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

May 11, 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 April 13, 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. 14-40 Subdivision Control Regulations- Letters of Credit
   Request Text Amendment
   Purpose Text Amendment to also allow cash bond, irrevocable letter of credit, surety bond, or letter of commitment.

2. 14-37 Home Occupations- Landscape Businesses
   Request Text Amendment
   Purpose Text Amendment to not allow landscape businesses as home occupations

NEW BUSINESS/OLD BUSINESS
Tanglewood Trails- Update from SAO
Statute requirements for zoning processes
Discussion on bringing back R-2 and R-3 zoning
Camelot Farms Plat Extension for 1 year: Petition 08-18

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 June 8, 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 April 13, 2015

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

ROLL CALL
Present: Lynn Cullick, Bob Davidson, Vice-Chair Judy Gilmour, Chairman Scott Gryder and Jeff Wehrli
Absent: None
Also present: Planning & Zoning Manager: Angela Zubko & Code Enforcement Officer Brian Holdiman
In the audience: Attorney Daniel Kramer, Peter & Laurie Pasteris, Candice Hadley & Leigh Anne Scoughton

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

APPROVAL OF MINUTES
Jeff Wehrli made a motion to approve the minutes from March 9, 2015. Judy Gilmour seconded the motion.
All agreed and the minutes were approved.

EXPENDITURE REPORT (handed out at meeting)
Bob Davidson made a motion to approve the expenditure report in the amount of $16,800.75 and forward it
onto the Finance Committee, Judy Gilmour seconded the motion. With a roll call vote all in attendance agreed
and the motion was approved.

PUBLIC COMMENT: None

PETITIONS:
#15-02 Peter & Laurie Pasteris
Planner Zubko stated Peter & Laurie Pasteris are requesting approval of an A-1 special use permit to operate a
low use banquet hall on their property for special events. The applicants do live in the house on the property.
The property is located at 1998 Johnson Road and is on the south side of Johnson Road, 1 mile east of Schlapp
Road and 1.45 miles west of Ridge Road. There is a trail proposed along the south side of the roadway and
Planner Zubko suggests contacting Plainfield for a dedication request. According to the Zoning Ordinance a
banquet hall can be operated if 7 conditions are met which are listed in the report. The petitioners meet them
all except number one, that the facility shall have direct access to a road designated as an arterial roadway or
major collector road as identified in the Land Resource Management Plan. Johnson Road is designated as a
minor collector roadway therefore they received permission from the township highway commissioner to use
the roadway. On the site plan the petitioner has shown where they would like to construct a concrete pad to
keep up a tent from May to November 15th at the size of 40’ x 80’ and also a barn with future bathrooms. The
petitioner has stated the guest will park in the hayfield even if a crop is in. The property currently has an
access point off of Johnson Road which is the same access they propose to use for the special events. Staff
would recommend approval and the following conditions be placed on the special use, if approved:

1. The principal use of the property is for residential purposes and/or farming.
2. A maximum of 200 persons at any one time
3. All events must be catered unless approved by the Health Department.
4. Compliance with applicable building codes and Americans with Disabilities Act accessibility provisions and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.
5. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
6. The noise regulations are as follows:
   Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.
   Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

   EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o’clock (7:00) A.M. and ten o’clock (10:00) P.M.

7. Porta Johns (and other temporary bathroom facilities) need to be removed within 2 business days after each event.
8. Events can run from May 1st through November 15th and the temporary tent can be erect from May 1st through November 15th.
9. Entities having jurisdiction may inspect the property annually including but not limited to the Planning, Building Zoning Department, Health Department, sheriff’s office and fire protection district in order to ensure that conditions of the special use permit are still being met and that the permit is still applicable for the operation.

Planner Zubko would also like to note this is in NaAuSay Township so this is a dry township so alcohol cannot be sold on the premises which the petitioner is aware of.

The ZPAC Committee had some concerns which all were addressed by additional conditions. The Plan Commission recommended approval as well and agreed with the petitioner this will be a low impact use. There was no audience members that spoke and there was one letter that was read in opposition that is in the packet tonight. At the special use hearing officer meeting it was discussed if the weather is bad they do have alternative locations to park like a nearby church and shuttle the guests over if needed. The Hearing Officer made a favorable recommendation with staff’s suggested conditions.

Attorney Daniel Kramer introduced himself and his clients. He did publish for the township meeting and there were not objectors and they approved it. He stated in the terms of the opposition letter they received it the night of the Plan Commission and it was signed by a trust at Old Second Bank, the petitioners have talked to the owners of the land and they did not have any opposition so they feel it was someone else that is part of the trust, however they did respond to the letter and have not heard back. He stated a banquet facility sounds large but this will be low use and will be using a tent.
With no further discussion Lynn Cullick made a motion, seconded by Jeff Wehrli to recommend approval of the special use with staff’s nine conditions and forward the petition onto the full County Board.

Attorney Kramer discussed parking in the hay and how people will not get stuck but just in case of a flood rain they have already made arrangements to park and shuttle people in, there would be no parking on Johnson Road.

Mr. Bob Davidson asked about the porta-potties to be removed after each event. Mr. Kramer stated they will be using a trailer to pick up. He also asked about the limit of guests. Planner Zubko stated the petitioner requested it. Mr. Davidson would like to see a little leeway on the limit.

Ms. Gilmour asked how many cars are expected. Mr. Pasteris stated typically everyone comes with someone so for 200 person limit probably a maximum of about 150 cars. Their property can easily accommodate more.

Lynn Cullick made a motion to change the amount of people to a 10 percent tolerance on the number of people. Jeff Wehrli seconded the motion. With no further discussion, with a roll call vote, all were in favor and this will be forwarded.

#15-03 Candice Hadley
Planner Zubko went over her written report stating that the owner, Candice Hadley (who is present) is requesting approval to landmark her home at 1542 Plainfield Road, Oswego, IL. The home was built in 1865 and was owned by Gilbert & Mary Ann (Cass) Gaylord. The owner’s justification on why this house shall be landmarked is that the Gilbert Gaylord House is an extremely well-preserved example of Italianate architecture. The main structure is virtually unchanged and over the past two decades, the current owner has painstakingly restored the front porch, preserved the brackets under the eaves, had the brick tuck-pointed and installed copper gutters. The east side addition was built in 2007 in a manner similar in style and materials to the original, without detracting from the original structure’s historic integrity. There are no other brick Italianates in Oswego or the surrounding township that compare to this structure. Additionally, the structure is eligible for listing in the National Register of Historic Places. The house qualifies for “Criterion C for architecture as a good representative example of an asymmetrical Italianate residence.” The structure also has been recognized as a Property of the Season by the Oswego Historic Commission and has been named an Oswego Township Heritage Place. She also stated there are the architectural details and description of the additions over the years. Also under the historical narrative she gave us the background of the house, how it was used and who lived there. Planner Zubko stated the Historic Preservation Commission went over whether the nominated landmark does or does not meet the criteria for designation as provided for in Article III, Section 4 of the Kendall County Historic Preservation Ordinance. The report contains 4 criteria which the Commission approved the following information:

1. An explanation of the significance or lack of significance of the nominated landmark as it relates to the criteria for designation;
   - 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;
   - It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
   - It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
   - It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

413.15 PBZ Meeting Minutes
✓ It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;
✓ It is suitable for preservation or restoration;
✓ It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

2. A description of the integrity or lack of integrity of the nominated landmark;
The home was built in 1865. The original main floor has four rooms: formal front parlor, family room (converted in early 1970's from two smaller rooms), dining room and kitchen. The original pine plank flooring is still intact in all rooms except the kitchen; as is all original woodwork and some doors.
• There is a staircase with the original curved banister inside the double doors (with a curved wall underneath). Another curved wall in the hallway is hidden behind a door that decades ago was installed for access to a half bath.
• The formal front parlor, currently a wheelchair accessible bedroom, has original crown molding.
• The dining room features a stone mantle fireplace recently installed to replace a circa 1970's inappropriate brick "Colonial" fireplace. A door leading to a "silverware closet" under the stairs has been walled over (decades ago a large radiator was installed in that space to heat the main hallway).
• The narrow staircase leading to the basement is still intact under the floor of the pantry.

The second floor of the original structure originally included five rooms, three bedrooms, a billiard room and probably a maid's room. Currently there are four bedrooms, one bathroom (top of main stairs) and the maid’s room is now a master bath. There also is a rear staircase from the dining room (next to the fireplace) leading up to a small hallway to the master bath, bedroom and attic stairway.

The basement level originally included four rooms with access via the narrow kitchens staircase and an exterior cellar entrance.

The north-facing stately brick home resides on 5.27 acres in a rural setting, four miles southeast of Oswego. A 100+ year old barn, corn crib, hog house, machine shed and chicken coop remain on the property, in addition to a front yard with large maples along the curved brick drive, a field, two fenced horse pastures, gardens and an orchard.

3. A map showing the location of the nominated landmark.
4. In the case of a nominated landmark found to meet the criteria for designation, the report shall include a description of the significant exterior architectural features of the nominated landmark that should be protected. The Italianate Gaylord two-story brick residence is a gabled ell sitting on a cut limestone, raised foundation. Tall, arched windows are delineated with cut stone sills and corbelled lintels; broad eaves are supported with massive, incised brackets. There are two front entrances; one with double doors. Ornate porches adorn the front and rear facades.

The historic preservation commission held a public hearing on March 19th in which only the petitioners were present and the Commission recommended approval. Staff recommends approval.

Jeff Wehrli made a motion to recommend approval of the historic landmark and forward the petition onto the fill County Board. Lynn Cullick seconded the motion.

Mr. Jeff Wehrli thanked the petitioners. Ms. Hadley introduced herself and excited.

With no further discussion, with a roll call vote, all were in favor and this will be forwarded.

**NEW BUSINESS/OLD BUSINESS**

1. Building Permit Extension Requests- Brian Holdiman stated the building code allows for building permit extension. The first one is Skoropad for a storage building; they’re seeking an extension for family issues and funds. Mr. Holdiman requests a one year extension. The second one is the Schnell family in which they’re demolishing a home trying to recycle as much as they can. Mr. Holdiman also requests a one year extension. Mr. Gryder asked about the structures and safety. Mr. Davidson asked if these people are physically working on these projects. Mr. Holdiman stated the Schell is but the Skoropad currently does not have the fund but plan on doing it soon. Jeff Wehrli made a motion to make a one year extension for permits 03-2011-150 & 14-2011-068. Judy Gilmour seconded the motion. All were in favor and they will be extended. Mr. Holdiman stated there is one more to discuss of a house at 45 Cheyenne Court. We’ve been approached by neighbors over the years, the permit was issued in 2008 and not complete. The exterior siding is not complete and that’s why we’re getting calls from the neighbors. Unfortunately the owner has lost his job and does not have the funds but wanted to bring it to the PBZ committee’s attention in case they get complaints. Mr. Wehrli asked if there are any grant opportunities for the owners.

