KENDALL COUNTY
REGIONAL PLANNING COMMISSION
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560
AGENDA

Wednesday, April 23, 2014 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Tom Casey, Bill Lavine, Brian Leonard, Larry Nelson, Vern Poppen, Tim Sidles, Claire Wilson, Budd Wormley and two vacancies (Big Grove Township & NaAuSay Township)

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of minutes from the February 26, 2014 meeting

PETITIONS

1. 14-06 Reinert Fox Road Subdivision
   Request Preliminary & Final plat for a 2 lot subdivision
   Location 12345 Fox Road, Yorkville
   Purpose Preliminary and Final Plat for a 2 lot subdivision, rezoning to R-2 and 2 lots were approved in 1994 as Pet. 93-02

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
14-02 Dickson Valley Ministries- Passed at the March County Board meeting

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

OLD BUSINESS
Vote on amended By-laws
Update on possible changes to the LRMP for Kendall and NaAuSay Township

ADJOURNMENT Next regularly scheduled meeting on Wednesday, May 28, 2014
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, Tim Sidles, Claire Wilson and Budd Wormley
Others present: Planning & Zoning Manager Angela Zubko
Members Absent: Bill Lavine, and 2 vacancies (Big Grove & Kendall)
In the Audience: Mark Caldwell, Ken Hostert, Pam Wynne, Craig Johnson and Pam Nelson

APPROVAL OF AGENDA
Larry Nelson made a motion to approve the agenda as written. Claire Wilson 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 22, 2014 meeting and February 1, 2014 annual meeting, Vern Poppen seconded the motion. All were in favor and the minutes were approved.

PETITIONS
#14-02 Dickson Valley Ministries
Planner Angela Zubko did an overview of the request stating the property is located at 8250 Finnie Road on the north and south side of Finnie Road, 0.8 miles south of Finnie & Rogers Road. The petitioners are seeking approval of a major amendment to an existing Special Use Permit to modify the site plan and expand the special use to pin numbers 04-17-100-002 & 04-17-300-007. The entire property is 160 acres. The grounds are utilized all year long and their current special use is for a camp and retreat center. The center started in 1971, in the report is a lot of history of the property but Planner Zubko will not go over it at this time. Over the years the petitioners have updated their special use and have updated their site plan and conditions. The petitioners are looking to keep the lit sign which was the last amendment in 2002. The property currently has 3 access points off Finnie Road going south, 1 entrance to the Director’s Lodge, one going to the main grounds and one on the far eastern side of the property. The petitioner also has access off Finnie Road going north to an existing building. The petitioner is proposing one more access point north of Finnie Road for the
remote camp parking. Most of the southern property is covered with wetlands and floodway, the area is also referred to as the Sedge Meadow and is a Illinois Natural Area Inventory Site and a Natural Heritage Landmark. The report shows where most of the floodplain exists which is most of the southern property. Through mostly donated funds and volunteer labor, the ministry of Dickson Valley plan to undertake the following projects which is a wish list and might not be completed for awhile due to timing and funding:

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

Also in the report were previous conditions placed on the special use. The Township Board approved the special use and Planner Zubko stated Millbrook also recommended approval. In the packet is the site development plan and Mark Caldwell from the Dickson Valley Ministries is in attendance to answer any questions. Staff recommends approval of the requested major amendment to their special use with the recommended 6 conditions.

The ZPAC also recommended approval with no issues.

Mr. Caldwell introduced himself and stated he’s been with Dickson Valley since 1989 and he lives at the camp.

Ms. Wilson asked about the reforestation of some of the floodplain areas. Mr. Caldwell stated that would be the area that is currently being farmed.

Mr. Wormely asked about location A the remote camp and what that would consist of. Mr. Caldwell stated correct no structures would exist and there would be a pathway to lead back for tent camping. No dirt will be moved.

Mr. Nelson stated he thinks what they do out there is great and a wonderful asset to the County.
Ms. Wilson asked about condition number 3 about hunting on the property. They wanted to leave it open to animal population hunting if needed. The Plan Commission decided to eliminate condition 3 in its entirety with regards to hunting on the property. It would be at the discretion of the property owners.

Ms. Wilson asked about the number of RV hook-ups and wanted to make sure 4 is enough, after some discussion the Plan Commission changed the number to 8 RV hook-ups.

