-1; Residential, Barn with Paddock areas, Wooded
Proposed Zoning & Land Use: A-1 Special Use; Banquet Center
Proposed Water Source: Well
Proposed Type of Sewage Disposal System: Septic
Proposed Type of Storm Water Management: N/A
Size of Site: 38.3 acres
Land Evaluation Site Assessment Score: 181 (Land Evaluation: 78; Site Assessment: 103)

Natural Resource Considerations

Soil Map:

SOIL INFORMATION:
Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; please refer to onsite soil test results for planning/engineering purposes):
### Table 1:

<table>
<thead>
<tr>
<th>Map Unit</th>
<th>Soil Name</th>
<th>Drainage Class</th>
<th>Hydrologic Group</th>
<th>Hydric Designation</th>
<th>Farmland Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Camden silt loam, 5-10% slopes, eroded</td>
<td>Well drained</td>
<td>B</td>
<td>Non-hydric</td>
<td>Statewide Importance</td>
</tr>
<tr>
<td>145A</td>
<td>Saybrook silt loam, 0-2% slopes</td>
<td>Moderately well drained</td>
<td>C</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>145B</td>
<td>Saybrook silt loam, 2-5% slopes</td>
<td>Moderately well drained</td>
<td>C</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>198A</td>
<td>Elburn silt loam, 0-2% slopes</td>
<td>Somewhat poorly drained</td>
<td>B/D</td>
<td>Non-hydric Hydric Inclusions likely</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>327B</td>
<td>Fox silt loam, 2-4% slopes</td>
<td>Well drained</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>327C2</td>
<td>Fox silt loam, 4-6% slopes, eroded</td>
<td>Well drained</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>3082A</td>
<td>Millington silt loam, 0-2% slopes, frequently flooded</td>
<td>Poorly drained</td>
<td>B/D</td>
<td>Hydric</td>
<td>Prime Farmland (if drained and protected from flooding or not frequently flooded during growing season)</td>
</tr>
</tbody>
</table>

**Hydrologic Soil Groups:** Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

**Hydric Soils:** A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, 3082A Millington silt loam is identified as a hydric soil and, 198A Elburn silt loam is denoted as having the potential for hydric inclusions.

**Prime Farmland:** Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, six are designated as prime farmland one is classified as being of statewide importance.
<table>
<thead>
<tr>
<th>Map Unit</th>
<th>Surface Runoff</th>
<th>Water Table</th>
<th>Ponding</th>
<th>Flooding</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Medium</td>
<td>January - Dec, Upper Limit: --, Lower Limit: --</td>
<td>January - Dec, Surface Water Depth &amp; Duration: --, Frequency: None</td>
<td>January - Dec, None</td>
</tr>
<tr>
<td>145A</td>
<td>Low</td>
<td>February - April, Upper Limit: 2.0’-3.5’, Lower Limit: 2.2’-3.8’</td>
<td>January - Dec, Surface Water Depth &amp; Duration: --, Frequency: None</td>
<td>January – Dec, None</td>
</tr>
<tr>
<td>145B</td>
<td>Low</td>
<td>January - Dec, Upper Limit: --, Lower Limit: --</td>
<td>January - Dec, Surface Water Depth &amp; Duration: --, Frequency: None</td>
<td>January - Dec, None</td>
</tr>
<tr>
<td>198A</td>
<td>Low</td>
<td>January - May, Upper Limit: 1.0’-2.0’, Lower Limit: &gt;6.0’</td>
<td>January - Dec, Surface Water Depth &amp; Duration: --, Frequency: None</td>
<td>January – Dec, None</td>
</tr>
<tr>
<td>327B</td>
<td>Low</td>
<td>January - Dec, Upper Limit: --, Lower Limit: --</td>
<td>January - Dec, Surface Water Depth &amp; Duration: --, Frequency: None</td>
<td>January - Dec, None</td>
</tr>
<tr>
<td>327C2</td>
<td>Medium</td>
<td>January - Dec, Upper Limit: --, Lower Limit: --</td>
<td>January - Dec, Surface Water Depth &amp; Duration: --, Frequency: None</td>
<td>January - Dec, None</td>
</tr>
<tr>
<td>3082A</td>
<td>Negligible</td>
<td>January - May, Upper Limit: 0.0’-1.0’, Lower Limit: &gt;6.0’ June, Nov, Dec: Upper Limit: --, Lower Limit: --</td>
<td>January - May, Surface Water Depth &amp; Duration: 0.0’-0.5’; Brief, Frequency: Frequent June, Nov, Dec: Surface Water Depth &amp; Duration: -, Frequency: None</td>
<td>January - May, Brief, Frequent June, Nov, Dec: Brief, Frequent</td>
</tr>
</tbody>
</table>

**Surface Runoff:** Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover. Indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal).

**Ponding:** Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

**Flooding:** Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration expressed as brief is 2 to 7 days and a frequent frequency means that it is likely to occur often under normal weather conditions.

**SOIL LIMITATIONS:**
According to the USDA-NRCS, soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction and maintenance. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Ratings are based on the soil in an undisturbed state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.
Not Limited: Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.

Somewhat Limited: Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation; fair performance and moderate maintenance can be expected.

Very Limited: Indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures; poor performance and high maintenance can be expected.

Conventional Septic System Rating Criteria:
The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. Soils that are deemed unsuitable for installation of an on-site sewage disposal system per the Kendall County Subdivision Control Ordinance may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact: Kendall County Health Department located at 811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026.

Limitations are listed below for dwellings with basements, dwellings without basements, small commercial building, shallow excavations, lawns/landscaping and onsite conventional sewage disposal systems. Please note this information is based on soils in an undisturbed state as compiled for the USDA-NRCS 2008 Soil Survey of Kendall County, IL and the Kendall County Subdivision Control Ordinance; this does not replace the need for site specific soil testing or results of onsite soil testing.

Table 3a: Building Limitations

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Dwellings without Basements</th>
<th>Dwellings with Basements</th>
<th>Small Commercial Building</th>
<th>Onsite Conventional Sewage Disposal System</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Somewhat Limited: Slope, Shrink-swell</td>
<td>Suitable</td>
</tr>
<tr>
<td>145A</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Somewhat Limited: Depth to saturated zone</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Suitable</td>
</tr>
<tr>
<td>145B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Somewhat Limited: Depth to saturated zone</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Suitable</td>
</tr>
<tr>
<td>198A</td>
<td>Somewhat Limited: Depth to saturated zone; Shrink-swell</td>
<td>Very Limited: Depth to saturated zone; Shrink-swell</td>
<td>Somewhat Limited: Depth to saturated zone; Shrink-swell</td>
<td>Suitable</td>
</tr>
<tr>
<td>327B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Unsuitable: Gravel</td>
</tr>
<tr>
<td>327C2</td>
<td>Not Limited</td>
<td>Not Limited</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Unsuitable: Gravel</td>
</tr>
<tr>
<td>3082A</td>
<td>Very Limited: Ponding; Flooding; Depth to saturated zone</td>
<td>Very Limited: Ponding; Flooding; Depth to saturated zone</td>
<td>Very Limited: Ponding; Flooding; Depth to saturated zone</td>
<td>Unsuitable: Frequently Flooded</td>
</tr>
</tbody>
</table>

