AGENDA

August 10, 2015 – 6:30 p.m.

CALL TO ORDER

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

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of minutes from the June 8, 2015 meeting

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

PUBLIC COMMENT

PETITIONS

1. 15-11 Rhonda Miller/ Strong Tower of Refuge Ministries
   Request: Special Use to allow a place of worship in a B3 Zoning District
   Location: 81 Boulder Hill Pass, Montgomery (Boulder Hill)
   Purpose: To allow the ministry to lease space in the existing shopping center.

2. 15-12 Dan Koukol
   Request: Major Amendment to Special Use
   Location: 3485 Route 126 in Na-Au-Say Township, approximately ½ mile west of Schlapp Road
   Purpose: To allow outdoor display (trailers) to be located within front yard setback. Current condition of special use is they must be setback 40’. Request was originally zero setback, but has agreed to 10’.

NEW BUSINESS/OLD BUSINESS

1. Petition 15-10 - Frank Schmaltz – Request for a variance to allow a trailer to be parked in the front yard setback at 23 Old Post Road in Montgomery. Variance was denied by the ZBA by a 3-3 vote on 6-29-15
2. Recommend Senior Planner Job Description
3. Intergovernmental Agreement between Village of Millbrook and County of Kendall
4. LRMP Update (Trails and Little Rock Township)
5. Kendall/Na-Au-Say One Acre Minimum Request

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 September 14, 2015
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 June 8, 2015

CALL TO ORDER
The meeting was called to order by Chairman Scott Gryder at 6:31 p.m.

ROLL CALL
Present: Lynn Cullick, Vice-Chair Judy Gilmour, Chairman Scott Gryder and Jeff Wehrli
Absent: Bob Davidson
Also present: Jeff Wilkins: County Administrator; Brain Holdiman, County Code Official; Mike Hoffman: Teska Consultant; Kevin Heap, Petitioner
In the audience: None

APPROVAL OF AGENDA
Lynn Cullick made a motion to approve the agenda as written, Judy Gilmour seconded the motion. Approved 4-0.

APPROVAL OF MINUTES
Judy Gilmour made a motion to approve the minutes from May 11, 2015 with amendment to correct minor spelling errors. Lynn Cullick seconded the motion. Approved 4-0.

EXPENDITURE REPORT
Judy Gilmour moved to send the expenditure reports of $815.00 to the Finance Committee. Lynn Cullick seconded. Approved 4-0.

PUBLIC COMMENT: None

PETITIONS-
1. 15-08 Gary and Linda Heap
   Request A-1 Special Use
   Location 4819 Route 52, Minooka (northeast corner of Route 52 and Grove Road)
   Purpose Request and A-1 Special Use to operate a fall festival, corn maze, bakery, farm market and similar activities.

   Mr. Hoffman explained that the special use was for not only current operations but possible future operations. The project received positive recommendations from the township, Regional Planning Commission Zoning Platting and Advisory Committee, and Special Use Hearing Officer. All issues had been resolved, including an additional access point. Parking is in an alfalfa field and handicap parking. Mr. Hoffman recommended approval.

   Ms. Gilmour asked for a clarification on the number of people as there seemed to be a conflict. Mr. Hoffman clarified that the initial assessment was taking into account only the pole barns, not the additional activities on the property. After speaking to the petitioners, staff reevaluated their number recommendations.

   Mr. Gryder asked about flow of traffic on Route 52. Mr. Hoffman stated that staff foresees no problems.
Mr. Wehrli asked the petitioner, Mr. Heap, if he was comfortable with the recommendations. Mr. Heap stated he was.

Mr. Wilkins asked for a clarification on the noise ordinance. He pointed out that the wording stated it would comply with County noise ordinance but that ordinance only applied to residential area. Consensus was to reword the recommendation to be in line with County noise ordinance. Lynn Cullick made a motion to send the petition to the County Board with those changes. Judy Gilmour seconded. Approved 4-0.

2. 15-11 Strong Tower of Refuge Ministries
Request Waiver of Application Fee for a Special Use
Location 81 Boulder Hill Pass
Purpose Special Use to operate a place of worship within a B-3 District

Mr. Holdiman stated that Strong Tower of Refuge Ministries were looking to locate in Boulder Market at Route 25 and Boulder Hill Pass. He explained they do outreach and workshops. The petitioner is looking for a waiver of Special Use Permit and Change of Occupancy fees: $1,155 and $200, respectively. He stated that Section 10 of the Kendall County Building Code gives the Planning, Building and Zoning Committee the ability to waive these fees.

Mr. Wehrli asked if they were located in Montgomery and just moving. Mr. Holdiman confirmed and clarified the location of the petitioner.

Mr. Wilkins stated that with the small size of the church that it would not be detrimental to the County to waive the fees.

Jeff Wehrli made the motion to approve. Lynn Cullick seconded. Approved 4-0.

3. 14-37 Home Occupations- Landscape Businesses
Request Text Amendment
Purpose Text Amendment to not allow landscape businesses as home occupations

Mr. Hoffman stated that staff had come up with further options after the County Board asked for more consideration. Mr. Hoffman explained that the text amendment was created to define landscape business in the code as it was neither allowed nor barred as a home occupation currently. Staff that they wanted to the code to be clear to both residents and staff. He explained the two options presented: first, a similar option to the previously drafted amendment where landscape and lawncare business were defined with lawncare being allowed in residential while landscape would not. The second option was a simpler version of the first that would allow a landscape business provided it met the qualifications for home occupations. He stated that in option two there would no need to distinguish between landscape and lawncare but added that equipment stored on an unscreened trailer must be securely covered.

Mr. Wehrli stated that a landscape company would not meet the criteria of a home occupation and if restricted in B-3 zoning that it would actually reduce areas to have the business.

Mr. Wilkins stated that the code in 4.07 (e) for home occupation only restricted employees on site, not total. Mr. Wilkins stated that home occupations restrict employees due to parking and materials disturbing neighbors and traffic flow.
Mr. Wehrli agreed with Ms. Gilmour that the County Board also had questions on screening of the trailers. After further review by the Committee and clarification from staff, the Committee felt that they had already sufficiently addressed the issue.

Mr. Wehrli asked Mr. Holdiman if defining landscape versus lawncare would make enforcement more difficult. Mr. Holdiman stated it would not.

Jeff Wehrli motioned to send option 1, the original motion, with the addition of compliance with 11.05 (a), to the County Board. Lynn Cullick seconded. Approved 4-0.

**NEW BUSINESS/OLD BUSINESS**

1. **Staffing** - Mr. Wilkins stated that with the recent vacancy in Planning, Building, and Zoning, staff has undertaken additional duties to share the burden and maintain customer service. In FY08 Planning, Building, and Zoning budget was $485,259 with a staff of seven. Current budget allocation is $229,212 with a staff of 3, one of which is the vacancy. While the current two staff members and Administrative Services staff have shared the burden to maintain performance and customer service levels, a long term solution is needed. He presented two options: first, continue operations with two staff members but add a consulting firm at 18 hours per week. This option would be approximately $15,000 less than the second option of replacing the senior planner; however, there would be a loss of flexibility, and outreach both regionally and within the County; increased staff stress; and less consistent customer service. Also, the cost savings only apply if consultant time remains near 18 hours a week. An increase in projects would quickly reduce the savings and possibly increase expenditures. The second option of replacing the senior would be cost neutral, and would employ a consultant at only 2-5 hours per week. It would be also less the detriments presented in the first option.

Mr. Gryder stated that it appeared that any further cuts to personal would be detrimental, even including a consulting firm. He also stated that an employee gives a value added with increased relationships and institutional knowledge. He posed the question on not only the position of the senior planner but also reexamining hiring a Planning, Building, and Zoning Director position filled that Mr. Wilkins currently serves as interim. He asked for thoughts on the matter, starting with Mr. Wilkins and his recommendation, who stated he was recommending option two. Mr. Wehrli stated that if staff was comfortable with only adding a senior planner that he was also and possibly examining adding a Director in the future. Mr. Hoffman also recommended adding additional staff, as did Mr. Holdiman. Ms. Cullick agreed with adding a senior planner, as did Ms. Gilmour. Ms. Gilmour stated that municipality and township participation was important to the County.

**UPDATE ON HISTORIC PRESERVATION** - Mr. Wehrli stated they met with Millbrook about the options of the Millbrook Bridge. There are some funding options if the County has the right-of-way. However, there is some confusion on who originally owned certain areas of the property. Currently the County has an outside consultant trying to clarify the exact ownership.

**UPDATE ON CMAP LAND USE COMMITTEE MEETING** - Mr. Hoffman stated that there was a general inquiry at the meeting of when Kendall County was going to appoint another representative, but otherwise no information of significance.