With no further suggestions or changes Budd Wormley made a motion and the amended motion, seconded by Vern Poppen to recommend approval and forward the petition onto the Special Use Hearing Officer with staff’s 5 suggested conditions with modifications. A roll call vote all were in favor.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
13-26 Green Organics Inc.- scheduled to go to County Board February 18, 2014-
Planner Zubko stated we are waiting on the SAO to draft the host fee agreement and then it will go to the County Board.
13-31 Candice Hadley R-3 Special Use- Scheduled to go to County Board
February 18, 2014- Planner Zubko stated this petition passed

CITIZENS TO BE HEARD
No citizens were in attendance to talk

NEW BUSINESS
Open discussion on possible changes to the LRMP for Kendall and NaAuSay Township- Planner Zubko stated last year at the annual meeting we were approached by Kendall Township to have larger lot sizes, minimum of 1 acre and less open space due to the lack of maintenance from HOA’s. Also in the packet are the letters from the NaAuSay Township with their concerns. Planner Zubko had a few suggested ideas to bring back the R-2 and R-3 zonings and maybe just eliminate RPD’s from those 2 townships. Have straight subdivision zonings.

Pam Wynne from NaAuSay Township is the chairperson for the Plan Commission. She read the letter that’s in the packet to reiterate their concerns and desires.

Ken Hostert the NaAuSay Township road commissioner discussed the issues of small lots causing septic issues and too much open space. Also the issue of septic tanks off the property into common areas like Henneberry Woods.

There was discussion of the problems at hand and maintenance. Most HOA’s are disbanded or do not take care of the subdivisions.

Craig Johnson was on the Plan Commission in NaAuSay Township and they discussed the future of NaAuSay. They want to keep the density down which is also where the 1
acre lots came from, they would like to keep it rural.

The Health Department will also need to get involved and see if 1 acre is too small or large enough. Planner Zubko will request the Health Department attend the next Ad-hoc meeting on March 26th at 5pm. We will also need to drill down on the text of NaAuSay Township. There was discussion on maintenance of storm water and who would maintain that.

There was discussion on drainage districts and Planner Zubko stated they currently are in the courts and have been for over 3 years, they are hard to establish. We need to talk to the Health Department and talk about primary and secondary septic systems as a first step. Ms. Wilson would like to see maybe a set of goals from the township like lower density and maintenance of open space.

OLD BUSINESS
Review of By-laws and motion to approve the changes to the notification process (will vote on at the next meeting) - Planner Zubko stated that last month a motion passed to approve the changes. This meeting we will need to vote on the amended by-laws unless there are more changes to be made. At the last ZBA meeting they were discussing adding language to the by-laws that discuss publications again if there is no meeting due to lack of a quorum or weather that the County will pay to re-publish. Does the Plan Commission want those changes as well? Larry Nelson made a motion to recommend the changes the ZBA would like to make with regards to publishing. Tim Sidles seconded the motion, all were in favor and Planner Zubko will bring back language next month.

ADJOURNMENT
The next meeting will be on March 26, 2014. Larry Nelson made a motion to adjourn the meeting, Claire Wilson seconded the motion. All were in favor and the meeting was adjourned at 8:25 p.m.

Submitted by,
Angela L. Zubko, Planning & Zoning Manager
14-06
Reinert Fox Road Subdivision
Preliminary & Final Plat Approval

SITE INFORMATION
PETITIONERS Ronald & George Reinert
ADDRESS 12345 Fox Road, Yorkville
LOCATION On the north side of Fox Road, 0.2 miles east of Highpoint Road
TOWNSHIP Fox
PARCEL # 04-01-402-004
SIZE 4.92 Acres
EXISTING LAND USE Residential
ZONING R-2 Single Family Residential (Ordinance #1994-01)

REQUESTED ACTION Approval of a preliminary & Final plat for a 2 lot subdivision in which 1 lot is already built on.

APPLICABLE REGULATIONS §8.07 (R-2 Single Family Residence District) §7.00- §7.04 (Subdivision Control Ordinance- Procedure for Approval & Requirements for Preliminary & Final Plats)
SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
<th>Zoning within 1/2 Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Railroad/Agricultural</td>
<td>RPD-2 (Fox River Bluffs)</td>
<td>Rural Residential</td>
<td>RPD-2</td>
</tr>
<tr>
<td>South</td>
<td>Residential</td>
<td>A-1</td>
<td>Rural Residential</td>
<td>A-1</td>
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<tr>
<td>East</td>
<td>Agricultural</td>
<td>RPD-2 (Fox River Bluffs)</td>
<td>Rural Residential</td>
<td>RPD-2; Yorkville; A-1</td>
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<tr>
<td>West</td>
<td>Residential</td>
<td>A-1</td>
<td>Rural Residential</td>
<td>A-1; R-3</td>
</tr>
</tbody>
</table>

PHYSICAL DATA

ENDANGERED SPECIES REPORT
The applicant is not zoned Agricultural any longer so an endangered species report is not required.

