CALL TO ORDER
ROLL CALL: Amy Cesich, Lynn Cullick, Scott Gryder (Chair), Judy Gilmour (Vice-Chair) and Jeff Wehrli

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of minutes from the February 10, 2014 meeting.

EXPENDITURE REPORT- (handed out at meeting) Approval to forward the claims to the Finance Committee in an amount not to exceed $20,000

NEW BUSINESS
Kim Rieckert- concerns with the urban chicken ordinance

OLD BUSINESS
Discussion of what district(s) an excavating business would fall under
Discussion and approval of a Host fee Agreement with Green Organics, Inc.

PETITIONS
1. 14-01 Building Code Update including building permit fees
   Request Update of the Kendall County Building Code and fees

2. 14-02 Dickson Valley Ministries
   Request Major Amendment to A-1 Special Use for a camp and retreat center
   Location 8250 Finnie Road, Newark
   Purpose Request for a major amendment to their special use to add 42.6 acres and revise their site plan.

3. 13-29 Historic Preservation Ordinance Amendment
   Request Amendment to Historic Preservation Ordinance
   Purpose To eliminate the language for owner’s consent, change the percentage for a historic district from 100% to 51% (pages 7, 10, 11, 12 & 13) and add language about if an owner objects

PUBLIC COMMENT

UPDATE ON HISTORIC PRESERVATION-
UPDATE ON CMAP LAND USE COMMITTEE MEETING

PROJECT STATUS REPORT
PERMIT REPORT
REVENUE REPORT
CORRESPONDENCE
EXECUTIVE SESSION

ADJOURNMENT- Next meeting on April 14, 2014
KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of February 10, 2014

CALL TO ORDER
The meeting was called to order by Chairman Scott Gryder at 6:30 p.m.

ROLL CALL
Present: Chairman Scott Gryder, Amy Cesich, Vice-Chair Judy Gilmour, Lynn Cullick (6:54) and Jeff Wehrli
Absent: None
Also present: Planning & Zoning Manager: Angela Zubko, Administrator Jeff Wilkins & Code enforcement Brian
Holdiman
In the audience: Candice Hadley, Leigh Anne Scoughton, Dave Gravel, Attorney Gregg Ingemunson, Attorney
John Dixon, Bruce Schwartz, Ron Swacker (Caton Commercial), Bill Andelizzi and Bob Andelizzi

APPROVAL OF AGENDA
Judy Gilmour made a motion to approve the agenda as written, Jeff Wehrli seconded the motion. All agreed
and the motion was approved.

APPROVAL OF MINUTES
Judy Gilmour made a motion to approve the minutes from January 13, 2014. Jeff Wehrli seconded the motion. All agreed and the minutes were approved.

EXPENDITURE REPORT (handed out at meeting)
Judy Gilmour made a motion to approve the expenditure report in the amount of $14,388.73 and forward it
onto the Finance Committee, Amy Cesich seconded the motion. With a roll call vote all in attendance agreed
and the motion was approved.

PETITIONS-
#13-26 Green Organics Inc.
Planner Zubko stated last month we approved to forward the special use onto the full County Board. The SAO
has looked everything over and is of the opinion it would be better to take the host fees out of the special use
and have a separate agreement with the host fees. Planner Zubko stated the new draft ordinance for the
special use is in your packet eliminating the host fee attachment, she suggests to approve the amended
ordinance.

Jeff Wehrli made a motion to approve the amended special use and forward it onto the next County Board
meeting. Amy Cesich seconded the motion. All agreed and the special use will be forwarded on.

NEW BUSINESS
Discussion and approval of a host fee agreement with Green Organics Inc.- Planner Zubko stated in the
packet were the host fees that were previously in the ordinance. The SAO just needs direction to draft the
agreement. There was clarification on why there will be 2 documents and just wanted to make sure those fees are what the PBZ Committee would like the SAO to draft.

Jeff Wehrli made a motion to approve the host fee agreement with Green Organics Inc. and forward it onto the next County Board meeting when completed. Amy Cesich seconded the motion. All agreed and the host agreement was forwarded on.

Discussion of home business- Planner Zubko stated there have been some discussions and questions on home business so in the packet she has put the home occupation affidavit for agricultural and residential properties.

Discussion of what district(s) an excavating business would fall under- Planner Zubko stated some citizens were asking where an excavating business would fall in the Zoning Ordinance. Planner Zubko stated she feels it would fall under Contractor or Construction Services, Contractors’ Office and shops and outdoor storage. Attorney John Dixon introduced himself and stated this would be at Countryside Landscape off of Route 126. He stated farm equipment would be permitted in the A-1 zoning and something like outdoor storage might be the best way to address this concern. Mr. Ingemunson represents Countryside Landscaping and stated any outdoor storage would take place in the back of the property. Both businesses would run there together. There was some discussion on what would be stored outside and storage of fuel. Only equipment would be stored, no materials. Mr. Wehrli stated the site is perfect for this business but maybe not for the whole county as a special use in the Agricultural district. Ms. Gilmour asked about the business and where most of the jobs are at. The business currently is located in Countryside, IL. They are doing their due diligence right now so an answer is not necessary at this moment. The owner of Countryside stated unfortunately their business has downsized and the economy is tough. They’re looking to share the cost since the business is similar in nature. Mr. Gryder would like a little time to think about it and bring it back at the next PBZ meeting.

Ultimate Sports Dome Special use Discussion- Ordinance 2004-11- Planner Zubko stated in the packet is the current special use for the Ultimate Sports dome. The petitioners are looking to have haunted houses during Halloween. Planner Zubko is wondering if this would be considered a minor or amendment special use as it would be a recreational use. This would bring up the billboard issue and if we should update the conditions. The Committee decided this will be a minor amendment but they would like to see the billboard taken down.

PETITIONS-

#13-31 Candice Hadley

Planner Angela Zubko explained the request of the petitioner; Candice Hadley, is requesting a special use in the R-3 District to hold weddings and special events on site. This use would be considered a unique use: (Uses, not otherwise listed herein, may be granted special use approval if such uses conform to the purpose, goals and objectives of the Residential Zoning Districts as described in Section 8.01.) The property is located at 1542 Plainfield Road on the south side of Plainfield Road about 1.1 miles west of Ridge Road. Currently the petitioner has a special use on the property for a bed and breakfast, this special use will stay with the property and the proposed special use will be a separate special use. The reason is that Bed and Breakfasts are no longer permitted as a special use in the R-3 Residential District so the use will stay as a legal non-conforming use and would not be altered. The Zoning Ordinance does allow for banquet halls in the A-1 Agricultural district as a special use subject to the following conditions:

a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.

b. The subject parcel must be a minimum of 5 acres.
c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
g. The noise regulations are as follows:
   Day Hours: 7:00 A.M. to 10:00 P.M. not to exceed sixty five (65) dBA
   Night Hours: 10:00 P.M. to 7:00 A.M. not to exceed fifty five (55) dBA

This home is historic and eligible to apply for the National Registry of Historic Places. The house was built in 1865 by Gilbert Gaylord. The petitioner would meet all the requirements in the A-1 District and this property is unique therefore staff feels it falls under a unique use. The petitioner would like to hold catered events and weddings on site for a maximum of 100 guests held from May through October. The petitioner proposes to use a tent for events. No new buildings are proposed so the site will be used as is. The petitioner has stated that there is ample parking available in the field in the northeast corner of the property, as well as on the blacktop behind the home which was expanded to allow school bus turn-around. This road is the jurisdiction of the Kendall County Highway Department and the access to the site already exists. The property has a moon shaped driveway. The petitioner proposes that most events will take place Friday through Sunday and will be in compliance with the County’s noise ordinance. The petitioners have stated that portable toilets would be brought on premises for guests to minimize the impact on the septic system. The property currently has two septic systems and fields; and the field on the east side of the home was replaced within the past 10 years. The petitioner received approval at the December 10\textsuperscript{th} Oswego Township board and has already contacted the Village of Plainfield to do a 1.5 mile review of the proposed project.

Staff is comfortable with this request and recommends approval. If approved, Staff recommends the following conditions be placed on the controlling ordinance approving the R-3 Special Use:

1. The principal use of the property is for residential purposes.
2. A maximum of 100 persons at any one time
3. All events must end at 10pm on weeknights and 11pm on weekends.
4. All events must be catered unless modifications are made to the kitchen and approved by the Health Department.
5. Compliance with applicable building codes and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.
6. Allow a lit sign only to be lighted during the event and not to exceed 16 square feet in size. The lights must go off no later than the times specified in the special use. No electronic billboard.

The ZPAC Committee recommended approval but the following concerns were brought up: the speed limit of 55mph, the dangerous curve near the driveway, parking and use of existing outbuildings on the property.

The Plan Commission recommended approval of the special use and added the condition for the size of the sign and that it can be lit.

The Special Use hearing officer made a favorable recommendation.
Ms. Hadley is excited to share this beautiful home and property with the community and would love to share this with her disabled son and his friends.

Mr. Wilkins asked if they would connect the porta-potties to the septic system. Ms. Hadley stated they would not connect to their septic systems. Mr. Holdiman wanted to make sure the tent would not stay up for months at a time. Ms. Hadley stated he might leave it up for the weekend but it would be a grass floor and not become permanent. There was brief discussion on the liquor as well.

Lynn Cullick made a motion to approve the amended special use and forward it onto the next County Board meeting. Jeff Wehrli seconded the motion. All agreed and the special use will be forwarded on.

#14-03 Plat of Vacation
Planner Angela Zubko explained that last year we revised the text of the subdivision regulations to have plats of vacation/consolidations come to the ZPAC Committee and then onto the PBZ Committee. The petitioners, Kenneth and Penny Zollinger are looking to consolidate lots 42 and 43 of the Henneberry Woods Subdivision. The petitioner is looking to vacate the east public utility easement on lot 43 and vacate the west public utility easement on lot 42. The 15’ public utility easement on the north will extend across lot 43 and end at 42 as shown on the subdivision plat and the eastern 7.5’ public utility easement on Lot 42 and the western 7.5’ public utility easement of lot 43 will remain. After the granting of the plat of vacation the ultimate goal is to combine the two lots to make one large lot and build a house in the middle of the lots. To apply for the building permit the petitioner will need to get a plat of survey showing both lots combined together and the appropriate easements and setback lines.

Judy Gilmour made a motion to approve the plat and forward it onto the next County Board meeting. Jeff Wehrli seconded the motion. All agreed and the plat will be forwarded on.

#14-01 Building Code Update including building permit fees
Code Enforcement Officer Brian Holdiman stated he handed out a couple documents. The first is about the IL Energy Conservation Code, when it was created and why we need to enforce it. The next few documents go through the pros of the energy code and the cost savings annually versus the cost of installation. We’re in climate zone 5. Mr. Gryder stated there are Counties voting against adopting this? Mr. Holdiman stated yes but not sure what the challenges might be due to it being state law. Mr. Wehrli stated he talked to a couple municipalities and builders and the cost varied from around $3,000 to $5,000 on a million dollar house. There was more discussion on the energy code. He also passed out the redlined version of the building code and changes recommended last time. Last month we talked about the means of appeals process so on page 5 are the recommended changes. We have never had an appeal but just in case. Ms. Gilmour would like the subcommittee approved by the County Board as needed. Mr. Holdiman plans to have the clean version at the March meeting. To date Mr. Holdiman has not changed anything with relation to the National Electric Code. Mr. Wehrli asked about the fee schedule and how he came up with what he proposes. Mr. Holdiman stated some changed due to the plumbing inspector increase and the other changes he compared to what other counties and municipalities charge and picked the middle. The goal is to vote on this at the next meeting.

**OLD BUSINESS**— None

**PUBLIC COMMENT** — None

2.10.14 PBZ Meeting Minutes
UPDATE ON HISTORIC PRESERVATION: Planner Zubko stated last month we talked about changing the language in the Historic Preservation Ordinance from deleting owner’s consent to say something to the extent of “in the case of formal property owner objection to the designation, the landmark nomination would require a super majority vote by the County Board, after a public hearing is held.” Planner Zubko wanted everyone’s thoughts on this change. Planner Zubko will bring back the amended text next month.

UPDATE ON CMAP LAND USE COMMITTEE MEETING: The committee is still going over the revised goals of the Go To 2040 plan. This month they are having a guest speaker but unfortunately Planner Zubko cannot attend the meeting.

PROJECT STATUS REPORT—Reviewed
PERMIT REPORT—Reviewed
REVENUE REPORT—Reviewed
CORRESPONDENCE—None
EXECUTIVE SESSION—None

ADJOURNMENT: Next meeting will be on March 10, 2014
Jeff Wehrli made a motion to adjourn the meeting. Lynn Cullick seconded the motion. All agreed. Chairman Gryder adjourned the meeting at 8:17 p.m.

Respectfully Submitted,
Angela L. Zubko
Planning & Zoning Manager
02/07/14

Mr. Brian Holdiman,

The purpose of this letter is to speak out against the dangers of the Urban Chicken Ordinance which was initiated on October 19th, 2010, and request the Ordinance be reviewed based upon the consequences of allowing chickens in this area. Our property is approximately less than one tenth of a mile from Yorkville City Limits. We have lived here for 20-25 years without any problems regarding any animal/predator problems until the Wilewski/Wilewska family began bringing in chickens, roosters, and turkeys. I would like the opportunity to address these dangers and concerns with the State’s Attorney’s Office face to face and openly, prior to their rulings.

We had a very good relationship with our neighbors, the Piotr and Helena Wilewski (alias: Wilewska) family. Examples of our good neighbor relationship are as follows: We dressed up in a giant Easter Bunny costume and gave their girls each a gift certificate for dinner. Often we baked (from scratch and delivered while still hot) breads, various kinds of pretzels, dinners, bags of fresh fruit, cupcakes, purchased and delivered bouquets of flowers, etc. Several times, we mowed their yard (we all own at least 2 acres in our subdivision), cut down trees, weed wacked, cut firewood, tilled their massive garden and were there to hold them when they were overwhelmed and crying uncontrollably. Per the Wilewska family’s (Helena) requests, we even were asked to round up all of the chickens (she allowed them to roam freely a majority of the time), then feed and water them. The entire Wilewski/Wilewska family each one personally and repeatedly thanked us for the help and care we gave them. Helena told us we were like family.

Without any notice, discussion, or warning, we came home one day and there they were… chickens, a make-shift leaning fence propped up with broken tree branches, and a shack-type coop that was built without the County’s approval, knowledge, or proper permits issued.

Anna (daughter and recently was deeded the property) told us they had gone to the County to see if they could have chickens. Anna told me, “The county advised them they needed to check with their neighbors and if the neighbors “were cool with it, then they would be cool with it, too”. I told Piotr, Helena, Ann, and Gabriela we did not like, agree with, or approve any of this. I pointed out to Piotr and Anna that even after being told that by the County, you still did not come to us and ask. You were deceitful and went around us and just did whatever you wanted to do – no matter what. Separately, Piotr and Anna each had acknowledge that they had done exactly that, and each repeatedly apologized for having done so. I also advised them of the covenants that are on record at the Kendall County offices which clearly states they cannot have animals being raised on the property. There are also violations of doing things that are, or might become, annoying or a nuisance to the neighbors.

We reached out to the Kendall County Animal Control and the Kendall County Building and Zoning Departments for help and guidance.
Resulting from a lack of co-operation from the Wilewski/Wilewska family and the Building and Zoning’s attempt to resolve the matters, currently the Kendall County Building and Zoning has a case pending with the State’s Attorney’s Office regarding, among other various county violations, the keeping of chickens and roosters by the Wilewska family at 11 Arcadia Lane, Yorkville, IL.

We have requested the County to send multiple letters. Angela, from Kendall County Building and Zoning, sent the first letter specifying the chickens and rooster ordinance to them in 2013. Helena Wilewska told me she had received that letter. Per Helena, after receiving the letter, they choose to ignore the letter and proceeded to purchase 40 more. Anna Wilewska (Helena’s daughter) found an ad and purchased an additional 40 more chickens and roosters to their already exceeding limits! They already had more than the allowed 12 on their property at the time of purchase. I reiterated to Helena how the ordinance allows only for 12 chickens – no roosters. I also re-addressed the covenants on our properties clearly states she is not allowed to have chickens and roosters. Helena laughed and said, “Ha! They can’t do anything to me. I can do whatever I want. It’s my property and I pay big money to live here. I can do what I want!” (Note: In November of 2013 their house was going to be foreclosed so Helena deeded the house to 2 of their daughters – Anna and Gabriela of Naperville, IL.)

For a vast majority of the time, these animals have been allowed to roam the area with no effort by the Wilewska family to contain them. There was so many chickens and rooster, they were adding portable cages and moving them around the yard when they did attempt to cage them. They began placing these portable cages literally on the property line. I have provided you with photos showing how Helena would move the portable cage(s) up and down the property.

Even after receiving notice from the County, by August 2013, this problem had become so out of control, I began documenting the county violations with photographs. I also went to the County offices and purchased the records on file regarding the ordinances listed for the property. Those records clearly and specifically forbid any such animals to be on the property. It also states that nothing could be done on the property that is, or could become an annoyance or nuisance to the neighbors. I took those documents and spoke to the owner of the property, Piotr Wilewski. Piotr and I visited for a long time. We openly discussed and agreed the chickens and roosters had to be removed. The Wilewska family had an entire family of skunks that had now made their barn their home. Skunks had also made it impossible for us to go out to our yard. The stench of the chickens and now the added foul smell from the family of skunks was no longer tolerable. The chickens were not only dying from the care they were receiving, but also from the alarming numbers of predators the chickens were attracting. We have seen raccoons, foxes, hawks, coyotes, skunks and rodents – all to prey on these animals and their eggs and the enormous amounts of feed being stored and poured everywhere and freely. We agreed it was no longer a safe, peaceful, or healthy environment for either family. It truly had become dangerous and unhealthy. The animals must be removed – for the well being of everyone, including other families in the surrounding area.
Piotr was dying of cancer and had also developed gout. It was a hot day and they did not have any air conditioning running. Piotr was physically unable to get out of bed any longer. He was lying in only his undergarment and his leg was purple and his body was swollen. But he asked me to stay and talk with him so I did. To ensure everything was communicated clearly to his family he asked me to speak to them also. So, while I was there, he called Gabriela (daughter) and asked her to speak with me regarding the violations. Gabriela became upset and began raising her voice and arguing. She said she knew I was trying to be nice about it but needed to get off the phone before she said something she would regret. She then hung up on me. Piotr became very angry with his family, and then called Anna (another daughter). Piotr assured me they would abide by the covenants on the property and they would be removing the chickens and roosters.

