CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Larry Nelson, Vern Poppen, Claire Wilson, Budd Wormley and three vacancies (Big Grove Township, Kendall Township & Oswego Township)

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of minutes from the March 25, 2015 meeting

PETITIONS
1. 15-01 Nancy Austin
   Request Rezoning
   Location Near the southeast corner of Ashley Road and Plattville Road
   Purpose Rezone 3.2 of their 6.4 acre property from A-1 to R-1 to build a single family home

2. 15-06 Village of Millbrook/Keller
   Request Rezoning
   Location 19 Sherman Street, MILLBROOK
   Purpose Request to rezone 0.22 acres of the 0.46 acres from R-3 to M-1 manufacturing (Millbrook rezoned it in 2008)

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
15-02 Peter & Laurie Pasteris- On the agenda for the 4.21.15 County Board meeting
14-33 Bee Keeping- Approved at the 3.17.15 County Board Meeting
14-37 Home Occupations- Landscape Businesses- On ZBA Agenda for 4.27.15
14-40 Subdivision Control Regulations- Letters of Credit- On ZBA Agenda for 4.27.15

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS/ OLD BUSINESS
Discussion and possibly approval on by-laws regarding quorums
Review L.RMP draft map changes

ADJOURNMENT Next regularly scheduled meeting on Wednesday, May 27, 2015
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Meeting Minutes of March 25, 2015
(Unofficial until Approved)

Chairman Bill Ashton called the meeting to order at 7:03 pm.

ROLL CALL
Members Present: Chair Bill Ashton, Tom Casey, Larry Nelson, Vern Poppen, Claire Wilson and Budd Wormley
Others present: Planning & Zoning Manager Angela Zubko
Members Absent: Roger Bledsoe, Brian Leonard (resigned) & 3 vacancies (Oswego Township, Kendall Township & Big Grove Township)
In the Audience: Attorney Daniel Kramer and Peter & Laurie Pasteris

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 made a motion to approve the minutes from January 26, 2015, Tom Casey seconded the motion. All were in favor and the minutes were approved. Larry would like it to show he excused himself before he talked. Claire Wilson made a motion to approve the annual meeting on February 7, 2015 as amended, Tom Casey seconded the motion. All were in favor and the minutes were approved.

PETITIONS
#15-01 Nancy Austin
Planner Zubko stated Nancy Austin is requesting to rezone 3.2 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 will de-annex 62,720 square feet of property so the whole parcel is located in un-incorporated Kendall County. The comprehensive plan shows this property to be agricultural so staff had to wait till the Lisbon Township board approved the rezoning which they did this month. 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 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 petitioner is not present tonight. Mr. Ashton asked a procedural question if it's agricultural on our comp plan we cannot rezone the property without changing the comp plan. There was discussion on Plattville annexing up to 50' from the roadway so it can be annexed and they don't have to maintain Plattville Road. There's a case law that specifies how close you can go to the roadway.

This will be continued next month.

**#15-02 Peter & Laurie Pasteris**

Planner Zubko stated Peter & Laurie Pasteris are requesting approval of an A-1 special use permit to operate a 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. There is no record of State-listed threatened or endangered species in the vicinity of the project location. For the NRI an executive summary will be provided since there are future buildings proposed. According to the Zoning Ordinance a banquet hall can be operated if the following are met:

- a. 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.
- b. The subject parcel must be a minimum of 5 acres.
- c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
- d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
- e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
- f. Retail sales are permitted as long as the retail sales will be auxiliary to the main operation.
- g. There are noise regulations

The petitioner meets most of them except number one, Johnson Road is designated as a minor collector roadway therefore a variance will have to be requested. Also they must get approval from the NaAuSay Township highway commissioner. The proposed site plan shows a temporary tent and temporary bathrooms will be placed about 200' from Johnson Road northwest of the house. For a long term 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 need to be removed within 2 business days after an event.

8. Events 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.

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.

The ZPAC Committee had many concerns which all were addressed by addition conditions. The concerns were that the fire protection district has been contacted, the number of people, noise (the location of speakers was suggested), port a potties, the dates the tent can be up and parking. Also getting approval from the township and road commissioner.