NATURAL RESOURCES INVENTORY
An executive summary was prepared with a SA score of 82 meaning the soils are well suited for agricultural uses.
- 100% of the soils are very limited for dwellings with basements
- Located within the Fox River Watershed & Hollenback Creek subwatershed
- This development should include soil & erosion control plan to be implemented during construction.

Site Assessment: 82
LEVEL OF PROTECTION: LOW

ACTION SUMMARY
TOWNSHIP (Fox)
The information was sent via mail to the Township Supervisor, Jim Friedrich on 3.21.14

MUNICIPALITY (Yorkville)
The information was sent via email to the Community Development Department (Chris) on 3.21.14. They did not have any comments.

REQUESTED ACTION
GENERAL Approval of a preliminary & Final plat for a 2 lot subdivision in which 1 lot is already built on.
BACKGROUND The property was rezoned from A-1 Agricultural to R-2 Single family for 2 residential lots back in 1994. During that process there were a few notes regarding the following:

The soils on this parcel have extremely high groundwater elevations. The soils indicate that there are serious concerns with respect to a residence.

Very high water in total area- very flat

Both water and soil problems that have to be addressed. The site will have to be drained on both the north and east.

A basement would present a problem if sufficient sump pumps were not installed.

Highway Department would like joint entrance- only one road cut for both houses.

The property to the east is owned by Inland and they have agreed to grant an easement for drainage. A pond will also be located on the site.

SOILS The petitioner has done a soil analysis (Health Department has received) and also has submitted the plat to the Health Department to review the proposed location of the septic and soil suitability. Awaiting comments from the Health Department.

LOT SIZES The petitioner proposed to have 2 lots, lot 1 will be 90,329.21 square feet including the ROW and lot 2 will be 94,072.57 square feet including the ROW. Since they currently own to the center of the roadway staff could count that towards their square footage.

ENGINEER COMMENTS Our consulting engineer had two comments: 1. The Side Yard Drainage can be improved with some minor grade changes. See the marked up exhibit attached and 2. They do not recommend the sump pump drain for Lot 2 connect to the existing drain for Lot 1. Each pipe should be separate to the discharge outfall.

ACCESS The property already has 2 access points off Fox Road. The PBZ Department will defer to the Highway Department with regards to granting another access point and previous discussions back in 1993. Mr. Fran Klaas stated due to the future realignment of Fox Road he does not have an issue with another access point. However, a variance will need to be applied for due to the distance from the current access points.

FLOODPLAIN There are no floodplains on this property.

RECOMMENDATION Staff recommends approval of the requested preliminary and final plat with the following condition be placed on the approving ordinance:

1. The suggested changes from our engineer (attachment 3) be incorporated onto the plat

ATTACHMENTS
1. Information from Original Rezoning case (93-02)
2. Ordinance # 1994-01: Rezoning from A-1 to R-2 Single Family Residential
3. Comments from WBK dated March 25, 2014 with exhibit
4. ZPAC Meeting minutes from 4.7.14
5. Plat of Survey

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Prepared by Angela L. Zubko, Planning & Zoning Manager  Page 3 of 3
ZONING BOARD OF APPEALS  
COUNTY OF KENDALL  
111 W. Fox Street  
Yorkville, Illinois 60560

Hearing No. 624  
File No. 9302  
Date 02/19/93  
Time 10:00 a.m.  
Re: Shirley Torrence  
A1 to R2

Mr. Chairman and Members of the County Board of  
Kendall County, Illinois:

Your Board of Appeals transmits for your consideration, recommendations on an application for an amendment to the County Zoning Ordinance affecting property consisting of 4.201 acres more or less located 750 feet east of the corner of Fox and Highpoint Roads on the north side of Fox Road. The application is to reclassify the subject property from its existing A1 Agricultural District to R2 Single Family District. The applicant represents that he intends to rezone two (2) residential lots.