Anna asked if they could continue keep the chickens and rooster for 3 more weeks. Then the animals would all be mature enough to kill them so the meat could be used for Piotr. We agreed to the 3 weeks and agreed all of them would be killed and there would not be any more chickens or rooster etc – ever. Anna said they didn’t even like chicken – it was all being done for Piotr. She stated the chickens had become a burden and were too much trouble. She also acknowledged that them having animals had become too many problems and not worth the dangers for anyone. She was upset that so many predators were now coming especially after Helena had recently killed 4 skunks in the middle of the night; it raised her awareness to the dangers. She especially was concerned for her Mom since Piotr was bed-ridden, it was getting worse with the predators and her Mom’s safety and her inability to handle or control the situation.

Helena, Anna, and Gabriella do not contact the Kendall County Animal Control to become involved with all of the daily predator problems. They do not want anyone knowing about all of the problems these chickens and roosters are causing. The proper way to handle animal problems is to notify the proper authorities – not to keep killing any animals that come on our properties. Helena told us she killed them with her bare hands after trapping their heads in the barn door. She did this in the middle of the night. Is it legal for us to begin killing any unwanted animals on our property? What accountability will be enforced? I have reported this to the Animal Control and nothing became of it.

As a matter of fact, on 09/07/13, in just 2 days after the Piotr’s funeral, the problems escalated significantly. Helena, Anna, and Gabriella began building a log wall on the property line to conceal all of the problems. These violations and problems are not by accident. They are violating the Ordinances and covenants intentionally, and determined to conceal, deceive, and manipulate in order to continue doing so. As soon as a ruling is made regarding these violations and the weather becomes warmer, we will all find ourselves dealing with the same problems - again. This wall is on our property. It is approx 6-7 feet tall and approx 15-20 ft long. They made so many trips around their barn to build this wall; they actually left ruts in our yard in order to build this log wall. They keep driving their tractor and trailer on to our property. And when they got the wall as large as they wanted, even Brian during an inspection, has seen how the wall has
collapsed into our yard. According to the covenants on record at the County office, this log wall is also a violation.

Anna then purchased 2 kinds of sausages from (her words) “the best store in Chicago for sausage” and gave them to us as an apology for the problems. Anna reiterated the family wishes to remove the chickens stating the only reason they wanted the chicken was for Piotr. It was agreed.

In September, a fire truck and an ambulance were at the house and preparing to take Piotr back for another stay at the hospital. I went to see what we could do to help. On multiple days Helena asked if we could gather chickens and roosters, then also feed and water them. The next day we went to the hospital. We visited and prayed with the family, including Piotr’s mother that had come in from Poland. On Labor Day, Anna came over to tell us Piotr had passed away. She said they still would like the 3 weeks for the chickens and roosters to mature, but then that would be the end of all of the problems that were a direct result of having them. Anna called a couple of days later to invite us to the wake and funeral. (I still have the voice mail.) We used vacation days to attend the small and intimate ceremony.

After it had been 6 weeks, Helena was driving around in our yard with her tractor and trailer. I reminded her about the agreement of 3 weeks and let her know that it was already 6 weeks since our agreement. She began screaming, stomping her feet, waving her arms and shaking her fists. She was screaming about the chickens. She insisted that nobody is going to tell her what she can and cannot do. She pays big money to live there and there’s nothing the County or anybody else can do about it. She said Anna would be visiting that coming Saturday and they would come over to discuss it. I reminded her that we had previously attempted to resolve the issues by arranging a meeting with them, and they simply do not show up or call. I asked her if they were going to show up this time, she began screaming and insisted they would be there. I honestly believed she was having a nervous breakdown and felt it was not safe to be around her – even though she was in my yard at the time. I immediately left and went into the house. When Saturday came, they did not come over or call, and Helena herself was not at home either.

They have had turkeys, chickens, and roosters bring raised on this property. On multiple occasions we have seen dead chickens/roosters not only in their yard, but also found them in our yard. We have found the remains of the dead chickens and roosters scattered throughout our yard also. Helena has also, on numerous occasions shared that she keeps finding dead chickens and didn’t know what it was causing these deaths (the care of the animals, disease, predators, conditions, etc).

After receiving multiple letters about the various violations, in a blatant effort to conceal the chickens and rooster, the Wilewska family dragged the coop structure into the inside edge of their barn and cut an access hole in the side of the barn. This hole in the side of the barn not only serves to allow the chickens and roosters free passage to the inside of the barn, but all predators free access as well.
They should not be allowed to use any part of their barn to house, store, or conceal animals, in any way. This barn is less than 10 feet from our property, which also is a specific violation of the Urban Chicken Ordinance.

Additionally, these chickens and roosters can fly much better than the Urban Chicken Ordinance makes provisions for. I have seen and photographed multiple chickens and/or roosters, on separate days, perched up in the trees to sleep. The height of the branches they were photographed at is nearly the same height at the barn itself. Obviously chickens and roosters can easily fly out of the fencing requirements as specified in the Urban Chicken Ordinance. Clearing the specified 4 ft fence is done with ease. We have witnessed them doing this on a regular and frequent basis. There are no guidelines addressing the proper and healthy care of the animals in the Ordinance. There are no specific instructions regarding required area to allow for proper ventilation of chicken confinements, required space enough to move/exercise, disease prevention, food and water resources, predator prevention etc (the list goes on). I also have photos of these animals trapped in small confinements, with too many climbing on top of each other, without food and or water. There were days these animals were also closed in the coop with the “access” door sealed closed – without food and water. Helena has left these 40 chickens and roosters trapped in a cage with no shade or shelter from the direct sun – during the excessive heat waves last year – only to come home to find more dead animals. We have had multiple conversations regarding these dead animals.

After repeated attempts from ourselves and from Kendall County Building and Zoning for co-operation, we have had to request the Kendall County Sheriff’s department to send Deputies out, multiple times to require them to restrain the 20-40 loose chickens and roosters. The neighbors have also requested the Kendall County to come out to their property because of the loose chickens and roosters. They tried to claim that we went over and opened the cage(s) and freed all of them. However; I have shown you a receipt showing that we were out of town at the time of the incident, therefore impossible for us to have played any part of those animals getting loose. Even the deputies that came back the next day confirmed they knew we didn’t do it, because they knew we were not even home. They had come over tell us about the chickens and roosters being reported loose for the third day in a row. Additionally, it would only make sense that if we had gone on their property and opened the cages, surely, we would have needed the Kendall County Sheriff’s deputies to come out for the 3rd day in a row to report on the animals and require them to control and contain the animals. Those animals were out because they were either allowed to continue roaming freely, or the cage(s) were not properly secured or maintained.

Within the past couple of months, the Kendall County Record covered a story how the Yorkville City Council had concerns and voted against “bees” being allowed in the area. There was also an article in the Beacon News on 11/27/13 regarding bees. In light of the concern the Yorkville City Council has shown regarding bees, how much more should the concern be regarding chickens and roosters with the added “predators, disease, smell and overall offensiveness” factored into the equation? How much should the penalties
and consequences be for property owners and/or their tenants be, when they willfully and intentionally violate Ordinances? Per the Beacon News Article, even for “bees”...

“I still have a problem with the fact that there’s no recourse for a neighbor,” said Alderman Carlo Colosimo, 1st Ward. “Someone plops a beehive next to a neighbor dead against it, and there is no recourse.”

Frieders had asked for a requirement that backyard beekeepers check with their neighbors first, to see if they have some objection.

But some aldermen said that is not enough. Colosimo suggested a provision be added saying all adjoining property owners must consent to a beehive next door. Kathy Orr, city attorney, suggested the consent be in writing.”

The dangers of disease and increased predators of wild animals possess a much greater risk to everyone. Wild animals hunting for their daily food is a much greater than the risk of bee stings! These predator animals have done this for so long now, they know exactly where to go to find a fresh and constant source of food and even use the barn and coop as their homes! This food source is not only the chickens and roosters, but the daily eggs, along with the bags of stored feed, and the food that is throw out all over the yard for the chickens and roosters. Chickens do not need roosters to lay eggs. These chickens lay eggs - daily. Those skunks have been in that coop so often, the whole area reeks of skunk spray, as does the barn. It at times has been so pungent, we cannot enjoy our yard, or do yard work.

Within the past 3-4 months we replace our garage door so we could allow access to our garage without having to get out and raise or lower the garage door manually. Because of the heightened awareness of these animals in my yard I have begun tracking the comings and goings on a daily basis. Out of the past 7 days, I have actually seen, on two separate sightings on different days, two different coyotes next to my house, and in my yard – both headed toward and looking at the neighbor’s barn. There are multiple coyotes involved. I have found there is a significant difference in the sizes of the paw prints. The animal prints I have found are coming closer than 5 feet from the door of my house. There are tracks going several directions through my yard and around their barn – even circling around it. The large amounts of freshly fallen snow has allowed me to closely monitor the traffic of animals and predators that are a direct result of these chicken and roosters being allowed and being kept in a barn less than 10 feet from my property. Since the day of your inspection, I have found the prints of skunks and rodent tracks coming from and around their barn. The coyotes are using our driveway on a regular route to cross our yard on their way toward the barn. During your on-site inspection, you also witnessed these large coyote prints headed toward the neighbors. You also have confirmed seeing multiple animal tracks at and around the barn during the most recent inspection when you were giving access to their property on 01/29/14. I have found new and fresh coyote prints on our driveway, next to our house, 7 out of 8 days in a row.

This Urban Chicken Ordinance is not safe or healthy for anyone!! These animals don’t come from or stay only in the “urban” areas. They are also traveling to heavily populated family subdivisions such as Timber Creek and Pavilion Heights, along with easy access
to the Harris Forest Preserve 1 mile down the road. As I stated above, we live approximately less than one tenth of a mile from Yorkville City Limits.

What provisions have been made for the victims of these Urban Chicken Ordinances? What measures of protection do we have from the possible disease from the chicken, roosters, and predators? With the steady and consistent presence of all of these predators (pretty much daily at this point), how much worse is it going to get with the changing of the seasons? These animals are hunting for daily food and they know exactly where they can find it. How much more aggressive will these animals become with so many other animals also coming to take their food source? With the upcoming weather changes, that will increase the easy access to these food sources – especially when the animals are left out in the open again.

At this point, Helena Wilewska is basically a “renter”. The two daughters (Anna and Gabriela Wilewska) that were deeded the property live in Naperville, IL. They do not live at 11 Arcadia Lane. They personally do not have to live with ANY of the consequences of allowing the chickens (or any other animals) to live there. They don’t smell it, hear it, live with it, and most importantly do not take accountability for these animals (and/or predators) on their own property or living in the community. They simply are not being held accountable in any way, for the daily activity or bearing the consequences this has imposed on us and our family.

We have strong concerns at to the consequences of the Urban Chicken Ordinance on our property values. If with uncertain employment and an unstable economy, if it became necessary for us to re-locate, how would this negatively impact a potential buyer’s desire to purchase our home? There would not be any way to conceal this from potential buyer – visibly seeing cages, fencing, coops, chickens/roosters, the offensive smells and predators.

Would it be possible to arrange a meeting with the State’s Attorney’s Office to address these dangers and concerns directly with them – before they make precedence setting rulings for not only this case, but future neighbors with concerns with family safety?

Thank you for your attention and assistance. It is sincerely and greatly appreciated.
c. Farm-type animals; shall be prohibited in the R-2 District with the exception of chickens.

2. Keeping of up to twelve (12) chickens on a zoning lot, provided that:
   a. The lot is a minimum one (1) acre
   b. No roosters shall be kept on any zoning lot
   c. No other poultry, including but not limited to geese, ducks, turkeys shall be kept on the property.
   d. All chickens shall be confined within a covered enclosure or an uncovered fenced enclosure at all times to prevent chickens from encroaching onto neighboring properties
   e. All confinements shall be located at least 10’ from all residentially zoned lots
   f. All uncovered fenced enclosures shall be at least four feet in height.
   g. No eggs or chickens shall be offered for sale on the premises
   h. All standards adopted by the Illinois Department of Agriculture and the Kendall County Health Department shall apply (Amended 10/19/10)

B. SPECIAL USES. The following uses may be allowed by a special use permit in accordance with the provisions of Section 13.00:

1. Any use permitted as a special use in the R-1 One-Family Estate Residence District, Section 8.02-C, except a bed and breakfast and that Planned Developments may be considered where the zoning lot proposed for development has a gross area of not less than forty acres.

2. Retail shops/office use that can satisfy the following requirements:
   a. The site must have direct access onto an arterial roadway as designated on the Transportation Plan.
   b. No outside storage of any materials or outdoor display.
   c. No sign, other than one identification sign, non-illuminated, non-flashing and 32 square feet shall be allowed. All other regulations with regards to height and location must be followed as outlined in Chapter 12.09 of this ordinance shall be allowed.
   d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Chapter 11 of this ordinance.
   e. No more than 3 employees are allowed to work on-site at one time.
   f. Contact the Health Department to make sure the septic system is adequate for the proposed use.
**KENDALL COUNTY BUILDING REGULATIONS**

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SECTION 1 - IN GENERAL

ADOPTION
The County of Kendall adopts as the building code of the County, the following documents with certain insertions, deletions, amendments and changes as listed in the Kendall County Building Regulations and also other County Ordinances or parts of Ordinances in conflict herewith are hereby repealed. Should a conflict arise between codes, then the most stringent requirement shall apply.

International Building Code 2006-2012
International Residential Code 2006-2012, Including Appendix F and Appendix G
Illinois State Plumbing Code 2004 as mandated by the State of Illinois
International Mechanical Code 2006-2012
International Fuel Gas Code 2012
International Energy Conservation Code 2012 as mandated by the State of Illinois
Illinois Accessibility Code

SCOPE
The Kendall County Building Code shall be applicable to all buildings and structures constructed, enlarged, erected, repaired, altered, demolished, relocated or change of use or occupancy or moved within the jurisdiction of the County of Kendall.

INTENT
The intent of the Building Code of Kendall County is to insure public safety health and welfare insofar as they are affected by building construction through structural strength, adequate means of egress facilities, sanitary equipment, light and ventilation and fire safety and, in general, to secure safety to life and property from all hazards incidental to the design, erection, repair, removal demolition or occupancy of buildings, structures or premises.

VIOLATION PENALTIES
Violations of this Code shall be processed in the manner prescribed for all other ordinance violations as established by the County Board. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of an ordinance violation, punishable by a fine of not less than $50 nor more than $1,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person who shall continue any work in or about the structure after having been served
with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $50.00 or more than $1,000.

Nothing herein shall prevent the Kendall County State’s Attorney from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.
MEANS OF APPEAL. shall be replaced in its entirety with the following: shall be replaced with the following:

An appeal may be taken to the County Planning, Building & Zoning Committee by any person aggrieved, from any order, requirement, decision or determination made by the Building Officer in his/her interpretation of the Kendall County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, or his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee, approved by the County Board by this ordinance, as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ committee.

The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indication such fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zoning subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

SAVING CLAUSE
Nothing in this ordinance or in the building codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited on page 1 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

DATE OF EFFECT
July 1, 1994

PURPOSE
The purpose of this Section is to establish minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of structures providing for the issuance of permits, collection of fees, making of inspection and providing penalties for the violations thereof.

ADOPTION
For the above-mentioned purpose, the County of Kendall in the State of Illinois, ADopts as part of the County Building Code the International Building Code 2006, each and all of the regulations, provisions, penalties, conditions and terms of said International Building Code 2006 herein referred to is adopted and made a part hereof as if fully set out in this document with the additions, insertions, deletions and changes as follows:

IBC Section 101.1 "Title" shall be replaced in its entirety with the following: Insert “Kendall County”

Title: These regulations shall be known as the building code of Kendall County, Illinois hereinafter referred to as “this code.”

Section 101.4.3 “Plumbing”. Delete - International Plumbing Code and insert State of Illinois Plumbing Code as most recently published.

IBC Section 102.1 “General” shall be hereby amended to include:

General: Decks and sheds located in approved campgrounds shall meet all applicable building codes, all applicable requirements of the Kendall County Campground Regulations and all requirements of the applicable Special Use Ordinance, but shall not require a building permit, and shall only be subject to an inspection during the annual campground inspection period.

Section 101.4.4 “Property maintenance”. Delete this section in its entirety.

IBC Section 105.2 “Work exempt from permit” This section shall be eliminated in its entirety. Delete 1. Under Building:

IBC Section 105.3 "Form of application" shall be replaced in its entirety with the following:
The application for a permit shall be submitted in such written form and shall be accompanied by such information, as the Code Official prescribes and shall also be accompanied by the required fee as listed in Section 7 of this code.

The following information shall accompany and be a part of the application:

1. Legal Description of property
2. Descriptive material, in drawn and written form, as to location and design of building, structures, plumbing or electrical installation, etc. as required by the building officer to assure compliance with this code.
3. Two (2) original plats of survey or building plot showing existing and proposed buildings, structures, and well and septic systems that will serve the proposed new structures along with locations of existing adjacent wells and septic systems to show the 75-foot separation as required by the State of Illinois Private Sewage Disposal Licensing Act and Code.
4. For construction, alterations and other work two (2) copies of construction plans (more if required by code official) drawn at an appropriate scale, specifications and test to show compliance with this code.
5. Commercial construction shall require the plans to be stamped by an Illinois registered architect or engineer.
6. Where construction is to occur on a lot with a designated flood plain area, the code official may require the elevation of the first floor of proposed building be shown on the plat along with the Base Flood Elevation and its location on the site.

IBC Section 105.5 “Expiration” shall be replaced in its entirety with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Kendall County Planning, Building and Zoning Committee is authorized to grant in writing an extension or extensions to permits which have been open for a period exceeding two years. The extension shall be requested in writing and justifiable cause demonstrated.

IBC Section 106.2 “Site Plan” shall be replaced in its entirety with the following:

Comment [ss4]: Included in body of the code.

Comment [ss5]: Move to Misc. County Provisions “Plat or Survey”

Comment [ss6]: Move to Misc Count Provisions “Site Plan”

Comment [ss7]: Included in body of code
"GRADING PLANS. All new permits need to be accompanied with a grading plan that needs to be completed by a licensed person or agency such as a surveyor or engineer. If the drawing is not done by a licensed person/agency, we would then need to send it to Kendall County's consulting engineer for review. An "as-built" grading plan will be required for the entire lot prior to issuance of an occupancy certificate. These requirements would not apply if the structure is a) Ag exempt, or b) situated such that no grading was required within 100 feet of an adjacent property or right-of-way."

IBC Section 106.3.107.3 "Examination of Documents" shall be replaced in its entirety with the following:

(a) An examination of a complete building permit application and the accompanying plans shall be made within twenty (20) working days or less of receipt of said application and plans, by or under direction of the Code Official.

