AGENDA

Monday, July 9, 2018 – 6:30 p.m.

CALL TO ORDER:

ROLL CALL: Lynn Cullick, Bob Davidson (Chair), Judy Gilmour, Scott Gryder, and Matt Kellogg (Vice Chair)

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes from June 11, 2018 Meeting (Pages 3-36)

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 37-38)

PUBLIC COMMENT:

PETITIONS:
1. 18 – 15 – Nancy Harazin on Behalf of Nancy L. Harazin Trust Number 101 (Pages 39-61)
   Request: Special Use Permit for a Public or Private Utility-Other (Solar Panels)
   PIN: 07-05-400-003
   Location: 16400 Newark Road, Approximately 0.2 Mile East of Route 71 on the South Side of Newark Road, Big Grove Township
   Purpose: Petitioner would like to Install Solar Panels on the Property; Energy Generated from the Solar Panels would be Consumed Offsite; Property is Zoned A-1

2. 18 – 14 – Michael and Dayle Saar (Pages 62-70)
   Request: Map Amendment Rezoning Subject Property from A-1 to R-1
   PIN: 05-07-328-003
   Location: East Side of Route 71 Approximately 0.06 Miles Southwest of Timbercreek Drive, Kendall Township
   Purpose: Petitioner would like the Ability to Market and Sell the Property for a Single-Family Home

3. 18 – 22 – Robert M. Eby on Behalf of Southwest Community Church and Geraldine A. Mann on Behalf of Geraldine Declaration of Trust (Pages 71-87)
   Request: Revocation of a Special Use Permit
   PIN: 09-05-400-021 and 09-05-400-020
   Location: 4405 Van Dyke Road and the Property Immediately to the East of 4405 Van Dyke Road, Minooka, Seward Township
   Purpose: Petitioners would like Special Use Permit for a Place of Worship Revoked; Property is Zoned A-1

NEW BUSINESS:
1. Discussion of Zoning Ordinance Consolidation Project-Project Would Unify the Zoning Ordinance into One Searchable Document, Correct Typographical Errors, and Correct Citation Errors (Pages 88-90)
2. Discussion of NPDES Related Survey to Townships and Residents (Pages 91-94)

OLD BUSINESS:
1. Update on 45 Cheyenne Court-Committee Could Approve Forwarding Violation to State’s Attorney’s Office

2. Update on Removal of Culvert Crossing of Aux Sable Creek near 13360 McKanna Road; Property is Owned by Mark Antos

3. Request from Kendall Count Regional Planning Commission to Amend Petition 17-28 Pertaining to Outdoor Shooting Range Regulations by Creating Separate Regulations for Shotguns, Pistols, and Rifles and Removing the Exemption of State Owned Property and Forest Preserve Owned Property from the Proposal (Pages 95-106)

4. Update on Filling Part-Time Office Assistant (Zoning) Position

REVIEW VIOLATION REPORT (Pages 107-109):
1. Approval to Forward Violation of the Kendall County Zoning Ordinance (Trailer Parked in Front Yard) at 7686 Audrey Avenue, Yorkville to the State’s Attorney’s Office (Pages 110-116)

2. Approval to Forward Violation of Inoperable Vehicle Ordinance and Junk and Debris Ordinance at 29 Aldon Road, Montgomery to the State’s Attorney’s Office (Pages 117-125)

REVIEW NON-VIOLATION COMPLAINT REPORT (Page 126):

UPDATE FOR HISTORIC PRESERVATION COMMISSION:

REVIEW PERMIT REPORT (Pages 127-142):

REVIEW REVENUE REPORT (Page 143):

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 Bob Davidson at 6:31 p.m.

ROLL CALL
Committee Members Present: Lynn Cullick, Bob Davidson (Chairman), Judy Gilmour, Scott Gryder (Arrived at 6:55 p.m.), and Matt Kellogg (Vice Chairman)
Committee Members Absent: None
Also Present: Matt Asselmeier (Senior Planner), Nancy Harazin, Mary Collins, Stevie DuPont, Mike Venditti, David Lombardo, Tom Bromeland, Mary Bromeland, Andrew Bromeland, Melissa Samaroo, Justin Hardt, Margaret Blum, Jeff Findlay, and Greg Stromberg

APPROVAL OF AGENDA
Motion by Member Cullick, seconded by Member Gilmour, to approve the agenda as presented. With a voice vote of four (4) ayes, the motion carried.

APPROVAL OF MINUTES
Motion by Member Cullick, seconded by Member Gilmour, to approve the minutes of the May, 2018 meeting. Mr. Asselmeier noted that, on page 10, Member Gryder asked about Comed securing their utility boxes. Mr. Asselmeier stated that Kendall County currently does not have any regulations requiring the closure of the utility boxes. With a voice vote of four (4) ayes, the motion carried.

EXPENDITURE REPORT
The Committee reviewed the claims report. Motion by Member Kellogg, seconded by Member Cullick, to forward the claims to the Finance Committee. With a voice vote of four (4) ayes, the motion carried.

Mr. Asselmeier provided an update on the Fox Metro Escrow Account.

Mr. Asselmeier provided a six month update on Planning, Building, and Zoning related budget line items. The legal publication line item is the only line item of concern.

PUBLIC COMMENT
Nancy Harazin, owner of 16400 Newark Road, expressed her support of solar power. She stated that solar energy will reduce pollution and carbon dioxide emissions. She stated little maintenance is required for solar panels. Ms. Harazin said that she enjoyed working with Borrego and she would live across the street from a solar farm.
Mary Collins, Montgomery, expressed her support of using solar energy as a source of power. She stated that solar farms, like the one proposed, will benefit her children and grandchildren because of cleaner air.

Stevie DuPont, Sleezer Road, worked in utilities previously. He stated that Illinois is not a carbon heavy state because of the large amount of electricity from nuclear plants. Little regulations exist for solar projects. He expressed concerns of the loss of vegetation and top soil on the property. Dust could go onto neighboring properties. He expressed concerns regarding the decommissioning of the solar panels and the ability of the land to return to agricultural uses.

Mike Venditti, Oswego, spoke in favor of the solar panel project. He thanked Ms. Harazin for her efforts to improve the community through the solar panel project. No pollution will be created by this project.

Jeff Findlay, Newark, requested an update on the Antos Bridge project. The update will occur later in the meeting.

Tom and Mary Bromeland, Newark Road, expressed their opposition of the solar panel project for the following reasons: the solar array will lose value and cause the loss of value for neighboring properties, hazards to first responders, drainage and erosion concerns, lights, increased traffic and noise during construction, noise from the solar array, permanent damage to the farmland, harm to wildlife, and concerns about negative impacts to the wetlands. Mr. and Mrs. Bromeland stated that they asked Borrego to move the solar panels to the south of the property, but Borrego declined because of the wetlands. Andrew Bromeland, Roods Road, stated that he did economic analysis of property values. The comparables provided were of properties with solar panels further away from the subject properties. Borrego has not talked to the Bromelands.

Member Gryder arrived at this time (6:55 p.m.)

PETITIONS

Petition 18-15-Nancy Harazin on Behalf of Nancy L. Harazin Trust Number 101-Request for a Special Use Permit for a Public or Private Utility-Other (Solar Panels) at 16400 Newark Road, Approximately 0.2 Miles East of Route 71 on the South Side of Newark Road (PIN: 07-05-400-003) in Big Grove Township: Property is Zoned A-1

Mr. Asselmeier summarized the request.

Nancy Harazin, on behalf of Nancy L. Harazin Trust Number 101, submitted a petition for a special use permit to operate a public or private utility system – other on her property at 16400 Newark Road. Specifically, the Petitioner would like to contract with Borrego Solar Systems, Inc. for the installation and operation of a solar energy system. The energy generated from the system will be fed into Ameren’s system and consumed offsite.

The Petitioner would like to lease approximately twenty-three (23) acres to 312 Solar Development, LLC c/o Borrego Solar Systems, Inc. for an initial period of twenty (20) years. The lease could be renewed up to four (4) additional periods of five (5) years. If approved, Borrego Solar Systems, Inc. would install and maintain six thousand, nine hundred twelve (6,912) solar panels on the north side of the subject property. The solar panels would be seven
feet (7') in height at maximum tilt and three to four feet (3’-4’) off of the ground. The panels would rotate with the sun. The system would connect to Ameren’s system at the northeast corner of the property at Newark Road. The system is planned to generate two mega-watts (2 MW) of energy. If approved, the system would be operational by approximately July 31, 2019.

Other than periodic mowing and maintenance, no personnel will be onsite and no parking is required.

The construction process is estimated to take between four and six (4-6) months.

The solar panels will be located at their closest point approximately one hundred seventy-five feet (175’) from Newark Road and approximately one hundred forty-seven feet (147’) from the nearest neighboring property line. The solar panels shall not be closer than twenty-five feet (25’) from the identified wetlands.

The Landscaping Plan calls for the planting of eighteen (18) Black Chokeberries, eighteen (18) Sea Green Junipers, twenty-nine (29) Spiraea, and thirty (30) Woodward Arborvitae. The shrubs would be thirty inches (30”) at the time of planting and would grow between four and six feet (4’-6’). Several existing trees shall remain on the west side of the property.

A lawn seed mix will be planted under and around the solar panels. The growth would require mowing three (3) or four (4) times per year.

According to information provided to the County, the no mow is a blend of bunch-forming and creeping fescues derived from species that are native to the Northern Hemisphere. A combination of six (6) complementary varieties of fine fescues makes the no mow lawn seed mix a versatile and adaptable blend that is an excellent choice for a wide variety of planting situations and applications. The bunch grasses are exceptionally drought resistant, thrive in low nitrogen soils, and have moderate tolerance to heavy foot traffic. The creeping fescues spread gradually by underground rhizomes to help fill in between the bunch grasses to create a weed-resistant sod. The creeping fescues also help to fill in areas that may experience turf damage.

Some of the fine fescue grasses in the no mow lawn mix have been documented to possess allelopathic properties, in which the grasses produce compounds that prevent or retard the growth other plants and weeds. This “natural herbicide” makes the no mow particularly resistant to invasion by other herbaceous plants that often plague other types of turf.

- Hard Fescue (Festuca brevipila)
- Sheep Fescue (Festuca ovina)
- Chewings Fescue (Festuca rubra subs. fallax)
- Red Fescue (Festuca rubra)
- Creeping Red Fescue (Festuca rubra var. rubra)

The Kendall County Soil and Water Conservation District expressed no concerns regarding the ability of the proposed mix to handle erosion control provided that the property owner or operator conducted annual inspections.

Vegetation would be planted when the panels are in place.

The proposed solar panels shall be required to meet all applicable building codes.
The supports would be buried approximately twelve to thirteen feet (12’-13’) in the ground depending on soil conditions. The supports would not be encased in concrete.

Electric lines will be buried inside the fence. There is a utility pole east of the access drive. The electric lines will go above ground at that point and connect to the Ameren system at the point on connection on the northeast corner of the site.

A fourteen foot (14’) wide gravel access from Newark Road will be installed. The property already possesses a field access at this location. The access is across the street from the driveway of 16295 Newark Road.

Per the Site Plan, a seven foot (7’) high chained link fence shall surround the solar panels. The fence shall have a sixteen foot (16’) wide vehicle access gate on the east side and a four foot (4’) wide man gate on the south side. The fence will be installed approximately one (1) week after construction starts.

A light will be installed for security reasons at the electrical equipment area.

Approximately eight (8) signs will be placed around the property along the fence and anywhere required by the NEC. A “Danger High Voltage” sign will be placed around the fence every two hundred feet (200’). A sign will also be placed on the vehicle gate entrance. There will be plaques stating emergency contact information and a site key.

No new odors are foreseen.

The solar panels have life expectancy of thirty (30) years. The anticipated decommissioning costs were provided. Decommission is estimated to take between two and three (2-3) months.

The EcoCat report was submitted and consultation was terminated.

The LESA score was 205 indicating a medium area of protection.

Big Grove Township reviewed the proposal and expressed no concerns.

The Village of Newark expressed the following concerns:

1. They would like the solar panels be set back further to the south.

2. They would like larger landscaping or fencing that better blocks the view of the solar panels from adjoining properties other than a chain link fence.

3. They had concerns regarding the safety of the environment if the solar panels break and their contents spill onto the ground.

4. They had concerns about glare if the tracking system malfunctions.

5. They would like assurances that the equipment is removed in a timely manner at the end of the project or when the lease is terminated.

The Newark Fire Protection District reviewed the proposal and expressed no concerns.
ZPAC reviewed this proposal on May 1, 2018. The representatives from the Petitioner requested that the operator be included on conditions 8, 11, and 13 because the operator will be responsible for decommissioning and insurance. The County Highway Department requested a fifteen foot (15’) right-of-way dedication at the north side of the property along Newark Road to address an erosion issue. The existing right-of-way is seventy feet (70’). This request was added as condition 12 and the property owner agreed to this request.

The Kendall County Regional Planning Commission reviewed this proposal on May 23, 2018. Commissioners requested that a condition be added to the special use permit requiring damaged field tiles to be repaired and/or re-routed. The Petitioner’s representatives were agreeable with this request. Tom Bromeland, Newark Road, expressed his opposition to the proposal. He was concerned about glare. He does not like the chain-link fence; he would like a buffer that blocked the views of the solar panels from his property. He would like the solar panels moved further south on the property. He expressed concerns about noise. He did not believe that anyone other than the property owner would benefit from this project. Commissioners requested that the Planning, Building and Zoning Committee examine requiring the planting of additional arborvitae and/or taller shrubs along the northern portion of the property near Newark Road. Discussion occurred regarding requiring a knox box. Commissioners decided against the knox box requirement. Commissioners voted five (5) in favor and two (2) opposed to the request. Commissioner Wormley voted no because he believed the proposal will negatively impact the property values of the subject property because nothing except farming can occur on the southern forty (40) acres. Chairman Ashton voted no because he thought the plans to farm on the sides of the project area were unrealistic and he echoed the concerns of Mr. Bromeland.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal June 4, 2018. Tom and Mary Bromeland, Newark Road, reiterated their opposition to the proposal and provided the Board with a letter outlining their opposition. Mr. Bromeland started a petition opposing the proposed special use permit. Mr. Bromeland expressed further frustration that he was not contacted by the Petitioner’s representatives earlier in the application process. Joan Cardwell, Sleezer Road, noted that none of her neighbors were aware of this proposal. Mr. Asselmeier noted that the Petitioner notified neighbors within seven hundred fifty feet (750’). Ms. Cardwell’s property was over three thousand feet (3,000’) from the subject property. The notice of the hearing was published in the legal section on May 9th. The letters to neighbors were mailed on May 1st and neighbors received the letters between May 12th and May 18th. Cliff Fox, Village Administrator of Newark, stated the Village previously expressed their opinions on the project and sent their letter to the County. The Village is satisfied as whole; they would prefer that the panels be further south on the property. The suggestion was made that an economic protection condition be placed in the special use permit but the Board decided against this suggestion. The Board added a condition that the Petitioner or operator must pay for training for Newark Fire Protection personnel. The fee schedule was amended to correct the typographical error for systems that produced between 1001 and 2000 KW. The Board amended the first Finding of Fact to reflect that the morals and comfort of neighboring property owners would be negatively impacted by the proposal. The vote was three (3) members in favor and two (2) members opposed. Pursuant to State law, four (4) favorable votes are required to issue a positive recommend; the official recommendation is negative. Mr. Cherry voted no because he did not feel comfortable with the information provided. Vice-Chairwoman Clementi voted yes because she would live next door to solar panels and she would like to see tasteful prairie plantings. Mr. LeCuyer voted no because of the Bromeland’s concerns. He
would like to see the neighbors work out their differences. Mr. Thompson voted yes because he thinks the proposal will benefit the community as whole. Mr. Whitfield voted yes because he believes that the restrictions and conditions address the concerns of neighboring property owners. He would live near a solar panel system.