Table 3b: Building Limitations

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Shallow Excavations</th>
<th>Lawns &amp; Landscaping</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Somewhat Limited: Dusty, Unstable excavation walls</td>
<td>Somewhat Limited: Dusty</td>
</tr>
<tr>
<td>145A</td>
<td>Somewhat Limited: Depth to saturated zone; Dusty, Unstable excavation walls</td>
<td>Somewhat Limited: Dusty</td>
</tr>
<tr>
<td>145B</td>
<td>Somewhat Limited: Depth to saturated zone; Dusty, Unstable excavation walls</td>
<td>Somewhat Limited: Dusty</td>
</tr>
<tr>
<td>198A</td>
<td>Somewhat Limited: Depth to saturated zone; Dusty, Unstable excavation walls</td>
<td>Somewhat Limited: Depth to saturated zone; Dusty</td>
</tr>
<tr>
<td>327B</td>
<td>Somewhat Limited:</td>
<td>Somewhat Limited:</td>
</tr>
<tr>
<td>Attachment 17, Page 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SOIL LIMITATIONS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% of Soil</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dwellings With Basements</td>
<td>Not Limited</td>
<td>Somewhat Limited</td>
</tr>
<tr>
<td>Dwellings Without Basements</td>
<td>Not Limited</td>
<td>Not Rated</td>
</tr>
<tr>
<td>Small Commercial Building</td>
<td>Not Limited</td>
<td>Not Rated</td>
</tr>
<tr>
<td>Conventional Septic Systems</td>
<td>Not Limited</td>
<td>Not Rated</td>
</tr>
</tbody>
</table>

**Building Limitations Maps:**
Figure 2a: Dwellings With Basements
Figure 2b: Dwellings Without Basements

Figure 2c: Small Commercial Building
Figure 2d: Shallow Excavations

Figure 2e: Lawns & Landscaping
Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

### Table 4a: Land Evaluation Computation

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Value Group</th>
<th>Relative Value</th>
<th>Acres</th>
<th>Product (Relative Value x Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>5</td>
<td>82</td>
<td>2.6</td>
<td>213.2</td>
</tr>
<tr>
<td>145A</td>
<td>2</td>
<td>94</td>
<td>0.4</td>
<td>37.6</td>
</tr>
<tr>
<td>145B</td>
<td>2</td>
<td>94</td>
<td>0.6</td>
<td>56.4</td>
</tr>
<tr>
<td>198A</td>
<td>1</td>
<td>100</td>
<td>2.8</td>
<td>280.0</td>
</tr>
<tr>
<td>327B</td>
<td>4</td>
<td>79</td>
<td>26.4</td>
<td>2085.6</td>
</tr>
<tr>
<td>327C2</td>
<td>4</td>
<td>79</td>
<td>1.3</td>
<td>102.7</td>
</tr>
<tr>
<td>820E</td>
<td>7</td>
<td>47</td>
<td>3.7</td>
<td>173.9</td>
</tr>
<tr>
<td>3082A</td>
<td>4</td>
<td>79</td>
<td>0.5</td>
<td>39.5</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td></td>
<td></td>
<td><strong>38.3</strong></td>
<td><strong>2988.9</strong></td>
</tr>
</tbody>
</table>

The Land Evaluation score for this site is **78**, indicating that this site is not predominately prime farmland well suited for agricultural production.

### Table 4b: Site Assessment Computation

- **A. Agricultural Land Uses**
  1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0) **20**
  2. Current use adjacent to site. (30-20-15-10-0) **20**
  3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0) **0**
  4. Size of site. (30-15-10-0) **10**

- **B. Compatibility / Impact on Uses**
  1. Distance from city or village limits. (20-10-0) **10**
  2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0) **10**
  3. Compatibility of agricultural and non-agricultural uses. (15-7-0) **0**

- **C. Existence of Infrastructure**
  1. Availability of public sewage system. (10-8-6-0) **10**
  2. Availability of public water system. (10-8-6-0) **10**
  3. Transportation systems. (15-7-0) **7**
  4. Distance from fire protection service. (10-8-6-2-0) **6**

**Site Assessment Score:** **103**

**Land Evaluation Value:** **78** + **Site Assessment Value:** **103** = **LESA Score:** **181**

<table>
<thead>
<tr>
<th>LESA SCORE</th>
<th>LEVEL OF PROTECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-200</td>
<td>Low</td>
</tr>
<tr>
<td>201-225</td>
<td>Medium</td>
</tr>
<tr>
<td>226-250</td>
<td>High</td>
</tr>
<tr>
<td>251-300</td>
<td>Very High</td>
</tr>
</tbody>
</table>
The LESA Score for this site is **181** which indicates a low level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

**Wetlands:** The U.S. Fish & Wildlife Service’s National Wetland Inventory map **does not indicate** the potential presence of a wetland on the project site. If a wetland is present and will be impacted by the project, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

**Floodplain:** The parcel is not located within the floodplain.
Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the Illinois Urban Manual (http://www.aiswcd.org/illinois-urban-manual/) for appropriate best management practices.

LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Robert Bright at the request of their contact JoAnn Bright-Theis for the proposed A-1 Special Use petition project. This parcel is located in portions of Sections 29, 30, 31 & 32 in Fox Township (T.36N.-R.6E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored an 78 out of a possible 100 points indicating the soils found on the project site are not predominately prime farmland well suited for agricultural production. The overall LESA Score for this site is 181 which indicates a low level of protection for the proposed project site. Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production and is an important resource to Kendall County; of the eight soil types identified onsite, six are designated as prime farmland, one is designated as farmland of statewide importance and one is not indicated as either. A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile; one soil type found onsite, 3082A Millington silt loam is designated as a hydric soil and one soil type, 198A Elburn silt loam has the potential to have hydric inclusions.

For proposed land uses, soils can have potential limitations. This report indicates, if the following uses were to be included as part of future site development or expansion, that for soils located on the parcel, 83.3% are unsuitable for onsite conventional septic systems80.1% of the soils are very limited for shallow excavations, 78.8% are very limited for onsite conventional septic systems, 18.3% are very limited for dwellings with basements and shallow excavations, and 11% are very limited for dwellings without basements, small commercial building and lawns/landscaping. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support development with significant limitations.

Additionally, since the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Fox River Watershed and Clear Creek subwatershed. This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense project uses it may be necessary to have a drainage tile survey completed on the parcel to locate any subsurface drainage tile if suspected onsite. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Complied Statutes, Ch. 70, Par 405/22.02a).

Chair

Date

208
Matt Asselmeier

From: Fox Township <foxtownshipsupervisor@gmail.com>
Sent: Tuesday, April 16, 2019 12:17 PM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Petition 19-12 (Brighter Daze Farm)

Matt,

Please accept this email as comment on Petition 19-12. Fox Township Board of Trustees, acting as the Planning Commission for Fox Township, discussed this petition at our April Board meeting on April 8th, 2019. Here is a summary or our position:

1) Conceptually, the Board approves of the idea of a Banquet Facility at this location with the following stipulations.

a. Specifically, NO sales at retail of alcoholic beverages are permitted in Fox Township outside municipal corporate limits. We appreciate that the petitioner acknowledges and so states in the petition on page 4.

b. Fox Township Board does not agree that Crimmins Road is a Major Collector Road. While it is listed in the LRMP as a Major Collector, its design and use is more accurately in line with a Minor Collector or Local road. It appears that Crimmins Road is misplaced in its category, especially when you compare Crimmins Road to the roads listed in the minor or local category. Additionally, the County Highway engineer, in a conversation with the Fox Township Road Commissioner has agreed with this assessment.

c. While this issue would appear to be a point of contention for the approval of this petition, Fox Township Board feels that a Traffic Study which includes the addition of the event capacities stated in the petition, and the current design of the roadway could provide recommendations for improvements that would add to the safety of this use. The cost of the Traffic Study should be borne by the petitioner as this new special use is the initiating cause for this study. After the results are in, the cost associated for the necessary improvements can be discussed among the Petitioners, the Township Board, and County representatives.

If you need any other information or have any questions, I am available at any time to assist you in this issue. Thank you for giving us a platform for our input.

Jeff Spang, Supervisor
Fox Township

On Wed, Mar 27, 2019 at 8:38 AM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

ZPAC Members:
Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL
Members Present:  Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Karin McCarthy-Lange, Larry Nelson, and Claire Wilson  
Members Absent:  Ruben Rodriguez and John Shaw
Staff Present:  Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)
In the Audience:  Mark Caldwell, Adam Theis, JoAnn Theis, Steve Graves, Jeff Spang, Kurt Buhle, Jeanette Buhle, and Matthew Prochaska

Chairman Ashton welcomed Karin McCarthy-Lange to the Commission representing Oswego Township.

