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

April 7, 2014 – 6:30 p.m.

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

APPROVAL OF AGENDA

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

EXPENDITURE REPORT: (handed out at meeting) Approval to forward the claims to the Finance Committee in an amount not to exceed $25,000

NEW BUSINESS
1. Emerson Creek Amendment- Vote if it should be charged as a Major ($1,155) or Minor Amendment of their Special Use ($150)
2. Pending legislation eliminating County control of turbine regulations and siting- SB3263
3. Overview of residential home inspection process

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

2. 13-29 Historic Preservation Ordinance Amendment
Request Amendment to Historic Preservation Ordinance
Purpose To eliminate the language for owner’s consent, change the percentage for a historic district from 100% to 51% and add language about if an owner objects

3. 14-07 Land Cash Ordinance
Request Amendment to Land Cash Ordinance
Purpose Review the fair market value

OLD BUSINESS

PUBLIC COMMENT

UPDATE ON HISTORIC PRESERVATION

UPDATE ON CMAP LAND USE COMMITTEE MEETING

PROJECT STATUS REPORT
PERMIT REPORT
REVENUE REPORT
CORRESPONDENCE
EXECUTIVE SESSION

ADJOURNMENT: Next meeting on May 12, 2014
KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of March 10, 2014

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

ROLL CALL
Present: Chairman Scott Gryder, Amy Cesich (6:58), Vice-Chair Judy Gilmour, Lynn Cullick and Jeff Wehrli
Absent: None
Also present: Planning & Zoning Manager: Angela Zubko, Administrator Jeff Wilkins & Code Enforcement Officer Brian Holdiman
In the audience: Mark Caldwell, Dave Gravel and Kim Rieckert

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

APPROVAL OF MINUTES
Lynn Cullick made a motion to approve the minutes from February 10, 2014. Judy Gilmour seconded the motion. All agreed and the minutes were approved.

EXPENDITURE REPORT (handed out at meeting)
Jeff Wherli made a motion to approve the expenditure report in the amount of $14,966.40 and forward it onto the Finance Committee, Lynn Cullick seconded the motion. With a roll call vote all in attendance agreed and the motion was approved.

NEW BUSINESS
Kim Rieckert- concerns with the urban chicken ordinance: she stated she has been dealing first-hand the problems with living next to someone that has chickens. She gave some background of how this came about and her relationship with her neighbor that has the chickens. She can no longer enjoy living at her house, she cannot have windows open due to the smell and a number of predators are on her property now due to the chickens being next door. Due to snowfall she is able to track the number of predators coming through the property. She stated Mr. Holdiman has come to the house to see the tracks as well. There are skunk tracks from the neighbor’s barn door to her house. There are bags of feed and electrical wires laying on the ground which were all cleaned up when Mr. Holdiman visited the site. She is afraid a fire might start in the barn and spread to her property. The neighbor took the coop that was built without permission and put it in the barn which is less than 10’ from the property line which is against the ordinance. She went through the history of how the neighbors have blatantly defined the PBZ Department after writing a couple letters to the violators. Chairman Gryder thanked Ms. Rieckert for attending and explaining her story and was wondering her suggestions. She stated the neighbor does not have garbage pick-up so who knows how she’s disposing of the dead chickens. She stated the ordinance states all uncovered fenced enclosures shall be at least four feet in height, that height is not tall enough as the chickens sleep in the trees. She passed around multiple pictures
showing various violations. Mr. Gryder asked Mr. Holdiman about his experiences out at the property. Mr. Holdiman stated he’s been out there about 6 or 7 times. Ms. Gilmour stated in our Ordinance is there anything stronger then the Ordinance. Mr. Holdiman stated this issue is at the SAO but Ms. Rieckert’s issue is with allowing chickens in the residential district. Mr. Wilkins wanted to state the Animal Control is not in charge of poultry, it’s not part of their functions. Planner Zubko stated if we delete the Ordinance today this will not help this property owner. Ms. Cesich asked if Planner Zubko could contact the IL Department to see if they could do anything with regards to disease or confinement areas. Mr. Gryder agrees the ordinance should be looked at again. Mr. Gryder thanked Ms. Rieckert for her time and this will be brought up at the Zoning Ad-hoc Committee. Ms. Cesich will also contact the Department of Agricultural with Planner Zubko.

OLD BUSINESS

Discussion of what district(s) an excavating business would fall under- Planner Zubko stated this was continued from last month to decide if an excavating business could fall under a special use in the A-1 Agricultural District. Planner Zubko said personally she thinks it should stay in the districts it currently falls under. Mr. Wehrli agreed with Planner Zubko but did state this spot might work but overall construction companies should not be in agricultural district. Ms. Cesich asked about the property next door. Mr. Gryder stated his concern is his backyard is an agricultural field so what’s to say we could deny that? Mr. Wehrli talked about the right to farm clause and what people think of for agricultural uses. Construction business’ cross that line. Mr. Wilkins stated he agreed with Mr. Wehrli it has to do with the intensity. Ms. Gilmour agrees with Mr. Wehrli with regards to the integrity of agricultural properties. The consensus was to not allow this as a text amendment in the A-1 district.

Discussion and approval of a host fee agreement with Green Organics Inc.- Planner Zubko stated as she emailed out there are 2 host fee agreements drafted by the SAO and she wishes the PBZ Committee would vote on which version we should use. One is strictly the host fees and the longer version is lengthier about community relations/complaint issues, operational concerns, etc. Mr. Gravel stated the longer one may offer contradictions and issues conflicting. Ms. Cesich asked if the SAO suggested 1 over the other. Planner Zubko stated the email does not state which they agree with.

Lynn Cullick made a motion to approve version B with Green Organics Inc. and forward it onto the next County Board meeting. Jeff Wehrli seconded the motion. All agreed and the host agreement was forwarded on.

PETITIONS-

#14-01 Building Code Update including building permit fees

Code Enforcement Officer Brian Holdiman stated he would wish this would be forwarded to the next COW or County Board meeting. The only changes since last meeting was on page 14, page 15 and Page 16. He asked the Committee if they had any questions. Mr. Wehrli asked what the International Fuel Gas Code is. Mr. Holdiman stated it talks about gas piping and redacted it from the building code. The other question was on page 9, the fees with regards to stop work orders. Is he comfortable with the $50 fine? Mr. Holdiman stated he does not have an issue as it has never been a problem. Mr. Gryder asked if we could postpone this till April? Mr. Holdiman stated that is fine. Ms. Cesich asked if Mr. Holdiman could talk to the SAO with regards to language referenced by Mr. Wehrli. Mr. Wehrli was on page 23 (on the clean version) with regards to front doors and asked a question about the first section and if that could be clarified to specify the minimum requirements. It will be on the agenda next month but nothing will be put in the packet unless something comes up.
#14-02 Dickson Valley Ministries

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

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

Also in the report were previous conditions placed on the special use. The Township Board approved the special use and Planner Zubko stated Millbrook also recommended approval. In the packet is the site development plan and Mark Caldwell from the Dickson Valley Ministries is in attendance to answer any questions. Staff recommends approval of the requested major amendment to their special use with the recommended 5 conditions. ZPAC recommended approval, there were some changes to the conditions during the Plan Commission which are reflected in the packet and the special use hearing officer made a favorable recommendation with the 5 listed conditions in the report. Planner Zubko introduced Mark Caldwell and stated he’s been with Dickson Valley since 1989 and he lives at the camp.