(b) No building permit shall be issued for a building to be constructed on any lot, piece, parcel or tract of land that does not conform with provisions of all laws compiled in Chapter 765 ILCS 205 of the Illinois Revised Statutes, Kendall County Subdivision Regulations and Zoning Ordinance and other applicable ordinances in force from time to time in this county. No permit shall be issued unless and until the road base, for required roads in any subdivision, has been installed and approved by the proper authority. No permit shall be issued for any public building or facility, used by the public, unless plans and specifications for such building or facility meet the standards promulgated pursuant to the provision of the Illinois Accessibility Act. April 24, 1997.

(c) A permit shall be denied if plans or proposed work do not conform to requirements of this code or other pertinent laws and ordinances. A denial with reasons shall be given in writing upon request to the applicant.

(d) If proposed work conforms to requirements of this code and other pertinent laws and ordinances, a permit shall be issued in writing to proceed with work. One (1) set of plans and specifications, endorsed by the Code Official, will be kept at the County Offices and the second set, also endorsed by the code official, shall be kept on the job for all required inspections and re-inspections as indicated in Section 7.10 of this code.

AND ALSO, all other County Ordinances or parts of ordinances in conflict herewith are hereby repealed. May 14, 2006 Ordinance 306-26

IBC Section 108.2. "Schedule of Permit Fees" shall be replaced in its entirety by the following:

A fee for each plan examination, building permit and inspection shall be paid in accordance with the fee schedule listed in Section 7 of this ordinance.
Section 442.113 "Board of Appeals" shall be replaced in its entirety with the following:

An appeal may be taken to the County Planning, Building & Zoning Committee by any person aggrieved, from any order, requirement, decision or determination made by the Building Officer in his/her interpretation of the this ordinance Kendall County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, or his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee, approved by the County Board by this ordinance, as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ committee.

The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indication such fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zonings subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

Section 443.114.4 "Violation Penalties" shall be replaced in its entirety by the following:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a petty offense, punishable by a fine of not less than $50 nor more than $1,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 444.3.115.3 "Unlawful Continuance" shall be replaced in its entirety with the following:
Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $50.00 or more than $1,000.

Chapter 35 Referenced Standards

Change International Plumbing Code to Illinois Plumbing Code
Delete International Property Maintenance Code
Delete International Existing Building Code
Delete International Private Sewage Code
For all accessibility issues refer to Illinois Accessibility Code

IBC Section 406.4.1(1) "Separation" shall be replaced in its entirety with the following:

Private garages attached side-by-side to rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be completely separated from the interior spaces and the attic area by means of 1/2" gypsum board or the equivalent applied to the garage side. Doors shall be self-closing and self-latching.

IBC Section 1805.4.5 "Timber Footings"

This section shall be eliminated in its entirety. Kendall County does not permit timber footings or wood foundations. Only concrete footings and concrete and masonry foundations are permitted.

IBC Section 1805.4.6 "Wood Foundations"

This section shall be eliminated in its entirety. Kendall County does not permit timber footings or wood foundations. Kendall County does accept post-frame construction for accessory structures. Only concrete footings and concrete and masonry foundations are permitted.

IBC Add Section 1805.5.1.4 "Concrete Trench Foundations" which shall read as follows:

All trench foundations shall not be less than ten (10) inches in thickness, and forty-two (42) inches in depth and must bell out to twelve (12) inches at the base, and must be bare on clean, solid, undisturbed soil that will provide the required PСПs prescribed by code.
sustain the superimposed structure placed upon which shall not exceed one story (fourteen feet) at the highest point.

IBC—Add Section 3001.5 “Elevators”

See Kendall County Building Code, Section 8: Elevators.
SECTION 3 INTERNATIONAL RESIDENTIAL CODE 2006 2012

PURPOSE
The purpose of this Section is to establish minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of all one and two family dwellings and related structures; providing for the issuance of permits, collection of fees, making of inspection and providing penalties for the violations thereof.

ADOPTION OF INTERNATIONAL RESIDENTIAL CODE 2006
For the above-mentioned purpose, the County of Kendall in the State of Illinois, ADOPTS as part of the County Building Code the International Residential Code 2006. Each and all of the regulations, provisions, penalties, conditions and terms of said International Residential Code 2006 herein referred to is adopted and made a part hereof as if fully set out in this document with the additions, insertions, deletions and changes as follows:

Section 101.1 “Title” Insert “Kendall County”

IRC Section 105.2 “Work exempt from permit” This section shall be eliminated in its entirety.

IRC Section 105.5 “Expiration” This section shall be eliminated in its entirety. Shall be replaced in its entirety with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Kendall County Planning, Building and Zoning Committee is authorized to grant in writing an extension or extensions to permits which have been open for a period exceeding two years. The extension shall be requested in writing and justifiable cause demonstrated.

IRC Section 309.2 “Separation required” shall be replaced in its entirety by the following:

The garage shall be completely separated from the residence and its attic area by means of 5/8” gypsum board or equivalent applied to the garage side.

IRC Section 310.1 “Emergency escape and rescue required” is hereby amended to include the following:
KENDALL COUNTY BUILDING CODE

Each living unit shall be provided with two (2) exits without passing through any other living unit or through an attached garage. These exits shall be placed as remote from each other as practicable and shall be arranged to provide direct egress in separate directions from any point in the area served.

IRC—Miscellaneous

The following sections shall be eliminated in their entirety as Kendall County does not permit timber footings or wood foundations. Only concrete footings and concrete and masonry foundations are permitted.

R-402.1 Wood Foundations
R-404.2 Wood Foundation Walls
R-403.2 Wood Foundations
R-406.3 Damp Proofing for Wood Foundations
Figure 403.1-(2) Typical Details for Wood Fdn Bsmnt Walls
Figure 403.1-(3) Typical Details—Wood Fdn Crawl Spc Walls
Table 404.2.3D Plywood Grade and Thickness for Wdn Fdn Const
R-504-Treated Wood Floors

Section R112 “Board of Appeals” — Amend to read:

An appeal may be taken to the County Planning, Building & Zoning Committee by any person aggrieved from any order, requirement, decision or determination made by the Building Official in his/her interpretation of the ordinance. The County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, or his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee, approved by the County Board by this ordinance, as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ committee.

The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in
the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indication such fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zonings subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

Section R113.4 “Violation Penalties” – Amend to read:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a petty offense, punishable by a fine of not less than $50 nor more than $1,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section R114.2 “Unlawful Continuance” – Amend to read:

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $50.00 or more than $1,000.

IRC – Section 309.1 "Opening Protection" Add the following sentence:

A four inch (4") masonry or concrete gas curb shall be provided between habitable space and garage.

Section R313 “Automatic Fire Sprinkler Systems” – Delete in its entirety.

Section R501.3 “Fire Protection of Floors” – Delete in its entirety.

Section E3902.12 “Arc Fault Circuit Interrupter Protection” – Change location to bedrooms only.

Section E3905.8 “Boxes at Fan Outlets” – Delete 2nd paragraph.
Section E-4002.14 “Temper Resistant Receptacles” – Delete in its entirety.

For all accessibility issues refer to Illinois Accessibility Code.

Replace Chapters 25-34 Plumbing with Illinois State Plumbing Code.
SECTION 4 - NATIONAL ELECTRIC CODE 2005 2011

PURPOSE
The purpose of this section is to establish the minimum regulations governing the design, installation and construction of all electrical conductors and equipment by providing reasonable safeguards to protect the public health, safety and welfare against the hazards of inadequate or defective electrical installations.

ADOPTION
For the above-mentioned purpose, the County of Kendall in the State of Illinois, ADOPTS as part of the County Building Code the National Electrical Code 2005. Each and all of the regulations, provisions, conditions and terms of said National Electric Code herein referred to is adopted and made a part hereof as if fully set out in this document.

Section 210.12(A) “Arc Fault Circuit Interrupter Protection” – Change location to bedroom only.

Section 314.27(c) “Boxes at Ceiling – Suspended (paddle) Fan Outlets” – Delete paragraph 2.

Section 406.12 “Tamper resistant Receptacles in Dwelling Units” - Delete in its entirety.
SECTION 5 - ILLINOIS STATE PLUMBING CODE 2004 ILLINOIS PLUMBING CODE AS MANDATED BY THE STATE OF ILLINOIS

PURPOSE
The purpose of this Section is to establish the minimum regulations governing the design, installation and construction of plumbing systems, by providing reasonable safeguards for sanitation to protect the public health against the hazards of inadequate, defective or unsanitary plumbing installations.

ADOPTION
For the above-mentioned purpose, the County of Kendall, State of Illinois, ADOPTS as part of the County Building Code the Illinois State Plumbing Code 2004 Edition. Each and all of the regulations, provisions, conditions and terms of said Illinois State Plumbing Code herein referred to is adopted and made a part hereof as if fully set out in this document with the additions, insertions, deletions and changes as follows:
SECTION 6 – INTERNATIONAL MECHANICAL CODE 2012

Section 101.1 “Title” insert “Kendall County.”

Section 106.4.3 “Expiration” Replace with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced, The Kendall County Planning, Building and Zoning Committee is authorized to grant in writing an extension or extensions to permits which have been open for a period exceeding two years. The extension shall be requested in writing and justifiable cause demonstrated.

Section 106.5 “Fees” Delete

Section 108.4 “Violation Penalties” Replace with the following:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a petty offense, punishable by a fine of not less than $50 nor more than $1,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 109 “Means of Appeal” Replace with the following:

An appeal may be taken to the County Planning, Building & Zoning Committee by any person aggrieved, from any order, requirement, decision or determination made by the Building Officer in his/her interpretation of the this ordinance Kendall County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee, approved by the County Board by this ordinance, as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ.
The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indication such fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zonings subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

Chapter 15 Referenced Standards – Change the following:

Delete – International Existing Building Code
Change International Plumbing Code to Illinois Plumbing Code
SECTION 7 - INTERNATIONAL FUEL GAS CODE 2012

Section 101.1 “Title” insert “Kendall County”

Section 106.5.3 “Expiration” Replace with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Kendall County Planning, Building and Zoning Committee is authorized to grant in writing an extension or extensions to permits which have been open for a period exceeding two years. The extension shall be requested in writing and justifiable cause demonstrated.

Section 106.6 “Fees” - Delete

Section 109 “Means of Appeal” Replace with the following:

An appeal may be taken to the County Planning, Building & Zoning Committee by any person aggrieved, from any order, requirement, decision or determination made by the Building Officer in his/her interpretation of the this ordinance Kendall County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, or his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ committee.

The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indication such
fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zonings subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

Chapter F  Referenced Standards – Change the following:

Delete International Existing Building Code
Change International Plumbing Code to Illinois Plumbing Code
SECTION 8 – INTERNATIONAL ENERGY CONSERVATION CODE 2012

Section 101.1 "Title" insert "Kendall County"

Chapter 5 Referenced Standards – Change the following:

   Change International Plumbing Code to Illinois Plumbing Code
SECTION 6.9 - INSPECTIONS

INSPECTIONS

The following listed inspections are generally required. The owner or contractor shall request the designated inspection 48 hours in advance of the time when such inspection is to be made. An approved set of building plans shall be on the job site for all inspections. Plans not available on the site will be reason for a failed inspection. For all inspections a representative of the property owners should be present.

Following is a list of the usual inspections required for new construction.

1. Site Inspection

   At the time the permit is applied for the owner or builder shall put clearly visible stakes at the corners and offsets of all new construction and shall clearly mark the property boundary stakes. This inspection is conducted to satisfy the County zoning, flood plain and storm water management requirements before the permit is issued.

2. Footing Inspection

   This inspection is conducted after excavation when all the footing forms are in place and ready for the concrete to be poured.

3. Foundation Wall Inspection

   This inspection is conducted when forms are set and any reinforcement is in place before concrete walls are poured.

4. Backfill Inspection

   This inspection is to be done not less than 7 days after concrete has been poured. Foundation walls must be stripped of forms. Damp proofing should be applied and visible down to the footing. Perimeter drain tile must be in place and covered with gravel as required by code. Drain tile should be uncovered and visible at one point on each wall and at point of distribution. Anchor bolts should also be in place and visible. During or after backfill an “as-built” (including top of foundation and distance to lot lines) survey must be submitted and approved by the Code Official prior to framing.

5. Meter-Socket Inspection  Electrical Service Inspection

   This inspection is scheduled prior to power being provided by supplier.
6 Framing and Wiring

This inspection is done after the structure is framed; roofed and rough wiring is installed. This is done before any lath or inside wall covering or insulation is installed.

7. Underfloor Plumbing Inspection

This inspection is done when all the under concrete floor plumbing is installed. All underfloor plumbing must be left uncovered so that it can be visibly inspected.

8. Rough Plumbing

This inspection is done when all plumbing is installed and before insulation and drywall is in place.

9. Insulation Inspection

This inspection is done when all the insulation is installed. We will check to see all the insulation is installed as required for energy conservation. We would also check to see that all draft stopping is properly installed and complete at every level.

10. Slab inspection

This inspection is done prior to pouring concrete for a basement floor, garage floor or crawl space floor. The depth for concrete, placement of wire mesh and vapor barrier will be checked.

11. Final Plumbing Inspection before occupancy.

This inspection is done during the final occupancy inspection. All plumbing must be complete and operable.

12. Final or Occupancy Permit Inspection

Before calling the building office for a final inspection and occupancy permit, construction must be complete including heating, lighting, water and sanitary hookups, gutters, down spouts, steps, handrails, porches and all exterior finish. Final approvals of well, septic, and site development permits are also required before the release of the Certificate of Occupancy.
SECTION 7-10- FEES

The following fee schedule shall be applicable to the Kendall County Building Code:

Please Note: A $50.00 Zoning Certificate is required on ALL building permits.

<table>
<thead>
<tr>
<th>SECTION 1:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Single Family Residential Construction</td>
<td>$1,250.00 - $1,800.00</td>
</tr>
<tr>
<td>2. Garage - Detached</td>
<td></td>
</tr>
<tr>
<td>a. 121-599 square feet</td>
<td>$100.00</td>
</tr>
<tr>
<td>b. ≥600 square feet</td>
<td>$50.00/inspection + .08/sq.ft. - review</td>
</tr>
<tr>
<td>3. Accessory Structure</td>
<td></td>
</tr>
<tr>
<td>a. ≤120 square feet (Zoning Certificate required - $50.00)</td>
<td></td>
</tr>
<tr>
<td>b. 121-599 square feet</td>
<td>$100.00 - $150.00 + $150.00 Plumbing/Insp</td>
</tr>
<tr>
<td>c. ≥600 square feet (residential)</td>
<td>$50.00/inspection + Plumbing $150.00/Insp + .08/sq.ft. - review</td>
</tr>
<tr>
<td>d. ≥600 square feet (commercial)</td>
<td>$50.00/inspection + Plumbing $150.00/Insp + .08/sq.ft. - review</td>
</tr>
<tr>
<td>4. Sign</td>
<td></td>
</tr>
<tr>
<td>1. Non-illuminated</td>
<td>$100.00 + 1.00/sq.ft.</td>
</tr>
<tr>
<td>2. Illuminated</td>
<td>$150.00 + 1.00/sq.ft. + $50.00 Zoning Certificate</td>
</tr>
<tr>
<td>3. Temporary Sign</td>
<td></td>
</tr>
<tr>
<td>5. Deck (no additional fee when a deck is constructed concurrently with the house)</td>
<td>$125.00 - $150.00</td>
</tr>
<tr>
<td>6. Swimming Pool</td>
<td>$100.00 - $150.00</td>
</tr>
<tr>
<td>7. Demolition</td>
<td>$75.00 - $100.00</td>
</tr>
<tr>
<td>8. Communication Tower</td>
<td>$50.00 - $1,000.00</td>
</tr>
<tr>
<td>9. Moving or raising a structure, etc.</td>
<td>$75.00 - $100.00</td>
</tr>
<tr>
<td>10. Service Upgrades</td>
<td>$100.00</td>
</tr>
<tr>
<td>11. Driveway</td>
<td>$125.00 - $150.00</td>
</tr>
<tr>
<td>12. Patios, New &amp; Expansion of Existing (R-5, R-6, R-7 Only)</td>
<td>$50.00 Zoning Certificate</td>
</tr>
<tr>
<td>13. Reinspection</td>
<td></td>
</tr>
<tr>
<td>1. Residential, agricultural, etc.</td>
<td>$50.00</td>
</tr>
<tr>
<td>2. Other</td>
<td>$75.00</td>
</tr>
<tr>
<td>3. Plumbing</td>
<td>$150.00</td>
</tr>
<tr>
<td>14. Other, Residential, Agricultural</td>
<td>$50.00/inspection + .08/sq.ft. - review</td>
</tr>
<tr>
<td>1. Addition</td>
<td></td>
</tr>
<tr>
<td>2. Remodeling</td>
<td></td>
</tr>
<tr>
<td>3. Plumbing</td>
<td></td>
</tr>
<tr>
<td>4. Electrical</td>
<td></td>
</tr>
<tr>
<td>5. Miscellaneous</td>
<td></td>
</tr>
</tbody>
</table>
45. Permits other than Residential/Agricultural
   1. Addition $75.00
   2. Remodeling $75.00
   3. Plumbing $150.00
   4. Electrical $75.00
   5. Miscellaneous $75.00
48. Change of Occupancy $125.00 $150.00
49. Certificate of Occupancy $125.00 $150.00
   (When requested separately from the building permit)
50. Zoning Certificate (REQUIRED ON ALL PERMITS) $50.00

Notes to the Fee Schedule:

1. The permit fees for an attached garage or deck, a driveway, and similar appurtenances constructed in conjunction with the construction of the house are included in the permit fee for the house.
2. The permit fee for a driveway constructed in conjunction with the construction of a garage is included in the permit fee for the garage.

SECTION 2: Zoning Certificate Required

A Zoning Certificate shall be approved before a building permit may be issued and requires the payment of a separate fee.

SECTION 3: Address Required

The fee for assigning an address to a property shall be $25.00 $50.00

SECTION 4: Time of Payment

All permit fees shall be due and payable prior to the beginning of construction.
All reinspection fees shall be due and payable prior to each reinspection.

SECTION 5: Additional Review Fees

In addition to the fees set forth in this Ordinance, all applicants seeking the approval of a building permit shall reimburse Kendall County for all reasonable costs incurred as a result of the review of the application by a legal, engineering, or other special consultant. The applicant shall provide a deposit to cover the estimated consulting and review fees. Payment of the additional review fees shall be made prior to the issuance of the certificate of occupancy, EXCEPT, when the payment is fully and completely secured by a deposit, the actual payment may occur after the issuance of the certificate of occupancy.
SECTION 6: Waivers and Refunds

No waiver and no refund shall be made for any fee paid pursuant to this Ordinance without the approval of the Planning Building and Zoning Committee of the County Board, EXCEPT all fees for actions or activities by Kendall County or the Kendall County Forest Preserve District are hereby waived and all fees for non-profit organizations shall be charged half of the normal fees for permits; provided they show proof of non-profit status as determined by the Planning Building and Zoning department and that the permit be used only by the organizations itself. All other government entities shall be charged half of the normal fee for permits as determined by the Code Official.
SECTION 811- MISCELLANEOUS COUNTY PROVISIONS

ATTACHED GARAGES

(1) Construction requirements shall be the same as required for the attached dwelling.

