CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Rodger Bledsoe, Tom Casey, Brian Leonard, Larry Nelson, Vern Poppens, Claire Wilson, Budd Wormley and two vacancies (Big Grove Township & Oswego Township)

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of minutes from the December 3, 2014 meeting

PETITIONS

1. **14-39 River’s Edge Fellowship**
   - Request: B-3 Special Use
   - Location: 71 Boulder Hill Pass, Montgomery
   - Purpose: Special Use for a place of worship

2. **14-42 Sybert Landscaping**
   - Request: A-1 Special Use
   - Location: 655 Woolley Road, Oswego
   - Purpose: Special Use to operate a landscape business with outdoor storage

3. **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.

4. **14-37 Home Occupations- Landscape Businesses**
   - Request: Text Amendment
   - Purpose: Text Amendment to not allow landscape businesses as home occupations

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
14-35 Daron & Kimberly Spichler- Approved by the Plattville Board on 12.15.14
14-33 Bee Keeping- On the PBZ agenda for 2.9.15

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS/ OLD BUSINESS

ADJOURNMENT Next scheduled meeting on SATURDAY, February 7, 2015 (ANNUAL MEETING 9AM) and our next regularly scheduled meeting on Wednesday, February 25, 2015
Chairman Bill Ashton called the meeting to order at 7:02 pm.

ROLL CALL
Members Present: Chair Bill Ashton, Rodger 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?

Rodger Bledsoe dated 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
SITE INFORMATION

PETITIONER River's Edge Fellowship- Pastor Frank Johnson

ADDRESS 71 Boulder Hill Pass

LOCATION East side of Boulder Hill Pass, Boulder Hill Marketplace

TOWNSHIP Oswego

PARCEL # 03-05-401-003

SIZE 7.82 acres; 4800 square feet in strip mall

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

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

LRMP

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

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

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

REGULATIONS § 13.08.J (Special Uses-Standards)

SURROUNDING LAND USE

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

PHYSICAL DATA

ENDANGERED No Endangered Species Report necessary since it's an existing building.
An NRI is not necessary since it's an existing building.

The Township has not provided staff with any comments to date.

There were just two minor comments, that the petitioners will need to apply for a change of occupancy permit through the Building Department and also in the future if they open a food pantry to contact the health department before it's set up.

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

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.
PARKING
The parking lot currently exists. On the whole parcel there are about 44,500 square feet of retail area & about 3,000 square feet for a bank. The minimum parking requirements are 1 parking stall per 200 square feet of retail/bank which would calculate to a total of 238 parking stalls for the entire lot. Back in 2009 I counted about 236 parking stalls. This lot would be close to the requirements if not meet them.

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

Oswego Fire Protection District
*Any changes/modifications to the space for the new occupant would require that a qualified fire alarm contractor be involved to ensure compliance of the fire alarm system is maintained.
**"Safe Haven" status would need to be looked at more closely as this space is not designed or intended for "residential" in nature

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

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. We believe the presence of River's Edge Fellowship would help improve the public health, safety, comfort and general welfare of the Boulder Hill area.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Our desire, by being present in the Boulder Hill market, would be to not hinder or disrupt any business, office or residence but to be a benefit to all. We feel that fuller occupancy of the center would increase the traffic flow for existing businesses as well as increase the property value as a whole.

That adequate utilities, access roads and points of ingress and egress,
drainage, and/or other necessary facilities have been or are being provided. This is an existing shopping/professional center therefore all these considerations are already in place.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. We wholeheartedly agree to adhere to and respect all applicable regulations.

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

RECOMMENDATION

Staff is comfortable with this request with one condition:

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

ATTACHMENTS

1. Special use Description
2. ZPAC Meeting minutes on 1.6.15
Kendall County
Dept. of Building, Planning, and Zoning

River’s Edge Fellowship is a non-denominational church serving the Oswego / Montgomery area.
We currently hold Sunday services at 9:30am and Wednesday Bible Studies at 6:30pm.

We 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.
As well as, supporting churches in the Philippines and elsewhere.

We are a congregation of approximately fifty with the desire to grow to a maximum of one hundred.

With this new site, we will promote a more publically visible presence. It will allow us more community involvement and access.
Future plans include the possibility of a Boulder Hill food pantry as well as a safe haven for transients during the day.

We have no paid staff as those in positions of ministry serve freely.