2. Approval of an $85,000 payment from MB Financial Bank, The First National Bank of Ottawa and/or BCB Development IV, LLC for the construction costs necessary to close out Tanglewood Trails Subdivision and the approval to negotiate a contract in regard to the same with the above parties and the Tanglewood Trails Homeowners Association- Planner Zubko stated as we discussed last November I was working with the bank to finish up the public improvements and the County was working on a punchlist for the bank. The punchlist is completed and an agreed amount has been decided upon. Mr. Gryder stated this has been discussed with Mr. Wilkins, the SAO, the highway department and the banks. Mr. Wehrli asked about where we came up with the $85,000. Planner Zubko explained the contingent money, review money and bike trail amounts. Mr. Davidson asked a few questions on the bike path. Lynn Cullick made a motion of an approval of an $85,000 payment from MB Financial Bank, The First National Bank of Ottawa and/or BCB Development IV, LLC for the construction costs necessary to close out Tanglewood Trails Subdivision and the approval to negotiate a contract in regard to the same with the above parties and the Tanglewood Trails Homeowners Association. Jeff Wehrli seconded the motion. With a roll call vote, 4 approved and Mr. Davidson abstained.
3. Regional Plan Commission and Zoning Board of Appeals vacancies discussion- Planner Zubko stated the Plan Commission is and has been short 3 members for quite some time and sometimes it’s hard to get a quorum and also with the fact she has been receiving numerous complaints on how long the process takes she wanted to see what the thoughts are to combine the two committees. She also handed out a memo dated May 19, 2010 which goes though what the statutes require us to do and it also goes over our old zoning process. Our process is much quicker in that it takes 2-3 months but there are still a series of 5 meetings the petitioner must attend. The Committee would like to read over that memo. Mr. Ashton asked about appeals and where they go. Ms. Gilmour doesn’t know if eliminating any would help but would like to look at the memo. Mr. Davidson thinks rezoning needs to be within a certain amount of days and suggests trying it out for a timeframe possibly. The Committee will continue this. If anything is disbanded it would be hard to get people back.

4. Discussion on bringing back R-2 and R-3 zoning- Planner Zubko stated she would like to bring back the R-2 and R-3 districts to allow people to rezone smaller lots to build a home. This was discussed at the Plan Commission and they support the idea but would only like to allow R-2 and R-3 subdivisions for a certain amount of contiguous lots. It was also discussed they were deleted in the first place to promote RPD’s and that most likely not many people will be able to make 1 acre work for a septic but it’s possible. Mr. Davidson stated the new code is more restrict and it’s harder to make it work. Mr. Davidson briefly went over how all subdivisions need curtain drains. Mr. Wehrli stated when this got deleted there were subdivisions all over and we were trying to have the developers save the natural features and have open space. Mr. Wehrli would like to tighten this down for a good fit of contiguous lots. Mr. Davidson sees issues with the PUD’s and give everyone grades on the engineering plans and you can’t disturb the septic area at all. It’s hard to get the distances to the well and the septic and someone wants to put a pool or shed and it just does not work. Larger parcels might become weed fields. There was some discussion on the fire protection district where the homes are too far apart but there are a lot. Mr. Davidson likes this idea. Mr. Gryder would like more time. Planner Zubko will bring this back to PBZ next month with some suggestions.

**UPDATE ON HISTORIC PRESERVATION**- Planner Zubko stated she has nothing else to discuss as the landmark was already discussed.

**UPDATE ON CMAP LAND USE COMMITTEE MEETING**- Planner Zubko stated the land use committee meets this Wednesday.

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

**ADJOURNMENT**- Next meeting will be on May 11, 2015

Lynn Cullick made a motion to adjourn the meeting. Jeff Wehrli seconded the motion. All agreed. Chairman Gryder adjourned the meeting at 7:29 p.m.

Respectfully Submitted,
Angela L. Zubko
Planning & Zoning Manager
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 204
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179
MEMORANDUM

To: PBZ
Date: April 28, 2015
Re: Text Amendment – Subdivision Regulations- Bonds (Petition 14-40)

In trying to clean up some items the PBZ Department discovered in our revisions to the subdivision control regulations in 2011 we changed the language to only allow letters of credit. Per the County Code (55 ILCS 5/5-1123 and 55 ILCS 5/5-1041) as well as the Public Construction Bond Act (30 ILCS 550/3) we must accept bonds as well as letters of credit. This language will clean this item up for future subdivisions.

SECTION 10.00 – REQUIRED LAND IMPROVEMENTS
PROCEDURE

B. Construction Surety

1. Prior to the start of any work, the subdivider shall post with the Clerk of the County of Kendall, a non-revocable letter of credit or a cash bond, irrevocable letter of credit, surety bond, or letter of commitment issued by a bank, savings and loan association, surety, or insurance company, deemed acceptable to the State’s Attorney of Kendall County in an amount equal to 125% of the full costs of the required improvements as estimated by a Registered Professional Engineer and approved by the Plat Officer or 110% of the full costs of the required improvements provided in line item format in a construction contract entered into between the subdivider and a contractor or contractors licensed in the State of Illinois. Such line item contract shall be approved by the Plat Officer.

D. As-Built Plans:

1. Stormwater Management Facilities: After completion of stormwater management facilities and prior to acceptance of said improvements (excepting final landscaping and short-term maintenance) the subdivider shall make or cause to be made, a detailed one foot contour topographic survey and engineering plans of said facilities to verify final dimensions and volumes required under the approved engineering plans and calculations have been provided. A comparison table of approved versus as-built volumes for each foot of detention volume elevation shall be provided. The presentation of these plans shall be a condition of final acceptance of the improvements, and release of the
2. Infrastructure Improvements: After completion of all public improvements, and prior to final acceptance of said improvements, the subdivider shall make, or cause to be made, engineering plans showing the actual location, size, and elevation of all structures and associated piping invert; culvert location, size, and invert elevations; ditch line location and grade at maximum 100 foot intervals; vertical and horizontal alignment of roadway centerlines; street lighting locations and electrical cable routing; and electric, gas, telephone and other private utility locations and routing. The presentation of these plans shall be a condition of final acceptance of the improvements, and release of the Letter of Credit, cash escrow, cash bond, irrevocable letter of credit, surety bond, or letter of commitment assuring their completion. The as-built plans shall be filed with the Plat Officer.

G. Maintenance Guarantee
Upon completion of the improvements acceptance thereof by all relevant authorities the improvements shall thereafter be maintained by the appropriate corporate authorities, providing however, for a period of 12 months following the acceptance as above provided the subdivider shall be responsible for the continued condition of said improvements as accepted. In the event failure occurs in the improvements the subdivider shall restore the improvements to the criteria specified in this Ordinance. To assure responsibility the subdivider shall, prior to acceptance of the improvements as outlined in Section 10.00.F of this ordinance, deposit with the Clerk of the County of Kendall a cash escrow, or maintenance letter of credit, or cash bond, irrevocable letter of credit, surety bond, or letter of commitment acceptable to the State’s Attorney’s office of Kendall County in an amount not less than ten percent (10%) of the total cost of all improvements, which deposit may be used by the County to restore the improvements in the event such are not addressed by the subdivider within 12 months following acceptance of the improvements by all relevant authorities. Upon receipt of said maintenance surety, the Plat Officer shall be authorized to return the original financial surety(ies) posted to guarantee the satisfactory completion of the required improvements to the developer or issuing financial institution.

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

Attachments:
1. ZPAC Meeting minutes on 1.6.15
2. RPC Meeting minutes on 1.26.15
3. ZBA Meeting minutes on 4.27.15
To: RPC  
Date: April 28, 2015  
Re: Text Amendment – Home Occupations (Petition 14-37)

Within the last year the PBZ Department has had a lot of issues with regards to landscape businesses and if they qualify for home occupations. Also we have had A LOT of people wanting to do it as a home occupation. Staff is of the opinion they should not qualify due to the type of equipment they use and we’ve had issues in the past trying to prove there are employees and the amount of employees. Staff proposed to specify that landscape businesses cannot be home occupations.

LANDSCAPE BUSINESS. Offers products and services to clients that involve planting and caring for trees, shrubs, flowers, ground covers and grass. Some offer design and implementation services for sidewalks, walkways, decks, retaining walls, patios, lighting and other external design elements outside of a building. There are two types of landscape business’ lawn care only and all others.

LANDSCAPE BUSINESS- LAWN CARE ONLY. A landscape business run by only one or two employees and only maintains yards with no large equipment, i.e. only mowers, weed wackers and trimmers. All equipment must be stored indoors, no materials brought to the property it is run out of and no goods for sale.

HOME OCCUPATION. Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

HOME OCCUPATION - AGRICULTURAL. A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, landscape business (not including lawn care only), stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation". (Amended 04/18/2000)

HOME OCCUPATION- RESIDENTIAL A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, landscape business (not including lawn care only), undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

Wording for a special use in the A-1 Agricultural District, B-3 Business District and M-1 and M-2 Manufacturing districts:
Landscaping business, provided that:

a. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.

b. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use. (Amended 7/17/2007)

c. No landscape waste generated off the property can be burned on this site.

For reference:

4.06 HOME OCCUPATION- AGRICULTURAL provided:

a. It is conducted entirely within the dwelling or permitted accessory building by a member or members of the family residing in the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling as a residence.

b. A maximum sign of 8 square feet will be permitted but must meet setback requirements in section 11 of the Zoning Ordinance and be unlit.

c. No article shall be sold or offered for sale on the premises except as is produced by the occupation on the premises except that items incidental to the home occupation may be sold, i.e., hair products may be sold at a salon.

d. No person shall be employed on site other than members of the family residing on the premises and two persons outside the family, providing that additional persons outside of the family may be permitted by the Zoning Board of Appeals pursuant to an application for special use filed in accordance with the provisions of this ordinance.

e. The number of off-street parking spaces for that use is provided as required by the Off-Street Parking, Loading, and Landscape Requirements of this Ordinance.

f. No mechanical equipment is used which may generate obnoxious fumes, excessive noise or other such related nuisances. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be produced which is perceivable at or beyond the lot lines.

4.07 HOME OCCUPATION- RESIDENTIAL provided:

a. It is conducted entirely within the dwelling by a member or members of the family residing in the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling as a residence.
b. There are no signs, display or activity that will indicate from the exterior of the dwelling that it is being used for any use other than a dwelling except as allowed by the sign regulations for the district in which such "home occupation" is located.

c. No article shall be sold or offered for sale on the premises except as is produced by the occupation on the premises, except that items incidental to the home occupation may be sold, i.e., hair care products sold at a salon.

d. No more than ten (10) vehicle trips by either customers, delivery persons or employees may be made throughout a day to and from the home occupation.

e. No person shall be employed on site other than members of the family residing on the premises and one person outside the family in all residential districts.

f. The number of off-street parking spaces for that use is provided as required by the Off-Street Parking, Loading, and Landscape Requirements of this Ordinance.

g. No mechanical equipment is used which may generate obnoxious fumes, excessive noise or other such related nuisances. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be produced which is perceivable at or beyond the lot lines.

h. Instruction in music, crafts and dance shall be limited to one student at a time with a maximum of eight per day. To exceed this limit requires a variance.

i. Salons shall be limited to one chair or nail table, commonly referred to as a station.

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

Attachments:
1. ZPAC Meeting minutes on 11.3.14
2. RPC Meeting minutes on 12.3.14
3. RPC Meeting minutes on 1.26.15
4. ZBA Meeting minutes on 4.27.15
Planner Angela Zubko called the meeting to order at 9:01 a.m.

Present:
Aaron Rybski – Health Department
Brian Jahp – Sheriff’s Office
Brian Holdiman- Building Inspector
Fran Klaas- County Highway Department
Angela Zubko – PBZ Planning & Zoning Manager

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

Also present: Daron Spicher

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

MINUTES
Brian Japh made a motion, seconded by Aaron Rybski, to approve the September 2, 2014 meeting minutes as written. All were in favor and the motion carried.