(2) If door opening occurs between garage and dwelling a 4" curb will be provided at the connecting door or the garage floor shall be 4" lower than the adjoining dwelling floor.

(3) Fuel burning appliances may be installed on the floor of a residential garage provided a door of the garage opens to an adjacent ground or driveway level that is at, or below, the level of the garage floor. Where this condition does not exist, appliances shall be installed not less than eighteen (18) inches above the floor; such appliances shall be located, or reasonably protected so that they are not subject to physical damage by a moving vehicle.

(4) Hot air heat duct openings shall be a minimum of 4 feet over floor of garage with a fusible link fire damper. Cold air returns are not permitted.

BASEMENT ESCAPE-EXIT

Basements shall be provided with direct access to outside at grade by a door or window having an opening at least two (2) feet wide and thirty (30) inches high, with sill not more than forty-four inches (44") above the floor.

BASEMENT WINDOW WELLS

Each basement window that has a bottom sill that is below grade shall be protected by a window well of sufficient size to allow proper light and ventilation. Each window well shall have a 4" diameter drain at the bottom that rests on the footing tile. The well shall be back filled level with the drain with washed stone.

CRAWL SPACES

At least three (3) inches of granular fill or two (2) inches of concrete on top of the vapor barrier shall be provided. The distance between top of said granular fill or concrete and bottom of joist and girders shall be not less than twenty-four and not more than forty-eight (48) inches. Top of crawl space shall be insulated to the R-5 factor.
FRONT DOORS ENTRY

The front entry door shall have at least a 4' x 5' concrete stoop with a concrete footing and foundation or wood equivalent. No wing walls.

FIREPLACES. FACTORY-BUILT

(1) The exterior wall around a fireplace/chimney system shall be insulated as required for the dwelling to the ceiling line (in the case of cathedral ceilings, to the roof line). Insulation must be secured to prevent shifting of material.

GUTTERS

All new dwellings are required to have gutters and down spouts unless in the opinion of the code official an acceptable alternate method of roof storm water runoff has been designed and installed.

INSULATION REQUIREMENTS—Replaces International Residential Code 2006—Table N1102.1

The minimum insulation requirements shall be:

Walls—R-13
Ceilings—R-30
Crawl space walls or top of crawl space—R-5

Whenever blown insulation is used, a label must be placed adjacent to the access opening to the attic, stating how many inches have been installed uniformly and its R value.

LIGHT & VENTILATION SCHEDULE

All building plans submitted for review shall contain a light and ventilation schedule to show compliance with International Residential Code 2006 Section 303 "Light and Ventilation."

PIERS - CONCRETE

Piers are acceptable for open porches and decks only. The minimum pier sizes in inches shall
be 12” diameter by 42” deep for attached structures.

Exception – an enclosed room or porch will be allowed only if the prints are stamped and sealed by an Illinois State licensed architect or engineer.

PATIOS
Construction of new patios or expansions of existing patios which increase hard surface coverage in the R-5, R-6, and R-7 zoning districts shall require a building permit. Replacement of an existing patio that does not increase the size or amount of existing hard surface coverage will not require a permit. Ordinance 10-11 05-18-10

SMOKE DETECTORS

POOL TEMPORARY FENCES
A temporary fence shall be installed around all in ground swimming pools during excavation and construction. The design should be approved by the code official.

PORTABLE TOILETS
Each new single or multi family dwelling and commercial structures under construction shall have a portable toilet on site or other means approved by the code official.

ON-SITE REFUSE/CONSTRUCTION DEBRIS CONTAINERS
In all Residential, Business and Manufacturing Districts, an appropriately sized refuse container shall be placed on new construction sites to contain construction debris in a neat and orderly manner and to prevent the blowing or washing away of materials onto surrounding properties or into the public way. The refuse container will need to be in place prior to approval of a foundation through completion of all construction activity and shall be emptied as needed to prevent overfilling and provide adequate waste containment during the construction process. Ordinance 10-11 05-18-10

Comment [ss30]: Included in body of the IRC Code.
ELEVATORS

Permanent mechanical devices for the conveyance of passengers; including elevators, escalators, automobile lifts, man lifts, personnel hoists and moving sidewalks shall conform to all adopted codes of the County and the Office of the State Fire Marshall except as modified as follows:

The following shall be certified as conforming to all applicable codes.

1. Construction documents
2. Acceptance test
3. Periodic tests and inspections

Such certification shall be submitted by an ‘approved agency’. Such agency is hereby defined as a certified member of the National Association of Elevator Safety Authorities, or the American Society of Mechanical Engineers, or an equivalent approved by the Code Official.

Periodic tests and inspections shall be done at intervals of not more than six months or as otherwise required by the Code Official.

Elevators in residential structures shall be exempted from the periodic test and inspection requirements.

AGRICULTURE AND FARM RESIDENCE EXEMPTIONS

A. All uses defined as ‘agriculture’ and ‘farm residence’ in the Kendall County Zoning Ordinance and located on zoning lots of 5 acres and larger agricultural structures and buildings shall not be required to conform to the standards of the Kendall County Building Ordinance Code nor shall they be required to pay any building fees pursuant to (Ill.CS) chapter 55 Section 5/5-12001. An owner affidavit is required to identify the agricultural use. A site plan is required from the owner to confirm setbacks and flood plain compliance.

B. Owners of exempt ‘agriculture’ and ‘farm residence’ to be constructed may chose to voluntarily conform to the Kendall County Building Ordinance Code including plan submittal, inspections, certificate of occupancy, payment of fees, and all other procedures otherwise required of non-exempt construction.

CAMPGROUNDS

Decks and sheds located in approved campgrounds shall meet all applicable building codes, all applicable requirements of the Kendall County Campground
Regulations and all requirements of the applicable Special Use Ordinance, but shall not require a building permit, and shall only be subject to an inspection during the annual campground inspection period.

**CONCRETE TRENCH FOUNDATION**

All trench foundations shall not be less than ten (10) inches in thickness, and forty-two (42) inches in depth and must bell out to twelve (12) inches at the base, and must be on clean, solid, undisturbed soil that will provide the required PSI's prescribed by code to sustain the superimposed structure placed upon which shall not exceed one story (fourteen feet) at the highest point.

**PLATS OF SURVEY**

All building permits will require two (2) original plats of survey, certified by an Illinois State Licensed Surveyor showing existing and proposed buildings. Structures, water well and septic systems envelope that will serve the proposed new structures along with locations of existing adjacent well and septic systems demonstrating separation distances as required by State and County Health Codes and Ordinances. This may be waived at the discretion of Code Official if documents are not necessary to show compliance.

**SITE PLANS**

Where construction is to occur on a lot with a designated flood plain area, the code official may require the elevation of the first floor of proposed building be shown on the along with the Base Flood Elevation and its location on the site. The Code Official shall have the authority to specify required foundation elevations on lots or parcels of land that have soils with seasonal high water tables, drainage problems, or that may be subject to localized flooding. In such a case, the Code Official shall also have the authority to require a site grading plan. The plan shall show existing topographic features, ground contours and drainage patterns as well as proposed building elevation(s), site improvements, ground contours and drainage design. Elevation information shall be on national geodetic vertical datum (NGVD). Verification of the finished improvements shall be drawn on a plat of survey showing the building location, finished foundation elevation(s), ground contours and drainage improvements.
Ordinance 2014 -

AMENDMENT TO THE KENDALL COUNTY BUILDING CODE

BUILDING CODE ADOPTION ORDINANCE

WHEREAS, in order to ensure public safety, health and welfare insofar as they are affected by building construction, through structural strength, adequate means of egress facilities, sanitary equipment, light and ventilation, and fire safety; and

WHEREAS, in order to secure safety to life and property from all hazards incidental to the design, erection, repair, removal, demolition or occupancy of buildings, structures or premises; and

WHEREAS, in order to provide penalties for the violation of the Kendall County Building Code;

NOW THEREFORE, BE IT ORDAINED, THAT THE COUNTY BOARD OF THE COUNTY OF KENDALL THAT: the following published editions are HEREBY ADOPTED as the Building Code of the County of Kendall, State of Illinois, for the control of buildings and structures and each and all of the regulations, provisions, penalties, conditions and terms of these documents hereby referred to are made a part of this ordinance as if fully set out in this ordinance with certain insertions, deletions and changes as listed in the Kendall County Building Code, attached hereto as Exhibit “A”.

International Residential Code, 2012 Edition Including Appendix F and G
Illinois State Plumbing Code,( most recently published)
International Mechanical Code, 2012 Edition
Illinois Accessibility Code

ADOPTED this _______ day of ___________ 2014.

EFFECTIVE this 1st day _____, 2014.

Chairman, County Board of Kendall County

ATTEST

______________________________
Kendall County Clerk
KENDALL COUNTY BUILDING REGULATIONS

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SECTION 1 - IN GENERAL

ADOPTION
The County of Kendall adopts as the building code of the County, the following documents with certain insertions, deletions, amendments and changes as listed in the Kendall County Building Regulations and also other County Ordinances or parts of Ordinances in conflict herewith are hereby repealed. Should a conflict arise between codes, then the most stringent requirement shall apply.

- International Building Code 2012
- International Residential Code 2012, Including Appendix F and Appendix G
- National Electric Code 2011
- Illinois Plumbing Code as mandated by the State of Illinois
- International Mechanical Code 2012
- International Fuel Gas Code 2012
- International Energy Conservation Code 2012 as mandated by the State of Illinois
- Illinois Accessibility Code

SCOPE
The Kendall County Building Code shall be applicable to all buildings and structures constructed, enlarged, erected, repaired, altered, demolished, relocated or change of use or occupancy within the jurisdiction of the County of Kendall.

INTENT
The intent of the Building Code of Kendall County is to insure public safety health and welfare insofar as they are affected by building construction through structural strength, adequate means of egress facilities, sanitary equipment, light and ventilation and fire safety and, in general, to secure safety to life and property from all hazards incidental to the design, erection, repair, removal demolition or occupancy of buildings, structures or premises.

VIOLATION PENALTIES
Violations of this Code shall be processed in the manner prescribed for all other ordinance violations as established by the County Board. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of an ordinance violation, punishable by a fine of not less than $50 nor more than $1,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person who shall continue any work in or about the structure after having been served
KENDALL COUNTY BUILDING CODE

with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $50.00 or more than $1,000.

Nothing herein shall prevent the Kendall County State’s Attorney from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

MEANS OF APPEAL shall be replaced with the following:

An appeal may be taken to the County Planning, Building & Zoning Committee by any person aggrieved, from any order, requirement, decision or determination made by the Building Officer in his/her interpretation of the Kendall County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, or his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee, approved by the County Board by this ordinance, as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ committee.

The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indication such fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zonings subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

SAVING CLAUSE

Nothing in this ordinance or in the building codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or
any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited on page 1 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

DATE OF EFFECT
July 1, 1994
SECTION 2 – INTERNATIONAL BUILDING CODE 2012

Section 101.1 "Title" Insert "Kendall County"

Section 101.4.3 “Plumbing” Delete - International Plumbing Code and insert State of Illinois Plumbing Code as most recently published.

Section 101.4.4 “Property Maintenance” Delete this section in its entirety

Section 105.2 “Work exempt from permit” Delete 1. Under Building:

Section 105.5 “Expiration” shall be replaced in its entirety with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 day after the time the work is commenced. The Kendall County Planning, Building and Zoning Committee is authorized to grant in writing an extension or extensions to permits which have been open for a period exceeding two years. The extension shall be requested in writing and justifiable cause demonstrated.

Section 114.4 "Violation Penalties" shall be replaced in its entirety by the following:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a petty offense, punishable by a fine of not less than $50 nor more than $1,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 115.3 "Unlawful Continuance" shall be replaced in its entirety with the following:

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $50.00 or more than $1,000.

Section 113- "Board of Appeals" shall be replaced in its entirety with the following:

An appeal may be taken to the County Planning, Building & Zoning Committee by any
person aggrieved, from any order, requirement, decision or determination made by the Building Officer in his/her interpretation of the Kendall County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, or his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee, approved by the County Board by this ordinance, as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ committee.

The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indication such fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zonings subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

Chapter 35- **Referenced Standards**

- Change International Plumbing Code to Illinois Plumbing Code
- Delete International Property Maintenance Code
- Delete International Existing Building Code
- Delete International Private Sewage Code
- For all accessibility issues refer to Illinois Accessibility Code
SECTION 3- INTERNATIONAL RESIDENTIAL CODE 2012

Section 101.1 “Title” Insert “Kendall County”

Section 105.2 “Work exempt from permit” This section shall be eliminated in its entirety.

Section 105.5 “Expiration” Shall be replaced in its entirety with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Kendall County Planning, Building and Zoning Committee is authorized to grant in writing an extension or extensions to permits which have been open for a period exceeding two years. The extension shall be requested in writing and justifiable cause demonstrated.

Section R112 “Board of Appeals” – Amend to read:

An appeal may be taken to the County Planning, Building & Zoning Committee by any person aggrieved, from any order, requirement, decision or determination made by the Building Officer in his/her interpretation of the Kendall County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, or his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee, approved by the County Board by this ordinance, as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ committee.

The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee
members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indication such fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zonings subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

Section R113.4 “Violation Penalties” – Amend to read:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a petty offense, punishable by a fine of not less than $50 nor more than $1,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section R114.2 “Unlawful Continuance” – Amend to read:

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $50.00 or more than $1,000.

Section 309.1 "Opening Protection" - Add the following sentence:

A four inch (4") masonry or concrete gas curb shall be provided between habitable space and garage.

Section R313 “Automatic Fire Sprinkler Systems” – Delete in its entirety

Section R501.3 “Fire Protection of Floors” – Delete in its entirety

Section E3902.12 “Arc Fault Circuit Interrupter Protection” – Change location to bedrooms only.

Section E3905.8 “Boxes at Fan Outlets” – Delete 2nd paragraph.

Section E4002.14 “Temper Resistant Receptacle” – Delete in its entirety
For all accessibility issues refer to Illinois Accessibility Code.

Replace Chapters 25-34 Plumbing with Illinois State Plumbing Code.
SECTION 4 - NATIONAL ELECTRIC CODE 2011

Section 210.12(A) “Arc Fault Circuit Interrupter Protection” – Change location to bedroom only

Section 314.27(c) “Boxes at Ceiling Suspended (Paddle ) Fan Outlets” – Delete paragraph 2

Section 406.12 “Tamper Resistant Receptacles in Dwelling Units” – Delete in its entirety
SECTION 5 - ILLINOIS PLUMBING CODE

AS MANDATED BY THE STATE OF ILLINOIS.
SECTION 6 – INTERNATIONAL MECHANICAL CODE 2012

Section 101.1 “Title” insert “Kendall County”

Section 106.4.3 “Expiration” Replace with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 day after the time the work is commenced. The Kendall County Planning, Building and Zoning Committee is authorized to grant in writing an extension or extensions to permits which have been open for a period exceeding two years. The extension shall be requested in writing and justifiable cause demonstrated.

Section 106.5 “Fees” – Delete

Section 108.4 “Violation Penalties” Replace with the following:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a petty offense, punishable by a fine of not less than $50 nor more than $1,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 109 “Means of Appeal” Replace with the following:

An appeal may be taken to the County Planning, Building & Zoning Committee by any person aggrieved, from any order, requirement, decision or determination made by the Building Officer in his/her interpretation of the Kendall County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, or his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee, approved by the County Board by this ordinance, as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ
committee.

The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indication such fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zonings subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

Chapter 15 **Referenced Standards** – Change the following:

Delete – International Existing Building Code
Change International Plumbing Code to Illinois Plumbing Code
SECTION 7 – INTERNATIONAL FUEL GAS CODE 2012

Section 101.1 “Title” insert “Kendall County”

Section 106.5.3 “Expiration” Replace with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Kendall County Planning, Building and Zoning Committee is authorized to grant in writing an extension or extensions to permits which have been open for a period exceeding two years. The extension shall be requested in writing and justifiable cause demonstrated.

Section 106.6 “Fees” - Delete

Section 109 “Means of Appeal” Replace with the following:

An appeal may be taken to the County Planning, Building & Zoning Committee by any person aggrieved, from any order, requirement, decision or determination made by the Building Officer in his/her interpretation of the Kendall County Building Code. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Code Official and with the County Planning, Building & Zoning Committee a notice of appeal, specifying the grounds thereof. The County Planning, Building & Zoning Committee shall thereupon set a reasonable date, time, and place for a hearing of said appeal, and shall cause written notice thereof to be mailed to the appealing party, or his attorney and to the Code Official. The Kendall County Planning, Building and Zoning Committee shall appoint a subcommittee, approved by the County Board by this ordinance, as needed that would include two qualified individuals based upon experience and training on matters pertaining to building construction and one member of the PBZ committee.

The County Planning, Building & Zoning subcommittee may reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination as in its opinion ought to be done or made in the premises, and to that end shall have all the powers vested in the Code Official by this Ordinance.

The concurring vote of the majority of the Planning, Building & Zoning subcommittee members shall be necessary to reverse, in whole or part, or to modify, any orders, requirements, decisions or determinations of the Code Official. The County Planning, Building & Zoning subcommittee shall keep minutes of its proceedings hereunder, showing
the vote of each member upon every question, or, if absent or failing to vote, indication such fact, and shall also keep records of its examinations and other official actions.

All decisions of the County Building & Zonings subcommittee hereunder shall be reduced to writing, filed with the clerk of the County Board, and a copy thereof mailed to the appealing party and to the building officer.

Chapter F **Referenced Standards** – Change the following:

Delete International Existing Building Code
Change International Plumbing Code to Illinois Plumbing Code
SECTION 8 – INTERNATIONAL ENERGY CONSERVATION CODE 2012

Section 101.1 “Title” insert “Kendall County”

Chapter 5 Referenced Standards – Change the following:

Change International Plumbing Code to Illinois Plumbing Code
SECTION 9 - INSPECTIONS

INSPECTIONS

The following listed inspections are generally required. The owner or contractor shall request the designated inspection 48 hours in advance of the time when such inspection is to be made. An approved set of building plans shall be on the job site for all inspections. Plans not available on the site will be reason for a failed inspection. For all inspections a representative of the property owners should be present.

Following is a list of the usual inspections required for new construction.

1. Site Inspection
   At the time the permit is applied for the owner or builder shall put clearly visible stakes at the corners and offsets of all new construction and shall clearly mark the property boundary stakes. This inspection is conducted to satisfy the County zoning, flood plain and storm water management requirements before the permit is issued.