Staff recommended approval of the proposed special use with the following restrictions and conditions:

1. The site will be developed in accordance with the Site Plan.

2. Lighting will be installed in accordance with the Site Plan.

3. The landscaping shall occur in accordance with the Landscaping Plan.

4. Replacement of dead and/or damaged vegetation shall occur on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Department.

5. Signage shall be installed as described in the Sheet Notes. In addition, at least one (1) sign shall be placed at the vehicle access gate stating emergency contact information.

6. The site shall be decommissioned in accordance with the Decommissioning Plan. In the event the Decommissioning Plan changes, the property owner shall supply the Kendall County Planning, Building and Zoning Department with revised plans as soon as they are available.

7. The Decommissioning Plan shall be initiated if the solar panels are not used for ninety (90) consecutive days. This condition shall not apply if maintenance on the impacted solar panel(s) is occurring.

8. The property owner or operator shall have six (6) months to complete the Decommissioning Plan and remove the solar panels and related equipment from the property (Amended by ZPAC).

9. In addition to other applicable fees, the following fees should be paid to the County prior to the installation of the solar panels:
   Building Permit Fees
   0-10 KW $150
   51-100 $300
   101-500 $600
   501-1000 $1200
   1001-1500 $2750
   1501-2000 $6000
   Over 2000 KW $200 for Each Additional 0-100 KW
   Fees Double if Construction Commences before Obtaining Building Permit (Typo Amended at ZBA)

10. The property owner or operator shall maintain current liability policy covering bodily injury and property damage at least Three Million Dollars per occurrence and Five
Million Dollars in aggregate and must have policy for the duration of the special use permit, such insurance may be provided pursuant to a plan of self-insurance by a party with a net worth of Twenty Million Dollars or more and the County shall be named as additional insured to the extent that the County is entitled to indemnification.

11. The property owner or operator shall indemnify, and hold harmless the County and its officials, employees, and agents (collectively and individually, the “Indemnified Parties”) from and against any and all claims, demands, losses, suits, causes of actions, damages, injuries, costs, expenses, and liabilities whatsoever, including reasonable attorney’s fees, except to the extent arising in whole or part out of negligence or intentional acts of such Indemnified Parties (such liabilities together known as “liability”) arising out of Applicant, Owner, or Operators selection, construction, operation, and removal of the solar energy system and affiliated equipment including, without limitation, liability for property damage or personal injury (including death), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence). This general indemnification shall not be construed as limited or qualifying the County’s other indemnification rights available under the law (Amended by ZPAC).

12. Within sixty (60) days of the approval of this special use permit ordinance, the owner shall dedicate a fifteen foot (15’) wide strip along the northern portion of the property in accordance with the Site Plan (See Attachment 7, Pages 2-4) to Kendall County to be used as Newark Road right-of-way (Added by ZPAC).

13. The property owner or operator shall be responsible for ensuring that the operations of the solar panels allowed by this special use permit comply with all applicable Federal, State, and Local laws (Amended by ZPAC).

14. Damaged or non-functioning solar panels shall be replaced or repaired on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Department (Added after Village of Newark meeting).

15. The property owner or operator shall repair and if necessary re-route any drain tile damaged as a result of the installation, decommissioning, maintenance, or operation of the solar panels and related supporting infrastructure on a timeline approved by the Kendall County Planning, Building and Zoning Department. (Added at KCRPC).

16. If requested by the Newark Fire Protection District, the owner and/or operator shall provide at their sole expense training to address any fire related or public health issues caused by the issuance of this special use permit (Added at ZBA).

17. Failure to comply with above conditions or restrictions could result in the amendment or revocation of the special use permit.

18. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid (Added after ZPAC).
Member Gryder asked why the County was entitled to indemnification. This requirement was in the DeKalb County ordinance. The requirement could be necessary if the County is responsible for cleaning up the property.

Justin Hardt, on behalf of Borrego, and Margaret Blum on behalf of GreenbergFarrow, summarized the proposal and Borrego. Ameren is agreeable to this project. The electricity will be placed in the grid and could be used in Ameren’s territory. Customers would have to subscribe to a provider that offers solar energy. The wind shear is approximately one hundred thirty miles per hour (130 MPH). There will be one (1) motion sensor light at the transformer.

Chairman Davidson said that a restriction should be added regarding lighting crossing property lines. Chairman Davidson also suggested Arborvitaes along the northern property line that grow twenty feet (20’) in height. Concerns about shading were expressed. Also, the trees would have to be removed per the lease agreement at the end of the lease term. Field tile could be impacted by the planting of trees. Member Kellogg suggested a mixture of trees.

Discussion occurred regarding water detention; Greg Chismark was satisfied with the proposal.

Discussion occurred regarding off-sight debris removal. Borrego has necessary insurance.

Discussion occurred regarding establishing a bond for removing the system. Borrego is contractually obligated to remove the system. The panels are warranted for twenty (20) years.

Member Kellogg asked how the County would know if the solar panels become inoperable. The consensus of the Committee was to add a restriction that the solar panel operator and/or owner provide an annual report of the energy production of the solar panels.

Committee members will send their comments and questions to Mr. Asselmeier and he will communicate those concerns to the Petitioner. The stated points of concern were lighting, landscaping, insurance, yearly report of operating data, and training for the Newark Fire Protection District (i.e. how frequently should this training occur).

Motion by Member Gryder, seconded by Member Gilmour, to continue this petition to the July 9, 2018, Planning, Building and Zoning Committee meeting.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will return to the Committee on July 9th.

**NEW BUSINESS**

None
OLD BUSINESS

Approval of Amendments to Petition 17-28 Pertaining to Outdoor Target Practice and Shooting Zoning Regulations

At the May meeting, the Committee requested David Lombardo attend this meeting to discuss the difference between “safety area” and “downrange safety area”.

Mr. Lombardo stated that he did not know where “safety area” and “downrange safety area” originated because these terms were not contained in the NRA Handbook. Mr. Lombardo provided information of berm and backstop height. The size of the safety area would be determined by the types of firearms discharged.

Motion by Member Gryder, seconded by Member Kellogg, to send the proposal as presented back to the Planning Commission.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the Planning Commission on June 27th.

Authorize State’s Attorney to Initiate Litigation Against Mark Antos and Any Other Owners for the Removal of the Culvert Crossing of Aux Sable Creek near 13360 McKanna Road, Minooka, Illinois - Committee Could Also Refer the Matter to the Illinois Department of Natural Resources or Grant Mark Antos Additional Time to Complete the Removal

Mr. Asselmeier summarized the issue and read Mr. Antos’ email to Brian Holdiman. The Committee previously allowed Mr. Antos to set the completion date of the project.

Mr. Findlay noted that this issue has been going on for twenty (20) years.

Motion by Member Kellogg, seconded by Member Gryder, to authorize the State’s Attorney to initiate litigation against Mark Antos and any other owners for the removal of the culvert crossing of Aux Sable Creek near 13360 McKanna Road, Minooka, Illinois.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the Committee of the Whole on June 14th.

Staff will contact the Corps of Engineers regarding the low water crossing blocking the stream.

Request from the Kendall County Regional Planning Commission to Amend Petition 18-07 Pertaining to Establishing Procedures for Renewing Special Use Permits

Mr. Asselmeier summarized the request.
Based on the comments received at the May Planning, Building and Zoning Committee meeting, Staff revised the proposal for renewing, amending, and revoking special use permits.

In the proposal, Staff removed the distinction between special use permit holders in violation of the conditions of their special use permit and special use permit holders not in violation of the conditions of their special use permit. Any special use permit requiring renewal would be required to follow the same procedure of renewal, amendment, or revocation. In the proposal, the County Board could initiate amendments to or revocations of special use permits requiring renewal by majority vote of the County Board and for any reason.

For clarification purposes, Staff also proposed changes to Section 13.08.F to address revocation of special use permits that do not have renewal or review procedures stated in their adoption ordinance. Staff proposed removing the establishment and use time requirements currently in the ordinance and allowed the County Board to revoke a special use permit by a majority vote of the County Board for any reason.

Also for clarification purposes, Staff proposed changes to Section 13.08.M to address amendments to special use permits that do not have renewal or review procedures stated in their adoption ordinance. Under the proposal, the County Board could initiate amendments by a majority vote for any reason. The amendment procedure followed the same procedure as amendments to special use permits that possess renewal or review provisions.

The State’s Attorney’s Office reviewed the question of whether or not the County Board can amend special use permits after adoption.

The Kendall County Regional Planning Commission reviewed previous versions of this proposal. They believed that amendments and revocations should only occur after a special use permit holder has been found guilty in court and by super-majority votes of the County Board. They expressed concerns about the investments that special use permit holders made in their property and business that could be lost if a special use permit was revoked.

The proposal could cause people not to apply for special use permits for fear of revocation decades in the future. Restrictions cannot be placed on rezoning requests.

Motion by Member Gryder, seconded by Member Kellogg, to forward the amended petition back to the Kendall County Regional Planning Commission with the changes proposed by Staff.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the Regional Planning Commission on June 27th.

**Update on 45 Cheyenne Court-Committee Could Approve Forwarding Violation to Either State’s Attorney’s Office or Hearing Officer**

Mr. Asselmeier provided updated information on 45 Cheyenne Court. He noted that Mr. Holdiman provided the property owner with the incorrect date for the May meeting.

Greg Stromberg, owner, provided an update on his activities and plans to side his house. He
hopes to have the project completed in two to three (2-3) months. Mr. Stromberg volunteered to
provide the Committee updates on his project. The Committee requested Mr. Stromberg to give
pictures to Mr. Asselmeier to update the Committee in the next few months.

*Update on Petition 18-04-Request from the Kendall County Regional Planning Commission to
Amend the Future Land Use Map Pertaining to Properties Adjacent to Route 47 in Lisbon
Township*

Mr. Asselmeier stated that the Kendall County Regional Planning Commission will hold a public
hearing on this proposal on June 27th at 7:00 p.m.

*Update on Filling Part-Time Office Assistant (Zoning) Position*

Mr. Asselmeier reported that seventy-one (71) people completed applications for the position.

**REVIEW VIOLATION REPORT**
The Committee reviewed the Violation Report.

**REVIEW NON-VIOLATION REPORT**
The Committee reviewed the Non-Violation Report.

**UPDATE FOR HISTORIC PRESERVATION COMMISSION**

*Comments on Millbrook Bridge Project*

Mr. Asselmeier noted that the Commission received a request for comments on the Millbrook
Bridge Project. The Commission requested and the Corps of Engineers agreed to a sixty (60)
day extension to submit comments on the proposal. Member Gryder requested that the report
from the Corps of Engineers be forwarded to the Committee. Mr. Asselmeier will forward the
report as requested.

*Booth at PrairieFest in Oswego on June 16th*
The Commission will have a booth at PrairieFest in Oswego on June 16th.

**REVIEW PERMIT REPORT**
The Committee reviewed the permit report.

**REVIEW REVENUE REPORT**
The Committee reviewed the revenue report. Revenue is up compared to the same period in
the previous fiscal year.

**CORRESPONDENCE**

*Correspondence Related to 21 Dawn Avenue*

Mr. Asselmeier read the correspondence. Member Gryder commended Brian Holdiman for his
correspondence related to this matter.

*ONTO 2050 CMAP Public Comment Event-June 26, 2018*

Mr. Asselmeier read the flyer.

**PUBLIC COMMENT**

Mr. Asselmeier stated that the United City of Yorkville will have an open house for their
Downtown Overlay District on June 22nd, from 5:00 p.m. until 7:00 p.m., at 217 N. Bridge Street.
Tom, Mary, and Andrew Bromeland discussed Borrego’s rating with the Better Business Bureau and questioned local benefits of this project.

Justin Hardt requested the Bromeland’s to contact them.

**COMMENTS FROM THE PRESS**
None

**EXECUTIVE SESSION**
None

**ADJOURNMENT**
Member Kellogg motioned to adjourn, seconded by Member Gryder. With a voice vote of five (5) ayes, Chairman Davidson adjourned the meeting at 9:22 p.m.

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

Encs.
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<td>Tom Bromeland</td>
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<td>Pete Hanks</td>
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<td>Justin Hardt</td>
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<td>Mel Squarro</td>
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<tr>
<td>Margaret Brown</td>
<td>Greenway Farm</td>
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<tr>
<td>Guy Stark</td>
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</tbody>
</table>
We are at this board meeting tonight to oppose the building of a solar array at 16400 Newark Road, which is proposed to be directly across from our front yard. I, Tom Bromeland, have been a resident of Kendall County for most of my life; I was born and raised here and then moved to my present location in 1986 with my wife Mary and family. We have been good citizens, paying our taxes to the county, and making a place for ourselves in this community. Our two sons volunteered for the Newark Fire Department and one continues to do so as a firefighter/paramedic today. When we purchased this farm, with the land and buildings, we had no idea that our life would take such a dramatic turn at this stage. So now we ask ourselves, why does such an eye sore have to be built within 200 feet from our house, so that our sole view is going to be chain linked fence, signage, and solar panels.

When we moved to this location, the property surrounding us was all zoned agriculture. We cherished the farm fields that surrounded us and find great beauty in those fields. We do not, however, find beauty in the eye sore of a solar array destroying those cherished fields. After being blindsided by the fact that the solar array was being proposed, I have come to the fourth meeting with various local boards. While at these meetings, I have been trying to work with this company to come up with ideas that would allow for a win/win situation. We have asked if the solar array could be moved to the back of the property, if a privacy fence could be used, or if the solar panels could start where they are not directly in front of my house as we have a natural wind block on the west side of the homestead. All of these requests have been denied by Borrego. I had concerns about this solar array going in and was trying to work with the idea that the “new technology” would be a good thing. However, now I am over trying to work with this company and I just want the whole thing to be rejected by the board. After much thought and research, I have come up with nine main reasons why the solar array should be rejected. This list is not all inclusive, but these I believe are the most important and the most impactful. I reject this proposal because I am not prepared to risk my farm’s value, risk my son’s safety responding to a possible fire at the solar array, further erosion to my fields, the obnoxious lights, traffic issues, additional noise, permanent damage to the farmland after the solar array is dismantled, harm and damage to the wildlife, and potential harm to friends and family living in Newark from chemical
contamination of the runoff ground water getting into the creek. All of these hazards have become more obvious as I have done more research on the solar array and company that will be building this ridiculous excuse of a renewable energy solution in a region that does not make sense for this source of energy.

The first point, is that the land around the solar array will lose its value. I know there was a study done that would indicate that a lose of value will not occur. However, these statistics like all others are open to bias and manipulation depending on how the sample was pulled, the assumptions applied to the issue, and how the research question was framed. I have reviewed part of the analysis that was done by Borrego. In my opinion, the comparison farms were not applicable. Most of the farms exist in areas where property taxes are significantly lower then Kendall County. In these areas, I believe that buyers would be more willing to accept a solar array as a tradeoff to pay lower taxes on their property. In Kendall County, the taxes are higher, and I highly doubt that the market prices can be sustained in this area with an additional inconvenience of a solar array directly across from the property.

Additionally, I have talked with others in the real estate industry, and they have all said the same thing. They have said they would not want this across, next to, or around them. The best advice that we have gotten so far on this has been to: “sell and get out before anyone finds out its going in”. So, as you can see, this would devalue our property. A study is only so good, it does not have the power to predict behavior a 100% of the time. Look at our last election, almost every poll showed a certain victory for Hilary Clinton. However, there was bias in the polls, and the issues were not addressed in the campaign, and we now see the results of that election. My point here is that a study should be taken with a grain of salt, and in this case, I don’t believe that our property values won’t be affected.