Attorney Daniel Kramer introduced himself and introduced his clients. The petitioner is unaware of where this property is located as Old Second is not an owner they notified. The concerns have been addressed at the ZPAC Committee meeting. He stated it’s a nice farnette with fencing and a barn. They’ve had a number of requests to host weddings on the farm and would like to have 3 or 4 a year at the beginning. It’s planned to be a low intense business. They will be putting up and taking down the tent at the beginning as it’s cheaper to do it that way until they get more steady business. Attorney Kramer discussed noise and will stay in the parameters of the ordinance. Peter and Laurie
have an active horse farm so will have security making sure their animals are safe. The township recommended approval.

Planner Zubko stated the trust is the owner directly west of this property.

Mr. Ashton asked if they’ve talked to the Plainfield Fire Protection District. Mr. Kramer stated yes and they just need to contact them when the tent is erected, if it was new structures there would be conditions.

Ms. Wilson asked if the weddings will become more frequent then the 2-3 a year? Mr. Pasteris is looked to do this on a small scale and to make it work probably have about 5-6 a year. The reason she asks that this seems like a burdensome task to remove the porta johns and then bring them back. The Attorney stated they’re really easy as they’re on a trailer and if they were left it would leave an odor. The tent will no longer be in the northwest corner of the property, everything will be in the future location.

Mr. Casey asked how many horses are they, he stated 2 are his and 3 are other people’s. Mr. Wormley asked about Johnson Road, Mr. Pasteris stated it is tar and chip. Mr. Wormley asked about garbage, they owner stated they would have a larger dumpster and it gets picked up on Monday.

No one from the audience had any comments or questions.

Claire Wilson made a motion to approve the special use with staff’s recommended conditions, Bud Wormley seconded the motion. With a roll call vote all were in favor and this will move onto the next SUHO meeting a week from Monday.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
14-39 River’s Edge Fellowship- Approved by the County Board on 2.17.15
14-42 Sybert Landscaping- Approved by the County Board on 2.17.15 (new site plan & conditions)
14-33 Bee Keeping- Approved by the County Board on 3.17.15
14-37 Home Occupations- Landscape Businesses- On ZBA Agenda for 3.30.15
14-40 Subdivision Control Regulations- Letters of Credit- On ZBA Agenda for 3.30.15

CITIZENS TO BE HEARD/ PUBLIC COMMENT- None

NEW BUSINESS/ OLD BUSINESS
Review proposal from annual meeting- Planner Zubko stated in the packet is an aerial and also the comprehensive plan. Mr. Larry Nelson excused himself from any vote. Planner Zubko stated he would like to extend the neighborhood commercial future land use to the corner. There was discussion on if it would be appropriate on the northeast side of Creek Road or just keep it at the southwest corner of Frazier and Creek Road. Everyone agrees to change the southwest side of Creek Road and Frazier Road. Planner Zubko will move this along.

Discussion on bringing back R-2 and R-3 zoning- Planner Zubko would like to bring back R-2 and R-3 districts. The Commission is fine with that and would like to know the history of why we got rid
of it the first time. Planner Zubko stated she would assume to promote RPD’s but will check with Mike Hoffman. There was some discussion to allow R-2 and R-3 for a certain amount of contiguous lots. The Commission would like Planner Zubko to start this text amendment. Most likely no one will be able to make 1 acre work for a septic but possibly.

Discussion on noting something in the Zoning Ordinance about NaAuSay township looking into density and subdivisions are on hold- Planner Zubko would like to know if we should put some type of note that RPD subdivisions are on hold but zoning is fine. Larry thinks we might legally run into an issue. The Commission is fine with putting something about no RPD’s in NaAuSay and possibly Kendall Township. The Commission would maybe like something on the comprehensive plan map and not just the text and bring that all together with the change to the LRMP now. Maybe hatched lines in those townships with a footnote.

Larry Nelson- on our next agenda he would like to talk about looking at the by-laws to change a quorum to the simple majority of those people appointed. Planner Zubko stated she is going to start discussions with the PBZ Committee about possibly combining RPC and ZBA. Planner Zubko stated this will only happen if we can make everyone happy to stay on the committees. The amount of meetings is a lot and has received numerous complaints from petitioners after they have gone through the process. Planner Zubko will email everyone about this issue separately.

