

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 & 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of August 12, 2019

CALL TO ORDER

The meeting was called to order by Chairman Prochaska at 6:30 p.m. Chairman Prochaska led the attendees in the Pledge of Allegiance.

ROLL CALL

Committee Members Present: Elizabeth Flowers, Scott Gengler, Judy Gilmour, Matt Kellogg (Vice-Chairman), and Matthew Prochaska (Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Dan Kramer, Dorothy Flisk, and Katie Finlon

APPROVAL OF AGENDA

Member Flowers made a motion, seconded by Member Kellogg, to approve the agenda as presented. With a voice vote of five (5) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Flowers made a motion, seconded by Member Gengler to approve the minutes of the July 30, 2019, special meeting. With a voice vote of five (5) ayes, the motion carried unanimously.

PUBLIC COMMENT

None

PETITIONS

18 – 24 – Dorothy Flisk on Behalf of Skyfall Equestrian, LLC

Mr. Asselmeier summarized the request.

Dorothy Flisk, on behalf of Skyfall Equestrian, LLC, is requesting a major amendment to their special use permit to increase the number of horses allowed to be boarded in the stable from twenty-four (24) to thirty-six (36). The Petitioner desires the amendment to respond to increased market demand for stabling services.

When the Petitioner originally applied for a major amendment to their special use permit, they did not provide information regarding a new building or a revised manure management plan reflecting the addition of twelve (12) horses. The matter was originally laid over at ZPAC until this information was provided.

The Petitioner has a waitlist and would like to expand because of the waitlist. If approved, the Petitioner would like to expand operations in the summer of 2019.

The Petitioner provided an EcoCat from 2005.

The Petitioner applied for an NRI in February 2019 and the LESA Score was 167 indicating a low

level of protection.

Revised information was sent to Little Rock Township Revised on February 21, 2019. No comments were received.

Revised information was sent to Bristol Township on February 21, 2019. No comments were received.

The City of Plano had no objections to the proposal.

Revised information was sent to the Bristol-Kendall Fire Protection District on February 21, 2019.

The Little Rock Fox Fire Protection District had no objections to the original proposal.

ZPAC recommended approval of the petition.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on March 27, 2019. Dan Huddleston expressed the Homeowners' Association concerns regarding increased traffic, light pollution, noise, and manure. Jean Cook, Arlene Vankamper, and Mary Kay Sergo board their horses at the stable and spoke about how well maintained the stable is and how it enhanced the area. Discussion occurred regarding planting arborvitaes as a buffer, but this did not seem to solve screening issues. By a vote of six (6) in favor and two (2) in opposition, the Kendall County Regional Planning Commission recommended approval with the conditions proposed by Staff.

The Kendall County Zoning Board of Appeals started a public hearing on this petition on August 27, 2018. The hearing was continued until April 29, 2019, July 1, 2019, and July 29, 2019. The minutes of the August 27th, April 29th, and July 1st hearings were provided. At the hearing on July 29th, Attorney Patrick Kinnally presented fourteen (14) requests from his client John Bryan. These were as follows:

1. Residential lots to remain residential with no ability for horse pasturing.
2. Two to Four (2-4) weeks Notice for outdoor events.
3. Change notice for "outdoor" events to "outside, not referring to roofs" events.
4. No tent erection at any event.
5. Parking for events to be restricted to one (1) side of the street to allow room for emergency vehicles.
6. Recommended that Skyfall obtain workers' compensation insurance as she has four (4) employees.
7. Increase additional insured insurance amount from One Million Dollars (\$1 Million) to Ten Million Dollars (\$10 Million).

8. HOA responsible for seventy-nine percent (79%) of road maintenance on the side streets; Dorothy responsible for twenty-one percent (21%).
9. Skyfall responsible for seventy-nine percent (79%) of road maintenance on the main road; HOA responsible for twenty-one percent (21%).
10. Skyfall responsible for one hundred percent (100%) of road maintenance for its property line.
11. Change the responsibility for the trail system to the HOA.
12. No trail system on the conservation area behind houses.
13. Keep Lot 1 pasture.
14. HOA to install requirement that anyone who sits on the Board must actually reside in the subdivision, not just be an owner.