After due notice, as required by law, the Board of Appeals held a public hearing on Friday, February 19, 1993 at 10:00 a.m. in the Kendall County Board Room. At the hearing, the applicant was represented by Attorney Tom Grant.

The Board discussed the petition, then Thurow moved, Dierzen seconded to grant the rezoning. Members Langeland, Thurow, Bark, Dierzen and Swanson voting aye. Members Smith and Klatt were absent.

The Board also made the following findings:

1. The existing use of property in the area is mixed with residential and agricultural zoning.
2. The present zoning of property in the area is A1 and R3.
3. The suitability of property for uses permitted as presently zoned is marginal. The size and location abutting a subdivision makes it more conducive for rezoning.
4. The trend of development in the area has slight growth.

Respectfully submitted,  
Torsten Swanson, chairman, present  
Rudolph Langeland, present  
Louis Thurow, present  
Richard Bark, present  
Roger Smith, absent  
Floyd Dierzen, present  
Thomas Klatt, absent  
Robert Nordengren, secretary, absent
March 8, 1993

Building and Zoning Committee
Attn: Kay Hatcher
Yorkville, IL 60560

RE: Petition #9302  Shirley Torrence, Mary Backhoff

Dear Kay:

The Fox Township Planning Commission presented their recommendations to the Township Board of Trustees on March 8, 1993 concerning the above referenced petition. The Board of Trustees concurs with the Planning Commission in a favorable recommendation.

Respectfully Submitted,

[Signature]

Janet Whitfield Doll
Fox Township Supervisor

Enclosure
ZONING AND PLATTING ADVISORY COMMITTEE (ZPAC)
March 16, 1993
REPORT

ZPAC has reviewed the Zoning applications and plats that have been filed with the Building and Zoning Office. The comments relating to the following is informational only and are made to assist in the zoning and platting process.

#9302 Shirley Torrence (Mary Backhoff)

1. The site is below the County’s requirements for drainage calculations.

2. The soils on this parcel have extremely high groundwater elevations. The soils indicate that there are serious concerns with respect to a residence.

3. Very high water in total area - very flat.
   Soil and Water District states that they hit water with probe at approximately 4 inches. Could possibly tile to the east. Also states that the soil map as presented is wrong. A swale does run to the northeast. Soil shown as Drummer is really Elburn and Lisbon, very wet. Topo is correct.

4. Highway Department would like joint entrance - only one road cut for both houses.
Motion was made by Member Larson to approve the bills submitted for payment. Seconded by Member Scholtes. Motion was unanimously passed.

NEW BUSINESS

Petition #9302/Shirley Torrence
Section 1 Fox Township
A 1 to R 2

Chairman Gawne noted a change in the order of business. Petition #9302 was moved forward due to the possible length of time involved with the first order of business.

Petitioner Torrence was represented by Attorney Thomas Grant. Attorney Grant stated the property is a 4.2 acre parcel of real estate. The surrounding property is zoned "R-3" and resident property is zoned in the area. This petition was brought before Fox Township Plan Commission. They felt it would fit under their guidelines.

Attorney Grant mentioned that currently there are both water and soil problems that have to be addressed. The site will have to be drained on both the north and the east. The Highway Department has limited to the area to a single road cut. The petitioner will dedicate 40 foot for highway right of way. The site is in the preliminary plat stage and the limited right of way will be addressed at a later date. The drainage issue will be addressed at the ZPAC meeting.

A question regarding water drainage problems was answered by Member Haldiman. He referred to the topography of the site and mentioned that it drains to the railroad side. A basement would present a problem if sufficient sump pumps were not installed. Elevation pads might be necessary as the LESA rating is 100.

Motion was made by Member Ford to approve the change in zoning from "A-1" to "R-2". Seconded by Member Haldiman. Motion was put to a roll call vote.

Jim Friedrich aye
Ed Gawne aye
William Ford aye
Terry Larson aye
David Krahn aye
Sam Haldiman aye
Randy Mohr aye
Mary Ann Stees aye
Paul Scholtes nay

Motion passed.
County Highway Engineer Klaas felt the curve should be removed and traffic control devices installed where necessary.