**ADJOURNMENT**
Next regularly scheduled meeting on Wednesday, April 22, 2015. Claire Wilson made a motion to adjourn the meeting, Vern Poppen seconded the motion. All were in favor and the meeting was adjourned at 8:47 p.m.

Submitted by,
Angela L. Zubko, Planning & Zoning Manager
SITE INFORMATION

PETITIONER Nancy Austin

LOCATION On the east side of Ashley Road, about 300 feet south of Plattville Road

TOWNSHIP Lisbon

PARCEL # 08-11-100-029 (10 Acres); 08-11-100-031 (4.63 acres)

SIZE The location of rezoning will be 3.2 acres of the 6.4 acre property. Currently 1.82 acres is unincorporated and 4.63 is incorporated into Plattville.

EXISTING LAND USE Farmland

ZONING A-1 Agricultural

<table>
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<th>LRMP</th>
<th>Plattville: Low Density Residential</th>
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<tr>
<td>Use</td>
<td>Kendall: Agricultural</td>
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<tr>
<td>Roads</td>
<td>Ashley Road is designated as a major collector roadway</td>
</tr>
<tr>
<td>Trails</td>
<td>None</td>
</tr>
</tbody>
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FUTURE LAND USE PLANS Our future land use plans shows half this land as agricultural, therefore the petitioner must get approval from the township before it can proceed. They received approval from the township to rezone on March 10, 2015
REQUESTED ACTION
The Petitioner is requesting approval of a Map Amendment to rezone 3.2 acres of a 6.4 acre parcel from A-1 (Agricultural) to R-1 (One-Family Residence District) to build a home on their property. Staff is waiting if Platteville would like to annex close to Ashley Road or so most of the parcel is located in Platteville and the rezoning will be as well. PLATTVILLE IS MEETING APRIL 20TH so I will give an update at the meeting.

APPLICABLE REGULATIONS § 8.02 of the Zoning Ordinance (Residential District) § 13.07 of the Zoning Ordinance (Amendments)

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<tr>
<th>SURROUNDING LAND USE</th>
<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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<td>North</td>
<td>Single Family Home</td>
<td>A-1</td>
<td></td>
<td>A-1</td>
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<td>Agricultural</td>
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PHYSICAL DATA
Endangered Species Report The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Natural Resources Inventory The NRI indicates that 72% of the soils on this site are soils that are very limited for dwellings with basements. This development should include a soil erosion sediment control plan to be implemented during construction. Also for intense use it is recommended that a drainage tile survey be completed to locate the subsurface drainage tiles.

<table>
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<th></th>
<th>Land Evaluation:</th>
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ACTION SUMMARY
Township (Lisbon) The township Plan Commission met on March 9, 2015 and voted 3-0 in favor of rezoning and then township board met on March 10, 2015 and voted 5-0 in favor of rezoning to R-1.

Municipal (Platteville) Plattville HAS A MEETING ON APRIL 20TH, and update will be provided at the Plan Commission Meeting on April 22nd.

STAFF ANALYSIS
Proposed Use The Petitioner is requesting approval of a Map Amendment to rezone 3.2 acres
of a 6.4 acre parcel from A-1 (Agricultural) to R-1 (One-Family Residence District) to build a home on their property. Staff is waiting if Plattville would like to annex close to Ashley Road or so most of the parcel is located in Plattville and the rezoning will be as well.

Lot Size The County’s Zoning Ordinance states that the R-1 District may be appropriate in any area suggested for residential use on the County’s LRMP with a minimum square footage of 130,000 square feet (2.995 Acres). The requested 3.2 acres to be rezoned meets the minimum requirements of the Zoning Ordinance.

Findings of Fact § 13.07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant a map amendment. The petitioner & staff have answered 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. The township approved the rezoning to build a home since the future land use plan called for this to stay as agricultural land.

Recommendation Staff would recommend approval of the requested Map Amendment to rezone 3.2 acres from A-1 (Agricultural) to R-1 (One-Family Residence District) to build a home on their property weather it’s County or in Plattville.