Mr. Caldwell introduced himself and thank everyone for their help.

Ms. Cesich asked some basically questions about the site plan.

Jeff Wehrli made a motion to approve the amended special use and forward it onto the next County Board meeting. Lynn Cullick seconded the motion. All agreed and the special use will be forwarded on.
#13-29 Historic Preservation Ordinance Amendment
Planner Zubko stated in your packet is the proposed text changes and wanted to mention that some modifications were suggested by the state like when the owner can object or how that will be brought up at the meeting. This will be brought back next month but Planner Zubko wanted to make sure the PBZ Committee is comfortable with the language as presented for now. Planner Zubko will also ask Catherine O’Conner to attend the COW meeting in April to help aid in this process. The plan is to have the correct language come back before the PBZ Committee next month and hopefully move it onto the COW meeting and full County Board. Mr. Gryder asked about the 51% with regards to historic districts. Mr. Wehrli answered his question and stated there will be very few districts in Kendall County. Ms. Gilmour asked about the Villages and cities if the County helped oversee the applications for historic preservation districts or landmarks. There was discussion about the supermajority.

PUBLIC COMMENT- None

UPDATE ON HISTORIC PRESERVATION- The Commission is looking for 2 more members if anyone knows of someone interested.

UPDATE ON CMAP LAND USE COMMITTEE MEETING- Planner Zubko missed last month’s meeting and will most likely miss next week’s meeting as well due to the change in the County Board meeting.

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

ADJOURNMENT- Next meeting will be on April 14, 2014
Lynn Cullick made a motion to adjourn the meeting. Amy Cesich seconded the motion. All agreed. Chairman Gryder adjourned the meeting at 8:17 p.m.

Respectfully Submitted,
Angela L. Zubko
Planning & Zoning Manager
ORDINANCE # 2011 - 07

GRANTING AN AMENDMENT TO RESCIND ORDINANCES 2001-13; 2004-09 & 2007-56 & AMEND AN EXISTING SPECIAL USE

WHEREAS, Chris & Dave Demiduk has filed a petition for an amendment to an existing Special Use within the A-1 Agricultural Zoning District for a 6.55 acre property located at 5126 Stephens Road, (PIN #03-30-400-002 & 03-31-200-002), in Oswego Township;

WHEREAS, said petition is to amend their existing special use permit to expand the scope of their business to allow weddings/special events and construct a patio, chapel parking lot and an additional septic field; and

WHEREAS, the Zoning Board of Appeals previously granted variances per Case number 98-35 for the buildings to reduce the 100' front yard setback from the edge of the R.O.W. to 75 feet from Plainfield Road and 85 feet from Douglas road with a portico 60 feet from Douglas Road. ; and

WHEREAS, said property is zoned A-1 Special Use for a tea room, per Ordinances 01-13, 04-09 and 07-56; and

WHEREAS, said property is legally described as:

Parcel One:
That part of the Northeast ¼ of Section 31, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of said Northeast ¼; thence North 89 degrees, 29 minutes, 30 seconds West along the North line of said Northeast ¼, 810.86 feet; thence South 00 degrees, 09 minutes, 13 seconds East 951.08 feet; thence South 89 degrees, 56 minutes, 47 seconds West perpendicular to the last described course 229.00 feet; thence North 00 degrees, 03 minutes, 13 seconds West perpendicular to the last described course 951.08 feet; thence North 89 degrees, 56 minutes, 47 seconds East perpendicular to the last described course 229.00 feet of the point of beginning, in the Township of Oswego, Kendall County, Illinois.

Parcel Two:
That part of the south East ¼ of Section 30 and part of the Northeast ¼ of Section 31, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows; Beginning at the Southeast corner of said South East ¼ of Section 30; thence North 89 degrees, 29 minutes, 30 seconds West along the south line of said South East ¼, 810.86 feet; thence South 00 degrees, 03 minutes, 13 seconds East 1395.83 feet; thence South 89 degrees, 56 minutes, 47 seconds West perpendicular to the last described course 30.00 feet; thence North 00 degrees, 03 minutes, 13 seconds East perpendicular to the last described course 1426.13 feet; thence South 89 degrees, 29 minutes, 30 seconds East parallel with the aforesaid South line of the South East ¼ 840.07 feet to the East line of said South East ¼; thence South 01 degrees, 34 minutes, 18 seconds East along said East line 30.02 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois.
Parcel Three:
Basement for ingress and egress created by Warranty Deed dated March 21, 1978 and recorded March 22, 1978 as Document 78-1663 made by Stewart, et al, to Pauline Wackerlin for the benefit of Parcels One and Two over the southerly 49.50 feet of the Southwest ¼ of Section 29, in Township 37 North, Range 8 east of the Third Principal Meridian in the Township of Oswego, 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 on February 28, 2011; and

WHEREAS, the Kendall County Zoning Administrator or its deputies have authorized a variance to allow for a gravel parking lot and gravel handicapped stalls per section 11.02.F.2 of the Zoning Ordinance; and

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

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall County Ordinance #01-13; #04-09 & #07-56 in its entirety and grants approval to amend their existing special use permit to expand the scope of their business to allow weddings/special events and construct a patio, chapel, parking lot and an additional septic field as indicated on the submitted Site Plan included as “Exhibit A” attached hereto and incorporated herein subject to the following conditions:

1. Review of all site plans by the County’s Code Compliance Officer for compliance with the Americans with Disabilities Act accessibility provisions pertaining to the entire site.
2. Development and operation of the site in accordance with the site plan attached hereto and made a part hereof as Exhibit “A”; and
3. Parking for employees shall be in conformance with applicable Kendall County Ordinances.
4. Compliance with applicable building codes and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing or proposed structures on the premises.
5. The principal use of the property is for the retail sales of hand painted pottery including the following ancillary uses:
   a) Pottery and art classes limited to a maximum of not more than 10 students at any one time;
b) Retail sales of accessory items sold as decorative elements used to enhance the display and presentation of the hand-painted pottery being offered for sale;

c) Use of the rear (southern) 1,056 square feet of the overall 2,652 square foot structure identified as “Tea Room” on the controlling site plan, as a meeting room for private gatherings, limited to not more than 24 persons at any one time and including the accessory sales and preparation of food items limited to sandwiches, soups and salads for consumption on the premises.

d) Seasonal sales of agricultural products such as pumpkins or other similar agricultural products grown on the premises;

e) Permitted to hold special events/weddings on site with a maximum number limited to 100 persons at any one time

6. Except as otherwise provided for in condition #5 above, no goods produced off-site, other
than pottery and earthenware, may be sold on the premises; and

7. Sales of pottery and earthenware on-site may only take place in the existing house; and

8. A private driveway leading to Stephens Road at least twelve (12) feet in width, which may remain paved with gravel at the discretion of the property owner, and which is otherwise in conformance with Kendall County Private Road Standards, shall be maintained by the property owner; and

9. No food for the weddings/special events will be made in the existing kitchen unless inspected to do so.

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

IN WITNESS OF, this ordinance has been enacted on March 15, 2011.