PETITIONS

#14-35 Daron & Kimberly Spicher
Planner Angela Zubko did an overview of the request stating the property is located on the south side of Plattville Road, about 0.3 miles east of Ashley Road. The petitioners are looking to rezone 3 of their 10 acre property from A-1 agricultural to R-1 Single family. The petitioners have indicated they intend to construct a single-family dwelling unit on the 3 acre parcel if the map amendment request is approved. This property is in the Village of Plattville so it goes through our 3 meetings and then onto the Plattville Board instead of our County Board. The township is deciding if they would like to discuss this matter since it's a county roadway and in the Village of Plattville. There are no endangered species on the property.

Staff would recommend approval of the requested Map Amendment to rezone 3 acres of a 10 acre parcel from A-1 (Agricultural) to R-1 (One-Family Residence District) to build a home on their property.

Fran Klaas stated when they know the location of the driveway the petitioners will need to seek an access variance from the County Board because it's too close to the neighbor to the west. Mr. Spicher stated the County has put in a driveway and they plan to utilize that drive.

Brian Jahp had no comments at this time.

Aaron Rybski stated the well and septic permit will come through their office and if they need any help to please contact their office.

Brian Holdiman stated a building permit will be required when the petitioner is ready to build the home.

With no further comments Aaron Rybski made a motion, seconded by Brian Jahp to approve the map amendment and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.
#14-33 Bee Keeping
Planner Angela Zubko stated couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee. She proposes it be a conditional use in the R-1, R-2 and R-3 Districts with the 14 conditions listed on the memo.

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

Brian Jahp has no comments at this time.

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

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

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

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

Brian Holdiman agrees with this text amendment.

Aaron Rybski has no objection.

Brian Jahp has no comments at this time.

Fran Klaas agrees with Brian Holdiman.

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

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

PUBLIC COMMENT- There were no comments.

OLD BUSINESS- None

ZPAC Meeting Minutes 11.3.14
NEW BUSINESS: The Committee discussed changing the time of the meeting. The group decided to change the day to the next day at 9am, Tuesday. This will be voted on next month.

ADJOURNMENT: Next meeting on December 1, 2014
With no further business to discuss Fran Klaas made a motion, seconded by Brian Jahp to adjourn the meeting at 9:23 a.m. The motion carried.

Submitted by,
Angela L. Zubko
Planning & Zoning Manager
ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
January 6, 2015 – Meeting Minutes

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

Present:
Megan Andrews – Soil & Water Conservation District
Aaron Rybski – Health Department
Brian Jahp – Sheriff’s Office
Brian Holdiman- Building Inspector
Fran Klaas- County Highway Department
Angela Zubko – PBZ Planning & Zoning Manager

Absent:
Greg Chismark – Wills Burke Kelsey
Scott Gryder – PBZ Member
Forest Preserve

Also present: Frank Johnson, John Gallo and Andy Sybert

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

MINUTES
Fran Klaas made a motion, seconded by Brian Japh, to approve the November 3, 2014 meeting minutes as written. All were in favor and the motion carried.

PETITIONS
#14-39 River’s Edge Fellowship
Planner Zubko stated the River’s Edge Fellowship is requesting approval of a B-3 special use permit for a place of worship and other related uses. This would be located between the Dollar General and the liquor store in the Boulder Hill Marketplace on Boulder Hill Pass just east of Route 25. They would be operating out of a 4,800 square foot location in the strip mall. The parking lot already exists and should be sufficient for the uses in the complex and the use would fit in with the uses in the area. River’s Edge currently holds Sunday services at 9:30am and Wednesday Bible Studies at 6:30pm. They are a congregation of approximately fifty people with the desire to grow to a maximum of one hundred. They also do limited community outreach events such as feeding the poor and needy, supporting other local ministries, partnering with other area churches for broader outreach and service events and in the future possibly host a Boulder Hill food pantry as well as a safe haven for transients during the day. Staff recommends approval of the special use and to add one condition onto the approving ordinance which is that the special use runs with the tenant and not with the land.

Frank Johnson introduced himself and stated he’s been serving since their conception over 30 years.

Fran Klaas had no comments.

Megan Andrews stated no NRI is needed. She thinks it’s great an existing building can be used.

Brian Jahp had no comments at this time.

Aaron Rybski stated this is not on a well or septic system, and he has no objections. He stated in the future if they open a food pantry give the health department a call before it’s set up.

Brian Holdiman stated a change of occupancy permit will be needed for life safety concerns.

ZPAC Meeting Minutes 1.6.15
With no further comments Fran Klaas made a motion, seconded by Brian Jahp to approve the special use and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

**#14-42 Sybert Landscaping**

Planner Zubko stated Sybert Landscaping is requesting approval of an A-1 special use permit to operate a landscape business with outdoor storage of vehicles, equipment and bulk materials associated with a landscape business. The applicant will be living in the house on the property. No new structures or buildings will be constructed. The property is located at 655 Woolley Road and is on the north side of Woolley Road, 0.15 miles west of Stewart Road. All the buildings exist, they did get approval from the township in November as the petitioner needed permission from the road commission to have this type of business on a minor roadway. The township road commission recommended approval for the petitioners to apply with three conditions: no retail sales allowed on site, no vehicle with GVWR over 36,000 lbs. & no loading or landscape equipment between the hours of 9pm to 6am. Staff is waiting to hear if the township would like to hear the petition again. Sybert landscaping is a small family-owned and operated lawn care and landscaping company with no retail service nor does it meet with its customers at its location. The business currently operates out of Romeoville, Illinois. The applicant’s parents started the company in 1979 and the applicant is the manger of the business. They employ about 6 employees including the applicant, two foremen and three laborers. The crews all ride together in two vehicles to work every day. The work force arrives at 7 am; load company trucks and disperse to job sites returning at the end of the day. The hours of operation are from 7am to 5:30 pm Monday through Friday with an occasional Saturday. They operate from mid April through mid November doing lawn service and then from November through March the trucks are placed off site and stored on our snow plot lots. There is plenty of room on the north side of the lot for parking and storage of vehicles. They also propose a 6’ fence to enclose all the equipment and a 6’ berm by the landscape materials. The water all drains west so this shouldn’t be an issue. Staff would like to know what the plan is for landscape waste, if it will be brought back on site. Staff will place a condition that no landscape waste generated off the property can be burned on this site. The petitioners have stated the main route to their clients will be east on Woolley Road, South on Stewart Road, east on West 119th Street to reach Route 30. This would be the main route in and out of this location to reduce the amount of traffic. No signage is proposed at this time, if they would like to have a sign they would need to comply with Section 12 of the Zoning Ordinance and apply for a building permit. The property currently has an access point off of Woolley Road which would remain the same. Staff would recommend approval and the following conditions be placed on the special use, if approved:

1. No landscape waste generated off the property can be burned on this site.
2. No loading or unloading of landscape equipment between the hours of 9pm and 6am.
3. No retail sales/business allowed on site.
4. No vehicles with GVWR over 36,000 lbs.
5. Restrict the amount of landscape waste that could be imported and stored on site at any one time to 5 semi loads.
6. The fence and berm must be installed within 6 months of the approval date of the special use.

John Gallo (petitioner’s attorney) introduced himself and stated his client does not currently own the property but the contract purchase is contingent upon getting the special use. The petitioner, Andy would like to look at the load limit as he would like to purchase larger equipment in the future but not sure when. Planner Zubko stated we can talk to the township about that.

Brian Holdiman verified the home will be a single family resident and the accessory structures will only be for personal use. My Sybert stated yes that is all correct. Brian had no further comments.

Aaron Rybski had some comments on the well and septic and storage locations. The petitioners have stated everything is in front by the house and the accessory structures have no water or bathrooms. Mr. Rybski had no further comments since everything is far from the system.

Brian Jahp had no comments at this time.

Megan Andrews stated no NRI is needed but she is happy to get them some information if they would like on the soils. She will return their application and money to the petitioner.
Fran Klaas asked if this runs with the land or petitioner. Planner Zubko stated the land unless stated in the ordinance. He also stated having a weigh restriction is silly on an 80,000 pound road. He will mention this to Gary Grosskopf so we can maybe take that condition off.

With no further comments Megan Andrews made a motion, seconded by Aaron Rybski to approve the special use and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

**#14-40 Subdivision Control Regulations- Letters of Credit**
Planner Zubko stated in trying to clean up some items the PBZ Department discovered in our revisions to the subdivision control regulations in 2011 we changed the language to only allow letters of credit. Per the County Code (55 ILCS 5/5-1123 and 55 ILCS 5/5-1041) as well as the Public Construction Bond Act (30 ILCS 550/3) we must accept bonds as well as letters of credit. This language will clean this item up for future subdivisions. The SAO has also looked over the language.

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

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**
14-35 Daron & Kimberly Spicher- Approved by the Plattville Board on 12.15.14
14-33 Bee Keeping- On the PBZ agenda for 1.12.15
14-37 Home Occupations- Landscape Businesses- On the PBZ agenda for 1.12.15

**PUBLIC COMMENT**
There were no comments.

**OLD BUSINESS**
None

**NEW BUSINESS**
Approval of 2015 meeting dates and changing meetings to Tuesday- Brian Japh made a motion to approve the meeting dates and day change, Aaron Rybski seconded the motion. All were in favor and the motion carried.

**AJOURNMENT**
Next meeting on February 3, 2015
With no further business to discuss Fran Klaas made a motion, seconded by Brian Jahp to adjourn the meeting at 9:24 a.m. The motion carried.

Submitted by,
Angela L. Zubko
Planning & Zoning Manager
Chairman Bill Ashton called the meeting to order at 7:02 pm.

ROLL CALL
Members Present: Chair Bill Ashton, Roger Bledsoe, Tom Casey, Larry Nelson, Vern Poppen and Others present: Planning & Zoning Manager Angela Zubko
Members Absent: Brian Leonard, Claire Wilson, Budd Wormley & 2 vacancies (Oswego Township & Big Grove Township)
In the Audience: Daron Spicher and County Board Member Matt Prochaska

APPROVAL OF AGENDA
Larry Nelson a motion to approve the agenda as written. Tom Casey seconded the motion. All were in favor and the agenda was approved.

APPROVAL OF MINUTES
Tom Casey made a motion to approve the minutes from September 24, 2014 meeting, Larry Nelson seconded the motion. All were in favor and the minutes were approved.

PETITIONS
#14-35 Daron & Kimberly Spicher
Planner Angela Zubko did an overview of the request stating the property is located on the south side of Plattville Road, about 0.3 miles east of Ashley Road. The petitioners are looking to rezone 3 of their 10 acre property from A-1 agricultural to R-1 Single family. The petitioners have indicated they intend to construct a single-family dwelling unit on the 3 acre parcel if the map amendment request is approved. This property is in the Village of Plattville so it goes through our 3 meetings and then onto the Plattville Board instead of our County Board. The township is deciding if they would like to discuss this matter since it’s a county roadway and in the Village of Plattville. There are no endangered species on the property. Also an access variance was granted by the County Highway Committee and they will use the existing access that was built a few years ago to access a barn and alfalfa field. The ZPAC Committee recommended approval.

Staff would recommend approval of the requested Map Amendment to rezone 3 acres of a 10 acre parcel from A-1 (Agricultural) to R-1 (One-Family Residence District) to build a home on their property.
Mr. Nelson asked about the comp plan of Plattville. Planner Zubko stated they do and it calls for residential.

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

**#14-33 Bee Keeping**

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

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

Roger Bledsoe stated by coincidence he ran into a beekeeper in the Pullman district and him and his next door neighbor have 4 and 6 hives which their lots being 26' wide and 19' wide respectively and have only had one complaint over the years. You have to leave about 60 lbs. of honey over the winter, you need about 4 hives for an individual family to make it worthwhile to keep the bees. Bees like to stay within a ¼ mile radius and up to 4 miles but prefer to stay close.