Second, I would not be willing to accept the potential dangers that face our first responders in the community. I know Borrego said they would train our responders if it was requested. However, at this point, I don’t think this should even be a consideration, and the hazard should not be allowed because it does not meet the zoning requirements of A-1 in Kendall County. Also, the fact that it would require specialized training should be a good indication that the solar array is not good for Newark and the surrounding area as a whole. This is because there
are a lot of unknown hazards at this time, and we are now just scratching the surface of what those hazards might be to the surrounding area. At a minimum, this project should be delayed until it is clearer what all the hazards are related to the solar array and how it will impact the environment and health of the community.

Third, the impact this solar array will have on me, my family, my property is astronomical in respects to drainage and erosion across the west side of the property. If you were living here, you would see that when there are heavy rains water draining from the proposed site of the solar array goes over Newark Road at times, and even in small storms the water that comes over to our side has eroded a lot of our soil. This only stands to get worse if you are covering 12 acres with non-absorbent glass panels. This is a major issue with other solar projects, so it stands to reason, this could be an issue here too. If there are increased problems with drainage directly caused by the project that does not meet zoning requirements; will Borrego pay for the drainage to be brought up to standard on the surrounding properties? In my opinion they should pay for this because they are the cause, and this is not using the land how it was originally intended to be used when the drainage system was installed. So, they should be responsible for updating all the infrastructure to handle the consequences from their project. This would include replacing the tile to the creek to handle the runoff that would be greater due to the solar array. I still don’t agree with the use of the solar array in this area, but if it were to go through, I think this should all be considered and required since the solar array will cause issues here for the surrounding properties.

Fourth, the obnoxious lights will cause a personal issue for my family. The lighting that is being proposed would light up our driveway, front yard, and house. So, my question is why would you want our driveway and front yard lit up like a Christmas tree? I am not sure what the benefits to Borrego are for this, and I would ask that these lights be contained to the property, and not impinge on my property. We don’t impinge on the properties around us with our one-yard light at night, and I would expect the same of any other neighbor. Why should a corporation be any different? This is especially irritating because we don’t have central air in our old farmhouse, and there are nights in the summer where it is required to have the windows open to sleep. With lights pointing at the front of
our house, this would cause damage to our way of life that is unneeded and could cause additional health issues from the lack of sleep at night. I know this seems minor, but would any of you appreciate bright lights outside your window at night. I am assuming not, and if you would I would highly question your sincerity in this case and would ask that you not represent me anymore as an elected official of Kendall County.

The fifth major concern is the increased traffic and the additional noise from this traffic. This project will cause six months of major traffic right to my driveway. Newark road is already a busy road because it handles much of the traffic from Route 47 to Route 71. The addition of these trucks with the increased weight loads are going to cause more wear and tear on the roads requiring additional repairs for the county.

Our sixth concern is the noise that will be present with the building of the solar array and then the equipment noise once it is in place. We have been told that the majority of the noise will not be heard the 200 feet away that our house is from the solar array. They have estimated it at 35 dBA, but if you do your appropriate research a quiet room or whisper is about 30 dBA, normal conversation is 55 dBA, a television generates about 60 dBA, heavy traffic at 10-m distance is about 80 dBA. So, as you can see my concern is if we can trust the estimate from the company. We have been told at prior meetings by this company that the noise level is equivalent to 35 dBa which is no louder than "ambient noise". I would like to believe this, but how was this estimate determined; I just want to make sure that we are not "guinea pigs" for this solar array.

Seventh, the damage to the farmland would be permanent and irreversible. What if this solar array becomes obsolete and unprofitable? The site will have to be decommissioned, and what will be done with the land and materials on the site. Currently the state of Illinois has no landfills that will take the materials from the solar array. I am willing to bet that is done for environmental reasons because they don’t want to be responsible for the damage that solar panels can cause to the environment. So, these materials will need to be trucked to another state. This is all going to add cost, and I don’t think if the solar array is not profitable that Borrego will maintain the site and decommission it properly. I believe that
they will behave like any other business and attempt to sell the property to another company that will not know how to handle the site properly. I think there needs to be defined requirements that would put all of the liability surrounding the cleanup on Borrego even in the event of a sale of the site to another company.

Our eighth concern would be harm to wildlife, my family, and citizens of the town of Newark. A potential nightmare situation would be where the town could be harmed from chemical contamination of ground water. So, we are requesting that a detailed list of the toxins used to construct the solar array is presented to this board for their consideration. In doing some research about the solar industry, there is a scorecard that is used by SVTC (Silicon Valley Toxics Coalition) which rates companies on things such as environmental impacts, sustainability, and social justice issues. This coalition's objective is to protect the workers as well as the communities where solar arrays are located. Borrego is not a company that is listed on this scorecard and would lead me to believe there are some issues in this arena with this particular company. So, my assumption is that we should be careful before approving this company to build a site in Kendall County. Just so we don't have another story like Erin Brockovich, we want to make sure that Borrego is not using solar panels that have been developed using chemicals that may be toxic to the environment now or during deconstruction of the solar array. At the last meeting according to SARA (Superfund Amendments and Reauthorization Act), we asked to be provided with information on how these panels are constructed, and what is in them. This has not been done to my knowledge. Also, we would like to see where Borrego ranks on the scorecard used by SVTC. This will give Borrego some credibility and it will allow the people surrounding these solar arrays to know they will be safe if anything unforeseen occurs at these locations.

The final issue is the wetlands. There are wetlands on the front of the property, probably more impacted by the solar array then the back part of the property. However, Borrego had a concern about moving to the back of the property because they would have to build a driveway over the wetlands. According to Borrego at the last meeting, the driveway would impinge on only .01 or 1 % of the buffer surrounding the wetlands. They said they would not do this because they could not build over the wetlands at all, and this is not the case.
Farm wetlands can be mitigated. Also, the way I see it on the materials plan that was sent to me by Borrego, the back part of the property has two buffers that don’t even touch the wetlands there. The real issue is additional monies that would be required by this company to move it to the back of the property. In addition, if you look at the plans, you will see that the start of the driveway covers the actual wetlands not just the buffer surrounding the wetlands. This is just another point that would question their credibility as a company because it looks like they have lied in this particular circumstance.

At the last meeting I attended on June 4th, Borrego was asked by another attendee of the meeting, would they build the solar farm if not subsidized by government funding. Their response was “no”. This would lead me to believe they are not worried about the power or the grid, they are worried about the money. This solar array will not mean electricity will be cheaper for the residents of Newark or Kendall County, but we should embrace it because it is helping the grid. Where is this power going to? The way I understand it, Ameren is not complaining about the grid, they are just being forced to buy this electricity because it is being built. They seem to have chosen this plot of land which is not ideal in my opinion, because it was quick and easy. I’m sure there are many parcels of land in Kendall County that are more suitable for this use than across from me. I would also go so far to argue that this should not be built in Illinois at all. This is not the region that will benefit from solar power. I could see wind as a renewable source, but to truly get the benefits and efficiency out of solar power, I would think these should get built in the middle of the desert. This is probably a debate for a different day, but that seems to make the most logical sense to me. What has been identified here was a willing landowner that wanted to make money and then decided to make this work, despite wetlands, location, drainage, safety, traffic, noise and so on. I would ask this board to carefully consider this proposal, and please deny the zoning as A-1 special use as it does not meet the current ordinance that is in place in Kendall County.
This Business Is Not BBB Accredited

Borrego Solar Systems

Menu

Business Information
(888) 898-6273
30 years in business
5005 Texas St #400
San Diego, CA 92108-3725

Fax Numbers
• (888) 843-6778

Additional Email Addresses
• sales@borregosolar.com

BBB File Opened: 08/08/2002
Business Started: 11/13/1987
Business Incorporated: 03/27/2002 in CA

Type of Entity
Corporation

Business Management
• Mr. Aaron S Hall, President

Note the information
According to BBB
Borrego is not Accredited -
Just another issue showing
They are not accredited!

Business Category
- Solar Energy Product Services

Alternate Business Names
- Borrego Solar Systems Inc

Licensing, Bonding or Registration
This business is in an industry that may require professional licensing, bonding or registration. BBB encourages you to check with the appropriate agency to be certain any requirements are currently being met.

Overview
This company offers design and installation of solar electric/photovoltaic systems for homes, businesses and the public sector.

BBB Reason for Ratings
BBB rating is based on 13 factors: Get the details about the factors considered. (https://www.bbb.org/council/overview-of-bbb-grade)

BBB Reports On
Licensing
Licensing information is provided in the BBB Business Profiles to inform the public about industries that may require professional licensing, bonding, or registration. Better Business Bureau encourages you to check with the appropriate agency to be certain any requirements are currently being met.

Advertising Review
BBB promotes truth in advertising by contacting advertisers whose claims conflict with the BBB Code of Advertising. These claims come to our attention from our internal review of advertising, consumer complaints and competitor challenges. BBB asks advertisers to substantiate their claims, change ads to make offers more clear to consumers, and remove misleading or deceptive statements.

Government Actions
BBB reports on known significant government actions involving the business's marketplace conduct.

Out of Business
BBB reports on a company that is out of business for one year from the date the company closes its doors or ceases to do business.

**Misuse of Better Business Bureau Name/Logo**
BBB reports on unauthorized use of the Better Business Bureau’s name and/or logo for as long as the business continues to use it in any advertising, or for one year after the business ceases any repeated unauthorized uses.

**Bankruptcy**
BBB reports on a business’s bankruptcy as long as the business remains in bankruptcy.

**Mail Returned**
BBB reports when mail sent to the business was returned by the Postal Service.

**BBB Rating Scorecard**

**This Business Is Not BBB Accredited**

Borrego Solar Systems

**A**

**BBB Rating System Overview** ([https://www.bbb.org/council/overview-of-bbb-grade](https://www.bbb.org/council/overview-of-bbb-grade))

**Customer Review Rating:**
The BBB Customer Review Rating represents the customer's opinion of the business. The Customer Review Rating percentages are based on the total number of positive, neutral, and negative reviews posted.

There are **NO** reviews for this business.
Be the first to leave a review!

This business has no complaints filed

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When considering complaint information, please take into account the company's size and volume of transactions, and understand that the nature of complaints and a firm's responses to them are often more important than the number of complaints.

BBB Business Profiles generally cover a three-year reporting period. BBB Business Profiles are subject to change at any time. If you choose to do business with this business, please let the business know that you contacted BBB for a BBB Business Profile.

As a matter of policy, BBB does not endorse any product, service or business.

SOLAR LEASES: PROPERTY OWNERS BEWARE

By: Kelly J. Graves

In the last several weeks, we have received and reviewed a flurry of solar leases and solar options to lease for numerous property owners. It appears that multiple solar companies are aggressively scouting and romancing property owners throughout the state with their promises to lease a few dozen acres and up to hundreds of acres of land with high rental rates per acre. The initial reaction is that this is a great opportunity for landowners to utilize their land and receive rental income that is significantly higher than agricultural market value rents particularly if the land is marginal farm land to begin with. However, BEWARE, because it is important to remember that the leasing documents that you are receiving were prepared by an attorney hired by the solar company so the documents tend to be prepared in a manner that is in the best interest of the solar company. The land owner's interests are not necessarily aligned with the solar company's interests!

The following items are typically missing from the solar company leases that we have been asked to review:

1. The exact amount of acreage to be rented by the solar company;
2. Location of easements to access the project if the field is not accessible from a public road;
3. Insurance coverage for the solar company and its agents;
4. Potential property tax increases and who absorbs those increases;
5. Potential loss of Agricultural Exemptions and Repayment of the Agriculture Exemption, plus penalties, if property is reclassified;
6. Removal (decommissioning) plan for the project upon expiration of the lease term;
7. Impact on landowners mortgage and future mortgaging of the property;
8. Future use of the property; and

Potential disruption of farming activities and tile lines when constructing the solar farm.

It is important to remember that just because the initial proposal might be for a 30 acre parcel, there is no guarantee that the vast majority of these leases are written, that the solar company is going to lease the entire 30 acres. The solar company may only end up leasing a portion of the property and then, as a land owner, you could be left with two small fields with a solar farm in the middle. Depending on field access, one of those smaller fields may no longer be accessible if a solar project is constructed in the middle of the existing “large” field.

Property owners should be cautious and always seek legal advice to review the lease on your behalf when approached by a solar company to sign a lease before signing. Once signed by you, the lease becomes a binding obligation that will likely be difficult, if not nearly impossible (and expensive), to break. Please contact me or any member of our Agricultural Services Team if you would like us to review a solar lease that you received.

To view this article in PDF format, please click here [Solar Leases — Property Owners Beware].
Dear Neighbor,

We are contacting you to advise you of our pending applications for a Special Use Permit with the Kendall County Planning, Building & Zoning Department. The Special Use Permit is being requested to allow for development of one ground-mounted solar farm facility to be located at 16400 Newark Road in Big Grove Township. We would like to take this opportunity to provide you with a brief description of our proposed project and the reasoning for our application.

Currently, the property is Zoned AG – Agriculture. Solar projects are permit within AG Zoning Districts with the County's approval of a Special Use Permit.

As such, our desire is to have the project approved for a Special Use Permit which would allow for the installation of new solar arrays. The proposed solar system is very low profile when compared to other forms of renewable energy such as wind turbines. The arrays would be approximately of seven-foot in height and the array field would cover roughly 15 acres of the property on each parcel (see attached map). Additionally, the array field will be setback in excess of the County required 50-foot side yard and 150-foot front yard setback. The ground below the panels would be planted in a low growing plant mix.

Borrego Solar Systems, Inc. is a nationally recognized leader in the industry with over 35 years of experience in the development of solar projects. We are excited about the opportunity to bring clean energy to Illinois, specifically Kendall County.

I have enclosed my business card with my contact information for your reply. If you have any questions or comments, it would be very helpful if you could provide your feedback within the coming week.

Additionally, if you’d like more information about Borrego Solar Systems, please visit our website at: borregosolar.com

Thank you in advance for your feedback. We look forward to serving this great community!

Sincerely,

[Signature]

Justin Hardt, Senior Project Developer
Borrego Solar Systems, Inc
(215) 266 9753
1 N. State Street
STE 1500
Chicago, IL 60602

Generate Change. Choose Solar.
ARTICLE 3. OUTDOOR RANGES

3.01 General Considerations

3.01.1 Developing an outdoor range involves these critical factors:

3.02 Site Selection

a. Size - an area large enough to accommodate the appropriate disciplines and projectile containment as modified by existing topographic features, and/or additional range features.

b. Location - Locate the range as convenient to the user population as possible.

c. Design - Design criteria should incorporate specific range requirements along with adequate space for current use, yet provide opportunity for future expansion.

d. Environment - During the planning phase, make every effort to minimize any adverse impact on the surrounding environment. It is recommended that a registered professional engineer (P.E.) be contracted to conduct an environmental assessment. Environmental impact statements (EIS), compared to assessments, are expensive and time consuming. Exercise care during the environmental assessment to address all possible concerns. If the environmental assessment is performed incorrectly or identifies any significant adverse impact on the environment, a complete EIS may be required which may be very expensive.

3.02.1 Projectile Containment

3.02.1.1 Projectile containment will vary in size and design based upon terrain features, range structures, and the chosen shooting activity. Various range enhancements have proven to be significantly effective in limiting bullet containment to the confines of a specific property boundary. Techniques for limiting projectiles to range property include: backstops, sideberms and sidewalls, baffles, target placement, mountains or rolling hills, sloping floor of the range, and utilizing the range for its intended purpose.

