KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE MEETING
111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560
(630) 553-4141
Fax (630) 553-4179

AGENDA

March 9, 2015 – 6:30 p.m.

CALL TO ORDER

ROLL CALL: Lynn Cullick, Bob Davidson, Scott Gryder (Chair), Judy Gilmour (Vice-Chair) and Jeff Wehrli

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of minutes from the February 9, 2015 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/OLD BUSINESS
23 Old Post Road- discussion on violation and how to proceed
Discussion on Fox Township message sign verse regulations

PETITIONS
1. 14-33 Bee Keeping
   Request  Text Amendment
   Purpose  Text Amendment to allow bee keeping in the residential (R-1, R-2 and R-3) districts

PUBLIC COMMENT

UPDATE ON HISTORIC PRESERVATION- Preservation Plan/5 Year Plan— Discuss 2015 goals

UPDATE ON CMAP LAND USE COMMITTEE MEETING

PROJECT STATUS REPORT
PERMIT REPORT
REVENUE REPORT
CORRESPONDENCE
EXECUTIVE SESSION

ADJOURNMENT- Next meeting on April 13, 2015
CALL TO ORDER
The meeting was called to order by Chairman Scott Gryder at 6:30 p.m.

ROLL CALL
Present: Vice-Chair Judy Gilmour and Chairman Scott Gryder. Appointed Matt Prochaska to make a quorum
Absent: Lynn Cullick, Bob Davidson and Jeff Wehrli
Also present: Planning & Zoning Manager: Angela Zubko, County Administrator: Jeff Wilkins, Code Compliance Officer: Brian Holdiman
In the audience (signed in): Frank Johnson, John Gallo, Andrew Sybert, C.W. Dickey, David Dickinson, John & Geri Ryan, Bob Moser, William Richards, Tom and Sandy Rohrbacher, Patti Kraus, Carey & Janet Porter & Maria DeLeon

APPROVAL OF AGENDA
Planner Zubko would like to move the First Amendment and Nuisance Ordinances after the petitioners please and continue bee keeping to next month. Judy Gilmour made a motion to approve the agenda as amended, Matt Prochaska seconded the motion. All agreed and the motion was approved.

APPROVAL OF MINUTES
Judy Gilmour made a motion to approve the minutes from November 10, 2014. Matt Prochaska 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 $15,615.75 and forward it onto the Finance Committee, Matt Prochaska seconded the motion. With a roll call vote all in attendance agreed and the motion was approved.

PUBLIC COMMENT- Mr. Frank Schmalz who lives at 23 Old Post Road spoke about his property. He was put in violation for having a trailer in his front yard setback. Planner Zubko passed out an aerial of his property, the Zoning Ordinance and some pictures provided by the lot owner. Mr. Schmalz stated he has owned this property since 1995 and had as many as four trailers on this property. Currently he has 2 trailers and was unaware of registering his property back in 2006 until the violation notice. If he has to move the trailer back behind his house he may have draining problems and also wanted to note that the complainant does not live in the neighborhood. He’s willing to do whatever it takes as he uses this trailer everyday for work so parking it off site would not be helpful.

NEW BUSINESS-
River’s Edge Fellowship- Request to waive special use fees in the amount of $577.50 and building permit fees in the amount of $200: Matt Prochaska made a motion to waive the fees, Judy Gilmour seconded the motion. All were in favor.
## PETITIONS-

### #14-39 River’s Edge Fellowship

Planner Zubko stated the River’s Edge Fellowship is requesting approval of a B-3 special use permit for a place of worship and other related uses. This would be located between the Dollar General and the liquor store in the Boulder Hill Marketplace on Boulder Hill Pass just east of Route 25. They would be operating out of a 4,800 square foot location in the strip mall. It is actually the same location the YARN Foundation was but that also ran with the tenant so once they left the special use left. The parking lot already exists and should be sufficient for the uses in the complex and the use would fit in with the uses in the area. River’s Edge currently holds Sunday services at the Civic Center at 9:30am and Wednesday Bible Studies at 6:30pm. They are a congregation of approximately fifty people with the desire to grow to a maximum of one hundred people. They also do limited community outreach events such as feeding the poor and needy, supporting other local ministries, partnering with other area churches for broader outreach and service events and in the future possibly host a Boulder Hill food pantry as well as a safe haven for transients during the day. Staff recommends approval of the special use and to add one condition onto the approving ordinance which is that the special use runs with the tenant and not with the land.

The ZPAC Committee had no objections and recommended approval. The Plan Commission and hearing officer both recommended approval and no one in the audience voiced any concerns. Frank Johnson, the pastor is in attendance if there are any questions or comments.

Frank Johnson introduced himself and didn’t have anything to add.

With no further discussion Judy Gilmour made a motion, seconded by Matt Prochaska to recommend approval of the B-3 special use with staff’s one condition and forward the petition onto the full County Board. With a roll call vote, all were in favor and this will be forwarded.

### #14-42 Sybert Landscaping

Planner Zubko stated Sybert Landscaping is requesting approval of an A-1 special use permit to operate a landscape business with outdoor storage of vehicles, equipment and bulk materials associated with a landscape business. The applicant will be living in the house on the property. This property is for sale right now and the sale is contingent on the special use zoning. The property is located at 655 Woolley Road and is on the north side of Woolley Road, 0.15 miles west of Stewert Road. All the buildings exist and they do not plan on any new structures or buildings; they did get approval from the township in November as the petitioner needed permission from the road commission to have this type of business on a minor roadway. The township road commission recommended approval for the petitioners to apply with three conditions: no retail sales allowed on site, no vehicle with GVWR over 36,000 lbs. & no loading or landscape equipment between the hours of 9pm to 6am. The township does not need to hear the petition again so they’re all set with the township. During ZPAC it was asked why the township put a weight restriction since all roadways have a limit of 80,000 lbs so they deleted that condition. Sybert landscaping is a small family-owned and operated lawn care and landscaping company with no retail sales nor does it meet with its customers at its location. The business currently operates out of Romeoville, Illinois. If they acquire this site and special use the operation will move from Romeoville but the offices will stay out in Romeoville. The applicant’s parents started the company in 1979 and the applicant is the manger of the business. They employ about 6 employees including the applicant, two foremen and three laborers. The crews all ride together in two vehicles to work every day. The work force arrives at 7am; load company trucks and disperse to job sites returning at the end of the day. The hours of operation are from 7am to 5:30pm Monday through Friday with
an occasional Saturday. They operate from mid April through mid November doing lawn service and then from November through March the trucks are placed offsite and stored on their snow plot lots. There is plenty of room on the north side of the lot for parking and storage of vehicles. They also propose a 6’ fence to enclose all the equipment and the proposed 6’ berm by the landscape materials has been eliminated due to the neighbor’s opposition. The water currently drains west. There were many concerns about drainage so the petitioner stated he would add a pond to capture some of the water and slowly release it naturally but the neighbors opposed that idea so the petitioner will not be putting in a pond. The petitioner does propose to haul away their landscape waste but we did put a condition if they do bring waste back to the site they can only have a limit of 1 semi load. At the last meeting we discussed waste and typically if the waste is not dropped off at the end of the day to a recycling facility it will come back to the site but stay in the truck. The only time it will be dumped on site is if it rains and they exceed the weight capacity but if that happens it definitely will be gone within a week. Staff will also place a condition that no landscape waste generated off the property can be burned on this site. The petitioners have stated the main route to their clients will be east on Woolley Road, South on Stewart Road, east on 115th Street to reach Route 30. This would be the main route in and out of this location to reduce the amount of traffic. No signage is proposed at this time, if they would like to have a sign they would need to comply with Section 12 of the Zoning Ordinance and apply for a building permit. The property currently has an access point off of Woolley Road which would remain the same. Staff would like to point out this is Sybert landscaping and not Siebert landscaping which is a much larger company. On page 5 of the report is a list of business’ the petitioner’s attorney has put together with other businesses in the area. The other businesses do not have special uses except the Grande Prairie Equestrian Center. Some might qualify for home occupations and other probably would not but we have not received complaints on the business’ so have not addressed them. The petitioner is trying to do the right thing by getting a special use. Staff is of the opinion this use fits in with the activities taking place near this site and also is of the opinion there could be much worse neighbors then a landscape business on this site. Staff will not make a recommendation at this time, however if approved staff would recommend the following conditions be placed on the special use:

1. No landscape waste generated off the property can be burned on this site.
2. No loading or unloading of landscape equipment between the hours of 9pm and 6am.
3. No retail sales/business allowed on site.
4. Restrict the amount of landscape waste that could be stored on site at any one time on the ground to 1 semi load. That 1 semi load must be removed within 1 week. Landscape waste can be contained in the bed of a truck but also must be removed within 1 week.
5. The fence must be installed within 6 months of the approval date of the special use.

The Plan Commission had about 15 people in attendance in which 8 people spoke opposing the special use. Their main concerns were water drainage, grading, landscape waste, rodents, traffic, property values, chemicals, pesticides, pollution, water draining into the ephemeral pond, dust, fuel storage, expansion of the business and the fact that a business is going into a horse community. The Plan Commission recommended denial with a 2-3 vote. The 3 no votes were due to drainage concerns, concerns about overland drainage as well as grading. Also they felt the use as described is too intense for a 3 acre lot. This was a private airstrip at one time and the Pheasant Drive homes are what caused the water issues. One member had mixed feelings since there is a nursery nearby but feels this is too intense. The last no vote agreed with the others that maybe the trend is becoming more business-like and it would be more suited as a one or two employee operation and not this type of use in a quasi-residential area, it’s too intense and there could be traffic issues.

The hearing officer had about 18 people in attendance in which 12 people spoke opposing the special use. Their main concerns were the same as Plan Commission but a few others were mentioned like: what happens
if the business gets larger, noise of deliveries and making sure the conditions are adhered to. The hearing officer made an unfavorable recommendation.