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

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

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

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

The ZPAC Committee recommended approval with no changes.
There was discussion to allow this as a conditional use in the ag district but not allow it as a home occupation in residential district. If they have more than 2 employees they would need to seek a special use and meet the requirements. There was discussion on if someone brings back 2 lawn mowers is that a home occupation? Would they be in violation? We discussed adding a definition of landscape business’. Maybe to include skid loaders, back hoes, lawn installation, excluding lawn mowing and lawn maintenance. The Commission would like to add a definition of landscape business. A home occupation in the residential district if a small business. The plan is to re-work this text amendment and bring it back to the Plan Commission.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
14-26 Critter Care- Passed on 10.21.14
14-28 Hively Landscaping- Withdrew petition due to Plainfield denying the request and surrounding property owners concerns
14-25 Medical Cannabis Distribution Center- Approved on 11.18.14 (manufacturing districts- special use)

CITIZENS TO BE HEARD/ PUBLIC COMMENT- None

NEW BUSINESS
Approval of the 2015 meeting calendar- We need to add Feb. 7th annual meeting 9am. Larry Nelson made a motion to approve the meeting dates with the one correction, Vern Poppen seconded the motion. All were in favor and the meeting calendar was approved.

OLD BUSINESS
Update on developer meeting on 10.22.14- Planner Zubko stated in the packet were the meeting minutes from the special ad-hoc meeting. The plan was to discuss needed changes in the Zoning Ordinance but it really turned into a discussion on economic development and how important bringing businesses and transportation to the community. Mr. Nelson stated people around us are going to beat us up with enterprise zones, we'll be the hole in the donut. We should worry about jobs and not just retail, anywhere in Kendall County.

Matt Prochaska stated Oswego are looking at having an economic commission.

ADJOURNMENT
The next meeting will be on January 28, 2015. Larry Nelson made a motion to adjourn the meeting, Vern Poppen seconded the motion. All were in favor and the meeting was adjourned at 8:01 p.m.

Submitted by,
Angela L. Zubko, Planning & Zoning Manager
ROLL CALL
Members Present: Chair Bill Ashton, Roger Bledsoe, Tom Casey, Claire Wilson and Budd Wormley
Others present: Planning & Zoning Manager Angela Zubko
Members Absent: Brian Leonard, Larry Nelson, Vern Poppen & 2 vacancies (Oswego Township & Big Grove Township)
In the Audience: Frank Johnson, John Gallo, C.W. & Brenda Dickey, Andrew Sybert, David Dickinson, William Richards, Patti Kraus, Ron Bochenek, Ingrid Dickinson, John Ryan, Bob Moser, Janet Porter & Tom Rohrbacher

APPROVAL OF AGENDA
Budd Wormley a motion to approve the agenda as written. Tom Casey seconded the motion. All were in favor and the agenda was approved

APPROVAL OF MINUTES
Claire Wilson stated 2nd page under beekeeping stated is the word. Claire Wilson made a motion to approve the minutes from December 3, 2014 meeting with one correction, Budd Wormley seconded the motion. All were in favor and the minutes were approved.

PETITIONS
#14-39 River’s Edge Fellowship
Planner Zubko stated the River’s Edge Fellowship is requesting approval of a B-3 special use permit for a place of worship and other related uses. This would be located between the Dollar General and the liquor store in the Boulder Hill Marketplace on Boulder Hill Pass just east of Route 25. They would be operating out of a 4,800 square foot location in the strip mall. The parking lot already exists and should be sufficient for the uses in the complex and the use would fit in with the uses in the area. River’s Edge currently holds Sunday services at 9:30am and Wednesday Bible Studies at 6:30pm. They are a congregation of approximately fifty people with the desire to grow to a maximum of one hundred people. They also do limited community outreach events such as feeding the poor and needy, supporting other local ministries, partnering with other area churches for broader outreach and service events and in the future possibly host a Boulder Hill food pantry as well as a safe haven for transients during the day. Staff recommends approval of the special use and to add one condition onto the approving ordinance which is that the special use runs with the tenant and not with the land.
The ZPAC Committee had no objections and recommended approval. This is the same location where the YARN Foundation was but that also ran with the tenant so once they left the special use left.

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

Roger Bledsoe asked if there is a conflict with a liquor store next to a church. Planner Zubko stated the liquor store rents along with this church will be renting so the owners are the same of the building so the owner would be objecting to himself.

Claire Wilson asked if the Health Department reviewed this and Planner Zubko stated yes but they are not on well and septic and the appropriate number of bathrooms was installed with the YARN Foundation.

Claire Wilson made a motion to approve the special use with staff’s one condition, Tom Casey seconded the motion. With a roll call vote all were in favor and this will move onto the next SUHO meeting next Monday.

**#14-42 Sybert Landscaping**

Planner Zubko stated Sybert Landscaping is requesting approval of an A-1 special use permit to operate a landscape business with outdoor storage of vehicles, equipment and bulk materials associated with a landscape business. The applicant will be living in the house on the property. This property is for sale right now and the sale is contingent on the zoning. The property is located at 655 Woolley Road and is on the north side of Woolley Road, 0.15 miles west of Stewart Road. All the buildings exist and they do not plan on any new structures or buildings; they did get approval from the township in November as the petitioner needed permission from the road commission to have this type of business on a minor roadway. The township road commission recommended approval for the petitioners to apply with three conditions: no retail sales allowed on site, no vehicle with GVWR over 36,000 lbs. & no loading or landscape equipment between the hours of 9pm to 6am. The township does not need to hear the petition again so they’re all set with the township. During ZPAC it was asked why the township put a weight restriction since all roadways have a limit of 80,000 lbs so they deleted that condition. Sybert landscaping is a small family-owned and operated lawn care and landscaping company with no retail service nor does it meet with its customers at its location. The business currently operates out of Romeoville, Illinois. The applicant’s parents started the company in 1979 and the applicant is the manager of the business. They employ about 6 employees including the applicant, two foremen and three laborers. The crews all ride together in two vehicles to work every day. The work force arrives at 7am; load company trucks and disperse to job sites returning at the end of the day. The hours of operation are from 7am to 5:30pm Monday through Friday with an occasional Saturday. They operate from mid April through mid November doing lawn service and then from November through March the trucks are placed offsite and stored on their snow plot lots. There is plenty of room on the north side of the lot for parking and storage of vehicles. They also propose a 6’ fence to enclose all the equipment and a 6’ berm by the landscape materials. The water all drains west so this shouldn’t be an issue. The petitioner does proposed to haul away their landscape waste but we did put a condition if they do bring waste back to the site they can only have a limit of 5 semi loads. Staff will place a condition that no landscape waste generated off the property
can be burned on this site. The petitioners have stated the main route to their clients will be east on Woolley Road, South on Stewart Road, east on West 119th Street to reach Route 30. This would be the main route in and out of this location to reduce the amount of traffic. No signage is proposed at this time, if they would like to have a sign they would need to comply with Section 12 of the Zoning Ordinance and apply for a building permit. The property currently has an access point off of Woolley Road which would remain the same. Staff would recommend approval and the following conditions be placed on the special use, if approved:

1. No landscape waste generated off the property can be burned on this site.
2. No loading or unloading of landscape equipment between the hours of 9am and 6am.
3. No retail sales/business allowed on site.
4. Restrict the amount of landscape waste that could be imported and stored on site at any one time to 5 semi loads.
5. The fence and berm must be installed within 6 months of the approval date of the special use.

Claire Wilson asked if this is an additional site or if they are completely moving from Romeoville to this site.

John Gallo introduced himself and Andy Sybert. Mr. Gallo stated they are moving the materials and equipment from Romeoville to this site but the office will be run out of his parents’ home in Romeoville. The mother owns the business and does all the billing. Ms. Wilson asked about the amusement and outdoor storage and if that still exists. The Petitioner stated they would be selling the property to his client and wife and whatever exists out there will be removed.

Mr. Gallo wanted to clarify his client is Sybert and not Siebert Landscaping. This is a much smaller landscaping company then Siebert which most people have heard of.

Planner Zubko asked why they requested a berm instead of a fence. The Gallo’s said they felt it would look nicer but are fine with either.

Tom Rohrbacher (did not sign in) asked if the current owner had a special use to run that on that property. Planner Zubko stated they did not have a special use and the only way we would know they were running a business is if a neighbor filed a complaint with the County. He then asked who would be watching the 5 truck load limit. Planner Zubko stated obviously everyone in the audience and herself. He stated when he moved here 33 years ago it was all horse property so rezoning this property then everyone can run a business over there. Planner Zubko stated the zoning is not changing, they are requesting a special use in the A-1 Agricultural district which only certain special uses are permitted to be requested. His main concern is the dumping of the waste and rodents. He lives next door to Tom Yackley and he is friends with the road commission and permitted dumping waste in the back of his yard. Once they started dumping waste there were rodents, as soon as they stopped dumping the rodents were gone.

David Dickenson’s concerns were this landscape business will go into the center of a horse community, storing landscaping waste on site causing rodents. Also the back of this property is a neighborhood where the landscape waste will be stored. There are homes all around this location. Woolley and Stewart Road are busy roads and worried about backing up traffic with the trucks. He is
worried about fuel storage and possible fires from the storage of materials. There are no fire hydrants in the area. The business will increase the fire risk in the area. He asked about vehicle maintenance and if that would be completed on site. Pollution also is a concern and the traffic. Also this is a dirt lot so worried about dust pollution. There will be no restrooms on site, what will they do. The petitioner is interested in large trucks so worried this could become a different type of business. He is not in favor of this type of business.

Janet Porter lives about 100 feet north of the property. She is highly opposed to this petition. She passed around some pictures of what she can see from her house. She stated the business is closer to other homes then their own home. She has the same concerns from the others that have talked, worried about the 5 semi-loads (the size of this room), the smell, property values, insects, chemicals and rodents. She read from the business website and stated they spray for weeds and grass clippings. The business does work for IDOT and vacant properties in Romeoville. She is worried about wood chipping on site. The website also talks about expanding their business and clearly leaving Romeoville due to the size of their business. She is afraid this property will entirely be used for the business someday. Property values and tax revenue will decrease.

Bob Moser lives next door and is against this landscape company. He stated the berm and fence will not keep out rodents and smell, he is downwind of the property. Runoff water might not come off the property to his but will affect his neighbor who floods. He would like a taller fence, 6' is not going to shield anything. He’s worried about truck noise and stated this is a horse community. He’s opposed to a business being run out of there.

William Richards is worried where the waste is coming from. Is it from within the county or out of county and who are they going to dispose of it once it’s on the property. He read from the IL Statutes, Public Act 92574 (effective 6/26/02), 93.179 (effective 7/11/03) & 415ILCS5/3.115 regarding air pollution. (Sec. 3.115. Air pollution. "Air pollution" is the presence in the atmosphere of one or more contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.) He has asthma and emphysema and concerned how they will dispose of the waste. He stated this is a residential area that have high property values and not a business district. He is opposed to the business.

John Ryan lives west of the property, his wife and him are concerned about the landscape waste stored on the property. His neighbor has a ephemeral pond which is what feeds the aquifers and is concerned about the landscape waste run off into the pond. Also they would not want a berm as that would cause more water run-off. He stated the pond is the dark area on the aerial. The business would be quite close to the pond.