3.02.1.2 The distance a bullet will travel varies according to several factors: ballistic coefficient, bullet weight, muzzle velocity, caliber, bullet shape, angle of muzzle elevation, and to a lesser degree, wind speed, wind direction and relative humidity. Muzzle elevation to achieve the maximum range of a given firearm and ammunition combination will vary, but can be calculated by using Ingalls’ Ballistic Tables (Hatcher’s Notebook, pages 584-625). The ballistic coefficient and muzzle velocity are the two most important factors in determining the distance a bullet will travel. The following ballistics table has been modified for use in this source book and is used with permission. Additional cartridges and newer projectiles have been added to the chart. The new cartridge data was derived by using Sierra Infinity v6®. This chart should be used only as a quick reference to check comparative data for various calibers using specific bullet weights and velocities for planning purposes. The 30-06 (boattail) bullet, weight of 172 grains, muzzle velocity of 2,600 feet per second has been added to the chart and is shown to have a range of 5,500 yards or 3.12 miles, and does not mean that you have to own or control 3.12 miles of downrange area. Various factors can affect the maximum distance that a bullet or shot may travel. The tables below are to be considered as guidelines only. This source book does not represent or guarantee that a particular bullet or shot may not travel further than the below state distances. Remember that you will most likely be held
responsible for the damage or injury caused from any bullet or shot that escapes the shooting range, no matter what the distance that the bullet or shot traveled.

<table>
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<tr>
<th>Bullet Caliber/Name</th>
<th>Bullet Style</th>
<th>Bullet wt. (grs.)</th>
<th>Assumed MV. (fps)</th>
<th>Calculated max. range (yards)</th>
<th>Calculated max. range (miles)</th>
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<td>2666</td>
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<td>1320</td>
<td>1800</td>
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RN-Round Nose, PSP Pointed Soft Point, STHP-Silvertip Hollow Point, JHP-Jacketed Hollow Point, FMJ-Full Metal Jacket, JSP-Jacketed Soft Point, LFN-Lead Flat Nose. Table updated in 2011.
bricks, may be used for the core or interior of the backstop or berm. This technique saves on the amount of clean fill required for surface treatment.

All surface areas where bullets will strike are recommended to be free of large rock.

Contact local agriculture agents for information on low, fast growing grasses common to the area to surface treat earthen backstops or berms. Crown vetch is a good choice in much of the United States, and it will aid in erosion control. Some areas of the country do not have enough available water to support ground cover.

NRA highly recommends that ranges DO NOT use railroad ties, stacked lumber or wood products for backstops. Bullets embedded in the wood can eventually cause lead buildup sufficient in size to cause backsplatter or bounce back of projectiles or particles. Projectiles or particles can travel up to 50 yards straight back to the firing line with sufficient force to cause personal injury or property damage.

CAUTION: Exposed automobile tires may cause bounce-backs where ammunition velocities are below 800 fps. Highly recommend that no automobile or truck tires be used in backstop construction. The exception would be commercial or club built backstops using ground rubber tires or chunk rubber, ¼ to 2 inches in size, is acceptable. Keep in mind that the rubber normally settles on a 30 degree angle from horizontal and is stable. Provide proper drainage for the backstop. When utilized with Geocell materials available today

b. Configuration: Sides should be sloped as steep as soil conditions will allow. Shallow slopes may call for the installation of either a horizontal bullet catcher and/or a wall on top of the backstop to retain occasional ricochets. Most soils stabilize on about a 1.5-to-1 slope. Geocell materials may be used to aid with soil stabilization.

c. Height: The recommended height for a backstop is 20 feet high, except where the down range area is backed up by high terrain features, such as a large hill or a mountain, or by sufficient distance, to contain occasional ricochets. Terrain and topographical features should always be considered when designing a range. This is especially true with a 50 foot range, often used by youth shooting sports programs, where 10 feet is commonly recognized as the appropriate height.

Refer to your national counsels for youth activities for range construction and guidance as appropriate.

Remember, where compaction procedures are not used, or do not work because of soil types, the fill material will settle, reducing the overall effective height. To counteract the condition, add additional fill as needed.

3.04.5.2 Intermediate Backstops

3.04.5.2.1 In some instances, such as in silhouette competition, intermediate backstops behind each bank of targets are required or desirable. Building these backstops for each specific distance is critical. Make every effort to contain those projectiles which strike the intermediate backstop. Provide an area where bullet strike is visible to the shooter or coach.
are listed in the NRA International and Smallbore Rifle rulebooks and are available from NRA licensed target manufacturers.

3.01.4.5 Backstop

3.01.4.5.1 Minimum backstop heights are determined by the requirements at each site and are measured from the range floor. Some ranges have existed for years without a backstop of any kind; however, remember the down range area in these instances must be uninhabited and inaccessible. In areas where the safety area has been encroached upon, backstops, side berms and baffles may be needed to contain the bullets fired on the general range area. Should the selected site face future encroachment, incorporate these fixtures during the initial design process. The utilization of Geocell materials can aid with the construction of the backstop. (Refer to Section IV Range Products and Services).

3.01.4.5.2 Side Berms

3.01.4.5.2.1 Side berms are necessary where adjacent areas need to be protected and where there is not sufficient unoccupied land to accommodate projectile containment. Side berms can be constructed similar to a backstop, but may be omitted in favor of walls, side baffles or other artificial barriers that require less space. The recommended height for side berms is 8 feet high. The utilization of Geocell materials can aid with the construction of the sideberrm allowing construction of vertical walls saving needed space between ranges. (Refer to Section IV Range Products and Services).

3.01.4.5.3 Baffles

3.01.4.5.3.1 Overhead and ground baffles may be required on ranges to ensure projectile containment or where sound problems exist. Because of the limited ammunition and distances used on smallbore rifle ranges, baffle designs need not incorporate extraordinary measures to stop high velocity bullets.

3.01.4.5.3.2 Baffles may be built in several designs as shown in drawings A-11, A-12, and A-14 in the Appendix, but the least costly would be the vertical baffle 4 feet high, extending the entire width of the range. The lower edge of the baffle should be located 6 feet to 7 feet above ground to accommodate the standing position and spaced according to drawing A-10.

3.01.4.5.4 Walls

3.01.4.5.4.1 Walls used instead of side berms should be designed to stop .22 caliber rimfire ammunition. (See wall sections, drawing numbers A-17 in the Appendix.)

3.01.4.6 Return Target Carrier Mechanisms

3.01.4.6.1 Return target mechanisms, which are commercially available, can be used on shorter smallbore rifle ranges and are beneficial in reducing the time it takes to conduct training or competitive events.

3.01.5 Projectile Containment
DOWNTOWN OVERLAY DISTRICT OPEN HOUSE

Stop by the River’s Edge Theater in downtown Yorkville for an informal Open House during the 2018 Summer Solstice Festival to see the status of the streetscape master plan and form-based code!

River’s Edge Theater
Friday, June 22 @ 5:00p - 7:00p
217 N. Bridge Street
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**Statement:**

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*End
MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: July 3, 2018
Re: Petition 18-15 – Request from Nancy Harazin on Behalf of Nancy L. Harazin Trust Number 101 for a Special Use Permit for a Public or Private Utility-Other (Solar Panels) at 16400 Newark Road, Approximately 0.2 Mile East of Route 71 on the South Side of Newark Road, Big Grove Township (PIN 07-05-400-003); Property is Zoned A-1

Following the June Planning, Building and Zoning Committee meeting, Borrego amended their site plan in the following ways:

1. They agreed to plant arborvitaes along the northern portion of the property. Accordingly, condition 2.C of the special use permit ordinance was amended to read, “The landscaping shall occur in accordance with the Landscaping Plan attached hereto as Exhibit C. The owner and/or operation shall plant arborvitaes at least six feet (6’) in height at the time of planting along the north side of the property to block the visibility of the solar panels from the property north of the subject property. The arborvitaes shall be planted in sufficient numbers to create a complete buffer within five (5) years of the approval of this special use permit. Damaged or dead arborvitaes shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.”

2. The solar field was moved approximately one hundred thirty-seven feet (137’) to the west to reduce the visibility of the solar array field from the neighbor’s home. This was achieved by changing the modules to the Hanwha 390’s which reduced the amount of racks required.

3. The fenced area was reduced from approximately twelve point one (12.1) acre to approximately eleven point two-five (11.25) acres.

4. Borrego provided insurance documentation.

5. They agreed to yearly reporting of data of energy production. Accordingly condition 2.I of the special use permit ordinance was added to read, “On or before February 1st of each year, the owner or operator shall provide the Kendall County Planning, Building and Zoning Department with a report outlining the amount of energy produced at the property during the previous year.”

6. They agreed that lighting will not cross property lines. Accordingly, condition 2.B of the special use permit ordinance was amended to read, “Lighting will be installed in accordance with the Site Plan attached hereto as Exhibit C. Lighting shall not be visible from neighboring properties.”

7. They agreed to training for the Newark Fire Protection District. Unfortunately, despite repeated emails and phone calls, Staff was unable to receive feedback from the Newark Fire Protection District on requested training. Condition 2.Q of the special use permit ordinance was added to read, “If requested by the Newark Fire Protection District, the owner and/or operator shall provide at their sole expense training to address any fire related or public health issues caused by the issuance of this special use permit. The training topics and the timeframe for the training shall be approved by the Newark Fire Protection District.”

8. The decommissioning costs decreased from One Hundred Fifty-Eight Thousand Eight Hundred Sixty-Four Dollars ($158,864) to One Hundred Fifty-One Thousand Five Hundred Thirty-Three Dollars ($151,533).
An updated ordinance, insurance information, response to questions from Member Gilmour, and a wetland recommendation letter are attached to this memo. The entire record of all of the documents related to this request can be found at https://www.co.kendall.il.us/wp-content/uploads/Petition_18-15.pdf.

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

Thanks,

MHA

ENC:   Proposed Ordinance Revised
       Insurance Information
       July 2 Letter from GreenbergFarrow to Matthew Asselmeier, AICP
       July 2 Letter from Susan Rowley to Margaret Blum
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, 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 60.0 acres located on the south side of Newark Road approximately 0.2 miles east of Illinois Route 71 (PIN: 07-05-400-003) and is also known as 16400, Newark Road, in Big Grove 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 the Nancy L. Harazin Trust Number 101 and is represent by Nancy L. Harazin and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about April 17, 2018, Petitioner filed a petition for a Special Use Permit allowing the placement of a Public or Private Utility – Other (Solar Panels) on the subject property and the energy generated from the proposed use would be consumed offsite; and

WHEREAS, following due and proper notice by publication in the Kendall County Chronicle not less than fifteen days prior thereto, the Kendall County Zoning Board of Appeals conducted a public hearing on June 4, 2018, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and representatives from the solar company presented evidence, testimony, and exhibits in support of the requested special use permit and two members of the public testified in opposition to the request and one member of the public asked questions about the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended denial 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 June 4, 2018, 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 County Zoning Ordinance; and
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 placement of a Public or Private Utility – Other (Solar Panels) to be placed on the subject property subject to the following conditions:

A. The site will be developed in accordance with the Site Plan attached hereto as Exhibit C.

B. Lighting will be installed in accordance with the Site Plan attached hereto as Exhibit C. Lighting shall not be visible from neighboring properties.

C. The landscaping shall occur in accordance with the Landscaping Plan attached hereto as Exhibit C. The owner and/or operation shall plant arborvitae at least six feet (6’) in height at the time of planting along the north side of the property to block the visibility of the solar panels from the property north of the subject property. The arborvitae shall be planted in sufficient numbers to create a complete buffer within five (5) years of the approval of this special use permit. Damaged or dead arborvitae shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

D. Replacement of dead and/or damaged vegetation shall occur on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Department.

E. Signage shall be installed as described in Exhibit C. In addition, at least one (1) sign shall be placed at the vehicle access gate stating emergency contact information.

F. The site shall be decommissioned in accordance with the Decommissioning Plan attached hereto as Exhibit C. In the event the Decommissioning Plan changes, the property owner shall supply the Kendall County Planning, Building and Zoning Department with revised plans as soon as they are available.

G. The Decommissioning Plan shall be initiated if the solar panels are not used for ninety (90) consecutive days. This condition shall not apply if maintenance on the impacted solar panel(s) is occurring.

H. The property owner or operator shall have six (6) months to complete the Decommissioning Plan and remove the solar panels and related equipment from the property.

I. On or before February 1st of each year, the owner or operator shall provide the Kendall County Planning, Building and Zoning Department with a report outlining the amount of energy produced at the property during the previous year.

J. In addition to other applicable fees, the following fees should be paid to the County prior to the installation of the solar panels:
Building Permit Fees
0-10 KW  $150
51-100   $300
101-500  $600
501-1000 $1200
1001-1500 $2750
1501-2000 $6000
Over 2000 KW $200 for Each Additional 0-100 KW
Fees Double if Construction Commences before Obtaining Building Permit.

K. The property owner or operator shall maintain current liability policy covering bodily injury and property damage at least Three Million Dollars per occurrence and Five Million Dollars in aggregate and must have policy for the duration of the special use permit, such insurance may be provided pursuant to a plan of self-insurance by a party with a net worth of Twenty Million Dollars or more and the County shall be named as additional insured to the extent that the County is entitled to indemnification.

L. The property owner or operator shall indemnify, and hold harmless the County and its officials, employees, and agents (collectively and individually, the “Indemnified Parties”) from and against any and all claims, demands, losses, suits, causes of actions, damages, injuries, costs, expenses, and liabilities whatsoever, including reasonable attorney’s fees, except to the extent arising in whole or part out of negligence or intentional acts of such Indemnified Parties (such liabilities together known as “liability”) arising out of Applicant, Owner, or Operators selection, construction, operation, and removal of the solar energy system and affiliated equipment including, without limitation, liability for property damage or personal injury (including death), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence). This general indemnification shall not be construed as limited or qualifying the County’s other indemnification rights available under the law.

M. Within sixty (60) days of the approval of this special use permit ordinance, the owner shall dedicate a fifteen foot (15’) wide strip along the northern portion of the property in accordance with the Site Plan attached hereto as Exhibit C to Kendall County to be used as Newark Road right-of-way.

N. The property owner or operator shall be responsible for ensuring that the operations of the solar panels allowed by this special use permit comply with all applicable Federal, State, and Local laws.

O. Damaged or non-functioning solar panels shall be replaced or repaired on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Department.

P. The property owner or operator shall repair and if necessary re-route any drain tile damaged as a result of the installation, decommissioning, maintenance, or operation of the solar panels and related supporting infrastructure on a timeline approved by the Kendall County Planning, Building and Zoning Department.

Q. If requested by the Newark Fire Protection District, the owner and/or operator shall provide at their sole expense training to address any fire related or public health issues caused by the
issuance of this special use permit. The training topics and the timeframe for the training shall be approved by the Newark Fire Protection District.

R. Failure to comply with above conditions or restrictions could result in the amendment or revocation of the special use permit.

S. 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 17th day of July, 2018.

Attest:

_________________________________         ____________________________________
Kendall County Clerk    Kendall County Board Chairman
Debbie Gillette         Scott R. Gryder
THAT PART OF THE EAST HALF OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE NORTH 00 DEGREES 30 MINUTES 06 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 588.72 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 89 DEGREES 18 MINUTES 45 SECONDS WEST, ALONG SAID FENCE LINE, 712.10 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 36 SECONDS WEST, 1273.42 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 1266.62 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 50 SECONDS WEST, 774.88 FEET TO THE CENTER LINE OF NEWARK ROAD; THENCE NORTH 89 DEGREES 10 MINUTES 47 SECONDS EAST ALONG SAID CENTER LINE, 1266.50 FEET; THENCE SOUTH 00 DEGREES 56 MINUTES 36 SECONDS EAST, 793.01 FEET TO THE POINT OF BEGINNING; IN BIG GROVE TOWNSHIP, 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. Provided that the site is developed in accordance with an approved site plan, provided that the landscaping plan and fencing as presented is implemented, provided the decommissioning plan is followed, and provided that the property owner or operation maintains, repairs, and or replaces damaged solar panels, the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the community. The proposed special use may be detrimental to the morals and comfort of the neighbors.