Attachments:
1. Plat of Survey
2. ZPAC Meeting minutes on 2.3.15
3. RPC Meeting minutes on 3.25.15

G:REPORTS\2015\15-01 Nancy Austin (RZoning)\RPC 15-01 (4.17.15).docx
Prepared by Angela L. Zubko, Planning & Zoning Manager
Page 3 of 3
#15-01 Nancy Austin
Planner Zubko stated Nancy Austin is requesting to rezone 3.2 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. Staff is waiting to hear if Plattville would like to annex to Ashley Road or de-annex 62,720 square feet of property so the whole parcel is located in unincorporated Kendall County. If Plattville de-annexes the property that section of the comprehensive plan shows this property to be agricultural so staff cannot even approved rezoning unless the Lisbon Township approves the rezoning. Planner Zubko would not like to split the zoning since it's between unincorporated and corporate property. There are no endangered species on the site. Staff would recommend approval no matter which way Plattville or the township decides to handle this property. She also stated they're looking to build 1 house at this time but could in the future rezone the eastern portion to R-1 in the Village of Plattville and have access off Plattville Road.

Brian Holdiman stated a building permit will be required.

Aaron Rybski stated a well and septic permit will be required and if they plan to have horses on the property that care is given to make sure the horses are placed away from the well and septic.

Megan Andrews stated an executive summary will be needed which is a reduced fee. Their meeting is Monday, February 9th so if the application can be submitted ASAP that would be great.

Scott Gryder- Mr. Gryder asked if the neighbor had any concerns. Planner Zubko stated they have not been notified yet but thinks they sold them the property.

Fran Klaas wanted to discuss the corporate and unincorporated issue; he asked if there is any other property like that in the County? No one remembers this happening in the past. We discussed the setback in the R-1 if that will affect the property. His concern is developing the flag lot as they would need an access variance for the driveway.

With no further comments Scott Gryder made a motion, seconded by Aaron Rybski to approve the rezoning and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.
#15-01 Nancy Austin
Planner Zubko stated Nancy Austin is requesting to rezone 3.2 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 will de-annex 62,720 square feet of property so the whole parcel is located in un-incorporated Kendall County. The comprehensive plan shows this property to be agricultural so staff had to wait till the Lisbon Township board approved the rezoning which they did this month. 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 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 petitioner is not present tonight. Mr. Ashton asked a procedural question if it’s agricultural on our comp plan we cannot rezone the property without changing the comp plan. There was discussion on Plattville annexing up to 50’ from the roadway so it can be annexed and they don’t have to maintain Plattville Road. There’s a case law that specifies how close you can go to the roadway.

This will be continued next month.
SITE INFORMATION

PETITIONERS  Kendall County and the Village of Millbrook

LOCATION  On the Southwest side of Sherman Street, about 0.05 miles northwest of Fox River Drive

TOWNSHIP  Fox

PARCEL #  04-16-251-012

SIZE  The location of rezoning will be 0.22 acres of the 0.46 acre property.

EXISTING LAND USE  Manufactured building and parking

ZONING  R-3 Residential and M-1 Manufacturing

<table>
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<tr>
<th>LRMP</th>
<th>Use</th>
<th>Millbrook: High Density Residential (Max. 6.0 DU/acre)</th>
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<tbody>
<tr>
<td>Roads</td>
<td>Sherman Road is designated as a local roadway</td>
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<tr>
<td>Trails</td>
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REQUESTED ACTION  The Petitioner is requesting approval of a Map Amendment 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. This was done through the Village of Millbrook in 2008. The Village had an intergovernmental agreement with the County at that time so it should have gone through our entitlement process and then onto...
their Village Board. The County is correcting a mistake.

APPLICABLE § 10.01 of the Zoning Ordinance (Manufacturing District)
REGULATIONS § 13.07 of the Zoning Ordinance (Amendments)

<table>
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<tr>
<th>SURROUNDING LAND USE</th>
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<td>Single Family Home</td>
<td>M-1</td>
<td>High Density</td>
<td>B-3; R-3 &amp; A-1</td>
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<td>South</td>
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<td>R-3; B-3 &amp; A-1</td>
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<td>B-3/R-3</td>
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<td>R-3; B-3 &amp; A-1</td>
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<td>West</td>
<td>Fire Station</td>
<td>R-3</td>
<td>High Density</td>
<td>M-1; B-3; Forest Preserve</td>
</tr>
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</table>

ACTION SUMMARY

The Fox township discussed this at their April 13th meeting and staff is awaiting to hear what their recommendation was.