Attest:

Debbie Gillette
Kendall County Clerk

John Purcell
Kendall County Board Chairman
EXHIBIT A
Illinois Senate Bill 3263

Summary
Creates the Wind Energy Facilities Construction and Deconstruction Act. Requires a commercial wind energy operator of a commercial wind energy facility located on land owned by another to enter into an agricultural impact mitigation agreement with the Department of Agriculture. Provides that the commercial wind energy operator is responsible for deconstruction of a commercial wind energy facility. Requires the filing of a deconstruction plan detailing the cost of deconstruction per turbine. Provides that the plan must be prepared by an independent third party. Requires the Department of Agriculture to require reclamation bonds for deconstruction. Contains provisions concerning public informational meetings, final determinations related to approval of siting, and deconstruction activities. Amends the State Finance Act to create the Wind Energy Administration Fund as a special fund in the State treasury. Amends the Counties Code. Deletes language allowing a county to establish standards for wind farms and electric-generating wind devices. Effective immediately.

Status from UCCI on 3.27.14

Please be advised that SB3263 (Wind Energy/siting standards) today was assigned to a subcommittee of the Senate Energy Committee.

This bill is unlikely to be addressed this year.

Mike McCreery
Executive Director
STATE OF ILLINOIS )
                   )SS
COUNTY OF OGLE )

RESOLUTION NO. __________

A RESOLUTION OPPOSING SENATE BILL 3263 (WIND ENERGY
FACILITIES CONSTRUCTION AND DECONSTRUCTION ACT)

WHEREAS, Illinois law pursuant to 55 ILCS 5/5-12020 (Wind Farms) provides that a county
may establish standards for wind farms and electric-generating wind devices, and may also
regulate the siting of wind farms and electric-generating wind devices; and

WHEREAS, Senate Bill 3263 (the Wind Energy Facilities Construction and Deconstruction Act)
would transfer the authority to establish standards for and regulate the siting of wind farms and
electric-generating wind devices from counties to the Illinois Department of Agriculture; and

WHEREAS, the County Board of the County of Ogle believes that the authority to establish
standards for and regulate the siting of wind farms and electric-generating wind devices should
remain with counties, as counties are better equipped to manage issues related to the
regulation and siting of wind farms than the Illinois Department of Agriculture or any other State
agency;

NOW THEREFORE BE IT RESOLVED BY THE OGLE COUNTY BOARD AS FOLLOWS:

That the County Board of the County of Ogle, for the reasons stated above, hereby opposes
Senate Bill 3263 (the Wind Energy Facilities Construction and Deconstruction Act) and the
adoption thereof.

Passed by the Ogle County Board and effective this _____ Day of ______________________, 2014.

Kim P. Gouker
Chairman of the Ogle County Board

Attest:

Rebecca Huntley
Ogle County Clerk and Ex-Officio
Clerk of the Ogle County Board
ARTICLE I

PURPOSES, DEFINITIONS AND GENERAL PROVISIONS

1. PURPOSES & INTENT
The purposes and intent of this Ordinance are as follows:

A) To identify, designate, protect, preserve, and encourage the restoration, rehabilitation, and adaptation for continued use of those properties and structures which represent or reflect the historic, cultural, artistic, social, economic, ethnic or political heritage of the United States of America, State of Illinois, or Kendall County or which may be representative of an architectural or engineering type inherently valuable for the study of style, period, craftsmanship, method of construction or use of indigenous materials;

B) To safeguard the County's historic, aesthetic and cultural heritage as embodied and reflected in such structures and landscape features;

C) To stabilize and improve the economic vitality and value of designated landmarks and historic districts in particular and of the County in general;

D) To foster civic pride in the beauty and noble accomplishments of the past in order that both the pride and the accomplishments themselves may be passed on to future generations;

E) To protect and enhance the County's attractions for tourists and visitors as well as to support and provide stimulus to business and industry;

F) To strengthen the economy of the County;

G) To promote the use of historic districts and landmarks for the education, pleasure, and welfare of the citizens of Kendall County and;

H) To educate the general public, government officials and real estate interests about the value of historic preservation to the economy, and long-term quality of life for those who live and work in the County.

2. DEFINITIONS
For the purposes of this Ordinance, certain words, phrases, and terms shall have the following meanings:

A) Alteration: Any act or process that changes one or more historic, architectural, or physical features of an area, site, landscape, place, and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities;
surface mining; and clearing, grading or other modification of an area, site or landscape that changes its current or natural condition.

B) Architectural Significance: Embodying the distinctive characteristics of a type, period, style or method of construction or use of indigenous materials, or representing the work of an important builder, designer, architect, engineer, or craftsman who has contributed to the development of the community, County, State or Nation.

C) Archaeological Significance: Importance as an area, site, place or landscape that has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning previous cultures in Illinois or previous periods of the present culture. Areas, sites or landscapes of archaeological significance may include, but are not limited to, aboriginal mounds, forts, earthworks, burial grounds, historic or prehistoric ruins, locations of villages, mine excavations or tailing.

D) Building: Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.

E) Certificate of Appropriateness: A certificate issued by a Preservation Commission indicating its approval of plans for alteration, construction, demolition, or removal affecting a nominated or designated landmark or property within a nominated or designated historic district.

F) Certificate of Economic Hardship: A certificate issued by the Preservation Commission authorizing an alteration, construction, removal or demolition even though a Certificate of Appropriateness has previously been denied or may be denied.

G) Commissioners: Members of the Preservation Commission.

H) Conservation Right: A term that includes easements, covenants, deed restrictions or any other type of less than full fee simple interest as that term is defined in Illinois Revised Statutes, Section 1 of "An Act relating to conservation rights in real property," approved September 12, 1977, as amended.

I) Construction: The act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property.

J) Demolition: Any act or process which destroys in part or in whole a landmark or a building or structure within a historic district.

K) Demolition by Neglect: Neglect in the maintenance of any landmark and/or building or structure within a preservation district resulting in the deterioration of that building to the extent that it creates a hazardous or unsafe condition as determined by the Kendall County Building and Zoning Department or the
Kendall County Department of Health.

L) Design Criteria: Standards of appropriate activity that will preserve the historic, architectural, scenic or aesthetic character of a landmark or historic district.


O) Exterior Architectural Appearance: The architectural character and general composition of the exterior of a building or structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.

P) Historic Significance: Character, interest or value as part of the development, heritage, or culture of the community, County, State or Nation; or as the location of an important local, County, State or national event; or through identification with a person or persons who made important contributions to the development of the community, County, State or Nation.

Q) Landmark: A property or structure designated as a "Landmark" by ordinance of the County Board, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration, or preservation because of its historic, scenic, or architectural significance.

R) Landscape: A natural feature or group of natural features such as, but not limited to: valleys, rivers, lakes, marshes, swamps, forests, woods, or hills; or a combination of natural features and buildings, structures, objects, cultivated, fields, or orchards in a predominantly rural setting.

S) Object: Any tangible items, including any items of personal property, including, but not limited to: wagons, boats, and farm machinery that may be easily moved or removed from real estate property.

T) Owner: The person or corporation or other legal entity in whose name or names the property appears on the records of the County Recorder of Deeds.

U) Historic district: An area designated as a "historic district" by ordinance of the County Board 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.
V) Removal: Any relocation of a structure, object or artifact on its site or to another site.

W) Repair: Any change that is not construction, alteration, demolition, or removal and is necessary or useful for continuing normal maintenance.