Since those meetings I have received some correspondence from the petitioners’ attorney that a Plan Commission member who voted down the project then tried to sell his client some land the next day. The petitioner and his attorney are of the opinion that since the member sits on the Kendall County Regional Planning Commission and voted against recommendation of their Special Use Permit request, begs the question of was their vote influenced by a desire to profit from it? Did the negative comments for a possible profit influence other to vote “no”? Since they lost by one vote, did this negative recommendation affect the finding of facts of the Special Hearing Officer? Has he/she tried to influence the Planning Commission members and the County Board? They feel it appears that the conflict of interest may have tainted the entire process.

While I understand that the vote and subsequent correspondence may have the appearance of a conflict to the petitioners in this matter, there is no direct evidence presented at this time that would indicate a direct conflict of interest in this matter.

That said, the County Board will ultimately vote to grant or deny the petition in this matter. The Board is free to consider any evidence or recommendations they so choose. The vote of RPC (as with other advisory boards) is simply a recommendation. The Board is free to accept the recommendation or to reject it. With the Board not bound to follow the recommendation of the RPC, the Board has several options:

First - they can simply consider the letter as part of the evidence presented in the matter and give it whatever weight they feel it deserves.
Second - they can request the matter be referred back to RPC to revote with that commissioner abstaining.
Third - they can simply treat the recommendation of RPC as tied (disregarding the vote of the commissioner).
Fourth - they can do nothing and simply make their decision based upon all the information available.

Mr. Gryder stated he talked to the SAO this afternoon and he was of the opinion that it wasn’t a smart move to do that and possibly unethical move he did not think it actually tainted the outcome and suggested we strike that vote and act like it was a tie at Plan Commission.

Matt Prochaska asked who voted yes and no. Planner Zubko stated Casey and Bledsoe voted yes and Wormley, Ashton and Wilson voted no.

Planner Zubko went over the additional information passed out, the first one was in the packet as black and white and this is in color and the 2nd is some information showing views from the property in question.

Mr. Gryder thanked everyone for coming tonight and came throughout the process. A couple questions he had on the property have to do with the drainage and grading along with the intensity of the use and the waste all appear to be the biggest concerns pertaining to this petition. Planner Zubko stated we have put a condition that if any waste is dumped on the property it must be removed that week and no more than 1 load.

Andy Sybert and John Gallo introduced themselves. With regards to drainage they have taken out the pond and any grading to be done. The yard waste will remain in the back of the truck before going to the recycling center. He presented a new site plan that hopefully helps their concerns. The site plan shows he will not be using a lot of the north property anymore, it will stay as is. On the back side, the neighbor’s concern was the

2.9.15 PBZ Meeting Minutes

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view from her house. He is going to move the fence in 20-25’ and add a row of evergreen trees. Also in the northeast corner the bulk storage which will be a maximum of 6’ tall with some evergreens in the corner as well. The bulk storage will be sand and gravel, the mulch will be kept up front. In the packet it shows the distances to the surrounding homes and their views, he is proposing to install evergreens to block their view. He wants to see what the neighbors can see to fix it. To the west there are some existing trees/bushes. The north property owner should not be able to see the equipment with this proposed site plan, he’s going to add to her existing landscape on this property. From his proposed evergreens in the northeast corner there are existing evergreens. The 6’ fence will go all the way between the barns and house. The employees will park on the existing gravel. There was concern about the mulch and the smell so he’s going to put it closer to the house south of the smaller storage structure. At the entrance he’s going to put a sign for his employees to wait till the school bus is gone. He also stated that hopefully the plants will absorb some of the water on the north side of the property but he might need to plant River birches if the soil conditions are not good.

Mr. Gryder stated Mr. Menard was worried about expansion, he asked if he’s open to a cap to the number of employees. Mr. Siebert does not plan on getting bigger and if they get bigger they will not want to stay at this site. Mr. Gryder is a little worried about a large expansion. Mr. Gallo stated his client is going to comply with the A-1 district limits. An agricultural property can have unlimited employees. Planner Zubko wanted to state this will run with the owners. Mr. Gryder asked Planner Zubko the restrictions on this property versus agricultural property. Planner Zubko stated there is no limit to the amount of agricultural laborers or parking and also can have ag labor housing on site.

Ms. Gilmour asked where most of the landscaping takes place. Mr. Siebert stated they go all over like to Lake Geneva, Wilmington, Indiana, Yorkville, Oswego, Naperville, Lisle, Joliet, Mokena, the work is moving in this direction. He also went into working for IDOT and why he wants to move to this area. Mr. Siebert stated he has a lot more clients out here.

Matt Prochaska asked how many businesses are in the immediate area. Planner Zubko stated there are 5 in the area. Mr. Gallo went through some of the businesses in the area and stated this business is consistent with businesses in the area. Ms. Zubko stated the current property has had an amusement business on site since 1963 with 20-30 employees on the weekend. Supposedly it closed down in 2006 but there still is a website and number to call but I’m sure the owners can explain if it’s moved. Mr. Gryder stated staff will be looking into all the businesses and making sure they comply.

Mr. Prochaska stated there are drainage concerns and asked Planner Zubko which way the water goes. Planner Zubko stated there is an ephemeral pond which is northwest of the property where water drains and the front half of the property drains south.

Ms. Gilmour is concerned about the issue of landscape waste. Mr. Siebert explained the waste again stating they don’t plan on any waste to hit the ground unless there is a weight issue.

With no further discussion Matt Prochaska made a motion, seconded by Scott Gryder to recommend this be forwarded onto the full County Board with no recommendation. With a roll call vote of 2-1 this will be forwarded. Prochaska and Gryder voted yes and Gilmour voted no. Gilmour voted no and stated there are still unanswered questions based on the Plan Commissions findings and nearby residents.

The audience was upset they did not get to speak. Mr. Gryder stated we have all the information in hand and testimony from the meetings. Mr. Gryder stated he is not comfortable with the proposal and the intensity of 2.9.15 PBZ Meeting Minutes
the business at this time. Mr. Gallo stated that is why they made these additional changes to the site plan, Mr. Gryder stated they’ll have one other time to present this.

Planner Zubko explained the COW meeting and the County Board meeting. Mr. Wilkins stated if you’d like to talk to the County Board please contact Debbie Gillette.

Mr. Prochaska suggested this go to the committee of the whole this Thursday at 4pm where there will be a presentation so all the Board members are aware.

Tom Rohrbacher stated this is the 3rd meeting he has come to and repeating themselves, why doesn’t everyone get together and have one meeting? It’s a hardship and timing wise it’s hard unless you’re retired. He wishes there would be less meetings. Mr. Gryder stated he agrees with the amount of meetings and hope he would come back during a meeting discussion.

**#14-33 Bee Keeping** - This was continued to next month.

**NEW BUSINESS**
First Amendment to the City of Yorkville Building Inspection Agreement- The City of Yorkville has already approved the amendment, the reason we’re seeking the approval is in case our contracted plumbing inspector cannot do some inspections the City of Yorkville’s inspector will. Matt Prochaska made a motion to approve the amendment, seconded by Judy Gilmour, all were in favor.

Nuisance Ordinances- Brian Holdiman needs approval from the committee. He’s done some research and there are 4 active ordinances that he considers nuisance ordinances and one draft ordinance that we’re looking to coordinate with the Sheriff’s office, SAO, Health Department and local townships to combine these ordinances and possibly re-write more clearly who’s enforcing the ordinances. Mr. Prochaska asked if it makes sense to shift all enforcement to the PBZ or a centralized location and get the complaint to the correct department instead of calling multiple departments. Mr. Holdiman stated that would be helpful but the PBZ department staff-wise could not enforce all these ordinances. Mr. Holdiman stated Kane County has an online form that must be distributed. Matt Prochaska suggested using google docs and will draft an online complaint form that can be distributed to the correct department. Ms. Gilmour asked Brian if we wanted to brief the Health and Environment Committee on this issue. It was noted our noised ordinance could fall into this as well. March 16th is the next Health and Environment meeting.

Discussion on special use application in the City of Yorkville for an outdoor music venue- 112 Van Emmon- The Plan Commission is meeting Wednesday night at city hall. As emailed out this was preliminarily discussed by staff at our ZPAC (Zoning, Platting advisory Committee) last Tuesday and the following concerns were brought up:

- Noise
- Parking Concerns
- Liability (walking across County Property or even possibly parking on county property)
- Lights
- Projected noise down the river
- Food
- Liquor
- Jaywalking across Van Emmon
- Public Safety

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Possibly projecting towards the hill would be better
Not a very well thought out plan
Not handicapped accessible
There is already a location that can be used across Route 47- 0.2 miles (1,000 feet) away at the Yorkville Park

Mr. Gryder stated for Planner Zubko to write a letter or at least an email should be sent to voice the County's concerns. Matt Prochaska stated he would like our ordinance to match the City of Yorkville’s noise ordinance. He will bring it up at the Public Safety Committee. Ms. Gilmour asked if anyone is going.

OLD BUSINESS
Discussion on last zoning ad-hoc meeting & economic development- Planner Zubko stated she forgot this was discussed at the November meeting. She stated at the annual Plan Commission meeting it was presented that it is projected that our population will still grow 99% by 2040 to 228,000 people so economic development is still a top priority. Planner Zubko asked Mr. Wilkins to give an update on the hiring of a new economic development coordinator. Mr. Wilkins stated he has started some interviews. They received about 30 applicants.

UPDATE ON HISTORIC PRESERVATION- Planner Zubko stated that next month the committee will go over the Historic Preservation Plan/ 5 Year Plan- Discuss 2015 Goals. Planner Zubko stated in the packet is also a spreadsheet showing all the photos and properties being discussed. The Committee has identified 1,552 properties that had a structure that existed in 1939 and still exists in 2010 and we’re going through all the properties and deeming them non-significant, significant, landmarked, potentially significant or demolished. Planner Zubko stated soon the PBZ Committee will be receiving a landmark application that a homeowner has submitted to PBZ.