APPROVAL OF AGENDA
Member Bledsoe made a motion, seconded by Member Nelson to approve the agenda. With a voice vote of seven (7) ayes, the motion carried unanimously.

APPROVAL OF MINUTES
Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the April 24, 2019, meeting. With a voice vote of seven (7) ayes, the motion carried unanimously.

Ruth Ann Sikes, Part Time Office Assistant (Zoning) asked all audience members that were going to speak to please sign in and speak directly into the microphone so that everything could be recorded.

PETITIONS
19-11 Mark Caldwell on Behalf of Dickson Valley Ministries
Mr. Asselmeier provided updated information on Petition 19-11.

At the April 24, 2019, meeting of the Kendall County Regional Planning Commission, the Commission requested less detail on the Petitioner’s site plan.

Mr. Asselmeier stated that the Petitioner desires this major amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

The proposed changes are follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) “overnight campers.” This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

KCRPC Meeting Minutes 5.22.19
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.

5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.

6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.

8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.

9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.

11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.

12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.

13. Addition 1, Director’s Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126’) offset from the road.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store.

16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Also at the April meeting, the Commission was concerned about Fox Township’s requests of the Petitioner. Fox Township clarified that they do not want a right-of-way dedication at this time, but they would like to be informed if a structure is constructed above or below Finnie Road.

The proposed conditions on the special use permit are as follows:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.

3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.

4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.

5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.

6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

Member Nelson asked Mr. Caldwell if the new version was better. Mr. Caldwell replied they were comfortable with the changes and they would deal with any permitting issues when the new additions were constructed.

Member Nelson made a motion, seconded by Member Wilson, to recommend approval of the amended petition with the condition proposed by Staff.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

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

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

Mr. Asselmeier summarized the request.
JoAnn Bright-Theis would like to establish the Brighter Daze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (Moxostoma carinatum). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019. The LESA Score was 181 indicating a low level of protection.

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. “Venue Ahead” signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned the realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.
The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26’) tall at its peak and ten feet (10’) tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers 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 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

If approved, the Petitioners hope to start operations as quickly as possible.

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road. According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700’). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.
As shown on the proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processionals and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

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

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. The hours of operation shall be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. 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 1st and reopen April 1st.

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. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County’s Right to Farm Clause.

15. 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.

16. 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.

17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Wilson asked where the closest houses are located in relation to the property. Mr. Asselmeier said there is one (1) directly across from the property and six (6) within a half (1/2) mile of the property. The operators of the facility live on site.

Member McCarthy-Lange asked if the neighbors had been notified. Mr. Asselmeier replied yes per State law.

Member Wilson asked where the lights would be located. Adam Theis replied they would be along the existing curb line just west of the parking lot. Mr. Theis said they have thirty-four (34) parking spots on site and seventy-five (75) additional spots on a remote lot and the parking plan meets the requirements of the Zoning Ordinance.

When asked about septic system for permanent toilets, Mr. Theis replied they would be doing a study within the next six (6) months to determine the actually design and location recommendations.

Mr. Theis said they do plan on having events on Sunday with the hours being the same as Saturday hours, with thirty (30) events a year. After discussion on the subject, the Petitioners agreed to have Sunday hours the same as Monday through Thursday hours, closing the facility at 10:00 p.m.

Jeff Spang, speaking as a resident of Fox Township, had the following questions, where do staff and vendors park and how would the Petitioners handle events with no air conditioning in the months of June, July and August. Mr. Spang stated that events are currently held on the property and these events are not private, but public events. Mr. Theis responded that vendors and staff park on the remote lot. There is no air conditioning.
but they will have fans and the temperature is cooler inside the building. They have had no public events and would like to know the dates that Mr. Spang was referencing.

Steven Graves and Kurt Buhle both voiced concerns about the added traffic getting to and from the venue because it is very dangerous stretch of road.

Jeff Spang, speaking as Fox Township Supervisor, reported that Fox Township has an investigation in process and would like for the Commission to lay this proposal over so they can complete their investigation. Member Nelson asked if the continuation of this would impact votes on the issue. Mr. Spang said the investigation could impact votes.

Member Wilson asked if Crimmin Road was a major collector road and Mr. Asselmeier replied yes according to the Land Resource Management Plan. Discussion occurred regarding how Crimmin Road was classified as a major collector road.

Jeanette Buhle expressed concerns about directional signage outside of venue especially at night.

The consensus of the Commission and without any objections from Commissioners, the Petitioner or anyone else in attendance, this proposal was laid over until the June meeting of the Kendall County Regional Planning Commission.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

NEW BUSINESS
None

OLD BUSINESS

Petition 18-04 Request from the Kendall County Regional Planning Commission
Matthew Prochaska, Planning, Building, and Zoning Committee Chairman, said that the Committee has refused to forward the proposal to the County Board. He is exploring a discharge petition.

Member Nelson made a motion, seconded by Member Davis, to lay this issue over for one (1) month.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange, Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

This proposal will be laid over until the June meeting of the Kendall County Regional Planning Commission.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

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

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

Mr. Asselmeier reported that Petition 19-08 did not go to the County Board. The prospective buyer and sellers are still negotiating the terms of the contract.
OTHER BUSINESS/ANNOUNCEMENTS
Mr. Asselmeier announced that Ben Schroeder’s resignation was accepted by the County Board Chairman.

Mr. Asselmeier said he spoke to Mike Hoffman today and Mr. Hoffman plans to have the text amendment changes done by the end of the week or Tuesday, May 28th, at the latest. The contract with the County expires June 29th for this project.

Mr. Prochaska said the County Board does have some candidates from Big Grove Township under consideration and hopes to fill the seat within the next couple months.

ADJOURNMENT
Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of seven (7) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:15 p.m.

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

Enc.
KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MAY 22, 2019

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

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Matt Asselmeier

From: Fox Township <foxtownshipsupervisor@gmail.com>
Sent: Friday, June 14, 2019 3:18 PM
To: Matt Asselmeier
Subject: [External]Brighter Daze Special Use

Matt,

Fox Township Board of Trustees met Monday, June 10th, 2019 for our regular monthly meeting. On the agenda was a discussion about the Special Use Zoning request for Brighter Daze Farm. All Trustees of the Board were present as were the board Attorney, Supervisor, and two of the petitioners, Adam and Joanne Theis. The Special Use request was discussed at length and the following items were understood by all parties present. The Fox Township Board of Trustees are requesting the following Items be included in the final version of the Special Use Zoning Change:

1) There shall be NO PARKING on Crimmins Road by vehicles attending or serving functions at the Brighter Daze Venue. All vehicles are to be maintained on the venue operator’s property.

2) Brighter Daze Farm will dedicate to Fox Township 45’ of road right of way measured from the center line of Crimmins Road along the entire property adjacent to Crimmins Road.

3) Sound emanating from events at Brighter Daze Farm will not exceed 65dcb measured at the complainant’s property line, in conjunction with the State of Illinois Nosie Standards.

4) This Special Use is contingent upon the Traffic Study to be completed by the Kendall County Highway Department. Fox Township does not warrant any agreement to provide funding for the construction of any changes deemed necessary by the Traffic Study. Any costs required to address impacts to Crimmins Road brought about by the increases in traffic due to the Brighter Daze Events are to be borne by Brighter Daze.

5) Brighter Dazes is limited to no more than 30 (Thirty) events per season defined as April 1st to November 1st of each calendar year.

6) Events shall be held only on Saturdays and shall be concluded at or before 10:00pm.

7) Currently, the petitioners have requested a limit of 280 guests and have provided only 109 parking spaces on-site for these guests. Fox Township considers this ratio to be inadequate as it does not consider support vehicles (band members, caterers, serving staff, kitchen staff, restroom staff, table bus staff, etc.).
8) Fox Township is a “Dry” township and has been since the repeal of Prohibition in 1933. Approval of this application of Special Use in no way permits the sale or serving of alcohol at ANY event held on-Site

These 8 items represent the items discussed.