X) Scenic Significance: 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.

Y) Site: The traditional, documented or legendary location of an event, occurrence, action, or structure significant in the life or lives of a person, persons, group, or tribe, including but not limited to cemeteries, burial grounds, campsites, battlefields, settlements, estates, gardens, groves, river crossings, routes, trails, caves, quarries, mines, or significant trees or other plant life.

Z) Structure: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground including (but without limiting the generality of the foregoing) barns, smokehouses, advertising signs, billboards, backstops for tennis courts, bridges, fences, pergolas, gazebos, radio and television antennae, solar collectors, microwave antennae including supporting towers, roads, ruins or remnants (including foundations), swimming pools or walkways.

AA) Survey: The systematic gathering of information on the architectural, historic, scenic, and archaeological significance of buildings, sites, structures, areas, or landscapes through visual assessment in the field and historical research, for the purpose of identifying landmarks or districts worthy of preservation.

3. GENERAL PROVISIONS
The following are general provisions propounded to make more clear matters relative to scope and jurisdiction of this Ordinance.

A) No provision herein shall supersede the powers of other local legislative or regulatory bodies or relieve any property owner from complying with the requirements of any other state statute or code or ordinance of Kendall County or individual municipal ordinances or regulations, and any permit or license required there under shall be required in addition to any Certificate of Appropriateness or Economic Hardship which may be required hereunder; provided, however, that where a Certificate of Appropriateness or Economic Hardship is required, no such other permit or license shall be issued by any other agency under the jurisdiction of the Kendall County Board before a certificate has been issued by the
Commission as herein provided.

B) The use of property and improvements which have been designated under this Ordinance shall be governed by the Kendall County Zoning Ordinance, as amended.

G) If any particular section of this Ordinance is declared to be unconstitutional or void, only the particular section is affected, and all other sections of this Ordinance shall remain in full force and effect.

H) For purposes of remedying emergency conditions determined to be dangerous to life, health or property, the Commission may waive the procedures set forth herein and grant immediate approval for a Certificate of Appropriateness. The Commission shall state its reasons in writing for such approval.

I) No member of the Preservation Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member.

ARTICLE II

THE HISTORIC PRESERVATION COMMISSION

1. ORGANIZATION

A) Appointment. The Kendall County Board shall by ordinance appoint members to the Kendall County Preservation Commission from names submitted by the County Board Chair.

B) Composition. The Preservation Commission shall consist of nine (9) members. All members shall be residents of Kendall County. The County Board Chair shall nominate to the Preservation Commission at least one (1) attorney, one (1) historian or architectural historian, one (1) architect/engineer, and one (1) real estate professional knowledgeable in historic preservation; the other members shall be persons with a demonstrated interest in archaeology, Kendall County history, architecture, engineering, preservation and/or the preservation of community character. Commission vacancies shall be posted in a newspaper of general circulation within the county and on the county internet website. Included in the nine (9) voting members, the County Board may appoint one of their members or staff to serve as a voting member of the Commission and liaison to the County Board.

C) Terms. Terms of the initial members shall be staggered so that three serve for one year; three for two years; and three for three years. Successors to initial members shall serve for three year terms. All ex officio members shall serve the term of their elected or appointed office. All members shall serve until their
successors are appointed. Vacancies shall be filled by the Kendall County Board from names submitted by the County Board Chair.

D) Officers. Officers shall consist of a Chair, Vice-Chair and a Secretary elected by the Preservation Commission. The Chair shall preside over meetings. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. If both the Chair and the Vice-Chair are absent, a temporary Chair shall be elected by those present. The Chair, Vice-Chair and secretary shall serve a term of one (1) year and shall be eligible for re-election. No member shall serve as an officer in the same capacity for more than three (3) consecutive years. Once the member has served in the same capacity for three (3) years a one (1) year hiatus from that office must be followed. The Chair shall ensure that the following duties are performed:

i) That minutes are taken of each Preservation Commission meeting;

ii) That copies of the minutes, reports, and decisions of the Preservation Commission be published and distributed to the members of the Preservation Commission.

iii) The Kendall County Board Chair is advised of vacancies on the Preservation Commission and expiring terms of members; and

iv) That there be prepared and submitted to the Kendall County Board a complete record of the proceedings before the Preservation Commission on any matters requiring County Board consideration. The Kendall County Planning, Building & Zoning Department shall be the official keeper of the records.

E) Rules and Procedures. The Historic Preservation Commission shall have the authority to develop and adopt rules and procedures necessary to carry out its functions under the provisions of this Ordinance.

F) Meetings. Meetings of the Preservation Commission shall be held no less than monthly, except in those months when no business is pending, and shall be held at such times and places within the County as the Commission shall decide. Special meetings may be called by the Chair or by the consent of three (3) members. All meetings of the Commission shall be open to the public, shall follow all provisions of the Open Meetings Act and shall adhere to Robert’s Rules of Order. The Commission shall keep minutes of its proceedings, showing a vote of each member upon every question, or if absent or failing to vote, and shall also keep records of its official actions. Such minutes and records shall be open to the public for inspection at offices of the Kendall County Planning, Building & Zoning Department.

G) Quorum. A quorum shall consist of five (5) members. The transaction of
business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification or rescission of any rule or part thereof shall require the affirmative vote of five (5) members.

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

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

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

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

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

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

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

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

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

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

H) To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic
places;

I) To inform and educate the citizens of the County concerning the historic, archaeological, architectural, or scenic heritage of the County by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;

J) To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting landmarks or property within historic districts and issue or deny Certificates of Appropriateness for such actions;

K) To consider applications for Certificates of Economic Hardship that would allow the performance of work for which a Certificate of Appropriateness has previously been denied;

L) To develop specific criteria and guidelines for the proper alteration, construction, demolition, or removal of landmarks, or of property within historic districts;

M) To review proposed amendments to zoning regulations and map amendments, applications for special uses or applications for zoning variations that affect any and all landmarks or historic districts. Proposed zoning amendments, applications for special use, or zoning variations that affect any landmark or historic district as defined in this ordinance or any application for demolition of any structure which is more than 50 years old shall be reviewed by support staff and forwarded to the Preservation Commission for review within seven (7) working days.

N) To administer on behalf of the County Board any property, or full or partial interest in real property, including a conservation right, by approval of the County Board;

O) To accept and administer on behalf of the County Board gifts, grants, money or other personal property as may be appropriate for the purpose of this Ordinance. Such money may be expended for publishing maps and brochures, for hiring staff or consultants or performing otherwise appropriate functions for the purpose of carrying out the duties and powers of the Preservation Commission and the purposes of this Ordinance.

P) To administer any system established by the County Board for the transfer of development rights;

Q) To call upon available County agencies and staff as well as other experts for technical advice; costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

R) To retain specialists or consultants, or to appoint citizen, neighborhood or area
advisory committees, as may be required, costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

S) To testify before all boards, commissions, committees and municipalities on any matter affecting potential or designated landmarks or historic districts;

T) To periodically review any County Land resource management plan and to develop a preservation component in any comprehensive plan of the County and to recommend it to the Regional Plan Commission, the Planning, Building & Zoning Committee and the County Board;

U) To periodically consult the County zoning administrator, review any County zoning ordinance and building code, and to recommend to the County Board any amendments appropriate for the protection and continued use of landmarks or property within historic districts;

V) To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or the implementation of the purposes of this Ordinance.