UPDATE ON CMAP LAND USE COMMITTEE MEETING- Planner Zubko stated in the packet is some information on the population estimates and employment estimates that was also presented at the annual meeting last Saturday.

PROJECT STATUS REPORT— Reviewed– also included Brian’s inspection report.
PERMIT REPORT— Reviewed
REVENUE REPORT— Reviewed
CORRESPONDENCE – None
EXECUTIVE SESSION- None

ADJOURNMENT- Next meeting will be on March 9, 2015
Matt Prochaska made a motion to adjourn the meeting. Judy Gilmour seconded the motion. All agreed. Chairman Gryder adjourned the meeting at 7:50 p.m.

Respectfully Submitted,
Angela L. Zubko
Planning & Zoning Manager
Language from Ordinance:

11.01 PARKING AND STORAGE OF RECREATIONAL VEHICLES, RECREATIONAL TRAILERS, TRAILERS AND MOBILE HOMES. (Amended 7/18/2006)

A. Storage of Unoccupied Recreational Vehicles, Trailers and Mobile Homes (Amended 7/18/2006)

1. Unoccupied recreational vehicles, trailers and their contents may be located on lots in any district provided they comply with the following regulations:

a. The number of recreational vehicles and trailers on a lot shall not be restricted when such recreational vehicles or trailers are located within the interior of a permitted structure or when fully screened from adjacent property. Screening shall consist of permitted solid fencing, structures, or evergreen landscaping such that the vehicle does not exceed the height of the permitted screening and so that the vehicle is not directly visible from adjacent properties when viewed at ground level.

b. Recreational vehicles trailers and their contents not stored within a permitted structure shall comply with the following parking requirements:

i. Except for the A-1, R-1, R-2 and R-3 districts, unless otherwise permitted in Section 11.02, such vehicles shall be parked on a hard surfaced all weather pad constructed of concrete, asphalt, brick or stone pavers or comparable material.

ii. Recreational vehicles, trailers and their contents may not encroach into a required front or corner side yard setback, shall
not block any portion of a sidewalk or trail and shall not be parked or stored in a way that obstructs the visibility of oncoming traffic so as to create a safety hazard.

iii. Recreational vehicles may be stored or parked within a required rear or interior side yard setback.

Exception: An owner of a recreational vehicle located on property in the R-4, R-5, R-6 or R-7 Residential District which cannot comply with the front yard setback provisions of Section 4.08.A.1.b.ii above as of June 20, 2006 and that has registered said vehicle with the Kendall County Planning Building and Zoning Department, may be permitted to store such vehicle within the front yard setback provided said encroachment does not obstruct the required sight distance triangle, in the case of a corner lot, or create an obstruction so as to compromise the safety of pedestrians or other vehicles operating within the road right-of-way (R.O.W.) Said exemption shall apply to the original recreational vehicle registered and any replacement of said recreational vehicle.

This exception shall be non-transferable to any subsequent owner(s) or occupants of the property and shall terminate upon either the sale of the property or change in occupancy of the dwelling unit should the owners chose to maintain it as a rental property.

Owners shall be required to register their properties with the Planning, Building and Zoning Department on a form approved by the Department prior to December 29, 2006. In addition, the owner shall supply a copy of the plat of survey indicating the approved location for the storage of the vehicle and shall be required to pay a one time registration fee of $75.00. The Planning Building and Zoning Department shall keep a copy of the registration form and approved parking plan on file. Upon sale of the property, the owner shall be required to notify the Planning, Building and Zoning Department in writing and shall note in the file that the exemption has been terminated.

c. When recreational vehicles or trailers and their contents are not fully screened from adjacent properties, the maximum number of unscreened recreational vehicles or trailers permitted to be parked or stored on a zoning lot shall be in accordance with the following table:

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Permitted RV's or Trailers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>Unlimited, provided such recreational vehicles or trailers are for use by the property owner or tenant</td>
</tr>
<tr>
<td>R1, R2, R3</td>
<td>2, provided such recreational vehicles or trailers are for use by the property owner or tenant</td>
</tr>
<tr>
<td>All other residential districts</td>
<td>1 provided such recreational vehicles or trailers are for use by the property owner or tenant</td>
</tr>
</tbody>
</table>

(Amended 7/18/2006)
Pictures provided by owner:
January 28, 2015

Ms. Angela L. Zubko
Kendall County Dept. of Planning, Building & Zoning
111 West Fox Street
Yorkville, Illinois 60560

Re: Village of Millbrook/Fox Township sign

Dear Ms. Zubko:

As you know, Fox Township has been in discussion with Kendall County regarding a sign they would like to install in front of the Fox Township Building at 8495 Fox River Drive in Millbrook. This letter will serve as the Village of Millbrook’s complete support of having this sign in the Village. The village also agrees that this sign can be lit and that the message on the sign can change every 5 seconds or an agreeable time approved by the county. We feel that this sign will be an amazing asset to our community and all of the community entities that will be able to post their events and inform the public of all the community events.

If you need anything further from the Village please contact me and I will cooperate in any way I can.

Sincerely,

Jackie Kowalski
Village President

/jak
cc: Fox Township
    Village of Millbrook Board
12.08 AGRICULTURAL DISTRICT

A. PERMITTED SIGNS. In all agricultural districts the following classes of signs are permitted in accordance with regulations set forth herein:

1. Non-flashing Non-illuminated Signs, as follow:

2. Non-flashing Illuminated Signs, as follows:

   a. Wall or Free-Standing signs associated with government, institutional and approved special uses, not exceeding thirty-two square feet in gross surface area. One wall or free-standing sign shall be permitted on each frontage. Hours of illumination shall be limited from 6:00a.m. to 11:00p.m. daily except that public safety facilities may be illuminated 24 hours a day. Churches shall also be exempt for this provision on those days of the year when special services or events are held for the observance of religious holidays. (AMENDED 8/17/04)

3. Changeable Copy Signs. Changeable Copy Signs are permitted as a part of Wall or Free-Standing Signs for places of worship, schools and government uses, subject to the following standards:

   a. The size of the Changeable Copy Sign shall be counted towards the total sign area permitted for each sign type, and shall not exceed 60% of the total permitted sign area.

   b. Anything displayed on the changeable copy sign shall remain illuminated and visible for a minimum of 5 minutes. No scrolling is permitted.

   c. The message shall not flash. Any message that remains visible for less than 5 minutes shall be considered flashing.

   d. Changeable Copy signs are prohibited within 100 feet of a principal residential structure if any part of the sign face could be visible from the principal residential structure.

   e. The hours of illumination shall be limited to between 6:00am and 11:00pm for signs located less than 500 feet from any principal residence except on those days of the year when special services or events are held for the observance of religious holidays.

   f. When adjacent to residential properties light levels shall not exceed 0.05 foot candles as measured along the residential property line.

   g. All content shall only be permitted for the place of worship, school or government use and their events and functions only.

   h. The changeable copy sign shall be equipped with an automatic dimming feature capable of adjusting the brightness of the sign according to ambient light levels at the install location.
ORDINANCE NUMBER 2005- _34_

GRANTING SPECIAL USE
PART OF PROPERTY IDENTIFICATION NUMBER 04-16-151-006
FOX TOWNSHIP

WHEREAS, Fox Township, through its Road Commissioner Brad Mathre, filed a petition for a Special Use within the A-1 district, for property located adjacent to and southwest of the Millbrook School in Fox Township; and

WHEREAS, said petition is to allow for construction and operation of a township garage, assessor’s office, and parking in conjunction with the special use as provided in Section 7.01.D.15 of the Kendall County Zoning Ordinance; and

WHEREAS, said property is zoned A-1 Agricultural; and

WHEREAS, said property is legally described as:

That part of the NW ¼ of Sec. 16, T 36 N, R 6 E of the 3rd PM described as follows: commencing at the Point of Intersection of the Center Line of Fox River Drive with the SW’ly line of Van Tassel’s Addn to Millbrook, Kendall County, Illinois extended SE’ly; thence S 44° 04’ 00” W along said Center Line 553.40 feet for a point of beginning; thence SW’ly along said center line, 762.60 feet; thence NW’ly at right angles to said center line, 666.08 feet to the SE’ly line of the ROW of the Burlington Northern Railroad Company; thence N 44° 13’ 49” E along said SE’ly line 764.39 feet to a line drawn N 45° 46’ 45” W parallel with said SW’ly line of Van Tassel’s Addition, from the Point of Beginning; thence SE’ly along said Parallel line 663.90 feet to the point of beginning in Fox Township, 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 Special Use Hearing Officer; 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 the use indicated in the recitals section of this Ordinance subject to the following conditions:

1. Submission of parking lot lighting plans for review and approval of the Director of PBZ.
2. If a portion of this property is conveyed to a third party, the legal description of the parcel subject to this Special Use Permit and Variances will automatically be amended to reflect the
portion of the parcel retained by Fox Township for its governmental uses, provided that said conveyance of property does not create the need for additional variances.

3. Placement of "No Parking" signage along both sides of Fox River Drive along the property's frontage on that road.

4. Granting of sufficient right-of-way along Fox River Drive to effect a fifty (50) foot distance from the center line of Fox River Drive prior to issuance of a building permit for the structure housing the special use.

5. Granting of a trail easement for the proposed trail along Fox River Drive and along the IL Railnet ROW prior to issuance of a building permit for the structure housing the special use.

6. Maintain the natural barrier provided by the wooded area to the southwest.

7. Approval of a front yard setback variance from 100 feet to 45 feet per the recommendation of the Zoning Board of Appeals.

8. The property shall be developed and maintained in substantial conformance with the site plan and in accordance with the building elevations attached hereto as Exhibit "A".

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 17, 2005.

Attest:

\[Signature\]

John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk
EXHIBIT A
DATE 5-3-05

NOTE: The proposed Stockpile Area locations are temporary and will be removed prior to issuance of a Certificate of Occupancy for the structure.
To: PBZ
Date: February 3, 2015
Re: Text Amendment – Bee Keeping in Residential Districts (Petition 14-33)

A couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee.