This will go to their Village Board after all our committees for the final vote on April 28th.

STAFF ANALYSIS

The property is for sale and that is how staff found out the zoning was incorrect on our map and that the Village rezoned it back in 2008.

Findings of Fact

§ 13.07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant a map amendment. The petitioner & staff have answered 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 Village of Millbrook’s plan from 2009 but this property was rezoned before they adopted their future land use plan.

Recommendation Staff would defer to the Village of Millbrook as they rezoned the property to M-1 back in 2008.

Attachments:
1. Exhibit
2. Village of Millbrook rezoning this property in 2008
Was rezoned through the Village of Millbrook in 2008 but needed to go through the County process.
March 6, 2008
March 13, 2008
STATE OF ILLINOIS
COUNTY OF KENDALL

ORDINANCE NO. 2008-7025

AN ORDINANCE GRANTING REZONING FOR
LITTLE ROCK FIRE PROTECTION DISTRICT
FROM R-3 ONE FAMILY RESIDENTIAL DISTRICT
TO M-1 LIMITED MANUFACTURING DISTRICT

WHEREAS, the Village Board of the Village of Millbrook have held all necessary
Public Hearings for a Zoning Map Amendment and considered the application of LITTLE ROCK
FIRE PROTECTION DISTRICT as the Owner, and JAMIE KELLER, and DONALD ZITT as
the Developers of the real property legally described in the attached Exhibit "A" for the purpose
of modifying and amending the zoning map of the Village of Millbrook as to said real property to
provide a change in Zoning from R-3 One Family Residential District to M-1 Limited
Manufacturing District for approximately 25% of the subject said real property; the majority
approximately 75% thereof which is already zoned M-1 Limited Manufacturing District; and

WHEREAS, publication was duly made in the Kendall County Record giving notice to
all those interested parties as required under Illinois Compiled Statutes and Ordinances of The
Village of Millbrook, and certified notice thereof to all necessary parties within Five Hundred
(500') feet thereof of the proposed amendment to the Zoning Map of the Village of Millbrook,
modify and rezoning from R-3 One Family Residential District to M-1 Limited Manufacturing
WHEREAS the Village Board has made the necessary findings as required in its Zoning Ordinance to approved said Map Amendment for the subject real property:

That Owner and its successors, heirs, and assigns shall be permitted all uses on the subject parcel contained in the Village of Millbrook Zoning Ordinance for M-1 Limited Manufacturing District (a copy of which is attached hereto and incorporated herein as Exhibit "B") including any amendment which may be added as to the list of permitted uses by Village Ordinance at any time in the future as to permitted uses.

NOW THEREFORE, UPON MOTION DULY MADE, SECONDED, AND APPROVED by a majority of those members voting of the Village Board of the Village of Millbrook do ORDAIN and APPROVE an amendment to the Zoning Map of the Village of Millbrook changing the zoning of the subject parcel from R-3 One Family Residential District to M-1 Limited Manufacturing District.

STEVE G. MOELLER  
TINA PERKINS  
NICK BRUSCATO  

PAUL EICHENBERGER  
WILLIAM M. PERKINS  
JACKIE LEMMERHIRT  

YES  
YES  
YES  
YES  
YES
APPROVED by me, as Mayor of the Village of Millbrook, Kendall County, Illinois, this
22 day of APRIL, A.D. 2008.

[Signature]
VILLAGE PRESIDENT

PASSED by the Village Council of the Village of Millbrook, Kendall County, Illinois this
22 day of APRIL, A.D. 2008.