**PROJECT STATUS REPORT** – Reviewed
**PERMIT REPORT** – Reviewed
**REVENUE REPORT** – Reviewed
**CORRESPONDENCE** – None

6.8.15 PBZ Meeting Minutes
EXECUTIVE SESSION- None

ADJOURNMENT- Next meeting will be on June 8, 2015
Lynn Cullick made a motion to adjourn the meeting. Jeff Wehrli seconded the motion. Approved 4-0. Chairman Gryder adjourned the meeting at 7:32 p.m.

Respectfully Submitted,
Andrez P. Beltran
Economic Development and Special Projects Coordinator
SITE INFORMATION

PETITIONER  Strong Tower of Refuge Ministries- Pastor Rhonda Miller

ADDRESS  81 Boulder Hill Pass

LOCATION  East side of Boulder Hill Pass, Boulder Hill Marketplace

TOWNSHIP  Oswego

PARCEL #  03-05-401-003

SIZE  7.82 acres; 4800 square feet in strip mall

EXISTING LAND USE  Existing Businesses (Dollar General, Boulder Hill liquor store, Oswego Community Bank, Select Restaurant, orthodontist office and attorney’s office, River’s Edge Fellowship)

ZONING  7.82 Acres Zoned B-3 (Ordinance 56-300) Rezoned from farming to business

LRMP

<table>
<thead>
<tr>
<th>Land Use</th>
<th>County: Suburban Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>Boulder Hill Pass is designated as a local roadway</td>
</tr>
<tr>
<td>Trails</td>
<td>None</td>
</tr>
<tr>
<td>Other</td>
<td>Wetlands &amp; Floodplain are NOT present on the property</td>
</tr>
</tbody>
</table>

REQUESTED ACTION  The Petitioner is requesting approval of a B-3 Special Use Permit to operate a place of worship including community outreach events.

APPLICABLE REGULATIONS  § 9.04.C (B-3 Special Uses Permitted: Places of Worship)

SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
<th>Zoning within ½ Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Gas Station</td>
<td>B-3</td>
<td>Suburban Residential</td>
<td>B-3; Montgomery</td>
</tr>
<tr>
<td>South</td>
<td>Medical Office</td>
<td>B-3</td>
<td>Suburban Residential</td>
<td>R-3; R-6; R-7 &amp; Oswego</td>
</tr>
<tr>
<td>East</td>
<td>Oswegoland Park District, Dental Office &amp; Wedgewood Manor</td>
<td>B-1, B-3 &amp; R-7</td>
<td>Suburban Residential</td>
<td>B-1, R-6, R-7 &amp; Oswego</td>
</tr>
<tr>
<td>West</td>
<td>Train tracks</td>
<td>A-1; Montgomery</td>
<td>Suburban Residential</td>
<td>R-1SU, M-1, M-3 and Montgomery</td>
</tr>
</tbody>
</table>
PHYSICAL DATA

ENDANGERED SPECIES REPORT
No Endangered Species Report necessary since it’s an existing building.

NATURAL RESOURCES INVENTORY
An NRI is not necessary since it’s an existing building.

ACTION SUMMARY

OSWEGO TOWNSHIP
The Township has not provided staff with any comments.

ZPAC 7.7.15
ZPAC had no concerns with the proposed petition.

KCRPC 7.22.15
The Regional Planning Commission recommended approval of the proposed special use. They had some discussion of potential additional uses that might occur within a Place of Worship such as day care or drug rehabilitation. Pastor Miller noted that Strong Tower of Refuge Ministries has no plans to conduct either of those activities. Their focus will be on worship, bible study and education, and similar religious activities as noted in their application. It was noted that a day care would require a separate special use.

SUHO 7.27.15
The Special Use Hearing officer conducted a Public Hearing on 7/27/15. The only person offering testimony was the applicant Rhonda Miller. After review of the case and testimony, the Hearing Officer recommended approval based on findings contained in this report, and with the Condition that the Special Use runs with the tenant and not with the land.

PBZ 8.10.15

REQUESTED ACTION

The Petitioner is requesting approval of a B-3 Special Use Permit to operate a place of worship including community outreach events. If approved, Strong Tower would join the recently approved River’s Edge Ministry in the same shopping center.

GENERAL

Strong Tower of Refuge Ministries currently is located at 100 Rocky Way #15 in Montgomery, and is looking to relocate to the Boulder Hill Marketplace. Their ministry is focused on community outreach, and they plan to have services several days a week. They will also offer community workshops. Planned activities include a Tuesday night Bible Study, Thursday night workshop, and Sunday morning Worship Service.

This location is the far eastern end of the existing building, nearest to Boulder Hill Pass.

PARKING

On the whole parcel there are about 44,500 square feet of retail/office area & about 3,000 square feet for a bank. The minimum parking requirements are 1 parking stall per 200 square feet of retail/bank which would calculate to a total of 238 parking stalls for the entire lot. Back in 2009, planner Angela Zubko counted about 236 parking stalls. Required parking for a Place of Worship is 1 space per 3 seats in the auditorium. We are not sure exactly what the capacity of the auditorium is, but a capacity of approximately 70 would be equivalent to the parking ratio noted above for retail. Given the mix of uses and peak time of demand, parking is not anticipated to be an issue with the proposed special use.

SIGNAGE

No new signage is proposed at this time. Staff would assume a building sign will be erected which will need to meet the sign size regulations and a building permit will be required.
Whole Parcel

Location of Site for Special Use
FINDINGS OF FACT

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

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. We believe the presence of Strong Tower of Refuge Ministries would help improve the public health, safety, comfort and general welfare of the Boulder Hill area.

That the special use will be consistent with the purposes and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This special use permit will be consistent with the uses in the strip center.

RECOMMENDATION

Staff is comfortable with this request with one condition:

1. The Special use runs with the tenant and not with the land.

ATTACHMENTS

1. Special use Description
2. ZPAC, KCRPC and SUHO Minutes
May 12, 2015

Department of Building & Planning

Dear Planning Committee,

Strong Tower of Refuge Ministries was incorporated in 2003. We are a non for profit organization seeking a special use permit for our ministry in the city of Montgomery. Our ministry is geared towards outreach, where we will be having service several days a week, and providing workshop to help those in the community with various needs.

The services we want to offer our community will be held 81 boulder Hill Pass, in Montgomery II. Our Church will offer Tuesday night Bible study, Thursday night Workshop, and Sunday morning Worship Service, as well as other events. I would like to thank you in advance you’re your consideration.

Warm regards,

[Signature]
Pastor Rhonda Miller
SITE INFORMATION

PETITIONER    Dan Koukol
ADDRESS       3485 Route 126, Oswego
LOCATION      On Route 126, approximately ½ mile west of Schlapp Road
TOWNSHIP      Na-Au-Say
PARCEL #       06-16-100-002 (south 18.6 acres) - partial
                06-09-300-002 (north 80 acres) – partial
LOT SIZE       98.6 Acres for both parcels, but Special Use is only for 5 acres in the
                southeast corner of these tracts
EXITING LAND USE DK Trailer & Tractor
ZONING        AG Special Use for Agricultural Farm Sales and Service Business

LRMP

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Rural Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>No new roads suggested on this parcel, Route 126 is classified as an Arterial Road</td>
</tr>
<tr>
<td>Trails</td>
<td>Trail proposed along north side of Route 126</td>
</tr>
</tbody>
</table>

REQUESTED ACTION Request for elimination of the 40’ setback from the Route 126 right-of-way and side property line for the current sales display.

APPLICABLE REGULATIONS Ordinance 97-06 – Special Use, Condition 3, which requires the 40’ setback for sales displays.
§11.05.A.1.b (Parking and Storage of Recreational vehicles, Recreational Trailers, Trailers and Mobile Homes.
§9.03.D.8 which regulates permanent outdoor displays in business districts.

SURROUNDING LAND USE

<table>
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<th>Adjacent Zoning</th>
<th>LRMP Zoning</th>
<th>Zoning within ½ Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Rural Residential</td>
<td>A-1</td>
</tr>
<tr>
<td>South</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Rural Residential</td>
<td>A-1</td>
</tr>
<tr>
<td>East</td>
<td>ServPro of Kendall Co.</td>
<td>A-1 (SU)</td>
<td>Rural Residential</td>
<td>A-1</td>
</tr>
<tr>
<td>West</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Rural Residential</td>
<td>A-1</td>
</tr>
</tbody>
</table>

REQUESTED ACTION Request for elimination of the required setback for display of trailers and farm equipment parking/sales from Route 126. According to Mr. Koukol, the setback was original required as a home was proposed to be built.
across the street. However, that home was never constructed. He would like to better utilize his property and increase the visibility of his outdoor trailer/equipment display by moving it closer to the roadway. The request is to allow trailers to be located at the property line, with zero setback. A fence is currently located on the property line and encloses the property.