The Petitioner's attorney responded that they agreed with requests 1-6 and 8-13. In request 7, the insurance amount could be increased to Three Million (\$3 Million). In request 14, the Petitioner's attorney held that the Petitioner could not bind the HOA to take a given action. Regarding request 2, the Petitioner's attorney said the notice will be served to the HOA and any lot owner that provided an email. Regarding request 5, they would like parking on the right side of the street. The special use permit would run with the property owner. Request 14 would not be included in the special use permit because the HOA is not a party of the special use permit.

Peter Lodestro testified against the proposal because of concerns regarding liability for increased traffic on the private streets of the subdivision and safety concerns.

William Barclay testified in favor of the proposal by stating that the facility is run great and the manure management plan is superb.

Chairman Mohr dissented on the findings of fact regarding the use being injurious to neighboring property owners and inconsistency with the Land Resource Management Plan. He felt that these types of uses (equestrian based residential developments) do not succeed and that Board would not approve this use if it was brand new.

The Zoning Board of Appeals recommended approval of the major amendment to the special use permit with the conditions proposed by Staff and the conditions agreed to between John Bryan and the Petitioner by a vote of five (5) in favor and one (1) in opposition. Chairman Mohr voted no. Member Cherry was absent.

The existing special use permit was established by Ordinance 2012-22. The restrictions placed on the special use permit were:

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall County Ordinance #06-29 in its entirety and grants approval of a special use zoning permit to amend their existing special use permit **to change the private horse facility from allowing only boarders who live within the Subdivision into a private horse facility that also allows**

boarder who do not live within the Subdivision subject to the following conditions (Emphasis Added):

- 1. A maximum of twenty-four (24) horses are allowed to be housed in the stable. (Emphasis Added)**
- 2. Manure storage and disposal is to be according to a proposed manure storage and disposal plan approved by the Kendall County Department of Environmental Health.**
- 3. The facility shall be exclusively used by the owners, trainers, boarders and their guests. In keeping with the private and quiet nature intended for the residential community, activities at the facility should never be so large or noisy or late that it would be disruptive to residents of the Subdivision. If the facility hosts an outdoor event exceeding fifty (50) guests, the owner, shall provide each of the property owners and Homeowners Association with at least thirty (30) days notice of the event. The Owner shall host no more than two (2) such outdoor events a year. The Owner has no intention of hosting any activity with the general public that would intentionally invite so much traffic that parking would spill off the stable property on to the private residential streets. Events at the stable will be consistent with the image of a small private equestrian club.**
- 4. As a private equestrian facility, no school horses will be available for rent to the general public. Training is available to the owners, trainers, boarders and their guests, only.**
- 5. A maximum of two (2) adults and their immediate family can live in each of the two stable manager housing units inside the stable.**
- 6. Private Road Maintenance: The Owner will solely maintain that portion of the road that is on Lot 17, with that portion being shown on the Final Plat for Equestrian Estates at Legacy Farms Subdivision. The Homeowners Association or property owners will maintain the remaining roads within the Subdivision. The Owner will pay 29% of the cost of maintaining that portion of the roads running from Ashe Road to the turnabout, the turnabout road, and from the turnabout to that portion of the road that intersects with Lot 17. The Owner will notify all boarders that the residential roads are for private use only. With all things being equal with other service providers, including price and quality of service, the Homeowners Association and/or residents agrees to allow the Owner to provide landscaping and road maintenance services.**
- 7. Trails: The Homeowners Association or property owners will be responsible for maintaining any trails in Lot 18. The Owner will be responsible for 29% of the cost to maintain the trails in Lot 18 and the Homeowners Association or property owners will be responsible for 71% of the cost. With all things being equal with other service providers, including price and quality of service, the Homeowners Association or property owners agree to allow the Owner to provide trail improvement and maintenance services.**
- 8. Insurance: The Owner will maintain a comprehensive general liability policy in the minimum amount of \$1,000,000.00. The Homeowners Association and/or property owners will be named as an additional insured.**