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

Beekeeping with the following conditions:

a. Beekeeping and the honey produced from beekeeping shall be for personal use only
b. Annual permit required with fee of $50 the first year the permit is issued and $25 each year after
c. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
d. No colony shall be permitted within a front yard setback
e. All colonies must be setback at least 30’ from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5’ from the rear or side yard lot line (as long as there is no sidewalk or pathway).
f. All colonies within 100’ of an adjoining home shall require a flyway barrier with a 6’ minimum height
g. All colonies shall require a minimum 4’ fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.
h. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100’ of the adjoining home of objecting property owner.
i. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.
j. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100’ of the residence of the previously objecting property but shall maintain a distance of at least 30’ from all property lines at all times unless abutting a right of way in which the colony can be placed with 5’ of the property line.
k. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrators receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.

l. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.

m. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.

n. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.

o. All approved permits shall comply with the Bees and Apiaries Act of Illinois (510 ILCS 20)

Please review and provide Staff with comments during the meeting. Should you have any questions prior to the meeting, please contact me at 630-553-4139.

Red are changes after RPC

Attachments:
1. Matrix of what other municipalities and County’s are doing
2. Pictures of what they look like
3. Information about flyaway barriers
5. Illinois State Beekeepers Association BMP’s
6. ZPAC Minutes on 11.3.14
7. RPC Minutes on 12.3.14
8. ZBA Minutes on 12.8.14
9. Draft Ordinance
## Beekeeping in Residential Districts

<table>
<thead>
<tr>
<th>Municipality/County</th>
<th>Allowed in Residential</th>
<th>License Required</th>
<th>Minimum Lot Size</th>
<th>Setbacks</th>
<th>Flyway Barrier</th>
<th>Notification</th>
<th>Signage</th>
<th>Water Source for Bees</th>
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<tbody>
<tr>
<td>Yorkville</td>
<td>Yes ^A</td>
<td>Yes Annually ($25) ^B</td>
<td>&lt;1 Acre: up to 2 colonies</td>
<td>30'</td>
<td>Yes 6' height</td>
<td>Yes (Courtesy)</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Evanston</td>
<td>Yes ^C</td>
<td>Yes Annually ($25)</td>
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<td>N/A</td>
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<td>West Dundee</td>
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<td>Yes Annually ($10)</td>
<td>10k sq. ft.: up to 4 colonies</td>
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<td>Yes 5' height</td>
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<td>No ^E</td>
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<td>Up to 1 colony per lot</td>
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<td>Yes (Need Consent)</td>
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<td>N/A</td>
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<td>Lake County</td>
<td>Yes</td>
<td>Yes $25</td>
<td>10k sq. ft.: 2 colonies</td>
<td>10' ^H</td>
<td>Yes 6' height</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Will County</td>
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</tbody>
</table>

^A Yorkville permits a maximum of 12 licensees issued within the City and each licensed property must be at least 1,000’ from one another

^B Yorkville requires $50 for new licenses, $25 for renewals

^C Evanston permits a maximum of 8 licensees issued per ward within the City

^D West Dundee requires a flyway barriers colonies within 20’ of a property line

^E Oak Park does not require notification but no permit can be issued within 150’ of any address where a resident has an allergy to bee stings documented by a licensed physician and registered with the Village

^F In Carpentersville and McHenry County, flyway barriers are required for colonies within 25’ of a property line

^G Lake County requires a 10’ setback from property lines and 30’ from any existing structure on any adjoining parcel such as a house

^H Lake County requires a flyway barrier on parcels of 40,000 square feet or less, where the beehive entrance is oriented to an exterior property line

^I Will County allows beekeeping in residential districts only as a Special Use

***According to the American Beekeeping Federation, one bee colony is capable of producing anywhere from 50lbs to 240lbs of honey each year depending on conditions (weather, how well maintained a colony is, the site conditions, etc.)***
The flyaway barrier directs the bees quickly into the sky and away from pedestrians. It can be composed of dense vegetation or man-made materials, so long as the bees are forced to fly over the structure.

“A flyaway barrier shall be at least six (6) feet in height, consisting of a solid wall, fence, dense vegetation or combination thereof that is parallel to the property line and extends twenty-five (25) feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six (6) feet above ground level over the property lines in the vicinity of the apiary.”
Beekeeping Best Management Practices

Comply with all homeowner association, local, state, and federal ordinances, regulations, and laws pertaining to beekeeping.

Maintain strong, healthy, populous colonies
   a. Remove or securely seal all empty hive equipment.
   b. Remove or combine all weak colonies.
   c. Treat or remove all disease and/or pest infested colonies.
   d. Report disease and/or pest infested colonies to the Department of Agriculture

Practice proper management and control techniques to prevent colonies from swarming.

Maintain all colonies at least 10 feet away from property lines.

Place all colonies less than 40 feet from property lines behind a barrier no less than 6 feet in height. Barriers should be of sufficient density to establish bee flyways above head height.

Maintain a water source within 50 feet of colonies or less than one-half the distance to the nearest unnatural water source, which ever is closest for urban and suburban apiaries.

Remove or relocate an apiary that is within 50 feet of any animal that is tethered, penned, kenneled, or otherwise prevented from escaping a stinging incident.

Avoid opening or disturbing colonies when neighbors or the general public are participating in outside activities or using machinery within 150 feet of an apiary.

Maintain colonies with honey bee races certified as European honey bees (EHB).
   a. Purchase queens, packaged bees, nucleus colonies, or established hives from certified EHB suppliers.
   b. Re-queen when making divisions and splits of established colonies.
   c. Replace queens in all captured or trapped swarms within 30 days.
   d. Replace queens in all colonies every two years.
   e. Mark or clip queens prior to introduction to splits, swarms, and colonies.
   f. Replace all unmarked or unclipped queens within 21 days of discovery.

Replace queens and destroy all drone brood in colonies exhibiting defensive behavior that may be injurious to the general public or domesticated animals.
   a. Report all colonies suspected of being overly defensive or non-EHB to the Department.
   b. Collect and submit samples of worker bees from the brood area of suspected non-EHB colonies to the Department.
   c. Depopulate within 7 days of notification all colonies determined to be from a pure or hybrid non-EHB race.

Obtain queens from suppliers located outside of Africanized honey bee (AHB) infested areas and localities adjacent to AHB infested areas.

In the event that AHB is shown to occur in a locality where an apiary is located:
   a. Annually replace queens in all colonies with queens produced from certified EHB stock.
   b. Maintain a copy of EHB certification for all queens purchased.
   c. Encourage the destruction of all captured or trapped swarms.
   d. Re-queen, within 14 days with certified EHB queens, any swarms captured or trapped in localities adjacent or in proximity to an AHB infested area.
   e. Maintain and monitor at least one baited trap or hive in the vicinity of each apiary located in an AHB infested area.

Source: Beekeepers Guild of Southeast Virginia
INTRODUCTION
Beekeeping has become increasingly popular. Although generally docile, honeybees (Apis mellifera) can and may sting when they perceive they are being threatened (normally at their beehive). Responsible management is therefore necessary to avoid creating problems for neighbors, particularly in an urban setting.

Under the Illinois Bees and Apiaries Act, the Illinois Department of Agriculture (IDoA) inspects honeybee colonies as a service to the beekeeping industry. The purpose of the inspections is to determine the general health of honeybee colonies. During the course of an inspection, IDoA Apiary Inspectors closely examine beehives to detect diseases and pests and to provide advice on needed treatments. Inspections are provided free of charge to beekeepers around the state. To access more information concerning the Illinois Bees and Apiary Program, go to www.agr.state.il.us/programs/bees/index.html

The Act also requires beekeepers to register their colonies with the IDoA. Registration is as simple as completing a brief one-page form and mailing it to the Illinois Department of Agriculture, State Fairgrounds, P.O. Box 19281, Springfield, IL 62794-9281. A registration certificate is provided to beekeepers who register with the IDoA. There is also no charge for registering honeybee colonies with the IDoA. To download a registration form, go to www.agr.state.il.us/programs/bees/beekeep.pdf

GENERAL BEST PRACTICES

Education
The first and most critical step in responsible beekeeping is education. All beekeepers should have a solid understanding of honeybee biology and basic beekeeping methods. The Illinois State Beekeepers Association (ISBA) also encourages all beekeepers to join the ISBA as well as a local association. We strongly suggest that new beekeepers take a beginning beekeeping course and read several different beekeeping guides. Many local associations offer honeybee classes and/or will mentor beekeepers. Beekeepers should stay informed of recommended changes in beekeeping practices, threats to honeybee health and government regulations.

Colony Temperament /Queens
While generally docile, honeybees can sting. A colony’s temperament is determined by its queen’s characteristics. Any colony exhibiting unusually defensive behavior (stinging or attempting to sting without provocation) or an excessive swarming tendency should be requeened as soon as possible.

Beekeepers should evaluate their queens on a regular basis for performance and hive gentleness. Only queens of European origin should be used. Queens should only be obtained from the most reliable sources. Local sources, where available, are preferred in order to reduce the chances of introducing Africanized honeybees and to ensure that the queen is well suited to the climate.
Hive Placement
Beekeepers should comply with all homeowner association and local ordinances and regulations pertaining to beekeeping. Correct placement of hives is a very important consideration for responsible beekeeping in urban and suburban settings. Hives must be placed in a quiet area of the lot and not directly against a neighboring property unless a solid fence or dense plant barrier of six feet or higher forms the property boundary. Hives should be kept as far away as possible from roads, sidewalks and rights of way. Flight paths into the hive should remain within the owner’s lot. Barriers, including solid fencing, hedges and shrubs more than six feet high may be used to redirect the bees’ flight pattern.