2. Footing Inspection
   This inspection is conducted after excavation when all the footing forms are in place and ready for the concrete to be poured.

3. Foundation Wall Inspection
   This inspection is conducted when forms are set and any reinforcement is in place before concrete walls are poured.

4. Backfill Inspection
   This inspection is to be done not less than 7 days after concrete has been poured. Foundation walls must be stripped of forms. Damp proofing should be applied and visible down to the footing. Perimeter drain tile must be in place and covered with gravel as required by code. Drain tile should be uncovered and visible at one point on each wall and at point of distribution. Anchor bolts should also be in place and visible. During or after backfill an “as-built” (including top of foundation and distance to lot lines) survey must be submitted and approved by the Code Official prior to framing.

5. Electrical Service Inspection
   This inspection is scheduled prior to power being provided by supplier.

6. Framing and Wiring
   This inspection is done after the structure is framed; roofed and rough wiring is installed. This is done before any lath or inside wall covering or insulation is installed.
7. **Underfloor Plumbing Inspection**
   This inspection is done when all the under concrete floor plumbing is installed. All underfloor plumbing must be left uncovered so that it can be visibly inspected.

8. **Rough Plumbing**
   This inspection is done when all plumbing is installed and before insulation and drywall is in place.

9. **Insulation Inspection**
   This inspection is done when all the insulation is installed. We will check to see all the insulation is installed as required for energy conservation. We would also check to see that all draft stopping is properly installed and complete at every level.

10. **Slab Inspection**
    This inspection is done prior to pouring concrete for a basement floor, garage floor or crawl space floor. The depth for concrete, placement of wire mesh and vapor barrier will be checked.

11. **Final Plumbing Inspection before occupancy.**
    This inspection is done during the final occupancy inspection. All plumbing must be complete and operable.

12. **Final or Occupancy Permit Inspection**
    Before calling the building office for a final inspection and occupancy permit, construction must be complete including heating, lighting, water and sanitary hookups, gutters, down spouts, steps, handrails, porches and all exterior finish. Final approvals of well, septic, and site development permits are also required before the release of the *Certificate of Occupancy*. 
## SECTION 10 – FEES

The following fee schedule shall be applicable to the Kendall County Building Code.  
**Please Note: a $50.00 Zoning Certificate is required on ALL building permits.**

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Single Family Residential Construction</td>
<td>$1,800.00</td>
</tr>
<tr>
<td>2</td>
<td>Accessory Structures –</td>
<td></td>
</tr>
<tr>
<td></td>
<td>≤ 120 square feet</td>
<td>$50.00 Zoning Certificate</td>
</tr>
<tr>
<td></td>
<td>121-599 square feet</td>
<td>$150.00 – Plumbing $150.00/Insp</td>
</tr>
<tr>
<td></td>
<td>≥ 600 square feet (residential)</td>
<td>$50.00/inspection – Plumbing $150.00/Insp + .08/sq.ft. for plan review</td>
</tr>
<tr>
<td></td>
<td>≥ 600 square feet (commercial)</td>
<td>$75.00/inspection – Plumbing $150.00/Insp + .08/sq.ft. for plan review</td>
</tr>
<tr>
<td>3</td>
<td>Signs –</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Non-illuminated</td>
<td>$100.00 + 1.00 per square foot</td>
</tr>
<tr>
<td></td>
<td>Illuminated</td>
<td>$150.00 + 1.00 per square foot</td>
</tr>
<tr>
<td></td>
<td>Temporary</td>
<td>$50.00 Zoning Certificate</td>
</tr>
<tr>
<td>4</td>
<td>Deck</td>
<td>$150.00</td>
</tr>
<tr>
<td>5</td>
<td>Swimming Pool</td>
<td>$150.00</td>
</tr>
<tr>
<td>6</td>
<td>Demolition</td>
<td>$100.00</td>
</tr>
<tr>
<td>7</td>
<td>Communication Tower</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>8</td>
<td>Moving or raising a structure</td>
<td>$100.00</td>
</tr>
<tr>
<td>9</td>
<td>Service Upgrades</td>
<td>$100.00</td>
</tr>
<tr>
<td>10</td>
<td>Driveway</td>
<td>$150.00</td>
</tr>
<tr>
<td>11</td>
<td>Patios – New &amp; Enlarging (R-5, R-6, R-7 Only)</td>
<td>$50.00 Zoning Certificate</td>
</tr>
<tr>
<td>12</td>
<td>Re-inspection Fee –</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Residential</td>
<td>$50.00</td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td>$75.00</td>
</tr>
<tr>
<td></td>
<td>Plumbing</td>
<td>$150.00</td>
</tr>
<tr>
<td>13</td>
<td>Other Residential/Agricultural</td>
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<tr>
<td></td>
<td>Addition</td>
<td>$50.00/inspection</td>
</tr>
<tr>
<td></td>
<td>Remodeling</td>
<td>$50.00/inspection</td>
</tr>
<tr>
<td></td>
<td>Plumbing</td>
<td>$150.00/inspection</td>
</tr>
</tbody>
</table>

*.08/sq.ft. for plan review + $50.00/inspection*
Electrical $50.00/inspection
Miscellaneous $50.00/inspection

14. Permits other than Residential /Agricultural
   Addition $75.00/inspection
   Remodeling $75.00/inspection
   Plumbing $150.00/inspection
   Electrical $75.00/inspection
   Miscellaneous $75.00/inspection

15. Change of Occupancy $150.00
16. Certificate of Occupancy $150.00
17. Zoning Certificate – REQUIRED ON ALL PERMITS $50.00

Notes to the Fee Schedule
The permit fees for an attached garage, deck, or a driveway and similar appurtenances constructed in conjunction with the construction of the house are included in the permit fee for the house. The permit fee for a driveway constructed in conjunction with the construction of a garage is included in the permit fee for the garage.

Zoning Certificate Required
A zoning certificate shall be approved before a building permit may be issued and requires the payment of a separate fee.

Address Required
The fee for assigning an address to a property shall be $50.00.

Time of Payment
All permit fees shall be due and payable prior to the beginning of construction. All re-inspection fees shall be due and payable prior to each inspection.

Additional Review Fees
In addition to the fees set forth in this Ordinance, all applicants seeking the approval of a building permit shall reimburse Kendall County for all reasonable costs incurred as a result of the review of the application by a legal, engineering or other special consultant. The applicant shall provide a deposit to cover the estimated consulting and review fees. Payment of the additional review fees shall be made prior to the issuance of the certificate of occupancy, EXCEPT, when the payment is fully and completely secured by a deposit, the actual payment may occur after the issuance of the certificate of occupancy.
Waivers and Refunds
No waiver and no refund shall be made for any fee paid pursuant to this Ordinance without the approval of the Planning, Building and Zoning Committee of the County Board, EXCEPT, all fees for actions or activities by Kendall County or the Kendall County Forest Preserve District are hereby waived and all fees for non-profit organizations shall be charged half of the normal fees for permits; provided they show proof of non-profit status as determined by the Planning, Building and Zoning department and that the permit be used only by the organization itself. All other government entities shall be charged half of the normal fee for permits as determined by the Code Official.
SECTION 11- MISCELLANEOUS COUNTY PROVISIONS

FRONT DOOR-ENTRY
The front entry door shall have at least a 4' x 5' concrete stoop with a concrete footing and foundation or wood equivalent. No wing walls.

GUTTERS
All new dwellings are required to have gutters and down spouts unless in the opinion of the code official an acceptable alternate method of roof storm water runoff has been designed and installed.

PIERS - CONCRETE
Piers are acceptable for open porches and decks only. The minimum pier sizes in inches shall be 12" diameter by 42" deep for attached structures.
Exception – an enclosed screened room or porch will be allowed only if the prints are stamped and sealed by an Illinois State licensed architect or engineer.

PATIOS
Construction of new patios or expansions of existing patios which increase hard surface coverage in the R-5, R-6, and R-7 zoning districts shall require a building permit. Replacement of an existing patio that does not increase the size or amount of existing hard surface coverage will not require a permit. Ordinance 10-11, 05-18-10

POOL TEMPORARY FENCES
A temporary fence shall be installed around all in ground swimming pools during excavation and construction. The design should be approved by the code official.

PORTABLE TOILETS
Each new single or multi family dwelling and commercial structures under construction shall have a portable toilet on site or other means approved by the code official.

ON-SITE REFUSE/CONSTRUCTION DEBRIS CONTAINERS
In all Residential, Business and Manufacturing Districts, an appropriately sized refuse container shall be placed on new construction sites to contain construction debris in a neat and orderly manner and to prevent the blowing or washing away of materials onto surrounding properties or into the public way. The refuse container will need to be in place prior to approval of a foundation through completion of all construction activity and shall be emptied as needed to prevent overfilling and provide adequate waste containment during the construction process. Ordinance 10-11, 05-18-10
ELEVATORS
Permanent mechanical devices for the conveyance of passengers; including elevators, escalators, automobile lifts, man lifts, personnel hoists and moving sidewalks shall conform to all adopted codes of the County and the Office of the State Fire Marshall except as modified as follows:

The following shall be certified as conforming to all applicable codes.
1. Construction documents
2. Acceptance test
3. Periodic tests and inspections

Such certification shall be submitted by an ‘approved agency’. Such agency is hereby defined as a certified member of the National Association of Elevator Safety Authorities, or the American Society of Mechanical Engineers, or an equivalent approved by the Code Official.

Periodic tests and inspections shall be done at intervals of not more than six months or as otherwise required by the Code Official.

Elevators in residential structures shall be exempted from the periodic test and inspection requirements.

AGRICULTURE AND FARM RESIDENCE EXEMPTIONS
All agricultural structures and buildings shall not be required to conform to the standards of the Kendall County Building Code nor shall they be required to pay any building fees pursuant to (ILCS) chapter 55 Section 5/5-12001. An owner affidavit is required to identify the agricultural use. A site plan is required from the owner to confirm setbacks and flood plain compliance.

Owners of exempt ‘agriculture’ and ‘farm residence’ to be constructed may chose to voluntarily conform to the Kendall County Building Code including plan submittal, inspections, certificate of occupancy, payment of fees, and all other procedures otherwise required of non-exempt construction.

CAMPGROUNDS
Decks and sheds located in approved campgrounds shall meet all applicable building codes, all applicable requirements of the Kendall County Campground Regulations and all requirements of the applicable Special Use Ordinance, but shall not require a building permit, and shall only be subject to an inspection during the annual campground inspection period.
CONCRETE TRENCH FOUNDATION
All trench foundations shall not be less than ten (10) inches in thickness, and forty-two (42) inches in depth and must bell out to twelve (12) inches at the base, and must be on clean, solid, undisturbed soil that will provide the required PSI's prescribed by code to sustain the superimposed structure placed upon which shall not exceed one story (fourteen feet) at the highest point.

PLATS OF SURVEY
All building permits will require two (2) original plats of survey, certified by an Illinois State Licensed Surveyor showing existing and proposed buildings. Structures, water well(s) and septic system envelope and well & septic systems that will serve the proposed new structures along with locations of existing adjacent well and septic systems demonstrating separation distances as required by State and County Health Codes and Ordinances. This may be waived at the discretion of Code Official if documents are not necessary to show compliance.

SITE PLANS
Where construction is to occur on a lot with a designated flood plain area, the code official may require the elevation of the first floor of proposed building be shown on the along with the Base Flood Elevation and its location on the site.
The Code Official shall have the authority to specify required foundation elevations on lots or parcels of land that have soils with seasonal high water tables, drainage problems, or that may be subject to localized flooding. In such a case, the Code Official shall also have the authority to require a site grading plan. The plan shall show existing topographic features, ground contours and drainage patterns as well as proposed building elevation(s), site improvements, ground contours and drainage design. Elevation information shall be on national geodetic vertical datum (NGVD). Verification of the finished improvements shall be drawn on a plat of survey showing the building location, finished foundation elevation(s), ground contours and drainage improvements.
Dickson Valley Ministries
Major Amendment to an A-1 Special Use

SITE INFORMATION

PETITIONERS Dickson Valley Ministries dba of Dickson Valley Camp and Retreat Center

ADDRESS 8250 Finnie Road, Newark

LOCATION On the north & south side of Finnie Road, 0.8 miles south of Finnie & Rogers Road

TOWNSHIP Fox

PARCEL # 04-17-100-002; 04-17-300-002 & 04-17-300-007

SIZE 160.59 Acres

EXISTING LAND USE Camp and retreat center

ZONING A-1 Special Use for camp and retreat center

- Ordinance #2002-12: Allow a lighted sign at camp entrance with conditions
- Ordinance # 2000-24: Same as Ord. 00-17A
- Ordinance # 2000-17A: Amended Condition #5, the site plan, to include a dining and meeting hall north of the original site plan & expand bath house and chapel.
- Ordinance # 1983-17: Special Use for a Christian Youth Camp (108 Acres, 3 buildings existed at this time)

1974: Countywide Rezoning shows it as A-1 SU (until 1974 the Zoning Ordinance permitted non-profit camping uses)
LRMP | Land Use |
---|---|
| 04-17-100-002: Agricultural |
| 04-17-300-002: Open Space |
| 04-17-300-007: Country Res. (Max. Density 0.33 du/acre) |

Roads: Finnie Road is considered a scenic route

Trails: None

**REQUESTED ACTION** Approval of a major amendment to an existing Special Use Permit to modify the site plan and expand the special use to pin numbers 04-17-100-002 & 04-17-300-007

**APPLICABLE REGULATIONS** §7.01.C (A-1 Agricultural Special Uses) §13.07 (Special Uses)

**SURROUNDING LAND USE**

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
<th>Zoning within ½ Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Millbrook Hunting Club</td>
<td>A-1</td>
<td>Agricultural</td>
<td>A-1</td>
</tr>
<tr>
<td>South</td>
<td>Fox River/K.C. Forest Preserve</td>
<td>A-1</td>
<td>Forest Preserve/Rural Estate Res.</td>
<td>A-1</td>
</tr>
<tr>
<td>East</td>
<td>Residential</td>
<td>R-1</td>
<td>Countryside Res.</td>
<td>R-1; Forest Preserve</td>
</tr>
<tr>
<td>West</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Countryside Res.</td>
<td>A-1</td>
</tr>
</tbody>
</table>

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT** The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:
- Dixon Valley Sedge Meadow INAI Site
- Fox River INAI Site
- Dickson Sedge Meadow Natural Heritage Landmark
- River Redhorse (Moxostoma carinatum)

**NATURAL RESOURCES INVENTORY** The SWCD is working on an executive summary.

**ACTION SUMMARY**

**TOWNSHIP (Fox)** The petitioners went to the February 10th Township Board meeting and the Board recommended approval.

**MUNICIPALITY (Millbrook)** The Village of Millbrook recommended approval.

**ZPAC 2.3.14** The ZPAC Committee recommended approval and the Health Department just wanted to give them a heads up that the codes have changed and to feel free to contact them at anytime to help aid in the planning process in case there are increased costs.

**KCRPC 2.26.14** The Plan Commission recommended approval and made modifications to staff's original conditions. Deleted condition 3 in its entirety: “No personal or private individual hunting shall be permitted on the property.” For condition number 5 they changed 4 RV hook ups to 8 and in condition number 6 reworded it a little and deleted the words “at all times” that was there previously.

**SUHO 3.3.14** There was no public in attendance to comment and the Hearing Officer made a favorable recommendation with the 5 conditions suggested in the report.
REQUESTED ACTION

GENERAL Approval of a major amendment to an existing Special Use Permit to modify the site plan and expand the special use to pin numbers 04-17-100-002 & 04-17-300-007. The grounds are utilized all year long.

HISTORY In 1971 Homer and Alice Dickson deeded a 108 acre tract of land for the Christian Camping International for an office headquarters for the Worldwide Ministry and also be the base camp for a Christian Ministry to youth in the Fox Valley. A 4,000 square foot building was immediately built to serve as the International Center and an attractive building with bath facilities in a separate building nearby were constructed to serve as a craft and recreation center for a Day Camp program for children of Kendall County and surrounding areas.

In 1981 for reasons of proximity and efficiency the office operations were moved to Wheaton. This left the office space available for an expanded youth ministry. The Trustees saw this as an opportunity to enlarge the youth ministry in fulfillment of their commitment to the Dickson’s and operate the site as a camp. A plan was developed to modify the office building to serve as a camp center with kitchen dining facilities, meeting and guest rooms. The craft shop was converted into a four-room dormitory.

The property was leased to Youth for Christ for a 30 year term and a joint committee comprised of CCI Trustees and UFC Directors was formed to create policies for long-range development and evaluation.

As of 1983 the camp was known as The Dickson Valley Camp and Retreat Center and had a capacity of 50 resident campers and 80 as daytime guests which is when they proposed the special use and requested 150 children in a residential or day camp basis.

Today they are known as The Dickson Valley Ministries and would like include the adoption of a new long range site plan and a revision of the conditions under which the ministry operates. Some of the conditions, which served a good purpose for a new ministry starting out in this community in those days are currently either outdated or can be a detriment to their daily operational and emergency needs and the needs of future growth.

Dickson Valley Camp has served churches, ministries and public and private schools for the past 30 years. In 1988 the number of groups using the site was 75 with about 2,000 people in attendance. In 2013 they served about 190 groups with over 7,600 people in attendance, 86% which are youth. Dickson Valley serves as many as 140 different churches a year from within a four state area and has worked with public schools from Plano, Newark, Aurora, Parkview Christian Academy and a long term relationship with Kendall County Operation Snowball.

SIGNAGE A lighted entrance sign already exists on the property and was granted permission from Ordinance 2002-12.

ACCESS The property already has 3 access points off Finnie Road going south, 1 entrance to the Director's Lodge, one going to the main grounds and one more on the east boundary which is a maintenance road. The petitioner also has access off Finnie Road going north to an existing lodge, the Acorn Lodge. The petitioner is proposing one more access point north of Finnie Road to remote camp parking. Staff proposes to line up that entrance with the entrance to the south if possible.

FLOODPLAIN Most of the southern property is covered with wetlands and floodway, the area is

G:\REPORTS\2014\14-02 Dickson Valley Ministries (Major Amendment to Special Use)\PBZ (3.4.14).docx
Prepared by Angela L. Zubko, Planning & Zoning Manager
also referred to as the Sedge Meadow and is a Illinois Natural Area Inventory Site and a Natural Heritage Landmark.