9. Lighting: The outdoor arena shall not be lighted. The existing lighting on the south side of the stable will only be used before 8pm or in case of emergency.
10. Sale of the Stable: In the event the Owner lists the property for sale, the Owner shall notify the Homeowners Association and property owners of such listing within five (5) business days.
11. Stable Workers: All employees or independent contractors shall be retained by the Owner.
12. There shall be no signage on the property indicating the stable accepts commercial stabling of horses. The Owner may post upon Homeowners Association and/or property owners approval and/or request a small discreet sign on Lot 17, at the entrance to the facility.
13. No signs are permitted on the eastern portion of the outdoor riding arena.
14. Horse trailers: Horse trailers shall be parked west of the outdoor arena.
15. No rodeo, barrel racing or reining shows, but practicing such activities is a permitted use.

The Kendall County Planning, Building and Zoning Department has not received any complaints regarding the special use at the subject property.

The Kendall County Health Department received one (1) complaint since the issuance of the amended special use permit for manure related issues. The issue was unfounded.

The original ordinance granting the special use permit, Ordinance 2006-05, allowed thirty-six (36) horses to be stabled at the property.

Any new buildings would have to meet applicable building codes.

The property has indirect access to Ashe Road via private streets.

Pictures of the manure area were provided. The Petitioner currently has manure picked up four (4) days per week and has a mushroom farmer collect manure for composting once per week. The manure area is sealed and graded with four (4) concrete blocks across the back and is four (4) rows high and three (3) rows deep. The Petitioner plans to install an opaque fence around the manure area. The Petitioner has two (2) backup plans for handling manure. One (1) plan involves a truck transporting manure to a company in Wisconsin. The other plan involves working with a company that transforms manure into energy. Manure will be monitored daily and more pickups could occur if the manure pile gets too large. The revised manure management plan was provided. The Kendall County Health Department's approval of the manure management plan was provided.

No new lighting is planned.

No additional fencing or buffering is planned.

No changes in impervious surface are planned. The stormwater situation may have to be reexamined if the Petitioner constructs new building(s).

No changes in utilities, well, or septic system are planned. Any new utilities would have to secure applicable permits.

The findings of fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Provided that the manure management plan is implemented as proposed, the amendment to the special use will not be detrimental or endanger the public health, safety, morals, comfort, or general welfare.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Provided that the manure management plan is implemented as proposed and that the property owner follows the remaining restrictions in Ordinance 2012-22, the amendment will not be substantially injurious to the use and enjoyment of other property in the area nor will the amendment impair property values.

Chairman Mohr dissented with this finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Provided that the manure management plan is implemented as proposed, no concerns exist regarding drainage. The owner of the property will need to continue their required contributions to the Homeowners' Association as outlined in Ordinance 2012-22 to ensure that the subdivision roads remain in good repair.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. The proposed special use permit and site plan conform to all other applicable regulations of the RPD-1 Zoning District.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The LRMP states the following regarding the Rural Estate Residential Area, "limited business use may also be appropriate for small offices or agricultural service enterprises" and "agricultural uses will continue to be a major use in Rural Estate areas" (Page 5-17). Accordingly, with proper restrictions, the proposed use is consistent with the purpose and objectives of the LRMP.

Chairman Mohr dissented with this finding.

Staff recommends approval of the requested amendment with the following conditions:

1. All of the conditions contained in Ordinance 2012-22, except conditions Number 1, Number 2, Number 3, Number 6, and Number 8 shall remain in effect. Conditions Numbers 1, 2, 3, 6, and 8 of Ordinance 2012-22 are hereby repealed.

2. The site shall be developed substantially in accordance with the attached site plan. Unless

otherwise shown on the attached site plan, the residential lots within the Subdivision shall remain residential with no ability for horse pasturing. Lot 1 can be used just for pasture. No trail system shall be placed on the conservation area behind houses.