Normally in an A-1 District, the front setback is 100’ from a dedicated road right-of-way. However, this setback was reduced with the special use given the nature of the business and need for visibility of equipment for sale. Section 11.05.A.1.b. prohibits trailers in a front yard. This section of the zoning ordinance was added in 2006. The Special Use for Agricultural Farm Sales and Service business was granted in March of 1997. Prior to the 2006 amendment, the zoning ordinance did not specifically address trailer parking or storage. While this 100’ setback would apply to any building to be constructed, this specific special use reduces the trailer setback to 40’.

In the business district section of the zoning code, Section 9.03.D.8. has specific conditions for the design and location of permanent outdoor displays. Of relevance to this case is the provision that such displays “shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.” While this standard does not directly apply to this site as the underlying zoning here is Agricultural, the use is similar to what might be found in a business district. Therefore, applying a similar standard for this site is recommended by staff. The applicant has stated in public testimony that the 10 foot setback is acceptable.

Location Map
The Township recommended denial of the Major Amendment to the Special Use. A copy of their feedback is attached from Supervisor Brad Blocker.

ZPAC reviewed the petition on 7.7.15. Concern was raised by the Sheriff’s Department that moving the trailers closer to the right-of-way could be a safety concern given the high rate of speed of motorists along Route 126 and potential for some to be distracted or slow down,
or even pull off the side of the road, to look at trailers and other equipment. They also asked if the definition of outdoor display should be clarified.

KCRPC  The Kendall County Regional Planning Commission reviewed the case on July 22, 2015 at their regular meeting. They voted to recommend approval of the Major Amendment with the condition that a 10’ setback for all outdoor sales display be provided from the right-of-way of Route 126.

SUHO  A Public Hearing was conducted by the Special Use Hearing Officer on July 27, 2015. At the hearing testimony was provided by the applicant Mr. Koukol and by Brad Blocker, Na-Au-Say Township Supervisor. A copy of the meeting minutes is attached. After review of the case, including the testimony, the Hearing Officer recommended approval of the Major Amendment to the existing Special Use to reduce the required setback for all outdoor sales display from 40’ to 10’.

FINDINGS OF FACT  § 13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer must make in order to grant a special use (or in this case a Major Amendment to the Special Use). These findings should be related to the requested amendment to the special use to allow the sales display closer to Route 126. Staff has answered as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. A fence currently exists along the property line. Allowing the outdoor sales display to be within 10’ of the right-of-way would be consistent with other permitted businesses in the County, and would still provide for appropriate visibility along the drive-way.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Per the applicant, the setback for outdoor display was imposed original to provide separation from a planned home on the south side of Route 126. However, plans for that have since been dropped. A reduced setback should have no impact on adjacent agricultural uses or the adjacent ServPro of Kendall County restoration business.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. A gravel pad is already in place to accommodate the proposed outdoor display. All other facilities are already in place.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. All other
provisions of Ordinance 97-06 approving this Special Use shall remain in effect, as well as all other provisions of the Agricultural District unless modified in Ord. 97-06 or in this amendment to that ordinance.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Since the Special Use is already in place, this criterion is not relevant to the amendment.

RECOMMENDATION  Staff would recommend approval of the major amendment to the existing Special Use (Ordinance 97-06) to reduce the setback from Route 126 right-of-way and side property line for outdoor sales display from 40’ to 10’. This 10’ setback will be consistent with provisions regulating similar businesses in the B-2 and B-3 districts, provide some buffer along the edge of the property, and provide appropriate intersection visibility. Staff also recommends the following condition be included in the approval:

The minimum 10’ setback shall be measured from the right-of-way of Route 126. Should additional right-of-way be needed in the future, the location of the all outdoor displays shall be adjusted to maintain a minimum 10’ setback from the new right-of-way.

ATTACHMENTS
1. Letter from Petitioner
2. Ordinance 97-06 Approving Special Use.
3. E-Mail Correspondence from Na-Au-Say Township
4. Meeting minutes from ZPAC, KCRPC and SUHO

Prepared by: Mike Hoffman, Teska Associates, Inc.
ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 9, T36N–R8E, 3rd PM and
PART OF THE NORTHWEST QUARTER OF SECTION 16, T36N–R8E, 3rd PM
NA–AU–SAY TOWNSHIP KENDALL COUNTY ILLINOIS

SCALE 1"=500

October 28, 1996

Area: 5.000 Acres
(4.709 Acres Excluding Road)

Present Zoning: A-1
Proposed Zoning: A-1 SU

Owner: Don Koukol
1890 Collins Road
Oswego, Illinois 60543

Legal Description of Tract to be Reserved:
That part of the Southwest Quarter of Section 9 and the part of the Northwest Quarter of Section 16, Township 36 North, Range 8 West, Kendall County, Illinois, including the easterly 20 feet of the following tracts:

The northeast quarter of the southwest quarter of Section 9, Township 36 North, Range 8 West, Kendall County, Illinois.

The northeast quarter of the northwest quarter of Section 16, Township 36 North, Range 8 West, Kendall County, Illinois.

Location Sketch (not to scale)
Dear Brian Holdiman
Mike Hoffman
Kendall County Zoning

I am asking for the set back change. We originally offered the extra 40ft, because a home was going to be built across from the yard. Property across street changed hands and never built a home. I need to be able to use this 40ft area for selling product. Do to highway speeds business has changed. Thank you for your time on this subject.

[Signature]
6/15/15
ORDINANCE 97-06

GRANTING A SPECIAL USE PERMIT
KOUKOL TRACK
3485-A Route 126

WHEREAS, the County Board, Zoning Board of Appeals, Regional Planning Commission have held all required meetings and Public Hearing and considered the application of Phillip, Betty & Dan Koukol, filed as Special Use Petition #9630, requesting to be allowed to operate a farm equipment sales and service business on the following described property:

That part of the Southwest Corner of Section 9 and that part of the Northwest Quarter of Section 16, Township 36 North, Range 8 East of the Third Principal Meridian described as follows: Beginning at the Northeast Corner of said Northwest Quarter; thence South 01°40' 39" East, along the East Line of said Northwest Quarter, 466.05 feet to the centerline of Illinois State Route No. 126; thence South 80°28' 31" West along said centerline, 320.0 feet; thence North 01° 40' 39" West, parallel with said East Line, 708.83 feet; thence North 88°19' 21" East, perpendicular to the last described course, 317.23 feet to the East Line of said Southwest Quarter of Section 9; thence South 01°36' 40" East, along said East Line, 199.09 feet to the point of beginning in Na-Au-Say Township, Kendall County, Illinois and containing 5.000 acres.

NOW THEREFORE, BE IT ORDAINED that the County Board does hereby approve the amended zoning from A-1 to A-1 Special Use in order to allow the Petitioner to operate an Agricultural Farm Sales and Service business on the property herein described and that said Special Use Permit hereby issued shall include the following terms and conditions:

1. That the Site Drawing of Phillip D. Young, Land Surveyor, dated October 28, 1996 is approved and incorporated as part of this Special Use Permit and made a part hereof as Exhibit "A".

2. The Zoning Administrator shall decide whether any proposed construction of a new building or other expansion of the business shall require a revised Special Use Permit.
3. A 40 foot setback from the Route 126 right-of-way and side property line is required for the current sales display.

4. A screening plan of landscaping and fencing along the east edge of the property shall be submitted for a approval to the Zoning Administrator within a month of the granting of this ordinance.

5. The Special Use Permit shall be limited to repair and sale of farm and lawn equipment.

6. Operating hours are limited to 7:00 a.m. to 6:00 p.m. on Monday through Saturday.

7. All inoperable equipment and parts shall be stored inside existing buildings. Only operable, for sale farm and lawn equipment may be stored and displayed outside.

8. Said Special Use Permit shall be subject to an annual review by the Zoning Administrator.

9. The owner has volunteered a covenant stating that the Special Use Permit shall not be transferred beyond the current owner.

IN WITNESS WHEREOF, this Ordinance has been enacted the 18th day of March, 1997.

Chairman, County Board of Kendall County, Illinois

ATTEST:

County Clerk
Good Morning,
At the monthly Township Meeting the Request for Major Amendment to Special Use was discussed and a motion was made to approve
the request. The request for approval was denied in a 4-0 vote. Na-Au-Say Township provides the following comments and
recommendations.

Comments
- Current zoning is A-1, this normally requires a setback of 100’, however as condition of the special use permit given in 1996 this
was reduced to 40’. This setback should allow plenty of visibility for display as well as safety of passing motorists (this is 55mph zone).

- Comparing the zoning codes of a business district in this instance is NOT a fair comparison. The parcel is currently zoned A-1 as
well as all surrounding parcels and this would be a much more consistent comparison of setbacks.

- The petitioners claim that the 40’ was to accommodate a future home that has since been withdrawn is not documented
anywhere in the original special use permit. This really should not justify the Major Amendment.

- The parcel directly to the east is operating a business, Kendall County Serv-Pro, under a special use permit. The 40’ setback
is consistent to what they have.

- The Township has historically received many complaints about the subject parcel from residents. Petitioner has been operating
at a zero setback for quite some time now.