Fox Township respectfully requests the Kendall County Regional Planning Commission and the Kendall County Zoning Board of Appeals also consider the safety of the public using this facility. While the petitioners have stated that the maximum number of guests per event will be 280, fire codes could permit a much higher number depending on the configuration of tables, chairs, and equipment. Additionally, the limited number of exits could be of concern. In a brief discussion with the county highway engineer, I was told that the traffic study they would be conducting would be primarily concerned with permissible speed limits to be allowed on Crimmins Road. Fox Township is also concerned about traffic loads and intersection visibilities, considering the potential increase in traffic volumes.

Jeff Spang, Fox Township Supervisor

(630) 553-5904 ext 2

foxtownshipsupervisor@gmail.com

This email was Malware checked by UTM 9. http://www.sophos.com
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 1st and November 1st.

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 3rd. 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 1st and reopen April 1st. 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 1st and reopen April 1st. 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 1st.

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.
IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

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CALL TO ORDER
Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

ROLL CALL:
Members Present: Randy Mohr (Chair), Scott Cherry, Karen Clementi, Cliff Fox, and Dick Thompson
Members Absent: Tom LeCuyer and Dick Whitfield
Staff Present: Matthew Asselmeier, AICP, Senior Planner, Mark Caldwell, Jeff Spang, John Vogt, JoAnn Bright-Theis, Adam Theis, Bob Bright, Nicola Bright, and Kurt Buhle

PETITIONS
Chairman Mohr swore in all members of the public that wished to speak on the Petitions.

The Zoning Board of Appeals started their review of Petition 19-12 at 7:27 p.m.

Petition 19 – 12 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis
Request: Request for a Special Use Permit for a Banquet Center
PIN: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008
Location: 10978 Crimmin Road (Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road), Fox Township
Purpose: Petitioners Wish to Operate a Banquet Center at the Subject Property. Property is Zoned A-1

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the Brighter Daze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.
The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (Moxostoma carinatum). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019. The LESA Score was 181 indicating a low level of protection.

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. “Venue Ahead” signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

On June 14, 2019, Fox Township submitted updated comments which are included as Attachment 20. In particular, Fox Township requested:

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 1st and November 1st.
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.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on May 22, 2019. At this meeting, the Petitioners agreed to layover until the June meeting to allow Fox Township to complete their research on this request.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is a converted arena with a concrete floor. The barn is approximately twenty-six feet (26’) tall at its peak and ten feet (10’) tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers 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 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.
The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

If approved, the Petitioners hope to start operations as quickly as possible.

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road. According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700’). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

According to information provided to the County, the Petitioners did not charge for events held previously on the property prior to June 1, 2019. On June 3, 2019, the Petitioners contacted the County and stated that they had an event on June 1, 2019, and charged a rental fee for this event. The Petitioners believed that the special use permit would be approved prior to the June 1st date and did not want to cancel the event.

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. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties. The Kendall County Sheriff’s Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners.

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 proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, and buffering within the ordinance granting the special use permit.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner’s site plan addresses utilities, drainage, and points of ingress and egress.

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 site conforms to the regulations of the A-1 Agricultural 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. True, the proposed use in consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective “Encourage Agriculture and Agribusiness.”

Staff recommended approval of the requested special use permit subject to the following conditions and restrictions:

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 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 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). (Changed per Fox Township and KCRPC Meeting).

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. A traffic study shall be conducted by the Kendall County Highway Department. (Amended at KCRPC Meeting).

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.

Mr. Asselmeier noted that the Petitioners had no control regarding the traffic study and the Petitioners are not bound by the results of the traffic study. Mr. Asselmeier suggested amending this restriction or removing this restriction. Member Thompson noted that the traffic on Crimmin Road will change when the bridge reopens.

Member Clementi asked how the Petitioners planned to prevent outside alcohol from coming onto the property. JoAnn Bright-Theis said that it would be difficult for people sneaking in alcohol for all their guests. There are areas to store beverages.

Chairman Mohr asked about the definition of dry. Adam Theis responded that serving was allowed, but selling was not allowed.

Mr. Asselmeier noted that Fox Township would have the most banquet facilities of any township if this proposal is approved.

Chairman Mohr stated that Crimmin Road might be the worst possible road to place this use.

Chairman Mohr asked about the distance to furthest away parking. Mr. Theis responded that the remote parking lot is approximately two (2) or three (3) blocks from the barn. The proposed parking area is open space. The proposed parking meets the criteria of the Zoning Ordinance.

Member Cherry asked if the barn was used for horses. Ms. Bright-Theis responded that the barn was a nine (9) stall barn with an arena. The arena is the new event space. No horses are located in the barn; there are horses on the property.

Member Thompson noted the scenery along Crimmin Road.

Chairman Mohr opened the public hearing at 7:48 p.m.

John Vogt expressed concerns about noise. Mr. Vogt notified that the noise shakes the glass in windows at his house. He stated that he observed decibel readings of eighty to eighty-five (80-85) have been recorded on his property. He expressed concerns about hill jumpers on Crimmin Road. He would like to
see the doors on the south side of the barn be closed. He complained about a hay depot near his house. He would like to see the zoning regulations enforced. Mr. Asselmeier explained the special use revocation procedure. Mr. Vogt questioned the location of livestock in relation to food service. The Petitioners agreed to shut the south doors before the music gets loud.

Kurt Buhle submitted his comments in writing. Without objection, the Board accepted Mr. Buhle’s written comments as an exhibit. Mr. Buhle’s concerns were security, compliance and enforcement, negative impacts on land value, noise, traffic, and what’s next.

Chairman Mohr asked Mr. Buhle the distance from Mr. Buhle’s property to the building. Mr. Theis responded that distance was approximately one thousand feet (1,000’).

Member Clementi and Mr. Asselmeier explained how violations are reported and processed.

The barn does not have air conditioning.

Mr. Asselmeier explained how other banquet facilities control noise.

Mr. Theis stated that he lives on the property.

Mr. Buhle asked about the hours of operation. Mr. Asselmeier reported that only one (1) event per weekend could occur. The definition of weekend was read.

Jeff Spang, Fox Township Supervisor, asked the Petitioners how they would control alcohol from entering the site. The Petitioners agreed not to have setup until the day of the event starting at 9:00 a.m.

Mr. Spang requested clarification on the definition of banquet center and event center. Ms. Bright-Theis said craft sales, in addition to banquets, would occur on the property.

Mr. Spang explained that the Fox Township Board is unanimous in remaining dry. The Township wanted the Petitioner to know that the dry rules will be enforced; the Township is not opposed to the banquet center. Mr. Spang explained that serving alcohol at a public venue is not allowed. Mr. Spang said a lawsuit will occur. Mr. Spang noted that the other banquet facilities in Fox Township are located on Hughes Road, which is a straight road.

Mr. Asselmeier read the definitions of banquet halls and seasonal festival. A craft show would need approval as a seasonal festival.

Mr. Spang stated that the CASA event had a cocktail hour. Drink tickets were purchased and exchanged for signature drinks and other alcohol was sold.

The Petitioners are planning a Harvest Vendor Fair in August. Brewers and wineries will be attending this event. A seasonal event permit will be required.

Mr. Spang requested that Fox Township be named explicitly in the federal, state, and local law requirement. The Board agreed to this request.

Chairman Mohr advised the Petitioners that a court action could occur because of the dry regulations.

Mr. Spang expressed concerns about the impact of the venue on Crimmin Road. In particular, he was concerned about having to reconstruct a portion of Crimmin Road for safety reasons. He expressed concerns about speed and sight lines on Crimmin Road. Chairman Mohr asked what a traffic study would show. Mr. Spang responded that, if improvements need to be made to the road because of the special use permit, the Petitioners should assist with paying for these improvements. Ms. Bright-Theis
favored lowering the speeding limit and offered to donate space for a fundraiser to raise funds to realign the intersection of Fox River Drive and Crimmin Road.

Member Clementi requested clarification on the handling of alcohol. Ms. Bright-Theis said they would have to evaluate their options.