Considerate Hive Management
Before setting up your hives it is a good idea to inform your neighbors where you intend to place the hives. Respond to and discuss their concerns; an informed neighbor is more likely to be an understanding neighbor. Beekeepers are encouraged to post signs to alert neighbors and passersby to the presence of their hives; generally it is best to place such signs so that they are only in view when the public would otherwise be able to view the hives.

Beekeepers should take into account that weather conditions influence bee behavior and plan to work bees when conditions are favorable. They should make sure that neighbors are not outdoors when they open hives and should perform hive manipulations as quickly as possible with minimum disturbance to the bees. Extended hive manipulations, particularly when removing honey, should be carefully planned to accommodate neighbors’ activities. A smoker should be used when working bees. Hive entrances should be smoked before mowing or trimming in the hive area. Clippings and exhaust should be directed away from hive entrances.

Provision of water
Beekeepers should provide water for their bees before locating them in their yard. Bees prefer a sunny place with surface moisture, for example wet sand or gravel or the edge of a birdbath. If you establish such water sources, your bees will become habituated to them and will be less likely to visit swimming pools or hot tubs. Remember that in very hot weather, bees use a large amount of water to maintain temperature and humidity within the hive.

Swarming
While swarming is natural honeybee behavior, it is one that should be prevented or minimized, especially in urban and suburban settings. Two primary causes of swarming are congestion and poor ventilation in the hive. To avoid these conditions, beekeepers should consider:

- Brood chamber manipulation
- Colony division
- Addition of supers for brood rearing and honey storage
- Replacement of old or failing queens

These and other swarm management practices are explained in detail in most good beekeeping textbooks.
Best Management Practices for Beekeeping in Illinois
Illinois State Beekeepers Association
www.ilsba.com

(March, 2013)

When a swarm occurs, efforts should be made to collect the swarm. Swarms captured from locations where the origin of the bees may be questionable should be monitored frequently for abnormal defensiveness.

Robbing Behavior
When nectar is scarce, honeybees may rob honey from other hives which makes them appear more defensive. Under such conditions, beekeepers should work hives for only short periods of time and only if really necessary. Exposed honey outdoors often encourages robbing. All empty hive equipment should be removed or securely sealed. Areas used for honey extraction should be bee-proofed to prevent robbing situations.

Disease Control
There are a number of honeybee diseases and pests which cause concern for beekeepers. Some diseases, like American Foulbrood, are extremely contagious; beekeepers should be extremely cautious about mixing hive equipment and purchasing used equipment for this reason. It is incumbent on beekeepers to manage all disease and pests, including parasitic mites, to ensure colony health and honey quality.

AFRICANIZED HONEYBEE
The Africanized honeybee ("AHB") has expanded its range from South America and arrived in the United States around 1990. Since that time, AHB have colonized in several southern states including Florida, Texas and California. It is not yet known whether ABH will be able to establish in cooler climates.

Management to Avoid AHB Introduction and Establishment
The recommended techniques intended for maintenance of European stock include:

- Purchase queens, packaged bees, and nucleus colonies from reputable sources outside of Africanized honey bee (AHB) infested areas or localities adjacent to AHB infested areas. The current distribution in the U.S. can be seen at http://ars.usda.gov/AHBmap
- Bi-annual requeening of hives and requeening of swarms with certified European stock purchased from reliable sources (local when possible).
- Maintaining requeening records and purchase documentation
- Monitoring the behavior of the bees and replacing the queen immediately if the hive becomes difficult to manage

Any beekeeper who witnesses unusually defensive behavior should take the following steps:

- Contact the Illinois Department of Agriculture Apiary Inspector for your area www.agr.state.il.us/programs/bees/inspectors.html or the IDoA's Apiary Inspection Supervisor at 217/782-6297.
- Requeen immediately with certified European stock
- Monitor requeened hive for continued defensiveness
Best Management Practices for Beekeeping in Illinois

Illinois State Beekeepers Association

www.lisba.com

(March, 2013)

Treat all honey bees with respect. Treating all honey bees with respect is a fundamental pillar of beekeeping as honey bees are indispensable and important to the human food supply.

ACKNOWLEDGMENTS
The Illinois State Beekeepers Association would like to thank the Ohio State Beekeepers Association, the Maine State Beekeepers Association, New York City Beekeepers Association, and the many other beekeeping associations and agricultural organizations whose work and effort formed the foundation of this document.

DISCLAIMER
This document is and always will be a work in progress, intended for regular update and revision. It offers guidelines for responsible beekeeping in the State of Illinois but is not intended to provide legal advice.
#14-33 Bee Keeping
Planner Angela Zubko stated couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee. She proposes it be a conditional use in the R-1, R-2 and R-3 Districts with the 14 conditions listed on the memo.

Fran Klaas thinks it's a good thing to have bees.

Brian Jahp has no comments at this time.

Aaron Rybski stated if they were selling it they would have to follow state requirements.

Brian Holdiman asked about who would inspect these items and what if there are violations. Planner Zubko stated the PBZ Department would be and asked if in his opinion we should charge more? Mr. Holdiman stated not at this time, he is fine with how it is written.

With no further comments Brian Japh made a motion, seconded by Fran Klaas to approve the text amendment and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

#14-37 Home Occupations- Landscape Business
Planner Angela Zubko stated within the last year the PBZ Department has had a lot of issues with regards to landscape businesses and if they qualify for home occupations. Also we have had A LOT of people wanting to do it as a home occupation. Staff is of the opinion they should not qualify due to the type of equipment they use, the fact that all others need to be located on a State, County or Collector Highway and we’ve had issues in the past trying to prove there are employees and the amount of employees. Staff proposed to specify that landscape businesses cannot be home occupations in the definitions which are shown in red on the memo and also on the affidavit that home occupations sign.

Brian Holdiman agrees with this text amendment.

Aaron Rybski has no objection.

Brian Jahp has no comments at this time.

Fran Klaas agrees with Brian Holdiman.

With no further comments Aaron Rybski made a motion, seconded by Fran Klaas to approve the text amendment and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD-
14-26 Critter Care- Passed at the 10.21.14 County Board meeting
14-28 Hive'y Landscaping- withdrawn due to all the opposition and the Village of Plainfield denying the request

PUBLIC COMMENT- There were no comments.

OLD BUSINESS- None
Mr. Nelson asked about the comp plan of Plattville. Planner Zubko stated they do and it calls for residential.

Larry Nelson made a motion to approve the map amendment from A-1 to R-1, Vern Poppen seconded the motion. With a roll call vote all were in favor and this will move onto the next ZBA meeting next Monday.

**#14-33 Bee Keeping**
Planner Angela Zubko stated couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee. She proposes it be a conditional use in the R-1, R-2 and R-3 Districts with the 14 conditions listed on the memo. The ZPAC Committee recommended approval with no changes.

Larry Nelson does not have a question in the R-1 district but his concern is if you're in a subdivision are we going to run the risk of putting in inadvertent nuisance into the subdivision?

Roger Bledsoe stated by coincidence he ran into a beekeeper in the Pullman district and him and his next door neighbor have 4 and 6 hives which their lots being 26' wide and 19' wide respectively and have only had one complaint over the years. You have to leave about 60 lbs. of honey over the winter, you need about 4 hives for an individual family to make it worthwhile to keep the bees. Bees like to stay within a 1/4 mile radius and up to 4 miles but prefer to stay close.

Mr. Nelson suggested getting approval from the HOA stating they are okay or not okay with the proposal and if they state there is not an HOA in writing and there is one we can deny it. His reservation is in the R-2 and R-3 in a subdivision, not the more sporadic R-2 and R-3 zoning lots in the County.

Larry Nelson made a motion to approve the text amendment with the additional condition to include the HOA approval, Vern Poppen seconded the motion. With a roll call vote all were in favor and this will move onto the next ZBA meeting next Monday.

**#14-37 Home Occupations- Landscape Business**
Planner Angela Zubko stated within the last year the PBZ Department has had a lot of issues with regards to landscape businesses and if they qualify for home occupations. Also we have had A LOT of people wanting to do it as a home occupation. Staff is of the opinion they should not qualify due to the type of equipment they use, the fact that all others need to be located on a State, County or Collector Highway and we've had issues in the past trying to prove there are employees and the amount of employees. Staff proposed to specify that landscape businesses cannot be home occupations in the definitions which are shown in red on the memo and also on the affidavit that home occupations sign.

The ZPAC Committee recommended approval with no changes.
With no further discussion Tom LeCuyer made a motion, seconded by Scott Cherry to approve the findings of fact as written and approve the variance. With a roll call vote of 7-0 all were in favor and the variance was approved.

**#14-33 Bee Keeping**

Planner Angela Zubko stated couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee. She proposes it be a conditional use in the R-1, R-2 and R-3 Districts with the 14 conditions listed on the memo. The ZPAC Committee recommended approval with no changes and the Plan Commission just wanted to add one condition on the application to verify if there is an HOA or not and if there is they need approval from the HOA first, if there is no HOA they need to put that in writing and sign it so the County cannot be held responsible.

Ms. Clementi asked while in reviewing other counties if they mention liability insurance or is that not even our concern? Planner Zubko stated it's not really our concern as it's the same thing if anyone gets hurts doing anything on someone else's property. Ms. Clementi asked if the neighbor is allergic. Planner Zubko stated there is a condition that if a neighbor objects the hives must be located further from their home and also there is the fly away barrier (solid fence with signage) which also should prevent accidents.

Donna McKay wanted to make sure if it is zoned A-1 none of these conditions apply, Planner Zubko stated that is correct.

Mr. Jeff Wilkins introduced himself and also explained he had the same hesitancy as Planner Zubko on this topic.

Since there is no one left in the audience Chairman Randy Mohr opened and closed public testimony.

With no further discussion Dick Whitfield made a motion, seconded by Donna McKay to approve the text amendment including the HOA approval. With a roll call vote of 6-1 in favor and the text amendment will be forwarded on. Karen Clementi voted no stating she is of the opinion it is a bad idea in residential districts.