- Questions also arise in regards to general appearance and operations of the current business. The parcel is located on the
busiest road thru our Township and is seen by many residents in Township as well as County.

- Possibly the parcel would be best operating under ALL business district zoning requirements. County Staff could withdraw ALL A-
1 special use provisions and petitioner should seek business district zoning.

Recommendations
- At this time the Na-Au-Say Township Trustees would recommend to County Staff denial of the request for Major Amendment
to Special Use.

Thank You for your consideration in your determination of request.

Brad
Bradley A. Blocker
Supervisor
Na-Au-Say Township
“Headwaters of the aux-sable”

Office: 815-254-7708
Mobile: 630-417-2744
Kendall County Job Description

TITLE: Senior Planner
DEPARTMENT: Planning Building and Zoning
SUPERVISED BY: Interim Director of Planning, Building and Zoning
FLSA STATUS: Exempt
COUNTY BOARD APPROVED:  / 2015

I. Position Summary and Primary Purpose:
Under general direction, coordinates processes related to land use development and planning to ensure orderly development, redevelopment and growth in the unincorporated areas of Kendall County.

II. Essential Duties and Responsibilities:
A. Coordinates and conducts the activities related to petitions for variances, rezoning, special uses, subdivision plat approval, and Planned Unit Developments.
B. Managing and scheduling petitions for required hearings and review by the various boards and committees involved in the development review process.
C. Works with outside agencies and consultants in the development of long range plans and development reviews, updating and administering codes related to land regulation and development, and the County’s Land Resource Management and Transportation Plans.
D. Assist consultants in preparation of specialized planning studies and reports.
E. Represents the department and makes presentations to ZPAC, Plan Commission, Zoning Board of Appeals as needed for AD-Hoc Zoning Committee, PBZ and County Board.
F. Explains, applies and enforces provisions of County ordinances related to development, zoning, subdivision, soil erosion, storm water management, floodplain and nuisance.
G. Explains forms and procedures to applicants and/or their attorneys and representatives.
H. Schedules and conducts pre-application meetings for zoning, subdivision and development applications.
I. Reviews petitions, plans drawings and supporting documents for completeness and code compliance.
J. Prepares reports and recommendations to various boards and committees involved in the development review process and oversees preparation of informational handouts and packets for distribution to the various boards and committees.
K. Prepares correspondence and coordinates review of site development permits and engineering plans and petitions with other staff and outside review agencies.
L. Research and update ordinances related to approval of development applications and petitions.
M. Advises property owners, builders, architects, engineers, attorneys, surveyors and others on development code requirements and solutions.
N. Oversees the maintenance of petition records, allocation registration reviews, and data base development etc.
O. Performs building permit plan reviews as requested by building staff.
P. Operates county vehicle and safety equipment.
Kendall County Job Description

Q. Makes recommendations for improving processes and procedures.
R. Assist staff, consultants and others in investigating violations and complaints.
S. Send violation notices and work with State’s Attorney’s Office when necessary.
T. Authorize reduction and release of bonds, letters of credit and other security for public improvements and land cash contributions.
U. Calculates school and park/forest preserve land cash contributions, and recommends fee adjustments.
V. Maintain escrow accounts for site development permits.
W. Serve as alternate Program Compliance Oversight Monitor (PCOM) for the County’s Kendall Area Transit program.
X. Serve as alternate for processing and maintaining all new liquor licenses for unincorporated portions of the County as well as renewal license applications.
Y. Other duties as assigned by the Director and County Administrator or as specified in the adopted codes such as Zoning Administrator and Plat Officer.

III. Skills, Knowledge and Abilities:
A. Strong organization skills and ability to communicate effectively both orally and in writing with staff, county officials and the general public.
B. The ability to listen, understand information and ideas and work effectively with county personnel, local elected officials, and local economic development officials.
C. Computer knowledge of MS Word, Excel, Outlook, Access, Power Point.
D. Understanding of governmental regulations, zoning and subdivision administration.
E. Ability to interpret Blueprints, plats of survey, and similar documents and drawings.
F. Basic knowledge of engineering and construction practices and GIS systems.
G. Understanding of specific regulations of federal, state, county, municipal and special district levels of government.
H. Organizes workload to respond to all requests efficiently.
I. Experience in supervising clerical and support staff preferred.

IV. Work Standards and Best Practice Guidelines:
A. Adheres to all work and safety polices.
B. Follow standards and guidelines which include, but are not limited to, Illinois State Statutes, Federal regulations and directives, departmental standard operating procedures, and policies established by the Kendall County Board.
C. Attends conferences, seminars, training and various county meetings.
D. Represents the County at various meetings as needed.

V. Education and Experience:
A. Bachelor’s Degree required, Master’s Degree preferred from an accredited college or university in Land Use Planning or Urban Planning.
B. Minimum of three years experience in Planning and Zoning.
C. AICP or progress toward certification
D. Valid Illinois Driver’s License.

VI. Physical Demands:
While performing the duties of this job, the employee is frequently required to sit for long periods of time. The employee must occasionally lift and/or move more than 30 pounds.
Kendall County Job Description

Stand; walk; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop; kneel; crouch; or crawl; talk; hear; vision (both close and distance)

VII. Primary and Secondary Work Station:
The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to inside environmental conditions and those associated with occasional driving and onsite construction. The noise level in the work environment varies from quite inside to noisy outside.

Employee Receipt Acknowledgement & Signature                Date
INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF MILLBROOK AND THE COUNTY OF KENDALL

THIS AGREEMENT, made this ______ day of August, 2015 by and between the VILLAGE OF MILLBROOK, a body corporate and politic, and the COUNTY OF KENDALL, a body corporate and politic, WITNESSETH:

WHEREAS, the Village of Millbrook was incorporated by act of the voters on November 5th, 2002, and

WHEREAS, Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.) permits units of local government to obtain or share services and to jointly contract, combine or transfer any power, privilege, function or authority among themselves, and

WHEREAS, the Local Land Resource Management Planning Act (50 ILCS 805/6) provides that a municipality and a County may enter into intergovernmental agreements for joint or compatible planning, local land resource management administration and zoning ordinance enforcement, and

WHEREAS, the Village of Millbrook adopted a Comprehensive Plan on August 22, 2009, and

WHEREAS, all the property located within the described boundaries of the Village of Millbrook have been heretofore subject to the building and zoning codes of the County of Kendall, and to the County Flood Plain, Soil Erosion and Stormwater Management Ordinances, and

WHEREAS, the parties desire to continue that relationship,

NOW, THEREFORE, it is hereby agreed as follows:

1) The above recitals are incorporated by reference as if fully set forth herein.

2) That the Village of Millbrook has by ordinance duly adopted the Zoning Ordinance of the County of Kendall, the Building Code of the County of Kendall, the Comprehensive Plan of the County of Kendall, the Subdivision Control Ordinance of the County of Kendall, the Countywide Stormwater Management Ordinances as its own and further agrees that any subsequent text amendments to said ordinances and plans as may be adopted by Kendall County from time shall be adopted and incorporated by the Village of Millbrook as its own.
3) That for the consideration of $1 the receipt and sufficiency of which is hereby acknowledged, the County of Kendall agrees to continue administering the County Ordinances for the Village of Millbrook as described in Paragraph (2) above and in accordance with the procedures attached hereto as Exhibit A and incorporated herein by reference all of which have been duly adopted by the Village of Millbrook, and apply them to all properties located within the municipal boundaries of the Village of Millbrook.

4) That the Village of Millbrook shall reimburse the County of Kendall for any actual costs incurred acting on behalf of the Village of Millbrook as provided herein. The Village of Millbrook will not be required to reimburse the County of Kendall for employee salaries or benefits.

5) The Village of Millbrook shall defend with counsel of the County’s own choosing, indemnify and hold harmless the County of Kendall, its past and present future board members, elected officials, insurers, employees and agents from and against any and all claims, liabilities, obligations, losses, penalties, fines, damages and expenses and costs relating thereto including but not limited to attorney’s fees and other legal expenses which the County, its board members, elected officials, insurers, employees and/or agents may sustain, incur or be required to pay arising in any manner out of the County’s performance or alleged failure to perform its obligations pursuant to the Agreement.

6) That the Village of Millbrook shall secure, pay for and maintain throughout the period during which services are provided under this Agreement, auto liability and general liability insurance with minimum limits of coverage equal to or greater than those limits maintained by the Village on the date of the execution of this agreement attached hereto as Ex. B and incorporated herein by reference. The Village’s auto liability and general liability coverage shall be primary coverage in circumstances of alleged or proved errors or negligence by the County or the County’s employees, arising out of the County’s performance or alleged failure to perform its obligations pursuant to this Agreement. The Village’s coverage shall name the County of Kendall as an additional insured, with its members, representatives, officers, agents and employees. A certificate of insurance evidencing the required coverage and the appropriate additional insurer’s endorsement shall be furnished to the County upon execution of this Agreement. Such insurance shall be modifiable or cancelable only upon written notice by registered mail, mailed to the County at least ninety (90) days in advance of such modification or cancellation. The Village shall furnish a copy of its insurance policies for examination by the County at any time upon demand of the County.