Member Young agreed with Engineer Klaas's recommendation. Member Young further stated that the requested soil investigations had not been performed. He further stated that he felt there would be many problems with the soil and sewer should this petition for rezoning be approved. Member Young went on to mention a discussion with Village of Oswego Administrator Mary Distler regarding this petition. Ms. Distler stated that the hike and bike trails that were to be shown on the plat were not reflected as stated. She further mentioned a need for a soil survey of all questionable sites has not yet to be completed. Member Young felt there was still a considerable amount of work to be accomplished before a decision on rezoning could be rendered. Member Young stated he has also had consulted with both Ms. Bennett and Mr. Pals of the Soil and Water Conservation Department regarding this matter. Both have expressed concerns with potential water and soil problems on this site.

Chairwoman Hatcher, Mr. Davidson, Member Hausler, and Sheriff Randall felt that the 90 degree curve should be eliminated as requested by Engineer Klaas.

When questioned regarding the upkeep on the 40 foot parcel of land that would remain after the curve straightening of Reservation Road, Attorney Kramer stated it would be dedicated to the neighbors and lots.

It was requested that a separate meeting be held with Ms. Distler, Jeff Humm, Ms. Bennett and/or Mr. Pals, the Oswegoland Park District, and the ZPAC. Arrangements will be made with all concerned parties to meet and resolve any and all differences regarding this rezoning request. Member Hausler stated that this matter will come before the Committee once more before being recommend to the County Board for approval.

#9302/Shirley Torrence
Section 1 - Fox Township
A 1 to R 2

Director Millen presented a recap of Petition #9302. The petitioner was represented by Attorney Tom Grant. Attorney Grant stated that although a water problem exists, he feels it would fit in with the character of the land. He further stated that the Fox Township Planning Commission has recommended this petition for approval. In talking with Ms. Bennett, her concern was for proper water drainage at the site. Attorney Grant stated the water problem will be addressed in the platting stage. He further stated ZPAC has requested only one (1) road cut and dedication of 40 feet of right of way. The petitioner is in agreement and are trying to arrange for the allowance of ONE (1) acre in back for Ms. Mary Backoff. All other problems will be addressed at the platting stage.
Member Young felt that a foundation height should be established along with a prolific sewer system due to the six (6) inches of ground water near the surface ground area. He further stated that this property should not be divided into two (2) lots. He felt a water and sewer problem in this area was the reason building has not continued.

Surveyor Olson presented the Committee with his point of view regarding this site. He stated that it would be drained to the northeast in the ditch along the railroad tracks. Located just west of the tracks on Fox Road a six (6) inch field tile feeds off in three directions.

Motion was made by Member Hausler to approve petition #9302 for rezoning from "A 1" to "R 2". Seconded by Member Charest. Motion was put to a roll call vote:

Richard Young  nay  Kay Hatcher  aye
Thomas Charest  nay  Donald Hausler  aye

Motion failed. This matter will be referred to the County Board.

OTHER BUSINESS

Director Millen stated that 17 building permits have been issued with 8 new housing starts having a total value of $1,250,000.00.

It was noted that the County Board was in receipt of a letter from Ms. Gretchen A. Wendorf, 2481 Plainfield Road, East, of Oswego. Ms. Wendorf noticed a large bill board erected on the corners of Plainfield and Simmons Roads advertising a map of sub-divided lots for sale. It was noted that the builder has yet to contact the Building & Zoning Office regarding the rezoning of this property. The builder has been contacted and the sign has been removed. Mrs. Wendorf has conveyed her thanks for the prompt action in this matter.

Director Millen mention a problem with the 2-way radio in the Building & Zoning Department. The old system is sometimes unable to reach Mr. Hastings on his inspections due to the limited range. Director Millen has arranged for the purchase of a pager for Mr. Hastings that would suit the Departments purposes without a large cash outlay for a new two-way system. The pager enables the office to reach him at any given point and saves both time and fuel. The monthly charge for the pager is $10.00 or $120.00 per year which is considerably less the replacement price for a new two-way system.

Motion was made by Member Young approving the purchase of the pager for Mr. Hastings. Seconded Member Hausler. Motion unanimously approved by roll call vote.

The next item to be addressed by Director Millen regarded the recently approved amendment for the agricultural zoning - referred to the Ag amendment but more properly noted as the 7.01 A-2c. It was suggested that this amendment should be a separate district since there is no provision in the
May 6, 1993

Kendall County Building and Zoning Department
ATTN: Molly

RE: Shirley Torrence (Mary Backhoff)
Zoning application

Dear Molly:

The Torrence (Backhoff) zoning application is scheduled for hearing before the Building and Zoning Committee on Thursday, May 13, 1993. As you know, this matter was continued from last month to give us an opportunity to further study the water conditions and drainage on the property. We have not yet concluded the study. Accordingly, I request that this matter again be tabled before the Building and Zoning Committee. I would appreciate it if the matter can be passed and be placed on the Building and Zoning Committee agenda in June.