Patti Kraus is directly north and agrees with what everyone says. She’s also worried about water run-off and it could affect the goats and sheep next door including water in her backyard. She questioned the process. Planner Zubko explained the 5 committees this petition goes to before it goes to the full County Board, there are 4 recommending committees before the full County Board.
Ron Bochenek owns the land east of this property. His main concern is smell of the waste, pesticides or fertilizers stored on this property that could seep into the groundwater. He opposes this petition.

John Gallo stated obviously there were a lot of concerns, this is A-1 zoning, not a residential zoning. If he wanted to he could buy the property and put a pig farm on the property which is permitted. He will live on the property and wants to be a good neighbor. The whole drive-way is asphalt, not a dirt road, the back area is dirt. Looking at the surrounding map looks like the property to the east has tow trucks and storing vehicles which leads him to believe there is a business there, behind is a landscape business and west is a horse farm. He feels this use is consistent and will fit in the area. Andrew Sybert wanted to address the issue with landscape waste, it is coming from their commercial accounts and unloads the waste the next day, 2-3 yards at a time and load it the following business day. They do not store on site. He also does not like the smell of landscape waste and Andrew also has asthma so does not like to store anything on site. The farm across the road uses more pesticides then they do, Sybert landscaping does not apply pesticides besides weed control and that’s with a 3 gallon backpack and that’s it. They try to be green and not use pesticides. Mud was brought up, it is currently a dirt field, there will be a gravel pad put down and a detention pond added to help filter the water. He’s looking at a 6’ tall wooden fence. He will be minimizing lawn waste as he does not want it on site either. They mow a lot of residential sites and IDOT sites but leave the grass clippings on site.

Roger Bledsoe asked about equipment and vehicle maintenance. Mr. Sybert stated they do change oil on site but no repair work. Tom Casey asked how the landscape waste comes in. Mr. Sybert stated sometimes it's loosely filled in the trucks covered or in bags. Bill Ashton stated they will have no more than 1 days waste on the site. Mr. Sybert stated typically the crew recycles the waste on the way back to the site. No yard waste will be dumped on the site. The waste is always held in the truck beds. The only exception is if it rains they may hold it onsite for a day due to weight limits. Claire asked if the trucks could be stored in the buildings. The petitioner stated the buildings are for personal use only and didn’t plan to use the buildings for the business. Ms. Wilson asked what will be stored on site. Mr. Sybert stated 4 trucks will be stored outside, 2 enclosed trailers, 1 flatbed trailers and bulk storage. Mulch will be delivered and gone in a week, there will be gravel, sand and brick pavers. The petitioner is fine with 1 semi-load instead of 5 and no longer than a week. Ms. Wilson asked for clarification of the site plan. Mr. Sybert said he needs to now look at how the water flows on this property and would like to add gravel in the back dirt area to store the vehicles. Planner Zubko asked if they are opposed to a taller fence, the petitioner stated no but would need more time to install a taller fence. Mr. Wormley asked about the quantities of materials, Mr. Sybert stated the quantities are quite small for storage of materials.

John Ryan lives west. All the backs of the properties are affected from the ephemeral pond, there’s no perimeter. She’s worried about the changing the backyard of 655 Woolley Road it could move the ‘pond’ over. Also she’s worried more water will be added to her property.

Janet Porter stated her garage is close to the property line, approximately 10’ and worried about the re-grading and water runoff affecting her current garage.
Claire asked about the detention pond. Mr. Sybert stated there are dips in the back currently. He would like to look at the site more and could put in plantings or detention pond to help clean the area. He states as long as the property lines are not changing the run-off will not change in the area. He is not exactly sure where a pond will be installed but would like to find the best place and help eliminate the water concerns.

Claire Wilson is concerned about drainage off of this property and would be happier if she knew where the pond is going and the grading of the property. She is of the opinion the waste issue has been taken care of since it won’t really be stored on site and in the bed of the trucks. She thinks the repairs have been adequately addressed. She asked about the bathroom issue. Planner Zubko stated she just wanted to clarify the petitioners are not required to put in a pond.

Mr. Siebert stated the employees will have access to his personal bathrooms in his house but typically they stop at a gas station to fill up and use their facilities. Ms. Wilson asked about fuel storage. She asked if he would object to no on site storage of fuel. He stated yes as the farmers in the area have them. Ms. Wilson asked if they had an objection to doing some type of hydrology study or plan where the retention would be on the site. He stated he would have to talk to the SWCD.

Bob Moser has lived there 50 years, he asked the petitioner what he going to do with the big rains. The committee stated he would flood just like everyone else. There was more discussion on water. Mr. Wormley asked if the nursery sold on site. Mr. Moser stated he used to grow trees and sell but they never cut grass. Mr. Wormley stated he’s having an issue since there is a very similar use contiguous to this property.

Tom Rohrbacher is wondering if Mr. Ashton is interested in what everyone is saying. Mr. Ashton stated he is listening to what the people are saying.

Mr. Siebert stated he can take the berm out since its causing an issue he can leave it as a fence. Mr. Casey stated he’s probably more qualified to deal with landscape issues then people that cut their own grass and has a degree in horticulture and sounds like he’d be a good neighbor. Mr. Casey likes a pond with an ecosystem and that could help the area.

William Richards read the public health ordinance about water and worried about mosquitoes, etc. He stated there is no room for a pond in the back of his property. Planner Zubko stated once again he’s not required to put in a pond but was doing it out of good will to help the neighbors and address their concerns. Mr. Gallo stated they can eliminate the pond. Claire asked Mr. Richards about the amusement rides with regards to noise. Mr. Richards stated nothing was used on site, just stored.

Bill Dickey stated this property is owned by his parents. The house was bought in 1972 as a business. The neighborhood has changed and there are businesses out there now. He stated the ephemeral pond is a breeding ground for mosquitoes now. He thinks this would be a great neighbor.

Claire stated there is a lot of contention and hostility and understands this property is zoned A-1 agricultural. He could have a lot worse uses then what he’s proposing. She would like to see the petitioner address drainage concerns and his plans. She thinks the site is tight for a retention pond.
and would like to see more on drainage. Mr. Gallo stated they won’t do the retention pond and thought it would be a benefit but the neighbors seem to not want one. They are under time pressure so would not like this petition continued at this time. The water will continue to flow northwest to the pond which is where it flows currently.

Tom Casey made a motion to approve the special use changing the one condition from 5 to 1 semi-load to be gone in a week and no berm but a fence, Roger Bledsoe seconded the motion. With a roll call vote of 2-3 the committee’s recommendation was denial.

Casey- Yes
Bledsoe- Yes
Wormley- No
Ashton- No
Wilson- No

This will move onto the SUHO meeting next Monday. The 3 no votes were due to drainage issues, concerns about overland drainage and grading are still concerns. Also the use as described is too intense for a 3 acre lot. This was a private airstrip at one time and the Pheasant Drive homes are what caused the water issues. He has mixed feelings since there is a nursery nearby but feels this is too intense. The last no vote agrees with the others and maybe the trend is becoming more business like it would be more suited as a one or two employee operation and not this type of use in a quisi-residential area, it’s too intense and there could be traffic issues.

We took a 5 minute break.

#14-40 Subdivision Control Regulations- Letters of Credit
Planner Zubko stated in trying to clean up some items the PBZ Department discovered in our revisions to the subdivision control regulations in 2011 we changed the language to only allow letters of credit. Per the County Code (55 ILCS 5/5-1123 and 55 ILCS 5/5-1041) as well as the Public Construction Bond Act (30 ILCS 550/3) we must accept bonds as well as letters of credit. This language will clean this item up for future subdivisions. The SAO has also looked over the language.

Claire Wilson made a motion to approve the text as presented, Tom Casey seconded the motion. With a roll call vote all were in favor and this will be moved onto the next ZBA meeting.

#14-37 Home Occupations- Landscape Business
Planner Angela Zubko stated this was discussed last month and made the changes recommended to allow small operations. She added two definitions to allow lawn mowing. Claire Wilson felt the wording was a little funny so proposed that stables and Undertaking is a separate sentence

Tom Casey made a motion with Claire’s recommendations, Budd Wormley seconded the motion. With a roll call vote all were in favor and this will be moved onto the next ZBA meeting.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
14-35 Daron & Kimberly Spicher- Approved by the Plattville Board on 12.15.14
14-33 Bee Keeping- On the PBZ agenda for 1.12.15

CITIZENS TO BE HEARD/ PUBLIC COMMENT- None

NEW BUSINESS/ OLD BUSINESS
None

ADJOURNMENT
Next scheduled meeting on SATURDAY, February 7, 2015 (ANNUAL MEETING- 9AM) and our next regularly scheduled meeting on Wednesday, February 25, 2015. Claire Wilson made a motion to adjourn the meeting, Roger Bledsoe seconded the motion. All were in favor and the meeting was adjourned at 8:53 p.m.

Submitted by,
Angela L. Zubko, Planning & Zoning Manager
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
April 27, 2015 – 7:00 p.m.

CALL TO ORDER
At 7:00 p.m., Chairman Randy Mohr called the Zoning Board of Appeals meeting to order.

ROLL CALL
Members present: Randy Mohr (Chairman), Scott Cherry, Karen Clementi, Tom LeCuyer, Donna McKay (Vice-Chair) and Dick Thompson
Also present was: Planning & Zoning Manager- Angela Zubko & Mike Hoffman-Teska & Associates
Absent: Dick Whitfield
In the audience: Greg Witek, Rob Kail & Greg and Nancy Austin

A quorum was present to conduct business.

MINUTES
Karen Clementi motioned to approve the January 5, 2015 ZBA meeting minutes as written. Dick Thompson seconded the motion. All were in favor and minutes were approved.

Chairman Mohr swore in anyone interested in talking at this meeting.

PETITIONS
#15-04 Greg Witek
Planner Zubko stated the property is located at 7196 Whitfield Road in the Village of Millbrook. The petitioner is requesting a variance to construct a detached garage that will be located in the 150’ front yard setback from the centerline of the roadway. The structure is proposed to be located 50’ from the centerline of the roadway (15’ from the right-of-way) requesting a 100’ variance. The reason he is requesting the variance is the steep slopes down to the river and floodplain. The other structures in the area are close as well. Planner Zubko has talked to the township and they were comfortable to allow the structure to match the northern property which is 30’ from the right-of-way (65’ from the centerline of the roadway). This will be moved onto the Village of Millbrook’s Board tomorrow night for final approval.

Chairman Mohr asked if another road cut will be requested. Planner Zubko stated no, they will use the existing road cuts. There was brief discussion on the other structures in the area and their distances.

Chairman Mohr opened the meeting for public testimony.

Greg Witek introduced himself and is available for questions. There was some discussion on the topography of the site. The petitioner stated he thinks the drop off from the centerline of the roadway to the river is about 90’.

With no further testimony made, Chairman Mohr closed the testimony.

The Findings of Fact were reviewed for a variance, they were approved as follows:
That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The property is heavily wooded and has a steep slope down to the river. The closer to the roadway the flatter the property is.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Many A-1 properties have structures that are closer than the minimum 150’ setback including this home on the property. This property is more unique in that the steep topography on this property down to the river.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The hardship of mature oak trees and the topography has always existed on this site. The petitioner did not create this lot.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The closest neighbors are over 400’ away and should not affect surrounding property owners.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. They will use the existing driveway and the closest neighbors are over 400’ away. This variation will not impair light or air to adjacent properties.

With no further discussion Tom Lecuyer made a motion, seconded by Donna McKay to approve the findings of fact and approve the variance of 65’ from the centerline of the roadway. With a roll call vote of 6-0 were in favor and the variance was approved.