7) That this Agreement shall be for a term of one (1) year, commencing on the date of execution hereof, subject to annual renewal by the parties at least 30 days before the anniversary date each year, said renewal to be in writing.

8) This Agreement may be terminated by either party upon 30 days’ written notice to the other party.

9) This Agreement represents the entire Agreement between the parties and there are no
other promises or conditions in any other Agreement whether oral or written. This Agreement supersedes any prior written or oral agreements between the parties and may not be modified except in writing acknowledged by both parties.

10) This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.

11) The County of Kendall and the Village of Millbrook each hereby warrant and represent that their respective signatures set forth below have been and are on the date of this Agreement duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

12) This Agreement shall be construed in accordance with the law and Constitution of the State of Illinois and if any provision is invalid for any reason such invalidations shall not render invalid other provisions which can be given effect without the invalid provision.

13) Any notice from either party to the other party hereto shall be in writing and shall be deemed served if mailed by prepaid certified mail addressed as follows:

Kendall County Administrator
111 West Fox Street
Yorkville, Illinois 60560

Village of Millbrook
PO Box 51
Millbrook, Illinois 60536

VILLAGE OF MILLBROOK
BY: [Signature]
Village President- Jackie Kowalski

ATTEST: [Signature]
Village Clerk

COUNTY OF KENDALL
BY: [Signature]
Chairman of Kendall County Board

ATTEST: [Signature]
Kendall County Clerk
Exhibit A

Procedure for Processing Zoning & Subdivision Cases
For The Village Of Millbrook
Under County/Municipal Intergovernmental Agreement

Under the terms of the intergovernmental Agreements executed between the Village of Millbrook and Kendall County, the County PBZ staff as well as the Kendall County ZPAC, Concept Review Committee, Regional Planning Commission, Zoning Board of Appeals, and Hearing Officer will serve as the municipal staff and the municipal recommending bodies in providing the Village Board with recommendations on applications for zoning map amendments, Special Uses, subdivision plat approvals and zoning variance requests involving properties within the corporate boundaries or proposed for annexation into the corporate boundaries of these two municipalities. In each instance, the Village Board of the municipality shall be responsible for acting on the recommendations supplied and adopting any related ordinances approving such requests. The following outline shall be followed when filing and processing such applications:

1. Pre-Application Meeting:
   Prior to the submission of any applications, the petitioner shall schedule a joint “pre-application” meeting with County staff and representatives of the affected municipality to review the proposed request and provide preliminary feedback as well as guidance regarding the steps involved in the processing of the application.

2. Filing of an Application:
   a.) Using the applicable application forms and handouts provided by the County, the petitioner will submit the requisite number of copies of application and supporting documents and plans along with all required fees to the Kendall County Planning Building and Zoning Department (PBZ).
   b.) Simultaneous to that filing, the applicant shall forward an original copy of the application forms along with a copy of all related plans and supporting documents to the Village Clerk of the affected municipality for creation of the Village’s Official file on the matter.

3. Review and Processing of Zoning Map Amendments and Special Uses:
   a.) Zoning Map Amendments and Special Uses, shall first be forwarded to the Zoning and Platting Advisory Committee (ZPAC) for review and recommendation. In addition to the regular attendees of the County’s ZPAC Committee, representatives from the affected municipality will be invited to participate as sitting members of the committee.
   b.) The PBZ staff will prepare a preliminary staff report and schedule the matter for review at the next available ZPAC meeting.
Exhibit A

c.) The County will prepare and post the required agendas and will forward a copy of the agenda and staff report to the affected Village Clerk for filing of the report and posting of the agenda in an approved municipal location.

d.) After review by ZPAC, their recommendation shall be forwarded to the next available meeting of the Kendall County Regional Plan Commission (KCRPC) for conduct of a public meeting, review and recommendation.

e.) All notices required per the Kendall County Zoning Ordinance and Plan Commission By-Laws shall be mailed and published prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.

f.) The County shall forward copies of the agenda, staff report and minutes of the ZPAC meeting to KCRPC as well as the Clerk of the affected municipality along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application for inclusion in the Official Village file.

g.) The County shall post copies of the agenda as required per County policies.

h.) The Village Clerk shall also be responsible for posting of the agenda in an approved municipal location.

i.) Following review and recommendation by the Regional Plan Commission, petitions involving a zoning map amendment shall be forwarded to the next available meeting of the Kendall County Zoning Board of Appeals (ZBA) for the conduct of the formal Public Hearing on the zoning matter as well as a review of the findings of fact and development of a recommendation to be submitted to the Village Board for their consideration and action.

j.) All notices required per State Statute, the County Zoning Ordinance and ZBA By-Laws shall be mailed and published prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.

k.) The County shall be responsible for posting of the hearing sign on the affected property at least 15 days prior to the hearing.

l.) The County shall forward copies of the agenda, staff report and copy of the minutes of the KCRPC meeting to the ZBA as well as to the Clerk of affected municipality for filing along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.

m.) The County shall post copies of the ZBA agenda as required per County policies. The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.
Exhibit A

n.) If the application involves a request for a Special Use, the petition shall be forwarded to the next available meeting of the Kendall County Special Use Hearing Officer (SU/HO) for the conduct of the formal Public Hearing on the Special Use as well as a review of the findings of fact and development of a recommendation to be submitted to the Village Board for their consideration and action.

o.) All required notices required per State Statute and the County Zoning Ordinance shall be mailed and posted prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.

p.) The County shall be responsible for posting of the hearing sign on the affected property at least 15 days prior to the hearing.

q.) The County shall forward copies of the agenda, staff report and minutes of the KCRPC meeting to SU/HO as well as the Clerk of affected municipality for filing along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.

r.) The County shall post copies of the agenda as required per County policies.

s.) The Village clerk shall also be responsible for posting of the agenda in an approved municipal location.

t.) Following review and recommendation by the ZBA and/or the SU/HO, PBZ staff will forward to the appropriate Village Board a report summarizing all of the recommendations and actions taken by each of the review and recommending bodies along with copies of any revised plans, documents or supporting information submitted by the petitioner in support of the application.

u.) Along with the report, PBZ staff will prepare a draft ordinance approving the requested map amendment or Special Use for action by the Village Board. The summary report and draft ordinance in addition to a copy of the minutes of the ZBA and/or SU/HO meeting shall be forwarded to the appropriate Village Clerk for filing and scheduling of the matter for action by the Village Board at the next available Board meeting.

v.) In the event a related annexation hearing is required, the Clerk shall coordinate with the applicant to insure proper notice has been supplied and shall be responsible for the preparation and posting of Board’s Agenda.

w.) Following action by the Village Board, the Village Clerk shall submit certified copies of any ordinances adopted by the Board in approving the request, to the County Clerk for recording.

x.) The Village Clerk shall also submit a copy of the ordinance(s) to the PBZ office for inclusion in the related case file.
Exhibit A

4. Review and Processing of Preliminary and Final Subdivision Plats:
   a) Preliminary and/or Final Plats, shall first be forwarded to the Zoning and 
      Platting Advisory Committee (ZPAC) for review and recommendation. 
      In addition to the regular attendees of the County’s ZPAC Committee, 
      representatives from the affected municipality will be invited to 
      participate as sitting members of the committee. 
   b) The PBZ staff will prepare a preliminary staff report and schedule the 
      matter for review at the next available ZPAC meeting. 
   c) The County will prepare and post the required agendas and will forward 
      a copy of the agenda and staff report to the ZPAC members and the 
      affected Village Clerk for filing of the report and posting of the agenda 
      in an approved municipal location. 
   d) After review by ZPAC, their recommendation shall be forwarded to the 
      next available meeting of the Kendall County Regional Plan 
      Commission (KCRPC) for conduct of a public meeting, review and 
      recommendation. 
   e) All required notices required per the Kendall County Zoning Ordinance 
      and Plan Commission By-Laws shall be mailed and published prior to 
      the meeting by the petitioner. 
   f) The County shall forward copies of the agenda, staff report and a copy 
      of the minutes of the ZPAC meeting to the KCRPC as well as the Clerk 
      of affected municipality along with copies of any revised plans, 
      documents or supporting information submitted by the petitioner in 
      support of the application for inclusion the Official Village file. 
   g) The County shall post copies of the agenda as required per County 
      policies. 
   h) The Village clerk shall also be responsible for posting of the agenda in 
      an approved municipal location. 
   i) Following review and recommendation by the KCRPC, PBZ staff will 
      prepare a report to the appropriate Village Board summarizing all of the 
      recommendations and actions taken by each of the review and 
      recommending bodies. 
   j) In addition to the summary the report, PBZ staff will prepare a draft 
      ordinance approving the requested Preliminary and/or Final Plat for 
      action by the Village Board. The summary report and draft ordinance 
      shall NOT be forwarded to the appropriate Village Clerk for scheduling 
      of the matter for action by the Village Board until such time as formal 
      approval of the related preliminary and/or final engineering plans and 
      or other supporting documents or agreements has been granted. 
   k) Once these approvals are received, PBZ staff will forward the summary 
      report and draft ordinance in addition to a copy of the minutes of the 
      KCRPC meeting to the appropriate Village Clerk along with copies of 
      any revised plans, documents or supporting information submitted by 
      the petitioner in support of the application.
Exhibit A

1.) The Village Clerk shall then schedule the matter for action by the Village Board and prepare the related agendas for posting.

m.) Following action by the Village Board, the Village Clerk shall submit certified copies of any ordinances adopted by the Board in approving the request, to the County Clerk for recording.

n.) The Village Clerk shall also submit a copy of the ordinance(s) to the PBZ office for inclusion in the related case file.