Chairman Mohr expressed concerns about the Petitioners’ liability in the event someone is killed leaving their property.

Chairman Mohr adjourned the public hearing at 8:40 p.m.

Discussion occurred regarding allowing the Petitioners to have seasonal festivals.

The Board reviewed the findings of fact individually. The votes for each finding is 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. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties. The Kendall County Sheriff’s Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners.

Ayes (4): Mohr, Cherry, Fox, and Thompson
Nays (1): Clementi
Absent (2): LeCuyer and Whitfield

Member Clementi stated that the proposed special use permit would be detrimental and will endanger the public health.

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 proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, and buffering within the ordinance granting the special use permit.

Ayes (3): Cherry, Fox, and Thompson
Nays (2): Mohr and Clementi
Absent (2): LeCuyer and Whitfield
That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner’s site plan addresses utilities, drainage, and points of ingress and egress.

Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson
Nays (0): None
Absent (2): LeCuyer and Whitfield

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 site conforms to the regulations of the A-1 Agricultural Zoning District.

Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson
Nays (0): None
Absent (2): LeCuyer and Whitfield

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 use in consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective “Encourage Agriculture and Agribusiness.”

Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson
Nays (0): None
Absent (2): LeCuyer and Whitfield

Each finding passed.

Member Thompson made a motion, seconded by Member Cherry, to recommend approval of the special use permit with the conditions proposed by Staff and with the following amendments:

1. The last sentence of condition 10 was changed to read, “For events with music, all barn doors shall close by 7:00 p.m.”
2. Condition 15, regarding the traffic study, should be deleted.
3. Condition 17 was changed to read, “The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to, Fox Township’s laws, related to the operation of this type of business.”

The votes were as follows:

Ayes (4): Mohr, Cherry, Fox, and Thompson
Nays (1): Clementi
Absent (2): LeCuyer and Whitfield

The motion passed. This matter will go to the Kendall County Planning, Building and Zoning Committee on July 8, 2019.

The Zoning Board of Appeals completed their review of Petition 19-12 at 8:53 p.m.
ADJOURNMENT OF THE ZONING BOARD OF APPEALS
Member Clementi made a motion, seconded by Chairman Mohr, to adjourn. With a voice vote of five (5) ayes, the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 8:56 p.m.

The next hearing/meeting will be on July 29, 2019.

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

Exhibits
3. July 1, 2019, Kurt Buhle Comments (Redacted)
KENDALL COUNTY  
ZONING BOARD OF APPEALS  
JULY 1, 2019

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

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Petition 19-12, A-1 Special Use – Banquet Facility

My 5 Major Concerns:

1. **Security** – When having events and large crowds, you do not know all of the attendees and you never know what type of people the event will draw. I don’t want to worry about the safety of my family, my daughter, or my property. When there is alcohol involved, the concern is even greater.

2. **Compliance/enforcement** – There are a number of rules laid out in the permit proposal. How is compliance to those rules enforced? Do the current zoning regulations allow for events such as weddings to be held? If not, those current regulations are not being adhered to now. Why is there reason to believe that future regulations would be adhered to? What are the repercussions of not adhering to the regulations of the permit? How many violations before action is taken? Can a permit be revoked? Can a permit be denied renewal? My family’s lifestyle will be directly, negatively impacted by every single event that is held.

3. **Negative impact to my land value** – This is one of our largest investments. We’ve invested a lot in a beautiful, peaceful country way of life. This is why we moved to an AG zoned area. I do not want my investment negatively impacted due to noise every weekend, security concerns and increased traffic on a dangerous road.

~ 1 ~

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4. **Noise** - I want my daughter to have the opportunity to experience, appreciate and respect the country way of life, as I did when I was growing up. We moved here to enjoy the peace & quiet. If there are 30 events estimated, those are condensed into 7 working months of the year, which is more than 4 events/month. That is an event at least every weekend which would be a major disturbance to the peace & quiet. With commuting to work every day during the week, our only downtime for decompression is on the weekends. I do not want to hear an event every weekend. We have observed an event (I assume a wedding) on Saturday, June 8. Standing in front of my garage I could hear every word of every song. The DJ speaking was even louder than the music. The barn doors were open. When we turned off the TV to go to bed at 10:30pm, we could hear the music inside our house. **To have to deal with that every week in an AG zoned area is ridiculous.** I want to sit by my campfire with my family, listening to the crickets, coyotes and owls.

5. **Traffic** – I have major concern regarding the increase in traffic. Crimmin is a dangerous road for people who know it, let alone folks unfamiliar. It’s already clear from the previous events, that the attendees and vendors are not familiar with this road. Night time is very risky with deer and bad visibility. We already have issues with people blowing by the stopped school bus with the existing amount of traffic. **In less than 5 years my daughter will be a new driver on the road and I don’t want her to have to deal with this traffic on our road...it’s zoned AG!** During the event that took place on June 8, I witnessed a new black Dodge Challenger pass the driveway and back up in the middle of the road when approaching from the South. I also witnessed a silver F150 do the same when approaching from the North. I also witnessed a Famous Daves catering truck back out of the driveway onto the road because someone else was coming out of the driveway. My wife saw the shuttle bus pull out across both lanes because it was too large to stay in it’s lane. All of this in just one single event! A
previous event had a stretch Hummer limo close the road for a good 10 minutes trying to pull in, before moving on to the North entrance. I don’t want provisions to make the increased traffic safer, I want to prevent the increased traffic this is zoned AG!

6. **What next/the unknown** – It has been my experience that messing with the zoning is always the first domino to fall. What comes next road changes due to increased traffic? Liquor license and intoxicated drivers? Zoning changes from AG? We moved out here for peaceful country living and I don’t want to see it changed. It should remain that way.

I grew up on a small farm in a very rural area in southern Kendall County. Looking for an AG zoned property, we moved to our current home so I could provide my family with the peaceful country living that I was able to experience, appreciate and respect. We’ve invested a lot to be here and our Return On Investment (ROI) is our peace and quiet we get to come home to every day. I do not want my investment and return negatively impacted when the existing AG zoning ensures it should not be. It is for these stated reasons that I must STRONGLY oppose this petition for a special use permit.

Thank you for your time and consideration.

Sincerely,

Kurt Buhle
ORDINANCE NUMBER 2019-______

GRANTING A SPECIAL USE PERMIT ON PROPERTY ZONED A-1 AGRICULTURAL FOR A BANQUET FACILITY ON A 38.34 ACRE +/- PARCEL LOCATED AT 10978 CRIMMIN ROAD ON THE PROPERTY IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, AND 04-32-100-008 IN FOX TOWNSHIP.

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 7.01.D.10 of the Kendall County Zoning Ordinance permits the operation of banquet facilities as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 38.34 acres located at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-31-200-013, 04-32-100-006, and 04-32-100-008) in Fox Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, the subject property is currently owned by Madison Trust and Castle Bank N A as represented by Robert Bright and JoAnn Bright-Theis has permission to operate a banquet facility on the subject property and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about March 19, 2019, Petitioner filed a petition for a special use permit allowing the operation of a banquet facility at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on June 6, 2019, the Kendall County Zoning Board of Appeals conducted a public hearing on July 1, 2019, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and their representative presented evidence, testimony, and exhibits in support of the requested special use permit and zero members of the public testified in favor, one member of the public testified in opposition, and two members of the public expressed concerns regarding the petition; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 1, 2019, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval/denial of the requested special use permit with conditions; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall
WHEREAS, this special 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 special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.

2. The Kendall County Board hereby grants approval of Petitioner’s petition for a special use permit allowing the operation of a banquet facility on the subject property subject to the following conditions:

   A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.

   B. 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.

   C. 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.

   D. The subject parcel must maintain a minimum of five (5) acres.

   E. 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)

   F. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.

   G. 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.

   H. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

   I. 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.

J. 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. For events with music, barn doors shall close by 7:00 p.m.

K. 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 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

L. A new certificate of occupancy must be issued for the barn.

M. 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.

N. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.

O. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County’s Right to Farm Clause.

P. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township’s laws, related to the operation of this type of business.

Q. 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.

R. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of July, 2019.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder
Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of 88°55’20” with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of 136°30’40” with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of 105°18’51” with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of 136°53’45” with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of 148°16’44” with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee’s Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of 89°59’40” with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of 95°37’45” with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of 107°48’12” with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.
Exhibit B

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. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties. The Kendall County Sheriff’s Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners.

Member Clementi dissented with the above Finding and stated that the proposed special use permit would be detrimental and will endanger the public health.

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 proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, and buffering within the ordinance granting the special use permit.

Chairman Mohr and Member Clementi dissented with the above Finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner’s site plan addresses utilities, drainage, and points of ingress and egress.

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 site conforms to the regulations of the A-1 Agricultural 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. True, the proposed use in consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective “Encourage Agriculture and Agribusiness.”

Recommendation

The Kendall County Zoning Board of Appeals recommends approval of the requested special use permit with the conditions:

A. The site shall be developed substantially in accordance with the attached Site Plan, Landscaping Plan, and Parking Illumination Plan.

B. 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.
C. 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.

D. The subject parcel must maintain a minimum of five (5) acres.

E. 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)

F. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.

G. 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.

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   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.

J. 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. For events with music, barn doors shall close by 7:00 p.m.

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P. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township’s laws, related to the operation of this type of business.

Q. 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.

R. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The Kendall County Zoning Board of Appeals issues this recommendation by a vote of five (4) in favor, one (1) opposed, and two (2) absent.

July 1, 2019
NOTES:
1. The calculated results of this lighting simulation represent a prediction of system performance and are not guaranteed.
2. Actual measured results may vary from the anticipated performance and are subject to means and conditions which are beyond the control of DB Lighting Consultation.
3. Illumination values shown (in foot-candles) are horizontal at grade level based on Mounting Height marked MH=??
4. Calculation points are on an 8’ x 8’ spacing
MEMORANDUM

To:       Kendall County Planning, Building & Zoning Committee
From:    Matthew H. Asselmeier, AICP, Senior Planner
Date:       July 3, 2019
Re:          Bed and Breakfast Regulations

Bed and breakfast establishments are special uses in the A-1, R-1, RPDs, and R-2 zoning districts.

It has to come to the attention of the Kendall County Planning, Building and Zoning Department that a property on Rock Creek Road was advertising on AirBnB. This establishment was also featured recently in an article in Glance Magazine. A copy of the article is attached.

Upon review of AirBnB’s website, another property in Boulder Hill was advertised on the site. Bed and breakfast establishments are not allowed in the R-6 and R-7 zoning districts.

Both of the previously mentioned properties were sent notices to comply with the Kendall County zoning regulations.

A copy of Kendall County’s bed and breakfast zoning regulations are attached. A copy of the Illinois Bed and Breakfast Act is also attached.

If you have any questions, please let me know.

Thanks,

MHA

ENC:   March 2, 2019 Glance Magazine Article
       Kendall County Bed and Breakfast Regulations
       Illinois Bed and Breakfast Act
FABULOUS FAMILY | Meet The Cades & Their 100-Year Old Pullman Palace Train Car

March 2, 2019

Kristen Kucharski Photos by Mike Mantucca

OL' FASHIONED FAMILY FUN IN A PULLMAN PALACE TRAIN CAR

PLANO—Willie and Carol Cade enjoy making memories with their four adult children Sarah, Elise, Amy, Paul, and granddaughter Grace in a 100-year old Pullman Palace train car.
“The train car Constitution was purchased almost 80 years ago by my cousin’s grandfather,” Willie shares. “He was the president of Union Tank Car. When he learned that George Pullman was going to take the car off the tracks, he bought it and placed it on the lovely bluff overlooking Rock Creek since he owned and operated Rock Creek Farm.”

Willie’s father had acquired the train car 20 years ago and when his parents passed away, they passed it on to him and his family. So while, Carol spends her days working as a spiritual director and a trainer of the Montessori based Catechesis of the Good Shepherd, Willie researches the Pullman records at the Illinois Rail Road Museum and the Newberry Library to prepare a full restoration of the train car Constitution.

Willie feels honored to share the history of the private Pullman train car, the Constitution, which was built in 1905 and served as "Air Force One" for presidents Harding and Wilson. The original car consists of four state rooms, an observation deck, a dining room, and a galley. When the train car was moved to its current spot, two large living rooms with fireplaces, a master bedroom, and bathroom have been added.
“When the president of Illinois Railway Museum visited, he said it was the most well-preserved Pullman train car in the U.S.,” Willie shares proudly. “Pullman built three cars like the Constitution; and although he always owned it, he rented it out for $75/day which included a cook and a porter.”

The Cade Family appreciates the privilege to be stewards of this piece of history and enjoy even more sharing it with others through Airbnb rentals at this link

Do You Know a Fabulous Family with a Unique Story to Share? Introduce Us at editorial@glancermagazine.com
BED AND BREAKFAST ESTABLISHMENTS - A lodging establishment, generally in a single-family dwelling and/or detached guesthouse, primarily engaged in providing overnight or otherwise temporary lodging for the general public and may provide meals for compensation.

11. Bed and breakfast establishments are permitted subject to the following conditions:
   a. Shall have no more than five (5) guest rooms for rent.
   b. Shall be in operation for not less than six (6) nights in a six (6) month period.
   c. Shall maintain a guest register which shall be available at all times for inspections.
   d. Shall be located in a single family detached dwelling, not an accessory building or garage.
   e. Shall satisfy all requirements of the Kendall County Health Department in accordance with the requirements set forth in the most recent version of the Kendall County Food Establishment Sanitation Ordinance and Building Department prior to the issuance of occupancy permits.
   f. In addition to the parking requirements for a single family detached dwelling, the bed and breakfast establishment shall provide one (1) additional space for each guest room. The off street parking for a bed and breakfast establishment shall not be located in any required yard, but it shall be screened from adjacent properties by a landscape screen of at least fifty (50) percent capacity.
   g. Only one (1) sign shall be permitted for each bed and breakfast establishment. The maximum size of such sign shall be four (4) square feet per sign face.
   h. Each guest room may have its own private bath. No guest room shall have any kitchen facilities.
   i. Guest room shall mean sleeping room intended to serve no more than two (2) adult transient guests per night.
   j. Accommodations shall be provided in guest rooms only. The length of stay in a bed and breakfast establishment shall be a maximum of One (1) week.
   k. Any application for a special use shall include, in addition to all other documents required for a special use application, floor plans drawn to scale accurately showing the guest rooms in relation to the rest of the single family detached dwelling.
LOCAL GOVERNMENT
(50 ILCS 820/) Bed and Breakfast Act.
(50 ILCS 820/1) (from Ch. 71, par. 101)
Sec. 1. This Act shall be known and may be cited as the "Bed and Breakfast Act".
(Source: P.A. 85-399.)

(50 ILCS 820/2) (from Ch. 71, par. 102)
Sec. 2. Used in this Act, unless the context otherwise requires:
(a) "Bed and breakfast establishment" shall mean an operator-occupied residence providing accommodations for a charge to the public with no more than 5 guest rooms for rent, in operation for more than 10 nights in a 12 month period. Breakfast may be provided to the guests only. Bed and breakfast establishments shall not include motels, hotels, boarding houses, or food service establishments.
(b) "Operator" shall mean the owner of the bed and breakfast establishment, or the owner's agent, who is required by this Act to reside in the bed and breakfast establishment, or on contiguous property.
(c) "Guest room" shall mean a sleeping room intended to serve no more than 2 transient guests per night.
(Source: P.A. 85-399.)

(50 ILCS 820/3) (from Ch. 71, par. 103)
Sec. 3. The corporate authorities of any county or municipality shall:
(1) Provide for the regulation, safe operation, licensing and inspection of bed and breakfast establishments.
(2) Provide for examination and regulation of bed and breakfast establishment operators.
(3) Designate and use full-time municipal, district, county or multicounty health departments and local fire departments as its agents.
However, the powers granted to the corporate authorities of counties by this Act shall apply only to unincorporated areas within the county.
(Source: P.A. 85-399.)

