CALL TO ORDER

ROLL CALL: County Board: PBZ Committee Member Gryder; County Highway: Fran Klaas; Engineering Consultant: Greg Chismark; County Health: Aaron Rybski; Forest Preserve: David Guritz; SWCD: Megan Andrews; Sheriff: Mike Peters; PBZ: Mike Hoffman (Teska Associates), Building Department: Brian Holdiman

APPROVAL OF AGENDA

MINUTES: Approval of minutes from the May 5, 2015 ZPAC meeting.

PETITIONS:
1. 15-10 Frank Schmalz
   Request Variance to locate trailer in front yard setback, and to place on non-paved surface
   Location 23 Old Post Road, Montgomery (Boulder Hill)
   Purpose To allow the existing trailer to remain parked in the front yard on a gravel surface.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD-
14-10 Subdivision Control Regulations – Letters of Credit – Passed on 5.19.15
14-37 Home Occupations – Landscape Business – Referred back to PBZ

PUBLIC COMMENT

OLD BUSINESS/ NEW BUSINESS
15-09 – Septic not permitted in open space – letter sent to Townships for comment
LRMP Update – Trail Plan – trails updated near Plano
Future Request for a Church in Boulder Hill

ADJOURNMENT- Next meeting on July 7, 2015
Planning Consultant Mike Hoffman called the meeting to order at 9:01 a.m.

Present:
Brian Holdiman - Building Inspector
Mike Peters – Sheriff’s Office
Megan Andrews – Soil & Water Conservation District
Mike Hoffman – County Planning Consultant with Teska Associates, Inc.

Absent:
Scott Gryder – PBZ Member
Fran Klaas – County Highway Department
Greg Chismark – Wills Burke Kelsey
David Guritz – Forest Preserve
Aaron Rybski – Health Department

Also present: John Shaw, County Board Chair and Kevin Heap (applicant)

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

Mike Hoffman introduced himself, and noted that he would be assisting the County on planning issues since Planner Zubko had left.

MINUTES
Brian Holdiman made a motion, seconded by Mike Peters, to approve the March 3, 2015 meeting minutes as written. The motion was approved 2-0, with Mike Hoffman and Megan Andrews abstaining.

PETITIONS
#15-08 Heaps Giant Pumpkins
Planner Hoffman stated that the Heap family is requesting approval of an A-1 special use permit to operate a fall festival, corn maze, bakery, farm market, and similar activities on their property at 4819 Route 52 west of Minooka (northeast corner of Route 52 and Grove Road). The applicants live in the house on the property. Planner Hoffman noted that the Heap’s have run a fall festival on the property for a number of years, and the location is appropriate given access from Route 52. The zoning request is being made to bring the property into conformance with zoning regulations, and to allow the owner to expand their activities to accommodate future needs.

Kevin Heap provided a summary of their proposed activities and plans, including conducting tours during the week for school and other groups, and the fall festival (Heap’s Giant Pumpkin Farm) from the second weekend in September through October 31st each year. Most activities are open 7 days a week during the festival season. Activities include a corn maze, soybean maze, hay ride, u-pick pumpkin patch, Milo’s Castle Playground, and Heaps O'Fun Barn. Live entertainment is sometimes offered on the weekend. In the future, they plan to add additional activities including additional play areas and continue to add additional rides, games, etc. A bakery and country store may also be added in the future. Mr. Heap reviewed the site plan, and noted that they are requesting the ability to have parking within the front setback. He also noted that he had been working with Fran Klaus on an appropriate location for a future access onto Grove Road, with the thought being that an access point near the second telephone pole north of Route 52 (approximately 300’ north of the intersection of Grove/Route 52) would be appropriate. This new drive would be gravel. Currently all site access is from an existing drive onto Route 52. They also do not plan to provide lighting in the parking lot (which is normally required in the zoning ordinance).
Planner Hoffman suggested that the proposed access drive should be illustrated on the submitted site plan. He also suggested that he understood the request for allowing parking (which would be seasonal) in the front yard given the 100’ front setback requirement. He recommended a 10’ to 20’ setback to provide some buffer and to control access along the roadways. Kevin Heap suggested that the existing ditches would limit uncontrolled access, but he was comfortable with providing for some reduced parking setback. Planner Hoffman also raised the question of how handicapped parking was to be handled. Brian Holdiman suggested that four paved handicap accessible spaces would be appropriate given the size of the operation and anticipated maximum attendance of 200 visitors. Mr. Heap said he understood the requirement, and would provide the requested paved handicap spaces near the south side of the pumpkin and ticket sales building (#3 on the site plan).

Mike Peters noted that there has been no traffic problems related to this operation. Their only concern would be the location of the new access point, and making sure that it is far enough back from the 52/Grove intersection. Kevin Heap noted that they have had assistance from the Sheriff’s office during busy weekends for traffic control.

Megan Andrews noted that an NRI review by her office was not needed at this time, but a stormwater permit would be required when they decide to add an additional building.