5. Review and Processing of Zoning Variance:
   a.) Zoning Variances shall be forwarded to the next available meeting of the Kendall County Zoning Board of Appeals (ZBA) for the conduct of the formal Public Hearing on the matter as well as a review of the findings of fact and development of a recommendation to be submitted to the Village Board for their consideration and action.
   
b.) All notices required per State Statute, the County Zoning Ordinance and ZBA By-Laws shall be mailed and published prior to the meeting by the petitioner. Copies of the notices shall be supplied by the petitioner to both the county and affected municipality for inclusion in the related case files.
   
c.) The County shall be responsible for posting of the hearing sign on the affected property at least 15 days prior to the hearing.
   
d.) The County shall prepare and forward copies of the agenda and staff report to the ZBA as well as the Clerk of affected municipality for filing along with copies of any related plans, documents or supporting information submitted to the county by the petitioner in support of the application.
   
e.) The County shall post copies of the agenda as required per County policies.
   
f.) The Village Clerk shall also be responsible for posting of the agenda in an approved municipal location.
   
g.) Following review and recommendation by the ZBA, the PBZ staff will forward a report summarizing the findings and recommendations made by ZBA along with copies of any related plans, documents or supporting information submitted to the county by the petitioner in support of the application. Along with the report, PBZ staff will prepare a draft ordinance approving the variance for action by the Village Board.
   
h.) The summary report, draft ordinance and minutes of the ZBA meeting shall be forwarded to the appropriate Village Clerk for filing and scheduling of the matter for action by the Village Board at the next available Board meeting.
   
i.) The Village Clerk shall be responsible for the preparation and posting of Board’s Agenda.
Exhibit A

j.) Following action by the Village Board, the Village Clerk shall submit certified copies of any ordinances adopted by the Board in approving the request, to the County Clerk for recording.
k.) The Village Clerk shall also submit a copy of the ordinance(s) to the PBZ office for inclusion in the related case file.
ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
July 7, 2015 – Meeting Minutes

Planning Consultant Mike Hoffman called the meeting to order at 9:00 a.m.

Present:
Scott Gryder – PBZ Member
Fran Klaas – County Highway Department
Brian Holdiman- Building Inspector
Mike Peters – Sheriff’s Office
Mike Hoffman – County Planning Consultant with Teska Associates, Inc.
David Guritz- Forest Preserve
Megan Andrews – Soil & Water Conservation District

Absent:
Greg Chismark – Wills Burke Kelsey
Aaron Rybski – Health Department

Audience: Rhonda Miller (Strong Tower of Refuge Ministries), Gary and Jo Lett Kritzberg

AGENDA
A motion was made by Fran Klaas, seconded by Megan Andrews to approve the agenda as written. All were in favor and the motion carried.

MINUTES
Fran Klaas made a motion, seconded by David Guritz, to approve the June 2, 2015 meeting minutes as written. The motion was approved 7-0, with Mr. Guritz abstaining.

PETITIONS

#15-11 Rhonda Miller/Strong Tower of Refuge Ministries
Mike Hoffman summarized the request, which is a special use to operate a place of worship in a b3 zoning District. The property is at 81 Boulder Hill Pass. He noted that this is similar to another church which was granted a Special Use to operate in the same shopping center earlier this year. The space proposed for lease is at the far eastern end of the shopping center, nearest to Boulder Hill Pass. He feels that the existing parking should be sufficient for the proposed use. He noted that the shopping center is not considered a prime location, as it is not located on a major roadway and traffic counts are lower than other similar shopping centers. Mr. Hoffman suggested that he was recommending approval.

Rhonda Miller expanded on her request. She noted that her ministry will integrate with other area churches. They are non-denominational. She has lived in Boulder Hill for 16 years, and has always thought this location would be a great multi-purpose building. The facility will be used for a variety of activities throughout the week, including seminars, bible study, like skills classes, and other programs for families. Their goal is to improve relationships, physical and mental wholeness, all in a keeping with principals of God’s kingdom. Scott Gryder asked how many members the church has that would use the facility at one time. Rhonda Miller said 22, with a maximum goal of around 70. David Guritz asked if we were o.k. on parking given the other recently approved church. Brian Holdiman said he felt they were given the 239 spaces that were currently available in the shopping center. Rhonda Miller noted that their time for services would be different than the other church operating in this shopping center. They hope to bring in more business for the existing restaurant. David Guritz asked what the seating capacity was in the facility and Brian Holdiman noted that they were estimating a capacity of 70, but they would need to coordinate with the Fire Protection District to arrive at a specific number. Fran Klaas asked what zoning districts would allow for a place of worship without a special use. Mike Hoffman replied that they would require a special use in all zoning districts.
Scott Gryder moved to forward the petition on through the process, which includes a presentation before the Regional Planning Commission on July 22\textsuperscript{nd} and a Public Hearing before the Special Use Hearing Officer on July 27\textsuperscript{th}. The motion was seconded by Fran Klaas. The motion was approved 7-0.

#15-12 Dan Koukol

Mike Hoffman summarized the request, which is an amendment to an existing Special Use to allow trailers and farm equipment (outdoor sales displays) to be located closer to the front property line. He noted that a fence is currently located along the right-of-way line. Currently, the existing Special Use (Ord. 97-06) requires sales displays to have a 40’ setback from the Route 126 and side property lines. Mr. Koukol is requesting that the setback be reduced to zero for enhanced visibility of his product along Route 126. The request notes that the 40’ setback was originally imposed due to a home that was proposed across the street, but that home was never constructed. Mr. Hoffman is recommending a 10’ setback be maintained, consistent with how other outdoor sales displays are treated in the County’s business districts. He noted this case was driven by a complaint to the department regarding the setback of the outdoor displays, and Mr. Koukol has moved all displays back to the 40’ required setback pending the outcome of this case.

Mike Peters noted that he was concerned about reducing the setback and its impact on public safety. He was concerned with motorist slowing down to look at equipment, or potentially pulling off to the side of the road to look at a piece of equipment. He noted a concern with potential gapers should equipment be located too close to the right-of-way. He did not have a specific minimum setback recommendation, but he felt that 10’ would be too close.

Fran Klaas asked for the definition of outdoor sales, and what other types of items could be placed on the site for sale. Mr. Hoffman noted that the Special Use allows for “farm and lawn equipment sales and services”. He noted that the Kendall County zoning code does not have a definition of outdoor displays. He noted that the County could be more specific with the definition through approval of the special use.

David Guritz moved to forward the petition on through the process with the noted concerns regarding setback from the Sheriff’s office, which includes a presentation before the Regional Planning Commission on July 22\textsuperscript{nd} and a Public Hearing before the Special Use Hearing Officer on July 27\textsuperscript{th}. The motion was seconded by Fran Klaas. The motion was approved 5-0, with Scott Gryder and Fran Klaas voting present.

#15-13 Gary Kritzberg

Mike Hoffman summarized the case, which is a request for a front yard setback variance request to allow a garage to be constructed closer than the required 50’ setback along Game Farm Road. Mr. Hoffman noted that the property is surrounded by the City of Yorkville. He noted that the property is heavily wooded, and has significant slopes along the north and west sides of the property sloping towards Blackberry Creek. He noted that two alternative locations for locating the garage outside of the required setback were discussed with the applicant. Suggested location “A” was not desired by the applicant as they plan to split off another lot in that location. Suggested location “B” was not desired by the applicant given existing landscaping.

Fran Klaas asked what the setback would be if the property were annexed into Yorkville, particularly given the reduced setback of other structures visible from the air photo on properties in Yorkville. Mr. Hoffman replied that he would need to confirm surrounding setbacks with the City, but that typically municipal setbacks are in the range of 30’.