**#14-37 Home Occupations- Landscape Business**

Planner Angela Zubko stated this will be continued till next month as the Plan Commission wanted to make some changes to the text before forwarding it on.

**REVIEW PBZ APPROVALS BY COUNTY BOARD & CHANGES**- None

**NEW BUSINESS/OLD BUSINESS** – Review and approve 2015 meeting dates - Dick Whitfield approved the 2015 meeting dates as presented, seconded by Scott Cherry. All were in favor and the meeting dates have been approved.

**PUBLIC COMMENT**- There were no members in the audience to comment.

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS**- Next meeting will be on January 5, 2015

Tom LeCuyer made a motion to adjourn the ZBA meeting, Scott Cherry seconded the motion. Chairman Randy Mohr adjourned the Zoning Board of Appeals meeting at 7:33 p.m.
ORDINANCE # 2015-______

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

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

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

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

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

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

Beekeeping with the following conditions:

a. Beekeeping and the honey produced from beekeeping shall be for personal use only
b. Annual permit required with fee of $50 the first year the permit is issued and $25 each year after
c. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
d. No colony shall be permitted within a front yard setback
e. All colonies must be setback at least 30’ from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5’ from the rear or side yard lot line (as long as there is no sidewalk or pathway).
f. All colonies within 100’ of an adjoining home shall require a flyway barrier with a 6’ minimum height
g. All colonies shall require a minimum 4’ fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.
h. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives
notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100’ of the adjoining home of objecting property owner.

i. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.

j. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100’ of the residence of the previously objecting property but shall maintain a distance of at least 30’ from all property lines at all times unless abutting a right of way in which the colony can be placed with 5’ of the property line.

k. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrators receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.

l. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.

m. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.

n. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.

o. All approved permits shall comply with the Bees and Apiaries Act of Illinois (510 ILCS 20)

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 17th day of February, 2015.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
John Shaw
2014

Assembled by the
Kendall County Historic
Preservation Commission

[KENDALL COUNTY HISTORIC
PRESERVATION PLAN]

Aligning and Prioritizing the actions of the Kendall County Historic Preservation Commission to help achieve the goals of the Kendall County Board and to designate action items to preserve the historic resources of Kendall County.
**Preservation Plan**

**Introduction**

Historic properties have a way of disappearing. They quietly fall prey to demolition, neglect, or renovations that alter them beyond recognition. Building by building, site by site, the evidence of a community’s heritage can gradually be lost. Historic properties need careful planning and management to ensure their survival for current and future generations. Preservation actually helps combat the very problems that plague our communities by stabilizing neighborhoods, providing affordable housing, lowering crime, stimulating private investment, bringing people and businesses back downtown, attracting tourists, and strengthening community pride.

A historic preservation plan is a statement of the community’s goals for its historic properties and the actions it will take to reach those goals. It is most effective when it is a component of a community’s master plan and is coordinated with other policies for housing, economic development, transportation, agriculture, tourism and natural resources and archeology.

**Why Historic Preservation?**

The history of a community contributes to its personality and gives it a unique character. Historic preservation provides a link to the roots of the area and its people. It provides economic development opportunities in tourism and construction related jobs for repair and rehabilitation. Overall, historic preservation adds to the quality of life making for more enjoyable communities.

Historic preservation is beneficial in the following ways:

- **Culturally** a community is richer for having the tangible presence of past eras and historic styles.
- **Economically** a community benefits from increased property values and tax revenues when historic buildings are protected and made the focal point of revitalization and when the community is attractive to visitors seeking heritage tourism opportunities.
- **Socially** a community benefits when citizens take pride in its history and mutual concern for the protection of the historic building fabric.
- **Developmentally** a community benefits from having a concerted and well defined planning approach for the protection of historic buildings while accommodating healthy growth.
- **Environmentally** a community benefits when historic buildings are recycled (restored, rehabilitated) rather than demolished and disposed of in the community landfill.
- **Educationally** a community benefits through teaching local heritage and the understanding of the past and the resultant cultural respect by its citizens.

**Why Preservation Planning?**

Historic preservation efforts can be influenced by local, state, and national issues and social, political, economic and legal factors. These influences can come from private enterprises or public agencies. Successful preservation planning recognizes these influences and utilizes a process for resolving conflicts from various interest groups and reaching consensus that best reflect the interests of the community.
Historic preservation planning is important because it allows the region to:

A. Clearly state goals of preservation in the community.
B. Let residents know in advance how the community wants to grow and what the community wants to protect.
C. Assure consistency between various government policies that affect the community’s historic resources.
D. Educate and inform citizens about their heritage and its value to the community.
E. Create an agenda for preservation activities and create a way to measure progress in protecting historic resources.
F. Comprehensively address issues relating to tourism, zoning, traffic patterns, development patterns, and design that affect historic preservation.
G. Encourage economic development through the preservation of historic resources.
H. Strengthen the political understanding of and support for historic preservation policies.

How to use this document

This Preservation Plan is organized into two main sections. The first section investigates the goals outlined in the Kendall County Board’s Land Resource Management Plan (LRMP) as adopted and amended from time to time. The detailed review recognizes the alignment of the Kendall County Historic Preservation Commission’s activities with the historic, cultural, commercial, and environmental goals identified as relevant by the County Board. The LRMP can be found in its entirety at www.co.kendall.il.us/planning-building-zoning/lrmp/.

The section that follows outlines the projects that have been completed, are in progress or are under consideration for future focus by the 2014 Historic Preservation Commission. The table in this section helps identify the priorities of the commission and loosely defines target completion years for each project. This document is used by the commission to keep them focused and assist in measuring progress for this volunteer group.

Participants in authoring this document

Peter Bochek – Bristol Township
Ken Boyer – Oswego Township
Whitney French – Little Rock Township
Fred Dickson – Bristol Township
Stephanie Todd – Oswego Township
Michael Garrigan – Oswego Township
Richard Scheffrahn – Bristol Township
Ken Donart – Bristol Township
Jeff Wehrli – NaAuSay Township
Kristine Heiman- Oswego Township
Angela Zubko – Planning & Zoning Manager for Kendall County
History and Mission of the Kendall County Historic Preservation Commission

In September of 2005 the Kendall County Historic Preservation Study Committee was established and appointed by action of the County Board. The study committee’s objective was to examine and discuss the inventory of historic assets and historic preservation needs in Kendall County. Their research and resulting report concluded that the county is home to valuable historic assets that were under threat by the fast pace of development and that the need for a dedicated Historic Preservation Commission was relevant and justified. The effort resulted in the adoption of the Kendall County Historic Preservation Ordinance (No. 2006-67) in August 2006.

The bullets below summarize the purpose and intent of the Kendall County Historic Preservation Commission as more thoroughly defined in the Ordinance:

- To identify, designate, protect, preserve and encourage the restoration, rehabilitation and adaptation of historic assets in the County
- To safeguard the County’s cultural heritage
- To stabilize and improve the economic vitality of Kendall County
- To foster civic pride
- To protect and enhance the County’s attractions and support and provide stimulus for business and industry
- To strengthen the economy of the County
- To promote the use of historic districts and landmarks for education, pleasure and welfare of the County
- To educate about the value of historic preservation in the economy and quality of life for the citizens

The Kendall County Historic Preservation Commission’s overall service is to provide expertise and resources in an advisory capacity to the Kendall County Board; to conduct hearings and make recommendations to those in the position to grant or deny approvals; and to act on behalf of the stated objectives of the board to assist them in the goals identified in the County’s Land Resource Management Plan.

Kendall County’s Land Resource Management Plan (LRMP)

The following excerpt is extracted from SECTION ONE of Kendall County’s Land Resource Management Plan. Items in red indicate language that the historic preservation commission may request be added during the next review cycle of the LRMP.

A comprehensive plan is a vision of the future; it is essentially an end-state toward which the municipality or county works. The plan builds the rationale for and illustrates the most appropriate use of land within the jurisdiction, and depicts the facilities and services necessary to support the development of those land uses. Comprehensive plans anticipate that the county and municipalities will adopt the appropriate decisions, fund the appropriate programs, and install the appropriate facilities that will implement the plan. Most plans do not propose how to take appropriate actions, who should take them, or when they should be taken.
The County wishes to adopt a plan that can be implemented. It has chosen to prepare a Land Resource Management Plan (LRMP) with a structure that leads to successful implementation. The Illinois Local Land Resource Management Planning Act, P. A. 84-865 is the enabling act that allows the County this method of planning. The LRMP has a comprehensive planning process as an essential element. In addition, the LRMP also has a parallel framework for the physical and functional characteristics of the county, while instituting strategic decision making. It is important to note that local incorporated municipalities have jurisdiction over land use and zoning decisions within their corporate boundaries including historic preservation. Kendall County only has zoning authority over unincorporated areas. However, one of the clear goals of the LRMP process is to promote coordinated planning and one of the goals of the Kendall County Historic Preservation Commission is to offer its resources to those municipalities that do not currently have a preservation authority through the implementation of intergovernmental agreements.

The strategic side or management side of the process is intended to be parallel to the planning process. In planning, goals and objectives guide the comprehensive plan. In management, goals and objectives guide the strategic plan. These two paths are not independent. There must be substantial agreement and overlap between the plan and reasonable actions to implement that plan.

Essentially, the planning process delineates "where we should go" over the ten year time-frame of the Plan, while the management process proposes "how we can get there." The goals and objectives prepared for the Kendall County LRMP show how the planning goals are oriented toward a physical end state in the relationship between land-uses and the supporting public support systems. The management goals were prepared to give direction to fundamental government and private actions that will build that physical end-state relationship.
Kendall County LRMP Aligned with the Historic Preservation Commission's Goals

Kendall County’s LRMP is divided into TEN SECTIONS. The Kendall County Historic Preservation Commission examined SECTIONS THREE, FOUR and FIVE to focus on assisting the County Board in meeting its stated goals. The relevant preservation topics from each of these sections are reiterated below followed by a box containing a statement reflecting the Kendall County Historic Preservation Commission activity that aligns with each relevant objective.