Brian Holdiman noted that he had talked with Mr. Heap, and that he was aware of the County’s building permit requirements. Brian did suggest that be added as a condition in case the property changed hands.

Megan Andrews moved, and Mike Peters provided a second to move the petition forward to the KCRPC with the following conditions attached to the special use, if approved. By voice vote, the motion was approved 4-0.

1. A maximum of 400 persons at any one time
2. All events must be catered unless approved by the Health Department.
3. 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.
4. The ability to commence the operation of a beer garden or winery shall only be permitted contingent on approval from Seward Township, the County of Kendall, and any other required licensing body for a liquor license.
5. The Fall Festival and Corn Maze events shall be permitted to exceed six consecutive days in duration.
6. Adequate parking on site shall be provided in such a way that no on-street parking is necessary. All parking shall be setback a minimum of 10’ from both Route 52 and Grove Road rights-of-way.
7. Four paved handicap parking spaces will be provided as illustrated on the site plan.
8. The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services
9. Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services
10. All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.
11. Noise levels must comply with the Kendall County noise Ordinance
12. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff’s Office.
13. Events will be throughout the year and not held to any consecutive day standard.
14. Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted.
15. All signage shall comply with Section 12.00 of the Zoning Ordinance.
16. The new access drive will be illustrated on the attached site plan, with an access point onto Grove Road in a location that is acceptable to the County Highway Department.
Planner Hoffman introduced the case, noting that this change came out of a request at the annual Kendall County LRMP meeting by residents in Kendall and Na-Au-Say Townships. They requested that the County consider requiring a one acre minimum lot. Currently the code allows smaller lots within an RPD, provided a back-up septic system is provided (potentially located in common open space). They expressed concerns about having the back-up within the common open space area, and about maintenance of common open space areas in general. The issue was discussed at a developer’s forum hosted by the Ad Hoc Committee in October, 2014 – with the intent of understanding the market for new housing in the County. Developers suggested they anticipated little new housing in unincorporated Kendall County, and that the County should instead focus efforts on economic development, jobs, and transportation. As the issue was again raised at the 2015 annual meeting, the Ad Hoc Committee meet in April to address the concern. Their suggestion was to not change the LRMP, but to modify the zoning text to address the concerns raised about potential issues with back-up septic systems located in common open space areas. The proposed text amendment requires individual septic systems of all types to be located on the home lot. Common septic systems are still permissible within open space areas. The proposed language is being sent to all Townships for their feedback prior to proceeding.

Fran Klaas, via e-mail, had expressed concerns that this change is somewhat in opposition to the County’s existing policy, and might trigger an internal reevaluation of current lot sizes – and a potential return to the 1-acre minimum lot size. As discussed at Ad Hoc, the feeling was that the committee wanted to do something to address residents concerns, but they were very hesitant to open the County up to more traditional large lot development given the amount of area currently shown on the LRMP for potential residential use. Since it is unlikely, given significant lot inventory and economic conditions, that the County will see any new subdivisions proposed in the next few years, it was felt that this amendment would address current concerns while allowing a developer to make their case at the time of Residential Planned Development review.

Brian Holdiman asked if this change would apply to only new subdivisions, and Planner Hoffman confirmed that indeed it would only be applicable to new projects. Megan Andrews noted she understood concerns and could see it both ways, but she was comfortable with the proposed change. She felt that maintenance is generally better on home lots, and so keeping all of the septic on the homeowner’s lot might be good. Planner Hoffman noted that the County has enhanced the maintenance requirements for open space areas since some of the earlier RPD projects were approved.

Brian noted that fitting swimming pools, accessory structures, and septic systems on even one acre size lots can be a challenges some times. Planner Hoffman suggested that this requirement would likely increase the minimum lot size in new residential developments, but that the minimum size would be flexible as determined through the planned development process. Brian Holdiman moved to continue the proposed zoning text amendment through the process, with a second by Megan Andrews. The motion was approved 4-0.

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**
15-02 Peter & Laurie Pasteris – Passed 4.21.15

**PUBLIC COMMENT**
There were no comments.

**NEW BUSINESS**
None

**ADJOURNMENT**
**Next meeting on June 2nd, 2015**

With no further business to discuss Mike Peters made a motion, seconded by Megan Andrews to adjourn the meeting at 9:28 a.m. The motion carried.

Submitted by,
Mike Hoffman, AICP, PLA
Teska Associates, Inc./ County Planning Consultant

ZPAC Meeting Minutes 5.5.15
Current Description:
Heap’s Giant Pumpkin Farm operates during the fall season from the second weekend in September through October 31st each year. We raise over 90 different varieties of pumpkins, gourds and squash. In addition to pumpkins we raise 25 different varieties of mums, amongst a variety of other fall produce and décor. We welcome various school groups and other after-school groups to the farm daily, typically between 9 AM and 6 PM. Our normal business hours for the pumpkin farm are 7 days a week, 9 AM through 6:30 PM. We also welcome families and guests 7 days a week and during this time all of our activities are open to the public, with the exception of hay rides only offered on the weekends, for school or after-school programs or by reservation.