3. The owner(s) of the property shall secure applicable building permits prior to the construction of any structures on the property.
4. A maximum of thirty-six (36) horses are allowed to be housed in the stable.
5. The manure shall be handled in substantially the manner stated in the manure management plan.
6. The facility shall be exclusively used by the owners, trainers, boarders, and their guests. In keeping with the private and quiet nature intended for the residential community, activities at the facility should never be so large or noisy or late that it would be disruptive to residents of the Subdivision. If the facility hosts an outside event exceeding fifty (50) guests, the owner shall provide each property owner that so requests and the Homeowners Association with at least two to four (2-4) weeks notice of the event. The Owner shall host no more than two (2) such outside events a year. The Owner has no intention of hosting any activity with the general public that would intentionally invite so much traffic that parking would spill off the stable property on to the private residential streets. Events at the stable will be consistent with the image of a small private equestrian club. No tent erection shall occur at any event.
7. Parking for events shall be restricted to the north and west side of the road within the boundaries of Lot 17 to allow room for emergency vehicles.
8. The owner of the special use allowed by this special use permit shall be responsible for twenty-one percent (21%) of the road maintenance for the side streets. The owner of the special use allowed by this special use permit shall be responsible for seventy-nine percent (79%) of the road maintenance of the main road. The owner of the special use allowed by this special use permit shall be responsible for one hundred percent (100%) of road maintenance on Lot 17.
9. The owner of the special use allowed by this special use permit will maintain a comprehensive general liability umbrella policy in the minimum amount of \$3 Million. The Homeowners' Association shall be named as an additional insured. The owner of the special use allowed by this special use permit shall obtain workers' compensation insurance.
10. The owners(s) of the facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
11. Failure to comply with one or more of the above conditions or restrictions contained in this ordinance and Ordinance 2012-22 could result in the amendment or revocation of the special use permit.
12. If one or more of the conditions contained in this ordinance and Ordinance 2012-22 is declared invalid by a court of competent jurisdiction, the remaining conditions of both ordinances shall remain valid.

The draft ordinance was provided.

Member Gilmour asked the Homeowners' Association. Dan Kramer, attorney for the Petitioner, responded that Chris Fowler represented the homeowners' association and the name of the subdivision was Legacy Estates.

Member Flowers asked why the Petitioner increased insurance only to Three Million Dollars (\$3 Million). Mr. Kramer stated that maximum available to Ms. Flisk was Three Million Dollars (\$3 Million); the Ten Million Dollar (\$10 Million Dollar) option was not available from Ms. Flisk's provider. Chairman Prochaska asked why the insurance increase was necessary. Mr. Kramer stated that the Homeowners' Association wanted the extra protection.

Mr. Kramer provided a history of why the development occurred and the impact of the economic downturn on the development. The bank that acquired that the property after it went into foreclosure requested the reduction of the number of horses allowed from the original thirty-six (36) to twenty-four (24).

Mr. Kramer explained the manure management plan and the impact of the expansion on traffic in subdivision.

Mr. Kramer stated that the Petitioner plans to build her house on Lot 1.

Chairman Prochaska asked why two (2) members of the Regional Planning Commission voted no. Mr. Asselmeier responded that concerns regarding the impact of increased horse urine and manure on the property and nearby creek were the reasons the two (2) members of the Regional Planning Commission opposed the proposal.

Chairman Prochaska asked if the representatives of the Homeowners' Association expressed concerns on their personal behalf or on behalf of the Homeowners' Association. Mr. Kramer responded that the Homeowners' Association has not formally objected to the proposal.

Member Kellogg asked about the private roads in the subdivision. Mr. Kramer explained why the roads were private.

Member Kellogg made a motion, seconded by Member Gilmour, to recommend approval of the amendment with conditions proposed by Staff agreed to by Mr. Bryan and the Petitioner.

With a voice vote of five (5) ayes, the motion carried unanimously.

The Petition will go to the County Board on August 27th.

19 – 25 – Dave Hamman on Behalf of KEKA Farms, LLC and Pulte Group

Mr. Asselmeier noted that the Kendall County Zoning Ordinance and the special use permit require renewal every two (2) years. A picture of the sign was provided to the Committee.

Chairman Prochaska suggested that the Committee look into changing the requirement that this special use permit not be required to renew every two (2) years.

Member Kellogg made a motion, seconded by Member Flowers, to recommend approval of the renewal of the special use permit with conditions proposed by Staff.

With a voice vote of five (5) ayes, the motion carried unanimously.

The Petition will go to the County Board on August 27th.