FUTURE PROJECTS

Through mostly donated funds and volunteer labor, the ministry of Dickson Valley plan to undertake the following projects:

- Development of area with single cabins, housing up to 72 beds
- Year round Programs Lodging, two near front entrance
- Maintaining a lighted sign at the main Finnie Road entrance
- Addition to Directors Lodge/Front office
- Day camp area with open air pavilion and restrooms
- New road at west edge of lake accessing new parking area
- 400 seat Chapel pavilion
- Small rustic campsite area only for churches wanting a little more remote setting
- 3-4 RV spots for volunteers and leaders only
- Structures and storage areas at maintenance shop as needed
- Remodels of current lodges (including but not limited to Whitaker Lodge, Acorn Lodge, Silver Fox Lodge and Dickson Lodge) providing additional housing up to 72 beds
- Reforestation of some of the floodplain areas
- Addition to Chrouser Lodge dining room if needed

FINDINGS OF FACT

§ 13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer must make in order to grant a special use. The Petitioner has answered as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard.
proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quite often benefiting neighbors with the use of the land and resources.

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

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. Dickson Valley has had 30+ years in the county with no problems in following regulations.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.

The following are conditions that were placed on the property in the original 1983 ordinance and the sign conditions from 2002:

1. That the legal agreement between the County and Christian Camping International be made a part of the Special Use Permit. See Exhibit 2.
2. The use of dirt bikes, motorcycles; snowmobiles and recreational four wheeling vehicles shall not be permitted on the subject property except for emergency purposes.
3. No firearms of any kind shall be permitted on the subject property.
4. The County Board may on an annual basis require a certification of Christian Camping International of its not-for-profit status.
5. Exhibit #1 for the special use will be attached hereto and form a part of this ordinance.
6. It will be the responsibility of CCI to maintain and preserve the sedge meadow as identified on exhibit #1.
7. The east boundary shall be fenced to mark the boundary between property owners and installed to discourage trespassers.
8. The number of campers shall be limited to no more than 150 at any one time.
9. The petitioner agrees to operate the facility so that it does not conflict with the County’s Recreational Vehicle Park and Campground Regulations.

The following conditions stay in place for the from Ordinance 2002-12 pertaining to the lighted sign:

10. The sign must be located on the property as shown in the attached Exhibit “A”.
11. The sign shall be illuminated with a maximum of three (3) lights on the sign.
12. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance at all times.
13. A permit shall be obtained for the sign.

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

ATTACHMENTS
1. Write-up from Dickson Valley on history and proposed changes
2. Ordinance 83-17 A-1 SU for a Christian Youth Camp
3. Ordinance # 2000-17A: Amended Condition #5, the site plan, to include a dining and meeting hall north of the original site plan & expand bath house and chapel.
4. Ordinance # 2000-24: Same as Ord. 00-17A
5. Ordinance #2002-12: Allow a lighted sign at camp entrance with conditions
6. ZPAC Meeting Minutes on 2.3.14
7. KCRPC Meeting Minutes on 2.26.14
8. SUHO Meeting minutes on 3.3.14
9. Plat of Survey of Whole property
10. Draft Ordinance with proposed Site plan showing existing and future structures/plans
To: Kendall County Planning, Building & Zoning Committee  
Yorkville, Illinois 60560

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

Dickson Valley Ministries would like to request a review of our A1SU zoning which would include the adoption of a new long range site plan and a revision of the conditions under which the ministry operates. The board of Dickson Valley Ministries would like the purpose of this petition to bring the current Special Use Zoning agreement up to date, making sure that it covers the extent of all our physical property and to adjust or remove some of the original conditions that have been in place since the original zoning hearings in 1983. Some of these conditions which served a good purpose for a new ministry starting out in this community in those days are currently either outdated or can be a detriment to our daily operational and emergency needs and the needs of future growth.

Dickson Valley Camp & Retreat Center has served churches, ministries and public and private schools for these past 30 years. In 1988 the number of groups using Dickson Valley was 75 with about 2,000 people in attendance. In 2013 we are excited that we can serve around 190 groups with over 7,600 people in attendance, 86% or which are youth. We continually give thanks for all the blessings God has provided and, as with any business, know that our location is one of those key provisions we are blessed with. Our setting in Kendall County, along the Fox River, has been key to our growth which has far outpace most other Christian camps our size. It was a generous gift from Homer and Alice Dickson of Yorkville that made this ministry possible and the ongoing relationships with the family that have helped it grow.

Over these years we have been excited to develop long term relationships with most of the organizations that we partner with. Dickson Valley serves as many as 140 different churches a year from within a four state area and has worked with public schools from Plano, Newark and Aurora, Parkview Christian Academy, and a long term relationship with Kendall County Operation Snowball. It has been a an extreme blessing and pleasure to have Kendall County as our home and we consider our original Special Use Zoning as blessing that has allowed us to grow to what we are today. We are looking forward to our next 30 years of doing more significant ministry and impacting more lives for Christ.
OVERVIEW OF OPERATION:
Dickson Valley Camp & Retreat Center is a twelve month, 365 day a year ministry. We partner with churches, ministries and public and private schools to help them run youth retreats, summer camps, outdoor education and other programs that can benefit from being in a remote natural setting. We do not have any facilities that are open to the public, instead we choose to work with intact groups only from these organizations or provide our own highly structured programs.

The camp has about equal usage during the months of September through May as we due during the summer months of June through August. We provide full on sight housing for all guests and campers, lots of activities to keep everyone busy and engaged in the setting, meeting spaces and top of the line food service for all in attendance. On sight we also provide housing for our seasonal staff, year round intern program and full time long term staff that are integral to the 24 hour programs that go on at camp. Dickson Valley Ministries also provides support ministries for pastors through our Lifting Arms coaching ministry. More details of the ministries are available at www.dicksonvalley.com and www.liftingarms.com

HISTORY OF OWNERSHIP:
In 1983 the original Special Use Zoning was setup with Christian Camping International, US Division. That not-for-profit corporation worked with Metro Chicago Youth For Christ to develop the early stages of the camp and start it on its ministry growth.

In 1988 those organizations transferred ownership to the newly formed not-for-profit Dickson Valley Corporation formed from members of both previous organizations.

In 2011 an update to Dickson Valley Corporations founding documents included the name change to Dickson Valley Ministries with the DBA of Dickson Valley Camp & Retreat Center (Supporting documents to be attached)

FUTURE DEVELOPMENT PLANNING:
Countless people have been a part of the development of the camp to this point and good planning was key to providing a very functional property today. As the Dickson Valley Ministries board looks to the future the same level of leadership is involved in making plans based on the latest programmatic needs and the wisdom of what makes for the most significant and impactful ministry. The board looks to our foundational purpose and core values to guide these plans.

Purpose Statement:
- Dickson Valley Ministries seeks to bring individuals to a strong and personal relationship with Jesus Christ and His Word, through unique programs, services and partnerships that joyfully support and encourage the ongoing work of Christ in and through His Church.

Core Values
- Without God’s sovereign Grace, the Love revealed through Christ and guidance from the Holy Spirit we can do nothing.
- We are passionate about serving and working through the Church.
- We are committed to encouraging and developing our staff as keys to our ministry.
- We are diligent at providing creative and unique experiences.
- We are dutiful in using the natural setting.
LONG RANGE FACILITIES PLANS (Maps and supporting documents to be attached)

The facilities planning process includes the key desire to not overbuild this property. The board is always looking for the right balance of maximum usage but with minimal impact. All future planning will avoid impacting the flood plain areas, the Dickson Sedge Meadow Natural Heritage Landmark area and the predominantly wooded areas. We will also continue to steward and oversee those areas.

Within the forceable future the ministry of Dickson Valley will seek, through mostly donated funds and volunteer labor, to undertake these following projects (no particular order):

- Development of area with single cabins, housing up to 72 beds,
- Year round Programs Lodging, two near front entrance,
- Maintaining a lighted sign at the main Finnie Rd. entrance,
- Addition to Directors Lodge/Front office,
- Day camp area with open air pavilion and restrooms,
- New road at west edge of lake accessing new parking area,
- 400 seat Chapel pavilion,
- Small rustic campsite area only for churches wanting a little more remote setting,
- 3-4 RV spots for volunteers and leaders only,
- Structures and storage areas at maintenance shop as needed,
- Remodels of current lodges (including but not limited to Whitaker Lodge, Acorn Lodge, Silver Fox Lodge and Dickson Lodge) providing addition housing up to 72 beds.
- Reforestation of some of the flood plain areas,
- Addition to Chrouser Lodge dining room if needed.

These projects would each be contingent on the permitting bodies regulating each individually, i.e. KC Public Health Department, Illinois Department of Public Health, KC Planning, Building & Zoning, Sandwich Fire Protection District and Fox Township Highway Department.
WHEREAS, Christian Camping, International, did petition the Zoning Board of Appeals of Kendall County for a public hearing in the manner required by law and the ordinances of Kendall County, Illinois for a proposed amendment to the Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 15th day of November, 1983, A.D. on the site described in the petition and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois that the petition be granted and the Zoning maps and ordinance be amended in the manner required by law; and

NOW THEREFORE, BE IT ORDAINED BY THE County Board of Kendall County, Illinois that the following described property be and it is hereby rezoned from A1, Agricultural District to AISU, Agricultural District Special Use for Christian Youth Camp, and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

That part of the west half of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows:

Commencing at the Northwest corner of the southwest quarter of Section 18, Township and range aforesaid: thence south 1°07'54" east along the west line of said Section 18, 380.17 feet; thence South 76°29'58" East 4010.24 feet; thence South 66°02'58" East 33.6 feet to the center line of Finnie Road; thence South 66°02'58" East 1377.07 feet for the point of beginning; thence North 58°48'51" East 2280.95 feet; thence North 71°00'24" West 331.99 feet to the Southwest corner of the Southeast quarter of the Northwest quarter of said Section 17; thence North 1°14'05" West along the West line of said quarter quarter section 1269.52 feet to the center line of Finnie Road; thence North 63°32'29" East along said center line 51.54 feet; thence North 73°54'02" East along said center line 785.94 feet; thence North 57°52'02" East along said center line 459.76 feet; thence North 46°37'32" East along said center line 153.96 feet to the East line of the
Northwest quarter of said Section 17; thence South 1°16'-0" east along said East line 1864.30 feet to the Southeast corner of the Northwest quarter of said Section 17; thence South 1°12'58" east along the East line of the Southwest quarter of said Section 17; 513.64 feet to the Westerly bank up the Fox River; thence South 36°20'02" West along said Westerly bank 227.1 feet; thence South 34°34'02" West along said Westerly bank 224.1 feet; thence South 40°48'02" West along said Westerly bank 346.69 feet; thence South 35°57'02" West along said Westerly bank 257.65 feet; thence South 47°25'02" West along said Westerly bank 257.65 feet; thence South 47°35'02" West along said Westerly bank 201.0 feet; thence South 46°15'02" West along said Westerly bank 256.45 feet; thence South 44°58'02" West along said Westerly bank 415.78 feet; thence South 39°20'02" West along said Westerly bank 424.92 feet to a point on a line drawn South 66°02'58" East from the point of beginning; thence North 66°02'58" West 1001.65 feet to the point of beginning, containing 107.55 acres, in the Township of Fox, Kendall County, Illinois.

BE IT FURTHER ORDAINED that the above special use classification shall be expressly made subject to the following conditions:

1. That the legal agreement between the County and Christian Camping, International be made a part of the Special Use permit. See Exhibit 2.

2. The use of dirt bikes, motorcycles; snowmobiles and recreational fourwheeling vehicles shall not be permitted on the subject property except for emergency purposes.

3. No firearms of any kind shall be permitted on the subject property.

4. The County Board may on an annual basis require a certification of Christian Camping International of its not-for-profit status.

5. Exhibit #1 for the special use be attached hereto and form a part of this ordinance.

6. It will be the responsibility of CCI to maintain and preserve the sedge meadow as identified on exhibit #1.

7. The east boundary shall be fenced to mark the boundary between property owners and installed to discourage trespassers.

8. The number of campers shall be limited to no more than 150 at any one time.

9. The petitioner agrees to operate the facility so that it does not conflict with the County's Recreational Vehicle Park and Campground Regulations.
PASSED THIS 13th day of December, 1985.

Chairman, County Board of
Kendall County, Illinois

ATTEST:

County Clerk
MEMORANDUM AGREEMENT

In consideration of the adoption of the Special Use Ordinance which is attached hereto and made a part hereof and other good and valuable consideration, Christian Camping International, a not-for-profit corporation and petitioner in the above-named Special Use, hereby agrees that it will within thirty (30) days of the date hereof enter into a binding agreement with the appropriate authorities of Kendall County, State of Illinois, that the Special Use will lapse upon the occurrence of any of the following events:

1) At such time as Christian Camping International's not-for-profit status is discontinued for any reason.

2) Upon a transfer of the title to the premises to any for-profit venture or any not-for-profit venture whose objectives are not similar to Christian Camping International's.

3) If Christian Camping International uses the premises for any profit-making purpose or in any other manner inconsistent with the Special Use Ordinance.

12-13-83
Date

1. [Signature]

2. [Signature]
   Christian Camping International

For Kendall County, Illinois
Public Works

1. Approved the resolution authorizing financing with Yorkville National Bank for a John Deere Motor Grader in the amount of $130,000.00

2. Approve the proposal of Smith Engineering for Fox Road engineering, not to exceed $83,600.00.

Budget & Finance

1. GIS pricing list correction

2. Fixed asset inventory tracking dollar amount

Chairman Church asked for a voice vote on the motion. All members present voting aye. Motion carried.

STANDING COMMITTEE REPORTS

Planning, Building & Zoning

Petition #00-34

Mr. Haldiman moved to approve petition #00-34 as presented. Ms. Martin seconded the motion.

ORDINANCE NUMBER 00-- 17

ORDINANCE TO AMEND ORDINANCE NUMBER 83-17 DICKSON VALLEY CAMP & RETREAT CENTER

WHEREAS, Mark D. Caldwell, Director of Dickson Valley Camp and Retreat Center, did make a request amend Ordinance 83-17 to construct a Dining and Meeting Hall contrary to the approved site plan in Section 17 of Fox Township; and

WHEREAS, said Ordinance affects property legally described as:
That part of the West Half of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Northwest Corner of the Southwest Quarter Section 18, Township and Range aforesaid; thence South 01°07'54" East along the West Line of said Section 18, 380.17 feet; thence South 76°29'58" East, 4,010.24 feet; thence South 66°02'58" East 33.6 feet to the Centerline of Finnie Road; thence South 66°02'58" East, 1,377.07 feet for the point of beginning; thence North 38°58'51" East, 2,280.95 feet; thence North 71°00'24" West, 331.99 feet to the Southwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 17; thence North 01°14'05" West along the West Line of said Quarter Quarter Section, 1,269.52 feet to the Centerline of Finnie Road; thence North 63°32'29" East along said Centerline, 51.54 feet, thence North 73°54'02" East along said Centerline, 795.94 feet; thence North 57°52'02" East along said Centerline, 459.76 feet; thence North 46°37'32" East along said Centerline,
158.96 feet to the East Line of the Northwest Quarter of said Section 17; hence South 01°16' East along said East Line, 1,264.30 feet to the Southeast Corner of the Northwest Quarter of said Section 17; hence South 01°12'58" East along the East Line of the Southwest Quarter of said Section 17, 513.64 feet to the Westerly Bank of the Fox River; hence South 36°20'02" West along said Westerly Bank 224.1 feet; hence South 40°48'02" West along said Westerly Bank 346.69 feet; hence South 35°57'02" West along said Westerly Bank 257.65 feet; hence South 47°35'02" West along said Westerly Bank 201.1 feet; hence South 46°16'02" West along said Westerly Bank 256.45 feet; hence South 44°58'02" West along said Westerly Bank 415.78 feet; hence South 39°20'02" West along said Westerly Bank 424.92 feet to a point on a line drawn South 66°02'58" East from the point of beginning; hence North 66°02'58" West, 1,001.65 feet to the point of beginning; all in the Township of Fox, Kendall County, Illinois; and

WHEREAS, said petition was approved by the Kendall County Board on December 13, 1983, as Ordinance Number 83-17; and

WHEREAS, the Kendall County Board does have the authority to establish conditions pursuant to Section 13.07 K. of the Kendall County Zoning Ordinance; and

WHEREAS, Condition #5 of Ordinance 83-17 stipulated the site plan was attached as Exhibit A; and

WHEREAS, the petitioner wishes to construct the Dining and Meeting Hall north of the original site plan; and

WHEREAS, the Kendall County Board finds that said changes are consistent with the intent of the special use.

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board amends the site plan of Condition #5 of Kendall County Ordinance Number 83-17 for the site plan attached as Exhibit "A."

IN WITNESS OF, this ordinance has been enacted on June 20, 2000.

Paul Anderson
Kendall County Clerk

John A. Church
Kendall County Board Chairman

At the conclusion Chairman Church asked for a roll call vote on the motion. All members present voting aye.
ORDINANCE NUMBER 00-24

ORDINANCE TO AMEND ORDINANCE NUMBER 83-17
DICKSON VALLEY CAMP & RETREAT CENTER

WHEREAS, Mark D. Caldwell, Director of Dickson Valley Camp and Retreat Center, did make a request amend Ordinance 83-17 to construct a Dining and Meeting Hall contrary to the approved site plan in Section 17 of Fox Township; and

WHEREAS, said Ordinance affects property legally described as:
That part of the West Half of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Northwest Corner of the Southwest Quarter Section 18, Township and Range aforesaid; thence South 01°07'54" East along the West Line of said Section 18, 380.17 feet; thence South 76°29'58" East, 4,010.24 feet; thence South 66°02'58" East 33.6 feet to the Centerline of Finnie Road; thence South 66°02'58" East, 1,377.07 feet for the point of beginning; thence North 38°58'51" East, 2,280.95 feet; thence North 71°00'24" West, 331.99 feet to the Southwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 17; thence North 01°14'05" West along the West Line of said Quarter Quarter Section, 1,269.52 feet to the Centerline of Finnie Road; thence North 63°32'29" East along said Centerline, 51.54 feet, thence North 73°54'02" East along said Centerline, 785.94 feet; thence North 57°52'02" East along said Centerline, 459.76 feet; thence North 46°37'32" East along said Centerline, 158.96 feet to the East Line of the Northwest Quarter of said Section 17; thence South 01°16' East along said East Line, 1,264.30 feet to the Southeast Corner of the Northwest Quarter of said Section 17; thence South 01°12'58" East along the East Line of the Southwest Quarter of said Section 17, 513.64 feet to the Westerly Bank of the Fox River; thence South 36°20'02" West along said Westerly Bank 224.1 feet; thence South 40°48'02" West along said Westerly Bank 346.69 feet; thence South 35°57'02" West along said Westerly Bank 257.65 feet; thence South 47°35'02" West along said Westerly Bank 201.1 feet; thence South 46°16'02" West along said Westerly Bank 256.45 feet; thence South 44°58'02" West along said Westerly Bank 415.78 feet; thence South 39°20'02" West along said Westerly Bank 424.92 feet to a point on a line drawn South 66°02'58" East from the point of beginning; thence North 66°02'58" West, 1,001.65 feet to the point of beginning; all in the Township of Fox, Kendall County, Illinois; and

WHEREAS, said petition was approved by the Kendall County Board on December 13, 1983, as Ordinance Number 83-17; and

WHEREAS, the Kendall County Board does have the authority to establish conditions pursuant to Section 13.07 K. of the Kendall County Zoning Ordinance; and
WHEREAS, Condition #5 of Ordinance 83-17 stipulated the site plan was attached as Exhibit A; and

WHEREAS, the petitioner wishes to construct the Dining and Meeting Hall north of the original site plan; and

WHEREAS, the Kendall County Board finds that said changes are consistent with the intent of the special use.