Frank Johnson (Pastor)
River’s Edge Fellowship
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 Jahp, 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.
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 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 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.
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

14-42
Sybert Landscaping
A-1 Special Use

SITE INFORMATION

PETITIONERS Andrew Sybert

LANDOWNERS C.W. Dickey & Brenda Dickey (purchase is contingent on zoning)

LOCATION On the north side of Woolley Road, 0.15 miles west of Stewart Road
655 Woolley Road, Oswego

TOWNSHIP Oswego Township

PARCEL # 03-24-100-019

SIZE 3.14 Acres

EXISTING LAND USE Single Family home

ZONING A-1 Agricultural

LRMP

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Rural Estate Residential (Max. density 0.45 du/acre); Oswego: Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>Woolley Road is a minor collector roadway</td>
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<tr>
<td>Trails</td>
<td>Per Oswego’s plans there is a trail proposed on the north side of Woolley Road.</td>
</tr>
<tr>
<td>Floodplain/Wetlands</td>
<td>There is no floodplain or wetland on the property</td>
</tr>
</tbody>
</table>

REQUESTED ACTION 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 on the subject property.

**APPLICABLE REGULATIONS**
- §7.01.D.27 (A-1 Agricultural Special Uses - Landscape Business)
- §11.01 (Parking Regulations)
- §12.08 (Agricultural Sign Regulations)
- §13.08 (Special Uses)

### SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
<th>Zoning within ½ Mile</th>
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<tbody>
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<td>North</td>
<td>Residential</td>
<td>A-1</td>
<td>Rural Estate</td>
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<td>Rural Estate</td>
<td>A-1; A-1 SU</td>
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</table>

### PHYSICAL DATA

**ENDANGERED SPECIES REPORT**
The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, IL Natural Area Inventory sites, dedicated IL Nature Preserves or registered Land and Water Reserves in the vicinity of the project location.

**NATURAL RESOURCES INVENTORY**
A NRI is not required since no new buildings are proposed now or in the future.

### ACTION SUMMARY

**TOWNSHIP (Oswego)**
Was discussed at a meeting in November as the petition for the road commission to have this type of business of 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 has no issues with this use at this property. The township road commission decided on 1.12.15 to eliminate the weight restriction.

**MUNICIPALITY (Oswego)**

**ZPAC 1.6.15**
The only concern was the limit on the weight as the roadways should all be 80,000 lbs anyways so why limit them to 36,000. Planner Zubko will contact the township highway commissioner to discuss.

### REQUESTED ACTION

**GENERAL**
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 on the subject property.

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.

**EMPLOYEES**
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.
HOURS OF OPERATION
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 our snow plot lots.

PARKING
The parking ratio would be one (1) parking space shall be provided for each employee plus one (1) parking space for each vehicle used in the conduct of the enterprise. The petitioners have stated only 2 employee vehicles will be parked on site. There is plenty of room on the north side of the lot for parking and storage of vehicles.

STORAGE
The special use in the Zoning Ordinance states that: 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. The petitioner proposes to store the company and employee vehicles outdoors in the northwest corner of the property. The landscape materials will be stored on the northeast corner. The petitioner does proposed to install a six foot fence along the property line from the current accessory building north and also install a six foot tall berm behind the bulk storage bins (no fence in this area).

WASTE
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.

SINGLE FAMILY HOME
The petitioner will be living in the house and also right behind the home is where the septic system is as well. None of the accessory buildings have bathrooms.
R.O.W. 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)

Oswego township road commissioner has approved the landscape business to locate off Woolley Road.

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.

SIGNAGE 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.

ACCESS The property currently has an access point off of Woolley Road which would remain the same.

BUILDING DEPARTMENT The building department would like to know if the petitioners will be using any of the accessory structures in conjunction with the landscape business. The petitioners have indicated that the accessory buildings will be used for personal use only. Only the fenced off area will be used for the landscape business.

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

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The current uses of the subject property include a residence; an amusement rides business and outdoor storage. The special use permit will allow for a landscaping business to operate on the subject property. Considering the existing uses, the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The subject property is surrounded by farmland and property used both as a residence and as a commercial business. The petitioners will be using the property as a residence and as a landscaping business which is compatible with agricultural farming. The zoning classification with the general area is still agricultural.

That adequate utilities, access roads and points of ingress and egress,
drainage, and/or other necessary facilities have been or are being provided. All the utilities, access roads and drainage already exist for this site.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. The buildings already exist and the petitioner is not requesting any variances.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This special use permit will be consistent with the County's LRMP. The petitioners will live in the home and a landscape business will have the same equipment and hours of operation as the surrounding farms and other commercial businesses.