NEW BUSINESS

Request from Matthew Prombo for Permission to Construct a Single-Family Home at the Intersection of Route 71 and Sheridan Road (PIN: 07-07-100-015); Property is South of Sheridan Road and North of Route 71; Property is Zoned A-1

Dan Kramer, attorney for Matthew Prombo, described the subject property and the adjoining land uses. He discussed potential uses for the property and that one (1) single-family home was probably the best land use.

Mr. Asselmeier summarized the request.

Matthew Prombo submitted a request to construct a house on the property at the corner of Route 71 and Sheridan Road. The property is zoned A-1 Agricultural. The property is on the south side of Sheridan Road and is west of Route 71. The property is approximately five point eight (5.8) acres in size. The parcel identification number is 07-07-100-015. Pictures of the property were provided.

Prior to 2014, the property was a part of the property across Route 71. The subject parcel was split from the larger parcel in 2014.

The property is less than forty (40) acres in size and the property has no housing allocations. Therefore, a building permit cannot be granted on the property without County action.

The property owner could ask for the property to be rezoned from A-1 to R-1. In order for this to occur, the County's Future Land Use Map in the Land Resource Management Plan would have to be amended. The Future Land Use Map calls for the property to be agricultural.

The issue with this option is that no other nearby properties are classified as residential on any applicable plans. The future land use maps for Kendall County, LaSalle County, and the Village of Newark call for the adjoining area to be agricultural. The six (6) houses in Kendall County and eight (8) houses in LaSalle County within one half (1/2) mile possess A-1 zoning.

Staff has concerns about the potential for spot zoning if this option is chosen. Without a change to the County's Future Land Use Map, Staff would recommend denial of the rezoning request because the request is inconsistent with the Land Resource Management Plan. Also, the Village of Newark could formally object to the rezoning.

The map amendment option was used in the two (2) most recent cases where this issue arose. However, in both of those cases, the Future Land Use Map called for those properties to be residential.

The Kendall County Zoning Ordinance outlines the following requirements to grant a building permit on A-1 zoned property with less than forty (40) acres:

Single Family Dwellings may be authorized under the following conditions:

- i. Each such dwelling shall be located on a zoning lot that meets the standards of single-family residential lots, one hundred and thirty thousand (130,000) sq. ft. minimum.
- ii. Septic suitability is approved by the Health Department.
- iii. It is the intent to limit such usage, and if, in the judgment of the County Board, contiguous parcels requesting approval hereunder represent an unwarranted expansion of this usage, then denial is warranted.
- iv. That application shall be made on forms provided by the Zoning Administrator and shall include specific written and graphic statements and illustrations establishing evidence that the site meets the standards as follows:
That the site for the proposed use must be incompatible with agricultural use that may be evidenced by establishment of one or more of the following criteria:
 - 1) Existing woodland coverage of a substantial portion of the site containing trees in excess of 6" in diameter measured at breast height;
 - 2) Soils which have a land evaluation ranking from the Kendall County Soil & Water Conservation District of seventy-five (75) or less;
 - 3) Excessive slopes;
 - 4) Other physical features which serve as barriers to farm operations such as streams, rock outcroppings and property configuration in relationship to wetlands, flood-prone areas or buildings.
- v. That such application shall be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the application to the Planning, Building and Zoning Committee of the County Board for recommendation prior to taking action.

It is the policy that allowance of dwellings under this section shall not change the general character of agricultural use in the surrounding area.

There does not appear to be any woodland coverage on the site meeting the requirements stated previously. The land evaluation score is 96 with a total LESA Score of 176. The executive summary of the NRI Report is attached. There are no excessive slopes. While Roods Creek flows through the property, there are no floodplains or wetlands on the property. Septic suitability is in unknown. If a house were placed on the property, access would be by Sheridan Road, per Fran Klaas.

Based on the above factors Staff does not believe the property qualifies for a conditional use permit.

To date, the property owner has not provided any information regarding a hardship. If the property owner applied for a variance, the neighbors would be notified of the hearing. Big Grove Township does not have a Planning Commission, so no formal objection could be filed.

The final option is to not allow the property owner to construct a house on the property.

Both the property owner and Staff request guidance as to how to proceed.