W) To recommend to the County Board the adoption of intergovernmental agreements between the County Board and Kendall County municipalities that allow for the nomination and designation by the County Board of individual landmarks and historic districts within incorporated areas and that afford the protection of landmarks and historic districts through the provisions of this Article, and

X) To periodically monitor designated landmarks and preservation districts for demolition by neglect and to refer negligent cases to the appropriate county agency for enforcement.

ARTICLE III

DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS

1. INVESTIGATION & RESEARCH
The Preservation Commission shall undertake an ongoing investigation and research effort in the County to identify areas, sites, structures, and objects that have historic, cultural, community, architectural or aesthetic importance, interest, or value. As part of the investigation, the Commission shall review and evaluate any prior surveys and studies by any unit of government, private organization or individual and compile appropriate descriptions, facts, and photographs.

The Commission shall make an effort to systematically identify potential landmarks and districts and adopt procedures to nominate them individually or in groups based upon the following criteria:
a) The potential landmarks or districts in one township or distinct geographical area of the County;

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

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

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

2. PRESERVATION PLAN

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

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

3. NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS

A.) Landmarks

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

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

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

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

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

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

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

   a) The name and address of the applicant and owner of record.

   b) The legal description and Common Street address of the property.

   c) A written statement describing the structure, building, or site and setting forth reasons in support of the proposed designation, including a list of significant exterior architectural features that should be protected.

   d) Written documentation and evidence establishing that the applicant is the current owner of record of the nominated property and whether the owner of record consents or objects to the proposed landmark designation. Such documentation or evidence of record ownership shall include a recent title policy in the name of the applicant or other evidence of record ownership acceptable to the Historic Preservation Commission.

   e) An overall site plan and photographs of the landmark. The plan shall also include a front, side, and rear elevation drawing.

   f) Such other relevant information as requested by the Historic Preservation Commission.

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

B.) Historic Districts

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

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

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

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

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

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

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

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

a) The names and addresses of applicants.

b) The names and addresses of all of the owners of record of buildings, structures, or sites in the area nominated for designation.

c) A vicinity map delineating the boundaries of the area nominated for designation.

d) A written statement describing the area and structures, buildings, or sites located in the area nominated for designation as an historic district and setting forth the reasons in support of the proposed designation, including a list and photographs of significant exterior architectural features of all structures, buildings, or sites in the district that should be protected.

e) Written documentation and evidence establishing that applicants are the
current owners of record of property in the area nominated for designation and
that such owner comprise the owners of record of at least fifty-one percent
(51%) of all sites contained in the nominated area. Such documentation or
evidence of record ownership shall include recent title policies in the names of
the applicants or other evidence of record ownership acceptable to the Historic
Preservation Commission.

f) The name, address, and telephone number of one of the applicants who shall
be the designated contact person and liaison for the purposes of the
application. The name, address, and telephone number of an additional
applicant to serve as an alternative contact person shall also be provided.

g) Such other relevant information as requested by the Historic Preservation
Commission.

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

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

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

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

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

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

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

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

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

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

J) It is suitable for preservation or restoration;

K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

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

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

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

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

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

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

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

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

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

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

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

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

J) It is suitable for preservation or restoration;

K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

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

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

5. INITIAL REPORT & RECOMMENDATION OF PRESERVATION COMMISSION
The Preservation Commission shall, within thirty (30) calendar days from receipt of a completed application for designation, cause to be written an initial recommendation and report stating whether the nominated landmark, historic district does or does not meet the criteria for designation as provided for in Article III, Section 4 herein. The report shall contain the following information:

A) An explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;

B) A description of the integrity or lack of integrity of the nominated landmark or historic district;

C) A map showing the location of the nominated landmark or the boundaries of the nominated historic district.

In addition, in the case of a nominated landmark found to meet the criteria for designation, the report shall include:
A) A description of the significant exterior architectural features of the nominated landmark that should be protected;

In the case of a nominated historic district found to meet the criteria for designation the report shall include:

A) A list of addresses and Permanent Index Numbers showing which properties are contributing and which are non-contributing;

B) A description of the types of significant exterior architectural features of the structures within the nominated district that should be protected;

In the case of a nominated landmark or historic district the recommendation and report shall be available to the public in the office of the County Planning, Building & Zoning Department.

6. NOTIFICATION OF NOMINATION

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

7. HEARING

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

8. RECOMMENDATION OF PRESERVATION COMMISSION

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

In the case of the property owner's (owners') objection to a landmark designation or historic district, the nomination would require the affirmative vote of a super majority of County Board members present.

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

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

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

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

   C) Reject the nomination application.

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

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

11. NOTICE OF DESIGNATION
Notice of the action of the County Board, including a copy of the ordinance designating the landmark, historic district shall be sent by regular mail to all owners of record, including but not limited to each owner of record of a landmark or property within a historic district. Further, as soon as is reasonably possible, the County Board Chair shall cause to be notified the Kendall County Planning, Building & Zoning Department, the Recorder of Deeds, the County Clerk, and the Kendall County Collector by forwarding to each a copy of the designation ordinance. The Recorder of Deeds shall ensure that the designation be recorded on all directly affected parcels.
12. PUBLICATION OF MAP
A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the same location and in the same manner as any County zoning map.

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

14. INTERIM CODE
No building, zoning, site development, access, utility or other permit shall be issued by the Planning, Building & Zoning Department, the Highway Department or other County department without a Certificate of Appropriateness being issued in accordance with Article IV Section 2 for alteration, construction, demolition, or removal of a nominated landmark or the alteration of any physical feature of a property or structure within a nominated historic district from the date the nomination form is received by the County office until the final disposition of the nomination by the County Board unless such alteration, removal, or demolition is necessary for public health, welfare, or safety.

15. MARKING BY ATTACHMENT OF A PLAQUE
Each designated landmark or historic district may be marked by an appropriate plaque carrying a brief description and account of the historic significance of the property. The plaque shall be provided by the County at the expense of the property owner.

16. AMENDMENT & RESCISSION OF DESIGNATION
The County Board, upon recommendation of the Preservation Commission, may amend or rescind designation by the same procedure and according to the same standards and considerations set forth for designation. No amendment or rescission shall be made to a designation of a landmark or historic district based solely on a change in owner’s consent.

17. TRANSFER OF JURISDICTIONAL CONTROL
Should a designated landmark or historic district be incorporated into a municipality with a preservation ordinance, that municipality’s preservation ordinance shall govern. If a municipality annexes a designated landmark or historic district and does not have a preservation ordinance, the County’s preservation ordinance will continue to govern.

ARTICLE IV

ALTERATION, CONSTRUCTION, DEMOLITION, AND MAINTENANCE

1. SCOPE
Work on property and improvements so designated pursuant to this ordinance shall be regulated as follows:
A) *Landmarks*: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures which have been designated under this ordinance as landmarks, except as shall be approved by a Certificate of Appropriateness.

B) *Historic districts*: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures located within an area which is designated under this ordinance as a historic district, except as shall be approved by a Certificate of Appropriateness.