Attest: [Signature]
VILLAGE CLERK

Prepared by and return to:
Law Offices of Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560
630.553.9500
LEGAL DESCRIPTION

THAT PArt OF LOTS 5, 8, AND 9 IN BLOCK 5 AND LOT 1 IN BLOCK 7 AND VACATED MAY STREET OF THE VILLAGE OF MILLBROOK, KENDALL COUNTY, ILLINOIS ACCORDING TO THE RECORDED PLAT OF SAID BLOCKS RECORDED IN THE RECORDER’S OFFICE OF KENDALL COUNTY, ILLINOIS, IN PLAT BOOK 4, PAGE 78, DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHEASTERLY CORNER OF LOT 1 IN SAID BLOCK 5; THENCE SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID BLOCK 5, A DISTANCE OF 116.00 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUING SOUTHEASTERLY ALONG SAID EASTERLY LINE OF SAID BLOCK 5 AND THE EASTERLY LINE OF SAID BLOCK 7, A DISTANCE OF 180.27 FEET TO A POINT 55.00 FEET NORTHEASTERLY OF THE SOUTHEAST CORNER OF LOT 1 IN SAID BLOCK 7; THENCE SOUTHWESTERLY PARALLEL WITH THE SOUTH LINE OF SAID LOT 1 IN SAID BLOCK 7, A DISTANCE OF 118.09 FEET TO THE WEST LINE OF SAID LOT 1; THENCE NORTHEASTERLY ALONG SAID WEST LINE AND WEST LINE EXTENDED NORTHERLY, A DISTANCE OF 54.12 FEET TO A POINT IN SAID VACATED MAY STREET, 40.00 FEET NORTHERLY OF THE NORTH LINE OF SAID BLOCK 7; THENCE NORTHEASTERLY PARALLEL WITH SAID NORTH LINE OF SAID BLOCK 7, A DISTANCE OF 22.75 FEET TO A POINT; THENCE NORTHEASTERLY PARALLEL TO THE EAST LINE OF SAID BLOCKS 5 AND 7, A DISTANCE OF 126.38 FEET TO A POINT 116.00 FEET SOUTHEASTERLY OF THE NORTH LINE OF SAID BLOCK 5; THENCE NORTHEASTERLY PARALLEL TO THE NORTH LINE OF SAID BLOCK 5, A DISTANCE OF 94.47 FEET TO THE POINT OF BEGINNING, ALL IN THE VILLAGE OF MILLBROOK, TOWNSHIP OF VOX, KENDALL COUNTY, ILLINOIS.
CONSTITUTION & BY-LAWS
FOR THE
KENDALL COUNTY REGIONAL PLAN COMMISSION

ARTICLE I. AUTHORITY
Illinois Revised Statutes. Regional Planning, An Act to provide for regional planning and for the creation, organization and powers of regional planning commissions. Laws 1929, p. 308, approved June 25, 1929, eff. July 1, 1929.

3001. Commission to prepare plan...commission shall be a fact finding body and shall make such investigations and gather such statistics as it shall deem necessary for the planning and development of said region and shall make a plan of said region to include all matter which it may deem necessary for the development of the region as provided above.

ARTICLE II. ROBERTS RULES OF ORDER, as applicable to informal meetings, shall prevail at all meetings of the Kendall County Regional Plan Commission.

ARTICLE III. COMMISSION MEETINGS

THE REGULAR MEETING of the Commission shall be held on the 4th Wednesday of each month at 7:00 p.m., at the Kendall County Office Building, unless otherwise specified by presiding officer, herein referred to as "Chairman", "Chairwoman" or "Chairperson".

ADJOURNED MEETINGS of the Commission may be held at such time and place as may be fixed in the resolution of adjournment or Notice of Special Meeting. If no other place is fixed in the resolution, the meeting shall be held at the Kendall County Office Building.

SPECIAL MEETINGS of the Commission may be called by the Chairman and held at any time or place fixed in the call.

SPECIAL MEETINGS of the Commission may also be called by the Chairman at the written request of any five or more members of the Commission. If the Chairman shall fail to comply with such a request, the members requesting the meeting have authority to call the meeting by drawing up and signing a notice calling the meeting.

ADJOURNED SPECIAL MEETINGS of the Commission may be held at such time and place as may be fixed in the resolution of adjournment. If no other place is fixed in the resolution, the meeting shall be held at the Kendall County Office Building.

ARTICLE IV. QUORUM
Fifty percent of the appointed members of this Commission shall be necessary to constitute a quorum for the transaction of any business. Each member of the Commission is entitled to one vote, only
Commission members may vote.

The affirmative vote of a majority of the members present constituting the quorum shall be required for the exercise of powers or functions conferred or imposed upon the Commission, but less than a quorum of members may meet and adjourn from time to time until a quorum is present.