Member Flowers requested clarification on where a house would be placed on the subject

property in relation to the rights-of-way.

The consensus of the Committee was for the Petitioner to submit a site plan showing the location of the house and to grant an A-1 Conditional Use Permit. Mr. Kramer agreed to talk with Fran Klaas regarding potential right-of-way dedications.

Approval of an Intergovernmental Agreement between the Village of Millbrook and the County of Kendall to Administer the County's Ordinances for Zoning, Building Code, Subdivision Control, Comprehensive Plan and Stormwater Management within the Jurisdiction of the Village of Millbrook for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Millbrook to the County of Kendall

Mr. Asselmeier summarized the request.

The intergovernmental agreement between Kendall County and the Village of Millbrook expires in September. The Planning, Building and Zoning Department does not propose any changes to the body of the agreement.

A copy of the proposal was provided.

Member Gilmour made a motion, seconded by Member Flowers, to recommend approval of the agreement and that this item should be placed on the consent agenda.

With a voice vote of five (5) ayes, the motion carried unanimously.

The proposal will be forwarded to the Village of Millbrook.

Approval of Setting a Date and Time for Second Meeting of the Planning, Building and Zoning Committee in the Month of August 2019

The consensus of the Committee was to schedule a special meeting for August 26th at 8:00 a.m.

OLD BUSINESS

Discussion of Recreational Marijuana Zoning Regulations-Committee Could Initiate a Text Amendment to the Kendall County Zoning Ordinance on This Matter

Mr. Asselmeier read County Administrator Koeppel's memo on the subject.

Committee members discussed the various cannabis related uses.

Member Gilmour favored having a distance requirement for cannabis uses away from churches, schools, and parks.

Medical marijuana uses are special uses in the M-1 and M-2 districts. The expiration date for these regulations will need to be changed at some point.

Committee members reviewed maps of properties zoned B-3, M-1, and M-2 in each township.

Chairman Prochaska favored cultivation centers to be in A-1, M-1, and M-2 districts as a special use.

The consensus of the Committee was to have Staff prepare maps showing distances from forest preserves, parks, churches, hospitals, and emergency rooms at five hundred foot (500'), one thousand foot (1,000') and one thousand five hundred foot (1,500') intervals.

The consensus of the Committee was that craft growers cannot sell cannabis onsite.

The consensus of the Committee was not to allow onsite consumption.

Discussion occurred regarding renewals. Discussion occurred about the liquor license fees. The Committee requested that the State's Attorney's Office provide an opinion on whether or not the County can charge different fees for different special use permits. The Committee requested the fee schedule for liquor licenses. The Committee also wanted to know if a limit existed in State law on fee schedule.

The consensus of the Committee was that a transporter could only transport cannabis.

Chairman Prochaska stated that the ordinance should not have an expiration date. He also felt the Committee should be the Petitioner. He also argued that cannabis related uses should be in stand-alone buildings. He favored that those business that sell to the public should have their own count room.

Discussion occurred regarding creating a separate zoning district for cannabis uses.

For the next meeting, Committee members were asked develop their ideas for zoning this use.

Discussion occurred regarding have medical marijuana zoning regulations the same as recreational marijuana.

Hide-A-Way Lakes-Committee Could Refer the Matter to the State's Attorney's Office for Enforcement, Committee Could Initiate Revocation of the Special Use Permit, Committee Could Initiate and Amendment to the Special Use Permit

Chairman Prochaska advised that the special use permit cannot be revoked or amended without permission of the property owner.

The Committee requested Staff to conduct a vigorous inspection of the property per the conditions of the special use permit. Staff is also to contact the Sheriff's Department regarding the log books. The creek crossing should also be inspected.

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Member Flowers made a motion, seconded by Member Gilmour, to adjourn. With a voice vote of five (5) ayes, the motion carried unanimously. Chairman Prochaska adjourned the meeting at 8:20 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, Senior Planner

Enc.

**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
AUGUST 12, 2019**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Dan Kramer	1107 A S. Bayview Yorkville IL	d.kramer@danukramer.com
Dorothy Flisk	do "	"
Dan Kramer	Pamba 07-07-100-015	
Katie Finlon		