2. CERTIFICATE OF APPROPRIATENESS

A) A Certificate of Appropriateness from the Preservation Commission established pursuant to this Ordinance shall be required before any significant alteration, construction, demolition or removal that affects pending or designated landmarks or historic districts is undertaken. Such a certificate is required for all such actions from the date a nomination form is submitted to the Preservation Commission.

B) Applications for Certificates of Appropriateness.

i) Every application submitted to the Kendall County Planning, Building & Zoning Department for a permit wherein the applicant represents and/or delineates plans to commence any action as immediately described above in subsection (A) affecting any such property, improvements or areas therein described, shall be forwarded by the Director of Planning, Building and Zoning to a representative or representatives of the Preservation Commission, within five (5) business days following the receipt of said application by the Planning, Building & Zoning Department.

The Planning, Building & Zoning Department shall not issue the building or demolition permit until a Certificate of Appropriateness has been issued by the Preservation Commission. Any applicant may request a meeting with the Preservation Commission before the application is sent by the Director of Planning, Building and Zoning to the Preservation Commission or during the review of the application.

ii) Application for review of construction, alteration, demolition, or removal not requiring a building permit for which a Certificate of Appropriateness is required shall be made on a form prepared by the Preservation Commission and available at the office of Kendall County Planning, Building & Zoning Department. The Preservation Commission may schedule, provide notice and conduct a public hearing concerning the
application in the manner previously described in Article III, Section 6 and 7.

iii) If a public hearing is not scheduled, the Commission may consider the completed application at its next regular meeting and may grant a Certificate of Appropriateness at that time. The Commission may further designate support staff to be responsible for reviewing routine applications for Certificates of Appropriateness when the proposed work is clearly appropriate and in accordance with the criteria set forth in Article IV, Sections 2(c) and (d) below, and the purposes of this Ordinance.

iv) The Commission may seek technical advice from outside its members on any application for a Certificate of Appropriateness. The applicant and each commissioner shall receive a copy of the consultant's written opinion at least seven (7) days before a determination is to be made on the application. The costs for this technical advice will be paid by petitioner unless included as part of the annual approved budget for the Commission.

v) The Commission shall act promptly and in a reasonable manner in its judgment of plans for new construction or for alteration, removal, or demolition of structures in historic districts that have little historic value, except where such construction, alteration, removal, or demolition would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

C) Design Guidelines. The Commission shall consider the following factors in reviewing applications for Certificates of Appropriateness:

i) Height: The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.

ii) Proportions of Windows and Doors: The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark and with surrounding structures within a historic district.

iii) Relationship of Building Masses and Spaces: The relationship of a structure within a historic district to open space between it and adjoining structures should be compatible or similar to relationships commonly found between similar structures in the district.

iv) Roof Shape: The design of the roof should be compatible with the architectural style and character of the landmark and surrounding structures which are similar in design in a historic district.
v) **Landscaping:** Landscaping should be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in historic districts.

vi) **Scale:** The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.

vii) **Directional Expression:** Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures or of its stylistic design. The directional expression of a landmark after any alteration, construction, or partial demolition should be compatible with its original architectural style and character.

viii) **Architectural Details:** Architectural details, including materials and textures, should be treated so as to make a landmark compatible with its original architectural style or character.

D) Standards for Review. The Commission, in considering the appropriateness of any alteration, demolition, new construction, or removal to any property or structures designated or pending designation as a landmark, or any area designated or pending designation as a historic district, shall be guided by the following general standards and any design guidelines in the ordinance designating the landmark or historic district as well as conformance to applicable zoning classification, height, and area limitation:

i) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

ii) The distinguishing original qualities or character of a building, structure, site, and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided whenever possible.

iii) All buildings, structures, and sites shall be recognized as products of their time. Alterations that have no historical basis or that seek to create an earlier/later appearance shall be discouraged.

iv) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
v) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.

vi) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

vii) The surface cleaning of structures shall be undertaken with the utmost care and consideration. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

viii) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

ix) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

x) Wherever possible, new additions or alterations to structures should be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would not be impaired.

E) Determination by Preservation Commission. Within fifteen (15) business days after support staff review, or from the date of the regular meeting, or from the close of a public hearing concerning an application for a Certificate of Appropriateness, or within such further time as the applicant for said certificate (and/or permit) approves in writing, the Commission shall determine whether:

i) The proposed construction, alteration, demolition, removal or other modification will be appropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be issued; or

ii) Such proposed modification is inappropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be denied.
Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided to the applicant, sent by certified mail with return receipt requested, and to the Kendall County Planning, Building & Zoning Department within seven (7) days (Saturdays, Sundays, and legal holidays excluded) following the determination and shall be accompanied by a Certificate of Appropriateness in the case of an approval.

F) Denial of Certificate of Appropriateness. A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Preservation Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Preservation Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the difference(s) between the applicant and the Commission. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Preservation Commission.

G) Decision Binding on Planning, Building & Zoning Department. The Director of the Kendall County Planning, Building & Zoning Department shall be bound by the determination of the Commission and approve, if in conformance with other provisions of the Building Code, or disapprove any application for the proposed construction, alteration, removal of an exterior architectural feature, or demolition of any building or structure in a historic district or any landmark in accordance with said determination.

H) Failure of Commission to Review Application in a Timely Manner. Failure of the Commission to act upon an application for Certificate of Appropriateness within ninety (90) days shall constitute approval and no other evidence shall be needed. This time limit may be waived only by mutual consent of the applicant and the Commission.

I) Demolitions. Pursuant to Article IV, Sections 2(c) and (d) above, the Preservation Commission may deny any application for a Certificate of Appropriateness where demolition is proposed upon a finding that such proposed action will adversely affect the historic, archeological, architectural, or scenic significance of a landmark or historic district. Upon receipt of an application for a Certificate of Appropriateness for demolition, the Preservation Commission shall as soon as possible make a determination, supported by written findings, whether one or more of the following criteria are met:

i) The structure or visual resource is of such interest or quality that it would reasonably meet national, state or local criteria for designation as an historic or architectural landmark.

ii) The structure or visual resource is of such unusual or uncommon design, texture or materials that it could not be reproduced, or could be
reproduced only with great difficulty and expense.

iii) Retention of the structure or visual resource would aid substantially in preserving and protecting another structure or visual resource which meets criteria (i) or (ii) hereinabove.

Where the Preservation Commission determines that one or more of these criteria are met, no Certificate of Appropriateness shall be issued and the application shall be denied.

If a demolition permit is issued, the Preservation Commission shall require the applicant to submit for review and consideration post-demolition plans which shall include drawings and sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of any and all improvements incorporated in such plans.

J)) Compliance with Certificate. A Certificate of Appropriateness will become void if:

i) If there is any change in the scope of work pursuant to the approved application subsequent to the issuance of the Certificate; or

ii) If twelve (12) months have elapsed after issuance of the Certificate and no building permit has been issued.

K) Appeals. A denial of a Certificate of Appropriateness is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said Administrative Review Law and all amendments and modifications thereof, and the rules adopted thereto.

3. ECONOMIC HARDSHIP

A) The Preservation Commission may issue a Certificate of Economic Hardship upon determination that the failure to issue a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of, or return on, the property. Application for a Certificate of Economic Hardship shall be made on a form and in the manner as prescribed by the Preservation Commission. The Preservation Commission may schedule a public hearing concerning the application and provide notice in the same manner as prescribed in Article III, Section 6, of this Ordinance and conduct the hearing in the same manner as prescribed in Article III, Section 7, of this Ordinance.