**#15-06 Village of Millbrook/Keller**

Planner Zubko stated this is located at 19 Sherman Street, the petitioner is the Village of Millbrook with the County. Back in 2008 the Village rezoned this parcel but it didn’t go through our zoning process. The intergovernmental agreement was in effect at the time so they should have so this is corrected any errors made. This was discovered as this property is for sale and is contingent on rezoning of the property. They’re looking to rezone 0.22 acres of their 0.46 acre parcel from R-3 (Residential) to M-1 (Manufacturing District) to match the existing zoning on the property. There already is a building that exists on the M-1 side so looking to expand the zoning for the whole parcel across the vacated alley. They would like the whole parcel to be M-1.

There was some discussion on what is permitted in the M-1 district and possible future uses of this building. There was discussion and a lot of concern of the type of uses in the M-1 district and possibly a commercial district would be better suited there.

Plan Commission approved the M-1 zoning with caution that the Village of Millbrook examine what is permitted in the M-1 district and possibly revise text to make sure there are no undesirable effects.

There was a brief discussion on what Millbrook would like and why staff did not make a recommendation. Planner Zubko stated since this was approved before she didn’t want to make a recommendation and their comprehensive plan was drafted in 2009, after this rezoning and it reflects this property being residential and not business or manufacturing. Planner Zubko also explained the process since it’s in the Village of Millbrook.
and we do all their zoning and building permits. She also explained the 1974 Countywide Zoning and suggests maybe doing a Village wide rezoning to match what’s existing and what they’d like in the future. If they proceed they would need to go through this process.

Chairman Mohr opened the meeting for public testimony.

Bob Kaho lives northwest of this structure. This used to be the township building and used to be a storage building. He stated painting businesses can be in that zoning district. What type of signage will this use allow? He’s also worried about the septic field and well. It does not suit this area to have a body shop. He’s worried about the air quality and smell and if it will affect the property values.

Jackie Kowalski, Village President thanked Mr. Kaho for coming. This is new to them as well and that’s why she is in attendance to hear the comments. Mr. Mohr suggested Mr. Kaho attend the Village Board Meeting. There was discussion about the comprehensive plan and current zoning.

With no further testimony made, Chairman Mohr closed the testimony.

Ms. Clementi asked is there a way to not vote on this project till we hear from the Village and the residents? Planner Zubko stated no as the petition is before us.

The Findings of Fact were reviewed for a rezoning, they were approved as follows:

Existing uses of property within the general area of the property in question. About half the property is already zoned M-1 and the other portion is zoned R-3. A house could not be built on that property and most of it is actually a vacated alley. The uses within the general area are mixed with some residential homes and the fire station adjacent to this site.

The Zoning classification of property within the general area of the property in question. The zoning classifications within the general area are single family residential and businesses.

The suitability of the property in question for the uses permitted under the existing zoning classification. The petitioners would like to rezone part of their property to M-1 to match the other zoning on this lot. This lot would be too small to do most of the activities permitted in the M-1 district but still allow smaller, less intense uses.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in that area is residential mixed with businesses. Since this lot is smaller that will determine what type of uses the lot can handle therefore it would most likely have to be a less intense type of use.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Rezoning this lot to Manufacturing is not consistent with the

Zoning Board of Appeals 4.27.15 Page 3
Village of Millbrook’s plan from 2009 but this property was rezoned before they adopted their future land use plan.

With no further discussion Karen Clementi made a motion, seconded by Scott Cherry to approve the findings of fact. With a roll call vote 6-0 in favor the findings of fact were approved.

Karen Clementi made a motion to approve the rezoning, Scott Cherry seconded it. Ms. McKay feels their job is to get it cleaned up and would like to see the town rezoned to match what exists. Mr. Lecuyer stated if they wanted to follow their comprehensive plan now is the time. With a vote of 5-1 the Zoning Board of Appeals approved the rezoning. This will be moved onto Millbrook tomorrow night. The one no vote, Karen Clementi voted no in hopes the Village of Millbrook look at their zoning and comprehensive plan.

#15-01 Nancy Austin
Planner Zubko stated Nancy Austin is requesting to rezone about 3 acres of the 6.4 acre property located on the east side of Ashley Road, about 300 feet south of Plattville Road in order to build a house. Currently 1.82 acres on the west side is unincorporated and 4.63 acres on the east side is incorporated into Plattville. Plattville plans to annex a majority of the property so the whole parcel will be located in Plattville. There is a court case that allows municipalities to annex to a certain distance of the roadway without taking ownership. Once we figure out that number, 20 or 30 feet from the right of way the legals and plat will be drawn up and then taken to Plattville for final approval. The comprehensive plan shows this property to be agricultural so staff could not approve rezoning in un-incorporated Kendall County. The Plattville comprehensive plan calls for this property to be residential. She also stated they’re looking to build 1 house at this time but could in the future could rezone the eastern portion to R-1 also in the Village of Plattville and have access off Plattville Road. Staff recommends approval of the rezoning.

The ZPAC Committee had no objections and recommended approval. They had the same basic concerns, needing a building and well and septic permit; also approval from the township for a culvert. The Plan Commission recommended approval understanding the plan.

Chairman Mohr opened the meeting for public testimony.

Nancy Austin introduced herself and was here for questions. There was discussion on what’s annexed now verse what is not annexed and exactly what the plan is. Ms. Austin stated she is looking to rezone to build 1 home and leave the rest of the property agricultural.

There was lots of discussion on how the lots work, what is annexed and not annexed and the next steps and the fact where the home will be is to be located in the Village of Plattville.

With no further testimony made, Chairman Mohr closed the testimony.

The Findings of Fact were reviewed for a rezoning, they were approved as follows:

Existing uses of property within the general area of the property in question. The existing uses of property within the area of this property are a single family home and agricultural farm land which would be consistent with this request.

The Zoning classification of property within the general area of the property in question. The zoning classifications within the general area are currently A-1 and R-1 with farms and farmhouses.
The suitability of the property in question for the uses permitted under the existing zoning classification. The petitioners would like to rezone part of their property to R-1 in order to build a house. The property must be rezoned to build a home.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in that area is agricultural with residential houses. The rezoning to R-1 should have little impact on further development with the area as it would be consistent with surrounding area and the Village of Plattville's future plan.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Adding a residential home in the area is consistent with the area in Plattville.

With no further discussion Tom Lecuyer made a motion, seconded by Karen Clementi to approve the findings of fact and approve the rezoning. With a roll call vote of 6-0 were in favor and the rezoning was approved.

#14-40 Subdivision Control Regulations- Letters of Credit
Planner Zubko stated in trying to clean up some items the PBZ Department discovered in our revisions to the subdivision control regulations in 2011 we changed the language to only allow letters of credit. Per the County Code (55 ILCS 5/5-1123 and 55 ILCS 5/5-1041) as well as the Public Construction Bond Act (30 ILCS 550/3) we must accept bonds as well as letters of credit. This language will clean this item up for future subdivisions. The SAO has also looked over the language. All the committees have approved this text amendment.

Donna McKay made a motion to approve the text as presented, Scott Cherry seconded the motion. With a roll call vote all were in favor and this will be moved onto the next PBZ meeting.

#14-37 Home Occupations- Landscape Business
Planner Angela Zubko stated the PBZ staff has had some issues of having landscape businesses in residential districts and operating as a home occupation. She currently only knows of 2 operating legally with a home occupation so those would be grandfathered in. Planner Zubko has added two definitions to allow landscape business verse a landscape business for lawn care only. So anyone cutting their neighbors lawn will not be in violation. All the committees have approved this text amendment and Plan Commission made some changes to this.

Donna McKay asked about snow removal as there are many people in the County who have plows on their trucks. This was briefly discussed and decided snow removal is different than a landscape business.

Donna McKay made a motion with Claire’s recommendations, Scott Cherry seconded the motion. With a roll call vote all were in favor and this will be moved onto the next PBZ meeting.
REVIEW PBZ APPROVALS BY COUNTY BOARD & CHANGES
None- just variances in January

NEW BUSINESS/OLD BUSINESS —
Randy Mohr thanked Planner Zubko in all her efforts, all others did as well.

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

ADJOURNMENT OF THE ZONING BOARD OF APPEALS— Next meeting will be on June 1, 2015
Tom LeCuyer made a motion to adjourn the ZBA meeting, Donna McKay seconded the motion. Chairman Randy Mohr adjourned the Zoning Board of Appeals meeting at 7:57 p.m.

Respectfully Submitted,
Angela L. Zubko
Planning & Zoning Manager & Recording Secretary
To:    Ad-Hoc Zoning Committee
From:  Jerry A. Dudgeon, Director
Date:  May 19, 2010
Re:    Zoning Process – Preliminary Thoughts and Ideas

Different committees, attorneys and Board members have mentioned that in their opinion the county's current zoning petition process is too long and should be shortened. In general the petitions we handle include zoning map amendments (re zoning cases), zoning text amendments, variances, subdivision plats, new requests for Special Use approvals and Conditional Uses for A-1 single family building permits. With the exception of variance requests, most of these petitions take 4-6 months to process with 2 separate publications to the surrounding property owners and 2 separate publications within the newspaper. Most municipalities and other surrounding Counties take 3-4 months.

Last month we presented some preliminary information related to our processes for zoning map amendments (re zoning cases), zoning text amendments, variances, requests for Special Uses and major amendments to Special Uses and provided verbal comments on the Conditional Uses for A-1 single family building permits to the PBZ Committee. We will bring our ideas for the subdivision review process back as a separate item in conjunction with our ideas for updating the subdivision regulations. Based on the material presented, the committee asked us to re-organize the information to make it specific to each of the processes presented for discussion. After receiving the information, the Committee directed us to send the materials to Ad-Hoc for review and comment. The following represents our attempt to reorganize the information for each petition type showing the steps involved in our current process, the minimum steps required per the state statutes and possible options for revising our current processes.

**ZONING MAP AMENDMENTS (re zoning requests):**

Under our current process, PBZ staff typically holds a pre-application meeting with prospective applicants to supply them with initial feedback concerning their request and to preliminarily identify key issues they will need to address in order for us to support the requested action; to inform them of the steps in the process and their various obligations and responsibilities; and to provide them with information regarding all of the information they will need to supply as part of their application packet.

Once the application is received and has been determined to be complete, the matter is scheduled for review by the ZPAC committee. ZPAC is comprised of staff representatives from PBZ, County Highway, the Sheriff's office, Health Department, Fire Protection Districts, Soil and Water Conservation District, PBZ Chair, Forest Preserve staff and our engineer if needed. Review comments from this group are used to provide the applicant with direction on how the proposal may need to be revised in order to comply with the county's various rules and regulations and serves to identify issues that the applicant will need to address before
proceeding to, review, hearing and recommendation by the County's other standing committee's leading up to final action by the County Board. The next step in the process is review by the Regional Plan Commission. The Plan Commission By-laws require any matters going to them for review be noticed in a paper of general circulation along with notices to surrounding property owners. The notices must be sent and published not more than 30 days nor less than 15 days prior to the meeting. As previously mentioned, it is our understanding this step was added in an effort to allow members of the public to learn about development proposals in advance of the formal public hearings conducted by the ZBA. We also request that the applicant solicit information from the plan commission of the township on which the property is located (if one exists) and any municipality within 1.5 miles of the proposed project. This allows for staff and Plan Commission to be alerted early on in the process to any possible objections that might be filed.

Following review and recommendation by the Plan Commission, the matter is then forwarded to the ZBA for review and conduct of the formal public hearing as required by the state statutes and conduct of the findings of fact. Again, notices must be sent and published not more than 30 days nor less than 15 days prior to the meeting. After hearing the matter and listening to all public testimony supplied, the ZBA is required to provide its findings of fact and to supply a recommendation on each of these matters to the County Board for final action.