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board amends the site plan of Condition #5 of Kendall County Ordinance Number 83-17 for the site plan attached as Exhibit "A."

IN WITNESS OF, this ordinance has been enacted on June 20, 2000.

Attest:

[Signature]
John A. Church
Kendall County Board Chairman

[Signature]
Paul Anderson
Kendall County Clerk
Dickson Valley Camp and Retreat Center
8250 Finnie Rd.
Newark, IL 60541
630-553-6233

Cabin development south of sports center would be reduced with some beds moving into the center of camp.

Scale: 1in. = 200ft.

EXHIBIT "A"
ORDINANCE NUMBER 2001 - 12

GRANTING SPECIAL USE
8250 FINNIE ROAD
DICKSON VALLEY CAMP

WHEREAS, Dickson Valley Camp filed a petition for a Special Use within the A-1 district, for property located at 8250 Finnie Road in Fox Township; and

WHEREAS, said petition is to allow a lighted sign at the entrance to the camp, as provided in Section 12.12 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is zoned A-1 Special Use for a camp and retreat center, per Ordinances 83-17 and 00-17A; and

WHEREAS, said property is legally described as:

Part of the West half of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Northwest Corner of the Southwest Quarter Section 18, Township and Range aforesaid; thence South 1 degree 7 minutes 54 seconds East along the West Line of said Section 18, 380.17 feet; thence South 76 degrees 29 minutes 58 seconds East 4,010.24 feet; thence South 66 degrees 2 minutes 58 seconds East 33.6 feet to the Centerline of Finnie Road, thence South 66 degrees 2 minutes 58 seconds East, 1,377.07 feet for the point of beginning; thence North 38 degrees 58 minutes 51 seconds East, 2,280.95 feet; thence North 71 degrees 0 minutes 24 seconds West, 331.99 feet to the Southwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 17; thence North 1 degree 14 minutes 5 seconds West along the West Line of said Quarter Quarter Section 1,269.52 feet to the Centerline of Finnie Road; thence North 63 degrees 32 minutes 29 seconds East along said Centerline, 51.54 feet, thence North 73 degrees 54 minutes 2 seconds East along said Centerline, 785.94 feet; thence North 57 degrees 52 minutes 2 seconds East along said Centerline, 459.76 feet; thence North 46 degrees 37 minutes 32 seconds East along said Centerline, 158.96 feet to the East Line of the Northwest Quarter of said Section 17; thence South 1 degree 16 minutes East along said East line, 1,264.30 feet to the Southeast Corner of the Northwest Quarter of said Section 17; thence South 1 degree 12 minutes 58 seconds East along the East Line of the Southwest Quarter of said Section 17, 513.64 feet to the Westerly Bank of the Fox River; thence South 36 degrees 20 minutes 2 seconds West along said Westerly Bank 224.1 feet; thence South 40 degrees 48 minutes 2 seconds West along said Westerly Bank 346.69 feet; thence South 46 degrees 16 minutes 2 seconds West along said Westerly Bank 256.45 feet; thence South 44 degrees 58 minutes 2 seconds West along the Westerly Bank 415.78 feet; thence South 39 degrees 20 minutes 2 seconds West along said Westerly Bank 424.92 feet to a point on a line drawn South 66 degrees 2 minutes 58 seconds East from the point of beginning; thence North 66 degrees 2 minutes 58 seconds West, 1,001.65 feet to the point of beginning; all in the Township of Fox, Kendall County, Illinois.
WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Zoning Board of Appeals; and

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to permit a lighted sign subject to the following conditions:

1. The sign must be located on the property as shown in the attached Exhibit “A”.
2. The sign shall be illuminated with a maximum of three (3) lights on the sign.
3. It shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance at all times.
4. A permit shall be obtained for the sign.

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 May 21, 2002.

Attest: [Signature]
John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk
Dickson Valley Camp and Retreat Center
8250 Finnie Rd.
Newark, IL 60541
630-553-6233

EXHIBIT
# A
DATE 5/21/2003

Finnie Rd.

Camp Drive

Entrance Sign

Flower Bed

OFFICE

Woods
Planner Angela Zubko called the meeting to order at 9:01 a.m.

Present:
Fran Klaas - County Highway Department
Aaron Rybski – Health Department
Phil Smith – Sheriff’s Office
Angela Zubko – PBZ Planning & Zoning Manager

Absent:
Megan Andrews – Soil & Water Conservation District
Greg Chismark – Wills Burke Kelsey
Scott Gryder – PBZ Member
Brian Holdiman - Building Inspector
Jason Petit – Forest Preserve

Also present: Petitioner Mark Caldwell

AGENDA

A motion was made by Phil Smith to approve the agenda, Fran Klaas seconded the motion. All were in favor and the motion carried.

MINUTES

Fran Klaas made a motion, seconded by Aaron Rybski, to approve the December 2, 2013 meeting minutes. All were in favor and the motion carried.

PETITIONS

#14-02 Dickson Valley Ministries
Planner Angela Zubko did an overview of the request stating the property is located at 8240 Finnie Road on the north and south side of Finnie Road, 0.8 miles south of Finnie & Rogers Road. The petitioners are seeking approval of a major amendment to an existing Special Use Permit to modify the site plan and expand the special use permit numbers 04-17-100-002 & 04-17-300-007. The entire property is 160 acres. The grounds are utilized all year long and their current special use is for a camp and retreat center. The center started in 1971, in the report is a lot of history of the property but Planner Zubko will not go over it at this time. Over the years the petitioners have updated their special use and have updated their site plan and conditions. The petitioner is looking to keep the lot sign which was the last amendment in 2002. The property currently has 2 access points off Finnie Road going south, 1 entrance to the Director’s Lodge and the other going to the main grounds. The petitioner also has access off Finnie Road going north to an existing Oulund Chalet. The petitioner is proposing one more access point north of Finnie Road to remote camp parking. Staff proposes to line up that entrance with the entrance to the south but will defer to Fran Klaas from the Highway Department on the entrance. Most of the southern property is covered with wetlands and floodway, the area is also referred to as the Sedge Meadow and is a Illinois Natural Area Inventory Site and a Natural Heritage Landmark. The report shows where most of the floodplain exists which is most of the southern property. Through mostly donated funds and volunteer labor, the ministry of Dickson Valley plan to undertake the following projects:

- Development of area with single cabins, housing up to 72 beds
- Year round Programs Lodging, two near front entrance
- Maintaining a lighted sign at the main Finnie Road entrance
- Addition to Directors Lodge/ Front office
- Day camp area with open air pavilion and restrooms
- New road at west edge of lake accessing new parking area
- 400 seat Chapel pavilion
- Small rustic campsite area only for churches wanting a little more remote setting
3-4 RV spots for volunteers and leaders only
Structures and storage areas at maintenance shop as needed
Remodels of current lodges (including but not limited to Whitaker Lodge, Acorn Lodge, Silver Fox Lodge and Dickson Lodge) providing additional housing up to 72 beds
Reforestation of some of the floodplain areas
Addition to Chrousers Lodge dining room if needed
Also in the report were previous conditions placed on the special use and staff proposed to meet with the petitioner to update those conditions before the next meeting. Also in the packet is the site development plan and Mark Caldwell from the Dickson Valley Ministries is in attendance to answer any questions. Staff recommends approval of the requested major amendment to their special use.

Mr. Caldwell introduced himself and stated he's been with Dickson Valley since 1989. He also stated the projects are a wish list and might not be completed for awhile due to timing and funds.

Mr. Fran Klaas stated he was not too concerned about the entrances lining up due to the lack of traffic on Finnie Road. Mr. Caldwell stated they were trying to offset the entrance to make it a little less noticeable since its parking for remote camping.

Mr. Phil Smith stated they've received one police call in the last 3 years and it was for a stolen cell phone. The Sheriff’s office does not have any concerns at this time. Mr. Smith did ask about the RV’s and about of over-night stays. Mr. Caldwell stated they are not looking to be a campground but there are retired volunteers that travel around in RV’s so they are only hoping to have 3-4 spots for volunteers to help. Mr. Caldwell stated there is more growth potential due to group sizes but have gotten into day-camps a lot more recently.

Mr. Aaron Rybski stated to feel free to always contact the health department and work closely work with them. The codes have changed as of October so this could make it a little more complex and cost a little more than normal depending on the type of system. They did discuss if they were a non-community water supply and to contact the State if needed. Mr. Caldwell stated they have already been discussing sharing wells, etc. as they already have a lot of capacity existing on the site. Mr. Caldwell also stated they will be looking into the future for storm water as well.

With no further comments Phil Smith made a motion, seconded by Fran Klaas to approve the special use and forward the petition onto the Plan Commission meeting in February. All were in favor and the motion carried.

**#14-03 Plat of Vacation**
Planner Angela Zubko explained that last year we revised the text of the subdivision regulations to have plats of vacation/consolidations come to the ZPAC Committee and then onto the PBZ Committee. The petitioners, Kenneth and Penny Zollinger are looking to consolidate lots 42 and 43 of the Henneberry Woods Subdivision. The petitioner is looking to vacate the east public utility easement on lot 43 and vacate the west public utility easement on lot 42. The 15’ public utility easement on the north will extend across lot 43 and end at 42 as shown on the subdivision plat and the eastern 7.5’ public utility easement on Lot 42 and the western 7.5’ public utility easement of lot 43 will remain. After the granting of the plat of vacation the ultimate goal is to combine the two lots to make one large lot and build a house in the middle of the lots. To apply for the building permit the petitioner will need to get a plat of survey showing both lots combined together and the appropriate easements and setback lines.

Mr. Fran Klaas asked if any utilities exist currently on the property and Planner Zubko stated no utilities exist, the lot is vacant.

With no comments Fran Klaas made a motion, seconded by Aaron Rybski to approve the plat and forward the petition onto the next Planning, Building and Zoning meeting in February. All were in favor and the motion carried.

ZPAC Meeting Minutes 2.3.14
Chairman Bill Ashton called the meeting to order at 7:03 pm.

**ROLL CALL**
Members Present: Chair Bill Ashton, Tom Casey, Larry Nelson, Vern Poppen, Tim Sidles, Claire Wilson and Budd Wormley
Others present: Planning & Zoning Manager Angela Zubko
Members Absent: Bill Lavine, and 2 vacancies (Big Grove & Kendall)
In the Audience: Mark Caldwell, Ken Hostert, Pam Wynne, Craig Johnson and Pam Nelson

**APPROVAL OF AGENDA**
Larry Nelson made a motion to approve the agenda as written. Claire Wilson seconded the motion. All were in favor and the agenda was approved.

**APPROVAL OF MINUTES**
Claire Wilson made a motion to approve the minutes from January 22, 2014 meeting and February 1, 2014 annual meeting, Vern Poppen seconded the motion. All were in favor and the minutes were approved.

**PETITIONS**

#14-02 Dickson Valley Ministries
Planner Angela Zubko did an overview of the request stating the property is located at 8250 Finnie Road on the north and south side of Finnie Road, 0.8 miles south of Finnie & Rogers Road. The petitioners are seeking approval of a major amendment to an existing Special Use Permit to modify the site plan and expand the special use to pin numbers 04-17-100-002 & 04-17-300-007. The entire property is 160 acres. The grounds are utilized all year long and their current special use is for a camp and retreat center. The center started in 1971, in the report is a lot of history of the property but Planner Zubko will not go over it at this time. Over the years the petitioners have updated their special use and have updated their site plan and conditions. The petitioners are looking to keep the lit sign which was the last amendment in 2002. The property currently has 3 access points off Finnie Road going south, 1 entrance to the Director’s Lodge, one going to the main grounds and one on the far eastern side of the property. The petitioner also has access off Finnie Road going north to an existing building. The petitioner is proposing one more access point north of Finnie Road for the
remote camp parking. Most of the southern property is covered with wetlands and
floodway, the area is also referred to as the Sedge Meadow and is a Illinois Natural
Area Inventory Site and a Natural Heritage Landmark. The report shows where most of
the floodplain exists which is most of the southern property. Through mostly donated
funds and volunteer labor, the ministry of Dickson Valley plan to undertake the following
projects which is a wish list and might not be completed for awhile due to timing and
funding:

- Development of area with single cabins, housing up to 72 beds
- Year round Programs Lodging, two near front entrance
- Maintaining a lighted sign at the main Finnie Road entrance
- Addition to Directors Lodge/Front office
- Day camp area with open air pavilion and restrooms
- New road at west edge of lake accessing new parking area
- 400 seat Chapel pavilion
- Small rustic campsite area only for churches wanting a little more remote setting
- 3-4 RV spots for volunteers and leaders only
- Structures and storage areas at maintenance shop as needed
- Remodels of current lodges (including but not limited to Whitaker Lodge, Acorn
  Lodge, Silver Fox Lodge and Dickson Lodge) providing additional housing up to 72
  beds
- Reforestation of some of the floodplain areas
- Addition to Chrouser Lodge dining room if needed

Also in the report were previous conditions placed on the special use. The Township
Board approved the special use and Planner Zubko stated Millbrook also recommended
approval. In the packet is the site development plan and Mark Caldwell from the
Dickson Valley Ministries is in attendance to answer any questions. Staff recommends
approval of the requested major amendment to their special use with the recommended
6 conditions.

The ZPAC also recommended approval with no issues.

Mr. Caldwell introduced himself and stated he's been with Dickson Valley since 1989
and he lives at the camp.

Ms. Wilson asked about the reforestation of some of the floodplain areas. Mr. Caldwell
stated that would be the area that is currently being farmed.

Mr. Wormely asked about location A the remote camp and what that would consist of.
Mr. Caldwell stated correct no structures would exist and there would be a pathway to
lead back for tent camping. No dirt will be moved.

Mr. Nelson stated he thinks what they do out there is great and a wonderful asset to the
County.
Ms. Wilson asked about condition number 3 about hunting on the property. They wanted to leave it open to animal population hunting if needed. The Plan Commission decided to eliminate condition 3 in its entirety with regards to hunting on the property. It would be at the discretion of the property owners.

Ms. Wilson asked about the number of RV hook-ups and wanted to make sure 4 is enough, after some discussion the Plan Commission changed the number to 8 RV hook-ups.

With no further suggestions or changes Budd Wormley made a motion and the amended motion, seconded by Vern Poppen to recommend approval and forward the petition onto the Special Use Hearing Officer with staff’s 5 suggested conditions with modifications. A roll call vote all were in favor.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

13-26 Green Organics Inc.- scheduled to go to County Board February 18, 2014- Planner Zubko stated we are waiting on the SAO to draft the host fee agreement and then it will go to the County Board.

13-31 Candice Hadley R-3 Special Use- Scheduled to go to County Board
February 18, 2014- Planner Zubko stated this petition passed

CITIZENS TO BE HEARD
No citizens were in attendance to talk

NEW BUSINESS

Open discussion on possible changes to the LRMP for Kendall and NaAuSay Township- Planner Zubko stated last year at the annual meeting we were approached by Kendall Township to have larger lot sizes, minimum of 1 acre and less open space due to the lack of maintenance from HOA's. Also in the packet are the letters from the NaAuSay Township with their concerns. Planner Zubko had a few suggested ideas to bring back the R-2 and R-3 zonings and maybe just eliminate RPD's from those 2 townships. Have straight subdivision zonings.

Pam Wynne from NaAuSay Township is the chairperson for the Plan Commission. She read the letter that's in the packet to reiterate their concerns and desires.

Ken Hostert the NaAuSay Township road commissioner discussed the issues of small lots causing septic issues and too much open space. Also the issue of septic off the property into common areas like Henneberry Woods.

There was discussion of the problems at hand and maintenance. Most HOA's are disbanned or do not take care of the subdivisions.

Craig Johnson was on the Plan Commission in NaAuSay Township and they discussed the future of NaAuSay. They want to keep the density down which is also where the 1
CALL TO ORDER - SPECIAL USE HEARING OFFICER
At 7:00 p.m., Chairman Wally Werderich called the Special Use Hearing Officer meeting to order.

ROLL CALL
Members present: Walter Werderich

In the audience: Mark Caldwell

MINUTES
Wally Werderich motioned to approve the January 27, 2014 Special Use Hearing Officer Meeting minutes as written.

Chairman Werderich swore in all members of the audience that wished to talk about the special use.

PETITIONS
#14-02 Dickson Valley Ministries
Planner Angela Zubko did an overview of the request stating the property is located at 8250 Finnie Road on the north and south side of Finnie Road, 0.8 miles south of Finnie & Rogers Road. The petitioners are seeking approval of a major amendment to an existing Special Use Permit to modify the site plan and expand the special use to pin numbers 04-17-100-002 & 04-17-300-007. The entire property is 160 acres. The grounds are utilized all year long and their current special use is for a camp and retreat center. The center started in 1971, in the report is a lot of history of the property but Planner Zubko will not go over it at this time. Over the years the petitioners have updated their special use and have updated their site plan and conditions. The petitioners are looking to keep the lit sign which was the last amendment in 2002. The property currently has 3 access points off Finnie Road going south, 1 entrance to the Director's Lodge, one going to the main grounds and one on the far eastern side of the property. The petitioner also has access off Finnie Road going north to an existing building. The petitioner is proposing one more access point north of Finnie Road for the remote camp parking. Most of the southern property is covered with wetlands and floodway, the area is also referred to as the Sedge Meadow and is a Illinois Natural Area Inventory Site and a Natural Heritage Landmark. The report shows where most of the floodplain exists which is most of the southern property. Through mostly donated funds and volunteer labor, the ministry of Dickson Valley plan to undertake the following projects which is a wish list and might not be completed for awhile due to timing and funding:

- Development of area with single cabins, housing up to 72 beds
- Year round Programs Lodging, two near front entrance
- Maintaining a lighted sign at the main Finnie Road entrance
- Addition to Directors Lodge/Front office
- Day camp area with open air pavilion and restrooms
- New road at west edge of lake accessing new parking area
- 400 seat Chapel pavilion
Small rustic campsite area only for churches wanting a little more remote setting
3-4 RV spots for volunteers and leaders only
Structures and storage areas at maintenance shop as needed
Remodels of current lodges (including but not limited to Whitaker Lodge, Acorn Lodge, Silver Fox Lodge and Dickson Lodge) providing additional housing up to 72 beds
Reforestation of some of the floodplain areas
Addition to Chrousler Lodge dining room if needed

Also in the report were previous conditions placed on the special use. The Township Board approved the special use and Planner Zubko stated Millbrook also recommended approval. In the packet is the site development plan and Mark Caldwell from the Dickson Valley Ministries is in attendance to answer any questions. Staff recommends approval of the requested major amendment to their special use with the recommended 5 conditions. ZPAC recommended approval and there were changes to the conditions during the Plan Commission which are reflected in the packet.