Activities we offer include: Corn Maze, Soybean Maze, Hay Ride, U-Pick Pumpkin Patch, Milo’s Castle Play Ground and Heaps O’ Fun Barn. The corn maze is best suited for families, adults and children above the age of 12. The soybean maze caters more to children under the age of 12. The hayride is perfect for the entire family and takes you out to the U-Pick Pumpkin Patch, where you are able to pick a pumpkin off the vine. Milo’s Castle Play Ground is a giant fort with towers, tunnels and pirate ship play grounds. The Heaps O’ Fun Barn houses the stacks of large straw bales and corn boxes. Finally, during the second weekend of each October we welcome Sherri Farley, Hammered Dulcimer music, to the farm.

In addition to the pumpkin farm, we operate Heap’s Haunted Corn Maze. This is a haunted attraction offered on Friday and Saturday nights in October only, from 7 PM to 11PM. During this time we also offer a moonlight hay ride and a flashlight corn maze (non-haunted). To further accommodate our guests, we offer basic concessions during this time as well.

Business Hours:
Heap’s Giant Pumpkin Farm: 7 days a week, 9 AM – 6:30 PM
Heap’s Haunted Corn Maze: Fridays and Saturdays in October, 7 PM – 11 PM

Employment:
Our pumpkin farm employs on average about 25 people, seasonally during September and October. We also employ a few workers during the summer. The haunted attraction employs on average around 40 people, also seasonal help for 8-10 days in October each year.

Parking:
We have a gravel parking lot 120’ x 75’. We also have additional parking in our 4.75 acre hay field.

Signage:
We have a two-sided pumpkin farm sign at the entrance of the pumpkin farm on US Highway 52. We also have a two-sided haunted corn maze sign in our hay field towards the corner of US Highway 52 and Grove Rd.

Future Description:
Our vision for the farm over the next 3 to 5 years would be to add additional activities to both the pumpkin farm and haunted corn maze. For the pumpkin farm, we would like to build additional play areas and continue to add to our activities offered such as rides, games, etc. We continue to improve the pumpkin farm to cater to our guests who look forward to new attractions and activities each year and continue to attract business to our area. We have a 64’ x 80’ Morton pole-barn
# Application Form

**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141
Fax (630) 553-4119

**APPLICATION**

**PROJECT NAME**: 23 Old Post RD

**FILE #**: Frank Schmaltz

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<tr>
<th>NAME OF APPLICANT</th>
<th>Frank Schmaltz</th>
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<tr>
<td>CURRENT LANDOWNER/NAME(s)</td>
<td>Frank Schmaltz</td>
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<td>SITE INFORMATION</td>
<td>SITE ADDRESS OR LOCATION: 23 Old Post RD Montgomery</td>
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<td>ACRES</td>
<td>ASSESSOR’S ID NUMBER (PIN): 03-08-227-036</td>
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<td>EXISTING LAND USE</td>
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<td>REQUESTED ACTION (Check All That Apply):</td>
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<td>MAP AMENDMENT (Rezone to)</td>
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<td>ADMINISTRATIVE VARIANCE</td>
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<td>TEXT AMENDMENT</td>
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<td>PRELIMINARY PLAT</td>
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<td>AMENDMENT TO A SPECIAL USE (Major: Minor)</td>
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<td>PRIMARY CONTACT</td>
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<td>PRIMARY CONTACT PHONE #: 630-310-0835</td>
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<td>PRIMARY CONTACT EMAIL</td>
<td>Cell Phone</td>
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<td>PRIMARY CONTACT FAX #</td>
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<td>PRIMARY CONTACT OTHER #</td>
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<td>ENGINEER OTHER # (Cell, etc.)</td>
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**I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.**

**I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.**

**SIGNATURE OF APPLICANT**

Frank Schmaltz

**DATE**: 5/15/15

**FEE PAID:** $425.00

**CHECK #:** 8058

1. Primary Contact will receive all correspondence from County
2. Engineering Contact will receive all correspondence from the County’s Engineering Consultants

Last Revised: 9.28.12
Special Use

Date Stamp Here If Checklist Is Complete
To Whom it May Concern

We are writing to you regarding the trailer that is parked in our driveway, 23 Old Post Road, Montgomery, IL. We understand that it sticks out passed our house. According to a letter we received it states that we are in violation of a law that was enacted in 2006. We were not aware of this law until someone complained about our trailer.

The issues we have in moving the trailer is our house sits on a hill the slop of the yard next to the garage. If we were to landscape the yard to move the trailer it would be very expensive. We would have to dig it out so it would have to go down about 3 ½ feet. We have kids and neighbor kids playing. I do not want them hurt of fall in. It would interfere with our foundation and weeping tiles the drainage of the water, the water will come for my neighbor and where the trailer would be parked then it would go in the drive way and in my garage. For us to push the trailer back and on the side of the house it would be impossible because it would require black top or cement pad or gravel and this would be very expensive.