Following the hearing, the matter is forwarded to the PBZ Committee who reviews the recommendations received from KCRPC and the ZBA and may either forward the recommendation as received to the full County Board for action or may recommend approval with modifications. The PBZ meeting typically occurs two weeks after the ZBA hearing.

After review by PBZ, the recommendation is forwarded on to the full County Board for approval the week following the PBZ meeting. If the Board recommends approval, an ordinance rezoning the property is adopted and placed on file with the County Clerk. If the Board approves the recommendation, an ordinance granting the request is adopted.

The following flow chart lays out the various steps in the review of a map amendment under our current process:

**CURRENT KENDALL COUNTY PROCESS**

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Pre-App Meeting -> Submit Application JANUARY -> ZPAC Meeting FEBRUARY -> Plan Commission MARCH -> ZBA Meeting APRIL -> PBZ Meeting MAY -> County Board MAY

Township Meeting

1.5 Mile jurisdictional review
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**MINIMUM STATUTORY PROCESS**

In developing preliminary ideas for streamlining our current process, staff reviewed the state statutes to verify the minimum statutory requirements. The statutes currently provide that the County Board may establish a Zoning Board of Appeals consisting of not less than five (5) members or not more than seven (7) members. By statute, all requests for map amendments require a public hearing to be conducted by the ZBA before the County Board can take action. The ZBA is required to conduct the formal public hearing, listen to all testimony and makes a formal finding of fact and recommendation which are then forwarded to the full County Board for
action. Per the statutes notice of the hearing must be published in a paper of general circulation at least 15 days prior to the hearing. The hearing shall be conducted in the township or road district of the affected property or at the County Courthouse or other county building having adequate facilities. After hearing the matter and listening to all public testimony supplied, the ZBA is required to provide its findings of fact and to supply a recommendation to the County Board for final action.

After the ZBA makes its findings of fact, their recommendation is forwarded to the County Board for action. The Board can approve the request by a simple majority vote if no objection has been filed. If approved, an ordinance rezoning the property is adopted by the Board and placed on file with the County Clerk. In counties such as Kendall that have a population of less than 600,000, a township which has an active plan commission can file a written objection to the proposed map amendment up to 30 days following the hearing. In addition, any municipality within 1.5 miles of the property seeking a map amendment may also file an objection as can the owners of property touching or directly across the street from the property that is the subject of a map amendment. If 20% of the adjoining/surrounding owners file a written objection, or the township or municipality file and objection, ¾ of the County Board must vote in the affirmative to approve the request. Therefore under the Statutory process the steps involved in a zoning map amendment would follow the following timeline:

In addition to looking at the statutes, staff contacted three other counties (Kane, Will & McHenry) to get a sense of how our process compares. McHenry follows the statutory process depicted above. Our closest neighbors, Will and Kane, have processes that involve a staff review step similar to our ZPAC. Kane’s staff group currently meets on a weekly basis at which time applicants can present their proposals for review and comment prior to making their formal submittal. Following staff review, the petitioner submits revisions addressing the comments received and makes a formal submission of their application. If the requested map amendment is consistent with the County Land Resource Management Plan (LRMP), the application is forwarded directly to the ZBA for hearing review and recommendation. If it does not comply, it must first go through their Plan Commission for review and recommendation before proceeding to ZBA. After review and recommendation the matter is forwarded to their development committee for review before being forwarded to the Board for action. Their Development Committee is similar to our PBZ. As a result, the flow chart for their system would be as follows:

KANE COUNTY MAP AMENDMENT PROCESS:
For requests in compliance with the LRMP

For requests NOT in compliance with the LRMP
In comparison, Will County conducts pre-application meetings every Monday and Thursday afternoon. Following staff review, the petitioner submits revisions addressing the comments received and makes a formal submission of their application at which time the petition is scheduled for review and hearing by their Planning and Zoning Commission. The group was created by combining their Plan commission and Zoning Board of Appeals into a single committee. The meeting is held approximately ten weeks (10) after the filing of the application.

After review by the Planning and Zoning Commission their recommendation is forwarded to the land Use Planning, Zoning & Development Committee which meets every second and fourth Tuesday of each month. This group is similar to our PBZ Committee. Their recommendation is then sent to the County Board for action. Their meetings are held the third Thursday of each month. If we adopted a similar scenario, the time line for a Zoning Map amendment would be as follows:

**WILL COUNTY MAP AMENDMENT PROCESS:**

| Pre-App Meeting | Submit Application Early – Mid JANUARY | ZBA Hearing Mid MARCH Early APRIL | Development Committee Mid-Late APRIL | County Board Late MAY |

Based on our review of the statutes and the processes employed by the counties we researched, we developed some preliminary ideas for streamlining our current process. One idea we developed would be to consider having weekly or bi-weekly meetings if needed with our existing ZPAC members and petitioners. This might allow applications to be submitted more frequently and could aid in scheduling cases in a more efficient manner. Another option would be to set use ZPAC as a pre-application meeting before an application is formally submitted. This might help those petitioners with limited means to decide after meeting with staff if it is worth their while to take the project through the process and incur the expense of formally submitting something. This also gives the petitioner the chance to meet the proper staff in case there are any questions to a particular department. The only issue we can see if we were to use ZPAC as a pre-application review committee is what type of fee might need to be charged to cover the cost of those instances in which input from our consulting engineer is required.

Another suggestion staff has and is impartial to either way would be to combine the Plan Commission and Zoning Board of Appeals into one group as they did in Will County. Combining these groups would be consistent with some municipalities; the approach used in Will County would eliminate a month from the current process. The only issue with this concept is what, if any, restructuring of the two groups might be required. We currently have 10 Plan Commission members who are voluntary and 7 Zoning Board of Appeals members who have a per diem. By State Statute the Zoning Board of Appeals can only consist of up to 7 members who must reside in separate townships. We would need to research further how such a combined group would need to operate and what potential membership issues might arise given the statutes which limit the ZBA to 7 members.

Another option might be to require review by the Plan Commission only in those situations where an application is found to be in conflict with the LRMP as is done in Kane County. Separating the responsibilities of the two groups might also free up the Plan Commission to work on other planning issues and topics in addition to their primary responsibility under the statutes of creating and updating the County LRMP. If either of these options were pursued the process could be shortened by roughly one two months to the following:
POTENTIAL REVISED KENDALL COUNTY PROCESS

Staff does feel it is still important to have the Planning, Building and Zoning Committee (PBZ) as a step in the process. The PBZ Committee does not slow down the process as it is one week before the County Board meeting and half the County Board is in attendance to ask important questions on behalf of the Kendall County citizens. As noted, both Will and Kane utilize their development committee's in the same manner.

ZONING TEXT AMENDMENTS:

MINIMUM STATUTORY PROCESS
Under the statutes, zoning text amendments are generally processed in the same manner as a zoning map amendment. The statutes currently provide that the amendment be reviewed by the Zoning Board of Appeals. All requests for map amendments require a public hearing to be conducted by the ZBA before the County Board can take action. The ZBA is required to conduct the formal public hearing, listen to all testimony and make formal findings of fact and recommendation which are then forwarded to the full County Board for action. Per the statutes notice of the hearing must be published in a paper of general circulation at least 15 days prior to the hearing. After hearing the matter and listening to all public testimony supplied, the ZBA is required to provide its findings of fact and to supply a recommendation to the County Board for final action.

After the ZBA makes its findings of fact, their recommendation is forwarded to the County Board for action. The Board can approve the request by a simple majority vote unless written protests against the proposed text amendment are signed by 5% of the land owners of the county. In addition, in counties such as Kendall that have a population of less than 600,000, any township which has an active plan commission can file a written objection to the proposed text amendment up to 30 days following the hearing. Any municipality, whose nearest adjacent limits touch upon a district that is the subject of a text amendment, may also file an objection adopted by resolution of the corporate authorities. When any of these objections are filed, the amendment can only be approved if ¾ of the County Board vote in the affirmative to approve the text amendment. If approved, an ordinance approving the amendment is adopted by the Board and placed on file with the County Clerk. Therefore under the Statutory process the steps involved in a zoning text amendment would follow the following timeline:

Develop Draft Amendment → Publish/Send Notices 15 Days Prior JANUARY/FEBRUARY → ZBA Meeting FEBRUARY → County Board Meeting MARCH
CURRENT KENDALL PROCESS
Although not required by statute or the County Zoning ordinance, the PBZ Committee has generally required the AD-Hoc Zoning Committee to work with staff to develop a draft amendment as the first step before sending a text amendment through the formal review process. That part of the process can take from one to several months depending upon the complexity of the issue. As a result, our current process includes the following steps:

- Input and review by Ad-Hoc
- ZPAC Meeting JANUARY
- Plan Commission FEBRUARY
- ZBA Meeting MARCH
- PBZ Meeting APRIL
- County Board APRIL

Township Meeting → 1.5 Mile jurisdictional Review

KANE COUNTY TEXT AMENDMENT PROCESS:
The Kane County process includes the following steps:

- Prepare Draft Amendment
- Pre-App Meeting w/staff JANUARY
- ZBA Hearing FEBRUARY
- Development Committee MARCH
- County Board MARCH/APRIL

WILL COUNTY TEXT AMENDMENT PROCESS:
The Will County process includes the following steps:

- Prepare Draft Amendment
- Pre-App Meeting w/staff JANUARY
- ZBA Hearing MID MARCH
- Development Committee MID-LATE APRIL
- County Board LATE MAY

POTENTIAL REVISED KENDALL COUNTY PROCESS
If we were to simplify the current process to follow the minimum statutory requirements, the timeline for text amendments could be streamlined as follows:

- Input and review by Ad-Hoc
- ZPAC Review JANUARY
- ZBA or combined ZBA/Plan Commission FEBRUARY
- PBZ Meeting MARCH
- County Board MARCH

Township Meeting → 1.5 Mile jurisdictional review
SPECIAL USES:
The steps involved under our process for the reviewing Special Use applications is identical to the process we follow for the processing of our zoning map amendments with one exception. Under our process, the County Board has chosen to establish a Hearing Officer to act in place of the ZBA in holding the required public hearing and findings of fact as allowed under the statutes. The same notification requirements also apply. As a result, our process involves the following steps:

CURRENT KENDALL COUNTY PROCESS

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<tr>
<th>Step</th>
<th>Month</th>
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</thead>
<tbody>
<tr>
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<tr>
<td>Submit Application</td>
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<td>County Board</td>
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</tr>
<tr>
<td>1.5 Mile Jurisdictional Review</td>
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MINIMUM STATUTORY PROCESS

Under the statutes, Special Uses are processed in generally the same manner as a zoning map amendment and require a public hearing before the ZBA or a Hearing Officer prior to any action by the County Board. The notification requirements for Special Uses differ slightly from those required for map amendments and include the following. Notice must be published in a newspaper published in the township or road district in which the property is located or, if there is no paper published in that township, in a paper of general circulation within the county. Notice must also be given to surrounding property owners of the date and time and location of the hearing and notice must also be sent to any municipality located within 1.5 miles of the proposed property. The notices must be published and sent at least 15 days prior to the hearing.

The ZBA or Hearing Officer shall make a recommendation and finding of fact to the Board as to whether the Board should deny, grant approval or grant approval subject to conditions. The Board may adopt the Special Use by Ordinance without further hearing or may refer it back to the ZBA for further consideration. The statutes also allow the Board to delegate it's authority by ordinance to the ZBA to grant approval of a Special Use if it so desires. If so delegated the ZBA must issue a written finding of fact and final approval.