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 Petitioner provided evidence that the installation of solar panels does not negatively impact property values or harm the environment. Appropriate restrictions (including requiring an updated decommissioning plan, a landscaping plan, and fencing requirements) can ensure the proposed use does not adversely impact adjacent uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, adequate utilities, access roads and points of ingress and egress are provided. Appropriate conditions (including the dedication of land for additional right-of-way and developing the site in accordance with the submitted site plans and landscaping plans) can ensure that adequate drainage infrastructure will be provided.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. True, the proposed use conforms to the setback, height, and development requirements 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 Section 3.3.G of the Kendall County Land Resource Management Plan which states as an objective: “support the public and private use of sustainable energy systems (examples include wind, solar, and geo-thermal)” (Page 3-4).
# SITE USE PLANS

**16400 NEWARK ROAD, NEWARK, IL 60541**

**2516.670 kW DC STC RATED SOLAR ELECTRIC SYSTEM**

## General Notes

1. **As constructed.** All equipment identified herein as to be installed shall be installed and all materials and equipment in conformity with the specifications and drawings herein described. All equipment identified herein as to be skinned shall be skinned and painted in accordance with the specifications and drawings herein described.

2. **This work shall be done in conformance with all Laws, Codes, Ordinances, and Regulations pertaining thereto.** All work shall be performed in accordance with the specifications and drawings herein described.

3. **General Abbreviations.** The following abbreviations have been used in the specification and drawings herein described.

## Project Scope

### Aerial View

- **System Description**
  - **Auxiliary Components**
  - **Inverter**
  - **Module**
  - **Array**

## Drawing List

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## Application Codes and Standards

- **2006 NATIONAL ELECTRICAL CODE**
- **2006 INTERNATIONAL ELECTRICAL CODE**
- **2006 UNIFORM PLUMBING CODE**
- **2006 INTERNATIONAL BUILDING CODE**
- **2006 NATIONAL FIRE PROTECTION CODE**
LANDSCAPE PLAN GENERAL NOTES

1. Site grading shall be performed in accordance with Site Use Plans and Site Use Plan Amendments.
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**CERTIFICATE OF LIABILITY INSURANCE**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by the policies below. This certificate of insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder.

**IMPORTANT:** If the certificate holder is an additional insured, the policy(ies) must have additional insured provisions or be endorsed. If subrogation is waived, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**
Arthur J. Gallagher & Co.
Insurance Brokers of CA, Inc. Lic #0726293
1255 Battery Street #450
San Francisco CA 94111

**CONTACT**
Lily Liang
PHONE: 415-536-8622
FAX: 
E-MAIL: Lily_liang@AJG.com
ADDRESS: 

**INSURED**
Borrego Solar Systems, Inc. and HGS Solar 1, LLC
5005 Texas Street #400
San Diego, CA 92108

**INSURER(S) AFFORDING COVERAGE**

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**CERTIFICATE NUMBER:** 682463872

**CERTIFICATE EXPIRY DATE:** 3/31/2018

**REVISION NUMBER:**

- EACH OCCURRENCE: $1,000,000
- DAMAGE TO RENTED PREMISES: $1,000,000
- MED EXP: (Any one person): $10,000
- PERSONAL & ADV INJURY: $1,000,000
- GENERAL AGGREGATE: $2,000,000
- PROPERTY DAMAGE: $2,000,000
- Aggregate: (Per accident): $6,000,000

**CANCELLATION**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**AUTHORIZED REPRESENTATIVE**

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July 2, 2018

To Matthew Asselmeier, AICP
Senior Planner
Kendall County Planning, Building and Zoning
111 West Fox Street
Yorkville, IL 60560-1498
T: 630.553.4139

Dear Mr. Asselmeier:

Please find the requested revisions and documentation in this email for the Solar Farm project to be located at 16400 Newark Road in Kendall County – SUP 15-18. Below is a list of responses to your recent questions list:

1. Planting Arborvitaes along the northern portion of the property. Regarding the wetlands on the south portion of the property – the neighbors indicated they would be glad to see the project moved to the south, which is understandable, although the solar company said they could not do this. Can we find out if it is legal or possible to do it? Could you outline the costs of obtaining the Corps of Engineers approval to move the solar panels closer to the wetlands. Please include additional costs associated with moving the solar panels further south.

   **Potential for Project Cancellation:** Altering the project’s current location would change the entitlement timeline materially removing any chance it has in being able to participate in the Illinois community solar program.

   **Wetlands:**
   - The project had submitted a Letter of No Objection request to the Army Corp of Engineers (ACOE) on June 8th, based upon the assumption that the project will NOT impact wetlands. We are still awaiting response from ACOE. If the current layout were to change and include impacts to wetland features, a permit from either the ACOE or Kendall County would need to be obtained prior to development.
     - The resubmission process can take 3 to 4 months (Per the Rock Island ACOE District) which alone would result in this project not being able to participate in the program.
     - Once jurisdiction is determined and IF the wetlands are found to be under ACOE authority, the wetland permitting process (for impacts) could take an additional 3 to 6 months for processing and approval of a Nationwide Permit (impacts <0.5 acres, +/- $5,500 for the permit and +/- $80,000.00 per acre in mitigation costs) and approval is not guaranteed.
iii. If wetlands are determined to be County regulated, per our understanding of the Kendall Co. ordinance, wetlands are to be protected (25 ft. buffer) and not filled – the ordinance does not allow damage, modification or adverse changes in run-off quality/quantity associated with land development.

➢ As is Borrego’s standard practice and approach to stewardship, care is always taken to avoid impacting wetlands and/or other natural systems.
   i. Although the existing wetlands appear to be farmed wetlands, farmed wetlands provide functional values for overland stormwater infiltration into local groundwater resources, filtration of pollutants, and soil microbe habitat benefits. Due to the values these farmed wetlands provide, both the U.S. Army Corps of Engineers (ACOE) and Kendall County enforce regulations over these wetland features.
   ii. It is the recommendation of our certified wetland consultant, ENCAP, Inc. to avoid impacts to on-site wetland features as much as practicable to preserve valuable aquatic features. Please see the attached letter from ENCAP, Inc.

Interconnection Agreement Cancellation:
➢ The additional timing necessary to get ACOE approvals (not guaranteed) will outpace our interconnection agreement timing with the utility and therefore would force us to cancel our existing application and agreement with Ameren, thus canceling this project.
➢ Ameren will require full payment of the interconnection upgrade cost to update local grid infrastructure this fall which would not be possible given our uncertainty with respect to the system’s siting.
➢ Borrego fully intends to make that investment to upgrade the local infrastructure in the coming months once the project is approved.

Unknown Risks:
➢ Borrego has completed full diligence including but not limited to a Drain Tile Survey, Wetland Delineation, Archeological Survey Phase I ESA Survey, Threatened and Endangered Species Identification, and an NRI Report on the northern half of the property which has significantly de-risked the project. By moving to the south, there are several unknowns may not allow us to build our project in that portion of the site (environmental risks, endangered species, etc.). These would not be fully vetted until after the 2018 growing season - forcing a delay to the project and thus canceling our agreement with the utility and not allowing this project to participate in the IL Adjustable Block Program.

Neighbor Accommodation 1:
➢ Borrego has submitted revised plans to the county to show additional Arborvitae to the north of the array to accommodate the concerns of the Village of Newark and neighboring residents. The installation spacing between plants has been reduced and the installation size of the proposed evergreen plants has been increased to a minimum 6 ft. in height. Further, the viewshed from the Bromeland home is primarily blocked due to existing trees – this additional screening will further restrict views from their location to the proposed system.
Neighbor Accommodation 2:
- Additionally, Borrego has moved the solar array system approximately 137' west from its initial location as to still abide by county setback requirements and further reduce visibility of the system from the Bromeland home. This was achieved by using an alternate panel (Hanwha 390 modules) which reduces the number of racks required. This updated system location is reflected in the revised plans that were submitted to the County.

2. Will Ameren customers in Newark have to pay a fee of any kind to “subscribe” to get their electricity from the solar project once it is up and running. Additionally, what will be the process for people who may want to opt in to participate. Will there be any guaranteed savings for them if they do? Could you outline the subscription process?
   - There are no fees associated with subscribing to projects typically in community solar markets and we do not anticipate this being any different in Illinois.
   - Subscribers should see electric bill savings between 15-20% (depending on the final project economics).
   - Details of how the subscription process will work as well as consumer protections are currently being developed by the Illinois Power Agency and the Illinois Commerce Commission. Once those are finished, community solar project owners will find subscribers through direct mail, online advertisements, community outreach, etc.

3. Can you provide more information regarding Fire Department Training?
   - Borrego Solar will perform a walk-thru of the system with the FPD to address questions and show them the location of all utility disconnects and other equipment on-site. If desired, BSSI can also provide site plans with emergency contact information.

Should you have any questions or need anything additional do not hesitate to contact me or Margaret Blum at 847-828-4272 / mblum@greenbergfarrow.com.

Sincerely,

Jason Bolling
Due Diligence Coordinator
July 2, 2018

Ms. Margaret Blum
GreenbergFarrow
21 South Evergreen Avenue, Suite 200
Arlington Heights, IL 60005

RE: No Wetland Impact Review Letter
16400 Newark Road, Newark, Kendall County, Illinois
Sec. 5, T35N R6E; Lat 41.534736N, Long -88.565952W
ENCAP Project #: 18-0115B

Dear Ms. Blum,

This letter has been prepared in order to review on-site wetland field conditions and wetland regulations for the above referenced property. The project area is generally bounded by Newark Road to the north, Clear Creek to the south, agricultural fields to the east, and agricultural fields, an off-site wetland, and upland prairie area to the west. The project area primarily consists of tilled and tilled agricultural field, recently utilized for the production of Corn (Zea mays).

Three low-quality farmed wetlands were identified on the project area and total 2.50 acres on-site. Although these wetlands are considered low-quality for vegetation purposes, this is due to their current farmed condition. A farmed wetland provides functional values for overland stormwater infiltration into local groundwater resources, filtration of pollutants, and soil microbe habitat benefits. Due to the values these farmed wetlands provide, both the U.S. Army Corps of Engineers (USACE) and Kendall County enforce regulations over these wetland features.

The deposition of dredged or fill materials into federally jurisdictional wetlands, farmed wetlands, or Waters of the United States is regulated by the USACE under Section 404 of the Clean Water Act. Under this section of the Federal Law, wetlands, farmed wetlands, or Waters of the U.S. are to be avoided and preserved by construction, grading, filling, dredging, or destruction to every extent possible. If such areas cannot be avoided by the proposed development, the applicant must provide justification as to why the areas cannot be avoided. This includes an analysis of site conditions and constraints, an alternatives site analysis, alternative layout analysis for the project, and other factors influencing the current layout of the project. IF alternative layouts are possible that would avoid impacts to wetland features on the site, then the USACE will require that project layout to be implemented for the project.

Kendall County enforces a similar regulation over isolated, non-federally jurisdictional wetlands, farmed wetlands, and waterways through their Stormwater Management Ordinance. The Ordinance provides for the protection of wetlands and other depressional storage areas from damaging modifications and adverse changes in runoff quality and quantity associated with land developments.
In both federal and local wetland regulations, the purpose is to preserve, avoid and minimize disturbance, fill, or destruction of wetland features as much as practicable. In addition, such regulations also require buffer strips to be placed around wetland features to aid in stormwater filtration, infiltration, and other beneficial functions to wetlands.

The proposed solar project for this site includes the construction of 256 strings of 27 solar modules, access roads, fencing and utility corridors. None of these modules or infrastructure will be located within any portion of the project area containing wetland resources. If the current layout were to change and include impacts to wetland features, a permit from either the USACE or Kendall County would need to be obtained prior to development.

It is the recommendation of ENCAP, Inc. to avoid impacts to on-site wetland features as much as practicable to preserve valuable aquatic features. If you should have any questions or would like to discuss these items further, please contact me at 815-748-4500 or srowley@encapinc.net.

Sincerely,
ENCAP, Inc.

Susan Rowley, PWS, CWS, LEED AP
Ecological Consulting Director
INTRODUCTION
Michael and Dayle Saar are requesting a map amendment rezoning the majority of the subject property from A-1 to R-1 in order to have the ability to sell the property and market the property as a single-family home site.

The petitioners own one (1) of the houses northeast of the subject parcel. They would like to divide a portion of the northeast corner off of the subject property and merge it with their property in the Timber Creek Subdivision and rezone the northeast corner to R-3 at some point in the future.

RECOMMENDATION
Staff recommends approval of the proposed map amendment because the proposal is consistent with the Land Resource Management Plan. The proposed ordinance is attached to this memo.

ACTION SUMMARY
KENDALL TOWNSHIP
Petition information was sent to Kendall Township on April 20, 2018. Kendall Township did not submit a formal objection to this request.

UNITED CITY OF YORKVILLE
Petition information was sent to the United City of Yorkville on April 20, 2018. The proposal went to the Yorkville Economic Development Commission on June 5th, the Yorkville Planning Commission on June 13th, and the Yorkville City Council on June 26th. The United City of Yorkville did not submit a formal objection to this request.

ZPAC
ZPAC met on this proposal on May 1, 2018. They unanimously recommended approval of the request.

KCRPC
The Kendall County Regional Planning Commission met on this proposal on May 23, 2018. They unanimously recommended approval of the request.

ZBA
The Kendall County Zoning Board of Appeals met on this proposal on June 4, 2018. They unanimously recommended approval of the request. The record of decision, including minutes of other County related meetings on this topic can be found at https://www.co.kendall.il.us/wp-content/uploads/Petition_18-14.pdf.

FINDINGS OF FACT
Existing uses of property within the general area of the property in question. The area is a mix of agricultural, farmstead, and rural estate residential uses.

The Zoning classification of property within the general area of the property in question. The properties to the east are zoned R-3. R-1, R-3, and Yorkville residential zoning are within ½ mile of the subject property.

The suitability of the property in question for the uses permitted under the existing zoning classification.
The property is too small for most modern agricultural uses. Homes are located on adjoining properties to the east and north and the subject property lacks an agricultural housing allocation which prevents the construction of a home on the property without a map amendment. The property would be suitable for most single-family residential related uses.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The proposed amendment fits the development of the area. This area will likely continue to become more residential if the United City of Yorkville continues to annex properties in the area. The proposed amendment benefits the Petitioner by giving him the opportunity to market and sell the property for a residential purpose instead of a purely agricultural use.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposed amendment is consistent with the Land Resource Management Plan.

SITE INFORMATION

PETITIONER: Michael and Dayle Saar

ADDRESS: Between 11614 and 11571 Route 71 on the East Side of the Road

LOCATION: 0.06 Miles Southwest of Timbercreek Drive on the East Side of Route 71

TOWNSHIP: Kendall

PARCEL #: 05-07-328-003

LOT SIZE: 4.2302 acres

EXISTING LAND USE: Agricultural
ZONING: A-1 Agricultural District

LRMP:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Agricultural</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>Route 71 is a State maintained highway</td>
</tr>
<tr>
<td>Trails</td>
<td>Trails are planned along Route 71</td>
</tr>
<tr>
<td>Floodplain/</td>
<td>There are no floodplains or wetlands in the area. A</td>
</tr>
<tr>
<td>Wetlands</td>
<td>stream runs along the southern boundary of the property.</td>
</tr>
</tbody>
</table>

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 to R-1

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

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>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Single-Family Residential</td>
<td>R-1 and R-3</td>
<td>Rural Residential</td>
<td>A-1, R-1, and R-3 (County)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>R-2 (Yorkville)</td>
</tr>
<tr>
<td>South</td>
<td>Agricultural/Residential</td>
<td>R-2 (Yorkville)</td>
<td>Estate Res (Yorkville)</td>
<td>R-2 (Yorkville)</td>
</tr>
<tr>
<td>East</td>
<td>Single-Family Residential</td>
<td>R-3</td>
<td>Rural Residential</td>
<td>A-1, R-1, R-2, R-3 RPD-3, and A-1 SU</td>
</tr>
<tr>
<td>West</td>
<td>Agricultural/Residential</td>
<td>A-1</td>
<td>Rural Residential</td>
<td>A-1 and R-1 (County)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>A-1 and R-2 (Yorkville)</td>
</tr>
</tbody>
</table>

The Timber Creek Subdivision is located to the north and east of the subject property.