Failure of a quorum of the Commission. In the event the Plan Commission fails to have a quorum for any reason, resulting in the rescheduling of the petition, any expenses regarding public notices (in the paper and neighbors) will be at the expense of the County.

ARTICLE V. NOTICE OF MEETINGS
NOTICE OF MEETINGS shall name the time and place and business to be transacted and shall be emailed to each member of the Commission at his appropriate address unless otherwise specified to mail the packet to the appropriate address. Notice shall be sent at least five days in advance, allowing sufficient time to enable him to attend such meetings. Notice of the meeting sent to area media will be in the form of a press release and shall be sent only at the discretion of the Kendall County Regional Plan Commission (KCRPC) Chair.

ARTICLE VI. NOTICE FOR MEETINGS
Section 1. In instances which Kendall County Board is the petitioner, the Planning, Building and Zoning Department shall provide for a notice to surrounding property owners not less than ten (10) days before the regularly scheduled Regional Planning Commission meeting. Said notice shall provide the location of the petition, a brief statement of the nature of the petition, and any other relevant information.

Section 2. In instances in which the property petitioned is located in an Agricultural District, the petitioner shall notify all property owners, as determined by County tax records, within five hundred (500) feet of the parcel being zoned property. Said notice shall be completed not less than ten (10) days before the regularly scheduled Regional Planning Commission meeting. Said notice shall provide the location of the petition, a brief statement of the nature of the petition, and any other relevant information. The petitioner shall provide proof of notification to the Secretary.

Section 3. In all other instances, the petitioner shall provide proof of notification to all adjacent property owners, as determined by County tax records. Said notice shall be completed not less than ten (10) days before the regularly scheduled Regional Planning Commission meeting. Said notice shall provide the location of the petition, a brief statement of the nature of the petition, and any other relevant information. The petitioner shall provide proof of notification to the Secretary.

ARTICLE VII. TERM OF OFFICE
Plan Commission members are advisory to the County Board and appointed by the Board. Terms of Plan Commission Members shall be staggered, and for three year periods, beginning with the first month of the year in which the appointment is made. Members shall serve past their term, until a
replacement or reappointment is made by the County Board.

When a vacancy occurs in the last quarter of a year, the Board may choose to make a temporary appointment to be confirmed by a full three year appointment for the candidate, beginning in the first month of the upcoming year.

ARTICLE VIII. COMMISSION OFFICERS AND DUTIES
The following officers shall be members of the Commission: a Chairman, Vice Chairman and Secretary. The following two officers may or may not be members of the Commission but may consist of staff: Recording Secretary and Treasurer.

CHAIRMAN (CHAIRPERSON, CHAIRWOMAN, PRESIDING OFFICER)
* The Chairman shall preside at all meetings of the Commission.
* The Chairman shall have general charge of the business of the Commission.
* The Chairman shall, when authorized by the Commission, execute in its name all contracts and other obligations, with the exception of those dealing with expenditures, which lie within the authority of the Kendall County Board.
* The Chairman shall appoint all committees.
* The Chairman shall have general supervision of the conduct of affairs of the Commission.
* The Chairman shall perform such other duties as are usually exercised by the Chairman of a Commission.

VICE CHAIRMAN
* The responsibility of the Vice Chairman shall be to perform the duties of the Chairman during the absence or disability of the same.

SECRETARY
* The Secretary shall attend all regular and special meetings and be responsible for the Minute book of the Commission.

TREASURER
* The Treasurer shall monitor all fiscal activities of the Commission as allocated by the County Board.
* The Treasurer, with the approval of the Commission, shall authorize payment of expenses for the Commission business to the County Board.
* The Treasurer shall keep a running record of all payments made from the budget allocated by the Board to the Commission, and shall keep the Chairman of the Commission informed as to the current status of budget funds.

The Treasurer may be a staff member of the Planning, Building and Zoning Department by majority vote of the Commission for a 1 year term.
RECORDING SECRETARY
* The Recording Secretary shall attend all regular and special meetings and be responsible for taking the meeting minutes of the Commission.
* The Recording Secretary shall direct the mailing of all notices of regular and special Meetings as required under these by-laws or as directed by the Chairman.
* The Recording Secretary shall have charge of the office of the Commission and all books, papers and records thereof and shall attend to all correspondence of the Commission.
* The Recording Secretary shall be responsible for keeping track of the terms of office of the various Commission members.