B) The Preservation Commission may solicit expert testimony and the applicant for a Certificate of Economic Hardship shall submit all of the following information in order to assist the Preservation Commission in its determination on
the application:

i) An estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness;

ii) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

iii) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Preservation Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;

iv) In the case of a proposed demolition, an estimate from a person or entity experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;

v) Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, of any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;

vi) If the property is income-producing, the annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;

vii) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years;

viii) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years;

ix) Assessed value of the property according to the two (2) most recent assessments;

x) Real estate taxes for the previous two (2) years;

xi) Form of ownership or operation of the property, whether sole
propritorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other.

xii) Any other information, including the income tax bracket of the owner, applicant, or principal investors in the property considered necessary by the Preservation Commission to make a determination as to whether the property does yield or may yield a reasonable return to the owners.

C) Determination of Economic Hardship. Within sixty (60) days from receiving a request for a Certificate of Economic Hardship, the Commission, upon a determination that the denial of a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of or return on the property, may undertake one of the following actions:

i) Offer the owner of the property reasonable financing, tax or other incentives sufficient to allow a reasonable use of, or return on, the property; or

ii) Offer to purchase the property at a reasonable price or institute eminent domain proceedings pursuant to Article VII of the Illinois Code of Civil Procedure; or

iii) Issue a Certificate of Appropriateness for the proposed construction, alteration, demolition or removal.

Written notice of the determination shall be provided in the same manner as required by Article IV, Section 2(e) of this Ordinance. This time limit may be waived only by mutual consent of the applicant and the Commission.

D) Appeals. A denial of a Certificate of Economic Hardship is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said law and all amendments and modifications thereof, and the rules adopted thereto.

4. MAINTENANCE OF HISTORIC PROPERTIES
Nothing in this Article shall be construed to prevent the ordinary maintenance of any exterior elements of a property or structures designated or nominated as a landmark or located within a designated or nominated historic district.

5. PUBLIC SAFETY EXCLUSION
None of the provisions of this ordinance shall be construed to prevent any measures of construction, alteration, or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Director, Kendall County Planning, Building & Zoning Department, the Kendall County Health Department or any Fire
Protection District and where the proposed measures have been declared necessary, by such department or departments to correct the said condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section.

In the event any structure or other feature shall be damaged by fire or other calamity, or by Act of Nature or by the public enemy, to such an extent that, in the opinion of the aforesaid department or departments, it cannot reasonably be repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.

6. DEMOLITION BY NEGLECT

It is the intent of this section to preserve from deliberate or inadvertent neglect the features of landmarks and contributing buildings and structures within designated historic districts.

Periodically, the Commission shall, in conjunction with its ongoing survey operations, survey the exterior of each designated landmark and each property within a historic district to ensure that the property is not suffering from demolition by neglect, as defined in the ordinance. The Commission’s Secretary shall document the performance of each annual neglect survey.

Any owner who fails to maintain their building or structure in compliance with this section shall be subject to remedial procedures. Upon a finding by the Commission that a historic landmark or a contributing building or structure within a historic district is threatened by demolition by neglect, the Commission shall:

(a) Notify the County Board so that they or the appropriate county agency will require the owner to repair all conditions contributing to demolition by neglect.

(b) If the owner does not make repairs within a reasonable period of time the County Board or their agents may make such repairs as are necessary to prevent demolition by neglect. The costs of such work shall be charged to the owner, and may be levied as a special assessment or lien against the property.

ARTICLE V
ENFORCEMENT, PENALTIES AND EQUITABLE RELIEF

1. ENFORCEMENT

The Kendall County Planning, Building & Zoning Department shall give written notification, sent by certified mail, return receipt, postage prepaid requested, of any violation of this Ordinance to the owner of record, lessor, the trustee, or other legally responsible party for such property, stating in such notification that they have inspected the property and have found it in violation of this Ordinance. They shall state in the notification, in clear precise terms, a description or explanation of the violation. The property owner of record, trustee, lessor, or legally responsible party shall have thirty (30) days from the date he receives the notice in which to correct such violation or to give satisfactory evidence that he has taken steps that will lead to correcting such violation within a stated period of time, which time must be agreeable to the Planning, Building &
Zoning Department as being fair and reasonable.

Upon petition of the Preservation Commission, the Circuit Court for Kendall County may restrain and/or enjoin any construction, removal, alteration, or demolition in violation of this Act and may order the removal in whole or part of any exterior architectural feature existing in violation of this Ordinance and may further order such reconstruction as may be necessary or desirable to redress any alteration or demolition in said violation.

2. PENALTIES
Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any provisions of this Ordinance, shall be subject to a fine of not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00) for each offense. Each day a violation is permitted to exist after notification thereof shall constitute a separate offense.

In the case of an unauthorized demolition of a landmark or any property within a designated preservation district, the Kendall County Building and Zoning Department will refuse to issue a building permit for the subject property for a period of five (5) years after the date of demolition.

The owner or tenant of any building, structure, or land, and any architect, planner, surveyor, engineer, realtor, attorney, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

3. EQUITABLE RELIEF
In addition to other remedies provided by law, Kendall County may institute any appropriate action or proceeding to prevent, restrain, abate or correct a violation of this Ordinance, including, but not limited to, requiring the restoration of property and improvements to its appearance prior to the violation.
number of bedrooms as determined by the County based upon the architectural plans submitted.

The payment procedures agreed upon as well as the generation tables and fair market values in effect at the time of recording shall be noted in any and all development agreements and shall be disclosed to all prospective lot purchasers prior to execution of a sales contract for any lot in the development. A note disclosing this obligation shall also appear on all plats submitted for recording.

3. **Criteria for Requiring Land Dedication and a Fee**
There will be situations in subdivisions or planned unit developments when a combination of land dedication and a contribution in lieu of land are both necessary; these occasions will arise when:

a) Only a portion of the land to be developed is proposed as the location for a park, preserve, recreation or school site. That portion of the land within the subdivision falling within the school, park or forest preserve location shall be dedicated as a site as stated earlier, and a cash contribution in lieu thereof shall be required for any additional land that would have been required to be dedicated.

b) A major part of the park, preserve, recreation or school site has already been acquired and only a small portion of land is needed from the development to complete the site. The remaining portions shall be required by dedication and a cash contribution in lieu thereof shall be required.

4. **Fair Market Value**
The cash contributions in lieu of land shall be based on the “Fair Market Value” of the acres of land in the area improved that otherwise would have been dedicated as park, preserve, recreation or school sites. An “Improved Acre” is defined as a tract of land improved with streets, curbs, water, storm sewer, sanitary sewer, electrical, natural gas and telephone service. Fair Market Value for land not part of a subdivision or a planned unit development shall also be calculated on the Fair Market Value of an improved acre. The Fair Market Value may be adjusted anytime by official action of the County Board. As of July 16, 2013 the Fair Market Value of an improved acre is determined to be $81,268. The Fair Market Value of an improved acre is calculated as follows:

1) Determine “numerator” consisting of the summation of assessed values for the most recent three consecutive years of Improved lots (R/40), Improvements (R/40) and Farm Homesites (F1/11) as shown in the final abstracts of assessed property values on Form PTAX-260-A, provided by the County Chief Assessor,

2) Determine “denominator” consisting of the summation of the number of improved acres of Improved lots (R/40), Improvements (R/40) and Farm Homesites (F1/11) within the County for the most recent three consecutive years,

3) Divide “numerator” by “denominator” and multiply by three to convert to Fair Market Value of an improved acre.