Gary Kritzberg introduced himself and noted that the garage will primarily be used as a craft room or play room, but may be used for a car in winter. It will have more of a coach house appearance, and will be designed to be similar in appearance. He noted the proposed location is tucked away in the trees, and choose the proposed location to fit with the existing landscape, and that the proposed location would not block any views or sightlines. He felt this is the only location on the site where he would build on. He stated that he was not in favor of either alternative location suggested by staff. In particular, he added that power lines and cable television lines are located where staff had suggested alternative “B” adjacent to the existing garage. Mr. Hoffman asked if the garage would have a bathroom, and Mr. Kritzberg suggested it would not – and that it would be more like a three season room.
Fran Klaas noted that given the recent roadway improvements on Game Farm Road and the surroundings, the proposed location was probably o.k. However, he recommended checking with the City of Yorkville, and suggested deferring to their recommendation.

Megan Andrews noted that if approved, the garage should be located back from the top of the slope. Brian Holdiman noted that the proposed location was located back from the top of the slope, and is staked out to allow for an appropriate setback from the slope.

Fran Klaas, seconded by Scott Gryder, recommended to move the petition on for a public hearing before the ZBA on July 27th, with a recommendation of support provided Yorkville was o.k. with the proposed variation.

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

**14-37 Home Occupations – Landscape Business** – Denied by the County Board on June 6, 2015

Mike Hoffman explained that the item was referred back to the PBZ Committee, adjusted a little, and sent back to the County Board where it received a tie vote, which resulted in a denial of the petition and no change to the existing zoning code. Scott Gryder mentioned that neither he nor Jeff Wehrli were able to make that particular County Board meeting. He suggested there were still some concerns about if the amendment would create any additional violations.

**PUBLIC COMMENT** - There were no comments.

**OLD BUSINESS/NEW BUSINESS**

Mike Hoffman distributed a letter he sent to the Townships, and a letter from the Na-Au-Say Township Planning Commission. He noted that he had heard back from Oswego, Na-Au-Say and Kendall Townships regarding the proposed text change to require both primary and secondary septic systems to be on individual lots. He noted that all 3 Townships would prefer a minimum lot size of one acre. All Townships will be invited to the July 22nd Ad Hoc meeting to continue the discussion, and hopefully reach a consensus prior to moving forward. He suggested several options, including the draft text amendment, to do nothing, or to draft some standards to allow straight one or two acre zoning with some conditions or restrictions. Such restrictions could address the size of the subdivision, require a buffer, or perhaps not allowing any lots to front on an arterial or collector roadway. Yet another option is to scale back the LRMP to reduce the area dedicated to potential residential use. Mr. Hoffman also noted he was going to get in touch with the Health Department regarding any issues with back-up septic systems in common open space. Scott Gryder asked what the driving issue was behind this request. Mr. Hoffman noted concern was lot size, but it was also maintenance of common open space. David Guritz noted concerns with the County getting properties they owned like Heneberry up to an appropriate standard, and it would be difficult to take on more responsibility.

**ADJOURNMENT** - Next meeting on August 4th, 2015

With no further business to discuss Mike Peters made a motion, seconded by David Guritz to adjourn the meeting at 9:43 a.m. The motion carried.

Submitted by,
Mike Hoffman, AICP, PLA
Teska Associates, Inc./ County Planning Consultant
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois

Unofficial Meeting Minutes of July 22, 2015
(Unofficial Minutes)

Chairman Bill Ashton called the meeting to order at 7:00 pm. Due to a misprint in the Agenda date, there would be no roll call, approval of agenda, or approval of minutes.

ROLL CALL – No roll call as no official meeting
Members Present: Chair Bill Ashton (Chair), Tom Casey, Larry Nelson, Vern Poppen, Claire Wilson, Budd Wormley
Others present: Mike Hoffman, Teska Associates, Inc.
Members Absent: John Shaw, Roger Bledsoe, 2 vacancies (Oswego Township & Big Grove Township)
In the Audience: Rhonda Miller, founder and CEO of Strong Tower of Refuge Ministries; Dan Koukol

APPROVAL OF AGENDA
No approval.

APPROVAL OF MINUTES
No approval.

PETITIONS

1. 15-11 Rhonda Miller/ Strong Tower of Refuge Ministries
Request: Special Use to allow a place of worship in a B3 Zoning District
Location: 81 Boulder Hill Pass, Montgomery (Boulder Hill)
Purpose: To allow the ministry to lease space in the existing shopping center.

Mr. Hoffman stated that the Ministry was not a traditional type of church, with a focus more on outreach. Therefore, there would be more small activities all week long. He also stated that the current membership is small. There is more than enough parking in the shopping center for shared use. He concluded that staff has no objections with the proposed use.

Ms. Miller stated that they are a non-denominational outreach ministry of approximately twenty-two people. She had worked with another ministry for thirty years in Aurora. As a resident of Montgomery, she wanted to do something in her own area. The outreach activities include: worship services on Sunday, bible study, training services, prayer seminars, and empowering mental and physical wholesome in family relationships. She has spoken to Frank Johnson, another pastor in the area, and they are working to coordinate services to avoid conflicts and enhance services.
Mr. Nelson asked if there would be daycare services. Ms. Miller stated in the negative.

Mr. Wormely asked about the square footage of the location. Mr. Hoffman stated it is forty-eight hundred square feet.

Ms. Wilson asked if it was vacant. Ms. Miller stated it was as they are in the clean-up phase.

Mr. Nelson asked if the special use allowed for other activities such as drug rehabilitation or daycare that may have negative impacts on the area. Mr. Hoffman reviewed the Zoning Ordinance and noted that a daycare would require a separate special use, but that the code did not specifically address drug rehabilitation facilities. The Commission discussed possible restrictions for the use such as daycare, drug rehabilitation and similar activities. Mr. Nelson made a motion to add such restriction. **Motion failed to gain a second.**

The Commission asked for the definition of a place of worship. Mr. Hoffman read the definition as it appears in the County Zoning Code, Section 3.02:

> A building, together with its accessory buildings and use, where persons regularly assemble for religious purposes and related social events and which building(s) and uses(s) are maintained and controlled by a religious body organized to sustain religious ceremonies and/or purposes.

Mr. Hoffman stated in staff’s interpretation that would not include a day care operation or a drug rehabilitation center.

Ms. Miller stated that in her previous experience she had dealt with drug rehabilitation. Her outreach was not going to specifically target drug rehabilitation; however, outreach does deal with the issues in an indirect manner as they are looking to help people. She also stated she was not going to do daycare.

Mr. Casey made a motion to accept the petitioner’s application. Mr. Poppen seconded it. Chairman Ashton made a roll call vote. **Approved 6-0.**

2. **15-12 Dan Koukol**  
**Request:** Major Amendment to Special Use  
**Location:** 3485 Route 126 in Na-Au-Say Township, approximately ½ mile west of Schlapp Road  
**Purpose:** To allow outdoor display (trailers) to be located within front yard setback. Current condition of special use is they must be setback 40’. Request is zero setback.

Mr. Hoffman stated that Mr. Koukol has had a special use permit to operate a business on the premise. At that time there was a forty feet setback for display on any equipment for sale. Petition was to reduce to zero. After reviewing the current code, agricultural zoning states a hundred feet setback from the right of way; however, it is not have a specific standard for sale of equipment. Business zoning has a ten foot setback. Staff recommends applying the same standard and requiring a ten foot setback for this Special Use. Na-Au-Say Township recommend against the proposed amendment. The Sheriff’s Office was concerned about reducing setback too far but gave no specific setback recommendation.
Mr. Nelson asked about setback for parking lots in agricultural district as it was a similar obstruction. Mr. Hoffman stated it is forty feet, but currently temporary setbacks have been reduced to ten feet from the right-of-way. Mr. Hoffman stated that there was a fence on the property line.

Mr. Koukol stated that actually the fence was inside the right-of-way by a few feet (approximately 4’). Mr. Nelson asked about the distance of the right of way of Route 126 from the centerline. Mr. Koukol stated it was fifty feet. He also stated that he actually owns to the centerline. The forty feet setback was due to a neighbor wanting to build a house across the street. Since then, the property has been sold.

Mr. Koukol stated that after discussion with staff he wanted to change the petition to a ten foot setback. He wanted to use that extra thirty feet to display equipment for sale, not for equipment that is being fixed. He stated that it would help his business with marketing.

Mr. Nelson stated that historically this special use was placed into effect due to not wanting to zone the entire area commercial. As such, it would be equitable to make the special use permit similar to current business zoning.

Mr. Nelson made a motion for a setback of ten feet from the right-of-way. Mr. Wormely seconded. Approved 6-0.

**REVIEW OFPETITIONS THAT WENT TO COUNTY BOARD**

15-08 Gary and Linda Heap – approved by the County Board on June 16, 2015
14-37 Home Occupations - Landscape Businesses- Denied by the County Board on June 16, 2015.
County Board had previously sent it back to Planning, Building, and Zoning Committee for revisions. PBZ sent it back to the County Board. It ended in a tie vote, effectively not passing.