As you know, I will be travelling to Indianapolis on the evening of May 13 and I will not, accordingly, be able to be present at the Building and Zoning Committee meeting. I would appreciate it if you would bring this matter to the attention of the Building and Zoning Committee and request that they pass the matter into June.

On a related matter, the Mackenzie zoning application will be considered by the Building and Zoning Committee on May 13. While I will not be able to be there, Jim Olson will stand in for me and will be present with the Mackenzies.

As always, thank you for your cooperation.

Very truly yours,

Thomas W. Grant

TWG/paa
KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE
December 15, 1993

The meeting was called to order by Chairwoman Hatcher at 7:04 p.m.

Members present:

Dick Young
Kay Hatcher
Bill Page

Thomas Charest
Don Hausler

Others present:

Mollie Millen/Director of B & Z
Tom Fletcher/County Board Member
Liz Clark/WSPY
James Olson/Attorney

Floyd Sleezer/County Board Member
Larry Nelson/Comp Plan Commission
Ed Petka/Attorney

OLD BUSINESS

Petition #9302
Shirley Torrence
Section 1/Fox Township
"A-1" to "R-2"

Chairwoman Hatcher recapped this petition for the Committee. The petitioner was represented by Attorney James Olson. This was delayed due to family matters that the petitioner needed to attend to. Mr. Ted McCann concurred with the soil study. The property to the east is owned by Inland and they have agreed to grant an easement for drainage. A pond will also be located on the site. The septic system will be an aerobic system with an evaporation bath. Ms. Holbrook was in agreement with this type of system. Attorney Olson further stated that they would recommend against basements. Member Young would like to see that incorporated into the plat. Attorney Olson noted that the main concerns when this has been brought before the various committees had been: the need for a pond, drainage easement and a workable septic system. He feels that these concerns have been addressed and is requesting recommendation of this petition.
ORDINANCE 94 – 01
AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

WHEREAS, Shirley Torrence, did petition Kendall County in the manner required by law and the ordinances of Kendall County, Illinois for a map amendment to the Kendall County Zoning Ordinance; and

WHEREAS, the required public hearing was held before the Kendall County Zoning Board of Appeals,

THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be and it is hereby rezoned and reclassified from A-1, Agriculture District to R-2 District One-Family Residential and the Zoning Administrator is hereby ordered and directed to change the zoning map to show the change in zoning classification:

That part of the East Half of Section 1, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the intersection of the centerline of Fox Road with the centerline of Fox Court; thence northeasterly along said Fox Road centerline, 254.61 feet for a point of beginning; thence northeasterly along said Fox Road centerline, 290.23 feet to the East line of sublot 7 in said Section 1 as depicted on a plat recorded in Plat Book 3 on Page 1; thence northerly along said East line, 500.73 feet to the southerly line of the Burlington Northern Railway Company right-of-way; thence southerly along said southerly line, 509.90 feet to the northeasterly line, extended northerly, of Lot B as depicted on the plat of Fox Station recorded in Plat Book 4, Page 99; thence southerly along said extended northeasterly line and said northeasterly line, 210.67 feet to the southeasterly corner of said Lot B; thence northeasterly along the southeasterly line of said Lot B extended, 56.39 feet to a line drawn northwesterly, parallel with said northeasterly line of Lot B, from the point of beginning; thence southeasterly along said parallel line, 236.60 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 4.201 acres.

PASSED This 21st day of December, 1993.

Chairman, County Board of
Kendall County, Illinois

ATTEST:
County Clerk
March 25, 2014

Ms. Angela Zubko  
Kendall County  
Department of Planning, Building, and Zoning  
111 West Fox Street, Room 316  
Yorkville, IL  60560-1498

RE:  Zoning Petition #14-06 Ron Reinert Fox Road Subdivision  
(WBK Project No. 13-0180)

Dear Angela:

I have reviewed the subject subdivision plat. It does not appear the subdivision/project  
has any impact on floodplain or wetlands and there is adequate grade across the site to  
facilitate local drainage patterns. However, the following comments are provided to the  
petitioner's consideration.