*The total number of acres was provided by the GIS Department in April*
<table>
<thead>
<tr>
<th>TOWNSHIP</th>
<th>2012</th>
<th># OF ACRES</th>
<th>2011</th>
<th># OF ACRES</th>
<th>2010</th>
<th># OF ACRES</th>
<th>TOTAL OF 3 YEARS</th>
<th>TOTAL # OF ACRES</th>
<th>AVERAGE/ ACRE</th>
<th>EAV to Market Value (EAV x 3)</th>
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<tr>
<td>LITTLE ROCK</td>
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<td>$56,303,850</td>
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<td>$63,238,516</td>
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<td>$131,268,417</td>
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<td>$67,972,946</td>
<td>2,925</td>
<td>$23,242</td>
<td>$69,726</td>
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</tbody>
</table>


Ave. for 9 townships: 5,727 | $27,089 |

**Note:** # of acres is ONLY from 2012, will have to fill in as we get new numbers each year

---

**TABLE 5**
Land Cash Donation Calculation Sheet - (2013)

Unit Type: Four-Bedroom Single-family Detached Unit

Forest Preserve/Park Donation:

\[
\text{(#Dwelling Units)} \times (\text{Total Population per Unit}) \times \frac{10.0 \text{ acres}}{1.000 \text{ population}} \times (\$81,268) = \text{Contribution per Unit}
\]

\[
(1 \text{ unit}) \times (3.764) \times (0.010) \times (\$81,268) = \$3,058.93
\]

School Donation:

\[
\text{(#Dwelling Units)} \times (\text{Students per Unit by Grade}) \times \text{school capacity by school type} \times (\$81,268) = \text{Contribution per Unit}
\]

Elementary

\[
(1 \text{ unit}) \times (0.644) \times (0.021) \times (\$81,268) = \$1,099.07
\]

Middle School

\[
(1 \text{ unit}) \times (0.184) \times (0.027) \times (\$81,268) = \$403.74
\]

High School

\[
(1 \text{ unit}) \times (0.360) \times (0.034) \times (\$81,268) = \$994.72
\]

Total School Contribution

\[
\text{Total School Contribution} = \$2,497.53
\]

Forest Preserve Contribution $3,058.93

+ Total School Contribution $2,497.53

Total Contribution per 4-Bedroom Unit $5,556.46

TABLE 5 (Page 3 of 4)
### Improved lot value and Farm Homesites

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<tr>
<th>TOWNSHIP</th>
<th>2013</th>
<th># OF ACRES</th>
<th>2012</th>
<th># OF ACRES</th>
<th>2011</th>
<th># OF ACRES</th>
<th>TOTAL OF 3 YEARS</th>
<th>TOTAL # OF ACRES</th>
<th>AVERAGE/ MARKET VALUE EAV to [EAV x 3]</th>
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</thead>
<tbody>
<tr>
<td>LITTLE ROCK</td>
<td>$36,872,478</td>
<td>2,203</td>
<td>$43,676,540</td>
<td>2,209</td>
<td>$56,303,890</td>
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<td>17,182</td>
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<td>$24,227</td>
<td>$72,680</td>
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**# of acres is from 2013 & 2012. 2011 is using 2012 numbers for acreage**

Updated on 4.1.14
Land Cash Donation Calculation Sheet - (EXAMPLE 2014)

Unit Type: Four-Bedroom Single-family Detached Unit

**Forest Preserve/Park Donation:**

\[
\text{(#Dwelling Units) x (Total Population per Unit) x \frac{10.0}{1,000} \times \text{Population} \times \$72,680 = Contribution per Unit}
\]

\[
\text{(1 unit) x (3.764) x (0.010) x \$72,680 = $2,735.68}
\]

**School Donation:**

\[
\text{(#Dwelling Units) x (Students per Unit by Grade) x School capacity by school type x \$72,680 = Contribution per Unit}
\]

**Elementary**

\[
\text{(1 unit) x (0.644) x (0.021) x \$72,680 = $982.92}
\]

**Middle School**

\[
\text{(1 unit) x (0.184) x (0.027) x \$72,680 = $361.07}
\]

**High School**

\[
\text{(1 unit) x (0.360) x (0.034) x \$72,680 = $889.60}
\]

**Total School Contribution**

\[
\text{= $2,233.59}
\]

**Forest Preserve Contribution**

\[
\text{= $2,735.68}
\]

**Total Contribution per 4-Bedroom Unit**

\[
\text{= $4,969.27}
\]

TABLE 5 (Page 3 of 4)
**PBZ Projects and Activities-4.1.14**

**Active Zoning Petitions (not including petitions on hold)**
- 12-19 LRMP Update- Trails
- 13-29 Historic Preservation Ordinance (Text Amendment)
- 14-01 Building Code update including Fees (Text Amendment)
- 14-04 John Enlow (Variance)
- 14-05 Scott Cosentino (Variance)
- 14-06 Reinert Fox Road Subdivision (Preliminary & Final Plat)
- 14-07 Land Cash Ordinance (Text Amendment)

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

**Active Site Development Permits- 6 active**

**Subdivisions**
- Fields of Farm Colony- Complete, doing some odds and ends out there with remaining money
- Subdivisions still open:
  - Highpoint Meadows- For Sale
  - Schaefer Glen- For Sale
  - Light Road Industrial park- Bought through foreclosure, nothing going on
  - High Grove- Sold some property to the Park District
  - Tanglewood Trails- Working on punchlist for bank to complete

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

**Other Projects in the office**
- Investigate floodplain/zoning issues (3 water issues currently- Foxlawn Subdivision, Hawthorn Village, Wildy Road Bridge)
- Stormwater mapping in the field- completed 53 subdivisions so far (Finished Little Rock Township)
- Working on the windshield Survey for Historic Preservation- finished going through Oswego pictures
- Continue improving the GIS website with regards to information on zoning, permits, etc.
Work with mapping to convert hard copy allocation maps into an Ag Allocation layer in GIS.

Convert information from pre 1993 permit cards into an excel database to create searchable system of old permit records by PIN or permit number.

Mobile Home Permits- 5 active, 1 is in violation (must be removed)

Cleaning up office with regards to getting old files scanned- All petitions are scanned, working on 2007 in building permits

FOIA’s

Keep track of escrow accounts

Update website- minutes, applications and ordinances

Normal day-to-day things- phone calls, people with questions, organizing, scheduling, posting, etc.

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

Night meeting hours attended in 2014 so far: 33.50 hours (18 Meetings)

Night meeting hours attended in 2013: 121.75 Hours (70 Meetings)

Night meeting hours attended in 2012: 111.00 Hours (67 Meetings)

Night meeting hours attended in 2011: 98.5 Hours (56 Meetings)

Night meeting hours attended in 2010: 77.50 Hours (37 Meetings)

Night meeting hours attended in 2009: 51.75 Hours (36 Meetings)

Night meeting hours attended in 2008: 53.5 Hours (27 Meetings)
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### Permit Summary by Category by Month

#### Kendall County

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ssmith
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