The Recording Secretary should be a staff member of the Planning, Building and Zoning Department or employed by the Planning, Building and Zoning Office.

ARTICLE IX. ELECTION OF OFFICERS
ANNUAL MEETING for the election of officers of the Commission shall be held at the Kendall County Office Building at 7:00 p.m., on the 4th Wednesday in the month of January or the next scheduled meeting.

Any Vacancy in the office of Vice-Chairman, Secretary or Treasurer of the commission may be filled at any regular or Special Meeting after such vacancy occurs. The vacancy will be filled until the end of the vacated term by election from among the members. The office will come up for the regular election process the following January.

If the office of Chairman is vacated during a term, the position will be filled by the Vice-Chairman until the end of that Commission year and the office will come up for the regular January election schedule,

* The Chairman of the Commission shall be elected by the Commission. The term of service of the Chairman shall be one year and the Chairman may be re-elected.
* The Vice Chairman shall be elected by the Commission and the term of service shall be one year.
* The Secretary shall be elected by the Commission and the term of service shall be one year.
* The Treasurer shall be elected by the Commission and the term of service shall be one year.

ARTICLE X. APPOINTMENTS
The Chairman of the Commission shall appoint Committees and Committee Chairman when necessary. In the event that the Chairman, Vice Chairman and Secretary and Treasurer of the Commission should all be absent or unable for any reason to attend to the duties of their office, the remaining members of the Commission may at any Regular Meeting or at any Special Meeting, appoint a Chairman pro-tem, who shall attend to all the duties of such officers until such officers shall return or be able to attend to their duties.
ARTICLE XI. COMMITTEES
Whenever necessary, the Chairman of the Commission shall appoint special committees as necessary or as may be authorized by the Commission.

All reports of committees upon which action of the Commission is contemplated shall be submitted in writing to the Commission and signed by the Chairman of the Committee.

ARTICLE XII. QUALIFICATIONS AND CONDUCT OF MEMBERS
All voting members and ex-officio members shall be legal residents of the County of Kendall.

All members of the Kendall County Regional Plan Commission shall be residents of different townships with one member at large so as to reasonably represent the urban and rural areas of the County.

Members who have any personal interest and/or are actively involved with, and have taken a position on the request; or who have ownership, or share of, or financial interest, or equity obligations in connection with the matter presented to the Commission shall disqualify themselves from any discussion, consideration or voting on such matters.

Each Commission member is allowed three (3) unexcused absences during each calendar year. Unexcused absences exceeding three (3) could result in a drop of the member from the Commission.

ARTICLE XIII. ORDER OF BUSINESS

* Roll Call of Members present
* Approval of Agenda
* Approval of Bills
* Approval of Minutes
* Petitions
* Citizens to be Heard/Public Comment
* New business.
* Old Business
* Adjournment

ARTICLE XIV. PETITIONS
All petitions and other matters brought before the Kendall County Regional Plan Commission shall be reviewed and in cases dealing with the Land Resource Management Plan a public hearing shall be conducted. Advisory recommendations of the Commission shall be transmitted to the Zoning Board of Appeals and the Planning, Building and Zoning Committee for consideration.

ARTICLE XV. ADDRESSING THE PLAN COMMISSION
The public is invited by the Planning Commission to speak on items before the Commission.
Reasonable time limitations may be imposed by the Chairman.

ARTICLE XVI. AMENDMENT OF BY-LAWS AND RULES OR PROCEDURE
The By-Laws and rules of procedure herein may be amended whenever it is necessary to do so for the best interests of the Commission, providing such amendment is proposed in writing and signed by at least three members. The motion for such amendment shall be made at one meeting and voted upon at the meeting next following; the notice for such meeting shall contain a copy of the proposed amendment.

APPROVED & ADOPTED BY THE KENDALL COUNTY REGIONAL PLAN COMMISSION

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<tr>
<th>Name</th>
<th>Position</th>
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<td>Bill Ashton</td>
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