RECOMMENDATION

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. 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.

ATTACHMENTS

1. Business description
2. Location map
3. Site plan showing location of storage and parking.
4. ZPAC Meeting minutes on 1.6.15
SYBERT LANDSCAPING, INC.
BUSINESS PLAN/PROPOSED USE
655 WOOLLEY ROAD, OSWEGO, IL 60543

The Applicant is requesting approval of an A-1 Special Use Permit to operate a landscaping business with outdoor storage of vehicles, equipment and bulk materials associated with a landscaping business. The Applicant will be living in the house on the Subject Property. No new structures or buildings will be constructed on the Subject Property.

Sybert Landscaping, Inc., an Illinois Corporation, 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.

The Applicant is looking to move the company to a new location closer to where most of its work is currently located. The Applicant is in the process of purchasing the Subject Property and moving his personal residence and the company to this location. The sale is contingent on getting a Special Use Permit approved for operation of a landscaping business.

In regards to road use, the business would use the following truck route from the Subject Property: East on Woolley Road; South on Stewart Road, East on W. 119th Street to reach Route 30. This would be the main route in and out of this location to reduce the amount of traffic.

We currently have a small number of trucks and trailers to service our client list. We have six employees which include the Applicant, two foremen, and three laborers. The crews all ride together in two vehicles to work every day. The work force arrives at 7:00 a.m.; load company trucks and disperse to job sites returning at the end of the day. The hours of operation are from 7:00 a.m. to 5:30 p.m. Monday through Friday with an occasional Saturday. The equipment is stated below and used for lawn service during the months of mid-April through mid-November:

- 1 ¾ ton pick-up truck with a GVWR of #9,200
- Two 1 ton dump trucks with a GVWR of #12,000
- Two enclosed trailers with a GVWR of #9,900
- One equipment trailer with a GVWR of #16,500
- One Ford L8000 with a GVWR of #28,000 (infrequently used, see below)

During the winter months of November through March, the trucks are placed offsite and stored on our snow plot lots. They occasionally will come back to the Subject Property for service as needed, but will mainly be on their snow sites over the winter months. The L8000 truck will also be left on a snow site from November until the end of April. We will be reducing the use of this truck during the spring thaw to protect the road during the months of February until April. This truck has currently been used only two to three times a month during the April-November season. All the trucks are loaded to the legal limit based on the GVWR and not allowed to be overweight. The Oswego Township Road District has jurisdiction over the
collector roads and has provided a letter of support with certain restrictions which are agreeable to the Applicant.
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 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 our snow plot lots. There is plenty of room on the south 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 of 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
To: RPC
Date: January 12, 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 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,
deeded 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
Letter of Credit cash escrow, cash bond, irrevocable letter of credit, surety bond, or letter of commitment assuring their completion.

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 inverts; 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 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
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
To: RPC  
Date: January 12, 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
#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 Holdman 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. Holdman 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 Holdman agrees with this text amendment.

Aaron Rybski has no objection.

Brian Jahp has no comments at this time.

Fran Klaas agrees with Brian Holdman.

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
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?

Rodger Bledsoe dated 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
Kendall County Regional Planning Commission
Annual Meeting

Saturday, February 7, 2015
9:00 AM
County Board Room (Rooms 209-210)
111 West Fox Street
Yorkville, IL 60560

REFRESHMENTS WILL BE PROVIDED

Happy New Year! The Kendall County Regional Planning Commission is pleased to announce its annual meeting will take place on Saturday, February 7, 2015 at 9:00am. One of the main objectives of this meeting is to give the public and any other interested parties an opportunity to comment on the County’s existing Land Resource Management Plan (LRMP) and to make suggestions and recommendations on proposed changes or modifications.

The Annual Meeting is also an opportunity for the Planning, Building and Zoning Department (PBZ) staff, townships, communities, nearby counties, fire districts, school districts, park/forest preserves, economic development groups and non-profit organization to share with everyone an overview of the activities and accomplishments during the previous calendar year and goals and objectives for the coming year.

For additional information, please contact Angela Zubko at the Kendall County Planning, Building and Zoning Department at (630) 553-4139 or email at AZubko@co.kendall.il.us. We hope to see you on February 7th! No RSVP required.