LRMP - SECTION THREE - Planning Goals and Objectives

A) Natural Resources – (3) Energy Conservation
   GOAL: An Energy wise and energy efficient county
   OBJECTIVE D - Encourage energy efficiency in site planning and building design

   Preservation is naturally aligned with meeting the objective of energy efficiency. Historic districts are viable, environmentally-friendly communities. Most are pedestrian oriented neighborhoods with an abundance of green space and a building density that efficiently uses land and resources. Historic structures are inherently “green.” Many older buildings were constructed with locally available materials and used energy efficient design and construction techniques. The traditional design of older buildings often includes such features as passive heating and cooling as well as siting and building orientation sensitive to environmental and topographical factors.

   Through the preservation of existing materials of historic structures, the “embodied energy” - that energy which was used to construct them - is conserved. By maintaining existing materials and adapting them with low impact energy technologies, historic structures and neighborhoods can stand as models of environmental stewardship through their dramatic reduction of energy use, material resources, and waste associated with new construction.

B) Archeological, Cultural and Historic Places
   GOAL: The preservation of the County’s cultural heritage and scenic character.
   OBJECTIVE A: Identify and conserve historically significant structures, areas, and open spaces.
The Historic Preservation Commission will continue to conduct a survey and assemble a database connected to the county GIS to identify buildings, structures, areas, sites and landscapes that are of historic, archeological, architectural or scenic significance and therefore, potential landmarks or historic districts.

OBJECTIVE B: Carefully control urban development and countryside conditions so as not to conflict with the scale and character of nearby historic homes, landmarks and sites.

In an effort to assist in the county’s preservation goals, the Historic Preservation Commission will periodically review any Kendall County Comprehensive plan (LRMP) or its amendments and assist in the development of a preservation component for that plan. The Historic Preservation Commission will advise the Regional Plan Commission, the Planning, Building and Zoning Committee and the County Board.

Upon substantial completion of the countywide survey the Historic Preservation Commission will create a “Historic Landmark and District Preservation Plan.” The Plan shall be presented to the Kendall County Planning, Building & Zoning Department for consideration and recommendation to the County Board for inclusion in the LRMP.

The Kendall County Historic Preservation Commission will then hold public hearings and recommend to the Kendall County Board, the designation of landmarks and historic districts as appropriate. The recommendation will be done in accordance with the prescribed direction documented in the Kendall County Historic Preservation Ordinance, as amended.

OBJECTIVE C: Increase awareness of the history and culture upon which Kendall County is built.

The Historic Preservation Commission will inform and educate the citizens of Kendall County concerning the historic, archeological,
OBJECTIVE D: Preserve the importance and function of existing central business districts

The Historic Preservation Commission will advise and assist owners of landmarks and properties within potential or designated historic districts on physical and financial aspects of preservation, renovation, rehabilitation and reuse and on procedures for inclusion on any local, state or federal register of historic places. The Historic Preservation Commission will advise and assist communities and areas in creating historic districts that seek to improve their unique identity and preserve its historic character.

C) Economy of the Area

GOAL: A strong base of agriculture, commerce and industry that provide a broad range of job opportunities, a healthy tax base and improved quality of services to county residents.

OBJECTIVE E: Promote the revitalization of existing retail and commercial areas

Within the existing hamlets many small businesses anchor the retail commercial areas. The character of the historic architecture and pedestrian friendly designs of these places are their strength and create a stronger sense of community ones. The Historic Preservation Commission will work with interested communities to help them identify and rehabilitate the components and buildings within these downtown districts to fortify the commercial viability of the community.

D) Urban Development

GOAL: A pattern of compact contiguous urban development, countryside residential and agricultural environments in a natural equilibrium that enhances the quality of personal and community life.

OBJECTIVE B: Establish a pattern of development that supports a sense of community.
Historic residential areas are often contiguous because they needed to be accessible to a less mobile population. Preserving these walkable environments supports the Kendall County Board’s goals for compact urban development in the existing built areas. Agricultural Heritage and the preservation of working farms, farm buildings and scenic routes allow residents and visitors to understand the history of the county.

OBJECTIVE C: Promote a revitalized central business district as the central focus of each community.

Communities without a strong central business district are at a distinct disadvantage and those with no historic core struggle to gain a unique identity. The identification, preservation and revitalization of a community’s central business district can be supported by the Historic Preservation Commission through state grants supplied to Certified Local Governments and through education and proactive allocation of expertise to at risk properties.

F) Housing
   GOAL: Management of the quantity, quality, location and rate of housing development to insure the efficient use and conservation of the County’s natural and public resources
   OBJECTIVE B: Continue to improve deteriorating residential areas, and assure safe, healthy, and attractive communities through preventive maintenance and appropriate reinvestment that can include the County’s weatherization program.

The Historic Preservation Commission is able to assist in the identification of neglected historic structures and through its policies advise the County Board and work with property owners to employ appropriate repairs to stabilize buildings. Using Kendall County’s weatherization grants or other grant sources, the Historic Preservation Commission can also assist in reducing the cost of restoration.
LRMP - SECTION FOUR - Management Goals and Objectives

A) Planning

GOAL: A system of county wide, comprehensive, functional and target area planning in support of municipal, township and other agency planning efforts, which supports decision making for county wide land resource management and the management of change.

OBJECTIVE 1: Anticipate change and provide decision-makers with insight on alternatives and consequences.

The Historic Preservation Commission is a knowledge source and can assist with the research and resulting advice to identify opportunities for preservation, methods for preventing further loss and resources to assist in the effort. The Preservation Ordinance also outlines consequences for non-compliance and provides the county board with guidance to manage some of the impacts of change to the historic fabric of the community.

B) Regulatory Techniques

GOAL: Regulation and enforcement techniques necessary to protect the public health, property, the natural environment and the aesthetic value of the county including zoning, subdivision, storm water management, signage, building and other development standards.

OBJECTIVE 5: Incorporate environmental design criteria and performance standards in development controls to protect natural, scenic, historic, and environmental areas and minimize adverse impacts. The proposed County-Wide Storm water Authority and plan/ordinance will incorporate many such standards.

The Preservation Ordinance is an additional tool that the county can consult to assist in the preservation of rustic roads, agriculture spaces and other non-architectural historic assets that contribute to the character of the county.

OBJECTIVE 6: Require that all development preserve significant natural features such as vegetation, wildlife, waterways, floodplains, wetlands, woodlands, and scenic vistas.

The Historic Preservation Commission will periodically review the Kendall County comprehensive plan or its amendment to assist in the development of a preservation component for that comprehensive plan. The Historic Preservation Commission will support the preservation component to the Regional Plan...
F) Governmental Cooperation

GOAL: A mutually supportive, non-adversarial team of municipal, township, school, park, county and other governments working toward the benefit of everyone in Kendall County.

OBJECTIVE 7: Continue to require, before the decision-making process, conspicuous public notices to residents and surrounding government agencies that provide relevant information about proposed developments, potential impacts, and the ability to participate.

The Historic Preservation Commission seeks to assist communities within the county who do not have historic preservation groups by arranging for the implementation of intergovernmental agreements such that the Historic Preservation Commission can act as advisors to those communities civil leaders. The Historic Preservation Commission is also developing policies and practices that assure that the commission is notified of impacts to or potential threats to historic properties so the group’s expertise can be formally employed and the county board can have an opportunity to address those issues.

H) Education and Involvement

GOAL: An informed population actively participating in public decisions regarding the use of land and the future of Kendall County.

OBJECTIVE 1: Educate the public and municipal agencies of threats to environmental conditions within Kendall County and potential impacts through a coordinated effort between the County Planning, Building and Zoning Department, Health Department, Forest Preserve District and other county agencies.

The Historic Preservation Commission should be considered one of the additional county ‘agencies’ that can assist in identifying threats and educating the public.

OBJECTIVE 4: Maintain a strong public hearing process for county, township and local review of development proposals with notice to residents and surrounding government agencies that provide adequate and timely information about proposed development and potential impacts during the decision making process.
By injecting the Historic Preservation Commission into the review process for development proposals and transportation enhancements, the county can be duly notified of potential risks to historic fabric including cemeteries, structures, monuments and scenic views. The Historic Preservation Commission is actively implementing a GIS level that will identify potentially significant historic elements.

OBJECTIVE 6: Continue to promote recycling to reduce waste and reduce the need for additional landfill capacity.

Preservation of existing buildings is one of the greenest practices, thwarting waste and significantly reducing impacts to area landfills.

1) Information

GOAL: Data collected, maintained and managed as a central data base regarding property conditions and the environment of the county accessible by county and municipal agencies and private individuals.

OBJECTIVE 1: Maintain up-to-date and easily accessible records of information regarding land use conditions, environmental conditions, jurisdictional boundaries, public facility capacities and local and regional land use plans. Such information is currently available to the public on the internet at http://gis.co.kendall.il.us.

The Historic Preservation Commission is actively implementing a GIS level that will identify potentially significant historic elements. The commission is conducting a reconnaissance survey and eventually plans to conduct a full historic survey to identify important historic features in the county.
LRMP - SECTION FIVE – Land Resource and Management Area Policies

The LRMP mentions two types of Overlay Areas: Natural Resource Areas and Potential Mining Districts.

The Historic Preservation Commission would like to add a section for Potential Historic Districts and Potential Scenic Highways. Potential Historic Districts are areas designated as a "historic district" by ordinance of the County Board or individual municipalities and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties, areas, sites, landscapes or structures, while not of such historic, architectural or scenic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the district. Potential Scenic Highways are of importance as a result of appearance or character that remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period, or as a result of a unique location, appearance, or physical character that creates an established or familiar vista or visual feature; or as a geologic or natural feature associated with the development, heritage, or culture of the community, County, State, or Nation.