(50 ILCS 820/4) (from Ch. 71, par. 104)
Sec. 4. Bed and breakfast establishments which serve breakfast shall comply with the following minimum standards:
(1) Food shall be clean, wholesome, free from spillage, free from adulteration and misbranding and safe for human consumption. Containers of food shall be stored above the floor, on clean racks, shelves or other clean surfaces in such a manner as to be protected from splash or other contamination. Milk of only pasteurized Grade A may be used. Use of home canned food is prohibited except for jams and jellies.
(2) Food shall be protected from contamination while being stored, prepared and served, and during transportation.
Perishable foods shall be stored at temperatures that will protect them against spoilage. Potentially hazardous food shall be maintained at safe temperatures of 45 degrees F. or below, or 140 degrees F. or above, as appropriate, except during necessary periods of preparation and serving. Frozen food shall be kept at temperatures that will keep them frozen, except when being thawed for preparation. Potentially hazardous frozen food shall be thawed at refrigeration temperatures or below, quick thawed as part of the cooking process, or thawed by another method approved by the local Health Department. An indicating thermometer shall be located in each refrigerator. Raw fruits and vegetables shall be washed thoroughly before use. Stuffings, poultry, and pork products shall be cooked to heat all parts of the food at least 165 degrees F. before being served. Salads made of meat, poultry, potatoes, fish, shellfish, or eggs and other potentially hazardous prepared food, shall be prepared from chilled products with a minimum of manual contact. Portions of food once served to an individual may not be served again. Laundry facilities shall be separated from food preparation areas. Live animals shall be excluded from food preparation areas.

(3) No person knowingly infected with a communicable disease that may be transmitted by food handling may work in a bed and breakfast establishment.

(4) If the bed or breakfast operator suspects that any employee, family member or the operator himself or herself has a communicable disease, the operator shall notify the local Health Department immediately.

(5) All operators shall be certified. Certification shall be achieved by successfully completing an examination offered by the local Health Department as described in the current edition of the State of Illinois Food Service Sanitation Rules and Regulations.

(6) Persons preparing or serving food or washing utensils shall wear clean outer garments and maintain a high degree of personal cleanliness. They shall wash their hands thoroughly before starting work and as often as necessary while working to remove soil and contaminants. After visiting a toilet room, persons shall wash their hands thoroughly in a lavatory but never in the kitchen sink.

(7) No one, while preparing or serving food, may use tobacco in any form.

(8) Utensils shall be kept clean and in good repair.

(9) Multiuse eating and drinking utensils shall be thoroughly cleaned after each use. Facilities needed for the operations of washing, rinsing and sanitizing shall be provided.

(10) Pots, pans and other utensils used in the preparation of food or drink and all food storage utensils shall be thoroughly cleaned after each use. Cooking surfaces of equipment, if any, shall be cleaned at least once each day. Non-food contact surfaces of equipment shall be cleaned at intervals that will keep them in a clean and sanitary condition.

(11) Residential sinks and home-style mechanical dishwashing machines are acceptable facilities for washing
multi-use eating and drinking utensils. Utensils shall be air dried.

(12) Immediately following either manual or mechanical washing of eating or drinking utensils, and pots, pans and other cooking utensils, these utensils shall be effectively sanitized by being submerged in a hypochlorite solution with a chlorine concentration continuously maintained in one hundred parts per million, or another approved sanitizing solution which shall be used at the concentration tested and approved by the local Health Department. Dishpans may be used to accomplish the final sanitizing rinse.

(13) The reuse of single-service utensils is prohibited. (Source: P.A. 85-399.)

(50 ILCS 820/5) (from Ch. 71, par. 105)
Sec. 5. Each person who is provided accommodations shall be provided individual soap and clean individual bath cloths and towels. Clean bed linen in good repair shall be provided for each guest who is provided accommodations and shall be changed between guests and as often as necessary. Clean linen shall be stored and handled in a sanitary manner. (Source: P.A. 85-399.)

(50 ILCS 820/6) (from Ch. 71, par. 106)
Sec. 6. Bed and breakfast establishments shall meet the State Fire Marshal's requirements for one and two-family dwellings. In addition, the following standards shall be required:
(a) Manual extinguishing equipment shall be provided on each floor in accordance with NFPA 10 - Standards for the Installation of Portable Fire Extinguishers.
(b) All combustibles or flammable liquids shall be stored in approved metal containers. No combustible storage in or under stairways.
(c) All trash containers shall be metal.
(d) No cooking facilities shall be permitted in guest rooms.
(e) All hallways and stairways shall be adequately lighted.
(f) No portable heating devices shall be permitted in guest rooms.
(g) The operator shall submit a floor plan of the bed and breakfast establishment to the local Fire Department.
(h) Smoke detectors shall be provided in each guest room. (Source: P.A. 85-399.)

(50 ILCS 820/7) (from Ch. 71, par. 107)
Sec. 7. The bed and breakfast establishment shall provide proof of adequate liability insurance as required by the licensing agency. (Source: P.A. 85-399.)
Sec. 8. The bed and breakfast establishment shall fulfill the requirements of the Illinois Department of Revenue, including the payment of any applicable hotel taxes.
(Source: P.A. 85-399.)
Matt Asselmeier

From: Greg Stromberg  
Sent: Monday, July 1, 2019 11:01 PM  
To: Matt Asselmeier  
Cc:  

Have all the siding. We are staining. Should be installing next week. Thanks.

On Mon, Jul 1, 2019, 1:55 PM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Greg:

Do you have any update on your project?

Thanks,

Matthew H. Asselmeier, AICP  
Senior Planner  
Kendall County Planning, Building & Zoning  
111 West Fox Street  
Yorkville, IL 60560-1498  
PH: 630-553-4139  
Fax: 630-553-4179

From: [External] <mailto:  
Sent: Wednesday, May 8, 2019 4:55 PM  
To: Matt Asselmeier <masselmeier@co.kendall.il.us>  

Ok thanks
MEMORANDUM

To: Kendall County Planning, Building & Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: July 3, 2019
Re: Plumbing Inspection Contract with Randy Erickson, D.B.A Erickson Construction

Kendall County’s contract with Randy Erickson, D.B.A Erickson Construction expires in December 2019.

At the June 24th meeting, the Committee requested that the Department to contact Mr. Erickson to see if a fee increase would be required to cover the new insurance requirements. According to Mr. Erickson, his fee would rise from One Hundred Forty Dollars ($140) per inspection to One Hundred Fifty Dollars ($150) per inspection. Accordingly, the County would need to raise the plumbing inspection fee to One Hundred Sixty Dollars ($160) to cover the Ten Dollar ($10) difference.

Staff requests guidance on how to proceed.

If you have any questions, please let me know.

Thanks,

MHA
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<tr>
<th>Date</th>
<th>Time</th>
<th>Description</th>
<th>Address</th>
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Note: The table above shows a sample of violations recorded in 2017. Each row represents a separate violation incident with the date, time, description, address, subdivision, and parcel information.
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**2018 Violations**
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<th>Date</th>
<th>Time</th>
<th>Location</th>
<th>Description</th>
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**Follow-up:**
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<td>Prohibited Parking</td>
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<td>Illegal Dumping</td>
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*Note: Case numbers and dates are placeholders.*
CODE ENFORCEMENT INVESTIGATION REPORT
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 316
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

Date 5/13/19 Violation # 19-062
Address of Violation: 54 Marnel Rd
City & Zip: Montgomery 60538
Subdivision: Boulder Hills Unit 10 Lot 12
Parcel Number: 03-04-320-006 Zoning: R-6
Owner or Tenant: Carlos Valenzuela & Martina Ibarra

Description of Complaint: Prohibited Parking or boat
no required front yard

Complaintant's Name: [Blacked Out]
Contact Info:

Inspector BLH Date 5/15/19
Field Notes Boat block street Boat parked in required front yard

Photos Taken? Yes No
Section of Applicable Code 11.05 A.2.b.ii
NOTES: 1st Notice 5/15/19
2nd Notice 6/3/19
F/U 6/27/19 IF no completion send to PSZ 7/11/19 Forward to MA for PSZ

DATE CLOSED:

273
05/16/2019

VALENZUELA CARLOS & IBARRA MARTINA

Violation # 19062
Parcel # 03-04-326-006
54 MARNEL RD
MONTGOMERY, IL 60538 -

It is often easy in our busy schedule to overlook the condition of our property. We sometimes do not even realize that an ordinance requiring safety procedures may be in effect.