Mr. Caldwell introduced himself and stated he’s been with Dickson Valley since 1989 and he lives at the camp.

Mr. Werderich asked a couple questions with regards to the new site plan and where each proposed areas are to be located. Mr. Caldwell clarified those questions.

With no testimony Walter Werderich closed the public hearing.

Special Use Hearing Officer Werderich reviewed the Findings of Fact for a special use as follows:

§ 13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer must make in order to grant a special use. The Petitioner has answered as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quite often benefiting neighbors with the use of the land and resources.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Of the 160 acres of mostly wooded land, only about 25% has been developed, leaving a lot of great natural resources. The township road has been updated and has always proved adequate for our traffic and still is a seldom traveled road.
That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. Dickson Valley has had 30+ years in the county with no problems in following regulations.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.

Wally Werderich made a favorable recommendation with the above findings of fact and the 5 conditions specified on the special use.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
13-26: Green Organics Inc. (On the County Board Agenda in March (waiting on SAO))
13-31 Candice Hadley: Passed on 2.18.14

NEW BUSINESS- None

OLD BUSINESS
Vote on changes to the By-laws regarding the notification process- will be discussed further next month.

ADJOURNMENT- Next meeting will be on March 31, 2014

Chairman Werderich adjourned the Special Use Hearing Officer meeting at 7:15 p.m.

Respectfully Submitted,
Angela L. Zubko
Planning & Zoning Manager & Recording Secretary
ORDINANCE NUMBER 2014 - _____

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

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

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

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

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

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

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

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

WHEREAS, said property is legally described as:

PARCEL 1:
THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER, THENCE WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 1319 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHWEST QUARTER; THENCE SOUTH ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHWEST QUARTER 1376.78 FEET TO THE CENTER LINE OF A ROAD RUNNING NORTHEASTERLY AND SOUTHWESTERLY THROUGH SAID NORTHWEST QUARTER; THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG SAID EAST LINE 778 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF FOX, KENDALL COUNTY,
ILLINOIS; ALSO THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHEAST QUARTER 11.70 CHAINS (772.2 FEET) TO THE CENTER LINE OF A ROAD; THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE WEST ALONG SAID NORTH LINE 12.63 CHAINS (833.58 FEET) TO THE POINT OF BEGINNING, CONTAINING 42.59 ACRES MORE OR LESS, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE WEST HALF OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH 01 DEGREES 07 SECONDS 54 MINUTES EAST ALONG THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 78 DEGREES 29 MINUTES 58 SECONDS EAST, A DISTANCE OF 4010.24 FEET; THENCE SOUTH 66 DEGREES 02 MINUTES 58 MINUTES EAST, A DISTANCE OF 333.6 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 66 DEGREES 02 MINUTES 58 MINUTES EAST, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST; A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 MINUTES EAST, A DISTANCE OF 455.16 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 90 DEGREES EAST, A DISTANCE OF 346.63 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, THENCE NORTH 01 DEGREES 14 MINUTES 05 SECONDS WEST ALONG THE WEST LINE OF SAID QUARTER/QUARTER SECTION A DISTANCE OF 1269.52 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE NORTH 63 DEGREES 32 MINUTES 29 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 51.54 FEET; THENCE NORTH 73 DEGREES 54 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 785.94 FEET; THENCE NORTH 57 DEGREES 52 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 459.76 FEET; THENCE NORTH 46 DEGREES 37 MINUTES 32 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 158.96 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, THENCE SOUTH 01 DEGREES 16 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1864.30 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17, THENCE SOUTH 01 DEGREES 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 513.64 FEET TO THE WESTERLY BANK OF THE FOX RIVER; THENCE SOUTH 36 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 227.1 FEET; THENCE SOUTH 34 DEGREES 34 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 224.1 FEET; THENCE SOUTH 40 DEGREES 48 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 346.69 FEET; THENCE SOUTH 35 DEGREES 57 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 257.65 FEET; THENCE SOUTH 47 DEGREES 35 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 201.1 FEET; THENCE SOUTH 46 DEGREES 16 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 256.45 FEET; THENCE SOUTH 44 DEGREES 58 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 415.78 FEET; THENCE SOUTH 39 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 424.92 FEET TO A POINT ON A LINE DRAWN SOUTH 65 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST 1001.65 FEET TO THE POINT OF BEGINNING CONTAINING 118.00 ACRES.
WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on March 3, 2014; and

WHEREAS, the findings of fact were approved as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quite often benefiting neighbors with the use of the land and resources.

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

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. Dickson Valley has had 30+ years in the county with no problems in following regulations.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

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

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

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

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

IN WITNESS OF, this ordinance has been enacted on March 18th, 2014.

Attest:

Debbie Gillette  
Kendall County Clerk

John Shaw  
Kendall County Board Chairman
business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification or rescission of any rule or part thereof shall require the affirmative vote of five (5) members.

H) Compensation. The members shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties as such and approved by the Director of the Planning, Building & Zoning Department, and if funds are available in the Historic Preservation Commission's reserves.

I) Annual Report. The Commission shall submit an annual report of its activities to the Kendall County Board.

2. POWERS & AUTHORITIES
The Preservation Commission shall have the following powers and authority.

A) To conduct an ongoing survey of the County to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and, therefore, potential landmarks or historic districts;

B) To hold public hearings and recommend to the County Board the designation of landmarks or historic districts;

C) To compile information concerning and prepare descriptions of the landmarks and historic districts identified and recommended for designation and the characteristics that meet the standards for designation;

D) To prepare, keep current, and publish a map or maps showing the locations and exact boundaries of proposed and designated landmarks and historic districts and, if the Commission so chooses, the locations and boundaries of designated state or federal landmarks or districts;

E) To keep a register of all designated landmarks and historic districts;

F) To establish an appropriate system of markers or plaques for all designated landmarks, historic districts, and for streets, roads, trails, and highways leading from one landmark or historic district to another and to confer recognition upon the owners of landmarks or property within historic districts by means of certificates, plaques, or markers;

G) To nominate, with owners' consent, landmarks and historic districts to any state or federal registers of historic places;

H) To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic
a) The potential landmarks or districts in one township or distinct geographical area of the County;

b) The potential landmarks associated with a particular person, event, or historical period;

c) The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman; or of a particular building material.

d) Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the County;

2. PRESERVATION PLAN
   A) The Historic Preservation Commission shall, through the aforesaid surveys and research, so as to become thoroughly familiarized with buildings, structures, objects, sites, districts, areas and lands within the County which may be eligible for designation as historic landmarks or districts, prepare a "Historic Landmark and District Preservation Plan."

   B) The Preservation Plan shall be presented to the Kendall County Planning, Building & Zoning Department for consideration and recommendation to the County Board for possible inclusion in the Kendall County Land Resource Management Plan as amended. From time to time, the Commission shall review the Plan and insert in the Historic Preservation Commission minutes a report of such review and take appropriate action on any amendments to the Plan deemed necessary.

3. NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS
   A) Landmarks
   The Preservation Commission or any person may propose landmarks for designation by the County Board by filing a nomination including written proof of owner consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

   Such forms shall be provided by the Commission. Nomination forms submitted for landmarks or historic districts shall include or be accompanied by the following information:

   a) The name and address, as shown on the tax assessor's rolls, of the owners of record of the property proposed for designation.
b) The Permanent Index Number (PIN), legal description, and common street address of the property proposed for designation.

c) A map delineating the boundaries and location of the property proposed for designation.

d) A written statement describing the property and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list enumerating all properties and improvements previously designated, or currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.

f) The County Board reserves the right to set appropriate fees for administering this ordinance.

B.) Historic Districts
The Preservation Commission or any person may propose historic districts for designation by the County Board by filing a nomination including written proof of owners’ consent for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for historic districts shall include or be accompanied by the following information:

a) The names and addresses, as shown on the tax assessor's rolls, of the owner of record of the property proposed for designation and a notarized signed statement of consent of 400% 51% of the owners

b) The Permanent Index Numbers (PIN), legal descriptions, and common street addresses of the properties proposed for designation.

c) A map delineating the boundaries and location of the properties proposed for designation.

d) A written statement describing the properties and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list enumerating all properties and improvements previously designated, or
currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.

f) The County Board reserves the right to set appropriate fees for administering this ordinance.

4. CRITERIA FOR DESIGNATION
A.) Landmarks
The Commission may recommend to the County Board the designation of landmarks upon written proof of owner consent. In addition to property owner consent, landmarks shall only be recommended for designation when a thorough investigation results in a determination that the property, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

J) It is suitable for preservation or restoration;
K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

B.) Historic Districts

The Commission may recommend to the County Board the designation of Historic Districts upon written proof of 100% of property owners' consent whose property is located within the boundaries of the proposed district. In addition to owners’ consent, where at least fifty-one percent (51%) of the property owners whose property is located within the boundaries of the proposed district consent to designation. Historic Districts shall only be recommended for designation when a thorough investigation results in a determination that the properties, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;
In the case of a nominated landmark or historic district the recommendation and report shall be available to the public in the office of the County Planning, Building & Zoning Department.

6. NOTIFICATION OF NOMINATION
The Preservation Commission shall, within thirty (30) days from completion of the initial report and recommendation as described above in Article III, Section 5, cause to be scheduled a public hearing on the nomination. Notice of the date, time, place and purpose of the public hearing shall be sent by certified mail to the owner(s) of record and to the nominators at least fifteen (15) days prior to the date of the hearing. Such notice shall also be published in a newspaper having general circulation in the area surrounding the nominated property or district at least fifteen (15) days prior to the date of the hearing. All notices shall state the street, address and Permanent Index Number or legal description of a nominated landmark or the boundaries of a nominated historic district.

7. HEARING
A public hearing shall be scheduled, and notification made thereof, pursuant to Article III, Section 6, above. Oral or written testimony shall be taken at the public hearing concerning the nomination. The Preservation Commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, or scenic significance of a proposed landmark or of any property within a proposed historic district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The hearing shall be closed upon completion of testimony.

8. RECOMMENDATION OF PRESERVATION COMMISSION
Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district and also include if the property owner(s) objects to the designation. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

In the case of the property owner(s) objection to landmark designation, the landmark nomination would require a super majority vote by the County Board.

9. DESIGNATION
The County Board, upon a recommendation from the Preservation Commission that the proposed landmark or historic district should be designated, shall review the report and recommendations of the Preservation Commission.

For individual landmarks applications, the County Board, after reviewing the report and
recommendation, shall, within sixty (60) days from receipt of the recommendation of the Preservation Commission, take one of the following steps:

A) Designate the landmark by ordinance; or
   (In the case of the property owner(s) objection to landmark designation, the landmark nomination would require a super majority vote by the County Board.)

B) Refer the report and recommendation back to the Preservation Commission with suggestions for revisions, stating its reason for such action.

C) Reject the nomination application.

Upon return of the report and recommendation to the Commission, the Commission shall review and prepare new findings within forty-five (45) days of the County Board's original decision. The County Board shall designate or not designate the landmark at the next regularly scheduled County Board meeting.

10. RESUBMISSION OF APPLICATION
Resubmission of any application for landmark or historic district designation may be made no sooner than ninety (90) days after County Board action on the nomination. Not more than one re-submission may be made within a twelve (12) month period.

11. NOTICE OF DESIGNATION
Notice of the action of the County Board, including a copy of the ordinance designating the landmark, historic district shall be sent by regular mail to all owners of record, including but not limited to each owner of record of a landmark or property within a historic district. Further, as soon as is reasonably possible, the County Board Chair shall cause to be notified the Kendall County Planning, Building & Zoning Department, the Recorder of Deeds, the County Clerk, and the Kendall County Collector by forwarding to each a copy of the designation ordinance. The Recorder of Deeds shall ensure that the designation be recorded on all directly affected parcels.

12. PUBLICATION OF MAP
A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the same location and in the same manner as any County zoning map.

13. APPEALS
Adoption of an ordinance designating a landmark or historic district by the Kendall County Board shall be a final action reviewable under Section 3-101 of the Illinois Administrative Review Law.

14. INTERIM CODE
No building, zoning, site development, access, utility or other permit shall be issued by
ORDINANCE # 2014-——

AMENDMENT TO THE KENDALL COUNTY HISTORIC PRESERVATION
ORDINANCE PAGES 7-16: ARTICLE II.2 “Powers & Authorities”, ARTICLE III.3
“Nomination of Landmarks and Historic Districts”, ARTICLE III.4 “Criteria for
Designation”, ARTICLE III.8 “Recommendation of Preservation Commission” &
ARTICLE III.9 “Designation”

WHEREAS, the Kendall County Preservation Commission, an agency of the Kendall County
Board is invested with certain powers and duties pursuant to the Ordinance; and

WHEREAS, the Kendall County Historic Preservation Ordinance may propose landmarks &
historic districts for designation by the County Board; and

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

WHEREAS, all administrative procedures for amendments have been followed including a
motion and affirmative vote by the Kendall County Historic Preservation Committee on October
16, 2013 to modify the language in the ordinance.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends pages 7-16:
ARTICLE II.2 “Powers & Authorities”, ARTICLE III.3 “Nomination of Landmarks and Historic
Districts”, ARTICLE III.4 “Criteria for Designation”, ARTICLE III.8 “Recommendation of
Preservation Commission” & ARTICLE III.9 “Designation” of the Kendall County Historic
Preservation Ordinance as provided below:

Page 7, Article II.2 POWERS & AUTHORITIES
  G) To nominate, with owner’s consent, landmarks and historic districts to any state or
     federal registers of historic places;

Page 10, Article III.3.A NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS-
Landmarks
  The Preservation Commission or any person may propose landmarks for designation by
  the County Board by filing a nomination including written proof of owner consent for
  any property or properties and structures located in an unincorporated area or in an
  incorporated area by intergovernmental agreement with the appropriate municipality
  within the geographical boundaries of Kendall County. Nomination forms shall be filed
  with the Kendall County Planning, Building & Zoning Department.

Page 11, Article III.3.A NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS-
Historic Districts
  The Preservation Commission or any person may propose historic districts for
  designation by the County Board by filing a nomination including written proof of
owners' consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County.

... a) The names and addresses, as shown on the tax assessor's rolls, of the owner of record of the property proposed for designation and a notarized signed statement of consent of 100% 51% of the owners

Page 12, Article III.4 CRITERIA FOR DESIGNATION- Landmarks
The Commission may recommend to the County Board the designation of landmarks upon written proof of owner consent. In addition to property owner consent, landmarks shall only be recommended for designation when a thorough investigation results in a determination that the property, structure, improvement or area so recommended meets one (1) or more of the following criteria:

Page 13, Article III.4 CRITERIA FOR DESIGNATION- Historic Districts
The Commission may recommend to the County Board the designation of Historic Districts upon written proof of 100% of property owners' consent whose property is located within the boundaries of the proposed district. In addition to owners' consent, where at least fifty-one percent (51%) of the property owners whose property is located within the boundaries of the proposed district consent to designation.

Page 15, Article III.8 RECOMMENDATION OF PRESERVATION COMMISSION
... architectural or scenic significance of the proposed landmark or historic district and also include if the property owner(s) objects to the designation. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

In the case of the property owner(s) objection to landmark designation, the landmark nomination would require a super majority vote by the County Board.

Page 15-16, Article III, 9 DESIGNATION
A) Designate the landmark by ordinance; or
(In the case of the property owner(s) objection to landmark designation, the landmark nomination would require a super majority vote by the County Board.)

IN WITNESS OF, this Amendment to the Kendall County Historic Preservation Ordinance was approved by the Kendall County Board on March 18, 2014.

Attest:

Debbie Gillette
Kendall County Clerk

John Shaw
Kendall County Board Chairman
PBZ Projects and Activities-3.4.14

Active Zoning Petitions (not including petitions on hold)
  12-19 LRMP Update- Trails
  13-26 Green Organics, Inc. (Major amendment to Special Use)
  13-29 Historic Preservation Ordinance (Text Amendment)
  14-01 Building Code update including Fees (Text Amendment)
  14-02 Dickson Valley Ministries (Major amendment to Special Use)

7 potential petitions to be submitted (have talked to people about them)

Active Site Development Permits- 6 active

Subdivisions
  Fields of Farm Colony- Complete
Subdivisions still open:
    Highpoint Meadows- For Sale
    Schaefer Glen- For Sale
    Light Road Industrial park- Bought through foreclosure, nothing going on
    High Grove- Sold some property to the Park District
    Tanglewood Trails-Nothing new

Projects outside the office
  NWPA Planning Committee
  NWPA TAC Committee
  Kane/Kendall Bike & Pedestrian Plan
  County Director Meetings (CMAP)
  Village of Montgomery’s Comp Plan meeting
  Land Use Committee Meeting (CMAP)
  Drainage District meetings through the Farm Bureau

Other Projects in the office
  Investigate floodplain/zoning issues (1 water issues currently- Foxlawn Subdivision)
  Stormwater mapping in the field- completed 53 subdivisions so far (Finished Little Rock Township)
  Working on the windshield Survey for Historic Preservation- finished going through Oswego pictures
  Continue improving the GIS website with regards to information on zoning, permits, etc.
  Work with mapping to convert hard copy allocation maps into an Ag Allocation layer in GIS
  Convert information from pre 1993 permit cards into an excel database to create searchable system of old permit records by PIN or permit number.
  Mobile Home Permits- 5 active, 1 is in violation (must be removed)
Cleaning up office with regards to getting old files scanned- All petitions are scanned, working on 2007 in building permits

FOIA’s
Keep track of escrow accounts
Update website- minutes, applications and ordinances
Normal day-to-day things- phone calls, people with questions, organizing, scheduling, posting, etc.

A weekly log sheet showing what I’ve done for that week is available upon request and submitted to Mr. Wilkins

Night meeting hours attended in 2014 so far: 23.25 hours (14 Meetings)
Night meeting hours attended in 2013: 121.75 Hours (70 Meetings)
Night meeting hours attended in 2012: 111.00 Hours (67 Meetings)
Night meeting hours attended in 2011: 98.5 Hours (56 Meetings)
Night meeting hours attended in 2010: 77.50 Hours (37 Meetings)
Night meeting hours attended in 2009: 51.75 Hours (36 Meetings)
Night meeting hours attended in 2008: 53.5 Hours (27 Meetings)
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