The LRMP aligns the county’s goals with the following relevant Planning Policies for Urbanized Communities:

11. Encourage the preservation and enhancement of historic and cultural sites and structures within urbanized communities

The Historic Preservation Commission will continue to survey, evaluate and document Kendall County’s historic and cultural resources. The Historic Preservation Commission will advise and assist communities in the development of historic districts that will improve the unique identity of historic urbanized areas.

The LRMP aligns the county’s goals with the following relevant Planning Policies for Rural Settlements:
5. Preserve and enhance places of cultural or historic significance in preservation districts or sites, whether within municipal boundaries or in unincorporated lands.

The Historic Preservation Commission will periodically review the Kendall County comprehensive plan or its amendment to assist in the development of a preservation component for that comprehensive plan. The Historic Preservation Commission will support the preservation component to the Regional Plan Commission, the Planning Building and Zoning Committee and the County Board.

The LRMP aligns the county’s goals with the following relevant Management Policies for Rural Settlements:

d. The County and rural communities may enter into intergovernmental agreements, with the County providing planning, building, and zoning support to the rural community with appropriate reimbursement.

The Historic Preservation Commission will engage communities within the county and offer to develop intergovernmental agreements that will allow the community, the commission and the County Board to act in concert to landmark and protect the historic components within those communities.

The LRMP aligns the county’s goals with the following relevant Planning Policies for Agriculture:

5. Preserve and enhance places of cultural or historic significance to the rural landscape.

The County has already committed to assist in the preservation of the agricultural economy in Kendall County through the Farmland Preservation Committee and has shown a commitment to the preservation of places of cultural and historic significance through its adoption of the Historic Preservation Ordinance and the support of the Historic Preservation Commission.
The LRMP is based on the following Planning Policies for the entire County:

7. Encourage the growth of the tourism industry by reinforcing the viability of the county's historic, open space, and recreation resources, especially along the Fox River and within state and county parks and forest preserves.

The Historic Preservation Commission believes that civic pride and community character are directly affected by its historic resources. The Commission will strive to protect the unique amenities the county has to offer and will lend its expertise to all tourism interests, working with the AACVB, FPD, Conservation Foundation and private individuals and businesses which offer tourism related services to visitors.

8. Encourage preservation of Kendall County history for public education and enjoyment.

The Historic Preservation Commission will inform and educate the citizens of Kendall County concerning historic, archeological, architectural or scenic heritage of the county through its public outreach programming which will include enhancing county maps to reflect locations of historic resources, creating and distributing newsletters, brochures and pamphlets and by holding public hearings and public programs.

9. Discourage non-essential changes to scenic and historic roads that traverse scenic or historic areas.

The Historic Preservation Commission will assist the county in recognizing threats to areas of scenic beauty and potential risks to historic properties brought about by development or neglect.

The LRMP is based on the following Management Policies for the entire County:

0. The County has established an historic preservation commission to protect and enhance historic buildings and sites within incorporated and unincorporated sections of the County. The commission has established and will maintain a registry of buildings, sites, districts and places on the National Register of Historic places, and those properties that may be of local historic significance but not yet on the Register. The Commission will work closely with state and municipal agencies to promote and coordinate historic preservation in Kendall County.
The Historic Preservation Commission will advise and assist the owners of historically significant property within potential or designated historic districts, potential or designated landmarks and potential or designated National Register candidates. The Historic Preservation Commission will educate the citizens of the county on physical and financial aspects of preservation, renovation, rehabilitation and reuse, the procedures for inclusion on any federal, state or local historic registry and the value and process for establishing historic districts.

p. The County’s Historic Preservation Commission will research the historic significance of each property proposed for its local historic registry. Once approved, it may install permanent historic notes in an appropriate and visible location. The County will work with school districts, the Kendall County Historical Society and recreation agencies to encourage an increase in the historic literacy of Kendall County.

The Historic Preservation Commission will recommend and review applications for landmark status within the county and any municipality with whom there is an intergovernmental agreement. The Commission will hold public hearings in accordance with the procedures outlined in the Historic Preservation Ordinance and will, upon conclusion, make a recommendation to the county board for their consideration and vote.

q. The County and municipalities must pay special attention to the siting and development of new uses in proximity to historical or cultural sites to increase the attractiveness of that area for recreation and tourism.

The Historic Preservation Commission will assemble recommendations to establish historic districts, identify scenic areas and confirm archeologically or culturally significant sites and will compile this data for inclusion on the County’s GIS mapping system.
**Historic Preservation Commission Projects**

Ordinance 2006-067 outlines the 24 powers and authorities of the Historic Preservation Commission. Over the past eight years, several projects were started, some completed. This list aligns those projects with the power/authority under which they fall. An estimate of completion date is provided as well.

Our defined highest priority goals for 2015:

1. Develop a five year Historic Preservation Plan
2. Continue to perform a reconnaissance survey and link preliminary data to the County’s GIS and identify structures with highest potential significance for possible landmark nomination
3. Nominate and secure County Board support for 2 landmark designations
4. Apply for Certified Local Government status for Kendall County to provide an opportunity for sub grants for owners of historic properties and potential tax benefits for owners of commercial landmarks.
5. Continually enhance the commission’s understanding of historic preservation and educate the public and private county citizens about the economic advantage, quality of life and community character enrichments offered through preservation by participating in a minimum of two countywide events in 2015.
6. Develop and be prepared to execute an intergovernmental agreement with a community that contains potentially significant historic properties or districts which does not currently have an historic preservation commission or methodology for recognizing their significant structures

The following is a list of projects completed from 2005-2014:

3. Landmark Nomination Application (2009)
6. Intergovernmental agreements (2013)
7. Altered the Historic Preservation ordinance to be more aligned with the State Historic Preservation Office’s recommended language (2014)
8. Windshield Reconnaissance Survey (ongoing)
9. Educational outreach (ongoing)
Below is a table of current projects and the timeline for their completion, aligned with the powers and authorities (paraphrased in bold) as detailed in the Historic Preservation Ordinance.

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### Amendment to Kendall County Historic Preservation Ordinance

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### ADMINISTRATIVE

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As the Kendall County Historic Preservation Commission accomplishes its goals of setting standards for preservation within the region, the commission recognizes the following adjustments that will make the commission more effective and preservation of historic resources in the county more successful:

1. Adjust Kendall County processes to accommodate notification of the historic Preservation Commission when Kendall County Board decisions affect historic preservation so the Commission might lend their expertise in the form of recommendations. The commission believes that our research and professional insights will assist the board in its decision making. The following examples indicate some applicable process modifications:
   a. The LRMP /Comprehensive Plan for the county
   b. Historic Preservation related building code updates
   c. Requests for demolition of historic structures
   d. Plans for modifications to County owned or Kendall County Forest Preserve District owned historic assets.

2. Apply for and obtain Certified Local Government Status

   When preservation ordinances are certified by the State Historic Preservation Office they acquire Certified Local Government status (CLG). With this official affirmation local governments may participate in state and federal incentive programs. Properties located in certified historic districts can qualify for the 20 percent income tax credit. Certification also extends the Property Tax Assessment Freeze benefit to local landmark and residences within local historic districts.
3. Establish Intergovernmental Agreements with willing Kendall County municipalities that are currently without the resources or resident professional diversity to establish a commission of their own and assist those municipalities in preserving structures and historic sites within their boundaries.

Conclusion

The Historic Preservation Commission has made great progress since being established in 2006. The review included in this plan illustrates that the mission of the Historic Preservation Commission is aligned to support the declared goals of the Kendall County Board. It is the desire of the Commission to contribute its expertise and to work cooperatively within the framework that the County Board has already established to accomplish our shared goals to retain the historic culture of the county for the benefit of its citizens.
**PBZ Projects and Activities-3.2.15**

**Active Zoning Petitions**
- 12-19 LRMP Update- Trails
- 14-33 Zoning Ordinance- Bee Keeping (Text Amendment)
- 14-34 Robert Steward (A-1 Conditional Use)
- 14-37 Landscape Business’ not a home occupation (Text Amendment)
- 14-40 Subdivision Control Ordinance (Text Amendment)
- 15-01 Nancy Austin (Rezoning)
- 15-02 Peter & Laurie Pasteris (A-1 Special Use)
- 15-03 Candice Hadley (Historic Preservation landmark)

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

**Active Stormwater Permits- 13 active**

**Subdivisions**
- Fields of Farm Colony- Work completed!
- Subdivisions still open:
  - Highpoint Meadows- For Sale
  - Schaefer Glen- For Sale
  - Light Road Industrial park- Lots for sale, need to write letter to new owners
  - High Grove- Sold some property to the Park District, coming in to rezone soon
  - Tanglewood Trails- Punchlist completed for bank- We’re trying to close out

**Projects outside the office**
- Communities of Excellence Program (Waubonsee class) (Not till Fall)
- NWPA Planning Committee
- NWPA TAC Committee
- Kane/Kendall Bike & Pedestrian Plan
- County Director Meetings (CMAP)
- Land Use Committee Meeting (CMAP)
- Big Rock Creek Watershed Meeting
- Fox River Trail Signage Plan

**Other Projects in the office**
- Investigate floodplain/zoning issues- McKanna Road Bridge issue (Anto’s), Anderson Tree Farm
- Stormwater mapping in the field- completed 53 subdivisions so far (Finished Little Rock Township)
- Working on the windshield Survey for Historic Preservation
- 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- 4 active
Cleaning up office with regards to getting old files scanned- All petitions are scanned, up to 2008 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 2015 so far: 20.00 hours (10 Meetings)
Night meeting hours attended in 2014: 129.00 hours (74 Meetings)
Night meeting hours attended in 2013: 121.75 Hours (70 Meetings)
Night meeting hours attended in 2012: 111.00 Hours (67 Meetings) John no longer part of PBZ
Night meeting hours attended in 2011: 98.5 Hours (56 Meetings)
Night meeting hours attended in 2010: 77.50 Hours (37 Meetings) Jerry let go July 2010
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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## Permit Summary by Category by Month
### Kendall County

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