The A-1 special use permit located east of the subject property is for boarding horses.

PHYSICAL DATA

ENDANGERED SPECIES REPORT
EcoCAT Report submitted and consultation was terminated.

NATURAL RESOURCES INVENTORY
The application for NRI was submitted on April 12, 2018. LESA score was 178 indicating a low level of protection.

GENERAL INFORMATION
The Petitioner desires the map amendment in order to have the ability to market and sell the property for single-family use. The subject property does not have an allocation for the construction of a home and does not possess forty (40) acres. Therefore, a map amendment is required in order to construct a home onsite.

The Petitioner does not believe that the property is large enough for farming.
The Land Resource Management Plan calls for this area to be rural residential in the future. Existing single-family homes are located to the north and east of the subject property. For these reasons, Staff does not believe that the approval of this request would constitute spot zoning.

**BUILDING CODES**
Any new homes or accessory structures would be required to meet applicable building codes.

**ACCESS**
The property fronts Route 71. Staff has no concerns regarding the ability of Route 71 to support a proposed home at this location.

**ODORS**
No new odors are foreseen.

**LIGHTING**
Any new lighting would be for residential use only. Staff does not foresee any concerns regarding lighting.

**SCREENING**
No fencing or buffer is presently planned for the property. Any new fences or plantings would be for a residential use. Any new fences would have to follow applicable regulations.

**STORMWATER**
Any new homes would have to be constructed per Kendall County’s Stormwater Management Ordinance.

**UTILITIES**
Electricity is near the property. A new well and septic system would have to obtain applicable permits.

**ATTACHMENTS**
1. Proposed Ordinance
ORDINANCE NUMBER 2018-_______

MAP AMENDMENT FOR A 4.23 ACRE +/- PARCEL LOCATED APPROXIMATELY 0.06 MILES SOUTHWEST OF TIMERCREEK DRIVE ON THE EAST SIDE OF ILLINOIS ROUTE 71 AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 05-07-328-003 IN KENDALL TOWNSHIP

Rezone from A-1 to R-1

WHEREAS, Section 13.07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; 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 4.23 acres located on the east side of Illinois Route 71 approximately 0.06 miles southwest of Timbercreek Drive (PIN: 05-07-328-003), in Kendall 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 Michael and Dayle Saar and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about April 12, 2018, Petitioner filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One-Family Residential District in order to market the property for sale and to construct a single-family home on the property at some point in the future; and

WHEREAS, following due and proper notice by publication in the Kendall County Record not less than fifteen days prior thereto, the Kendall County Zoning Board of Appeals conducted a public hearing on June 4, 2018, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested map amendment and zero members of the public asked questions or testified in favor or testified in opposition to the request; 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 Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated June 4, 2018, 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 of the requested Map Amendment; 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

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
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 Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One-Family Residential District as depicted on the drawing attached as Exhibit C hereto and incorporated herein.

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 Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of July, 2018.

Attest:

_________________________________         ____________________________________
Kendall County Clerk    Kendall County Board Chairman
Debbie Gillette         Scott R. Gryder
Exhibit A

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

That Part of Section 7, Township 36 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southwest corner of said Section 7; thence North 01°45'36" West along the West Line of said Section 7, a distance of 695.70 feet to the present center line of Illinois State Route No. 71; thence North 71°11'00" East along said center line, 37.40 feet; thence Northeasterly along said center line, being a tangential curve to the left with a radius of 6611.12 feet, an arc distance of 2271.16 feet to the southernmost line of a tract described in a Warranty Deed from Janet C. Shick to C.A. Bassak and Frances A. Bassak, husband and wife, recorded as Document Number 74-2411 on May 21, 1974 for the point of beginning; thence South 64°37'06" East, along said southernmost line, 575.55 feet to the Southerly extension of the monumented Westerly Line of Lot 35 of Timber Creek Subdivision; thence North 26°52'33" East along said Westerly Line and its extension, 266.47 feet; thence North 65°06'24"W, 107.12 feet; thence North 26°53'36" East, 180.04 feet to the monumented Southerly Line of Lot 37 and Lot 38 of said Timber Creek Subdivision; thence North 78°39'26" West, along said monumented Southerly Line and said Line extended, 321.83 feet to said center line; thence Southwesterly along said center line, 406.64 feet to the point of beginning in Kendall Township, Kendall County, Illinois.
Exhibit B

FINDINGS OF FACT

Existing uses of property within the general area of the property in question. The area is a mix of agricultural, farmstead, and rural estate residential uses.

The Zoning classification of property within the general area of the property in question. The properties to the east are zoned R-3. R-1, R-3, and Yorkville residential zoning are within ½ mile of the subject property.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is too small for most modern agricultural uses. Homes are located on adjoining properties to the east and north and the subject property lacks an agricultural housing allocation which prevents the construction of a home on the property without a map amendment. The property would be suitable for most single-family residential related uses.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The proposed amendment fits the development of the area. This area will likely continue to become more residential if the United City of Yorkville continues to annex properties in the area. The proposed amendment benefits the Petitioner by giving him the opportunity to market and sell the property for a residential purpose instead of a purely agricultural use.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposed amendment is consistent with the Land Resource Management Plan.
To: Planning, Building and Zoning Committee  
From: Matthew H. Asselmeier, AICP, Senior Planner  
Date: June 27, 2018  
Re: Petition 18-22-Repeal of Special Use at 4405 Van Dyke Road and the Property Immediately to the East of 4405 Van Dyke Road

The Southwest Community Church owns the property at 4405 Van Dyke Road. They received a special use permit in 2008 to have a place of worship on the property. Later in 2008, the County Board approved an amendment to the Southwest Community Church special use permit to allow the house on the property to be used as office space. The Southwest Community Church desires to sell the property for residential use and no longer wishes to have a special use permit on the property.

Based on the legal descriptions provided in the ordinances granting the special use permit at 4405 Van Dyke Road and amending the special use at the same address, the property immediately to the east of 4405 Van Dyke Road was inadvertently added to the special use permit. The owner of that property, Geraldine Declaration of Trust, would like the zoning of their property corrected by also having the special use permit revoked on their property.

If the proposed revocation is approved, both properties would be zoned A-1 Agricultural.

A proposed ordinance, map of the area, and Ordinance 2008-11 and 2008-21 are attached.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Draft Revocation Ordinance  
Area Map  
Ordinance 2008-11  
Ordinance 2008-21
ORDINANCE # 2018-_______

REVOKING A SPECIAL USE for
A PLACE OF WORSHIP AT 4405 VAN DYKE ROAD AND THE PROPERTY
IMMEDIATELY TO THE EAST OF 4405 VAN DYKE ROAD
(PARCEL ID NUMBERS 09-05-400-021 AND 09-05-400-020) IN SEWARD TOWNSHIP

WHEREAS, Southwest Community Church petitioned Kendall County in the manner required by
law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the
operation of a place of worship on their property located at 4405 Van Dyke Road in Seward
Township, identified by Parcel Identification Number 09-05-400-021; and

WHEREAS, said property is legally described the attached Exhibit “A”; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as
Ordinance 2008-11 on April 15, 2008; and

WHEREAS, Southwest Community Church petitioned Kendall County in the manner required by
law and the ordinance of Kendall County, Illinois for amending a special use permit for the
operation of a place of worship by converting the use of the existing house from a residence into
an office on their property located at 4405 Van Dyke Road in Seward Township, identified by
Parcel Identification Number 09-05-400-021; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as
Ordinance 2008-21 on June 3, 2008; and

WHEREAS, the property owned by Geraldine Declaration of Trust and identified by Parcel
Identification Number 09-05-400-020 was incorrectly included with the special use permit
awarded by Ordinance 2008-21; and

WHEREAS, Robert M. Eby is the President and Lead Pastor of Southwest Community Church
and is authorized to make requests on behalf of Southwest Community Church; and

WHEREAS, Geraldine A. Mann is authorized to make requests on behalf of Geraldine
Declaration of Trust; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use
permit holder to request revocation of said special use by written request to the County Board;
and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public
hearing is required for an owner-initiated revocation; and

WHEREAS, Southwest Community Church, owner, no longer desire the special use permit and
have stated in a letter as provided in attached Exhibit “B” that they voluntarily request that Kendall County revoke the special use permit on the above-referenced property; and

WHEREAS, Geraldine Declaration of Trust, owner, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit “C” that they voluntarily request that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 2008-11 and amended by Ordinance 2008-21 be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 2008-11 and amended by Ordinance 2008-21 on the subject property.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 17th day of July, 2018.

Attest:

___________________________________  ________________________________
Kendall County Clerk     Kendall County Board Chairman
Debbie Gillette     Scott R. Gryder
EXHIBIT A

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER 829.34 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF THE WEST HALF OF SAID SOUTHEAST QUARTER, WHICH FORMS AN ANGLE OF 90 DEGREES 15 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 1211.38 FEET TO THE CENTER LINE OF VAN DYKE ROAD; THENCE EASTERLY ALONG SAID CENTER LINE 501.65 FEET TO SAID EAST LINE; THENCE NORTHERLY ALONG THE EAST LINE OF THE WEST HALF OF SAID SOUTHEAST QUARTER 1231.69 FEET TO THE NORTHEAST CORNER OF SAID WEST HALF; THENCE WESTERLY ALONG SAID NORTH LINE, 501.22 FEET TO THE POINT OF BEGINNING, IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS.
June 20, 2018

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139 Fax: 630.553.4179

I, Robert M. Eby, am the President and Lead Pastor of the Southwest Community Church of the Assemblies of God ("Church"), owner at 4405 Van Dyke Road, Minooka, IL 60447. In this capacity, I am authorized to make the request in this letter on behalf of the Church.

On April 15, 2008, the property was granted a special use (Ordinance 2008-11). The special use granted in 2008 was granted for the operation of a church. The special use permit was amended on June 3, 2008 (Ordinance 2008-21) by allowing the house to be used as an office.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request on behalf of the Church that Kendall County revoke the Church’s special use permits on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use permits. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right and the Church’s right to a public hearing and formally request the above-referenced special use be removed from the Church’s property.

Dated: June 20, 2018

Southwest Community Church of the Assemblies of God

By: [Signature]
Robert M. Eby, its President and Lead Pastor

Attest: [Signature]
Notary Public
06/25/2018

---

Worship  Embrace  Discover  Share
God     People     the Faith     Life
06-21-2018

Kendall County Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street, Room 203
Yorkville, IL 60560-1498

Phone: 630/553-4139 Fax: 630/553-4179

Re: Parcel Number 09-05-400-020

To Whom it May Concern:

I, Geraldine A. Mann, represent the Geraldine Declaration of Trust, owner of the property on the north side of Van Dyke Road between 4405 and 4295 Van Dyke Road, Minooka, Illinois, and identified by Parcel Number 09-05-400-020.

On June 18, 2018 I received a letter dated June 15, 2018 from Matthew Asselmeier advising me that I owned a property in Kendall County that possessed a special use permit. I followed up with an email on that same day, asking for more details, and received a response identifying the above captioned property as the one possessing a special use permit.

According to the information provided in Mr. Asselmeier's response, the property was granted a special use (Ordinance 2008-11) on April 15, 2008 for the operation of a church. I also learned that this special use permit was amended on June 3, 2008 (Ordinance 2008-21) by allowing the house to be used as an office.

It would appear that my property was mistakenly included in a request made by Southwest Community Church who purchased 5.72 acres which adjoins my 16- acre parcel. Furthermore, I have no recollection of giving anyone permission to make such a request on my behalf. Also, it is important to note that I have been paying property taxes on this property since the date the special use (operation of a church) was granted.

In short, I hereby request that a correction be made in the Kendall County Zoning records, showing that the above captioned property should not have been classified under a special use permit.

Geraldine A. Mann, Trustee, Geraldine A. Mann Declaration of Trust

Attest: Vickie D. Wayne
Notary Public
ORDINANCE NUMBER 2008 - XX

GRANTING A SPECIAL USE for the
OPERATION OF A CHURCH to
SOUTHWEST COMMUNITY CHURCH

WHEREAS, Southwest Community Church, has filed a petition for a Special Use within the A-1 Agricultural Zoning District for the operation of a church pursuant to Section 7.01.D.7 of the Kendall County Zoning Ordinance for a 23 acre property located on the north side of Van Dyke Road between Grove Road and Mc Kanna Road, commonly known as 4405 Van Dyke Road (Pin # 09-05-400-016), in Seward Township, as legally described in “Exhibit A”; and

WHEREAS, said petition is to allow the operation of a church and use the existing barn as an administration building for 3-4 full time employees; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer held on March 25, 2008; and

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

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit per section § 7.01.D.7 (A-1 Special Uses-Churches) to permit the use indicated in the recitals section of this Ordinance and as indicated on the submitted Site Plan included as Exhibit “B” attached hereto and incorporated herein., subject to the following conditions:
1. The future church campus be submitted for site plan approval through the standard process called out in Section 13 of the Zoning Ordinance to make sure all requirements are met for the future buildings, including landscape plans and elevations.

2. The sign can be submitted as a building permit before site plan approval as long as it is in the same location shown on the plan.

3. Certificate of Occupancy and change in use is required prior to occupying and using the barn as an administration building.

4. Dedication of 20’ trail easement prior to Certificate of Occupancy.

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 April 15, 2008.

Attest:

John A. Church
Kendall County Board Chairman

Rennetta Mickelson
Kendall County Clerk
LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER 829.34 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF THE WEST HALF OF SAID SOUTHEAST QUARTER, WHICH FORMS AN ANGLE OF 90 DEGREES 15 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 1215.36 FEET TO THE CENTER LINE OF VAN DYKE ROAD; THENCE EASTERLY ALONG SAID CENTER LINE 501.65 FEET TO SAID EAST LINE; THENCE NORTHERLY ALONG THE EAST LINE OF THE WEST HALF OF SAID SOUTHEAST QUARTER 1331.69 FEET TO THE NORTHEAST CORNER OF SAID WEST HALF; THENCE WESTERLY ALONG SAID NORTH LINE, 501.32 FEET TO THE POINT OF BEGINNING, IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS.
EXHIBIT B
ORDINANCE NUMBER 2008 - 08-21

GRANTING A SPECIAL USE for the
OPERATION OF A CHURCH to
SOUTHWEST COMMUNITY CHURCH

WHEREAS, Southwest Community Church, has filed a petition for a Special Use within the A-1 Agricultural Zoning District for the operation of a church pursuant to Section 7.01.D.7 of the Kendall County Zoning Ordinance for a 23 acre property located on the north side of Van Dyke Road between Grove Road and McKanna Road, commonly known as 4405 Van Dyke Road (Pin # 09-05-400-020 & 09-05-400-021), in Seward Township, as legally described in “Exhibit A”; and

WHEREAS, said petition was approved on April 15, 2008 by the County Board as ordinance #08-11 for the operation of a church;

WHEREAS, said ordinance stipulated Southwest Community Church would utilize the existing barn for administrative purposes limited to 3-4 full time employees and group meetings;

WHEREAS, the testimony indicated the administration building would be utilized as administrative offices and meeting room space for church groups;

WHEREAS, the church now desires to utilize the existing residence as an administration office for 3-4 full time employees while retaining the ability to utilize the barn as meeting room space for church groups;

WHEREAS, the change is in keeping with the intended use of the property as approved by the Board and does not result in an increase in intensity of said use;
WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby amends ordinance #08-11 to provide for the following: approval of a special use zoning permit per section § 7.01.D.7 (A-1 Special Uses-Churches) to permit the use indicated in the recitals section of this Ordinance and as indicated on the submitted Site Plan included as Exhibit “B” attached hereto and incorporated herein, subject to the following conditions:

1. The future church campus be submitted for site plan approval through the standard process called out in Section 13 of the Zoning Ordinance to make sure all requirements are met for the future buildings, including landscape plans and elevations.