Therefore under the statutory process the steps involved in a zoning text amendment could follow one of the following timelines:

Board Approval Required

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<th>Step</th>
<th>Month</th>
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<tr>
<td>Develop Draft Amendment</td>
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<tr>
<td>Publish/Send Notices</td>
<td>JANUARY/FEBRUARY</td>
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<td>ZBA or Hearing Officer</td>
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<tr>
<td>County Board Meeting</td>
<td>MARCH</td>
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Approval Power Delegated to ZBA
KANE COUNTY SPECIAL USE PROCESS:
For comparison, Kane uses the following processes depending upon the circumstances:

For Special Use requests in compliance with the LRMP

Pre-App Meeting w/staff → Submit Application JANUARY → ZBA Hearing FEBRUARY → Development Committee MARCH → County Board MARCH/APRIL

For Special Use requests NOT in compliance with the LRMP

Pre-App Meeting w/staff → Submit Application JANUARY → Plan Commission FEBRUARY → ZBA Hearing MARCH → Development Committee APRIL → County Board APRIL/MAY

WILL COUNTY SPECIAL USE PROCESS:
Will uses the following process:

Pre-App Meeting → Submit Application Early-Mid JANUARY → ZBA Hearing Mid MARCH Early APRIL → Development Committee Mid-Late APRIL → County Board Late MAY

POTENTIAL REVISED KENDALL COUNTY PROCESS
If we were to simplify the current process to follow the minimum statutory requirements, the timeline for text amendments could be streamlined as follows:

ZPAC Pre-application review → Submit Application JANUARY → ZBA or combined ZBA/Plan Commission FEBRUARY → PBZ Meeting MARCH → County Board MARCH

1.5 Mile jurisdictional review

OR (Approval Power Delegated to ZBA):

ZPAC Pre-application review → Submit Application JANUARY → ZBA or combined ZBA/Plan Commission FEBRUARY
VARIANCE REQUESTS:
MINIMUM STATUTORY PROCESS
Under the statutes, variances involving a deviation that is 10% or greater than the minimum established standards set forth in the zoning regulations require a public hearing before the ZBA. Notice of the date, time and location of the hearing must be published in a newspaper published in the township or road district in which the property is located or, if there is no paper published in that township, in a paper of general circulation within the county. The notices must be published at least 15 days prior to the hearing.

The ZBA shall make a recommendation and finding of fact to the Board as to whether the Board grant or deny the request. The Board may adopt an ordinance granting the variance without further hearing or may refer it back to the ZBA for further consideration. If a variance fails to receive the approval of the ZBA, the Board cannot adopt an ordinance granting the variance unless it receives an affirmative vote to approve from ¾ of the members of the Board. In addition, in counties such as Kendall that have a population of less than 600,000, any township which has an active plan commission can file a written objection to a variance involving property within such township within 15 days following the hearing. If such an objection is filed, the Board cannot adopt an ordinance granting the variance unless it receives an affirmative vote to approve from ¾ of the members of the Board.

The statutes also provides that the ZBA can have the final authority for granting a variance in which case no action by the Board is needed and no ordinance granting the variance is needed. Therefore under the statutory process the steps involved in processing a variance request could follow one of the following timelines:

**Board Approval Required**

- Pre-App Meeting w/staff
- Publish/Send Notices 15 Days Prior JANUARY/FEBRUARY
- ZBA Hearing FEBRUARY
- County Board Meeting MARCH

**Approval Power Delegated to ZBA**

- Pre-App Meeting w/staff
- Publish/Send Notices 15 Days Prior JANUARY/FEBRUARY
- ZBA Hearing & Approval FEBRUARY

Our current process follows the second option. In addition, we also handle variances involving less than a 10% deviation from the standards through an administrative process established under the statutes. Under that process, the Zoning Administrator is authorized to grant a variance involving less than a 10% deviation from a standard within 15 to 21 days if no objection is received from a surrounding property owner. As such, we believe our current system for processing variances is relatively streamlined and are not recommending any changes at this time. While we do believe it would be beneficial to have the Board adopt an ordinance that memorializes the variances granted to individual properties, we believe we could leave the process the same as it is now but require the execution of a formal document summarizing the
findings of fact by the ZBA for possible recording against the property or utilize GIS to identify and track the variances granted.

A-1 SINGLE-FAMILY BUILDING PERMIT CONDITIONAL USE:
The last of the zoning processes we discussed last month is the A-1 Conditional Use for single-family building permits. Although the ordinance sets specific standards that must be met in order to grant such a conditional use, it is the only conditional use that currently requires review and approval by our various Boards and committees in addition to the approval of an ordinance by the Board. All of our other Conditional Uses allow for approval administratively if the specified conditions can be met. Under or current process, requests for an single-family building permit as a conditional use in the A-1 must demonstrate that they meet at least one of the following four conditions in order to be granted:

1. Existing woodland coverage of a substantial portion of the site containing trees in excess of 6" in diameter measured at breast height;
2. Soils which have a land evaluation ranking from the Kendall County Soil & Water Conservation District of seventy-five (75) or less;
3. Excessive slopes;
4. Other physical features which serve as barriers to farm operations such as streams, rock outcroppings and property configuration in relationship to wetlands, flood-prone areas or buildings.

The ordinance further stipulates that:
- Each such dwelling shall be located on a zoning lot that meets the standards of single-family residential lots, one hundred and thirty thousand (130,000) sq. ft. minimum.
- Septic suitability is approved by the Health Department.
- It is the intent to limit such usage, and if, in the judgment of the County Board, contiguous parcels requesting approval hereunder represent an unwarranted expansion of this usage, then denial is warranted.

Our Current process for review and approval includes the following steps:

**CURRENT KENDALL COUNTY PROCESS**

| Pre-App Meeting | Submit Application JANUARY | ZPAC Meeting FEBRUARY | Plan Commission MARCH | ZBA Meeting APRIL | PBZ Meeting MAY | County Board MAY |

Our suggestion for shortening this process would be to allow the Zoning Administrator to review the evidence presented to determine if the request met the standards. If so, the Zoning Administrator could simply approve and document it, or in the alternative, could refer the matter to PBZ and the Board for adoption of an ordinance so these could be added to the zoning map as is currently done. In instances where the Zoning Administrator questioned whether the request conclusively met the intent of the ordinance based on the evidence supplied or questioned whether it constituted an “unwarranted expansion of this usage”, he could refer the
matter to PBZ and the Board for input. Similarly, in the event he denied a request and the applicant wished to appeal his decision, the matter could be referred to PBZ and the Board for a determination. If such an approach were adopted, the process could follow either of the following processes:

**POTENTIAL REVISED KENDALL COUNTY PROCESS**

1. **Pre-App Meeting** -> **Submit Application JANUARY** -> **Zoning Administrator approval JANUARY**
   - Or:

2. **Pre-App Meeting** -> **Submit Application JANUARY** -> **PBZ Meeting FEBRUARY** -> **County Board FEBRUARY**

At this time we are presenting this information to the Committee for preliminary feedback to see if you believe any of these options have merit. If the Committee thinks the process should be revised, they should provide a recommendation to the PBZ Committee as to which of the options presented they prefer and have staff begin developing the necessary amendments for review and recommendation by the various committees as required under our current process. If the Committee believes no changes are needed at this time, they should recommend to the PBZ Committee to maintain the status quo.
June 2, 2009

Mr. Jerry Dudgeon
Director
Kendall County Planning, Building & Zoning
111 West Fox Street, Room 316
Yorkville, IL 60560-1498

Re: Camelot Farm Subdivision, Na-Au-Say Township, Kendall County, Illinois

Dear Jerry,

Thank you for taking the time to talk to me the other day regarding the subdivision of Camelot Farm. As you know, as part of the overall plan, we would like to sell the large dairy barn home with approximately 1.4 acres of land and retain the 16.5 acre horse farm. Once the large home has been sold, assuming the new home owners want to move in within a short period of time, we will temporarily move into the existing grey ranch home while we proceed with the construction of the new primary residence on the horse farm. Once the new primary residence on the horse farm has been completed, we can move into that home and demolish the existing grey ranch home and recapture all the green space that is between the two homes. The net effect is no change in total residential units and a much more attractive property from the street.

On Friday, I picked up the plat with most of the signatures required for the subdivision. I believe that the only thing left to do is to record the plat with the County Recorder. You indicated that the normal process is to record the plat within six months or so of the county approval for the subdivision. You also indicated that given that we have just received all the signatures, a reasonable period of time to record would be granted.

We are asking for an extension to be granted to us to delay the recording of the subdivision until June 1, 2010, approximately one year, which is intended to provide us a reasonable amount of time to effect the sale of the large dairy barn home. There are good reasons to delay the recording of the subdivision until closing, if possible. Currently, the farm is owned as our primary residence by Tenants of the Entirety. A subdivision would nullify this legal protection. It is also our understanding that our liability insurance rates would go up significantly if we are no longer residents of the agricultural portion of the property.

As we discussed, the delay in recording would have no physical impact on the county, the property or our neighbors and would only assist us in properly sequencing the sale and final development of the approved changes.

Thank you in advance for your assistance in this regard. If you have any comments, questions or concerns, please feel free to call, email or write.

Respectfully submitted,

[Signature]

Massimo Bianchini and Susan Kovalik
**PBZ Projects and Activities-5.11.15**

**Active Zoning Petitions**
- 14-34 Robert Steward (A-1 Conditional Use)
- 14-37 Landscape Business' not a home occupation (Text Amendment)
- 14-40 Subdivision Control Ordinance (Text Amendment)
- 15-05 LRMP Update- density, trails & transportation corridor

**Active Stormwater Permits- 15 active**

**Subdivisions**
- Subdivisions still open:
  - Highpoint Meadows- For Sale
  - Schaefer Glen- For Sale
  - Light Road Industrial park- Lots for sale, need to write letter to new owners
  - High Grove- Sold some property to the Park District, coming in to rezone soon
  - Tanglewood Trails- Close to accepting money to finish subdivision

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

**Other Projects in the office**
- Investigate floodplain/zoning issues- McKenna Road Bridge issue (Anto's), Anderson Tree Farm
- Stormwater mapping in the field- completed 53 subdivisions so far (Finished Little Rock Township)
- Working on the windshield Survey for Historic Preservation
- Continue improving the GIS website with regards to information on zoning, permits, etc.
- Work with mapping to convert hard copy allocation maps into an Ag Allocation layer in GIS
- Convert information from pre 1993 permit cards into an excel database to create searchable system of old permit records by PIN or permit number.
- Mobile Home Permits- 5 active
- Cleaning up office with regards to getting old files scanned- All petitions are scanned, up to 2008 in building permits
- FOIA's
Keep track of escrow accounts
Update website- minutes, applications and ordinances
Normal day-to-day things- phone calls, people with questions, organizing, scheduling, posting, etc.

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

Night meeting hours attended in 2015 so far: 27.00 hours (15 Meetings)
Night meeting hours attended in 2014: 129.00 hours (74 Meetings)
Night meeting hours attended in 2013: 121.75 Hours (70 Meetings)
Night meeting hours attended in 2012: 111.00 Hours (67 Meetings) John no longer part of PBZ
Night meeting hours attended in 2011: 98.5 Hours (56 Meetings)
Night meeting hours attended in 2010: 77.50 Hours (37 Meetings) Jerry let go July 2010
Night meeting hours attended in 2009: 51.75 Hours (36 Meetings)
Night meeting hours attended in 2008: 53.5 Hours (27 Meetings)
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**Planning Software & Zoning Receipts 2015**