**CITIZENS TO BE HEARD/ PUBLIC COMMENT**- None

**NEW BUSINESS/ OLD BUSINESS**

**ADJOURNMENT**
Ms. Wilson made the motion to adjourn. Mr. Casey seconded. Seeing no objections, meeting adjourned at 7:37 pm.

Respectfully submitted by,
Andrez P. Beltran
Economic Development and Special Projects Coordinator
CALL TO ORDER- SPECIAL USE HEARING OFFICER
At 7:12 p.m., Chairman Wally Werderich called the Special Use Hearing Officer meeting to order.

ROLL CALL
Member present: Walter Werderich, Special Use Hearing Officer; Mike Hoffman, Teska Associates
In the audience: Rhonda Miller, Strong Tower of Refuge Ministries; Dan Koukol; Randy Mohr; Brad Blocker, Na-Au-Say Township Supervisor, Scott Cherry, Karen Clementi

MINUTES
Wally Werderich approved the June 1, 2015 Special Use Hearing Officer Meeting minutes as written.

Hearing Officer Werderich introduced himself and explained how the meeting will be conducted. He then swore in all members of the audience that wished to talk about the special uses.

PETITIONS
1. 15-11 Rhonda Miller/Strong Tower of Refuge Ministries
Request: Special Use to allow a place of worship in a B3 Zoning District
Location: 81 Boulder Hill Pass, Montgomery (Boulder Hill)
Purpose: To allow the ministry to lease space in the existing shopping center.

Mr. Hoffman stated that the location is in the Boulder Hill Market Place. Mr. Hoffman noted that another church opened up in the same area a few months ago. The leased space contains 4,800 square feet. Staff sees no problem with parking. The Ministry is not a traditional church in that the focus is more on outreach. Therefore, there would be more small activities all week long. He stated that both the Zoning and Platting and Advisory Committee (ZPAC) and the Kendall County Regional Planning Commission (KCRPC) had reviewed the case and had no concerns. There was discussion about ancillary functions like daycare and drug rehab; however the petitioner stated they were not planning to undertake either. There were no conditions placed by the KCRPC. He stated staff only recommended one condition being which that the Special Use would run with the petitioner so if a new place of worship came in they would have to go through the process again. With that he concluded that staff has no objections with the proposed use.

Ms. Miller reiterated that she was not planning on doing daycare or drug rehabilitation. She stated that they are a non-denominational and outreach ministry that focuses on developing spirituality. As a resident of Montgomery, she wanted to do something in her own area. The outreach activities include: worship services on Sunday, bible study, training services, prayer seminars, and empowering mental and physical wholesome in family relationships. She stated that they were looking to outreach to youths as her own son grew up in the area. She has spoken to Frank Johnson, another pastor in the area, and they are working to coordinate services to avoid conflicts and enhance services. She wanted to have a truly diverse church with a community focus.
Mr. Werderich asked how many people the petitioner was expecting to attend services. Ms. Miller stated they were only twenty-two people currently. She stated that fifty people would be wonderful, but she was not looking at large numbers.

Mr. Werderich asked the about specific activities. Ms. Miller stated she wanted worship services, prayer meetings, a women’s club with a two-day seminar with a luncheon or tea afterwards. Mr. Werderich asked about current hours of operations and then ideal vision. Ms. Miller stated that on Tuesdays and Thursdays would be bible study, and then perhaps once a month a special event from 11 am to 2 pm. Sunday school would start from 9:30 am to 10:30 am, and worship from 10:30 am to 11:45 am. Ms. Miller stated that there are three suites, and that at full potential she may use them for: one for worship room, one for bible studies, one for youth and one for adults. She stated that she may use one of the rooms as an overflow room, and perhaps a second service.

Mr. Werderich opened the public hearing for audience members’ comments.

Mr. Mohr asked if there were restrooms in the facility. Ms. Miller stated there are three restrooms, one of which was handicap accessible.

Mr. Werderich closed the public hearing for audience members’ comments.

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

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

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. We believe the presence of Strong Tower of Refuge Ministries would help improve the public health, safety, comfort and general welfare of the Boulder Hill area.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Drawing more visitors to the shopping center will likely enhance traffic to other businesses like the nearby restaurant. The large existing parking lot should be able to handle increased use generated by Strong Tower Ministries operation. An occupied shopping center is typically better maintained, and generally enhances property values in the area.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is an existing shopping/professional center therefore all these considerations are already in place.
That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. The proposed use will comply with all County regulations.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This special use permit will be consistent with the uses in the strip center.

Wally Werderich made a favorable recommendation with the above findings of fact and the 1 condition that staff has recommended; that being the zoning runs with the tenant instead of the land. This will be moved onto the Planning, Building, and Zoning Meeting Committee Monday, August 10 at 6:30pm.

2. 15-12 Dan Koukol
Request: Major Amendment to Special Use
Location: 3485 Route 126 in Na-Au-Say Township, approximately ½ mile west of Schlapp Road
Purpose: To allow outdoor display (trailers) to be located within front yard setback. Current condition of special use is they must be setback 40’. Request is zero setback.

Mr. Werderich swore in all audience members who wanted to speak on the subject.

Mr. Hoffman stated that Mr. Koukol has had a special use permit to operate a business on the premise. He sells used farmed equipment. At that time it was approved in 1997, there was a forty feet setback required for display of any equipment for sale. From Mr. Koukol’s previous statements, that was due to a home possibly being built across the street. That home was never built. He wants to move the equipment forward for better marketing. Petition was to reduce to zero. After reviewing the current code, business zoning has a ten feet setback for displaying equipment. The petitioner is comfortable with ten feet. Na-Au-Say Township is recommending against it; the correspondence is in the packet. Brad Blocker, Township Supervisor, is also present. Mr. Hoffman summarized their comments: the township felt that due to the rate of speed and visibility of passing motorists that the current setback was appropriate. In addition, they noted that the Township has received complaints of the subject parcel in the past. Staff recommend approval at ten feet.

Mr. Werderich asked Mr. Koukol the purpose of his desire to reduce the setback. Mr. Koukol stated that he wants to use the thirty feet for display as the speed of traffic on Route 126 necessitated it. Marketing is his largest expense. Mr. Koukol stated he was fine with the ten feet setback. He understands that his business may not be the most attractive but that he serves many customers in the area.

Mr. Werderich asked staff about the business to the east with the forty feet setback and how that related in regards to building. Mr. Hoffman stated the building most likely met the hundred feet setback of agricultural zoning, but they did not use any outdoor display. They were mostly a service business.

Mr. Werderich asked staff on the status of the home that was to be built. Mr. Hoffman stated that it is just a farm field today.

Mr. Werderich opened the public hearing for audience members’ comments.
Mr. Blocker stated that the County has Na-Au-Say Township’s concerns and would be open to any questions about those concerns. Mr. Werderich thanked him, and asked staff to add their concerns to the record so it would follow along with the petition.

Mr. Koukol stated that he felt there were other comments made at the Township that were not in the record. Mr. Werderich asked if Mr. Koukol was comfortable with staff recommendation. He responded in the affirmative.

Mr. Werderich closed the public hearing for audience members’ comments.

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

§ 13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer must make in order to grant a special use (or in this case a Major Amendment to the Special Use). These findings should be related to the requested amendment to the special use to allow the sales display closer to Route 126. Staff has answered as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. A fence currently exists along the property line. Allowing the outdoor sales display to be within 10’ of the right-of-way would be consistent with other permitted businesses in the County, and would still provide for appropriate visibility along the drive-way.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Per the applicant, the setback for outdoor display was imposed original to provide separation from a planned home on the south side of Route 126. However, plans for that have since been dropped. A reduced setback should have no impact on adjacent agricultural uses or the adjacent ServPro of Kendall County restoration business.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. A gravel pad is already in place to accommodate the proposed outdoor display. All other facilities are already in place.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. All other provisions of Ordinance 97-06 approving this Special Use shall remain in effect, as well as all other provisions of the Agricultural District unless modified in Ord. 97-06 or in this amendment to that ordinance.
That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Since the Special Use is already in place, this criterion is not relevant to the amendment.

Wally Werderich made a favorable recommendation with the above findings of fact and the conditions that staff has recommended; that setback for outdoor sales dispaly be reduced to ten feet. This will be moved onto the Planning, Building, and Zoning Meeting Committee Monday, August 10 at 6:30pm.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
15-08 Gary and Linda Heap - Passed by County Board on 6.16.15

NEW BUSINESS/OLD BUSINESS
None

ADJOURNMENT- Next meeting will be on August 31, 2015. Chairman Werderich adjourned the Special Use Hearing Officer meeting at 7:43 p.m.

Respectfully Submitted,
Andrez P. Beltran
Economic Development and Special Project Coordinator
## Permit Summary by Category

### Kendall County

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## Kendall County
### Project Detail Report

**July 2015**

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**TOTAL**

| $42,112.90 | $5,515.00  | $70,642.92 | $1,000.00 |