2. The sign can be submitted as a building permit before site plan approval as long as it is in the same location shown on the plan.

3. Certificate of Occupancy and change in use is required prior to occupying and using the barn as an administration building.

4. Dedication of 20’ trail easement prior to Certificate of Occupancy.

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 June 3, 2008.

Attest:

John A. Church
Kendall County Board Chairman

Rennetta Mickelson
Kendall County Clerk
Exhibit A

STREET ADDRESS: 4406 VAN DYKE ROAD
CITY: MINOOKA  COUNTY: KENDALL COUNTY
TAX NUMBER: 09-05-400-016

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 8 EAST OF
THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE
INTERSECTION OF THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 5 AND THE
CENTERLINE OF VAN DYKE ROAD; THENCE NORTH 01 DEGREES 28 MINUTES 36 SECONDS WEST
ALONG SAID WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 5, A DISTANCE OF 403.67
FEET; THENCE NORTH 89 DEGREES 31 MINUTES 36 SECONDS EAST, A DISTANCE OF 510.43
FEET; THENCE SOUTH 01 DEGREES 17 MINUTES 43 SECONDS EAST, A DISTANCE OF 494.35
FEET TO A POINT ON THE CENTERLINE OF SAID VAN DYKE ROAD; THENCE NORTH 89 DEGREES
28 MINUTES 25 SECONDS WEST, A DISTANCE OF 396.85 FEET TO AN ANGLE POINT IN THE
CENTER LINE OF VAN DYKE ROAD; THENCE NORTH 08 DEGREES 30 MINUTES 55 SECONDS WEST,
A DISTANCE OF 177.47 FEET TO THE POINT OF BEGINNING IN SEWARD TOWNSHIP, KENDALL
COUNTY, ILLINOIS.
EXHIBIT B
To: Planning, Building & Zoning Committee  
From: Matthew H. Asselmeier, AICP, Senior Planner  
Date: June 27, 2018  
Re: Zoning Ordinance Consolidation Memo

The Kendall County Zoning Ordinance is currently nineteen (19) separate documents. None of these documents are directly connected. As such, unlike many municipalities and counties, the Kendall County Zoning Ordinance is not a searchable document. In addition, several typographical and citation errors exists within the Kendall County Zoning Ordinance.

At the direction of County Administrator Koeppel, Staff asked Teska Associates, Inc. for a price quote to unify the Kendall County Zoning Ordinance into one (1) searchable document and correct typographical errors and citation errors. The price quote is attached. County Administrator Koeppel favored this project because the Zoning Ordinance is currently unsearchable and hard to use by the public; the project would also increase transparency.

As of the date of this memo, adequate funds exist in the Planning, Building and Zoning Department’s budget in the current fiscal year for this project. The project could also be postponed into the next fiscal year, if the Committee deems appropriate.

If you have any questions, please let me know.

MHA

ENC: Teska Associates, Inc. Price Quote
June 6, 2018

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

RE:    Cost Estimate for Zoning Ordinance Update

Dear Matthew:

Teska Associates, Inc is pleased to provide this cost estimate for review and revision to the Kendall County Zoning Ordinance. This effort would be a minor, but important, update to the code to accomplish the following:

• Verify, and adjust as needed, all cross-references in the code.
• Consolidate the code into one document (rather than the existing multiple separate chapters)
• Check for, and edit as needed, other existing typos
• Eliminate duplicate sections of the code with the enhanced cross-references
• Enhance the use of the PDF version of the code by:
  o Providing a ‘clickable-link’ to all defined terms
  o Making cross-references ‘clickable’ to that section of the code
  o Creating a table of contents that is ‘clickable’ to the relent section of the code

We propose the following process to accomplish this effort:

1. **Kick-off Meeting** - Meeting with County staff to review the scope, timeline, and any additional concerns with the existing code not noted above that could aid in the use of the zoning ordinance
2. **Code Updating** – Teska will edit and enhance the code as noted above and provide an electronic draft for staff to review.
3. **Additional Edits** – Based on comments from staff, Teska will complete additional edits as needed to complete the code update.

All initial work will be done using Microsoft Word and Adobe Acrobat, and all original files will be provided to the County upon completion of the work.
We propose to complete this work based on our standard hourly rates, with a not-to-exceed cap of $8,000. We would estimate the work to take approximately two months to complete. Let me know if you have any questions. We would be happy to modify this scope as needed to better match the needs of Kendall County.

Sincerely,

Michael E. Hoffman, AICP, PLA
Vice President
MEMORANDUM

To: Planning, Building and Zoning Committee  
From: Matthew H. Asselmeier, AICP, Senior Planner  
Date: June 27, 2018  
Re: NPDES Report Survey

According to Kendall County’s NPDES Permit, the County is supposed to survey residents and townships annually on stormwater related topics. WBK provided the attached list of questions.

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

Staff is considering using SurveyMonkey to gather information from residents. The cost of the survey depends on the length of time the survey is available. The cost is Thirty-Seven Dollars ($37) per month. Surveys will be mailed to the townships.

MHA

ENC: Suggested Questions
SurveyMonkey is a good, online tool to utilize for distributing surveys to different participants.

**Public Education and Outreach**
This survey could be given to members of the community who attend public meetings or volunteer events. It could also be included on the County’s website. Staff members of the County could also take this survey.

1. What topics are you interested in learning more about that the County could provide information on? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
   A. How to properly store and dispose of common household products such as fuel, oil, paint, etc.
   B. How to incorporate green infrastructure such as rain gardens, rain barrels, or permeable pavement onto my property to improve rainwater runoff.
   C. How to compost to reduce the amount of waste my household generates.

2. Do you utilize the stormwater information listed on the County’s website at https://www.co.kendall.il.us/planning-building-zoning/npdes/?
   A. Yes
   B. No

3. Do you find the stormwater information listed on the County’s website helpful?
   A. Yes
   B. No

**Public Participation/Involvement**
This survey could be given to members of the community who attend public meetings or volunteer events. It could also be included on the County’s website. Staff members of the County could also take this survey.

1. Do you think the County offers enough volunteer opportunities for members of the community?
   A. Yes
   B. No

2. Do you utilize the volunteer opportunities information listed on the County’s website at https://www.co.kendall.il.us/administration/volunteer-opportunities/?
   A. Yes
   B. No
3. Do you find the volunteer opportunities information listed on the County’s website helpful?
   A. Yes
   B. No

4. What volunteer opportunities would you be interested in participating in in the future?
   Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
   A. River clean-up
   B. Electronic recycling
   C. Household waste (fuel, oil, paint, etc.) recycling

**Illicit Discharge Detection & Elimination**
This survey could be given to the Townships within the County to evaluate their views on how illicit discharges are handled.

1. If an illicit discharge is identified by a Township staff member or reported to the Township office, do you work with the County to get it removed?
   A. Yes
   B. No
   C. Have not identified illicit discharge.

2. Do you feel the County is doing a sufficient job in identifying, tracking, and removing illicit discharges and non-stormwater discharges that are significant polluters within the County?
   A. Yes
   B. No
   C. There have not been illicit discharges identified within my Township.

3. What can the County do to better identify and track illicit discharges?
   A. Perform more visual inspections at outfalls throughout the County.
   B. Once an illicit discharge is identified perform more grab samples downstream of the location.
   C. Both of the above.
   D. None of the above.
   E. Other (Include text box for participants to fill in their answer).

**Construction and Post-Construction Runoff Control**
This survey could also be given to the Townships within the County.

1. Do you feel that the County does an adequate job inspecting soil erosion and sediment control on construction sites within your township?
   A. Yes
   B. No
C. There have not been construction projects within my Township during the past year.

2. What can the County do to better monitor soil erosion and sediment control issues on construction sites? (Include text box for participants to fill in their answer).

**Pollution Prevention/Good Housekeeping**
This survey could be given to staff members of the County to evaluate their views on the County’s pollution prevention practices.

1. Do you feel the County provides adequate training to staff members to keep them informed on stormwater pollution prevention practices?
   A. Yes
   B. No

2. Do you feel the County is taking necessary measures to reduce flooding throughout the County?
   A. Yes
   B. No

Township: ______________________________________________________

Name of Person Completing Survey (Optional): __________________________
MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: July 2, 2018
Re: 17-28 Proposed Text Amendments to Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

At their meeting on June 27, 2018, the Kendall County Regional Planning Commission requested that the Planning, Building and Zoning Committee consider the following amendments to the proposed outdoor shooting range zoning regulations:

1. The exemption for the Forest Preserve District and lands owned by the State of Illinois and used for parks should be removed. The public health, safety, and welfare issues that the proposal seeks to address are the same for publicly owned lands and privately owned lands.

2. The Commission would like the proposal divided into three (3) parts: shotgun, rifle, and pistol. The Commission believes that this division would resolve issues related to minimum lot size and distance to neighboring structures. In talking with PBZ Chairman Davidson, Staff believes that the resulting division would simply cause petitioners to request three (3) special use permits.

3. Commissioners were concerned regarding the removal of the five (5) acre minimum lot size requirement; ranges would simply have to meet the setbacks of the zoning district. PBZ Chairman Davidson would like the setbacks to be determined on a case-by-case basis.

4. Commissioners were concerned regarding the removal of the one thousand foot (1,000’) buffer between ranges and churches, schools, and neighboring houses. PBZ Chairman Davidson would like the distances to be determined on a case-by-case basis.

5. Commissioners were concerned about the noise requirement. Unlike other noise regulations, the sixty-five (65) dBa requirement would be constant instead of lowering to fifty-five (55) dBa at 10:00 p.m. PBZ Chairman Davidson would like the noise regulations to be evaluated on a case-by-case basis.

An unamended proposal is attached to this memo.

If you have any questions prior to the meeting on this topic, please let me know.

Thanks,

MHA

ENC: Proposed Text Amendment
Outdoor Target Practice or Shooting (not including private shooting in your own yard on your own property or shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State Parks) with the following conditions:

a. Requires conformity with NRA standards; provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book. (See requirements b, c, and d of the proposal)

b. Requires minimum parcel size of 5 acres, depending on the venue. Must meet setbacks of the zoning district. (See requirement k of the proposal)

c. Must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required. (See requirement f of the proposal)

d. State recognized, nationally recognized or NRA Certified range supervisor At least one (1) designated qualified person must be present at all times when firing is taking place at for-profit outdoor target practice or shooting ranges. The qualified person shall be knowledgeable of the type of shooting being supervised, shall be approved by the owner of the range, and shall know and enforce all range rules. (See requirement g of the proposal)

e. At least one (1) Range flag flown, a sign, cone, or red light lit at all times that firing is taking place. (See requirement h of the proposal)

f. Hours and days of operation as specified in the Special Use Permit to be determined by the County Board. (Unchanged-see requirement i of the proposal)

g. Access must be controlled by a gated entrance lockable gate. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing. (See requirement j of the proposal)

h. Hazardous waste plan addressing lead management required. (See requirement a of the proposal)

i. No discharge of lead shot into wetland. (See requirement o of the proposal).

j. Must be at least 1,000' from existing dwellings and property lines of schools, daycares, places of worship and airstrips. Must meet setbacks of the zoning district. (See requirement k of the proposal)

k. No alcohol allowed. (Unchanged-see requirement l of the proposal)

l. No projectiles shall leave the boundaries of the site. (Unchanged-see requirement m of the proposal)

m. All applicable Federal, State and County local rules and regulations shall be adhered to. (See requirement o of the proposal)

n. Must meet all requirements of the Kendall County Health Department. (See requirement o of the proposal)
o. Water and drainage plans must be approved by the Kendall County Planning, Building and Zoning Office. *(See requirement a of the proposal)*

p. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance. *(See requirement o of the proposal)*

q. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance. *(See requirement o of the proposal)*

r. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance *(Unchanged—see requirement p of the proposal)*

New regulations:

1. Safety area and range must be under the control of the operator of the range. *(Requirement e)*
2. Insurance requirement added. *(Requirement n)*
3. Noise requirement added; no distinction between day and night. *(Requirement q)*
4. New ordinance does not apply to existing ranges. *(Requirements r and s)*
5. New ranges open to the public are governed by this ordinance *(Requirements r and s)*
6. Easement provision contained in previous proposals was removed.
STATE OF ILLINOIS  
COUNTY OF KENDALL  

ORDINANCE # 2018- 

TEXT AMENDMENT TO SECTIONS 7.01.D.32, 7.01.D.33 AND 10.03.B.4 OF THE KENDALL COUNTY ZONING ORDINANCE PERTAINING REGULATIONS OF OUTDOOR COMMERCIAL SPORTING ACTIVITIES AND OUTDOOR TARGET PRACTICE OR SHOOTING RANGES (NOT INCLUDING PRIVATE SHOOTING IN YOUR OWN YARD)

WHEREAS, the Kendall County Planning Building and Zoning Committee requested a text amendment to Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance related to regulations of outdoor commercial sporting activities and outdoor target practice or shooting ranges (not including private shooting in your own yard) in the A-1 Agricultural District and M-3 Earth Materials Extraction, Processing and Site Reclamation District; and

WHEREAS, 55 ILCS 5/5-12001 grants Kendall County the authority to regulate and restrict the location and use of structures and uses for the purpose of promoting the public health, safety, morals, comfort and general welfare throughout the unincorporated areas of the County; and

WHEREAS, gun clubs were a permitted use in the A-1 Agricultural District under the Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, gun clubs were reclassified as a special use in the A-1 Agricultural District under the Kendall County Zoning Ordinances adopted in 1959 and July 9, 1974; and

WHEREAS, outdoor shooting ranges were classified as a similar use to gun clubs per the hearing of the Kendall County Zoning Board of Appeals on September 30, 1982 and were included as a special use in the A-1 Agricultural District by Ordinance 82-11 adopted November 9, 1982; and

WHEREAS, the restrictions governing target practice or shooting (not including private shooting in your own yard) in the A-1 Agricultural District and M-3 Earth Materials Extraction, Processing and Site Reclamation District were established through Ordinance 2013-14 adopted July 16, 2013; and

WHEREAS, the Kendall County Board amends this ordinance from time to time in the public interest; and
WHEREAS, all administrative procedures required prior to passing text amendments to the Kendall County Zoning Ordinance have been followed, including holding a public hearing, before the Kendall County Zoning Board of Appeals, which occurred on Month Day, 2018; and

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance as provided:

I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.

II. Amended Text: The existing language of Section 7.01.D.32 is hereby deleted and replaced with the following:

“7.01.D.32 Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting noise and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall exclude outdoor target practice (such exclusion extends to shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks), athletic fields with lights, paintball facilities and riding stables, including but not limited to polo clubs, and similar uses.”

III. Amended Text: The existing language of Section 7.01.D.33 is hereby deleted and replaced with the following:

“7.01.D.33 Outdoor Target Practice or Shooting (but not including private shooting on your own property or shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks) with the following conditions:

a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting ranges shall submit copies of all of the studies and plans suggested in the National Rifle Association’s Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan.
   1. The above referenced plans shall contain information as suggested by the National Rifle Association.
   2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.
   3. The safety plan shall describe the duties and qualifications of range supervisor(s).
4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirement of the National Rifle Association’s standards, the National Shooting Sports Foundation’s standards, or the United States Environmental Protection Agency’s best management practices standards.