In an effort to prevent problems, your County Board Members have passed ordinances which require certain procedures to be followed in an effort to protect the well being and health of the citizens of Kendall County. An Inspection of your property conducted as of this date revealed the following violation:

**ZONING ORDINANCE VIOLATION 11.05 A.1 b.ii**

**PROHIBITED BOAT PARKING IN REQUIRED FRONT YARD**

Since most residents are not aware of such code violations, the County allows the property owner a fourteen (14) day period in which to correct this situation. Please contact our office by Thursday, May 30, 2019.

Kendall County can only continue to prosper through its citizen's positive attitude towards home, neighborhood, and community. Your prompt attention and cooperation in this matter would be appreciated. Should you have any questions, please contact this office at the above number.

If said violation is not corrected, this matter will be forwarded to the Kendall County States Attorney's Office for prosecution and the possible imposition of fines.

Sincerely,

Kendall County Planning, Building & Zoning
06/03/2019

VALENZUELA CARLOS & IBARRA MARTINA

Violation # 19062
Parcel # 03-04-326-006
54 MARNEL RD
MONTGOMERY, IL 60538

The attached letter was sent to you recently. As of today's date, the following violation still exists:

**ZONING ORDINANCE VIOLATION 11.05 A.1 b.ii**

**PROHIBITED BOAT PARKING IN REQUIRED FRONT YARD**

Failure to correct this violation will require us to refer this violation to the Kendall County States Attorney's Office for the appropriate legal action. Please contact our office on or before Thursday, June 13, 2019.

Sincerely,

Kendall County Planning, Building & Zoning
CODE ENFORCEMENT INVESTIGATION REPORT
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 316
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

Date 4-23-19
Violation # V19-04/2

Address of Violation: 10 Ashlawn Ave
City & Zip: Montgomery - 60538
Subdivision: Boulder Hill Unit 25 Lot 134 10b
Parcel Number: 03-08-220-021 Zoning: Rb
Owner or Tenant: Michael Erickson Genevieve Marmolejo

Description of Complaint:
Camper inconvenience required front

Complainant's Name: [Redacted]
Contact Info:

Inspector B.L.H Date 4/30/19
Field Notes Recreational Trailer Parked in Required Front Yard

Photos Taken? Yes No
Section of Applicable Code 11.05 A. 1. b. ii

NOTES: 1st Notice 4/29/19 2nd Notice 2nd time (certified) 6/3/19
2nd Notice 5/15/19
Extension 6/15/19 7/2/19 Forward to MA for PB2

DATE CLOSED:

280
05/01/2019

MARMOLEJO GENEVIE M

Violation # 19042
Parcel # 03-08-253-007
10 ASHLAWN AVE
MONTGOMERY, IL 60538

It is often easy in our busy schedule to overlook the condition of our property. We sometimes do not even realize that an ordinance requiring safety procedures may be in effect.

In an effort to prevent problems, your County Board Members have passed ordinances which require certain procedures to be followed in an effort to protect the well being and health of the citizens of Kendall County. An Inspection of your property conducted as of this date revealed the following violation:

ZONING ORDINANCE VIOLATION 11.05 A.1.b.ii
PROHIBITED RECREATIONAL TRAILER PARKING IN REQUIRED FRONT YARD

Since most residents are not aware of such code violations, the County allows the property owner a fourteen (14) day period in which to correct this situation. Please contact our office by Wednesday, May 15, 2019.

Kendall County can only continue to prosper through its citizen’s positive attitude towards home, neighborhood, and community. Your prompt attention and cooperation in this matter would be appreciated. Should you have any questions, please contact this office at the above number.

If said violation is not corrected, this matter will be forwarded to the Kendall County States Attorney’s Office for prosecution and the possible imposition of fines.

Sincerely,

Kendall County Planning, Building & Zoning
05/15/2019

MARMOLEJO GENEVIE M

Violation # 19042
Parcel # 03-08-253-007
10 ASHLAWN AVE
MONTGOMERY, IL 60538

The attached letter was sent to you recently. As of today's date, the following violation still exists:

ZONING ORDINANCE VIOLATION 11.05 A.1.b.ii
PROHIBITED RECREATIONAL TRAILER PARKING IN REQUIRED FRONT YARD

Failure to correct this violation will require us to refer this violation to the Kendall County States Attorney's Office for the appropriate legal action. Please contact our office on or before Saturday, May 25, 2019.

Sincerely,

Kendall County Planning, Building & Zoning
06/20/2019

MARMOLEJO GENEVIE M

Violation # 19042

Parcel # 03-08-253-007
10 ASHLAWN AVE
MONTGOMERY, IL 60538

The attached letter was sent to you recently. As of today's date, the following violation still exists:

ZONING ORDINANCE VIOLATION 11.05 A.1.b.ii

PROHIBITED RECREATIONAL TRAILER PARKING IN REQUIRED FRONT YARD

Failure to correct this violation will require us to refer this violation to the Kendall County States Attorney's Office for the appropriate legal action. Please contact our office on or before Sunday, June 30, 2019.

Sincerely,

Kendall County Planning, Building & Zoning
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<td>10th March 1979, Income and Capital, 2nd Report</td>
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<td>60/12/79</td>
<td>10th December 1979, Income and Capital, 2nd Report</td>
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- The amount column is left blank as the data was not fully transcribed.
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<th>Permit Category</th>
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<th>Mar</th>
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<th>May</th>
<th>Jun</th>
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YTD 2018 - 10 House
total permits
YTD 2018 - 118
June 2018 - 2 houses
June 2018 - 26 permits
## Permit Summary by Category

**Kendall County**

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<tr>
<th>Permit Category</th>
<th>Count</th>
<th>Estimated Cost</th>
<th>Permit Fees</th>
<th>Land Cash</th>
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27 | $2,206,357 | $14,369 | $5,993
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<th>Contractor Name</th>
<th>Subdivision</th>
<th>Property Address</th>
<th>Parcel Number</th>
<th>Permit Category</th>
<th>Date Issue</th>
<th>Permit Approval Date Report</th>
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<td>6/13/2019</td>
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<td>CRAIG &amp; DIANE ZIMMERMAN</td>
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<td>BRISTOL, IL 60512</td>
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<td>ANDERSEN REBECCA &amp; CHAD</td>
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<td>6/3/2019</td>
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<td>03 Accessory Buildings</td>
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<td>MASKEL ROBERT A &amp; VICKY J</td>
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<td>05 Remodeling</td>
<td>03-07-429-012</td>
<td>FERGUSON TIMOTHY J &amp; ANGELA N</td>
<td>138 DOLORES ST OSWEGO, SHORE HEIGHTS UNIT 1</td>
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<td>07 Commercial - B Zone</td>
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<td>FOX METRO WATER REC DIST</td>
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<td>082019116</td>
<td>08 Barns/Farm Buildings</td>
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<td>GUIJOSA MAURA</td>
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<td>FIELDS OF FARM COLONY GREAT ESCAPE</td>
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<tr>
<td>Contractor Name</td>
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<td>Property Address</td>
<td>Owner Name</td>
<td>Permit Category</td>
<td>Permit Number</td>
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Kendall County
Permit Approval Date Report

09/05/2019 Thu 09/05/2019 Thu 09/05/2019 Thu
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**Kendall County**  
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Kendall County
Permit Approval Date Report

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**Planning Building & Zoning Receipts 2019**