1. Side yard drainage can be improved with some minor grade changes. See the  
marked up exhibit.

2. We do not recommend that the sump pump drain for Lot 2 connect to the existing  
drain for Lot 1. Each pipe should be separate to the discharge outfall.

The applicant remains responsible for performing and checking all design computations,  
dimensions, details, and specifications in accordance with all applicable codes and  
regulations, and obtaining all other permits necessary to complete this work. In no way  
does this opinion relieve the applicant of their duties to comply with the law and any  
applicable codes and regulations, nor does it relieve the Contractors in any way from  
their sole responsibility for the quality and workmanship in performance of the work.

If you have any questions, please call us at (630) 443-7755.

Sincerely,

[Signature]

Greg Chismark P.E.  
Municipal Practice Principal  
Wills Burke Kelsey Associates, Ltd.
Planner Angela Zubko called the meeting to order at 9:02 a.m.

Present:
Megan Andrews – Soil & Water Conservation District
Scott Gryder – PBZ Member
Fran Klaas - County Highway Department
Angela Zubko – PBZ Planning & Zoning Manager

Absent:
Greg Chismark – Wills Burke Kelsey
Brian Holman- Building Inspector
Jason Petit- Forest Preserve
Aaron Rybski – Health Department
Phil Smith – Sheriff’s Office

Also present: Petitioner Ron Reinert

AGENDA
A motion was made by Scott Gryder to approve the agenda, Fran Klaas seconded the motion. All were in favor and the motion carried.

MINUTES
Scott Gryder made a motion, seconded by Megan Andrews, to approve the February 3, 2014 meeting minutes. All were in favor and the motion carried.

PETITIONS

#14-06 Reinert Fox Road Subdivision
Planner Angela Zubko did an overview of the request stating the property is located at 12345 Fox Road on the north side about 0.2 miles east of Highpoint Road. The petitioners are seeking approval of a preliminary & final plat for a 2 lot subdivision in which 1 lot is already built on. The property was rezoned in 1994 for 2 homes but never subdivided. During the approval of the rezoning there much discussion on water issues and the soils having extremely high groundwater elevations. Staff will defer to the Health Department, engineers and soil and water conservation district on this issues. Also at that time the Highway Department requested only 1 access point off Fox Road and that it line up with the driveway across the street. Since then a moon shaped driveway has been installed and they are requesting another entrance from the Highway Department. Staff will defer to Fran on this issue. The petitioner will have 2 lots, lot 1 will be 90,329.21 square feet including the ROW and lot 2 will be 94,072.57 square feet including the ROW. Since they currently own to the center of the roadway staff could count that towards their square footage. Staff will defer again to Fran with regards to ROW dedication. Our consulting engineer had two comments: 1. The Side Yard Drainage can be improved with some minor grade changes. See the marked up exhibit attached and 2. They do not recommend the sump pump drain for Lot 2 connect to the existing drain for Lot 1. Each pipe should be separate to the discharge outfall. Staff recommends approval of the requested preliminary and final plat with any suggested changes of the other departments.

Mr. Fran Klaas stated that no ROW needs to be dedicated at this time. Due to the Eldamain project and Fox Road realignment this part of Fox will be a local street so he is not too worried about another access. The petitioner would need to request a variance to add another access point at this time.

Ms. Megan Andrews from the Soil & Water Conservation District is working on the natural resources and executive summary. She stated taking a quick look the area is very flat and has hydric soils. She stated there will be limitations for a conventional septic system.
Mr. Scott Gryder stated Fran and Megan got the important issues and glad the water issues seem to be taken care of.

With no further comments Scott Gryder made a motion, seconded by Fran Klaas to approve the preliminary and final plat and forward the petition onto the Plan Commission meeting in April. All were in favor and the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD:
14-02 Dickson Valley Ministries- Approved at the 3.19.14 County Board meeting
14-03 Plat of Vacation- Approved at the 2.18.14 County Board meeting
13-26 Green Organics, Inc.- Approved at the 3.19.14 County Board meeting
13-31 Candice Hadley- Approved at the 2.18.14 County Board meeting

PUBLIC COMMENT- There were no comments.

OLD BUSINESS- None

NEW BUSINESS- None

AJOURNMENT- Next meeting on May 5, 2014
With no further business to discuss Megan Andrews made a motion, seconded by Fran Klaas to adjourn the meeting at 9:21 a.m. The motion carried.

Submitted by,
Angela L. Zubko
Planning & Zoning Manager
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 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 VI. 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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<th>Name</th>
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