5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.

6. Any changes to the above required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.

b. Range layout requires conformity with National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity with a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1’=100’). A licensed engineer or land surveyor shall prepare the documents.

c. The site plan for the proposed outdoor target practice or shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.

1. The safety area shall conform to National Rifle Association’s standards for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.

2. For the purposes of this regulation, the term “downrange safety area” shall mean the area away from the launching site towards the target. In cases of shooting ranges where targets are not stationary, appropriate baffling shall be provided.

d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20’) high and six feet (6’) thick at the top for ranges three hundred feet (300’) in length, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. For every thirty feet (30’) of firing line distance over twenty feet (20’), the berm height shall increase by ten feet (10’) in height as an example. Berms shall be located as follows:

1. Shotgun ranges – No berming required.

2. Ranges for handguns and rifles
   a. Target placement not to exceed twenty feet (20’) from the backstop.
b. Lateral not closer than thirty feet (30') from the firing line.
3. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.
4. In addition to berms, appropriate baffling may be installed over the firing line creating a "no blue sky" to prevent projectiles from overshooting the berm.

c. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.

d. The outdoor target practice or shooting range must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required.

e. At least one (1) designated qualified person must be present at all times when firing is taking place at for-profit outdoor target practice or shooting ranges. The qualified person shall be knowledgeable of the type of shooting being supervised, shall be approved by the owner of the range, and shall know and enforce all range rules.

f. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place.

i. Hours and days of operation shall be specified in the special use permit and determined by the County Board.

j. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing.

k. Must meet existing setbacks of the zoning district.

l. No alcohol allowed.

m. No projectiles shall leave the boundaries of the site.

n. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance amount shall be at a level
standard and customary for an outdoor target practice or shooting range. The insurance policy must be purchased from an A+ rated insurance company. An insurance policy meeting the above requirements must be maintained during the duration of the special use permit.

o. All applicable Federal, State and local rules and regulations shall be adhered to.

p. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).

q. No person shall cause or allow the emission of sound 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 residential property line of the complainant.

r. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance (insert date) shall be exempt from this sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.

s. Outdoor target practice and shooting ranges open to the public established after the date of the adoption of this ordinance (insert date) must comply with the above regulations or secure applicable variance(s)."

IV. Amended Text: The existing language of Section 10.03.B.4 is hereby deleted and replaced with the following:

"10.03.B.4 Outdoor Target Practice or Shooting (not including private shooting on your own property and shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks) with the following conditions:

a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting ranges shall submit copies of all of the studies and plans suggested in the National Rifle Association’s Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan.
   1. The above referenced plans shall contain information as suggested by the National Rifle Association."
2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.

3. The safety plan shall describe the duties and qualifications of range supervisor(s).

4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirement of the National Rifle Association’s standards, the National Shooting Sports Foundation’s standards, or the United States Environmental Protection Agency’s best management practices standards.

5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.

6. Any changes to the above required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.

b. Range layout requires conformity with National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity with a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1”=100’). A licensed engineer or land surveyor shall prepare the documents.

c. The site plan for the proposed outdoor target practice or shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.
   1. The safety area shall conform to National Rifle Association’s standards for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.
   2. For the purposes of this regulation, the term “downrange safety area” shall mean the area away from the launching site towards the target. In cases of shooting ranges where targets are not stationary, appropriate baffling shall be provided.

d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20’) high and six feet (6’) thick at the top for ranges three hundred feet (300’) in length, made of soft earth or other material that is
unlikely to cause ricochets, and containing no large rocks. For every thirty feet (30’) of firing line distance over twenty feet (20’), the berm height shall increase by ten feet (10’) in height as an example. Berms shall be located as follows:

1. Shotgun ranges – No berming required.
2. Ranges for handguns and rifles
   a. Target placement not to exceed twenty feet (20’) from the backstop.
   b. Lateral not closer than thirty feet (30’) from the firing line.
3. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.
4. In addition to berms, appropriate baffling may be installed over the firing line creating a “no blue sky” to prevent projectiles from overshooting the berm.

e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.

f. The outdoor target practice or shooting range must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required.

g. At least one (1) designated qualified person must be present at all times when firing is taking place at for-profit outdoor target practice or shooting ranges. The qualified person shall be knowledgeable of the type of shooting being supervised, shall be approved by the owner of the range, and shall know and enforce all range rules.

h. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place.

i. Hours and days of operation shall be specified in the special use permit and determined by the County Board.

j. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100’) intervals warning members of the public of the danger. Berming may substitute for fencing.

k. Must meet existing setbacks of the zoning district.

l. No alcohol allowed.
m. No projectiles shall leave the boundaries of the site.

n. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance amount shall be at a level standard and customary for an outdoor target practice or shooting range. The insurance policy must be purchased from an A+ rated insurance company. An insurance policy meeting the above requirements must be maintained during the duration of the special use permit.

o. All applicable Federal, State and local rules and regulations shall be adhered to.

p. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).

q. No person shall cause or allow the emission of sound 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 residential property line of the complainant.

r. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance (insert date) shall be exempt from this sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.

s. Outdoor target practice and shooting ranges open to the public established after the date of the adoption of this ordinance (insert date) must comply with the above regulations or secure applicable variance(s)."

V. Any completed application submitted prior to the date of the adoption of this ordinance shall follow the application procedures, requirements and restrictions in effect on the date that the completed application was submitted.

IN WITNESS OF, this amendment to the Kendall County Zoning Ordinance has been enacted by a majority vote of the Kendall County Board this XXth day of Month, 2018.

Attest:
Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder
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2017 VIOATIONS

Opened Follow up P3 Closed S40
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 5/4/18 Violation # V18-038

Address of Violation: 7686 Audrey Ave

City & Zip: Yorkville

Subdivision: FOFC Unit 2 Lot 28

Parcel Number: 05-02-125-001 Zoning: R3 PUD

Owner or Tenant: Hissig, Tim Ryan, Joyce

Description of Complaint: Trailer parked in front

Complaintant's Name: PB

Field Notes: Utility trailer is required first year

Inspector BLT Date 5/4/18

Photos Taken? Yes No

Section of Applicable Code

NOTES: 1st Note 5/4/18
2nd Note 5/21
3rd Note 6/5/18
PB7 6/19/18

DATE CLOSED:
05/04/2018

HIGGINS TIMOTHY P & RYAN JOYCE L
2290 S CRESCENT LN
AURORA, IL  60504

Violation # 18038
Parcel # 05-02-125-001
7686  AUDREY AVE
YORKVILLE, IL  60560  -

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:

PROHIBITED PARKING OF TRAILER(S)
VIOLATION OF ZONING ORDINANCE 11.05 A.1.B

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 Friday, May 18, 2018.

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,

[Signature]

Code Compliance Officer
Kendall County Planning, Building and Zoning
(630) 553-4141

05/23/2018
HIGGINS TIMOTHY P & RYAN JOYCE L
2290 S CRESCENT LN
AURORA, IL 60504

Violation # 18038
Parcel # 05-02-125-001
7686 AUDREY AVE
YORKVILLE, IL 60560 -

The attached letter was sent to you recently. As of today's date, the following violation still exists:

PROHIBITED PARKING OF TRAILER(S)
VIOLATION OF ZONING ORDINANCE 11.05 A.1.B

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, June 02, 2018.

Sincerely,

[Signature]

Code Compliance Officer
06/05/2018

HIGGINS TIMOTHY P & RYAN JOYCE L
2290 S CRESCENT LN
AURORA, IL 60504

Violation # 18038
Parcel # 05-02-125-001
7686 AUDREY AVE
YORKVILLE, IL 60560 -

The attached letter was sent to you recently. As of today's date, the following violation still exists:

PROHIBITED PARKING OF TRAILER(S)
VIOLATION OF ZONING ORDINANCE 11.05 A.1.B

FINAL NOTICE BEFORE REFERRAL TO STATE'S ATTORNEY'S OFFICE.

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 Friday, June 15, 2018.

Sincerely,

[Signature]

Code Compliance Officer
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

Violation # 18-023
Date 3/29/2018

Address of Violation: 29 ALODN ROAD

City & Zip: MONTGOMERY IL 60558

Subdivision: BOULDER HILL  Unit 15
Lot 58

Parcel Number: 03-05-276-021  Zoning: R6

Owner or Tenant: Samuel Ybarra

Description of Complaint:
JUNK & DEBRIS
INOPERABLE VEHICLE

Complaintant’s Name: [Redacted]  Contact Info: [Redacted]

Inspector MG  Date 3/29/2018

Field Notes: INOPERABLE VEHICLE

Photos Taken? Yes  No

Section of Applicable Code

Violation and Enforcement Letter 3rd Letter 4/12/18 - Plat
2nd Notice - Cancel Plat 5/2/18 - Plat

Re-Inspection Date Refer to PB2 6/9/18
03/29/2018

YBARRA SAMUEL
29 ALDON RD
MONTGOMERY, IL 60538

Violation # 18023
Parcel # 03-05-276-021
29 ALDON 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:

JUNK & DEBRIS VIOLATION
INOPERABLE VEHICLE VIOLATION

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, April 12, 2018.

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,

[Signature]

Code Compliance Officer
Kendall County Planning, Building and Zoning
(630) 553-4141

04/13/2018
YBARRA SAMUEL
29 ALDON RD
MONTGOMERY, IL  60538

Violation # 18023
Parcel # 03-05-276-021
29  ALDON RD
MONTGOMERY, IL  60538

The attached letter was sent to you recently. As of today's date, the following violation still exists:

JUNK & DEBRIS VIOLATION
INOPERABLE VEHICLE VIOLATION

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 Monday, April 23, 2018.

Sincerely,

[Signature]

Code Compliance Officer
05/03/2018
YBARRA SAMUEL
29 ALDON RD
MONTGOMERY, IL 60538

Violation # 18023
Parcel # 03-05-276-021
29 ALDON RD
MONTGOMERY, IL 60538 -

The attached letter was sent to you recently. As of today's date, the following violation still exists:

JUNK & DEBRIS VIOLATION
INOPERABLE VEHICLE VIOLATION

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, May 13, 2018.

Sincerely,

[Signature]

Code Compliance Officer
05/21/2018
YBARRA SAMUEL
29 ALDON RD
MONTGOMERY, IL 60538

Violation # 18023
Parcel # 03-05-276-021
29 ALDON RD
MONTGOMERY, IL 60538

The attached letter was sent to you recently. As of today's date, the following violation still exists:

JUNK & DEBRIS VIOLATION
INOPERABLE VEHICLE VIOLATION

FINAL NOTICE BEFORE REFERRAL TO PBZ COMMITTEE JULY 2018 MEETING

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, May 31, 2018.

Sincerely,

[Signature]

Code Compliance Officer
<table>
<thead>
<tr>
<th>Date Inspected</th>
<th>Violation V/N</th>
<th>Description</th>
<th>PIN #</th>
<th>Subdivision</th>
<th>Address</th>
<th>Case Name</th>
<th>Date Filed</th>
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<td>1/12/2017</td>
<td>V1</td>
<td>Possible drain line installation</td>
<td></td>
<td></td>
<td>03-08-154-014</td>
<td>139A Route 31</td>
<td>1/12/2017</td>
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<td>1/30/2013</td>
<td>V3</td>
<td>Possible drain line installation</td>
<td></td>
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<td>139A Route 31</td>
<td>1/30/2013</td>
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<td>139A Route 31</td>
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**Non Violation Complaints**
## Permit Summary by Category by Month

**Kendall County**

<table>
<thead>
<tr>
<th>Permit Category</th>
<th>Total</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
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<td>3</td>
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| Total                   | 118   | 12  | 10  | 22  | 22  | 24  | 26  | 2   | 0   | 0   | 0   | 0   | 0   |

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2017 - 14 Houses
June 2017 - 2 Houses
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<th>Permit Category</th>
<th>Count</th>
<th>Estimated Cost</th>
<th>Permit Fees</th>
<th>Land Cash</th>
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<td>Swimming Pools</td>
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<td>Decks</td>
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<td>Demolitions</td>
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<td>Electrical Upgrades</td>
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<td>Fire Restoration</td>
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<td>Patio</td>
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<td>Permit Category</td>
<td>Parcel Number</td>
<td>Property Address</td>
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<td>6/26/2018</td>
<td>012018132</td>
<td>01 House</td>
<td>0607228010</td>
<td>7464 FAIRWAY DR</td>
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<td>6/25/2018</td>
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<td>02 Garage</td>
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<td>04 Additions</td>
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<td>14103 BUDD RD</td>
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<td>6/19/2018</td>
<td>082018130</td>
<td>08 Barns/Farm Buildings</td>
<td>0416253001</td>
<td>8241 MILLBROOK RD</td>
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<td>6/13/2018</td>
<td>082018125</td>
<td>08 Barns/Farm Buildings</td>
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<td>8025 PLATTVILLE RD</td>
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<td>Permit ID</td>
<td>Permit Category</td>
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<td>Owner Name</td>
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<tr>
<td>6/13/2018</td>
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<td>12 Swimming Pools</td>
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<td>VELAZQUEZ MARIO &amp; MARIA</td>
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<td>6/5/2018</td>
<td>122018116</td>
<td>12 Swimming Pools</td>
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<td>FLORES ROBERT &amp; ADA M</td>
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<tr>
<td>6/13/2018</td>
<td>122018122</td>
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<td>20 Patio</td>
<td>0304155009</td>
<td>HILLIARD PHILLIP &amp; LAURA</td>
<td>14 PEMBROOKE RD MONTGOMERY, IL 60538-</td>
<td>BOULDER HILL UNIT 29</td>
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<td>5/3/2018</td>
<td>232018088</td>
<td>23 Generator</td>
<td>0416378004</td>
<td>MCCORMICK JANE</td>
<td>15753 SUMNER CT NEWARK, IL 60541-</td>
<td>ESTATES OF MILLBROOK UNIT 1</td>
<td>LEE LEGLER</td>
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<td>232018043</td>
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<td>MCLAUGHLIN R &amp; MCLAUGHLIN KATHERINE M</td>
<td>13 W BIRCH CT YORKVILLE, IL 60560-</td>
<td>FOXLAWN UNIT 1</td>
<td>Lee Legler Construction &amp; Electric Inc</td>
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<td>2/16/2018</td>
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<td>0504177013</td>
<td>KATZ DAVID W &amp; CATHERINE M</td>
<td>99 WOODEN BRIDGE DR YORKVILLE, IL 60560-</td>
<td>CROOKED CREEK WOODS</td>
<td>LEE LEGLER CONSTRUCTION &amp; ELECTRIC INC</td>
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<td>Month</td>
<td>FY17</td>
<td>FY18</td>
<td>FY18</td>
<td>Roadway</td>
<td>Cash</td>
<td>Offsite</td>
<td>FY17</td>
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<tr>
<td>November</td>
<td>$14,080.77</td>
<td>$19,898.00</td>
<td>$83,146.12</td>
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<td>$1.851.77</td>
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<td>$11,879.28</td>
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<td>$18,678.30</td>
<td>$16,578.60</td>
<td>$83,920.0</td>
<td>$110.00</td>
<td>$1.860.31</td>
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<td>$11,010.88</td>
<td>$103,306.66</td>
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<td>$1.871.49</td>
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<td>$25,301.68</td>
<td>$80.00</td>
<td>$83,146.12</td>
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<td>$1.842.18</td>
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<td>$21.087.33</td>
<td>$80.00</td>
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<td>$92,00.00</td>
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<td>$83,146.12</td>
<td>$0.00</td>
<td>$1.813.06</td>
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<td><strong>TOTAL</strong></td>
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